

MINUTES  
WARSAW TOWN COUNCIL  
REGULAR MEETING & PUBLIC HEARING  
JANUARY 9, 2020 – 7:00 P.M.

The regular and public hearing meeting of the Warsaw Town Council was held on Thursday, January 9, 2020 at 7:00 p.m. in Council Chambers at 78 Belle Ville Lane, Warsaw, VA. Council Members Present: Mayor Randall L. Phelps, Vice-Mayor Paul G. Yackel, Ogle E. Forrest, Sr., Jonathan B. English, Ralph W. Self, Rebecca Hubert, and Faron Hamblin. Council Members Absent: Auriel W. Diggs

Town staff present: Town Manager Joseph N. Quesenberry, Chief Joan Kent, Community Development Specialist Melissa Coates, Director of Stormwater and Wastewater Lee Ambrose, Sergeant Eddie Headley, and Treasurer and Clerk Julia Blackley-Rice. Others present: Larry and Diann Thorn, Mary Beth Bryant, Sara Carroll, Kaleb Carroll, Hannah Tiffany, William Healey, Lisa Andrews, Michelle from the Northern Neck News, and several others.

**CALL TO ORDER & PLEDGE OF ALLEGIANCE**

Mayor Phelps called the meeting to order and led in the Pledge of Allegiance at 7:00 p.m.

**APPROVAL OF CONSENT AGENDA**

After reviewing the consent agenda, Councilman Hamblin moved to approve the consent agenda as presented. The motion was seconded by Councilman English and carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Ogle F. Forrest, Sr.	Aye	Faron H. Hamblin	Aye
Rebecca Hubert	Aye	Jonathan B. English	Aye
Ralph W. Self	Aye		

**WARSAW 2<sup>ND</sup> AMENDMENT SANCTUARY RESOLUTION DISCUSSION**

Mayor Phelps reopened the discussion regarding Warsaw becoming a 2<sup>nd</sup> amendment sanctuary town. This discussion had been tabled by Council at the previous months meeting. A draft resolution had been provided to Councilmembers in their meeting packet. It is a mirror of the resolution adopted by Richmond County at their recent Board of Supervisor meeting. A copy of the proposed resolution has been attached to these minutes as Attachment 1.

Mayor Phelps opened to the floor to public comments regarding the topic of the public hearing. No one came forward to speak, therefore Mayor Phelps closed the floor to public comments. Mayor Phelps then opened the floor to Councilmembers for discussion. Councilmembers Forrest and English both spoke in favor of the resolution. Councilmember Forrest felt the resolution offered the Town an opportunity to support the County. He stated that even though the County resolution would protect the citizens of the Town as well, adopting this resolution would be a

way to say the Town supports the County and our residents. Councilman English added that while the County has adopted a resolution he believes the Town should as well since the Town does have a separate police department.

Councilman Forrest moved to adopt the resolution as presented. The motion was seconded by Councilman Hamblin and carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Ogle F. Forrest, Sr.	Aye	Faron H. Hamblin	Aye
Rebecca Hubert	Aye	Jonathan B. English	Aye
Ralph W. Self	Aye		

After the resolution vote, Mayor Phelps called for a brief intermission during the meeting. He reconvened the meeting approximately five minutes later.

**PUBLIC HEARING – 15.2-1800; Purchase, sale, use, etc., or real property – The Saddlery Building**  
Mayor Phelps opened the floor to the public for comment regarding the Town obtaining a Deed of Gift from Mr. Gregory Packett for the Saddlery building.

Mrs. Hannah Tiffany spoke in support of the Deed of Gift. She explained that this document will provide clean title for the Town as to ownership of the building. With no other comments from the public, Mayor Phelps then closed the public comment portion of the public hearing. Mayor Phelps then opened the floor to Council members for discussion. There being no further discussion, Mayor Phelps then closed the public hearing.

