

Town of Lovettsville

Town Council Minutes of the June 11, 2015 Regular Meeting

Call to Order/Pledge of Allegiance

Mayor Robert Zoldos II called the Regular Meeting of the Lovettsville Town Council to order at 7:32 p.m. on June 11, 2015 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 Tiffaney Carder
- Council Member Rodney Gray
- Council Member Jennifer Jones
- Council Member James McIntyre

Staff Present

- Town Manager Laszlo Palko
- Town Attorney Elizabeth Whiting
- Project Manager Karin Fellers
- Zoning Administrator Josh Bateman
- Treasurer Lance Gladstone
- Town Clerk Harriet West

Pledge of Allegiance

Mayor Zoldos led those assembled in the Pledge of Allegiance.

Presentations

There were none.

Comments from the Public

Mayor Zoldos called for comments from the public. Vice Mayor Senate read the rules for public comment.

Elaine Walker, 40 S. Berlin Pike, spoke about the Navy Band that recently performed on the Town Green. She thanked the Town Manager and Town Clerk for coordinating this. She distributed a copy of the band's magazine and said they would come back next year if the Town asked them.

Ethel Chaney said her company is here to promote the National Multiple Sclerosis Society's "Ride the Wine" event, which will take place over the weekend and includes a rest stop at Andy's Restaurant.

Community Presentations

A. Loudoun County Sheriff's Office

Town Manager Palko said that Deputy Sheriff LoPreto is working on the July 3 procession.

B. Lovettsville Library

Anne Marie Marchant gave updates on the summer reading program, used book sale, short-story writing contest, and challenge card.

There were no other community presentations.

Town Commissions and Committee Reports

A. Lovettsville Planning Commission

There was no report.

B. Parks Committee

Vice Mayor Senate gave an update on the upcoming meeting which will include a discussion of the clock tower and glockenspiel.

C. We're In Committee

Councilwoman Carder gave updates on the development of a map app and upcoming meetings and concerts.

D. Volunteer Fest

There was no report.

E. Mayfest Committee

Councilwoman Carder said that sales from Mayfest totaled \$5,632. She noted they started the year with \$5,755 and ended with \$11,872 which gives them a good foundation for next year.

F. Wild on the Green

Councilwoman Allar said Wild on the Green will be held on Sunday, August 23 from 4:00-7:00 p.m.

G. Oktoberfest Committee

Councilman McIntyre gave updates upcoming events at the Mad Horse Brew Pub, the art contest for the cover of the Oktoberfest booklet, and the New Jerusalem Lutheran Church's 250th Anniversary.

Additions/Deletions/Modifications to the Agenda

The following changes were made to the agenda:

- Add purchasing flags for decorating East Broad Way on July 4.
- Add purchasing a microphone for the Lovettsville Elementary School Chorus.
- Move the Budget Discussion Item up so that it comes before the FY 2016 Meeting Calendar Item.

Minutes

No minutes were presented.

Monthly Financial Report

Treasurer Gladstone presented the April 2015 Financial Report.

Motion: I move to accept the April 2015 Financial Report.

By: Councilman Gray

Second: Councilman McIntyre

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

Nay: None

Abstain: None

Absent: None

Staff Reports

A. Report from the Project Manager

Project Manager Fellers said the Notice to Proceed has been issued for the Town Information Sign and that it should be completed by mid-August. The Parks Committee will be discussing the events signs.

B. Report from the Zoning Administrator

Zoning Administrator Bateman said he recently met with Tim Keena and his engineer to discuss proposed modifications to the subdivision project. Mr. Keena will likely be submitting a revised concept plan to replace the eight duplex units with four or five single family homes. They also discussed temporary and permanent parking for the brew pub. Mr. Bateman explained the approval process to Mr. Keena. The Mayor and Council discussed with the status of the Community Center with the Zoning Administrator. Mr. Bateman said staff received word that the County has restarted the design work, but there is no additional funding for the pool house renovations and two additional rooms requested by the Council.

C. Report from the Utility Supervisor

There was no report.

D. Report from the Town Attorney

There was no report.

E. Report from the Town Manager

Mr. Palko reported the following:

- He thanked former Mayor Walker and Town staff for their work on the Navy Band performance.
- He will update the Council in closed session next week on his discussion with English Construction regarding the waste water treatment plant.
- Staff will be meeting with the Virginia Department of Environmental Quality next week regarding violations that occurred in February and March. Representatives from English and Arcadis will also be attending.
- Street sweeping is scheduled for June 16.

Action/Discussion Items

A. Bond Reduction for Cooper Run

Zoning Administrator Bateman presented this item. The Council is being asked to consider a request to reduce the bond for public improvements recently completed in the Cooper Run Subdivision. Mr. Bateman explained how the bond reduction amount was calculated and noted it is consistent with Loudoun Water's new policy.

