

Town of Lovettsville

Town Council Minutes of the March 13, 2014 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 March 13, 2014 at the Lovettsville Town Hall, 6 East Pennsylvania Avenue, Lovettsville, VA.

Council Members Present

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

Staff Present

- Town Manager Keith Markel
- Town Attorney Elizabeth Whiting
- Project Manager Karin Fellers (arrived at 8:00 p.m.)
- Town Clerk Harriet West

Mayor Zoldos announced that the Town Council will be going into closed session to discuss the Loudoun Water contract, the sewer treatment plant, Town Office location, and East Broadway sidewalk update.

Pledge of Allegiance

Mayor Zoldos led those assembled in the Pledge of Allegiance.

Presentations

A. Lion's Club Diabetes Alert Day Proclamation

Diane Chang gave a presentation on diabetes awareness and prevention. Mayor Zoldos called for a motion. Vice Mayor Senate made the following motion and read Resolution 2014-03-001 (Attachment 1).

- Motion:** I move to approve Resolution 2014-03-001: Proclamation of March 25, 2014 as the American Diabetes Association Alert Day in the Town of Lovettsville.
- By:** Vice Mayor Senate
- Second:** Council Member Gray
- Aye:** Council Members Allar, Burden, Carder, Gray, McIntyre, and Senate
- Nay:** None
- Abstain:** None
- Absent:** None

Mayor Zoldos signed the Resolution and presented it to Diane Chang and the other Lions Club representatives.

B. Lovettsville-Waterford Ruritan Club Presentation to Mayor Zoldos

Vice Mayor Senate introduced Rick Adams, President of the Lovettsville-Waterford Ruritan Club, who presented a plaque to Mayor Zoldos recognizing him as the Ruritan Club's Citizen of the Year for 2013.

Comments from the Public

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

Action/Discussion Items

A. Potomac Partnership

Mayor Zoldos asked that this action/discussion item be moved up in the agenda since Mayor Tome, City of Brunswick, was in the audience. There was no objection from the Council.

Motion: I move that Town Council authorize Mayor Robert Zoldos' execution of the Potomac Partnership at a formal "Signing Ceremony" where all parties would be invited to participate.

By: Council Member Carder

Second: Vice Mayor Senate

Councilwoman Carder discussed how the Potomac Partnership would formalize the existing ties with the City of Brunswick, Maryland. Specific initiatives include a formal signing ceremony, a press release, a line item in the Town's budget in the amount of \$500, a Potomac Partnership meeting and dinner, a shared meeting calendar, and cross-promotion of upcoming events.

Councilman McIntyre said he thought this was a great initiative but shared his concerns about staffing and potential conflicts with other events. He noted it was difficult to get a We're In booth staffed during MayFest. Councilwoman Carder said they could target specific events that they would make a commitment to be at. She said there are a lot of opportunities for cross-promotion, sharing resources, and building on each other's strengths, without duplicating efforts.

Mayor Tome said former Mayor Elaine Walker would be very enthusiastic about this. She added that in no way do they want to pull volunteers from the Town; rather, the Potomac Partnership memorializes the great partnership they have already. Mayor Tome read the Potomac Partnership Resolution that was approved by the Brunswick City Council Tuesday, on March 11, 2014 (Attachment 2).

Mayor Zoldos said the City and the Town are dealing with a lot of the same issues. He is looking forward to having a shared calendar, but also the potential for sharing resources, like equipment that is needed once or twice a year.

Following further discussion, Mayor Zoldos called for the vote.

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

Nay: None

Abstain: None

Absent: None

Community Presentations

A. Loudoun County Sheriff's Office

Deputy LoPreto gave updates on the recent check point set up on S. Loudoun Street and Internet fraud. Mayor Zoldos said the next Neighborhood Watch meeting will be on protecting yourself from fraud and scammers.

There were no other community presentations.

Town Commission and Committee Reports

A. Lovettsville Planning Commission

Manager Markel said the Planning Commission will be considering the R-1 Zoning Ordinance amendment to allow community centers as a Conditional Use Permit at their meeting on March 19, 2014. The Community Center application will be coming before the Planning Commission after the County provides the architectural elevations.

B. Parks Committee

Vice Mayor Senate said he and Project Manager Fellers will be accepting the award from the Community Appearance Alliance for the Walker Pavilion.

C. MayFest Committee

Councilwoman Carder reported there are currently 22 vendors and 5 sponsors. She added that there will be a 40x40 beer tent, pony rides, and games.

D. We're In Committee

Manager Markel gave an update on the business directory, which will be available in time for MayFest.

