

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF WARRENTON HELD
ON FEBRUARY 14, 2017

The regular meeting of the Council of the Town of Warrenton was held on February 14, 2017 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, Councilmembers Sean M. Polster, Jerry M. Wood, Alec P. Burnett, Brett A. Hamby, Robert H. Kravetz and Kevin T. Carter.

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

APPROVAL OF THE AGENDA

The Council agenda was approved on a motion by Mr. Kravetz, seconded by Mr. Carter, and a 6-0 Council vote (for: Polster, Wood, Burnett, Hamby, Kravetz, Carter, against: none).

Invocation was given by Reverend James Kelly.

CITIZENS' TIME

Introduction of new police officers

Police Chief Lou Battle introduced new police officers Michael Mawdsley and Christopher Nixon.

Proclamation – February 2017 – Black History Month

The following proclamation was read by Mayor Duggan proclaiming February 2017 as Black History Month:

**PROCLAIMING AND RECOGNIZING THE MONTH OF
FEBRUARY 2017 AS**

“BLACK HISTORY MONTH”

WHEREAS, Black History Week was originally initiated in 1926 by Dr. Carter G. Woodson, a native of Buckingham County, Virginia; and

WHEREAS, in 1976 Black History Week was expanded to become a month-long tribute to Black Americans and their contributions to the United States; and

WHEREAS, African Americans have contributed greatly to the heritage, progress, and advancement of the United States of America, the Commonwealth of Virginia, Fauquier County and the Town of Warrenton; and

WHEREAS, the history and culture of African Americans makes up an important part of the history and culture of the United States, the Commonwealth of Virginia and the Town of Warrenton; and

WHEREAS, African Americans such as former Councilwoman Joan Williams and her husband, former

Councilman John Williams, former Councilman Bob Walker and former Councilman John Mann have made significant contributions as citizens of the Town of Warrenton, Fauquier County and Commonwealth of Virginia in science, entertainment, politics, business, and all other aspects of day-to-day life; and

WHEREAS, African Americans have made numerous and specific contributions to the Warrenton community in the areas of education, business and commerce, community service, voting rights and professional services;

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Warrenton does hereby proclaim the month of February 2017 as “**Black History Month**” in the Town of Warrenton.

Recognition of Maha Lake

Mayor Duggan came forward and recognized Maha Lake, a student at Taylor Middle School, who had won a VML “If I Were Mayor” contest.

HEAR FROM CENTER DISTRICT SUPERVISOR

Supervisor Granger was not in attendance.

PUBLIC HEARING

St. James Episcopal Church and School – Special Use Permit 2016-05

Ms. Brandie Schaeffer, Planning and Community Development Director, came forward and gave the staff presentation. She gave a Powerpoint presentation and explained that the request is to expand the existing school facility behind the Church located at 73 Culpeper Street. The new building will be 10,000 square feet in the Central Business District, which is permitted with a Special Use Permit. Ms. Schaeffer noted that the application is also being processed through the ARB for a Certificate of Appropriateness. Ms. Schaeffer gave details of the application and noted the Planning Commission and staff conditions of approval.

The Mayor opened the public hearing at 7:16 p.m. and asked the applicant if he would like to speak.

Mr. James Carson

Mr. Carson came forward and noted that he had nothing to add to the Planning Director’s report. He recognized staff for their hard work on the application.

The Mayor called for citizens to speak for or against the application. There being no citizens wishing to speak, the public hearing was closed at 7:18 p.m.

On a motion by Mr. Kravetz, seconded by Mr. Burnett, Council voted 6-0 (for: Polster, Wood, Burnett, Hamby, Kravetz, Carter, against: none) to approve the St. James Episcopal Church and School – Special Use Permit 2016-05, with noted conditions.

CONSENT AGENDA

- a. Approval of Council minutes of the regular meeting held on December 13, 2016
- b. Staff reports and Board and Commission minutes.
- c. PATH Foundation grant acceptance

- d. Request for full release of Public Improvements Bond (No. 104433492) for Home Depot USA, Inc.
- e. Special event permit request for Molly's Irish Pub 5K, March 19, 2017
- f. Approval of December Financials

On a motion by Mr. Wood, seconded by Mr. Kravetz, the Consent Agenda was approved on a 6-0 Council vote (for: Polster, Wood, Burnett, Hamby, Kravetz, Carter, against: none).

NEW BUSINESS.

