

**ROUND HILL TOWN COUNCIL
WORK SESSION MINUTES
May 3, 2018**

A Work Session was held by the Round Hill Town Council at the Town Office, 23 Main Street, Round Hill, Virginia, on Thursday, May 3, 2018, at 7:30 p.m.

Council Members Present

Scott T. Ramsey, Mayor
Mary Anne Graham, Vice-Mayor
Janet L. Heston
Michael B. Hummel
Michael K. Minshall (arrived at 7:50 p.m.)

Council Members Absent

Frederick J. Lyne
Christopher J. Prack

Staff Members Present

Buster Nicholson, Town Administrator
Melissa Hynes, Town Planner/Zoning Administrator
Maureen Gilmore, Town Attorney

Others Present

Christine Eddy
Claire Eddy
Alessia Jones
Connor Lanham
Clinton Chapman
Donald Allen

IN RE: CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Ramsey called the meeting to order at 7:38 p.m. Vice-Mayor Graham led those present in the Pledge of Allegiance. As only Councilpersons Lyne and Prack were absent, a quorum was established. Mr. Donald Allen, newly-elected to the Town Council, was in attendance.

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

Vice-Mayor Graham moved **to adopt the Agenda, with the addition of a time for Public Comment, as Item 3, and the addition of an Executive Session for personnel matters, to be held after Announcements;** Councilperson Heston seconded the motion. There was no discussion. A vote was held; the motion was approved 3-0, with Councilpersons Lyne, Minshall and Prack absent. The vote is recorded as follows:

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

IN RE: PUBLIC COMMENT

Ms. Claire Eddy, Ms. Alessia Jones, and Mr. Connor Lanham, members of the Odyssey of the Mind team from Woodgrove High School, provided a presentation regarding the Odyssey of the Mind program, and their team's participation in competitions this year. Ms. Eddy noted that the Woodgrove team is competing in the World Competition this year, which is to be held at Iowa State University. This introduction was followed by a slide presentation and a more in-depth explanation of how Odyssey of the Mind competitions are structured. Ms. Eddy explained the funding required for each team member to attend the World Competition, and stated that the team still needs to raise over \$5,000.00 to allow them to travel to Iowa State. An explanation of fundraising efforts undertaken by the team was provided, and a request was made of the Council that it consider providing help in covering these costs. It was reported that five of the seven members of the Woodgrove team are Round Hill residents. It was also noted that the competition is to be held on Memorial Day weekend.

Vice-Mayor Graham then made a motion **that the Round Hill Town Council donate \$1,500.00 to the Woodgrove High School Odyssey of the Mind Team;** Councilperson Hummel seconded the motion. It was noted that this funding will be drawn from the Contingency Fund. A voice vote was held; the motion was approved 4-0, with Councilpersons Lyne and 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	Absent
Christopher J. Prack	Absent

The representatives of the Woodgrove High School Odyssey of the Mind Team thanked the Council for its support. Councilperson Heston requested that they report back to Council on the results of the competition. Council thanked the team for its presentation. It was noted by representatives of the team that it won the Renatra Fusca Award this year, and was one of only three taking part in the state competition which won this award.

Mr. Clinton Chapman, of the Stoneleigh subdivision, Round Hill, then spoke. Mr. Chapman referenced a letter sent to the Town by the Round Hill Partners Group regarding the Eastern

Commercial District parcel, stating that his group would like to submit the paperwork necessary to move forward on potential development of the site. Mr. Chapman also referenced a letter received by his group from the Town, dated March 2018, in which it was stated that the Town will not pursue mixed-use development at the parcel. Mr. Chapman asked for clarification of these issues. Mayor Ramsey stated that there will not be a Town-initiated request to allow mixed-use development at the Eastern Commercial District site. Mr. Chapman stated that his group has not yet received sufficient clarification regarding the process for initiating the required Zoning Ordinance amendment. Town Planner/Zoning Administrator Hynes reported that Town Attorney Gilmore has been working with Staff to draft a response to the Round Hill Partners Group, in the form of a memorandum. Town Attorney Gilmore explained that only the Planning Commission or the Town Council may initiate Zoning Ordinance text amendments; Ms. Gilmore also provided additional details regarding this process, in response to questions from the Mayor. Discussion of language included in the Comprehensive Plan pertinent to this topic ensued, with Mayor Ramsey stating that he was not aware the Zoning Ordinance does not allow for a property owner-initiated text amendment. There was also discussion of the Council's work plan, with it being noted that Zoning Ordinance text amendments related to the Eastern Commercial District are not included on that plan. Finally, it was noted that an update of the Zoning Ordinance section(s) dealing with Non-Conforming Commercial Properties was put forth as a top issue for consideration by the Town Council and Planning Commission this year.

