

Regular Meeting

County Board of
Supervisors Room
July 14, 2009

The Council of the Town of Culpeper convened in regular session at 6 p.m. with Mayor Pranas A. Rimeikis presiding. **Present:** Calvin L. Coleman, Duke M. duFrane, F. Steve Jenkins, Michael T. Olinger (arrived at 6:10 p.m.), James C. Risner, Robert M. Ryan, Christopher H. Snider, William M. Yowell, Council Members; Jeffrey B. Muzzy, Town Manager; Robert W. Bendall, Town Attorney; Kimberly D. Allen, Town Clerk, Lisa D. Hutcherson, Deputy Town Clerk. **Also Present for the 7 p.m. Session:** Tonya Estes, Information Technology Manager; Beth Burns, Tourism Director; Robert H. Thornhill, Jr., Public Works Director; Mark Bly, Light & Power Director; Christopher D. Hively, Environmental Services Director; Scott Barlow, Police Chief; Jennifer K. Landreth, Acting Treasurer; Wally Bunker, Public Information Officer.

AGENDA APPROVAL

Mayor Rimeikis requested the addition of a discussion on the status of transportation projects and council's calendar re: 250th Anniversary celebration, VML conference, and scheduling retreat date and time.

Council Member duFrane moved, Vice Mayor Yowell seconded, approval of the amended agenda. The motion carried by unanimous voice vote (8-1—Aye-Coleman, duFrane, Jenkins, Rimeikis, Risner, Ryan, Snider, Yowell; Nay-None; Absent-Olinger).

Mayor Rimeikis added the discussion to the agenda as Items 9.03B5 and 9.04A.

CLOSED SESSION

Vice Mayor Yowell moved, Council Member Coleman seconded, council enter closed session to discuss or consider specifically named individuals being considered for appointment to authorities, boards, and commissions (specifically Planning Commission and Veterans Recognition Committee) pursuant to Code of Virginia Section 2.2-3711(A)(1). Further, I move that council enter closed session to discuss with staff and/or legal counsel probable litigation regarding the settlement with HSMM regarding the equalization basin and gas digester at the wastewater treatment plant where discussion in open session may affect the bargaining position of the Town and to discuss and consult with staff and/or legal counsel regarding negotiating issues which may become subject to review by the Commission on Local Government relating to interjurisdictional cooperation, a possible boundary adjustment with Culpeper County, water and sewer agreements generally, and actual litigation involving the Town of Culpeper, defendant, and Newhard and Casella, plaintiffs pursuant to Code of Virginia Sections 2.2-3711(A)(7) and 15.2-2907(D).

The motion carried by unanimous voice vote (8-1—Aye-Coleman, duFrane, Jenkins, Rimeikis, Risner, Ryan, Snider, Yowell; Nay-None; Absent-Olinger).

Council entered closed session at 6:05 p.m. Council Member Olinger arrived at 6:10 p.m. and joined the closed session. Council entered open session at 6:45 p.m.

Certificate of Closed Session: Pursuant to Code of Virginia Section 2.2-3712, Mayor Rimeikis polled council for approval of the certificate of closed session that to the best of each member's knowledge, only business matters lawfully exempted from open meeting requirements under Code of Virginia Sections 2.2-3711 and 15.2-2907(D) and 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.

The motion carried by the following roll call vote: Aye: Coleman, duFrane, Jenkins, Olinger, Rimeikis, Risner, Ryan, Snider, Yowell (9); Nay: None (0).

RECESS: Council recessed at 6:46 p.m.

OPEN SESSION

Council convened in open session at 7:00 p.m.

Mayor Rimeikis lead the Pledge of Allegiance.

CONSENT AGENDA

On motion of Council Member Olinger, seconded by Council Member Risner, the items listed below were approved by the following roll call vote: Aye-Coleman, duFrane, Jenkins, Olinger, Rimeikis, Risner, Ryan, Snider, Yowell (9); Nay-None (0).

a **R/R Re: FY2010 Treatment Plant Chemical Bids:** Council authorized the award of bids for the purchase of treatment plant chemicals for FY10 as follows: **Delta Chemical Corporation** – Liquid Alum; **Univar USA Inc.** – Corrosion inhibitor, soda ashe light, soda ashe dense, fluoride, potassium permanganate, sodium hypochlorite, lime, sodium bicarbonate, and activated carbon; **JCI Jones Chemicals Inc.** – Chlorine and sulfur dioxide.