Resolution appropriating up to \$44,336 for WTL 2017 and amending the FY 17 General Fund budget

The Manager noted that the way the calendar fell this year, in order to hold the Warrenton Town Limits on the Friday preceding July 4, it fell on June 30, which is in the current calendar year. It means that there are two Warrenton Town Limit events in one fiscal year. In order to carry the program out, Council was requested to amend the budget in the amount of \$44,336 to appropriate the second Warrenton Town Limits in FY 2017. He stated that the same thing would occur the next calendar year. The Manager stated that the matter had been discussed by the Committee on Health, Parks and Recreation and also the Finance Committee. The Finance Committee had referred the matter to the Council with a recommendation of approval.

Mr. Wood moved adoption of the resolution and Mr. Polster seconded it.

The Mayor called for discussion. Mr. Kravetz commented that it was a great event but it was a lot of money to spend. He hoped that there were ways to cut it down with sponsorships or tent space charge. He noted that it was already advertised to Facebook before the event is even appropriated which was premature when it had not been voted upon. Mr. Carter asked the item be put on the work session agenda for discussion or on the last worksession agenda. He was not prepared to vote on it.

Mr. Wood noted that the Finance Committee had discussed the matter and forwarded it for Council consideration.

The Council voted 5-1 for the event (for: Polster, Wood, Burnett, Hamby, Kravetz, against: Carter).

Mr. Hamby asked the amount in sponsorship received last year and Mr. Polster responded about \$21,200. Mr. Kravetz asked if that amount for received this year, if it would come off the bottom line and the Manager responded that it would cut the expenditure in half.

Add Auxiliary Officers to Worker's Compensation Coverage

Mr. Godfrey noted that there are four auxiliary police officers who are not currently under the Town's Worker's Compensation coverage. The Town wants to cover the officers with coverage for medical only. The cost is about \$3600 for all four officers. Staff was recommending they be added to the coverage.

A RESOLUTION TO ADD AUXILIARY POLICE OFFICERS TO WORKER'S COMPENSATION COVERAGE

BE IT RESOLVED that auxiliary police officers of the Town of Warrenton Police Department are hereby authorized to be included as employees for the purposes of the Workers' Compensation Act of the Commonwealth of Virginia and are entitled to coverage provided under said Act.

On a motion by Mr. Kravetz, seconded by Mr. Hamby, Council voted 6-0 (for: Polster, Wood, Burnett, Hamby, Kravetz, Carter, against: none) to add the auxiliary officers to Worker's Compensation coverage.

Real Estate Tax Relief for the Elderly

Mr. Godfrey noted that there are a number of categories where tax relief is provided for citizens and the thresholds had not been updated since 1997. The recommendation is to make the thresholds the same as the County's. If the person's total net income is below \$30,000 and the County's is \$58,000. There is an exclusion for income of relatives in Warrenton of \$6,500 and the County's is \$10,000. The combined net worth has to be below \$100,000 in Warrenton but in the County it is \$440,000. The Manager noted that some citizens are eligible for tax relief in the County but not in the Town. The recommendation is to make the Town's equal with the County's thresholds which will provide nominal tax relief for elderly. He stated that the impact for one year of matching the County's guidelines is \$9,431.44 for 82 taxpayers. The Finance Committee at its January meeting forwarded the matter to the Council with recommendation for approval.

On a motion by Mr. Wood, seconded by Mr. Kravetz, Ordinance 2017-01, An Ordinance to Amend Chapter 15, Article IV – Real Estate Tax Relief for the Elderly of the Town of Warrenton Code of Ordinances was adopted on a 6-0 Council vote (for: Polster, Wood, Burnett, Hamby, Kravetz, Carter, against: none).

Appointment of Members to the Architectural Review Board

Mayor Duggan noted that the Council had interviews with five applicants. He stated that he suggested one member be voted on at a time. The Mayor opened the floor for nominations. Mr. Kravetz nominated Ms. Laura Bartee and Mr. Wood seconded the motion. The Mayor called for other nominations. Mr. Wood moved nominations be closed and Mr. Carter seconded the motion and Council approved 6-0 (for: Polster, Wood, Burnett, Hamby, Kravetz, Carter, against: none).

On a vote of 6-0 Council appointed Ms. Bartee to the Architectural Review Board (for: Polster, Wood, Burnett, Hamby, Kravetz, Carter, against: none).

Mr. Carter nominated Mr. Kevin Roop for an appointment to the Architectural Review Board. Mr. Kravetz seconded the motion. The Mayor asked if there were other nominations. Mr. Kravetz moved nominations be closed and Mr. Hamby seconded the motion. The motion passed on a 6-0 Council vote (for: Polster, Wood, Burnett, Hamby, Kravetz, Carter, against: none). On a 5-1 Council vote (for: Polster, Burnett, Hamby, Kravetz, Carter, against: Wood) Mr. Roop was appointed to the ARB.

