

**MINUTES  
HAMILTON TOWN COUNCIL  
REGULAR MEETING  
APRIL 14, 2014**

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**CALL TO ORDER:**

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

PRESENT: Greg K. Wilmoth, Mayor  
Kenneth C. Wine, Vice Mayor  
Michael Snyder, Council member  
Dimitri Kesari, Council member  
John Unger, Council member  
David R. Simpson, Council member

ABSENT: Brent Campbell, Council member

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

**PUBLIC HEARING:**

a) Town of Hamilton Tax Equalization

There being no public comment Council member Unger made a motion to close the public hearing.

Motion: Council member Unger  
Second: Council member Snyder  
Carried: 6-0-1 with Campbell absent

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

**GUESTS:**

Council member Snyder made a motion to allow flexibility in the agenda for a guest that is late in arriving.

Motion: Council member Snyder  
Second: Council member Kesari  
Carried: 6-0-1 with Campbell absent

**Sue Costello** came forward to speak. Ms. Costello stated that she grew up here in Hamilton and lived with her grandparents. She stated that in 1926 there was a fire and she presented the Council with a picture of the fire that she doesn't believe anyone has ever seen. She stated that she discovered this picture in her grandfather's belongings. She stated that the photographer had written his name on the back of the picture and had mailed it to her grandfather.

**PUBLIC COMMENT:**

**Brian Kruppenbacker** of 38649 Bettis Drive came forward to speak. Mr. Kruppenbacker stated that he is here to speak about a trail easement that is on his property which connects Bettis Drive to North Laycock. His concern is the lack of public knowledge that the easement is not a road and that the easement should not be driven on by the public. He stated that he is extensively fixing tire tracks from a mail truck and several other vehicles along with cleaning up after people that work their dogs there. He stated that it is posted with no parking signs but they get blown away or simply moved out of the way then people drive down the easement realize their vehicle can't fit and turn around in a circle on his property.

**Joylyn Hannahs** of 257 East Colonial Hwy came forward to speak. Ms. Hannahs stated that as everyone knows there is a hearing about closing Hamilton Elementary School and she believes that it is important for each Council member as well as the Mayor to come out and speak at the hearing. Ms. Hannahs also asked that the Council look into cleaning up the park, she stated that the roots of the trees are showing and kids are tripping over them and the trees really need to be mulched.

The Council at this point moved back to guests as the Mayor's guest arrived to speak.

**APPROVAL OF MINUTES:**

Vice Mayor Wine made a motion to approve the minutes of March 10, 2014 as amended.

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

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

**MAYOR'S REPORT:**

**Outstanding Items List** – Mayor Wilmoth stated that he has been able to complete several items on the list in the last month.

**WATER AND SEWER COMMITTEE:**

**South Rogers Street Tank Painting** – Mayor Wilmoth stated the tank has been painted and is about 85% full and testing has been done and approved and the tank will be back up and running tomorrow. Mayor Wilmoth stated that new valves were put in as well as a new booster pump while the tank was empty and all of the funds for this project had been in the CIP.

**Harmony Water Tank and Utility Services** – Mayor Wilmoth stated that the Water and Sewer Committee had a meeting last week. Mayor Wilmoth asked Council member Snyder what he took away from that meeting. Council member Snyder stated that the Harmony water tank has a pipe that goes up the middle to supply the tank and that it has been leaking. He stated that it was unclear as to whether the company that had been contracted to service the tank had tried to repair it or whether they just continued to let it leak. He stated that the contractor proposes to place an expansion joint or sleeve on the pipe. He stated that putting a sleeve in could solve the problem but there is also the unknown that possibly the concrete base of the tank is unstable and could be rocking and therefore the sleeve would not help. The contractor was asked to do two things one to provide the Town with documentation that they had in fact addressed the leaks during the term of the contract. The Town also asked that the contractor provide the Town with a cost for getting an elevation of the tank so that it can be compared to the asbuilt from when the tank was originally put in. Mayor Wilmoth stated that the contractor has not talked about any type of repairs made on the inside of the tank. He stated that the crack is not huge so it's not a crisis right now but does need to be fixed. The issue right now is does the Town use the current contractor or go with another contractor.

Vice Mayor Wine made a motion that the Mayor pursue a bid from another contractor and leave the final decision up to him as to how to handle getting the repair done.

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

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

Council member Snyder requested that the Town go to the School Board and request a time frame for having this work completed.

**PARKS AND RECREATION COMMITTEE:**

Hamilton Day 2014 – Hamilton Point to Point Kids Cross Country Race

The Council also stated that they would be mulching the Park.

