

**MINUTES
HAMILTON TOWN COUNCIL
PUBLIC HEARING AND REGULAR MEETING
JUNE 13, 2016**

TOWN COUNCIL

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

ABSENT: Dimitri Kesari, Council member

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

PUBLIC HEARING ITEM:

Town of Hamilton Proposed Budget FY2017 Public Hearing

Mayor Simpson called the public hearing to order at 7:00 PM. There being no public comment he closed the public hearing at 7:05PM.

CALL TO ORDER THE REGULAR MEETING:

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

Vice Mayor Wine made a motion to move the Public Safety and Zoning Enforcement Committee Item on the agenda prior to Public Comment.

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

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

PUBLIC SAFETY & ZONING ENFORCEMENT COMMITTEE:

Zoning Administrator's Report

Mr. Galindo stated that he has received a request for an Occupancy Permit for the former bank building on Colonial Highway. He stated it has been requested to have offices upstairs and a retail store on the lower level of firearms sales. Mr. Galindo stated that the sale of firearms is regulated under the State Code of Virginia what requires that the sale of firearms be licensed through the Federal Government through the Alcohol, Tobacco, Firearms and Explosives Bureau. He stated that this use is a by right use in the Town of Hamilton as it is considered retail sales under the State Code.

Mr. Galindo stated that because this is a by right use he has issued an Occupancy Permit for this business in the location on Colonial Highway.

The Town Attorney indicated that she had done some research as well, specifically the proximity of the store to the Elementary School but has determined that the State Code does not allow localities to prohibit the sale of firearms from a retail store.

PUBLIC COMMENT:

Carolyn Unger of 336 West Colonial Highway came forward to speak. Her complete statement is below:

“To the Hamilton Town Council.

I come to you tonight with a concern for our lovely town built on kindness and civility. It was once named Harmony. I have lived here for 40 years and find it hard to find other places as true to the spirit of a small community.

There are plans for a gun shop, coffee shop “Bullets and Beans” and the possible sale of automatic weapons right in the middle of our country town. This is a store all too close to our elementary school where our most precious resource, our children are.

I respect the law enforcement and appreciate the job they do to protect us and see to it that laws are followed. They are trained very carefully to know when the use of a gun would be a matter of life and death.

However, guns, especially automatic weapons have little place in a civil society. A democracy is built on discourse and common respect. Having discussions about differences and working toward a common goal are the way we can lead our lives without fear or violence. Guns make it possible for one person to be judge, jury and executioner. Where is the civility there?

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I worry that more guns in the hands of many create a possibility for the “wrong” people to threaten our lives.

Each life is precious. The risk is great. My rights as a homeowner, one who loves Hamilton are being threatened by a gun shop in town, providing a place for guns to come and go, people carrying guns will come and go. I am against having a gun shop in the town.

Thank you for the work you do to make our town here in Western Loudoun a remarkable place in the world of change.”

Mayor Simpson did make note that this store will not be permitted to sell automatic weapons.

Rodney Krone of 42 Sydnor came forward to speak. Mr. Krone stated his house was built in 1972 and last year he applied for a permit to put a deck on the rear of his townhome. He stated that he had removed an old deck off of his house because it was unsafe. He stated he was told last year that the Zoning Ordinance had changed and that a deck is required to be 8’ from the property line, but because his home is a townhome, the Ordinance does not allow him to build a deck of a standard and usable size. Mr. Krone brought in pictures of other decks in the community showing that all decks in the neighborhood are placed right on the property line and he would like to just replace his deck.

Mayor Simpson stated that the Town would get back with Mr. Krone.

GUESTS:

Deputy Moat came forward to speak. He stated there has been some reports of loitering in Lakeview Cemetery and the Sheriff’s Office has increased the patrol in the area. He stated that two weeks ago the Sheriff’s Office set up a check point due to some reports of speeding in the area of Sydnor Street. He stated that several hundred cars came through the check point and several citations were issued.

Deputy Moat also stated that approximately three weeks ago there was an incident of vehicle tampering, he stated that an arrest was made but he would caution the residents of Hamilton to make sure that their vehicles are locked at all times.

Council member Snyder made a motion to attach Carolyn Unger’s statement to the minutes.

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

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

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MINUTES: Vice Mayor Wine made a motion to approve the May 9, 2016 minutes as submitted.

Motion: Vice Mayor Wine
Second: Council member Green
Carried: 6-0-1

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

MAYOR'S REPORT:

Hamilton Day - Mayor Simpson stated that as always the Hamilton Day celebration went very well thanks to Carrie Michon and her group. Vice Mayor Wine stated that Ms. Michon asked if a committee could be put together to work on events in the Town.

41 East Colonial Parking Lot – Mayor Simpson stated that the shed is finally gone and he is speaking with an engineer to find out the best way to put in a parking lot.

Paving Equipment Parked – Mayor Simpson stated that the Town has received a lot of complaints about the equipment being parked. Ms. Jones was in contact with the owner and was told that the equipment will be moved as soon as possible as they are working on a new location for the equipment.

