

**MINUTES  
HAMILTON TOWN COUNCIL  
REGULAR MEETING  
OCTOBER 17, 2011**

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The regular meeting of the Hamilton Town Council was convened at 7:00 PM with the following attendance:

**PRESENT:** Greg K. Wilmoth, Mayor  
Kenneth C. Wine, Vice Mayor  
John Unger, Council member  
Michael Snyder, Council member

**ABSENT:** Dimitri Kesari, Council member  
James Thomas Rollins, Jr., Council member  
David R. Simpson, Council member

**STAFF:** Lori Jones, Treasurer  
David Beniamino, Zoning Administrator  
Jennifer Helbert, Recorder

**CALL TO ORDER:**

Mayor Wilmoth called the Town Council meeting to order at 7:15 PM.

**PLEDGE OF ALLEGIANCE:**

Mayor Wilmoth led the Pledge of Allegiance.

**PUBLIC HEARING:**

- 1) **Proposed Town Water and Sewer Ordinance Changes** – Amend Chapter 04, Water Ordinance Section 3-12; Repeal Chapter 04 Water Ordinance Section 3-13(c); Repeal Chapter 05 Sewer Ordinance Section 19-32; and Amend Chapter 05 Sewer Ordinance Section 19-33(a)
- 2) **SAFETEA-LU Grant** – The Town intends to apply for grant money under the Federal Transportation Enhancement Program to fund a project to improve the existing pedestrian system in order to promote the safe movement of residents and visitors throughout the Town.

There being no public comment the hearing was closed.

**GUESTS:**

Deputy A.D. Cooper with Loudoun County Sheriff's Office came forward to introduce himself to the Council and let them know that he would be one of the new Deputy's assigned to the Hamilton area.

FY 2011 Audit Presentation by Jeff Mitchell and Megan Jollon of Mitchell & Co.

Council member Unger made a motion to move the Sidewalk Grant Application & Project Endorsement Resolution up on the agenda.

Motion: Council member Unger  
Second: Council member Snyder  
Carried: 4-0-3 with Kesari, Rollins  
and Simpson absent.

Sidewalk Grant Application and Project Endorsement Resolution – Mr. Phil DeLeon came forward to give a presentation to the Council.

**PUBLIC COMMENT:**

None

**APPROVAL OF MINUTES:**

Council member Unger made a motion to approve the Town Council meeting minutes of September 12, 2011 with minor changes.

Motion: Council member Unger  
Second: Vice Mayor Wine  
Carried: 4-0-3 with Kesari, Rollins  
and Simpson absent.

**MAYOR'S REPORT:**

**2011 Halloween Hours** – Mayor Wilmoth stated that Trick or Treating hours would be from 5PM until 9PM on Monday, October 31, 2011.

**2011 Tree Lighting** – Sunday, December 4, 2011

**2011 Luminaria** - Saturday, December 24, 2011 with a rain date of December 31, 2011. The Michon's have contacted the Town to do this again this year.

**2012 Hamilton Day Date** – Mayor Wilmoth stated that he would speak with Mrs. Michon about what date would work best for her as she has volunteered to plan and run the event.

#### **WATER AND SEWER COMMITTEE:**

**I&I Plan Update** – Mayor Wilmoth stated that as the Plan stands the Town has segments that are supposed to be viewed with the camera but we do not feel that it is as fruitful as it is to go out when it is raining and check the manholes.

**Sludge Management Plan for WWTP** – Mayor Wilmoth stated that the Town needs to respond to DEQ by December 21<sup>st</sup>, and the question is the Town disposing of the sludge or using a pump and haul company. Mayor Wilmoth stated that he has looked at the cost impact to the Town and the big issue is that the Town does not have a vehicle right now to haul it. The Council decided that they would switch to a pump and haul.

**Future Needs for Water System - Scada** – Mayor Wilmoth stated that what is attached to the agenda is the new integration plan. Mayor Wilmoth stated that he would speak to a few contractors so that he can prepare the information for the budget for next year.

**119, 123 & 127 N. Ivandale Sewer Taps** – Mayor Wilmoth stated that he has spoken with someone that is interested in the above lots and had inquired about sewer taps from the Town. Mayor Wilmoth stated that he would contact Mr. Beach to find out if they opted out of the district.

**WWTP Permit** – Mayor Wilmoth reported that the five year permit came through and the Town has less testing to do.

#### **PARKS & RECREATION COMMITTEE:**

**Plans for Working on Park** – Vice Mayor Wine stated that looked at what the cost would be to run power to the pavilion from the sign and the cost estimate was \$2,000. Mayor Wilmoth stated that he spoke with someone at Home Depot and she indicated that they had a group of volunteers that would come out and help spread mulch at the park. Vice Mayor Wine stated that they had replaced the zip line cable and that it is working well.

