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
REGULAR SESSION MINUTES
APRIL 5, 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*; Chief Taber, *Chief of Police*; Rob Forker, *Administrative Manager (DPD)*; Jatinder Khokhar, *Dir. of Community Development*; Debi Sandlin, *Dir. of Economic Development & Marketing*; Linda Frye, *Property Maintenance Official*; Teresa Johnson, *IT Manager;* Catherine Koslicki, *Town Clerk* and 5 citizens.

Mayor Yohey called the meeting to order at 7:00 PM, followed by the Invocation and the Pledge of Allegiance. A Commendation was presented by the Mayor to Pastor James Anthony Perkins celebrating the 2nd anniversary of his church and commending him for his efforts in the community.

The following changes were made to the agenda:
Action Items: 8H moved to Closed Session discussion

CITIZEN COMMENTS
There were no citizen comments.

MAYOR COMMENTS
The Mayor had no comments.

STAFF REPORTS
a. **Town Manager:** Ms. Alexander submitted her report as provided and highlighted the following items. She continues to work on the FY12 budget narrative. She stated the proposed FY12 budget was included in Council's packets and noted all fees and tax rates remained the same. A Public Information Meeting regarding the Streetscape Project has been scheduled for April 21st at 7pm. Closing for the Graham Park Road Park project is on April 8th. She continues to work on updates to the Personnel Policy manual and Town Property Assessments. She stated the Fairfax /Hedgeman Street encroachment issue will be going into litigation due to lack of settlement. She has applied for the Byrnes/JAG grant for FY12. She stated she has received approximately 15-20 applications for the Town Attorney position.

Vice-Mayor West asked about the closing date for the Attorney position. Ms. Alexander stated the position will remain open until filled, but the ad noted preference would be given to those applications received on or before April 4th.

Mayor Yohey asked for additional information on the Public Information Meeting to be held on April 21st. Ms. Alexander stated the meeting will be to discuss the Streetscaping project for Main Street. Preliminary designs will be available and the purpose is to receive citizen feedback due to limited funds.

b. **Assistant Town Manager:** Ms. Holtzlander submitted her report as provided and highlighted the following items. The latest edition of the Charter Newsletter has been distributed. Applications for the Summer Intern Program will be accepted through May 6th. The annual Quantico Creek Clean-Up is scheduled for Saturday, April 9th, the Super Egg Hunt is scheduled for Saturday, April 16th, the Senior/Retirees Lunch is scheduled for Friday, April 15th and HDV will be hosting Charter Day on Saturday May 7th.

   Mayor Yohey asked how many volunteers had signed up for the creek clean-up. Ms. Holtzlander stated approximately 50.

c. **Chief of Police:** Chief Taber submitted his report as provided. He announced the departure of Officer McCoy. He stated McCoy will be pursuing employment with a federal agency. He stated the Police Department will benefit from the services of an unpaid intern for approximately 120 hours. David Lomeli-Lopez is a "former" Marine and a current Criminal Justice student at ECPI. Part of his program is a requirement to complete an internship program prior to graduation. He will participate in a program at Dumfries Elementary School and serve as a role model /mentor to Hispanic youth as part of his internship.

   Council Lady Jurgensen asked if violations for not having a decal would go to court. Chief stated if a person received a "parking violation" they would not go to court, but if a person received a "traffic citation" and they did not prepay, they would go to court. Council Lady Barr asked if the tickets were tied to the DMV system. Ms. Caturano stated if (in the case of a "traffic citation") the ticket went to court and was unpaid, the court would report to DMV. However, if the original citation did not go to court then it would not be forwarded to the DMV. Chief Taber stated in the case of a "parking violation" the officer could request a warrant from the magistrate and then the ticket would go to court. If the ticket was unpaid, then the court would report to DMV. Councilman Toney stated Washington, DC is very aggressive in the collection of their parking tickets. The ticket's fine doubles if unpaid after 30 days. He asked if the Town has a similar fine structure. Ms. Caturano stated she believes the Town's fine doubles after 10 days. He asked if Council could be provided with a report of unpaid tickets. Chief Taber advised he will provide the information to Council at the next regular meeting (5/3).

d. **Director of Public Works:** Ms. Holtzlander stated the report is submitted as provided. She thanked the Public Works Crew for their hard work and stated they are preparing for the spring/summer season.

Council Lady Forrester asked about the status of the Water Conservation ordinance. She stated the proposed amendment was discussed by Council and then deferred to the Town Attorney. She asked why the item was not on the agenda. Ms. Caturano stated after reviewing the concerns of Council, she removed the proposed amendment from consideration. If no further action is taken, the proposed amendment dies.

e. **Director of Community Development:** Mr. Khokhar submitted his report as provided and highlighted the following items. He attended the Planning Commission meeting on March 7th where they discussed a project application for Metts Subdivision and a rezoning application for the Hashimi family. He stated the application for the Metts Subdivision has been withdrawn and the rezoning application is under review by the PC. He stated the Cultural and Historic Resources sub-committee has met twice and their goal is to bring a final recommendation to the Steering Committee on April 26th. He conducted 14 inspections and reviewed a number of permits and plans. He stated Ms. Frye has revised the Rental Inspection Program and information has been provided to Council for consideration.

Council Lady Jurgensen asked about the status of the clean-up of the Virginia Trailer property on Fraley Blvd. She asked why the trailer has not been boarded up. Mr. Khokhar advised the structure had been boarded, but "squatters" had moved in and removed the boards. They have spoken with the "on-call" contractor to remedy the situation and the goal is to have the property cleaned up in the next couple of weeks. They plan to remove the trailer. Mayor Yohey asked if the cleanup will be an expense to the Town. Mr. Khokhar stated the cost will be placed as a lien against the property and the Town will recoup the cost. Council Lady Jurgensen asked how the "squatters" are not spotted removing the boards. Chief Taber advised the will remind the officers to check the area. Council Lady Barr stated the cleanup will not be an easy task and it should be the responsibility of the property owner. She stated the owner should be given a deadline. Ms. Holtzlander stated the owner has been given a deadline and the deadline was ignored. She directed staff to contact the "on-call" contractor to get the issue resolved. The upfront expense will be covered by the Blighted Property funds. Council Lady Barr stated the staff time involved should also be recouped as part of the expense. Vice-Mayor West asked if the site could be considered a "brownfield." Mr. Khokhar stated he is not sure. He will research and report back to Council.

Councilman Foreman asked if staff is aware of the buses being "staged" in the Dumfries Shopping Center. Mr. Khokhar advised he will look into the situation and report back to Council. Chief Taber advised he will research the plates for owner information.

Councilman Foreman asked if the Town had copies of all the HOA covenants. He stated the Town could be writing violations for things that could be/should be enforced by the HOAs. Mr. Khokhar stated a lot of times the HOAs will contact the Town for assistance with code enforcement. Mayor Yohey asked if both the Town Code and the HOA covenants have the same rules, who has the priority. Ms. Caturano advised the Town can only enforce Town codes. They cannot force HOAs to enforce their covenants.

Council Lady Jurgensen asked what the Town is doing regarding foreclosed properties with multiple violations. Ms. Frye advised she is working with the Treasurer and contacting the banks, but have received little response. Ms. Caturano stated she is preparing a report for Council regarding these properties and will ask for Council's guidance on collections.

f. **Director of Economic Development & Marketing:** Ms. Sandlin submitted her report as provided and highlighted the following items. The Website Committee continues to move forward with the website redesign. A draft of the new homepage has been provided to Council for review. She met with David Fuller, Business Services Manager for the Virginia Department of Business Assistance (VDBA) to discuss their new Existing Business Advocacy Program. She continues her Business Outreach program.
Council Lady Jurgensen stated she is extremely proud and excited about the work product from the Website Committee. Vice-Mayor West asked if the Council page will feature their pictures and biographical information. Ms. Sandlin advised the Council page will have their emails and a group photo. Council Lady Barr thanked her fellow Council members for their support of this project.

ADOPTION OF CONSENT AGENDA

Council Lady Forrester made a motion to adopt the consent agenda. The motion was seconded by Vice-Mayor West. On roll call the vote was unanimous, motion passed.

ACTION ITEMS

a. **Consider Proposed Ordinance Amendment Amending Sec. 18-63, Relating Generally To Special License Taxes On Carnivals, Circuses, Trained Animal Shows And Speedways *(1st Reading was 3/1/2011)***
Councilman Foreman made a motion to adopt the proposed Ordinance Amendment Amending Sec. 18-63, relating generally to Special License Taxes on Carnivals, Circuses, Trained Animal Shows and Speedways. The motion was seconded by Council Lady Barr. On roll call the vote was unanimous, motion passed.

b. **Consider removal of Planning Commission member**
Councilman Toney stated for the record the Planning Commission's recommendation was based on a unanimous vote to remove the member.

Vice-Mayor West made a motion to approve the removal of the Planning Commission member with a second by Council Lady Jurgensen. On roll call the vote was unanimous, motion passed.

c. **Consider 1st Reading of Proposed Ordinance Amendment to Sec. 70-1, 70-142 and 70-143, relating generally to Duplexes in the R-2 District**
Mr. Khokhar advised Council the purpose of the proposed amendment is to remove the Conditional Use Permit requirement regarding duplexes as a residential use. The proposed amendment also would clarify and further define existing definitions. Ms. Alexander advised Council if they voted to move forward with the proposed amendment, a Public Hearing would be required and could be held on April 19th.

Council Lady Forrester stated the definition shown for a "dwelling unit" states "A dwelling unit shall have no more than one kitchen." She stated her home has two kitchens and if this language is adopted she would be in violation.

Ms. Caturano stated Council can amend the language prior to the first reading to address the issue of two kitchens. Councilman Foreman suggested amending the proposed language by striking the last sentence of the "dwelling unit" definition.

Councilman Foreman made a motion to have the 1st Reading of the proposed Ordinance Amendment to Sec. 70-1, 70-142 and 70-143, relating generally to Duplexes in the R-2 District with the suggested amendment. A second was made by Council Lady Forrester. On roll call the vote was unanimous, motion passed. *(Reading of the full text was waived and a copy of the proposed amendment was to be made available in the Clerk's office for review.)*

d. 2011 VML Policy Committee Nominations

Ms. Alexander stated the purpose of the VML Policy Committees is to develop recommendations that will be forwarded to the Legislative Committee for consideration as Legislative Agenda items for the next General Assembly session. She advised Vice-Mayor West served on the Human Development & Education Committee and Council Lady Barr and Greg Tkac served on the Transportation Committee during the previous year.

Council Lady Jurgensen nominated Council Lady Barr to the Transportation Committee with a second by Councilman Toney. On roll call the vote was unanimous, motion passed.

Council Lady Barr nominated Council Lady Jurgensen to the Community & Economic Development Committee with a second by Council Lady Forrester. On roll call the vote was unanimous, motion passed.

Councilman Toney nominated Vice-Mayor West to the Human Development & Education Committee with a second by Council Lady Barr. On roll call the vote was unanimous, motion passed.

Council Lady Barr nominated Councilman Foreman to the Environmental Equality Committee with a second by Council Lady Forrester. On roll call the vote was unanimous, motion passed.

Council Lady Jurgensen nominated Council Lady Forrester to the Finance Committee. Council Lady Forrester stated she appreciated the nomination but declined.

Ms. Alexander recommended the following staff be nominated: Debi Sandlin to the Community & Economic Development Committee, Greg Tkac to the Transportation Committee and herself to the Finance Committee. Councilman Foreman made a motion to approve the recommendations of the Town Manager with a second by Council Lady Barr. On roll call the vote was unanimous, motion passed.

Vice-Mayor West nominated Mayor Yohey to the Finance Committee. Mayor Yohey declined.

Council Lady Forrester nominated Chief Taber to the General Laws Committee with a second by Council Lady Barr. On roll call the vote was unanimous, motion passed.

(See Closed Session for additional nominations.)

e. Consider Forward Funding of Multicultural Festival

Ms. Holtzlander advised the Festival was a request of Council and the 1st Annual was held last year. The event was successful and she feels has great potential. In order for proper preparation for this year's event, she requested the forward funding of this item.

Council Lady Forrester stated she believes in preserving this event, but wishes Council not make a habit of "forward funding." She asked Ms. Holtzlander to not exceed the requested budget amount. Ms. Holtzlander agreed. Councilman Toney, Council Lady Jurgensen and Council Lady Barr all agreed with both Council Lady Forrester and Ms. Holtzlander on the success of last year's event and the importance to preserve this festival. Mayor Yohey asked if items such as fans, tents, etc. were included in the proposed budget of $4500. Ms. Holtzlander affirmed.

Mayor Yohey asked about the vendors. Ms. Holtzlander advised she plans to recruit aggressively and has already had some interest. The vendors are waiting for a firm date before formally committing. He asked if Ms. Holtzlander will be utilizing the Blackboard system to advertise the event. She affirmed.

Council Lady Forrester made a motion to approve the forward funding of the Multicultural Festival with a second by Council Lady Jurgensen. On roll call the vote was unanimous, motion passed.

f. Consider 1st Reading of Proposed Ordinance Amendment to Sec. 70-677 relating generally to ARB Composition and Organization

Ms. Sandlin stated the purposed of the proposed amendment is to change the composition of the ARB from four residents to three residents, one business located within the Town and one at-large member with the experience, knowledge and/or abilities particular to the duties of the ARB. She advised members of the current ARB have voted to recommend making this change to ensure the business community has a voice in developing policies that may affect the business environment in the Town. Ms. Alexander advised Council if they voted to move forward with the proposed amendment, a Public Hearing would be required and could be held on April 19th.

Mayor Yohey stated the ARB would still have 5 members. The current Board consists of 4 residents and 1 "other" and the amendment would change that to 3 residents, 1 business and 1 at-large member who would not be a resident or a business. Ms. Sandlin affirmed and stated the current language does not specify who the 5th member should be. The proposed language would do that in addition to outlining the remaining 4 members (3 residents, 1 business.)

Council Lady Forrester asked by the 5th member (at-large) would need to have voting power. She asked why the "expert" could not serve as an advisor. Ms. Sandlin advised she is not sure when and why the 5th member was allowed to be a non-resident as this would have been prior to her employment. Council Lady Barr stated it would be difficult to get participation of an "expert" if they did not have voting rights and the ARB feels this is important. Vice-Mayor West agreed with Council Lady Barr and stated the ARB has had an "expert" for a number of years and all of the individuals who have had this role have added tremendously to the ARB, including the current Chair, Mr. Little.

Council Lady Jurgensen made a motion to have the 1st Reading of the proposed Ordinance Amendment to Sec. 70-677 relating generally to the ARB Composition and Organization. A second was made by Council Lady Forrester. On roll call the vote was unanimous, motion passed. *(Reading of the full text was waived and a copy of the proposed amendment was to be made available in the Clerk's office for review.)*

g. Consider 1st Reading of Proposed Ordinance Amendment to Sec. 14-95 through 14-171 relating generally to Identification and Inspection of Rental Dwelling Units

Ms. Frye stated the proposed amendment is a revision of the original Rental Inspection Ordinance approved by Council in July 2005. She requested Council consider the proposed changes so that the health, safety and welfare standards mandated by state and local regulations can be maintained through inspections and enforcement processes. Ms. Alexander advised Council if they voted to move forward with the proposed amendment, a Public Hearing would be required and could be held on April 19th.

Mayor Yohey stated not all "rentals" would fall under the guidelines of the Rental Inspection Ordinance. Ms. Frye affirmed and stated only rentals that are within the outlined Rental Districts would be regulated by the program. Mayor Yohey asked if the properties are supposed to be inspected with every new tenant. Ms. Frye affirmed and stated the property owners are supposed to notify the Town. He asked how property owners are supposed to know about the program. She advised the program information will be printed in the newsletter, the Town will host an open house and letters will be sent to all the property owners within the Rental Districts. The Mayor asked what happens if the property owners do not comply. Ms. Frye advised they will be subject to civil and criminal penalties. Ms. Caturano advised the proposed penalties are listed in Sec. 14-172 and Sec. 14-173 of the proposed amendment.

Council Lady Jurgensen asked if the definition of a "dwelling unit" should be changed to match the definition previously discussed under the Duplex proposed amendment. Ms. Caturano said Council could make the change if they choose, but different definitions may appear for the same term when they are referring to unrelated items (as is the case here, between Duplexes and the Rental Inspection Program.)

Council Lady Barr stated she does not feel that a $50 Civil Penalty is enough to ensure compliance. She feels it will be difficult to keep up with the changing tenants and suggested capturing the information with the issuance of decals. She also stated she is unsure whether a judge would uphold a Criminal Penalty. Ms. Caturano advised the Criminal Penalty is outlined in the support State Code. Council Lady Forrester asked if the proposed language in "f" (under Sec. 14-146) would make the penalty $50 per day. Ms. Frye affirmed. Council Lady Barr stated if the penalty is in the code, then the Town needs to charge the penalties.

Councilman Toney stated the map outlining the Rental Districts show 3 communities (Port of Dumfries, Williamstown and South Cove) that have HOAs that provide enforcement over these issues. He stated he has an issue with the Townhouse communities being singled out. Ms. Caturano stated areas were designated in the Rental Districts based on the number of rental units within those areas and the stated will only allow for a certain percentage of the locality to be designated as Rental Districts. Councilman Toney stated these communities govern their properties with annual inspections. Mayor Yohey stated the inspections by HOAs only refer to outside conditions and this ordinance will address the inside conditions.

Ms. Alexander stated the purpose of the program is to protect renters. Council Lady Barr stated it would not just be for the protection of renters, it would also be to protect the other residents, the property owners and the community.

Vice-Mayor West stated the ordinance provides the HOAs with the ability to "opt out" of the program. Ms. Caturano stated the ordinance would allow the HOAs to ask Council for the permission to "opt out" but the approval would not be guaranteed.

Council Lady Forrester stated she agrees with the program's intent on helping residents. She asked if the ordinance would only apply to those properties within the Rental Districts. Ms. Caturano affirmed. Council Lady Forrester suggested the term "dwelling unit" should be changed. Ms. Caturano suggested changing the term to "rental unit." There were no objections. Council Lady Forrester asked if PWC has a similar program, how does that affect the Town. Ms. Frye advised the property could be inspected by both. Council Lady Forrester asked if the Town could include all rentals in the program. Ms. Caturano advised the state code does not allow for this, the code specifies only a certain percentage of the locality can be designated in the Rental Districts.

Councilman Foreman asked if the majority of rentals in the Town are duplexes and townhouses, can the ordinance specify those specific types of properties. Ms. Frye advised the proposed Rental Districts also includes mobile homes. Councilman Foreman stated not all townhouses within the Town are included in the proposed Rental Districts. He stated the districts should be equal and include all townhouses and not just specific neighborhoods. He asked what the allowable percent is that Ms. Caturano and Ms. Frye have referred to. Both stated they did not have the exact percentage, but would provide the information to Council. Councilman Toney stated if mobile home communities are supposed to be included in the Rental Districts why is Grayson Village (the largest trailer park) not listed. Ms. Frye stated it should be. He again expressed his concern that the townhouse communities are being singled out by this program. Ms. Frye advised the revised map was updated from the map adopted in 2005. The only changes she made was to remove 1 trailer park located on Main Street and replace it with another located in the neighborhood across from Town Hall.

Ms. Caturano advised she and Ms. Frye will discuss the comments made by Council and work on a revised version for Council review.

h. Consider Sole Source Procurement Resolution regarding Public Works Project Management
(Item was moved to Closed Session for discussion.)

i. Consider Resolution regarding Purchase of Real Estate
Ms. Alexander stated the purpose of the proposed resolution would be to allow the Town Manager and the Mayor to execute all closing documents for the purchase of the properties located at 17803 Main Street and 3867 Graham Park Road at the settlement of such properties.

Vice-Mayor West made a motion to adopt the Resolution regarding the purchase of real estate with a second by Council Lady Jurgensen. On roll call the vote was unanimous, motion passed.

j. Consider 1st Reading of Proposed Ordinance Amendment to Section 70-9, relating generally to Certificates of Occupancy

Ms. Alexander stated the purpose of the proposed amendment is to require payment of taxes and/or fees owed to the Town prior to a Certificate of Occupancy being issued and to require a nonprofit to provide proof of their 501(3)(c) status prior to a Certificate of Occupancy being issued. She advised Council if they voted to move forward with the proposed amendment, a Public Hearing would be required and could be held on April 19th.

Council Lady Forrester made a motion to have the 1st Reading of the proposed Ordinance Amendment to Sec. 70-9 relating generally to Certificates of Occupancy. A second was made by Councilman Toney. On roll call the vote was unanimous, motion passed. *(Reading of the full text was waived and a copy of the proposed amendment was to be made available in the Clerk's office for review.)*

DISCUSSION ITEMS

a. Presentation of FY12 budget

Ms. Alexander advised this is a preliminary presentation of the proposed FY12 budget. She continues to work on the narrative and it will be provided to Council by the end of the week. The revenue estimates are a conservative figure. She stated $200,000 has been cut from the original requests from the department heads and there is no reduction to the tax rate or fees. The estimated revenues reflect an increase in tax assessments of approximately 8 ½ % and a collection rate of 96%. She highlighted the following budget items to include changes and/or additions from FY11:

- There is no funding for a CDBG grant (10-324-0421). The grant was applied for, but not received for FY12.
- Funds were added to the Governing Body under Election Costs (10-411-5800).
- Funds were added to Administration under Christmas Bonuses to allow for a $500 bonus for all employees (10-412-0402).
- Economic Development funds have been removed from Administration and added as a separate department.
- Land Acquisition (10-413-6300) was created as a line item for Economic Development but not funded. The purpose was to get Council thinking about future possibilities.
- Funds under Buildings and Grounds for Graham Park Road (10-415-4007) are for the demolition of the property.
- The total amount under Street Maintenance has not changed.
- Funds were added to the Department of Community Development for the Community Enhancement Program (10-442-6400).
- Funds for the Public Works budget is the only one of the 3 budgets controlled by the Public Works Department that come from the general fund. All salaries for this department have been outlined.
- CDAR (10-443-4800), Multi-Modal Phase 2 (10-443-9102) and VDOT (10-443-9103) are all money in-money out line items.
- Storm Water Management funds are dictated by revenues and cannot be changed.
- Funds have already been committed by forward funding for two events included in Programs (10-472-2800) under Community Services.
- Other Unbudgeted (10-491-5600) under Non-Departmental are funds that will be transferred back to a LGIP account.
- There are no proposed transfers from the general funds.

Mayor Yohey asked about the difference in the Storm Water Management fees from FY11 to FY12. Ms. Alexander advised the calculations used for the FY11 budget were incorrect.

Vice-Mayor West asked for the purpose of the funding for Graham Park Road (10-415-4007) under Buildings & Grounds. Ms. Alexander stated the funds would be used for demolition. The Vice-Mayor asked why there were no funds for Vehicle Lease Contract (10-431-7000) under Public Safety. Chief Taber advised the vehicles have been paid for.

Councilman Foreman stated the Town Treasurer had lowered the BPOL rates, he asked if this was accounted for in the budget. Ms. Alexander advised this could be discussed at the budget work session. He stated the total expenditure for Travel/Training for all departments increased more than $25,000 from FY11 to the proposed FY12 budget. He stated other localities have smaller budgets for similar positions. He asked how the Town Manager justified this. Ms. Alexander advised all Travel/Training will be explained in the narrative. He asked why there was no increase in the Town Council's budget. She advised that would also be addressed in the narrative.

Council Lady Jurgensen asked if any reduction in the Real Estate tax rate was feasible. Ms. Alexander advised each penny of reduction equals $30,572.

Mayor Yohey advised this was only a "proposed budget" and he reminded Council they would have an opportunity to address their concerns, ask questions, etc. at the budget work session.

Council Lady Forrester stated the Real Estate tax rate and BPOL rates should be lowered. She expressed her concern with a department head receiving a $10,000 raise. She stated no department head should be receiving a raise, if there were to be raises they should start with the staff. She stated she would like to see a night differential for the Police Department added to the budget. She also stated there should not be funding for employees to "cash out" their annual leave, the policy should be a "use or lose" policy. Ms. Alexander advised there is a policy outlining the specific instances when an employee could "cash out" their leave, an example would be a financial hardship. Council Lady Forrester stated a lot of annual leave had been cashed in at the mid-year budget review. She asked if all of those individuals were allowed based on a financial hardship. Ms. Alexander affirmed and advised all of the cases have been documented. She also advised the Personnel Policy Manual addresses this issue. Council Lady Forrester stated she does not feel Christmas bonuses should be considered until after there has been a reduction in the tax rate. She also stated the Public Works Department salaries should be totaled for each individual and shown in one location (not over 3 different budgets.) Ms. Alexander advised the total salary for each employee were shown in the narrative. Council Lady Forrester suggested that each Council member (if they choose) should provided questions, etc. to the Town Manager and she can compile those inquiries and find the commonalities. Mayor Yohey disagreed and stated Council needs to discuss all inquiries as a group so all members have all the answers.

Vice-Mayor West suggested setting a date for a work session for the next week. Ms. Alexander advised Wednesday, Thursday or Friday evenings were available. Council Lady Forrester suggested allowing staff to make cuts where they felt appropriate. Ms. Alexander stated she would appreciate a direction from Council.

Council Lady Barr stated the FY12 budget should not exceed the FY11 budget, but she would not be in favor of reducing the tax rate or BPOL. She felt it would be more important to keep the funding for the proposed Streetscape project and to put funds back in the "Rainy Day Fund." Council Lady Forrester stated those items were not suggested cuts, suggested cuts included bonuses and raises.

Councilman Foreman asked if the Town Manager could provide the budget in excel format for Council to review and sort data if needed. Ms. Alexander agreed. He asked what assessment was used for the proposed budget. Ms. Alexander advised the 2011 Calendar Year assessments from PWC.

Mayor Yohey stated the citizens have seen the tax rate go from 18 cents to 35 cents to equalize the drop in assessment values. They have asked for reductions when the assessments improve. The Council should be working on trying to offset the current increase in assessments. Councilman Toney stated he agreed with the Mayor and with Council Lady Forrester regarding raises and bonuses. He felt these were inappropriate at this time.

Ms. Alexander asked for direction from Council regarding a revised budget for the work session.

Council Lady Barr made a motion to instruct the Town Manager to prepare a budget for FY12 with 2 cents reduction in the Real Estate Tax Rate and reductions in the BPOL rates as the Town Manager sees fit. A second was made by Council Lady Jurgensen. Ayes: Barr, Foreman, Jurgensen, Yohey; Nays: Forrester, Toney, West. Motion passed, 4-3.

Councilman Toney made a motion to instruct the Town Manager to prepare a budget for FY12 with 4 cents reduction in the Real Estate Tax Rate and reductions in the BPOL rates as the Town Manager sees fit. A second was made by Council Lady Forrester. Ayes: Foreman, Forrester, Jurgensen, Toney, Yohey; Nays: Barr, West. Motion passed, 5-2.

Council Lady Forrester made a motion for the proposed FY12 budget to not include raises or bonuses for Department Heads or Town Council members. A second was made by Councilman Toney. Ayes: Foreman, Forrester, Jurgensen, Toney, West; Nays: Barr, Yohey. Motion passed, 5-2.

Vice-Mayor West made a motion to have the budget work session on April 14th at 7pm with a second by Council Lady Jurgensen. On roll call the vote was unanimous, motion passed.

Mayor Yohey made a motion for the Council to provide their questions or proposed cuts to the Town Manager by next Thursday with a second by Council Lady Forrester. On roll call the vote was unanimous, motion passed.

Councilman Foreman asked if each department's goals would be listed in the narrative. Ms. Alexander affirmed.

COUNCIL COMMENTS

Council Lady Jurgensen thanked the Town Clerk for the nametags.

Council Lady Barr thanked the Website Committee for their work on the new website and thanked her fellow Council members for their continued support of this project.

Councilman Toney congratulated VCU for their outstanding accomplishment in the NCAA basketball tournament.

Councilman Foreman, Council Lady Forrester and Vice-Mayor West had no comments.

CLOSED SESSION

Vice-Mayor West made a motion to enter into closed session under Virginia Code § 2.2-3711A (1) Personnel and (5) Prospective Business. Council Lady Forrester seconded the motion. Ayes: Foreman, Forrester, Jurgensen, Toney, West, Yohey; Nays: Barr. Motion passed, 6-1. Council entered closed session at 10:52 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. Council Lady Forrester did not return to Open Session. On roll call the vote was unanimous, motion carried. (Absent: Forrester) Council returned to open session at 11:59 PM.

Council Lady Barr made a motion to adopt the Sole Source Procurement Resolution regarding Public Works Project Management with a second by Council Lady Jurgensen. On roll call the vote was unanimous, motion carried. (Absent: Forrester)

Council Lady Jurgensen withdrew her nomination to the Community & Economic Development Committee and made a motion to nominate the following:

Councilman Foreman to the Community & Economic Development Committee
Councilman Toney to the General Laws Committee
Herself to the Finance Committee

Council Lady Barr seconded the motion. On roll call the vote was unanimous, motion carried. (Absent: Forrester)

ADJOURN

Council Lady Barr made a motion to adjourn with a second by Council Lady Jurgensen. All Ayes. (Absent: Forrester) The meeting adjourned at 12:06 AM.

Minutes submitted by

Catherine H. Koslicki
Town Clerk

Approved by

Fred E. Yohey, Jr.
Mayor