

TOWN OF LEESBURG

Town Hall

25 West Market Street

AGENDA

Town Council Meeting

January 22, 2019

7:00 p.m.

Council Chambers

-
1. CALL TO ORDER
 2. INVOCATION: Council Member Campbell
 3. SALUTE TO THE FLAG: Council Member Dunn
 4. ROLL CALL
 - a. [Electronic Participation for Vice Mayor Martinez](#)

MOTION

I move to allow Vice Mayor Martinez to electronically participate in the January 22, 2019, Council meeting.

5. MINUTES (*Tab 01*)
 - a. [Organizational Meeting Minutes of January 7, 2019](#)
 - b. [Work Session Meeting Minutes of January 7, 2019](#)
 - c. [Regular Session Meeting Minutes of January 8, 2019](#)
6. ADOPTING THE MEETING AGENDA (AMENDMENTS AND DELETIONS)
7. CERTIFICATES OF RECOGNITION
 - a. None.
8. PROCLAMATIONS
 - a. None.
9. PRESENTATIONS
 - a. None.
10. REGIONAL COMMISSION REPORTS
11. PETITIONERS
12. APPROVAL OF THE CONSENT AGENDA
 - a. [Extension of Board of Zoning Appeals Appointment \(*Tab 02*\)](#)

RESOLUTION

Recommending to the Loudoun County Circuit Court an Appointment to the Board of Zoning Appeals

- b. Supplemental Appropriation to R.O.C.K. Program (Tab 03)

RESOLUTION

Approving a Supplemental Appropriation of \$500 for a Donation Received from Lifelong Learning Corporation to the Department of Parks and Recreation, Community Outreach Program (R.O.C.K.)

- c. Sewage Sludge Stabilization and Disposal Service (Tab 04)

RESOLUTION

Approve and Authorize the Town Manager to Execute a Change Order for Sewage Sludge Stabilization & Disposal Services in the Total Amount of \$350,000.00 to Synagro Central, LLC

- d. Water Pollution Control Facility Storage Tank Renovations (Tab 05)

RESOLUTION

Awarding the Water Pollution Control Facility Storage Tank Renovations to Eastern Waterproofing & Restoration of Virginia, LLC in the Amount of \$1,198,570

- e. Town Manager's Amended Contract (Tab 06)

MOTION

I move to amend the Town Manager's contract, dated December 11, 2018, to strike the provisions containing a definite term of employment, in order to comply with the Town Charter and the Virginia Code.

- f. Appointment to the Airport Commission (Tab 07)

RESOLUTION

Appointing Mary Harper to the Airport Commission

- g. Appointment to the Technology and Communications Commission (Tab 08)

RESOLUTION

Appointing John (Jack) Curtis to the Technology and Communications Commission

- h. Appointment to the Tree Commission (Tab 09)

RESOLUTION

Appointing Patricia Hatfield to the Tree Commission

- i. Appointment to the Economic Development Commission (Tab 20)

RESOLUTION

Appointing Andrew Boardman to the Economic Development Commission

- j. [Appointment to the Commission on Public Art \(Tab 21\)](#)

RESOLUTION

Appointing Jenny Klug to the Commission on Public Art

- j. [Appointment to the Environmental Advisory Commission \(Tab 22\)](#)

RESOLUTION

Appointing Paul Sheaffer to the Environmental Advisory Commission

13. RESOLUTIONS / MOTIONS

- a. [Red Roof Inn and Comfort Suites Signage Modifications \(Tab 10\)](#)

RESOLUTION

Authorizing the Issuance of Sign Permits Pursuant to Zoning Ordinance Section 15.6.4 Unusual Site Constraints for the Comfort Suites and Red Roof Inn Hotels Situated on E Market Street and Prosperity Avenue SE

- b. [Skatepark Sculpture Approval at Catoctin Park \(Tab 11\)](#)

RESOLUTION

Approval of Permanent Sculpture at Catoctin Park

- c. [Public Exhibit – Martin Luther King, Jr. Statue \(Tab 12\)](#)

RESOLUTION

Approval of a Public Exhibit At Town Hall of Martin Luther King, Jr. Statue

- d. [Appeal of Water Availability Fees \(Tab 13\)](#)