**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 Kesari made a motion to accept the Treasurer’s Report.

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

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

**FINANCE COMMITTEE:**

FY2015 Budget Public Hearing Scheduled for May 12, 2014

FY2015 Budget and Tax Rate Adoptions and Appropriation Resolution Scheduled for June 9, 2014 Council meeting

**PUBLIC SAFETY & ZONING ENFORCEMENT COMMITTEE:**

Mr. Beniamino stated that he has nothing to add tonight

**PERSONNEL COMMITTEE:**

Mayor Wilmoth indicated that he would like to get together with Council member Simpson soon to discuss evaluations.

**PLANNING COMMISSION:**

Chairman McCann stated that there is a ZORC meeting scheduled for Wednesday and will be looking at the Comprehensive Plan Update to make sure it complies with the newly adopted Zoning Ordinance.

**OLD BUSINESS:**

**Planning Commission Vacancy** – Mr. Beniamino stated that he would like the Council to keep looking for a Planning Commissioner to fill a vacancy.

**NEW BUSINESS:**

**Virginia Stormwater Management Regulation Changes** – Mr. Beniamino stated that as of July 1<sup>st</sup> the General Assembly has decided that all local governments are to become part of the Virginia Stormwater Management Program. He would recommend that the Council instruct him to move forward with making the Town part of the County regulations for Stormwater Management.

Council member Kesari made a motion to authorize the Zoning Administrator to move forward with negotiate with the County to have enforcement of the Stormwater Management Regulation.

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

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

**Applications for Sewer Connection/Availability –**

Council member Kesari made a motion that the Town Council approve Sewer Connection and Availability for 210 South St. Paul Street.

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

Wilmoth - Aye

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

Council member Kesari made a motion that the Town Council approve Sewer Connection and Availability for 588 Curry Springs Place.

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

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

Council member Kesari made a motion that the Town Council approve Sewer Connection and Availability for 252 Maryland Avenue.

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

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

**Town of Herndon/County of Loudoun Voluntary Settlement** – Ms. Gilmore stated that this item pertains to an immigrant work force issue that was taking place in Herndon. She indicated that because the location of this building was on the boundary of Herndon and Loudoun County it was decided that a Boundary Line Adjustment would take place giving Herndon that entire piece of property. As a Town located in Loudoun County Hamilton has a right to comment on the Boundary Line Adjustment.

**Proclaim May as Lyme Disease Awareness Month** – Council member Unger made a motion that the Hamilton Town Council approve the proclamation to make May Lyme Disease Awareness Month.

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

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

**LCPS Special Hearing on Proposed Closing of Western Elementary Schools** – Ms. Jones made the Council aware of the hearing time and location and indicated that if any members of the Council would like to speak she would be happy to sign them up.

**Authorize Water and Sewer Rate Increase Public Hearing** – Council member Unger made a motion that the Hamilton Town Council authorize a public hearing on May 12, 2014, immediately following the FY2015 Budget Public Hearing.

Motion: Council member Unger  
Second: Council member Snyder  
Carried: 6-0-1 with Campbell absent

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

**Harmony United Methodist Church Expansion** – Ms. Gilmore stated that she met with Rhonda Paice a member of the Church and representative of their legal interests. She stated that they discussed the potential for expansion of the Church and Ms. Gilmore recommended that a member of the Church come to a Council meeting and discuss what their plans may be.

Mr. Tom Gatewood came forward to speak on behalf of the Church and gave the Council a brief overview of the conceptual plans the Church is looking at.

**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:

Discussion of real property and to consult with legal counsel regarding real property, as authorized by Code of Virginia 1950, as amended, §§ 2.2-3711(A)(3) and 2.2-3711 (A)(7).

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

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

Vice Mayor Wine made a motion that the Hamilton Town Council adjourn the closed session and reconvene the open meeting.

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

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

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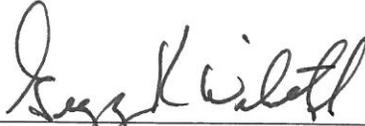
Vice Mayor Wine made a motion that the Hamilton Town Council certify that while in closed session, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body. Also in attendance were Jennifer Helbert, Recorder, David Beniamino, Zoning Administrator and Lori Jones, Treasurer.

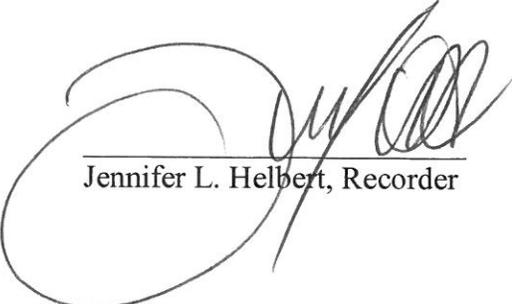
Motion: Vice Mayor Wine  
Second: Council member Kesari  
Carried: 6-0-1 with Snyder absent

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

**ADJOURNMENT:**

There being no further business the meeting adjourned at 8:50 PM.

  
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Greg Wilmoth, Mayor

  
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Jennifer L. Helbert, Recorder