Motion: I move to approve Resolution 2015-06-0001 to reduce the performance bond for the Cooper Run Subdivision from \$129,304.00 to \$53,231.45 (Attachment 1).
By: Vice Mayor Senate
Second: Councilman Gray
Aye: Council Members Allar, Carder, Gray, Jones, McIntyre, and Senate
Nay: None
Abstain: None
Absent: None

B. License Agreement for a Town Welcome Sign at the Community Center

Project Manager Fellers presented this item. The Council is being asked to approve the License Agreement with Loudoun County permitting the Town to install a Welcome to Lovettsville Sign at the corner of the Community Center Property.

Motion: I move that Town Council authorize the Mayor to sign the License Agreement detailing the terms and conditions to permit the Town to construct and maintain a Town Welcome Sign at the corner of the Community Center property.
By: Councilwoman Jones
Second: Councilwoman Allar
Aye: Council Members Allar, Carder, Gray, Jones, McIntyre, and Senate
Nay: None
Abstain: None
Absent: None

C. Amendment to Loudoun County Cooperative Agreement CDBG Grant

Town Manager Palko presented this item. The Council is being asked to consider signing an amendment to the Community Development Block Grant (CDBG) program with Loudoun County. The Town has had a Cooperative Agreement with Loudoun County since 2003 to participate in the Federal CDBG program. The Federal government recently notified the County that it had to amend its cooperative agreement to add new language and the County is now requesting that all towns sign the new agreement.

In response to a question from Councilman McIntyre, Project Manager Fellers explained that the Town received CDBG funding for the initial design of the East Broadway project.

Motion: I move that the Town approve, and the Mayor sign, the Amendment to the Cooperation Agreement with Loudoun County to remain eligible for CDBG funding.
By: Councilwoman Jones
Second: Councilwoman Carder
Aye: Council Members Allar, Carder, Gray, Jones, McIntyre, and Senate
Nay: None
Abstain: None
Absent: None

D. Credit Card Policy

Town Manager Palko presented this item. The Council is being asked to consider revising the Town Credit Card policy to provide better documentation for audit purposes. Manager Palko explained that the Town has been operating off the current credit policy since 2012. The 2014 Audit report found the Town needed to provide better supporting documentation (i.e. itemized receipts) for credit card transactions.

Motion: I move that the Town adopt the draft credit card policy and direct the Town Manager to move forward with implementing the policy.
By: Councilwoman Carder
Second: Vice Mayor Senate
Aye: Council Members Allar, Carder, Gray, Jones, McIntyre, and Senate
Nay: None
Abstain: None
Absent: None

E. Request for Funds from the Events Line Item

Councilman McIntyre requested funding not to exceed \$1,000 to purchase American Flags and brackets for East Broad Way and the Town Square. Mayor Zoldos also requested funding not to exceed \$300 to purchase a better microphone for the Lovettsville Elementary School to use at Town events. Manager Palko said there is \$2,700 remaining in the events budget.

Motion: I move that the Town Council authorize the purchase of flags, poles, and brackets for East Broad Way in the amount not to exceed \$1,000 and to authorize the purchase of a new microphone not to exceed \$300. Both expenditures to be debited from the event line item budget.
By: Councilman McIntyre
Second: Councilman Gray
Aye: Council Members Allar, Carder, Gray, Jones, McIntyre, and Senate
Nay: None
Abstain: None
Absent: None

F. Council Budget Discussion

Town Manager Palko presented this item. The Council is being asked to discuss the implications of the two budget options for FY 2016 on residents, service capacity, and long-term capital viability.

Manager Palko explained that both budget options address the Town's long term capital debt obligations, builds needed and fiscally responsible reserves over the next 15 years, moves the Utility Fund closer to balance, and funds improved service delivery in the fields of customer service and economic development. He noted that both options address the Town's needs but have different implications on impacts to residents; service delivery (specifically events which have increased significantly over the past three years); professional management of the Town; and long-term ability to finance the General Fund Capital Fund. He noted that this budget work session presents another opportunity to discuss these issues and to reflect on the previous week's public hearing on the budget.

The Council and Town Manager discussed the following:

- Potentially higher Utility Fund surpluses resulting from greater operating efficiencies and decreases in Utility Fund reserves resulting from decreased tap fees.
- Modifying hours that the office is open to the public to give staff time to complete work.
- Hiring a part-time Events Coordinator to replace the support previously provided by the former Zoning Administrator/Community Project Coordinator. This responsibility has shifted to the Town Clerk and Town Manager and it is taking them away from other responsibilities.
- Option 2 addresses the Town's long-term Capital Improvements on East Broad Way and S. Loudoun Street, in addition to providing funding for the Events Coordinator.
- Considering cutting events/activities in order to reduce burden on the staff until an Events Coordinator can be hired. FY 2016 is likely to be a transition year and more funding should be available in FY 2017 from the new Town Center commercial project.
- Having a single point of contact for events and creating a database of resources that can be shared among the Council Members who coordinate their respective events.

