

**DUMFRIES TOWN COUNCIL  
REGULAR MEETING  
TUESDAY, MAY 1, 2007  
7:00 PM**

Present: Mayor Yohey, Vice-Mayor Washington, Council Lady Via, Council Lady Bradley,  
Council Lady Cornell, Councilman Lopez, Councilman Brewer

Also Present: David Whitlow, Town Manager; Chief Calvin Johnson; Greg Tkac, Director of  
Public Works; Robert Bendall, Town Attorney; Retta Ladd, Treasurer, Donna  
Johnson, Town Clerk

Planning Commission: Willie Toney, Chairman; James Vinson, Lee Lansing, Louis Praino,  
Larry Williams, Louise Waggy

Mayor Yohey called the meeting to order at 7:00 PM. The Pledge of Allegiance was recited  
followed by the invocation given by Vice-Mayor Washington.

**Amendments to the Agenda**

Mayor Yohey said he had a request to move Action Items C and D to directly after Citizen  
Comments

**Citizen's Comments**

Mrs. Louise Waggy – Tripoli Boulevard said she had some comments to make on behalf of her  
mother, Mrs. Sara May. She said Mrs. May would like the following:

1. She wanted to see the sides of Tripoli Boulevard fixed. Both sides of the road were caving in.
2. The burned out house on Tripoli Boulevard needed to be fixed up or torn down and the  
burned car needed to be towed, fixed, or covered up.
3. The boarded house on Wilson Ct. needed to be fixed up or torn down.
4. A second house on Wilson Ct. had a number of cars parked around it. At least one vehicle  
has no tags. The yard looks worse than a junk yard.
5. The grass on all of these houses is overgrown and needs to be cut.

**Adoption of Resolution Honoring the Service of Lee Lansing**

Mrs. Bradley read the resolution honoring the service of Mr. Lee Lansing. A motion was made by Mr. Brewer to adopt the resolution with a second by Mrs. Cornell. Ayes: Brewer, Lopez, Cornell, Bradley, Via, Washington, Mayor Yohey. Upon adoption, Mayor Yohey presented the resolution to Mr. Lansing and thanked him for the many years of service he had contributed as well as providing many years of rich history to the Town of Dumfries. Mr. Lansing thanked Council and expressed his appreciation for the resolution.

**Adoption of Resolution Honoring the Service of Larry Williams**

Mrs. Bradley read the Resolution honoring the service of Mr. Larry Williams. A motion was made by Mr. Washington to adopt the resolution with a second by Mr. Brewer. Ayes: Washington, Via, Bradley, Cornell, Lopez, Brewer, Yohey. Motion Carried. Upon adoption, the resolution was presented to Mr. Williams by Mayor Yohey who thanked him for his many years of service to the Town. Mr. Williams said he had enjoyed providing his time and service to the town and would continue to do so as long as he was able.

**Mayor's Comments**

Mayor Yohey said he had attended fifteen meetings during the month. He also stated that the next Business Advisory Meeting was scheduled for May 17<sup>th</sup> at 1:00 PM and the topic was going to be "Where Do We Go From Here". He said the April meeting of the Citizens Advisory Meeting had been attended by Mr. Tkac and Mr. Dick Burke from VDOT. He said the citizens had numerous questions which were answered very thoroughly by Mr. Tkac and Mr. Burke and the citizens really appreciated it. He said it was the best meeting they had held to date.

Mayor Yohey also mentioned the incident from the Boys and Girls Club and said that Virginia Code 63.2, Section 15-17 addressed any questions anyone might have about the report.

The Mayor also said that a question has come up recently asking if the Crippen family had ever made a donation to the Boys and Girls Club. Mayor Yohey said he did not have an answer to the question at the moment but he should have an answer by the following day.

**Town Manager's Report**

Mr. Whitlow said he had a meeting with Springsted regarding the boundary adjustment. He said they were still building out some of the costs pieces of the project. He said he would be back in touch with them in two weeks.