Councilman Forrest moved to accept the Deed of Gift from Mr. Packett and authorize the Town Manager to execute the necessary documents pertaining to the Deed of Gift. The motion was seconded by Councilman English and carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Ogle F. Forrest, Sr.	Aye	Faron H. Hamblin	Aye
Rebecca Hubert	Aye	Jonathan B. English	Aye
Ralph W. Self	Aye		

#### **PUBLIC COMMENTS**

Mayor Phelps opened the floor to public comments.

Mr. Barry Sanders spoke as a representative for his son, Drew Sanders and his wife, who reside at 140 Gordon Lane. There is concern regarding a multi-family dwelling that has been approved to be constructed in the middle of an R1 zone. Mr. Sanders is concerned about property values being devalued in the area. His research on the Traditional Town Overlay District (TT) shows that a public hearing is required. With no public hearing being held, no one was aware of the multi-family dwelling. He would like for Town Council to look into the issue.

There being no additional public comments, Mayor Phelps then closed the public comments portion of the meeting.

Mayor Phelps then opened the floor to the Town Manager to offer a response to Mr. Sanders' comments. Mr. Quesenberry responded that the TT does allow for higher density zoning in limited residential zones. The Town has been very diligent in ensuring the residence blends with its surroundings. Additionally, Mr. Quesenberry will follow-up on the process to ensure proper steps were taken.

#### MAYOR'S REPORT

Mayor Phelps deferred his report until next month.

#### TOWN MANAGER'S REPORT

The Town Manager informed Town Council that the items for his Town Manager's report would be discussed during Old and New Business. Therefore, he has deferred his monthly report until next month.

#### POLICE REPORT – Chief Joan Kent

Officer Kent reported that the Warsaw Police Department assisted the community by directing traffic for the Christmas parade and carriage rides. Also, two members of staff attended Breathalyzer School.

There were 174 calls for service in December handled by Warsaw Police Department.

#### PLANNING COMMISSION REPORT

Councilman English reported that Planning Commission did not meet.

#### WASTEWATER TREATMENT FACILITY REPORT

Lee Ambrose, the Wastewater Treatment Plant Supervisor reported the average flow from town in December was 178,200 gallons; an increase of 3,600 gallons from November's average flow of 174,600 gallons. The max flow from town in December was 209,900 gallons, an increase of 13,300 gallons from November's max flow of 196,600 gallons.

The average total phosphorus for December was 0.09 mg/l, which resulted in a monthly discharge of 3.9 lbs. For the year we discharged 77.3 lbs. which is 28.2% of our permitted 274 lbs.

The average total nitrogen for December was 2.69 mg/l. This resulted in a monthly discharge of 117.00 lbs. For the year we discharged 1,500 lbs. which is 41.0% of our permitted 3,655 lbs.

Mr. Ambrose reported all UV bulbs have been cleaned, as well as service water screens. All employees that work at the Wastewater Plant have completed the yearly required PHDOIDC. Public Works was called to The Orchard again to clean and jet out the stopped-up manhole and sewer lateral under Rte 360. Last month, Mr. Ambrose included in his report that he would be obtaining a quote to replace lights in the sludge room. He has a quote for \$2,420.00 and that

includes removing the 6 existing faulty lights and replacing with 6 LED vapor explosion proof lights and all materials are included. Mayor Phelps asked for the annual report provided by Mr. Ambrose be attached to these minutes. They are included as Attachment B.

#### **NORTHERN NECK REGIONAL JAIL REPORT**

The Total Population Breakdown report was included in Town Council's packet and the breakdown is as follows: Federal 168 (38.1%), Gloucester 113 (25.6%), Northumberland 24 (5.4%), Richmond 32 (7.3%), Westmoreland 94 (21.3%) Other 10 (2.3%) for a total of 441.

#### **COMMITTEE REPORTS**

No committees have met.

