

**MINUTES
HAMILTON TOWN COUNCIL
PUBLIC HEARING AND REGULAR MEETING
JULY 13, 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 REZONING PUBLIC HEARING:

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

RZ-2015-01 – Rezoning of Hamilton Community Park

PUBLIC COMMENT:

None

There being no public comment the public hearing was closed.

CALL TO ORDER THE REGULAR MEETING:

Mayor Simpson called to order the regular meeting of the Hamilton Town Council at 7:05PM.

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

PUBLIC COMMENT:

Kathy Vick of 210 South St. Paul Street came forward to speak. Ms. Vick stated she has not been in any hurry to hook up to the sewer system and from what they understand their water bill would double and their house has only ever had two occupants and they are careful of their water use. She stated that they had initially planned on getting hooked up last year and put in an application with the Town in April 2014 but decided to put it off because they knew they had time before the loan was paid off in 2019. Ms. Vick stated that they have budgeted to hook up this summer and they had a plumber come out to give an estimate to make sure they were on target with cost, however the first of this month they received a letter from the Town indicating that they may have to pay for a grinder pump. She stated that now they are looking at double the cost of hooking up. She stated that they were told from the beginning that the grinder pump would be included and she has documentation as far back as 2002 indicating that it would be included. Ms. Vick also stated that the application they filled out in April made no mention of the fee. She stated that she understands that the County is providing the Town with the funds for this and if the loan isn't going to be paid off until August then she would ask that the Town still provide them with the grinder pump fee if they hook up by the end of this month. She stated that they are looking for some type of assurance that that is going to happen.

Mayor Simpson stated that Council will be discussing this issue later in the evening in closed session and will contact her in the next day or two regarding her concern.

GUESTS:

Josh Stevenson came forward to make an Eagle Scout Project Presentation to the Town Council and ask for permission to move forward with the project.

MINUTES: Vice Mayor Wine made a motion to approve the June 8, 2015 minutes as amended.

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

MAYOR'S REPORT:

- a) State of the Town Letter – Mayor Simpson stated that he decided that he would write a State of the Town letter to send out to the residents to keep them informed of what is going on in the Town.
- b) Payment for Utility Pole – The County provided the funding for moving the utility pole as well as restoration of the sidewalk.

WATER & SEWER COMMITTEE:

None

PARKS & RECREATION:

None

TREASURER'S REPORT:

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

Vice Mayor Wine made a motion to approve the Treasurer's Report as submitted.

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

FINANCE COMMITTEE:

Ms. Jones indicated that the Town audit will begin next week.

PUBLIC SAFETY & ZONING ENFORCEMENT COMMITTEE:

None

PERSONNEL COMMITTEE: Mayor Simpson stated that he has adjusted the work hours for staff. He stated that some were working eight hours and some eight and a half hours, some never really to their lunch so the Town was making them work a half hour that they weren't getting paid for so in looking at the Personnel Handbook it indicated that you are to work eight hours with two 15 minute breaks so as of July first he reduced everyone's shift back to eight hours per day. This will not cost the Town anything additional.

Mayor Simpson also commented that Nathan Smith now has his Class III Wastewater Operators License which includes a pay incentive.

PLANNING COMMISSION: Chairman McCann stated that there will be a meeting on Wednesday where the Planning Commission will be looking at going back over the Town Plan and get it finalized and back to the Council.

OLD BUSINESS:

a) RZ-2015-01 – Rezoning of the Hamilton Community Park

Vice Mayor Wine made a motion to adopt Resolution 2015-12 a Resolution to approve Rezoning 2015-01 and adopt an Ordinance Amendment to the Zoning Map changing the Zoning of the Town Park, Tax Map 137/A/1////83 and Parcel Identification Number 418-29-1752-000, located at 31 West Colonial Highway, from R-2 Single Family Residential to PSP Public and Semi-Public District.

