

MINUTES  
WARSAW TOWN COUNCIL  
REGULAR MEETING  
JUNE 11, 2020 – 7:00 P.M.

The regular meeting of the Warsaw Town Council was held on Thursday, June 11, 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., Ralph W. Self, and Faron Hamblin. Council Members present by phone: Rebecca Hubert. Council Members absent: Auriel Diggs and Jonathan B. English

Town staff present: Town Manager Joseph N. Quesenberry, Police Chief Joan Kent, and Treasurer and Clerk Julia Blackley-Rice. Also present during the agenda item pertaining to them were Spencer Moody with Helena Chemical and Joseph Douglas with Pete’s Towing and Storage. Due to restrictions from COVID-19 no others were present.

The Town Council meeting was live streamed through the Town of Warsaw’s Facebook page. Public comments were accepted by email, phone, or mail until 5:00 p.m. on Wednesday, June 10, 2020.

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 Self moved to approve the consent agenda as presented. 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 Hamblin	Aye
Ralph W. Self	Aye		

By Phone:

Rebecca Hubert	Aye
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PUBLIC HEARINGS

a. Helena Chemical – Conditional Use Permit Amendment:

To open the public hearing, Mayor Phelps read the public hearing notice for Helena Chemical. Mayor Phelps opened the floor to public comments received related to the Conditional Use Permit amendment. Mr. Quesenberry stated that no public comments had been received. Mayor Phelps closed the public comment portion of the public hearing. Mr. Quesenberry introduced Mr. Moody. Mr. Moody reported the intent of the amendment is to move the building from one side of the property to the other mostly to accommodate a wider truck turn radius and flow of traffic on the property. Mr. Moody was pleased to report that Helena Chemical

has had a good successful three years here in Warsaw and feels like Helena Chemical is ready to take the next step to expand. There is a strong customer base here in the Northern Neck. Mr. Quesenberry reported to Councilmembers that there were no concerns pertaining to the request from Town Staff and recommend approval. There being no further discussion, Mayor Phelps closed the public hearing for Helena Chemical. Councilman Hamblin moved to approve the Conditional Use Permit as requested. 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 Hamblin	Aye
Ralph W. Self	Aye		

By Phone:

Rebecca Hubert	Aye
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b. Electronic Summons System Ordinance:

Mayor Phelps opened the public hearing for the Electronic Summons System Ordinance. Chief Kent explained the ordinance is pertains to the new IBR system the police department is using. Instead of paper summons, the officers will be able to print the summons electronically. For every summons an officer writes through this platform, the Town will receive \$5.00 plus the fine or court award. The Town Manager stated no public comments were received pertaining to this public hearing. Mayor Phelps closed the public comment portion of the hearing. There being no further discussion, Mayor Phelps closed the public hearing. Councilman Forrest moved to adopt the ordinance as presented. 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 Hamblin	Aye
Ralph W. Self	Aye		

By Phone:

Rebecca Hubert	Aye
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#### PUBLIC COMMENT

The Town Manager reported that he had received a public comment concerning a public hearing held on June 4, 2020 but will hold them until that item is discussed later in the meeting. Other than that, no public comments had been received for the purpose of tonight's regular meeting.

#### REPORTS

Mayor's Report:

Bounds is developing quickly, pretty soon the fountain will be installed and the walking trails developed. Council will soon be looking into the feasibility and timeline of constructing a pavilion for the project. Many projects are set to come online within the next month. He is so pleased to

see that Warsaw has momentum, even during a difficult time. It's great to see, especially with what is going on around us today. Mayor Phelps stated as Mayor and as a citizen, he is proud of our local Police Department.

**Town Manager's Report:**

Porch Creek Construction will begin construction on June 15 for the Saddlery Project. The project includes the sidewalks, retaining wall, drainage, doors, and basement floor. The building will be turn-key for a potential business opportunity should one arise. The Town Manager read aloud a letter the Town received from Congressman Whitman thanking the Town for their generosity and creative thinking on meal and prescription delivery during the onset of the Covid pandemic.

**Police Report:**

Chief Kent reported the Warsaw Police Department has been contacted by the organizer of a car rally/parade for Black Lives Matter. The parade of cars will drive through Warsaw at approximately 11:30 on June 20. The rally starts in King George and will end in Tappahannock.

There were 139 calls for service in May handled by Warsaw Police Department.

**Wastewater Treatment Plant Report:**

The Town Manager reported that Mr. Ambrose was out of town and could not be here tonight, but he did say that he will provide a quarterly report at the next meeting.

**Council Committee Reports:**

No committees met.

**Planning Commission Report:**

Planning Commission and Town Council held a joint public hearing last month on a couple of items. Their recommendations will be announced as the issues come before Town Council. Town Council and Planning Commission did agree on and Town Council did vote to approve the rezoning request presented by Richmond County County Administrator, Morgan Quicke, on behalf of the Richmond County Board of Supervisors.

**Northern Neck Regional Jail Report:**

The proposed budget is included in the Town Council packet that will need to be reviewed and adopted.

**OLD BUSINESS**

**Main Street Revitalization Update:** Mr. Quesenberry reported that starting on Tuesday morning all new gateway and wayfinding signage will be installed at The Bounds, Town Park, and the corner lot at Family Dollar at the intersection of Main Street and Rte. 360. The Town has received the hanging baskets and brackets ordered for the acorn streetlights. Shawn France is planting the baskets and they should be hung soon. The stormwater line is being installed down St. Johns Street and once the installation is completed, the crosswalks can be installed.

Stormwater Project – The Bounds, St. John’s, Ace Hardware Extension: The Town Manager reported that the substantial completion review and inspection scheduled for June 15 for The Bounds project. The meeting will take place at Town Hall and will include the engineers, contractors, DEQ, along with County and Town officials. Everyone will visit the site and notate what items need to be corrected. Once these corrections are identified, the contractor will have 30 days to fix them. There are numerous items that will need to be corrected, however, they are smaller in scope. Regarding St. Johns, the contractor is moving along quickly, and the ground has stabilized. The road is no longer crumbling. The Town is in contact with VDOT as St. John’s Street was scheduled to be paved this year. In discussions, VDOT is saying that if the road is not paved within this fiscal year, which ends this month, it could be another 8 years before this road would be paved again. The Town would have to solely bear the burden of the cost to pave St. Johns St. Lastly, VDOT has been very accommodating with the ACE Hardware extension. It appears they are going to allow us to do a small amendment to the current permit to work in their right of way. Once we receive the permit, the contractor can then begin the work.

Water Line Replacement – St. Johns Street: Mr. Quesenberry reported the original quote was for \$65,780.00, which could not be correct. Town staff met with the contractor in person. After discussions, the cost for the water line decreased to \$10,900.00 and the installation is \$10,980.00 for a total project cost of \$21,880.00. This price is in negotiations, but the Town Manager feels confident that both parties will agree to the new contract price.

Economic Development Update: Mr. Quesenberry reported it’s a really exciting time for Warsaw. Many towns across America are distressed but it’s the opposite here. There are dust clouds from major construction projects and new businesses coming to town. Dairy Queen is progressing nicely. The rumor mill is churning that the anticipated opening date is July 4<sup>th</sup>, but there has been no confirmation from the owners yet. Dollar Tree is planning to open a 10,000 square foot location. Dollar Tree is planning to open in late August. There is approximately 15,000 square feet left to rent in the vacant location beside Tractor Supply and now Dollar Tree. Ace Hardware’s plumbing has been set and concrete should be poured soon. Old Rappahannock TapHouse is shooting for a July 4 weekend opening date. A good number of the restaurant’s waitstaff are Warsaw residents.

## NEW BUSINESS

CARES Act Funding – Richmond County & Town of Warsaw: Richmond County received approximately \$800,000.00 in CARES Act Funding from the state. A portion of these funds are designated for localities located within the County. Town of Warsaw will be allotted \$65,000.00 to be used for reimbursement of COVID-19 related expenses. A large portion of this funding between 250-400 thousand dollars will be dedicated to the Richmond County/Town of Warsaw COVID-19 Emergency Small Business Relief Program. The grants would have a maximum award of \$5,000.00. It is anticipated the grant will begin to be offered by the end of June. The award committee will consist of two Richmond County IDA board members, 1 Richmond County Board of Supervisor, County Administrator Morgan Quicke, 1 Town Council member, Town Manager

Joseph Quesenberry, and Warsaw/Richmond County Chamber of Commerce President Sara Carroll.

Fiscal Year 2021 Budget: Mayor Phelps inquired from councilmembers if there were any additional questions or concerns that have arisen since the budget public hearing last week. There was no further discussion. Councilman Hamblin moved to adopt the budget as presented for the fiscal year 2021. 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 Hamblin	Aye
Ralph W. Self	Aye		

By Phone:

Rebecca Hubert	Aye
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Conditional Use Permit Application – Pete’s Towing & Storage: Mayor Phelps stated that during the Joint Public Hearing the Planning Commission voted to recommend denial of the Conditional Use Permit request by Pete’s Towing & Storage. Mr. Douglas, owner of Pete’s Towing & Storage requested this time to approach Council for his reasons for the request. Since Mr. Douglas was in attendance, even though the public hearing was held last week, Mayor Phelps allowed Mr. Douglas to have the floor. Mr. Douglas spoke to Town Council about how he acquired the property in an auction. When he initially spoke with the previous Town Manager, he discussed his intent for the property and was not informed that this was not an allowable use for the property. He has spoken with Tappahannock and is currently in a site plan review with their administration. He does not want to get rid of the property, but he would have to be able to work. A church has approached him about the property, and he is in negotiations, but again, he does not want to sell the property.

