

**MINUTES
HAMILTON TOWN COUNCIL
PUBLIC HEARING AND REGULAR MEETING
DECEMBER 14, 2015**

TOWN COUNCIL

PRESENT: David R. Simpson, Mayor
Kenneth C. Wine, Vice Mayor
Matthew Clark, Council member
John Unger, Council member
Craig Green, Council member

ABSENT: Dimitri Kesari, Council member
Michael Snyder, Council member

STAFF: Lori Jones, Treasurer
Daniel Galindo, Zoning Administrator
Maureen Gilmore, Town Attorney
Jennifer Noel, Recorder

CALL TO ORDER THE PUBLIC HEARING:

Mayor Simpson called to order the Public Hearing of the Hamilton Town Council at 7:00PM.

PUBLIC HEARING:

1) Hamilton Zoning Ordinance Amendments

There being no comments, the Mayor closed the Public Hearing.

CALL TO ORDER THE REGULAR MEETING:

Mayor Simpson called to order the regular meeting of the Hamilton Town Council at 7:10PM.

PUBLIC COMMENT:

None

GUESTS:

Marie Schuler came forward to speak. Ms. Schuler is a representative for Comcast and stated that she has been speaking with Mayor Simpson over the past year about renewing the cable television franchise. She stated that she is here tonight because at one point there was some concern about the exclusivity of the franchise. She stated that she provided Mayor Simpson with language from the Communications Act that specifically states that the cable television franchise cannot be an exclusive arrangement and

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any provider that wants to come into the community can come in and serve the residents. Ms. Schuler stated that most of the language in a Franchise Agreement is predominately from the Communications Act and is being filtered down to the local municipality. Ms. Schuler stated that they are required by law to have an agreement if they are to continue serving the residents of the Town of Hamilton, therefore she is requesting that the Town of Hamilton approve the franchise agreement with Comcast.

Dustin Loving came forward to speak. Mr. Loving is coming before the Council to discuss ideas for an Eagle Scout Project he would like to do in the Town of Hamilton. One idea he has is to set up a flagpole either in the entrance to the park or by the Pavilion. He stated that the flag pole prices are between \$2,000 and \$3,000 and he believes that he can get help from local Veteran groups. He would like to dedicate the flagpole to Veterans that live in the Town and his great grandfather. Mr. Loving would like the Council to authorize him to move forward as well as a decision to put the pole at the entrance or at the pavilion. He would like the town to provide the hook up for electricity at either location so that the flag would not have to be raised and lowered daily.

Mayor Simpson asked that Mr. Loving leave the information that he has regarding the flagpole/electricity and the Council will discuss the project at a later date and take a vote on whether they would like him to move forward with the project.

Sgt. Lockhart with the Loudoun County Sheriff's Office came forward to answer any questions or concerns that the Council may have for the Sheriff's Office.

MINUTES: Council member Unger made a motion to approve the September 14, 2015 minutes as submitted.

Motion: Council member Unger
Second: Vice Mayor Wine
Carried: 5-0-2

Simpson -	Aye
Unger -	Aye
Kesari -	Absent
Green -	Aye
Snyder -	Absent
Wine -	Aye
Clark -	Aye

MAYOR'S REPORT:

Mayor Simpson stated that he would like to discuss having a workshop to discuss the future of 41 and 43 East Colonial Highway. The Council decided that they would like to hold this workshop after the first of the year. The Mayor indicated that he would set up a date with the Council. Mayor Simpson stated that the lighting of the Christmas tree went very well and they had a large crowd.

WATER & SEWER COMMITTEE:

Nothing new to report.

PARKS & RECREATION COMMITTEE:

Council member Clark stated the park looks good and has nothing new to report. Vice Mayor Wine stated that staff has been up trimming trees at the park and they have suggested that the Town hire a company to come out trim the tops of the taller trees.

TREASURER'S REPORT:

Monthly Treasurer's Report – Ms. Jones presented her report to the Town Council and entertained any question the members may have.

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

Motion: Council member Unger
Second: Vice Mayor Wine
Carried: 5-0-2

Simpson - Aye
Unger - Aye
Kesari - Absent
Green - Aye
Snyder - Absent
Wine - Aye
Clark - Aye

FINANCE COMMITTEE:

Council member Unger stated that he has nothing new to report.

PUBLIC SAFETY & ZONING ENFORCEMENT COMMITTEE:

Council member Green stated that he had nothing new to report.

PERSONNEL COMMITTEE:

Mayor Simpson stated that this would be discussed in Executive Session. He stated that the new employee is working out very well.

PLANNING COMMISSION:

Chairman McCann stated that the Planning Commission has nothing new to report. He stated that the next meeting of the Planning Commission will be January 20, 2016. He stated that the Town Council does have before them the Zoning Ordinance changes that the Planning Commission has recommended for approval. Chairman McCann stated that Mr. Galindo should be commended for his hard work on the Zoning Ordinance.

