

Town of Lovettsville

Town Council Minutes of the January 8, 2015 Regular Meeting

Call to Order/Pledge of Allegiance

Mayor Robert Zoldos II called the Regular Meeting of the Lovettsville Town Council to order at 7:30 p.m. on January 8, 2015 at the Lovettsville Town Hall, 6 East Pennsylvania Avenue, Lovettsville, VA.

Pledge of Allegiance

Mayor Zoldos led those assembled in the Pledge of Allegiance.

Mayor Zoldos announced there would be no closed session.

Council Members Present

- Mayor Robert Zoldos II
- Vice Mayor Michael Senate
- Council Member Kimberly Allar
- Council Member Tiffany Carder
- Council Member Rodney Gray
- Council Member Jennifer Jones
- Council Member James McIntyre

Staff Present

- Interim Town Manager Samuel Finz
- Town Attorney Elizabeth Whiting
- Treasurer Lance Gladstone
- Town Clerk Harriet West

Comments from the Public

Mayor Zoldos called for comments from the public. There were none.

Community Presentations

A. Lovettsville Fire and Rescue Company

Councilwoman Jones announced that the new ambulance has been delivered and will be in service soon.

B. Lovettsville Library

Councilman McIntyre reported the library has a new staff member.

Town Commission and Committee Reports

A. Lovettsville Planning Commission

Commissioner McDonough gave an update on the proposed text amendment to the R-3 Zoning District to include townhomes, apartments, and other multi-family dwellings. He noted there has been a tremendous amount of community comment and that the Planning Commission tabled the issue pending a review of related references in the Comprehensive Plan later this month. The Comprehensive Plan makes numerous references to multi-family dwellings; however, there is no authority to build them based on the Zoning Ordinance. Commissioner McDonough said the Planning Commission has not received a formal request from anyone. If they were to receive a formal request, then the Commissioners would have to consider it within a certain period of time. Commissioner McDonough said Chairman Mueller will be presenting the Planning Commission's recommendation on Town Center to the Town Council at the meeting on January 22, 2015.

B. Parks Committee

Vice Mayor Senate said the Parks Committee will be meeting in January to discuss the Town Information Sign.

C. We're In Committee

Councilwoman Carder gave updates on the next meeting, the business directory, and the business expo.

C. Oktoberfest

There was no report.

D. Mayfest

Councilwoman Carder gave an update on vendors and planned activities.

Additions/Deletions/Modifications to the Agenda

There were no changes to the agenda.

Minutes

There were none.

Report from the Treasurer

Treasurer Gladstone presented the October 2014 Financial Report. Councilwoman Allar asked how the construction of new homes this year compared to last year. The Treasurer said they have only received five tap fees this year. Mr. Finz said this concerns him as well since the budget is based on 28 tap fees and this is a significant reduction. He said he would discuss the finances further at the retreat because the Town is highly dependent on the revenue from the tap fees.

Motion: I hereby move to adopt the Treasurer's Report for the month October 2014.
By: Council Member Jones
Second: Council Member McIntyre
Aye: Council Members Allar, Carder, Gray, Jones, McIntyre, and Senate
Nay: None
Abstain: None
Absent: None

Staff Reports

A. Report from the Project Manager

There was no report.

B. Report from the Zoning Administrator

There was no report.

C. Report from the Town Attorney

Attorney Whiting gave an update on the Town Charter amendments and noted that the Virginia Municipal League will help track the bill as it moves through the General Assembly. Mayor Zoldos said he has been in touch with Delegate LaRock's office about correcting a drafting error and the bill will be filed tomorrow.

D. Report from the Town Manager

Mr. Finz reported on the following:

- He has completed a cost/benefit analysis of the Town's water/sewer operation compared to when the services were provided by Loudoun Water. He will present his findings at a later date. The initial analysis shows this was a good decision.
- Mr. Palko has been working on a County economic development grant application for an events coordinator.
- He reminded the Mayor and Council about the retreat scheduled for January 31. The focus of the retreat will be to identify a list of priorities for the Town and a good plan for implementing them.
- The new Town Manager will be back next week.

Mr. Finz said his tour here has been terrific and the Town has a great staff.

Action Items

A. Fiscal Impact Analysis

Interim Town Manager Finz presented this item. The Council is being asked to consider initiating an amendment to the Zoning Ordinance to require that applicants for a zoning map amendment (i.e. rezoning) or conditional use permit for new construction greater than a given size prepare and submit a fiscal impact analysis to the Town for consideration.

