

AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL, HELD ON DECEMBER 11, 2012, AT 7:00 P.M., IN COUNCIL CHAMBERS, 17755 MAIN STREET, DUMFRIES, VIRGINIA:

THERE WERE PRESENT: Mayor Gerald Foreman
Vice-Mayor Willie Toney
Charles Brewer
Kristin Forrester
Helen Reynolds
Derrick Wood
Daniel Taber, Town Manager
Christine Sanders, Town Attorney

THERE WERE ABSENT: Gwen Washington

IN RE: CALL TO ORDER AND ROLL CALL

Mayor Foreman called the meeting to order. Dawn Hobgood, Town Clerk, took roll call.

IN RE: MOMENT OF SILENT PRAYER AND REFLECTION AND PLEDGE OF ALLEGIANCE

There was a moment of silent prayer and reflection, then all in attendance recited the Pledge of Allegiance to the Flag of the United States.

IN RE: APPROVAL OF THE MINUTES

Mr. Brewer moved, seconded by Ms. Forrester, to approve the minutes from the May 22, 2012 meeting as presented. The motion carried and was approved by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, absent; Mr. Wood, yes.

IN RE: ADOPTION OF THE AGENDA

Mr. Taber requested that a Closed Session for personnel be added to the agenda.

Mayor Foreman moved, seconded by Ms. Forrester, to adopt the agenda as amended. The motion carried by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, absent; Mr. Wood, yes.

IN RE: APPROVAL OF THE CONSENT AGENDA

Mr. Toney asked that Item B, Resolution adopting the Schedule for Town Council Meetings and Holidays for 2013 be pulled from the Consent Agenda for further discussion.

Mayor Foreman moved, seconded by Mr. Brewer, to adopt the Consent Agenda as amended. The motion carried and the following resolutions were approved by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, absent; Mr. Wood, yes.

**RESOLUTION TO COMMEND THE SERVICE OF
DEMETRIA P. THOMAS
AS A MEMBER OF THE TOWN OF DUMFRIES
ARCHITECTURAL REVIEW BOARD**

WHEREAS, Demetria P. Thomas served as a distinguished member of the Town of Dumfries Architectural Review Board from May 9, 2005 to June 30, 2011 with dedication and distinction; and

WHEREAS, Ms. Thomas made a significant contribution to persevering the historic character of the Historic District area of the Town; and

WHEREAS, she served held the position of Chair, Vice Chair, and Acting Secretary during her tenure on the Architectural Review Board; and

WHEREAS, her participation on the Architectural Review Board was instrumental in guiding the Town in developing policies to further the positive growth of our community; and

WHEREAS, throughout her tenure on the Architectural Review Board she demonstrated her sincere commitment to improving the quality of life for the residents and businesses of our community.

NOW THEREFORE, BE IT RESOLVED, that the Town Council for the Town of Dumfries does hereby convey to Ms. Demetria P. Thomas our heart-felt appreciation and commendation for her service, and the exemplary spirit she exhibited in carrying out her duties as a member of the Architectural Review Board for the Town of Dumfries, Virginia.

**RESOLUTION TO TRANSFER FUNDS FROM UPC 76681 TO A NEW URBAN
ROADWAY PROJECT "POSSUM POINT ROAD DRAINAGE"**

WHEREAS, in accordance with the Virginia Department of Transportation (VDOT) construction allocation procedures it is necessary that a request be made by resolution in order that the Department program an urban roadway project within the corporate limits of the Town of Dumfries; and

WHEREAS, Possum Point Road has been identified as having significant pavement degradation due to water infiltration within the roads sub-grade; and

WHEREAS, significant Town resources have been expended on regular maintenance of ditches and the existing storm drainage; and

WHEREAS, VDOT project UPC 76681 has \$619,000 allocated for the construction of a debris wall behind Prince William Estates, which is a dormant project; and

WHEREAS, a sound wall will be constructed as part of the Interstate 95 Hot Lane project currently under construction, thus eliminating the need for the a debris wall.

NOW THEREFORE BE IT RESOLVED that the Council requests VDOT establish an urban roadway project titled "Possum Point Road Drainage Improvements" for drainage improvements and spot sub-grade reconstruction of Possum Point Road from Route 1 at

Possum Point Road to the eastern corporate limits of the Town, a distance of approximately 1.6 miles.

