

Town of Lovettsville

Town Council Minutes of Regular Meeting February 14, 2013

Call to Order/Pledge of Allegiance

Mayor Robert Zoldos II called the regular meeting of the Lovettsville Town Council to order at 7:30 PM on Thursday, February 14, 2013 at the Lovettsville Town Hall, 6 East Pennsylvania Avenue, Lovettsville, VA.

Present at Meeting

- Mayor Robert Zoldos II
- 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 Liz Whiting
- Project Manager Karin Fellers
- Town Clerk Harriet West

Absent

- Vice Mayor Senate

Pledge of Allegiance

Mayor Zoldos lead those assembled in the Pledge of Allegiance.

Presentations

There were no presentations.

Comments from the Public

Councilwoman Carder read the rules for public comment.

Mr. Pardip Sidhu came forward to speak. He and his business partner are the new franchisees for the 7-Eleven. Mr. Sidhu said his store is currently open from 5:00 AM to 12:00 midnight. He is asking the Town Council to allow his store to be open 24 hours/day because this is what his customers are asking for. There were no questions from the Council.

Community Presentations

A. Loudoun County Sheriff's Office

Deputy Sheriff Lopreto gave his report. He had been monitoring traffic on South Loudoun Street and has noticed that, when school lets out, the buses often block the entire lane of traffic on East Broad Way when going east bound. He suggested the Council consider sending a letter to the Loudoun County Public Schools Department of Transportation asking them to change the bus route to Rt. 287. He reported there have been a few burglaries outside of Town. He has noticed that some residents in Town are leaving their garage doors open at night and suggested including a safety tip in the Friday email, along with a reminder that residents should call the Sheriff's Office if they see something in progress. Deputy Lopreto said he is available by phone or email for non-emergencies.

Mayor Zoldos asked about the road check set up in Town today. Deputy Lopreto said they were checking vehicle decals. There were no additional questions from the Council.

B. Lovettsville Volunteer Fire and Rescue Company

There was no report.

C. Lovettsville Community Center

There was no report.

D. Lovettsville Library

There was no report.

Town Commission and Committee Reports

A. Lovettsville Planning Commission

There was no report.

B. Parks Committee

There was no report.

C. "We're In!"

Councilwoman Carder said the committee met on January 29, 2013 to discuss the budget.

D. MayFest Committee

Councilwoman Carder said they have 10 vendors and two sponsors. Sugar & Spice Bakery is sponsoring the pie eating contest and will donate the pies and the trophies.

E. Oktoberfest Committee

Councilman McIntyre said he has completed the work plan and they have formed an Executive Committee that includes a Chairman, Vice Chairman, Treasurer, and Team Leaders for Vendors, Publicity, Sales, Kinderfest, Support, and Entertainment. The first meeting is scheduled for February 25. The Committee will be working on the budget. He said they are not planning on requesting any funding from the Town but wanted to know if they could get VDOT to fill in any potholes on East Broad Way. Mayor Zoldos said they may also want to have VDOT sweep the streets. Manager Markel said that is something the Town would have to pay for.

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 – December 20, 2012

Motion: I move to adopt the minutes of the Regular Town Council Meeting held December 20, 2012.

By: Council Member Allar

Second: Council Member Carder

Aye: Council Members Allar, Burden, Carder, Gray, and McIntyre.

Nay: None

Abstain: None

Absent: Vice Mayor Senate

Report from the Treasurer

Manager Markel referred to the Financial Report for November 2012. He noted that the meals tax issue with Bonnie's Country Kitchen has still not been resolved and the Town has filed a bank lien to collect the outstanding taxes due to the Town.

Mayor Zoldos called for questions. Councilmember McIntyre asked about the status of the billing issue with Loudoun Water. Manager Markel said he has asked for a manual accounting until Loudoun Water can get the problem with their automated billing system resolved. Hearing no further questions, Mayor Zoldos called for a motion.

Motion: I move to accept the Treasurer's Report for November 2012.

By: Council Member Carder

Second: Council Member Gray

Aye: Council Members Allar, Burden, Carder, Gray, and McIntyre.

