

Town of Lovettsville

Town Council

Minutes of Public Hearing and Regular Meeting October 11, 2012

Call to Order/Pledge of Allegiance

Mayor Robert Zoldos called the regular meeting of the Lovettsville Town Council to order at 7:30 PM on Thursday, October 11, 2012.

Present at Meeting

- 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

Staff

- Town Manager Keith Markel
- Town Attorney Elizabeth Whiting
- Zoning Administrator Melissa Hynes
- Town Clerk Harriet West

Absent

- None

Mayor Zoldos introduced Young Marine Staff Sergeant Christensen who led those present in the Pledge of Allegiance.

Presentations

There were no presentations.

Comments from the Public

Vice Mayor Senate read the rules for public comment.

Mr. Tim Sparbanie, 1 Oakfield Drive, came forward to speak (see Attachment 1). He provided information about two events Susan Allen, former First Lady of Virginia and wife of U.S. Senate Candidate George Allen, would be attending in Lovettsville on October 12, 2012. The first event is an "Excellence in Education Discussion" with Classical Conversations, a home-schooling organization, at Mt. Olivet United Methodist Church. The second event is an informal luncheon at Market Table Bistro.

Mayor Zoldos asked if there were any additional comments from the public. There were none.

Community Presentations

A. Lovettsville Planning Commission

Zoning Administrator Hynes gave an update on the community workshop for the Old Town Zoning District and the upcoming public hearing for the Sprint Conditional Use Permit for the water tank.

Mayor Zoldos acknowledged Amanda Liss from the Lovettsville Library. Ms. Liss stated the Library is going to try to be represented at Town Council meetings on a monthly basis.

Town Committees

A. Parks Committee

Councilman Senate gave an update on the Walker Pavilion and the Quarter Branch Park and Maintenance Facility. The Town will be working with George Mason University on the design of the

Quarter Branch Park fitness trail. The Parks Committee is also working on adding more features to the Town Square.

B. We're In! Lovettsville Business and Tourism Committee

Councilwoman Carder gave an update on the new campaign to get Lovettsville on the economic development map. She noted there has been great support from Council and staff.

C. Oktoberfest

Councilman McIntyre reported that Oktoberfest was very successful and that planning for next year's event is underway. One of the main objectives is to get even more community groups involved next year.

D. Veterans Day Ceremony

Mayor Zoldos noted that Councilman Burden will be coordinating the Veterans Day Ceremony and will give an update at the next Council meeting.

E. Tree Lighting

Councilman Gray reported he is working on coordinating the event with the schools and We're In!

F. Light Up Lovettsville

Councilwoman Allar gave an update on the holiday lights competition. She recently met with the Mayor and Town Manager to discuss ideas for judging and where to announce the winners.

G. Bersercler in the Squirrel

Mayor Zoldos announced plans for this new event – a 5K run in the Town Square on January 1, 2013 at 10:00 AM to raise funds for the Quarter Branch Park.

H. MayFest

Councilwoman Carder reported she invited the vendors from Oktoberfest and Brunswick's Rail Road Days to attend MayFest 2013. She noted that the hours have been extended from 10:00 AM to 7:00 PM and that vendor spaces will be \$50.

Additions/Deletions/Modifications to the Agenda

There were no additions, deletions, or modifications to the agenda.

Approval of Town Council Minutes

A. Town Council Regular Meeting – August 16, 2012

Motion: I move to accept the minutes of the Regular Meeting of August 16, 2012.

By: Council Member Senate

Second: Council Member Burden

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

Nay: None

Abstain: Council Member Allar

Absent: None

B. Town Council Work Session – August 23, 2012

Motion: I move to adopt the minutes of the Work Session for August 23, 2012.

By: Council Member Carder

Second: Council Member Gray

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

Nay: None

Abstain: Council Member McIntyre

Absent: None

C. Town Council Regular Meeting – August 30, 2012

Motion: I move to approve the minutes of the Regular Meeting of August 30, 2012 as modified.

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

D. Town Council Regular Meeting – September 8, 2012

Motion: I move to approve the minutes of the Regular Meeting of September 8, 2012.
By: Council Member McIntyre
Second: Council Member Allar
Aye: Council Members Allar, Carder, Gray, McIntyre, and Senate
Nay: None
Abstain: Council Member Burden
Absent: None

Report from the Treasurer

No report was presented.

Staff Reports

A. Project Manager Report

There were no questions regarding the Project Manager's report. Manager Markel noted that work on the elevated water tank is nearing completion.

B. Report from the Zoning Administrator

There was no formal report from the Zoning Administrator.

C. Report from the Town Attorney

There was no formal report from the Town Attorney.

D. Report from the Town Manager

There was no formal report from the Town Manager.

