



TOWN COUNCIL REGULAR MEETING

21 Main Street

Tuesday, August 08, 2023 at 9:00 AM

MINUTES

AN OPEN MEETING OF THE TOWN COUNCIL OF THE TOWN OF WARRENTON, VIRGINIA, WAS HELD ON August 8th, 2023, AT 9:00 AM

Work Session

PRESENT

Mr. Carter Nevill, Mayor; Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Jay Heroux; Mr. Paul Mooney; Mr. David McGuire; Mr. Frank Cassidy, Interim Town Manager; Mr. Stephen Clough, Town Clerk; Mr. Martin Crim, Town Attorney.

ABSENT

Regular Meeting

PRESENT

Mr. Carter Nevill, Mayor; Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Jay Heroux; Mr. Paul Mooney; Mr. David McGuire; Mr. Frank Cassidy, Interim Town Manager; Mr. Stephen Clough, Town Clerk; Mr. Martin Crim, Town Attorney.

ABSENT

WORK SESSION - 9:00 AM

The Mayor called the meeting to order at 9:00 a.m. A quorum was present, and business could be conducted.

A. Experience Old Town Warrenton Update

Joelle Fryman, Director of Experience Old Town Warrenton, introduced the topic.

Casey Ward, Chair of Experience Old Town Warrenton, presented an update to Council.

Councilmember Heroux asked if there was any interest in new businesses coming to Warrenton.

Ms. Fryman answered that yes, there was always interest; however, it was often for locations on Main Street. She said they were working to promote side street locations for businesses.

Councilmember Semple asked for more information regarding their meeting with Virginia Main Street and Main Street America.

Ms. Fryman said that one of the main issues brought up from the workshops was that there was not enough parking. She noted that Main Street America was compiling the information gathered from their surveys and focus groups into a final report that would be shared with Town Council.

B. Share the Air Initiative

Kelly Koernig, Director of Parks and Recreation, introduced the topic. She provided a brief summary of the item to Council. She stated that staff recommended Council adopt the Resolution at the September Town Council meeting.

Councilmember McGuire asked how this commitment would be enforced.

Mr. Cassidy said that this resolution was meant to add the commitment to tobacco-free and e-cigarette-free outdoor public spaces to their park rules. They could advise park users that the use of tobacco and e-cigarettes should be avoided. If it became a repetitive violation, they could take action through other ordinances to enforce it, but the subject resolution's primary function was an educational campaign.

C. Affordable Housing

Frank Cassidy, Town Manager, introduced the topic. He provided a brief summary of the item to Council. He stated that staff's recommendation was for Council to consider the proposal for the issuance of the allocation of the remaining ARPA funds and to provide direction to staff on continuing with this proposal, modifying this proposal, or creating a different proposal to ensure the disbursement of funds.

Councilmember Semple expressed concern that the proposal was too broad. He recommended the proposal be specific to existing collaborative efforts and applications regarding affordable housing.

Mr. Cassidy clarified that the application would be bound by the resolution passed by Council, which meant that the applicants must be within the Town and align with the priorities set forward, with special consideration to Habitat and First Baptist Church. The rules and requirements of ARPA would also limit other entities from being able to participate.

Councilmember Heroux stated that the purpose of the Request for Information (RFI) was to gather data from the community and identify needs, which would inform their next steps for committing funding.

Mayor Nevill acknowledged that the data gathered from the RFI would help inform the long-term strategies of the Town as they related to affordable housing.

Councilmember Mooney expressed concern that the RFI process was deprioritizing the plans that had already been brought forward by community organizations such as Habitat and the Church.

Councilmember Heroux said that the applications could be submitted and reviewed in a timely manner, especially since there was a deadline for allocating the ARPA funds. He suggested that applications be brought back within two weeks.

Mr. Cassidy confirmed that the internal objective was to release the RFI and return with information as soon as possible, so staff could return in September with the applications.

D. 33 N. Calhoun Street Cistern: The Town agreed to let Fauquier County lease the old Visitors Center building located at 33 N. Calhoun Street. The County is requesting to remove the cistern located in front of the building to allow for modified ADA access.