REPORTS AND COMMUNICATIONS.

Report from Town Attorney

The Town Attorney had nothing further to report.

Report from Finance Committee

Mr. Wood, Chairman, noted that the next meeting would be at 7 p.m. on Monday, February 27.

Report from the Public Safety and Transportation Committee

Mr. Kravetz, Chairman, noted the Committee met on January 25 and discussed a proposed leash law, Vision 2018, heroin abuse and enforcement strategies, a roundabout at Falmouth and Shirley, and an all-way stop sign at Bear Wallow and Foxcroft Roads. The next meeting will be on February 27 at 6 p.m.

Report from the Public Works and Utilities Committee

Ms. Reynolds was not in attendance.

Report from Planning District 9 Representative

Mr. Polster noted that the meeting will be next week.

Report from Committee on Health, Parks and Recreation

Mr. Polster noted that the Committee would meet on Thursday, February 16 at the WARF.

Report from Liaison Committee representative

It was noted that the next meeting will be on February 27th at 4 p.m.

Report from the Town Manager

Mr. Godfrey noted that there was a opportunity for training in FOIA for March 28th during a Planning Commission worksession around 8:00 p.m. He reminded Council to submit their suggestions for participants to serve on the Sign Ordinance Committee.

The Manager gave a status of key projects. A copy is a part of the file.

It was determined that the Mosby House would be discussed at the March 9 work session.

Mr. Kravetz noted that a public hearing should be held at the March Council meeting for the leash law.

COUNCILMEMBERS' TIME

Mr. Carter asked that the financial statements be taken off of the Consent Agenda permanently for future meetings.

Mr. Polster stated that Ms. Amy Thorpe had requested use of the Mosby House for an event. Mr. Kravetz commented that others had been denied access to the house in the past and Mr. Polster noted that when the Heritage Day request comes in, Council could consider it the same as this event.

The Town Attorney noted that Council should authorize the Manager to allow the Mosby House to be open for the event with the same rules and conditions as any other events downtown. Mr. Polster made a motion that Council authorize the Manager to approve the Francis Fauquier Garden Club request for use of the Mosby House on May 12 and 13 for their garden and tea show with the conditions that the Town Manager accepts. Mr. Wood seconded the motion. Mr. Wood noted that the matter would need to be discussed with Ms. Paula Johnson since the Heritage event had been turned down in the past. Mr. Wood asked about the requirement to clean the house following the event and Mr. Godfrey noted that the group would be asked to return it in the condition in which it was found. He also noted that some of the artifacts may have to be moved to the second floor. He stated he would also tour the house with Mrs. Thorpe. Mr. Hamby asked if there would be access to the Visitor Center and the Manager noted that the Visitor Center would be open and those restrooms would have to be accessed by visitors.

Mr. Kravetz stated that he was not suggesting that the full Council vote on when people want to use buildings for events and that could be delegated to the Manager. Mr. Robinson noted that if Council wished to make changes to the event policy then it could be a topic for a work session.

Mr. Hamby requested a code change to address the graffiti which has been showing up in Town. He asked that it be discussed at a work session. Mr. Robinson suggested working with the Town Manager and the Police Department concerning the matter.

CLOSED SESSION, as authorized in Section 2.2-3711(A) (1), for the purpose of considering renewal of employment contracts for the Town manager and the Town Attorney

On a motion by Mr. Kravetz, seconded by Mr. Carter, the meeting was recessed at 8:10 p.m. and a closed session convened on a Council vote of 5-0 (for: Wood, Burnett, Hamby, Kravetz, Carter; against: none). Certification of closed meeting is on file. Mr. Polster was not present during voting.

The Closed Session was adjourned and General Session reconvened on a motion by Mr. Kravetz, seconded by Mr. Carter and a 5-0 vote (for: Wood, Burnett, Hamby, Kravetz, Carter; against: none). Mr. Polster was not present during voting.

Mr. Carter moved that the Town Manager's contract be approved with the Mayor being authorized to sign it and the Town Attorney signing "as to form". Mr. Hamby seconded the motion and Council approved on a 5-0 vote (for: Wood, Burnett, Hamby, Kravetz, Carter, against: none).

On a motion by Mr. Kravetz, seconded by Mr. Hamby, the Town Manager and Mayor were authorized to sign the Town Attorney contract on a 5-0 Council vote (for: Wood, Burnett, Hamby, Kravetz, Carter, against: none). The Town Attorney asked if everybody had an opportunity to have other counsel review his contract. It was Council consensus that they had been given that opportunity.

There being no further business, the meeting adjourned at 9:55 p.m.

Evelyn J. Weimer, Town Recorder