DUMFRIES, VIRGINIA
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17755 Main Street
Dumfries, Virginia 22026-2386
Tel: 703-221-3400 /Fax: 703-221-3544
www.DumfriesVirginia.org

DUMFRIES TOWN COUNCIL
WORK SESSION MINUTES
JANUARY 18, 2011, 7:00 PM

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

Others Present: Kim Alexander, *Town Manager*; Cathy Holtzlander, *Asst. Town Manager*; Kristi Caturano, *Town Attorney*; Retta Ladd, *Treasurer;* Chief Taber, *Chief of Police*; Rob Forker, *Administrative Manager (DPD)*; Greg Tkac, *Dir. of Public Works*; Jatinder Khokhar, *Dir. of Community Development*; Debi Sandlin, *Dir. of Economic Development & Marketing*; Teresa Johnson, *IT Manager;* Catherine Koslicki, *Town Clerk* and 10 citizens.

Mayor Yohey called the meeting to order at 7:00 PM.

The following changes were made to the agenda:
The presentation from Anderson & Associates (6B) will be given after any Citizen Comments (2). The Mayor will reserve his comments until after all other members of Council have given their comments. There will be no report from the HDV (4C). The Discussion item regarding Council Member time will be added to the Action items (from 8B to 7B). Two additional items (Fairfax Street and Union Street) were added to the Real Estate discussion in Closed Session (9) and Personnel was also added for discussion in Closed Session.

CITIZEN COMMENTS
No comments.

MAYOR & COUNCIL COMMENTS
Council Lady Forrester had no comments.

Vice-Mayor West congratulated Betty Covington on her appointment to the Virginia School Board of Directors. Ms. Covington has been the Dumfries Representative on the PWC School Board for many years. The appointment was featured in the News & Messenger on Saturday (January 15, 2011). Vice-Mayor West attended a seminar in Chesterfield on "Raising Revenues without Raising Taxes" and found it very informative.

Councilman Toney expressed his condolences to the Lockridge family on the passing of William Lockridge and his mother. He asked that everyone not take life for granted and to be thankful for each day we have.

Councilman Foreman thanked Mr. Lee Lansing for taking the time to speak with him recently. He asked for everyone to take time and remember our veterans. Dick Winters, the last of the

Easy Company, 506th regiment of the 101st Airborne Division pilots (featured in the Band of Brothers series) passed away. Councilman Foreman addressed his fellow Council members and the citizens. (See attachment for full narrative)

Council Lady Barr announced the Steering Committee has been working on the update of the Comp Plan. She thanked the citizens for attending and encouraged them to continue to participate.

Council Lady Jurgensen feels the Town and this Council have had a great 6 months. She listed the following as positive events: the Annual parade, the hiring of new staff (Chief Taber, Ms. Sandlin and Mr. Khokhar), the budget, and the hard work of all staff.

Mayor Yohey stated he had several announcements. He was interviewed by Ms. Caddigan earlier in the month regarding the Town. The interview will air on both Comcast and Verizon. One of the topics he discussed with her was his excitement for the future of the Town. He stated almost half of the current land in the Town is in various stages of development. Approximately 70 people volunteered with the American Red Cross for the Martin Luther King, Jr. Day of Service. He feels the first 6 months of this Council have been good. He asked Councilman Foreman to provide more information at the February Regular Session regarding prioritizing Council's annual agenda. He also asked for Council Ladies Jurgensen and Forrester to work together on BPOL and bring information to Council at the February Work Session.

BOARDS & COMMISSIONS

a. **Planning Commission:** Mr. Padberg advised Council the PC had 2 meetings since their last report. All Sub-committees of the Comp Plan Steering Committee have met and the project is moving forward. The PC has reviewed one CUP application submitted by Badr Community Center. The PC approved the application and will recommend approval to Council. He advised Council of his intent to have Mr. Khokhar submit on behalf of the PC regarding an ordinance amendment regarding duplexes. He also advised Council he has spoken to Mr. Khokhar regarding the procedure for sign permits and landscaping guidelines.

   There were several questions raised as to the extent of the PC's involvement in the sign application process. Mr. Padberg stated that a couple of permits had been routed in correctly in the past and the conversation was to clarify the process with staff. Ms. Caturano advised sign permits are approved by staff and only those that fall into the Historic District should be forwarded to the ARB for review. The PC's role would be to review any request for a change to the Code (relating to signs).

b. **Architectural Review Board:** Mr. Little stated the ARB will be working with staff on developing future "districts" for the Town. They hope to provide Council with guidelines in the spring after a survey has been completed. They plan to illicit help from local students enrolled in Urban Planning.

   Vice-Mayor West asked if the ARB approved the new signs on the front of Mr. Singh's building. Mr. Little replied yes, the ARB did approve the signs. They all conform to the approved color chart. The ARB had placed more importance on the size and location of the signs than the color.

STAFF REPORTS/COMMENTS

a. **Treasurer:** Ms. Ladd submitted her report as provided. Ms. Alexander asked for Council to note line item 10-324-0902 (p.2 of 22) will be transferred to SWM since all the refunds have been given and the expenditures will be adjusted as well.

Councilman Foreman had several questions regarding line item overages: 10-412-0500 (Travel/Training) & 10-412-0800 (Dues/Subs) [p. 4 of 22]; 10-415-4006 (Town Hall) & 10-415-6200 (Professional Contracts) [p. 7 of 22]; 10-443-0500 (Travel/Training), 10-443-3000 (Ads/Notices) & 10-443-3301 (Telecommunications) [p. 12 of 22]. He asked if spending on these items will continue. Ms. Alexander stated that all overages will be adjusted and addressed at the mid-year budget review. He also pointed out missing percentages on several line items on p. 13 of 22. Ms. Ladd advised the issue will be addressed.

Mayor Yohey gave staff a list of questions regarding the mid-year budget review. Council Lady Barr asked if #2 could include the total thru 12/31 (the end of the mid-year), he agreed.

Councilman Toney stated it was worth noting that no funds had been transferred from the General Fund.

b. **Town Attorney:** Ms. Caturano submitted her report as provided.

Mayor Yohey gave Ms. Caturano the "Policies" adopted by Council in August 2008. He asked her to review and prepare recommendations for those that could be adopted as ordinances. Ms. Caturano advised she will try to have those prepared for the next meeting.

c. **Town Manager:** Ms. Alexander had no comments.

INFORMATION ITEMS

a. **Storm Water Management fee refund report:** Mr. Tkac provided Council with a list of property addresses and the refund amounts for each. Vice-Mayor West asked if these properties were residential or business. Mr. Tkac advised all properties are business.

b. **Anderson & Associates (regarding stoplight located at intersection of Curtis Drive and Main Street):** Mark Gunderson provided Council with 3 options for changes to the intersection.
Option 1 would be the cheapest and would provide left turn from Tebbs Lane onto Main Street (heading northbound) which would lead into a right turn lane on to Graham Park Road allowing access to Fraley Boulevard.

Council Lady Barr asked how this option would address the problem with traffic at the intersection of Curtis Drive and Main Street. Mr. Tkac advised in addition to the lanes, the signals would be synced and if they are working properly, the intersection would be clear of vehicles. Mr. Gunderson advised the best way to resolve cars lingering in the intersection would be enforcement.

Option 2 would also allow for a left turn from Tebbs Lane onto Main Street (heading northbound); however, the lanes of traffic would be set up so that traffic would be driving on the opposite side of the road than normal (as found in Europe). Cars would then have the option of turning left/right or continuing straight at the intersection of Main Street and Curtis

Drive. Additionally, the traffic lanes on Graham Park Road (Between Main Street and Fraley Boulevard) would also be reversed (as found in Europe). Mr. Gunderson explained VDOT had safety concerns with this option due to traffic flowing on the opposite side of the street.

Option 3 shows the use of a "round-about." Mr. Gunderson pointed out that there is not enough room with the current space of the intersection to create a round-about. To consider this option, the Town would have to consider purchasing land surrounding the intersection.

Mr. Gunderson advised Council that VDOT had selected Option 1 as the preferred option to move forward.

Mr. Gunderson presented Council with a "before and after" utility relocation exhibit regarding the possibility of undergrounding utilities. He stated this is something the Town would have to consider as a long term project. Mayor Yohey asked what the approximate cost would be. Mr. Gunderson stated the cost would be approximately $500 for undergrounding from the pole to a house and approximately $5000 per pole for removal. The project could be broken up into stages and there are possible grants to help with the cost. The Mayor asked for staff to provide a "ballpark" on the cost of undergrounding the utilities. He asked if Anderson & Associates had done as much as they could at this point. Mr. Gunderson replied yes. He recommended the next step would be to survey the area.

Council Lady Barr asked if moving the "trip" lines back was an option. Mr. Gunderson advised they are trying to work within the current right-of-ways.

ACTION ITEMS

a. **Consider approval of Lease Amendment and Extension to Lease with Curtis Properties, Inc. for approximately 2,984 square feet of office space in the Triangle Plaza Shopping Center at 18130 Triangle Shopping Plaza, Dumfries, Virginia 22026:** Chief Taber asked if Council would prefer to delay approval of the Lease Amendment and Extension until after reviewing the existing contract. There was no objection; the item will be placed on the agenda for the next meeting.

b. **Moving "Council Members Time" to the end of the meeting agendas:** Vice-Mayor West advised the Council Members time used to be at the end of the agenda and they were only permitted to speak about non-agenda items. She pointed out the change to move Council Members time to the beginning of the agenda was made at the April 7, 2009 meeting at the request of the Mayor. She stated she would be in favor of the moving the item to back to the end of the agenda. She asked the Mayor if his comments would remain at the beginning of the agenda or be included with the other members. Mayor Yohey stated his comments will remain at the beginning of the agenda.

Councilman Foreman feels no vote by Council is necessary on this issue. The Town Code lists this as a duty of the Town Manager.

Council Lady Forrester stated it is not reasonable to ask citizens to wait until the end to hear comments from Council and feels staff recommendations on this issue are not appropriate. Council Lady Barr agreed that a recommendation from staff is not appropriate. She also stated that Council time used to be at the end of the agenda and it helped to move the meeting

along. She also stated members used to have a time limit for comments. Mayor Yohey suggested a time limit with a maximum of five minutes.

Councilman Toney feels the current agenda is a natural order. The Citizens speak and the Council speaks. He thinks if the current order works, there is no need for a change.

Council Lady Forrester asked the Mayor to consider the question as a member of Council, not as the Mayor since his comments will not be affected by the vote. The Mayor stated if all of the Town's business has been conducted, there should be little for the members to discuss during Council time.

Vice-Mayor West made a motion to move Council Members time to the end of the meeting agenda for non-agenda items for a maximum of five (5) minutes. Council Members time will not include the Mayor's comments and will be placed on the agenda prior to any Closed Session items. The motion was seconded by Council Lady Barr. Ayes: Barr, Jurgensen, West, Yohey; Nays: Forrester, Toney. Motion passes with a vote of 4-2. (Abstained from vote: Foreman)

DISCUSSION ITEMS

a. **1st Reading: Proposed Ordinance Amendment to Section 34-21 of the Code of the Town of Dumfries, Virginia Relating to Rules and Regulations of the Police Department:** Chief Taber advised Council the reason for the proposed amendment is because the current language makes any violation of the General Orders a Misdemeanor. He stated a violation of dress code (for example) should not be a criminal act.

Council Lady Forrester stated she would like for Council to keep the authority to approve the General Orders. Councilman Toney asked if the Town Attorney could draft language that would decriminalize an infraction, but allow Council to keep the approval authority. Ms. Caturano replied yes. Ms. Alexander asked for Council to consider what they are asking. There are hundreds of general orders to review. Council Lady Forrester stated she would still like the opportunity to review and suggests striking the last sentence beginning with "it shall be unlawful…"

Council Lady Barr made a motion to read the proposed ordinance amendment into the record with a second by Vice-Mayor West. Ayes: Barr, Jurgensen, West; Nays: Foreman, Forrester, Toney, Yohey. Motion fails with a vote of 3-4.

Mayor Yohey stated he liked the suggestion made by Council Lady Forrester. Ms. Alexander advised revised language could be prepared for the next meeting.

b. **Moving "Council Members Time" to the end of the meeting agendas:** (Moved under Action Items, 7B)

c. **Tripoli Heights: prioritizing the need for undergrounding the utilities:** Mr. Tkac advised Council this project may cost more than $875,000, there are currently no available funds for this project and there are several other projects the Town needs to consider.

Council Lady Barr asked for the number of houses and poles. Mr. Tkac advised 37 house and 5 poles. Council Lady Barr stated, based on the figures given by Anderson &

Associates, Mr. Tkac's estimate is inflated and she would like for him to recalculate and resubmit to Council. Mr. Tkac stated he will work on a breakdown of his estimate to present to Council, but he feels before any plans move forward, undergrounding utilities should be added to the Comp Plan.

Councilman Foreman advised that other localities divide this type of project up into blocks. The citizens (who will be affected) should decide what they want. He suggested a tax district might be a possible way to fund the project. Citizens at large should not have to pay.

CLOSED SESSION

Vice-Mayor West made a motion to enter into closed session under Virginia Code § 2.2-3711A (1) Personnel and (3) Real Estate regarding Tripoli Heights, Fairfax Street and Union Street. Council Lady Jurgensen seconded the motion. On roll call the vote was unanimous, motion carried. Council entered closed session at 10:20 PM.

Vice-Mayor West read the certification to end the closed session and to return to open session. The motion was seconded by Council Lady Forrester. On roll call the vote was unanimous, motion carried.

There were no items to report from the Closed Session and Council returned to open session at 11:57 PM.

ADJOURN

Vice-Mayor West made a motion to adjourn with a second by Council Lady Barr. All Ayes. The meeting adjourned at 11:59 PM.

Minutes submitted by

Catherine H. Koslicki
Town Clerk

Approved by

Fred E. Yohey, Jr.
Mayor

Planning Commission Report

January 18, 2011

Good evening Mayor, Town Council, Ladies and Gentlemen.

I want to take this opportunity to review the proposal I brought to you months ago concerning the Review of our Comprehensive Plan. We are required by state guidelines to review and update this plan by August. Due to the lack of funds at this time, it was the planning commission's idea that we do a minor update internally with minimum consulting, and spend the next few years working on a major review. This will not eliminate all cost, but if we can produce both plans mostly internally, we will save tens of thousands of dollars. I wanted to take this time to review how we got to this point, and why there have been so many sub-committees formed over this matter. Staff and the volunteers should be applauded for their support and contribution of talent.

The planning commission gathered for its regular meeting for the month of December on the 12/13/10. We would like to report the following from this meeting:

1. The Planning commission voted to recommend to town council a text change amendment to the zoning ordinance to revise both the definition of a duplex and the requirements for a duplex.
2. We were presented with a revised application from the BADR Community Center. The application appears complete, the concerns we addressed with them in an earlier application have been addressed in spirit. We recommended that the application be presented to town council during a joint public hearing for your consideration.

In addition, we attended a joint public hearing concerning the ARB on 1/4/11. In a meeting following the public hearing, the Planning Commission voted in favor of this change.

The planning commission gathered for our regular meeting on January 18, 2011. We would like to report the following from this meeting:

1. We had a brief discussion with Mr. Khokar about the procedure for non-conforming sign permit applications.
2. We discussed briefly with Mr. Khokar, the importance of developing clear landscape guidelines for the site plan applications.

Submitted: _____ Date: 1/18/11

Chris A. Padberg, Chairman

PC – 011811