

**MINUTES  
PURCELLVILLE TOWN COUNCIL MEETING WORK SESSION  
TUESDAY, MARCH 22, 2022, 7:00 PM  
TOWN HALL COUNCIL CHAMBERS**

Meeting recording can be found at the following link: <https://purcellvilleva.new.swagit.com/videos/157088>

**COUNCIL MEMBERS PRESENT:**

Kwasi Fraser, Mayor  
Christopher Bertaut, Vice Mayor  
Tip Stinnette, Council Member  
Stan Milan, Council Member  
Joel Grewe, Council Member  
Mary Jane Williams, Council Member  
Erin Rayner, Council Member

**STAFF PRESENT:**

David Mekarski, Town Manager  
Sally Hankins, Town Attorney  
Marty Kloeden, Assistant Town Attorney  
Hooper McCann, Director of Administration  
Chief Cynthia McAlister, Police Department  
Deputy Chief Dave Dailey, Police Department  
Dale Lehnig, Director of Engineering, Planning & Development  
Jason Didawick, Director of Public Works  
Don Dooley, Director of Planning and Economic Development  
Joshua Goff, Asset Management Coordinator  
Bob Dryden, Facilities Coordinator  
Elizabeth Krens, Director of Finance  
Connie LeMarr, Assistant Director of Finance  
Diana Hays, Town Clerk/Executive Assistant

**CALL TO ORDER:**

Mayor Fraser called the meeting to order at 7:00 PM. The Pledge of Allegiance followed.

**AMENDMENTS:**

None

**CONSENT AGENDA**

- a. **Approval of Meeting Minutes – March 8, 2022**
- b. **Appointment of Applicant to Purcellville Arts Council**

Council member Stinnette made a motion that the Town Council approve the Consent Agenda as presented in the agenda packet.

(Carried: 7-0, Grewe: Aye, Bertaut: Aye, Stinnette: Aye, Williams: Aye, Milan: Aye, Rayner: Aye, Fraser: Aye)

## **PUBLIC HEARING**

### **a. Lease of Public Property to Makersmiths**

Mayor Fraser opened the public hearing at 7:02 PM and David Mekarski and Marty Kloeden gave the staff presentation. Council discussed the benefits of Makersmiths in Town. As there were no citizen comments, Mayor Fraser closed the public hearing at 7:12 PM.

Council member Stinnette made a motion that Town Council suspend the rules to allow action on the Makersmiths Lease Agreement the same night as the public hearing.

(Carried: 7-0, Grewe: Aye, Bertaut: Aye, Stinnette: Aye, Williams: Aye, Milan: Aye, Rayner: Aye, Fraser: Aye)

Vice Mayor Bertaut made a motion that Town Council approve the Makersmiths Lease Agreement as included with the March 22, 2022 agenda packet, and authorize the Town Manager to execute the lease agreement renewal on behalf of the town.

(Carried: 7-0, Grewe: Aye, Bertaut: Aye, Stinnette: Aye, Williams: Aye, Milan: Aye, Rayner: Aye, Fraser: Aye)

## **PRESENTATIONS:**

### **a. Purcellville Pickle Ball**

Phillip Baldwin gave a presentation about the popularity of pickle ball and proposed the Pullen House property as a location where courts could be built in Purcellville.

## **CITIZEN/BUSINESS COMMENTS:**

Dave Milam, 122 Amalfi Court, shared concerns with lowering the tax rate.

Cindy Graber, 631 Kinvarra Place and Aurelso Roca, 15358 Admiral Baker Circle, spoke in support of bringing pickle ball to Purcellville.

Casey Chapman, 205 Hirst Road, Suite 106, commented on zoning in town.

## **MAYOR AND COUNCIL COMMENTS:**

Council members were given 3 minutes for comments.

**ACTION ITEMS:**

**a. Public Safety Concerns with Renaming of Harry Byrd Highway to a Name Other Than Leesburg Pike**

The concerns were summarized by the Town Manager, and Mr. Thompson from Loudoun County Fire and Rescue talked about the impacts to public safety with the proposed name change. Loudoun County could attempt to create an alias for the CAD system without officially changing the street name. Loudoun County will confirm whether or not they can have the name changed to “Leesburg Pike (Billy Pierce Memorial Pike)” and report back in approximately one week. Memorial signs will also be installed once the name change can be confirmed. This item is to be added to the next Council meeting agenda.

