

Regular Meeting

County Board Room
July 8, 2008

The Council of the Town of Culpeper convened in regular session at 6:00 p.m. with Mayor Pranas A. Rimeikis presiding: **Present:** Calvin L. Coleman, Duke M. duFrane, Michael T. Olinger, James C. Risner, Robert M. Ryan, Christopher H. Snider, William M. Yowell, Councilmembers; Chuck Stephenson, Town Engineer; Kimberly D. Allen, Town Clerk; Robert W. Bendall, Town Attorney and Lisa D. Hutcherson, Deputy Town Clerk. **Also Present for the 7 p.m. Session:** Neal Deane, Town Treasurer; Tonya Estes, Information Technology Manager; Beth Burns, Tourism Director; Robert H. Thornhill, Jr., Public Works Director and Mark Bly, Light & Power Director. **Absent:** F. Steve Jenkins, Councilmember.

AGENDA APPROVAL

Councilmember Coleman moved, Councilmember Olinger seconded, to approve the agenda with the addition of a closed session to discuss or consider a possible boundary adjustment with Culpeper County and a proposed water and sewer authority pursuant to Code of Virginia Section 15.2-2907(D) and to discuss or consider the acquisition of real property pursuant to Code of Virginia Section 2.2-3711(A)(3). The motion carried by the following voice vote: Ayes: Coleman, duFrane, Olinger, Rimeikis, Risner, Ryan, Snider, Yowell (8); Nay: (0); Absent: Jenkins (1).

CLOSED SESSION

Vice Mayor Yowell moved, Councilmember duFrane seconded, to enter closed session to discuss or consider candidates for the position of town manager, the appointment of two council representatives to serve on the Comprehensive Plan Steering Committee, and specifically named individuals for appointment to work on the 250th anniversary pursuant to Code of Virginia Section 2.2-3711(A)(1), to discuss or consult with staff and/or consultants regarding specific legal matters relating to interjurisdictional cooperation pursuant to Code of Virginia Sections 2.2-3711(A)(7), to discuss or consider a possible boundary adjustment with Culpeper County and a proposed water and sewer authority pursuant to Code of Virginia Section 15.2-2907(D), and to discuss or consider the acquisition of property for public purpose pursuant to Code of Virginia Section 2.2-3711(A)(3).

The motion carried by the following voice vote: Ayes: Coleman, duFrane, Olinger, Rimeikis, Risner, Ryan, Snider, Yowell (8); Nay: None (0); Absent: Jenkins (1). Council entered closed session at 6:03 p.m. Staff attending: Town Attorney Bendall and Town Engineer Stephenson, Town Treasurer Neal Deane and Public Information Officer Wally Bunker.

Council reconvened in open session at 7:05 p.m.

Certificate of Closed Session: Pursuant to Code of Virginia Section 2.2-3712, Mayor Rimeikis requested the Clerk poll the members 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 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 following roll call was taken: Ayes: Coleman, duFrane, Olinger, Rimeikis, Risner, Ryan, Snider, Yowell (8); Nay: (0); Absent: Jenkins (1). Council recessed at 7:05 p.m.

Council reconvened in open session at 7:15 p.m.

PLEDGE OF ALLEGIANCE: Councilmember Snider led the Pledge of Allegiance.

CONSENT AGENDA

Councilmember Olinger moved, Councilmember duFrane seconded, that Council approve the items listed below. The motion carried by the following roll call vote: Ayes: Coleman, duFrane, Olinger, Rimeikis, Risner, Ryan, Snider, Yowell (8); Nay: (0); Absent: Jenkins(1).

a. **Treasurer's Report & Line Item Transfers:** Council approved the treasurer's report reflecting a balance of \$46,494,270.77, bills paid listing, and line item transfers.

b. **Minutes of Previous Meetings:** Council approved the minutes of the regular meeting of June 10 and special meetings of June 24 and July 1, 2008.

SPECIAL ITEMS AND RECOGNITIONS

a. **Employee of the Month Recognition:** Executive Secretary/Benefits Specialist Donna Wise was selected as Employee of the Month for May 2008.

b. **Presentation of Election Certificates to Newly-Elected Officials:** Clerk Allen presented Council members Coleman, Olinger, Ryan, and Snider with their election certificates and noted the newly-elected members were sworn in on June 24. Mayor Rimeikis welcomed Mr. Ryan to council.

c. **Recognition of Staff Volunteers Re: Fourth of July Event:** Mayor Rimeikis thanked the Culpeper Festival Committee for their hard work on the annual, successful event. He thanked the Clerk's Office staff for preparing the Town's first "real" Fourth of July parade float, along with Tourism Director Beth Burns for her artistic talents in painting the building renditions for the float. He referenced the PowerPoint presentation displaying photos on the float. Mayor Rimeikis also thanked Tommy Hutcherson of Tommy's Towing for use of his truck.

d. **Recognition of Interim Town Manager:** On behalf of the council and staff, Mayor Rimeikis thanked Chuck Stephenson for serving as co-Interim Town Manager from June 2-13, 2008, while he was on vacation.

e. **Recognition of Police Department's Soap Box Derby Winner:** Mayor Rimeikis recognized and congratulated Austin Hickman who drove the Police Department's soap box derby car and won the Super Stock Division on June 23. Austin will represent Culpeper at the world soap box derby championship in Akron, Ohio in July.

COMMENTS & CORRESPONDENCE FROM CITIZENS, VISITORS & DELEGATIONS IN THE AUDIENCE

George Bryson, 10103 Rixeyville Road, spoke from prepared remarks stating the Town did nothing with his request from the June meeting. An attorney for the Historical Society, John J. Davies III, filed a chancery suit to distribute funds from the Culpeper Historical Society to the library and museum, stated his civil rights had been violated, and requested the Clerk distribute copies of his comments and information to council. Mayor Rimeikis asked the Town Attorney to look into this specific matter to see what the Town could do.

UNFINISHED BUSINESS

Closed Session Items: Vice Mayor Yowell moved, Councilmember duFrane seconded, to appoint Councilmembers James C. Risner and Christopher H. Snider to the Comprehensive Plan Steering Committee. The motion carried by the following roll call vote: Ayes: Coleman, duFrane, Olinger, Rimeikis, Risner, Ryan, Snider, Yowell (8); Nay: (0); Absent: Jenkins(1).

NEW BUSINESS - There was none

PUBLIC HEARINGS - There were none

REPORTS & RECOMMENDATIONS FROM AUTHORITIES, BOARDS & COMMISSIONS

a. Quarterly Reports from Council Representatives: Council received written reports from the following: Planning Commission, Rappahannock-Rapidan Regional Commission, Parking Authority, and Parks & Recreation Commission.

Councilmembers Risner and Snider gave brief verbal reports on the Rappahannock-Rapidan Regional Commission, Museum of Culpeper History and Culpeper Renaissance Inc.

b. Quarterly Reports from Authorities, Boards, & Commissions: Council received written reports from the Tourism Advisory Committee and Public Transportation Advisory Committee.

REPORTS & RECOMMENDATIONS FROM COUNCIL COMMITTEES **PUBLIC SAFETY, PUBLIC WORKS, PLANNING & COMMUNITY DEVELOPMENT** **COMMITTEE**

R/R Re: Lake Catalpa Storage Capacity & Expansion—Timmons Task Order

Interim Town Manager Huggard presented the report and recommendation that stated the Department of Environmental Services had been working with the Timmons Group to develop a task order to evaluate the feasibility and cost of expanding the storage and associated water supply capability of Lake Catalpa reservoir. The goal is to obtain a safe yield of one million gallons per day of raw water (1MGD) to be used as a second surface water source to supplement the supply from Lake Pelham. The project scope includes 8 Tasks and is attached. Project completion will require up to 60 days and requires \$69,800 to accomplish all 8 tasks.

Funds are available in the amount of \$500 in line item 3700-5216 (Water Treatment – Engineering Services). The \$69,300 balance will require a transfer from line item 9990-9990 (Contingency Unreserved) to fully fund the expenditure.

It was recommended that Council authorize the Interim Town Manager to execute Task Order from the Timmons Group “Lake Catalpa Capacity Expansion Study” and authorize the line item transfer of \$69,300 from 9990-9990 (Contingency Unreserved) to 3700-5216 (Water Treatment – Engineering Services).

Councilmember duFrane moved, Councilmember Olinger seconded that this item be postponed for sixty (60) days to allow further review by the committee. The motion carried by the following roll call vote: Ayes: Coleman, duFrane, Olinger, Rimeikis, Risner, Ryan, Snider, Yowell (8); Nay: (0); Absent: Jenkins(1).

R/R Re: Emergency Purchase of Blower Unit for Water Treatment Plant

Interim Town Manager Huggard presented the report and recommendation that stated the Water Treatment Plant has three (3) blower units- two of which are required operate the SuperPulastor Up-Flow Clarifier. There is one blower dedicated to each clarifier and one spare.

One of the two on-line blowers failed and was found to be beyond repair by department maintenance. The blowers are used to create a hydraulic pulse that in-turn facilitate chemical mixing, flocculation, and the removal of sludge from the clarifiers. All blowers were placed into service in 1995.

Failure of one of the two remaining blowers would result in the inability to adequately keep the sludge bed suspended and mixed - resulting in smaller floc generation and resulting carry-over to the filters and the need to shut down the clarifier and filters frequently for cleaning. Each clarifier is capable of processing two million gallons of water a day. Shutdown of one clarifier would result in water production rates being reduced to 2 MGD during the cleaning period.

The blowers are special order items. Thus, there is a long lead-time from date of order until they are made and shipped, 12 to 16 weeks.

The purchase price for the blower is \$13,415.00. Funding for this purchase would require the transfer of \$13,415.00 from line item 9990-9990 (Contingency Unreserved) to water fund line item 3700-5235, R&M – Plant. This transaction will occur in the upcoming fiscal year FY09's Budget.

It was recommended that Council authorize the Interim Town Manager to approve this purchase from Spencer/Engineering Equipment in the amount of \$13,415.00 and authorize the line item transfer of \$13,415.00 from 9990-9990 (Contingency Unreserved) to line item 3700-5235, R&M – Plant, out of the FY09 Budget.

Councilmember Olinger moved, Councilmember duFrane seconded to authorize the Interim Town Manager to approve this purchase from Spencer/Engineering Equipment in the amount of \$13,415 and authorized the line item transfer of \$13,415 from 9990-9990 (contingency unreserved) to line item 3700-5235 (R&M – Plant), out of the FY09 Budget. The motion carried by the following roll call vote: Ayes: Coleman, duFrane, Olinger, Rimeikis, Risner, Ryan, Snider, Yowell (8); Nay: (0); Absent: Jenkins(1).

R/R Re: Task Order for Spring Street & Fairfax Street Extended Well Study

Interim Town Manager Huggard presented the report and recommendation that stated the Town of Culpeper (Town) owns two existing wells which are located on Spring Street and Fairfax Street Extended. In the past, the existing well on Spring Street was used to supplement the influent raw water flow at the head of the decommissioned Town water treatment plant, which was also located along Spring Street. Also in the past, the existing well on Fairfax Street Extended was pumped directly into and utilized to supplement the potable water distribution system in the event of emergencies.

The Timmons Group was requested to prepare a Scope of Services to explore the feasibility of reactivating and utilizing these existing wells in order to supplement the reservoir storage volume at Lake Pelham. This feasibility study comes from over the concerns of a raw water shortage following a drought event and the subsequent water restrictions in the late summer of 2007.

It is currently envisioned that this Study will take approximately three months to execute from the time Notice to Proceed is given. However, a great deal of this schedule depends on the initial findings related to the condition of the wells and the availability and scheduling of the well driller. To carry out this task, the Department of Environmental Services utilized the Town's contract engineering firm, The Timmons Group, to accomplish the following tasks at the below listed fee schedule.

Task 1 – Investigate Prior Operational Practices & Parameters \$3,450
Task 2 – Assess Condition of Existing Wells and Equipment \$4,950
Task 3 – Determine Water Quality and Safe Yield of Each Well \$7,800
Task 4 – Conceptual Raw Water Pipeline Alignment \$8,600
Task 5 – Conceptual Construction Cost Estimate \$2,300
Task 6 – Final Report \$2,400
Total - \$29,500

The total sum for this Task Order is in the amount of \$29,500.00 and is an unbudgeted capital expense. This item will require funding from the unreserved Contingency fund.