Mr. Finz said this is a common practice in many jurisdictions. He explained that a Fiscal Impact Analysis enables local governments to estimate the difference between the cost of providing services to a new development and the revenues generated, such as taxes and user fees. He said this is one of many factors that need to be considered and noted this is not something currently being done by the Town. Mr. Finz said this would be worthwhile information for the Town to have; however, the Council would need to determine who will do the analysis, either the developer or staff. He suggested that staff present this to the Planning Commission so the Commissioners can make a recommendation to the Town Council. He noted this type of information would give the Council a financial picture of the impact of development on the Town.

Mayor Zoldos called for questions on the presentation. Hearing none, the Mayor called for a motion.

Motion: I move to approve Resolution 2015-01-001, as attached, to initiate an amendment to the Zoning Ordinance of the Town of Lovettsville in order to require a fiscal impact analysis for certain development and land use applications.

By: Vice Mayor Senate

Second: Councilman Gray

Aye: Council Members Allar, Carder, Gray, Jones, McIntyre, and Senate

Nay: None

Abstain: None

Absent: None

B. Charitable Contributions Proposal

Councilwoman Jones presented this item. The Council is being asked to consider and approve a grant program to be funded in Fiscal Year 2016 by the Town of Lovettsville to assist Town residents.

Councilwoman Jones said that based on her work with the Town and in the community she has seen that there are many families in Town that are in need of assistance. She said the local food pantry assists 30 families every month and her church also provides assistance with rent and utility bills. One of the other local churches typically provides \$10,000 in financial assistance annually to help families with heating expenses. She was thinking that the Town may be able to provide financial assistance for water/sewer bills through a grant program that local community organizations could apply for. Applicants would have to meet certain criteria (to be determined), the funding could only be used for Town residents, and the organizations receiving the funding would have to provide an annual report to the Town on how the funds were spent. She said her request is for the Town Manager to include a line item for this initiative in the FY 2016 budget.

Mr. Finz said this would be a budget line item that would be approved by the Town Council based on how much funding they decide to make available. Nonsectarian organizations could apply for the funding and the Council would determine which organization(s) would receive the funding. Mr. Finz said he has implemented similar programs in at least two other jurisdictions and it is an effective way to give something back to the community. The funding would be limited based on other budget priorities.

Mayor Zoldos called for questions on the presentation.

- Councilman McIntyre asked if this was for water and sewer bills only. Mr. Finz explained that the initial proposal was to allow Town residents to make donations through their water/sewer bills to a fund that would be set up to provide financial assistance to other families in need. Staff determined that would not work so the recommendation is now to create a general fund line item to provide financial assistance for a variety of needs to be approved by the Town Council. The funding would be actually distributed through organizations selected by the Council.

- Councilwoman Allar asked how they could ensure that funding stays in the Town. Mr. Finz said this would be one of the criteria that organizations would have to comply with. Councilwoman Jones said the churches already keep track of that information now.
- Councilman Gray asked if the program would be open to more than just members of a particular church. Councilwoman Jones said residents would not have to belong to a church to participate.

Mayor Zoldos called for further questions of the presentation. Hearing none, he called for a motion.

Motion: I move that Town Council approve the concept of a Town of Lovettsville Grant Program to be developed and implemented by the Town Manager and further authorizes the Town Manager to identify in the Town Manager's Recommended Budget an amount to fund the program to be approved by the Town Council as part of the FY16 budget approval process.

By: Council Member Jones

Second: Council Member Carder

The Council and staff discussed the current budget line items for donations to the Fire and Rescue Company, the Community Center Advisory Board, Community Police Support, and other local organizations; how to allocate funds; setting caps on individuals and organizations; and administering the program. Mr. Finz said that additional details about the program and a recommended budget will be provided by Mr. Palko as part of the budget process. Following further discussion, Council Member Jones withdrew her original motion and made the following motion:

Motion: I move that Town Council direct the Town Manager to develop a program to implement the charitable contributions proposal for approval at the first Town Council meeting in February.

Second: Council Member Carder

Aye: Council Members Allar, Carder, Gray, Jones, McIntyre, and Senate

Nay: None

Abstain: None

Absent: None

Information Items

There were none.

Comments from the Mayor and Town Council

Councilman McIntyre reminded everyone about Black and Blue on the Green/Super Bowl Edition on Sunday.

