

Town of Lovettsville

Town Council Minutes of Regular Meeting March 25, 2010

Mayor Elaine Walker called the regular meeting of the Lovettsville Town Council to order at 8:02 PM on Thursday, March 25, 2010.

Present at Meeting

- Mayor Elaine Walker
- Vice Mayor Robert Zoldos II
- Council Members Charlotte Coleman, Scott Dockum, Michael Senate, Shaun Staley
- Town Manager Keith Markel
- Town Attorney Elizabeth Whiting
- Town Treasurer Lance Gladstone (*arrived 8:40 PM*)
- Project Manager Karin Fellers
- Town Clerk Judy L. Kromholz

Absent

- Council Member Dijon Jones

Audience

Among those present in the audience were Sherri, Kathleen, and Robert Zoldos III, Frank Kromholz, Amanda Staley, Reverend Lee Cosby, Donald Beery, Bing Lam, Chuck Blough, and Fred George

Call to Order/Welcome/Pledge of Allegiance/Invocation

Kathleen and Robert Zoldos III led the assembled in the Pledge of Allegiance.

Comments from the Public (Attachment I: Speaker Sign up Sheet)

No member of the audience signed up to speak.

Community Presentations

A. Lovettsville Volunteer Fire and Rescue Company

President Don Beery presented the Company's monthly report. Councilman Senate presented the monthly fire and rescue reports.

Additions/Deletions/Modifications to the Agenda

Manager Markel asked that the discussion of Town Hall security systems to the next Council meeting to allow time to gather more information.

Presentations

Mayor Walker and the Council presented Mr. Chuck Blough (owner of Lovettsville Pizza and Subs) with a Letter of Commendation, recognizing his 10 years of service to the Lovettsville Elementary School and to the Lovettsville community at large. (Attachment II: Letter of Commendation)

The Council members and many of the audience members thanked Mr. Blough for his continuing service to the community.

Approval of Town Council Minutes

No minutes were presented.

Staff Reports

A. Report from the Project Manager

Manager Markel presented Project Manager Fellers' report dated March 18, 2010. He reported to Council that the Germanna Drive paving project is underway. The sewer Inflow and Infiltration is

continuing. The manhole lining has been completed but additional manhole replacements and pipe lining still needs to be finished.

B. Report from the Zoning Administrator

The Zoning Administrator had no report. Manager Markel informed the Council that Dr. Pruckoski's Conditional Use Permit application will be considered by Planning Commission at their next meeting. They will also consider the Zoning Ordinance Amendment to allow a veterinarian office in the C-1 Zoning District.

C. Report from the Town Attorney

The Town Attorney had no formal report.

D. Report from the Town Manager

The Town Manager had no report at this time.

Report from the Treasurer

A. Financial Report – January 2010

Treasurer Gladstone presented his written report for January 2010. There were no questions concerning the General Fund. Councilman Dockum asked the age of the pumps at Frye Court. Manager Markel stated that he believed they were the original pumps and had exceeded their life expectancy {further research revealed that the existing pumps were not original to the facility but were at least 10 years old}. The new pumps are expected to last 5-10 years. Vice Mayor Zoldos asked if the Frye Court District was still financially self-sufficient and Manager Markel stated that is.

Motion: To approve the January, 2010 Treasurer's report as presented.

By: Council Member Senate

Second: Council Member Coleman

Aye: Council Members Coleman, Dockum, Senate, Staley, Zoldos

Nay: None

Abstain: None

Absent: Council Member Jones

Consent Agenda

There were no items on the Consent Agenda.

Action/Discussion Items

A. Lovettsville Town Center – Section 2 Bond Acceptance

Manager Markel explained that the Council is being asked to consider accepting a performance bond for the public improvements related to the development of Section 2 of the Lovettsville Town Center. The Council is being asked to agree to the amount and to approve the acceptance of a bond for this amount. Manager Markel introduced Doug Wagner from Bowman Consulting to answer any questions the Council may have.