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

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

b) FY2016 Transportation Alternatives Program Approval for Hamilton Sidewalk Upgrades

Mayor Simpson stated that the Town received a grant in the amount of \$216,407 for the project and the Town will need to match 20% of those funds which is \$51,101. He stated that he will be going to Williamsburg the end of August for a session that defines how to disperse the funds. He stated that he also spoke with Mr. Bishoff who indicated that the Town could start by using their \$51K before receiving funds from the state because if the Town shows initiative it looks good the next time you apply for grant money, therefore after his session in Williamsburg he would like to come back and come up with a plan to move forward with the this project starting with the Town's funds.

c) Sewer Tax District Notifications Mailed

Mayor Simpson stated that the Town has begun to get responses.

NEW BUSINESS:

a) VML Executive Mansion Holiday Tree Ornament Project – Mayor Simpson stated that the Governor has asked every municipality if they would like to have an ornament made to be put on the tree at the Capitol. He stated that he would like the Council's permission to move forward with finding a local artist to work on it. Council consented to let the Mayor move forward with this.

b) CDBG Program Amendment to Cooperation Agreement and Resolution – Ms. Gilmore stated that this is just an amendment to the Town's existing agreement with the County. She stated that the Town entered into an agreement back in 2003 with the Council so that they could "piggyback" on their application which has been beneficial to the Town as they have received some of those HUD funds. She stated that the County has sent the Town an amendment to look at and provide any feedback the Town may have. Ms. Gilmore went over the finer points of the agreement and the reason behind it.

Council member Unger made a motion that the Town Council adopt Resolution 2015-11 Ratifying the Mayor's Execution of the Amendment to the Cooperation Agreement between the County of Loudoun, Virginia and the Town of Hamilton, Virginia.

Motion: Council member Unger
Second: Council member Green
Carried: 6-0-2

Simpson - Aye
Unger - Aye
Kesari - Absent
Green - Aye

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Snyder - Absent
Wine - Aye
Clark - Aye

- c) **Appointment of Planning Commission Members** – Council member Unger made a motion that the Town Council appoint the following people to four year terms for the Hamilton Planning Commission; Bob McCann, Russ Beal and Greg Wilmoth and the terms will begin on August 1, 2015 and run through July 31, 2019.

Motion: Council member Unger
Second: Council member Green
Carried: 6-0-2

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

- d) **Leak Adjustment Request** – Ms. Jones indicated that the resident at 306 East Colonial Highway has requested a leak adjustment from the Town. Ms. Jones indicated that the Town allows one adjustment per calendar year and this will be the second request from this resident.

Council member Green made a motion that the Town Council will require the owner to pay the water bill because that service was used, however the Town will remove the sewer charge from the bill as that service was not used.

Motion: Council member Green
Second: Council member Unger
Carried: 6-0-2

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

The Council requested that the Town Attorney look into an Ordinance change based on the above discussion.

AGENDA AMENDMENT:

Mayor Simpson made an amendment to the agenda to add a Closed Session to discuss the acquisition of real property and legal advice involving the sewer district.

Motion: Mayor Simpson
Second: Vice Mayor Wine
Carried: 6-0-2

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

CLOSED SESSION:

Vice Mayor Wine made a motion that the Hamilton Town Council recess its regular meeting and convene a closed session to discuss specific legal matters requiring the advice of counsel as authorized by Code of Virginia 2.2-3711(A)(7) and 2.2-3711(A)(3) as amended.

The following individuals are invited to attend the closed session:

All Town Council Members
Maureen K. Gilmore, Town Attorney
Lori M. Jones, Treasurer
Jennifer Noel, Recorder
Daniel Galindo, Zoning Administrator

Motion: Vice Mayor Wine
Second: Council member Unger
Carried: 6-0-2

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

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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 Unger
Carried: 6-0-2

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| 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 2015-12 to certify that while in closed session the participants discussed only those matters for which the closed session was convened.

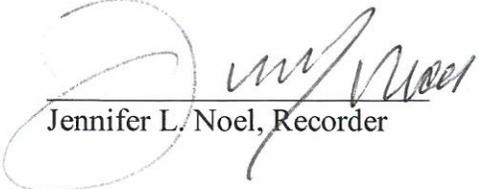
Motion: Vice Mayor Wine
Second: Council member Clark
Carried: 6-0-2

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

ADJOURNMENT:

There being no further business the meeting adjourned at 7:41 PM.


David Simpson, Mayor


Jennifer L. Noel, Recorder