

**DUMFRIES TOWN COUNCIL
REGULAR MEETING
WEDNESDAY, MAY 5, 2010
7:00 PM**

Present: Mayor Yohey, Vice-Mayor Washington, Council Lady West, Councilman Toney, Council Lady Cornell, Council Lady Barr, Councilman Brewer

Also Present: Kim Alexander, Town Manager; Kristi Caturano, Town Attorney; Cathy Holtzlander, Assistant Town Manager; Greg Tkac, Director of Public Works; Major Colgan, Acting Police Chief; Yolanda Hipski, Director of Community Development; Donna Johnson, Town Clerk; 10 citizens

Mayor Yohey called the meeting to order at 7:00 PM. The Pledge of Allegiance was recited followed by the invocation given by Vice-Mayor Washington.

Citizen's Comments

Mr. Jim Vinson – 4150 Nichols Court, said it was a great election and he congratulated the newly elected officials. He thanked the officials that are leaving and wished them well. Mr. Vinson told Mr. Washington there would always be a place for him in the Town. He said God Bless all of them.

Sandra Smith Kerns – 17623 Rose Hill Circle, said she is the 3rd generation in her family that has lived in the town. She said she was here on behalf of her family, who wanted to thank each member of Council for what they do for the community and she was also there on behalf of her employer Charlie and Sons Trash Service. She said she understood that the bids for the trash contract had been opened. In the past they were open to the public. She was here in hopes of hearing something about the bids tonight.

Mayor Yohey asked Mr. Tkac about the bids and he said they weren't open to the Public. He did not think it was necessary as there were many other considerations, but ultimately the decision was Council's to make.

Mayor's Comments

Mayor Yohey said that on Monday night, May 10, 2010 from 6:30 to 8:00, Congressman Wittman would be at the Dumfries Triangle Rescue Squad – 3800

Graham Park Road, and would be addressing the Federal health care issue. Mayor Yohey encouraged the citizens to attend.

Council Members Time

Vice-Mayor Washington congratulated Mayor Yohey and the other 3 candidates that had been elected into office. He said the citizens made a decision and they were obviously ready for a change.

Mrs. West also congratulated Mayor Yohey and the newly elected council members. She said she looked forward to working with them. She also said that she was pleased with the good turnout at the polls. She said she could see the benefit of the "blackboard system".

Mrs. West also said she wished to thank the staff, to include Greg, Cathy, Yolanda, and Kim for responding to the list of complaints that she had discussed during a previous meeting.

Mr. Toney congratulated the newly elected officials and said that hopefully there will be a change. He said Council has to come with methodology and Council will move forward and the citizens will see a change. He said he looks forward to working with the newly elected Council members.

Mrs. Cornell said she had campaigned with Michele Jurgensen. She said Michele ran an honest campaign and she was very responsive to the citizens. She also congratulated Mr. Foreman and said Mr. Foreman ran an honest campaign as well. In closing she also thanked Ms. Forrester.

Mrs. Cornell said that the Governor of Virginia had declared the week of May 2 through the 8th as Virginia Public Service Week. She stated that every day the citizens experience the results of the hard work of the Public Servants of the Town of Dumfries. Mrs. Cornell further stated that it has been her pleasure to work together with Ms. Alexander and her staff to meet the challenging demands and fewer resources brought on by a tough and unpredictable budget situation. She said she was impressed by the Town employee's level of professionalism and was honored by their service to all town citizens.

Mrs. Cornell also asked Ms. Alexander to pass on to her employees a big thank you from the bottom of her heart for all that they do.

At this time, Mrs. Cornell personally thanked Mrs. Johnson, the Town Clerk for all of her hard work, for all that she does, and for all the times that she had provided information to her when it was requested. She said Mrs. Johnson was always ready to help her when she came into the Town Hall. She wished Mrs.

Johnson well on her future retirement and said she hoped she enjoyed her retirement as much as she had enjoyed her own.

Ms. Barr said that Charter Day was being held on Saturday. She said it was going to have an 18th century theme and it should be very interesting and she encouraged the citizens to come out and spend the day at Merchants Park.