Nay: None

Abstain: None

Absent: Vice Mayor Senate

Staff Reports

A. Report from the Project Manager

Project Manager Fellers said she received seven proposals for the Town Hall expansion. She is working with the Selection Committee on scheduling a meeting to review the proposals.

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

Manager Markel referenced the Annual Report for 2012. He distributed the Delinquent Lovettsville Real Estate Tax Report for Years 2009-2012. Staff will come back to the Council with recommendations for a formal policy for installing liens for delinquent tax payments. He noted that the temporary parking lot expansion is underway. Mayor Zoldos said the 2012 Annual Report was very well done.

Action/Discussion Items

A. Town Green Pavilion Contract

Project Manager Fellers presented this item. The Council is being asked to authorize the Mayor to sign the necessary documents to hire Fuog to construct the Walker Pavilion. The Parks Committee reviewed the final proposal with Fuog several weeks ago and recommended moving forward. She noted they will need to increase the foundation and slab for the building based on the soil borings, which will add \$15,000 to the cost of the project.

Motion: I move that Town Council direct staff to authorize the Mayor or Town Manager to sign all necessary paperwork to enable Fuog to begin construction on the Walker Pavilion for a cost of \$167,171.00 with a contingency of \$10,000, once it is in a form acceptable to the Town Attorney. I further identify that the additional \$46,000 of funding above the budgeted amount for the completion of this project will be taken from the General Fund Reserve Fund.

By: Council Member Burden

Second: Council Member Carder

Mayor Zoldos called for discussion on the motion. Hearing none, the Mayor asked the Town Manager if there was anything in the acceptance of the Town Green that guaranteed it would be suitable for building. Town Attorney Whiting said the proffers did not warrant the ease of construction.

Councilman Gray asked if the work includes any warranty for the additional work to the foundation and slab. Project Manger Fellers said she would follow up on this.

Councilman McIntyre asked if there would be any penalties or incentives for the builder to get the pavilion completed by MayFest. Project Manager Fellers said the contract calls for completion by May 15, 2013, with daily penalties beyond that date. Staff said the builder understands the need to have the pavilion completed on time.

Mayor Zoldos asked if they needed to amend the motion to address the warranty for the foundation. Town Attorney Whiting said that it does not to be included in the motion.

Hearing no further questions, Mayor Zoldos called for the vote.

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

Nay: None

Abstain: None

Absent: Vice Mayor Senate

B. Western Loudoun Artist Studio Tour Grant

Manager Markel presented this item. This item is being brought back to Council to consider supporting the Western Loudoun Artists Studio Tour by providing a donation and applying for a matching grant offered through the Virginia Commission for the Arts. Staff has checked the funding for the Donation Line Item and determined there is \$250 available for disbursement, which could be applied towards the Artists Studio Tour. If the Council wants to approve an amount greater than \$250, then the money would have to be taken from another line item within the same category. Staff's recommendation is to donate \$250 this year since this is the amount that has been budgeted.

Motion: I move that the Town provide a \$250 donation to the Western Loudoun Artists Studio Tour to be taken from the Donation Line Item in the FY 2013 Budget and 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, along with supporting the Tour through the Town's public communication outlets.

By: Council Member Burden
Second: Council Member Gray

Mayor Zoldos called for discussion. Councilman Burden said if Round Hill and Lovettsville are the only towns that participate, then Lovettsville should keep its donation at \$250 and the organization should approach the other towns for support.

Councilman McIntyre asked where any addition funding above \$250 would come from. Manager Markel said it would have to be taken from another line item within that same broader category. One of the options would be the signage improvement grant, which has \$3,000 that has not been used. The Council and Staff discuss providing additional funding next fiscal year.

Hearing no further discussion, Mayor Zoldos called for the vote.

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

C. Rain Barrel Grant

Manager Markel presented this item. The Council is being asked to consider offering a utility bill credit for in-town residents who participate in the rain barrel workshop on April 9, 2013 at the Community Center. Manager Markel said they usually have six to twelve workshop participants each year. Mayor Zoldos asked if there were any questions. Hearing none, he called for a motion.

