

MINUTES  
WARSAW TOWN COUNCIL  
REGULAR MEETING  
DECEMBER 13, 2018 – 7:00 P.M.

The regular meeting of Warsaw Town Council was held Thursday, December 13, 2018 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, Jonathan B. English, Ralph W. Self, Ogle E. Forrest, Sr., Rebecca Hubert, Faron Hamblin, and Auriel Walker. No Council members were absent.

Town staff present was Town Manager Joseph N. Quesenberry, Police Chief Joan N. Kent, Director of Economic Development Lee H. Capps, and Treasurer and Clerk Julia Blackley-Rice. Others present were Mary Beth Bryant, Gary Palmore, Larry Thorn, Dianne Thorn, and Larry Bullis.

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor Phelps called the meeting to order and led in the Pledge of Allegiance at 7:02 p.m.

APPROVAL OF CONSENT AGENDA

Councilman Hamblin moved to amend the consent agenda by adding under the Closed Session item Personnel (Section 2.2-3711 A1) and approve the consent agenda, consisting of the agenda, minutes, and financial report, as amended. The motion was seconded by Councilman Forrest and carried with the following votes.

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

PUBLIC HEARING – Conditional Use Permit: 7-11 to have 24 Hour Operations, Parcel 16A4A(7)5  
Mayor Phelps opened the Public Hearing and read the following ad as advertised in the Northern Neck News, November 21, 2018 and November 28, 2018.

NOTICE OF PUBLIC HEARING

The Warsaw Town Council will be holding a Public Hearing during our regularly scheduled December 13<sup>th</sup> meeting at 7:00 PM in the Warsaw Town Council Chambers, located at 78 Belle Ville Lane, Warsaw, Virginia.

The Public Hearing will be to discuss, review and take action on the Conditional Use Permit request by Larry Bullis representing 7-Eleven Inc. for an extension of the 7-Eleven existing 18 operating hours a day to the option of 24 operating hours daily. The property is located in a C-2 Zone which permits 24 hours a day operation with an approved Conditional Use Permit.

Questions may be directed to Joseph Quesenberry, Town Manager or members of the Planning Staff between 8 a.m. and 5 p.m. Monday through Friday (804) 333-3737 or email at [jquesenberry@town.warsaw.va.us](mailto:jquesenberry@town.warsaw.va.us). All interested parties will be heard at the hearing. Written statements may be sent to Town of Warsaw, P.O. Box 730, Warsaw, Virginia 22572 and will be presented at the hearing. Furthermore, provision for compliance with ADA (American Disability Act) and Civil Rights Act are adhered.

Sincerely,  
Joseph N. Quesenberry, Town Manager

Mayor Phelps opened the floor for public comments. Mr. Thorn spoke against the Conditional Use Permit (CUP) for 24-hour operations. He cited the impact on the Town's police department as his reasoning. He suggested that if the CUP was approved that maybe it would be possible to review the permit after three or six months. Mr. Bullis with 7-Eleven spoke that he has approximately 650 stores in his management area. In response to security issues there have been changes to in-store security measures and it has reduced issues in store. There being no additional comments from the public, Mayor Phelps closed the floor to public comments. Mayor Phelps then opened the floor for Council and staff discussion. Councilman English informed Council that the Planning Commission voted unanimously to recommend that Council grant the CUP. Vice-Mayor Yackel discussed his views from citizens and overall, they seem to be in favor. Councilwoman Hubert agreed and differed to Chief Kent for her thoughts. Chief Kent commented that initially she had serious concerns with 24-hour operations. Upon learning that Mr. Bullis is involved in the management of this area's franchises and being that he is former law enforcement she is confident that if there is an issue he will work with the Town. Additionally, she spoke with the Richmond County Sheriff and he is very receptive to the idea. Chief Kent suggested that maybe this permit could be on a trial basis. Mayor Phelps added that the nature of a Conditional Use Permit is that it is temporary and can be revoked if needed. Councilman Forrest reiterated that this location is established, and the Town must start somewhere. Vice-Mayor Yackel inquired to Mr. Bullis regarding alcohol sales and if it is cut off during the night. Mr. Bullis responded that it is a state law and all alcohol sales are cut off at midnight and cannot resume until 6 a.m. the following morning. Councilman Self followed up with what steps does 7-Eleven take to stop the sales. Mr. Bullis answered that the stores have cases that lock at midnight. There being no further discussion, Mayor Phelps closed the public hearing.