Mr. Whitlow also stated that he had met with the Police Department regarding a visioning process. This was a follow up to the retreat that was held last fall. He met with the entire

department and went through a process of explaining where they should be and that he would like to develop a mission statement and from that develop goals and objectives and to become more strategic in the outcome. He said this process will affect the budget. He indicated that he wanted a more results oriented budget. He said each Department Head will eventually work through this process.

He also said he had prepared information for and coordinated a work session on the applications of Potomac Landfill.

Mr. Whitlow said he had developed information relating to House Bill 3202 and the activities of the Northern Virginia Transportation Authority. He said this potentially would affect transportation here and in the Hampton Roads area.

He also stated that he had met with Mr. Singh regarding the Town Center project on several occasions.

Mr. Yohey said he had a couple of questions he wanted to ask. He asked about the boundary adjustment. He wanted to know when they would have information. Mr. Whitlow said they should information on the revenue side within 2 weeks. The cost side should be provided another two weeks after that and he further stated that Council should see drafts of the Boundary Adjustment within 4-6 weeks.

Mrs. Bradley wanted to know if Springsted had met with the County and Mr. Whitlow said that they had not met with them, but they had been in contact with various departments for the purpose of obtaining information.

Mr. Yohey also asked about the visioning process. He said he had heard that the Chief was trying to get the auxiliary program up and running again. Mr. Whitlow said he did not know how or where this information came from but to date he had no information from the Chief on this. He said he had not read the general orders and until the Chief brought all of this to him nothing would be brought forward to the Council.

Mr. Yohey also asked about a meeting between KSI, VDOT, Resource International, and Mr. Whitlow. He said he understood there was another meeting coming up on the 14<sup>th</sup> of May. Mr. Whitlow said there was a meeting scheduled with KSI, VDOT, Prince William County, staff from the Town of Dumfries and four different engineering firms. He said it was one of those meetings that would have a cast of thousands. He said it was being held at VDOT headquarters in Chantilly and it would be a staff level meeting to discuss how to proceed with the various applications that need to be made and where the decision points need to be so they can organize their submissions in a way that allows them to get the information to the various entities in the appropriate order.

Mr. Yohey asked about other meetings with KSI. Mr. Whitlow said periodically KSI comes in to talk one on one. It is not a Town meeting. He said it involved various entities.

Mrs. Bradley asked if a meeting could be arranged between KSI and VDOT to meet with Council. Mr. Whitlow said absolutely. She said she thinks they owe us information on several things.

Mrs. Bradley asked if this was a limited access highway would a public hearing be required.

**Note:** Mrs. Bradley continued to speak for some time but her microphone was so muffled that it was impossible to understand exactly what was being said.

In response to something that was said by Mrs. Bradley, Mr. Whitlow responded that the Town may want to change the traffic impact study. He said the comprehensive plan would have to be changed and a public hearing would have to be held.

Mr. Lopez wanted to know what the status of the comp plan was. Mr. Whitlow told him that it was amended and had been adopted. He further stated that in the upcoming fiscal year Mr. Shaw was going to undertake the updating of a chapter or two, but Mr. Shaw had not determined what chapter he wanted to start with.

### **Treasurer's Report**

Mrs. Ladd gave her report as follows:

#### **Schedule of Receipts and Expenditures** **For the Month of April, 2007**

Old Balance	\$ 425,012.25
Plus Receipts	193,255.08
Minus Elec Transfer	
-ELEC	18,512.10
-FWT	13,740.90
Minus Expenditures	252,319.63
New Balance	\$ 333,694.70

### **Police Chief's Report**

Chief Johnson said he was presenting Mr. Bendall with a preliminary draft of the General Orders this evening and he would be giving Mr. Whitlow his copy in the morning. He said the General orders did contain information about auxiliary police officers.

The Chief also reported that the Police Department had been doing a lot of training. He said they had been working with other jurisdictions on a new system called "links", which will connect Police Departments nationwide. He said once the department was trained they would be able to obtain information in Northern Virginia about everything including Federal programs. Chief Johnson said this was a very secure system and it was also a powerful tool.

