

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF  
WARRENTON HELD ON JANUARY 12, 2016

The regular meeting of the Council of the Town of Warrenton was held on January 12, 2016 in the Town Council Chambers and was called to order by Mayor Powell Duggan at 7 p.m.

Councilmembers present: Mayor Powell L. Duggan, presiding, Vice Mayor Sunny Reynolds, Councilmembers Sean M. Polster, Jerry M. Wood, Yakir M. Lubowsky, and Robert H. Kravetz. Ms. Williams was absent.

Also present: Brannon Godfrey, Town Manager, Whitson W. Robinson, Town Attorney, and Evelyn J. Weimer, Town Recorder.

Invocation was given by Councilman Jerry M. Wood.

**CITIZENS TIME.**

Presentation of awards by American Red Cross

Awards were presented to Ms. Denise Robey, Patrick Foley, and Graham Grosvenor for their efforts in saving a young child who had an epileptic seizure in the WARF pool and required CPR. Awards were presented by Mr. David Baggenstos and Mr. Bill Brent of the American Red Cross.

Presentation of proclamation to Mr. and Mrs. James Carson.

Mayor Duggan presented a proclamation to Mr. and Mrs. Carson for the renovations they had done on their property located at 45 Main Street.

The Mayor called for others to speak under Hear from Visitors.

Mr. Tony Tedeschi.

Mr. Tedeschi, 810 Ray Quick Court, came forward and noted that he had distributed a package to Councilmembers requesting reconsideration of the dog park being built at Rady Park. He stated that 29 out of the 32 people who live in the surroundings of the park submitted a petition against it to the Mayor and Town Manager. He felt that since the use of the park was being changed that it needed to go before the Planning Commission. He stated that there are a lot of challenges which have not been answered. He was concerned that the Town had indicated that they would not maintain the dog park since there was money for maintenance and the hope was that volunteers would step forward and take care of it.

Mayor Duggan asked the Manager if the Town had ever said it would not maintain the dog park and Mr. Godfrey responded that it would be a component of the Rady Park and it was the Town's responsibility to maintain it.

Ms. Margaret McCann and Ms. Kelley Anne Richardson.

Ms. McCann and Ms. Richardson came forward and noted that the use of flags by pedestrians was successful and they would be presenting an idea to Council in the future. They also called attention to a “Panty Raid” fundraiser which starts on Friday, January 15<sup>th</sup> to get donations of new ladies and children panties for the SAFE shelter in Culpeper.

Ms. Sarah Prutzman.

Ms. Prutzman, My Place Barbershop, came forward and asked for permission to fly a flag at her business to help get customers. She indicated she was notified she was in violation for using a flag to advertise her new business. She stated that she noticed that other shops have flags. She noted that she felt “picked on.” She asked reconsideration of how some small businesses promote themselves through signs or flags.

Mr. Godfrey noted that he had received the complaint last week and it was in response to a “sweep” to identify sign and other violations. He noted that it did need to be enforced as consistently as possible. He stated that there are two sections in the Code that could be amended. One of the sections deals with temporary signs for opening or closing of a business and the section under prohibited signs which applies to animated signs. Mr. Godfrey noted that if Council directs staff to review it that it would not happen immediately but require staff review, Planning Commission review and then Council review, which could be consideration at the March Council meeting following a public hearing.

The Town Attorney suggested that business owners talk to staff to help with what signs are allowed and what is not. He stated that the reason animated signs are prohibited is for safety reasons. Mr. Robinson assured Ms. Prutzman that she was not being singled out.

Mr. Polster noted that it was Council consensus at the worksession that the staff should draft an amendment for Council review.

Mr. Patrick Nye.

Mr. Nye, 450 Foxcroft Road, noted that he found it amazing that the Council could not consider a sign until March yet the dog park at Rady Park was considered in an afternoon. He felt the Rady Park location of a dog park should be reconsidered.

Mr. Donald Haley.

Mr. Haley, 4161 Halfway Road, The Plains, came forward and noted he grew up in Warrenton and still has a piece of property in Warrenton. He praised Warrenton Council for the great job they do and did in November 2013 when approving the Warrenton Crossing subdivision. He noted the interests of the citizens in the area were protected and allowed the traffic flow in Warrenton. It was well thought out. He offered the Town his assistance, as he is a real estate broker. He stated that he represented two clients in that community and if there are

things that should be corrected in the neighborhood, he was willing to assist. He reiterated that the Town does good work and he is surprised other citizens do not come in to say that. Mr. Robinson noted that the Town was still battling the same battle on that subdivision and is standing firm on those particular houses.

Mr. Scott Leake.

Mr. Leake, representing Congressman Robert Hurt, came forward and noted that Congressman Hurt was willing to help in any way he can.

**HEAR FROM CENTER DISTRICT SUPERVISOR.**

Supervisor Granger came forward and noted that there would be a reorganization meeting of the Board of Supervisors and that there were three new supervisors.

**PUBLIC HEARING.**

Ordinance 2016-01, An ordinance amending Chapter 15 of the Code of the Town of Warrenton, to add Article VIII, "Business Zones - Tax Incentives".

Mr. Godfrey noted that the proposed incentive zones had been discussed at the December and January worksessions. He stated that the ordinance establishes incentives for new and expanding businesses. Qualified businesses are target industries of technology, tourism and defense production and there is a separate ordinance for each of those categories. He indicated that qualified businesses are eligible for rebates of the new business personal property tax and BPOL taxes for three years plus the waiver of development fees, dependent upon the type of industry. He stated that it was felt it was important to develop these businesses so that the Town could be competitive and consistent with the overlapping jurisdiction in Fauquier County.

Mayor Duggan opened the public hearing at 7:33 p.m. and called for those citizens to speak for the application. There being no citizens wishing to speak, he called for those opposed. There were no citizens wishing to speak so the public hearing was closed at 7:34 p.m.

Mr. Lubowsky asked that the letter from Ms. Amelia Stansell, representing the Greater Warrenton Chamber of Commerce be written into the record. The letter follows:

*Good Afternoon,*

*This email as Chair of the Greater Warrenton Chamber of Commerce's Legislative Committee in advance of the Public Hearing scheduled for Tuesday, January 12<sup>th</sup> as I will likely not be in attendance due to an imminent death in my family that will likely take me to Idaho next week.*

*The GWCC Legislative Committee supports the proposed business incentives as a great start for the Town of Warrenton. As a town, we compete with the county and other local jurisdictions to attract and retain businesses and one way to compete is to have published business incentives that are comparable to our competitors – especially our own county. While this package is not as robust as some of our competitors, town council retains the*

ability and flexibility to customize an incentive package for a specific prospect if necessary. This is flexibility key to attracting and retaining high-value businesses.

The questions we have received from the business community have centered around whether or not these go far enough, or are attainable for our existing businesses. Again, we recognize and point out that this is a first step to level the playing field and the council has the flexibility to customize the incentives for a particular business if necessary. We hope that if Council and Staff see a trend of making repeated customized solutions, that perhaps they will consider modifying the template of the published packages to match the multiple one-offs in order to continue streamlining the process, making it easier to understand and participate in the incentives.

Further, as to whether or not these are robust enough for our existing businesses, we hope that Council and Staff work with the business community to listen to their needs, ideas and proposals for the incentives for existing businesses to keep them viable and help them expand. The Chamber welcomes the opportunity to work gather our Town businesses for such a conversation. Please let us know what we can do to facilitate that discussion.

On behalf of the GWCC, we stand in support of your Economic Development Manager's proposed incentives and hope you will adopt them.

Please do not hesitate to call my cell at 208-989-4887, or shoot me an email with any questions.

Sincerely,  
Amelia

Amelia J. Stansell  
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Commercial Relationship Manager II  
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Ms. Reynolds moved that Ordinance 2016-01 be adopted and Mr. Wood seconded the motion. Mr. Wood commented that he would like to see more done to help the small businesses that could qualify for the incentives and also something done to help the existing businesses.

Mr. Polster noted that the ordinance was a good starting point but not enough is done to help existing or small businesses.

On a vote of 6-0 (for: Reynolds, Polster, Wood, Lubowsky, Kravetz, Lewis; against: none) the motion passed.

## **CONSENT AGENDA.**

- a. Approval of Council minutes of the regular meeting held on December 8, 2015.
- b. Financial statement and staff reports and Board and Commission minutes.
  - 1) Financial statement for period ending December 31, 2015.
  - 2) December statement of accounts paid.

- 3) Miscellaneous staff reports.
- c. Consideration of resolution in support of the Governor's proposed bond package to enhance science, health and cyber programs at Lord Fairfax Community College.

Mr. Lubowsky moved that the Council minutes of December 8, 2015 be removed for discussion and Mr. Polster seconded the motion and Council approved on a 6-0 vote (for: Reynolds, Polster, Wood, Lubowsky, Kravetz, Lewis; against: none).

Mr. Lubowsky noted that he had a correction in his comments concerning the water and sewer rates. He requested that the word "severely" be changed to "seemingly".

On a motion by Mr. Lubowsky, seconded by Mr. Polster, the Consent Agenda was approved, with the correction to the minutes made by Mr. Lubowsky, on a 6-0 Council vote (for: Reynolds, Polster, Wood, Lubowsky, Kravetz, Lewis; against: none).

## **REPORTS AND COMMUNICATIONS.**

### Report from Town Attorney.

Mr. Robinson noted that at a past meeting there was discussion about Councilmembers who were unable to attend a meeting being able to participate via telephone not to exceed twice a year. He stated it requires a written process in order to be able to do and a policy for how voting would occur. Mr. Polster asked if the Town had the infrastructure to do this and the Town Attorney noted that the Councilmember would have to be heard by all involved. The Town Attorney noted that it had been done in the past and the Manager commented that there was a very hi-tech speakerphone in his office which was not like a typical desk phone with a speaker. Mr. Polster asked if it would transcend to the Planning Commission and Architectural Review Board and the Town Attorney responded that they would probably want to pass their own policy and vote on it. There was discussion on whether the policy would require a public hearing and it was determined it did not since it was not an ordinance. Mr. Robinson stated it could be advertised just for notification.

On a motion by Mr. Polster, seconded by Mr. Lubowsky, Council voted 6-0 (for: Reynolds, Polster, Wood, Lubowsky, Kravetz, Lewis; against: none) that the matter be placed on the February Council agenda and advertised.

### Report from Finance Committee.

There was no report.

### Report from the Public Safety Committee.

Mr. Kravetz noted he would be scheduling a Committee meeting in the near future and requested that items be submitted for the agenda.

Report from the Public Works Committee.

There was no report.

Report from the Utilities Committee.

Mr. Lubowsky, Committee Chairman, noted a meeting would be schedule very soon since there was a request for provision of water.

Report from Planning District 9 Representative.

There was no report.

Report from Transportation Committee.

There was no report.

Report from Recreation Committee.

Mr. Polster noted he would be scheduling a meeting soon.

Report from Liaison Committee representative.

Ms. Reynolds noted that the County was waiting for their new supervisors to start in order to schedule the next meeting.

Report from the Historic District Planning Committee.

There was no report.

Update on Special Task Force.

Mr. Lubowsky noted that he was reconnecting with people and he would consider budgeting for a professional emergency services employee over time. He noted that those people living in Town are not often prepared for an emergency. Ms. Reynolds noted that she and Supervisor Granger had been talking for some time about putting the subject of emergency services on a Liaison Committee agenda. She felt that the County's program for fire and rescue and Sheriff's Department. She stated that the Red Cross had already secured five schools for any emergency and that there is a trailer at the Sheriff's Department filled with cots, blankets and water. She felt it should be a coordinated effort with the County to see what they recommend or need from the Town. Mayor Duggan noted that Mr. Lubowsky had already talked with the County and Mr. Lubowsky noted that prior to Ms. Reynolds joining Council the Council had visited the Emergency

Services Office. He stated that the Town is uniquely situated and people are really not set up to survive.

Report from the Town Manager.

Mr. Godfrey reminded of the Budget Retreat to be held on Saturday, January 30, 2016 and it was open to the budget. The agenda will be presentation of the Town's fiscal condition currently, what the revenues are forecast to be in the coming fiscal year, what major expenditures have been identified by the Town departments for the next fiscal year and talking about strategies for closing the revenue and expenditure gap. He noted it started at 8:30 a.m. and four to five hours had been allotted for the retreat.

**COUNCILMEMBERS' TIME.**

Ms. Reynolds recognized the citizens who assembled the 55-page document concerning several parks and she respected their efforts. She stated that there are several Town parks where events are held such as "Movies in the Park," at Eva Walker Park which was successful, the July 4 at the WARF which was out of context of what the WARF was meant to do. She stated she knows that there are as many people in favor of the dog park at Rady Park as opposed. She felt it was a good site. She felt that if something goes amiss, the Town would step up and take care of the problems. She explained that her biggest concern was not the location but long time expense to the Town. She stated she knew that there was \$25,000 to work with but one of the things brought up in the report was the charging of a fee. She felt that there was nothing wrong with that and that there had been talk somewhere along the line of setting up a nonprofit to take care of some of the things.

Mayor Duggan noted that Vint Hill Park has signs and some funds could be raised that way.

Mr. Kravetz commented that since the dog park is proposed for his Ward, he would like it to be known that he had received probably as many contacts from the citizens in favor of the dog park in Rady Park as opposed to those not in favor. He stated that the dilemma is who gets preference – those opposed or those in favor.

Mr. Lubowsky commented that he was concerned about affordable housing (workforce housing). He stated that in working on the design of the RFP for the Comp. Plan that it deserves to be accelerated. He stated that he would be proposing at the retreat that a funding authority be created for the Comp. Plan.

Mr. Wood emphasized that when the Arrington project was considered he was against the location of the dog park at Rady Park. He commented concerning the slaughterhouse and noted he wanted to make sure that they had the proper permits. Mr. Robinson noted that staff had just visited and they had expanded. He stated that staff is just getting them back into their original footprint and they are getting into conformance. Mr. Wood asked that the information be relayed to Mr. David Jenkins at Tom Frost Firestone. He thanked the Partnership for GumDrop Square.

Mr. Lubowsky asked if there was any chance the slaughterhouse would move outside of Town and Mr. Robinson stated he is trying to accomplish that goal. He stated that he had located some places near Route 66 where they would be closer to transportation and have by-right ability in the Marshall District. He stated at one point he had even tried to get the Town and County to purchase the property because it would provide an additional access point to Warrenton Middle School. He noted that they had been unable to arrive at a reasonable price for the property.

Mr. Polster noted that he was disappointed that the dog park matter is still coming up. He stated he would not go away and it was a good example of the lack of participation in the process. He stated it was something which was not debated in the committee and they should report back to that committee. He stated a process should be developed for things like that. He felt that biggest frustration was that the residents feel that they were not talked to.

There being no further business, the meeting adjourned at 8:05 p.m.

Evelyn J. Weimer, Town Recorder