

**MINUTES
HAMILTON TOWN COUNCIL
REGULAR MEETING
FEBRUARY 11, 2013**

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
Brent Campbell, Council member
Michael Snyder, Council member
John Unger, Council member
David R. Simpson, Council member
Dimitri Kesari, Council member – Late 7:35PM

STAFF: Lori Jones, Treasurer
David Beniamino, Zoning Administrator
Maureen Gilmore, Town Attorney
Jennifer Helbert, Recorder

CALL TO ORDER:

Mayor Wilmoth called the regular meeting to order at 7:00PM.

GUESTS:

Loudoun County Rural Economic Plan (Mary Ellen Taylor)

PUBLIC COMMENT:

None

APPROVAL OF MINUTES:

Council member Unger made a motion to approve the minutes of January 14, 2013 as submitted.

Motion: Council member Unger
Second: Vice Mayor Wine
Carried: 6-0-1 with Kesari absent

Wilmoth - Aye
Unger - Aye
Kesari - Absent
Simpson - Aye
Campbell - Aye
Wine - Aye
Snyder - Aye

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Council member Campbell made a motion to approve the minutes of January 29, 2013 as submitted.

Motion: Council member Campbell
Second: Vice Mayor Wine
Carried: 6-0-1 with Kesari absent

Wilmoth - Aye
Unger - Aye
Kesari - Absent
Simpson - Aye
Campbell - Aye
Wine - Aye
Snyder - Aye

MAYOR'S REPORT:

Outstanding Items List – Mayor Wilmoth shared this list with the Council.

Journey Through Hallowed Ground Partnership's Council of Elected Officials Meeting - Mayor Wilmoth stated that he will not have the opportunity to participate in this meeting and wanted to see if anyone else was interested in attending.

Army Reserve Letter of Thanks – Mayor Wilmoth stated that he had received this thank you letter and wanted to share it with the rest of the Council.

Eagle Scout Project Request – Mayor Wilmoth stated that there is a request in the packet from a young man that is looking for an Eagle Scout project and asked that if anything comes to mind if they contact the Mayor and let him know.

Reading of Dr. Seuss to the Elementary School Children – Mayor Wilmoth stated that he usually does this however he will not be able to this year and would like to extend it to other members of the Council if they would like to participate. Council member Unger and Council member Campbell volunteered.

WATER AND SEWER COMMITTEE:

East End Water Loop – Mayor Wilmoth stated that the Town has been looking into getting cost estimates for doing this work but with other weather events going on lately he has not had the opportunity to put a lot of time into this and hopes that by next month he will have more information.

SCADA Update – Mayor Wilmoth stated that SCADA is fully operational now. Mayor Wilmoth stated that the instruments to read the levels at Harmony are in a pit next to the facility

and it froze over the weekend and he believes that the Town will have to build something small around it so that it can be insulated and heated.

PARKS AND RECREATION COMMITTEE:

Vice Mayor Wine stated that in the next month he and the Mayor will need to go to the park and fix some of the outstanding items before the warmer weather gets here.

Hamilton Day – The Mayor stated that he spoke with Ms. Michon and things are moving forward. She stated that the Ruitan Club will be providing more flaggers as requested by the Sheriff's office. She also stated that the Sheriff's office will be charging for their time this year and he believes it will be about \$180 for the entire time.

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 Campbell
Carried: 6-0-1 with Kesari absent

Wilmoth - Aye
Unger - Aye
Kesari - Absent
Simpson - Aye
Campbell - Aye
Wine - Aye
Snyder - Aye

FINANCE COMMITTEE:

FY 2014 Budget – Council member Unger stated that he and Ms. Jones have spoken and will be looking at the water and sewer rates. He also stated that the Town has been depending on the surcharges that the Town is collecting to pay for a lot of the Maintenance and Operational items and that will be going away so whether than waiting for that and then raising the rates all at once he wants to look at raising them over a period of time.

PUBLIC SAFETY & ZONING ENFORCEMENT COMMITTEE:

Zoning Ordinance Workshop – The Council decided to schedule this meeting for February 19th at 7PM.

Mayor Wilmoth stated that since the last meeting he met with Mr. Green on South Rogers about some different alternatives for his property and how it fit into the Ordinance.