BE IT FURTHER RESOLVED that the Council of the Town of Dumfries requests to reallocate \$619,000, currently allocated to UPC 76681, to the new Possum Point Road Drainage Improvements project.

BE IT FURTHER RESOLVED that the Town Manager is hereby authorized to execute the agreement between VDOT and the Town for the prosecution of the locally administered urban project hereinabove requested.

Mr. Toney proposed moving the meeting dates in July to the second and third Tuesday, July 9 and July 23, to accommodate those who travel during the July 4 holiday, the meetings in November to the second and third Tuesday, November 12 and November 26, to accommodate the elections, and cancel the second meeting in December.

Mr. Toney moved, seconded by Ms. Forrester, to adopt the 2013 Town Council Meeting Schedule as amended. The motion carried and the following resolution was adopted by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, absent; Mr. Wood, yes.

A RESOLUTION TO ADOPT THE 2013 COUNCIL MEETING SCHEDULE AND HOLIDAY SCHEDULE FOR THE TOWN OF DUMFRIES

WHEREAS, the Council of the Town of Dumfries must schedule its meetings for the calendar year 2013; and

WHEREAS, the Council of the Town of Dumfries follows the holiday schedule set by the Virginia Department of Human Resource Management; and

WHEREAS, the Council of the Town of Dumfries has considered the attached calendars for meetings, work sessions, and holidays and finds it to be acceptable.

NOW, THEREFORE BE IT RESOLVED by the Council of the Town of Dumfries that

- 1) The attached calendar containing the dates and times hereby established for 2013 meetings of the Council with all meetings being held on the first and third Tuesday of each month (unless noted) to be held in Council Chambers, 17755 Main Street, Dumfries, Virginia, all to begin at 7:00 p.m.
- 2) The attached calendar containing the dates for holidays is hereby established for 2013 and the offices for the Town of Dumfries will be closed in observation of the specific holiday.
- 3) That the dates scheduled for "work sessions", the third Tuesday of the month, are also hereby designated as the dates for continued Regular Meetings should that become necessary due to inclement weather or other conditions.

Town Council 7:00 p.m. Council Chambers – Town Hall 17755 Main Street Dumfries VA 22026 2013 Meeting Calendar		
Regular Meeting	Work Session	
January 8*	January 22*	* 2nd and 4th Tuesday
February 5	February 19	
March 5	March 19	
April 2	April 16	
May 7	May 21	
June 4	June 18	
July 9*	July 23*	* 2nd and 4th Tuesday
August 7*	August 20	* Wednesday
September 3	September 17	
October 1	October 22*	* 4th Tuesday
November 12	November 26	* 2nd and 4th Tuesday
December 10*	No meeting	*2nd Tuesday
January 7, 2014		

Commonwealth of Virginia
Department of Human Resource Management
2013 Holiday Calendar

- | | |
|-------------|----------------------------|
| January 1 | New Year’s Day |
| January 18 | Lee-Jackson Day |
| January 21 | Martin Luther King Jr. Day |
| February 18 | George Washington Day |
| May 27 | Memorial Day |
| July 4 | Independence Day |
| September 2 | Labor Day |
| October 14 | Columbus Day |
| November 11 | Veterans Day |
| November 27 | Close at Noon |
| November 28 | Thanksgiving |
| November 29 | Day After Thanksgiving |
| December 24 | Offices Closed |
| December 25 | Christmas |

IN RE: CITIZEN COMMENT PERIOD

There were no citizen comments.

IN RE: MAYOR'S COMMENTS

Mayor Foreman read the following comments.

"I'd first like to thank all the volunteers that make our Town special. These volunteers work hand-in-hand with Town Staff and the different Committees to make all the Town's events enjoyable for everyone. These volunteers arrive early, stay late, and really deserve a heartfelt Thank you.

1 Dec 12 – Dumfries Christmas Tree Lighting

I would like to thank Mr. Singh for contributing the Christmas Tree.

5 Dec 12 – National Society of Black Engineers Jr Chapter of Northern Virginia - 1st Annual Cyber Security 2012 Competition Event

Teams consisted of participants from Bristow Run Elementary School / Brooke Pointe High School (HS) / Colonial Forge HS / Forest Park HS / Graham Park MS / Hilton HS / North Stafford HS / Quantico Middle School (MS) & HS / T. Benton Gayle MS.

