

Town of Lovettsville

Town Council Minutes of the April 14, 2016 Regular Meeting

Call to Order/Pledge of Allegiance

Mayor Robert Zoldos II called the special meeting of the Lovettsville Town Council to order at 7:30 p.m. on April 14, 2016 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 Tiffany Carder
- Council Member Rodney Gray
- Council Member Jennifer Jones
- Council Member James McIntyre

Staff Present

- Town Manager Laszlo Palko
- Town Engineer Karin Fellers
- Utility Director Stephen Gates
- Town Clerk Harriet West

Mayor Zoldos said the Council would meet in closed session to discuss Town office location and Town employee performance.

Pledge of Allegiance

Mayor Zoldos led those assembled in the Pledge of Allegiance.

Presentations

There were none.

Comments from the Public

Mayor Zoldos called for comments from the public. Vice Mayor Senate read the rules for public comment.

Chris Hornbaker, 15 Black Forest Lane, said at the last meeting, the Council discussed putting aside money from taxes that are drawn today for something that may or may not happen in the future. He said that he pays taxes for a service. There may be some people in this Town who are not here five years from now. He does not support planning for a police department with today's tax dollars, especially if there is not a need down the road for that. He asked the Council to consider the service benefits for the taxes that are being paid today.

Community Presentations

There were none.

Town Committee and Committee Reports

A. Lovettsville Planning Commission

Chairman Frank McDonough provided an update on the amendment to require public facilities and uses to be consistent with the Comprehensive Plan and noted that this was referred to the Planning Commission from the Town Council. He also discussed the Planning Commission's upcoming schedule.

B. Parks Committee

Vice Mayor Senate reported on the clock tower.

C. We're In Committee

Councilwoman Carder reported on the upcoming Business Expo.

D. Information Flow Committee

There was no report.

E. MayFest Committee

Councilwoman Carder reported on vendors, the butterfly sign made by one of the committee members, and bands.

F. Memorial Day

Councilwoman Allar confirmed that a member of the Sheriff's Office will be playing the bagpipes.

G. Movies on the Green

Councilman McIntyre reported on the sponsorship packet.

H. Oktoberfest Committee

Councilman McIntyre reported on the vendor application.

Additions/Deletions/Modifications to the Agenda

The following Action/Discussion items were added to the agenda:

- Street Lights
- Town of Lovettsville Support for the Assembly Hall at the Fire Station

Minutes

A. June 18, 2015 Special Meeting

Motion: I move to accept the minutes of the June 18, 2015 Special Meeting.

By: Council Member McIntyre

Second: Vice Mayor Senate

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

Nay: None

Abstain: None

Absent: None

Monthly Financial Report

There was no report.

Staff Reports

A. Report from the Town Engineer

There was no report.

B. Report from the Zoning Administrator

There was no report.

C. Report from the Utility Director

Utility Director Stephen Gates reported on the installation of new flow meters at Heritage Highlands, repairs to waste water treatment plant, and tier 3 violations on the water system. He noted that Arcadis/English is scheduled to begin work on the plant in May and that the Frye Court pump station has been repaired. Mr. Gates responded to questions regarding the Frye Court pump station and the Virginia Department of Health violation.

D. Report from the Town Attorney

The Town Attorney was not present; there was no report.

E. Report from the Town Manager

Town Manager Palko said Mr. Gates has installed virus protection on all of the Town's computers. He noted that next week's Town Council meeting will include presentations from Captain Ahlemman, Loudoun County Sheriff's Office; Steve Webber, the retired police chief from Middleburg; and the current

police chief from Purcellville. Mayor Zoldos said he received an email from the Culpeper Chief of Police who has been tracking this issue in the newspaper and offered to share his thoughts with the Council on going from relying on the Loudoun County Sheriff's Office to starting a small police department; Chief Noble was formally a captain with the Loudoun County Sheriff's Office.

Action/Discussion Items

A. Bike Station Location and Possible Easement Options

Town Engineer Fellers presented this item. The Council is being asked to provide direction to staff on whether or not to pursue locating a bike station in an easement on New Town Meadows Home Owner Association property next to the 7-Eleven, or within the VDOT right-of-way. Following discussion, the Mayor asked staff to work with VDOT to determine if the bike station could be located on the right-of-way and report back to the Council.

B. Street Light Costs

Town Engineer Fellers presented additional information she obtained from the manufacturer regarding the cost for street lights. She noted the cost is approximately 30% higher if the lights are purchased by the developer rather than the Town. Town Manager Palko said NVR has already purchased the street lights for Lovettsville Square.

Closed Session

Mayor Zoldos said the Council would be going into closed session to conduct a call with the Town's architect regarding the Town Office location.

Motion: I move that the Lovettsville Town Council convene in closed session pursuant to Virginia Code Section 2.2-3711A3 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, in order to secure the use of real property to meet the operational needs for Town offices; and thereafter reconvene in open session for action as appropriate.

