

OFFICIAL MINUTES OF THE MANASSAS PARK GOVERNING BODY MEETING HELD ON TUESDAY JUNE 17, 2008 AT 7:00 PM AT CITY HALL, ONE PARK CENTER COURT, MANASSAS PARK, VIRGINIA

**1. Roll Call:** Bryan Polk, Vice Mayor  
Cyndi Gardner  
Michael Bunner  
Fran Kassinger  
Keith Miller  
William J. Treuting, Jr.

Absent: Frank Jones, Mayor

Staff Present: Lana A. Conner, City Clerk  
Mercury Payton, City Manager  
Dean Crowhurst, City Attorney

\*Vice Mayor Polk chaired the meeting in the absence of the Mayor who was out of town on business.

**2. Approval of Agenda:**

MOTION: Councilmember Kassinger moved to approve the Agenda with addition of the name of Travis Mosher to Social Services Advisory Board (Consent Agenda Item 7b) and addition of Resolution for City Attorney Rate Increase Consumer Index (9c) under New Business.

SECOND: Councilmember Bunner

VOTE: Yes: Kassinger, Bunner, Gardner, Miller, Treuting, Polk

**3 Moment of Silence**

**4. Pledge of Allegiance:** Councilmember Treuting

**5. Citizen Time:** There were no citizens wishing to address the Governing Body.

**6. Manassas Park Women's Club: Special Presentation to Police, Fire, and Communications Specialists: Gina Ludvigsen, President and Anna Treuting, Treasurer:**

**6a. POLICE OFFICER OF THE YEAR NOMINEE (WOMEN'S CLUB)**

During the early morning hours of July 08, 2007, numerous 911 calls flooded the Manassas Park Public Safety Communications Center. Calls were being received in reference to a large townhouse fire in the 200 block of Kirby Street in Manassas Park. ECS Childress advised police units that a report of a townhouse fire was received in the vicinity of 295 Kirby Street and that fire and rescue units were being dispatched. Sergeant Jeff Shubert, Detective Trevor Reinhart, Officer Matt Willeke and Officer Frank Winston responded to the area. Radio traffic advised that several townhouses were on fire and that occupants were possibly trapped inside due to the early morning hours. Without hesitation, these officers placed their own lives in jeopardy by responding to each townhouse and attempting to locate possible fire victims. Several subjects were assisted and escorted out of their homes. Officers continued to each townhouse in the immediate vicinity, warning residents of the danger and to evacuate. A staging area was established and these officers continued their search efforts until all residences were given the "all clear" signal. Upon the arrival of fire and rescue units, the officers assisted them with multiple tasks.

This devastating fire consumed four townhouses and caused a substantial amount of damage. However, there was no loss of life. The actions of Sergeant Jeff Shubert, Detective Trevor Reinhart, Officer Matt Willeke and Officer Frank Winston were above and beyond the call of duty. The officers represented the very purpose they have been called to serve, protection of life.

Major Mark Matthews stated that Captain Mosher was very involved in this also.

**b. Fire & Rescue Department:**

**Paramedics:** Camille Culbertson & Joshua Brandon, Supported by Thomas Oliver, Joseph Neiberger, Robert Laver, Greg Richards (C-Shift)

On Thanksgiving Day, Nov. 22, 2007 units were dispatched for a unresponsive.61 year old patient. Upon their arrival they found the patient was in full cardiac arrest. Medics Culbertson and Brandon quickly went to work supported by the rest of the on-duty crew. Through their quick actions and excellent patient care, the patient arrived at the hospital with a pulse and was later admitted to CCU. I commend Medics Culbertson and Brandon and the C-shift for their quick and appropriate actions saving a life and for delivering a high quality of patient care not only on this call but daily to our citizens.

**Firefighter: Mark Wismer**

While Firefighter/Medic Mark Wismer is a model firefighter/medic and employee of the city, he is being recognized for a special project he initiated. While attending a city holiday event, he met a young boy who lives near the firehouse. While talking with the young boy, it was discovered the family had limited financial resources and the outlook for Christmas was grim. He was very taken by the young boy and his situation. He initiated a drive within the firehouse taking a collection of money and gently used toys for the young boy and his family. He ensured their holiday food needs were met then proceeded to get together the game system the young boy requested-the only gift the boy had noted during the conversations that he hoped for Christmas. The shift delivered the food, gift cards and gifts for the holidays and was greatly moved by the appreciation and gratitude from the family. He demonstrated the selflessness characterized by firefighters and made for a great holiday for a local family, and no doubt made a lasting impression on this young boy. While his act was not heroic he stands ready every shift to serve the public and he made a great difference in the lives of Manassas Park citizens with this act of kindness and is to be commended.

**Emergency Communications Specialist (ECS): Cheryl Childress:**

ECS Childress has been with the City of Manassas Park Police Department for three years. She is always counted on to train new personnel in a variety of areas and provides them with guidance, encouragement, and "pearls of wisdom". She learns quickly, tackles any assignment, and is a team player. Her attitude is positive when arriving at work and after long, busy shifts; she leaves with the same great outlook. Many times, she recognizes daily activities in need of change, makes suggestions for improvement, and develops procedures to implement them. She is enthusiastic about her career choice, an excellent role model, an asset to the communications office as well as the department as a whole, and is definitely worthy of the Manassas Park Women's Club recognition.