7 Dec 12 - Pearl Harbor Day

The attack on Pearl Harbor resulted in a loss of 2,402 souls. Pearl Harbor Day serves as a harsh reminder of the challenges the men and women of our armed services face on a daily basis, as they stand in harm's way defending our nation, its liberty, and our values. Thank you to the veterans of not just World War II, but to all those who have served in the Military and Public Service. I sincerely appreciate your service, your dedication to duty and your commitment to keeping our way of life free.

8 Dec 12 – Dumfries Christmas Parade

8 Dec 12 – Weems-Botts Museum Christmas Open House

15 Dec 12 – Christmas in Dumfries

I would like to thank Troop 74 for being here tonight.

Sorry I cannot attend the Council/HOA meeting scheduled for 12 Dec 2012, however I will be attending the Williamstown HOA Meeting on 3 Jan 2012 (1st Thursday of the month).

In this month of December, I would like to say Merry Christmas to everyone. The United States has always been and will continue to be a Country based on religious freedoms. In 1870 - Christmas celebrating the birth of Jesus Christ was designated as a Federal Holiday in the United States by Congress and President Ulysses S. Grant. Federal, State, and Local Government Offices will be off on December 25 in observance of Christ's birth. So as we approach this festive time of year and as we remember our Military and Public servants that can't be home this Christmas; I'd like wish everyone a Very Merry Christmas when celebrating Our Lord Jesus Christ's birth."

IN RE: BOARDS & COMMISSIONS

A. ARCHITECTURAL REVIEW BOARD (ARB)

Mr. Brim, Planner/Zoning Administrator, gave the following report on behalf of Ms. Stringfellow, Chair.

- Dan Taber, Town Manager, presented the concept for historical markers that would be coming before the ARB for review. The design being used will be the same as the one approved by the ARB for the Williams Ordinary.
- A certificate of appropriateness for a sign was denied since it did not meet the intent of the design guidelines. Staff was directed to ask the applicant to make some changes and resubmit.
- The largest thing the ARB has been working on the past three months is the Design Guidelines. The Guidelines are for the historic district that mainly covers Main Street and the main historic sites designated in the Town. The Design Guidelines provide some guidance to developers and some direction for the ARB in their review; however, there has been some frustration due to not being very clear on things like signage, building façades, and conformity of buildings in the area.

Mr. Wood asked if sign requirements are provided to the applicant when they come in to apply for the permit to reduce the lag time in making the business visible.

Mr. Brim noted there is no checklist currently; however, staff is working on a checklist for all of the processes.

Mr. Wood asked if the applicants are being encouraged to attend these meetings.

Mr. Brim explained the process starts with contacting the Town. He sits down with the applicant and explains Town Code and the Design Guidelines. He will look at the concept the applicant is proposing and go over any changes that may need to be made. The applicant then submits an application. The applicant would attend the meeting when the ARB reviews and votes on the application.

B. BOARD OF ZONING APPEALS

There was no report.

C. HISTORIC DUMFRIES

There was no report.

D. PLANNING COMMISSION (PC)

Mr. Russell, Chair, reported the following.

- The PC reviewed a minor site plan for the Folks and had no comments.
- Discussions continued on the review of the B-1, B-2, and FB/O-1 zoning districts.
- The PC recommends approval of the Conditional Use Permit for the Matthew Center. A citizen commented that a fence needed to be provided as a barrier between the existing parking lot and a historical gravesite marker. The applicant advised that none of the activities would occur outside the building so the PC did not recommend a fence (CUP 12-002).

- The PC recommends approval of the text amendment to add civil penalties for certain zoning violations (ZTA-12-003 Section 70-2).
- The PC recommends approval of the zoning text amendment to allow religious institutions and non-profit organizations to display temporary signs (ZTA-12-004 Section 70-14). A permit has to be issued by the Town; however, there will be no fee.

IN RE: COUNCIL REPORTS

A. GINN PARK COMMITTEE

The meeting was cancelled.

B. EVENTS COMMITTEE

Ms. Neville asked to provide the report during her staff presentation.

C. NORTHERN VIRGINIA REGIONAL COMMISSION

This meeting is scheduled for tomorrow night.

