

Town of Lovettsville

Town Council

Minutes of Regular Meeting April 23, 2009

Mayor Elaine Walker called the regular monthly meeting of the Lovettsville Town Council to order at 8:01 PM on Thursday, April 23, 2009.

Present at Meeting

- Mayor Elaine Walker
- Council Members Charlotte Coleman, DiJon Jones, Michael Senate, Shaun Staley, Robert Zoldos
- Town Manager Keith Markel
- Town Attorney Liz Whiting
- Town Clerk Judy L. Kromholz
- Project Manager Karin Fellers

Absent

- Council Member Scott Dockum

Audience

Among those present in the audience were Howard Williamson (Lovettsville Business Association), Lieutenant Eric Prugh (Loudoun County Sheriff's Office).

Call to Order/Welcome/Pledge of Allegiance/Invocation

Mayor Walker led the assembled in the Pledge of Allegiance.

Comments from the Public

Bing Lam (2 Eisentown Drive): Mr. Lam stated that when Lovettsville Town Center was sold to him, neither the builder nor the developer advised him that market changes might change the way in which it was developed. He expects the developer and Town Council to honor what they were told.

Margy Shomaker (43 Potterfield Drive): Ms. Shomaker lives in New Town Meadows and stated that they have built lesser quality houses on the last few lots in New Town Meadows. She is afraid they will do the same in Lovettsville Town Center.

Mayor Walker asked if there were additional speakers. There were none.

Loudoun County Sheriff's Office

Lieutenant Prugh presented the monthly report. Deputy Chad Davis will be covering Round Hill and Lovettsville for the next 4-6 weeks until another community sheriff can be appointed. In the interim, patrol units will also respond to community policing issues as necessary.

Lieutenant Prugh presented statistics for the Town and the surrounding district. Councilman Zoldos said that Sheriff Lambert has been spectacular and he hopes the next deputy can fill his shoes. Lieutenant Prugh reminded those present that the Sheriff's Department will host a community meeting for the western part of the County on April 27, 2009 at 7:00 PM at Harmony Intermediate School.

Lovettsville Volunteer Fire and Rescue Company

Councilman Senate reported on the Company's calls for the month. Mayor Walker asked Councilman Senate to report back to the Company that the Council requests Company management to report to Council monthly, as they did in the past. Councilman Senate reported that the Company has placed an order for a new ambulance and will be holding fundraisers to help pay for it.

Lovettsville Business Association

President Darren Casper reported that the next LBA event will be on Monday, April 27th at 7:00 PM at Talk of the Town. The second annual Cruise-in will be held at the Lovettsville Game Club on June 22nd.

Additions/Deletions/Modifications to the Agenda

Councilman Zoldos requested that the Events Subcommittee Structure/Rules of Procedure item be postponed because the by-laws have not been completed. Councilman Dockum has been working on

them and they should be ready next week, before the next Oktoberfest Committee meeting. The Council agreed to postpone this item.

Manager Markel moved I&I Corrective Action Plan & Scope for Phase 1 from the Consent Agenda to an action item.

Presentations

No presentations were scheduled.

Approval of Town Council Minutes

No minutes were presented.

Report from the Treasurer

No report was presented.

Staff Reports

A. Report from the Zoning Administrator

Administrator McGregor presented his status report for March, 2009.

B. Report from the Town Attorney

The Town Attorney had no formal report.

C. Report from the Town Manager

Manager Markel reminded the Council that they will have a Budget meeting next Monday.

He and Project Manager Fellers will be applying for additional VDOT enhancement funding (SAFETEA-LU) for the Berlin Pike bike path, as was done in the past. The average award is \$250,000. He stated that it is a difficult application process, but the Town has an enhancement project that is on-going and could be completed in a reasonable time frame so Lovettsville may be seen as a worthwhile project by the grant reviewers.

Consent Agenda

The Consent Agenda consists of the following four items.

- **Comprehensive Plan Advisory Committee Status Update**

The Town Council directs the Town Zoning Administrator/Planner to schedule the orientation meeting for the CPAC on May 27, 2009 with the membership previously discussed along with the possibly of adding an additional resident representative from the older sections of Town and a Town Council representative.

- **Authorization for Work on Communications Equipment Ordinance Amendment**

The Town Council directs the Planning Commission and staff to prepare an item with a staff report and recommendation to amend the Zoning Ordinance so that communications equipment is permitted under conditional use permit in all zoning districts.

