

**DUMFRIES TOWN COUNCIL
REGULAR MEETING
WEDNESDAY, NOVEMBER 7, 2007
7:00 PM**

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

Also Present: David Whitlow, Town Manager; Robert Bendall, Town Attorney; Chief Calvin Johnson; Cathy Lambe, Director of Community Services; John Shaw, Director of Community Development; Donna Johnson, Town Clerk; 3 citizens

Mayor Yohey called the meeting to order at 7:04 PM. The Pledge of Allegiance was recited, followed by the invocation given by Vice-Mayor Washington.

Citizens Comments

None

Mayor's Comments

Mayor Yohey gave his report and went over the list of meetings that he had attended in October. He also said he was in the process of sending out invitations to all of the businesses in the town, inviting them to attend a meeting on November 30, 2007 at 1:30 PM in the Dumfries Community Center to watch the DVD report of the charrette, and to hold discussions about the creation and potential role of a business association to focus on how to improve the business climate, the opportunities to capitalize on growth and redevelopment, and opportunities to capture business that will follow the BRAC implementation at Marine Corps Base Quantico.

Mayor Yohey said that Town Council had already approved the expenditure of \$5,000.00 for this effort.

Mayor Yohey also stated that he would like to thank the Public Works Department for the great job the crew had done the last three weeks tearing out the old playground equipment at the Boys and Girls Club. He said there had been great community support

for the project. One hundred sixty people had turned out to help including Randall El from the Washington Redskins. He further stated that the Kaboom National Organization provided the playground equipment.

Town Manager's Report

Mr. Whitlow went over his report and he attended the following meetings for the month of October:

- International City County Management Association annual meeting in Pittsburg, PA.
- VML Annual meeting in Williamsburg, VA
- Northern Virginia Chief Administrative Officers meeting at NVRC
- Urban Construction Initiative quarterly meeting in Richmond
- VML Insurance fall workshop in Fredericksburg

Mr. Whitlow also stated that his primary focus for the month included final negotiations with MMM Design Group for the contract for preparation of a space needs assessment for Town Hall, negotiations with Rhodeside Harwell regarding the development of a master plan for the Garrison Park property, meetings with Springsted to refine the draft report on the boundary adjustment feasibility study, and meetings with several developers who are contemplating the future development of existing undeveloped properties.

Mr. Whitlow said he had also communicated with Kettler and Potomac Landfill to try to get updates on the status of the projects (Rt. 234 and landfill removal). It would appear that the Rt. 234 project is moving slower than anticipated. Mr. Whitlow said he had advised Potomac Landfill that we are running out of time on the applications for the conditional use permits and need some response in the very near term if the Town Council is going to either consider a final approval or an extension of time by the deadline of December 11. He said he intended to meet with Mr. Dennis Leake the following week.

Mr. Whitlow said the following are upcoming activities before the end of the year:

- Space needs analysis
- Park Master Plan process
- Briefing of the Town Council on the Boundary Adjustment Feasibility Study
- Preliminary budget preparations
- Discussions with Potomac Landfill

Mayor Yohey said the December 11 one year anniversary for the applications for the Conditional Use Permits for the landfill was fast approaching and he wanted to know when the Town Council would be briefed on this. Mr. Whitlow said his best guess is that the Town would receive a letter requesting that Council extend the time until Spring.

Police Chief's Report

Chief Johnson said he had provided his report. He thanked the Town Council for the opportunity to attend the annual Chief of Police Meeting in New Orleans, LA. He said he had an opportunity to see the devastation left by Hurricane Katrina and he said it was just unbelievable! He said he, Sgt. Worley and Teresa Johnson also attended the annual Southern Software conference and training seminar and it was very informative as it gave insight and training on the updates for the Police Pak and Mobile Pak that will be available in the very near future.

He said Officer John Chapman had traveled to Boston, MA and arrested a suspect and the suspect was charged with 14 indictments, all pertaining to child pornography on the internet. He said Officer Chapman and Officer Webb from the Stafford Sheriff's Department had worked on the case together.

Mrs. Bradley wanted to know if there was a line item in the budget to provide for the expenses incurred while traveling to arrest suspects. Chief Johnson said they had been using donations from citizens and from ICAC.

Mr. Whitlow said there was a line item for this and they had it ready to use if it was needed.