b **R/R Re: Repairs to WWTP Influent Pump #1:** Council authorized the town manager to approve the purchase of three drive shafts and two coupler assemblies from Machine Services Inc. in the amount of \$12,010 to repair pump #1 and provide a spare assembly utilizing funds available in line item 9065-7200 and authorized the mayor and clerk to execute the sole source resolution for this purchase.

c. **R/R Re: Repairs to WWTP Lab Heating, Ventilation, Air Conditioning Unit:** Council approved the expenditure of funds not to exceed \$27,000 and authorized the town manager and director of environmental services to contract with the lowest bidder to make the necessary repairs to the heating, ventilation, and air conditioning unit at the wastewater treatment plant lab.

d. **R/R Re: Purchase of Service Weapon:** Council authorized retired sergeant Paul L. Richards to purchase his service weapon for the cost of \$1, which will be paid to the Town of Culpeper in accordance with Code of Virginia Section 59.1-148.3.

e. **R/R Re: Extension of FY2010 Paving Contract (Finley Asphalt & Sealing):** Council extended the contract for Finley Asphalt & Sealing Inc. for \$441,760.45 to accomplish the FY10 paving and authorized the town manager to execute the necessary documents to complete this project.

f. **R/R Re: Fairview Cemetery Stone Repair Project:** Council accepted the bid of \$30,200 from Lee Heights Monument Company for restoring and repairing 56 grave markers in Fairview Cemetery and authorized the Town Manager to execute the necessary documents to complete this project.

g. **R/R Re: Amendment to Fairview Cemetery Indigent Interment Policy:** Council approved an additional provision to the Indigent Interment Policy for Fairview Cemetery as follows: The Town of Culpeper will provide the labor and equipment to open and close a grave at no charge if the individual, on whose behalf the request is made through the Culpeper Human Services Department, has previously purchased or owns a grave space, which is in his or her name, in Fairview Cemetery but has no identifiable living relatives or immediate family who can provide funding for this purpose.

h. **Treasurer's Report:** Council approved the treasurer's report and bills paid listings; there were no line item transfers.

i. **Minutes of Previous Meetings:** Council approved the minutes of the regular meeting of June 9, Joint Council and Board of Supervisors special meeting on June 18, and special council meeting on June 30, 2009.

SPECIAL ITEMS & RECOGNITIONS

Employee of the Month

Town Manager Muzzy announced Public Works Superintendent Gary Wise was selected as Employee of the Month for May 2009.

COMMENTS & CORRESPONDENCE....FROM THE AUDIENCE

George Bryson addressed council on not being appointed to the 250th Anniversary Oversight Committee after being asked by a council member to serve on it. He requested the town manager respond to his concerns on the Confederate monument in Fairview Cemetery, Burgandine House and dig information, and the Historical Society's special meetings. Mayor Rimeikis requested Mr. Bryson take his specific concerns to the town manager so they can be researched and addressed.

Teresa Lann, resident of 1800 Soho Court, referenced the on-going discussion on dumpster service for Westminster Square and Lafayette Ridge townhouse developments; based on the discussion at the June 30 committee meeting, she understood the recommendation was to extend dumpster service to these townhouse developments through August 31 at which time the homeowners association would have to make other arrangements. Mrs. Lann stated the homeowners association requests the Town implement trash removal service using the green roll-out carts and continue dumpster service until the cart process is implemented.

UNFINISHED BUSINESS/GENERAL ORDERS

Closed Session Items

Vice Mayor Yowell moved, Council Member Olinger seconded, to appoint Thomas E. Huggard to the Planning Commission effective September 1 for a four-year term.

The motion carried by unanimous voice vote (9-0—Aye-Coleman, duFrane, Jenkins, Olinger, Rimeikis, Risner, Ryan, Snider, Yowell; Nay-None; Absent-None).

NEW BUSINESS—PUBLIC HEARINGS - none

REPORTS & RECOMMENDATIONS FROM AUTHORITIES, BOARDS, & COMMISSIONS

Quarterly Reports from Authorities, Boards, & Commissions

Council received written quarterly reports from the following: Planning Commission, Parking Authority, Parks & Recreation Commission, Economic Development Advisory Committee, Cable Commission, Veterans Recognition Committee, Tourism Advisory Committee, and Public Transportation Board. Mr. Carl Sachs gave a brief verbal report and it was requested to revise his future reports to distinguish new commercial developments as being located in either the town or county.