D. NORTHERN VIRGINIA CIGARETTE TAX BOARD

The next meeting is December 17.

IN RE: STAFF PRESENTATIONS

A. DIRECTOR OF COMMUNITY & ECONOMIC DEVELOPMENT

There was no report.

B. DIRECTOR OF COMMUNITY SERVICES – CYDNY NEVILLE

Ms. Neville reported the following items.

- Interviews are being held tomorrow for Dumfries Cares. The first event will be an open house.
- English as a Second Language classes continue to grow and currently have more than ten students. These are free classes held every Tuesday from 10:00 a.m. to Noon.
- The Senior Luncheon is scheduled for December 16 with the Quantico Hand Bell Choir and Officer Fields providing the entertainment.
- She thanked all the participants and volunteers with the Christmas Tree Lighting and Christmas Parade.
- February 9 is Black History Month.

C. DIRECTOR OF PUBLIC WORKS – GREG TKAC

Mr. Tkac reported the following items.

- Work continues on Washington Street with the new pipe, drainage inlets, and paving. Once completed the same type of work will begin on Fairfax Street.

- Fencing is being placed around the Port-a-John at Ginn Park. The swing set has been installed and mulch has been put down. This month a border will be placed around the entire playground area. The court is scheduled to be striped next week.
- Environmental documentation has been submitted on the Main Street project and the Multimodal Phase II project.

D. CHIEF OF POLICE – ROBERT FORKER

Chief Forker reported the following items.

- Officer Moody is recovering from the accident she was involved in on November 16.
- Officer Robinson returned to work on light duty.
- Officer Fields will be deploying to Afghanistan and could leave as early as January 4 for training.
- The cruiser that was damaged in the accident with Officer Moody is being repaired.
- Christmas in Dumfries is scheduled for Saturday with 50 children participating. There will be 40 to 45 volunteers assisting. This is probably the largest amount of volunteers to date.

Mr. Brewer asked what the status was on the General Orders.

Chief Forker explained the second to the last batch is at Town Hall being reviewed, which will come to Council soon.

E. TOWN ATTORNEY

Ms. Sanders reported the following items.

- Met with a business owner today with the Zoning Administrator to try to help resolve some vagaries and inconsistencies in some past zoning determinations made.
- A draft Freedom of Information Act Policy (FOIA) was forwarded to Council for comments. This will be on the agenda for the work session in January for discussion.
- Work continues on the purchase agreements for the Tripoli Heights Drainage Improvement Project. There may need to be condemnation certificates filed on a few of them and the project will not move forward until those are done.

F. TOWN MANAGER – DAN TABER

Mr. Taber reported the following items.

- At this time, the Capital Improvement Plan and Mid-Year Budget review are taking up a lot of staff time. He was confident the Town would not be impacted as greatly as the larger jurisdictions with the State cutbacks.
- Mayor Foreman was selected to represent the Northern Virginia Transportation Authority on the Town Association of Northern Virginia on transportation issues. This is a non-voting seat.
- Almost all the staff attended a Virginia Municipal League Winter Driving Training course.

Mayor Foreman asked about the page in the packet dealing with residential dwellings and the steps to follow prior to inspection.

Mr. Taber was not sure why the page was in the packet.

Mayor Foreman asked that the matter be placed on the work session agenda. He mentioned the Northern Virginia Transportation Authority might get absorbed into the Northern Virginia Regional Commission, which he is a voting member of already.

Mr. Toney asked what options were provided to Mr. Singh for the proposed First Town Center project and was a decision made.

Mr. Taber noted the options provided were for parallel parking in the front of the building or a pull off with a small barrier between the road and the building that would allow stacking. He received something from Mr. Singh today and has not had an opportunity to review it.

Mr. Toney explained there have obviously been some changes because the initial proposal of the project was a pedestrian friendly, mixed-use development with retail on the bottom, office space on the second floor, and residential dwellings above that with parking in the rear.

Mr. Taber noted many things have changed since the initial proposal. He indicated there is still a proposal for internal parking. He mentioned parking would depend on how the stormwater management issue is handled. The process is in the very early stages and the proposal will unfold over time. Once something is submitted, which would start the process officially, he would brief Council.

G. TREASURER

Mr. Taber reiterated that Ms. Ladd would not be attending the Council meetings regularly. Any questions Council may have will be forwarded to her and a response provided through email.