Casey Squyres, Preservation Planner, introduced the topic. She provided a brief summary of the item to Council. Town staff conducted site visits to the property and offer the following for consideration during the work session:

- 1) If Town Council approves the demolition of the cistern, the bricks may be re-laid in a circular fashion, or in some other manner, to demark where the cistern was historically located.
- 2) Town Council may consider the removal of an existing tree to the left of the building, which would allow ADA clearance from the existing ADA marked parking space. This would allow the cistern to remain as is, or Council may allow the County to modify it in a manner that would allow for landscaping.

Councilmember Mooney asked if the Visitors Center currently had appropriate ADA capabilities.

Mr. Cassidy answered that yes, the building currently met ADA criteria, but the Town was attempting to update and improve the ADA accessibility of the Visitors Center.

Councilmember Mooney said that he would support an alternative to removing the cistern because of its historical educational value.

Councilmember Semple asked why the cistern was considered a non-contributing structure to the historic site.

Ms. Squyres said that when the Brentmoor property was divided into two parcels, the cistern was no longer associated with the historic context of the property. Due to that circumstance, the Department of Historic Resources and National Park Service made the determination that it was a non-contributing feature.

Mayor Nevill confirmed there was a majority consensus of Council to remove the cistern in order to upgrade the facility for ADA compliance.

E. Agenda Review

Mr. Cassidy reviewed the agenda. He noted that for SUP 2023-01 St. John the Evangelist Catholic Church, the applicant had requested to defer the item until September so they could work through issues with the right-of-way and drainage.

David Norden introduced himself as architect for the St. John project. He explained that they had new information they would like to share regarding the one condition that required delay of the project, which was the right-of-way on Winchester Street. He acknowledged the issue regarding the water and trying to demolish the building prior to construction.

Mayor Nevill said that during the public hearing would be a more appropriate time for the applicant to speak on the item.

Councilmember Semple asked why the item had been deferred.

Mr. Crim said that staff was still working out what level of public dedication of right-of-way was required.

Mr. Cassidy continued reviewing the agenda.

Councilmember Semple asked if Ms. Miller could describe the difference between the last year's budget and their projected results for this year's budget.

Stephanie Miller, Director of Finance and Procurement, noted that the financial statements were preliminary because many year-end adjustments had not been made yet.

Councilmember Semple asked if ARPA-related allocations had effects on the statements.

Ms. Miller said that some of the large expenditures related to ongoing projects would be adjusted.

Councilmember Semple asked what the status was of the Amazon site review process.

Mr. Cassidy answered that staff was waiting for their second resubmission. They were working through some legal details regarding their security submissions. Staff was communicating with them and were standing by for a review.

Councilmember Semple asked what the status was of the Horse Show Grounds acquisition.

Mr. Cassidy answered that staff was in the process of negotiations and finalizing the agreement.

Mr. Crim clarified that the matter rests with the Horse Show Grounds attorney; however, he had sent multiple communications to him in the past week and a half and had not heard back regarding the finalization of the agreement.

Councilmember Semple asked if traffic safety planning for Courthouse Square had been undertaken at this time.

Mr. Cassidy replied that staff was working through several different concepts, and currently they were gathering traffic counts before initiating any further work. Their project manager was communicating with Virginia Department of Transportation (VDOT) and the School Board to ensure any implementations would not adversely affect traffic flows or school bus routes. After that consultation, they would set up an experimental traffic pattern change at the intersection of Waterloo, Winchester, Main, and Alexandria Pike. He clarified that they would not do anything permanent until they identified consequences of the change would have on the side streets.

Councilmember Semple asked for the status of the Department of Environmental Quality (DEQ) septic remediation grant proposal.

Mr. Cassidy answered that they had applied for it and they did not anticipate hearing anything further until after the application deadline of September 30.

Councilmember Semple asked if staff had an update regarding the Dominion permit application.

Mr. Cassidy answered that Dominion applied for the potential undergrounding along Falmouth and Walker Drive, which staff rejected.