REPORTS & RECOMMENDATIONS FROM COUNCIL COMMITTEES

PUBLIC SAFETY, PUBLIC WORKS, PLANNING & COMMUNITY DEVELOPMENT COMMITTEE

R/R Re: Addition to Town Code--Chapter 24, Fats, Oils, & Grease (FOG) Ordinance (first reading)

Town Manager Muzzy presented the report and recommendation stating the Town currently has a Pretreatment Program approved by Virginia DEQ and EPA, and issues Pretreatment Permits to Significant Industrial Users and Categorical Industrial Users, but has no provision to issue permits to other types of non-industrial problem contributors to the wastewater treatment facility.

Section 24-232(a)(2) of the Town Code, General Discharge Prohibitions, states that: ... “a user may not contribute the following substances to any Publicly Owned Treatment Works (POTW): Solid or viscous substances which may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater treatment facilities such as, but not limited to: grease...” Currently, this is the only reference to FOG discharges.

The Town continues to experience on-going maintenance issues with the Montanus, Lightfoot, and High Point pump stations due to the excessive build up of grease and debris which is a by-product of the effluent from the numerous restaurants and food service operations in those areas. In spite of the fact that the DES staff routinely adds degreaser products to the pump station wells, the build-up often exceeds the capability of DES equipment. Therefore, special equipment must be leased from the Roto-Rooter Company several times per year at a cost of approximately \$3,000 per event. In addition, the excessive grease also causes maintenance and treatment problems at the wastewater treatment facility.

It is proposed that the attached ordinance be enacted to require grease traps or grease interceptors and to establish a permit process for business or other dischargers whose discharge contain fats, oil or greases in concentrations above one hundred milligrams per liter (100mg/l). A fee of \$250 for a five-year permit would recover the cost of the permit process as well as the necessary annual inspections and laboratory testing. An effective date of January 1, 2010 is suggested to provide an ample period for notification and compliance. Additionally attached is a copy of the proposed regulation that has been developed and will be enacted subsequent to adoption of this proposed ordinance change.

Further, since the current fee of \$100 for a five-year permit for significant industrial users does not cover the cost of quarterly inspections and laboratory tests, currently about \$50 per quarter, it is suggested that this permit fee be increased to \$1,000 for each five year permit, effective January 1, 2010. It is noted that each of the Town's five current significant industrial users will have renewed their permits prior to that date. Therefore, current customers would experience no financial impact from this change until approximately 2014.

There would be an increase in revenue in the form of FOG permit application fees of approximately \$12,000 over a five year period or an average of \$2,400 per year, an increase in expenditures to perform laboratory testing associated with administering the FOG program of approximately \$12,000 over a five year period or an average of \$2,400 per year, an increase in revenue from the fee increase to Significant Industrial Users Permits of approximately \$900 per year to fully cover monitoring costs. An decrease in expenditures for Roto-Rooter equipment rental, degreaser chemicals, and maintenance costs at both the pump stations and the wastewater treatment facility in the amount of approximately \$7,600 per year and the net financial impact results in an approximate net gain of \$8,500 per year.

It is recommended that council hold the first reading of the proposed Fats, Oils, & Grease (FOG) Ordinance at its regular meeting on July 14 and the second reading on August 11, 2009. Following the second reading of the proposed ordinance, it is recommended that council:

- (1) Enact the FOG discharge ordinance for inclusion in the Town Code to establish a permit process and to ensure that regulations are in place to require on-site grease traps and maintenance and disposal procedures for grease and other food preparation by-products currently going into the community's wastewater stream; and
- (2) Set a fee in the amount of \$250 for a five year permit for each FOG discharger; and
- (3) Increase the current fee for significant industrial users from \$100 for a five year permit to \$1,000 for a five year permit; and
- (4) Make the ordinance effective January 1, 2010.

Council held the first reading of the proposed; the second reading will be held at the August regular council meeting.

