

# Town of Lovettsville

## Town Council Minutes of Regular Meeting January 10, 2013

### Call to Order/Pledge of Allegiance

Mayor Robert Zoldos called the Regular Meeting of the Lovettsville Town Council to order at 7:26 PM on Thursday, January 10, 2013 at the Lovettsville Town Hall, 6 East Pennsylvania Avenue, Lovettsville, VA.

### Present at Meeting

- Mayor Robert Zoldos II
- Council Member Kimberly Allar
- Council Member Jack Burden
- Council Member Tiffany Carder
- Council Member Rodney Gray
- Council Member James McIntyre

### Staff

- Town Manager Keith Markel
- Town Attorney Elizabeth Whiting
- Project Manager Karin Fellers
- Zoning Administrator Melissa Hynes
- Town Clerk Harriet West

### Absent

- Vice Mayor Mike Senate

### Guests

- Dave Stegmaier, Director of Community Outreach, Congressman Frank Wolf's office.

### Pledge of Allegiance

Mayor Zoldos lead those assembled in the Pledge of Allegiance.

### Presentations

Mr. Stegmaier introduced himself to the Mayor and Council Members. He is Congressman Wolf's liaison for the Shenandoah Valley and Western Loudoun. His role is to keep Congressman Wolf informed of activities going on in his district and to facilitate communication with the Congressman's office.

### Comments from the Public

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

### Community Presentations

#### A. Loudoun County Sheriff's Office

Deputy Sheriff Lopreto gave his report. There was one destruction of property incident reported on Town Center Drive. He has been actively working South Loudoun Street for speeding violations. Mayor Zoldos said he and the Town Manager recently met with Deputy Lopreto to discuss several Town-related matters. The Deputy is typically in Town four to five hours out of his work day.

#### B. Lovettsville Volunteer Fire and Rescue Company

There was no report for the Fire and Rescue Company.

#### C. Lovettsville Community Center

There was no report for the Community Center.

#### D. Lovettsville Library

Amanda Liss gave an update on programs coming up at the Lovettsville Library.

### **Town Commission and Committee Reports**

#### **A. Lovettsville Planning Commission**

Zoning Administrator Hynes said that she and four of the Planning Commission members will be attending the upcoming Certified Planning Commissioner training.

#### **B. Parks Committee**

Mayor Zoldos said he met with Dr. Rodgers at George Mason University about having the students work with the Town on the design of the fitness trail at the Quarter Branch Park. It looks like this will be a good project for the students. Mayor Zoldos will know more after he meets with several of the professors.

#### **C. "We're In!"**

Councilwoman Carder reported that the next "We're In!" meeting is on January 29.

#### **D. Berserke on the Squirrel**

Mayor Zoldos said the event was successful despite problems with the tents getting blown away the night before. There were more than 100 attendees and the "re-gifting" worked well for prizes. The event also received great media coverage. Several new local businesses participated in the event and the attendees have been added to the Friday email list.

#### **E. MayFest Committee**

Councilwoman Carder reported the next meeting will be held on January 22. There are six confirmed vendors and the Committee has been contacted by several bands who would like to perform.

#### **F. Oktoberfest Committee**

There was no report for the Oktoberfest Committee.

### **Additions/Deletions/Modifications to the Agenda**

Mayor Zoldos asked if there any changes to the agenda. There were none.

### **Approval of Town Council Minutes**

#### **A. Town Council Regular Meeting – November 15, 2012**

Mayor Zoldos asked if there were any changes to the minutes. Hearing none, he called for a motion.

**Motion:** I move to accept the minutes of the Regular Meeting for November 15, 2012.

**By:** Council Member Carder

**Second:** Council Member Allar

Mayor Zoldos called for discussion. Hearing none, he called for the vote.

**Aye:** Council Members Allar, Burden, Carder, Gray, and McIntyre

**Nay:** None

**Abstain:** None

**Absent:** Council Member Senate

### **Report from the Treasurer**

There was no report from the Treasurer.

### **Staff Reports**

#### **A. Report from the Project Manager**

The Project Manager discussed the Request for Proposals (RFP) process for the Town Hall expansion. Staff would like to release the RFP next week. There were no questions from the Council.

#### **B. Report from the Zoning Administrator**

The Zoning Administrator announced that the Town's application to Tree City USA has been approved.

C. Report from the Town Attorney

There was no formal report from the Town Attorney.

D. Report from the Town Manager

Manager Markel reported on the following:

- The fire hydrant on East Broad Way that was damaged by a school bus has been replaced. The insurance company for the school system is paying for the repairs.
- Testing of the new wireless hand-held meter readers for the utility system begins the week of January 14. The conversion to radio reads will make the data collection process more efficient.
- The Town Manager and the Zoning Administrator attended a Visit Loudoun meeting on January 10. At the meeting, the County's Rural Economic Development Council (REDC) presented the findings of their report regarding the rural economy and tourism in Western Loudoun. Staff will arrange for REDC to present the information at a future Town Council meeting.

