

Town of Lovettsville

Town Council Minutes of the July 14, 2016 Regular Meeting

Call to Order/Pledge of Allegiance

Mayor Zoldos called the meeting to order at 7:30 p.m. on July 14, 2016. The meeting took place at the Lovettsville Town Hall, 6 East Pennsylvania Ave, Lovettsville, VA.

Council Members Present

- Mayor Robert Zoldos II
- Vice Mayor Michael Senate
- Council Member Kimberly Allar
- Council Member Tiffany Carder
- Council Member Robert Gentile
- Council Member Jennifer Jones
- Councilman James McIntyre

Staff Present

- Town Manager Laszlo Palko
- Project Manager Karin Fellers
- Town Attorney Elizabeth Whiting
- Town Clerk Harriet West

The Mayor recognized Planning Commission Chairman Frank McDonough who was in the audience.

Presentations

There were none.

Comments from the Public

Mayor Zoldos called for comments from the public. Tony Forstall introduced himself to the Mayor and Town Council as the newly appointed pastor for Mt. Olivet Church.

Pledge of Allegiance

Mayor Zoldos led those assembled in the Pledge of Allegiance.

Community Presentations

A. Loudoun County Sheriff's Office

Deputy LoPreto announced that the Sheriff's Office will be holding its quarterly meeting at the next Town Council meeting on July 28 at the Lovettsville Fire House. He responded to a question from Vice Mayor Senate about coyotes in Town.

B. Lovettsville Library

Councilwoman Carder reported on events and activities at the Library and the video promoting summer reading.

Town Commission and Committee

A. Lovettsville Planning Commission

Chairman McDonough gave updates on the upcoming American Planning Association of Virginia conference, the second reading of the subdivision ordinance, and the Comprehensive Plan review.

B. Parks Committee

Vice Mayor Senate gave an update on the clock faces.

C. We're In Committee

Councilwoman Carder reported on the upcoming Concert on the Green and the Brunswick Business Expo.

D. Oktoberfest Committee

Councilman McIntyre gave updates on the budget, the fire marshal's approval of the new layout, and trolley service on Friday.

Additions/Deletions/Modifications to the Agenda

The following item was added to the agenda:

G. Discuss Ideas for New Jerusalem Lutheran Church event on September 11.

Mayor Zoldos announced that the Council would meet in closed session at the end of the meeting to discuss the performance bond on N. Church Street.

Minutes

There were no minutes.

Monthly Financial Report

There was no report.

Staff Reports

A. Report from the Town Engineer

Town Engineer Fellers gave updates on the VDOT right-of-way for the bike station at the 7-Eleven and a \$10,000 reimbursement from Verizon for work related to the relocation of a pole on East Broad Way.

B. Report from the Zoning Administrator

There was no report.

C. Report from the Utility Supervisor

There was no report.

D. Report from the Town Manager

Town Manager Palko reported on the Chamber of Commerce meeting about the economy in Northern Virginia and responded to questions from the Council.

Action/Discussion Items

A. Water and Sewer Compliance Package Update

Town Engineer Fellers presented this item. The Council is being asked to review and approve Water and Sewer Inspection Fees.

Motion: I move that the Town Council accept the proposed changes to the Water and Sewer Compliance Package shown in the attached draft and direct staff to begin using this revised W&S Compliance Package.

By: Council Member Carder

Second: Council Member Jones

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

Nay: None

Abstain: None

Absent: None

B. Water and Sewer Inspection Program

Town Engineer Fellers presented this item. The Council is being asked to review and approve Water and Sewer Inspection Fees. Staff recommends using a linear foot charge to calculate water/sewer main inspection fees based on the method used by Leesburg and Loudoun Water; a flat rate of \$150 per connection for water/sewer lateral inspection fees; and approximately \$8,000 for water/sewer record drawing fees, pending final approval the Town's contractor. Staff responded to questions from the Council regarding the impact on the Utility Department staff, contractor support, and proposed fees.

Motion: I move that Town Council select the recommended fee formulas and direct staff to add these fees to a draft Schedule of Fees and bring forward for public hearing and to

Town Council for approval in conjunction with other planned modifications upcoming.

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

C. Selection of New Auditor

Town Manager Palko presented this item. The Council is being asked to select a new auditor for FY 2016 and FY 2017.

Motion: I move the Town Council authorize the Town Manager to negotiate a contract with Young, Nicholas, Branner & Phillips, LLP to audit the Town Finances for the FY 16 and FY 17 audits and return the final contract to Council for approval.

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

D. Election of Vice Mayor

Mayor Zoldos reviewed the procedures based on the Code of Virginia, the Town Charter, the Town Council Rules and Procedures, and Robert's Rules of Order. He discussed the process for nominations, voting, and election of the Vice Mayor. The Mayor then opened nominations for the position of Vice Mayor.

- Councilwoman Allar nominated Councilwoman Carder.
- Councilman Gentile nominated Councilman McIntyre.

Mayor Zoldos called for any additional nominations. There were none. Mayor Zoldos closed the nominations and opened the meeting for discussion and asked two candidates to speak. Councilwoman Carder and Councilman McIntyre spoke about their service to the Town and why they would like to serve as Vice Mayor. Mayor Zoldos called for additional comments. Hearing none, he called for a roll call vote:

Councilman McIntyre voted for Councilman McIntyre. The Town Clerk restated the vote for the record.
Councilman Gentile voted Councilman McIntyre. The Town Clerk restated the vote for the record.
Councilman Senate voted for Councilwoman Carder. The Town Clerk restated the vote for the record.
Councilwoman Carder voted for Councilwoman Carder. The Town Clerk restated the vote for the record.
Councilwoman Allar voted for Councilwoman Carder. The Town Clerk restated the vote for the record.
Councilwoman Jones voted for Councilwoman Carder. The Town Clerk restated the vote for the record.

