**WARSAW TOWN COUNCIL**

**PUBLIC HEARING**

**COUNCIL CHAMBERS – 78 BELLE VILLE LANE**

**JUNE 11, 2015 – 7:00 P. M.**

Mayor Milstead called the Warsaw Town Council to order in Council Chambers at 78 Belle Ville Lane. Council Members present were Mayor Mark E. Milstead, Vice- Mayor Paul G. Yackel, Ralph W. Self, Rebecca C. Hubert, Roger R. Lee, Randall L. Phelps and Ogle E. Forrest, Sr.

Staff present was John M. Slusser, Town Manager, Chief of Police Christopher J. Spare, Officer Danny Maupin, Jr. and Susan M. Pemberton Treasurer and Clerk of Council.

Others present were Greg Gruner, Rusty Brown, Stan Terhune, Larry Thorn and Roy Rogers.

**Public Hearing- Budget FY2016**

Mayor Milstead opened the public hearing asking if there were any questions or comments. John M. Slusser, Town Manager stated that Roy Rogers had questioned him on Connection/Availability Fees for the sub-division that he is developing.

**Comments From Public**

Roy Rogers then stated to council that he would like to be exempt from the increase on the New Connection/Availability Fees that will increase with the new Budget for 2016.

Mayor Milstead closed the public hearing.

Chairman of the Utilities Committee, Ogle E. Forrest, Sr. then recommended on those applicants that have plans of development or CUP requests pending before Council be given one year from the date of their CUP or Plan of Development approval, whichever is the longer to pay the availability fees at the rate that exists at June 30,2015.

For those who may have subdivision development pending, they will have one year from the date of the release of their subdivision completion/performance bonds to make application for their zoning and building permits within they may pay the availability fees at the rate that exists June 30, 2015. On the first anniversary of the release date of the completion bonds, the availability rate will change to that which is currently in effect at that time.

Failure to complete the subdivision construction resulting in a calling of the bonds will automatically invalidate any extension that may have otherwise been agreed to.

Availability fees will only be accepted with zoning permit applications and applications for utility service incident to building permit issuance by the County.

Councilman Forrest made a motion for the recommendation that those applicants that have plans of development or CUP requests pending (see above details) pay the Connection/Availability Fees rate that exists June 30, 1015. Councilman Self seconded the motion. The following vote was taken.

Mark E. Milstead Aye Paul G. Yackel Aye

Rebecca C. Hubert Aye Roger R. Lee Aye

Randall L. Phelps Nay Ralph W. Self Aye

Ogle E. Forrest, Sr. Aye

 **Approval of Minutes – May 14, 2015**

 Councilman Phelps moved that Council accept the minutes of May 14, 2015 meeting. Councilman Lee seconded the motion. The following vote was taken.

Mark E. Milstead Aye Paul G. Yackel Aye

Rebecca C. Hubert Aye Roger R. Lee Aye

Randall L. Phelps Aye Ralph W. Self Aye

Ogle E. Forrest, Sr. Aye

**Financial Report – May 2015**

Councilman Phelps moved that Council accept May 2015 Financial Report without addition or correction. Councilwoman Hubert seconded the motion. The following vote was taken.

Mark E. Milstead Aye Paul G. Yackel Aye

Rebecca C. Hubert Aye Roger R. Lee Aye

Randall L. Phelps Aye Ralph W. Self Aye

Ogle E. Forrest, Sr. Aye

**Manager’s Report**

John M. Slusser, Town Manager stated that the Town of Warsaw had received $45,326.31 to date on timber thinning at Strawberry Hill /WWTP. The Family Dollar should be opening the early part of July. Northern Neck Electric Coop ground breaking ceremony was held on June 4, 2015. There is a pending sale of the Source Mall to Rappahannock Church of Christ and they have no intent to have church services there until they get a CUP.

**Police Report**

Chief Spare said the monthly report was in the packet and he would be glad to answer any questions. There will be a Health and Safety Fair held June 26, 2015 at the Northern Neck Technical Center.

Mayor Mark E. Milstead then presented a plaque with a Resolution of Appreciation to Chief Christopher J. Spare for he is retiring from the Town of Warsaw as of June 30, 2015.

Councilman Self moved to have a copy in the minutes of the June 11, 2015 meeting of the Warsaw Town Council. Councilman Forrest seconded the motion. The following vote was taken.