He said it was May 1<sup>st</sup> and he wanted the citizens to know that his officers would be paying attention to cars to see if they had their Dumfries decal on their vehicle.

He said he had attended Mr. Whitlow's meeting, along with the rest of his department. He said assignments were given to all officers to come up with a vision statement.

He also stated that Chief Dean and Captain McIntyre were working on trying to come up with the information that Mayor Yohey had requested. He said hopefully Major Bernard would be contacting the Mayor with the information very soon.

He also told Council that Officers John Chapman and Keith Barrett had gone to Arizona to pick up a prisoner.

Mrs. Bradley said she would like to nominate Officer Chapman for a valor award in conjunction with all of the work he had been doing on child pornography.

### **Public Works Director's Report**

Mr. Tkac reported that it had been a very busy month. He said he had submitted the multimodal grant. He received thirteen letters of support and the deadline was met.

He said the fire suppression system at the snack bar at Historic Dumfries had been awarded to Fireline Corporation.

He also said that pot holes at various locations throughout the town had been repaired. He said he had also had a telephone conversation with Delegate Frederick regarding the debris wall. He said he would like to eliminate this from the 6 year plan and apply the funds to something more important.

Mr. Tkac said he had met with Mrs. Caddigan and other officials from the County regarding MS 19 violations on Possum Point Road. He said they were all working proactively on this problem.

Mrs. Bradley asked about the sides of the road in Tripoli Boulevard. She also asked about the other items that Mrs. Waggy had mentioned during citizen's time.

Mr. Tkac said he would be checking out the sides of Tripoli Boulevard, He also stated that Mrs. Frye was working on the house that had burned down. As for the 3 parcels of grass, he said he had not seen them but he would take a look at them the following day. He also thought the house on Wilson Street had been condemned.

Mr. Brewer wanted to know why Mr. Tkac wanted to do away with the debris wall. Mr. Tkac said unless it was a sound barrier wall, it would do no good. He said VDOT and Urban Engineering had looked at it.

Mr. Whitlow said that a debris wall is a chain link fence. He said VDOT will not go back and do it at a later date. He said with the addition of the hot lanes it will be treated as a new project and the sound wall will be looked at and a sound barrier would be a requirement.

Mrs. Cornell asked about the graffiti on the wall at Dumfries Discount House. She said it was obviously the work of vandals and she wondered if any police reports had been taken.

### **Zoning Administrator's Report**

Mr. Whitlow reported that Mr. Shaw was out ill. He said if anyone had any questions he would try to answer them.

### **Community Services Director's Report**

Mrs. Lambe began her report by thanking everyone that had come to help with the Quantico Creek clean-up. She said she had about 45 volunteers. She also thanked the Public Works Crew for their hard work. She stressed that if people had items to throw away to please call American Trash Disposal, not to throw the items in the creek.

She said she was inviting all of the senior citizens out for the monthly seniors get together on Friday, May 18th at 1:00 pm.

Charter Day was being celebrated on May the 12<sup>th</sup> at Garrison Park from 10:00 am to 4 pm. She hoped to see lots of folks at the event.

Mrs. Lambe reported that to date she had received four grant applications. She said these would be reviewed by the grant committee and the information would be provided at the May work session.

Mayor Yohey said that on Saturday the 5<sup>th</sup> he would be attending the dedication of the new ball fields behind Dumfries Elementary School.

Mrs. Bradley asked if anything had been done about the vacation of Union Street. She was told that Mr. Hashimi had not furnished the town with the survey.

**Town Attorney's Report**

Mr. Bendall said he had nothing to report but stood prepared to answer any questions.

**Adoption of Consent Agenda**

Mrs. Bradley made a motion to adopt the consent agenda with a second by Mr. Lopez. Ayes: Washington, Via, Bradley, Cornell, Lopez, Brewer, Yohey. Motion carried.

**Information Items**

None

**Action Items**

**Adoption of FY08 Budget**

Mr. Washington made a motion to adopt the FY08 budget. Mrs. Via seconded the motion.

