

OFFICIAL MINUTES OF THE REGULAR MEETING OF THE MANASSAS PARK GOVERNING BODY HELD ON TUESDAY, MAY 2, 2017 AT 7:00PM AT MANASSAS PARK CITY HALL, ONE PARK CENTER COURT, MANASSAS PARK, VIRGINIA

Roll Call: Jeanette Rishell, Mayor
Sahas Naddoni, Vice Mayor
Preston Banks
Michael Carrera
Donald Shuemaker
Hector Cendejas
Miriam Machado

Absent: None

Staff: Lana A Conner, City Clerk
Dean Crowhurst, City Attorney
John Evans, Acting City Manager

1. Approval of Agenda:

MOTION: Councilmember Shuemaker moved to approve the agenda with addition of Closed Meeting under Paragraph 29.

SECOND: Councilmember Cendejas

VOTE: Unanimously passed

2. Moment of Silence/Pledge of Allegiance: Aaron Gregory and Troop 1362 led in the Pledge of Allegiance

3. Citizens Time: No citizen wished to address the Governing Body.

4 Presentations/Recognitions:

5. Public Hearings:

5a. Public Hearing Chapter 14 Display a Vehicle Decal: Rescheduled to May 2, 2017:

Mayor Rishell stated this ordinance would remove the requirement to get and display a vehicle decal, which is the physical evidence that the license fee was paid. It will increase the amount of the license fee to offset the administrative cost.

Mayor Rishell opened the Public Hearing at 7:05pm.

The City Attorney stated this ordinance removes the requirement to display the decal but does not remove the requirement for residents to get a city vehicle license. It changes the administrative fee for registering which will be a \$6 onetime administrative fee, which is the actual cost for the city to process it. People coming into the city buying a new vehicle will not pay the vehicle license fee until the first full license year. Bills are due in October and you would be paying the fee for the next full year. That takes care of some of the problem in the past where people would show up right before the license fee would no longer be valid and they had to pay for the full past year plus the New Year. This would apply to any vehicle. It is an administrative cost for processing.

Vice Mayor Naddoni stated this means that displaying decals are no longer necessary. Are we allowing people to continue to display their existing decals? The City Attorney stated there is no requirement that says you cannot display an old decal if you want to. You may keep it on the vehicle or remove it. The decal is a physical representation of having registered.

There was a one-time decal placed on the car showing you registered it. The difficulty for the city is knowing who lives in the city and what vehicles are garaged or parked in the city. The people still have to have a license fee even though you are getting rid of the decal. If the car is registered in Manassas Park and when the personal property bill is sent out the \$25 is already added to that. With this ordinance, it will be \$24 plus \$6 administrative fee each year.

Sec-120 Proration of fee: refunds: Vice Mayor Naddoni stated there was language about prorating. The City Attorney stated this ordinance does not deal with personal property only license fee. Proration for personal property taxes addressed later. There is no proration in this ordinance only if there is proof by such person that they paid the vehicle license fee in error.

Councilmember Banks: Change of status of the vehicle. The City Attorney stated that this is for the license fee and the other one was for the property tax.

The \$6 administrative fee increase: why an increase. Mayor Rishell stated we took an inventory of the cost of processing the decal. It worked out to about \$6. The city has been absorbing the cost to process these decals and all the staff time that goes into it. The City has not raised the fee in quite sometimes. Councilmember Banks asked if staff had conducted an internal study to figure out efficiencies so we do not have to increase this or just determined we need to increase it. Mayor Rishell stated we are at peak efficiency right now considering the staff level that we have.

Councilmember Shuemaker: He stated asked if Sec 14-120(b) should be changed to gender neutral. The Treasurer is a female. The City Attorney stated the city code says that gender saying his references his or hers. It does not matter whether it is male or female.

Councilmember Shuemaker stated he would like to keep the decals. We are going to pay the fee so why not keep it. Having a Manassas Park decal shows pride in the city. He is proud to live in the city and he wants everyone else to know this is a great place to live.

The cost of printing decals is approximately \$800.00 a year and is a one-time expense for new vehicles coming into the city. Chief Evans stated the number of new vehicles brought into the city is approximately 1,500 a year.

Citizens wishing to address Governing Body on this Public Hearing:

1. Barbara Watson, 9202 Andrew Drive: Belmont Station: She has lived in the City for 26 years. She is opposed to getting rid of the decals. She has seen the City grow with more housing and more vehicles. The City is not as large as surrounding jurisdictions and cannot afford to absorb the tax evaders who do not pay their personal property taxes. The only way residents can be assured somewhat that residents of the City are paying personal property taxes for their share of city services is by displaying the city decal. You can go to any street in the city and see vehicles everywhere with no decals. Many say they do not register their car with the city because they do not want to pay their personal property taxes. Can we afford to lose that kind of money? If they do not pay, why does the law-abiding citizen have to pay? After all these vehicles are using city services funded out of general fund by driving on city streets, streets being maintained, plowed during snow, ice, and even when we have blizzards. The General Fund provides for basic infrastructure such as police, fire, public works, social services, etc., to the city for all residents both owners and renters. If you decide not to keep decal, she would like to see a more aggressive enforcement of not having a decal on the car. The city can obtain from DMV a list of all vehicles registered in the City and the city could cross check with the city's computer system to find out who is registered, who is paying their license fee, and who is not. If you have to file a lien to get them to pay their personal property then do it.

2. Mrs. Beverly Stanley, 9218 Andrew Drive: Belmont Station: She agrees with what Ms. Watson stated in her presentation. It is hard to park in their area. They do not know where those cars really belong. We have many new developments in the area. She has cars parked in front of her door with out of state plates. People who live there should have the right to come home and have a place to park instead of having to hunt for parking space. We pay taxes but you have people who do not pay their taxes but bring in six or seven cars and park everywhere. There needs to be a way to control who is in their community and who should not be. If they do not want to pay taxes then do not move into the City.

Mayor Rishell stated there is a monthly DMV download that gives the current list of residents in Manassas Park so city can follow up on them. A lot of time the city does not know if they are a visitor or not.

Chief Evans stated they have the capability of a DMV download, which is the same one used in other jurisdictions. Vehicles registered to Manassas Park in that download would go to the Commissioner of Revenue/Treasurer office and they would receive a bill for those license fees. The city has an enforcement officer who does enforcement especially parking tickets. He goes around the city watching for cars not registered in the city. They have to prove that vehicle is housed here for 30 days. If it is housed here, the officer can write a ticket. They have 30 days to register their vehicle. The goal of the police department is to get everyone registered so they know who lives in Manassas Park. If the car is registered in Manassas Park and are on the DMV downloads, they will receive a bill. There are vehicles that do not have decals but have paid their taxes.

Chief Evans stated they write approximately 350 violations per year. The city has approximately 16,000/19,000 vehicles registered in the city. He stated that if they do not pay their personal property, Treasurer can issue a stop through DMV and they cannot re-register that vehicle until the taxes are paid.

Councilmember Carrera asked how many complaints the Commissioner of Revenue receives monthly for decals. She stated approximately 10 – 15 complaints per month for vehicles with no decals. He understands her concern if there is no sticker their office cannot determine which car should be there or not. For the DMV stop, the city has to pay the \$25 upfront.

Vice Mayor Naddoni stated if a car is registered through DMV to Manassas Park address, the Commissioner of Revenue and Treasurer keep electronically all of the records of all vehicles registered in the city. The Commissioner of Revenue reviews them. The personal property tax bills are mailed out based on DMV down loads and already includes the decal fee. We now have one sticker that stays on the vehicle once purchased. All jurisdictions in Virginia charge personal property taxes on all vehicles.