Director of Public Work's Report

Mr. Tkac was not present as he was attending classes in Roanoke, Va. but his report was provided.

Mrs. Bradley wanted to know about sidewalks and ongoing improvements. She said she had noticed that sidewalks and aprons were being done in Prince William Estates and she questioned why other areas in the town that needed the same were not being done.

Mr. Whitlow said in the spring there would be work done in the other areas. He said in the case of Prince William Estates they just needed to improve what was already there and maintain it by doing the paving now.

Mayor Yohey wanted to know if the sidewalk schedule had ever been done. Mr. Whitlow told him that yes it had and it was rolled into the multimodal program. He said the Town

had received a \$100,000.00 grant from VDOT which the Town had to provide \$10,000.00 in kind and this money was to be used for sidewalks, trails, etc.

Director of Community Development's Report

Mr. Shaw said his report had been submitted to Town Council and he would just highlight the noteworthy occurrences during October.

Mr. Shaw said his report was broken down into three parts and he went over the following:

Planning/Zoning Activities – John Shaw

- Presented a draft Entrance Corridor Overlay District Ordinance to the Planning Commission and he also discussed adding a Planned Unit Development (PUD) district to the zoning ordinance.
- Presented Certificate of Appropriateness applications for painting the entrance ramp to the Town Council chambers and re-painting the Lockett House.
- Reviewed draft Boundary Adjustment Analysis from Springsted.
- Along with the Codes Compliance Officer investigated various zoning and property maintenance violations.

Building Department Activities – Linda Frye, Building Official

- Reviewed building plans and issued 32 permits including building, electrical, plumbing, mechanical signs and occupancy permits. The total fees collected for the month for permits was \$20,161.79.
- Investigated various property maintenance violations.
- Performed 27 inspections of various types including building, electrical, mechanical, and plumbing.
- Attended Structural Plan Review class offered by the Virginia Building Code Academy.

Codes Compliance Activities – Patrick O'Flinn

- Issued 35 notices for various violations including accumulation of debris, inoperative vehicles, unscreened trash receptacles, and exterior building maintenance.
- Attended Property Maintenance class offered by the Virginia Building Code Academy.

A question was asked about Haul Road and Mr. Shaw said he and Mr. Bendall had attended a meeting with the property owners regarding improvements to Haul Road. He said it will never be a public road.

Mrs. Bradley asked if the Building Official was certified. Mr. Shaw told her no, she was not as yet. She also wanted to know if we were in a time constraint where this was concerned and Mr. Whitlow said we were not.

Mayor Yohey wanted to know if Charter House Furniture was open yet and Mr. Shaw told them that they were.

The Mayor also wanted to know what the latest was concerning the building for Brown and Uvena. Mr. Shaw said he had met with Mr. Uvena that day and Mr. Uvena had an amended plan for the building. He further stated that the plans would have to go through review, although it would no longer be under the review of the Board of Zoning Appeals. He said upon completion of the review it would then go to the Planning Commission for review. In addition it would need to go to VDOT, outside agencies and the Director of Public Works.

Director of Community Services

Mrs. Lambe reported the following activity for the month of October:

- Attended the Virginia Supervisory Institute October 16-18th at VCU in Richmond.
- Planned and organized the Town's 6th Annual Fall Festival held on Saturday, October 27th. The event was co-sponsored with the Dumfries-Triangle Rescue Squad. Mrs. Lambe thanked all the volunteers who helped her with the event.
- Working on the Holiday Parade to be held on Saturday, December 8th starting at 1:00 PM. The theme of the parade will be Holiday Magic and Mrs. Sarah May will be the Grand Marshall.
- Attended Jamestown 400th Anniversary Regional Committee meeting in Culpeper on Monday, October 22nd.
- Participated in the monthly Guest Reader program at Dumfries Elementary School on Friday, October 26th, along with Mr. Whitlow and Patty DeGraw. She thanked both Patty and Mr. Whitlow for joining the program.
- Attended Haul Road meeting with Mr. Bendall, Mr. Shaw and Mr. Tkac on Monday, October 29th to discuss options for road improvement.

Town Attorney's Report

Mr. Bendall said in regard to the Haul Road situation they were trying to work out a solution to Haul Road and he would have more to report as negotiations took place. Mr. Bendall said he thought personal issues were part of the problem.