Motion: To accept Resolution 2010-03-01: Approving Bond Securing Public Improvements in Lovettsville Town Center Section 2. (Attachment III)

By: Council Member Senate

Second: Council Member Dockum

Aye: Council Members Coleman, Dockum, Senate, Staley, Zoldos

Nay: None

Abstain: None

Absent: Council Member Jones

B. Western Loudoun Artists Studio Tour Grant Application

Manager Markel stated that the Council is being asked to support the Western Loudoun Artists Studio Tour on June 19 – June 20, 2010 by applying for a matching grant offered through the Virginia Commission for the Arts. He noted that two of the artists on the tour are within the Lovettsville town limits and that there are a number in the surrounding community. He stated that any contribution would come from the Town's Event budget line and stated that the matching funds are guaranteed if the event is selected by the Virginia Commission. Councilman Senate suggested that the contribution should be

made by the Town whether or not the event receives the State matching funding and Councilman Dockum agreed.

- Motion:** I move to direct the Town Manager to submit the necessary paper work to apply for a matching grant for the Western Loudoun Artists Studio Tour offered through the Virginia Commission for the Arts. The amount of the Town's contribution is not to exceed \$250.00, whether or not the grant is awarded.
- By:** Council Member Senate
- Second:** Council Member Coleman
- Aye:** Council Members Coleman, Dockum, Senate, Staley, Zoldos
- Nay:** None
- Abstain:** None
- Absent:** Council Member Jones

C. Sponsorship of Movie at Lovettsville Little League Opening Day Celebration

Vice Mayor Zoldos requested that this item be added to the agenda. He reported that the Upper Loudoun Little League would hold its Opening Day in Lovettsville on April 17th. There will be a full day of activities, including a parade, opening ceremonies, games until dusk, and a movie on the field at dusk. The Lovettsville Community Center will be sponsoring the screen and other equipment, but he is asking the Town to sponsor the movie itself. He noted that this movie will be shown a month before the Lovettsville Movie in the Park series begins. There being no discussion, Mayor Walker called for a motion.

- Motion:** That the Town sponsors the Upper Loudoun Little League opening day movie in an amount not to exceed \$300.
- By:** Vice Mayor Zoldos
- Second:** Council Member Coleman
- Aye:** Council Members Coleman, Dockum, Senate, Staley, Zoldos
- Nay:** None
- Abstain:** None
- Absent:** Council Member Jones

Information Items

A. Presentation of Town Manager's recommended FY 2011 Budget and CIP

Keith distributed the proposed budget to the Mayor and Council. Vice Mayor Zoldos asked if the Town has reached the point where it would make economic sense to directly staff the Town's water and sewer system rather than contract with Loudoun Water. Manager Markel stated that the Town is not yet at that point; the Town would have to absorb a great deal of overhead costs and time management issues.

Manager Markel noted that there are only 14 projects in the proposed CIP with only five being funded in year one, a more modest proposal than last year's.

The Mayor and Council had no questions at this time.

Comments from the Mayor and Town Council

Vice Mayor Zoldos asked if the Town has received any response from Loudoun County concerning the status of the Lovettsville Community Park special exemption application, He noted that the application expires in June 2010. He has received numerous inquiries from local organizations that would like to sponsor facilities, but none can be accepted until Loudoun County approves the SPEX. Mayor Walker stated that she will follow up on this yet again and remains in contact with Supervisor Kurtz on this matter on a regular basis.

Councilman Dockum reported that the Oktoberfest Committee held a very good meeting earlier this week. He reported that the committee has decided to put the main tent in the same location as last year, and is exploring the possibility of getting a larger tent.

Mayor Walker reported on the following:

1. She attended a Lovettsville Game Protection Association fund raising event.
2. She attended the Main Street event in Brunswick and would like Lovettsville to plan a similar event for the businesses here.

3. She toured the Town with some German visitors who will be writing a magazine article about their visit.
4. The Mayor has attended the Oktoberfest Committee meetings and agrees they are going well. She thanked Councilman Dockum for all he is doing for the event.
5. Those present were reminded that there will be Community Church Services for Holy Week.
6. The Mayor emphasized how important it is that everyone answers the 2010 Census.
7. She will be meeting with VDOT, the Loudoun County Board of Supervisors and the Northern Virginia Town Association before the next Council meeting.
8. Mayor Walker reported that the drive-up mailbox at the Post Office has been installed. She emphasized that the Town government had repeatedly requested the drive-up box which was not installed by the Post Office for reasons of their own. Manager Markel has worked closely with the Post Office to ensure that the box was eventually installed.

Adjournment to Closed Session

The Mayor asked for a motion to go into Closed Session at 9:50 PM (Attachment IV: Closed Session Resolution)

Respectfully submitted,


Judy L. Kromholz, Town Clerk

Date Approved: May 27, 2010

Attachments:

- I. Signup Sheet
- II. Blough Letter of Commendation
- III. Resolution 2010-03-01: Approving Bond Securing Public Improvements in Lovettsville Town Center Section 2
- IV. Closed Session Resolutions

Town of Southville

Speaker Sign - Up Sheet

Town Council Regular Meeting - March 25, 2010

Please Print.