She was dispatching when the call came in for the fires on Kirby Street.

Vice Mayor Polk stated he was informed by Chief O'Neal that the new pumper has arrived and is parked outside City Hall if anyone would like to see it.

**7. Consent Agenda:**

MOTION: Councilmember Miller moved to approve the Consent Agenda:

- 7a Approval of Minutes: May 13, 20, and June 3, 2008
- 7b Appointment of Social Services Advisory Board: Four Year Terms Carl Giannetta, Teri Bandy, Cynthia Gardner, Rajie Mokha, Travis Mosher
- 7c SPN Requisition #27: Police Department:  
Battlefield Change Order \$550.00
- 7d Certificate of Substantial Completion (Test & Balancing)
- 7e FY09 Budget: First Quarter Appropriations:
  - 1. General Fund \$ 9,732,761
  - 2. Capital Projects Funds \$ 7,174,811
  - 3. Debt Service Fund \$ 907,452
  - 4. Enterprise Fund \$ 5,130,268
  - 5. PRTC Trust Fund \$ 1,191,582
  - 6. Bull Run ASAP \$ 293,774
  - 7. School Operating Fund \$ 7,426,885
  - 8. Food Service Fund \$ 265,092
  - 9. Medical Trust Fund \$ 5,000

SECOND: Councilmember Gardner

Min: May 20 Councilmember Kassinger and Councilmember Bunner abstained

Min: June 3: Councilmember Polk and Councilmember Treuting abstained

VOTE ROLL CALL: Yes Miller, Gardner, Bunner, Kassinger, Treuting, Polk

**8. Unfinished Business: No Unfinished Business**

**9. New Business**

**9a. Ordinance 08-1700-854: Amend Ch 24 of Code of City: Traffic Code to Incorporate by reference Title 46.2 and Art 2 of Ch 7 of title 18.2 of Code of Virginia as amended:**

This is administrative and routine in nature. City Code is amended to incorporate approved state code amendments.

MOTION: Councilmember Kassinger moved to approve Ordinance as presented.

SECOND: Councilmember Bunner

VOTE ROLL CALL: Yes: Kassinger, Bunner, Gardner, Miller, Treuting, Polk

**9b. School Board Appointment: Effective July 1, 2008:**

The city had three very qualified candidates, Jason Sowalla, Rachel Kirkland, and Stacey Seiberling. Vice Mayor Polk thanked all of these individuals for coming forward and being considered for the position. This is for one position.

Councilmember Treuting stated we have three outstanding candidates. With the state of where the city is and the need to get a candidate to look at what additional things can be done to improve the school system and the quality of education as well as to help in dealing with escalating cost of things, he recommends Rachel Kirkland be appointed to School Board.

MOTION: Councilmember Treuting moved to recommend the appointment of Rachel Kirkland to the School Board for a three-year term effective July 1, 2008 and to expire June 30, 2011.

SECOND: Councilmember Kassinger

**Councilmember Miller:** Selecting a candidate to fill the available seat on School Board is based on whether or not he believes this is the appropriate time to make change in current members. At this time, he does not believe it is in the best interest of the School District, administration or that of the city to make that change. If any about the Redskins, they have been consistent in changing their leadership specifically the coach and he believes it takes time to build a team and it takes time for a leader to establish his/her philosophies and policies. If you look at the Steelers and they have had three coaches in their team history, he thinks the track record and success comes from a very consistent and capable leadership. He believes we have three very qualified candidates for the positions. Stacey has a resume that indicates such and Rachel has a proven track record of being very involved and generally concerned member of our community. He challenges Rachel if she is elected to seek the truth and have those one on one conversations with other people as he and she have discussed and find out the direction we want to take our schools. Stand up for what you believe in just as you have with the special needs kids and all their classes. Jason if you would have been selected he believes you would have worked effectively with the administration and Governing Body so as moving forward to best represent the desires and goals of our community. Regardless of which candidate is selected, he or she will have his full support. He cannot at this time offer his support for change.

**Councilmember Kassinger:** She stated she must echo what Councilmember Miller so eloquently said but she believes the School Board represents the community and it is time for new community members to come in and act on their beliefs. She thinks Jason and Stacey had fantastic qualifications. Jason has proved himself. He has her full respect as far as an individual goes and his dedication to the schools, etc. She thinks at this time we need to institute a model for stressing the educational programs. A model that has been proven by the Iowa Lighthouse research has been out there for the School Board to use. She encourages whomever that gets the majority vote here to look at the key work of the School Board. It has been out there for ten years.

The National School Board Association has worked with the State of Virginia to institute it in most of the school systems but she has seen no evidence of it here. It does increase the output. She would also like the person that is appointed to look at the Sol's as a minimum not optimum performance.

Sol's are just minimum standards that a child needs to achieve in school system. They can minimally read, write, add but it is what comes out at the other end. How many kids have the option of going to college or vocational schools, etc? We have not succeeded in that end. She supports Rachel as the new member to f School Board.