Mark E. Milstead Aye Paul G. Yackel Aye

Rebecca C. Hubert Aye Roger R. Lee Aye

Randall L. Phelps Aye Ralph W. Self Aye

Ogle E. Forrest, Sr. Aye

**RESOLUTION OF APPRECIATION**

**BE IT RESOLVED**, that we, the members of the Warsaw Town Council, do hereby express to **CHRISTOPHER J. SPARE** our sincere appreciation and gratitude for his years of dedicated service as the Chief of Police to the Town of Warsaw, Virginia and wish him many years of personal happiness in his retirement.

During his employment with the Town of Warsaw, Chief Spare has maintained the highest standards of personal integrity and professional conduct. His dedication and skills have enhanced and maintained the image and reputation of the Warsaw Police Department. The Town of Warsaw is grateful for his service and commitment.

The Warsaw Town Council extends it warmest regards and appreciation to Chief Spare on his retirement.

**BE IT FURTHER RESOLVED**, that a copy of this resolution be given to **CHRISTOPHER J. SPARE**, and a copy be made a part of the minutes of the June 11, 2015 meeting of the Warsaw Town Council.

 By unanimous vote of Warsaw Town Council

**Northern Neck Regional Jail Report**

J. Lawrence Thorn reported the Northern Neck Regional Jail Board held their monthly meeting Wednesday, June 3, 2015. The population for this month was approximately 313. They are working with other jurisdictions for prisoners to come to NNRJ.

**Planning Commission Report**

John M. Slusser, Town Manager stated that it was a short meeting that there was nothing to act upon.

**Unfinished Business**

**BIG – Business Improvement Grant**

Sandra Pierson owner of The Klothz Patch had applied for the Business Improvement Grant for FY2015. John M. Slusser, Town Manager stated that the applicant had furnished receipts and bills and pictures that supported her claim. He recommended to Council to approve a matching BIG funding in the maximum amount of $1,000.

Councilman Phelps moved to issue a check in the amount of $1,000.00 for the Business Improvement Grant to Sandra Pierson for The Klothz Patch. Councilman

Lee seconded the motion. The following vote was taken.

Mark E. Milstead Aye Paul G. Yackel Aye

Rebecca C. Hubert Aye Roger R. Lee Aye

Randall L. Phelps Aye Ralph W. Self Aye

Ogle E. Forrest, Sr. Aye

**New Business**

**Budget Approval FY2016**

Councilman Forrest moved to pass the Budget FY2016 with the conditions on pending developments or CUP be given one year from the date of their CUP or Plan of Development approval, whichever is the longer to pay the availability fees at the rate that exists June 30, 2015. For those who may have subdivision development pending, they will have one year from the date of the release of their subdivision completion/performance bonds to make application for their zoning and building permits within which may pay the availability fees at the rate that exists June 30, 2015. On the first anniversary of the release date of the completion bonds, the availability rate will change to that which is currently in effect at that time. Failure to complete the subdivision construction resulting in a calling of the bonds will automatically invalidate any extension that may have otherwise been agreed to. Availability fees will only be accepted with zoning permit applications and applications for utility service incident to building permit issuance by the County.

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

Mark E. Milstead Aye Paul G. Yackel Aye

Rebecca C. Hubert Aye Roger R. Lee Aye

Randall L. Phelps Nay Ralph W. Self Aye

Ogle E. Forrest, Sr. Aye

 **New Business**

**Sign Requests – Union Bank**

Rusty Brown with Union Bank asked the Council for a variance on the height of the sign which is the same size as the one to be replaced and it will display the time and temperature.

Union Bank has requested a sign permit to construct a replacement sign for their existing sign which will have to be removed as a result of the VDOT upgrades tothe intersection of Main Street and US360.

The replacement sign is roughly the same dimensions and achieves the same purpose.

However, the sign is in Zoning District C-1 to six feet and further limits the area. The DMO allows Council to deviate from Exhibit 18(see below) without public hearing. Usually, this is for cause. In this case, it is on a highway, where speed limits are higher and traffic heavier than that which is usually found in the Downtown Pedestrian Zoning District.

John M. Slusser, Town Manager recommended approval of the sign under the authority granted Council in the DMO Section 4-6-7b(7).

EXHIBIT 18

FREE STANDING SIGNS

Commercial Residential &

 Roadside Commercial Pedestrian

Height (feet) 14 6

Area (sq. ft.)

 Pole Mounted \* 64 20

 Prestige Ground 96 36

\*On Corner lots where due to site triangle restrictions, prestige signs are not practical, the town manager may approve pole signs up to 80 square feet in area.

Councilman Forrest made a motion to approve the sign request by Union Bank. Councilman Lee seconded the motion. The following vote was taken.