**b. Changing the Schedule for Town Elections**

Council member Grewe made a motion that the Town Council adopt Ordinance 22-03-02, changing the schedule for regular Town Council elections from May of even numbered years, to November of even numbered years concurrent with federal general elections, because such change is required by Virginia law.

(Carried: 7-0, Grewe: Aye, Bertaut: Aye, Stinnette: Aye, Williams: Aye, Milan: Aye, Rayner: Aye, Fraser: Aye)

**c. Budget Amendment – Town Facilities Maintenance and Repairs**

Dale Lehnig summarized the proposed amendments and Joshua Goff reviewed in further detail.

Council member Grewe made a motion that Town Council approve BA22-026 to appropriate \$190,600 from Wastewater Reserves (\$108,600) , General Fund Reserves (\$37,000) and Parks and Recreation Fund Reserves (\$45,000) for facilities maintenance for fiscal year 2022.

Council member Stinnette added a friendly amendment; with the intent to reimburse the reserve to the tune of \$190,600 from ARPA at the appropriate time.

(Carried: 7-0, Grewe: Aye, Bertaut: Aye, Stinnette: Aye, Williams: Aye, Milan: Aye, Rayner: Aye, Fraser: Aye)

**d. Adoption of 2022 Real Estate Property Tax Rate, Including Fireman’s Field Tax District**

David Mekarski spoke about reasons to consider keeping the rate at the current rate. Council discussed options from lowering by one penny and by two pennies.

Vice Mayor Bertaut made a motion that the Town Council adopt Ordinance No. 22-03-01, establishing for calendar year 2022 the Real Estate Tax rate of \$0.21 and the Fireman’s Field Service District Tax rate of \$0.03.

(Carried: 7-0, Grewe: Aye, Bertaut: Aye, Stinnette: Aye, Williams: Aye, Milan: Aye, Rayner: Aye, Fraser: Aye)

## **DISCUSSION:**

### **a. Glass Commerce**

Marty Kloeden introduced and requested direction from the Council regarding the contract. Paola Santana, Glass, provided a summary of services they have provided to date as well as strategy moving forward. Council and EDAC will continue working with Glass to find a value in the service being offered.

Council member Grewe made a motion that this item be added to the next agenda for action. **(Carried: 5-2, Grewe: Aye, Bertaut: Nay, Stinnette: Aye, Williams: Aye, Milan: Aye, Rayner: Aye, Fraser: Nay)**

## **CLOSED MEETING**

Council member Grewe made a motion that Town Council convene in a closed meeting, pursuant to its authority under the Code of Virginia Sections 2.2-3711.A.19 and 2.2-3711.A.8., for the purpose of:

(1) discussing plans to protect public safety as it relates to terrorist activity or specific cybersecurity threats or vulnerabilities, and briefings by staff members, legal counsel, or law enforcement or emergency service officials concerning actions taken to respond to such matters or a related threat to public safety. Specifically, the Council will receive a briefing of the Town's cyber security and physical security vulnerabilities and recommendations for addressing those vulnerabilities; and

(2) consultation with legal counsel employed or retained by the public body regarding specific legal matters requiring the provision of legal advice by such counsel. Specifically, Council will receive legal advice regarding a residential fence located partially in the Town's public right-of-way.

**(Carried: 7-0, Grewe: Aye, Bertaut: Aye, Stinnette: Aye, Williams: Aye, Milan: Aye, Rayner: Aye, Fraser: Aye)**

In accordance with Section § 2.2-3712 of the Code of Virginia, Council member Grewe made a motion that Town Council certify to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; 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.

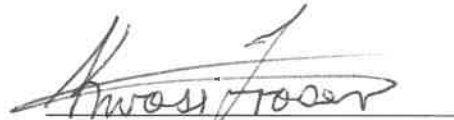
**(Carried: 7-0, Grewe: Aye, Bertaut: Aye, Stinnette: Aye, Williams: Aye, Milan: Aye, Rayner: Aye, Fraser: Aye)**

Mayor Fraser left the meeting at 11:00 PM.

**ADJOURNMENT**

With no further business, Council member Grewe made a motion to adjourn the meeting at 11:09 PM.

