

**ROUND HILL TOWN COUNCIL
PUBLIC HEARING
and
WORK SESSION MINUTES
June 7, 2018**

A Public Hearing and Work Session was held by the Round Hill Town Council at the Town Office, 23 Main Street, Round Hill, Virginia, on Thursday, June 7, 2018, at 7:30 p.m.

Council Members Present

Scott T. Ramsey, Mayor
Mary Anne Graham, Vice-Mayor
Janet L. Heston
Michael Hummel
Frederick J. Lyne
Michael K. Minshall

Council Members Absent

Christopher J. Prack

Staff Members Present

Buster Nicholson, Town Administrator
Melissa Hynes, Town Planner/Zoning Administrator

Others Present

Donald Allen
Clinton Chapman

IN RE: CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Ramsey called the meeting to order at 7:29 p.m. Vice-Mayor Graham led those present in the Pledge of Allegiance.

IN RE: ROLL CALL

Mayor Ramsey stated that a quorum is present, as all Council Members, except for Councilperson Prack, and the Mayor are in attendance.

IN RE: PUBLIC HEARING

1. FY2019 Budget

Mayor Ramsey opened the Public Hearing at 7:30 p.m., and asked Staff to attest that the Public Hearing was advertised as required; Town Administrator Nicholson and Town Planner/Zoning Administrator Hynes stated that it was, and noted that copies of the advertisements were available to the Council and the public. Mayor Ramsey then opened the floor to public comment on the Fiscal Year 2019 Budget; there was no public comment. The Mayor then opened the floor to the Council for comment on the Fiscal Year 2019 Budget. Councilperson Heston stated that constituents have asked her why the FY2019 Budget was not available on-line, and stated that she believed the Budget and the advertisement were to be placed on the Town's website; Town Administrator Nicholson stated that he believed the documents were placed on-line, and noted that he would check to ensure that is correct. Vice-Mayor Graham stated her understanding was that a physical copy was to be available at the Town Office; Mr. Nicholson stated that it was, but did not include the detailed breakdown, in an effort to save paper. Mr. Nicholson also reported that one individual asked for the breakdown of the Budget, and was provided a copy. Vice-Mayor Graham and Councilperson Heston also stated that they did not receive a copy of the entire Budget package, until they specifically asked. There was no further Council comment. The Mayor closed the Public Hearing at 7:33 p.m.

IN RE: RECONVENE TO TOWN COUNCIL WORK SESSION

The Town Council Work Session was reconvened at 7:33 p.m.

IN RE: PUBLIC COMMENT

Mayor Ramsey opened the meeting to Public Comment for the Work Session Agenda; there was no public comment.

IN RE: ADOPTION OF WORK SESSION AGENDA (Amendments & Deletions)

Vice-Mayor Graham moved **that the Agenda be adopted, with the following additions: under Business Items, Item #3 – Yatton Project Update; and, after Council Comments, an Executive Session, to discuss real estate and personnel matters.** Councilperson Heston seconded the motion. Mayor Ramsey called for discussion of the motion, during which Councilperson Lyne requested that further changes be made to the Agenda; Mayor Ramsey stated that Mr. Lyne may offer an amendment to the motion. Councilperson Lyne then **amended the motion to place Action Item #1, Bond Release for McGee Civil Construction, LLC – Sleeter Lake Park as the first item after the Approval of Minutes; and, to move Business Item #2 – ZOAM-2018-01 to the last Business Item, with discussion of the Yatton Road Project moved to Item #2.** Vice-Mayor Graham and Councilperson Heston agreed to these amendments. Councilperson Lyne then **moved that the Executive Session be stricken;** Ms. Graham and Ms. Heston did not agree to that amendment. Mayor Ramsey stated that a second was required for Mr. Lyne's motion to strike the Executive Session; Councilperson Minshall seconded the motion. Mayor Ramsey then called for discussion of the amendment to strike the Executive Session; Councilperson Heston stated that

personnel issues exist which cannot be addressed at a later date. Discussion of the proposed amendments to the Agenda ensued, with Councilperson Minshall stating his belief that the Agenda should not be amended at all. Mayor Ramsey then clarified that the motion to strike the Executive Session is currently on the table; Councilperson Heston called for a vote. Councilperson Minshall stated his believe that, if an Executive Session is to be held, it should be placed on the original Agenda; Councilperson Hummel agreed with this point. Mayor Ramsey noted that the personnel issues occurred after the Agenda was set for this evening's meeting. Councilperson Heston called again for a vote. The vote was held; the motion to strike the Executive Session was denied. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael K. Minshall	Aye
Janet L. Heston	Nay
Michael Hummel	Nay
Mary Anne Graham	Nay
Christopher J. Prack	Absent
Frederick J. Lyne	Aye

Mayor Ramsey then called for a vote on the motion to adopt the Agenda, which was still on the table. The vote was held; the motion was approved 3-0-2, with Councilpersons Lyne and Minshall voting no, and Councilperson Prack absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael K. Minshall	Nay
Janet L. Heston	Aye
Michael Hummel	Aye
Mary Anne Graham	Aye
Christopher J. Prack	Absent
Frederick J. Lyne	Nay

Mayor Ramsey stated that the Agenda, with the addition of an Executive Session, has been adopted.

