

**DUMFRIES TOWN COUNCIL
WORK SESSION
TUESDAY, JUNE 22, 2010
7:00 P.M.**

Present: Mayor Yohey, Vice-Mayor Washington, Councilman Toney, Council Lady Cornell, Councilman Brewer, Council Lady Barr (arrived late)

Absent: Council Lady West

Also Present: Kim Alexander, Town Manager; Cathy Holtzlander, Assistant Town Manager; Kristi Caturano, Town Attorney; Retta Ladd, Treasurer; Greg Tkac, Director of Public Works; Major Ray Colgan, Acting Chief of Police; Yolanda Hipski, Director of Community Development; Donna Johnson, Town Clerk; 13 citizens

Mayor Yohey called the meeting to order and proceeded with the reports from the boards and commissions.

Boards & Commission/Committee/Staff/Town Attorney Reports

Architectural Review Board

Chairperson Don Little reported that their last meeting was held on June 8, 2010. Under new business, they discussed an application for a Certificate of Appropriateness for sign modification at 17662 Main Street. Mrs. Traci Cox wished to change her existing sign. The board approved the sign with modifications. After discussion the Board approved the Certificate of Appropriateness unanimously.

Mr. Little acknowledged that after the end of the month, Ms. Yolanda Hipski would no longer be the Town's Director of Community Development and Planning. He commended Ms. Hipski's consistent efforts of supporting the ARB and keeping the Board advised of zoning rules and Ordinances as they related to the Board's decision making processes. The other members of the ARB agreed with Mr. Little's commendation, and each expressed their disappointment at Ms. Hipski's departure and asked for an explanation. Ms. Hipski said that she could not discuss the condition of her termination and that such questions should be asked of the Town Council.

Old Business – Mr. Little asked Ms. Hipski for a review of old, incomplete, business in light of her departure at the end of the month.

Entrance Corridor Overlay District, the most recent draft has been reviewed by the Town Attorney and input from the Economic Task Force was pending. Mr. Little wanted to know if the

ARB would be involved with the comprehensive plan, and Ms. Hipski stated she thought that the comprehensive plan would provide for addressing the Historic District and Main Street corridor and thus include the ARB.

Ms. Hipski also explained that members for the Economic Development Task Force had been selected from the ARB, Planning Commission and Dumfries Business Association. At the direction of the Town Manager, the first meeting of the task force had been put on hold until the Economic Development official position was filled.

It was asked who ARB's contact from the Town would be after Ms. Hipski's departure. They were told that her replacement would be their contact, but up until that time she did not know who their contact would be.

Ms. Hipski also gave an update of Mrs. Waggy's health stating that she was improving and she was in rehabilitation for her condition. Ms. Hipski told the board members she would provide them with the address to send her get well cards.

Planning Commission

The Planning Commission met on June 7th at 7:08 PM. The following agenda items were discussed:

Badar Academy – seeking a CUP to run a private school located at the corner of Mine Road and Main Street. This was deferred until the Academy submits a requested sketch plan for the site.

Dumfries Elementary School – The four temporary trailers have complied with all the suggestions and modifications, including the time frame, which is good until August 2014.

Fast Food Restaurants in the B-2 Neighborhood Business District – After an in-depth discussion and taking many items into consideration, the Planning Commission deemed that fast food restaurants would be too intense of a use to be permitted in the B-2 neighborhood Business District and strongly discourages this concept.

Business Zoning Uses in Residential Districts – Ms. Hipski reviewed an updated draft of suggested supplemental regulations which would be helpful in clarifying some of the Town's Ordinances and/or Regulations, and possible B-1 and B-2 uses being allowed in the residential districts. All sections were reviewed and discussed, and it was agreed by consensus of the Planning Commission to consider this, at a future meeting, after the supplemental regulations are finalized.

Election of new officers – The following are the newly elected officers for the next term:

Chairperson – Christopher Padberg
Vice Chairperson – William O'Kelly Russell
Secretary – John Webb

The next regular meeting is scheduled for July 12, 2010 at 7:00 PM in the Council chambers at Town Hall.

Board of Zoning Appeals

No one present

Historic Dumfries

No one present

Dumfries Business Association

No one present

Treasurer's Report

Mrs. Ladd gave her monthly report as follows:

Schedule of Receipts and Expenditures
For the Month of May, 2010

Old Balance	\$ 305,960.87
Plus Receipts	403,593.29
Plus Transfer of Matured CDAR Road Construction Funds	592,206.24
Minus Transfer of Funds From General Checking To Payroll for May 2010	93,388.70
Minus Elect Transfer	
- FICA	19,813.62
- FWT	13,059.52
Minus Expenditures	698,411.43
New Balance	\$ 477,097.13

Several questions were asked of Ms. Ladd which she answered.

Consider Adoption of FY11 Town Budget

Mr. Brewer made a motion to approve the FY11 Town Budget. The motion was seconded by Mrs. Cornell. Ayes: Brewer, Barr, Cornell, Toney, Washington. Nay: Yohey. Absent: West. Motion carried.

Consider Adoption of Appropriation Ordinance for FY11 Budget

Mr. Brewer made a motion to adopt the Appropriation Ordinance for the FY11 Budget. The motion was seconded by Mrs. Cornell. Ayes: Washington, Toney, Cornell, Barr, Brewer, Yohey. Absent: West. Motion carried.