R/R Re: Donation to Plant-A-Tree Campaign

Town Manager Muzzy presented the report and recommendation stating that at the 2006 Arbor Day observance, which was held on the site of the Wine Street Park, the Parks and Recreation Commission announced its intentions to launch a Plant-A-Tree Campaign. The Town will accept donations between \$25-\$50 from individuals, businesses, clubs and organizations towards the purchase and planting of trees within the Town's corporate limits. This is the fourth of such donations and is from Tom Huggard. Staff will determine the size and location for planting of all donated trees, and will publicly thank all donors, at the conclusion of the campaign.

After several evaluations by the Parks and Recreation Commission, the campaign has continued since 2006. All donations will be processed through the Department of Planning and Community Development. There is a positive financial impact as a result of this donation.

It is recommended that Town Council accepts the donation of \$25 from Tom Huggard and authorizes staff to purchase and plant a tree within the Town's corporate limits

Vice Mayor Yowell moved, Council Member Risner seconded, approval of the report and recommendation as submitted. The motion carried by unanimous voice vote (9-0—Aye-Coleman, duFrane, Jenkins, Olinger, Rimeikis, Risner, Ryan, Snider, Yowell; Nay-None).

R/R Re: Planning Commission--Transmittal of Finding--Comprehensive Plan Review (2232) of New Police Station Facility--Old Brandy Road

Town Manager Muzzy presented the report and recommendation stating the Planning Commission is required by the Code of Virginia, Section 15.2-2232 to conduct a public hearing and to report its findings to the Culpeper Town Council. At the meeting of June 16, 2009, the Planning Commission considered Case 2232-01-2009 (staff report attached). Note that our review is limited in scope and is confined to the consistency of the proposed new facility location with the Town's adopted Comprehensive Plan. The Planning Commission determined that the proposed police facility is consistent with the Comprehensive Plan. In arriving at this finding, the Planning Commission discussed the following practical considerations:

- The proposed facility is located within a reasonable distance from the population centers of the Town. It is possible to provide and maintain excellent law enforcement coverage from this location.
- The proposed facility is located near or adjacent to several key roadway systems (US 15/29, and US 522) which would enhance response times for the new facility.
- The proposed facility is located within a convenient driving distance from most of the Town's commercial and non-residential development.
- The existing facility does not have adequate space to incorporate the security features necessitated in the aftermath of "9/11."
- The proposed action is consistent with the land use designations of the Future Land Use Map.

It is recommended that Council accepts the finding of the Planning Commission that the proposed police station on Tax Map 41, Parcel 42I, (740 Old Brandy Road) is deemed to be consistent with the Comprehensive Plan.

Council Member Snider moved, Council Member Coleman seconded, to accept the Planning Commission's recommendation as presented. The motion carried by unanimous voice vote (9-0—Aye-Coleman, duFrane, Jenkins, Olinger, Rimeikis, Risner, Ryan, Snider, Yowell; Nay-None).

R/R Re: Extension of Dumpster Service Contract for Lafayette Ridge and Westminster Square Homeowners Associations

Town Manager Muzzy stated at the June 9, 2009 regular meeting, Town Council was questioned by residents of the Westminster Square development on their decision to cease dumpster service to their townhomes. After much discussion, the issue was referred back to the Public Safety, Public Works and Planning and Community Development Committee for their consideration on June 30. The mayor also requested that the Director of Public Works contact the contractor to see if the contract could be extended until August 31, 2009 to allow the HOA's sufficient time to make other arrangements for trash service.

Culpeper Trash Service, the Town's current dumpster contractor, has agreed to extend the service until August 30, 2009 at the same \$880 per month charge. However, funds were not budgeted in the FY-10 budget to cover this expense, therefore, it is necessary to make a budget adjustment by carrying forward \$1,760 from the FY-09 Refuse Collection budget (line item 4203.5260-Refuse Container Contract) to cover this cost.

There will be an increase in to the FY-10 Refuse Collection budget of \$1,760 to extend the dumpster contract for two months. Funds will be carried forward from the FY-09 Refuse Collection budget (line item 4203.5260) in the amount of \$1,760 to cover this expense.

It is recommended that Town Council approves the extension of the contract with Culpeper Trash Service in the amount of \$1,760 for dumpster service to Westminster Square and Lafayette Ridge and authorizes the Town Manager to make the necessary FY-10 budget adjustment.

Council Member Snider moved, Council Member Risner seconded, approval of the report and recommendation as presented.