Adoption of Consent Agenda

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

Information Items

None

Action Items

Approval of Banking Services Contract

Mr. Whitlow briefly went over the process used to select the bank chosen from those submitting RFP's. He said five proposals were received from area banks within a 10 mile radius. He said the panel, consisting of Retta Ladd, Cathy Lambe and himself, reviewed and rated each of the proposals and the scores from each rater were then tabulated for a total.

Mr. Whitlow said based upon the reviews and scores, the panel recommends that the Town Council authorize the Town Manager to award the bank services contract to United Bank. The second choice was SunTrust Bank.

The five banks that proposals were received from were:

- United Bank
- Commerce Bank
- SunTrust Bank
- Bank of America
- Wachovia Bank

Mrs. Bradley made a motion to award the banking services contract to United Bank. Her motion was seconded by Mr. Washington. Ayes: Washington, Via, Bradley, Cornell, Lopez, Brewer. Nay: Yohey. Motion carried.

Mrs. Cornell asked when direct deposit would begin again and Mr. Whitlow told her it would be around the first of the year.

Mayor Yohey wanted to know what the fees were for each of the banks. Mr. Whitlow said there were about 125 different fees and he went over some of the fees.

Approval of Contract for preparation of Master Plan for Development of Garrison Park

Mr. Whitlow went over items of interest from his meeting with representatives of Rhodeside & Harwell and items that would be taking place with the development of Garrison Park. He said that the total amount for the scope of work had been reduced by approximately \$8,000.00. It was his recommendation to approve the contract for preparation of the Master Plan for development of Garrison Park.

Councilman Washington made a motion to enter into a contract with Rhodeside & Harwell for the development of a master plan for Garrison Park. His motion was seconded by Councilman Brewer. Ayes: Brewer, Lopez, Cornell, Bradley, Via, Washington, Yohey. Motion carried.

Approval of Conditional Use Permit (CUP-2-07) for property located at 17934 Main Street – Cigars & More dba Corked, for off-premises sales of beer and wine

Mr. Shaw explained the request for the CUP and Mr. John Webb said that is was the recommendation of the Planning Commission to approve the Conditional Use Permit for a period of one year. If during that period all conditions were met, they would then extend the new period for five years, subject to Mr. Shaw's review and the approval of the Town Council. (See attached CUP)

Mrs. Bradley said she did not feel that this business fit into the family atmosphere.

Mayor Yohey said he had not received any comments in favor of or against the CUP.

Mr. Washington made a motion to approve the Conditional Use Permit for Corked for the purpose of off-premises sales of beer and wine. Mr. Washington's motion was seconded by Mrs. Via. Ayes: Washington, Via, Cornell, Lopez, Brewer, Yohey. Nay: Bradley. Motion carried.

Approval of Reinstitution of Auxiliary Police Program

Mr. Whitlow said the Police Department disbanded the auxiliary police division in late fall of 2006 pending the development of new general orders that would be more inclusive and provide more detailed accounting for the program.

Mr. Whitlow went over some of the highlights of the new draft. He said that after careful reading and consideration of the draft order, this represented a significant improvement in the operation of the auxiliary program and gives the Town substantial checks and authority in the operation of the program.

He said based on this he recommended that the Town Council approve the reinstatement of the auxiliary program pursuant to the regulations and guidelines established in General Order 630.

Mayor Yohey said he was going to vote yes for the reinstatement of the auxiliary officers but he did have a couple of questions. He wanted to know why or how after a years worth of study did we come up with the number of 15 officers.

Mr. Whitlow said this was just a number they came up with. He said some of these officers will do community service and some will be in patrol.

Mayor Yohey also said that last July we had 18 auxiliary officers but we did not have any requirements in place. He said for the future we should have requirements that have to be met and every six months a report should be provided to the Town Council to show what type of training and number of hours the officers had completed. He also said under the old program that was suspended in October, supposedly we were supposed to have a boat patrol and there was talk of even a helicopter. He wanted to make sure that none of these would be part of the new program.

Chief Johnson assured him that there were no boats or boat patrol and no helicopter. He said there would be no cost to the Town with the exception of the one dollar a year that was paid to each officer.

Mrs. Bradley made a motion to approve the reinstatement of the auxiliary police program pursuant to the regulations and guidelines established in General Order 630. Her motion was seconded by Mrs. Via.

Mr. Brewer suggested that once a year would be better for the report. The report would include every officer, who had attended classes, and the number of hours attended.