Motion: I move that Town Council authorize a \$20.00 utility bill credit for any Lovettsville water account customer who constructs or purchases a rain barrel at this workshop (maximum credit of \$20.00 per account).
By: Council Member Carder
Second: Council Member Allar

Mayor Zoldos called for discussion. Councilman Gray asked if this was a one-time credit for the year. Manager Markel said there is one credit per household per year. Councilwoman Carder asked how much the rain barrels cost. Manager Markel said the cost is approximately \$55 to build your own and \$65 to purchase one already constructed. Councilwoman Carder noted the utility credit would help offset the cost of the rain barrel. Hearing no further discussion, Mayor Zoldos called for the vote.

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

D. Town Park Land Insect Mitigation

Manager Markel presented this item based on an issue previously raised by Councilwoman Carder. The Council is being asked to consider options to reduce the tick and insect population on the Town Green and Town Square.

Manager Markel presented several options, including the use of an insecticide, other organic sprays, and/or installing bird houses to control other insects, like gnats and mosquitoes. He said the most effective approach for controlling ticks is to use an insecticide. The product recommended by the Town's contracted landscape and mowing company has the same active ingredient as what the County applied to its parkland. The cost for applying the insecticide is \$488 per treatment. The landscaping company could apply the treatment to the Town Green prior to MayFest.

Mayor Zoldos asked if there were any questions. Councilman McIntyre asked if they would spray the entire Town Green, or just the buffer area next to the tall grass. Manager Markel said the quote is for full

treatment of all areas. Councilman McIntyre said that keeping the grass mowed short should also help control ticks.

Councilwoman Allar said she has concerns about spraying chemicals on the ground where people take their children and pets. She asked if they had any information from the County that the spraying reduced the number of ticks, or if they received any complaints. Manager Markel said he could follow up on this. Councilwoman Allar said she had looked up the chemicals used in the insecticide and they seemed fairly safe. Manager Markel said the insecticide is approved for lawn applications and recreation fields. It is a widely used and highly effective product that stays active throughout the season.

Motion: I move that Town Council direct staff to schedule a limited insecticide treatment of the borders of the Town Green for the summer 2013 season and install two, multi-room bird houses on the Town Green.

By: Council Member McIntyre

Second: Council Member Carder

Mayor Zoldos called for discussion. Councilman McIntyre said his motion referred to spraying the areas next to the tall grass and along the sidewalks around the tall grass on the Town Green. His motion does not include spraying the Town Square.

Councilwoman Carder said the primary concern for MayFest is the Kidzone area, which will be located near the un-mowed area owned by NVRetail. She also likes the idea of using Purple Martins to help control the gnats.

Councilman Burden asked if the area around the pavilion will be sprayed, since this is where people are most likely to sit on the ground and therefore be most susceptible to ticks. Manager Markel said the ticks are most often found in taller grass. Spraying those areas should help prevent the ticks from coming onto the mowed areas. Councilman Burden asked about the cost for the reduced spraying and the bird houses, and where the funding would come from. Manager Markel said he would check on the cost for reduced spraying. The bird houses cost \$250. Funding would come from the beautification line item.

Councilmember Gray said he likes the approach to minimize the amount of spraying.

Hearing no further discussion, Mayor Zoldos called for the vote.

Aye: Council Members Allar, Burden, Carder, Gray, and McIntyre.

Nay: None

Abstain: None

Absent: Vice Mayor Senate

E. 2013 Summer Movies on the Green Approval

Manager Markel presented this item. The Council is being asked to consider approving the proposed dates and movies for the summer Movies on the Green series. Once the Council approves the slate of movies, Staff will secure sponsorships for the season. Staff recommends a sponsorship level of \$100 for each movie.

Motion: I move that Town Council approve the movies and dates for the 2013 Movies on the Green series as proposed and direct staff to move forward with soliciting sponsorships.

By: Council Member Carder

Second: Council Member McIntyre

Mayor Zoldos called for discussion. Following discussion clarifying the wording of the motion, Mayor Zoldos announced the movie schedule:

*June 14: *Star Wars*, with *National Treasure* as the backup

*July 12: *The Princess Bride*

*August 9: *Muppet Treasure Island*

*September 13: *The Lorax*

*October 11: *Cars*

Hearing no further discussion, Mayor Zoldos called for the vote.

