

**ROUND HILL TOWN COUNCIL
REGULAR MEETING MINUTES
July 19, 2018**

The Regular Meeting of the Round Hill Town Council was held at the Town Office, 23 Main Street, Round Hill, Virginia, on Thursday, July 19, 2018, at 7:30 p.m.

Council Members Present

Scott T. Ramsey, Mayor
Donald W. Allen
Michael B. Hummel
Frederick J. Lyne
Michael K. Minshall

Council Members Absent

Mary Anne Graham, Vice-Mayor
Amy Evers

Staff Members Present

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

Others Present

Deputy LoPreto, Loudoun County Sheriff's Office
Clinton Chapman
Lori Minshall

IN RE: CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Ramsey called the meeting to order at 7:33 p.m. Councilperson Lyne led those present in the Pledge of Allegiance.

IN RE: ROLL CALL

Mayor Ramsey stated that, with only Vice-Mayor Graham and Councilperson Evers absent, a quorum was established.

IN RE: COMMUNITY POLICING

Deputy LoPreto reported that the Sheriff's Department has begun running radar in Round Hill, and has identified a problem with speeding at the intersection of Greenwood Drive and Main Street. Deputy LoPreto stated that he will work radar in that area consistently for the next two weeks, in an attempt to control speeding; if that effort is not successful, he will set up a meeting with VDOT

in September to explore steps which may be taken. The deputy also noted that expected construction of additional houses on Main Street may serve as a deterrent to speeding. Deputy LoPreto reported that he stopped drivers going twenty miles-per-hour or more over the limit, and stopped four to five cars per hour at that location.

Deputy LoPreto asked if there were any questions; there were none. The deputy reminded those in attendance that the Sheriff's Office Quarterly Meeting is scheduled for August 8th, at 7:00 p.m., at the Substation on West Loudoun Street. Deputy LoPreto invited anyone who may be interested to meet with him following that meeting, to run radar and shoot lidar.

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 Nicholson requested that *Action Item #2 – Sprint Cellular Contract, and Action Item #3 – AT&T Cellular Contract*, be removed from the Agenda, as they are presently under legal review. Mr. Nicholson also requested that *Business Item #3 – Restaurants Memo*, be added. Councilperson Hummel moved **to approve the Agenda, with the three changes requested**; Councilperson Lyne seconded the motion. There was no discussion. A vote was held; the motion was approved 4-0, with Vice-Mayor Graham and Councilperson Evers absent. The vote is recorded as follows:

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

IN RE: APPROVAL OF MINUTES

1. June 7, 2018 Town Council Meeting

Councilperson Hummel noted that, on page four, in the second paragraph, line four reads as follows, "*Councilperson Heston asked to clarify if the work will be completely finished; Councilperson Hummel stated that it will not*". Mr. Hummel noted that the sentence seems incorrect; following discussion it was determined that the sentence should read as follows, "*Councilperson Heston asked to clarify if the work has been completely finished; Councilperson Hummel stated that it was.*" Councilperson Hummel also noted a typographical error in the first paragraph on page five. Councilperson Lyne moved **that the Council approve the June 7th Town Council Public Hearing and Work Session Minutes, as amended**; Councilperson Minshall seconded the motion. There was no

discussion. A vote was held; the motion was approved 3-0-1, with Councilperson Allen abstaining, and Vice-Mayor Graham and Councilperson Evers absent. The vote is recorded as follows:

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

2. June 21, 2018 Town Council Meeting

Councilperson Hummel noted a typographical error in the last paragraph on page four. Additionally, on page eight, in the second paragraph, Mr. Hummel noted a grammatical error. There were no further corrections. Councilperson Lyne then moved **to approve the June 21 Town Council Meeting Minutes, as amended**; Councilperson Hummel seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 2-0-2, with Councilpersons Minshall and Allen abstaining, and Vice-Mayor Graham and Councilperson Evers absent. The vote is recorded as follows:

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

IN RE: BUSINESS ITEMS

1. ZOAM-2018-01 – Zoning Ordinance Text Amendments

Town Planner/Zoning Administrator Hynes presented this item, reporting that she and Councilperson Lyne met to discuss methods to be used to ensure that the public is aware of these proposed changes; at the meeting they decided to create both a Facebook page and a page on the Town's website, to disseminate this information. Councilperson Lyne reported that he has not received much feedback from these sources, as Sleeter Lake Park seems to be the main topic of discussion in the community. Mr. Lyne stated that the posts will remain on-line. Town Planner/Zoning Administrator Hynes reported that only one citizen has approached her regarding the amendments. Ms. Hynes noted that Vice-Mayor Graham sent comments via e-mail; these were included in Council Members' packets. A flow chart, and examples of permit forms, were reviewed; it was noted that a permit will be required for any type of accessory use. Ms. Hynes stated that she will confer with Town