Ms. Barr also stated that she was thrilled about the election and she wanted to welcome the new candidates. She said she would also like a round of applause for the outgoing Council members. She said their service equated to a lot of years.

Mayor Yohey wanted to add a plug for HDV and Charter day. He said it starts at 11:00 and continues until 4:00PM. He said there would be a lot of unique entertainment like jugglers, magicians, etc.

Mr. Brewer congratulated the Mayor and the new members. He said they had a tough job ahead of them. He wished them all of the best.

Mr. Brewer said he had a citizen, Mr. Webb in Tripoli come to him about storm water drainage issues. He asked if Mr. Tkac would look into the situation. He also had an issue for the Police Department. He said there were numerous issues at 47 Prince William Circle in Grayson Village. He said another citizen had come to him with numerous complaints in Williamstown relating to Vandalism, curfew violations, and young people running the streets all hours of the night.

He asked Mr. Tkac to contact Potomac Landfill. He said the previous morning the Landfill was reeking!

Presentation on Assessment of Dumfries Police Department

Ms. Alexander introduced Colonel Bob Beach a police officer from Longwood College and Colonel Donald Harper from Harrisonburg. They were brought to the Town to do the assessment of the Police Department. Together Col. Beach and Col. Harper bring over 80 years of professional police experience.

Col. Beach said this was an independent look at the Police Department. He said it was obvious that the police officers are proud of their new facility. He said one of the things they noticed was the police department was critically lacking direction. He said while they have a mission and vision statement, the day to day operation was very haphazard and decisions were often made on preference and not by direction.

In addition, they found the morale to be low, but Col. Beach said it is not so broke that it cannot be fixed.

Mr. Toney said he thought that once the assessment was done that Council would have an opportunity to sit down with Col. Beach and Col. Harper and go over the documents.

Col. Beach explained how they went about compiling the data.

Both Col. Beach and Col. Harper explained the topic of community policing. They said they definitely found a lack of control in this area. They also stated that clear lines of command needed to be established. He said there appears to be political interference and constant questions about their budget. He said the chain of command needs to be followed.

Ms. Alexander said she felt she was some of that political interference.

Mrs. West said she had read the assessment done in 1991 and compared it to this assessment and some of the things happening in 1991 are still happening in 2010. She said she wants a Police Department that the Council and the Citizens can be proud of.

Mr. Toney said that only 72 law enforcement agencies in Virginia have been accredited. He did not feel that seeking accreditation now would be a good budget decision. He stated that you would have to be in compliance before you could be accredited. He said every year the standard is rising and we would have to be able to meet the standards.

Ms. Barr said the reality is that we need to learn to walk first.

Mr. Toney said he appreciated a lot of the comments made by Col. Harper and Col. Beach. He further stated that the assessment was well worth the money and he considered the Organizational Assessment of the Police Department to be a significant document.

Mayor Yohey asked about the crime rate in Dumfries, but Col. Beach said he did not have that figure off the top of his head.

Mayor Yohey also stated that the Town had benefited from having the assistance of Prince William police. He did state that he had asked for a break down on the calls of service but had not received the information as yet.

Mayor Yohey also commented that the K-9 Officer and HIDA Program had made the Town a fair amount of money. He said that \$50,000.00 is projected

and as the cases are moved to court we would be able to collect from these cases. He further stated that Council had been told that the Town had a drug problem and that is why the K-9 was approved.

Mayor Yohey also asked about the significance of the ICAC Program. Col. Beach said it was a significant program. The problem was that there was not enough oversight on how it was being run. He said it had to have sufficient oversight. The Mayor asked him what he felt warranted an oversight committee. Col. Beach replied:

- Resources & influence
- Have to have confidence in the command
- Trust in your leaders
- Personalities cannot enter into things
- Chain of command is of importance

Responses to the Assessment of the Police Department – Major Ray Colgan

He said Major Issues were:

- Training
- Accreditation
- Community Policing
- Accountability

Major Colgan went into detail about types of training he would recommend and a very lengthy discussion also took place regarding the accreditation.