Councilmember Mooney asked why the application was rejected.

Mr. Cassidy replied that it was due to the recent repaving of the streets, the sidewalks had been reworked, the residents were unsupportive of further disruptions, and the route was not practical for the project.

REGULAR MEETING - 6:30 PM

The Mayor called the meeting to order at 6:30 p.m. A quorum was present, and business could be conducted.

A. INVOCATION.

Scott Christian from the Northern Piedmont Chapter of the Virginia Interfaith Center for Public Policy led the invocation.

B. PLEDGE OF ALLEGIANCE.

Mayor Carter Nevill led the Pledge of Allegiance.

C. PROCLAMATIONS, RECOGNITIONS, AND PROMOTIONS.

Town Manager Frank Cassidy said there were several staff members he would recognize this evening.

Mr. Cassidy announced the Town's new hires: In the Community Development Department, Code Enforcement Officer Heather Kincaid. In Information Technology, Administrator Jimmy Retamoso. In Parks and Recreation, Manager on Duty Cindy Hendricks, Lifeguards Luke Delach, Reed Dodson, Max Dufault, and Caleb Kim, Special Events and Recreation Program Coordinator Lauren Kruck. In Public Utilities, Operator Trainee Ian Fry, and Chief of Utility Plant Mechanic Dwight Beahm.

Mr. Cassidy congratulated the staff of Parks and Recreation, the Police Department, Public Works, Emergency Services and Risk Management, and Community Development for setting up a successful and safe misting tent event in response to the recent hot weather.

Mr. Cassidy congratulated the Police Department's recent successful community outreach events, the Haiti Street Cookout and National Night Out. He noted that several hundred people attended the National Night Out event.

Mr. Cassidy recognized two community members, Elli Ambros and Keith Braesicke, who would walk around the Town and pick up trash daily.

Mr. Cassidy announced that Lucy Demarr, 3rd Grade, Kaylee Nufer, 4th Grade, and Bradyn Ferris, 5th Grade, won the stormwater poster contest at the special event held by the Mayor and stormwater management staff. He said that the posters would be displayed at the parks as part of the "Stop Pollution Quick. Don't Make the Water Sick"

D. CITIZEN'S TIME.

Citizen's time Sign in Town Council Regular Meeting: May 9, 2023		
Name	Address	Topic
Waldo Ward	192 Pinnacle Court,	Data Centers
Don Patrick	165 Topaz Court	Courthouse Square Safety/BLM Vigil for Action
Cindy Burbank	Burnell Court	Data Centers

Waldo Ward, 192 Pinnacle Court, addressed Council regarding the "toxic atmosphere" discussed during the July meeting's closing statements and expressed concerns that Council did not consider the citizen input regarding data centers.

Don Patrick, 165 Topaz Court, addressed the importance of being able to gather and assemble in Courthouse Square and said he supported efforts to improve traffic safety in the area.

Cindy Burbank, Burnell Court, expressed concerns about the Mayor's remarks at the end of the July Council meeting. She said that there was overwhelming opposition to the Amazon data

center, amounting to 2389 people opposed on the record, and the submitted statements in opposition were predominantly personal, thoughtful, and individual, not form letters, according to the Town's own records.

E. APPROVAL OF THE AGENDA.

Mayor Nevill sought a motion to approve the agenda.

Councilmember Hamby motioned to adopt the agenda as presented.

Seconded by Vice Mayor Hartman.

The vote was as follows:

Ayes:	Ms. Heather Sutphin; Mr. William Semple; Mr. Jay Heroux; Mr. Brett Hamby; Mr. David McGuire; Mr. Paul Mooney; Mr. James Hartman.
Nays:	
Abstention:	
Absent:	

The motion passed unanimously; the agenda was approved.

F. PUBLIC HEARINGS.

1. Special Use Permit (SUP) 2023-01 St. John the Evangelist Catholic Church

The matter was deferred to the September Town Council meeting.