**Action/Discussion Items**

A. Floodplain Management Ordinance

Zoning Administrator Hynes presented this item. Council is being asked to authorize the Planning Commission to move forward with amending the Lovettsville Floodplain Management Ordinance to meet one of the three requirements necessary in applying to become a member of the National Flood Insurance Program (NFIP). To join the NFIP, Lovettsville must submit an application package that includes the following information:

- 1) Application for Participation
- 2) Town Resolution of Intent
- 3) Floodplain Management Ordinance

In 2001, the Town Council adopted the resolution entitled "Participation in National Flood Insurance Program (NFIP)" and adopted the 2001 Floodplain Management Ordinance. Staff submitted these documents, with the Lovettsville application to join the NFIP, in July 2001. However, the application was denied because the adopted ordinance did not meet NFIP requirements.

Staff is requesting authorization for the Planning Commission to move forward with removing the 2001 Floodplain Management Ordinance and replacing it with the new 2013 Floodplain Management Ordinance, which will be based on the NFIP model ordinance. The Zoning Administrator noted this will require a public hearing since this involves a change to the Town's Zoning Ordinance.

Mayor Zoldos called for questions. Councilman McIntyre asked if anyone had come to the Town about applying for flood insurance. Zoning Administrator Hynes said that after Hurricane Sandy the Town received emails from a couple of people about not being able to apply for flood insurance, and asking the Town to look into this. Manager Markel said there is minimal floodplain in the Town and there are no houses currently constructed in the floodplain. Participating in the NFIP will allow all residents of the Town to apply for floodplain insurance. Hearing no further discussion, Mayor Zoldos called for a motion.

**Motion:** I move that the Town Council authorize the Planning Commission and Staff to review the National Floodplain Insurance Program requirements and prepare any amendments to the current Lovettsville Floodplain Management Ordinance that would be necessary for the Town to qualify for coverage in the NFIP and bring these recommendations back to the Town Council for final review and possible adoption.

**By:** Council Member Burden

**Second:** Council Member Carder

Mayor Zoldos called for discussion on the motion. Hearing none, he called for the vote.

**Aye:** Council Members Allar, Burden, Carder, Gray, and McIntyre

**Nay:** None

**Abstain:** None

**Absent:** Council Member Senate

**B. R-1 Open Space Requirements**

Zoning Administrator Hynes presented this item. Council is being asked to consider authorizing the Planning Commission and Staff to review and recommend amendments to the R-1 Open Space Requirement within the Town's Zoning Ordinance.

Requirements under the R-1 zoning district calls for open space lots for all parcels. The open space area requirements do not specifically state that they only apply when creating a large subdivision, however the wording suggests that may have been what was intended. After working with landowners on proposals for subdividing smaller properties, Staff realized this requirement is ambiguous and very restrictive. For example, a private land owner with a three acre parcel in Town would lose one acre of developable land in order to meet the open space requirement. The current open space requirement also requires the formation of a Home Owners Association to maintain the open space.

Mayor Zoldos asked if there were any questions. Councilman McIntyre asked if there was any minimum lot size in place now. Zoning Administrator Hynes said the 35% open space requirement applies to all parcels, regardless of size. Hearing no further discussion, Mayor Zoldos called for a motion.

**Motion:** I move that the Lovettsville Town Council authorize Planning Commission and Staff to review the current open space requirements in the R-1 district and to prepare any amendments to the Ordinance that the Commission feels would be beneficial to the Town for final review and possible adoption by Town Council.

**By:** Council Member Gray

**Second:** Council Member McIntyre

Mayor Zoldos called for discussion on the motion. Hearing none, he called for the vote.

**Aye:** Council Members Allar, Burden, Carder, Gray, and McIntyre

**Nay:** None

**Abstain:** None

**Absent:** Council Member Senate

**C. SCADA Design Scope for Waster System**

Project Manager Fellers presented this item. Council is being asked to approve Dewberry/CH2M Hill On-call Engineering Team to provide Design, Consulting and Service during Construction for the Water SCADA System Upgrade.

The SCADA (Supervisory Control and Data Acquisition) system is a computer and communication system that allows the three water treatment facilities and the storage tanks to communicate and react to changes in the system. The existing system is utilizing out-of-date software which the Town has limited ability to modify independently. In addition, because of the type and age of the software, there is only one company that can provide support to the programming of the software.

In February 2012, Dewberry recommended that the Town evaluate acquiring a new SCADA system similar to the system at the Wastewater Treatment Plant for reliability and to have one standard SCADA system throughout the Town which could be supported by more than one vendor. Loudoun Water is not familiar with the Town's current software and has recommended that the Town change to the software currently being used at the Town's Wastewater Treatment Plant. The requested Task Order is for engineering only and the cost estimate for this work is \$46,275.

Councilman Gray asked if this would help cut down on emergencies that Loudoun Water responds to. Staff said Loudoun Water will still have to respond to emergencies but this will allow them to react more quickly and efficiently due to increase diagnostic capabilities.

