

**MINUTES
HAMILTON TOWN COUNCIL
REGULAR MEETING
SEPTEMBER 14, 2015**

TOWN COUNCIL

PRESENT: David R. Simpson, Mayor
Matthew Clark, Council member
John Unger, Council member
Craig Green, Council member
Dimitri Kesari, Council member
Michael Snyder, Council member

ABSENT: Kenneth C. Wine, Vice Mayor

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

CALL TO ORDER THE REGULAR MEETING:

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

PUBLIC COMMENT:

Matt Everly came forward to speak. He was here last month to speak about the water situation at Lots 61 and 63 in Hamilton Acres. He stated that they are here tonight to see if the sewer taps are going to be available, he stated that they have two interested parties in those lots. He also had a question on whether they could do a septic system on Lot 61 as it adjoins the Town Well.

Mayor Simpson stated that he spoke with the County and that is who he needs to direct the property owners questions to, but according to the County Health Department, they would only lift the restriction if the Town approved a sewer connection to the Town system.

Tony Campbell of 16970 Hamilton Station Road came forward to speak. Mr. Campbell stated that he and a few other homeowners near him jointly own a piece of property and they would like to subdivide the property. He stated that the County has signed off on all of the documents. It's his understanding that the Hamilton Planning Commission and Town Council will need to review the documents and sign off on them. He came here tonight to ask if the Town Council could sign off on the documents at the same time that the Planning Commission does.

Mayor Simpson indicated that the Town Council could not do that as the item will need to come before the council at a meeting and they will need to take a vote. He stated that he would look into it further though and get back with him.

GUESTS:

James Wynn with Volunteers of America came forward to speak. He stated that Volunteers of America is a National organization that serves approximately 2.5 million people across the country and they are with the local affiliate. Mr. Wynn stated that he is here today because they have an event coming up called Salute to Service Walk/Run for the Homeless.

Deputy First Class Victor LoPretto came forward to give the Council an update.

MINUTES: Council member Unger made a motion to approve the August 10, 2015 minutes as submitted.

Motion: Council member Unger
Second: Council member Kesari
Carried: 6-0-1

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

MAYOR'S REPORT:

Mayor Simpson stated that his report relates to the Closed Session scheduled later in the evening

WATER & SEWER COMMITTEE:

Water and Sewer items will be discussed in Closed Session.

PARKS & RECREATION:

There is an upcoming Committee meeting on Thursday, September 24th at 8AM at the park.

TREASURER'S REPORT:

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

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

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

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

FINANCE COMMITTEE:

FY2015 CAFR – Finance Committee Meeting to be scheduled with Mitchell & Co. – Council scheduled a Finance Committee meeting for Wednesday, September 16, 2015 at 10AM to go over the audit. The auditors will be at the October Council meeting to review the audit.

PUBLIC SAFETY & ZONING ENFORCEMENT COMMITTEE:

Nothing to report.

PERSONNEL COMMITTEE:

Nothing to report.

PLANNING COMMISSION: Chairman McCann stated that the Planning Commission has a meeting on Wednesday at 7PM and they will be reviewing the waiver request for the subdivision plat as well as making a recommendation on that waiver. Planning Commission will also be reviewing the Comp. Plan final draft as well as reviewing the draft Zoning Ordinance.

OLD BUSINESS:

Proposed Snow Removal Ordinance – Resolution 2015-14 to Schedule Public Hearing

Council member Snyder made a motion to adopt Resolution 2015-14.

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

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

NEW BUSINESS:

- a) **Proposed Zoning Ordinance Amendments – Resolution 2015-15 for Referral to Planning Commission** – Council member Green made a motion to adopt Resolution 2015-15 a Resolution referring proposed Zoning Ordinance amendments to the Hamilton Planning Commission.

Motion: Council member Green
Second: Council member Kesari
Carried: 6-0-1

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

- b) **Proposed Water & Sewer Ordinance Amendments – Resolution 2015-16 to Schedule Public Hearing** – Council member Unger made a motion to approve Resolution 2015-16 to authorize a Public Hearing to receive comments and take action on proposed amendment to the Water and Sewer Ordinance.

Motion: Council member Unger
Second: Council member Kesari
Carried: 6-0-1

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

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Clark - Aye

CLOSED SESSION:

Council member Clark 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. Consideration of the acquisition of real property for a public purpose, as authorized by Code of Virginia of 1950, as amended §2.2-3711(A)(3); and
2. Consultation with the Town Attorney pertaining to the lawsuit, Town Council of the Town of Hamilton v. Board of Supervisors of Loudoun County, Loudoun County Circuit Court, Law No. 63974, as authorized by Code of Virginia of 1950, as amended §2.2-3711(A)(7); and
3. Consultation with the Town Attorney regarding utility matters requiring the provision of legal advice, as authorized by Code of Virginia of 1950, as amended §2.2-3711(A)(7).

The following individuals are invited to attend the closed session:

All Town Council Members
Maureen K. Gilmore, Town Attorney

Motion: Council member Clark
Second: Council member Snyder
Carried: 6-0-1

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

Council member Clark made a motion that the Hamilton Town Council adjourn its closed session and reconvene its public meeting and that the minutes of the public meeting reflect that no formal action was taken in closed session and that Council member Kesari left the meeting.

Motion: Council member Clark
Second: Council member Snyder
Carried: 5-0-2

Simpson - Aye
Unger - Aye

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

Council member Clark made a motion that the Hamilton Town Council adopt Resolution 2015-17 certifying the closed meeting of September 14, 2015 and that a copy of the Resolution be included in the minutes of the Town Council meeting.

Motion: Council member Clark
Second: Council member Snyder
Carried: 5-0-2

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

Council member Unger made a motion that the Town Council authorize the Mayor to proceed with the negotiations for the acquisition of real property for the Town with the advice of the Town's Attorney.

Motion: Council member Unger
Second: Council member Green
Carried: 4-1-2

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

Council member Snyder made a motion that the Town Council hold a public hearing on the acquisition of real property.

Motion: Council member Snyder

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Second: Council member Green
Failed: 3-2-2

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

Council member Green made a motion to reiterate the Town Council's belief that the Town have a moratorium on new taps and additions to the Hamilton Water and Sewer system.

Motion: Council member Green

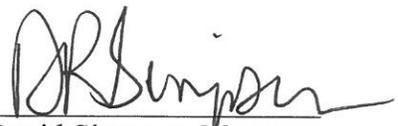
Council member Snyder made a friendly amendment to remove water from the motion. Council member Green accepted the amendment.

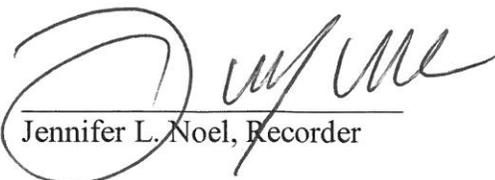
Second: Council member Unger
Carried: 5-0-2

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

ADJOURNMENT:

There being no further business the meeting adjourned at 8:42PM.


David Simpson, Mayor


Jennifer L. Noel, Recorder