#### **OLD BUSINESS**

**Main Street Revitalization & Decorative Lighting Update:** The Town Manger reported that he and the Community Development Specialist, Mrs. Coates, met with Dominion concerning the issues with the first phase of lights along Main Street. Dominion recognized that there was an issue and assured the Town that they were going to rectify the issue concerning the lights. All easements for the second phase of acorn light installation have been signed except for one property owner that did not want to sign. This phase will continue the lights up Main Street toward Atlantic Union Bank and the new Ace Hardware location.

An extension request has been filed for the DHCD Grant which terminates at the end of this month. Currently, the Town has not received a response. The Town Manager is hopeful that the extension will be granted, especially since we are poised to begin the final phase of the project which is the stormwater drop inlet phase. The anticipated completion date for that phase is May/June. At that point, most items have been accomplished. Currently, the Town is still waiting for the crosswalks to be installed. There is a new permit required through VDOT that localities have not needed in the past.

Mayor Phelps inquired if the Town Manager could update Council about the Verizon easement and new Ace Hardware location. Mr. Quesenberry and Mrs. Coates have been working to obtain a 15ft easement from Verizon for the strip in front of their property along Main St. Initially, Verizon was concerned with losing parking and functionality with the parcel. After working with Verizon, an agreement was reached where Verizon would only lose 1 parking spot, the sidewalk will go behind the trees, and keep the flagpole. Verizon provided language for the easement that the Mayor and Town Manager are agreeable to. Once the easement is signed and recorded, Ace can then utilize the Town's easement and a drainage line will run underneath the Town's sidewalk to the drop inlet. This will help Ace with the stormwater issues.

The Bounds & Stormwater Update: The Town Manager reported for the first time the contractor, Earthcrafter’s, has a fully dedicated crew and full-time project manager on site. The intention is for the project to be completed by next month. Some of the plantings will not be completed until closer to Spring. The bond will not be released until the project is fully complete.

Stormwater Inlets Project: Mr. Quesenberry included this information with the Main Street Revitalization update.

Playground Equipment Update: The Town Manager reported that Councilman Hamblin is still working with the playground foundation in Richmond. Councilman Hamblin added that the foundation just recently opened a handicap accessible playground in the Richmond area and is still finishing up that project. Once that project settles down some, Councilman Hamblin will follow up.

**NEW BUSINESS**

Planning Commission Term to Expire – Regis Slaw: Mrs. Blackley-Rice reported that due to a paperwork error, the term of the oath for Mrs. Slaw’s Planning Commission seat was incorrect. Mrs. Slaw filled the vacancy left when Councilman English was elected to Town Council. Mrs. Slaw would be able to finish out the remaining term of Mr. English. The term should have ended December 31, 2021.

Councilman English moved to reappoint Regis Slaw to Planning Commission to finish out the correct term for her appointment. The remainder of Mrs. Slaw term is effective 1/1/2019-12/31/2021. The motion was seconded by Councilman Hamblin and carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Ogle F. Forrest, Sr.	Aye	Faron H. Hamblin	Aye
Rebecca Hubert	Aye	Jonathan B. English	Aye
Ralph W. Self	Aye		

Bay Transit Trolley Service: The Town Manager is excited to present this idea to Town Council. When Mr. Quesenberry first started in the role of Town Manager, one of the first projects was building places for people to come to Warsaw to visit. Now that there are several new businesses open and in process, Warsaw needs to move into the next phase. Now that the Town has this development, it needs to be accommodated. Mr. Quesenberry has been working with Bay Transit in developing a trolley line that runs in the summer. In speaking with Bay Transit, a smaller amount of funding than initially projected is required, and it would fit into the current operating budget. Mr. Quesenberry is developing a route to possibly include Naylor’s Beach, stops along downtown Main Street, and Menokin. The trolley would run from Memorial Day to Labor Day. The anticipated cost per season is approximately \$8,000-\$9,000. This is before any advertising offset.

**Economic Development – Announcements:** The Town Manager reported to Town Council several new businesses that are currently under construction within the Town.

