

Town of Lovettsville

Town Council Minutes of the February 27, 2014 Regular Meeting and Public Hearings

Call to Order/Pledge of Allegiance

Mayor Robert Zoldos II called the Regular Meeting of the Lovettsville Town Council to order at 7:31 p.m. on February 27, 2014 at the Lovettsville Town Hall, 6 East Pennsylvania Avenue, Lovettsville, VA.

Council Members Present

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

Council Members Absent

- Council Member Jack Burden

Staff Present

- Town Manager Keith Markel
- Town Attorney Elizabeth Whiting
- Treasurer Lance Gladstone (arrived at 8:09 p.m.)
- Project Manger Karin Fellers
- Zoning Administrator Melissa Hynes
- Town Clerk Harriet West

Pledge of Allegiance

Mayor Zoldos led those assembled in the Pledge of Allegiance.

Audience

Mayor Zoldos welcomed Brunswick City Council Members Angel White and Ellis Burruss.

Presentations

A. Lovettsville Garden Club

Molly Hafner, President of the Lovettsville Garden Club, gave an update on the recent election of officers and the organizations' committee structure and nonprofit status. She discussed upcoming projects including a Town beautification initiative, plans for a community garden at the Quarter Branch Park, the formation of a seed bank, and collecting fresh produce donations for local food banks. Ms. Hafner said they will need to put up fencing around the garden to keep the deer out. In response to a question from Mayor Zoldos, Ms. Hafner said the Garden Club is exploring the idea of edible fruit trees around Town. Vice Mayor Senate offered to help with the deer fence. Councilwoman Carder thanked Ms. Hafner for volunteering to sew the aprons for the MayFest volunteers.

Comments from the Public

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

Community Presentations

There were no community presentations.

Town Commission and Committee Reports

A. Lovettsville Planning Commission

There was no report.

B. Parks Committee
There was no report.

C. MayFest Committee
Councilwoman Carder gave an update on MayFest planning activities.

D. We're In Committee
Zoning Administrator Hynes gave updates on Berzerkle on the Squirkle, the advertising workshop, and upcoming events including the Small Business Week Breakfast and Volunteer Fest.

Additions/Deletions/Modifications to the Agenda

There were none.

Minutes

A. Town Council Special Meeting – January 9, 2014

Motion: I move to accept the minutes of the January 9, 2014 Special Meeting.

By: Vice Mayor Senate

Second: Council Member Gray

Aye: Council Members Gray, McIntyre, and Senate

Nay: None

Abstain: Council Members Allar and Carder

Absent: Council Member Burden

B. Town Council Regular Meeting – January 16, 2014

Motion: I move to accept the minutes of the January 16, 2014 Regular Meeting as amended.

By: Council Member Carder

Second: Council Member McIntyre

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

Nay: None

Abstain: Vice Mayor Senate

Absent: Council Member Burden

Staff Reports

A. Report from the Project Manager

Project Manger Fellers reported that the Walker Pavilion won its first award from the Community Appearance Alliance. The awards luncheon will be held on March 14 at 11:00 a.m.

B. Report from the Zoning Administrator

Zoning Administrator Hynes reported that Richmond American Homes will be building Section 4 of Lovettsville Town Center. She gave updates on two new development projects that will be coming forward (Lovettsville Glen and Cooper Run Estates), the Conditional Use Permit and text amendment for the Community Center, and modifications to the Zoning Ordinance to provide more diversity and density for housing options.

C. Report from the Town Attorney

There was no report.

D. Report from the Town Manager

Manager Markel noted the high number of water leaks in February due to fluctuating temperatures and aged equipment.

The April 10 Town Council meeting will be held at the Lovettsville Library in recognition of National Library Appreciation Week. Following the meeting at the Library, the Council will reconvene back at Town Hall for a budget work session.

Action/Discussion Items

A. Potomac Partnership

Councilwoman Carder presented this item. The Council is being asked to discuss developing a working relationship with the City of Brunswick, Maryland and to consider formally recognizing this relationship as the Potomac Partnership. Councilwoman Carder discussed the ways the two communities could work together to share resources and cross-promote businesses, organizations, and events. This is a great opportunity for the Town and City to complement one another and not duplicate efforts.

Zoning Administrator Hynes discussed the recent meeting of staff and elected officials from Brunswick and Lovettsville to discuss the Potomac Partnership and potential ways for the two communities to work together.