2. Ordinance 2023-07: An Ordinance Exempting Real Property Owned by Various Organizations from Taxation Pursuant to Virginia Code Section 58.1-3651

Stephanie Miller, Director of Finance, introduced the topic.

The public hearing was opened at 6:49 p.m.

The Public hearing was Closed at 6:49 p.m.

Mayor Nevill sought a motion on the item.

Councilmember Mooney motioned to adopt Ordinance 2023-07.

Seconded by Councilmember Hamby.

The vote was as follows:

Ayes:	Ms. Heather Sutphin; Mr. William Semple; Mr. Jay Heroux; Mr. Brett Hamby; Mr. David McGuire; Mr. Paul Mooney; Mr. James Hartman.
Nays:	

Abstention:

Absent:

The motion passed unanimously; the ordinance was adopted.

G. CONSENT AGENDA.

- a. BOND-23-4 Washington Street Development Bond Reduction Request

Mayor Nevill sought a motion on the item.

Vice Mayor Hartman motioned to approve the consent agenda as presented.

Seconded by Councilmember Mooney.

The vote was as follows:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Jay Heroux; Mr. Brett Hamby; Mr. David McGuire; Mr. Paul Mooney; Mr. James Hartman.

Nays:

Abstention:

Absent:

The motion passed unanimously; the consent agenda was approved.

H. DEPARTMENT REPORTS.

- a. Finance Department Report
- b. Parks and Recreation Department Report
- c. Police Department Report
- d. Community Development Report
- e. Public Works and Utilities Department Report
- f. Human Capital Department Report

I. NEW BUSINESS.

There was none.

J. UNFINISHED BUSINESS.

There was none.

K. TOWN ATTORNEY'S REPORT.

There was none.

L. TOWN MANAGER'S REPORT.

Mr. Cassidy reported that on the night of August 7, they had to activate the emergency response team due to storms. He said that they prepared all day, and fortunately, the only damage was one tree down in Rady Park. He said that power was off for a small section of town by Willow and Cardinal, but the service had been restored. He said the water plant was also impacted, and it had service restored about 40 minutes ago.

Mr. Cassidy announced that his next farmers market event would be held on Saturday, August 19.

M. COUNCILMEMBERS TIME.

Mr. McGuire: Announced that Salvatore “Sal” Torelli, Fauquier County Sheriff’s Office, and Pablo Teodoro, Great Harvest Bread Company, had recently passed away. Recognized the success of the National Night Out event. Thanked the Police and Fire Departments for organizing the event. Commended the Town Manager for his work in installing stop signs on Winchester Street and the school zone at St. Johns. Announced that Restaurant Week would be held from August 14 to August 20. Expressed that his experience in the military and as a police officer had made him a better citizen and public servant. Commended those who served in the military, police department, and fire department. Noted that people in the military, police department, and fire department risked their lives every day, and they died not only from combat but also due to training accidents, travelling, chemical exposure, among other reasons.

Mr. Heroux: Expressed his condolences regarding Mr. Torelli and Mr. Teodoro. Congratulated the new hires. Noted that there were several traffic improvement projects underway in the Town. Thanked Pike Electric for fixing the electric power service to the water treatment plant. Thanked the Council for having a productive discussion on affordable housing.

Mr. Hartman: Recognized that Restaurant Week was upcoming and asked residents to support the local businesses. Mentioned that Back-To-School Week was next week, so drivers should be aware of students, bus stops, and buses.

Mr. Hamby: Announced that Restaurant Week was upcoming. Thanked Public Works for their efforts during the recent storms and noted that they did not lose water service despite power outages.

Mr. Semple: Expressed concerns about the Mayor's closing comments during the July meeting where the Mayor said he spoke for all of Council; however, he said that the Mayor did not speak for him. Noted that the Council should represent the will of the people, and when the evidence supported those who were against the data center, it was best to acknowledge that majority rather than any "silent" majority. Acknowledged that this behavior was a pattern of Council, and he hoped that Council would be more collaborative and treat residents with more respect.

