

Town of Lovettsville

Town Council Minutes of the May 9, 2013 Regular Meeting

Call to Order/Pledge of Allegiance

Mayor Robert Zoldos II called the Regular Meeting of the Lovettsville Town Council to order at 7:37 p.m. on Thursday, May 9, 2013 at the Lovettsville Town Hall, 6 East Pennsylvania Avenue, Lovettsville, VA.

Present at Meeting

- Mayor Robert Zoldos II
- Vice Mayor Mike Senate
- Council Member Kimberly Allar
- Council Member Tiffany Carder
- Council Member Rodney Gray

Staff

- Town Manager Keith Markel

Absent

- Council Member Jack Burden
- Council Member James McIntyre

Mayor Zoldos noted that Council Members Burden and McIntyre are out of Town. The Mayor said they were not sure if they would have a quorum for tonight's meeting so several Staff members were instructed that they did not need to come back in.

Closed session

Mayor Zoldos announced there would be no Closed Session tonight.

Pledge of Allegiance

Mayor Zoldos led those assembled in the Pledge of Allegiance.

Presentations

There were no presentations.

Comments from the Public

There were no comments from the public.

Community Presentations

There were no community presentations.

Town Commission and Committee Reports

A. Lovettsville Planning Commission

Manager Markel said the Planning Commission would be meeting next Wednesday to review the hours of operation and open space requirements.

B. Parks Committee

Vice Mayor Senate gave an update on the construction of the Walker Pavilion and color selection for the Quarter Branch Park Facility. Mayor Zoldos noted that the color selection is Item B on tonight's agenda.

C. "We're In" Committee

Claudia Geary said the business/community directory is nearly ready and is at the printer. Councilwoman Carder said the "We're In" Committee will have a table at MayFest. Mayor Zoldos said they have received more than 20 submissions for the Town Seal competition.

D. MayFest Committee

Councilwoman Carder gave an update on vendors and sponsors. She thanked Fuog/InterBuild for becoming a Silver Sponsor and for working so hard to have the pavilion completed in time for MayFest. She thanked Councilwoman Allar, Councilman Gray, Vice Mayor Senate, and Manager Markel for their assistance.

E. Oktoberfest Committee

Mayor Zoldos said the committee will be meeting soon to select the bands.

Additions/Deletions/Modifications to the Agenda

Mayor Zoldos said he would like to wait on the Town Council compensation issue until they have a full Council, but that they could bring it up tonight as an information item.

Minutes

A. Town Council Public Hearing and Regular Meeting – February 28, 2013

Motion: I move to adopt the minutes for the Public Hearing and Regular Meeting of February 28, 2013.

By: Council Member Carder

Second: Council Member Allar

Mayor Zoldos asked if there were any Staff changes. Manager Markel said there were none. Mayor Zoldos called for discussion. Hearing none, he called for the vote.

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

Nay: None

Abstain: None

Absent: Council Member Burden and McIntyre

B. Town Council Regular Meeting Reconvened March 7, 2013

Motion: I move to accept the minutes as presented for March 7, 2013.

By: Vice Mayor Senate

Second: Council Member Carder

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

Aye: Council Members Allar, Carder, and Senate

Nay: None

Abstain: Council Member Gray

Absent: Council Member Burden and McIntyre

Report from the Treasurer

The Financial Report for March 2013 was deferred until the next meeting.

Staff Reports

A. Report from the Project Manager

There was no written report from the Project Manager. Manager Markel said the inspection and cleaning of the sewer lines in the Old Town area has been completed. They identified several areas that will require repairs.

B. Report from the Zoning Administrator

In response to a question from Councilwoman Allar, the Mayor, Council, and Manager Markel discussed the status of Catoctin Coffee operating at Andy's Restaurant on Tuesday mornings. The owners of Catoctin Coffee have stated they are only acting as the supplier to Andy's. Councilwoman Allar asked how the Town enforces the business license requirement. Manager Markel said it would be handled through the zoning violation process which includes fines and possible court action.

Councilman Gray asked about the occupancy of a house currently zoned commercial, near the Montessori Pre-School. He added there is also a lot of junk on the property. Manager Markel said Staff is aware of the situation. The property is zoned a "mixed use commercial dwelling," which is not defined in the Town's Zoning Ordinance. The Zoning Administrator has determined as long as there is a

functioning commercial use, the occupant could also occupy the residence. Manager Markel said the Town does not have a nuisance ordinance to control the appearance of the yard.

C. Report from the Town Attorney

There was no report from the Town Attorney. Manager Markel said the Town Attorney is reviewing the contract documents for the online credit card payment tool. She is also working on the bond release for Kingsridge and a new bond acceptance for Town Center, Section 4.

D. Report from the Town Manager

Manager Markel gave an update on preparations for the Walker Pavilion ribbon cutting. There were no questions from the Council.

Action/Discussion Items

A. 5 North Berlin Landscape Modifications

Manager Markel presented this item. Staff has been working with the Applicant on the landscape modifications and all of the issues have been addressed. The Applicant will still need to work with VDOT on the driveway entrance requirements.