The Mayor and Council discussed common needs including a grocery store, a community calendar, economic opportunities, and shared equipment/resources.

Motion: I move that Town Council direct staff to begin the Potomac Partnership Process, including the following action items:

Action 1: Prepare a Resolution to be adopted at an upcoming Town Council Meeting.

Action 2: Invite the Brunswick City Council to attend a Lovettsville Council Meeting to witness the signing of the Potomac Partnership Resolution on behalf of the Town of Lovettsville.

Action 3: Accept the invitation by the Mayor of Brunswick to the Lovettsville Council to attend an upcoming Brunswick Council Meeting to witness the signing of the Potomac Partnership Resolution on behalf of the City of Brunswick.

By: Council Member Carder

Second: Vice Mayor Senate

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

Nay: None

Abstain: None

Absent: Council Member Burden

Brunswick City Council Member Ellis Burrus thanked Councilwoman Carder for initiating the Potomac Partnership.

B. LVZA 2013-0005 Amendments to Fence Height Requirements (Public Hearing)

Mayor Zoldos suspended the regular meeting at 8:07 p.m. and opened the public hearing for LVZA 2013-0005 Amendments to Fence Height Requirements. Vice Mayor Senate read the Notice of Public Hearing (Attachment 1).

Zoning Administrator Hynes presented this item. The Council is being asked to consider an amendment to Section 4-6, Section 4-7 and Section 13 of the Town of Lovettsville Zoning Ordinance to modify fence requirements. Modifications includes the following: to define secondary front yard; to allow fence height to increase in the secondary front yard of a corner lot to four (4) feet; to allow fence height to increase on commercial property adjacent to residential property; to limit the use of temporary fence materials; and to amend the visibility requirements to meet Virginia Department of Transportation standards.

Mayor Zoldos called for questions from the Council and comments from the public. Molly Hafner asked if the fence requirements would apply to the proposed community garden at Quarter Branch Park. Zoning Administrator Hynes said the fence regulations would probably not apply to a garden. Hearing no further questions, Mayor Zoldos closed the public hearing at 8:20 p.m., opened the regular meeting, and called for a motion.

Motion: I move to accept Ordinance No. 2014-02-0001: Amend Sections 4-7 and 13-2 of the Zoning Ordinance, Fence Requirements LVZA 2013-0002.
By: Vice Mayor Senate
Second: Council Member Carder
Aye: Council Members Allar, Carder, Gray, McIntyre, and Senate
Nay: None
Abstain: None
Absent: Council Member Burden

C. LVRZ 2013-0002 Proffer Amendment for 5 North Berlin Pike (Public Hearing)

Mayor Zoldos opened the public hearing for LVRZ 2013-0002 Proffer Amendment for 5 North Berlin Pike at 8:26 p.m. Vice Mayor Senate read the Notice of Public Hearing (Attachment 1).

Zoning Administrator Hynes presented this item. The Council is being asked to consider a request from Malcolm and Pamela Baldwin to amend the approved proffers associated with the April 25, 2013 rezoning of the 0.74 acre parcel located at 5 North Berlin Pike from R-1 (Residential) to C-1 (Community Commercial). The Applicants are requesting an amendment to Proffer #5 to reduce the setback from the Route 287 right-of-way from 30 feet to 20 feet to address parking space needs. Staff noted that the requested 20 foot setback is still much greater than the C-1 front set back of 5 feet.

Pamela Baldwin said the preliminary concept for the co-op building is a "barn like" structure with a "country-store" look.

Zoning Administrator Hynes noted that staff concerns about the rear elevation of the building facing North Berlin Pike have been addressed with an additional proffer submitted by the Applicants. The proffer includes a minimum of two windows (real or simulated) with flower boxes, a door entry (real or simulated), a gable or dormers with windows, and outdoor lighting. Staff recommends approval of the Applicant's proffers.

Mayor Zoldos called for comments from the public. There were none. The Mayor closed the public hearing at 8:36 p.m., opened the regular meeting, and called for a motion.

Motion: I move to that the Lovettsville Town Council approve LVRZ 2013-0002: 5 North Berlin Pike Proffer Amendment.
By: Vice Mayor Senate
Second: Council Member McIntyre

Mayor Zoldos called for discussion. Councilman McIntyre said he was glad to see the additional proffer to address the rear-elevation, which is something the Town has been working on with other commercial developments.