Mrs. Bradley said she felt that Mr. Whitlow did an excellent job on the budget however she could not support it. She felt the real estate tax rate should be reduced by ½ a cent and she could not support the funding for LEOS for the Police Department without the rest of the Town's employees receiving something.

Mayor Yohey said while he appreciated the thoroughness of the budget he could not support it. He said the budget provides for additional funding for 10 of the 29 employees and it provides for additional retirement for the Police Department, but he feels that we should lower the tax rate by one cent. Mr. Yohey felt that there were places that we could gather additional revenue based on new housing that was going up and one commercial building. He felt that the tax payers should get a break, and he was going to vote against the budget.

Mr. Brewer said we did not raise the taxes and we did not lower them. Mr. Brewer said this was not a "for profit" town. He said we have to have money to put away or pay for emergencies. We had to have a contingency plan. He said he thought Mr. Whitlow had done a great job on the budget.

Mrs. Via asked about the new transportation funding and how that would work.

Mr. Whitlow said he have no guarantee that we get any money. The money would be only for transportation projects.

Mrs. Via said if we looked at reducing the taxes there was a possibility we could find ourselves in a crunch.

Mr. Whitlow said we had only received one payment from the telecommunications tax and we did not know where we were going to land with that. He said the first payment was less than what we had anticipated that it would be.

Mr. Lopez said we always want lower taxes. He said he has always been for lower taxes, but he was going to vote yes for the budget. He said with Mr. Whitlow's leadership in the town we have had things budgeted that we have not been able to do before. He said Mr. Whitlow had provided a lot of positives for the Town. The budget was well thought out and presented. He votes yes for it.

Mr. Washington said this was a beautiful budget. He was going with his original feelings, he has confidence in Mr. Whitlow, and he supports the manager 100%.

Mrs. Bradley said there was nothing personal about her voting against it, it was a great budget, but she just felt the citizens as well as *all* of the employees deserve extended benefits.

Ayes: Washington, Via, Lopez, Cornell, Brewer. Nay: Bradley, Yohey. Motion carried.

### **Adoption of Rates**

Mrs. Via made a motion to adopt the proposed tax rate as spelled out in the fiscal year budget. The motion was seconded by Mr. Washington. Ayes: Washington, Via, Cornell, Lopez, Brewer. Nay: Bradley, Yohey. Motion carried.

### **Adoption of Ordinance To Appropriate Funds for Fiscal Year 2008**

Mr. Brewer made a motion to appropriate funds for Fiscal Year 2008 in the amount of \$4,051,696.00. The motion was seconded by Mr. Washington. Ayes: Brewer, Lopez, Cornell, Bradley, Via, Washington, Yohey. Motion carried.

### **Adoption of Amendment to Town Code, Section 18-141, Massage Parlors – Prohibited Acts**

Mr. Whitlow gave a brief overview of the amendment to the ordinance pertaining to Massage Parlors – Prohibited Acts. No one had any questions and Mrs. Bradley made a motion to adopt the Amendment to the Town Code, Section 18-141, Massage Parlors – Prohibited Acts, with a second by Mrs. Via. Ayes: Brewer, Lopez, Cornell, Bradley, Via, Washington, Yohey. Motion carried.

**Adoption of Project Programming Resolution**

Mr. Tkac explained that this was a request for VDOT to establish a primary system highway project for the improvement and widening of Route 1 from the southern corporate limits to the northern corporate limits of the town, which is approximately 1.9 miles.

He further stated that the town agrees to pay its share of the total cost for preliminary engineering, right of way and construction of this project in accordance with Section 33.1-44 of the Code of Virginia and that should the town elect to cancel this project, the town would agree to reimburse VDOT for a reasonable amount of the costs expended by them through the date VDOT is notified of the cancellation.

Mr. Tkac said he felt that it should be on the record that we want to get this done. Mr. Washington made a motion to adopt the resolution with a second by Mrs. Via. Ayes: Washington, Via, Bradley, Cornell, Lopez, Brewer, Yohey. Motion carried.