Motion: I move that the Lovettsville Town Council ratify the Planning Commission decision to approve the reduction of the requirements to the landscape plan for 5 North Berlin Pike with the modified agreement on May 9 with the requirements as agreed to by the Applicant and Staff.

By: Council Member Carder

Second: Vice Mayor Senate

Mayor Zoldos called for discussion. Councilwoman Carder stated part of the reasons for the Type A buffer was to make the space more usable for a commercial purpose. She said Staff has been working with the Applicant to make sure they have enough useable space for their business and that they have done an excellent job of bringing another business to Town. Manager Markel said the Planning Commission and Town Council have been very flexible with the landscape requirements to make the project viable on the site. Mayor Zoldos called for further discussion. Hearing none, he called for the vote.

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

Nay: None

Abstain: None

Absent: Council Member Burden and McIntyre

B. Quarter Branch Park – Support Facility Color Selection

Mayor Zoldos said he and the Town Manager took pictures of numerous barns in the surrounding area earlier that day. Councilwoman Carder questioned the process and use of Staff time. Mayor Zoldos stated it was an appropriate use of Staff time since the Council needed to make a decision tonight and no one else had taken any pictures, as was agreed to at the last Town Council meeting.

Manager Markel showed numerous photographs of barns in the surrounding area and discussed the various color combinations for siding, roofing, and trim. He said the colors are predominantly what the Council discussed at the last meeting, cream siding with a green roof or red siding with a black roof.

Mayor Zoldos said that at the last meeting they ended with two choices. He thought they had agreed to get photographs to help make a decision for tonight. The photographs presented tonight are a fair representation of the surrounding area and include barns of all different colors. He said it is important for the Council to make a color selection tonight so they do not slow the project down. Mayor Zoldos called for discussion or for a motion to select a color for the Quarter Branch Park facility.

Councilman Gray said he was unable to take any pictures but he has observed that the newer barns are predominantly lighter colors; whereas, most of the older barns are red.

The Mayor and Council discussed the various color options and their preferences.

Motion: I move to adopt the colors of Autumn Tan for the siding, Timber Bark for the trim, and a green roof.

By: Council Member Carder

Second: Council Member Gray

Mayor Zoldos called for discussion. Vice Mayor Senate asked to see the color samples. The Council Members discussed other alternatives for the roof color. Following this discussion, Councilwoman Carder modified her motion to strike the roof color of green from the motion. She restated her motion as follows: I move to adopt Autumn Tan for the siding of the barn and Timber Bark as the trim.

Mayor Zoldos confirmed that Councilman Gray accepted the friendly amendment. The Mayor then called for discussion on the motion. Hearing none, he called for the vote.

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

Nay: None

Abstain: None

Absent: Council Member Burden and McIntyre

Information Items

Mayor Zoldos asked if there were any information items to come before the Council.

Councilwoman Carder said she would like to discuss the Town Council compensation. Mayor Zoldos said it should be discussed before the full Council. Councilwoman Carder said she did not want to move on it without the other Council Members, but she would just like to see the updated information from Staff. The Council Members then reviewed the information on town officials' annual compensation in other Northern Virginia towns and options for increasing the Lovettsville Town Council's compensation. Mayor Zoldos discussed how the former Mayor's compensation was established and noted that the Mayor's compensation is roughly four times that of the Town Council. He also discussed the current expectations for Council Members to be actively involved in running various Town events in order to leverage existing staff resources. He noted that the Town of Leesburg is proposing to double the compensation for its Town Council. He said the Council Members should not have to lose money as a result of their service to the Town. The Mayor and Council discussed increasing the compensation to make it easier for the Council Members to serve the Town. Mayor Zoldos said they would bring this up for further discussion at the next meeting.

Comments from the Mayor and Town Council

Councilman Gray discussed the recent attempted break-in on Quarter Branch Road and parking on baseball opening day.

Vice Mayor Senate said he recently attended a fire and rescue conference in Nevada and learned that many towns and cities across the United States have privatized their fire and rescue services.

Councilwoman Carder said she completed the Lovettsville Community Center's 5K run.

Councilwoman Allar said she has been working on MayFest and Memorial Day. She contacted Woodgrove High School about getting a trumpeter for the Memorial Day Ceremony.

Mayor Zoldos reported on the following:

- The tree planted for Arbor Day has been damaged.
- The new Civil War Trails sign was recently unveiled.
- He recently attended Home Owners Association meetings for Heritage Highlands and Town Center.
- The Daisy Scouts planted flowers at Town Hall.
- He and Councilman McIntyre attended the Commonwealth Coffee event and discussed transportation issues with Senator Warner's staff.

Manager Markel discussed upcoming meetings to discuss the budget. He will incorporate the adjustments to the Council Member's compensation for the upcoming public hearing, based on the proposed rate of \$2,400. He has made the other adjustments that were discussed previously.

Closed Session

There was no closed session.

Adjournment

There being no further business before the Council, the meeting was adjourned at 9:37 p.m.

Respectfully submitted,



Harriet West, Town Clerk

Date Approved: July 11, 2013

Attachments:
None