

MINUTES OF REGULAR COUNCIL MEETING

JULY 6, 2010

Present: Mayor Yohey, Councilors Forrester, West, Toney, Foreman, Barr, Jurgensen

Others Present: Kim Alexander, Kristi Caturano, Greg Tkac, Cathy Holtzlander, Major Colgan, Mr. Forker, Officer Humphries, Retta Ladd and 12 citizens

Mayor Yohey called the meeting to order at 7:00 PM, followed by the Pledge of Allegiance. Invocation was given by Councilor West.

CITIZEN'S COMMENTS

Jim Vinson, 4150 Nichols Court, stated he would like to welcome the new Council members.

MAYOR'S COMMENTS

Mayor Yohey stated he is very pleased to welcome the new Council members. Mayor Yohey stated the demand from the voting public was to see change, so the seating Council will be meeting in the near future to address changes, as far as how meetings are conducted, etc.

COUNCIL MEMBERS TIME

Councilor Forrester thanked the citizens who placed her in office and stated she looks forward to serving the citizens of the Town of Dumfries.

Councilor West stated she is looking forward to working with the new Council members. Councilor West stated she attended the NAACP event this past weekend in Merchant Park and it was a wonderful event.

Councilor Toney stated he also would like to welcome his new colleagues' and that he agrees with what Councilor West asked in the invocation "...for wisdom to make good decisions..."

Councilor Foreman stated he would like to once again say "thank you" and to advise the citizens that he has set aside the third Tuesday of the month to discuss any issue(s) they might have.

Councilor Barr welcome everyone in attendance tonight and welcomed the new Council members.

COUNCIL MEMBERS TIME (cont)

Council Jurgensen also sent out a “thank you” to the citizens, asking them to please feel free to contact her with any issue(s) they may have.

Mayor Yohey stated one of the challenges he will ask of Council is to be prepared for the meetings before hand, to read their packets, so they can be out of here by 9:30 pm.

TOWN MANAGER/STAFF REPORTS

a. **Town Manager’s Report** – Ms. Alexander reviewed her report with Council, highlighting the many position openings and interviews being conducted and the hopes to fill them soon. Ms. Alexander also highlighted meeting dates for July.

Councilor Toney asked if the meeting with South Cove Homeowners Association (SCHOA) had been scheduled. Mrs. Holtzlander stated she would need to get back with Councilor Toney tomorrow after checking, she thought it was for July 12th but doesn’t have that on her calendar.

Mr. Bob Price, a member of the SCHOA, stated they were waiting for the new Council members to come aboard.

Ms. Alexander stated she will have the date for that meeting at the July work session.

Mayor Yohey stated he will miss the July Williamstown HOA meeting, due to a conflict with another meeting that same night with Historic Dumfries Virginia (HDV).

Councilor Barr stated she will not be able to attend the Williamstown Homeowners Association (WFOA) meeting on July 8th, she will be in Delaware.

b. **Assistant Town Manager’s Report** – Mrs. Holtzlander stated she would like to congratulate the new Council members. Mrs. Holtzlander stated her report has been provided; however she would like to highlight a couple items.

Mrs. Holtzlander stated the four summer interns began today - they were introduced to all departments and will be working in each department during their six weeks with the town.

Mrs. Holtzlander stated the Multicultural Festival is scheduled for July 24th in Merchant Park from 10am to 4pm and she will be accepting vendors and crafters up until Friday, July 9th.

Mrs. Holtzlander stated she is in the preliminary planning stages for the 9th Annual Fall Festival, which is co-sponsored by the Dumfries-Triangle Rescue Squad, scheduled for October 23rd in Merchant Park from 10am to 3pm.

TOWN MANAGER/STAFF REPORTS (cont)

b. **Assistant Town Manager's Report (cont)** – Councilor Barr asked Mrs. Holtzlander about her meeting with PWC on the Quantico Creek Watershed.

Mrs. Holtzlander stated there is interest with PWC regarding Quantico Creek and the information was put out on Blackboard Connect.

Councilor Barr asked Mrs. Holtzlander about her meeting with the Quantico Growth Management Committee.

Mrs. Holtzlander stated the Committee gives continual updates on the BRAC project and everyone is invited to attend.

Councilor Jurgensen asked Mrs. Holtzlander about the upcoming Multicultural Festival in Merchant Park and if the town charged a fee to the vendors/crafters.

Mrs. Holtzlander stated yes, there is a thirty (\$30) dollar fee per space.

c. **Police Chief's Report** – The Police Chief's Report was provided in Council packets. Major Colgan stated he would like to remind everyone that National Night Out will be held August 3, 2010 at the Williamstown Pool from 5:00 to 7:00 PM.

Councilor West stated in the report provided there is a spreadsheet called "**Ordinance Charge Summary**" this spreadsheet in the past has usually shown zeros in all categories, as it does this month. Councilor West stated her question is, is this something the Code Enforcement Officer would do rather than the Police Officers?

