

MINUTES
WARSAW TOWN COUNCIL
PUBLIC HEARING & REGULAR MEETING
DECEMBER 8, 2022 – 6:00 P.M.

The public hearing and regular meeting of the Warsaw Town Council was held on Thursday, December 8, 2022, at 6:00 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., Ralph W. Self, Rebecca Hubert, Mary Beth Bryant, Jonathan English, and Faron Hamblin. There were no council members absent.

Town staff present: Town Manager Joseph Quesenberry, Chief of Police Trey Blake, Police Officer Thomas Morelli, and Treasurer and Clerk Julia Blackley-Rice.

Also present: Approximately 9 others present in Council Chambers.

The meeting was live streamed on the Town of Warsaw Facebook page

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Phelps called the meeting to order and led in the Pledge of Allegiance at 6:00 p.m.

APPROVAL OF CONSENT AGENDA

Vice-Mayor Yackel moved to approve the Consent Agenda as presented. The motion was seconded by Councilman Bryant and carried with the following votes.

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

PUBLIC COMMENT

Mayor Phelps opened the Public Hearing by reading the notice published in the Northern Neck News on November 23 and November 30. Town Manager, Joseph Quesenberry confirmed the notice was properly advertised. Mayor Phelps read the proposed ordinance.

Mayor Phelps opened the floor to public comments.

Trey Reynolds of 6196 Richmond Road spoke to the ordinance. He stated he has been driving trucks for 30 years. Mr. Reynolds spoke about how the Federal Government regulates how many hours he can drive in a day. When his hours are up, he must pull over on the side of the road. After 11 hours of driving, he cannot move for 10 hours. He went on to say it is not a safety issue when the trucks are properly parked. He understands through town we have different areas that have wide shoulders. The parking lots are not designed for trucks to enter and exit. They have to be able to park on the shoulder or have a big enough parking lot so they can get out. He ends his

statement by saying the truck drivers need a place they can pull over and go to the bathroom and get something to eat. He thanked the Council.

Jessica Vanlandingham stepped up to the podium to speak on the ordinance. As a business owner of tractor trailers that come through the Town quite often, she agreed with everything Mr. Reynolds said. She encourages us to extend our one hour so people can come enjoy the Town. She stated she would like to see more no commercial parking/activity signs instead of a town wide ordinance. She went on to say truck drivers are the center of the commerce and encouraged us to find alternative ways to accomplish the same mission.

There were no additional public comments, therefore Mayor Phelps closed the public comment portion of the meeting.

Mayor Phelps asked Councilman English, Ordinance Committee Chair, if they met on this topic. Councilman English stated that the committee did meet. Mayor Phelps asked Councilman English the determination of the committee was. Councilman English answered, it was the will of the committee to send it to council. Mayor Phelps asked if the committee had any concerns. Councilman English stated at the time, they did not have any concerns.

Mayor Phelps opened the floor to Town Council for discussion.

Councilmember Hubert asked what instigated the ordinance committee to take on this topic. Mayor Phelps stated that he initiated the process and thinks the town does not have a problem with trucks parking through town. He went on to state that he thinks in the commercial district, Food Lion shopping center, that there is a problem. There was a situation where we had trucks dropping trailers and they would be there for two or three days. He continued to say that he had a personal experience in the Food Lion shopping center with a tractor trailer not getting over and almost hitting him and that is what made him bring up the ordinance.

Councilman English asked if the Town could enforce on private property. Chief Blake stated that we could not and that to write a ticket they have to be on the public highway.

Councilman Self asked where the Town was having a problem. Is it a specific place in town that there is a problem or is it all throughout Town? He stated we do not have a lot of trucks going through Main Street. They are mostly using the bypass and 360. Council member Rebecca Hubert went on to ask Chief Blake if he saw any instances of the problem. Chief Blake replied that he did not see any trucks on the side of the road.

Councilman Hamblin thought about possibly amending the ordinance to encompass the Federal Regulation regarding the mandatory down time.

Town Manager Quesenberry jumped in and said the ordinance was more for public streets and rights of way. He thought it was very pertinent to think about the Federal Regulations. He further stated that the ordinance could be amended if the council wishes. The Town's attorney sent the

ordinance, and it is found across the State. The Town Manager does not see a problem with trucks parking on public streets and rights of way. He does see an issue with the visibility in the Food Lion shopping center. We could discuss this under a zoning law and adding some of the federal language. Councilman Self agreed with the Town Manager and stated we needed to regulate the dropping of the trailers a little bit better.

Councilman Forrest spoke about how he understands what truckers are dealing with as he used to drive a truck driver himself. He mentioned that Hamilton Boulevard might be a good road to use for truckers to take their breaks.

Councilmember Bryant stated that she backs the truckers 100%.