E. Oktoberfest Committee

Councilman McIntyre gave updates on the new Oktoberfest website and the nomination for Visit Loudoun's Tourism Event of the Year award.

Additions/Deletions/Modifications to the Agenda

Mayor Zoldos asked to add Item "D. Lovettsville Illumination Team" to discuss the creation of the committee to provide recommendations on street lighting. There was no objection from the Council.

Minutes

A. Town Council Special Meeting – February 11, 2014

Motion: I move to accept the minutes of the February 11, 2014 Special Meeting.

By: Council Member Carder

Second: Council Member Gray

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

Nay: None

Abstain: None

Absent: None

B. Town Council Special Meeting – February 20, 2014

Motion: I move to accept the minutes of the February 20, 2014 Special Meeting.

By: Council Member Carder

Second: Council Member Allar

Aye: Council Members Allar, Burden, Carder, Gray, and Senate

Nay: None

Abstain: Councilman McIntyre

Absent: None

Report from the Treasurer

There was no report.

Staff Reports

A. Report from the Project Manager

Project Manager Fellers discussed the need to select lighting for the East Broad Way project and suggested the creation of a small committee to review the options and provide recommendations to the Town Council.

B. Report from the Zoning Administrator

There was no report.

C. Report from the Town Attorney

Town Attorney Whiting said she will be attending a conference on March 27 and will not be available for the Town Council meeting that night. She will coordinate with the Town Manager on anything needed of her for that meeting.

D. Report from the Town Manager

Town Manager Markel gave updates on the code codification process and the installation of new valves at strategic locations in the oldest part of Town and on S. Berlin Pike to replace a damaged valve. Staff will work to minimize the impact on residents and businesses when the repairs are made.

Action/Discussion Items

B. FY 2015 Budget Parameters

Manager Markel presented this item. He provided the County's assessment data, which provides part of the Town's revenue, and noted that real estate revenue is projected to increase by approximately \$61,000. He asked the Mayor and Council for input on specific items they would like to see included in the preliminary budget.

Councilman McIntyre asked about possible changes to the Town's current insurance policy that would provide coverage for Town volunteers.

Vice Mayor Senate reminded everyone that he would like to see the implementation of the annual increase in the donation that the Town gives to the Lovettsville Volunteer Fire and Rescue Company.

C. Employee Policies/Town Benefit Package

Manager Markel presented this item. The draft personnel policies, which are based largely on the draft policy for the Virginia Municipal League and input from other towns in Loudoun County, have been reviewed by the Mayor and Vice Mayor. The policies will apply to current staff and any new staff the Town may hire. The document also includes benefits the Town is currently offering, as well and proposed new benefits.

In response to questions from Councilman McIntyre and Gray, Manager Markel discussed the provisions for annual leave and sick leave.

Vice Mayor Senate said they looked at many other towns that are similar in size to Lovettsville.

Manager Markel asked the Council Members to review the draft policies and send him comments. He will prepare the final version of the document and bring it back to the Town Council next month.

D. Lovettsville Illumination Team

Mayor Zoldos presented this item. He discussed establishing a small work group to review street lighting options and provide recommendations to the Town Council. The group would include one Town Council member, one Planning Commission member, the Project Manager, the Town Manager, and the Mayor. Jennifer Jones offered to represent the Planning Commission and Kimberly Allar offered to represent the Town Council. Project Manager Fellers said they would also invite a local representative of the Dark Sky initiative to attend. Councilmember Gray said he would like to review the lighting specifications.

Information Items

There were no information items.

Comments from the Mayor and Town Council

Councilwoman Carder said the next MayFest meeting is March 18 at 7:30 p.m. and she reminded everyone about the free networking event in Brunswick on March 19.

Councilman Gray said he participated in the family reading night at the library and noted that Lovettsville is now officially on the Visit Loudoun map.

Councilman McIntyre said the Lovettsville Cooperative Market is sponsoring a series of films about food at the library. He also provided information about a fundraiser the Friends of the Library will be hosting on May 3 – a murder mystery dinner theatre.

Mayor Zoldos reported on the following:

- Harmony Middle School recently sponsored their first bingo, which was very well attended.
- He thanked Vice Mayor Senate for attending the Pavilion Awards luncheon on March 14.
- The next Lovettsville Watch meeting is on March 15 and will address scamming.
- The Volunteer Fest Planning Meeting will be held on March 26.
- The next Lovettsville Elementary School bingo is on April 4.
- Loudoun County Youth Football has asked to use the Town's fields.