It was recommended that Council authorize the Interim Town Manager to approve the project scope authorizing the Timmons Group to conduct the feasibility study and transfer \$29,500 from 9990-9990 (Contingency Unreserved) to line item 3700-5216.

Councilmember Olinger moved, Councilmember duFrane seconded to authorize the Interim Town Manager to approve the project scope authorizing the Timmons Group to conduct the feasibility study and transfer \$29,500 from 9990-9990 (contingency unreserved) to line item 3700-5216. The motion carried by the following roll call vote: Ayes: Coleman, duFrane, Olinger, Rimeikis, Risner, Ryan, Snider, Yowell (8); Nay: (0); Absent: Jenkins(1).

R/R Re: Water Plant Filter Rehabilitation Project, Phase I—Change Order #1

Interim Town Manager Huggard reported that EMH Environmental was awarded the contract to rehabilitate the four (4) water filtration units located within the town's Water Filtration Plant on April 16, 2008. The work is included in a project scope developed for the D.E.S. by the Timmons Group and planned to be completed in four (4) phases. Phase I project scope included the rehabilitation of filtration unit #1 at a cost of \$114,600. The total project cost for all four rehabilitation phases is \$359,400.

Upon evacuation of the filtration media from unit #1 an inspection of the underdrain support structure indicated that sand had entered the water collection manifold which is located under the filter media. This resulted in partial blockage of the distribution laterals. It was also noted that the supporting grout material has lost its structural integrity and will require replacement.

The removal of the sand from the underdrain support system and the replacement of the grout are both expenses that were not included in the original contract price.

Change order #1 contains two parts. Part #1 includes the labor, equipment, and mobilization fees associated with the removal of the sand from the underdrain manifold. The fee is \$10,639. Part #2 is the labor and materials associate with the repair of the grout base. This fee is \$1,393. Funding for these services would require the transfer of \$12,032 from line item 9990-9990 (Contingency Unreserved) to line item 8920-7200 (Water Plant Filter Rehabilitation).

It was recommended that Council authorize the Interim Town Manager to execute Change order #1 "Water Filtration Unit Rehabilitation" and authorize the line item transfer of \$12,032 from 9990-9990 (Contingency Unreserved) to line item 8920-7200 (Water Plant Filter Rehabilitation).

Councilmember duFrane moved, Councilmember Olinger seconded to authorize the Interim Town Manager to execute change order #1, "Water Filtration Unit Rehabilitation" and authorized line item transfer of \$12,032 from 9990-9990 (contingency unreserved) to line item 8920-7200 (water plant filter rehabilitation). The motion carried by the following roll call vote: Ayes: Coleman, duFrane, Olinger, Rimeikis, Risner, Ryan, Snider, Yowell (8); Nay: (0); Absent: Jenkins (1).

PUBLIC SAFETY, PUBLIC WORKS, PLANNING & COMMUNITY DEVELOPMENT COMMITTEE

R/R Re: Donations for Wine Street Memorial Park

Interim Town Manager Huggard presented the report and recommendation that stated continuing with the gifting program for Wine Street Memorial Park, these individuals and groups wish to donate the following items:

Donor:	In Honor/Memory Of:	Donated Item:	Donated Amount:
David L. Harding	Abb R. Harding	1 – 12” x 12” paver	\$100.00
Carolyne Loving	J.W. Loving, Jr.	1 – 4”x 8” paver	\$50.00
Carolyne Loving	Carroll Deal	1 – 4”x 8” paver	\$50.00
Children of Joseph Troilo and their spouses	Joseph A. Troilo	1 – 12” x 12” paver	\$100.00
Nieces and Nephews of Frank Rosson and their spouses	Franklin Rosson	1 – 12” x 12” paver	\$100.00
Libby Ouellette	James S. Hoffman	1 – 12” x 12” paver	\$100.00
Totals:			\$500.00

The cost for each engraved paver is as follows: a 4” x 8” brick--\$50 (with up to three horizontal lines with a maximum of 11 characters per line); an 8” x 8” paver--\$75 (with up to three lines with a maximum of 11 characters per line); and a 12” x 12” square paver--\$100 (with up to three diagonally engraved lines). For donations of \$1,000.00, donors may choose to donate a memorial bench (eight currently available) or one of two picnic tables. Plaques will adorn each bench or table, which staff will coordinate with the donor to personalize.