**IN RE: COUNCIL REPORT ON MEETINGS WITH ELECTED OFFICIALS
PERTAINING TO THE TOWN**

28 Nov 12 - Delegate Luke Torian

- Town's Legislative Agenda

- Urban Crescent
- Quantico Creek
- Route 1 Widening
- Meet w/Council in March 2013

3 Dec 12 – Haymarket & Dumfries Council Meet & Greet
Mayor, Vice-Mayor Toney, Councilman Brewer, and Councilwoman Reynolds

7 Dec 12 – Potomac Supervisor Caddigan

- I-95 Hotlanes & Soundwall
- PWC Police Support
- Crosswalk(s), Covered Bus Stops, and Sidewalks
- PWC 2014 Budget
- Urban Crescent
- Economic Development
- Stormwater Management
- Route 1 Widening
- PWC Parks Program
- Town Legislative Agenda
- Historic Preservation Tourism
- Meet w/Council in January 2013

IN RE: ACTION ITEMS

**A. ORDINANCE TEXT AMENDMENTS – PUBLIC HEARING – PROPOSED
CONDITIONAL USE FOR A SPECIAL EDUCATION SCHOOL TO BE
LOCATED AT 17286 DUMFRIES ROAD, DUMFRIES, VA, 22026 WITH A GPIN
OF 8289-05-7538 – MORGAN BRIM**

Ms. Reynolds asked what the times of operation were since the materials reflected two different times.

Mr. Brim clarified that the hours of operation would be 7:00 a.m. to 7:00 p.m. The school will share space with the Pillar Church. The proposal is for 36 students. This is a conditional use in the B-1 zoning district. The Planning Commission (PC) held a public hearing and recommended approval with conditions. There is a proposed play area to be located at the rear of the building that will be fenced in and have curbing. Students will be bused to the site. There will not be additional traffic.

Mr. Toney questioned whether all of the activities were going to be held inside the building. He heard during the report provided by Mr. Russell that the PC recommended approval because there would be no activities outside the building.

Mr. Brim clarified the fenced in play area is accessed directly from the building.

Mr. Russell apologized for the misunderstanding. The PC did not feel that an additional fence was needed on the other side of the parking lot because the students would never be allowed in that area.

Mike Kitchen with Christopher Consultants and a member of the Board of Directors for the Matthew Center went over the purpose of the school and the demand for services. He went over the parking area that will be used for the school and the church. They are currently working with the Virginia Department of Transportation (VDOT) on a design for the entrance that will prevent left turns in and out of the site. The students will be entering the building from the back entrance. The current handicap ramp will be redesigned and built to meet code. There is a 12-inch curb being placed around the play area and a six-foot fence will be offset from the edge for precaution. Two sheds are located in the back of the parking lot that belongs to the other tenant of the building, which is being determined whether they are both permitted.

Mr. Toney was interested in learning more about the programs being offered.

Mr. Kitchen explained the Executive Director was unable to make it; however, he would attempt to answer questions pertaining to services provided. There will be 24 students during school hours, 12 individuals for after school daycare, and a summer day camp will be provided for 12 individuals.

Mr. Toney noted that does not tell him anything about the programs.

Mr. Kitchen felt the Executive Director would better answer those questions. He noted part of the programs include a Board Certified Behavior Analyst, Speech Language Pathologists, and Occupational Therapist. Vocational assistance is also available. He noted they work with all ages, from elementary school beyond high school.

It was clarified that the age range is from 5 to 21 years of age.

It was asked that when Council schedules the meeting to vote on the conditional use permit that Ms. O'Dell, Executive Director, be available to answer any outstanding questions Council may have.

Mayor Foreman pointed out that according to the diagram the existing pavement is going to be removed for the playground area. He read the following three conditions. The Applicant shall submit a plan for the playground for staff to review administratively. A walking path shall be designated from the school to the playground entrance. The applicant shall construct 12" high curbing and protective fencing around the playground in conformance with the approved site plan. He asked how high the fencing was going to be again.

Mr. Kitchen indicated it would be an eight-foot fence.

It was clarified that it would be a six-foot fence.

Mayor Foreman was concerned with the vehicular traffic that would be going behind the building. He liked the 12" curb; however, he also wanted to see a pole placed in the ground on one of the corners or half way down the fence line. He wanted to make sure staff followed up on the storage

shed and if it is used for the business, either they have to submit the application for it or it has to come down.