Mr. Beniamino stated that he has been working on some of the items that the Council was concerned with in relation to the Zoning Ordinance update.

PERSONNEL COMMITTEE:

None scheduled

PLANNING COMMISSION:

Next Meeting – March 20, 2013

OLD BUSINESS:

Water & Sewer Ordinances – Specifically Sewer Ordinance Section 19-20(d) – Lateral maintenance and repair. Mayor Wilmoth stated that he has been working with several different people whose issues would fall under this Ordinance and he stated that when he tried to interpret the Ordinance he found it to be convoluted and believe that it needs to be looked at. Mayor Wilmoth stated that he does not want the Town to be the first call made with there is a sewer backup and would like the Ordinance to reflect that.

NEW BUSINESS:

VDOT Resolution to add Hamilton Meadows Streets to the Secondary Road System Passed January 29, 2012 – Vice Mayor Wine made a motion that the Town Council adopt the VDOT request to add Hamilton Meadows to the Secondary Systems Maintenance under Section 33.1-82, Code of Virginia, Resolution 2013-03, Presented February 11, 2013

Motion: Vice Mayor Wine
Second: Council member Kesari
Carried: 7-0

Wilmoth - Aye
Unger - Aye
Kesari - Aye
Simpson - Aye
Campbell - Aye
Wine - Aye
Snyder - Aye

Town of Leesburg – FOIA Training – This was a very good training session. Council member Simpson spoke about items that he picked up at the training.

BPOL Ordinance – Business License Requirements – Ms. Gilmore stated that she went over the State Code and the Town Ordinance with Town staff today and they will be looking at declaration forms for those Town residents that have businesses where their operations are not within the Town. They will bring this form forward at the next meeting for the Council to review.

Application for Sewer Connection – 17233 N. Ivandale Street – Council member Campbell made a motion that the Council approve this application for utility connection.

Motion: Council member Campbell
Second: Council member Kesari
Carried: 7-0

Wilmoth - Aye
Unger - Aye
Kesari - Aye
Simpson - Aye
Campbell - Aye
Wine - Aye
Snyder - Aye

CLOSED SESSION: Vice Mayor Wine made a motion that the Hamilton Town Council recess its open meeting and convene a closed session. To discuss the following:

- 1) Consultation with Legal Counsel pertaining to the discussion of actual and/or probable litigation. This includes consultation with legal counsel employed or retained by the public body regarding specific legal matters concerning the provision of legal advice by such council. The exception is provided in Code of Virginia Section 2.2-3711(A)(7), as amended. The purpose of the closed meeting is regarding threatened litigation for failure to pay sewer availability fees on the Bowman property and zoning violations on St. Paul Street

Motion: Vice Mayor Wine
Second: Council member Unger
Carried: 7-0

Wilmoth - Aye
Unger - Aye
Kesari - Aye
Simpson - Aye
Campbell - Aye
Wine - Aye

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Snyder - Aye

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

Motion: Vice Mayor Wine
Second: Council member Unger
Carried: 7-0

Wilmoth - Aye
Unger - Aye
Kesari - Aye
Simpson - Aye
Campbell - Aye
Wine - Aye
Snyder - Aye

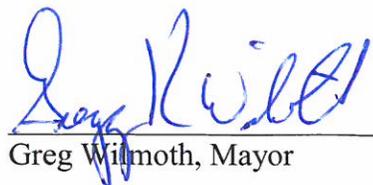
Council member Kesari made a motion that the Hamilton Town Council certify that while in closed session, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified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

Motion: Vice Mayor Wine
Second: Council member Unger
Carried: 7-0

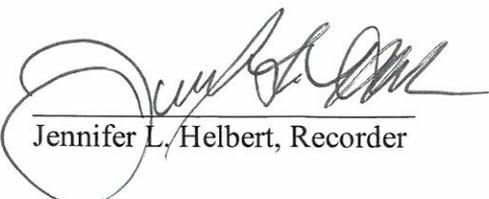
Wilmoth - Aye
Unger - Aye
Kesari - Aye
Simpson - Aye
Campbell - Aye
Wine - Aye
Snyder - Aye

ADJOURNMENT:

There being no further business the meeting adjourned at 9:00 PM.



Greg Wilmoth, Mayor



Jennifer L. Helbert, Recorder