Councilmember Banks stated he understands there is over \$1 million dollars of uncollected personal property taxes. He stated this was because there was a problem with implementing Keystone into our system. We contacted a third party collection service that goes after these non-payers. That would be an issue between Treasurer and Keystone. That is a concern in light of this ordinance. Mayor Rishell stated that is a software issue and Keystone is working with city staff to correct it. Chief Evans stated they have discussed sending out letters until this issue is resolved.

Councilmember Shuemaker stated Treasurer's office does not have DMV stops or income tax interceptions and we are now in year three of Keystone not doing this. We are considering an ordinance predicated on that.

Mayor Rishell stated this ordinance is predicated on the Commissioner of the Revenue being able to have those electronic downloads which she gets. All we are addressing is removal of decals.

Close Public Hearing at 7:40 pm:

MOTION: Councilmember Shuemaker moved to close Public Hearing at 7:40pm.

SECOND: Councilmember Naddoni

VOTE: Unanimously passed

This ordinance will be placed on May 16, 2017 agenda.

5b. Public Hearing: Consideration of Effective Real Estate Tax rate for FY2017-2018:

Mayor Rishell opened the Public Hearing at 7:41pm.

There were no citizens wishing to address this Public Hearing

Close Public Hearing at 7:42 pm:

MOTION: Vice Mayor Naddoni moved to close Public Hearing at 7:43pm.

SECOND: Councilmember Carrera

VOTE: Unanimously passed

5c. Public Hearing: Summary of FY2017-2018 Budget

Copies of the budget are on the city website and available through City Clerk's office.

Mayor Rishell opened the public hearing at 7:44pm.

There were no citizens wishing to address this Public Hearing

Close Public Hearing at 7:45 pm:

MOTION: Councilmember Carrera moved to close Public Hearing at 7:45pm.

SECOND: Councilmember Machado

VOTE: Unanimously passed

This ordinance will be placed on May 16, 2017 agenda.

5d. Public Hearing: Summary of Various Taxes and Fees

Mayor Rishell opened the public hearing at 7:46pm.

The only change is that the cigarette tax will increase from \$.65 to \$.75 per pack.

There were no citizens wishing to address this Public Hearing

Close Public Hearing at 7:47 pm:

MOTION: Councilmember Carrera moved to close Public Hearing at 7:47pm.

SECOND: Councilmember Machado

VOTE: Unanimously passed

This ordinance will be placed on May 16, 2017 agenda.

6. Consent Agenda

- 6a. **Approval of Minutes: April 18 and 22, 2017**
- 6b. **BD of Equalization: John Fraber and Martha Collier recommendation to Prince William Circuit Court: June 30, 2020**
- 6c. **Community Development Authority: Appointment Haseeb Javed and Robert Anderson: December 31, 2017**
- 6d. **Ordinance 17-1700-1001 Ch. 24 City Code: Install and Operate Video-Monitoring System**

MOTION: Councilmember Carrera moved to approve Consent Agenda.

SECOND: Vice Mayor Naddoni

VOTE: Yes: Carrera, Naddoni, Banks, Cendejas, Machado, Rishell No: Shuemaker

7. UNFINISHED BUSINESS: None

8. New Business

8a. FD: Image Trend Software Licensing Agreement: Chief Dave Dixon:

Chief Dixon recognized Battalion Chief Thomas Oliver and Josh Brandon who took a lead in Image Trend. They spend a lot of time on this project to get the fire department where they are tonight. The Fire Department currently utilizes multiple systems to gather data on incidents run, training performed, and other associated activities of the department. As such creating statistical reports to evaluate and review performance associated to our standards of coverage is both difficult and time consuming. Through the various software suites that operate, it is difficult if not impossible to generate accurate reports involving the different types of responses. The report generators are antiquated and most of our reporting for inquiries and routine needs are tallied by hand. The Fire department staff spent 2-3 years researching options that would allow a single program to manage the multiple facets of our Fire Rescue Department. Considering all aspects (price, functionality, configurability, and ability to link to other programs) staff is recommending purchasing our own license of the full image Trend Elite Software Suite. The purchase of Image Trend Elite Software Suite will generate better quality-defined reports while consolidating Fire, EMS, Fire Marshal, training and activity reporting. It will significantly increase efficiency and the associated productivity of staff, decrease the frustration and inaccuracies of duplicate entries, and will run custom reports efficiently and automatically. The City will make this purchase by riding the Commonwealth of Virginia, Department of Health, Office of Emergency Medical Services, Sole source Contract with Image Trend, Inc. (Contract Number 517-16-101) Cost is \$25,037.50 and will come out of Capital Projects Fund Fire: 302-94100-2017-00-04-00, Fire House Software Upgrade.

Staff recommends that the Governing Body authorize the purchase of the Image Trend Elite Software Suite, and authorize the Acting City Manager to sign the Software Licensing Agreement.

MOTION: Vice Mayor Naddoni moved to accept recommendation of staff and authorize the purchase of the Image Trend Elite Software Suite, and authorize the Acting City Manager to sign the Software Licensing Agreement pending final review by the City Attorney.

SECOND: Councilmember Shuemaker

This is a web-based system just for the fire department and there are no limit to users. This will give the fire department the support that they previously did not have. There is an annual fee of \$10,000, which can be terminated with a 60 days' notice. This is a tested software used by Fairfax County, Warren County, Arlington County and Newport News; others will be purchasing the Image Trend. Prince William County is looking at this software when their contract is up for renewal. Chief Dixon is very confident that this software will give the department what they need but will let Governing Body know because they have the 60-day requirement. The City Attorney stated there are two areas that need to be addressed; choice of law and provisions that are not allowed under Virginia law, which the city is indemnifying them.

VOTE ROLL CALL: Unanimously passed

8b. FD: Battalion Chief Vehicle Purchase

The current Battalion Chief vehicle is 11 years old. It does not have the capacity to carry needed equipment and provide sufficient workspace for the incident command team. Their backup vehicle is a 2001 Jeep, which is not in use per the City Mechanic. The acquisition of a new command vehicle will eliminate these challenges. In addition, the current Battalion Chief vehicle will be used as a reserve vehicle when the primary unit is out of service for maintenance. The best option is a three-step process: purchase the vehicle, purchase the emergency lights and radios, and have all the equipment professionally installed by a separate vendor. The funding for all three steps (savings of \$10/12,000) will be the Virginia Department of Fire Programs Aid-to-Localities (ATL) grant. Staff recommends the purchase of a 2017, F-350, XTL, 4x4, SD, Crew Cab from Bill Knight Ford, utilizing the nationwide procurement contract between Houston-Galveston Area Council (H-GAC) and United Ford South (Bill Knight Ford). The total cost of the vehicle (\$39,325.00) and remaining equipment will be \$84,000, which has been budgeted. These capabilities will allow for a unified Command Solution for multi-jurisdictions and/or department incidents providing high quality public safety services within the City. Cost \$39,325.00 from Capital Projects Fund Fire: 302-94100-0119-00-02-00 Fire Equipment Fire-ATL Funded.

MOTION: Councilmember Carrera moved that the Governing Body authorize the purchase of a 2017 Ford F-350 Pickup Truck, (Battalion Chief vehicle), as recommended by Staff and authorize the Mayor to sign the Battalion Chief Vehicle (Purchase) agreement as prepared by the City Attorney.

SECOND: Councilmember Shuemaker

Councilmember Banks commended Chief Dixon on always finding a way to get the job done at the lowest cost. Chief Dixon stated it is a team effort. We do the best we can with what we got.

Shipping cost (\$1,295) is included in the proposal. HGAC is \$600. This vehicle will be dropped off at Battlefield Ford and total drop, ship and deliver will be \$1,895.00. This vehicle has a standard maintenance schedule, which will be followed by our mechanic.

VOTE ROLL CALL: Unanimously passed

9. Manager Report

Chief Evans stated on the proposed budget process, he would like to thank the Governing Body for their support and City Staff. The process went a little bit easier this year even though we had many challenges.

Councilmember Shuemaker stated we advertised a tax rate and a budget and did not vote to advertise this tax rate. Vice Mayor Naddoni stated in the past Governing Body has voted to advertise a tax rate. He thought the vote was a legal process because you cannot go higher than the advertised tax rate. He was given no opportunity to discuss a higher tax rate. The City Attorney stated you could not approve a tax rate higher than the advertised rate. Councilmember Shuemaker stated he sent out an e-mail and did not get a lot of follow up. We have a solid waste fund that does not pay for itself and city is subsidizing that fund. Mayor Rishell stated they are addressing that and Councilmember Shuemaker was the only one that responded to her e-mail. Governing Body will address at a future meeting.

Councilmember Shuemaker wanted to offer the option to get rid of funding, move it back into general fund, and increase the real estate tax rate by four cents. The fees for water & sewer bill would go down. You would pay the same amount just in a different place.

The whole focus is to bring businesses here and increase economic development so we take the tax burden off residential. Five year ago, the fee was approved and then citizens complained water & sewer bills were high because we added trash-recycling component to it. This fund has never balanced itself. City has always subsidized the fund. It is not doing what it legally is supposed to do in terms of being self-sufficient. We could move this to general fund and still charge a monthly trash fee. He was on council when they approved the last increase.

Vice Mayor Naddoni stated the reason we separated the trash fees from tax rate is that the business owners pay the tax rate and pay for their trash pickup. He will not support an increase in tax rate. Technically speaking the funds balances out because of the interdepartmental charge backs. They charge salary percentages against this fee. We need to see if the charge backs are reasonable. We need to see how we can even it out.

Councilmember Banks: He does not want solid waste shifted to general fund. He wants efficiency through Enterprise Fund. We try to get the best bang for our buck when dealing with vendors. He does not want to comingle Enterprise Fund with General Fund. Comingling of funds is bad accounting.

The Mayor stated when we start moving things into the General Fund and the tax rate goes up that will have dampening effect on businesses coming into the City. If we tax one we must tax all. We cannot have a bifurcated tax system.

Councilmember Carrera stated he would support this idea once we have a solution for the water system.

Mayor Rishell stated that moving solid waste into the General fund would make the city more heavily dependent upon real estate taxes. She can support a phased in approach to increase the solid waste fee but not double-digit percentage. She would be okay with a 9% increase on the solid waste fee.

10. Closed Meeting State Code of Virginia Freedom of Information Act Section 2.2-3711 of the Code of Virginia: Paragraph 29: 8:16pm:

MOTION: Councilmember Shuemaker moved that the Governing Body go into closed meeting to discuss the award of a public contract for City Manager, and the terms of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Paragraph 29 of Subsection 2.2-3711A of the Code of Virginia.

SECOND: Councilmember Cendejas

VOTE ROLL CALL: Unanimously passed

11. Return to Open Session: 9:05 pm:

MOTION: Councilmember Shuemaker

SECOND: Councilmember Naddoni

VOTE: Unanimously passed

12. Certification & Action out of Closed Meeting if Necessary

MOTION: Councilmember Shuemaker 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 as convened were heard, discussed or considered in the meeting by the public body.

SECOND: Councilmember Cendejas

VOTE ROLL CALL: Yes: Shuemaker, Carrera, Cendejas, Banks, Machado, Naddoni, Rishell

13. Adjournment: 9:07pm:

MOTION: Councilmember Shuemaker

SECOND: Councilmember Carrera

VOTE: Unanimously passed

Approved May 16, 2017