Action/Discussion Items

A. Public Hearing on LVCU 2012-0003 4 North Berlin Pike

The Lovettsville Town Council Public Hearing for LVCU 2012-0003 was called to order by Mayor Robert Zoldos II at 7:47 PM.

Zoning Administrator Hynes presented this item. Council is being asked to consider a request by Gary Cramer, for approval of a Conditional Use Permit to section 3-13 (c)(v) of the Lovettsville Zoning Ordinance, to allow for the operation of retail sales of used automobiles, with the outdoor storage/display of automobiles, as a conditionally permitted use. The parcel is located at 4 North Berlin Turnpike.

There is one main building located on the property that totals 3,780 square feet in gross floor area. Mr. Said Bassam would like to purchase the property from Mr. Cramer and allow Quarter Branch Technologies to remain as a tenant within the main building. Mr. Bassam would also like to use the remaining space, located at the rear of the property, to operate retail sales of used automobiles. If this Conditional Use Permit is approved, Mr. Bassam plans to purchase the property.

Zoning Administrator Hynes reviewed the following staff recommendations:

1. Install a buffer area between subject property and 2A North Berlin Pike with a continuous hedge of shrubs or evergreen trees, minimum of six-foot in height at maturity, three-foot in height at planting; or a continuous six-foot tall opaque fence (such as board on board).
2. Outdoor lighting shall be installed to prevent off-site spillage and glare, in consideration of the adjacent property owners.
3. The display of automobiles for sale shall remain behind the front building line of the main building.

4. The outdoor lot shall be cleared of weeds and other debris; as well as it shall be professionally graveled or cemented to create a surface more conducive and appropriate for retail sales of automobiles.
5. Install a minimum of one (1) or a maximum of two (2) commercial entrances from the main road, thirty (30) foot in width, resurfaced with a hard material such as asphalt or cement but not gravel.
6. Install landscape islands in the areas that are not part of the commercial entrance(s); including one (1) landscape island to separate the 4 North Berlin parking lot from the 2 North Berlin parking lot. Grass shall be planted within the landscape islands and 25% of the total landscape areas will be planted with shrubs and flowers; and plant at least two (2) understory trees along the street frontage.
7. All plantings described in these conditions shall be installed before the conditionally permitted use is open to the public; all existing and new landscape material shall be maintained in good condition.
8. Automobile repair and detail work ancillary to automobile sales shall be allowed on-site and not allowed for customers to bring automobiles in for repair or detail work; specifically the business shall operate as a retail sales business and not as an auto repair service business or car wash business.
9. There shall be no use of outdoor speakers.
10. Barbed wire shall be removed from existing fence.
11. The business shall not have more than 30 automobiles for sale or lease on-site at any given time.
12. Separate parking spaces, from the automobile sales spaces and from other tenants of the main building, shall be provided for employees and customers; specifically provide a minimum of one (1) parking space per employee and reserve four (4) parking spaces for customers.
13. Ten (10) spaces shall be reserved for other tenants located within the main building.

Councilman Senate asked if the requirement to have all of the cars behind the building would be detrimental since the other car lot in Town has cars in front of the building. Mr. Bassam's son and business partner, Faisal Saidi, stated they do the majority of their sales online so they do not feel this requirement would be detrimental.

Mayor Zoldos called for comments from the public. There were none. Mayor Zoldos declared the public hearing closed at 7:59 PM.

Motion: I move that the Lovettsville Town Council adopt Ordinance 2012-10-001.
By: Council Member Senate
Second: Council Member McIntyre

Mayor Zoldos called for discussion. Councilman Burden asked if the prospective owner had agreed to all of the terms for the Conditional Use Permit. Mr. Saidi stated they have worked with the Zoning Administrator and Town Manager over the past few months and they agree with the restrictions. There being no further discussion, Mayor Zoldos called for the vote.

Aye: Council Members Allar, Burden, Carder, Gray, McIntyre, and Senate
Nay: None
Abstain: None
Absent: None

B. The Colonel Wesley Fox Young Marines Proclamation
Mayor Zoldos called for a motion to approve the Proclamation.

Motion: I move to approve the Proclamation for the Colonel Wesley Fox Young Marines.
By: Council Member Gray
Second: Council Member Burden

Mayor Zoldos called for discussion on the motion. Hearing none, the Mayor asked Young Marine Staff Sergeant (YM SSgt.) Christensen if he would like to address the Council. YM SSgt. Christensen thanked the Council for approving the Proclamation and he distributed Red Ribbons and information about Red Ribbon Week to those present. There being no further discussion, Mayor Zoldos called for the vote.