- Dairy Queen: The operator is Food Masters, Inc. and they are based out of Raleigh, NC. The owner has been in contact with the Town Manager and is very community friendly. Plans to be open within 4-5 months.
- South of the Border: This Mexican restaurant will be located adjacent to the Town Park. The building is currently under construction.
- Old Rapp Tap House: Currently finalizing candidates for General Manager. This restaurant is part of the brewery complex on Main Street. The restaurant will also have an arcade component.

These three restaurants are all anticipating opening dates around April 2020.

**Enterprise Zone Extension Formalized:** The Town Manager reported the Town received a letter from the Department of Housing and Community Development that states the Town of Warsaw has been awarded a five-year renewal of the current enterprise zone. The renewal is effective January 1, 2020. Mayor Phelps recognized Senator McDougle for all his assistance with placing this renewal for passage before the General Assembly. Senator McDougle has been a great advocate for the Town.

**Schedule Work Session:** Mayor Phelps stated to Council that there is a need for a work session. Topic 1 is to brainstorm and discuss ideas regarding the town trolley idea. Topic 2 pertains to Rappahannock Outdoor Adventures. This venture establishes a parks and recreation initiative for Town of Warsaw residents and visitors. A date of Tuesday, January 21 at 6pm was set for the work session.

**Closed Session – 2.2-3711 A3 (Real Property)**

Councilman Hamblin moved to enter closed session in accordance with Section 2.2-3711A (3) Real Property of the Virginia Freedom of Information Act. The motion was seconded by Councilman Forrest and carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Ogle F. Forrest, Sr.	Aye	Faron H. Hamblin	Aye
Rebecca Hubert	Aye	Jonathan B. English	Aye
Ralph W. Self	Aye		

Councilman Forrest moved to come out of closed session and reenter regular session. The motion was seconded by Councilman Hamblin and carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Ogle F. Forrest, Sr.	Aye	Faron H. Hamblin	Aye
Rebecca Hubert	Aye	Jonathan B. English	Aye
Ralph W. Self	Aye		

Council then certified by roll call vote that they only discussed matters cited in the motion to enter closed session and legally permitted to be so discussed in the Virginia Freedom of Information Act subsections cited in the motion to enter closed session. The roll call votes are as follows.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Ogle F. Forrest, Sr.	Aye	Faron H. Hamblin	Aye
Rebecca Hubert	Aye	Jonathan B. English	Aye
Ralph W. Self	Aye		

In action out of closed session, Councilman Hamblin moved to authorize the Town Manager to accept the bid from Porch Creek Contracting, who had the lowest bid amount of \$50,441.00, for the restoration work that needs to be completed on the Saddlery Building. The motion was seconded by Councilman Self and carried with the following votes.

Randall L. Phelps	Aye	Paul G. Yackel	Aye
Ogle F. Forrest, Sr.	Aye	Faron H. Hamblin	Aye
Rebecca Hubert	Aye	Jonathan B. English	Aye
Ralph W. Self	Aye		

#### CLOSING COMMENTS

Councilman Self stated that it was a busy 2019 and it looks as if 2020 will be just as busy. He loved seeing the holiday decorations in Town and that there were so many more people in downtown Warsaw.

Councilwoman Hubert thought tonight was a great meeting. She is very appreciative of the hard work put in by town staff.

Councilman Forrest agrees with Councilwoman Hubert and Councilman Self.

Councilman Hamblin saw so many people visiting our shops along Main Street. It was great to see, especially during the holidays.

Vice-Mayor Yackel would like a reminder of work session to be sent out.

Councilman English is also very appreciative of town staff. He would for everyone to keep pushing as there is still more work to do.

Mayor Phelps stated that our Town Council comes from different backgrounds and we disagree sometimes, but we've done so much. It was a great meeting.

There being no further business Mayor Phelps adjourned the meeting at 8:25 p.m.

  
Submitted by: Julia Blackley-Rice, Clerk

