

# Town of Lovettsville

## Town Council Minutes of the January 16, 2014 Regular Meeting

### Call to Order/Pledge of Allegiance

Mayor Robert Zoldos II called the Regular Meeting of the Lovettsville Town Council to order at 7:30 p.m. on January 16, 2014 at the Lovettsville Town Hall, 6 East Pennsylvania Avenue, Lovettsville, VA.

### Council Members Present

- Mayor Robert Zoldos II
- Council Member Kimberly Allar
- Council Member Tiffany Carder
- Council Member Rodney Gray
- Council Member James McIntyre

### Council Members Absent

- Vice Mayor Michael Senate
- Council Member Jack Burden

### Staff Present

- Town Manager Keith Markel
- Project Manger Karin Fellers
- Town Attorney Elizabeth Whiting
- Treasurer Lance Gladstone (arrived at 7:44 p.m.)
- Town Clerk Harriet West

### Pledge of Allegiance

Mayor Zoldos led those assembled in the Pledge of Allegiance.

### Presentations

#### A. Lions Club Annual Report

Mr. Scott Dockum gave a presentation on behalf of the Lovettsville Lions Club. He gave an overview of the Lion's Club International and talked about what the local Lion's Club does for the community.

Mr. Dockum said that the Lovettsville Lion's Club is very focused on awareness of eye diseases through vision screening and the early detection of eye diseases in children through non-invasive methods. They also serve young people through scholarships, recreation, mentoring, youth camps, and music contests. In addition, they conduct many fund raising events throughout the year and 85% of the funds they raise stay in the community.

Mr. Dockum then discussed the Community Needs Assessment they will be conducting this year. The assessment will include interviews with the Mayor and Council Members and representatives from other community groups and clubs. The assessment will help them evaluate if the services they currently provide are still needed and determine if there are new service projects that are needed. The assessment will be conducted between February and May 2014. They will share the results with the Mayor and Council and other groups, and then work to develop partnerships and leverage support to meet the needs of the community.

Mayor Zoldos noted that there was good interaction among the Town's community groups at Volunteer Fest last year. He suggested conducting a planning meeting with local service organizations in late February in preparation for Volunteer Fest in April 2014. The Mayor and Council Members thanked the Lions Club for everything they do for the community with a round of applause.

### Comments from the Public

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

### Community Presentations

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

Deputy Sheriff LoPreto gave his report. He said there have been no crimes reported in Town since the last meeting. He has added physical addresses for the Walker Pavilion and the Quarter Branch Park to the Sheriff's Office system so deputies will know where to respond to calls. He is also updating the emergency contacts for local businesses. He introduced Captain Brian Courneya, Station Commander for the Western Loudoun Station. Captain Courneya said he has been making routine visits to the Town and he encouraged the Mayor and Council Members to contact him directly if they need anything. Mayor Zoldos thanked Deputy LoPreto for his service to the Town.

#### B. Lovettsville Fire & Rescue

Former Mayor Elaine Walker said the Lovettsville Fire & Rescue Company is proceeding with plans for their building and that she has asked them to come before the Mayor and Council and give a presentation.

There were no other community presentations.

### Town Commission and Committee Reports

#### A. Lovettsville Planning Commission

There was no report.

#### B. Parks Committee

Manager Markel said they are making progress on the entrance and sidewalks at the Quarter Branch Barn.

#### C. "We're In" Committee

Councilwoman Carder gave an update on plans for a Valentine Day event.

Mayor Zoldos gave updates on Berserkle on the Squirkle and the business mixer at the Mad Horse Brew Pub. He said he spoke with all of the vendors who attended Berserkle and they seemed pleased with the event. The business mixer was well attended.

### Additions/Deletions/Modifications to the Agenda

There were no changes to the agenda.