Aye: Council Members Allar, Burden, Carder, Gray, McIntyre, and Senate
Nay: None
Abstain: None
Absent: None

Mayor Zoldos and the Town Council presented the proclamation to YM SSgt. Christensen.

C. Scheduling Interview for Planning Commission Applicant

Manager Markel presented this item. Council is being asked to schedule an interview for an applicant to the Planning Commission. Council agreed to schedule the interview on October 25, 2012 at 6:30 PM.

D. Town Manager's Employment Agreement

Manager Markel distributed the Town Manager's employment agreement to Council. Mayor Zoldos stated he met with the Town Manager last week to review the employee evaluation approved and amended by Council. Council is being asked to consider adopting a new employment agreement for the Town Manager, with an effective date of October 8, 2012 through June 2013.

Motion: I move that the Town Council approve the Lovettsville Town Manager employment agreement dated October 8, 2012.
By: Council Member Senate
Second: Council Member Carder
Aye: Council Members Allar, Burden, Carder, Gray, McIntyre, and Senate
Nay: None
Abstain: None
Absent: None

Mayor Zoldos thanked Manager Markel for his service to the Town.

Information Items

Manager Markel distributed the revised Rules and Procedures for Meetings of the Mayor and Town Council, which were amended in September 2012, and the Rules for Public Comment.

Comments from the Mayor and Town Council

Councilman Gray recognized Councilman McIntyre for a great Oktoberfest. Councilman Gray asked about scheduling the tour of Town facilities. Manager Markel stated he would schedule the tour.

Councilman McIntyre thanked Town staff for their help with Oktoberfest. He stated he received great comments from the press and the vendors about the Town and the event.

Councilman Senate thanked Councilman McIntyre for a wonderful job. He and his family had a great time at Oktoberfest.

Councilwoman Carder stated Oktoberfest was a great festival and she has been getting a lot of positive feedback on the Facebook page. The first planning meeting for MayFest is November 1, 2012. She thanked Amanda Liss, from the Lovettsville Library, for attending tonight's Council meeting. She is sorry to hear Elizabeth Bracy is leaving the Lovettsville Community Center – she has been a great asset to the community. She added that she looks forward to having the same great partnership with the new Community Center Manager.

Mayor Zoldos reported on the following:

- He and the Town Manager recently attended the VML (Virginia Municipal League) conference and came away with many great ideas. He encouraged everyone to try to attend next year's VML conference, which will be in Arlington.
- He received many great comments about Oktoberfest. He thanked the Town Council and Planning Commission members for their participation throughout the day and at the Open House. He would like to formally thank the Oktoberfest Committee at a future Town Council meeting and asked Councilman McIntyre to coordinate that with the Committee members.

- The Lovettsville Fire and Rescue Company's Open House is on Sunday, October 14 from 12:00 to 4:00 PM. He asked for additional volunteers to help staff the event.
- The Fine Arts Fair will be held at the Lovettsville Elementary School on October 16. He and Mayor Walker will be serving as judges.
- He and the Oktoberfest Queen attended the Cub Scout meeting to thank them for cleaning up trash at Oktoberfest.
- He thanked staff for a successful Broad Way Bound meeting.
- He has been in touch with two prospective tenants for the second floor of the Town Center and forwarded their names to the developer. He also spoke with Congressman Wolf's office about the possibility of a telework site at Town Center and was told this is not a good option since many of the telework centers are closing down.
- The County will be presenting three options for renovations to the Community Center on October 22, 2012 and he invited everyone to attend.
- Lennar approached the Town recently about a potential project bordering the East side of Town. This was a preliminary discussion about restarting the project and considering them for water and sewer service.
- He would like the Parks Committee to look into Town welcome and information signs around the Town Square. Based on the feedback received from residents when going door-to-door for the last election, roughly one-third of the Town's residents do not use their computers for Town-related information. He would like to explore electronic signage that is affordable, visible to drivers, and easy for staff to manage. He is meeting with a representative from an electronic messaging company on October 22, 2012 to get some additional information.
- He has gotten several responses to the Doozer Lovettsville list regarding volunteer opportunities. The intent is to let people know about opportunities to sign up for two-hour blocks of time to volunteer at various Town events. He asked the Council Members to share this with their family and friends.

Adjournment

There being no further business before the Council, the meeting was adjourned at 8:32 PM.

Respectfully submitted,



Harriet West, Town Clerk

Date Approved: November 15, 2012

Attachments:

1. Speaker Sign Up Sheet



Speaker Sign - Up Sheet

Town Council Public Hearing and Regular Meeting - October 11, 2012

Please Print.

Name and Association	Address	Topic	Email Address (Optional) ¹
TIM Sparberie	1 Oakfield Drive	Susan Allen Events	

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.