Mr. Taber noted an agreement has been reached to have the storage shed taken down within an established timeline.

Mr. Brewer asked if it was possible to stop vehicular traffic from going behind the building.

Mr. Kitchen explained it would take away the parking spaces needed for the minimum parking requirement and this is where the bus would be dropping off students.

Mr. Brewer asked if it was possible to keep the other business from using the area for vehicular traffic.

Mr. Brim explained that because it is one site there would have to be curbing placed in order to separate the parking area. He noted there would not be a lot of movement of children outside aside from dropping and picking up staff did not feel it was necessary. It could be accomplished with curbing or painting and encouraging customers to use a different route.

Mr. Brewer asked if there would be signage.

Mr. Brim indicated there is directional signage required as a condition. He noted that children at play or a similar sign could be added as a condition if Council wishes.

Mr. Kitchen suggested placing a stop sign on the end to keep people from just coming around the corner.

The applicant had no additional comments.

The public hearing was opened to public comments.

Jeff Cox was for the school and thought it was a great idea; however, he was concerned with the attached business. He explained that the business came in for a conditional use permit a year ago and became an inspection station and automotive station on top of being a tire store. He asked if anyone has looked into hazardous materials that go with a mechanical shop. He noted there is one restroom for the entire building.

There being no further comments the public hearing was closed.

Mr. Toney felt the issues brought up by the citizen needed to be addressed.

Mr. Brim would forward the questions to the other business to get information on the possibility of hazardous waste materials. He noted the site would have to meet building code, which looks at mixed uses and bathroom facilities.

It was mentioned that background checks might be required for the business next door due to the proximity of the school. The applicant advised there are separate bathrooms.

Ms. Forrester moved, seconded by Mr. Brewer, to introduce the ordinance for a conditional use permit for the Matthew Center, a special education school, with conditions. The motion carried to introduce the ordinance and was adopted by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, absent; Mr. Wood, yes.

B. ORDINANCE TEXT AMENDMENTS – PUBLIC HEARING – CHAPTER 70 AS FOLLOWS: SEC. 70-14(H) WHICH INCLUDES CLARIFYING LANGUAGE ALLOWING RELIGIOUS INSTITUTIONS AND NONPROFIT ORGANIZATIONS THE ABILITY TO TEMPORARILY DISPLAY BANNER SIGNS FOUR TIMES ANNUALLY; AMENDING/ADDING SEC. 70-2.1 CRIMINAL VIOLATIONS AND PENALTIES AND 70.2 INFRACTIONS AND CIVIL PENALTIES. SEC. 70.1 IS AMENDED TO ADD REFERENCE TO VIRGINIA CODE § 15.2-2286 A.5 AS RELATED TO THE CONTINUATION OF VIOLATIONS; SEC. 70-2.2 IS A NEW SEC. ADDED WHICH PROVIDES ALLOWANCE TO LEVY CIVIL PENALTIES AND SUMMONS FOR A SCHEDULE OF OFFENSES TO CHAPTER 70 ZONING ORD. OF THE TOWN AND CLARIFYING THE REQUIRED INFORMATION TO BE INCLUDED IN THE SUMMONS, AND DETAILING THE PROCESS FOR A WAIVER OF TRIAL AND PAYMENT TO TOWN TREASURER – MORGAN BRIM

Mr. Brim reminded Council that they had asked the PC to look at temporary signs for religious institutions and nonprofit organizations. What is before Council is the recommended language allowing nonprofits and religious institutions the ability to display a temporary banner sign on a temporary basis, not to exceed 20 square feet, four times annually, for special events and grand openings, which will require a sign permit at no cost.

The public hearing was opened to public comments.

There being no comments the public hearing was closed.

Mr. Brim explained the text amendment for criminal violations and penalties is to allow the Zoning Administrator to issue fines for specific code violations of the zoning ordinance. The violator has 30 days to abate the violation and no penalty would be assessed. This has proven to be effective in getting compliance rather than having to go through a lengthy process with the court system. There are 16 specific violations that civil penalties can be assessed.

The public hearing was opened to public comments.

There being no comments the public hearing was closed.

