



DUMFRIES, VIRGINIA

Virginia's Oldest Continuously Chartered Town

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DUMFRIES TOWN COUNCIL WORK SESSION MINUTES SEPTEMBER 21, 2010, 7:00 PM

Present: Mayor Yohey, Vice-Mayor West, Councilors Barr, Foreman, Jurgensen, Toney*

Not Present: Forrester

* *Late arrival*

Others Present: Kim Alexander, *Town Manager*; Cathy Holtzlander, *Assistant Town Manager*; Kristi Caturano, *Town Attorney*; Major Colgan, *Acting Police Chief*; Jatinder Khokar, *Dir. of Community Development*; Debi Sandlin, *Dir. of Economic Development & Marketing*; Retta Ladd, *Town Treasurer*; Teresa Johnson, *IT Manager*; Catherine Koslicki, *Town Clerk* and 12 citizens.

Mayor Yohey called the meeting to order at 7:00 PM. He asked if there were any amendments to the agenda. The following items were changed: due to time constraints on presenter, move item 6A to the beginning of the agenda.

INFORMATION ITEMS

BRAC presentation by Tom Rumora, BRAC Coordinator with Quantico Growth

Management Committee: Mayor Yohey asked Mr. Rumora to define and explain BRAC. Mr. Rumora explained that BRAC (Base Realignment and Closure) was designed to be a process of efficiency. The Mayor asked how many people Quantico anticipated moving to the area. Mr. Rumora stated the only number that is certain to move to Quantico is the number of positions (as listed on his Facts Sheet attached to the minutes). He stated however, positions do not equal people. The Mayor asked here are people moving from. Mr. Rumora stated the realignment is from agencies north. He said that does not mean the people will move, only the positions. He stated historically. The majority of people employed at Quantico live south of the base. If people move to work at Quantico, they could follow suit.

Councilman Toney asked how does the Town get involved at this point. Mr. Rumora advised the Town will have the opportunity to participate in Quantico growth management. Councilman Toney asked if jobs would be available to local citizens and Mr. Rumora advised there will be positions available to local citizens because not all people will choose to transfer.

CITIZEN'S COMMENTS

Kathy Angel-Fairfax St-brought a petition signed by all but 2 residents to change parking to diagonal which would give all Townhouses 2 spaces instead of 1. They also propose to change the direction of traffic to flow from Washington to Duke. Ms. Alexander advised Public Works will look into and get back to her. (Petition attached to minutes)

MAYOR AND COUNCIL COMMENTS

Mayor Yohey stated he received information in the mail from HDV regarding the opening ceremony of the First Mount Zion Baptist Church Exhibit. He stated he and Vice-Mayor West are unable to attend and asked the other members if anyone would like to attend on their behalf. Councilman Toney advised he would attend.

Vice-Mayor West had no comments.

Councilman Toney had no comments.

Council Lady Jurgensen thanked Ms. Holtzlander for a job well done on the Civ-Mil event.

Council Lady Barr agreed with Council Lady Jurgensen and stated the tents needed lighting next year.

BOARDS & COMMISSIONS REPORTS

Planning Commission (PC) met on September 13 and reviewed 2 CUPs: Streetlight Community Outreach (5 non-related same sex males living in the same house) and Dumfries Business Park (add car retail to use); both have been recommended to Council by votes of 5-1.

The PC reminded Council and staff that they are required by law to revise Comp Plan every 5 years. At this time, the PC recommends a minor review and update within 12 months, but would still require a major update after that is completed. The PC is recommending to TC to appoint a steering committee, which would include a member of the Council, staff, PC, and possibly members from ARB, DBA and the community. The PC also recommends the possibility of having several sub-committees for particular chapters.

Vice-Mayor West asked what the situation of the people who will live in the house, are they mentally or physically disabled. The PC advised the individuals would be chronically homeless.