Council Member Coleman asked Mr. Thornhill if staff had addressed the request from the homeowners association to use green roll-out carts versus dumpsters and if it was a do-able approach.

Public Works Director Thornhill commented he met with members of the homeowners association earlier on this date on a plan they devised on where the carts could be stored as well as other issues (i.e who would be responsible to move the carts out on collection day, etc), but it was his understanding from the committee meeting that staff would not proceed with serving one townhouse project and not others until council could review the cost analysis at mid-year budget review.

Council Member Snider stated he would like to see staff move forward expeditiously to serve Westminster and Lafayette and look at the rest of the town at mid-year.

Mayor Rimeikis replied that he recalled the guidance from the committee was to extend trash service until the end of August, research what the impact would be to provide service town-wide; if the service is provided for two subdivisions, it would have to be provided for everyone.

Council Member Coleman stated he understood this rationale for dumpster service, but any owner should have the right to request a roll-out cart if they requested one.

Further discussion ensued regarding the proposal from the homeowners association presented by Mrs. Lann earlier in the meeting and the storage of roll-out carts.

Council Member Coleman requested staff review this option, try it for ninety (90) days if it was workable, and then revisit the issue at the end of this timeframe.

Further discussion continued about what issues needed to be worked out: where carts would be stored, who would be responsible for getting them to the location for pick up, the current ordinance, the cost, and the purchase of additional carts.

Vice Mayor Yowell commented council needed to be prepared for the impact of handling requests from all developments should this be determined as an option.

Council Member duFrane commented council needed to realize the difference between private streets and public streets and the need to follow current ordinances; he requested the committee look at how Southridge subdivision handles the same issue.

The motion carried by unanimous voice vote (9-0—Aye-Coleman, duFrane, Jenkins, Olinger, Rimeikis, Risner, Ryan, Snider, Yowell; Nay-None).

Town Manager Muzzy requested further clarification from council on how to proceed since the contract for dumpster service was continued through the end of August for Lafayette and Westminister and this issue would take some time to work out. His understanding was that while these issues were being addressed by the Town, the homeowners associations were responsible for funding of their dumpsters and his concern was that he did not want the issue of trash piling up.

Council Member Risner stated council approved extending the dumpster contract until the end of August therefore, the homeowners associations are responsible for the cost while the town finds a solution; that was the committee's recommendation.

Council Member Jenkins commented there should be a definite date when the town would stop providing dumpster service and for when the committee would review ways to address the roll-out carts and the possibility of having to implement a special taxing district.

Council Member Risner stated August 31, 2009 was clear as the date that the town would stop the dumpster service for Lafayette and Westminister and that the committee requested staff provide a cost analysis for implementing something for all townhouse units by mid-year review since this would impact all town citizens by a possible tax increase.

Council Member Coleman agreed with Council Member Risner and stated he would like the homeowners association to work with staff to find a solution that would work.

Mayor Rimeikis stated he was sympathetic; however, this service should not be piecemealed; the Town should have one policy that applies to everyone, which is what the committee discussed.

Council Member Snider requested priority be given to Westminister and Lafayette to have an agreement worked out.

Council Member Risner stated that the roll-out cart issue did not need to go back to committee but commented that staff should review that option and the Manager could decide if staff could use that option properly or not; if it is a workable solution between the homeowners association and staff, it could be tried; if it is not, then the issue should be brought back to the committee.

Council Member duFrane agreed as long as everyone recognized what the costs were and who and how those costs would be paid; it seemed simple to use Town funds for those with special needs at the expense of everyone else. When the Planning Commission reviewed the plans for the neighborhood, they had certain restrictions that the developers understood would happen and maintenance of streets and trash pick-up apparently were not included. The special taxing district option, such as Southridge, is a good example to use. The Town needs to do what is equitable and fair to every citizen.

The consensus of Council was to have staff explore the options and provide a cost analysis for implementing a program for all townhouse developments at mid-year budget review.

R/R Re: New Police Station Facility--Authorization to Solicit Construction Bids

Town Manager Muzzy presented the report and recommendation stating the Town of Culpeper and the Police Department have been exploring options for a badly needed new police headquarters for some time. A proposal for building a new police headquarters on Route 3 was studied and considered in 2007 but not approved. In 2008, the Town purchased an existing building located at 740 Old Brandy Road for \$2.85M and planned to remodel the structure for the needed new police facility.