Pamela Baldwin said there has been a lot of discussion with the co-op Board about the kind of building they are considering. She provided copies of a preliminary drawing (Attachment 2) with different color schemes. In response to a question from Mayor Zoldos, Mrs. Baldwin said the design was not being proffered.

Mayor Zoldos noted the parallels to the Community Center elevations with regard to the Eastern gateway to the Town. He said he would like to see an actual design proffer for the co-op but understands this is a unique situation because the Applicants are working with a group of people. Malcolm Baldwin said they are depending on others to make this a viable project and they cannot proffer something that they cannot guarantee or afford.

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

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

Abstain: None
Absent: Council Member Burden

D. SCADA Upgrades for Water System

Project Manager Fellers presented this item. The Council is being asked to consider approving the Sherwood-Logan proposal for installation of the supervisory control and data acquisition (SCADA) design by CH2M Hill.

Project Manager Fellers introduced Brian Sumner, from CH2M Hill. Mr. Sumner discussed the limitations of the current hardware/software and the benefits of upgrading the system, including more automated features and reliability.

In response to questions from the Mayor and Council, Project Manager Fellers said the upgrades will provide a more robust system that is easier to maintain. Manager Markel said there are sufficient funds in the water fund reserve to cover the costs and that the system needs to be replaced at some point soon. Mr. Sumner said the new system will be more scalable and can be made accessible from remote locations.

Motion: I move that Town Council approve the Sherwood-Logan Proposal titled SCADA System Upgrade for the Lovettsville Water Treatment and Distribution System dated November 25, 2013 for the amount of \$125,000 and approve the Division 16 proposal dated November 22, 2013 in the amount of \$25,000 plus a contingency of \$12,000 and authorize the Mayor or Town Manager to sign the necessary paperwork. I further move that Town Council authorize staff to release Hill for the services during construction and follow-on services in order to provide support during the installation.

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

E. Western Loudoun Studio Arts Tour Grant Application

Manager Markel presented this item. The Council is being asked 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.

Motion: I move that the Town provide a \$250 donation to the Western Loudoun Artists Studio Tour to be taken from the Miscellaneous Donation Line Item in the FY 2014 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 Carder
Second: Council Member McIntyre

Mayor Zoldos called for discussion. Councilwoman Carder said this is a great way to promote the Town. Councilman McIntyre said the Town should also consider supporting them in other ways, such as advertizing local businesses and events in the Studio Tour directory. Mayor Zoldos encouraged everyone to visit the local artists on the Tour. Councilman Gray said there are some really interesting artists in the Lovettsville area.

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

F. Recycling Contract Update

Manager Markel presented this item. The Council is being asked to consider modifying the current recycling contract with American Disposal to allow for the distribution of wheeled, 65 gallon recycling containers with lids to Town customers. Residents would contact American Disposal directly to obtain a container. The cost to the Town would be \$0.60 per month for each container that is distributed.

Motion: I move that the Town of Lovettsville modify its existing trash and recycling contract American Disposal to include the new 65 gallon recycling container program with the terms outlined in this staff report and direct the Mayor or Town Manager to sign the modified contract once in a form acceptable to the Town.

By: Vice Mayor Senate

Second: Council Member Allar

Mayor Zoldos called for discussion. Councilwoman Allar said this will be great for the Town because it will help keep the trash from blowing around. Mayor Zoldos asked the Town Manager to see if the recycling containers will be a different color to distinguish them from the trash containers.

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

Nay: None

Abstain: None

Absent: Council Member Burden

Report from the Treasurer

Treasurer Lance Gladstone presented the December 2013 Financial Report.

Motion: I move to accept the December 2013 Financial Report.

By: Council Member Allar

Second: Council Member Carder

Vice Mayor Senate asked about the status of the meals tax for Bonnie's restaurant. Treasurer Gladstone said she is still delinquent for the last quarter of 2013 and he is trying to collect that now.

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

Nay: None

Abstain: None

Absent: Council Member Burden

G. FY 2015 Budget and CIP Schedule

Manager Markel presented this item. The Council is being asked to consider the proposed FY 2015 Budget and CIP Schedule for April-June 2014.

Information Items

There were none.

Comments from the Mayor and Town Council

Councilwoman Allar thanked the Garden Club for what they have proposed to do for the Town.

