

# Town of Lovettsville

## Town Council Minutes of the May 23, 2013 Meeting Reconvened on May 30, 2013

### Call to Order/Pledge of Allegiance

Vice Mayor Senate called the Lovettsville Town Council meeting to order at 7:30 p.m. on Thursday, May 30, 2013 at the Lovettsville Town Hall, 6 East Pennsylvania Avenue, Lovettsville, VA.

### Present at Meeting

- Vice Mayor Mike Senate
- Council Member Kimberly Allar
- Council Member Jack Burden
- Council Member Tiffany Carder
- Council Member Rodney Gray
- Council Member James McIntyre

### Absent

- Mayor Robert Zoldos II

### Staff

- Town Manager Keith Markel
- Town Clerk Harriet West

### Pledge of Allegiance

Vice Mayor Senate led those assembled in the Pledge of Allegiance.

### Closed Session

Vice Mayor Senate announced there would be no Closed Session tonight.

### Comments from the Public

Councilman McIntyre said there was no one signed up to speak.

### Audience

- Pastor Lee Crosby
- Former Mayor Elaine Walker and Cliff Walker

### Additions/Deletions/Modifications to the Agenda

Vice Mayor Senate asked if there were any additions, deletions, or modifications to the agenda.

Councilman McIntyre asked if they should add the discussion about the purchase of the movie screen. The Council and Town Manager discussed options for the projection system and agreed to discuss this at the next meeting. Councilwoman Carder said MayFest would be able to return the \$2,000 provided by the Council which could be applied towards the cost of the projector.

### Action/Discussion Items

#### A. Town Green & Pavilion Use Rental Guidelines and Costs

Manager Markel presented this item. The Council is being asked to establish rental guidelines and costs for use of the Town Green and Walker Pavilion.

Vice Mayor Senate said he received changes from the Mayor Zoldos and Councilman McIntyre on the pilot policy. The Vice Mayor said he also contacted other towns to get additional information about how they handle facility rentals and pricing. He said the Town's proposed rental fees are lower than most of the other towns he contacted. He added that most other towns also require a deposit, in case there is serious damage.

Manager Markel presented the pilot policy which includes changes from the Mayor Zoldos and Councilman McIntyre, as well as additional staff changes. The revised policy has been discussed with the Town Attorney.

The Council reviewed and discussed the draft pilot policy and proposed fees in detail and Manager Markel made additional revisions to the document as directed. Councilman Gray suggested incorporating a site plan clearly showing what portion of the Town Green is included in the rental agreement.

The Council discussed sales by not-for-profit organizations, like the Lovettsville Cooperative Market, versus for-profit businesses, like local farmers. Sarah Searle, representing the Lovettsville Cooperative Market, said she sent a concept note to Mayor Zoldos explaining how the Farm Market would be structured. She clarified there would be no actual vendors at the Farm Market. The Council then discussed several other scenarios related to the sale of goods on the Town Green and at the Pavilion.

The Council completed reviewing, discussing, and revising the pilot policy and discussed how the policy would be administered.

**Motion:** I move to accept the Town of Lovettsville Town Green & Walker Pavilion Reservation Policy and Fees (Pilot Policy) as extensively amended this evening.

**By:** Council Member McIntyre

**Second:** Council Member Carder

Vice Mayor Senate called for the vote.

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

**Nay:** None

**Abstain:** None

**Absent:** Mayor Zoldos

Manager Markel distributed copies of the revised Town of Lovettsville Town Green & Walker Pavilion Reservation Policy and Fees (Pilot Policy) based on the changes discussed during the Council meeting (Attachment 1).

**B. Budget, CIP, Rates and Fees Discussion**

Vice Mayor Senate said the Council has discussed the budget at several meetings over the past couple of months. He asked if there was anything the Council wished to discuss or change.

Councilwoman Carder recommended that they separate the Mayor and Town Council salary line item by creating separate categories for each.

Councilman Burden said he was not at the meeting where the Council agreed to increase the Council Member's rate of compensation and that he did not agree with increasing the rate this year. Councilman Gray said he was not aware that the rate of compensation had changed. Councilwoman Carder said the compensation had increased as reflected in the proposed FY 2014 budget; however, the Council has not yet adopted the budget. She said the increase was included in the budget now so the Town Manager could advertise the budget and the public could see the proposed rates. Manager Markel said the Council Members' compensation will increase from \$1,200 to \$2,400 annually, if approved by the Council.

Vice Mayor Senate called for a motion.

**Motion:** I move to create a separate line item to list the Mayor's salary and a line item to list the Town Council's salaries.