RESOLUTION

Granting Appeal by Little Rock Lawson, LLC of Availability Fee Assessment Pursuant to Leesburg Town Code § 34-29, for 75 Lawson Road, SE, #203, Leesburg, Virginia 20175

OR

RESOLUTION

Denying Appeal by Little Rock Lawson, LLC of Availability Fee Assessment Pursuant to Leesburg Town Code § 34-29, for 75 Lawson Road, SE, #203, Leesburg, Virginia 20175

14. PUBLIC HEARINGS

- a. TLOA-2019-0001: Subdivision and Land Development Regulations including the Land Development Review and Inspection Fee Schedule (Tab 14)

ORDINANCE

Amending the Subdivision and Land Development Regulations (SLDR) to Update Section 2.08, Section 2.15, Section 3.08, Section 3.09, Section 3.17 and Section 10.01 and Add New Sections 2.19 – 2.24 to Define Requirements for Individual Lot/Unit Grading Plans and Revise Code References; also Amends the Land Development Review and Inspection Fee Schedule to Specify Fees for Individual Lot/Unit Grading Plans and to Add a New Reduced Fee for the Bond Release Process for Projects that Have Never Been Constructed

- b. Town Code Amendments to Chapter 34 (Utilities), Articles II and III and Appendix B – Fee Schedule (Tab 15)

ORDINANCE

To Amend and Reordain:

Chapter 34 (Utilities), Article II (Water System), Division 1 (Generally), Division 2 (User and Service Charges)

Chapter 34 (Utilities), Article III (Sewers and Sewage Disposal), Division 1 (Generally), Division 2 (Sewer Use Charges), Division 3 (Fats, Oils and Grease (FOG) Program);

Appendix B – Fee Schedule

15. UNFINISHED BUSINESS

- a. None.

16. NEW BUSINESS

- a. None.

17. ADDITION TO FUTURE MEETINGS (Tab A)

18. COUNCIL DISCLOSURES AND COMMENTS

19. MAYOR DISCLOSURES AND COMMENTS

20. TOWN MANAGER COMMENTS

21. CLOSED SESSION

- a. Approval of Settlement Agreement for Warranty Claim against Contech Engineered Solutions, LLC

MOTION

I move pursuant to Section §2.2-3711(A)(7) of the Code of Virginia that the Leesburg Town Council convene in a closed meeting for the purpose of consultation with legal counsel and briefings by staff members or consultants pertaining to a Settlement Agreement to avoid probable litigation against Contech Engineered Solutions, LLC.

MOTION

In accordance with Section §2.2-3712 of the Code of Virginia, I move that Council certify to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements under Virginia Freedom of Information Act and such public business matters for the purpose identified in the Motion by which the closed meeting was convened were heard, discussed or considered in the meeting by Council. (ROLL CALL VOTE)

22. ADJOURNMENT

Addendum:

Information Memorandum:

- a. Quarterly Downtown Public Parking Report (*Tab 16*)
- b. Quarterly Budget Briefing (*Tab 17*)
- c. Transfer of Development Rights (*Tab 18*)
- d. Monthly Board and Commission Report - Activity and Attendance (*Tab 19*)

Upcoming Events

- January 23, 2019 – Vino Bistro Ribbon Cutting, 1605 Village Market Blvd. Suite 100, 5 p.m.
January 23, 2019 – C.S. Monroe Property, Second Community Information Meeting, Loudoun County High School Library 415 Dry Mill Road, 7 – 8 p.m.
January 24, 2019 – VML Legislative Day, Omni Hotel Richmond, 11 a.m. – 6:15 p.m.
January 25, 2019 – District Hemp Botanicals Ribbon Cutting, 19A Wirt St. SW, 10 a.m.
January 27, 2019 – Friends of Thomas Balch Library Annual Meeting, Thomas Balch Library, 2 p.m.
February 7, 2019 – Identification and Care of Photographs, Thomas Balch Library, 10 a.m. – 1 p.m.
February 13 – State of the Town Address by Mayor Kelly Burk, Town Council Chamber, 6:30 – 8:30 p.m.
February 15-16, 2019 – My Bloody Valentine by Shocktober, The Arc of Loudoun, Paxton Manor, 7 – 10 p.m.
February 18, 2019 – Town offices closed for President's Day Holiday
February 24, 2019 – *Five for Freedom, The African American Soldiers in John Brown's Army*, author Eugene L. Meyer, Thomas Balch Library, 2 – 4 p.m.
March 2, 2019 – Spring Bling Hometown Fine Arts and Craft Show, 9 a.m. – 4 p.m., Ida Lee Park Recreation Center