The Mayor and Council Members were not in favor of a property tax increase (Option 1) and preferred Option 2 to increase the water/sewer rates to fully-fund the Utility Fund.

Manager Palko reiterated that both budget options address the Town's needs. He reminded the Council that events are part of the Town's identity and that hiring an Events Coordinator was one of the priorities identified at the Town Council retreat. He stressed that if that is the case, then the Town needs to provide the capacity to support the events.

G. FY 2016 Meeting Calendar

Town Manager Palko presented this item. The Council is being asked to set the FY 2016 Meeting Schedule for the Town. Following discussion, the Council agreed to the following changes:

- Holding the Light Up Lovettsville reception before the Planning Commission meeting on December 16, 2015.
- Moving the Town Council meeting on May 25, 2016 to May 19, 2016 to allow more time for Mayfest preparations.
- Scheduling meetings on June 9, 2016 and June 16, 2016 to allow time for additional budget-related meetings towards the end of the month, if needed.

The Council agreed to approve the final calendar at the meeting on July 1, 2015.

Closed Session

There was no closed session.

Information Items

There were none.

Comments from the Mayor and Council

Councilman Gray thanked the Lovettsville Fire and Rescue squad for coming to his mother's aid while he and his family were away.

Councilman McIntyre reminded everyone about the upcoming Movie on the Green and World Cup Games at the local brew pub.

Mayor Zoldos gave updates on the Navy Band concert, preparations for National Night Out, the Flag Day ceremony, the last day of school, and the upcoming dedication of the Community Gardens and the Ribbon Cutting at Lovettsville Style and Shave.

The Mayor also gave an update on the proposed Hindu Temple on Wenner Road, based on his conversation with Supervisor Higgins:

- The County held a pre-application conference with Divine Club Worldwide to discuss a special exemption to build a temple/meditation center/cultural center on Wenner Road, near Quarter Branch Road.
- A special exemption from the County is only required for facilities accommodating 300 or more people.
- There is no pending application with the County.
- The location is outside of Town but it could have a significant impact on the Town.

Planning Commissioner McDonough said one of his work colleagues has attended yoga meditation retreats at this organization's other locations and there has never been more 50-60 people at any given time, even though there was the capacity for many more.

Adjournment

There being no further business before the Council, the meeting was adjourned at 10:04 p.m.

Respectfully submitted,



Harriet West, Town Clerk

Date Approved: March 10, 2016

Attachments:

1. Resolution 2015-06-0001: Bond Reduction for Cooper Run Subdivision

Town of Lovettsville

Resolution 2015-06-0001: APPROVE FIRST BOND REDUCTION FOR PUBLIC IMPROVEMENTS IN THE COOPER RUN SUBDIVISION

MOTION: Senate

SECOND: Gray

WHEREAS, Nighthawk Investments, LLC has received approval of construction drawings for the Cooper Run Subdivision and commenced construction of site improvements in accordance with such approval; and

WHEREAS, the Lovettsville Town Council on December 11, 2014 approved the performance agreement dated December 11, 2014 provided by Nighthawk Investments, LLC, and irrevocable letter of credit number 20187 dated December 11, 2014 issued by John Marshall Bank; and

WHEREAS, pursuant to Section 30-35 of the Subdivision Ordinance and §15.2-2245 of the Code of Virginia, H2 Land Company on behalf of Nighthawk Investments, LLC has submitted a request for a first reduction in the amount of the performance bond based upon the extent of public improvements installed, as documented on the bond reduction form prepared by The KDL Group, LLC on March 27, 2015; and

WHEREAS, based upon inspection by the Town's engineering consultant, Christopher Consultants, and Loudoun Water, the Town supports a reduction in the bond from the current bond amount of \$129,304.00 to the new bond amount of \$53,231.45.

NOW, THEREFORE, BE IT RESOLVED that the Lovettsville Town Council hereby approves the recommendation of the Town's engineering consultant referenced above, and Loudoun Water, and authorizes the Mayor and Town Attorney to approve the reduction as appropriate when tendered in a form approved by the Town Attorney.

VOTE:

Ayes: Allar, Carder, Gray, Jones, McIntyre, and Senate

Nays: None


Abstentions: None

Absent for Vote: None

APPROVED: June 11, 2015


ROBERT ZOLDOS II, MAYOR

CERTIFIED:


HARRIET WEST
TOWN CLERK

The German Settlement