Attorney Gilmore regarding legal requirements for rental properties. Finally, Ms. Hynes noted that a database of permitted apartments will be maintained. Town Planner/Zoning Administrator Hynes suggested that edits made to these documents be discussed at the next Council meeting. However, there was some discussion at this evening's meeting, including: 1) requirements for the location of the entrance to an accessory apartment; 2) in what type of building, or in which portion of a building, an accessory apartment may be located; and, 3) that an accessory apartment cannot be sold. Possible changes to wording, to ensure clarity in the amendments, was discussed as well. Town Planner/Zoning Administrator Hynes also noted that it must be ensured that fire and rescue services know of rental units in which there are tenants; Ms. Hynes will conduct further research into how this issue should be addressed.

Following this discussion, Mayor Ramsey asked about the plan for moving forward with the amendments; Councilperson Lyne stated that it is hoped a public hearing will be held in the fall. Mayor Ramsey suggested that a clean copy of the documents, and a copy containing track-changes, be provided at the next work session for review by the Council, following which the public hearing may be held. It was decided that all edits by Council Members should be submitted to Ms. Hynes prior to the August work session, with a final review to be held at the September work session. A public hearing may then be scheduled for October 4, 2018.

2. New Town Website

Town Planner/Zoning Administrator Hynes presented this item, explaining that Staff is in the process of building a scope of work for use by prospective providers. Ms. Hynes reported that quotes, and examples/details of services provided, will be available at the next Council meeting; there was also discussion of possibly scheduling a demonstration. Discussion ensued regarding the type of system which may be preferred, with Councilperson Lyne asking if the new systems under consideration will support the videotaping of meetings. Town Planner/Zoning Administrator Hynes explained that the goals for any new system are: 1) that the website work for the Town; 2) that a new system will enable Staff to update the website; and, 3) that the website will provide for ease of updating and will streamline the process. Potential costs were discussed; additionally, there was discussion of whether a custom design, or a template design, would be preferable. Council members were encouraged to investigate the systems used by Purcellville, Warrenton and Leesburg, as they are similar to those the Town is considering. Town Planner/Zoning Administrator Hynes is to e-mail information to Council regarding the companies and programs being considered, prior to the next Council meeting. In response to a question from Mr. Chapman, it was noted that a new system will allow for the e-mailing of information to residents. In closing the discussion, Mayor Ramsey requested that Ms. Hynes bring the quotes from the companies under consideration, and a Staff recommendation, to the next meeting.

3. Restaurant Memo

Town Planner/Zoning Administrator Hynes presented this item, explaining that this was added to the Agenda to address the comment made by Mr. Chapman, at the previous meeting, regarding an Intent to Amend for Restaurants. Ms. Hynes clarified that the current standards were written for the B-1 Business District, and were subsequently included in the Use Standards. Mayor Ramsey further clarified that they are not referenced to, and are not applicable to, the PD-CC District. Therefore, the PD-CC District does not have use standards for a restaurant use. Town Planner/Zoning Administrator Hynes asked, in conjunction with the Intent to Amend, if she is to create standards for the PD-CC, to include them with existing standards, or to do no work on this issue. Mayor Ramsey instructed Ms. Hynes to continue her work on updating the Use Standards and regulations for the B-1 Business District, but not to include PD-CC Use Standards in the Intent to Amend.

IN RE: ACTION ITEMS

1. Reappointment of Board of Zoning Appeals Member

Town Planner/Zoning Administrator Hynes introduced this item, explaining that Ms. Lori Minshall will continue her service on the Board of Zoning Appeals. Councilperson Hummel moved **that the Town Council reappoint Lori Minshall to the Board of Zoning Appeals, for a new term which will end April 30, 2022;** Councilperson Lyne seconded the motion. There was no discussion of the motion. A vote was held; the motion was approved 3-0-1, with Councilperson Minshall abstaining, and Vice-Mayor Graham and Councilperson Evers absent. The vote is recorded as follows:

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

Mayor Ramsey and the Council thanked Ms. Minshall for her willingness to serve.

2. Resolution 2018-09 – Reimbursement for Yatton Road

Town Administrator Nicholson presented this, explaining that Council packets include a Staff Report regarding this item. Mr. Nicholson presented a brief summary of the history of this project. Mr. Nicholson also explained that, originally, Council agreed this would be paid for with funds from Utility Reserves; however, it was decided that the Town may want to obtain a loan for this project and the South Water Tank project. Handling costs in this manner would allow a reimbursement to be made to the Town at a later date, and would avoid excessively drawing down the Utility Reserves. Town Administrator Nicholson explained that this is a recommendation to the Council; however, securing a loan is not a necessity. Mr. Nicholson further explained that the Town cannot secure a loan if this