Vice-Mayor Yackel moved to approve the Conditional Use Permit with the condition that 7-Eleven work to maintain safety and welfare of individuals. The motion was seconded by Councilman Forrest and carried with the following votes.

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

PUBLIC HEARING – Purchase, sale, use, etc, of real property – Parcel 16A4-A-52 Sect. 15.2-1800  
Mayor Phelps opened the Public Hearing and read the following ad as advertised in the Northern Neck News, November 28, 2018 and December 5, 2018.

#### NOTICE OF PUBLIC HEARING

The Warsaw Town Council will conduct a public hearing for an Acquisition of Land of Tax Map Parcel 16A4(A)52, further located at the intersection of Wallace Street and Court Circle Drive, commercially known as a portion of Warsaw Limited Partnership. The public hearing will be held on Thursday, December 13, 2018 at the Warsaw Town Hall located at 78 Belle Ville Lane, Warsaw, VA at 7:00 p.m. The Town of Warsaw is requesting public comments concerning the acquisition of the aforementioned parcel.

Questions and review of public documents are to be directed to Joseph Quesenberry, Town Manager, at [jquesenberry@town.warsaw.va.us](mailto:jquesenberry@town.warsaw.va.us), or the Planning staff by visiting Town Hall or calling (804) 333-3737.

Mayor Phelps opened the floor for public comments. There were no comments from the public. Mayor Phelps then opened the floor for Council and staff discussion. Mr. Quesenberry spoke to the explanation of purpose for the public hearing. This parcel is a 50ft strip of land adjacent to the Gannon complex along Wallace Street. It was initially thought to be a part of VDOT right of way. The Town did try to acquire this parcel when it went to auction, however, the Town was not able to purchase. The entity that did purchase this strip is the same entity that is proposing a minor subdivision on Wallace Street of three new homes. Math Model Inc is working with John Hutt to put together this \$1,000.00 purchase price for 0.64 acres along Wallace Street at the Gannon property. There being no further discussion, Mayor Phelps closed the public hearing.

Councilman Forrest moved to purchase the 0.64 acres strip of land along Wallace Street at the Gannon property for \$1,000.00 and to authorize the Town Manager to sign the real estate purchase contract. The motion was seconded by Councilman Hamblin and carried with the following votes.

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

#### PUBLIC COMMENTS

Mr. Thorn spoke to Council regarding the line breakages on Meadowbrook Road. There have been four in less than twelve months. The lines were installed in 1940s. Mr. Thorn would like to see these lines replaced. This matter was deferred to the Utilities committee.

#### MAYOR'S REPORT

Mayor Phelps commended Janice Garland on the unique Christmas ornament she created to capture history lying within the Town limits of Warsaw. The pen and ink drawings of the Chinn

House, Jones Home, Saddlery building, and Clerk’s Office are exquisite. Mayor Phelps proclaimed this ornament as the official 2018 Town of Warsaw Christmas ornament. Mayor Phelps then read a Resolution establishing a yearly Christmas ornament tradition. The resolution in its entirety is attached to these minutes.

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

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

#### TOWN MANAGER’S REPORT

The Town Manager began his report by thanking all who supported the horse and carriage rides. There were over 450 riders. The ride offered a 20 minute loop from the Park down Main Street, onto Hamilton, and back around to the park. The Christmas parade was the following Saturday and Chief Kent did a wonderful job on the Town float. The annual Christmas dinner was held on 12/11/18. There were approximately 50 Councilmembers, staff, and friends of the Town in attendance. Currently, there is one open job left to be filled within the Wastewater department. The Public Works department has been tasked with creating an inventory list. All of our equipment is between 20-40 years old. The Town Manager informed Council that the Town has not received any bids at this time for the Trash Hauling RFP.