By: Vice Mayor Senate

Second: Council Member Jones

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

Nay: None

Abstain: None

Absent: None

The Council went into closed session at 8:28 p.m. and went back into open session at 9:26 p.m.

Certification of Closed Session

Mayor: Do you certify that to the best of your knowledge (i) only public business matters lawfully exempt 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?

Roll Call Vote: Council Members Allar, Carder, Gray, Jones, McIntyre, and Senate certified to the above.

C. Town Square Street Renaming

Manager Palko presented this item. The Council is being asked to consider renaming the street segments enclosing the Town Square. Mr. Palko said this will effect Andy's Restaurant and the new tenants of Lovettsville Square. Following discussion, Mayor Zoldos called for a motion.

Motion: I move to adopt Resolution No. 2016-04-0002 in order to change the names of the street segments immediately surrounding the square to "Town Square." I further move that the Town Mayor and/or Town Manager personally notify the owners of the affected properties about the change, along with affected businesses (Attachment 1).

By: Council Member McIntyre

Second: Council Member Jones
Aye: Council Members Carder, Gray, Jones, McIntyre, Allar, and Senate
Nay: None
Abstain: None
Absent: None

D. Support for Fire Hall

Mayor Zoldos presented this item. The Council is being asked to approve a Resolution supporting the continued existence of the Lovettsville Volunteer Fire and Rescue Assembly Hall. The Mayor referenced the presentation given by Fire Company President Karen Deli at the recent Town Council meeting and noted that the fire hall was used nearly 150 times last year for a variety of community events including bingo, funerals, wedding receptions, Town Hall meetings, and Scout meetings. The Mayor said that not having this facility would be a significant loss to the Town and the community. He attended Lovettsville Fire and Rescue's general membership meeting last week. The members voted to keep the structure as well as the front of the building, which could be used for commercial purposes; however, this would require a change in the zoning. Mayor Zoldos added that the company expressed interest in coming into the Town and that he did not see any negatives to supporting this.

Motion: I move to adopt Resolution No. 2016-04-0003 Support for the Continued Existence of the Lovettsville Volunteer Fire and Rescue Assembly Hall (Attachment 2).
By: Vice Mayor Senate
Second: Council Member Carder
Aye: Council Members Carder, Gray, Jones, McIntyre, Allar and Senate
Nay: None
Abstain: None
Absent: None

E. Budget Work Session

The Council and Staff held a budget work session to discuss the Utility Fund and Capital Improvement Plan (CIP). Staff presented information on establishing a Miss Utility service, adding fluoride to the Town's water system, and selling water. The Town Manager reviewed the CIP for the Utility Fund. Town Engineer Fellers and Utility Director Gates discussed the cost-benefits of replacing all of the older water meters and noted it may be beneficial to upgrade the entire system to radio read meters, which are more accurate and less labor-intensive. Staff also discussed other proposed improvements to the utility system and an asset management plan. Following discussion, the Council agreed to defer the discussion on the General Fund CIP until the next Town Council meeting in order to allow time to go into closed session.

Closed Session

Mayor Zoldos announced that the Council would be going into closed session.

Motion: I move that the Lovettsville Town Council convene in closed session pursuant to Virginia Code Section 2.2-3711A1 for 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, for the performance review of the Town Manager; and thereafter reconvene in open session as appropriate.
By: Vice Mayor Senate
Second: Council Member Jones
Aye: Council Members Carder, Gray, Jones, McIntyre, Allar and Senate
Nay: None
Abstain: None
Absent: None

The Council took a five-minute recess at 10:56 p.m. and then went into closed session. The Council came out of closed session at 12:00 midnight and resumed the regular meeting.

Certification of Closed Session

Mayor: Do you certify that to the best of your knowledge (i) only public business matters lawfully exempt 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?

Roll Call Vote: Council Members Allar, Carder, Gray, Jones, McIntyre, and Senate certified to the above.

Mayor Zoldos asked if there was any additional business to come before the Council.

Motion: I authorize the Town Manager to engage in negotiations with the owner of the 2 East Broad Way, which will be formerly the doctor's office.

By: Council Member Jones

Second: Council Member McIntyre

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

Nay: None

Abstain: None

Absent: None

Information Items

There were none.

Comments from the Mayor and Town Council

Mayor Zoldos gave updates on baseball opening day and the kindergarten tours. He noted that complaints regarding the brew pub have gone down.

Adjournment

There being no further business before the Council, the meeting was adjourned at 12:03 a.m.

