

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

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

Councilmembers present: Mayor Powell Duggan, presiding, Vice Mayor Sunny Reynolds, and Councilmembers Sean M. Polster, Jerry M. Wood, Joan R. Williams, Yakir M. Lubowsky, Robert H. Kravetz and John S. Lewis, Jr.

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

The meeting was called to order by Mayor Powell Duggan.

Invocation was given by Councilman Jerry M. Wood.

CITIZENS TIME.

Recognition of LFCC Scholarship Recipients – Ms. Beverly Butterfield

Ms. Beverly Butterfield, Senior Development Officer, Lord Fairfax Community College, came forward and thanked Council for the scholarships for Town of Warrenton students for the current school term. She gave a brief overview of the four recipients and their education goals. She asked that Council consider a donation to LFCC for scholarships in the proposed FY 17 budget.

Science and Engineering Fair – Ms. Vineeta Ribeiro

Ms. Ribeiro came forward and noted that the 3rd annual Fauquier County Science and Engineering Fair had been held. She called upon participants in the fair to come forward and give an overview of their participation in the fair.

Mayor Duggan noted that there would be many citizens wishing to speak and he asked that they limit the time to three minutes.

Senator Russ Potts.

Senator Potts came forward and highlighted the number of Town students who currently attend Lord Fairfax and urged Council approval of a contribution to the college in the proposed FY 17 budget.

Ms. Melissa German.

Ms. German, representing Fauquier County Child Care, came forward and highlighted the programs the organization offers. She asked that the Council approve a contribution to their organization for FY 17.

Ms. Ginger Hilleary.

Ms. Hilleary, representing Literacy Volunteers, came forth and highlighted the organization's goals and programs. She asked a contribution to their organization be considered for FY 17.

Ms. Kathleen Weghorst.

Ms. Weghorst, Executive Director of Cadre, came forward and gave an overview of Cadre and its programs. She requested continued funding.

Ms. Lynne Bell.

Ms. Bell, Executive Director of the Boys and Girls Club, came forth and gave a brief synopsis of the Boys and Girls Club's programs. She asked that funding continue for the FY 17 budget year.

Ms. Paula Johnson.

Ms. Johnson asked that Council continue funding the Warrenton-Fauquier Heritage Day event and that this will be the 12th year. She noted it was an all-volunteer program.

Ms. Ansley Dickson.

Ms. Dickson, Board member for Fauquier Community Action Committee, came forward and highlighted the organization's program. She asked for continuation of Town funding to help with their programs for the below income children they serve.

Ms. Kelly Anne Richardson.

Ms. Richardson asked for a chance to see if the parklet program would work downtown.

Ms. Lori Payne.

Ms. Payne, with Fauquier Historical Society, came forward. She gave a brief synopsis of their programs and requested continuation of funding to the organization. She noted the organization was asking for an increase due to them operating on the same funds per fiscal year for the last ten years and for 15 years they had been in the deficit. She stated that they had a "legacy fund" which they had been using to keep the Old Jail open and operating. The fund, however, is almost gone. She stated they are doing everything within their power to raise funds. She asked for continued funding and perhaps at the level they are requesting.

Ms. Lawrie Parker.

Ms. Parker, Executive Director of Piedmont Dispute Resolution Center, came forth to detail her organization's programs and request continuation of the Town funding.

Ms. Lily Dunning.

Ms. Dunning, Executive Director of Bluemont Concert Series, and Ms. Amelia Stansell, Board Member, came forward in support of continuation of Town funding for the Bluemont programs. Ms. Dunning noted it was going to be Bluemont's 40th anniversary and highlighted their programs.

Mr. Dwayne Thompson.

Mr. Thompson, Main Street property owner, came forward and noted his opposition to parklets on Main Street. He stated that in his opinion the biggest Main Street problem was unavailable parking. He said there are currently 38 benches. He stated that there were 54 parking spaces between Alexandria Pike and Fifth Street and 59 professionals/retail stores so there was not a parking space for each of them. He indicated that he had planned to put a Wylie Wag (pet store) in his building but they told him there was not enough available parking. Mr. Thompson said that he had circulated a petition which was signed by

65 persons and he only allowed business owners, building owner or employees signed it. He stated that customers need a place to park. In lieu of parklets, he suggested the businesses be encouraged to include more benches on Main Street. He felt that parklets were not a positive answer to things.

Mr. Carter Nevill.

Mr. Nevill came forth and urged a trial of the parklets downtown. He pointed out the lack of foot traffic downtown. He stated that there was adequate public parking.