- They hope to unveil the new recycling containers next week.
- They have asked Supervisor Higgins to give an update on the new Community Center project either before the Town Council or Planning Commission. He noted this is the County's project.
- He has responded to residents' questions and concerns about the Town's water quality, overall cost, and high bills for the past quarter. The Town will continue to use Alert Loudoun for emergency notifications and will also be able to use the County's Reverse 911 system, which can call everyone in Town with a recorded message.
- Baseball opening day will be on Saturday, April 26. The Town will provide general support, including helping out with the parade.

Closed Session

Vice Mayor Senate made a motion for the Town Council to convene in closed session to discuss the following: 1) possible acquisition of property for Town Hall construction and East Broad Way improvements; 2) consultation with legal counsel and staff regarding the wastewater treatment plant construction; and 3) the award of a public contract with Loudoun Water (Attachment 3).

Motion By: Vice Mayor Senate
Second: Council Member Gray
Aye: Council Members Allar, Burden, Carder, Gray, McIntyre, and Senate
Nay: None
Abstain: None
Absent: None

The Mayor and Council went into closed session at 8:45 p.m. and reconvened in open session at 11:05 p.m. All Council Members certified that only public business matters lawfully exempt from the open meeting requirements under the Virginia Freedom of Information Act were discussed and that 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 Lovettsville Town Council.

Adjournment

There being no further business before the Council, the meeting was adjourned at 11:06 p.m.

Respectfully submitted,



Harriet West, Town Clerk

Date Approved: April 24, 2014

Attachments:

1. Resolution 2014-03-001
2. City of Brunswick Resolution 2014-03
3. Motion for Closed Session

Town of Lovettsville

Resolution No. 2014-03-001: Proclamation of March 25, 2014 as the American Diabetes Association Alert Day in the Town of Lovettsville

MOTION: Senate
SECOND: Gray

WHEREAS, Nearly 26 million Americans – including more than 531,000 in the Commonwealth of Virginia and nearly 8% of the adult population in Loudoun County – have diabetes, a serious disease that has no cure; and

WHEREAS, approximately a quarter of the people with diabetes (7 million Americans) don't know that they have the disease; and

WHEREAS, another 79 million, or one in three American adults have prediabetes, a condition that puts them at greater risk for developing type 2 diabetes; and

WHEREAS, diabetes has many faces affecting everyone young and old alike, including: Caucasians, African Americas, Latinos, Native Americans, Asian Americans and Pacific Islanders; and

WHEREAS, minority populations in the United States have an increased risk for developing type 2 diabetes; and

WHEREAS, one in three American adults will have diabetes by 2050, if current trends continue; and

WHEREAS, diabetes is the seventh-leading cause of death by disease in the United States; and

WHEREAS, people with undiagnosed diabetes may experience damage to the heart, eyes, kidneys and limbs – without producing any symptoms; and

WHEREAS, an increase in community awareness of risk factors and symptoms related to diabetes can improve the likelihood that people with diabetes will get the attention they need before suffering the devastating complications.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Town Council hereby proclaim March 25, 2014, to be American Diabetes Association Alert Day in the Town of Lovettsville. We encourage all Americans to help fight this disease and its deadly complications such as heart disease, stroke, blindness, kidney disease and amputation by increasing awareness of the risk factors for diabetes, making healthy lifestyle choices and providing support to those suffering from diabetes.

VOTE:

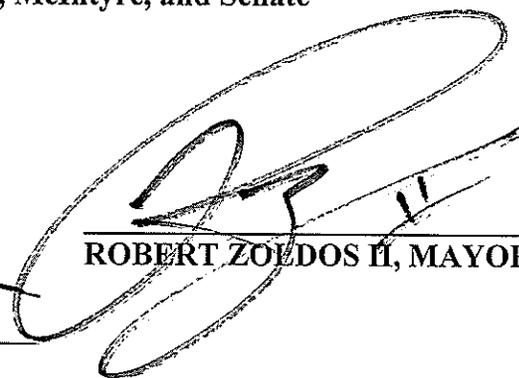
Ayes: Allar, Burden, Carder, Gray, McIntyre, and Senate

Nays: None

Abstentions: None

Absent for vote: None

APPROVED: March 13, 2014



ROBERT ZOLDOS II, MAYOR



HARRIET WEST, TOWN CLERK

The German Settlement

Resolution 2014-03

RECOGNITION OF THE POTOMAC PARTNERSHIP

WHEREAS, Brunswick, Maryland is in close proximity to Lovettsville, Virginia, a city located in Loudoun County, Virginia that borders the Potomac River; and

