

**DUMFRIES TOWN COUNCIL
REGULAR MEETING
TUESDAY, FEBRUARY 5, 2008
7:00 PM**

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

Absent: Council Lady Via

Also Present: Cathy Lambe, Director of Community Services, Kristi Caturano, Town Attorney; Chief Calvin Johnson, Greg Tkac, Director of Public Works; John Shaw, Director of Community Development; Retta Ladd, Treasurer; Donna Johnson, Town Clerk; 6 citizens

Absent: David Whitlow, Town Manager

Vice-Mayor Washington called the meeting to order at 7:00 PM. The Pledge of Allegiance was recited, followed by the Invocation given by Vice-Mayor Washington. Mayor Yohey arrived and presided over the remainder of the meeting.

Mayor Yohey asked if there were any amendments to the agenda. The following items were deleted:

- (c) Denial of Applications for Conditional Use Permits 2-06 and 3-06. These were deleted at the request of Mr. Bendall, the Town Attorney.
- (i) Approval of Task Order to RDA for the Survey of Haul Road

Mrs. Lambe added the following to the agenda:

- (c) Request to hold Public Hearing to Reduce Speed limit to 25 MPH on Possum Point Road

Mrs. Bradley requested that Item (i) approval of Task Order to RDA for the Survey of Haul Road be moved to number 8 as an Information Item.

Citizen's Comments

Walter Stringfellow, Knolls of Dumfries – said a lot of big plans are being made without the comments of the Town Council. He said all Council does is spend money and bicker. He said he has certainly seen that tonight. He said elections are coming and he is going to work toward seeing that this Council is not re-elected again!

Yvette Ragland – South Cove – said she purchased a home in South Cove for her and her daughter and she has been the victim of vandalism twice. She said the first time an egg was thrown at her home. This time a rock was thrown through her window. She wanted to know if anything was going to be done or could be done about patrolling that area. She further stated that teenagers are always hanging out behind the houses next to the green boxes that belong to Virginia Dominion Power. She wanted to know if something could be done about the boxes as that seemed to be a major hang-out area for teens.

A very long conversation took place regarding the vandalism in Williamstown and South Cove.

Mrs. Ragland stated she had filed a complaint with the police department regarding her incident.

Mayor's Comments

Mayor Yohey went over the meetings he had attended the previous month. In addition he made the following announcements:

Effective February 4, 2008 the Heiser Boys and Girls Club of Dumfries began operating programs each weekday afternoon from 3:30 to 6:00 p.m. at Graham Park Middle School. He said mentoring, computer labs, homework assistance and gymnasium services will be provided. The services will be limited to middle school children only.

The Dumfries Police Department auxiliary force and Francis House personnel volunteered their efforts to provide these services to town youth. However, insurance liability issues and the added cost of bus transportation caused problems that could not be resolved. The relative close proximity of town residences to the school will permit most youth to safely walk home from the school at the end of the day.

Mayor Yohey also reported that Mrs. George Washington, wife of the first president of the United States, will be visiting with the public in the Town of Dumfries in the Council chambers on the evening of February 21st. The event will begin at 7:00 p.m. and light refreshments will be served. This program will be hosted by Historic Dumfries of Virginia, Inc. Mary Wiseman, one of our nation's premier historic character interpreters, will be appearing as Mrs. Washington. She regularly appears in this role at Mount Vernon and Williamsburg.

Mayor Yohey said he would like to read a portion of a letter received from Ms. Sarah S. May, Grand Marshal of the Town of Dumfries 2007 Christmas Parade expressing appreciation for the honor bestowed upon her by being elected as the Grand Marshall. Mrs. May said this was a once in a lifetime memory for her and her family and she would keep it in her heart forever.

Mayor Yohey said individuals were in the process of collecting signatures for the 3 seats on Town Council that will be available. He said Councilman Lopez will not run again, Mrs. Bradley will be seeking re-election as will Mrs. Via. He said we currently have six individuals seeking to fill the three seats. He told everyone that they had to have their 125 signatures into the Registrars office by 7:00 p.m. on March 4th, 2008.

Town Manager's Report

Mrs. Lambe extended condolences to Mr. Whitlow and his family on the death of Mr. Whitlow's father. She also gave the details of the service for Mr. Whitlow's father.

She said she had no formal report to present. She said she knew Mr. Whitlow had been busy working on the budget.

Treasurer's Report

Mrs. Ladd gave the following report and there were no questions by Council:

Schedule of Receipts and Expenditures **For the Month of January, 2008**

Old Balance	\$	249,828.21
Plus Receipts		188,816.97
Minus Elect Transfer		
- FICA		20,923.84
- FWT		16,715.83

Minus Expenditures	199,050.76
New Balance	\$ 201,954.75

Police Chief's Report

Chief Johnson said he wanted to begin by congratulating Officer John Chapman on his latest case involving child pornography and the arrest of a teacher in South Carolina. Based on the information John provided the FBI raided the suspect's home and the individual was currently being detained in a Federal jail in Columbia, South Carolina. Officer Chapman has been interviewed via phone during a television news cast in South Carolina. Chief Johnson also said that Officer Chapman would be speaking at the General Assembly the following day.

Mrs. Bradley brought up the topic of vandalism in Williamstown. She said that vandalism is high, there are homeless people wandering around and there are bands of youth that are going out and doing damage around four in the morning. She said these youths are terrorizing the people in the subdivision and something needs to be done. She said there were many vacant houses, due to foreclosures.

Chief Johnson said he had noticed this and he had extra patrols out. He said it had been warm that day and he himself just came from Williamstown. He said he had been moving the crowds and he would definitely keep his patrols checking Williamstown and he would stay on top of the situation.

Mr. Lopez wanted to know if it would be helpful for the Chief if he had a list of the vacant properties, which Chief Johnson indicated that he would.

Mr. Shaw said he had a list of the properties and his staff was in the process of putting the information into a data base.

The Mayor asked if the police could look into what options could be employed to do something about this problem. Chief Johnson said the auxiliary officers were presently being trained so within the next month or so they should be back on the street.

Mayor Yohey said at the February work session Council needed to reassess how bad the situation is at that time. He said if necessary have the County police come down to assist.

Mrs. Bradley said once the vacant house list was available, it could be given to the police officers and they could watch these houses.

The conversation continued for quite some time and Mrs. Lambe suggested that she, Chief Johnson, Officer Worley, and Mr. Tkac set up a meeting with Debra Johnson from Dominion Virginia Power, and representatives from South Cove and Williamstown Home Owners Associations. This was agreeable with Council.

Director of Public Work's Report

Mr. Tkac went over his report and said that January was a productive month for his department. He attended meetings with the following:

Historic Dumfries – 2 meetings
MMM Design Group
Anderson and Associates
Draper Aden
VDOT
Dumfries Post Office
Urban Construction Initiative

In addition to the meetings, he attended three training class as did members of his staff.

Mr. Tkac reported that the streets within the town were cleaned weekly during the month of January.

Director of Community Development's Report

Mr. Shaw reported the following on his report:

- Worked with Planning Commission to draft an Entrance Corridor Overlay District Ordinance.
- Presented updated zoning definition to Town Council
- Introduced two new members to BZA
- Drafted a Stormwater Management Facility/BMP Maintenance Agreement and sent agreements to property owners that have on-site stormwater facilities. The agreement has been reviewed by the Town Attorney.
- Drafted Goals and Objectives for the Department of Community Development for FY09. Presented the goals and objectives to Town Council at a special work session.
- Attended focus group meeting for the development of a master plan for recreation facilities at Garrison Park.
- Met with representatives of the Prince William County Office of Housing and Community Development to discuss workforce housing opportunities.

- Reviewed site plans, grading plans and subdivision plats from applicants.
- Along with Codes Compliance Officer investigated various zoning and property maintenance violations and issued notices of violation.

Building Department Activities:

- Registered for Certified Building Exam Preparation Workshop.
- Hosted monthly Virginia Building Code Officials Association Meeting.
- Reviewed building plans and issued 22 permits including building, electrical, plumbing, mechanical, signs, and occupancy permits. The total fees collected for the month for permits was \$2,203.07.
- Performed 11 inspections of various types.
- Investigated various property maintenance and building code violations and issued violation notices.

Code Compliance Activities:

- Issued 18 notices for various violations including accumulation of debris, inoperative vehicles, unscreened trash receptacles, and exterior building maintenance. Of the 18 notices issued, 15 are open and 3 are closed.

Mr. Shaw also discussed the focus group meeting for the development of a master plan for recreation facilities at Garrison Park and said that only two individuals showed up for the meeting. He said they are going to try to solicit additional members for the group.

Director of Community Services

Mrs. Lambe reported that she had submitted her report but would like to touch upon the following:

- The next monthly meeting of the seniors/retirees will be held on Friday the 15th of February at 1pm in the Community Center.
- She is planning and organizing the Black History Celebration to be held on Saturday, February 23, 2pm at Little Union Baptist Church. Retired Captain Charlie Reid will be the quest speaker for the event. The Dumfries Elementary School chorus is also scheduled to perform at the event.
- She is planning and organizing the Town's Spring festival to be held on Saturday, March 15th at 11am in Merchant Park. The Town will partner with the Dumfries-Triangle rescue Squad for this event.

Town Attorney's Report

Ms. Caturano reported that she is working on the General Orders for the Police Department and she hoped to have them done within 2-3 weeks.

She also reported that Mr. Bendall should be back within the next couple of weeks.

Mayor Yohey said at the next work session he would like a 10 or 15 minute presentation on the legal issues that are currently being worked on or are in the mill. He said he would like the folks that are running for office in the upcoming election to know what is in the mill at the present time.

Adoption of Consent Agenda

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

Information Items**Survey of Haul Road**

Mrs. Bradley said she was very surprised to see Haul Road on the agenda. She said she thought this was a legal issue that was being pursued by Mr. Bendall. She said she knew there was a meeting held about this in November. She also said she felt the construction of the new road should be the responsibility of the concrete companies.

Mr. Tkac said he wanted Mr. Bendall to have a letter of agreement and he needed comments from the other groups.

Councilman Brewer asked Ms. Caturano to find out what the actual agreement was with Haul Road.

Action Items**Request to Planning Commission to Consider Density Increases in Residential Zoning District**

The motion was made by Mr. Washington and seconded by Mr. Brewer. Ayes: Brewer, Lopez, Cornell, Washington, Yohey. Nay: Bradley. Absent: Via. Motion carried.

Amendment of FY 08 Budget to Distribute LEOS Costs

A motion to amend FY08 to distribute LEOS costs was made by Mrs. Bradley and seconded by Mr. Brewer. Ayes: Washington, Bradley, Cornell, Lopez, Brewer, Yohey. Absent: Via. Motion carried.

Request to hold Public Hearing to Reduce the Speed Limit to 25 Miles Per Hour on Possum Point Road

Mrs. Bradley made a motion to conduct a Public Hearing at 6:45 p.m. on the 26th of February, preceding the work session. Her motion was seconded by Mr. Washington. Ayes: Washington, Bradley, Cornell, Lopez, Brewer, Yohey. Absent: Via. Motion carried.

Approval of a Joint Public Hearing on February 26, 2008 at 6:45 p.m. for Text Amendment to Replace the Definitions in Chapter 70, Section 70-1 of the Town of Dumfries Code of Ordinances

A motion to hold the Joint Public Hearing was made by Mrs. Bradley with a second by Mr. Lopez. Ayes: Brewer, Lopez, Cornell, Bradley, Washington, Yohey. Absent: Via. Motion carried.

Approval of Sale and Replacement of Police Cruiser 05-1

Mrs. Bradley made a motion to approve the sale and replacement of Police Cruiser 05-1 with a second by Mrs. Cornell. Ayes: Washington, Bradley, Cornell, Lopez, Brewer, Yohey. Absent: Via. Motion carried.

Award of Contract to Fabricate and Install Shutters at the Weems-Botts Museum

Mr. Tkac said he had received two quotes for the fabrication and installation of the shutters at the Weems-Boots Museum. One quote was from Alan Sutherland Construction Company in Newington, VA in the amount of \$14,470.00 and the other was from Phillip Murray Custom Home Builders of Dumfries, VA in the amount of \$12,000.00. After reviewing the proposals it was Mr. Tkac's recommendation that the Town go with the bid by Phillip Murray.

A very lengthy conversation took place regarding the price of the shutters, if there was a guarantee on the shutters, the breakdown of the labor and materials for the installation, and numerous other questions.

Mr. Shaw reminded everyone that this still needed to go before the ARB. Mr. Brewer felt that it should go before the ARB before a vote was taken.