Major Colgan stated that Community Policing, according to the U. S. Department of Justice, is “a policing philosophy that promotes and supports organizational strategies to address the causes and reduce the fear of crime and social disorder through problem-solving tactics and police-community partnerships.” His goals for Community Policing include:

- Neighborhood Problem Solving
- Reduce Calls for Service
- Officer and Community ownership issues
- Business Community Outreach

Accountability would include:

- Complaints
- Chain of Command
- Ownership of problems

Major Colgan said he would include the following in the Personnel Hiring Process and he also stated the costs where applicable:

- Application
- Written Testing
- Pre screening
- Polygraph (\$250)
- Physical agility testing
- Background
- Psychological (\$200)
- Physical (\$400)

He also stated that in the Promotion process there must be a skill assessment based on demonstrated knowledge, skills, and abilities of the candidate. The process must be germane to the vacant position and the process must include participation from outside the police department.

Major Colgan briefly touched on Staffing Model examples to include a ratio of officers per 1,000 residents, and the number of calls for service per officer. He also mentioned the 35, 35, 30 model which bases staffing on the officer spending 35% of his/her time on calls for service, 35% of time on administrative duties such as report writing, court, arrest processing, etc. and 30% of time on proactive patrol such as community policing objectives, traffic enforcement, business contacts, etc.

In closing, Major Colgan provided information on Full Time Law Enforcement Agency Employees as of October 31, 2009, taken from the US Census Bureau based on 2008 estimates by population. The population at the time for Dumfries was listed as 4,805.

**FULL-TIME LAW ENFORCEMENT AGENCY
EMPLOYEES AS OF OCTOBER 31, 2009**

Alta Vista	12	3368	population
Bridgewater	9	5430	
Clifton forge	10	3932	
Lebanon	11	3196	
Orange	14	4629	
Purcellville	14	5137	
Rocky Mount	18	4535	
Tappahannock	10	2195	

Town Manager's Report

Ms. Alexander addressed a few budget items.

- She said that the BPOL taxes were fairly consistent at .44 per hundred. She said a reduction in BPOL would make us more competitive with the County.
- She was looking at the debt service and she said that refinancing the bond would create a savings of \$128,000.00.
- She did not predict a decrease in taxes.
- She said she was looking at the salaries in the Police Department. She felt they needed to be more competitive

She also stated that the budget packets would be ready for the Council on Friday.

Ms. Alexander stated that the IT Manager will be attending all of the Council meetings in the future. She also stated that after Council enters closed session, the camera would continue to be on and the return from closed session would be televised, in the event any motions were made after Councils return.

Ms. Alexander said she had already received 15 applications for the Town Clerk's position.

Assistant Town Manager

Mrs. Holtzlander reported that to date she had received good feedback on the Town's blackboard system.

She also reported that she had received 6 applications for the Summer Youth Internship Program and the information will be provided to the Council at the work session.

Mrs. Holtzlander presented the Dumfries Student Youth Council to the Town Council. This is a new program for consideration in the fall. This youth council will be an ongoing program designed to seek the input of local teens on the creation of new programs and activities within the Town while providing a safe and healthy environment to express their thoughts and ideas.

The goal of the program is to encourage students to take an active role in the community. The approximate cost associated with this program will be \$1,000 not including the support of staff time.

Mrs. Holtzlander said she would recruit student involvement through the Town's website, the quarterly newsletter, local high school counselors, as well as personal invitation. She said she would encourage Council to extend invitations to interested teens within their neighborhoods as well.

Mrs. Holtzlander said she welcomed comments from Council and asked for their consideration in approving this program for the FY11 budget cycle.

Police Chief's Report

Major Colgan gave his report and said he stood prepared to answer any questions. He brought up the topic of nuisance calls and discussed how they take up a great deal of time.