Mr. Toney moved, seconded by Ms. Forrester, to introduce the ordinances allowing nonprofits and religious institutions the ability to display a temporary banner sign and to add civil penalties for certain code violations to the zoning ordinance. The motion carried to introduce the ordinances and was adopted by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, absent; Mr. Wood, yes.

C. ORDINANCE TEXT AMENDMENTS – PUBLIC HEARING – CHAPTER 62 BY ADDING ARTICLE IV, PARKING ENFORCEMENT OF PRIVATE PARKING RESTRICTIONS, SECTIONS 62-300 – 62-310 – CHIEF FORKER

Chief Forker reminded Council that last month a proposal was brought forward to amend Chapter 62 to allow the regulation of private property towing by private tow companies.

The public hearing was opened to public comments.

There being no comments the public hearing was closed.

Mr. Wood moved, seconded by Mayor Foreman, to introduce the ordinance to amend Chapter 62 relating to the enforcement of private parking restrictions. The motion carried to introduce the ordinance and was adopted by the following roll call vote: Mr. Brewer, no; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Reynolds, yes; Mr. Toney, no; Ms. Washington, absent; Mr. Wood, yes.

D. DECISION/DISCUSSION COUNCIL PORTRAIT – VICE-MAYOR TONEY

Mr. Toney explained that a previous staff member had taken it upon herself to take an official portrait of Council. The practice stopped when that individual left the Town. He wanted to ensure that a portrait is taken and retained at Town Hall.

Mr. Toney moved, seconded by Ms. Forrester, that an official portrait be taken of Council members and placed on display at Town Hall. The motion carried and was adopted by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, absent; Mr. Wood, yes.

IN RE: COUNCIL MEMBER COMMENTS

Mr. Brewer wished everyone a Merry Christmas and a Happy New Year.

Mr. Wood wished everyone a happy holiday whatever holiday that might be.

Ms. Reynolds thanked everyone for all of their assistance with all the events that occurred over the past few weeks. She wished everyone a Merry Christmas and a Happy New Year.

Mr. Toney thanked the citizens for giving him the opportunity to serve again. He wished everyone a happy holiday and to be safe.

IN RE: CLOSED SESSION

Mr. Toney made the motion, seconded by Mayor Foreman, to convene into closed session. The motion carried and the following resolution was adopted by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, absent; Wood, yes.

WHEREAS, the Dumfries Town Council desires to discuss a particular subject in Closed Session during the course of its meeting of December 11, 2012; and,

WHEREAS, the nature of the subject is the discussion of personnel matters. The discussion of same in Closed Meeting is expressly permitted by Section 2.2-3711(A)(1) of the Code of Virginia, 1950, as amended.

NOW, THEREFORE, BE IT RESOLVED that the Town of Dumfries does hereby convene in Closed Session for the purpose(s) herein expressed pursuant to the legal authorities herein recited.

Mr. Wood made the motion, seconded by Mr. Brewer, to reconvene into open session. The motion carried and the following resolution was adopted by the following roll call vote: Mr. Brewer, yes; Mr. Foreman, yes; Ms. Forrester, yes; Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, absent; Mr. Wood, yes.

WHEREAS, the Town Council of Dumfries has completed its discussion in Closed Session, and now desires to continue its meeting in Open Session; and,

WHEREAS, each and every member of this said Council who votes affirmatively for the adoption of this Resolution does thereby certify that, to the best of his/her knowledge, only public business matters lawfully exempted from Open Session were heard, discussed, or considered during the Closed Session, and that the only subjects heard, discussed, or considered in said Closed Session were the matters identified in the Resolution by which it was convened.

NOW, THEREFORE, BE IT RESOLVED that the Town of Dumfries does hereby reconvene in Open Session at its meeting of December 11, 2012 and certifies the matters set forth in Section 2.2-3712(D) of the Code of Virginia, 1950, as amended.

IN RE: ADJOURNMENT

Mayor Foreman moved, seconded by Mr. Toney, to adjourn the meeting. The motion carried by the following voice vote: Mr. Brewer, no; Mr. Foreman, yes; Ms. Forrester, yes; Mr. Ms. Reynolds, yes; Mr. Toney, yes; Ms. Washington, absent; Mr. Wood, yes.

Minutes submitted by

Approved by

Dawn Hobgood
Town Clerk

Gerald M. Foreman
Mayor