Mr. David Hartman.

Mr. Hartman came forth in favor of parklets and asked Council to vote favorably on parklets use for the Town. He stated that people are not coming downtown as they had once.

Ms. Mary Sullivan.

Ms. Sullivan came forward and noted that she had lived in Warrenton for ten years and came to the Town due to the beauty of downtown. She stated that although a parklet would provide a beautiful showcase. She stated though as a consumer would never choose a destination based upon parking.

Ms. Ashley Norris.

Ms. Norris, employee of Hartman Jewelers, came forward and urged Council to implement the parklet project for downtown.

Mr. Pablo Teodoro.

Mr. Teodoro, owner of Great Harvest Bread Company, came forward and noted that he had never had trouble parking. He felt parklets are exciting and innovating.

Mr. Casey Ward.

Mr. Ward, owner of Molly's and resident of 157 Lapis Court, came forward and noted that parklets were an encouraging and exciting concept. He urged consideration of parklets for downtown.

Ms. Lori Bethea.

Ms. Bethea, resident of Roebing Street, came forward and noted she did not support parklets. She noted that she had a background in urban studies and indicated that the studies of parklets occurred in large cities with multiple business districts, plentiful on-street parking, multi-level parking garages and large public transportation networks. She indicated that Warrenton has none of these critical components. She stated that the results of the studies that the proposals are based upon have no validity when applied to the five blocks of Main Street. She further stated that based upon reports from the Police Department safety could not be guaranteed. She stated that the most often the complaint from new businesses she works with is unavailable parking. She urged denial of the parklet proposal.

Ms. Rachel Pierce.

Ms. Pierce, with Families for Fauquier, came forward and urged Council support for their budget request.

Ms. Ann-Marie Walsh.

Ms. Walsh came forth and suggested if the parklet project was supported that Council consider the residents of Main Street and how the parklets would affect them at nighttime. She noted that many years ago there was an ordinance considered to require a retail storefront on Main Street remaining a retail storefront which lost by one vote. She thought Council may wish to start looking at that again.

BREAK

Council recessed for a short break at 8:30 p.m.

Following the break, the Council meeting was reconvened at 8:45 p.m.

PUBLIC HEARING.

Consideration of a **BOUNDARY LINE ADJUSTMENT BETWEEN THE TOWN AND THE COUNTY**-Appleton Campbell has requested that the County and the Town agree to a boundary line adjustment of approximately 5.6 acres adjacent to Alwington Boulevard. The property is a portion of a property owned by Alwington Farm LLC consisting of approximately 439 acres (PIN # 6983-43-6542) located between Brumfield Elementary School and Home Depot. A parcel of 1.61 acres owned by the Fauquier County School Division identified as parcel # 6893-58-1116 located across Alwington Boulevard is also to be considered for boundary adjustment.

The Town Manager noted that in November a request had been received from Mr. Jeffrey Rose, of Primte Construction, on behalf of Appleton Campbell, requesting boundary adjustment by the Town and water and sewer service to the site which is the proposed new site for Appleton Campbell. The property is in the service area, although not currently within the Town. Mr. Godfrey said that the Town and County Liaison Committee discussed the request at its December and February meetings and the consensus was favorable by both the representatives of the Board of Supervisors and the Town Council for boundary adjustment conditional upon a building design which is acceptable to both bodies. He stated that the suggestion was that Appleton Campbell proceed with submitting a building design and site plans to the County for approval as it is in that jurisdiction now. Since the February Town-County Liaison Committee meeting, the Town Attorney has proceeded with the process of the boundary adjustment agreement. The first step in the process is to hold a public hearing on the proposed boundary adjustment.

A condition was put on the request was an interest by both governing bodies was that about the ultimate design and appearance of the building, as it is the southern gateway to the Town. There was a preliminary design submitted prior to the February meeting which was revised a few days later. He said it is a rudimentary elevation drawing and the details are still forthcoming. Within the last week Mr. Mike Appleton had called and proposed to reduce the size of the building by about a third. On the agenda is the public hearing for the boundary adjustment of the property and following the public hearing since the final drawings had not been received, he suggested that Council not act upon the request.

Mayor Duggan opened the public hearing at 8:44 p.m. and called upon those to speak in favor of the boundary line adjustment. There being no citizens wishing to speak, the Mayor called for those persons against the request. There were no citizens wishing to speak, so the Mayor closed the public hearing at 8:45 p.m.

