

# Town of Lovettsville

## Town Council Minutes of the November 3, 2016 Regular Meeting

### Call to Order/Pledge of Allegiance

Mayor Zoldos called the regular meeting to order at 7:30 p.m. The meeting was held at the Lovettsville Town Hall, 6 East Pennsylvania Ave, Lovettsville, VA.

### Council Members Present

- Mayor Robert Zoldos II
- Council Member James McIntyre
- Council Member Rob Gentile
- Council Member Mike Senate
- Vice Mayor Tiffany Carder
- Council Member Kimberly Allar
- Council Member Jennifer Jones

### Staff Present

- Town Clerk Harriet West
- Town Manager Laszlo Palko
- Zoning Administrator Josh Bateman
- Town Attorney Elizabeth Whiting

Planning Commission Chairman Frank McDonough was in the audience.

### Pledge of Allegiance

Mayor Zoldos led those assembled in the Pledge of Allegiance.

Mayor Zoldos announced there would be no closed session.

### Presentations

#### A. Lovettsville Volunteer Fire & Rescue 50<sup>th</sup> Anniversary Proclamation

The Mayor and Council presented representatives from the Lovettsville Volunteer Fire & Rescue Station with a Proclamation in recognition of the Company's 50 years of service to the Lovettsville community (Attachment 1).

### Comments from the Public

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

### Community Presentations

#### A. Loudoun County Sheriff's Office

Deputy LoPreto reported on the new Western Loudoun station. He noted there were no significant events in Town over the past month; however, speeding has picked up on S. Loudoun Street. He introduced Lieutenant DeLitta, Western Loudoun Station Assistant Commander. Mayor Zoldos thanked the Sheriff's Office for their response to the recent sound complaint at the brew pub.

#### B. Lovettsville Volunteer Fire and Rescue Company

There was no report.

#### C. Lovettsville Community Center

There was no report.

#### D. Lovettsville Library

Vice Mayor Carder reported on upcoming events at the library.

**Town Commission and Committee**

**A. Lovettsville Planning Commission**

Chairman McDonough reported on the Comprehensive Plan public hearing and plans to amend the Town's sign ordinance.

**Events Committee**

Councilman McIntyre reported on barn inventory/clean up and plans for year-round sponsorships for all events.

- a. Love America – Councilwoman Allar reported on final plans for the Veterans Day Ceremony.
- b. Love Spring – Vice Mayor Carder reported on entertainment and graphics for MayFest.
- c. Love Summer – Councilwoman Jones reported on plans for movies and concerts on Saturdays from June to August.
- d. Love Fall – Councilman McIntyre said the Oktoberfest treasurer's report will be presented at the November 17 Town Council meeting.
- e. Love Winter – Councilwoman Allar gave updates on WintertainmentFest, Light Up Lovettsville, and Berserkle on the Squirkle.

**B. Business & Tourism Committee**

Councilwoman Jones gave updates on branding and the upcoming Brunswick Business Expo.

**C. Parks & Beautification Committee**

Councilman Senate reported on the clock tower, replicas, clean up at the barn, and Christmas decorations for Broad Way.

**Infrastructure, Environment & Utilities Committee**

Councilman Gentile reported on the next meeting which is scheduled for November 17, 2016.

**Additions/Deletions/Modifications to the Agenda**

The Engle Tract Update was added to the agenda.

**Minutes**

**A. December 10, 2015 Regular Meeting**

**Motion:** I move to accept the minutes of the December 10, 2015 regular meeting.

**By:** Allar

**Second:** McIntyre

**Aye:** McIntyre, Senate, Carder, Allar, and Jones

**Nay:** None

**Abstain:** Gentile

**Absent:** None

**B. December 14, 2015 Special Meeting**

**Motion:** I move to approve the minutes of the December 14, 2015 special meeting.

**By:** Jones

**Second:** McIntyre

**Aye:** McIntyre, Carder, Allar, and Jones

**Nay:** None

**Abstain:** Gentile and Senate

**Absent:** None

**C. January 14, 2016 Regular Meeting**

**Motion:** I move to accept the minutes of the January 14, 2016 regular meeting.

**By:** Carder

**Second:** McIntyre

**Aye:** McIntyre, Senate, Carder, Allar, and Jones

**Nay:** None

**Abstain:** Gentile

**Absent:** None

**Staff Reports**

There were no staff reports.