Resolution is not adopted. Mayor Ramsey clarified further that adopting this Resolution would allow the Town to roll costs for these projects into a loan, if it decides to secure a loan at a future date; however, he reiterated, this does not require the Town to take out a loan. Councilperson Lyne then moved **that we adopt Resolution 2018-09, a Resolution of Official Intent to reimburse expenditures from the Yatton Road Water Loop, with proceeds from a borrowing**; Councilperson Allen seconded the motion. There was no discussion of the motion. A voice vote was held; the motion was approved 4-0, with Vice-Mayor Graham and Councilperson Evers absent. The vote is recorded as follows:

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

Councilperson Hummel asked that he be allowed to discuss a letter received by Mr. Ben Leigh, which is germane to the discussion of the Yatton Road area. Mr. Hummel explained that a letter, dated July 17, 2018, was received from Mr. Leigh, as the representative of the contract purchaser and owner of the four lots on Yatton Road. In the letter Mr. Leigh outlined a meeting held with representatives of the Town, at which the owner provided a proposal for utility service at the four lots; Councilperson Hummel stated that he does not believe the proposal put forth will work, and provided details of items in the proposal which likely are not feasible, and which may not be in the Town's favor. Councilperson Hummel stated that he discussed these issues with Mr. Leigh; following that discussion, Mr. Leigh retracted the proposal. The owner of the Yatton Road lots will, instead, obtain his own VDOT permit and install the connections for the lots after the Town's work on its water line has been completed. Councilperson Hummel stated that he wanted to make it clear that Mr. Leigh was not upset by the Round Hill's stance regarding his earlier proposal, and completely understands the rationale for conducting the work as provided for in the Town's proposal. Discussion of this ensued, with Town Administrator Nicholson stating that Staff was prepared to make the same recommendation as Councilperson Hummel's. Mayor Ramsey stated that, if Mr. Leigh wishes to coordinate his work with the Town, that would be permissible – however, it must be made clear that Mr. Leigh will be responsible for obtaining all needed permits and bonds, and engaging his own contractor.

IN RE: DEPARTMENTAL REPORTS

1. Planning Commission

Councilperson Hummel presented this report, noting that the Planning Commission has been working on the following: 1) discussion of the Intent to Amend regarding restaurants, as requested by the Council; and, 2) participating in a walking tour of the B-1 Business District, followed by further discussion of non-conforming commercial

properties there. Town Planner/Zoning Administrator Hynes reported that Ms. Joan Wolford, the owner of Savoir Fare, has purchased The Patterson Building and has begun making renovations. Town Planner/Zoning Administrator Hynes and Councilperson Hummel also provided information regarding the lot located behind Tammy's Diner and the Exxon station, explaining that Holtzman Oil has been loaning ten parking spaces there to the diner. Issues have arisen between Holtzman and the owner of Tammy's, which Ms. Hynes explained are a landlord-tenant issue in which the Town has no involvement.

2. Town Planner/Zoning Administrator Report

Town Planner/Zoning Administrator Hynes reported that the Appalachian Trail Committee continues work on the application for Round Hill to be designated as an Appalachian Trail Community; the application will be presented in Harrisburg, Pennsylvania in October. The committee has also been working on providing a "Hiker Box" on the trail. Information on additional activities of the committee were presented, including a logo contest, which is currently underway. Ms. Hynes reported that the Mayor, the Town Administrator and the Town Attorney are working to complete negotiations with the Round Hill Homeowners' Association, in order to open Sleeter Lake Park. Ms. Hynes reported that the Movie in the Park, held on June 15th, was successful; it is hoped another movie night can be held in August. Ms. Hynes stated that she will work with the Council on a schedule for this activity for next year.

Further information provided by the Town Planner/Zoning Administrator includes: 1) Mr. Powers Thomas has engaged a person who will investigate possible future uses of his property, located on the west side of Round Hill; 2) a potential buyer exists for the bank building, located next door to the Town Office; and, 3) the group "Friends of the Blue Ridge" has offered grant funding for the planting of trees and other native plants in Town parks – specifically, in Sleeter Lake Park.

3. Town Administrator Report

Town Administrator Nicholson noted that the Quarterly CIP Report has been included in Council Members' packets, and provided highlights from the report. Mr. Nicholson noted that meetings with the County regarding the Main Street Enhancement/Franklin Park Trail Project are now being held every-other week, in an effort to keep the project moving. The Town Administrator provided information regarding a "glitch" which occurred in the matching program for funding; additionally, he noted that Project Specialist Lohr has scheduled a meeting with VDOT to ascertain where their process for the project stands. Mr. Nicholson reported that the project is being delayed by six months; however, the County did not inform the Town of this delay. Both Mayor Ramsey and Town Administrator Nicholson agreed that Round Hill needs "to be a very squeaky wheel to get this through." Town Administrator Nicholson noted that the opening of Sleeter Lake Park has been delayed due to ongoing negotiations with the RHOA.