IN RE: APPROVAL OF MINUTES

1. Town Council Regular Meeting of March 22, 2018

Councilperson Heston made a motion **to approve the Regular Meeting Minutes for the Town for March 22, 2018**; Councilperson Hummel seconded the motion. Vice-Mayor Graham asked if the minutes for the first meeting in March have been adopted; Councilperson Heston stated that they have been. There was no further discussion. A vote was then held; the motion was approved 5-0, with Councilperson Prack absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael K. Minshall	Aye
Janet L. Heston	Aye
Michael Hummel	Aye
Mary Anne Graham	Aye
Christopher J. Prack	Absent
Frederick J. Lyne	Aye

IN RE: ACTION ITEMS

1. Bond Release for McGee Civil Construction, LLC – Sleeter Lake Park

Town Administrator Nicholson reported that this is for the release of the Performance Bond, and noted that the Staff Report regarding this item is included in Council packets. Mr. Nicholson stated that Staff is happy with the work done there; thus, there is no need to continue the bond.

Councilperson Hummel then moved **that we direct Staff to release the Performance Bond for Sleeter Lake Park work posted by McGee Civil Construction, LLC; this Bond is identified as Bond #017170797, issued by Ohio Casualty Insurance Company.** Vice-Mayor Graham seconded the motion. Mayor Ramsey called for discussion of the motion. Councilperson Heston asked to clarify if the work has been completely finished; Councilperson Hummel stated that it has. Town Administrator Nicholson further explained that McGee carried this bond longer than was necessary; Councilperson Hummel noted that a Maintenance Bond is not required for this work. There was no further discussion. A voice vote was held; the motion was approved 5-0, with Councilperson Prack absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael K. Minshall	Aye
Janet L. Heston	Aye
Michael Hummel	Aye
Mary Anne Graham	Aye
Christopher J. Prack	Absent
Frederick J. Lyne	Aye

Mayor Ramsey stated that the Bond has been released.

IN RE: BUSINESS ITEMS

1. FY2019 Budget

Town Administrator Nicholson asked if there were any questions regarding the FY2019 Budget, prior to adoption of the Resolutions. Mayor Ramsey noted that the Resolutions will be voted upon at the Town Council's Regular Meeting. Councilperson Heston asked if quotes were received for the purchase of a storage building, as previously discussed;

Town Administrator Nicholson stated that a quote of \$5,000.00 was received and is included in the Budget. It was further clarified that the storage building in question will be placed at the Town Office; a storage building for the Waste Water Treatment Plant will be considered during the next budget cycle. Councilperson Heston then asked about the construction of an asphalt pad at the WWTP; Town Administrator Nicholson stated that that item, also, will be considered during the next budget cycle. There were no further questions.

2. Yatton Project Update

Vice-Mayor Graham presented this item, explaining that Town Engineer Lane has recommended that bids be sought for this project; a pre-bid conference is scheduled for June 28th, with the bids opening to be held in July. Additionally, Ms. Graham reported, the developer is to submit a formal application request regarding installation of grinder pumps. Vice-Mayor Graham noted that Mr. Lane was also approached by the developer regarding installation of cuts in the main, during the Yatton Loop Project, for use in connecting water lines from his development. Mr. Lane indicated his unease with this suggestion, expressing concern that the costs of this work would fall to the Town. Mayor Ramsey explained how these lines will connect to the main, and stated that the Town does not mind if they tie-in, but noted that the developer must obtain his own permits from VDOT and must do their own work.

3. ZOAM-2018-01 – Text Amendment Package

Town Planner/Zoning Administrator Hynes presented this item, stating that she would begin by addressing questions raised by Councilperson Heston in a conversation they had this morning. Those issues included:

- How Council Members would know which changes to the document were made by the Mayor and Staff – a chart was created by Ms. Hynes to illustrate the changes made to the document and incorporated into the version provided to Council Members.
- How enforcement of regulations/requirements would be handled – a chart was created by Ms. Hynes to explain the different types of rentals and how enforcement of regulations would be undertaken.

During this discussion, Mayor Ramsey recommended that the use *Family Caregiver Suite* be deleted, and provided an explanation as to why it is not needed. Additionally, Town Planner/Zoning Administrator Hynes explained the purpose of zoning – to help mitigate impacts of various uses upon residents' properties.

- What is the purpose of these Text Amendments – Ms. Hynes explained that it is good to know the number of accessory apartments in the Town, as the information may impact any accounting of the number of residents; this

information is used to determine funding and other support for the schools and fire/rescue services. Additionally, capturing these various uses as "Accessory Dwellings" helps to ensure safety and the proper collection of taxes and fees.