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

F. Date Change for Second Council Meeting in March

Manager Markel presented this item. The Council is being asked to consider rescheduling the Town Council meeting of March 28, 2013, which falls during Easter week and spring break for Loudoun County Public Schools. Staff recommends that the meeting be rescheduled to Thursday, March 21 at 7:30 PM. The primary purpose of this meeting would be for the Town Manager to present his proposed 2014 Budget and Capital Improvement Plan.

Mayor Zoldos asked if there were any questions. Hearing none, he called for a motion.

Motion: I move that Town Council reschedule the meeting of March 28, 2013 to March 21, 2013 at 7:30PM.
By: Council Member McIntyre
Second: Council Member Carder

Mayor Zoldos called for discussion. Hearing none, he called for the vote.

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

Information Items

There were none.

Comments from the Mayor and Town Council

Councilwoman Allar said she attended the FOIA training and the water/sewer tour. She learned a wealth of knowledge from the tour that will give her an improved perspective on the things they read about and discuss. She thanked Project Manager Fellers for conducting the tour.

Councilwoman Carder thanked the members of the MayFest Committee, including Mary Torres, Entertainment Leader; Stephanie Bickmore, Kids Zone Leader; Kristina Nieberger and Wendy Kruck, Beer Tent coordinators; and Kay Zoldos, who is handling advertizing. Councilwoman Carder said she is getting inquiries from vendors every week and that it is exciting to see MayFest grow.

Councilman Gray said he attended the FOIA training and the water/sewer tour. He said the water/sewer tour was "eye opening" and that is a good visual reminder of what the Town's responsibilities are.

Councilman McIntyre said he also enjoyed the water/sewer tour. He thanked Manager Markel and Project Manager Fellers for organizing and conducting the tour.

Mayor Zoldos said the Town's biggest responsibility is providing water and sewer service and that most people do not understand how much infrastructure the Town owns and maintains. The Town has to meet the same sewage treatment standards as other jurisdictions with much larger populations. He noted that Lovettsville has the lowest water/sewer rates than any other town in the County, except for Leesburg.

Mayor Zoldos reported on the following:

- "We're In!" is doing well. They have all of the team leaders in place but still need someone to chair the committee.
- He followed up with Supervisor Higgins about schools and the Community Center. The two main points regarding the Community Center are that the new facility design does not provide additional programming space and that the pool house is too small. He noted that the funding will not be covered by the bond so the County is looking at using end-of-year funding. He will be meeting again with Supervisor Higgins and Diane Ryburn, Director of Parks, Recreation, and Community Services, on February 27 to discuss the Community Center and pool house.

- He spoke to the Town's School Board member regarding support for a school site in the Lovettsville area.
- He attended the water/sewer tour and the retired teachers' luncheon.
- The "Black & Blue Bowl" game on the Town Green was held on February 3.
- He and Manager Markel participated as judges for the Lego contest at the Community Center.
- He attended various community events including the Lovettsville Elementary School Bingo, Daisy Scouts, Pancake Supper for the Lions, and the MayFest Committee meeting.
- The Lovettsville Library birthday party is on March 23.
- The Game Club has approached the Town about conducting a Volunteer Fest for all of the volunteer groups in Town so residents, including teens, can learn about local volunteer opportunities. He will present additional information at the next meeting. The challenge may be getting people to attend. The tentative date is April 14 from 2:00 PM to 4:00 PM.
- Opening day baseball is April 20 from 9:00 AM to 9:00 PM.
- The new doctor's office is now open.
- The County will be replacing the "Town Village" sign.
- The concerns brought up at the last meeting regarding snow removal and the speed limit sign on East Pennsylvania Avenue have been forwarded to VDOT.

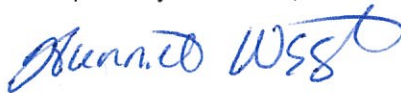
Closed Session

There was no Closed Session.

Adjournment

There being no further business before the Council, the meeting was adjourned at 8:48 PM.

Respectfully submitted,



Harriet West, Town Clerk

Date Approved: April 11, 2013

Attachments:

None