- March 3, 2019 – *Married to a Mosby Ranger*, author Eric Buckland, Thomas Balch Library, 2 – 4 p.m.
- March 7, 2019 – Researching Using Northern Neck Land Grants by Wynne Saffer, Thomas Balch Library, 10 am – 12 pm
- March 16, 2019 – Civil War Tour of Leesburg by Richard Treat Gillespie, Thomas Balch Library, 10 a.m. – 12 p.m.
- March 17, 2019 - *Progressives in Navy Blue: Maritime Strategy, American Empire, and the Transformation of U.S. Naval Identity, 1873-1898*, author Scott Mobley, Thomas Balch Library, 2 – 4 p.m.
- March 27, 2019 – *OSS Operation Black Mail, One Woman's Covert War Against the Imperial Japanese Army*, author Ann Todd, Thomas Balch Library, 7 – 9 p.m.

ASSISTED LISTENING SYSTEM

Is available at the meeting. If you require any type of reasonable accommodation, as a result of a physical, sensory, or mental disability, to participate in this meeting, please contact the Clerk of Council at 703-771-2733. Three day's notice is requested. Thank you.

REGULARLY SCHEDULED COUNCIL MEETINGS

Citizens are invited to attend and participate in Town Council meetings. The petitioner's portion of the meeting and scheduled public hearings offer the public two opportunities to present their views to the Council during its meeting.

Petitioners

The petitioners' portion of the Council agenda is the first item taken up by the Council following proclamations and certificates of appreciation. This part of the meeting affords individuals the opportunity to address the Council on any matter not scheduled for a public hearing. Prior to the meeting, those citizens wishing to speak should sign the Clerk's Register on the podium at the front of the Chambers. The Mayor will announce the availability of the sign-up sheet at the beginning of all regular meetings. Petitioners' presentations should be limited to five minutes.

Public Hearings

Certain items of Town business can only be conducted after the Town Council conducts an advertised public hearing. Certain major issues affecting the town's government can also be scheduled for public hearing at the option of the Council. Adoption of the town budget, rezonings, special exceptions and amendments to the Town's subdivision and zoning ordinances all require a public hearing.

Decorum

A person addressing the Council as a petitioner, or during a public hearing, should advance to the podium when recognized by the Mayor and state his or her name and address. Persons should also indicate whether they are representing anyone other than themselves. After the presentation or comments, the Mayor or members of Council may have questions of the petitioner. Decorum will be maintained. Statements, which are demeaning or defamatory to members of the public, the staff or the Council, are inappropriate and out of order.

OTHER COUNCIL MEETINGS

Work Sessions/Committee of the Whole

Council may elect to place an item on the Tuesday night meeting agenda for action. Items will only be added to the agenda if agreed to by a majority of Council present.

Closed Sessions

Under certain circumstances, the Virginia Freedom of Information Act permits the Town Council to meet in a session where the public is excluded. This may be a discussion of personnel matters, legal matters, the acquisition or sale of property and other selected topics. The Council can only go into closed session from a public session and the notice must cite the specific statutory authority to go into closed session and also indicate the general topic to be discussed. Only those matters in the adopted motion to go into closed session can be discussed at that time.

TOWN COUNCIL AGENDA MATERIALS

Generally, all items on the regular Council agenda have been first considered at the Council Committee of the Whole. Individual council members, however, can request full Council action on an item considered, but not reported out of committee.

Materials previously distributed to the Council on Wednesday are available to citizens on request from the Clerk's Office. Citizens may also provide the Clerk of Council with an e-mail address or self-addressed, stamped envelopes and Council agendas will be provided to the citizens without further charge. For more information, call the Clerk's Office at (703) 771-2733 during normal business hours or e-mail at clerk@leesburgva.gov.

Meeting agenda packets are available for public inspection in the lobby of Town Hall on Wednesdays prior to the scheduled meeting. Council agendas can also be viewed on the town's World Wide Web site at <http://www.leesburgva.gov>.