Ms. Sutphin: Expressed her condolences to Mr. Torelli and Mr. Teodoro. Recollected her time working with Mr. Torelli. Noted that she had witnessed some of the most toxic behavior since joining Council, and she had received emails telling her to "fry in Hell" for decisions she had made on Council. Mentioned that she was sickened by the lies espoused about her colleagues. Stated that she loved the Town, having been born in it. Commended the Mayor and the Vice Mayor for their integrity and bravery. Commended the Town staff for continuing to work hard despite the challenging political and work environment. Stated that she wanted the toxic behavior from constituents to stop, and she refused to acknowledge it any further. Stated that they should all strive to act like Mr. Torelli, who never had a negative thing to say about people.

Mr. Mooney: Expressed concerns about the Mayor's closing comments during the July meeting. Stated that it had been demonstrated that a substantial majority of the Town opposed the data center. Acknowledged that the Mayor did not speak to him, and the pro-data center majority was untrue, despite being embraced by his colleagues. Noted that continuously making false statements weakened trust in Council, and targeting individual constituents was inappropriate and ultimately harmful to Council. Requested the Mayor to refrain from speaking on his behalf. Stated that he was touched by the response of the community to the deaths of Mr. Torelli and Mr. Teodoro. Acknowledged that if they improved by 1% per day, the Town would be 365% better by the end of the year. Commended the emergency response team for their work. Thanked his constituents for their votes. Welcomed the newly hired staff members. Thanked the Town Manager for his regular updates.

Mr. Nevill: Stated that he had no comments.

N. ADJOURNMENT.

With no further business, this meeting was adjourned at 8:35 PM on Tuesday, August 8th, 2023.

I hereby certify that this is a true and exact record of actions taken by the Town Council of the Town of Warrenton on August 8th, 2023.

Attachments:

- 1) Handouts to Council from Citizen's time. August 8th, 2023.
- 2) Citizen Comment Emails and form submissions.
- 3) Signed legislation.

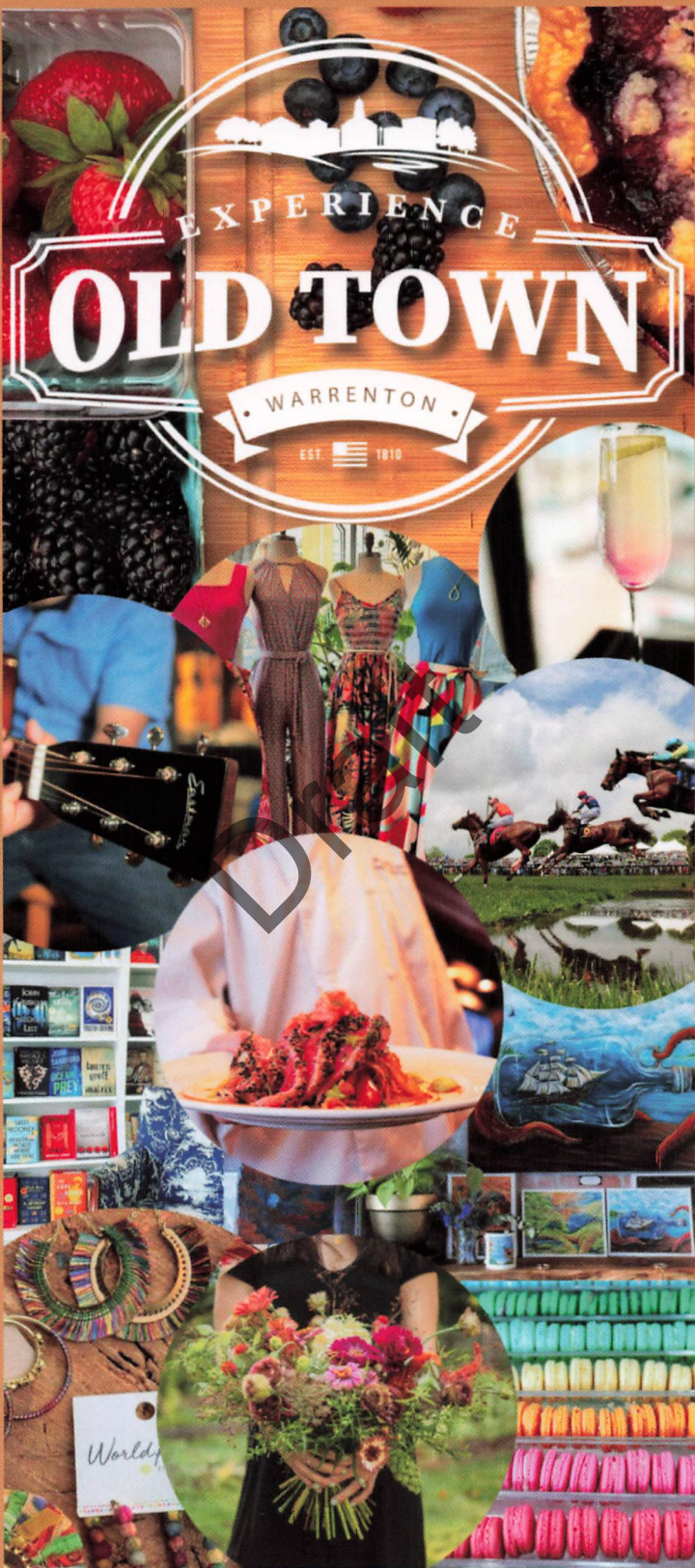
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The Town of Warrenton
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August 8th, 2023 Regular Town Council Meeting **Minutes**

