

Town of Lovettsville

Town Council Minutes of the December 15, 2016 Regular Meeting

Call to Order/Pledge of Allegiance

Mayor Zoldos called the meeting to order at 7:30 p.m. The meeting was held at the Lovettsville Town Hall, 6 East Pennsylvania Avenue, Lovettsville, VA.

Council Members Present

- Mayor Robert Zoldos II
- Council Member James McIntyre
- Council Member Rob Gentile
- Council Member Mike Senate
- Vice Mayor Tiffaney Carder
- Council Member Kimberly Allar

Council Members Absent

- Council Member Jennifer Jones

Staff Present

- Town Clerk Harriet West
- Town Manager Laszlo Palko (by phone)
- Zoning Administrator Joshua Bateman
- Consultant Sam Finz

Planning Commission Chairman Frank McDonough was in the audience.

Pledge of Allegiance

Mayor Zoldos led those assembled in the Pledge of Allegiance.

The Mayor announced there was no scheduled closed session.

Presentations

There were none.

Comments from the Public

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

Kris Consul, 2 S. Loudoun Street, spoke about comprehensive planning for Lovettsville and what the definition of a small town is. She said that as a realtor she specializes in the 20180 zip code because it is such a fantastic community. She added that Lovettsville is a small town and it is a welcoming and affirming place to be. She introduced a planning-related resource for the Council to consider called "A Pattern Language." She noted that although the book was written in 1977, it is still relevant because it is about balancing the Town with the surrounding countryside. She then described how the book was structured and read a passage from the book. Mayor Zoldos asked Ms. Consul what her definition of a small town is. Ms. Consul replied that, to her, a small town includes things like a certain cap in population, a single elementary school, several small independent businesses and restaurants; and that a small town encourages and fosters meeting in public spaces for a free exchange of ideas. She added that pedestrian access and big community festivals are key. She further described additional attributes of a small town.

Lee McPeak, Park Place, said he met with a couple of Oktoberfest committee members to better understand how much the Town is taking in on Oktoberfest and other events and where those profits are going. He said there is a lot of distain and high emotional content on local Facebook pages about increases in water rates and funding for the clock tower. He said that things get lost in the conversation,

rumors start, and misinformation gets thrown out. He said he would like to see more direct access to updated information about the Town in a timely fashion, including budget information and the annual report.

Mayor Zoldos said the budget information is complex. He invited Mr. McPeak to meet with him and the Town Manager to discuss the information in detail and explain the process. Mr. McPeak continued to discuss other matters, including the clock tower funding and parking enforcement during events. Manager Palko explained that funding for the clock faces came from economic development revenue. Deputy LoPreto said the Town cannot control parking on VDOT streets. Councilman Senate, Deputy LoPreto, and the Mayor explained the planning process with County agencies for traffic control and safety measures at Oktoberfest. Buck Smith explained the other aspects of the fundraising plan for the clock faces.

Addition/Deletions/Modifications to the Agenda

The following item was added to the agenda: Resolution to provide relief from late fees for customers of the water and sewer system.

Minutes

A. March 10, 2016 Regular Meeting

Motion: I move to accept the minutes of March 10, 2016.
By: Senate
Second: Carder
Aye: McIntyre, Senate, Carder, and Allar
Nay: None
Abstain: Gentile
Absent: Jones

Action/Discussion Items

A. Water & Sewer Consumption Issues

Mayor Zoldos presented this item. He explained that the Town has received 10 complaints from residents regarding high water bills as a result of high water usage. The Mayor explained that staff was able to address nine of the ten complaints. He described the action taken by staff, which included providing leak detection tablets and watching the meter for up to 20 minutes, in order to determine if there was a leak. He reviewed staff findings and noted only one leak was found and that was at the water meter. He further noted that the primary cause of water leaks is a leaking toilet and that seven of the complaints were in New Town Meadows. The Mayor presented Resolution 2016-12-001 (Attachment 1) which would: 1) codify the direction given to the Town Manager; and 2) provide relief from late fees until the Town can investigate the complaints further. The cost to the Town would be approximately \$5,000. Town Manager Palko noted his concern about taking this action based on a small number of complaints. A discussion ensued regarding consumption history, ways to address this problem in the future, and the Town's current practice of working with residents on making payments towards their water/sewer bills. Several Council Members expressed concerns about taking action until additional information is available. Following further discussion, Councilman Gentile made the following motion: I move that we pass Resolution 2016-12-001. The motion failed for lack of a second. Mayor Zoldos thanked the Council for their consideration and said they would continue to look into this and bring it back to the Council in January. Manager Palko left the meeting at the conclusion of this item.