**Action/Discussion Items**

**A. Public Hearing – Omnibus Subdivision Ordinance Amendment**

Zoning Administrator Bateman presented this item. The Council is being asked to conduct a public hearing on the omnibus subdivision ordinance amendment initiated by the Planning Commission.

Mr. Bateman reviewed proposed changes to the Omnibus Subdivision Ordinance Amendment. He said he would like to review these changes with the Town Attorney and bring it back to the Council for action. Town Attorney Whiting advised the Council that it was appropriate to proceed with the public hearing tonight as advertised. Zoning Administrator Bateman responded to questions from the Council.

Vice Mayor Carder read the Notice of Public Hearing. Mayor Zoldos opened the public hearing at 8:35 p.m. and called for public comments. Hearing none, the Mayor closed the public hearing at 8:37 p.m. Zoning Administrator Bateman recommended that no action be taken tonight pending further amendments to the ordinance.

A lengthy discussion ensued regarding alleyways. Mr. Bateman proposed removing provisions for public alleyways.

**B. License Agreement for Use of Clock Tower**

Manager Palko presented this item. The Council is being asked to approve the revised license agreement for use of the Clock Tower. Mr. Palko reviewed the changes to the license agreement as requested by the Council, including the ability to extend the initial 20-year term for up to three successive periods of 20 years each. Following discussion, Vice Mayor Carder made the following motion:

**Motion:** I move that Town Council authorize the Mayor to sign the License Agreement so that it can be forwarded to the owner for their signature.

**Second:** McIntyre

**Aye:** McIntyre, Gentile, Senate, Carder, Allar, and Jones

**Nay:** None

**Abstain:** None

**Absent:** None

**C. Legislative Agenda**

Town Manager Palko presented this item. The Council is being asked to consider items to submit to the Town's representatives in the General Assembly for the upcoming legislative session. Following a lengthy discussion regarding Item #3, "Raise the Population Threshold for Defining Secondary State Highway System from 3,500 People to 5,000 People," Councilman McIntyre made the following motion:

**Motion:** I move that the Council adopt Resolution 2016-11-002 to adopt the 2017 Town Council Legislative Agenda. (Attachment 2)

**Second:** Gentile

Councilwoman Jones made a motion to amend the population threshold from 5,000 to 3,750. The motion failed for lack of a second.

Mayor Zoldos mentioned a proposal from the Virginia Municipal League (VML) about returning a portion of lottery revenue to localities. He and Manager Palko said this was under study this year.

Councilwoman Jones made a motion to amend #3, raising the street ownership and maintenance population threshold from 3,500 people to 4,000. Councilman Senate seconded the amendment. Council Members McIntyre, Senate, Carder, and Jones voted in favor of the amendment. Council Members Gentile and Allar voted against the amendment.

Mayor Zoldos called for the vote on the amended legislative agenda.

**Aye:** McIntyre, Gentile, Senate, Carder, Allar, and Jones  
**Nay:** None  
**Abstain:** None  
**Absent:** None

**Information Items**

Town Manger Palko presented an update on the Engle Tract concept plan and the Town's overall marketing strategy for economic development prepared by the consultant.

**Comments from the Mayor and Town Council**

Councilwoman Jones reported on recent Love Summer and Business & Tourism Committee meetings.

Vice Mayor Carder reported on Trunk or Treat, the PTO Bazaar, the Catocin Holiday Art Tour, and the Fire & Rescue Banquet.

Councilman Senate spoke about the clock faces, Christmas ornament, and his schedule in November.

Councilman McIntyre talked about his recent visit to Staunton, VA and the Harrisonburg Friendly City Co-op, Trunk or Treat, the Catocin Holiday Art Tour, and upcoming Black & Blue on the Green games.

Mayor Zoldos reported on the following – Comprehensive Plan, ribbon cutting for the Western Loudoun Sheriff's Office, noise complaints at the brew pub, Lovettsville Volunteer Fire & Rescue Banquet, Comprehensive Plan Retreat, VML Legislative Update, Veterans Day, and the next TANV (Towns of Northern Virginia) meeting.

**Adjournment**

There being no further business before the Council, the meeting was adjourned at 9:58 p.m.