**Councilmember Bunner:** He stated he has talked with Rachel and if she gets the nomination he challenges Rachel to always seek the truth and find out what is right for yourself. Do what is right for the kids.

Vice Mayor Polk: He is going to vote no but he wants to clarify why. The motion is to appoint Rachel. He does not want his no vote to be construed as lack of support for Rachel. If she gets this nomination he welcomes her with open arms. She is a community activist and she is the type of person we absolutely want involved in city government, School Board or whatever you name. She has been there and is that type of contributor. His concern is similar to Councilmember Miller with the amount of change that we have had recently in School Board. He has a concern that over the last several years we have had changes particularly in leadership to appointment. He is concerned about the ability of the body to effectively get its footing establish some momentum establish an identity and move forward. He rational for his vote is against change not against Rachel. If this vote goes forward Rachel has his absolute support.

VOTE ROLL CALL: Yes: Treuting, Kassinger, Bunner, Gardner  
No: Miller, Polk

Vice Mayor Polk thanked Jason Sowalla for his contribution and support to the city over the past five years.

Mayor Frank Jones by e-mail: I am sorry to be away for the vote on the School Board appointment. I have thought about the applicants, and have decided that my support goes to Rachel. I will certainly support the applicant you select, but wanted you to be aware of my preference. Prior to this e-mail I provided Lana my rank-ordered preferences.

### **9c. Resolution 08-1000- 1057: Amendment to City Attorney Contract**

The contract approved in 2005 holds the City Attorney rate and locks it in at the 2005 rate with only cost of living increases for the duration of the contract. July 1<sup>st</sup> it will increase by either the cost of living allowance provided the city or the CPIU for Greater Washington. The CPIU rate came out last Friday so he was not able to get that to Governing Body until this meeting.

MOTION: Councilmember Miller moved to approve as presented:

WHEREAS, pursuant to Section 3 of the Legal Services Agreement between the City of Manassas Park (the "City") and Dean H. Crowhurst, PLLC (the "City Attorney"), both the base flat rate for up to 110 hours per month (the "Base Rate") and the hourly rate for over 110 hours per month (the "Hourly Rate") charged to the City for legal services are to increase on July 1 of each year "by the greater of (i) the average cost-of-living percentage increase provided to City officers and/or employees, said increase to be cumulative if provided to City officers and/or employees in addition to the first day of each fiscal year, or (ii) the one-year increase in the Urban Consumer Price Index (CPI-U) for the Washington, DC-MD-VA metropolitan statistical area, as published by the U.S. Department of Labor, Bureau of Labor Statistics"; and

WHEREAS, the average cost-of-living percentage increase provided to City officers and/or employees in FY08 was 4.0%; and

WHEREAS, the one-year increase in the CPI-U for the Washington, DC-MD-VA metropolitan statistical area from May 2007 to May 2008, the latest figure available, was 5.0%; and

WHEREAS, in accordance with the terms of Section 3 of the Legal Services Agreement, the Base Rate and the Hourly Rate should each increase by 5.0% on July 1, 2008.

NOW, THEREFORE, BE IT RESOLVED that the Governing Body of the City of Manassas Park hereby approves a 5.0% rate increase to both the Base Rate and the Hourly Rate, to become effective on July 1, 2008.

SECOND: Councilmember Gardner

VOTE ROLL CALL: Yes: Miller, Gardner, Bunner, Kassinger, Treuting, Polk

**10. Closed Meeting State Code of Virginia Freedom of Information Act: Section 2.2-3711a of the Code of Virginia Item #3: Consultation with Legal Counsel**

MOTION: Councilmember Miller moved that the Governing Body go into closed meeting to discuss and consider one matter involving the performance of specific city officers and employees and to consult with the City Attorney regarding specific legal matters requiring the provision of legal advise pursuant to Paragraphs (1) and (7) of SubSection 2.2-3711a of the Code of Virginia.

SECOND: Councilmember Kassinger

VOTE ROLL CALL: Yes: Miller, Kassinger, Bunner, Gardner, Treuting, Polk

**11. Return to Open Session at 8:12 pm:**

MOTION: Councilmember Miller

SECOND: Councilmember Gardner

VOTE: Yes: Miller Gardner, Bunner, Kassinger, Treuting, Polk

**12. Certification & Action out of Closed Meeting if Necessary**

MOTION: Councilmember Miller moved the following Resolution:

WHEREAS, the Governing Body of the City of Manassas Park has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712(d) of the Code of Virginia requires a certification by this public body that such closed meeting was conducted in conformity with Virginia law.

NOW THEREFORE BE IT RESOLVED that the Governing Body of the City of Manassas Park hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed session was convened were heard, discussed or considered in the meeting by the public body.

SECOND: Councilmember Gardner

VOTE ROLL CALL: Yes: Miller, Gardner, Bunner, Kassinger, Treuting, Polk

**13. Adjournment at 8:15 pm:**

With consensus of Governing Body, the Vice Mayor Polk adjourned the meeting.

Approved July 15, 2008

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Francis C. Jones, Jr., Mayor

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Lana A. Conner, City Clerk