



## DUMFRIES, VIRGINIA

Virginia's Oldest Continuously Chartered Town  
CHARTERED 1749 INCORPORATED 1961

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### DUMFRIES TOWN COUNCIL MEETING TUESDAY, OCTOBER 9, 2012 7:00 PM

A copy of this agenda with supporting documents is available at [www.dumfriesva.gov](http://www.dumfriesva.gov). Go to **Meetings & Minutes** and then select **Agendas**, click on the **Meeting Date** you are interested in.

- I. **Call To Order and Roll Call**
- II. **Moment of Silent Prayer and Reflection and Pledge of Allegiance**
- III. **Approval of the Minutes**  
April 17, 2012, April 26, 2012 budget work session, and May 8, 2012  
**Toney/Brewer All ayes**  
(Minutes from the May 22, 2012, June 5, 2012, June 6, 2012, June 19, 2012, July 10, 2012, July 14, 2012 orientation, July 24, 2012, August 7, 2012, August 21, 2012, September 4, 2012 and September 18, 2012 work session, and September 29, 2012 boat tour meetings are unavailable for adoption)
- IV. **Adoption of the Agenda (as amended)**  
**Foreman/Praino Remove Item XIII-A All ayes**
- V. **Approval of the Consent Agenda**  
(Any item placed under the consent agenda shall be removed and taken up as a separate matter if so requested by any member of Council, otherwise all items will be voted on with one motion)  
**Foreman/Washington All ayes**
  - A. Resolution to Authorize the Town Manager to Sign Agreements with VDOT for Transportation – The Multimodal Project on Route 1 – Greg Tkac  
[Resolution Number R-2012-060](#)
  - B. Resolution Authorizing the Town Manager to Submit an Application for a Community Development Block Grant for Ginn Memorial Park Playground Equipment – Morgan Brim  
[Resolution Number R-2012-061](#)
  - C. Resolution Appointing Planning Commission Member – Morgan Brim  
[Resolution Number R-2012-062](#)

- VI. **Citizen Comment Period** (On Any Matter) [Citizens may address Council for up to 5 minutes. A chair or representative of a board, commission, or committee may speak for up to 8 minutes.]
  
  - VII. **Mayor's Comments**
  
  - VIII. **Presentations**
    - A. Boys and Girls Club of Dumfries – Wesley Cherry
  
  - IX. **Staff Comments**
    - A. Town Manager (no report)
    - B. Chief of Police
    - C. Director of Public Works
    - D. Director of Community & Economic Development (no report)
    - E. Director of Community Services
  
  - X. **Council Report on Meetings with Elected Officials Pertaining to the Town**
    - A. Delegate Luke Torian – 9-20-12 – Mayor Foreman
    - B. Mark Gibson (Independent Candidate for Congress VA-11 District) – 9-21-12 – Mayor Foreman
  
  - XI. **Action Items**
    - A. Ordinance Text Amendments – **Public Hearing** – Sections 70-13(h)(1) related to the definition of “floor area” as it relates to parking standards, 70-13(k) parking credit allowance, a new section related to allowing a portion of required parking spaces to be waived for uses that might accommodate different parking needs at different times of the day, 70-282(B)(14) uses allowable pursuant to a Conditional Use Permit in the B-2 zoning district specifically related to the allowance of multifamily/residential units above commercial, retail or office uses on the ground floor, and 70-287 related to allowable heights in the B-2 zoning district to allow modification of height and setback requirements subject to a Conditional Use Permit
      - i. Staff Presentation – Morgan Brim
      - ii. Applicant's Presentation (If Desired)
      - iii. Open Public Hearing to Citizen Comment Period
      - iv. Close the Public Hearing
      - v. Discussion
      - vi. Vote on **Introduction** of Ordinance
- Foreman/Brewer All ayes**

- B. Ordinance Text Amendments – **Public Hearing** – Sections 70-542 reduces the Planning Commission’s review and decision timeframe of site plans from 60 to 30 days and requires the forwarding site plans to the Town Council on the next available meeting and 70-679(a) amended to delete 7:00 PM as the meeting time for the Architectural Review Board
- i. Staff Presentation – Morgan Brim
  - ii. Applicant’s Presentation - Town Initiated
  - iii. Open Public Hearing to Citizen Comment Period
  - iv. Close the Public Hearing
  - v. Discussion
  - vi. Vote on **Introduction** of Ordinance
- Foreman/Brewer All ayes
- C. Discussion on Terms of Appointments and Resolution Making Appointments to the Board of Zoning Appeals – Morgan Brim
- Forrester/Reynolds All ayes
- Recommend West term 11-13-15  
Murphy term 11-13-15 and 11-13-17
- Resolution Number R-2012-063
- D. Discussion/Decision on the Theme and Grand Marshall for the 38th Annual Parade – Cydny Neville
- Forrester/Reynolds Elsie Garrison Grand Marshall withdrawn
- Washington/Forrester Past, Present, and Future theme  
Ayes: Foreman, Forrester, Praino, Toney, Reynolds, Washington  
Nay: Brewer
- Brewer/Toney Living past Mayors Grand Marshall  
All ayes
- E. Potomac Landfill Options for Continued Operation – Mayor Foreman
- No action taken
- F. Discussion and Vote by Council for Consensus on Forwarding the Town’s Legislative Package for the 2013 Session – Mayor Foreman
- Foreman/ Brewer Support VML Legislative Package  
Ayes: Brewer, Foreman, Praino, Toney, Reynolds, Washington  
Nay: Forrester

Praino/Foreman To be non-supportive of the fracking process until such time it can be proven safe

Ayes: Brewer, Foreman, Praino, Toney, Reynolds, Washington  
Nay: Forrester

Foreman/Forrester Consider waterway restoration, transportation corridor maintenance, economic development, and historic site preservation

All Ayes

Foreman/Forrester Give DEQ more enforcement powers  
All Ayes

G. Discussion Regarding the Nuisance Ordinance – Christine Sanders

Foreman/Brewer

Ayes: Brewer, Foreman, Forrester, Praino, Reynolds, Washington  
Nay: Toney

**XII. Information Items**

A. Notification of Repair to Street Sweeper – Greg Tkac

**XIII. Discussion Items**

~~A. Ginn Memorial Park Phase II – Greg Tkac~~

**XIV. Council Member Comments**

**XV. Closed Session**

A. Discussion and consultation with legal counsel regarding the disposition of publically held real property 2.2-3711(A)(3)

B. Discussion and consultation with legal counsel regarding probable litigation - Section 2.2-3711(A)(7)

Closed Session Toney/Foreman All ayes

Resolution Number R-2012-064

Open Session Toney/Foreman All Ayes

Resolution Number R-2012-064a

**XVI. Adjournment**

Toney/Reynolds

Ayes: Forrester, Foreman, Praino, Toney, Reynolds, Washington

Nay: Brewer