WHEREAS, the Mayor and Council of Brunswick, Maryland and the Town Council and Mayor of Lovettsville, Virginia seek to formalize a relationship to establish close cultural, commercial, and municipal relations between the two wonderful neighboring communities; and

WHEREAS, Brunswick and Lovettsville have developed a mutual understanding and a friendship across the river to broaden the regional presence of each respective municipality; and

WHEREAS, Brunswick and Lovettsville shall open the lines of the communication between the two states and provide an open-forum to share ideas and resources from their respective communities; and

WHEREAS, Brunswick and Lovettsville are full of enterprising small business owners with unique and complementary businesses who could benefit from a regional partnership; and

WHEREAS, the leadership of Brunswick and Lovettsville recognize that a regional partnership will promote retail synergy by encouraging residents of the area to patronize local businesses on both sides of the river; and

WHEREAS, on March 11, 2014, representatives of Brunswick, Maryland approved a Memorandum of Understanding with Lovettsville, Virginia memorializing their intent to enter into a partnership, and recognizing this unique relationship called the Potomac Partnership; and

WHEREAS, both communities, through their respective organizations, will endeavor to promote official visits between local officials, as well as community and business leaders; to support and encourage tourism; to develop business and commercial opportunities; to boost exchanges and ideas in managing a municipality;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of Brunswick hereby authorizes the establishment of a Potomac Partnership arrangement with the Town of Lovettsville, Virginia and further authorizes the Mayor to take all appropriate measures necessary for the implementation of the relationship; and

BE IT FURTHER RESOLVED, that a copy of this Resolution be presented to representatives of the Town of Lovettsville in token and recognition of the friendship between our two municipalities, and in anticipation of a prosperous relationship between Brunswick and Lovettsville.

INTRODUCED at a regular meeting of the Mayor and Council of the City of Brunswick
on March 11, 2014.

PASSED this 11th day of March, 2014 by a vote of ____ for; ____ against, ____ abstaining and ____ absent.

ATTEST:

**COUNCIL OF THE CITY OF
BRUNSWICK**

By: _____

Bob McGrory

Name: Walter S. StullIII

City Administrator

Title: Mayor Pro Tem

APPROVED this 11th day of March, 2014.

ATTEST:

Bob McGrory

Karin B. Tome

City Administrator

Mayor

Town of Lovettsville

VIRGINIA FREEDOM OF INFORMATION ACT Resolution: AUTHORIZE CLOSED SESSION

Date: 03/13/14

Time: 8:45 pm

MOTION BY: Vice Mayor Seant E

I move that the Lovettsville Town Council convene in closed session pursuant to Va. Code section 2.2-3711 A

1. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals,

③ Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, *with regard to acquisition of property for Town Hall construction and construction of East Brook Way improvements, and*

4. The protection of the privacy of individuals in personal matters not related to public business,

5. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community,

6. Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected,

⑦ Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; ^{and} consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel ~~[For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter];~~ *with regard to the waste water plant construction; and*

19. Discussion of plans to protect public safety as it relates to terrorist activity and briefings by staff members, legal counsel, or law-enforcement or emergency service officials concerning actions taken to respond to such activity or a related threat to public safety; or discussion of reports or plans related to the security of any governmental facility, building or structure, or the safety of persons using such facility, building or structure,

Town of Lovettsville

29. Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, with regard to a contract with Loudoun Water;

33. Discussion or consideration of confidential proprietary records and trade secrets excluded from this chapter pursuant to subdivision 18 of § 2.2-3705.6,

40. Discussion or consideration of records excluded from this chapter pursuant to subdivision 3 of § 2.2-3705.6 [Confidential proprietary records, voluntarily provided by private business pursuant to a promise of confidentiality from a public body, used by the public body for business, trade and tourism development or retention; and memoranda, working papers or other records related to businesses that are considering locating or expanding in Virginia, prepared by a public body, where competition or bargaining is involved and where, if such records are made public, the financial interest of the public body would be adversely affected],

with regard to [person, issue or property subject of discussion]



And thereafter reconvene in open session for action as appropriate.

SECOND: GRAY

VOTE:

Ayes: Allan, Burden, Candan, Gray, McIntyre, Senatz
Nays: 0
Abstentions: 0
Absent for vote: 0

Roll-call poll by presiding official:

"Do you certify to the best of your knowledge that (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the Lovettsville Town Council?"

When polled as to whether (i) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting, the following members stated "Aye:"

March 13, 2014 at 11:05 PM

Certified: