

January 10, 2011

A Regular Meeting of the Council of the City of Manassas, Virginia was held in Council Chambers, City Hall, on the above date with the following present: Mayor Harry J. Parrish II, Council Members Marc T. Aveni, Sheryl L. Bass, Andrew L. Harrover, J. Steven Randolph, Jonathan L. Way, and Mark D. Wolfe; City Manager Lawrence D. Hughes, City Attorney Robert W. Bendall, Deputy City Attorney Martin R. Crim, Commissioner of the Revenue John P. Grzejka, Treasurer Robin R. Perkins, Chief of Police Douglas W. Keen, Assistant Fire Chief Wade House, Finance and Administration Director Patricia A. Weiler, Budget Manager Diane V. Bergeron, Public Works and Utilities Director Mike C. Moon, Assistant Public Works Director Nichalos Gardner, Community Development Director Elizabeth S. Via-Gossman, Planning and Zoning Services Manager Terry Russell, Senior Planner Gregory J. Bokan, and City Clerk Andrea P. Madden.

Law enforcement officers from the Manassas City Police Department were present for the swearing-in ceremony of nine police officers and the promotion ceremony of Sergeant Stephanie A. Morbeto.

Staff Members from Accounting, Finance, Human Resources, Information Technology, and Purchasing were present for the Finance and Administration Annual Report.

Mayor Parrish called the meeting to order at 5:30 p.m. giving the invocation and leading those present in the Pledge of Allegiance to the flag.

City Attorney Report.

The City Attorney reported on the following items:

1. Mr. Crim reported that a hearing on the Brookfield Saranac lawsuit, regarding Lake Manassas, has been scheduled for Wednesday, February 16, 2011. Mr. Crim will present his argument as to why the case should be thrown out based on a number of reasons, including the statute of limitations.

2. Mr. Crim reported that the tax appeal trial for the Wellington properties located near the intersection of Hastings Drive and Dumfries Road is scheduled for March 1 and 2, 2011.

3. Mr. Crim reported that there are two cases involving the Centreville Road widening condemnation that have been set for trial; one of the trials has been scheduled for November 14 through November 16, 2011 and the other trial has been scheduled for January 30 through February 1, 2012.

City Manager Report.

The City Manager reported on the following items:

1. Mr. Hughes asked Mike Moon, Public Works and Utilities Director, to provide an update to the City Council on the Route 28 Overpass project. Helen Cuervo, Assistant Engineer for Construction with VDOT, detailed VDOT's plans to address the City's concerns regarding traffic patterns at the construction site.

2. Mr. Hughes encouraged the public to attend the Gang Prevention Summit scheduled for Monday, January 17, 2011 at 6:00 p.m. at the Boys & Girls Club.

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3. Mr. Hughes introduced Elizabeth S. Via-Gossman and members of Historic Manassas, Inc., who kicked-off the Sesquicentennial with a brief video presentation and promotion of the Blue and Gray Ball on January 22, 2011. Mr. Allan Guy, the artist who designed the Sesquicentennial logo, presented to the Mayor and City Council a signed poster.

Chief of Police Report.

The Chief of Police reported on the following item:

1. Chief Keen introduced Sergeant Stephanie A. Morbeto, who was recently promoted, and new officers Joshua C. Carmichael, Trey M. Cram, Caleb A. Herschler, Justin R. Lehman, Lawrence J. Outland, Rebecca L. Spilman, James M. Thurman, Timothy P. Urey, and Brett A. Wilyerd. As all officers were previously sworn-in by the City Clerk, Mayor Parrish administered the *Oath of Honor* for the law enforcement officers.

Mayor Parrish called for a recess at 5:48 p.m.
Mayor Parrish reconvened the meeting at 6:00 p.m.

Council Time.

Council Member Randolph announced that the Osbourn High School Boys' Basketball Team is playing extremely well and is undefeated at 10-0. Council Member Randolph encouraged the citizens of Manassas to support the team.

Council Member Aveni noted that a Finance Committee Meeting is scheduled for Wednesday, January 12, 2011 in the second floor conference room. Council Member Aveni stated that he will not be able to attend the meeting, but Council Member Bass has agreed to chair the meeting in his absence. Council Member Aveni encouraged everyone to attend the Gang Prevention Summit on January 17, 2011 and noted that Congressman Frank Wolf along with Chief Keen and members of the Northern Virginia Gang Task Force will be attending the Summit.

Council Member Way provided an update on recent Virginia Railway Express activities and a COG proposal to dissolve the MDPC and organize a new group titled the Region Forward Coalition.

Council Member Bass announced the passing of Mr. William Francis "Bill" Farquhar, a longtime resident of Prince William County who requested that City Council name a street or building in honor of J. W. Ratcliffe. Council Member Bass stated that she will look for opportunities to fulfill Mr. Farquhar's request. Council Member Bass encouraged all citizens to participate in the Sesquicentennial activities planned throughout the year. Council Member Bass stated that she attended the Planning Commission Meeting on January 5, 2011 and congratulated Harry Clark, the new Chairman, and Bruce Wood, the new Vice-Chairman.

Mayor Time.

Mayor Parrish announced that he will be out of town on January 17, 2011 and will be unable to attend the Gang Prevention Summit.

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Mayor Parrish commented on the recent success of the Osbourn High School Boys' Basketball Team.

Consent Agenda.

Item 1. Approve the Minutes of the Special Meetings of December 10 and 20, 2010 and the Regular Meeting of December 13, 2010.

COUNCIL MEMBER WOLFE MOVED that the Minutes of the Special Meetings of December 10 and 20, 2010 and the Regular Meeting of December 13, 2010 be approved. Seconded by Council Member Aveni. Roll call vote: AYES: Council Member Aveni, Bass, Harrover, Randolph, Way, and Wolfe. **MOTION CARRIED.**

Item 2. Consideration of a Reduction of Performance Bond for Planet Auto Wash SP#10-03, in Accordance with the Certificate of Compliance Dated December 20, 2010.

COUNCIL MEMBER WOLFE MOVED that the Performance Bond for Planet Auto Wash SP#10-03 be reduced in accordance with the Certificate of Compliance dated December 20, 2010. Seconded by Council Member Aveni. Roll call vote: AYES: Council Member Aveni, Bass, Harrover, Randolph, Way, and Wolfe. **MOTION CARRIED.**

Item 3. Consideration of Release of Performance and/or Erosion Control Bonds for Canterbury Village Pharmacy, Canterbury, LLC SP#09-21; Canterbury Village Pharmacy Rev-1, Canterbury, LLC SP#10-12; T-Mobil, Northeast LLC SP#09-13; Green Village Concrete Inc. SP#09-20; Green Village Concrete Inc. Formally Known as Finish Line Towing SP#08-28; Evergreen Terrace, EPC VA24, LLC SP#08-36; Trinity Episcopal Church Parking Lot #SP07-41; United Rentals SP#08-12; Cannon Branch Fort Park-Tavares Concrete SP#09-07; and Manassas Corner Wal-Greens SP#08-09, in Accordance with the Certificate of Compliance Dated January 4, 2011.

COUNCIL MEMBER WOLFE MOVED that the Performance and/or Erosion Control Bonds for Canterbury Village Pharmacy, Canterbury, LLC SP#09-21; Canterbury Village Pharmacy Rev-1, Canterbury, LLC SP#10-12; T-Mobil, Northeast LLC SP#09-13; Green Village Concrete Inc. SP#09-20; Green Village Concrete Inc. Formally Known as Finish Line Towing SP#08-28; Evergreen Terrace, EPC VA24, LLC SP#08-36; Trinity Episcopal Church Parking Lot #SP07-41; United Rentals SP#08-12; Cannon Branch Fort Park-Tavares Concrete SP#09-07; and Manassas Corner Wal-Greens SP#08-09 be released in accordance with the Certificate of Compliance dated January 4, 2011. Seconded by Council Member Aveni. Roll call vote: AYES: Council Member Aveni, Bass, Harrover, Randolph, Way, and Wolfe. **MOTION CARRIED.**

Item 4. Consideration of Non-Exclusive License for the Operation of a Coffee Servicing Counter at the Manassas Train Depot and Authorize the Mayor to Sign the License.

COUNCIL MEMBER WOLFE MOVED that the Non-Exclusive License for the operation of a coffee servicing counter at the Manassas Train Depot be approved and the Mayor be given the authorization to sign the License. Seconded by Council Member Aveni. Roll call vote: AYES: Council Member Aveni, Bass, Harrover, Randolph, Way, and Wolfe. **MOTION CARRIED.**

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Item 5. Consideration of a Virginia Department of Aviation Grant in the Amount of \$27,710 and Authorize the Mayor to Sign the Grant Agreement.

Consideration of Resolution 2011-61-R Amending the FY 2011 Budget by Budgeting and Appropriating \$27,710 of State Grant Funds, \$877,476 of Federal Grant Funds and \$18,473 of Airport Funds for the Design of the Runway 16L/34R Extension Capital Project.

COUNCIL MEMBER WOLFE MOVED that the Virginia Department of Aviation Grant in the amount of \$27,710 be approved and the Mayor be given the authorization to sign the Grant Agreement. Seconded by Council Member Aveni. Roll call vote: AYES: Council Member Aveni, Bass, Harrover, Randolph, Way, and Wolfe. **MOTION CARRIED.**

COUNCIL MEMBER WOLFE MOVED that Resolution 2011-61-R amending the FY 2011 Budget by budgeting and appropriating \$27,710 of State Grant Funds, \$877,476 of Federal Grant Funds and \$18,473 of Airport Funds for the design of the Runway 16L/34R Extension Capital Project be approved. Seconded by Council Member Aveni. Roll call vote: AYES: Council Member Aveni, Bass, Harrover, Randolph, Way, and Wolfe. **MOTION CARRIED.**

Item 6. Consideration of Resolution 2011-62-R Amending the FY 2011 Budget by Budgeting and Appropriating a \$181 Donation from Northrop Grumman Corporation.

COUNCIL MEMBER WOLFE MOVED that Resolution 2011-62-R amending the FY 2011 Budget by budgeting and appropriating a \$181 donation from Northrop Grumman Corporation be approved. Seconded by Council Member Aveni. Roll call vote: AYES: Council Member Aveni, Bass, Harrover, Randolph, Way, and Wolfe. **MOTION CARRIED.**

Item 7. Consideration of Resolution 2011-63-R Amending the FY 2011 Budget by Budgeting and Appropriating \$30,000 from the State/Local Drug Seizure Funds for the Purchase of Ballistic Shields.

COUNCIL MEMBER WOLFE MOVED that Resolution 2011-63-R amending the FY 2011 Budget by budgeting and appropriating \$30,000 from the State/Local Drug Seizure Funds for the purchase of ballistic shields be approved. Seconded by Council Member Aveni. Roll call vote: AYES: Council Member Aveni, Bass, Harrover, Randolph, Way, and Wolfe. **MOTION CARRIED.**

Item 8. Consideration of Resolution 2011-64-R Amending the FY 2011 Budget by Budgeting and Appropriating \$7,825 from the State/Local Drug Seizure Funds for a K-9 Agility Course to be Installed at the Police Department.

COUNCIL MEMBER WOLFE MOVED that Resolution 2011-64-R amending the FY 2011 Budget by budgeting and appropriating \$7,825 from the State/Local Drug Seizure Funds for a K-9 Agility Course to be installed at the Police Department be approved. Seconded by Council Member Aveni. Roll call vote: AYES: Council Member Aveni, Bass, Harrover, Randolph, Way, and Wolfe. **MOTION CARRIED.**

Item 9 of the Agenda:

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The City Clerk read for the second time Ordinance #O-2011-14 as Requested by Van Metre Companies, for a Proffer Amendment to Ordinance #O-2004-59, Proffer 12, and Ordinance #O-2005-20, Proffer 10, Relating to Stormwater Management: 10225, 10317, 10319 and 10325 Dumfries Road (Barrington Park).

The second reading of the ordinance as just read by the City Clerk was exactly the same as the first.

COUNCIL MEMBER WOLFE MOVED that Ordinance #O-2011-14 as just read by the City Clerk be enacted upon second reading. Seconded by Council Member Aveni. Roll call vote: AYES: Council Member Aveni, Bass, Harrover, Randolph, Way, and Wolfe. **MOTION CARRIED.**

Item 10 was reserved for changes to the Consent Agenda.

Item 11 of the Agenda: Consideration of Resolution #R-2011-37 Approving Special Use Permit #2011-02: C. Nelson LLC, 9109 Euclid Avenue, to Consider a Special Use Permit Application from C. Nelson LLC for Expansion of the Existing Motor Vehicle and Engine Repair Use, Pursuant to Section 130-521 of the Code of Ordinances, City of Manassas, Virginia (2002) As Amended.

The applicant in this matter, C. Nelson, LLC, is requesting an increase in the number of permitted service areas from four (4) to seven (7) at their site located at 9109 Euclid Avenue. Mr. Bokan reported that the public hearing for Special Use Permit #2011-02 was held on December 20, 2010, with no speakers in favor of or in opposition to the permit. Staff recommends approval of Resolution #R-2011-37.

COUNCIL MEMBER WOLFE MOVED that Resolution #R-2011-37 approving Special Use Permit #2011-02: C. Nelson LLC, 9109 Euclid Avenue, to consider a Special Use Permit Application from C. Nelson LLC for Expansion of the Existing Motor Vehicle and Engine Repair Use, Pursuant to Section 130-521 of the Code of Ordinances, City of Manassas, Virginia (2002) As Amended be approved. Seconded by Council Member Way. Roll call vote: AYES: Council Member Aveni, Harrover, Randolph, Way, and Wolfe. ABSENT FROM VOTE: Council Member Bass. **MOTION CARRIED.**

Item 12 of the Agenda: Consideration of Resolution #R-2011-38 Approving Special Use Permit #2011-04: Sonya Roberts (Home Business), 8514 Clearridge Lane, to Consider a Special Use Permit Application from Sonya Roberts for a Home Business for Therapeutic Massage, Pursuant to Section 130-321 of the Code of Ordinances, City of Manassas, Virginia (2002) As Amended.

The applicant in this matter, Sonya Roberts, is requesting a special use permit to allow a home business for therapeutic massage at her residence located at 8514 Clearridge Lane. Mr. Bokan reported that the public hearing for Special Use Permit #2011-04 was held on December 20, 2010, with no speakers in favor of or in opposition to the permit. Staff recommends approval of Resolution #R-2011-38.

COUNCIL MEMBER WOLFE MOVED that Resolution #R-2011-38 approving Special Use Permit #2011-04: Sonya Roberts (Home Business), 8514 Clearridge Lane, to consider a Special Use Permit Application from Sonya Roberts for a Home Business for Therapeutic Massage, Pursuant to Section 130-321 of the Code of

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Ordinances, City of Manassas, Virginia (2002) As Amended be approved. Seconded by Council Member Way. Roll call vote: AYES: Council Member Aveni, Harrover, Randolph, Way, and Wolfe. ABSENT FROM VOTE: Council Member Bass. **MOTION CARRIED.**

Item 13 of the Agenda: First Reading of Ordinance #0-2011-08 Approving Rezoning #2011-01: Village of Wellington, to Consider a Rezoning and Proffer Amendment from Wellington Retail II, L.L.C. and Wellington-Milestone L.L.C. to Rezone Approximately 0.3575 Acres of Land from R-6, Age-Restricted Residential to R-3, Townhouse, and to Amend the Proffers of Rezoning #2008-02 on Approximately 10.84 Acres of Land.

Mr. Bokan stated that the public hearing on the Village of Wellington Rezoning and Proffer Amendment application was held on December 20, 2010. One citizen came forward to speak in favor of the application. Staff recommends approval of Ordinance #0-2011-08 on first reading.

COUNCIL MEMBER WOLFE MOVED that Ordinance #0-2011-08 approving Rezoning #2011-01: Village of Wellington, to consider a Rezoning and Proffer Amendment from Wellington Retail II, L.L.C. and Wellington-Milestone L.L.C. to rezone approximately 0.3575 acres of land from R-6, Age-Restricted Residential to R-3, Townhouse, and to amend the Proffers of Rezoning #2008-02 on approximately 10.84 acres of land be approved on first reading. Seconded by Council Member Aveni. Roll call vote: AYES: Council Member Aveni, Harrover, Randolph, Way, and Wolfe. ABSENT FROM VOTE: Council Member Bass. **MOTION CARRIED.**

Items 14, 15, and 16 were reserved for changes to the Agenda.

Item 17 of the Agenda: Presentation of the Finance and Administration Annual Report by Pat Weiler.

Ms. Weiler presented to City Council the Finance and Administration Department's Annual Report.

Item 18 of the Agenda: Presentation of the Commissioner of the Revenue Annual Report by John P. Grzejka.

Mr. Grzejka presented to the City Council the Commissioner of the Revenue's Annual Report.

Item 19 was reserved for changes to the Agenda.

Mayor Parrish called for a recess at 7:10 p.m.
Mayor Parrish reconvened the meeting at 7:15 p.m.

Item 20 of the Agenda: Recognition of Recreation Manassas Incorporated in Its Efforts to Support Stonewall Park by Donating over \$1,500 to Purchase Four New Park Benches and Supporting Programs Such As the Winter Wonderland Train Show.

Mayor Parrish, Kisha Wilson-Sogunro, Neighborhood Services Manager,, and Christen Zenich, Neighborhood Services Coordinator, presented to Recreation Manassas Incorporated, represented by David Core and Ken Johnson, a Certificate of Appreciation for the organization's recent donation to purchase new park benches at Stonewall Park and their continued support of other community programs.

Item 21 was reserved for changes to the Agenda.

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Item 22 of the Agenda: Citizens' Time.

Aaron Messier, a resident of Prince William County, spoke on behalf of the unborn children who are aborted in Manassas. Mr. Messier commented on the recent tragedy in Tucson, Arizona and stated that the lives of those unborn children who are aborted in Manassas are equal to the lives that were lost in Arizona. Mr. Messier stated that he plans to support Delegate Bob Marshall in his efforts to pass legislation that establishes the legal person status for pre-born children and define when life begins. Mr. Messier stated that Council Members were elected to protect human life and asked them to consider their own definition of life.

Kittie Blakemore, a resident of the City of Manassas, expressed her concern regarding the traffic congestion on Quarry Road during the Christmas Parade on December 5, 2010. Ms. Blakemore asked that more thought be given prior to the next Christmas Parade to traffic on Quarry Road. Ms. Blakemore stated that vehicles continue to speed on Quarry Road, creating a dangerous situation. Ms. Blakemore requested that additional measures be taken, including the installation of speed bumps, in an attempt to decrease the speed of motorists.

Harriett Carter, a resident of the City of Manassas, stated that she and a majority of her neighbors on Prescott Avenue recognize that they are a gateway into Historic Old Town and take great care of their homes. However, the home at 9300 Prescott continues to deteriorate and is an enormous eye-sore for the neighborhood, the Historic District, and the entire City. In a related issue, Ms. Carter stated that on November 15, 2010, City crews cut tree branches from the oak trees on Prescott; however, the trees were not merely trimmed as the branches were cut off near the top of the crown. These once beautiful and mature trees now look mutilated and unsightly.

Raymond Beverage, a resident of the City of Manassas, encouraged the City Council to budget for additional police officers in the FY 2012 Budget. Mr. Beverage also asked that the Housing Manager position be placed in Neighborhood Services and made a permanent full-time position. Mr. Beverage stated that he would be willing to pay higher taxes if he understood where those funds were going.

Item 23 of the Agenda: Consideration of a Motion Authorizing a Closed Meeting on Subjects in Accordance with the Amended Freedom of Information Act.

COUNCIL MEMBER RANDOLPH MOVED that the Council convene in a closed meeting to discuss appointments to Boards, Committees and Commissions, and to consult with staff and legal counsel retained by the Public Body pertaining to municipal regulation of adult businesses requiring the provision of legal advice by such Counsel, as permitted by Virginia Code § 2.2-3711 Paragraph A (1) and (7) Part 2, for which the Virginia Freedom of Information Act permits discussion in closed meeting. Seconded by Council Member Bass. Roll call vote: AYES: Council Member Aveni, Bass, Harrover, Randolph, Way, and Wolfe. **MOTION CARRIED.**

Mayor Parrish announced that the Mayor and City Council, the City Manager, the City Attorneys, and Elizabeth S. Via-

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Gossman, would be included in the closed meeting discussion regarding the regulation of adult businesses.

Mayor Parrish announced that the Mayor and City Council would be included in the closed meeting discussion regarding appointments to Boards, Committees and Commissions.

Council retired to the closed meeting at 7:46 p.m.

Item 24 of the Agenda: Consideration of a Motion Certifying That the Closed Meeting was Conducted in Conformity with Virginia Law.

Council returned from the closed meeting at 9:05 p.m.

COUNCIL MEMBER RANDOLPH MOVED that the City Council certify that, in the closed meeting just concluded, nothing was discussed except the matters specifically identified in the motion to convene in closed meeting and lawfully permitted to be discussed under the provisions of the Virginia Freedom of Information Act cited in the motion. Seconded by Council Member Bass. Roll call vote: AYES: Council Member Aveni, Bass, Harrover, Randolph, Way, and Wolfe. **MOTION CARRIED.**

Motion was duly made, seconded and **CARRIED UNANIMOUSLY** to adjourn the meeting.

Mayor Parrish declared the meeting adjourned at 9:06 p.m.

MAYOR

CITY CLERK

DATE APPROVED