Mark E. Milstead Aye Paul G. Yackel Aye

Rebecca C. Hubert Aye Roger R. Lee Aye

Randall L. Phelps Aye Ralph W. Self Aye

Ogle E. Forrest, Sr. Aye

**New Business**

**Sign Requests – Warsaw Handy Store**

Stan Terhune owner of the Warsaw Handy Store stated that they had been in business for 45 years + and they are rebranding to Citgo and asked the Council for a variance for the height of the sign which is the same height as the sign that is already there and less square footage.

The Warsaw Handy Store, located at the intersection of US360 and Virginia State Route 3, has requested that they be allowed by Council to deviate from Exhibit 18 of the DMO to allow them to erect a replacement sign for their current 20+ foot sign.

Currently, they are limited by ordinance to a 14 foot sign. However, I recommend an exception to the ordinance as provided for by the ordinance in Section 4-6-7b(7). The reasons for the recommendation are as follows:

* The exceptional width of the intersection. This is probably the widest intersection in town with two four lane highways (and turn lanes). I think that there is a legitimate need for a higher sign in order to achieve reasonable visibility.
* The proposed sign is slightly lower than the existing sign which has never presented any problems.
* Density is not an issue; the proposed sign will not obstruct other businesses.

Councilman Lee made a motion to approve the sign request by Warsaw Handy Store. Councilman Forrest seconded the motion. The following vote was taken.

Mark E. Milstead Aye Paul G. Yackel Aye

Rebecca C. Hubert Aye Roger R. Lee Aye

Randall L. Phelps Aye Ralph W. Self Aye

Ogle E. Forrest, Sr. Aye

**New Business**

**Dominion Pole Relocation**

Dominion wants to get started and VDOT wants them to also. John M. Slusser, Town Manager asked the council to endorse the plan to put the poles within the existing VDOT easement. The sidewalks will be outside of the VDOT easement and the conflict with pedestrian traffic will be removed.

Councilman Phelps made a motion to endorse Dominion to put the poles within the existing VDOT easement. Councilman Self seconded the motion. The following vote was taken.

Mark E. Milstead Aye Paul G. Yackel Aye

Rebecca C. Hubert Aye Roger R. Lee Aye

Randall L. Phelps Aye Ralph W. Self Aye

Ogle E. Forrest, Sr. Aye

**New Business**

**Waterline Relocation – US 360**

John M. Slusser stated that the waterline relocation was already in the Budget for FY2016 and we will be moving ahead on this project.

William L. Lewis Town Attorney arrived to meeting and joined the closed session.

**Closed Session /Personnel Matter**

Councilman Yackel made the motion to convene into closed session as permitted by Virginia Code Section 2.2-3711(A)(1) to discuss personnel matters. Councilman Self seconded the motion and it was carried with the following vote.

Mark E. Milstead Aye Paul G. Yackel Aye

Rebecca C. Hubert Aye Roger R. Lee Aye

Randall L. Phelps Aye Ralph W. Self Aye

Ogle E. Forrest, Sr. Aye

Mayor Milstead reconvened in regular session and Council certified, by roll call vote, that, in the closed session just concluded, nothing was discussed except the matters(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 that motion. The following are the roll call votes:

Mark E. Milstead Aye Paul G. Yackel Aye

Rebecca C. Hubert Aye Roger R. Lee Aye

Randall L. Phelps Aye Ralph W. Self Aye

Ogle E. Forrest, Sr. Aye

Paul G. Yackel, Vice Mayor made a motion to appoint Officer Charles P. Bowles, IV to act as the Chief of Police upon the retirement of Chief Christopher J. Spare at June 30, 2015until a permanent appointment is made. Councilman Lee seconded the motion. The following vote was taken.

Mark E. Milstead Aye Paul G. Yackel Aye

Rebecca C. Hubert Aye Roger R. Lee Aye

Randall L. Phelps Aye Ralph W. Self Aye

Ogle E. Forrest, Sr. Aye

**Council Comments**

Councilman Self stated for everyone to be safe that he had been grilling and burned his arm and the side of his face. Have fun and enjoy the summer.

Councilman Lee stated that the Family Dollar was looking great and things are looking great in town and it seems to keep moving along.

Councilman Yackel questioned a letter that he had just received and John M. Slusser stated that he would talk to him privately about the unique situation.

**Adjournment**

There being no further business, the meeting was adjourned by Mayor Milstead.

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Susan M. Pemberton, Clerk of Council