Mayor Zoldos said here was a majority vote for Councilwoman Carder, who received four votes. The Mayor congratulated Councilwoman Carder and thanked Councilman McIntyre for offering to serve as Vice Mayor.

Mayor Zoldos noted that the Town Council's Rules and Regulations need to be reapproved every two years and the Council will take this up in August.

Councilman Senate said he has enjoyed serving as Vice Mayor. He noted that both candidates are very involved in the community so it was hard to vote for one over the other. Mayor Zoldos thanked Councilman Senate for serving as Vice Mayor the past four years.

E. Town Council Committee Structures

Mayor Zoldos presented this item. The Council is being asked to review the committee structure to reduce the number of committees and to improve their focus. Mayor Zoldos and the Town Manager gave a presentation on the current committees and proposed changes. The proposed structure includes the

following committees - Events, Business & Tourism, Parks & Beautification, Infrastructure & Environment, and Information Flow. The Events Committee would include several subcommittees based on the following themes – LOVE America, LOVE Spring, LOVE Summer, LOVE Fall, and LOVE Winter. Each committee/subcommittee includes a Chair, Vice Chair, Council Member, Planning Commissioner, and Resident. Following discussion, Mayor Zoldos asked the Council Members to participate in five committees/subcommittees and to submit their requests to the Town Manager.

Motion: I move to adopt the schedule of committees and subcommittees.
By: Council Member Jones
Second: Council Member Gentile

Following discussion, the Council agreed to delete the Vice Chair position for the Events Subcommittees. Mayor Zoldos called for the vote.

Aye: Council Members McIntyre, Gentile, Senate, Carder, Allar, and Jones
Nay: None
Abstain: None
Absent: None

F. FY 2017 Calendar

Town Manager Palko presented this item. The Council is being asked to adopt the FY 2017 Meeting Schedule for the Town. Following discussion, the Council took the following action.

Motion: I move to adopt the FY 2017 Town Calendar as presented.
By: Council Member Senate
Second: Council Member Allar
Aye: Council Members McIntyre, Gentile, Senate, Carder, Allar, and Jones
Nay: None
Abstain: None
Absent: None

G. New Jerusalem Lutheran Church Volunteers

Councilwoman Jones presented this item. She asked the Council Members to send her any suggestions for community projects for the church's "God's Work, Our Hands" project on September 11. Town Engineer Fellers offered a suggestion involving veterans.

Comments from Mayor and Town Council

Councilwoman Jones welcomed Councilman Gentile to the Town Council.

Councilwoman Allar congratulated those who were recently sworn-in to serve on the Town Council.

Councilwoman Carder commented on the wonderful July 3rd celebration and said she would promote the July 16 movie. She said she would do her best to fulfill the role of Vice Mayor.

Councilman Senate mentioned voting for the clock faces and congratulated Councilman Gentile and Vice Mayor Carder.

Councilman McIntyre welcomed Mr. Gentile to the Town Council. He also mentioned the Lovettsville Independence Day Celebration and the upcoming Movie on the Green.

Mayor Zoldos welcomed Rob Gentile to the Town Council, thanked Councilman Senate for serving as Vice Chair, thanked Councilman McIntyre for offering to serve as Vice Mayor, and congratulated Vice Mayor Carder. He reported on the July 3rd parade and fireworks, swearing-in ceremony, Movie on the Green, summer reading program at the library, and open burning.

Closed Session

At 9:45 Mayor Zoldos announced that the Council would be going into closed session. Councilman Senate made the following motion:

- Motion: I move that the Lovettsville Town Council convene in closed session pursuant to Virginia Code Section 2.2-3711A7 for consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigation posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, with regard to performance of N. Church Street improvements by R.J. Crowley, Inc.; and thereafter reconvene in open session for action as appropriate.
- Second: Council Member McIntyre
Aye: Council Members McIntyre, Gentile, Senate, Carder, Allar, and Jones
Nay: None
Abstain: None
Absent: None

The Council went into closed session at 9:47 p.m. and reconvened in open session at 10:08 p.m.

Certification of the Closed Session

Mayor Zoldos read the following Certification of Closed Session aloud: Do you certify that to the best of your knowledge (i) only public business matters lawfully exempt from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting. Council Members McIntyre, Gentile, Senate, Carder, Allar, and Jones certified to the above.

Mayor Zoldos asked if there was any further action to come before the Council. Councilman McIntyre made the following motion:

- Motion: I move that the Council approve the Town Manager's strategy for negotiating a settlement with R. J. Crowley for the completion and acceptance of N. Church Street improvements associated with the completion of the Lovettsville Post Office. I further move that the Town Manager be authorized to execute the settlement agreement on the Town's behalf after approval for form and consistency with this authority by the Town Attorney.
- Second: Council Member Allar
Aye: Council Members McIntyre, Gentile, Senate, Carder, Allar, and Jones
Nay: None
Abstain: None
Absent: None

Mayor Zoldos announced that the Virginia Municipal League conference will be held October 9-11, 2016 in Virginia Beach. He would like to send three people since they have not attended in several years.

Adjournment

There being no further business before the Council, the meeting was adjourned at 10:13 p.m.

Respectfully submitted,



Harriet West, Town Clerk

Date Approved: May 11, 2017

Attachments:
None