Councilman Burden said that when he attended the tour of the Water Treatment Plant he was surprised that there is no electrical backup at the building where the SCADA controls are located. Project Manager Fellers said there is now a small generator that can be brought in and set up in case of a power outage.

Councilman Burden said having to do this manually needs to be changed. He agrees that the SCADA system is expensive but it is something that has been recommended by Dewberry. Mayor Zoldos said that once the new system is in, it will last for decades. Project Manager Fellers said that is what she has been told by Loudoun Water.

Councilman Gray asked if the design has a shelf-life after it has been completed. Project Manger Fellers said she will check on this.

Councilwoman Allar said this is something that needs be done eventually and the Town can either take a "band aid" approach or fix the system now. Project Manager Fellers confirmed that is correct – they are using an out-of-date software program that cannot do everything they need it to do. There will be a point where they will have to upgrade to a new system. Councilwoman Allar asked if Staff had an idea of what the new system will cost. Project Manager Fellers said she estimates it will be in the range of \$60,000 to \$90,000, in addition to the engineering costs.

Councilman McIntyre asked if there was already \$85,000 in the current budget. Staff confirmed there is \$85,000 in the Capital Budget.

Mayor Zoldos called for additional questions. Hearing none, he called for a motion.

**Motion:** I move that Town Council approve Task Order #10 for Town of Lovettsville Water Supply and Distribution System SCADA System Upgrade Project Design, Consulting and Services During Construction Scope of Services at a cost of \$46,275 plus a \$10,000 contingency and authorize the Mayor or Town Manager to sign the necessary paperwork so staff can issue Notice to Proceed.

**By:** Council Member Burden

**Second:** Council Member Gray

Mayor Zoldos called for discussion. Councilman Burden said this is a lot of money. Some of the money has been budgeted for this year, but there is not enough to complete this project. The Town needs to move forward with the engineering and plan to complete the rest of the work since this is the most important service the Town provides. He strongly supports the project.

Councilman Gray said they do not to want defer the engineering work since they know this needs to be done. There is no way an outdated system will work better, or at the same level, in a couple of years.

Councilman McIntyre asked about the background of the current system. Project Manager Fellers said the software was old when it was put in and the Town is not able to do its own programming on the current system.

Mayor Zoldos called for additional discussion. Hearing none, he called for the vote.

**Aye:** Council Members Allar, Burden, Carder, Gray, and McIntyre

**Nay:** None

**Abstain:** None

**Absent:** Council Member Senate

Mayor Zoldos encouraged everyone to attend the Town's next water and sewer tour.

#### **Information Items**

There were none.

#### **Comments from the Mayor and Town Council**

Councilman Burden said Berzerkle on the Squirrelle was great. He also thanked Mr. Stegmaier for staying for the whole Town Council meeting.

Councilwoman Allar said Berzerkle on the Squirkle was great from her perspective as a participating business owner and that the people she talked to had a great time.

Councilwoman Carder said she got a lot of positive feedback on the Town's Facebook page regarding the Berserkle event and the community outreach using different communications channels is working well.

Councilman Gray said he recently attended the Board of Review for two Eagle Scout candidates, including one Scout who built the dugout at the Lovettsville Game Club. He said he came upon a four-car accident on Mill Town Road tonight and reminded everyone to leave enough distance between vehicles when driving.

Councilman McIntyre addressed Mr. Stegmaier and said the Town is incredibly diverse. The Councilman also said he is looking forward to helping select the Movies on the Green.

Mayor Zoldos reported on the following:

- He thanked everyone for their assistance with Berserkle on the Squirkle. They are working on replacement parts for the tents that were blown away. They will put the banner out earlier next year.
- The Community Center has teen volunteers that the Town can use for its events.
- He received a letter about a house that was vandalized in Town. This has been referred to Deputy Lopreto for follow up. The letter ended with a nice comment about the great things going on in Town.
- Baseball opening day is April 20, 2013.
- The Board of Supervisors voted to go with the new build for the Lovettsville Community Center; however, the bond covers renovations only so a new source of funding will be needed. The Town has two concerns – the new alternative does not include any space for additional services and it does not include any improvements to the pool house, which needs refurbishing.
- He will be participating in several upcoming community events with the Brownies, Cub Scouts, and the Lovettsville Parent Teachers Organization.
- The light for the flag pole will be replaced.
- The Selection Committee for the Water/Sewer Rate Study met with the two vendors and made a selection. This study will help the Town determine the right fee for water/sewer service based on infrastructure improvements that are needed to maintain the system.
- He and the Town Staff will be meeting with English Construction to discuss concerns about the third module of the Wastewater Treatment Plant.
- If there are concerns about the next meeting date (February 14 – Valentine's Day), let him know.
- The outreach to make the Town a destination is working.
- He thanked everyone for the work that they do on behalf of the Town and said he is looking forward to a great year in 2013.

#### **Closed Session**

There was no Closed Session.

#### **Adjournment**

There being no further business before the Council, the meeting was adjourned at 8:58 PM.

Respectfully submitted,



Harriet West, Town Clerk

Date Approved: February 28, 2013

Attachments:  
None