### Minutes

#### A. Town Council Regular Meeting – October 10, 2013

**Motion:** I move to approve the minutes of the October 10, 2013 Regular Meeting as amended.

**By:** Council Member McIntyre

**Second:** Council Member Gray

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

**Nay:** None

**Abstain:** None

**Absent:** Council Members Burden and Senate

#### B. Town Council Regular Meeting – October 24, 2013

**Motion:** I move to approve the minutes of the October 24, 2013 Regular Meeting as presented.

**By:** Council Member McIntyre

**Second:** Council Member Carder

**Aye:** Council Members Carder, Gray, and McIntyre

**Nay:** None

**Abstain:** Council Member Allar

**Absent:** Council Member Burden and Senate

C. Town Council Regular Meeting – November 14, 2013

**Motion:** I move to accept the minutes of the November 14, 2013 Regular Meeting as amended.  
**By:** Council Member McIntyre  
**Second:** Council Member Gray  
**Aye:** Council Members Carder, Gray, and McIntyre  
**Nay:** None  
**Abstain:** Council Member Allar  
**Absent:** Council Member Burden and Senate

D. Town Council Regular Meeting – December 12, 2013

**Motion:** I move to accept the minutes of the December 12, 2013 Regular Meeting as amended.  
**By:** Council Member McIntyre  
**Second:** Council Member Carder  
**Aye:** Council Members Allar, Carder, Gray, and McIntyre  
**Nay:** None  
**Abstain:** None  
**Absent:** Council Members Burden and Senate

E. Town Council Regular Meeting – December 19, 2013

**Motion:** I move to accept the minutes of the December 19, 2013 Regular Meeting as presented.  
**By:** Council Member McIntyre  
**Second:** Council Member Allar  
**Aye:** Council Members Allar, Carder, Gray, and McIntyre  
**Nay:** None  
**Abstain:** None  
**Absent:** Council Member Burden and Senate

**Report from the Treasurer**

Treasurer Lance Gladstone presented the November 2013 Financial Report. Councilman Gray asked Treasurer Gladstone if he had seen any effect from the increase in water/sewer rates. Treasurer Gladstone said it was still too early to tell since the rate increase just went into effect in October 2013.

**Motion:** I move to accept the November 2013 Financial Report.  
**By:** Council Member Gray  
**Second:** Council Member McIntyre  
**Aye:** Council Members Allar, Carder, Gray, and McIntyre  
**Nay:** None  
**Abstain:** None  
**Absent:** Council Members Burden and Senate

**Staff Reports**

A. Report from the Project Manager

Project Manager Fellers said they have 18 signed easements for the East Broad Way Streetscape Project and they are continuing negotiations with the remaining property owners.

B. Report from the Zoning Administrator

Manager Markel asked if there were any questions about the Zoning Administrator's written report. Councilwoman Carder asked what type of business is Blue Ghost Ink. Manager Markel said it is a mobile, temporary tattoo business.

C. Report from the Town Attorney

There was no report from the Town Attorney.

D. Report from the Town Manager

Manager Markel distributed his report and the draft 2013 Annual Report. He thanked and acknowledged Alicia Bruce for many of the photographs included in the Annual Report.

Manager Markel suggested foregoing tonight's closed session since two Council Members were absent.

Manager Markel said the Library Advisory Board contacted him about using space in the barn to store books for the book sale. Following discussion, it was agreed that the Mayor, Councilman Gray, and Councilman McIntyre would evaluate the space and offer the library what is available.

Manager Markel said he recently met with a representative from Loudoun County about partnering with the County on initiatives related to the watershed improvement plan. There would be no cost to the Town to work with the County on storm water reduction and management projects like rain gardens, tree plantings, and stream bank restoration. There were no objections from the Council.

Action/Discussion Items

A. AT&T Lease Agreement

Project Manager Fellers presented this item. The Council is being asked to approve the new lease agreement for antennas on the Town's elevated storage tank for New Cingular Wireless. Project Manager Fellers noted two modifications to the lease agreement regarding language about insurance coverage and the indemnity clause. The lease is in a form that is acceptable to Staff and the Town Attorney. Ordinance 2014-01-001 (Attachment 1) is being presented to Council for approval.

**Motion:** I move that the Town Council approved Ordinance 2014-01-001 and authorize the Town Manager to sign the revised lease agreement for New Cingular Wireless, PCS, LLC site number 0290.

**By:** Council Member Carder

**Second:** Council Member Allar

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

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

**Nay:** None

**Abstain:** None

**Absent:** Council Members Burden and Senate

Information Items

Mayor Zoldos said there was a meeting earlier this week with the Virginia Department of Environmental Quality where issues with the waste water treatment plant upgrades. He said this would be discussed further in closed session when all Council Members were present.