Major Colgan stated no, both the Code Enforcement Officer and Police Officers can charge on ordinance violations. Major Colgan stated the lack of charges by the Police Officers is due to the lack of staffing.

Councilor West asked Major Colgan if he could give Council a brief update on the General Orders.

Major Colgan stated the individual is on board and he wants them to meet with the Town Manager.

d. **Director of Public Works** – Mr. Tkac stated he would like to welcome the new Council members and he apologized for not having his report in Council's packet, he was on vacation last week.

Mr. Tkac highlighted his report which was provided to Council tonight.

TOWN MANAGER/STAFF REPORTS (cont)

d. **Director of Public Works** – Councilor Barr asked Mr. Tkac about the three storm water management reduction requests.

Mr. Tkac stated if there is a SWM design on site a property owner can request a reduction in SWM fees.

Councilor Barr asked if this is a standing program. Mr. Tkac stated yes, it has been since the SWM ordinance was enacted.

Councilor Barr asked Mr. Tkac if the town makes sure, when a property owner asks for a reduction, that there is a proper SWM design on site.

Mr. Tkac stated definitely.

Councilor Foreman asked Mr. Tkac to provide a copy of the rules and/or state regulations regarding run-off into tributaries. Councilor Foreman stated the salvage yard drains into Dewey Creek. Councilor Foreman stated he would follow up with Mr. Tkac by e-mail.

Councilor Toney asked Mr. Tkac about the 39 storm water management fee refund requests.

Mr. Tkac stated the requests are pending further review; however he will provide a spreadsheet to Council of the findings.

Mayor Yohey asked Mr. Tkac if the spreadsheet would be ready by the work session.

Mr. Tkac stated he would hope, but if not, by the next regular Council meeting.

e. **Director of Community Development** – Ms. Alexander advised the report was provided; however Mrs. Frye was not available.

AT 7:35 PM A QUORUM OF PLANNING COMMISSION HAD ARRIVED SO COUNCIL WENT BACK TO THE PUBLIC HEARING. COUNCIL RETURNED TO THEIR REGULAR MEETING AT 7:37 PM.

ADOPTION OF CONSENT AGENDA

Mrs. West moved for adoption of consent agenda, seconded by Mr. Toney, all ayes motion carried.

INFORMATION ITEMS

a. **VML Annual Conference** – Ms. Alexander stated the information has been provided to Council regarding the VML Annual Conference, which is scheduled for October 3-5, 2010 in Hampton Virginia.

Ms. Alexander stated those who plan on attending to please let her know as soon as possible, the earlier they respond the better chances of getting the host hotel.

Mrs. West, Ms. Forrester, Mr. Foreman, Ms. Barr, Mrs. Jurgensen and Mayor Yohey stated they all plan on attending the conference. Mr. Toney asked about the expense. Ms. Alexander stated the cost is in the budget for all members to attend.

Mrs. West stated October 5th is Councils' regular meeting night. Ms. Alexander stated she will put the issue on the July work session agenda to change the regular meeting date.

b. **VRS Transitional Benefits Program** – Ms. Alexander reviewed this item with Council regarding participation of political subdivisions to provide transitional benefits to employees who are involuntarily separated from employment.

Ms. Alexander stated she would have to recommend that the town not participate at this time.

c. **VML/VaCo Financing Alternatives** – Ms. Alexander reviewed this item with Council regarding financial alternatives from VML/VaCo Finance. Ms. Alexander stated one particular long term financing opportunity, that is only available through December 31, 2010, is the "Build America Bonds."

Ms. Alexander stated this is an opportunity the town should take advantage of if there is any projects they hope to undertake within the next 10-15 years, it is the lowest cost money they can borrow. Ms. Alexander stated she is arranging for this group to give a presentation at a future Council meeting.

Mayor Yohey stated with rates this low it would be silly for Council not to consider the "Build America Bonds."

Mayor Yohey asked for the consensus of Council.

Mrs. West stated she would like to hear from the representatives. Ms. Alexander stated she would try to have them here by the work session.

Mr. Foreman stated if a presentation is given at a future Council meeting he would ask that they have something new, a power point presentation, not refresh what Council has already been provided.

INFORMATION ITEMS (cont)

c. **VML/VaCo Financing Alternatives** – Mrs. West stated she appreciates what Mr. Foreman said, the amount of paper she has received over the last two years is incredible and would encourage Council to bring back their information so staff doesn't have to make new copies.

ACTION ITEMS

a. **Consider Proclamation for Suicide Prevention Week** – Mr. Toney moved to accept the Proclamation for Suicide Prevention Week, seconded by Ms. Barr, all ayes, motion carried.

b. **Consider Appointment of Vice-Mayor** – Mayor Yohey stated Mr. Toney and Mrs. West have both voiced interest in the Vice-Mayor seat so he would like to give Council an opportunity, in closed session, to ask questions. This item will be acted on after closed session.

c. **Consider Appointment of Council Member to the NVRC (Northern Virginia Regional Commission)** – Mayor Yohey stated Mrs. West has voiced interest in this appointment. Mayor Yohey asked Mrs. West if she would still be willing to serve. Mrs. West stated yes.