**By:** Council Member Carder

**Second:** Council Member McIntyre

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

**Nay:** None

**Abstain:** None

**Absent:** Mayor Zoldos

**C. Town Sponsorship of the Lovettsville Cooperative Farm Market**

**Motion:** I move that the Town of Lovettsville sponsor the 2013 season of the Lovettsville Cooperative Farm Market through a 50/50 cost-sharing the rental of the Town Green and through in-town promotion of the event.

**By:** Council Member McIntyre

**Second:** Council Member Gray

Vice Mayor Senate called for discussion. Manager Markel asked how many Saturdays this would include. Councilman McIntyre said it would be from June to September. Councilman McIntyre

discussed the communication that occurred between the Mayor and the Lovettsville Cooperative Market about potential locations for the Farm Market, including the Town Green.

Councilman Burden said he did not think it was fair to subsidize one group and not the others.

Councilman Gray said they should look at the potential long-term benefit to the Town. He noted that the Town is not on the Loudoun County Wine Tour map.

Councilwoman Carder asked what the cost would be to the Town if it sponsored the Farm Market. Manager Markel said the Town's share would be approximately \$400.

Councilman McIntyre said this is something the Town could put its name on.

Vice Mayor Senate said he had no problem with the Town sponsoring the Farm Market, but was concerned that it would tie up the Town Green every Saturday during the summer. He said the Town should promote it and get it started. He added that it's hard to get people to come to Lovettsville.

Councilwoman Carder said the motion conflicts with the policy they just approved. She would like to see two separate motions, one for the 50/50 cost sharing and one for the in-town promotion.

Councilwoman Allar said she agreed with this. Councilwoman Carder said she was 100% behind promoting the event, but she was concerned that the cost sharing would open the door to subsidizing other events.

Councilman McIntyre stressed the benefits the Farm Market would bring to the Town.

Councilman Burden said the Council was violating their rules not to go beyond 10:00 p.m. and he expressed his concern that this subject was not on the agenda in advance. He said they should either vote and adjourn, or table the motion and adjourn.

Councilman McIntyre withdrew the motion.

**Information Items**

There were none.

**Comments from the Mayor and Town Council**

There were none.

**Closed Session**

There was no closed session.

**Adjournment**

Councilman McIntyre made a motion to adjourn. There being no further business before the Council, the meeting was adjourned at 11:14 p.m.

Respectfully submitted,



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Harriet West, Town Clerk

Date Approved: August 8, 2013

Attachments:

1. Town of Lovettsville Town Green & Walker Pavilion Reservation Policy and Fees (Pilot Policy).

# Town of Lovettsville

## Town Green & Walker Pavilion

### Reservation Policy and Fees

#### (Pilot Policy)

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#### **INTENT:**

The Town of Lovettsville has directed public resources to develop quality park space for the community. It is the intent of the Mayor and Town Council to allow individuals, families, charitable, benevolent, and civic organizations the ability to rent these spaces for activities that promote the public good and add to the quality of life for the residents of Lovettsville and the surrounding area. These uses must be of value to the community, uphold the community's social norms and values and/or serve as a benefit to the Town.

#### **NEED FOR RESERVATION:**

1. Exclusive use for the Pavilion or a particular portion of the Green.
2. Use of electric supply or water
3. Any structures such as tents.
4. Any sale of items.
5. Use of more than 15% green

#### **RESERVATIONS:**

1. The Town Green and the Walker Pavilion may be reserved for events by Town residents, Community Groups, or out-of-town residents.
  - a. A "Community Group" is any non-profit or not-for-profit organization that provides a benefit to the Town of Lovettsville beyond a purely commercial enterprise. An organization wishing to reserve the Pavilion or Green as a "Community Group" must articulate on the application that group's contribution to the community; status as a "Community Group" will be granted at the discretion of the Town.
2. An approved reservation awards the patron the exclusive use of the Walker Pavilion and exclusive use of up to 50% of the Town Green. The remainder of the Town Green, picnic tables, portable restroom (if present), and any other public facilities must be shared with the public.
3. **Tents and/or awnings** may be erected, but may not be attached to existing structures or vegetation. Maximum tent size shall be 200 square feet)
4. **Tables and chairs** (one set = one table & six chairs) may be rented from the Town for use inside the Walker Pavilion.

