

# Town of Lovettsville

## Minutes of the Town Council Special Meeting May 15, 2014

### Call to Order/Pledge of Allegiance

Mayor Robert Zoldos II called the Special Meeting of the Lovettsville Town Council to order at 7:32 p.m. on May 15, 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

### Audience

- Council-Elect Member Jennifer Jones

### Staff Present

- Town Manager Keith Markel
- Treasurer Lance Gladstone

### Pledge of Allegiance

Mayor Zoldos led those assembled in the Pledge of Allegiance.

### Closed Session

Mayor Zoldos announced there may be a closed session at the end of the meeting to discuss pay and performance for Town employees and possible Town acquisition of land for the Town Office.

### Public Comment

Mayor Zoldos called for comments from the public.

Jim Kane, 39 East Broad Way, said there are six tax groups in the Town. He lives in group 171, which are homes built after 1950. He said that his home is one of the few on his street built after 1950. He said that tax group saw a 24% increase in the assessment on their homes. Since the assessment on his house went up 24%, he is looking at a big tax increase; therefore, he is asking the Town Council to consider lowering the tax rate. He said there are 111 homes in this tax group. Manager Markel said Mr. Kane was the first one to bring this to the Town's attention. The County's Commissioner of Revenue's office handles the assessment and the average increase was 3.44%, including commercial. Manager Markel said a double-digit increase sounds high and noted that there is a mechanism in place for residents to appeal the County's assessment. Manager Markel said the Town's assessment would be adjusted if the County's assessment changes.

### Action/Discussion Items

#### A. Advertised Budget, CIP, Rates, Fees

Manager Markel presented this item. He said the advertisement ran this past week in preparation for the public hearing on May 22, 2014. There have been no concerns from the public other than the issue raised by Mr. Kane. Manager Markel presented an updated Utility Budget which reflects ending the Town's contract with Loudoun Water and bringing everything in-house.

The Council discussed possible changes to the Town Hall entrance to improve staff efficiencies. Manager Markel said he likes the concept but the question is how much work would be required to move the entrance to the rear of the building, including making it ADA compliant, and the cost for doing so.

The Council also discussed the budgeted amounts for employee mileage reimbursement; the new tractor and implements; mulch, seeding, and landscaping; finishing out the interior of the Quarter Branch barn; and insurance for event volunteers.

Mayor Zoldos said staff suggested increasing the budget for "We're In" by \$2,000 to help offset the cost of the business directory since ad sales were down this past year. The Council discussed the committee's needs and role in helping promote local businesses. Following discussion, the Council agreed to move \$1,000 from the Events Committee to the "We're In" budget.

Mayor Zoldos suggested using \$25,000 budgeted for a new Town vehicle for a Town information sign, a trailer for hauling equipment, and a small electric vehicle for in-Town uses. The estimated cost for all three items is \$24,000. Following discussion, the Council agreed to explore this further.

Manager Markel discussed providing flexibility for administrative salaries under the general fund to reward staff for outstanding service or to make other salary adjustments throughout the year. He noted that there is a 3% cost-of-living-adjustment included in the budget. The Council agreed to consider this further.

### **Closed Session**

The Mayor and Council went into closed session at 9:13 p.m. to discuss the possible acquisition of real property for the Town Hall expansion and the Town Manager's review (Attachment 1). The Mayor and Council invited Council Member-Elect Jennifer Jones to attend the closed session.

The Mayor and Council came out of closed session at 10:40 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 were heard, discussed, or considered in the meeting by the Lovettsville Town Council.

### **Acquisition of 12A Pennsylvania Avenue**

Mayor Zoldos called for a motion.

**Motion:** I move that the Town Council direct the Mayor to sign all necessary documentation to purchase the parcel at 12A Pennsylvania Avenue at the agreed to price, once in a form acceptable to the Town Attorney, unless any unforeseen issues arise such as issues related to the home inspection or parcel access.

**By:** Council Member McIntyre

**Second:** Vice Mayor Senate

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

**Nay:** None

**Abstain:** None

**Absent:** None

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

Mayor Zoldos reported on the following:

- He will include information about MayFest and GK's BBQ in this week's Mayor's Message.
- There is a group of concerned parents, known as the Lovettsville Easy Riders, who are working with Loudoun County to minimize the time children spend riding the bus. The Mayor and Council noted that this is a County issue but it affects economic development of the Town. Mayor Zoldos suggested making this a topic to discuss with Delegate David LaRock; specifically to try and get VDOT funding to improve the intersection at Rt. 287 and Rt. 9, which is a very congested and leads to extensive traffic delays.
- The swearing in ceremony for newly elected Council members has been scheduled for June 12, 2014.
- There was a recent sewer back-up on Park Place that was not Town-related.
- The small business luncheon will be held on May 16, 2014. Council Members Carder and McIntyre will be attending.

**Adjournment**

There being no further business before the Council, the meeting was adjourned at 10:57 p.m.

Respectfully submitted,



Harriet West, Town Clerk

Date Approved: September 11, 2014

Attachment:

1. Closed Session Motion

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## VIRGINIA FREEDOM OF INFORMATION ACT

### Resolution: AUTHORIZE CLOSED SESSION

Date: 05/15/14

Time: 9:13 pm

MOTION BY: Michael Senate

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,
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; or 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],
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,

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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,

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]~~

*Town Hall Expansion + Town Manager Review*

And thereafter reconvene in open session for action as appropriate.

SECOND: *Senatz*

VOTE: *McIntyre*

Ayes: *McIntyre, Gray, Senatz, Candson, Allan, Bunchon*

Nays:

Abstentions:

Absent for vote:

**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:”**

*May 15*, 2014 at *10:40* PM

Certified:

