**JOINT PUBLIC HEARING**

**WARSAW TOWN COUNCIL**

**WARSAW PLANNING COMMISSION**

78 BELLE VILLE LANE

NOVEMBER 12, 2015

7PM

Mayor Mark Milstead called the Joint Public hearing to order at 7pm on November 12, 2015. He then led the Pledge of Allegiance. Town Council members present were Mayor Mark Milstead, Roger Lee, Rebecca Hubert, Randall Phelps, and Ralph Self. Planning Commission member present were Chairman Rudolph “Mac” Lowery, Faron Hamblin, Gary Palmore, Anne Barker, and Harold Donovan. Staff present were Town Manager, John Slusser, Chief Christopher Spare, Officer Miles Turner, Treasurer and Clerk, Susan M. Pemberton, and Administrative Assistant, Kate Condrey. Town Attorney William Lewis was also in attendance.

The audience was made up of Mary Beth Bryant, Larry Thorne, and Keith Peyton and Brian Belfield, both representing Rappahannock Church of Christ.

**PUBLIC HEARING- RAPPAHANNOCK CHURCH OF CHRIST**

Mr. John Slusser read the ad which was published in the newspaper describing the public hearing.

”The Warsaw Town Council and the Warsaw Planning Commission will hold a joint public hearing on Thursday, November 12, 2015 at 7PM in Council Chambers at 78 Belle Ville Lane, Warsaw. The purpose of the hearing is to consider the Conditional Use Permit of Rappahannock Church of Christ to operate a church at the former Times Square Shopping Center which is zoned C-2. The location is further identified by Plat filed in Cabinet 3, Slide 29B and by deed recorded in DB 311, Page 296.”

Mr. Slusser explained the property was bought by Rappahannock Church of Christ (RCoC) from Billy Herbert. He explained that ownership is one thing and anyone is entitled to own something, but how they use it is another thing. Depending on how the property is zoned tells the owner how they can use their property. RCoC had to complete a Conditional Use Permit because the land they bought was not zoned for a church.

Keith Peyton and Brian Belfield come to the podium to answer any questions. Mr. Peyton shows a larger floor plan of the building and explained the future expansion area would be utilized as classrooms and administrative offices once the money was acquired. Mayor Milstead asked if there was fixed seating in the auditorium. Mr. Peyton said there was not fixed seating because they wanted to be able to utilize the space for many needs. Mr. Peyton also said there would be no changes to the outside of the building at this time. The budget did not allow for updates to the exterior. It will be maintained for the time being until the budget will allow for an update. He stated the Church hope to me in its new location by October 2016.

Councilman Phelps asked if the additional space could still be rented. Town Manager Slusser explained that a church can own rental property and everything is straight with the tax part of the equation. He explained if they rented to a person who did not fit into the zoning category, they would need to obtain a CUP. The current renters are grandfathered in. Councilman Self wondered if there was enough parking. Mr. Peyton said the commuter parking lot behind the Exxon is also owned by the Church. He believes there will be enough parking, and if the question ever came up, they could add more parking in the back on property they own in the county. Town Manager Slusser said Union First Market Bank endorsed the church coming into the space. Stan Terhune, an adjacent property owner, also endorsed the church.

Planning Commission member Harold Donovan made a motion to recommend the CUP of the Rappahannock Church of Christ to the Town Council for approval with conditions.

Recommended Conditions:

Grant the Rappahannock Church of Christ a CUP for their entire property, which includes tax maps 16 & 16F, for use as a church, provided, that any other use receive a zoning permit or Conditional Use Permit as may be required by the Development Management Ordinance.

Comply with the Development Management Ordinance in all other respects, including signs, parking, and lightening.

Understand that the existing Town Ordinance requires that each unit be charged individually as such and each shall receive a separate bill for water and sewer.

Commissioner Palmore seconded the motion. The following vote was taken.

Rudolph “Mac” Lowery Aye Anne Barker Aye

Gary Palmore Aye Harold Donovan Aye

Faron Hamblin Aye

Chairman Lowery adjourned the meeting of the Warsaw Planning Commission at 7:16pm.

Councilman Phelps made a motion to approve the CUP of the Rappahannock Church of Christ with the following conditions:

Grant the Rappahannock Church of Christ a CUP for their entire property, which includes tax maps 16 & 16F, for use as a church, provided, that any other use receive a zoning permit or Conditional Use Permit as may be required by the Development Management Ordinance.

Comply with the Development Management Ordinance in all other respects, including sign, parking, and lightening.

Understand that the existing Town Ordinance requires that each unit be charged individually as such and each shall receive a separate bill for water and sewer.

Councilman Roger Lee seconded the motion. The following vote was taken.

Mark E. Milstead Aye Rebecca C. Hubert Aye

Roger R. Lee Aye Randall L. Phelps Aye

Ralph Self Aye

**MINUTES:**

Councilman Phelps made a motion to accept the October 8, 2015 minutes without addition or correction. Councilman Lee seconded the motion. The following vote was taken.

Mark E. Milstead Aye Rebecca C. Hubert Aye

Roger R. Lee Aye Randall L. Phelps Aye

Ralph Self Aye

**FINANCIALS:**

Councilman Self made a motion to accept the Financial Report for October 2015. Councilman Lee seconded the motion. The following vote was taken.

Mark E. Milstead Aye Rebecca C. Hubert Aye

Roger R. Lee Aye Randall L. Phelps Aye

Ralph Self Aye

**TOWN MANAGER REPORT:**

Mr. Slusser stated they were having some problems with Well #4. They have to have the pump pulled and that cost alone is around $4,000. David Woolard is on top of the situation and keeping Mr. Slusser up to date. Once the pump is pulled, they can evaluate the situation more and can decide what to do from there. You don’t want to put something back down the well that is not in top condition when it costs that much to pull it out. It is possible the pump was hit by a power surge. They are checking into the surge protection.

The Town Christmas Party will be held at China INN on December 15th at 6pm. The menu will be a buffet that includes seafood and many other items. The amount per person is $22 which includes gratuity. The Council gave its approval.

Security lighting is needed at the Town Office. There is not enough light in the parking lot at night. The recommendation of the Town Manager is to add more lightening. There have been some incidents at the Town Office and if there was more light, maybe we can prevent these things.

Councilman Lee made a motion to authorize the town manager to get two or three commercial streetlights at the Town Office to help with the lighting of the parking lot and surrounding area. The motion was seconded by Councilman Self. The following vote was taken.

Mark E. Milstead Aye Rebecca C. Hubert Aye

Roger R. Lee Aye Randall L. Phelps Aye

Ralph Self Aye

The Town Manager said the office has received many great compliments on the new front door.

Mr. Slusser received an email from VDOT about the grant for sidewalks on Route 360. It stated the phase one survey on existing buildings will cost $10,000 if done by VDOT. He said we could go to another company to do the survey needed to complete the sidewalk project, but the Town Manager recommends the Town stay with VDOT and just pay the extra money. Council agreed to stay with VDOT and Mr. Slusser will let them know.

Richmond County Public Schools would like to place a new sign at the entrance of the athletic fields. The Town Manager recommends the Council pass the sign.

Councilman Phelps made a motion to accept the sign request of the Richmond County Public Schools. Councilman Lee seconded the motion. The votes were as followed:

Mark E. Milstead Aye Rebecca C. Hubert Aye

Roger R. Lee Aye Randall L. Phelps Aye

Ralph Self Aye Paul Yackel Abstained

Shell gas station would like to make their sign digital. According to the ordinance, it currently has a non-conforming sign, but the Council can make exceptions. The new sign will be digital and they can change the numbers from inside. It will be the same height and width as the current sign.

Councilman Lee made a motion to accept the sign permit request of the Shell Gasoline Station. Councilman Phelps seconded the motion. The following votes were taken.

Mark E. Milstead Aye Rebecca C. Hubert Aye

Roger R. Lee Aye Randall L. Phelps Aye

Ralph Self Aye Paul Yackel Aye

Remote Area Medical is coming to the area and will be holding its clinic at the elementary school. They will be parking at the old fairgrounds and Bay Transit will transport people to and from the clinic. They will be using all of the classrooms at the school. Councilman Phelps asked about security at the event. Chief Spare assured him they had it under control and had been working with RAM to organize everything. There will be bathrooms in the parking lot for the waiting patients.

Hydrant testing has been going on and the Town Manager is working with David Woolard to fix the broken ones. The majority of them are good. There are more in Town that need to be done.

The Toys, Trucks, and Tractors Parade will take place on December 6, 2015.

There will be a reception for the retirees of the County. The Town Manager recommends that the Council send each retiree a poinsettia.

**WARSAW POLICE DEPARTMENT REPORT**

The monthly report can be found in the packet. The TRIAD flyer for the potluck luncheon is also in the packet and all are invited.

The Trunk-or-Treat had a great turnout, but the park was overrun. The amount of people that attended caused many traffic issues. There was a lack of parking for participants. There were people with small children walking between cars and it was unsafe. If WRCMSP combines with the RCoC again, they will need to find another location that is more suitable for the size of the event. Chief believes a Trunk-or-Treat is a safe way to trick or treat, but it needs to be done at another location.

Council would like to see the event held at the park again. Councilman Phelps said Food Lion was very impressed and wants to make it bigger. Councilman Self commended the Chief on his great job of handling the event and the amount of people.

Chief Spare informed Council that Miles Turner is now a full-time officer. The Department is now accepting applications for the academy position.

**NORTHERN NECK REGIONAL JAIL REPORT**

The monthly report can be found in the packet. The jail is a little low on federal prisoners and the Town needs more and the jail is trying. Mr. Slusser brought up the idea of the Town meeting with the Jail Board to try and solve some of the issues. Mr. Thorne said the jail needs more prisoners and they are trying to contact other counties to see if they want to join. The Town needs more prisoners because of the water and sewer rates. Mr. Thorne thinks the Town should first meet with the County and then move on to the Jail Board.

