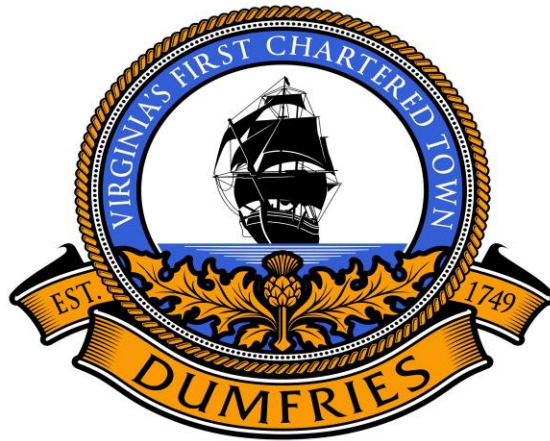


# Town of Dumfries Council Meeting Packet



Derrick R. Wood, Mayor  
Monaé S. Nickerson, Vice Mayor  
Selonia B. Miles, Chair Pro Tem  
Tyrone Brown, Councilmember  
Brian K. Fields, Councilmember  
Shaun Peet, Councilmember  
Caetrina A. Peterson, Councilmember

Tangela U. Innis, Town Manager  
Sharon E. Pandak, Acting Town Attorney  
Tangi R. Hill, Town Clerk

November 8, 2023



## DUMFRIES, VIRGINIA

Virginia's Oldest Continuously Chartered Town  
CHARTERED 1749 INCORPORATED 1961

John Wilmer Porter Municipal Building  
17739 Main Street, Suite 200  
Dumfries, Virginia 22026  
Tel: 703-221-3400 / Fax: 703-221-3544  
[www.dumfriesva.gov](http://www.dumfriesva.gov)

### **DUMFRIES TOWN COUNCIL MEETING WEDNESDAY, NOVEMBER 8, 2023, AT 7:00 PM COUNCIL CHAMBERS**

- I. Call to Order and Roll Call
- II. Invocation – Jake Rogers, Executive Pastor of Pillar Church
- III. Pledge of Allegiance
- IV. Adoption of Agenda
- V. Awards and Proclamations
  - A. International Men's Day Proclamation – Vice Mayor Monae Nickerson
  - B. Recognizing Eileen Thrall as a Living Legend Proclamation – Mayor Derrick Wood
- VI. Approval of Minutes
  - A. Minutes from the October 17, 2023, Meeting
- VII. Citizen Comment Period
- VIII. Mayor and Council Comments
- IX. Reports and Presentations
  - A. Introduction of New Police Officers – Vernon Gaylen, Chief of Police
- X. Action Items (Public Hearing)
  - A. Authorize Public Hearing on Amendments to Town Code Regarding Certain Traffic Fees – Vernon Gaylen, Chief of Police
  - B. Ordinance Amending the Borrowing Ordinance to Include Additional Permitted Uses for 2023B Note – F. Jessie Bausch, Attorney, Sands Anderson PC
  - C. Amendment to the Rules and Procedures to Include Provision for a Consent Agenda – Sharon Pandak, Town Attorney
- XI. Adjournment

## **PROCLAMATION RECOGNIZING INTERNATIONAL MEN DAY**

**WHEREAS**, International Men's Day is observed on November 19<sup>th</sup> annually, and it provides an opportunity to acknowledge the invaluable contributions of men to our society, families, and communities; and

**WHEREAS**, International Men's Day highlights the importance of addressing men's health and well-being, promoting positive male role models, and urging men and boys to be proactive in health matters seeking early detection and treatment; and

**WHEREAS**, on November 19<sup>th</sup> International Men's Day celebrates the positive impact men have globally, within their families and communities. We highlight positive role models and raise awareness of men's well-being; and

**WHEREAS**, International Men's Day provides a platform to discuss and raise awareness about the issues that affect men including mental health, fatherhood, and the challenges they navigate.

**NOW, THEREFORE, BE IT RESOLVED**, that the Town Council of Dumfries, Virginia hereby proclaim November 19<sup>th</sup> as International Men's Day and encourages all residents and stakeholders to:

- Celebrate and appreciate the contributions of men in our communities and families.
- Support initiatives aimed at enhancing men's physical and mental health.
- Promote positive role models and mentors for boys and young men.
- Encourage healthcare providers, therapists, organizations, and non-profits to celebrate men by offering more opportunities to access care and support, especially in mental health and disease prevention.

Let us come together on International Men's Day to recognize and celebrate the men in our lives and promote men's health initiatives and spread awareness of men's health stigmas faced in treatment, health related masculinity stereotypes, and other challenges they often face.



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By Order of the Town Council  
Derrick R. Wood, Mayor  
November 8, 2023



## RECOGNIZING EILEEN THRALL AS A LIVING LEGEND

**WHEREAS**, the Town Council of Dumfries, Virginia, takes great pride in acknowledging individuals whose contributions significantly impact our community; and

**WHEREAS**, Eileen Thrall has exemplified the highest standards of public service, community engagement, and dedication to Dumfries; and

**WHEREAS**, for over a decade, Eileen Thrall served as a dedicated reporter for the Potomac News, authoring the Dumfries Community column, providing profound insights into the town's rich tapestry; and

**WHEREAS**, Eileen Thrall's commitment to public service is undeniable, as demonstrated by her 20-plus years of service on the Prince William County Board of Zoning Appeals, contributing to the development and well-being of our county; and

**WHEREAS**, Eileen Thrall's advocacy extends to preserving the environment, notably Quantico Creek, where she serves as a vocal advocate for its protection and enhancement, and is the Head of the Friends of Quantico Creek, promoting the pristine beauty of Dumfries' waterways; and

**WHEREAS**, Eileen Thrall's devotion to the Dumfries United Methodist Church and her active roles, including board membership, have contributed to the spiritual growth and cohesion of the congregation; and

**WHEREAS**, Eileen Thrall's representation of Dumfries' community seniors on the Aging Commission for Prince William County showcases her unwavering commitment to ensuring the well-being and rights of elderly residents; and

**WHEREAS**, Eileen Thrall's dedication to Dumfries has earned her the admiration and respect of the entire community, making her a living legend whose legacy will forever inspire future generations.

**NOW, THEREFORE**, be it proclaimed that the Town Council of Dumfries, Virginia, hereby recognizes and honors Eileen Thrall as a Living Legend for her exemplary contributions to our community.

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By Order of the Town Council  
Derrick R. Wood, Mayor  
November 8, 2023

**DUMFRIES TOWN COUNCIL  
MEETING MINUTES  
TUESDAY, OCTOBER 17, 2023**

**MEETING HELD IN COUNCIL CHAMBERS**

*A video recording of this meeting is available on the Town's Website  
at [www.dumfriesva.gov](http://www.dumfriesva.gov) and YouTube Channel at  
<https://www.youtube.com/watch?v=qQVIVM05M9I>.*

**Call to Order and Roll Call**

At 7:00 PM, Mayor Derrick Wood called the meeting to order. The following members were recorded as present: Brown, Fields, Miles, Peterson, Peet, Nickerson, and Wood.

**Invocation**

Mayor Derrick Wood asked for a moment of silent prayer.

**Pledge of Allegiance**

Mayor Derrick Wood asked all to stand for the Pledge of Allegiance.

**Adoption of the Agenda**

Mayor Wood requested Report and Presentations Item E be removed from the agenda; moved Reports and Presentations Item C to Action Item E, and noted an update of the bond rating for Action Item A. On a motion by Vice Mayor Nickerson, seconded by Councilman Peet, to adopt the agenda with the mayor's amendments. Vote 7-0-0 (Yes: Fields, Peterson, Peet, Miles, Brown, Nickerson, and Wood; No: N/A; Abstain: N/A).

**Awards and Proclamations**

The following proclamations were presented:

Breast Cancer Awareness Month Proclamation by Vice Mayor Nickerson.

Cybersecurity Awareness Month Proclamation by Mayor Derrick Wood.

Community Clean-Up Month Proclamation by Mayor Derrick Wood.

## **Approval of Minutes**

### Minutes of October 3, 2023, Regular Meeting.

On a motion by Vice Mayor Nickerson, seconded by Councilman Peet, to approve the Dumfries Town Council Meeting Minutes of the October 3, 2023, Regular Meeting. Vote 7-0-0 (Yes: Peet, Brown, Fields, Peterson, Miles, Nickerson, and Wood; No: N/A; Abstain: N/A).

## **Citizen Comment Period**

Citizen comments were heard.

## **Reports and Presentations**

### Boys & Girls Club Presentation

Judy Moore, the Branch Director of the General Heiser Branch gave a presentation on the Boys & Girls Club positive impact and target programs.

### Davenport Public Finance Presentation – Ben Wilson, Vice President, Davenport Public Finance

Ben Wilson, the Vice President of Davenport Public Finance presented their finance presentation.

### 1st Quarter Budget vs. Actuals FY2024 – Stacey Jordan, Chief Financial Officer

Stacey Jordan, the Chief Financial Officer presented the 1<sup>st</sup> Quarter Budget vs. Actuals FY2024 for the Town of Dumfries.

### Town Manager's Report

Tangela Innis presented the Town Manager's Report to the Town Council.

At 8:14 PM, Mayor Wood called for a recess. The Town Council returned to the dais at 8:21 PM.

## **Action Items (Public Hearing)**

### Public Hearing Authorizing the Issuance and Sale of General Obligation Bond Anticipation Notes – Stacey Jordan, Chief Financial Officer

After the Public Hearing, on a motion by Councilman Peet, seconded by Chair Pro Tem Miles, to authorize the Issuance and Sale of General

Obligation Bond Anticipation Notes for Series2023A (the "2023A Note"), not to exceed rate 5.35% and Series2023B (the "2023B Note"), to have the maximum rate of 6.75%. The original form received by Council was Series 2023A 5.25% and for Series 2023B taxable bonds were 6.5 or 6.65%. Vote 7-0-0 (Yes: Peet, Fields, Miles, Nickerson, Brown, Peterson, and Wood; No: N/A; Abstain: N/A).

Public Hearing on a Conditional Use Application, CUP23-002, Submitted by Dumfries Purchaser, LLC to Permit a Convenience Store with Gasoline Sales with Off Premise Wine and Beer Sales, Food Service and Electrical Vehicle Charging Stations as Accessory Uses at 3600 Pointe Center Court – Reginald Tabor, Director of Planning, Community, and Economic Development

Jergen Van Dyke and Kendrick Barlett spoke in favor of the CUP23-002. Eileen Thrall submitted her comments by email to the Mayor Wood in opposition of CUP23-002.

After the Public Hearing, on a motion by Vice Mayor Nickerson, seconded by Councilman Peet, to authorize Conditional Use Application, CUP23-002, Submitted by Dumfries Purchaser, LLC to Permit a Convenience Store with Gasoline Sales with Off Premise Wine and Beer Sales, Food Service and Electrical Vehicle Charging Stations as Accessory Uses at 3600 Pointe Center Court. Vote 7-0-0 (Yes: Peet, Peterson, Brown, Nickerson, and Wood; No: N/A; Abstain: N/A).

Public Hearing on Proposed Zoning Text Amendments to Secs. 70-1, 70-14 and a New Section Relating to Sign Regulations in the B-1 Zoning District to Allow a Comprehensive Sign Plan Within the B-1 Zoning District – Reginald Tabor, Director of Planning, Community, and Economic Development

After the Public Hearing, on a motion by Chair Pro Tem Miles, seconded by Councilman Fields, to authorize Zoning Text Amendments to Secs. 70-1, 70-14 and a New Section Relating to Sign Regulations in the B-1 Zoning District to Allow a Comprehensive Sign Plan Within the B-1 Zoning District. Vote 7-0-0 (Yes: Peterson, Brown, Nickerson, Miles, Peet, Fields, and Wood; No: N/A; Abstain: N/A).

Public Hearing on an Ordinance Adopting a Text Amendment to the Town Code Chapter 70, Zoning, Section 70-22 Regarding Temporary Use – Reginald Tabor, Director of Planning, Community, and Economic Development

Mayor Wood issued a statement of complete disqualification and exited

the dais.

The following individuals spoke in favor of the text amendment: Teresa Harris, Jergen Van Dyke, Garland Stephenson, and Priscilla Hall.

On a motion by Chair Pro Tem Miles, seconded by Vice Mayor Nickerson, to accept staff's recommendation not to adopt the ordinance to a text amendment to the Town Code Chapter 70, Zoning, Section 70—22 regarding temporary use, with the exception for the number of employees. Vote 5-1-0 (Yes: Miles, Peterson, Peet, and Nickerson; No: Brown; Abstain: N/A).

Mayor Wood returned to the dais. The Town Council took a break at 9:44 PM and returned at 9:51 PM.

Town of Dumfries Strategic Planning Presentation – Jane Dittmar, Project Consultant, Virginia Institute of Government

Following the presentation, on a motion made by Mayor Wood, seconded by Chair Pro Tem Miles, to adopt the Strategic Plan. Vote 7-0-0 (Yes: Peterson, Brown, Nickerson, Miles, Peet, Fields, and Wood; No: N/A; Abstain: N/A).

**Adjournment**

Mayor Wood adjourned the meeting at 10:05 PM.

**AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL HELD ON  
NOVEMBER \_\_\_\_, 2023: ON A MOTION DULY MADE BY  
\_\_\_\_\_, AND SECONDED BY \_\_\_\_\_, THE  
FOLLOWING RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE:**

**Tyrone A. Brown, \_\_\_\_;  
Brian K. Fields, \_\_\_\_;  
Selonia B. Miles, \_\_\_\_;  
Monae S. Nickerson, \_\_\_\_;  
Shaun R. Peet, \_\_\_\_;  
Caetrina A. Peterson, \_\_\_\_;  
Derrick R. Wood, \_\_\_\_;**

**AUTHORIZE PUBLIC HEARING ON AMENDMENTS TO TOWN CODE  
REGARDING CERTAIN TRAFFIC FINES**

**WHEREAS**, as permitted by Va. Code § 46.2-113 and other relevant statutes, the Town may adopt an ordinance which enables the imposition of fines for certain traffic offenses which do not impact a driver's DMV record; and

**WHEREAS**, adoption of such ordinances might improve fine collection for these traffic offenses; and

**WHEREAS**, the Council desires to consider adoption of such proposed ordinances;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council of the Town of Dumfries hereby approves the scheduling of a public hearing to consider the attached proposed amendments to the Town Code to enact Secs. 62-95 and 62-96.

By Order of Council:

\_\_\_\_\_  
Derrick R. Wood, Mayor

ATTEST: \_\_\_\_\_  
Tangi Hill, Town Clerk

Attachment: as stated

Chapter 62 – Traffic and Vehicles  
Article III – Operation of Vehicles

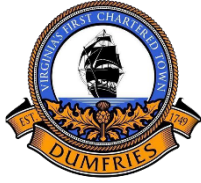
Sec. 62-95. Operator to Give Full Time and Attention to Driving.

- (a) No person shall operate a motor vehicle upon the highways of the town without giving his or her full time and attention to the operation of the vehicle.
- (b) Any person who violates this section shall, upon conviction, be punished pursuant to the provisions of § 62-2(b).

Sec. 62-96. Proper Control of Vehicle While Operating.

- (a) No person shall operate a motor vehicle upon the highways of the town without keeping the vehicle under proper control at all times.
- (b) Any person who violates this section shall, upon conviction, be punished pursuant to the provisions of § 62-2(b).

Secs. 62-97—62-115. Reserved.



## **AGENDA ITEM REQUEST FORM**

### **Item Type**

☐ Award      ☐ Proclamation      ☒ Resolution/Ordinance      ☐ Motion      ☐ Discussion

### **Statement of Purpose**

Authorize public hearing on amendments to Town Code regarding certain traffic offenses.

### **Background/References**

Legal counsel who is handling prosecutions for the Police Department has recommended that by amending the Town Code the Town may be able to more effectively collect fines for certain traffic offenses. Fine penalties for these offenses would not impact a driver's DMV record; therefore, offenders may be more willing to pay the fines without going to trial.

### **Fiscal Impact**

Unknown but likely to be positive. The Chief of Police supports this resolution.

### **Suggested Motion**

Approve the resolution.

### **Requested Meeting Date**

November 8, 2023

### **Attachments**

Draft Resolution

**ORDINANCE OF THE TOWN COUNCIL OF THE  
TOWN OF DUMFRIES, VIRGINIA AMENDING BORROWING ORDINANCE TO  
INCLUDE ADDITIONAL PERMITTED USES FOR 2023B NOTE**

**WHEREAS**, the Town Council (**the “Town Council”**) of the Town of Dumfries, Virginia (**the “Town”**) by its Ordinance titled “ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF GENERAL OBLIGATION BOND ANTICIPATION NOTES, SERIES 2023 OF THE TOWN OF DUMFRIES, VIRGINIA, AND PROVIDING FOR THE FORMS, DETAILS AND PAYMENT THEREOF” adopted on October 17, 2023 (**the “Borrowing Ordinance”**) approved the issuance (a) its general obligation bond anticipation note in a maximum amount of \$5,250,000 (**the “2023A Note”**) to provide proceeds for financing a portion of the costs of capital improvement projects for the Town, including, but not limited to vehicles and land for public purposes and related costs of issuance (**together, the “2023A Project”**), and (b) its taxable general obligation bond anticipation note in a maximum amount of \$1,375,000 (**the “2023B Note,” and, together with the 2023A Note, the “Notes”**) to finance reimbursement for payment of a final judgment against the Town as permitted under 15.2-2604(7) of the Act and related costs of issuance (**the “2023B Project,” and, together with the 2023A Project the “Projects”**); and

**WHEREAS**, after discussion with Davenport & Company, LLC, the Town’s financial advisor (**the “Financial Advisor”**), Sands Anderson PC, the Town’s bond counsel (**“Bond Counsel”**) and Manufacturers and Traders Trust Company, as lender for the Notes (**the “Bank”**), in order to provide maximum flexibility in addressing the Town’s long-term financial planning needs and to satisfy the Bank’s rate lock requirements, the Town wishes to permit a portion of the maximum authorized amount of the 2023B Note to be available to finance Town capital improvement projects if necessary;

**NOW THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Dumfries, Virginia:

1. The Town Council hereby amends the term “2023B Project” as used in the Borrowing Ordinance to include “reimbursement for payment of a final judgment against the Town as permitted under 15.2-2604(7) of the Act, costs of capital improvement projects in the Town and related costs of issuance.” The Town Manager is authorized to redeem a portion of the 2023B Note such that the remaining proceeds thereof are sufficient to fund reimbursement of the judgement against the Town plus costs of issuance if deemed appropriate.
2. All other actions of officers of the Town in conformity with the purposes and intent of this Ordinance and the Borrowing Ordinance and in furtherance of the issuance and sale of the Notes and the financing of the Projects are approved and confirmed. The officers of the Town are authorized and directed to execute and deliver all certificates and instruments and to take all such further action as may be considered necessary or desirable in connection with the issuance, sale and delivery of the Notes and the financing of the Projects.
3. This Ordinance shall take effect immediately upon its passage. A certified copy of this Ordinance shall be filed by the Town Clerk or Deputy Town Clerk with the Clerk of the Circuit

Court of the County of Prince William, Virginia.

ADOPTED: This 8<sup>th</sup> day of November, 2023.

## CERTIFICATION OF ADOPTION OF ORDINANCE

The undersigned Town Clerk of the Town Council of the Town of Dumfries, Virginia hereby certifies that the Ordinance set forth above was adopted on November 8, 2023 by the Town Council during an open meeting with the following votes:

Aye:

Nay:

Abstentions:

Signed this \_\_\_\_ day of \_\_\_\_\_, 2023.

By: \_\_\_\_\_  
Town Clerk, Town of Dumfries, Virginia

## EXCERPT FROM DUMFRIES RULES OF PROCEDURE

### SECTION 5 – ORDER OF BUSINESS FOR COUNCIL MEETINGS

#### Section 5-1. Order of Business

A. The order of business for regular meetings of the Town Council shall be as follows:

- I. Call to Order  
The presiding officer calls the meeting to order to begin the meeting and directs the Town Clerk to call the roll of Council members.
- II. Prayer and Pledge of Allegiance  
The Prayer may be delivered by a named guest, or the Council may pause for a moment of silent prayer and reflection. The Pledge of Allegiance to the flag of the United States of America shall immediately follow the Prayer.
- III. Adoption of the Agenda  
The Presiding Officer will call for a roll call vote to adopt the agenda before the Council. At this time, amendments may be proposed by members of Council and the Town Manager. The Presiding Officer shall make rulings on any requests for additional items in a manner that ensures order and successful transaction of business. Requests from Council Members to introduce legislation shall not be permitted at this time.
- IV. Awards & Proclamations  
Only awards and proclamations of the Mayor and Town Council shall be presented at this time. Recipients/ honorees shall be allowed to address the Council as part of the presentation. At their final meeting of service, members will be provided a proclamation and plaque.
- V. Approval of Minutes  
Minutes from previous meeting(s) will be before Council for a vote of approval.
- VI. Citizen Comment Period  
Citizens are allowed no more than three (3) minutes to speak on any topic not on the agenda. Citizens shall refrain from using threats, language of a personal nature which insults or demeans any person, Council and other elected officials and staff, acting in their official

capacity. No response to Citizen Comments from Town Council or staff shall be provided at this time. The Town Clerk shall publish and maintain guidelines for Citizen Comment including advance sign-up procedures.

VII. Mayor & Council Comments

At the first meeting of the month, the Mayor and Council members are allowed no more than five (5) minutes, respectively, to make comments of personal privilege. Members shall refrain from using language of a personal nature which insults or demeans any person, including other members of Council and staff, acting in their official capacity; campaigning for public office; and debating action items.

VIII. Reports & Presentations

This portion of the agenda is reserved for Reports and Presentations from various groups, including but not limited to, regional partners, other government parties, boards, and commissions. At the second meeting of the month (where applicable), the Town Manager shall submit a *Town Manager's Report* to be included with the meeting materials. This portion of the agenda shall also be reserved for staff presentations on specific topic areas.

A Treasurer's report shall be provided to Council by the 15<sup>th</sup> of the month, and the Treasurer shall make a presentation to Council quarterly.

IX. Consent Agenda~~Introduction Items~~

The Consent Agenda shall contain items that require Council authorization but which are not expected to require discussion, including but not limited to, ordinances or resolutions that are added to the public record for action and/or public hearing at a future meeting of the Council.

All items listed on the Consent Agenda will be approved by a single motion to approve the Consent Agenda. This portion of the agenda shall include ordinances or resolutions that are added to the public record for action and/or public hearing at a future meeting of the Council. At the time of introduction, these items may be referred to advisory bodies of the Council. Discussion and debate shall not be permitted for Consent Agenda Introduction Items, other than Point of Order inquiries, and should be raised during Adoption of the Agenda. The Town Clerk shall read Consent Agenda~~Introduction~~ Items into the record, including public hearing dates and referrals when applicable.

A member may ask for the removal of an item from the Consent Agenda for discussion prior to the Council taking action on the Consent Agenda. Items removed from the Consent Agenda shall be considered after the vote on the Consent Agenda.

Items removed from the Consent Agenda at the request of a member shall be dealt with individually and shall follow the regular practice and procedures for discussion and action by the Council.

~~IX.~~X. Action Items

This portion of the agenda shall include items for public hearing and/or Council vote.

~~X.~~XI. Adjournment

Meeting may be adjourned by Presiding Officer or motioned by any member.