In connection with the issue of Sleeter Lake Park, Mayor Ramsey asked if Council would agree to adding an Executive Session to this evening's meeting, to discuss real estate matters; Council agreed to this addition.

Town Administrator Nicholson presented information regarding the future South Water Tank; noted that the Town Park Project consists of replacement of benches there with benches which match those placed at Sleeter Lake Park; explained that discussions regarding the well property acquisition have been placed on-hold until the Sleeter Lake Park negotiations are complete; reported that there were only minor issues surrounding the installation of the generator; and, noted that a suspected problem with a sewer line in the Stoneleigh subdivision turned out to be a back-up from a beaver dam. It was noted that there is not a date upon which discussions of possible boundary line adjustments will resume, with Mayor Ramsey noting that that will take place upon resolution of issues surrounding Sleeter Lake Park. Mr. Nicholson noted that he is pleased with the format of the Quarterly CIP Report, stating that it provides an easily understandable overview; it was also noted that the report does track some projects which are not related to the CIP, as it provides a mechanism for Staff to track projects incurring large expenditures.

In response to a question from the Mayor, Town Administrator Nicholson and Town Planner/Zoning Administrator Hynes reported that Town Engineer Lane is still working on specs for the South Water Tank.

Finally, Town Administrator Nicholson reported that the roof of the Town Office building has been painted, and looks good.

3. Mayor's Report

Mayor Ramsey reported that he attended a COLT meeting last week, at which the topic was the "Envision Loudoun" plan. County staff has been invited to the next meeting, scheduled for July 25th, at which COLT members plan to present changes they wish to see in the plan, and discuss concerns they have regarding proposals included in the plan for the transition area. The organization intends to create a document voicing its concerns, which all member towns can support, and present it to the County. It is the hope of the members of COLT that County staff will consider their requested changes.

Mayor Ramsey also attended a meeting of the Round Hill Homeowners' Association, at which drafts of documents related to Sleeter Lake Park were updated. Mr. Ramsey noted that, at the close of the meeting, no concerns were voiced; however, in the days following the meeting concerns began to "bubble up." Mayor Ramsey reported that the RHOA has stated that they want to move forward on rules for the park, so that the facility can be opened. It was noted by a Councilperson that recent media articles have put some pressure on the RHOA to complete the negotiations.

IN RE: COUNCIL COMMENTS

There were no Council Comments.

IN RE: EXECUTIVE SESSION

Councilperson Hummel moved **that the Round Hill Town Council recess its open meeting and convene a closed session to discuss real estate matters, as authorized by Code of Virginia of 1950, as amended, §2.2-3711(A)(3)**; Councilperson Lyne seconded the motion. There was no discussion of the motion. A voice vote was held; the motion was approved 4-0, with Vice-Mayor Graham and Councilperson Evers absent. The vote is recorded as follows:

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

Mayor Ramsey called for a recess at 9:09 p.m. Mr. Ramsey clarified that only Town Administrator Nicholson is required to attend the Executive Session.

IN RE: ADJOURN CLOSED SESSION AND RECONVENE OPEN MEETING

Councilperson Hummel moved **that the Round Hill Town Council adjourn its Closed Session and reconvene its open meeting**; Councilperson Allen seconded the motion. There was no discussion. A voice vote was held; the motion was approved 4-0, with Vice-Mayor Graham and Councilperson Evers absent. The vote is recorded as follows:

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

Mayor Ramsey declared that the Council is now in Open Session.

IN RE: CERTIFICATION OF CLOSED SESSION

Councilperson Hummel 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 the open meeting requirements.** Councilperson Lyne seconded the motion. There was no discussion. A voice vote was held; the motion was approved 4-0, with Vice-Mayor Graham and Councilperson Evers absent. The vote is recorded as follows:

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

IN RE: ADDITIONAL BUSINESS

Councilperson Lyne moved **that the Town Council authorize the Mayor to execute the Memorandum of Understanding, between the Town and the Round Hill Owners' Association, regarding Sleeter Lake Usage Rules, in consultation with the Town Attorney;** Councilperson Hummel seconded the motion. There was no discussion of the motion. A voice vote was held; the motion was approved 4-0, with Vice-Mayor Graham and Councilperson Evers absent. The vote is recorded as follows:

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

Mayor Ramsey asked if there were any further business. Councilperson Lyne reported that he recently met former Councilperson Dan Botsch and updated him on both the Main Street Enhancement Project and Sleeter Lake Park; Mr. Botsch was happy to hear about both projects moving forward.

Councilperson Hummel reported that the Planning Commission is still in need of an additional member.

IN RE: MEETING ADJOURNMENT

The meeting was adjourned by Mayor Ramsey at 9:38 p.m.

Respectfully submitted,

Scott T. Ramsey, Mayor

Debra McDonald, Recording Secretary