

**ROUND HILL TOWN COUNCIL
MEETING MINUTES
November 1, 2018**

A Meeting of the Round Hill Town Council was held at the Town Office, 23 Main Street, Round Hill, Virginia, on Thursday, November 1, 2018, at 7:30 p.m.

Council Members Present

Scott T. Ramsey, Mayor
Mary Anne Graham, Vice-Mayor
Donald W. Allen
Amy E. Evers

Council Members Absent

Michael B. Hummel
Frederick J. Lyne

Staff Members Present

Melissa Hynes, Town Administrator, Town Planner/Zoning Administrator

Others Present

Marie Schuller, Comcast Representative
Deputy LoPreto, Loudoun County Sheriff's Office
Patrick Szabo, *Loudoun Now*

IN RE: CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Ramsey called the meeting to order at 7:35 p.m. Vice-Mayor Graham led those present in the Pledge of Allegiance.

IN RE: ROLL CALL

Mayor Ramsey stated that, with only Councilpersons Hummel and Lyne absent, a quorum was established.

IN RE: COMMUNITY POLICING

Deputy LoPreto reported that the message board has been posted on Main Street, and that the department is running radar; these efforts are working, as speeds there have been reduced. Deputy LoPreto informed the Council that it may be possible to work with the County to obtain a DMV grant, which would enable Round Hill to buy signs and a trailer; other municipalities have done this, and it aids with traffic-calming. These signs provide data reports, which include counts of cars traveling in the area and the time of day the counts are gathered, and the speeds cars are

traveling including the percentages over the posted speed limit; this information can assist with traffic planning. The cost of a sign is approximately \$3,000.00.

Mayor Ramsey asked about the recent Halloween events; Deputy LoPreto reported that there was a good turnout for Trick-or-Treat, with no trouble spots reported.

Council thanked Deputy LoPreto for his report.

IN RE: PUBLIC COMMENT

There was no Public Comment.

IN RE: ADOPTION OF REGULAR MEETING AGENDA (Amendments & Deletions)

Town Administrator Hynes requested that discussion of the *Comcast Franchise Agreement* be included on the agenda; Mayor Ramsey suggested it be added as the first *Business Item*. Vice-Mayor Graham made a motion **to adopt the Agenda, with the addition of Comcast Franchise Agreement as the first Business Item**; Councilperson Allen seconded the motion. There was no discussion. A vote was held; the motion was approved 3-0, with Councilpersons Hummel and Lyne absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Donald W. Allen	Aye
Michael B. Hummel	Absent
Mary Anne Graham	Aye
Amy E. Evers	Aye
Frederick J. Lyne	Absent

IN RE: APPROVAL OF MINUTES

1. October 4, 2018 Town Council Meeting

Councilperson Allen noted that former Councilperson Minshall's name is still included in the minutes, with him being listed as being absent; Mayor Ramsey stated that Mr. Minshall's resignation from the Town Council was received on September 7, 2018, and that he should not be included in minutes after that date. Vice-Mayor Graham noted a spelling error on page eight. Ms. Graham also noted that a blank was used in place of the name of the second to a motion, on page eleven; it was determined that Councilperson Lyne was the second to the motion and should be noted as such. There were no further corrections. Councilperson Allen made a motion **that the Town Council approve the minutes of the October 4, 2018 meeting, as amended**; Councilperson Evers seconded the motion. There was no discussion. A vote was held; the motion was approved 3-0, Councilpersons Hummel and Lyne absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Donald W. Allen	Aye
Michael B. Hummel	Absent
Mary Anne Graham	Aye
Amy E. Evers	Aye
Frederick J. Lyne	Absent