OLD BUSINESS:

a) Proposed Sewer Ordinance Amendment – Tabled from October Meeting

Mayor Simpson stated that he has spoken with several other jurisdictions and believes that what the Town currently has in place is pretty solid. The Mayor requested that the Council delay this item another month so that he can do more research into whether the Ordinance needs to be amended or not.

b) Proposed Zoning Ordinance Amendments – Resolution 2015-24

Mr. Galindo stated that he wanted to highlight a couple of changes to the Proposed Zoning Ordinance Amendments, one is the addition of a Flood Plain Regulations section should the Town decide to become part of the program with the County. He also wanted to highlight Section 10 about the keeping of animals was the one change that the Planning Commission made.

Ms. Gilmore went over the options that the Town Council has at tonight's meeting regarding adopting the proposed amendments. She recommends holding another public hearing on the amendments because the language on Variances and manufactured homes was not advertised so she believes it would be in greater compliance with the State Code to have a public hearing on those suggestions. It would also allow her and staff to provide the Council with more information for discussion during the public hearing.

Council decided that they would move forward with approval all of the Amendments tonight except for Article 14.

Council member Unger made a motion that the Town Council adopt Resolution 2015-24 adopting Articles 3, 4, 5, 8, 10, 12, 13, 15 and 16 as authorized by the Code of Virginia, 1950 as amended, §15.2285 and 2286.

Motion: Council member Unger
Second: Vice Mayor Wine
Carried: 5-0-2

Simpson - Aye

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Unger -	Aye
Kesari -	Absent
Green -	Aye
Snyder -	Absent
Wine -	Aye
Clark -	Aye

NEW BUSINESS:

- a) **Application for Utility Connection – 101 Lamplighter Court** – Vice Mayor Wine made a motion that the Hamilton Town Council accept the application for the water and sewer connection at 101 Lamplighter Court in Hamilton Meadows.

Motion: Vice Mayor Wine
Second: Council member Green
Carried: 5-0-2

Simpson -	Aye
Unger -	Aye
Kesari -	Absent
Green -	Aye
Snyder -	Absent
Wine -	Aye
Clark -	Aye

- b) **Letter to Sam Adamo, LCPS, Regarding Sidewalks** – Mayor Simpson stated that he had sent the attached letter to Sam Adamo requesting that the School Board help the Town by moving the crosswalk. That was sent today.
- c) **TANV – January 2016 Meeting Invitation** – Mayor Simpson stated that the luncheon for the TANV will be in Purcellville on January 7, 2016 at Patrick Henry College.
- d) **Hamilton Community Park Donation from Kidtime Christian Academy** – Mayor Simpson call the Councils attention to the Park donation from Kidtime Christian Academy and stated that a thank you note had been sent out.

CLOSED SESSION:

Vice Mayor Wine made a motion that the Hamilton Town Council recess its regular meeting and convene a closed meeting. The purposes of the closed meeting are as follows

1. Compensation of employees of the Town of Hamilton as authorized by Code of Virginia Section 2.2-3711(A)(1).

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The following individuals are invited to attend the closed session:

All Town Council Members
Maureen K. Gilmore, Town Attorney

Motion: Vice Mayor Wine
Second: Council member Unger
Carried: 5-0-2

Simpson -	Aye
Unger -	Aye
Kesari -	Absent
Green -	Aye
Snyder -	Absent
Wine -	Aye
Clark -	Aye

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

Motion: Vice Mayor Wine
Second: Council member Green
Carried: 5-0-2

Simpson -	Aye
Unger -	Aye
Kesari -	Absent
Green -	Aye
Snyder -	Absent
Wine -	Aye
Clark -	Aye

Vice Mayor Wine made a motion that the Hamilton Town Council adopt resolution 2015-25 to Certify that while in Closed Session the participants discussed only those matters for which a Closed Session was convened.

Motion: Vice Mayor Wine
Second: Council member Unger
Carried: 5-0-2

Simpson -	Aye
Unger -	Aye
Kesari -	Absent

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Green - Aye
Snyder - Absent
Wine - Aye
Clark - Aye

Vice Mayor Wine made a motion that the Hamilton Town Council adopt resolution 2015-25 Certifying the Closed Session on December 14, 2015.

Motion: Vice Mayor Wine
Second: Council member Unger
Carried: 5-0-2

Simpson - Aye
Unger - Aye
Kesari - Absent
Green - Aye
Snyder - Absent
Wine - Aye
Clark - Aye

Council member Green made a motion that the Hamilton Town Council adopt the 2015 Christmas Bonus plan to pay out the sum total of \$5,950 to Town employees.

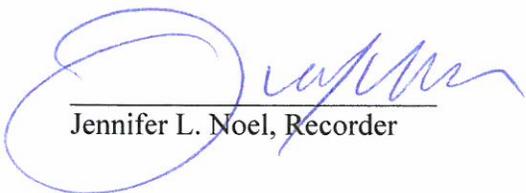
Motion: Council member Green
Second: Vice Mayor Wine
Carried: 5-0-2

Simpson - Aye
Unger - Aye
Kesari - Absent
Green - Aye
Snyder - Absent
Wine - Aye
Clark - Aye

ADJOURNMENT:

There being no further business the meeting adjourned at 8:58 PM.



David Simpson, Mayor

Jennifer L. Noel, Recorder