Councilman Yackel agreed with Mr. Reynolds on how it could be better to erect No Commercial Trucking/Activity signs.

Chief Blake stated that he thinks the problem with the Food Lion parking lot is that tractor trailers are taking up 15 or more parking spaces and consumers are not having anywhere to park. Truckers will drop off the trailers and they will be registered in a different state so Chief Blake cannot determine who the drivers are.

Mayor Phelps suggested the ordinance be sent back to the Ordinance Committee. The rest of the council agreed.

Mayor Phelps closed the Public Hearing.

Mayor Phelps opened the Public Comment section of the Regular Meeting.

Sara Carroll took the podium. She stated that she was super excited for Christmas Town and hoped she could stop by. She is judging Christmas lights that evening and that will take a couple of hours. She went on to say that they went from having 10 homes to judge to 22. She stated Shop Local, and Win is going well. They have given away great prizes and are featuring the member businesses. She invited the Town Council to their annual membership dinner on December 14th. They will be discussing how they are updating their membership to include sponsorships. She thanked the Town Council for their continued support.

There being no other comments, Mayor Phelps closed the Public Comment section of the Regular Meeting.

REPORTS

MAYORS REPORT: Mayor Phelps stated he was super proud of the Town employees for all they have done getting ready for Christmas Town. He went on to say that the Town looks gorgeous and in his 32 years of being here he has never seen it look better. He mentioned he had a great time at the Christmas dinner and again thanked the town employees for all their hard work.

TOWN MANAGERS REPORT: Mr. Quesenberry began his report by (1) giving an update on the DHCD Housing Project. The Town did not make the cut this year for grant funding. He asked for the score sheet back and we scored right in the middle, and Mr. Quesenberry plans to meet with the Planning District Commission and talk about revamping our application and meet with the committee to submit another application. He is hopeful we will get the money eventually. (2) Mr. Quesenberry recapped the Christmas Parade. He thanked the Warsaw Richmond County Main Street Program for putting on another successful Christmas parade, and congratulations to the Town of Warsaw for the best community float. (3) Mr. Quesenberry stated that he is excited about Christmas Town. We are closing in at around 7,000 people on Facebook saying they are either going or are interested. You can hear an ad for Christmas Town on 98.1 and 105.5. He has heard from people from all over that they will be attending. He stated that there have been a few kinks, but everything has worked out and it is going to be a very fun time. He went on to list some of the amenities that will be at Christmas Town including two horse and carriage rides, Santa, The Grinch, The Hanger, two movies, and a concert at Oyster Shoals. There will be 95 vendors and we have raised around \$24,000 for the event so the Town should not see any loss and the event will always be free to all. (4) Mrs. Blackley- Rice, Treasurer, gave an update on the Personal Property taxes. She spoke with our software company, and they have finished the conversion file, which takes all the information the County has sent us. The software company is testing it to make sure it will upload correctly into the database. Julia is hoping to have the taxes mailed out by the end of next week. Councilman English suggested we give 45 days to make January 30th the due date. The rest of the council agreed. Mr. Quesenberry wanted to add that he had some emails from residents of Tappahannock that wanted him to specifically say that they love our Christmas lights. (5) Mr. Quesenberry spoke about the MOU and asked for authorization to be able to strike the amendment.

Councilman Forrest moved to allow the Town Manager to enter negotiations and amend the Memorandum of Understanding with Dominion to strike the portion the Town added referencing the acorn lights if needed. The motion was seconded by Councilman English and carried with the following votes.

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

(6) Budget preparations will start in January like usual. Mr. Quesenberry stated he will send out the capital improvement plan request to department heads and then ask the Finance Committee to meet and review. Joseph wished everyone a Merry Christmas and he hoped to see everyone at Christmas Town.

POLICE REPORT: Chief Blake reported that the Warsaw Police Department received 225 calls for service in November. This month the police station installed Axon cameras. They have established a safe zone at the Police Department. It can be used to exchange children for family

visitation and internet sales as it is under 24-hour surveillance. Chief Blake introduced new police officer Thomas Morelli. Officer Morelli comes to us from Newport News.

COUNCIL COMMITTEE REPORTS:

Councilman Forrest would like to schedule a utility meeting in January with the heads of our Water and Wastewater departments. With budgeting coming up he thinks it would be beneficial to meet with them.

PLANNING COMMISSION: No meeting in November.

NORTHERN NECK REGIONAL JAIL REPORT: The monthly jail population report was provided in the council packet.

WASTEWATER TREATMENT FACILITY REPORT: During the plant's monthly operations and maintenance, Mr. Withers noted:

- Average flow from town for the month of November- 165,000 gallons. A decrease of 12,700 gallons from the month of October.
- Max flow for town for the month of November- 229,600 gallons. An increase of 6,100 gallons from the month of October's average flow.
- Average Total Nitrogen for November was 3.10mg/L, which resulted in a discharge 129.0 lbs. We have discharged 1,593 lbs., 44% of our permitted 3,655 lbs.
- Average Total Phosphorus for November was 0.20 mg/L, which resulted in a discharge of 8.5 lbs. We have discharged 103.3 lbs., 38% of our permitted 274 lbs.
- Plant Staff collected and had inspections and maintenance done to all town affiliated fire extinguishers.
- Plant Staff are continuing to work on sealing and painting all outdoor piping and bollards.
- The 4th quarter groundwater sampling was planned, and Plant Staff collected all samples and sent them out for testing.
- Plant Staff are in the process of changing the oil in all the air compressors and blowers at the plant.
- Ahead of dog season, repairs were made to surrounding plant fencing.
- Mr. Withers is finalizing the process with Dorsett and Verizon for the installation of new 4G compatible modems at our well locations and at the plant.
- All monthly preventative maintenance was conducted on plant pumps, motors, and equipment.

AMERICAN RESCUE PLAN ACT REPORT: Mr. Quesenberry stated that there were not many differences compared to last month. We are at the end of the calendar year and a lot of companies and folks are on vacation. For Christmas Town we are doing shifts from 2PM to 11PM instead of overtime and as a thank you the Town has the \$5,800 unallocated funds from the parking lot improvements and would like to give every full and part-time employee a one-time \$250 bonus.

Councilman English moved to reallocate the remaining balance of \$5,800.00 in the ARPA line-item Parking Lot Improvements to provide a one-time \$250.00 to all full and part time employees for their hard work on Christmas Town. The motion was seconded by Councilman Hamblin and carried with the following votes.

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

OLD BUSINESS

PROJECTS UPDATE: **The Bounds:** Mr. Quesenberry reported that the fountains have been reinstalled and are running. Mr. Quesenberry provided a copy of the remaining site work needed to complete the work at The Bounds. **74 Main Street:** Mr. Quesenberry spoke to the timeline of the Community Market and anticipates having a rendering to present at the next meeting. **VDOT Tap Project:** Joseph met with VDOT yesterday. Two landowners have decided to donate the required parcels for the right of way project and five landowners have accepted offers. There are ten offers pending. Of those ten, four have stated that they are not going to donate. Six are still considering their options. Seven landowners have been contacted but have not reached back out. Mr. Quesenberry is waiting to hear from RCC about donating. After the right of way phase is completed, it will be time to request bids for construction.

NEW BUSINESS

ORDINANCE REGULATING PARKING OF CERTAIN COMMERCIAL VEHICLES: The discussion of the ordinance was completed following the public hearing portion of the meeting.

ECONOMIC INCENTIVE PROGRAM GRANT APPLICATION: The Economic Development Committee met at 5:30 to consider a request from A Scoop of Sugar Bakery. The committee has recommended \$300 a month which is \$3,600 a year.

Councilman Hamblin moved to award A Scoop of Sugar Bakery \$300/per month or \$3,600.00 as an Economic Incentive Grant. The motion was seconded by Councilman Forrest and carried with the following votes.

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

CLOSED SESSION – 2.2-3711 A5 (Prospective Business)

Vice-Mayor Yackel moved to enter closed session in accordance with Section 2.2-3711A (5) Prospective Business. The motion was seconded by Councilman Forrest and carried with the following votes.

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

There was no action out of closed session.

Mayor Phelps stated that there are 5 or 6 entities which indicates that the Town of Warsaw is moving forward.

CLOSING COMMENTS

Councilwoman Hubert stated she is very excited about Christmas Town and is so proud of our town. She wished everyone a Merry Christmas.

Councilman Hamblin is disappointed he cannot make it to Christmas Town but that his family will be there. He knows it will be a great event and thanked the staff for putting it together.

Vice-Mayor Yackel stated he started praying when he saw the rainy forecast and was excited to see the forecast change.

Councilman Self expressed how he was overwhelmed by the support of the sponsors who are supporting the Town.

Councilwoman Bryant spoke about how wonderful the parade was last week. She is looking forward to Christmas Town and the New Year.

Councilman English thanked the people in the audience for coming. He was happy the council could work together and extend the personal property taxes. He is looking forward to the next four years on council.

Councilman Forrest stated it has been a great time and it is going to be a great Christmas Town. He wished everyone a Merry Christmas.

Mayor Phelps went on to say that he enjoys talking things through with this council. He encourages everyone to go to the chamber event. He also wished everyone a Merry Christmas.

There being no further business Mayor Phelps adjourned the meeting at 7:24 p.m.

Submitted by: Julia Blackley-Rice, Clerk