IN RE: UPDATES & ITEMS FOR DISCUSSION

1. Personnel – Reorganization/Reclassification

Town Administrator Nicholson requested that this item be tabled until the meeting scheduled for May 17, 2018, noting that documents relating to this issue will be included with the Agenda packet for that meeting.

2. ZOAM-2018-01 – Text Amendment

Town Planner/Zoning Administrator Hynes presented this item, stating that larger concepts will be discussed this evening. The following items/issues were then presented and/or discussed:

- A review of the history of this project, provided by the Town Planner/Zoning Administrator.
- Review by the Council of documentation which compared current Zoning Ordinance language with that proposed by the text amendments.
- An explanation provided by the Town Planner/Zoning Administrator of the ways in which proposed short-term (e.g., Airbnb) rental regulations impact the text amendments.
- An explanation of incremental uses included.
- The definition, and an explanation, of an *Accessory Homestay*.
- Two options provided by these text amendments for *Long-Term Rentals*.
- Bed and Breakfast requirements.
- The term *Vacation Home*, with it being noted that this use was not included in the text amendments. Mayor Ramsey suggested that it should be included.
- The rationale for providing regulations for various scenarios.

- The concept of an *Accessory Dwelling*. It was noted that the Zoning Ordinance can regulate the footprint and/or the use. Ms. Hynes explained the method employed for determining the use, noting that this is done to protect the Town.
- Concerns expressed by some Council Members regarding which methods may be used to enforce these proposed regulations.
- Town Planner/Zoning Administrator Hynes explained that these regulations are being proposed to solve the problem of "aging in place," to allow for multi-generational/extended family living, and to help provide affordable housing.
- These amendments are being proposed at this time to allow the Town to have a say in the regulation of these types of uses, and to help provide methods for enforcement.
- The way in which work on these text amendments should move forward.
- That these documents were structured in such a way as to provide clarity on various uses.
- State regulations which apply to *Assisted Living/Nursing Home* facilities. The level of care provided by each type of facility was discussed.
- Changes made since Council Members received their packets; these include the including a *Country Inn* use with a *Bed and Breakfast* use, and that addition of information which denotes that a *Family Caregiver Suite* use is determined by how the structure is being used, not by how it was built.
- Concerns related to an on-site store at a Bed and Breakfast making sales to persons who are not guests at the B&B.
- The goal to complete this review by July 1st, with administrative comments to be provided to the Town Planner/Zoning Administrator prior to that date.
- Comments provided by Vice-Mayor Graham, including: length of stay allowed at a B&B; signage allowed/required, with an eleven o'clock curfew for lighting imposed; and, the number of occupants allowed.
- Comments provided by Mayor Ramsey, including: any regulation which is difficult to enforce perhaps should not be included; that it be ensured only one family is occupying a unit, with the size of that family not a concern; that some standards which apply for a specific use may not apply for all uses; and, that specific standards be provided for a unit used as a living space.
- Comments provided by Councilperson Heston, including: concerns regarding measurements proposed for outdoor lighting, with Town Planner/Zoning Administrator Hynes stating that, if needed, she will contact someone with expertise in this area; buffers required for B&B establishments, with My Hynes explaining that the objective of a B&B is to blend in with the surrounding properties, and that, if the B&B has a restaurant, the buffer requirements should be the same as a free-standing restaurant. Ms. Hynes stated that the issue of buffers will be revisited.
- Comments are to be provided to the Town Planner/Zoning Administrator prior to the May 17th meeting, with the goal of setting the date for the public hearing at that meeting. Mayor Ramsey stated that Council should strive to complete this work by the May 17th meeting; however, work on this can go beyond that date, if necessary.

- The size of a *Boutique Hotel* was discussed, with concern that the number of units/guests allowed by the current wording of the text amendments is too large. It was noted that reducing the number of rooms/guests could make this use unviable in the Eastern Commercial District.

3. June 7th Public Hearing

Town Administrator Nicholson reminded Council that the Public Hearing for the FY2019 Budget and Rates is scheduled for June 7, 2018, and will begin at 7:30 p.m. It was noted that the Public Hearing for the ZOAM-2018-01 Text Amendments will not be scheduled for this date as well, due to advertising deadline requirements.

4. Meals Tax

The following items/issues were provided discussed:

- That this ordinance is not yet ready to be advertised.
- The Town Attorney has determined that the Town may adopt a zero percent rate.
- Staff is to prepare a draft ordinance, for both meals and lodging.
- This item is to be carried over to the fall Strategic Meeting, at which time Council will review and make a determination.
- It was reported that the Town Administrator represents the Town of Round Hill at a state meeting dealing with the Cigarette Tax.
- It was noted that a similar meeting is not held for Meals/Lodging Taxes collected by a municipality.
- How the levying of a Meals/Lodging Tax would affect the work requirements for the Town Treasurer, with Town Attorney Gilmore providing information regarding this issue.