**(Carried: 6-0-1 absent)**

  
Kwasi Fraser, Mayor  
Diana Hays, Town Clerk/Executive Assistant

**Mayor**  
Kwasi A. Fraser

**Council**  
Christopher Bertaut  
Joel D. Grewe  
Stanley J. Milan, Sr.  
Erin Rayner  
Tip Stinnette  
Mary Jane Williams



**Town Manager**  
David A. Mekarski

221 S. Nursery Avenue  
Purcellville, VA 20132  
(540) 338-7421  
(540) 338-6205  
[www.purcellvilleva.gov](http://www.purcellvilleva.gov)

**TOWN OF PURCELLVILLE**  
**IN**  
**LOUDOUN COUNTY, VIRGINIA**

**ORDINANCE NO. 22-03-01**

**PRESENTED: MARCH 8, 2022**  
**ADOPTED: MARCH 22, 2022**

**AN ORDINANCE: ESTABLISHING FOR CALENDAR YEAR 2022 THE REAL ESTATE TAX RATE AND THE FIREMAN'S FIELD SERVICE DISTRICT TAX RATE; REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; ESTABLISHING SEVERABILITY AND SAVINGS CLAUSES; ESTABLISHING EFFECTIVE DATE**

**WHEREAS,** Virginia Code § 58.1-3201 and Town Code Chapter 74 (Taxation), Article I (General), Section 74-1 (Annual levy; rate of taxes) authorize the Town of Purcellville, Virginia to levy and collect taxes on real estate; and

**WHEREAS,** Virginia Code § 15.2-2403 and Town Code Chapter 74 (Taxation), Article VIII (Fireman's Field Service Tax District), Section 74-232 authorize the Town of Purcellville, Virginia to levy and collect taxes on property located within the Fireman's Field Service Tax District ("District") in the same manner as the Town may establish other Town property taxes; and

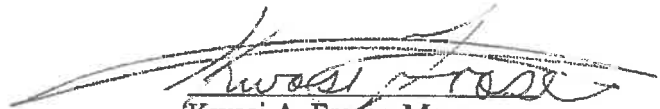
**WHEREAS,** the tax rates applicable to real property and the Fireman's Field service district, are effective on a calendar-year basis, but are generally established in March of each calendar year, after the real property assessment data has been compiled by Loudoun County and transmitted to the Town for use in estimating Town tax revenues and budgeting.

AN ORDINANCE: ESTABLISHING FOR CALENDAR YEAR 2022 THE REAL ESTATE TAX RATE AND THE FIREMAN'S FIELD SERVICE DISTRICT TAX RATE; REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; ESTABLISHING SEVERABILITY AND SAVINGS CLAUSES; ESTABLISHING EFFECTIVE DATE

NOW THEREFORE, the Council of the Town of Purcellville, Virginia hereby ordains:

- SECTION I. Real Property.** That the calendar year 2022 tax rate on real estate is hereby established to be \$0.21 per \$100 of assessed value.
- SECTION II. Fireman's Field.** That the calendar year 2022 tax rate on real estate located within the Fireman's Field Service Tax District is hereby established to be \$0.03 per \$100 of assessed value.
- SECTION V. Repeal.** That Ordinances 21-04-01 (Setting the Real Estate Tax Rate, the Personal Property Tax Rate, the Personal Property Tax Relief Rate and the Fireman's Field Service District Tax Rate for CY2021), as well as all other prior ordinances and resolutions in conflict herewith, are hereby repealed.
- SECTION VI. Severability.** That if a court of competent jurisdiction deems any provision of this ordinance to be invalid, such holding shall in no way affect the validity of the remaining sections or provisions of this ordinance, which shall remain in full force and effect.
- SECTION VII. Savings Clause.** That all ordinances repealed by this ordinance shall remain in full force and effect until the effective date of this ordinance. The repeal of ordinances hereunder shall not affect the authority of the Town to prosecute, punish or penalize any violation of such ordinances that occurred before the repeal hereunder takes effect.
- SECTION VIII. Effective Date.** That this ordinance shall be effective January 1, 2022.

PASSED THIS 22<sup>nd</sup> DAY OF MARCH, 2022

  
Kwasi A. Fraser, Mayor  
Town of Purcellville

ATTEST:

  
Diana Hays, Town Clerk

**Mayor**  
Kwasi A. Fraser

**Council**  
Christopher Bertaut  
Joel D. Grewe  
Stanley J. Milan, Sr.  
Erin Rayner  
Tip Stinnette  
Mary Jane Williams



**Town Manager**  
David A. Mekarski

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**TOWN OF PURCELLVILLE**  
**IN**  
**LOUDOUN COUNTY, VIRGINIA**

**ORDINANCE NO. 22-03-02**

**PRESENTED: MARCH 22, 2022**  
**ADOPTED: MARCH 22, 2022**

**AN ORDINANCE: CHANGING THE DATE OF TOWN COUNCIL ELECTIONS FROM “MAY” OF EVEN NUMBERED YEARS, TO “NOVEMBER” OF EVEN NUMBERED YEARS, CONCURRENT WITH THE NOVEMBER GENERAL ELECTIONS**