Mayor Yohey moved to appoint Mrs. West to serve on the NVRC, seconded by Mr. Toney, all ayes, motion carried.

d. **Consider Appointment of Council Member to the NVCTB (Northern Virginia Cigarette Tax Board)** – Mayor Yohey stated that Mr. Brewer served on this board and the town needs to appoint someone to fill his vacancy. Mayor Yohey asked if any Council Member would be willing to serve on this board.

Mrs. Jurgensen stated she would be willing to serve on the NVCTB.

Mayor Yohey moved to appoint Mrs. Jurgensen to serve on the NVCTB, seconded by Mrs. West, all ayes, motion carried.

e. **Consider adoption of CUP (Conditional Use Permit) for Auto Advantage** – Mr. Padberg, Chair of the Planning Commission, stated the Planning Commission recommends that the Town Council approve the CUP for Auto Advantage as stated in the letter dated May 12, 2010, with the addition of letter f. **“Wrecked vehicles will not be visible from the right of way and not parked for more than 48 hours.”**

It was stated that the conditions provided by Mrs. Hipski on June 22, 2010 did not state what the Planning Commission just recommended, it stated f. **“Wrecked vehicles for sale will not be allowed.”**

There was much discussion and questions concerning enforcement, the need to have or not have the time frame in the condition, and the need to have the word “wrecked” in the condition at all.

ACTION ITEMS (cont)

e. **Consider adoption of CUP (Conditional Use Permit) for Auto Advantage** – The Town Attorney advised all, (Council, Staff and Business Owner) that a CUP can be revoked if any of the conditions are not complied with and enforcement could be handled by the Code Enforcement Officer or a Police Officer.

Mrs. West stated she understands the concern, but believes they are making a “mountain out of a molehill” and believes they need to move on with the meeting.

Ms. Barr asked how can Council move on with different versions of the CUP.

Ms. Forrester stated without enforcement of the condition she cannot agree with the CUP.

Mayor Yohey advised Ms. Forrester that the Town Attorney just stated that the Code Enforcement Officer or a Police Officer can do the enforcing.

Mr. Foreman moved that Council adopt the CUP as presented, not to include the Planning Commission recommendation, seconded by Mrs. West.

Mrs. Holtzlander asked Mr. Foreman to amend his motion to include the date of Mrs. Hipskis’ CUP recommendations.

Mr. Foreman amended his motion to adopt the CUP as presented on June 22, 2010, second agreed.

Mayor Yohey asked for the vote: ayes: Barr, Foreman, West, Yohey; nays: Jurgensen, Toney, Forrester, motion carried.

f. **Consider reappointment of three ARB (Architectural Review Board) Members** – Mayor Yohey moved to reappoint Mr. Don Little, Mr. James Ksanznak and Ms. Jennifer Stringfellow to the ARB, seconded by Ms. Barr, all ayes, motion carried.

g. **Consider candidate for position of Town Clerk** – Mrs. West moved to offer the position of Town Clerk to the candidate recommended by the Town Manager earlier in closed session, seconded by Ms. Barr, all ayes, motion carried.

DISCUSSION ITEM

a. **Town of Dumfries 2011 Legislative Agenda** – Ms. Alexander stated the town has had no formal legislative agenda and she would like Council to start working to identify issues to take before the General Assembly.

DISCUSSION ITEM (cont)

a. **Town of Dumfries 2011 Legislative Agenda** – Mayor Yohey stated he would like to throw it out to town staff as well, to identify issues Council may consider taking before the General Assembly.

Mrs. West stated the VML Policy Committees meet on July 29, 2010. Mrs. West stated she serves on the Human Development & Education Committee and Ms. Barr serves on the Transportation Committee; however there are other committees that Council Members should consider serving on.

Ms. Alexander stated this item, of serving on the VML Policy Committees, has been placed on agendas' several times.

Mayor Yohey read a letter from Mr. Mark Gibb, from NVRC, thanking Mr. Clyde Washington for serving on the commission the past two years.

CLOSED SESSION

Mrs. West moved to enter closed session under Virginia Code § 2.2-3711A(1) to discuss appointment of Vice-Mayor, seconded by Ms. Forrester, all ayes, motion carried.

Minutes submitted by

Approved by

Retta Ladd, Dep Clk/Treasurer

Fred Yohey, Mayor

CLOSED SESSION (cont)

Mrs. West read the certification to come back into open session from closed session, seconded by Ms. Forrester, all ayes, motion carried.

Ms. Forrester moved to appoint Mrs. West as Vice-Mayor, seconded by Ms. Barr, all ayes, motion carried.

Mr. Toney expressed his appreciation to the individuals who thought his skills were worthy of consideration for the position of Vice-Mayor.

ADJOURN

Ms. Barr moved to adjourn, seconded by Mr. Toney, all ayes, motion carried.

Meeting adjourned at 9:23 PM.

Minutes submitted by

Approved by

Kimberly Alexander,
Town Manager

Fred Yohey, Mayor