Mrs. Bradley made a motion to have the ARB look at what had been presented to Council and then move this to the February work session for a vote. Mayor Yohey seconded the motion. Ayes: Lopez, Cornell, Bradley, Washington, Yohey. Nay: Brewer. Absent: Via. Motion carried.

Approval of Purchase of Residual Property Located at 17791 Main Street

Mrs. Bradley made a motion *not* to purchase the property with a second by Mr. Washington. Ayes: Washington, Bradley, Cornell, Lopez, Brewer, Yohey. Absent: Via. Motion carried.

Approval of Task Order to RDA for the Review of Rt. 1 and Rt. 234

Mr. Tkac explained that the Public Works Department had requested that Rinker Design Associates prepare a cost proposal for the review of the Rt. 1 and 234 interchanges designed by Dewberry and Davis for Kettler, Inc. He said it was his desire to have a third party review the plans in addition to our staff to insure that the Towns interests were being adequately met. Rinker had extensive experience with roadway design and VDOT process.

Mr. Tkac said he recommends the proposal prepared by Rinker Design Associates be approved in the amount not to exceed \$7,510.00.

Mrs. Bradley wanted to know if we had the design and Mr. Tkac said that we did. Mayor Yohey said the data used for this design this was from 1999 and he could not understand how that could possibly work.

Mr. Brewer made a motion to accept the proposal of \$7,510.00 with a second by Mrs. Cornell. Ayes: Brewer, Lopez, Cornell, Washington, Yohey. Nay: Bradley. Absent: Via. Motion carried.

Approval of Task Order to RDA for the Preparation of Side Walk Design Plans for Main Street

The Public Works Department has requested that Rinker Design Associates prepare a cost proposal for the survey and the minimum design necessary to obtain the required VDOT permit to allow the Town of Dumfries to construct the missing

segments of sidewalk along the west side of Main Street between Curtis Drive and Mine Road.

After review of the previously constructed Main Street roadway improvement plans the Public Works Department has determined that easements will be required to construct this new pedestrian access facility. Rinker Design Associates is prepared to accommodate our desire to construct this missing link of sidewalk by the spring of this year using our on call concrete contractor.

The total cost submitted by Rinker Design will not exceed \$11,599.38. Public Works recommends the approval of this project.

Mr. Lopez made a motion to approve the Task Order not to exceed \$11,599.38 and Mrs. Cornell seconded his motion. Ayes: Brewer, Lopez, Cornell, Washington, Yohey. Nays: Bradley. Absent: Via. Motion carried.

Discussion Items

Civilian-Military Evening Social

Mrs. Lambe said that the second quarter Civilian-Military social was scheduled to be hosted by the Town of Dumfries on June 11, 2008. She indicated that nothing had been budgeted in the line item for this event. She wanted to know if Council wanted to host it, and if so where.

Mayor Yohey asked if we could swap with someone else and schedule it for another time. Mrs. Lambe said she would check and get back to the Council.

Council Members Time

Vice-Mayor Washington – said his sympathy went out to Mr. Whitlow in the loss of his father. He also said he did not appreciate being verbally attacked by citizens and no decision has been made about the Town Hall. He also said he did not know what the comments were about in regard to the members of Council and their attitude toward the Mayor.

Mrs. Bradley – extended her condolences to Mr. Whitlow and she also expressed congratulations to John Chapman. She said she also thought Mr. Stringfellow's comments during citizen's time were unfair. She also said she was glad to hear that Mr. Bendall would be back soon.

Mrs. Cornell –said she also sends condolences to Mr. Whitlow. She said Mrs. Emmet Waters would be celebrating her 100th birthday on Friday. She also said that Mr. Stringfellow has no right to talk to Council the way he does.

Mr. Lopez – wished Mr. Bendall a speedy recovery, he said he had talked with Mr. Whitlow, and he also reminded everyone of the Primary's on the 12th.

Mr. Brewer – also offered condolences to Mr. Whitlow. He said, "Mr. Stringfellow was just mad but who cares; you can't please everyone all the time".

Adjourn

Mrs. Bradley made a motion to adjourn with multiple seconds. Ayes: Brewer, Lopez, Cornell, Bradley, Washington, Yohey. Motion carried.

The meeting adjourned at 10:30 PM.

Submitted by:

Approved by:

Donna A. Johnson, CMC
Town Clerk

Fred E. Yohey, Jr.
Mayor