Councilwoman Carder provided information on a business networking event in Brunswick on March 19.

Vice Mayor Senate said the local businesses appreciated the Town's quick response to numerous broken water connections.

Councilman Gray thanked Project Manager Fellers for coordinating the meeting with VDOT representatives to discuss the bike trail.

Councilman McIntyre said the We're In advertising event was very informative. He added that the Friends of the Lovettsville Library will host a Murder Mystery dinner at the library on May 3.

Mayor Zoldos reported on the following:

- The original fire chief of Loudoun County, O. R. Dubé, and Mayor Jane Seeman, Town of Vienna, recently passed away.
- The We're In advertisement workshop was well attended and very informative.
- He attended the Library Birthday Party and the Have A Heart Party at Lovettsville Elementary School.
- He and the Town Manager recently met with Chairman York, Loudoun County Board of Supervisors, and gave him a tour of the Town.
- He attended the Brunswick City Council meeting to start off the Potomac Partnership.
- He expects to see a proposal from the developer of NV Retail in the near future.
- He and Town staff met with County staff to discuss the design option for the Community Center and future expansion of the facility based on usage triggers.
- The Lovettsville Elementary School will be recognized with a "Play 60" award.
- He asked if one of the Council Members could attend a meeting next week to discuss the employee benefits package, which will be brought back to Town Council in March. Vice Mayor Senate said he would attend.

Closed Session

There was no closed session.

Adjournment

There being no further business before the Council, the meeting was adjourned at 9:43 p.m.

Respectfully submitted,



Harriet West, Town Clerk

Date Approved: April 10, 2014

Attachments:

1. Notice of Public Hearing
2. Preliminary Drawing – 5 North Berlin Pike

Fencing

J.K. Anzengruber
Fencing
 Estate and Livestock Property
 Design
540.797.1976

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Public Hearing/Legal Notices

**Notice of Public Hearing
 Town of Lovettsville Town Council**

The Lovettsville Town Council will hold a public hearing on the following items at their meeting on February 13, 2014 at 7:30pm at the Lovettsville Town Hall, 6 East Pennsylvania Avenue:

LVZA-2013-0005 Amendments to the Fence Requirements:

To amend Section 4-7 and Section 13 of the Town of Lovettsville Zoning Ordinance to modify fence requirements. Modifications includes the following: to define secondary front yard; to allow fence height to increase in the secondary front yard of a corner lot to four (4) feet; to allow fence height to increase on commercial property and to limit the use of temporary fence materials.

LVRZ-2013-0002 Rezoning Proffer Amendment

To consider a request by Malcolm & Pamela Baldwin to modify rezoning proffers for 5 North Berlin Pike. The property is identified as Loudoun County PIN 369-20-5741. The proposed modification, if approved, would reduce the front yard setback from 30 feet to 20 feet.

The items being considered are available for review at the Town Hall between the hours of 8:30am and 4:30pm weekdays or by special appointment, holidays excepted. Call 540-822-5788 for more information or visit www.lovettsvilleva.gov. In the event the meeting is cancelled due to inclement weather, the public hearing will be convened on the next regular scheduled meeting at the same time and place.



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**PUBLIC HEARING NOTICE
 TOWN OF PURCELLVILLE**

The **Purcellville Planning Commission** will hold a public hearing in the Town Council Chambers of Town Hall, located at 221 South Nursery Avenue, Purcellville, Virginia on **February 6, 2014 at 7:00 p.m.** for the purpose of receiving comments on, considering, and possibly voting on the following item:

CP14-01 – Purcellville Baptist Church Park-and-Ride – A commission permit application submitted by the Loudoun County Department of Transportation and Capital Infrastructure to establish a park-and-ride lot at Purcellville Baptist Church. Commuter buses would service this location via William T. Druhan, Jr. Boulevard, Route 287, and the Route 7 Bypass. Purcellville Baptist Church is located at 601 Yaxley Drive, Purcellville, Virginia, at the northeast corner of the intersection of Yaxley Drive and William T. Druhan, Jr. Boulevard, and is identified in Loudoun County Land Records as Tax Map Number 36/E/8//154/ and Parcel Identification Number 454-46-9354.

A complete copy of the above-referenced commission permit application is available for review at the Purcellville Town Hall, 221 South Nursery Avenue, Purcellville, Virginia from 8:00 AM to 5:00 PM, Monday through Friday, holidays excepted.