5. **A Corn hole set** may be rented for use on the Town Green. The set may not be removed from the Town Green.
6. The renter must have a copy of the approved reservation with them during their use of the public space.
7. Any rentals for uses beyond that described above shall be considered, negotiated and approved on a case by case basis by the Town. Such uses may include but not limited to concerts, day long fairs or events, weddings, use of larger tents (20x20 or larger requires County Fire Marshall approval), rentals beyond the time periods available.
8. The Town reserves the right to reject future reservation requests if any of the guidelines are not followed.

### **Rules for Use:**

1. No driving or parking on the grass or sidewalk, even for unloading. Cars must be parked on the street and all items carried in.
2. No grilling or cooking within 15 feet of the Pavilion or other structures. Use of crock pots and coffee pots in the Pavilion is acceptable to heat up and keep food warm.
3. No alcoholic beverages or tobacco products shall be consumed or used in the Town Green or Walker Pavilion. Exceptions may be made for groups with a valid ABC permit.
4. Pets must be on lead and picked up after.
5. No littering. All trash must be collected and removed by the renter and disposed of offsite. Renters using the Green for the sale of merchandise shall provide trash cans for the use of their customers in order to reduce overflow of park trash cans.
6. A portable restroom facility will be available at the Town Green during the summer months and is available for public use.
7. No inflatable amusements are permitted, unless specifically sanctioned by the Town Council.
8. No amplified sound shall be allowed unless specifically requested and approved. Noise must be kept to a reasonable level.
9. The Town reserves the right to charge for water if usage exceeds 1,000 gallons.
10. Table and chair rentals are available for rent for use inside the Pavilion.
11. Maximum tent size allowed is 200 square feet.
12. Use of the Town Green by Community Groups for the sale of goods and services requires an approved reservation.
13. An approved reservation is required before any structures or tents may be erected on the Town Green.
14. Damage to structures or property is the responsibility of the renter. No tape, nails or other fastening devices are permitted for use in the Pavilion.
15. The Town has the right to refuse any requests for renting the Town property. The Town will work to provide equal access to park rental so that no one group monopolizes the property. If demand justifies, the Town may limit rental availability.

16. Renter shall provide proof that they are covered with a minimum of 1,000,000 of liability insurance with the Town Government being added as an additionally insured unless this requirement is waived by the Town. (The Town can provide information on how to obtain this insurance)

**Sales by Community Groups:**

1. Community Groups shall hold all necessary licenses, registrations, etc. to permit the sale of their products.
2. If rental use is for the purpose of selling products or services:
  - a. Organizations wishing to use the space for the sale of goods must be a registered nonprofit or not-for-profit Community Organization.
  - b. For-profit sales shall only be permitted during specific Town sanctioned events such as Mayfest or Oktoberfest.
  - c. Must provide a description of the event and a list of the vendors proposed for Town approval.
  - d. The Town has the right to refuse any proposed vendor or activity.
  - e. Sale of all items shall be subject to all appropriate taxes and fees to the Town and other entities as appropriate.
3. Community Groups must provide proof that they are covered with 1,000,000 of liability insurance with the Town Government being added as an additionally insured. (The Town can provide information on how to obtain this insurance)
4. If continued set-up of tents causes damage to the grass, the renter will rotate tent locations, etc., to eliminate damage to the grass. Should grass damage continue to occur, renter will be responsible for repair of the grass damage in the fall and may lose future rental privileges.
5. No tents or other equipment shall be left on the Green past the approved reservation period.
6. All safety, health, and other regulations must be met at all times.
7. No holes larger than those made by a tent stake may be made on the Green.
8. If multiple vendors will be selling under one reservation each vendor must meet the vendor requirements stated above.
9. The Town reserves the right to reject future reservation requests if any of the guidelines are not followed.

**Reservation and Use Fees:**

	Town Residents and Community Groups	Out-of-Town Residents
Green reservation	50	100

Pavilion reservation	25	50
Pavilion & Green reservation	\$65	\$130
Electricity and water hook-up	\$25	\$25
Table & Chair Rental	\$10/set	\$10/set
Corn Hole Rental	\$10/set	\$10/set

1. Available reservation times: 10:00 AM to 3:00 PM      4:00 PM to 9:00 PM
2. Permit is for the time period specified only. Renters must be packed up and vacate the rented space within thirty minutes following the end of their rental time.
3. Individuals or groups wishing to reserve BOTH time periods on the same day must pay the reservation and use fee for EACH time period, but may use the facility continuously from 10:00 AM to 9:00 PM.
4. The reservation of BOTH time periods on the same day shall not require double Electricity and water hook-up fees, table/chair rental fees, or corn hole rental fees.
5. Reservation applications will not be accepted more than twelve months before the planned event.