The Town Manager also received a letter from the President of RCC, Elizabeth Crowther, thanking the Town for donating $1,600 to the RAM free clinic. The mayor thought it was a very nice letter.

**UNFINISHED BUSINESS:**

Town Manager Vacancy-

Seven people have applied and Councilman Yackel does not think 3 are qualified for the job. He believes he has some good applicants and should interview some of them. The Town Manager would like to put the ad in the local paper to make sure they have covered the area. The Personnel Committee will get together to review the current applicants. Other members of Council are welcome. They will meet on Tuesday, November 17, 2015 at 6:00pm.

Update on Pavilion Bids-

The Town received three responses ranging from $109,300 to $127,950. Councilman Lee explained the plans of the Pavilion and all of the features the Pavilion has. He explained this would be a great feature of the Town and people will really enjoy it. He believes this is the last stage of completing the playground project. He explains there is nothing like it in the surrounding area. He feels the Brooks &Co. bid is fair and he would like Council to Vote yes and get the project moving.

Councilwoman Hubert thinks it is too much money to be put into a playground pavilion. She does not believe it is necessary and has talked to people in the community who also do not believe it is necessary. Councilman Yackel said he was one of the people who supported the Pavilion from the very beginning. He wanted it to get people out of the weather. He never imagined something so big and elegant. He wants to see families and children in the park and not crowded. He cannot support something that is over $100,000 in the small Town of Warsaw. He would like to hear from the Town citizens because they are the ones who are paying for this pavilion.

Councilman Phelps said the park has made people come to Warsaw. He wants something nice and the pavilion would be that item. The Towns finances are solid and this won’t cause some sort of tax rate. He thinks we should build the pavilion.

Councilman Self agrees with Councilman Phelps. He would like to see that Pavilion built. He thinks the town is financially sound enough to afford the pavilion. He said you have to look at what you’re getting for your money. He thinks this structure will last a long time. He would like to see the Town move forward.

Mayor Milstead explained the Town if fine on finances and it is time to move forward with the Pavilion. He understands $109,000 is a lot of money, but the Town can afford it. He believes the park has been a great investment and has brought many people into Town. Councilman Lee stated the pavilion is something you would see on a university Campus.

Councilman Phelps made a motion that the Town go with Brooks & Co. to build the pavilion for $109,300 with a 5% bid bond and 120 days to finish. Councilman Self seconded the motion. The following vote was taken.

Mark E. Milstead Aye Rebecca C. Hubert Nay

Roger R. Lee Aye Randall L. Phelps Aye

Ralph Self Aye Paul Yackel Nay

**NEW BUSINESS:**

Planning Commission Vacancies-

Mr. Slusser explained that Rudolph “Mac” Lowery and Anne Barker are coming off of the Planning Commission. Susan McFadden has also resigned. With there being many upcoming vacancies, it would be nice to have someone start right away. Johnathan English has shown interest in being on the Planning Commission. Councilman Lee stated he spent some time with Mr. English at the polls recently and he is a nice individual. He thinks he would be great on Planning Commission.

Councilman Lee made a motion to appoint Johnathan English to the Planning Commission to replace Susan McFadden. His commission will end on December 31, 2017. Councilman Phelps seconded the motion. The following vote was taken.

Mark E. Milstead Aye Rebecca C. Hubert Aye

Roger R. Lee Aye Randall L. Phelps Aye

Ralph Self Aye Paul Yackel Aye

**CLOSED SESSION:**

Councilman Yackel made a motion to convene into closed session as permitted by Virginia Code Section 2.2-3711 subsection 4 and 7 dealing with privacy of individuals and to consult with legal counsel. Councilman Phelps seconded the motion. The following vote was taken.

Mark E. Milstead Aye Rebecca C. Hubert Aye

Roger R. Lee Aye Randall L. Phelps Aye

Ralph Self Aye Paul Yackel Aye

Mayor Milstead reconvened in regular session and Council certified, by roll call vote, that, in the closed session just conducted, nothing was discussed except the matter (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be so discussed under the provisions of the Virginia Freedom of Information Act cited in the motion. The following are the roll call votes:

Mark E. Milstead Aye Rebecca C. Hubert Aye

Roger R. Lee Aye Randall L. Phelps Aye

Ralph Self Aye Paul Yackel Aye

Councilman Yackel made a motion to accept the following Land Use Permit Resolution. Councilman Lee seconded the motion. The vote was a follows:

Mark E. Milstead Aye Rebecca C. Hubert Aye

Roger R. Lee Aye Randall L. Phelps Aye

Ralph Self Aye Paul Yackel Aye

**COUNCIL COMMENTS:**

Councilman Yackel would like to see the grass at the playground seeded and aeriated to look just as nice as the new pavilion.

Submitted by:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Laura K. Condrey, Administrative Assistant