IN RE: BUSINESS ITEMS

1. Comcast Franchise Agreement

Town Administrator Hynes explained that this will be presented as an Action Item on the next Town Council Agenda; however, a representative from Comcast is in attendance this evening to provide background information to the Council for the upcoming discussion. Ms. Marie Schuller then introduced herself, explaining that she is Comcast's Director of Government and Community Affairs; Ms. Schuller noted that she has been assigned to the Town since approximately 2013. Ms. Schuller reported that she has been working with Town Attorney Gilmore on a memorandum of understanding to renew a cable television franchise in Round Hill; Ms. Schuller has also spoken with the Town Administrator regarding this issue. Ms. Schuller explained that the franchise here was originally with Adelphia; Comcast acquired Adelphia in the 2007-2008 time-frame. The original franchise with the Town expired in 2006; however, under the Communications Act, the company operates under the existing franchise until a new agreement has been negotiated. Ms. Schuller stated that there is concern within her company that the length of time the franchise has been operating under the old contract may prompt the FCC to flag this and raise it as an issue. Ms. Schuller reported that she has been holding meetings with former Town Administrator Nicholson since 2013, in an effort to ensure an updated agreement is in place. Ms. Schuller noted that FCC policy stipulates that, if a franchise was in place prior to 1984, a continuance of the franchise is required. Ms. Schuller explained that the memorandum of understanding currently under negotiation will request that the Council allow the company to continue to provide cable television service to Round Hill. It was also noted that Comcast would be open to future negotiations requested by the Town. Ms. Schuller explained that the Town collects five percent gross revenue on the company's video, which is paid to the State and then is reimbursed to the Town, on a monthly basis. Ms. Schuller explained that the memorandum of understanding deals strictly with cable television, with no requirement to provide a franchise for internet or telephone service. Ms. Schuller closed her presentation by noting that this represents an administrative matter, to keep the company current with FCC regulations. In response to a question from the Mayor, Ms. Schuller explained that some Comcast lines are underground, with most on Dominion or Verizon poles. Mayor Ramsey also asked to clarify that the MOU currently under negotiation is a continuation of the existing agreement; Ms. Schuller stated that it is, and that a new agreement may be negotiated in the future, if so desired. Vice-Mayor Graham asked if the agreement is valid for a certain number of years, or is open-ended; Ms. Schuller stated that it is open-ended, but that a term limit may be applied, if requested by the Town Attorney. Ms. Schuller noted, in response to a question from the Mayor, that Comcast

serves all residents of Round Hill. However, Ms. Schuller stated, the contract is non-exclusive, with other providers allowed. There was discussion of Verizon/FIOS service in the area, with Verizon's unwillingness to serve the Town highlighted.

It was noted, in closing, that the Comcast Franchise Agreement will be on a future Council agenda. Ms. Schuller thanked the Council, with Council thanking her for her report.

2. Utility Department Update

Vice-Mayor Graham presented this item, noting that a report from Town Engineer Lane is included in Council packets. Ms. Graham reported that Project Specialist Lohr is working diligently with the County regarding the generator at the well site in the Stoneleigh subdivision; the golf course manager there has requested that fir trees be planted at the generator, rather than Pampas grass; Mr. Lohr will present this request to the County.

Vice-Mayor Graham reported that attendance at the Town-sponsored shred event was down this year, and suggested that Council may want to revisit this program.

Vice-Mayor Graham reported that the County Planning Commission will hold a public hearing for the proposed South Water Tank on November 27, 2018; Town Engineer Lane and Town Staff will attend. Discussion ensued regarding the color the tank is to be painted, and if a logo should be placed on the tank; it was the consensus of the Council that a logo should not be placed on the tank at this time, but that it should be ensured the option to include a logo at a later date exists. It was noted that the application under consideration at the public hearing includes the placement of cellular equipment on the tower. It was also noted that this tower is expected to be the same type as the tank located on Evening Star Drive; Town Administrator Hynes is to check with the Town Engineer to ensure this is correct. It was noted that a cream color, rather than blue, is the preferred color for the tank.

Town Administrator Hynes explained that the special exception for the South Water Tank is in regard to the appearance of the tank to neighboring residents. Town Administrator Hynes stated that, at present, there are no outstanding comments regarding this special exception application; County staff will present at the public hearing.

3. Loudoun County Comprehensive Plan

Mayor Ramsey presented this item, noting that he will send an e-mail pertinent to this topic to Council Members. Mr. Ramsey reported that the Coalition of Loudoun Towns (COLT) met last week to discuss comments it wishes to make regarding the update of the County Comprehensive Plan. A draft of the plan was released in October, and contained substantial modifications to the earlier draft; modifications of concern to COLT included an increased density in the Transition Policy Area, and the removal of language stating that the TPA is a buffer/transition zone. Mayor Ramsey noted that the Planning Commission did take into consideration a number of comments made by COLT. Mayor Ramsey

reported that the Public Hearing for the updated County Comprehensive Plan is scheduled for November 7, 2018; the Planning Commission hopes to hand this to the Board of Supervisors in December. Mr. Ramsey and Town Administrator Hynes noted their concerns regarding this document going to public hearing only two weeks after its release.

Discussion ensued regarding this update of the County Comprehensive Plan, with it being noted that County representatives have attempted to implement a plan which takes into consideration the best interests of citizens while allowing for increased densities. Mayor Ramsey stated that concerns still exist, and noted that COLT will submit a letter expressing its dissatisfaction with the direction the Planning Commission has taken in the update. Mr. Ramsey noted that this letter will be forwarded to Council Members and will be posted to Round Hill's website. Mayor Ramsey reported that each mayor will speak on behalf of his/her town at the Planning Commission meeting. Proposals made by COLT, to allow for additional housing, were discussed by the Mayor and Council; Mayor Ramsey noted that there are Supervisors who are opposed to the increased density recommended for the TPA. Finally, Mayor Ramsey noted that the recently enacted proffer law makes providing schools and infrastructure more difficult.