Name and Association	Address	Topic	Email Address (Optional) ¹

Each speaker will be limited to no more than three (3) minutes at the beginning of the meeting, or no more than five (5) minutes at the end of the meeting.

¹ If you provide your email address, you will be added to the Town Council & Planning Commission Meetings Notification List.

Town of Lovettsville

March 25, 2010

Mr. Chuck Blough
Lovettsville Pizza and Subs
26 East Broad Way
Lovettsville, Virginia 20180

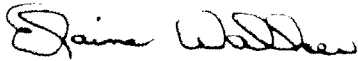
Dear Chuck:

I wish to take this opportunity to offer sincere congratulations from the Town of Lovettsville for the recent acknowledgment of your contributions to our very own Lovettsville Elementary School.

We were so proud to hear of your recognition at the annual Loudoun School-Business Partnership Breakfast held at the Lansdowne Conference Center, and to learn that you are listed among some very large corporations and businesses in Loudoun County that have also received credit for their work with Loudoun County Public Schools. You are to be commended for your generosity for the past ten years in providing assistance to families of the Lovettsville Elementary School. Not only do you and your staff provide gifts at Christmas, but you provide inspiration to students throughout the year by encouraging them to do their schoolwork. We appreciate the remarks of Pam Hayba and the Lovettsville PTO for their participation in nominating you for this award.

In behalf of the members of the Town Council and the citizens of the Town of Lovettsville, we thank you for the many generous contributions you have also made to our Community for our special events and at other times during the year. We are very proud to have your business in our Town and wish you much continued success in the future.

Sincerely,



Elaine Walker
Mayor

The German Settlement

Town of Lovettsville

Resolution: 2010-03-01: APPROVING BOND SECURING PUBLIC IMPROVEMENTS IN LOVETTSVILLE TOWN CENTER SECTION 2

MOTION: Senate

SECOND: Dockum

WHEREAS, Town Center Lovettsville LC., has received approval of construction plans for Lovettsville Town Center Section 2 and desires to commence construction of site improvements in accordance with such approval; and

WHEREAS, the Town's engineering consultant, Christopher Consultants, Ltd., has reviewed the construction plans and agrees that the amount of the bond securing proper installation of the public improvements required with construction of Section 2 improvements is \$2,158,747.90 provided that the appropriate performance agreement is entered setting a completion date not longer than 24 months and secured by surety acceptable to the Town.

NOW, THEREFORE, BE IT RESOLVED that the Lovettsville Town Council hereby approves the recommendation of the Town's engineer referenced above and authorizes the Mayor and Town Attorney to sign the performance agreement and bond as appropriate when tendered in a form approved by the Town Attorney.

VOTE:

Ayes: Coleman, Dockum, Senate, Staley, Zoldos

Nays: None

Abstentions: None

Absent for vote: Jones

Approved March 25, 2010


ELAINE WALKER, MAYOR


JUDY/L. KROMHOLZ
TOWN CLERK

The German Settlement

**Resolution: AUTHORIZE CLOSED SESSION FOR
(i) CONSULTATION WITH LEGAL COUNSEL REGARDING
SPECIFIC LEGAL MATTERS RELATED TO
PERFORMANCE OF CONTRACTUAL OBLIGATIONS REGARDING
EXPANSION OF THE WASTEWATER TREATMENT PLANT
AND
(ii) DISCUSSION OF THE ACQUISITION OR DISPOSITION OF REAL
PROPERTY FOR PUBLIC PURPOSES**

MOTION: *Bob Zoldos*

I hereby move that the Lovettsville Town Council convene in closed session pursuant to Va. Code section 2.2-3711 A 7 for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, related to a performance of contractual obligations regarding expansion of the wastewater treatment plant, and pursuant to section 2.2-1711 A 3 for 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; and thereafter convene in open session for action as appropriate.

SECOND: *Charlotte Coleman*

VOTE:

Ayes: 5 *Zoldos, Doelcum, Staley, Senate, Coleman*
Nays: 0 *none*
Abstentions: 0 *none*
Absent for vote: 0 *Jones*

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 25, 2010

Certified:

Gaine W. Baker