**Discussion Items****a. HB 3202/NVTA**

Mr. Whitlow explained that with the passage of House Bill 3202, there were significant changes in the way that transportation projects may be funded, that would be very noticeable in Northern Virginia and in Hampton Roads.

He stated that the Virginia General assembly established the Northern Virginia Transportation Authority in 2002 with the addition of Chapter 48.2 to Title 15.2, Code of Virginia, 1950, as amended. He said the Authority is empowered to do the following:

- To prepare a regional transportation plan for PD 8
- To implement the recommendations of the plan, to the extent determined by the Authority
- To contract with others for operations of its facilities, or operate facilities itself
- To acquire necessary land for transportation facilities and services
- To prepare a plan for mass transportation and, as determined by the authority, to contract to provide facilities, equipment, and operations

Mr. Whitlow said the jurisdictions included in the Authority include the counties of Arlington, Fairfax, Loudoun, and Prince William, and the cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park.

Mr. Whitlow said the membership consists of 16 representatives. He also said there were several issues of concern for the five towns (Dumfries, Vienna, Herndon, Leesburg, and

Purcellville) that are within the NVTA boundaries that have highway responsibilities. He said the towns do not have a place at the table. No towns were included.

He further stated that the towns do not have a mechanism for receiving any funds that may be raised through the imposition of taxes or fees by the NVTA. He said the towns are not slotted to receive any funds at all.

Mr. Bendall said the town really needed to get active with this. He said the officials of the town needed to let their elected officials know how they felt. The NTVA needed to protect the town. He said if the town sat back and did nothing, then they would receive nothing!

Mr. Whitlow recommended that the town send a representative from Council to the next NTVA meeting on May 10, 2007 to request support of the NVTA members in establishing a role for the 5 towns and in establishing a funding formula that ensures that the towns receive an equitable share of the new revenues.

He also recommended that a request be made of the General Assembly, at the next session, to amend the language of Chapter 48.2 of Title 15.2 to create official town membership on the NVTA.

In addition the town should request that should Prince William County adopt any of the optional tax or fee alternatives permitted in HB3202, the town receive an equitable share of the funds generated and the town should receive a pro rata share.

Finally the Town Council should request that the NVTA appoint town representatives to the working groups for the functional areas identified in the discussion document produced by the NVTA/NVRC staff.

After some discussion Mr. Washington made a motion that Councilman Brewer represent the town at the May 10<sup>th</sup> meeting. Mrs. Via seconded the motion. Ayes: Washington, Via, Bradley, Cornell, Lopez, Brewer, Yohey. Motion carried.

Mr. Washington decided after that vote was taken that if at all possible he would try to attend the meeting as well.

### **Council Members Time**

Mr. Brewer – Announced that he was running for Supervisor of the Dumfries Magisterial District, against Supervisor Caddigan.

Mr. Lopez – Congratulated Mr. Brewer, he also congratulated Mr. Lansing and Mr. Williams for all the fine work they had done for the town.

Mrs. Bradley – Expressed her sympathy to the families of the students killed and injured at Virginia Tech. She said there needed to be better control over mentally ill children.

She also expressed condolences to Chris Brown for the loss of his brother in law.

Mrs. Via – Thanked Mr. Lansing and Mr. Williams for contributing all their many years of time to the town. She also said that May 7- 12 was Public Service Week and she wanted to thank all of the town employees for all that they did. She also congratulated Councilman Brewer and said she was behind him.

Mr. Washington – Told Mr. Brewer that he was there to back him up.

**Adjourn**

Mrs. Bradley made a motion to adjourn with a second by Mr. Washington. Ayes: Brewer, Lopez, Cornell, Bradley, Via, Washington, Yohey. Motion carried.

The meeting adjourned at 9:55 PM.

Submitted by:

Approved by:

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Donna A. Johnson, CMC  
Town Clerk

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Fred E. Yohey, Jr.  
Mayor