#### POLICE REPORT – Chief Joan N. Kent

Chief Kent reported was a meeting held with the Community Services Board regarding issues our department was having with their employees. The Warsaw Police Department assisted with numerous activities in town for Christmas including, assisting with the Christmas float, decorating the Town for Christmas, and directing traffic for the parade and carriage rides. Chief Kent met with the County Sheriff’s office regarding the new radio system. The radios will be ordered next week. The County is hoping to complete the transition by March. There was a Police Department Building Committee meeting and the project should move forward after the beginning of the year.

There were 147 calls for service in November handled by Warsaw Police Department.

#### PLANNING COMMISSION REPORT

Councilman/Commissioner English reported the Planning Commission assigned a committee to revise the Comprehensive Plan. The last plan is dated 2013. Councilman English noted that Mr. Jesse Clark was in attendance of the Planning Commission meeting and he was highly supportive of the Town. Mr. Clark had suggested to the Planning Commission that a review or modification of definitions was in order for trailer, doublewide, modular, and stickbuilt house. He inquired if the Town needed to define if a new house is built on a corner lot if it needed to face the primary road or secondary road. Finally, he spoke about defining what constitutes a foundation.

## WASTEWATER TREATMENT FACILITY REPORT

The Town Manager reported that this report would be deferred until next month.

## NORTHERN NECK REGIONAL JAIL REPORT

Larry Thorn presented the Total Population Breakdown as follows: Federal 154 (37.9%), Gloucester 122 (30.0%), Northumberland 31 (7.6%), Richmond 36 (8.9%), Westmoreland 57 (14.0%) Other 6 (1.5%) for a total of 406.

Mr. Thorn added that the jail is budgeted to house 163 Federal inmates and most of the time that number is surpassed. The total population fluctuates frequently. Mr. Thorn commented that we need to get the spare meter that went bad at the jail repaired so the jail can have a spare meter available if needed.

## ECONOMIC DEVELOPMENT REPORT

Mr. Capps welcomed new member Sara Carroll to the committee. The next meeting was moved to January 2, 2019 to avoid the holiday. The purchase of the Jenkins block should be completed by end of month or early January. Levi's building is projected to change ownership on 12/29/18. Mid-Towne project is advancing with design elements and the developer is still pursuing a retail element for front portion of development. The Planning Commission is very energetic with the Comprehensive Plan Revision.

## COMMITTEE REPORTS

No other committees have met.

## OLD BUSINESS

Timber Harvesting: The Town Manager reported that the bids the Town received were higher than anticipated. To date the Town has netted \$246,461.58 in Timber Harvest sales.

Stormwater Project Update: The Town Manager reported that he spoke with the engineers recently. They have made some amendments to the plan but overall it is representative to what Council wanted to see from the project. There is one final submission to DEQ and the project should be able to go to bid in January. The Town Manager also informed Council that the Town was awarded an additional \$200,000.00 from the National Fish and Wildlife Foundation. Warsaw was one of forty-nine localities across four different states and the District of Columbia to receive funds. Our award amount was the highest of the localities.

Main Street Revitalization: The Town Manager and the Planning District Commission met with the vendor. The vendor has worked with the Town before with the playground equipment. Currently, working with Dominion to finalize necessary easements for the new lights and now the Town Manager needs to work on the easements for the new sidewalks. Mr. Packett is working on the former Amisha's building re-design. Relish, the former Amisha's building, and Brewery should all be under construction around the same time in the next few months.

VDOT TAP Grant Update: The next meeting with VDOT is December 19. The Town has received word from the Planning District Commission that it will join with the Town to get the project back on track. This project has encountered some issues along the way and the Town Manager is hoping that a regional presence will bring a new element to the table.

Police Station Update: The Police Station committee presented a formal recommendation for renovations needed to the new Police Station. The formal recommendation is attached to the minutes. It was projected that the grand opening would be in the spring. Councilman Self moved to approve the formal recommendation for the Police Station as presented. The motion was seconded by Councilman Forrest and carried with the following votes.