Comments from the Mayor and Town Council

Councilwoman Allar thanked everyone for their support while she was gone after the recent birth of her baby.

Councilwoman Carder said she was excited about plans for MayFest 2014, which will include a maypole and travelling trophy.

Councilman Gray thanked Manager Markel for the list of contractors.

Councilman McIntyre said the Lovettsville Library Advisory Board is now known as the Friends of the Library. He noted two upcoming fundraising events that the Friends of the Library will be conducting – babysitting service on Valentine's Day and the Lovettsville Library's birthday party on February 27. He added that the next Black & Blue Football on the Green will be held on Super Bowl Sunday, February 2.

Mayor Zoldos reported on the following:

- He gave an update on the most recent meeting with NVRetail and distributed a new conceptual sketch, prepared by the developer, for the Town Center commercial project. The new design

includes German architectural features, including a clock tower which could be used to house a Glockenspiel. The developer is looking for feedback from the Council on the proposed design. The Mayor and Council discussed various aspects of the proposed design and modification they would like to see made.

- They will meet in closed session at a later date when all Council Members are present to discuss the recent meeting with the Virginia Department of Environmental Quality.
- He invited everyone to attend the grand opening of Bake It, the new bakery and restaurant on S. Loudoun Street, on Saturday, January 18 at 11:00 a.m.
- The "We're In" business mixer was well attended.
- He represented the Town as a judge for the "We The People" high school competition.
- He thanked everyone for their help with Berserkle on the Squirkle.
- The Mad Horse Brew Pub will be expanding their hours to 11:00 p.m. on Friday and Saturday nights.
- He brought up conducting a Valentine's Day event ("Smooch on the Square"), which would consist of a photo opportunity on the Town Square at sunset. The Council Members discussed the timing of this event and other activities that might be planned for that evening, but there was no objection to moving forward with this event.

**Closed Session**

There was no closed session.

**Adjournment**

There being no further business before the Council, the meeting was adjourned at 9:12 p.m.

Respectfully submitted,



Harriet West, Town Clerk

Date Approved: February 27, 2014

Attachments:

1. Ordinance 2014-01-001

# Town of Lovettsville

**MOTION:** Carder

**SECOND:** Allar

**Ordinance 2014-01-001: APPROVING LEASE AGREEMENT FOR NEW CINGULAR WIRELESS, PCS, LLC, FOR CONTINUED OPERATION OF A COMMUNICATION UTILITY FACILITY AT THE ELEVATED WATER TANK**

**WHEREAS**, the Town of Lovettsville is the owner of certain real property improved with the Town of Lovettsville Water Tank and located at 14A Quarter Branch Road; and

**WHEREAS**, New Cingular Wireless, a wireless communication provider is a tenant on the aforesaid property pursuant to a Conditional Use Permit approved by the Town Council on December 12, 2013, allowing installation and operation of a communication facility in the R-1 District on Public Land; and

**WHEREAS**, the Town Council determined that the public interest would be served by negotiating a new five-year lease to replace the preexisting lease between the Town and New Cingular Wireless under the provisions of Virginia Code section 15.2-2100; and

**WHEREAS**, the Town staff and New Cingular Wireless have agreed to terms for a replacement lease agreement that has been approved in form by the Town attorney.

**NOW, THEREFORE BE IT ORDAINED** that the Town Council of the Town of Lovettsville hereby approves the lease agreement attached hereto, upon proper executive by New Cingular Wireless to include Exhibits B and C, as approved in final form by the Town Manager and Town Attorney.

**BE IT FURTHER RESOLVED** that the Town Council of the Town of Lovettsville hereby authorizes signature by the Town Manager to the lease once it meets the foregoing requirements.

**VOTE:**

**Ayes:** Allar, Carder, Gray, and McIntyre

**Nays:** None

**Abstentions:** None

**Absent for vote:** Burden and Senate

**APPROVED:** January 16, 2014

  
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**ROBERT ZOLDOS II, MAYOR**

**Certified:**

  
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**HARRIET WEST, TOWN CLERK**

*The German Settlement*