In the design of the memorial pad, there are 24 - 12” x 12” square pavers programmed. With the popularity and flexibility of engraved messages, staff will make additional 12” x 12” pavers available for donation by changing the existing paver configuration. This will continue making available a popular donate-able item, and increase the amount of funds to offset expenses for the park.

The current donations and requests will offset the total cost of the project by \$500.00. To date, the Town has accepted \$14,800 in donations for this park.

It was recommended that Council accept the donation from David Harding, the family of Joseph Troilo, the family of Frank Rosson, and Libby Ouellette for a 12” x 12” paver; and two (2) 4” x 8” pavers from Carolyne Loving.

Councilmember Risner moved, Councilmember Snider seconded, to accept the donations from David Harding, the family of Joseph Troilo, the family of Frank Rosson, and Libby Ouellette for a 12” x 12” paver and two (2) 4” x 8” pavers from Carolyne Loving. The motion carried by the following roll call vote: Ayes: Coleman, duFrane, Olinger, Rimeikis, Risner, Ryan, Snider, Yowell (8); Nay: (0); Absent: Jenkins (1).

R/R Re: Substantial Repairs to Yowell Meadow Park Skatepark Facility

Interim Town Manager Huggard stated that as a result of increased wear, tear, and general abuse associated with skateboarding at Yowell Meadow Park, staff In May, staff issued an Invitation to Bid (ITB) for substantial maintenance repairs to the original skate ramps at the Yowell Meadow Park skate park. Respondents were asked to bid a price on a variety of crucially-needed repairs (ITB provided).

The following firms responded to the ITB.

<u>Firm</u>	<u>Price</u>
Ramptech	\$31,781
Rampage LLC	\$39,217
American Ramp Company	Non-responsive (did not quote a price)

Ramptech and Rampage LLC were responsive bidders, providing pricing and insurance, per the ITB. American Ramp Company did not provide a price, rather an alternative scenario (which was not acceptable).

The funds for the proposed maintenance were previously committed in the Capital Budget as Line Item #9294-7300 (Yowell Meadow Park Improvements [Furniture and Fixtures]) and will be carried forward to FY09.

Note: After the Finance, Personnel, Technology, & Ordinance Committee meeting, Mr. Deane suggested the funds for this project be taken from 12-9990-9990, general fund contingency vs. carrying funds forward from FY08.

It was recommended that Town Council authorize the Interim Town Manager to enter into a contract with Ramptech for substantial repairs to the Yowell Meadow Park skate park facility in the amount of \$31,781. The Interim Town Manager will be the Contract Administrator and the Department of Planning and Community Development will coordinate with the contractor.

Councilmember duFrane moved, Councilmember Risner seconded, to authorize the Interim Town Manager to enter into a contract with Ramptech for substantial repairs to the Yowell Meadow Park skate park facility in the amount of \$31,781 and for the Interim Town Manager to be the contract administrator and the Department of Planning and Community Development to coordinate with the contractor.

The motion failed by the following tie vote: Ayes: duFrane, Olinger, Risner, Snider (4); Nays: Coleman, Rimeikis, Ryan, Yowell (4); Absent: Jenkins (1).

FINANCE, PERSONNEL, TECHNOLOGY, & ORDINANCE COMMITTEE

R/R Re: Additional Funds for Public Works Facility Painting Project

Interim Town Manager Huggard reported that as part of the Public Works facility painting project, we have the opportunity to refinish the floor cost effectively since the area will be vacated for wall and ceiling painting.

This was not part of the original contract requirements and would require additional funding in the amount of \$7,410.

Funds are available in the amount of \$7,410 in account 12-9990-9990 (General Fund Contingency) and will need to be transferred to account 4302-5230 (Repair and Maintenance) to complete the project.

It was recommended that Council authorize the Town Manager to transfer \$7,410 from account 12-9990-9990 (General Fund Contingency) into line item 4302-5230 (Repair and Maintenance) in order to complete the Public works floor maintenance project.

Vice Mayor Yowell moved, Councilmember Ryan seconded, to deny the recommendation.

Councilmember Olinger clarified with staff that the floor would not be painted; it would be stained, which would be easier to clean.