After Mr. Douglas had finished speaking, Mayor Phelps thanked him for coming to tonight’s meeting and sharing his side of the story. Following this statement, Mayor Phelps turned the floor over to Councilmembers for discussion. Mayor Phelps inquired if the public hearing was advertised correctly and Mr. Quesenberry replied in the affirmative. Mr. Quesenberry alerted Councilmembers that Reggie Brann, resident of Warsaw, had submitted a comment for the public hearing stating that he was against the proposed conditional use permit request for Pete’s Towing & Storage. His comment was received prior to the joint public hearing meeting on June 4. Councilman Forrest inquired as to how many cars were on the lot. Mr. Quesenberry responded that at one-point Chief Kent counted 88 inoperable cars on the site. The number of cars is what prompted the Town to begin action. When asked why there was a need for the conditional use permit, Mrs. Coates stated the parcel is zoned C-1. A C-1 zoning does not permit towing & storage, since it is not permitted it is prohibited. A conditional use permit can not be issued for this purpose. Currently, any operations that Mr. Douglas conducted on the parcel are not permitted per the Town’s zoning ordinance. However, a service and repair shop is permitted in a C-1 zoning district with a conditional use permit. If this conditional use permit is approved,

it would only apply to the service and repair shop purpose. At the start, Mr. Douglas did receive a business license, but Mrs. Coates has contacted him numerous times over the past 18 months. She informed Mr. Douglas what was permitted on the property and sent him the applicable forms to bring the operation in line with the zoning. Over a year later, Mr. Douglas is just now bringing it to Council. Councilman Self stressed that he would like to see Mr. Douglas come back to Council with a conditional use permit request once he has removed the inoperable cars and the auto repair business has started.

Councilman Self moved to deny the Conditional Use Permit request for Pete’s Towing & Storage. 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 Hamblin	Aye
Ralph W. Self	Aye		

By Phone:

Rebecca Hubert	Aye
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Office Construction and Deferred Opening – COVID-19: Mr. Quesenberry requested direction from Town Council in concerns to remodeling of facilities due to COVID-19 concerns. There is funding available through the CARES Act. Local governments like Richmond County have installed glass partitions with a pass-through underneath. Mr. Quesenberry is in the process of obtaining a quote from a contractor for the partitions to be installed. Council decided that until the partitions are installed the Town Office would move forward with re-opening on June 15 but on a limited basis. The office will be open to the public by appointment only and the proper signage will be posted.

Northern Neck Regional Jail Budget Review and Adoption: Mayor Phelps stated as a member locality of the Northern Neck Regional Jail the Town must review and formally adopt the budget presented by the Northern Neck Regional Jail Board. Councilman Hamblin moved to adopt the proposed budget for the Northern Neck Regional Jail as presented. 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 Hamblin	Aye
Ralph W. Self	Aye		

By Phone:

Rebecca Hubert	Aye
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Closed Session – 2.2-3711 A3 (Real Property)

Vice-Mayor Yackel 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 Hamblin	Aye
Ralph W. Self	Aye		

By Phone:

Rebecca Hubert	Aye
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Vice-Mayor Yackel moved to come out of closed session and reenter regular session. 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 Hamblin	Aye
Ralph W. Self	Aye		

By Phone:

Rebecca Hubert	Aye
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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 Hamblin	Aye
Ralph W. Self	Aye		

By Phone:

Rebecca Hubert	Aye
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#### CLOSING COMMENTS

Councilwoman Hubert asked when the hanging baskets would be installed? Mr. Quesenberry replied they should be completed by next week. They will need to be watered frequently.

Councilman Hamblin is looking forward to Dairy Queen opening. He is thrilled that so many great businesses are getting ready to open in town.

Councilman Self said its been a rough three and one-half months and things are not going as fast as he wants, but maybe a slower pace is the best pace. If we can take our time, get the reopenings right, and keep the residents involved we will weather this crisis okay. Summer is looking good in Warsaw.

Councilman Forrest agreed with Councilmen Hamblin and Self. He believes we have found a way to move forward.

Vice-Mayor Yackel thanked Joseph and staff for their ingenuity and great ideas. He loves the idea of placing a selfie destination on the side of the garage.

There being no further business Mayor Phelps adjourned the meeting at 8:27 p.m.

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Submitted by: Julia Blackley-Rice, Clerk