Loudoun County Emergency System – Mayor Simpson stated that on June 15th and 16th they will be conducting live training on the system and he wanted to make the residents aware.

WATER & SEWER COMMITTEE:

VPDES Permit No. VA0020974 – Council member Snyder stated that the information for the permit has been submitted and the Town is waiting to hear back but it's his understanding that this is just a formality.

PARKS & RECREATION COMMITTEE:

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Council member Clark stated that the Committee held a meeting out at the park. They looked at all of the equipment and discussed either repairing it or replacing it. He stated that one idea is to contact the manufacturer of the plastic ones to see if they can be repaired or replaced and once they hear back from them they will determine how to move forward.

Mayor Simpson stated that he spoke with Ms. Michon to have some kind of Music in the Park over the summer and that would be an item the new committee could work on.

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: 6-0-1

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

FINANCE COMMITTEE:

Ms. Jones stated that she met this morning with surrounding jurisdictions to discuss the County’s new tax system. She stated that apparently, the data that they are putting out is not completely accurate so they are all putting their issues together to try to get them addressed by the County.

PERSONNEL COMMITTEE:

Nothing Scheduled.

PLANNING COMMISSION:

Referral to Planning Commission Resolution 2016-11 – Mr. Galindo gave a brief report to the Town Council regarding the referral.

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Council member Snyder made a motion to adopt Resolution 2016-11 dated June 13, 2016 the Resolution – Town Council Initiation of Zoning Text Amendment (ZTA-2016-01) to Review and Draft Revisions to the Town of Hamilton Zoning Ordinance – Referral to the Town of Hamilton Planning Commission.

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

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

Council member Green requested a friendly amendment to give the Planning Commission 120 days to make a decision and to amend a typographical error from July 13th to June 13th.

OLD BUSINESS:

Boundary Line Adjustment for Hamilton Elementary School - The Town Attorney Ms. Gilmore stated that she spoke with the Attorney for the School Board about the proposal and he is going to gather information from his staff and approach the School Board for their input prior to the Town approaching the County.

Loudoun County for Storm Water Management Information – Mayor Simpson stated that he met with County staff and he is waiting on a Memorandum of Understanding (MOU)

Special Town Council Meeting – June 20, 2016 at 8:00AM

- Adopt FY2017 Budget, Tax Rates and Motor Vehicle Decal Fees
- Authorize the Appropriation and Expenditure for Release of FY2017 Funds
- Authorize VRS Member Contributions by Salary Reduction for Counties, Cities, Towns and other Political Subdivisions

Planning Commission Member E-Mail of Intent – Cathy Salter – Council member Green made a motion to appoint Cathy Salter to the vacancy on the Planning Commission.

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

Simpson - Aye

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

NEW BUSINESS:

Agreement for Exchange of Services between the Town of Hamilton and Gary M. Clemens, Clerk of the Loudoun County Circuit Court – Ms. Jones stated that Mr. Clemens has requested that the Town of Hamilton put up a rack which will hold information cards and applications in relation to the Circuit Court. In exchange for that information rack the Town will receive free access to land records which the Town now pays \$240 per year for.

Council member Snyder made a motion to approve the agreement for Exchange of Services between the Town of Hamilton and Gary M. Clemens, Clerk of the Loudoun County Circuit Court.

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

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

Application for Sewer Connection – 130 South Hughes Street – Vice Mayor Wine made a motion that the Town Council accept the application for sewer connection from Dorothy W. Harper, Irrevocable Trust – Sarah J. Harper, Trustee.

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

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

HB818, Virginia Freedom of Information Act; Designation of Officer, Posting of Rights and Responsibilities – Resolution 2016-012 – Vice Mayor Wine made a motion to adopt Resolution 2016-012 dating June 13, 2016 – Appointment of the Town of Hamilton Freedom of Information Act Officer, Lori Jones, Effective July 1, 2016.

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

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

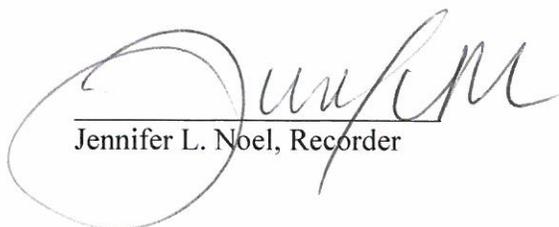
Eagle Scout Proclamation in Honor of Isaac James Peterson – Mayor Simpson stated that he and staff have prepared and presented the Proclamation to him at his Eagle Scout Ceremony. Council member Snyder made a motion to ratify the Proclamation in honor of Isaac James Peterson claiming June 20, 2016 Isaac James Peterson Day. The Council consented.

Newly Elected Council Member’s swearing in Ceremony – The ceremony will be performed by Gary M. Clemens, Clerk of the Circuit Court on Monday, July 11, 2016 at 7:00 PM prior to the start of the Town Council meeting.

ADJOURNMENT:

There being no further business the meeting adjourned at 7:55PM.


David Simpson, Mayor


Jennifer L. Noel, Recorder