The motion failed by the following roll call vote: Aye: Yowell (1); Nays: Coleman, duFrane, Olinger, Rimeikis, Risner, Ryan, Snider (7); Absent: Jenkins (1).

Councilmember duFrane moved, Councilmember Olinger seconded to authorize the interim town manager to transfer \$4,710 from account 12-9990-9990 (general fund contingency) into line item 4302-5230 (repair and maintenance) in order to complete the Public Works floor maintenance project.

The motion carried by the following roll call vote: Ayes: Coleman, duFrane, Olinger, Rimeikis, Risner, Ryan, Snider (7); Nay: Yowell (1); Absent: Jenkins (1).

R/R Re: Additional Funding for Bluemont Concert Series

Interim Town Manager Huggard reported that historically, the Town has applied and been awarded a 50/50 grant through the Local Government Challenge Grant of the state in the amount of \$5,000. Therefore, the Town would pay \$5,000 out of pocket and pass on the grant funds of an additional \$5,000 to the Bluemont Concert Series. In Spring 2008, the Town applied for and recently received notice of the award of the \$5,000 matching grant, which will be received in FY09.

With the adoption of the FY09 budget, Council adopted a budget reflecting a reduction in the contribution to the Bluemont Concert Series from \$10,000 to \$5,000, thus reducing the amount of contribution to the Bluemont Concert Series. With this appropriation, the funds will reduce the amount of the grant that is available to pass on to Bluemont.

The additional funding will come from General Fund Capital Contingency account in the amount of \$5,000 to fully cover the matching grant.

It was recommended that Council authorize the Town Manager or his designee to fully fund the matching grant to the Bluemont Concert Series by transferring the funds from the General Fund Capital Contingency (12-9990-9990) in the amount of \$5,000 to cover the matching portion of the grant (10-7103-6110).

Councilmember Risner moved, Councilmember Snider seconded, to postpone this item for thirty (30) days to allow staff to determine if the County's \$2,500 contribution can be added to the Town's contribution to leverage the Series' grant application. The motion carried by the following roll call vote: Ayes: Coleman, duFrane, Olinger, Rimeikis, Risner, Ryan, Snider, Yowell (8); Nay: (0); Absent: Jenkins (1).

REPORTS & RECOMMENDATIONS FROM TOWN ADMINISTRATION

R/R Re: 250th Anniversary

Interim Town Manager Huggard presented the report and recommendation that stated earlier this year, the Town Council directed the Town Staff to begin preparations for celebrating in 2009 the 250th anniversary of the founding of the Town of Culpeper. The charter for the Town was granted on April 14, 1759, after its establishment by an Act of General Assembly in February 22, 1759. After several planning meetings at the staff level, it is time to initiate citizen involvement in the decision making process and implementation. Among some of the thoughts for celebrating the Town's birthday are: a Grand Parade (similar to the 200th Anniversary), a costumed Ball, a street festival, fireworks, special Virginia license plates, and a metal medallion. Final decisions would be in the hands of the Town Council with direct input from citizens committees and staff.

Subject to Council approval of the recommendation below, Oversight and Implementation committees will be established in July and an activities agenda prepared for Council approval in August.

Financial impact of the 250th Anniversary celebration will depend on the agenda proposed by the citizens committees and approved by Town Council at its August meeting.

It was recommended that Council authorize the establishment of the 250th Anniversary citizens oversight and implementation committees, and direct the Town Manager and staff to help develop membership on the committees and assist them in preparing an agenda and cost estimates for the proposed activities.

Councilmember Snider moved, Councilmember Risner seconded, to authorize the establishment of the 250th Anniversary Citizens Oversight and Implementation Committees and direct the Interim Town Manager and staff to help develop membership on the committees and assist in preparing an agenda and cost estimates for the proposed activities. The motion carried by the following roll call vote: Ayes: Coleman, duFrane, Olinger, Rimeikis, Risner, Ryan, Snider, Yowell (8); Nay: (0); Absent: Jenkins(1).

TOWN MANAGER'S MONTHLY REPORT: Council received the monthly report.

COMMUNICATION & CORRESPONDENCE

There was none.

ADJOURNMENT: Council adjourned at 8:18 p.m.

Clerk

Mayor