Consider Amending the Town of Dumfries Purchasing Policy

Ms. Caturano discussed updating the Purchasing Policy as well as the purchasing contract administration functions. She said she saw the need to add sole source to the purchasing policy.

Mr. Brewer made a motion to amend the Town of Dumfries Purchasing Policy. His motion was seconded by Mrs. Cornell. Ayes: Brewer, Barr, Cornell, Toney, Washington, Yohey. Absent: West. Motion carried.

Consider Sole Source Resolution for Johnson Certified Public Accountant, PLLC & Consulting to Complete the Town's Audit for the FY ending June 30, 2010

Mr. Brewer made a motion to approve the sole source Resolution for Johnson Certified Public Accountant, PLLC & Consulting to complete the Town's Audit for the FY ending June 30, 2010. The motion was seconded by Mrs. Cornell. Ayes: Washington, Toney, Cornell, Barr, Brewer, Yohey. Absent: West. Motion carried.

Consider Adoption of Inoperable Vehicles Ordinance

Mrs. Hipski reported that at the June 1, 2010 meeting, Council deferred action on the proposed ordinance in order to allow the Towing Advisory Committee an opportunity to review the document. At two meetings held on June 8 and on June 15, 2010, the Towing Advisory Committee reviewed this document. After careful deliberation, the Towing Advisory Committee made a motion at its June 15, 2010 meeting to forward the ordinance to the Town Council for review. The Town Attorney reviewed the revised document that was modified by the Committee.

Ms. Hipski presented the proposed amended changes to the ordinance and after a lengthy discussion it was the consensus of the Council to bring this back at a later date.

Consider Request to Schedule Public Hearing for an Ordinance to Prohibit parking in Non-Surfaced Parking Spaces

Ms. Hipski went over the reasons to amend the ordinance. Mr. Tkac said he felt that the on street parking policies should be reviewed before this ordinance was reviewed by the Council.

Ms. Barr said there was already something in place by the parking committee that spoke to this ordinance. She said she is completely not in favor of people parking on their grass. She said it also creates an environmental issue. After more discussion it was the decision of the Council to table this until a later date.

Consider Adoption of Conditional Use Permit for Auto Advantage

This was tabled as there was no quorum of the Planning Commission and the Public Hearing for the Conditional Use Permit was not held.

Approval of Towing Advisory By-Laws

Ms. Barr made a motion to approve the Towing Advisory By-Laws with the modifications made by the Council. The motion was seconded by Mr. Washington. Ayes: Brewer, Barr, Cornell, Washington. Nays: Toney, Yohey. Absent: West. Motion carried.

Approval of Site Plan for Dumfries Elementary School

Mr. Toney made a motion to approve the site plan for Dumfries Elementary School with a second by Mr. Washington. Ayes: Washington, Toney, Cornell, Barr, Brewer, Yohey. Absent: West. Motion carried.

Request Approval to Schedule Public Hearing for an Ordinance to Regulate Towing on Private Property

Ms. Barr made a motion to approve a public hearing for an Ordinance to Regulate Towing on Private Property, to be held at 7:00 PM on Tuesday, July 20, 2010. The motion was seconded by Mr. Washington. Ayes: Washington, Toney, Cornell, Barr, Brewer, Yohey. Absent: West. Motion carried.

Closed Session

Mr. Toney made a motion to enter closed session citing Virginia Code §2.2-3707 under §2.2-3711 A (1) Personnel, Town Manager, Personnel - Community Development Department, Personnel – Public Works Department. The motion was seconded by Mayor Yohey. Ayes: Brewer, Cornell, Toney, Washington, Yohey. Nay: Barr. Absent: West. Motion carried.

Council entered closed session at 9:45 PM.

Return to Open Session

Mr. Brewer made a motion to appoint the Town Manager as the Acting Zoning Administrator and Acting Building Official, effective June 24, 2010. The motion was seconded by Ms. Barr. On roll call the vote was unanimous with the exception of Mayor Yohey who abstained. (Abstention due to the fact that there was work being done by the Town Attorney relative to this

issue that it would be completed within a couple of days and he felt that it was too soon to vote on the issue). Absent from the vote: West. Motion carried.

Mr. Brewer made a motion to terminate the employment of Yolanda Hipski as the Director of Community Development. The motion was seconded by Mr. Washington. There was discussion that on May 11, 2010, Council, in closed session, unanimously gave their consensus to the Town Manager that they supported the decision to terminate Mrs. Hipski's employment. It was stated at that time, that the Town Manager and Council felt that a formal vote in open session was NOT necessary, and that the Town Manager should address the issue by her own authority, in order to save Mrs. Hipski the embarrassment of a vote in open session. All those present said "aye" except for the Mayor. The Mayor abstained from the vote as he stated that the Town Attorney was doing work relative to this issue and that it would be completed within a couple of days and he felt that it was too soon to vote on this issue. Absent: West. Motion carried.

Mr. Brewer made a motion to adjourn and his motion was seconded by Mrs. Cornell. On roll call the vote was unanimous by all those present.

The meeting adjourned at 11:45 PM.

Submitted by:

Approved by:

Donna A. Johnson, CMC
Town Clerk

Fred E. Yohey, Jr.
Mayor