Architectural Review Board: (Full report attached to minutes)

Mayor Yohey asked Ms. Caturano for advice on how the Town should proceed against violations brought to the attention of Council by the ARB. Ms. Caturano stated she will need to research the situation further and report back to Council. Council Lady Barr stated there needs to be a policy drafted that will survive the change in staff (considering the age of the current issue-replacement windows on Charter House).

Historic Dumfries: (Full report attached to minutes)

STAFF REPORTS/COMMENTS

Treasurer: Ms. Ladd stated she submitted her report as provided with one change, FY10 on the Agenda Item Request Form should be FY11.

Vice-Mayor West asked if the Travel/Training line item for Council was already over budget (p.3 of 22), Ms. Ladd advised in the affirmative.

Councilman Foreman asked about the Capital Outlay line item for Public Safety. Ms. Alexander advised some of the money spent will be reimbursed (for vehicle cameras).

Town Attorney: Ms. Caturano stated she submits her report as provided and advised Council she will be discussing 2 litigation items in Closed Session.

Councilman Toney asked what personnel matters she assisted the Town Manager and the Police Chief with. Ms. Caturano advised she could provide details in Closed Session. He asked if her time had been spent on any of the items on the agenda tonight, she advised it wasn't.

Council Lady Barr asked if the driving on suspended license offenses were Town residents. Ms. Caturano advised some were, others were not residents. Council Lady Barr asked if speed cameras were an option for the Town. Major Colgan advised they are not legal in Virginia, but the Town could get red light cameras.

Town Manager: Ms. Alexander stated Mr. Tkac was not present because it was his anniversary. She reminded Council about the upcoming VML conference. She welcomed Jatinder Khokar to the staff as the Director of Community Development. She reminded Council and staff that there is only one meeting for October, on the 12th. She asked Council to complete and turn in the Economic Interest Statement for the CDBG prior to leaving.

INFORMATION ITEMS (cont.)

Boys and Girls Club: Ms. Alexander reminded Council of the need for volunteers and advised them the information to sign-up was included in their packet. She announced the contact for the Boys and Girls Club is Carolyn and she can be reached at 703/670-3311.

ACTION ITEMS

Mayor Yohey asked Ms. Caturano to explain Action Items 7A-7C. Ms. Caturano explained the difference between "rescind" and "reconsider." (Definitions as provided by Ms. Caturano are attached to the minutes.)

Several Council members discussed (back and forth) the first three action items on the agenda.

Council Lady Jurgensen stated she submitted these 3 items because she feels it is her job to represent what the citizens want. She stated she is going back to the issues she ran on.

Consider a Motion to Rescind the August 3, 2010, Motion to re-advertise the Chief of Police Position as full-time with a salary of \$65,000 to \$75,000:

Councilman Foreman asked if the individual listed on the agenda was contacted. Ms. Alexander advised she did call to see if they were still interested. Councilman Foreman asked if there was a vision for a full time Chief. Ms. Alexander advised yes, she does see a full time position in the future. Councilman Foreman asked if there was a specific time frame for a full time position. Ms. Alexander advised the current contract on the agenda is for 2 years.

Councilman Toney asked if any Fair Labor laws apply to the other candidate not listed on the agenda. Ms. Caturano advised they do not. She explained that a motion could have been made by any Council member at any time for the other candidate.

The motion was made by Council Lady Jurgensen and seconded by Vice-Mayor West. Ayes: Barr, Jurgensen, West, Yohey; Nays: Foreman, Toney; motion carried (4-2).

Consider a Motion to Rescind the August 3, 2010, Motion to offer an employment contract on a part-time basis to Mr. Dan Taber for the Chief of Police position:

The motion was made by Council Lady Jurgensen and seconded by Vice-Mayor West. Ayes: Barr, Jurgensen, West, Yohey; Nays: Foreman, Toney; motion carried (4-2).