Respectfully submitted,



Harriet West, Town Clerk

Date Approved: August 24, 2017

Attachments:

1. Resolution No. 2016-11-001: Proclamation in Support of the Lovettsville Volunteer Fire and Rescue Company's 50 Years of Service to the Lovettsville Community
2. Resolution 2016-11-002: Adopt the Town of Lovettsville 2017 Legislative Agenda

**Resolution No. 2016-11-001**  
**Proclamation in Support of the**  
**Lovettsville Volunteer Fire and Rescue Company's 50 Years of Service to the**  
**Lovettsville Community**

**MOTION: McIntyre**  
**SECOND: Senate**

**WHEREAS**, a group of 24 men came together to form the Union Fire Company in December 1736 under the leadership of Benjamin Franklin in Philadelphia, Pennsylvania; and

**WHEREAS**, 230 years later a group of 12 men came together to form Lovettsville's own fire and rescue company in August 1966 in the basement of the Lovettsville bank; and

**WHEREAS**, prior to that year, Lovettsville had to rely on Brunswick MD, Purcellville, VA and other surrounding towns to provide fire services and on Loudoun Rescue Squad for rescue services; and

**WHEREAS**, these men fondly called themselves "The Lovettsville 12" and included Vaughn Clatterbuck, Guy Clegg, James Gabbert, Ken Harrington, John Lemp, Peter F. Legard, Jr., Robert McClain, Robert Peck, George Reed, Robert Riddlemoser, Leon Rust, George Wells; and

**WHEREAS**, the first ambulance was a 1955 Ford Van, loaned by Dr. George Hocker; and

**WHEREAS**, the Lovettsville Rescue Squad was established in August 1966; and

**WHEREAS**, a fire company was formed in April 1967 and the organization incorporated as the Lovettsville District Fire and Rescue Company, Inc.; and

**WHEREAS**, the first fire truck in use by the Lovettsville Fire and Rescue Company was a 1947 GMC Pumper; and

**WHEREAS**, the Lovettsville Fire and Rescue Company rented a barn outside of town (the old Hardy Feed Store) and in 1968 purchased 0.6 acres of land adjoining the barn site in order to have enough land to comply with county regulations to erect a metal building; and

**WHEREAS**, in 1968 women of the community came together to form the Lovettsville Fire and Rescue Ladies Auxiliary. They included Mae Bramhall, Dolly Gabbert, Ann Hardy, Beryl Harrington, Elaine Neal, JoAnn Peck, Peggy Shugars, Elaine Walker and Shirley Wells; and

**WHEREAS**, the current building was constructed in 1974 and has had two subsequent additions built; and

**WHEREAS**, the Lovettsville Volunteer Fire and Rescue Company has served this community bravely for 50 years; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Town Council adopt this proclamation in honor of Lovettsville Volunteer Fire and Rescue's 50 years of dedicated service to the Town of Lovettsville.

**AND BE IT FURTHER RESOLVED**, that all citizens are encouraged to recognize the long service, accomplishments, and contributions of the Lovettsville Volunteer Fire and Rescue.

**AND BE IT FURTHER RESOLVED**, that the Mayor and Town Council hereby proclaim November 5, 2016, to be Lovettsville Volunteer Fire and Rescue Day in the Town of Lovettsville.

**VOTE:**

**Ayes: Allar, Carder, Gentile, Jones, McIntyre, and Senate**

**Nays: None**

**Abstentions: None**

**Absent for vote: None**

**APPROVED: November 3, 2016**

---

**ROBERT ZOLDOS II, MAYOR**

---

**HARRIET WEST, TOWN CLERK**

# Town of Lovettsville

**Resolution No. 2016-11-002: ADOPT THE TOWN OF LOVETTSVILLE 2017  
LEGISLATIVE AGENDA  
DATED: November 3 2016**

**MOTION: McIntyre  
SECOND: Gentile**

**WHEREAS**, the Virginia General Assembly convenes their 2017 session on January 11<sup>th</sup> 2017; and

**WHEREAS**, the Town Council desires to promote state legislation supportive of its goals and policy preferences; and

**WHEREAS**, the Town Council reviewed the 2016 Legislative Agenda for the Town of Lovettsville during the Town Council meeting on November 3rd 2016 which consisted of:

- Creation of an Economic Development Authority in Lovettsville.
- Raising the PPRTA Cap by \$70,000 to be provided to the Town of Lovettsville residents for personal property tax relief.
- Raising the population threshold for defining secondary state highway system from 3,500 to 5,000 people.
- Opposition to the elimination of the BPOL Tax.
- Support of Revenue Sharing programs with the Commonwealth.