Councilwoman Carder said the City of Brunswick will be hosting the next Potomac Partnership mix-and-mingle at 6:30 p.m. on February 2 at City Hall.

Councilwoman Jones thanked Mr. Finz for his support and service to the Town.

Mayor Zoldos reported on the following:

- He thanked Mr. Finz for his leadership and said he is looking forward to having Mr. Palko back on Monday.
- There were a few less runners and vendors at Berserkle on the Squirkel this year.
- He thanked Councilman McIntyre for coordinating Black and Blue on the Green.
- He thanked Councilman Gray for WintertainmentFest and the Christmas tree lighting.
- He will follow up with the Town Manager next week on a tourism grant opportunity.
- There were some citizen concerns about snow plowing which he addressed in the Friday email.
- The year-end review will be in next week's Friday email.
- The Mad Horse Brew Pub will be operating as a coffee shop in the mornings and will feature local coffee and pastries.

Closed Session

There was no closed session.

Adjournment

There being no further business before the Council, the meeting was adjourned at 8:52 p.m.

Respectfully submitted,



Harriet West, Town Clerk

Date Approved: September 10, 2015

Attachment:

1. Resolution 2015-01-001: Initiate Amendment to the Zoning Ordinance to Require a Fiscal Impact Analysis for Certain Development Applications

Town of Lovettsville

Resolution: 2015-01-001: INITIATE AMENDMENT TO THE ZONING ORDINANCE TO REQUIRE A FISCAL IMPACT ANALYSIS FOR CERTAIN DEVELOPMENT APPLICATIONS

MOTION: Senate
SECOND: Gray

WHEREAS, the Town Council has determined that the public necessity, convenience, general welfare and good zoning practices require amendment to the Zoning Ordinance (hereinafter referred to as "the Ordinance"); and

WHEREAS, Section 42-34 of the Ordinance authorizes the Town Council, by resolution, to initiate an amendment to the Ordinance and refer such a proposed amendment to the Planning Commission for its recommendation prior to the Town Council rendering a final decision on the amendment; and

WHEREAS, the Town Council desires that applicants for certain land uses or developments which may have a significant impact on the Town's fiscal health prepare and submit a fiscal impact analysis detailing the anticipated effects of the development on the Town's revenues and expenditures; and

WHEREAS, the Town Council anticipates that such land use applications may include zoning map amendments, conditional zonings and conditional use permits involving the construction of improvements and/or establishment of uses greater than a certain size or area.

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby initiates amendment to the Zoning Ordinance of the Town of Lovettsville in order to require a fiscal impact analysis for such developments, and requests that the Planning Commission, with the assistance of Town staff, develop a draft amendment and forward the same together with the Planning Commission's recommendation to the Town Council. The Town Council further instructs the Planning Commission to develop provisions regarding the submission of a fiscal impact analysis by an applicant, including but not limited to the types and sizes of development applications requiring submission of the same, and any other reasonable requirements and conditions pertaining thereto that the Planning Commission may elect to recommend to the Town Council.

VOTE:

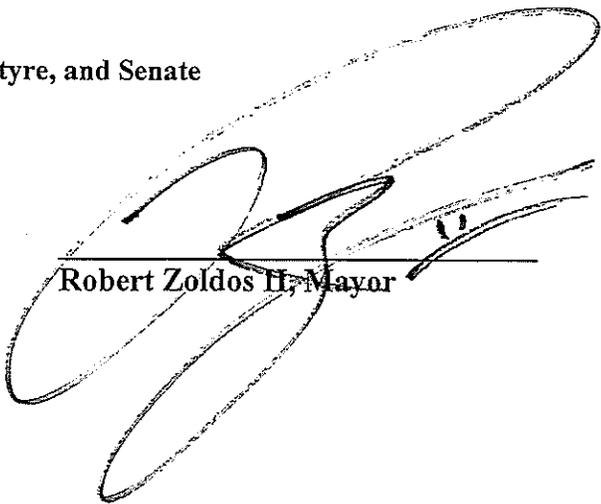
Ayes: Allar, Carder, Gray, Jones, McIntyre, and Senate

Nays: None

Abstentions: None

Absent for Vote: None

APPROVED: January 8, 2015


Robert Zoldos II, Mayor

CERTIFIED:


Harriet West, Town Clerk

The German Settlement