Both Mrs. Bradley and Mrs. Via amended their motions to include "a report to be submitted once a year to show the officers, their training, and the number of hours attended for training".

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

Release of Performance Bond for 3940 Orange Street

In his report to Town Council Mr. Tkac reported that he had received a letter from Mr. Rafael Lopez requesting that the Performance Bond posted on November 16, 2006 in the amount of \$2,800.00 for property located at 3958 Orange Street be released.

Mr. Tkac reported that the property had been reviewed and he recommended the full release of the Performance Bond that was posted.

Mr. Washington made a motion to release the performance bond in the amount of \$2800.00 for property located at 3958 Orange. His motion was seconded by Mr. Brewer. Ayes: Brewer, Cornell, Bradley, Via, Washington, Yohey. Abstain: Lopez. Motion carried.

Discussion Items

Representative for Northern Virginia Transportation Authority

Mr. Whitlow said the Northern Virginia Transportation Authority was seeking a person that would represent all five towns in the organization. They wanted just one single representative. Mr. Whitlow further stated that he would like to have the Town Council's thought on this.

After a brief discussion Mrs. Bradley made a motion to support the legislation by the Virginia Supreme Court and to propose one representative to represent all five towns in the NVTVA. Her motion was seconded by Mr. Washington. Ayes: Washington, Via, Bradley, Cornell, Lopez, Brewer, Yohey. Motion carried.

Items To Be Discussed at the Quarterly Town/County Meeting

The Town and the County are scheduled to meet on November 15, 2007 at 10:00 am in Mrs. Caddigan's office. Council proposed the following topics to be discussed at the meeting:

- Boundary Adjustment
- Status Report on Culvert on Possum Point Road
- Status of Williams Ordinary
- NTVA Meeting
- Continue to Conduct Town/County Quarterly Meetings in the Evening

VDOT/CTB Statement

Mr. Tkac will be attending a public meeting for citizens to review and comment on potential transportation projects and programs to be included in the Commonwealth Transportation Board's (CTB) Six –Year Improvement Program for Fiscal Years 2009-2014. The meeting will be held on November 13, 2007 at the Fairfax County Government Center in Fairfax.

Mr. Tkac has offered to speak on behalf of the Town at this meeting.

Back in October, Mr. Tkac prepared a letter that was mailed to Mr. Koelemay at the CTB and he would like Councils approval of what was written in this letter to be the official opinion of the Town.

Mrs. Bradley made a motion for Mr. Tkac to represent the Town at the CTB public hearing and for his letter to Mr. Koelemay to be the official opinion of the Town. Her motion was seconded by Mr. Brewer. Ayes: Washington, Via, Bradley, Cornell, Lopez, Brewer, Yohey. Motion carried.

Evaluation Forms

In preparing the annual appraisal for the Town Manager, Mrs. Bradley said she felt that there needed to be changes made to the form.

Mayor Yohey said he had contacted five or six towns to obtain copies of their evaluation forms. He said he had received two sets of forms and he expected to receive at least a couple more.

After a brief discussion Mr. Whitlow indicated that if Council wanted to make changes to the portion of the forms that applied to his position that was fine, but he felt the forms were alright for the rest of the staff.

Council Members Time

Mrs. Via thanked everyone that came out to vote, she congratulated the winners, and wished everyone a Happy Thanksgiving.

Mrs. Bradley also thanked everyone that came out to vote and she also thanked the individuals that did not win for running. She also wished a speedy recovery to Joanne Porter, and a Happy Thanksgiving to everyone.

Mrs. Cornell wished everyone a Happy Thanksgiving and safe travel. She also congratulated Jeff Frederick and Corey Stewart for winning the election.

Mr. Lopez thanked everyone that voted. He said each vote is very important. He too congratulated all of the winners.

Mr. Brewer – no comment

Mr. Washington - no comment

TOWN COUNCIL REGULAR MEETING NOVEMBER 7, 2007 PG. 11

Mayor Yohey said that 514 votes were cast in Dumfries out of 2200-2300 registered voters. He said this was not a bad percentage for this type of election. He congratulated all of the election winners.

Adjourn

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

The meeting adjourned at 9:57 PM

Submitted by:

Approved by:

Donna A. Johnson, CMC
Town Clerk

Fred E. Yohey, Jr.
Mayor