Consider a Motion to offer a 2 year Employment Contract (with no severance included for involuntary separation) on a part-time, 32 hour per week basis to Major Dan Taber at a salary of \$80,000

The motion was made by Council Lady Jurgensen and seconded by Council Lady Barr. Ayes: Barr, Jurgensen, West, Yohey; Nays: Foreman, Toney; motion carried (4-2).

Consider appointing Jatinder Khokhar as the Town's Building Official and Zoning Administrator:

The motion was made by Vice-Mayor West and seconded by Council Lady Barr. On the roll call the vote was unanimous, motion carried.

Consider Resolution in Support and Authorization of Town Application for County's FY 2012 CDBG Program: Ms. Alexander explained the different proposals to Council.

Council Lady Barr stated she was in favor of option #2 and made a motion to adopt the resolution for that option. The motion was seconded by Council Lady Jurgensen.

Vice-Mayor West asked what the Town's chances were for getting the grant approved. Ms. Alexander stated in her opinion, the Town would have a better chance of the County supporting option #1 because the County had approved a previous grant for the same project. Council Lady Barr rescinded her motion and Council Lady Jurgensen rescinded her second. Council Lady Barr made a motion to adopt the resolution for option #1. The motion was seconded by Council Lady Jurgensen.

(Kim advised Council on p.2 of option #1, the appropriate paragraph would be the first paragraph).

On the roll call the vote was unanimous, motion carried.

Consider Resolution to Support a Modification to the Virginia Retirement System:

The motion was made by Council Lady Barr and seconded by Council Lady Jurgensen. Ayes: Barr, Jurgensen, Foreman, West, Yohey; Nays: Toney; motion carried (5-1).

Consider Resolution to Adopt an Invocation Policy for the Town Council Meetings for the Town of Dumfries: Ms. Alexander read the full Resolution into the minutes.

The motion was made by Vice-Mayor West and seconded by Council Lady Jurgensen. Ayes: Jurgensen, Foreman, Toney, West, Yohey; Nays: Barr; motion carried (5-1).

DISCUSSION ITEMS

Consider Amendment to Town Code Section 2-83(b)(5), Town Manager Duties – new language to be presented by Town Attorney: Ms. Caturano explained to Council the main

change she made to Councilman Foreman’s proposed amendment limited the Town Manager’s ability to change the function of a space without the consent of Council.

Council Lady Jurgensen reminded Council of the Town Manager’s comments from the previous meeting regarding an amendment to this code section.

(Vice-Mayor West made a motion to “table” discussion of the proposed amendment indefinitely, with a second by Council Lady Jurgensen. However after a discussion where the Town Attorney advised discussion cannot be tabled indefinitely, both the motion and the second were rescinded.)

Council Lady Barr made a motion not to read the new language into the record with a second by Council Lady Jurgensen. Ayes: Barr, Jurgensen, West; Nays: Foreman, Toney, Yohey; motion fails (3-3).

Councilman Foreman asked if the amendment could be read at the next meeting with a vote at the following meeting, Ms. Caturano affirmed.

CLOSED SESSION

Vice-Mayor West made a motion to enter into closed session under Virginia Code § 2.2-3711A (3) Acquisition of Real Property and (7) Litigation. Councilman Toney seconded the motion. Ayes: Barr, Jurgensen, Toney, West, Yohey; Nays: Foreman; motion carried (5-1). Council entered closed session at 10:05 PM.

Vice-Mayor West read the certification to end the closed session and to return to open session. The motion was seconded by Councilman Toney. All Ayes, motion carried.

The Council returned to open session at 11:04 PM.

Vice-Mayor West stated there was nothing to report from Closed Session

ADJOURN

Council Lady Barr made a motion to adjourn with a second by Councilman Toney. All Ayes, motion carried. The meeting adjourned at 11:05 PM.

Minutes submitted by

Approved by

Catherine H. Koslicki
Town Clerk

Fred E. Yohey, Jr.
Mayor