Attachment 1: Handouts to Council from Citizen's
time. August 8th, 2023.



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Vibrant

EXPERIENCE

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Warrenton,
Virginia



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PATH FOUNDATION



MAIN STREET
AMERICA

VIRGINIA
MAIN
Street
VIRGINIA DEPARTMENT
OF HISTORIC AND
COMMUNITY DEVELOPMENT

Warrenton Farmers Market 2023 Updates: Mid-Peak Season

- Vendor Handbook created for 2023 Season
 - 1st handbook created for the Warrenton Farmers Market
 - Details safety requirements as per the Town of Warrenton Fire Marshall
 - Set guidelines for vendor conduct and established clear expectations and consequences
 - Increased fees for the 2023 season to help cover costs associated with facility maintenance
- Set-up of new application system & vendor document collection
 - Replaces a budget line item for an annual subscription to the platform previously used (Marketspread)
 - Keeps annual vendor fees to a minimum (the previous platform cost approx. \$30/vendor per season)
- "Straight from the Farm: A Weekly Digest for Locavores" Newsletter
 - approved by Town Manager, Community Development & EOTW
 - Starting off bi-weekly; will increase to weekly frequency as feedback from customers is gathered on desired content
 - 105 sign-ups since 7/27/23, promoted only on social media
 - Roll-out of virtual sign up via QR codes placed at each vendor 8/12 for National Farmers Market Week in conjunction with giveaways provided by Fauquier County Ag Development
 - Owned, evergreen media pieces that have life-time value are created as components to the newsletter; e.g. seasonally appropriate recipes featuring vendor product
- Community connections to strengthen our resources
 - Guest Vendor Program (over 25 locally-owned businesses highlighted YTD)
 - New form created to streamline intake of requests
 - Diversified Kids' Day Partners
(Kids' Day is a place-making activity to encourage families to stay, shop, & play at the Market)
 - Establishes the Market & the Town as a family-friendly destination
 - Free fun & educational activities for kids
 - Bring awareness to family-friendly businesses, services, & resources in the community
 - Allows adults to "divide & conquer"- one adult shops while another one takes children to enjoy activities
 - New personnel & initiatives at Fauquier Ag Development have been conducive for increased engagement with our Market
 - Fauquier Ag provided tent, table, signage, & giveaways for Market

A note on behalf of the Vendors to Town Council:

Thank you all so much for your support of the Market and the 45+ small businesses that participate. It is a weekly bright spot in the community where folks can come together over good food in a safe & fun environment. Being located in the heart of Old Town Warrenton has been critical to our success. Over the years, we have also received anecdotal input from our merchant neighbors on Main St. & the side streets citing the success of Market & its contributions to keeping Old Town vibrant & thriving.