**NOW, THEREFORE, BE IT ORDAINED** that the attached 2017 Legislative Agenda is adopted by the Town Council.

**VOTE:**

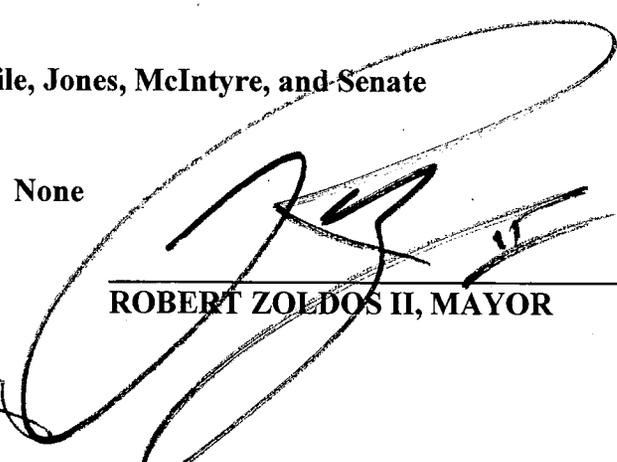
**Ayes: Allar, Carder, Gentile, Jones, McIntyre, and Senate**

**Nays: None**

**Abstentions: None**

**Absent for Vote: None**

**Approved: November 3, 2016**

  
\_\_\_\_\_  
**ROBERT ZOLDOS II, MAYOR**

  
\_\_\_\_\_  
**HARRIET WEST, CLERK TO THE COUNCIL**

*The German Settlement*



### **Adopted Town of Lovettsville 2017 Legislative Agenda**

*On November 3, 2016, the elected Town Council of the Town of Lovettsville, adopted the following Legislative Agenda at a Council Meeting and respectfully propose to the General Assembly of the Commonwealth of Virginia the following:*

#### **2017 Legislative Agenda Items: (Items are not arranged in priority order)**

1. **Creation of Economic Development Authority for Lovettsville**  
The Town Council supports legislation that would create an Economic Development Authority for the Town of Lovettsville. This would enable Town economic development initiatives that will grow the economy and add needed revenue to for capital infrastructure requirements.
2. **Raise the Personal Property Tax Relief Act (PPTRA) Cap in the Commonwealth Annual Budget by \$70,000 to provide the Town of Lovettsville Residents with Personal Property Tax Relief:**  
The Town Council of Lovettsville supports Legislation to raise the Annual PPRTA Budget Cap by \$70,000 to be distributed to the Town of Lovettsville to allow residents of the Town of Lovettsville to receive Personal Property Tax Relief from Town Personal Property Taxes. The Town of Lovettsville did not issue Personal Property Taxes in 2005 and 2006 when SB 5005 capped the annual Commonwealth contribution to \$950M. Thus, now that the Town of Lovettsville plans on issuing Personal Property Taxes to generate needed revenues, the Town Council seeks legislation to provide its Town residents with the same property tax relief as other towns in the Commonwealth.
3. **Raise the Population threshold for defining Secondary State Highway System from 3,500 people to 5,000 people:**  
The Town Council of Lovettsville supports legislation amending Virginia Code § 33.2-324 "Secondary state highway system; composition", to state "The secondary state highway system shall include such highways and community roads leading to and from public school buildings, streets, causeways, bridges, landings, and wharves in towns having a population of ~~3,500~~ 5,000 or less according to the United States census of 1920, and in all towns having such a population incorporated since 1920, that constitute connecting links between highways in the secondary state highway system in the counties and between highways in the secondary state highway system and highways in the primary state highway system, not to exceed two miles in any one town." A population under 5,000 does not provide the economies of scale to fiscally support ownership and maintenance of secondary state highway roads.
4. **Business, Professional and Occupational License (BPOL) Taxes:**  
The Town Council opposes legislation that would eliminate the BPOL tax, unless current revenue from the BPOL tax is replaced with new local revenue that is distributed directly to each locality based on point of sale.
5. **Support for Revenue Sharing Programs:**  
The Town of Lovettsville supports revenue sharing mechanisms between localities and the state, including income, sales, and property taxes.

Approved this 3<sup>rd</sup> day of November 2016

ATTEST:

A handwritten signature in black ink, appearing to read "Harriet West", written over a horizontal line.

Harriet West, Town Clerk