B. Comprehensive Plan Review Work Session

Mr. Finz facilitated a discussion on the Comprehensive Plan, which included defining "small town," reviewing Chapter 1, and going over any additional changes the Council had to other Chapters. Mr. Finz noted that following the completion of these steps, the Council will be ready to move forward with taking the Comprehensive Plan to public hearing. A lengthy discussion ensued regarding the components of a small town. Mr. Finz then led the Council through a discussion of their comments page-by-page. Zoning Administrator Bateman noted the Mayor and Council Member's comments and changes and responded to questions.

Councilman McIntyre presented a suggested preamble to the Plan, "Lovettsville's Goals and Values." Following discussion, the Council agreed to send this to the Planning Commission for further consideration and to conduct a joint public hearing with the Town Council.

Information Items

There were none.

Comments from the Mayor and Town Council

Councilman McIntyre asked if any committees had a vacancy for a local member. Mayor Zoldos said he would check on this.

Councilman Senate stated they are working with the clock vendor to fix all the problems at no cost.

Councilwoman Carder said she is looking forward to the upcoming holiday events.

Councilwoman Allar reminded everyone about the Light up Lovettsville judging.

Mayor Zoldos reminded everyone about the upcoming staff party and said the Parks Committee had a very good meeting.

Adjournment

There being no further business before the Council, the meeting was adjourned at 10:49 p.m.

Respectfully submitted,



Harriet West, Town Clerk

Date Approved: September 14, 2017

Attachments:

1. Resolution 2016-12-001

Town of Lovettsville

Resolution: 2016-12-001: INITIATE AMENDMENT TO THE ZONING ORDINANCE TO CLARIFY THE REQUIREMENTS APPLICABLE TO A POTENTIAL FUTURE BOUNDARY LINE ADJUSTMENT OF THE LOVETTSVILLE VOLUNTEER FIRE AND RESCUE STATION PROPERTY

MOTION: Allar
SECOND: Gentile

WHEREAS, the Town Council has determined that the public necessity, convenience, general welfare and good zoning practices require amendment to the Zoning Ordinance (hereinafter referred to as “the Ordinance”); and

WHEREAS, Section 42-34 of the Ordinance authorizes the Town Council, by resolution, to initiate an amendment to the Ordinance and refer such a proposed amendment to the Planning Commission for its recommendation prior to the Town Council rendering a final decision on the amendment; and

WHEREAS, the Town Council desires that certain properties incorporated into the Town by boundary adjustment or annexation not be automatically zoned CR-1 Residential District in accordance with Section 42-150 of the Zoning Ordinance whereon no residential use exists or residential use or development is anticipated or desired in the future, but instead desires that such land containing non-residential uses be automatically zoned I-1 Light Industrial District or otherwise zoned to match the existing use of the property; and

WHEREAS, the Town Council desires to add clarification to the definitions and uses both existing and proposed on parcels of land currently owned by the Lovettsville Volunteer Fire and Rescue Company in the event one or more of the company’s properties become in the future the subject of an application from the owner for a simple boundary line adjustment which, if approved by the Town and County, would have the effect of bringing said properties into the corporate limits of the Town of Lovettsville, as well as to clarify the uses permitted in the I-1 District generally so as not to preclude the potential for fire and police stations and government buildings in that zoning district classification.

NOW, THEREFORE, BE IT RESOLVED that the Town Council hereby initiates amendment to the Zoning Ordinance of the Town of Lovettsville in order to clarify the zoning requirements for non-residential properties incorporated into the Town by annexation or boundary line adjustment, and requests that the Planning Commission consider and conduct a public hearing on the attached draft amendment, revise the amendment as desired and forward the same together with the Planning Commission’s recommendation to the Town Council. The Town Council further instructs the Planning Commission to develop additional provisions and any other reasonable definitions and requirements pertaining to uses located in the I-1 District that the Planning Commission may elect to recommend to the Town Council at this time.

VOTE:

Ayes: Allar, Carder, Gentile, and Jones

Nays: None

Abstentions: None

Absent for Vote: McIntyre and Senate


The German Settlement

APPROVED: December 8, 2016



Robert Zoldos II, Mayor

CERTIFIED:



Harriet West, Town Clerk