The Town of Culpeper contracted with Dominion Development Resources, LLC (DDR) to provide the architectural, engineering, and interior design services necessary to renovate the purchased building into an appropriate new police headquarters.

The design which has been proposed is a result of a series of interdisciplinary work sessions and meetings with client-users, the County code officials, analyses of formerly completed studies, field studies of the proposed site, and a survey of the existing police facility. The level of design is comprehensive and includes, in addition to architectural and planning layouts for the building, structural engineering investigations for code conformance purposes, and design development level computations and plans for mechanical, plumbing, and electrical systems.

Prior to authorization for entering into a contract with Dominion Development Resources, LLC staff assured council that the design project would be staged so that the first phase would produce more refined building cost estimates. It was agreed that these estimates would be provided to council prior to further design activity being implemented. DDR and staff returned to Council at the meeting held on May 12 and presented the requested information. At the May 12 meeting, Council authorized DDR to complete the remaining design.

DDR has now completed the final phase of the design and has provided the Town with the design and construction cost estimates. This information will be presented to the Public Safety, Public Works, Planning and Community Development Committee, the Finance Committee, and the full Council prior to putting the project out to bid.

Staff was requested to consider methods for giving preference to local bidders and suppliers. Staff explored this matter with legal counsel and was informed that the" Virginia Code § 2.2-4328 permits a local preference only in the case of a tie bid". Language reflecting a local preference in case of a tie bid will be added to the bid documents.

PROJECT SCHEDULE

The estimated time line for the remainder project is as follows:

- Architects and Town staff present the updated cost estimates, and final plans to the Public Safety, Public Works, Planning and Community Development Committee on June 30, 2009 with a recommendation to begin the construction bid process
- Architects and Town staff present the updated cost estimates, and final plans to the Finance Committee on July 7, 2009 with a recommendation to begin the construction bid process
- Architects and Town staff present to Council updated cost estimates, and final plans with a recommendation to begin the construction bid process at the July 14, 2009 meeting and Council authorizes going out to bid for construction
- Invitation to Bid issued
- Staff evaluates bids and makes a recommendation to council for approval
- Council approves lowest responsible bidder, selecting a construction firm at the August 11, 2009 meeting and authorizes staff to prepare a contract
- Council authorizes financial advisors to go out to bid for financing at the August 11, 2009 meeting
- Council approves the construction contract at the September 8, 2009 meeting
- Council approves the bids for financing at the September 8, 2009 meeting and authorizes closing of the loan
- Construction begins mid to late September 2009
- Facility completed by mid-summer 2010

PROJECT COSTS

The financial impact to the Town is estimated as follows:

- Purchase of existing building 740 Old Brandy Road \$2.85M
- Base cost to renovate building 740 Old Brandy Road \$3,115,748
- Security Systems \$23.2K
- Design costs \$275K
- Furniture and equipment \$400K
- Miscellaneous \$10K
- Moving costs \$8.5K
- Survey and topographical information \$0

Total Estimated Financial Impact \$6,682,448

Note: DDR believes that this project can be completed significantly under estimate in the current financial climate as long as the project goes out to bid by early to mid summer. Our time line proposal is quite aggressive in order to meet this recommendation. DDR estimated the project renovation costs during the design phase at \$3,254,380. Renovation costs have now been estimated during the construction document phase at a lower cost of \$3,115,748. The construction cost phase is a more exact number as a result of more specific input for the project. This is a reduction of \$138,632.

The financing for the project will be obtained after the construction bids have been approved by Council at the August meeting. Following the August Town Council meeting, Davenport & Company LLC, the Town's Financial Advisor, will solicit competitive proposals for the financing from Banking Institutions. It is anticipated that the financing will be obtained via the same process that was utilized for the refinancing in May of 2009 (i.e. a Bank Qualified Private Placement). Davenport will return to Town Council at the September meeting with the results of the bidding process and a recommended funding provider. It is anticipated that Town Council will provide formal approvals for the financing at the September meeting. Closing on the financing could then occur by September 18. The Town will also need to hold a Public Hearing to authorize the financing. The Public Hearing will be set by Town Council at the August meeting, will be advertised publicly in late August, and will occur at the September meeting.

It is recommended that council authorizes the town manager or his designee to solicit bids for construction at the new police facility on Old Brandy Road.

