

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

Present: Mayor Yohey, Vice-Mayor Washington, Council Lady West, Councilman Toney, Council Lady Cornell, Council Lady Barr, Councilman Brewer

Also Present: David Whitlow, Town Manager; Kristi Caturano, Town Attorney; Calvin Johnson, Chief of Police; Cathy Holtzlander, Director of Community Services; Greg Tkac, Director of Public Works; Donna Johnson, Town Clerk; Aileen Streng, Potomac News; 16 citizens

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.

Mayor Yohey read a Resolution honoring former Mayor Sam Bauckman for his many years of commitment, dedication, and service to the Town of Dumfries. Mrs. Cornell made a motion to approve the Resolution and it was seconded by Vice-Mayor Washington. It was approved by a unanimous vote of Council.

Mayor Yohey presented the Resolution to Mrs. Betty Bauckman and told her how much the Town of Dumfries had greatly benefited from Sam's contributions and how much he would be missed by many people.

Citizen's' Comments

Mr. Jim Vinson, 41 Nichols Court - said he has served on the Planning Commission for several years and he loved it. He said he served on the Commission with honor and dignity and he felt he had been done a disservice by not having his term on the Commission renewed by the Town Council. He wants an explanation from the Council as to why this was done.

Mrs. Claudia Smith, 18311 Possum Point Road - said Possum Point Road has deteriorated to a great degree and in places there is practically nothing left to the road. She said the majority of this damage was done by GDC Trucking and Virginia Power and she is urging Council to go to the County as they are at fault for the trucks being in there even though it is the Town's responsibility to maintain the road. She said one of the stop signs they put up is on a very sharp turn and this is a dangerous situation on a one lane road.

Gary West, 3867 Cameron Street - said he would like to give his time to Mrs. Bradley so she could have additional speaking time.

Mrs. Stephanie Bradley, 2560 Sedgewick Place - said there appears to be great deal of growing tension and lack of respect among the Council that definitely needs to be addressed. She read a lengthy document and wanted it read into the record. (Please see attached).

Mayor's Comments

Mayor Yohey stated he had only attended 6 meetings last month as opposed to 22 the previous month. He said he was looking forward to the vote on the policy procedures that he had developed for Council's consideration. He said it is his opinion that affirmative decisions on each of the policies will help foster more efficient, economic, and effective practices throughout the entire town government.

Mr. Whitlow went over some of the activities that he had attended during the month of July. Those of note were:

- ❖ Attendance at the monthly CAO meeting at NVRC. A major topic of interest was the preparation of a regional meeting with the various fire departments to discuss issues of fire services and particularly to explore the issues of newer, lightweight construction being used in residential properties and the fire hazards posed to occupants. A meeting will be held sometime in the fall and is expected to involve local fire officials, building officials and fire marshals, representatives from DHCD, and other agencies, with invitations going to local elected officials and the development community.
- ❖ Attendance at the Governor's Foreclosure Summit in Richmond. This meeting brought together people from local government and non-profit sectors to discuss the impacts of the foreclosure crisis to the homeowners as well as local governments and to also examine possible steps to help lessen the impact on communities.
- ❖ Met with Wiley Cooke to review a draft of the space needs analysis and to provide comments for inclusion in the study to be presented to the Town Council. Mr. Cooke will be attending the August 26 work session to present the study to Council.
- ❖ Met with Rhodeside and Harwell to review three different concepts for the redevelopment of Garrison Park prior to scheduling a steering committee meeting. The next steering committee meeting will probably be held in late August.

Mr. Toney said the town needed to look at concrete assistance to provide to individuals that were in foreclosure. He said he would like for Mr. Whitlow to bring information that will help the citizens to the next work session. He said they need contacts and places they can be directed to.

Mayor Yohey also requested a list of the names that are on the Park Master Plan Steering Committee.

Ms. Barr reminded Mr. Whitlow that she had not yet received the graphs she had requested of him. He told her he had not forgotten and would get the information to her.

Treasurer's Report

Mrs. Ladd was out ill and the report was deferred.

Police Chief's Report

Chief Johnson began by introducing John Clair, his newest officer. Officer Clair is still in field training with Officer Ray Humphries since his graduation from the police academy in June. The Chief commended Officer Clair and said he was a fine officer and he felt very fortunate to have him in his department. He said Officer Clair should be ready to be out on his own within the next few weeks.

Chief Johnson also recognized Officer John Chapman and commended him for his outstanding work and the recent arrest of another on-line sex offender from out of the state. He said a press release was sent to the Potomac News on this arrest.

The Chief also reported he had attended a 20 year service anniversary celebration for Chief Dean, which was a wonderful affair. He also said that night was the celebration of National Night Out and his Officers were all up at Merchant Park and there was a great turnout. He said he hoped everyone would attend. He urged the citizen's to all put their outside lights on that evening and take a bite out of crime.

Director of Public Work's Report

Mr. Tkac said he had submitted his report but he did have a couple of items he would like to go over. He thanked J.J. Johnson the maintenance

crew chief for seeing that a Virginia Concrete truck was stopped and ticketed for spilling a load of concrete on Rt. 1 just north of Canal Rd. The crew and the Police Department assisted with traffic control during the clean up.

Prince William County will begin the Possum Point Road Box Culvert Improvement Project with the next few weeks. The project will entail installing 4 concrete box culverts adjacent to the existing steel culvert. The work will necessitate the closing of one lane of traffic utilizing a one way traffic lane with a stop condition similar to a one way bridge situation. A water main will be relocated which will require minor utility outages during the construction. The County and Prince William Service Authority will insure that residents will be notified when the planned outages will occur. This project is anticipated to take no longer than 6 months. Minor work such as pavement widening and sign installation to notify resident of the project will begin within the next few weeks.

Mr. Tkac also reported that he had attended several meetings. He said he had received preliminary plans for the sidewalk project on Main Street and will be sending out letters this month to the residents whom are affected by the project requesting easements that will be required for construction.

In addition Mr. Tkac reported that the Main Street Project Scoping is in progress and the scoping for the Tripoli Boulevard drainage improvement project is underway and scheduled to be complete in September.

Director of Community Development's Report

Mr. Whitlow reported that Mr. Shaw had surgery and will be out for a couple of weeks. His report had been submitted.

Mrs. West said she had read an article about the Green Government Challenge and she told Mr. Whitlow that she would like to know what the goals are.

Ms. Barr said she did have some violation questions but she would wait until she could address them with Mr. Shaw.

Director of Community Service's Report

Mrs. Holtzlander went over her report. She addressed two items in the report and they were as follows:

She had provided the Town donation to the Dumfries-Triangle Rescue Squad for the Annual Back-to-School BINGO event to be held on Saturday, August 9th at the DTRS BINGO hall.

She also reported that she had begun the preliminary plans for this year's Fall Festival to be held on Saturday, October 25th from 10am-3pm in Merchant Park. The event is hosted jointly with the Dumfries-Triangle Rescue Squad.

Town Attorney's Report

Ms. Caturano said the Herb Campbell case had been remanded back to the BZA to work out. She said she would schedule a closed session at the next work session to discuss it.

Ms. Caturano also reported that the General Orders should be completed within the next couple of weeks.

Adoption of Consent Agenda

Mr. Washington made a motion to adopt the consent agenda, to include just the minutes as there was no expenditure report included, and his motion was seconded by Mrs. Cornell. Ayes: Washington, Toney, Cornell, Barr, Brewer, Yohey. Abstain: West. She said she was not present at one of the meetings that was included in the consent agenda. Motion carried.

Information Items

a. Financial report for FY08

Mr. Whitlow said he did not have any commentary but he would have it and be prepared to discuss it at the work session on the 26th of August.

Action Items

Approval of DCR Special Order Consent

Mr. Tkac gave a brief overview of the DCR Special Order Consent.

Mrs. West made a motion to approve the Special Order Consent with a second by Mr. Washington. Ayes: Brewer, Barr, Cornell, Toney, West, Washington, Yohey. Motion carried.

Adoption of On Street Parking Policy

Mr. Tkac gave a brief summary of the On Street Parking Policy.

Mr. Washington made a motion to adopt the On Street Parking Policy. His motion was seconded by Mr. Brewer. Ayes: Washington, West, Toney, Cornell, Barr, Brewer, Yohey. Motion carried.

Adoption of Proposed Policy Rules

Mayor Yohey gave a brief summary of the Proposed Policy Rules and said this had been discussed previously at the July 22nd work session. He said Ms. Caturano had looked over the rules to ensure that they all were legal.

Lengthy discussions were held on each rule and necessary changes to the wording are reflected and the policies are written as follows:

Background

Section 302 of the 2003 Town Charter discusses the powers of the Town Council. It states that " the council along with the mayor shall make such rules as are necessary for the orderly conduct of their business not inconsistent with the laws of the Commonwealth of Virginia,..."

Proposed Rules:

1. Adopt a policy that all Town Council Meetings (regular and work sessions) and public hearings must be televised to foster more open government and citizen participation. Motion by Mayor Yohey, second by Mrs. West.

Ayes: West, Cornell, Barr, Yohey. Nays: Washington, Toney, Brewer.
Motion carried.

2. Adopt a policy that the entire Town council and Town Manager will endeavor to meet on a quarterly basis with the Dumfries Supervisor and Prince William County Executive. The motion was made by Mayor Yohey with a second by Mr. Toney.

Ayes: West, Toney, Cornell, Barr, Yohey. Nays: Washington, Brewer.
Motion carried

3. Adopt a policy to require creation of Town council oversight committees, to be made up of no more than two town Council members and when appropriate, staff members, citizens and volunteers for each committee. (These committees will hold open meetings, take minutes, and study only issues assigned by Town Council and make recommendations back to the entire Town Council in open session for final action at the regular monthly meeting.)

Mr. Toney made a motion to defer this to the work session, seconded by Mr. Washington.

Ayes: Washington, West, Toney, Cornell, Barr, Brewer. Nay: Yohey.
Motion carried

4. Adopt a policy that entire Town Council will endeavor to hold separate semi-annual meetings with town citizens, Planning Commission, Historic Dumfries, Inc., Architectural Review Board, and Dumfries Business Association to discuss issues relevant to respective groups. (Annual meetings should also be held with individual homeowners associations if requested.) The motion was made by Mayor Yohey and seconded by Mrs. West.

Ayes: Barr, Cornell, Toney, West, Washington, Yohey. Nay: Brewer

5. Adopt a policy that requires Town Manager to meet with the Mayor on a weekly basis to discuss any meetings with non-town government officials and any other town business. The motion was made by Mayor Yohey with a second by Mrs. West.

Ayes: West, Barr, Yohey. Nays: Washington, Toney, Cornell, Brewer.
Motion failed.

6. Adopt a policy to require all internal affairs investigations involving the Chief of Police or Captain and any investigations where criminal conduct is alleged be conducted by an outside law enforcement agency that is totally independent of the town's police department in order to add credibility to the entire process and abide by state and federal law. The motion was made by Mayor Yohey with a second by Mrs. West.

Ayes: West, Toney, Barr, Yohey. Nays: Washington, Cornell, Brewer.
Motion carried.

7. Adopt a policy that the Town Council's final action votes will be taken at the first monthly Town Council meeting of the month. The motion was made by Mayor Yohey with a second by Mrs. West.

Ayes: Barr, Cornell, West, Yohey. Nays: Brewer, Washington, Toney.
Motion carried.

At this time Mr. Toney said he would like to revisit item #6. He made a motion to revisit item #6 with a second by Mr. Washington.

Ayes: Washington, Toney, Cornell, Brewer. Nays: West, Barr, Yohey.
Motion carried.

Ms. Barr said at this time she would like to make a motion to table item #6. Her motion was seconded by Mr. Yohey

Ayes: Barr, Cornell, West, Yohey. Nays: Brewer, Toney, Washington. The motion carried to table this item.

8. Adopt a policy that requires a mid-year budget review will be held each January to assess status of current year's budget and need, if any, to make necessary revisions for remaining months covered by previously adopted budget.

The motion was made by Mayor Yohey and seconded by Mr. Toney.

Ayes: Barr, Cornell, Toney, West, Yohey. Nays: Brewer, Washington.
Motion carried.

9. Adopt a policy that the Town Attorney shall attend Council work sessions and only attend the first meeting of the month if specifically requested by the Town Manager.

The motion was made by Mayor Yohey and seconded by Mrs. West.
Ayes: Washington, West, Toney, Cornell, Barr, Yohey. Nay: Brewer.

Motion carried.

10. Adopt a policy that effective January, 2009 Council work sessions will be held on the third Tuesday of each month, rather than the fourth Tuesday to allow staff more preparation time between meetings. The motion was made by Mayor Yohey and seconded by Mr. Washington.

Ayes: Barr, Cornell, Toney, West, Washington, Yohey. Nay: Brewer.
Motion carried.

11. Adopt a policy that all building styles and facades approved with the town's historic district by the Architectural Review Board (ARB) must be consistent with the ARB guidelines approved by the Town Council.

There was some discussion about this motion being redundant with state law and eventually it was decided to just drop this policy.

12. Adopt a policy that profits generated from candy and soda machines in Town Hall are to be used to buy cards and flowers or make contributions to memorial funds for funerals of current and former members of Town Council and their immediate families (spouses and children) as well as current and former town staff and their immediate family members.

The motion was made by Mayor Yohey and seconded by Mrs. West.

Ayes: Barr, West, Yohey. Nays: Brewer, Cornell, Toney, Washington.
Motion failed.

13. Adopt a policy that requires Town Council to follow Robert's Rules of Order in all future town government meetings, effective immediately.

The motion to adopt was made by Mayor Yohey and seconded by Mrs. West. A lengthy conversation took place and Mr. Toney made a motion to

defer this to the September work session. This was seconded by Mr. Washington.

Ayes: Washington, West, Toney, Cornell, Barr, Brewer, Yohey. Motion carried.

Release of Demolition Bond for KFC, 17450 Jefferson Davis Highway

A motion to release the demolition bond was made by Mr. Washington with a second by Mr. Toney. Ayes: Brewer, Barr, Cornell, Toney, West, Washington, Yohey. Motion carried.

Discussion Items

a. Memorandum from Town Manager regarding lease of space for Police Department.

Mr. Whitlow said this had been discussed at length and he felt perhaps a committee, consisting of himself, Mr. Brewer, Mayor Yohey, Chief Johnson, and Ms. Caturano get together to sit down to discuss this and clear the air.

Ms. Barr said she did not agree with this. She said this was clearly a "stacked deck" and she thought a good choice to put on the committee would be Stephanie Bradley. Not only was she a former council person but she was also a friend of the police department.

Ms. Caturano said she wanted to note that she does not have a vote. She would be present just to review the committee.

Mayor Yohey said he had passed out a schedule of costs associated with the move. He said while the Town Manager does have the power within the fiscal year to move money around, we still need to know what all of the items on his list are going to cost.

Ms. Barr commented that both Dr. King and Dr. Ferlazzo had space available to rent and neither of them were ever approached nor were they allowed to speak.

A suggestion was made to have Mr. John Webb, Chairman of the Planning Commission to sit on the committee.

Mr. Washington made a motion to go with the committee that was suggested with the addition of Mr. John Webb. The motion was seconded by Mr. Toney.

Ayes: Brewer, Cornell, Toney, West, Washington. Nays: Yohey, Barr.
Motion carried.

Council Members Time

Mr. Washington - No comment

Mrs. West - said she had attended the National Night Out prior to attending the meeting and she said it was a wonderful affair. She also told Mrs. Holtzlander that she had seen the ad for the Fall Festival in the paper and it was a very nice ad.

Mrs. Cornell - said the members of Council needed to vote according to their conscience. She also wanted to commend Officer Chapman for the job he has been doing with arresting online sexual predators. She also thanked Greg Tkac for taking care of the problem she had on her street.

Ms. Barr - said she had attended the last Farmer's Market sponsored by Dumfries United Methodist Church and she encouraged everyone to attend. She said it was wonderful and the produce was great. She said she also encouraged the businesses in town to join the Dumfries Business Association. She said they would be coming out with a directory of all of the businesses in the town, which would be very helpful.

Mr. Brewer - said Congratulation to Chief Johnson and keep up the good work.

Adjourn

Mr. Brewer made a motion to adjourn with a second by Mrs. Cornell. Ayes: Washington, West, Toney, Cornell, Barr, Brewer, Yohey. Motion carried.

Meeting adjourned at 11:01 PM

Submitted by:

Approved by:

Donna A. Johnson, CMC
Town Clerk

Fred E. Yohey, Jr.
Mayor