Mayor Ramsey noted that the comments he provided regarding these text amendments address situations which are currently occurring in the Town with short-term (Airbnb-type) rentals. Mr. Ramsey further noted that, if the property in question is one's primary residence, these amendments to the Zoning Ordinance have little effect on the property. Mayor Ramsey also noted that his intent in suggesting the changes he did was to make the amendments more concise and simpler.

Mayor Ramsey then asked Council Members how they would like to proceed with their review of these text amendments. Vice-Mayor Graham indicated her desire to meet with the Town Planner/Zoning Administrator regarding this issue, and stated her concerns regarding enforcement. Ms. Hynes stated that she would be happy to meet with any Council Member regarding this issue.

Town Planner/Zoning Administrator Hynes explained the process the amendments put forth for regulating short-term rentals. Ms. Hynes also noted that the intent is to track all rentals. Mayor Ramsey noted that a letter will be sent, on a yearly basis, to determine the uses of these properties.

Lengthy discussion of enforcement for these rentals ensued, with it being noted that language regarding enforcement may be added; information was provided regarding how other municipalities handle enforcement issues, which may be incorporated into the text amendments, if Council wishes. Councilperson Heston expressed her feeling that these amendments to the Zoning Ordinance should not be rushed, but rather, Council should take the time needed to ensure the regulations are workable; Mayor Ramsey and other Council Members agreed with this sentiment.

There was also discussion of current and potential uses for accessory dwellings, with Mayor Ramsey suggesting that Council should either prohibit construction of dwellings for short-term uses, or regulate their use. Councilperson Lyne requested that Staff provide information on how this issue is handled by other municipalities in Loudoun County.

It was noted that the previous deadline for completion of this project no longer exists. At the request of the Mayor, each Council Member provided his/her opinion of allowing this use in Round Hill. There was a discussion of a time-frame for completion of this project, with no decision reached.

IN RE: MAYOR & COUNCIL COMMENTS

- Councilperson Hummel stated that the recently held Hometown Festival was excellent. Mr. Hummel also asked for clarification of the meeting dates for the Town Council during the month of June, which was provided.
- Mayor Ramsey reported that June 12, 2018 is the proposed date for the swearing-in of new and re-elected Council Members; Town Administrator Nicholson noted that he will ensure that date will work for those involved.
- Vice-Mayor Graham stated that recognition will be given to retiring Council Members at the June 21st meeting.

IN RE: EXECUTIVE SESSION

Vice-Mayor Graham moved **that the Round Hill Town Council recess its open meeting and convene a closed session to discuss personnel and real estate matters as authorized by Code of Virginia of 1950, as amended, §2.2-3711(A)(1) and §2.2-3711(A)(3)**; Councilperson Lyne seconded the motion. Town Administrator Nicholson was invited. A voice vote was held; the motion was approved 5-0, with Councilperson Prack absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael K. Minshall	Aye
Janet L. Heston	Aye
Michael B. Hummel	Aye
Mary Anne Graham	Aye
Frederick J. Lyne	Aye
Christopher J. Prack	Absent

Mayor Ramsey declared that the Town Council is now in Executive Session, and called for a recess at 9:11 p.m.

IN RE: ADJOURN CLOSED SESSION AND RECONVENE OPEN MEETING

Vice-Mayor Graham moved **that the Round Hill Town Council adjourn its Closed Session and reconvene its open meeting**; Councilperson Heston seconded the motion. There was no discussion. A voice vote was held; the motion was approved 5-0, with Councilperson Prack absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael K. Minshall	Aye
Janet L. Heston	Aye
Michael B. Hummel	Aye
Mary Anne Graham	Aye
Frederick J. Lyne	Aye
Christopher J. Prack	Absent

Mayor Ramsey stated that the Town Council is now in Open Session

IN RE: CERTIFICATION OF CLOSED SESSION

Vice-Mayor Graham moved **that the Round Hill town Council certify that, while in Closed Session, the Round Hill Town Council discussed only those matters that were contained in the motion by which the Town Council convened its Closed Session, and that were lawfully exempt from open meeting requirements;** Councilperson Heston seconded the motion. There was no discussion. A voice vote was held; the motion was approved 5-0, with Councilperson Prack absent. The vote is recorded as follows:

<u>MEMBER</u>	<u>VOTE</u>
Michael K. Minshall	Aye
Janet L. Heston	Aye
Michael B. Hummel	Aye
Mary Anne Graham	Aye
Frederick J. Lyne	Aye
Christopher J. Prack	Absent

IN RE: MEETING ADJOURNMENT

The meeting was adjourned by Mayor Ramsey at 9:30 p.m.

Respectfully submitted,

Scott T. Ramsey, Mayor

Debra McDonald, Recording Secretary