- **Parks Development – Phase 1 Work**

The Town Council directs staff to complete projects 3 through 6 for an estimated cost of \$21,600 and authorizes the Mayor or Town Manager to sign the necessary paperwork once in a form acceptable to the Town Attorney.

- **Germanna Drive Report**

The Town Council accepts the report titled "Germanna Drive Investigation and Report" dated April 3, 2009 and directs staff to develop a Scope of Services with PHR+A for their support to implement the recommended corrections in order to obtain VDOT acceptance for Germanna Drive.

Motion: To approve the four items on the Consent Agenda as presented.

By: Council Member Senate

Second: Council Member Coleman

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

Nay: None

Abstain: None

Absent: Council Member Dockum

Action Items

A. Module 3 Pump Station

Project Manager Fellers stated that the only change since the Council discussed this has been the receipt of the final costs and she recommended that Council approve this. Mayor Walker recommended that Council approve this item.

Motion: I move that the Town Council approve the Change Order #1 for Installation of a RAS Pump Station for Module 3 at a total cost of \$172,502.00 with \$90,877.00 to be paid through the current English contract contingency and other sources and \$81,625.00 to be paid by the Town and authorize the Mayor or Town Manager to sign the appropriate paperwork once in a form acceptable to the Town Attorney.

By: Council Member Zoldos

Second: Council Member Jones

Mayor Walker called for additional discussion. Councilman Staley stated that this will save the Town money in the long term. Councilman Senate noted that this will also significantly lessen the likelihood of catastrophic failure.

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

Nay: None

Abstain: None

Absent: Council Member Dockum

B. I&I Corrective Action Plan & Scope for Phase 1 moved to action items

Project Manager Fellers introduced this item. She explained that the engineering cost does not include the cost of inspections, which would cost up to \$22,000. Project Manager Fellers explained that it may be possible to find a local firm to do the inspections at a lower cost when the Town is ready to schedule the inspections. The estimate of \$69,500 also does not include establishing the GIS database or training Project Manager Fellers to maintain it.

Mayor Walker asked if this contingency amount would also cover information not currently in the GIS system. Staff said that would not be covered, but can be addressed at a later date.

Motion: I move that the Town Council accept the I&I Corrective Action Plan and direct staff to forward the report to DEQ for their review. I further move that Town Council approve the Scope of Services with Olver to Implement Phase I of the I&I Corrective Action Plan recommendations and authorize staff to move forward with Tasks 1-4 for a cost of \$69,500 with a contingency of \$7,000 (to be used for Task 6 – GIS Database Development and Training – if not needed for contingency) and authorize the Mayor or Town Manager to sign the paperwork once it is in a form acceptable to the Town Attorney.

By: Council Member Staley

Second: Council Member Senate

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

Nay: None

Abstain: None

Absent: Council Member Dockum

Information Items

No information items were presented.

Comments from the Mayor and Town Council

Councilman Zoldos reported that the PTO bingo fundraiser was very successful. The first Lovettsville Movie in the Park will be May 8th and the movie will be 'The Rookie'. Baseball themed events will begin at 7:00 PM and the movie will be shown at dusk.

Councilman Staley stated that he will work with some local car clubs to sign up for the Lovettsville Business Association Cruise In. He is planning to attend the meeting between Ryan Home and the Lovettsville Town Center residents on April 17th.

Mayor Walker reported on the following:

- There will be a meeting at the Lovettsville Elementary School on April 29th at 6:30 PM concerning the proposed western Loudoun school sites.
- She reminded the Council that there will be Budget work sessions next Monday and Thursday.
- Tomorrow, April 24th, there will be a small Arbor Day celebration in Lovettsville Park at 6:30 PM.

Comments from the Public

There were no comments from the public at this time.

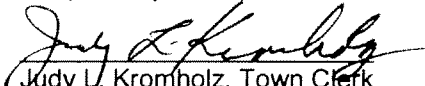
Recess/Adjournment

There being no further business before the Council, Mayor Walker asked for a motion.

Motion: To recess the April 23, 2009 monthly meeting of the Lovettsville Town Council until next Thursday, April 30, 2009 at 8:00 PM.
By: Council Member Coleman
Second: Council Member Jones
Aye: Council Members Coleman, Jones, Senate, Staley, Zoldos
Nay: None
Abstain: None
Absent: Council Member Dockum

The meeting was adjourned at 8:46 PM.

Respectfully submitted,


Judy L. Kromholz, Town Clerk

Date Approved: August 13, 2009

No Attachments