Mr. Kravetz moved that the request be tabled until there is an adequate drawing. Mr. Wood seconded the motion. Mr. Robinson noted that the item could be tabled until the next Council meeting. Supervisor Granger noted that on Thursday the Board would be tabling the matter until their next meeting. Mr. Kravetz revised his motion to indicate that the matter be tabled until the next Council

meeting and Mr. Wood agreed to the change. On a vote of 7-0 the motion passed (for: Reynolds, Polster, Wood, Williams, Lubowsky, Kravetz, Lewis, against: none).

ZOTA #15-02. Zoning Ordinance Text Amendment. An amendment to Article 3-5.2 Planned Unit Development (PUD) regulations within the Zoning Ordinance to provide for additional uses and modifications to the land use mix within the Industrial Planned Unit Development (I-PUD) portion of the ordinance. The amendment is being proposed by F&R Development and the Springfield Properties, LLC.

Mr. Godfrey noted that Zoning Ordinance Text Amendment 15-02 was an amendment to Article 3-5.2 Planned Unit Development (PUD) regulations within the Zoning Ordinance to provide for additional uses and modifications to the land use mix within the Industrial Planned Unit Development (I-PUD) portion of the ordinance. The amendment is being proposed by F&R Development and the Springfield Properties, LLC.

He stated that an amendment to the text of the Zoning Ordinance had been requested following several worksessions with staff and the Town Attorney and the Planning Commission. The Planning Commission voted on March 15 to recommend approval of the applicants proposed text amendment to Council but with revisions to the percentage allocations to the residential/commercial and industrial uses.

The Mayor opened the public hearing at 8:48 p.m. and called for those citizens to speak for the request.

Mr. John Foote.

Mr. Foote, representing the applicant, East Side Investment Groups, Springfield Real Properties and Walker Drive Investment Group. He thanked staff for meeting with them.

Ms. Judy Lamana.

Ms. Lamana came forward and noted that the Industrial Zoning for the property may not be a good use for the area. She felt it may be a good change if there are a number of checks and balances for Warrenton.

Mr. Walter Hitchcock.

Mr. Hitchcock came forth and indicated that he had been a resident of Warrenton off and on for over 40 years. He had purchased the property many years ago. He gave a brief history of the property zoning. He explained that a bowling alley and movie theater are proposed for the property and it would not kill Main Street. He felt that kiosks with maps should be installed to help direct visitors around town.

Ms. Teresa Paccassi.

Ms. Paccassi, resident of Edgemont, who lives across from the proposed development, stated that she was hesitant of the night life which it may attract in front of their home. She stated that she and her husband had driven around Town and there are no other developments like the proposed in front of neighborhoods.

There being no other citizens to speak, the public hearing was closed at 9:02 p.m.

Mr. Kravetz moved that ZOTA #15-02. Zoning Ordinance Text Amendment, be approved. Ms. Reynolds seconded the motion.

Mr. Polster noted he did not feel comfortable voting on the application because all of the information was not available, specifically the Planning Commission minutes for the last two months. He stated that the Planning Commission had a good idea of running the text amendment with a rewrite of the Zoning Ordinance. He did not feel it was appropriate the way in which it was advertised. He indicated that his development had received a newsletter from the management company that each house would receive a letter when the meeting would be held so that they could come and speak either for or against it. He noted that those letters were not provided to neighbors who live across the street. He felt delaying action for 30 days would allow the Town to provide notification and the public hearing could be left open for another month.

Mr. Wood stated that the Planning Commission had indicated that there would be 20% residential, 30% commercial and 50% industrial development in the proposed project. It was verified that was correct.

Mr. Lubowsky noted only a text amendment was being requested in order to create an opportunity for the applicant to come and seek it in form of rezoning of the property on Walker Drive. He felt that there would be adequate opportunity when the rezoning application comes forward and the Planning Commission did do a thorough investigation. He stated he also sought out the Planning Commission minutes which were not available.

Mr. Polster noted he was only asking for 30 days in which his neighbors would be notified along with Mrs. Williams' ward residents. Mr. Lubowsky felt that they would have adequate notice when the rezoning comes forward. Ms. Reynolds noted that several Councilmembers were present at the Planning Commission meeting and the Planning Commission did a very thorough job. Mr. Lubowsky noted that they did a thorough job and that Council would profit from being able to review the minutes.

On a vote of 6-1 (for: Reynolds, Wood, Williams, Lubowsky, Kravetz, Lewis, against: Polster) the motion passed.

CONSENT AGENDA.