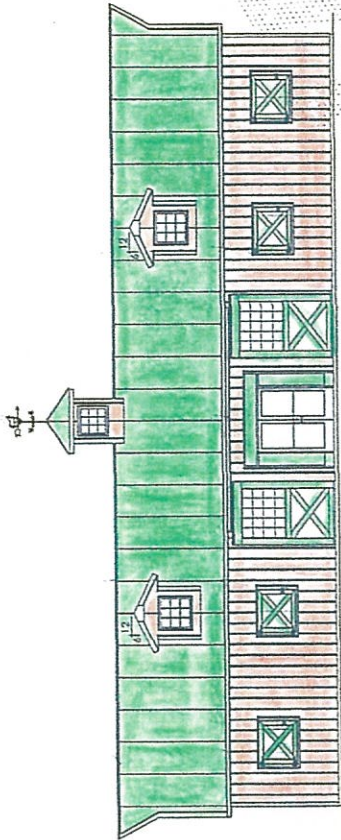
All members of the public may appear and present their views pertinent to these matters.

Hearing assistance is available for meetings in the Town Council Chambers. If you require any type of reasonable accommodation to participate in this meeting as a result of a physical, sensory, or mental disability, contact the Purcellville Town Clerk, Jennifer Heibert at 540-338-7421. Please provide notice of the accommodation at least three days in advance of the meeting.

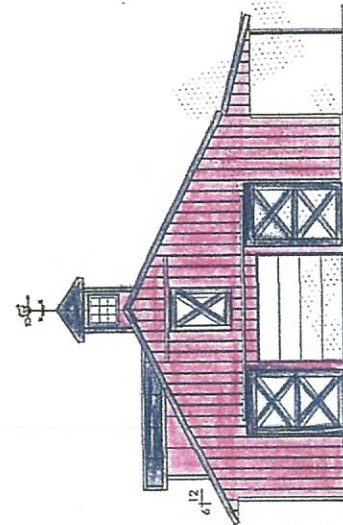
Douglas McCollum, Planning Commission Chairman

Town of Purcellville

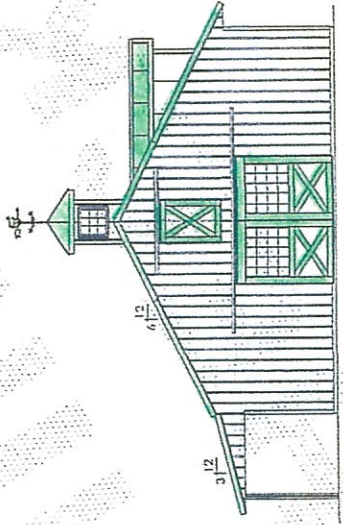
OPTION A



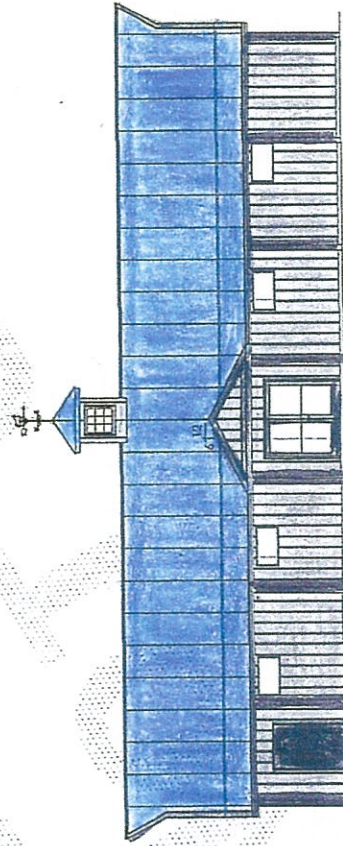
EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



WEST ELEVATION

SCALE: 1" = 4'
1" = 8'
1" = 16'

PRELIMINARY DRAWING FOR OWNER'S APPROVAL

- DRAWING APPROVED AS SUBMITTED
- DRAWING APPROVED PENDING CHANGES NOTED
- REVISE DRAWING WITH NOTED CHANGES AND RESUBMIT

OWNER'S SIGNATURE _____ DATE _____

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PAMELA BALDWIN
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DATE:	11/10/2013
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DATE:	
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REVISED DATE:	
REVISED DATE:	

SCALE: AS NOTED
SHEET NO. S2.A of S2.A