**WHEREAS,** Va. Code Section 24.2-222 historically provided that town elections must occur in May of even-numbered years. This mandate for May elections was amended in the year 2000, at Va. Code 24.2-222.1, to allow towns the option of conducting their elections in either May or November. However, the Town of Purcellville did not exercise the option to conduct its elections in November; and

**WHEREAS,** Town Charter, Chapter 2, Section 2-2, provides that Council members shall be elected on the first Tuesday in May of every even-numbered year in a staggered fashion, such that three council members are elected at each regular May election, for a four-year term that begins on July 1, and continues through June 30; and

**WHEREAS,** Town Charter Chapter 2, Section 2-3, provides that the Mayor shall be elected on the first Tuesday in May of every even-numbered year, for a two-year term that begins on July 1 and continues through June 30; and



**AN ORDINANCE:     CHANGING THE DATE OF TOWN COUNCIL ELECTIONS FROM “MAY” OF EVEN  
NUMBERED YEARS, TO “NOVEMBER” OF EVEN NUMBERED YEARS, CONCURRENT  
WITH THE NOVEMBER GENERAL ELECTIONS**

- WHEREAS,** in 2021, the Virginia General Assembly adopted Senate Bill 1157 at the 2021 Special Session I, now codified at Va. Code Section 15.2-1400 (“the Act”), establishing that, despite any provisions of law to the contrary, local elections shall be held at the time of the November general election for terms to commence on January 1. The Act further established that this change in election date shall apply to all local elections scheduled to occur after January 1, 2022; and
- WHEREAS,** prior to adoption of the Act, the Town would have held its next regular election on May 3, 2022; because this date occurs after January 1, 2022, the Act requires that the Town move the May 3, 2022 election to November, 2022; and
- WHEREAS,** in addition to the Mayor, Council Members Grewe, Stinnette, and Rayner are the three current members of Council whose: (i) seats would ordinarily be up for election in May, 2022, (ii) terms would normally expire on June 30, 2022, and (iii) seats must now appear on the ballot for the November 2022 election; and
- WHEREAS,** the Act provides that seated mayors and members of Council who were elected at a May general election and whose terms would ordinarily expire on June 30 (including Mayor Fraser, Council member Grewe, Council member Stinnette, and Council member Rayner), shall continue in office until their successors have been elected at the November general election and have been qualified to serve; and
- WHEREAS,** pursuant to an advertised public hearing, the Town Council adopted Ordinance 21-09-01 on September 1, 2021, which amended the Town’s local election polling places to be consistent with the polling locations utilized in the November general election; and
- WHEREAS,** the Act requires the Town to adopt this ordinance, establishing November as the date for Town elections. The Town adopts this ordinance as a courtesy, recognizing that: (i) the Act, which mandates the Town conduct November elections, has superseded and pre-empted the Town’s Charter and therefore the Town’s May election date, and (ii) the Town’s Charter already requires that all Town elections shall be conducted pursuant to and in accordance with state laws governing the holding of elections in towns, and (iii) the adoption of this ordinance fails to amend the language contained in the Town Charter, establishing May as the Town’s election date, because the Town Charter can be amended only by an act of the General Assembly. Nonetheless, this ordinance is required by the Act and is requested by the State Board of Elections.

**AN ORDINANCE: CHANGING THE DATE OF TOWN COUNCIL ELECTIONS FROM "MAY" OF EVEN NUMBERED YEARS, TO "NOVEMBER" OF EVEN NUMBERED YEARS, CONCURRENT WITH THE NOVEMBER GENERAL ELECTIONS**


**THEREFORE, BE IT ORDAINED** by the Purcellville Town Council that, effective immediately, the Town of Purcellville's mayoral and council election schedule be amended to occur concurrently with the general elections held in November of even years, commencing in November, 2022.

**Cross References**

Code of Va. § 15.2-1400. Governing Bodies.

Code of Va. § 24.2-222. Election and terms of mayor and council for cities and towns.

**PASSED THIS 22<sup>nd</sup> DAY OF MARCH, 2022.**

  
Kwasi Fraser, Mayor  
Town of Purcellville

**ATTEST:**

  
Diana Hays, Town Clerk