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

#### NEW BUSINESS

##### B.I.G. (Business Improvement Grant) Applications – Former Amisha’s Property:

The Town Manager reported that he is in receipt of a BIG application for the development of the former Amisha’s building. The project will redo approximately 90% of the exterior along with several new amenities. There will be a back-patio area for outdoor dining. Mr. Packett is requesting \$2,500.00 for façade improvements to the building. Councilman Forrest moved to approve the application request in the amount of \$2,500.00. The motion was seconded by Councilman Hamblin and carried with the following votes.

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

##### Economic Incentive Grant Amendment:

The Town Manger proposed a change in the wording of the Economic Incentive Grant regarding to the first-year rent. The premise of the program is to subsidize rent for a new business. There are a lot of interested parties, but with the cap of \$600.00 per month for the first year, many property owners do not want to lock in at that monthly rental amount. The Town Manager is proposing Council amend the Economic Incentive Grant to provide up to \$600.00 per month in rent assistance. With this amendment, if a property owner wants to charge \$1200.00 per month in rent, the Town would provide the \$600.00 in assistance for the first year and the tenant would provide the remaining \$600.00. Councilman Hamblin moved to adopt the amendment to the Economic Incentive Grant as presented. The motion was seconded by Councilman English and carried with the following votes.

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

Southern Software:

The Treasurer reported that for some time the Town has been inquiring with different vendors regarding an update to the current database system. Currently, the Town uses Southern Software’s Citipak program. That program is DOS based and is no longer being updated by the vendor. After reviewing several options, the Town is going to update to Southern Software’s FMS database system which will be windows based. \$30,000.00 was budgeted for a new database platform, but this will cost approximately \$10,000.00. Mayor Phelps asked we take full advantage of their support and if possible, obtain copies of their manuals for training opportunities.

Economic Development Offer – Tax Deferment, China Inn Expansion

The Town Manager presented a request from China Inn to waive the difference between the assessed value before expansion to their current assessed value for a total of five (5) years. This would be a savings of approximately \$260.28 per year for a total of \$1,301.40 over five (5) years. Vice-Mayor Yackel moved to approve the request as presented. The motion was seconded by Councilman Self and carried with the following votes.

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

Finance Committee – Fee Schedule Restructuring

The Town Manager would like to schedule a finance committee meeting to discuss the current fee schedule for the Town of Warsaw.

CLOSED SESSION – 2.2-3711 A1(Personnel) A3 (Real Property) and A5(Prospective Business)

Vice-Mayor Yackel moved enter closed session in accordance with Section 2.2-3711A (1) Personnel, (3) Real Property, and (5) Prospective Business of the Virginia Freedom of Information Act. The motion was seconded, by Councilman Hamblin and carried with the following votes.

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

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

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

Prior to Closing Comments, Councilman Forrest stated he would like another Police Committee meeting set up. Additionally, he would like an Ordinance meeting also called to begin criteria definitions.

#### CLOSING COMMENTS

Councilman English thought this was a good meeting and he really enjoyed the Christmas activities in Town.

Councilman Forrest shared that he had a great time on carriage ride and a real fun time on the parade float. He would love to see the parade start at dusk/dark. He thinks the lights would really be special.

Councilman Hamblin is enjoyed all of the Town’s Christmas activities. He loves the new Warsaw Christmas sign. Regarding some recent commentary, he stated that all localities have negativity, don’t let that beat you up.

Councilwoman Walker wished everyone a Merry Christmas.

Councilwoman Hurbert is sorry she missed the weekend’s activities. She is hearing wonderful things about how Warsaw is a happening place.

Councilman Self thanked Councilmembers for their hard work. He stated its hard to believe it’s the end of the year and we have a lot to look forward to in 2019.

Mayor Phelps stated Warsaw has so much synergy at this time. We have a lot of momentum and are so close to having major projects completed.

There being no further business Mayor Phelps adjourned the meeting at 9:11 p.m.

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Submitted by: Julia Blackley-Rice, Clerk