Respectfully submitted,



Harriet West, Town Clerk

Date Approved: January 19, 2017

Attachments:

1. Resolution 2016-04-0002
2. Resolution 2016-04-0003

Town of Lovettsville

Resolution: 2016-04-0002: RENAMING STREETS SURROUNDING THE LOVETTSVILLE TOWN SQUARE TO TOWN SQUARE

MOTION: McIntyre

SECOND: Jones

WHEREAS, the Town of Lovettsville has a Town Square located near the geographic center of the Town; and

WHEREAS, the four street segments currently surrounding the Lovettsville Town Square are named South Berlin Pike (northbound lanes), South Berlin Pike (southbound lanes), East Broad Way and Town Center Drive; and

WHEREAS, the Town of Lovettsville desires to change the names of these four street segments lying adjacent to the Town Square;

NOW, THEREFORE, BE IT RESOLVED that the names of the four street segments immediately surrounding the Lovettsville Town Square are hereby changed to Town Square.

VOTE:

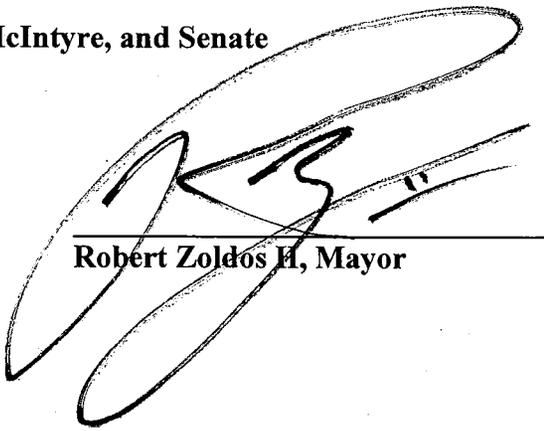
Ayes: Allar, Carder, Gray, Jones, McIntyre, and Senate

Nays: None

Abstentions: None

Absent for Vote: None

APPROVED: April 14, 2016



Robert Zoldos II, Mayor

CERTIFIED:



Harriet West, Town Clerk

The German Settlement

Town of Lovettsville

Resolution 2016-04-0003: SUPPORT FOR THE CONTINUED EXISTENCE OF THE LOVETTSVILLE VOLUNTEER FIRE AND RESCUE ASSEMBLY HALL

MOTION: Senate
SECOND: Carder

WHEREAS, the Lovettsville Fire and Rescue Company has served this community for 50 years starting in 1966; and

WHEREAS, the Fire Station was built in 1974 and is in need of major renovation or replacement; and

WHEREAS, the Assembly Hall was added to the Fire Station in 1981 and expanded in 1988; and

WHEREAS, in March of 2015, the Lovettsville Fire and Rescue Company voted to request that the County of Loudoun build a new building on the present land; and

WHEREAS, the current Assembly Hall is 10,000 square feet of multi-use assembly space; and

WHEREAS, the Assembly Hall is used almost 150 times per year for Bingo, monthly fire service meetings, Town Council meetings, Planning Commission meetings, public hearings, fire and EMS training, funeral receptions, HOA meetings, Church group meetings, community policing meetings, Boy, Girl, and Cub Scout meetings, the annual Cub Scout Pinewood Derby, and other large gatherings; and

WHEREAS, there are no other available and appropriate space in Town for assembly; and

WHEREAS, the Lovettsville Fire and Rescue Company voted this past Monday, April 11, 2016, to support the continued existence of the Assembly Hall; and

WHEREAS, the Town of Lovettsville sees a clear need in the community for a large place for community assembly that is available at all hours; and

WHEREAS, the loss of this Assembly Hall would provide a difficult challenge to the Town of Lovettsville, the surrounding community and its organizations when providing for meetings, hearings and events.

THEREFORE BE IT RESOLVED, that the Town of Lovettsville supports the continued existence of the Assembly Hall on the Lovettsville Fire and Rescue property adjacent to the Town of Lovettsville.

BE IT FURTHER RESOLVED, that the Town of Lovettsville would be amenable to working with the Lovettsville Fire and Rescue Company and the County of Loudoun to help ensure the long-term success of the Assembly Hall and the property.

VOTE:

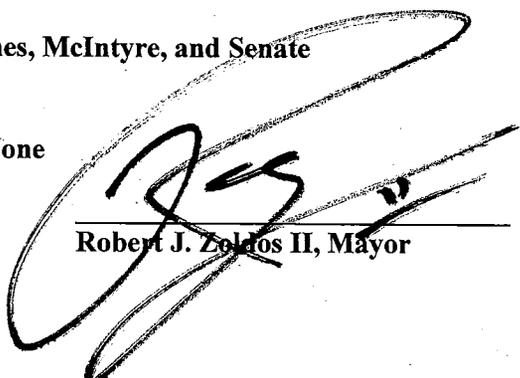
Ayes: Allar, Carder, Gray, Jones, McIntyre, and Senate

Nays: None

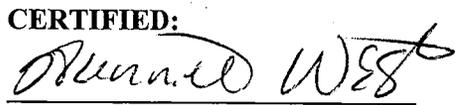
Abstentions: None

Absent for vote: None

Approved: April 14, 2016


Robert J. Zoldos II, Mayor

CERTIFIED:


Harriet West, Town Clerk

The German Settlement