Much appreciation,

Natalie Ortiz



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August 8th, 2023 Regular Town Council Meeting **Minutes**

Attachment 2: Citizen Comment Emails and form **submissions.**



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**No Citizen Comment Emails Were Received in
this Period.**

Draft



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August 8th, 2023 Regular Town Council **Meeting Minutes**

Attachment 3: Signed legislation

ORDINANCE 2023-07

**AN ORDINANCE EXEMPTING REAL PROPERTY OWNED BY VARIOUS ORGANIZATIONS
FROM TAXATION PURSUANT TO VIRGINIA CODE § 58.1-3651**

WHEREAS, Virginia Code § 58.1-3651 sets forth the process and procedure by which a locality may designate property as exempt from taxation where such property is held by organizations that use the property exclusively for religious, charitable, patriotic, historical, benevolent, cultural, or public park and playground purposes; and

WHEREAS, Virginia Code § 58.1-3651(B) requires that prior to the adoption of any ordinance exempting property from local taxation, the Town Council shall hold a public hearing on the proposed exemption and consider the questions enumerated in Virginia Code § 58.1-3651(B); and

WHEREAS, the Town Council, after due notice and public hearing, considered the questions set forth in Virginia Code § 58.1-3651(B) and, upon consideration of those questions, determined that the following organizations located in Warrenton use their real estate for charitable, historical, or benevolent purposes and that they should be exempted from real property taxation: Fauquier Community Food Bank and Thrift Store, Fauquier Family Shelter Services, Inc., Fauquier Habitat for Humanity, Highland School Educational Foundation, Inc. Hospice Support of Fauquier County, Inc., IOOF Charity Lodge #27 Trustees, Mt. Carmel Lodge #133 Ancient Fr, Oak Springs Association Limited Partnership, PATH Holdings I, LLC, PATH Holdings II, LLC, PATH Holdings III, LLC, Sudduth John D Post No. 72, Inc., View Tree Masonic Lodge, Warrenton Horse Show Association, and The Warrenton Meeting Place; now, therefore

BE IT ORDAINED by the Warrenton Town Council this 8th day of August 2023, that the organizations listed herein are exempted from taxation pursuant to Virginia Code § 58.1-3651.

Votes:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Jay Heroux; Mr. Paul Mooney; Mr. David McGuire.

Nays:

Absent from Meeting:

For Information:

Finance Director

ATTEST: 
Town Recorder

August 8, 2023
Town Council
Regular Meeting

**RESOLUTION TO APPROVE BOND REDUCTION REQUEST BOND-23-4 FOR WASHINGTON STREET
DEVELOPMENT (FP 2020-0125)**

WHEREAS, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

WHEREAS, a final plat for the Washington Street Development, case number FP 2020-0125, was approved subject to the provision of a Public Improvements Bond placed on June 17, 2021, in the amount of \$104,166.24; and

WHEREAS, an As-Built Plan was submitted and subsequently approved on June 20, 2023, to demonstrate conformity with the approved final plat and the ordinances and regulations of the Town of Warrenton as required by Section 10-9 of the Ordinance; and

WHEREAS, the Developer submitted a request on June 8, 2022 to reduce the Public Improvements Bond by 85%; and

WHEREAS, the Warrenton Town Council may grant partial releases of any bond, escrow, letter of credit or other performance guarantee required for the completion of improvements which are to be bonded as provided in Section 10-8.5 of the Town of Warrenton Zoning Ordinance; and

NOW THEREFORE BE IT RESOLVED, by the Warrenton Town Council that the Public Improvements Bond in the amount of \$104,166.24 is hereby reduced by 85% to \$15,624.94.

Votes:

Ayes: Ms. Heather Sutphin; Mr. William Semple; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Jay Heroux; Mr. Paul Mooney; Mr. David McGuire.

Nays:

Absent from Vote:

Absent from Meeting:

For Information:

Community Development Director,
Town Attorney

ATTEST:



Town Recorder