Director of Public Works

Mr. Tkac reported that they re-established the ditch line and re-established the super elevation and placed new gravel on Dr. David Cline Drive

He also reported that they removed a failed retaining wall adjacent to the Community Center. They constructed a new wall and backfilled around the building as well as establishing positive drainage and created a new garden around the Community Center.

One of the items discussed was the tall grass on US1 next to the Real Estate office. Mr. Tkac said notices of violation would go out during the week.

Mrs. Cornell said she wanted to know why the trash cans were always left out at Williams Ordinary. Mrs. Hipski said she would give someone at the Ordinary a call the next day.

Mrs. West asked about reports of odors coming from the landfill. Mr. Tkac told her that there was a written agreement between the landfill and the Service Authority from back in 1999. He said it appears that there are some things that the Service Authority had not done. Mr. Tkac said his guess is that the sanitary lines are aging. He said this is something that is being worked on by both entities and they are working together. Mr. Tkac asked that if anyone smells any odor please notify him.

Ms. Barr asked Mrs. Holtzlander about the tonnage report from the creek clean-up. She told Ms. Barr that she would email her the information the following day.

Director of Community Development

Mrs. Hipski reported the following:

- The first Towing advisory meeting was held on June 3, 2010.
- Congratulations to Tracy Cox of Croppers Towing who was elected chair person of the Towing Advisory Committee.
- Various utility companies were contacted regarding above ground lines in the Williamstown neighborhood. She said they were trying to work toward a resolution to determine who they belong to and where they are located.
- Resolved second landscaping issue between developers of Tweezer Court and adjacent neighbors.
- Planning Commission met on April 12, 2010. Primary items included Comprehensive Plan update, selection of potential nominees to the Economic Development Task Force and review of potential zoning uses in the residential districts.
- BZA meeting was held on April 21, 2010. Primary items include Campbell review and review term expiration.
- ARB met on April 13, 2010. Primary items included potential nominees to the Economic Development Task Force.
- Boarded up 1757 Fort Henry on 2 separate occasions.

Ms. Barr also asked about the wires that belong to the utility companies and if they could be held responsible for wires above ground. Ms. Caturano told her she would check the franchise agreements and let her know.

Mr. Toney said in the Williamstown area, crews were replacing fences and he wanted to know if permits were required to do this. He was told that permits were required.

Adoption of Consent Agenda

Mr. Brewer made a motion to adopt the consent agenda with a second by Mr. Washington. Ayes: Washington, West, Toney, Cornell, Barr, Brewer, Yohey. Motion carried.

Information Items

None

Action Items

Approval of Proclamation for Municipal Clerks Week

The motion to approve the Proclamation for Municipal Clerks Week was made by Mr. Washington with a second by Mr. Brewer. Ayes: Brewer, Barr, Cornell, Toney, West, Washington, Yohey. Motion carried.

Approval of VRA Spring, 2010 Pool Financing Agreement and Adoption of Bond Resolution

Ms. Alexander explained that refinancing of the 2002 bond would equal a savings of \$136,565.63. She said any savings over 3% is worth doing and this is 7.3%.

Mr. Washington made a motion to approve the VRA Spring 2010 Pool Financing Agreement and to adopt the Bond Resolution. The motion was seconded by Mr. Brewer. Ayes: Washington, West, Toney, Cornell, Barr, Brewer, Yohey. Motion carried.

Approval of Creation of Economic Development Department

Mr. Brewer made a motion to approve the Economic Development Department with a second by Mr. Washington. Ayes: Brewer, Barr, Cornell, Toney, West, Washington, Yohey. Motion carried.

Approve date to Schedule a Public Hearing to Amend Chapter 62 of the Town Code pertaining to Inoperable Vehicles

After a brief discussion the date of June 1st at 7:00 PM was set by the Council on a motion by Mrs. West with a second by Mr. Washington. Ayes: Brewer, Barr, Cornell, Toney, West, Washington, Yohey. Motion carried.

Approve date to schedule a Public Hearing to amend an Ordinance to Prohibit Parking in a Non-designated Parking Space

Mrs. Hipski explained the ordinance and after a lengthy discussion it was determined that she should go back and rewrite portions of the ordinance and then bring it back to the Council for approval. No vote was taken.