5. Utilities Update

Vice-Mayor Graham provided the following information:

- No utility-related complaints have been received by the Town for this reporting period.
- There has been an issue with broken equipment at the Route 719 Lift Station; Utility Staff has devised a "work-around," and the broken controller has been sent out for repairs.
- The nitrate probes have been installed.
- The owner of the four lots on Yatton Road has requested one force main; Town Engineer Lane will provide a more detailed report on this issue.
- Spot repairs will be made to the Evening Star Drive water tank in May.
- Work continues on the Well 22A upgrades.

Town Administrator Nicholson also reported that there was discussion of the bid for the Yatton Loop work, specifically regarding whether to bid together or separately, as the Yatton Loop work will go to bid at about the same time as the Main Street Enhancement

Project. Additionally, Mr. Nicholson noted that he is working with the Town of Purcellville to borrow/rent a camera to be used for utility work.

IN RE: MAYOR & COUNCIL COMMENTS

- Mayor Ramsey reported that the Earth Day activities held at Sleeter Lake Park were very successful, and that the Town Planner has been doing a great job with these events. Mr. Ramsey highlighted recent news articles which reported on these activities.
- Mayor Ramsey reported that he recently attended a Round Hill Owners' Association meeting, at which rules for Sleeter Lake were included on the agenda. Concerns were raised regarding insurance coverage, with it being noted that VML could extend coverage if the RHOA provides a requested lease for the property to the Town.
- Mayor Ramsey stated that it is believed the Town has the right to open the park, even if all rules are not agreed upon by the two parties.
- Mayor Ramsey provided the current status of this issue: updates are being provided to the parties involved; a draft lease is being written; the RHOA president is reviewing rules provided by the Mayor; the RHOA president will meet with Town representatives at the end of this month; and, a meeting with County representatives regarding Sleeter Lake Park and attendant RHOA issues has been requested.
- Mayor Ramsey reported that the County has begun work on its design for the new fire department facility; at this time they are planning on connecting to Town utilities, but are working under the assumption that the facility will not be inside the Town limits.
- Mayor Ramsey reported that the County is currently working on the update to its Comprehensive Plan, which is called "Envision Loudoun." There are great concerns regarding this plan's omission of information related to western towns and Joint Land Management Areas. A meeting will be held on May 7, 2018, between the mayor of Middleburg, representatives from the Board of Supervisors, and the Chair of the Board of Supervisors; other mayors have been invited, as well. This will be a public meeting, but will not allow for public participation.
- Mayor Ramsey reported that Hayman Lane residents have agreed to move forward on devising plans for proposed road improvements; the Town will participate in this process, as it owns a property there.
- Councilperson Hummel reported that the Hayman Lane residents will engage a civil engineer for a limited time, to provide assistance with this project.
- Mayor Ramsey extended congratulations to Mr. Don Allen and Ms. Amy Evers, the Town's two newly-elected Town Council members.
- Town Planner/Zoning Administrator Hynes reported that Planning Commission Member Jean Daly will likely be moving; therefore, another Planning Commission member will be needed.
- Councilperson Heston asked if the broken globe in the light fixture on Cedar Street has been repaired/replaced; it was noted that a call will be made to move this forward.
- Councilperson Heston asked about the Bills for Payment, particularly regarding the truck; Town Administrator Nicholson stated that the cost for that purchase was split, and he will provide information regarding exactly how it was split.

- Councilperson Heston suggested that the license plates previously used by the Town to denote payment of personal property taxes be offered for sale, beginning at the Hometown Festival.
- Councilperson Heston congratulated the Mayor on his re-election, and the two newly-elected Town Council members.
- Vice-Mayor Graham also congratulated the recently-elected Council members, stating that a tour of the Waste Water Treatment Plant may be arranged, if they are interested.
- Vice-Mayor Graham noted that, during a recent meeting with the Mayor and Town Manager of the Town of Purcellville, they were advised that Round Hill is not in immediate need of any additional funds/services. Ms. Graham stated that past and present Town Councils should be congratulated on their work for the Town, in keeping Round Hill on a firm financial footing.

IN RE: ANNOUNCEMENTS

There were no announcements.

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 matters as authorized by Code of Virginia of 1950, as amended, §2.2-3711(A)(1), with the Town Administrator and Town Attorney invited to attend;** Councilperson Heston seconded the motion. There was no discussion of the motion. A voice vote was held; the motion was approved 4-0, with Councilpersons Lyne and 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	Absent
Christopher J. Prack	Absent

Mayor Ramsey declared that the Town Council is now in Executive Session, and called for a recess at 10:32 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 4-0, with Councilpersons Lyne and 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	Absent
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 4-0, with Councilpersons Lyne and 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	Absent
Christopher J. Prack	Absent

IN RE: MEETING ADJOURNMENT

The meeting was adjourned by Mayor Ramsey at 11:50 p.m.

Respectfully submitted,

Scott T. Ramsey, Mayor

Debra McDonald, Recording Secretary