Council Member Coleman moved, Vice Mayor Yowell seconded, approval of the report and recommendation as presented. The motion carried by unanimous voice vote (8-1—Aye-Coleman, Jenkins, Olinger, Rimeikis, Risner, Ryan, Snider, Yowell; Nay-duFrane).

Status of Transportation Projects

Engineer II Fritz Alderman gave council an overview of the item discussed at the May Public Safety, Public Works, and Planning and Community Development Committee meeting, stating staff was asked to bring back the most recent information regarding the funding for Route 229 widening project and the Western Outer Loop Road.

Projects:

Route 229 Widening: This project is divided into two phases, I, and II.

Phase I is four-laning of Route 229 from the bridge at Mt. Run to Fairview Road, and along Rte. 29/15 to Hendrick Street. This project will also provide a connection point for the Western Inner Loop Rd. Estimated cost \$4.9 million

Phase II is the widening from 2 lanes to 5 lanes of Route 229 from the intersection of Fairview Road to the northern Town limits. Estimated cost \$9.5 million.

Western Outer Loop Road: This project has been proposed with two alignments, “A” and “B”.

Alignment “A” is a road intersecting Rte. 729 and running through the Powell property and connecting with Yowell Drive and continuing south and intersecting with Rte. 522 east of Maple Lane.

Alignment “B” is a road intersecting Rte. 729 and running through the Powell property connecting with Jameson Road and continuing further west and intersecting with Rte. 522 west of Pulliam Lane. Estimated cost from VDOT is \$10.5 million. (does not include ROW)

Note: Council, at their regular May 2009 meeting approved to support alignment “B”. This action does not mean that alignment “A” will no longer be considered.

Western Inner Loop:

This project is not a Revenue Sharing project; however the Town may have the opportunity to include a short portion of the road into the 229 Widening Phase I project. It may be possible to have VDOT re-scope the phase I project to include the roadway from the intersection at the Wendy’s restraint to Old Rixeyville Road. By doing this, Revenue Sharing funds could be used to help defray the final construction cost for the entire Inner Loop Road.

Funding Sources:

Urban funding: This funding comes from the state and the locality provides a 2% match.

Revenue Sharing: This funding comes from the State and is a dollar for dollar match up to one million dollars per request.

Project Funding:

Rte. 229 Phase I: To date this project has Urban funding in the amount of **\$4,490,000**

Rte. 229 Phase II: To date this project has Urban funding in the amount of \$663,000, and Revenue Sharing funds in the amount of \$4,000,002. Totaling **\$4,663,002**

Western Outer Loop: To date this project is funded with Revenue Sharing funds in the amount of \$6,155,664 from the County and \$1,498,000 from the Town totaling **\$7,645,504**

Western Inner Loop: This project is currently unfunded. The cost of this project, as estimated in 2005, was approximately \$4,000,000. This estimate does not include ROW

Project	Urban Funding	Rev. Sharing	Total	Estimated Cost	Short-fall
Rte. 229 Phase I	\$4,490,000	\$0	\$4,490,000	\$4,998,000	\$508,000
Rte. 229 Phase II	\$663,000	\$4,000,002	\$4,663,002	\$9,517,000	\$4,853,002
Western Outer Loop	\$0	\$7,645,504	\$7,645,504	\$10,500,000	\$2,854,496
Western Inner Loop	Accurate estimates were not available at time of publishing				

Discussion ensued as to sending VDOT a letter requesting the projects be expedited if possible. It was the consensus of council to send Mr. Utterback, VDOT District Administrator a letter clarifying the Town’s interest in moving forward with the transportation projects.

REPORTS & RECOMMENDATIONS FROM TOWN ADMINISTRATION

Town Council Calendar

Mayor Rimeikis requested council members notify him soon whether or not they will be participating in the 250th anniversary celebration, attending the VML Conference, and if they desire to hold a retreat at the conference or select another date and location.

Council Member Risner requested the Clerk send an email to council with the dates of all events.

TOWN MANAGER'S MONTHLY REPORT: Council received the report

COMMUNICATION & CORRESPONDENCE

Columbia Gas: Council received notices from Columbia Gas on Cash-Out Provisions, Gas Cost Hedging Plan & Conservation, and ratemaking Efficiency Plan.

ADJOURNMENT: Council adjourned at 8:25 p.m.

Clerk

Mayor