4. Update on Town Website Project

Town Administrator Hynes apologized to Council, explaining that, due to pressing issues which have recently occurred, this project has been temporarily shelved. Ms. Hynes requested that Council Members forward any comments they may have regarding the update of the Town website to her.

5. ZOAM-2018-01 –

Guest Lodging, Senior Housing, and Accessory Apartments Discussion

Town Administrator Hynes explained that she wants to wait until as many Council Members as possible are in attendance before a vote is held on these text amendments. Ms. Hynes noted that she will forward comments on the text amendments provided by the Mayor to Council Members. Mayor Ramsey reminded those present that a measure need not be approved unanimously, and that split votes have happened previously.

6. FY2020 Town Action Plan Discussion

Town Administrator Hynes stated that a draft list of projects discussed at the Strategic Planning Meeting is included in Council packets, and asked that Council Members forward comments to her. Discussion ensued regarding these projects, which include an update of the Town Code, and the establishment of a Historical Society/Museum; the museum could possibly be located at the old Train Station building, and the project could be undertaken by a community group. Mayor Ramsey stated that he liked the format used last year for the Town Action Plan, and suggested that it be implemented again; additionally, Mr. Ramsey suggested that items requiring a great deal of Staff time be placed at the back of the schedule. An updated document will be provided at a future Council meeting. Ms. Hynes thanked the Council for its hard work on this effort. Finally, it was noted that the

proposed Town leaf collection will be included as a budget item, and a quote for this service will be sought.

IN RE: ACTION ITEMS

There were no Action Items.

IN RE: DEPARTMENTAL REPORTS

1. Planning Commission

Town Administrator Hynes reported that the Planning Commission has a meeting scheduled for next week; Commissioner Hummel will present Council's request for an update to Restaurant ordinances to the Commission. Discussion of projects to be undertaken by the Planning Commission were reviewed; these include by-right restaurant uses, non-conforming properties, and the park plan. Mayor Ramsey sought to clarify if a site identified by the Commission as a potential Town parking lot could be eligible for funding from the County, through its program which provides transportation funding. Town Administrator Hynes stated that it could. Mayor Ramsey suggested that sites be identified for a Town parking lot, and then a request be made to the County for funding to further explore this use. It was suggested that a round table made up of business owners and land owners in Round Hill be created to discuss a possible business parking area in Town. It was decided not to approach the Loudoun Design Cabinet for input at this time.

2. Town Planner/Zoning Administrator Report

Town Administrator Hynes reported that a company which installs security systems has purchased the bank building next door, and is making improvements to the building. In response to a question from Council, Ms. Hynes noted that the property owner may share parking in his lot, if he so chooses. It was noted that it is uncertain, at this time, if the Round Hill Owners' Association office will remain in that building. Ms. Hynes noted that the owners of the bank building, the Patterson building and the light industrial property at 6 Bridge Street are "going above and beyond" in making improvements to these properties.

3. Town Administrator Report

Town Administrator Hynes reported that the process of updating policies is underway, and that the vacant position of Treasurer is being advertised. Following the hiring of a Treasurer, the Town Planner/Zoning Administrator position will be advertised. Ms. Hynes also reported that she is considering hiring a firm to install the Christmas lights and decorations at the Town Park; funding has been budgeted for this item, and a favorable quote has been received. Mayor Ramsey requested that Town Administrator Hynes ensure that the company hired is apprised of the configuration of the electrical service at the park. Ms. Hynes asked if Council approval is required for replacement of the furnace at the Town Office; it was noted that it depends upon the cost. Town Administrator Hynes stated that she is working on obtaining quotes for this. Finally, Ms.

Hynes reported that the office will be "short-staffed" next week; therefore, a temporary has been engaged for the week.

3. Mayor's Report

Mayor Ramsey reported that a Town newsletter will be published next week, and will include a biography for Town Administrator Hynes. Mr. Ramsey stated that the newsletter will also provide information regarding the Tree Lighting at the Town Park, at which the Round Hill Volunteer Fire Department and the Woodgrove High School chorus will participate.

IN RE: COUNCIL COMMENTS

Vice-Mayor Graham reminded everyone in attendance to vote in the upcoming election. Ms. Graham asked if Ms. Kim Ramsey has been reimbursed for sign design expenses related to the Hometown Festival. Mayor Ramsey provided background information on this issue, noting that Ms. Ramsey paid for those expenses personally and has not yet been reimbursed by the Town. Discussion ensued regarding who may legally sign checks, with Mayor Ramsey stating his discomfort at signing a check payable to a family member. It was determined, in this instance, that his signature on the check is permissible, as there is not yet a Treasurer and the number of permissible signatories is at a minimum.

There were no further Council Comments.

IN RE: MEETING ADJOURNMENT

The meeting was adjourned by Mayor Ramsey at 9:19 p.m.

Respectfully submitted,

Scott T. Ramsey, Mayor

Debra McDonald, Recording Secretary