Approval of DPW-1101, Solid Waste Disposal Contract

Mr. Tkac went over the summary of the RFP and recommendation of award for the contract. He said there were a total of six (6) contractors that received bid

packages and five (5) were returned and all were considered responsible bidders with all "instructions to Bidders" items followed.

He said telephonic interviews were held with the two lowest responsive bidders for the purpose of ensuring that the details of the special provisions were clearly understood. Details concerning bulk pickups, disposal of electronics, annual town cleanup details and other issues were discussed. In addition to their bid response requirements the contractors wanted to provide some additions to their proposal for review and consideration. Mr. Tkac went over the additions to the two lowest bidders contracts. The two lowest bidders were:

American Disposal - \$ 193,050 per year
1st Choice Disposal - \$208,208 per year

Mr. Tkac said he recommend the award of the Disposal of Residential Solid Waste contract No. DPW-1101 to American Disposal Service in the amount of \$193,050.

Ms. Barr made a motion to approve the contact to American Disposal Service in the amount of \$193,050 with a second by Mr. Washington. Ayes: Washington, West, Cornell, Barr, Brewer. Nays: Toney, Yohey. Motion carried.

Discussion Items

Date for Performance Evaluation of Town Manager

The date set for the Town Manager's evaluation was May 22, 2010 at 9:00 AM.

Dumfries Citizen Academy, 2010

Ms. Holtzlander explained that this was an attempt to broaden the reach to the Town's residents. This would be a 6 week program designed to teach residents about the town and the many services it provides. The sessions would be held one night a week and run for two hours. Each department would host a session highlighting the duties of their respective department as well as the services it provides.

The goal is to encourage residents to take an active role in the community by joining one of the various boards, commission or committees or just volunteering to support one of the many events or programs sponsored by the town. The approximate cost associated with this program would be \$500 not including the support of staff time.

Mrs. Holtzlander said she proposed an initial start date in the fall of this year. She said if it is well received, she would recommend another six week session to be held in the spring.

She also said she welcomed Council's comments and asked for their consideration in approving this program for the FY11 budget cycle. She said there would be no fee for residents to attend this program.

Dumfries Student Youth Council

This was previously discussed during the Assistant Town Manager's Report.

Closed Session

Mrs. West made a motion to enter closed session citing Virginia Code §2.2-3707 Under Virginia Code §2.2-3711 A (1) Personnel. The motion was seconded by Ms. Barr. On roll call the vote to enter Closed Session was unanimous.

Council entered closed session at 11:20 PM.

Return to Open Session

Mrs. West read the certification stating that, to the best of each member's knowledge, only public business matters lawfully exempted from the open meeting requirements of state law, and only such public business matters as were identified by the motion to enter closed session, were heard, discussed or considered in the closed session. The motion was seconded by Mr. Brewer. On roll call the vote was unanimous.

Mr. Brewer made a motion to adjourn and reconvene later with a second by Ms. Barr. On roll call the motion to adjourn and reconvene was unanimous.

The meeting adjourned at 11:59 PM

Reconvene

The meeting reconvened at 12:01 AM. At that time Mrs. West made a motion to enter closed session with a second by Mr. Brewer. On roll call the vote was unanimous. Council entered closed session at 12:03 AM.

Return to Open Session

The Council returned to open session at 1:38 AM. Mrs. West read the certification certifying that, to the best of each member's knowledge, only public business matters lawfully exempted from the open meeting requirements of state law,

and only such public business matters as were identified by the motion to enter closed session, were heard, discussed or considered in the closed session. The motion was seconded by Mr. Brewer. On roll call the vote was unanimous. There were no motions or action coming out of closed session.

Mr. Toney made a motion to adjourn with a second by Ms. Barr. On roll call the motion to adjourn was unanimous.

The meeting adjourned at 1:39 AM.

Submitted by:

Approved by:

Donna A. Johnson, CMC
Town Clerk

Fred E. Yohey, Jr.
Mayor