- a. Approval of Council minutes of the regular meeting held on March 8, 2016.
- b. Financial statement and staff reports and Board and Commission minutes.
 - 1) Financial statement for period ending March 31, 2016.
 - 2) March statement of accounts paid.
 - 3) Miscellaneous staff reports.
 - 4) Receive minutes of the regular meeting of the Architectural Review Board meeting held on February 25, 2016 and Planning Commission meeting held on December 15, 2015.
- c. Consideration of request to hold the annual Memorial Day Parade on Monday, May 30, 2016.

- d. Consideration of request of the Greater Warrenton Chamber of Commerce to hold the annual Father's Day Car Show on Sunday, June 19, 2016.
- e. Consideration of request of Saint James Church to hold the Turkey Trot 5K Run on Saturday, November 19, 2016.
- f. Consideration of request of Bluemont Concert Series to hold the 2016 Bluemont Concert Summer Season commencing on Saturday, June 25 and running through Saturday, August 13, 2016.
- g. Consideration of request of Ms. Allison Dove/Ms. Kristin Long to hold The Well Run Race 5k on Saturday, November 12, 2016.

On a motion by Mr. Kravetz, seconded by Mr. Wood, the Consent Agenda was approved on a 7-0 Council vote (for: Reynolds, Polster, Wood, Williams, Lubowsky, Kravetz, Lewis; against: none).

NEW BUSINESS.

Parklets

Mr. Polster noted that after talking with fellow Councilmembers he would like to refer the matter back to staff for a discussion period and they do an RFP to seek applicants for parklets based upon the design guidelines prepared by the Town Manager. The matter would be brought back to Council for the June worksession. Mayor Duggan asked if this would mean no parklets for 2016 and Mr. Polster responded that the parklet could occur July to October. Mr. Kravetz stated that as long as it is clear that there is no commitment when the RFP is submitted and the Town is just gathering information.

Mr. Polster moved the item be moved to staff to solicit the community in an RFP format for the parklets for two months using the design guidelines established by the Town Manager and the completed packet come back to Council for the June worksession. Mr. Lubowsky seconded the motion.

Ms. Reynolds asked why it would take two months and Mr. Polster responded that the design guidelines may have to be done by a firm. Mr. Kravetz suggested any firm that replies to the RFP that they have to give the Town information about insurance carriers. Mr. Kravetz noted by delaying it two months it would allow the new Council to participate.

Mr. Godfrey noted that the RFP would be telling the users that everything would be at their own risk even the possibility that it does not go through. The Town Attorney noted that it would be brought to the June worksession and on the June Council agenda.

On a vote of 7-0 the motion passed (for: Reynolds, Polster, Wood, Williams, Lubowsky, Kravetz, Lewis; against: none).

REPORTS AND COMMUNICATIONS.

Report from Town Attorney.

The Town Attorney did not have anything to report.

Report from Finance Committee.

Mayor Duggan noted that there would be Budget meeting on Thursday, April 16 at 6 p.m.

Report from the Public Safety Committee.

Mr. Kravetz noted that having received no subjects to be discussed, that there would not be a Public Safety meeting in April.

Report from the Public Works Committee.

There was no Public Works Committee report.

Report from the Utilities Committee.

Mr. Lubowsky noted that there was no report.

Report from Planning District 9 Representative

Mr. Lubowsky stated that an annual retreat will be held soon.

Report from Transportation Committee.

Ms. Reynolds noted she would be calling a meeting soon.

Report from Recreation Committee.

Mr. Polster noted that the Fishing Day at the reservoir would be held on May 14. Mr. Kravetz asked if arrangements had been made for traffic control and Mr. Polster indicated Lt. G. W. Southard would be on site for that purpose.

Report from Liaison Committee representative.

Ms. Reynolds noted that there would be a meeting in two weeks.

Report from the Historic District Planning Committee.

There was no report.

Update on Special Task Force.

There was no report.

Report from the Town Manager.

The Manager reminded Council of the budget meeting on Thursday, April 14 at 6 p.m.

COUNCILMEMBERS' TIME

Mr. Polster thanked staff for the work which went into the parklet project. He also thanked the fire department, Planning Department, Police Department and everyone on staff for what they do. He noted that the meeting was the first to be live-streamed.

Mr. Wood reminded Council of the Fauquier County Historical Property Workshop to be held May 14, 10 a.m. in the Warren Greene building.

Ms. Reynolds noted that the Greater Warrenton Chamber of Commerce is looking for volunteers to help with the annual Fathers' Day Car Show.

There being no further business, the meeting adjourned.

Evelyn J. Weimer, Town Recorder