**Don's Johns** – Council decided that they should be picked up the middle of November.

**TREASURER'S REPORT:**

**Monthly Treasurer's Report** – Ms. Jones issued a report to the Council and answered any questions that they had about the report.

Council member Unger made a motion to accept the Treasurer's Report as submitted.

Motion: Council member Unger  
Second: Council member Snyder  
Carried: 4-0-3 with Kesari, Rollins  
and Simpson absent

Council member Unger made a motion that the Treasurer move forward with disconnection according to the Town Code.

Motion: Council member Unger  
Second: Council member Snyder  
Carried: 4-0-3 with Kesari, Rollins  
and Simpson absent

**FINANCE COMMITTEE:**

None Scheduled.

**PUBLIC SAFETY & ZONING ENFORCEMENT COMMITTEE:**

Mr. Beniamino stated that he would give a report under Planning Commission.

**PERSONNEL COMMITTEE:**

None Scheduled.

Mayor Wilmoth stated that he is working on evaluations for the employees.

**PLANNING COMMISSION:**

**Town Council and Planning Commission Workshop** – Mr. Beniamino stated that a meeting had been scheduled for last week and many members weren't able to make it so he would like to pick a date to reschedule.

**OLD BUSINESS:**

**Fire Department Siren** – Mayor Wilmoth stated he has been informed that the County is changing their communications to a different band so at this point the Town is holding to see what the County moves to for communication.

**Striping in Front of Town Office** – Mr. Beniamino stated that he tried to contact VDOT but the person he needed to speak with was on vacation so he will contact them this week.

**Madison Avenue** – Mayor Wilmoth stated that he needs to respond to the gentleman who has requested that the Town reimburse him for having to replace his hot water heater. Council does not believe that he should be reimbursed and Mayor Wilmoth stated that he would speak with him.

**NEW BUSINESS:**

**Water and Sewer Ordinance Amendments** – Council member Unger made a motion to approve the proposed amendments to the Town Water and Sewer Ordinances as authorized by Code of Virginia 1950, as amended 15.2-2119 and 15.2-2143. The amendments are to Chapter 04, Section 3-12, Section 3-13(c), Chapter 5, Section 19-32 and Section 19-33(a)

Motion: Council member Unger  
Second: Council member Snyder  
Carried: 4-0-3 with Kesari, Rollins  
and Simpson absent

**Sidewalk Grant Application & Project Endorsement Resolution** – Council member Snyder made a motion that the Town Council adopt the resolution 2011-08.

Motion: Council member Snyder  
Second: Council member Unger  
Carried: 4-0-3 with Kesari, Rollins  
and Simpson absent

**Application for Sewer Connection – 39291 E. Colonial Highway** – Council member Unger made a motion that the Council approve the application for a sewer connection at 39291 East Colonial Highway.

Motion: Council member Unger  
Second: Council member Snyder  
Carried: 4-0-3 with Kesari, Rollins  
and Simpson absent

**Reston Bike Club Thank you and Donation** – Council thanked the Reston Bike Club for their generous donation.

**CLOSED SESSION:** Council member Snyder made a motion that the Hamilton Town Council recess its open meeting and convene a closed session. The exception is provided in Code of Virginia Section 2.2-3711(A)(7), as amended. The purpose of the closed meeting is to discuss the following:

- 1) Actual litigation involving Town of Hamilton v. Loudoun County Board of Supervisors, Loudoun County Circuit Court 63974; and
- 2) Threatened litigation for failure to pay sewer availability

Motion: Council member Snyder  
Second: Vice Mayor Wine  
Carried: 4-0-3 with Kesari, Rollins  
and Simpson absent

Council member Snyder made a motion that the Hamilton Town Council adjourn the closed session and reconvene the open meeting.

Motion: Council member Snyder

Second: Vice Mayor Wine  
Carried: 4-0-3 with Kesari, Rollins  
and Simpson absent

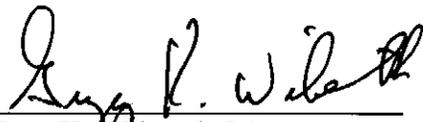
Council member Snyder made a motion that the Hamilton Town Council certify that while in closed session, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body.

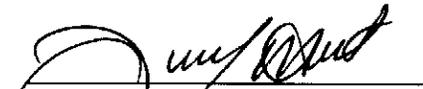
Town Council  
Regular Meeting Minutes  
October 17, 2011

Motion: Council member Snyder  
Second: Vice Mayor Wine  
Carried: 4-0-3 with Kesari, Rollins  
and Simpson absent

**ADJOURNMENT:**

There being no further business the meeting adjourned at 9:22 PM.

  
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Greg K. Wilmoth, Mayor

  
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Jennifer L. Helbert, Recorder