

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE TOWN OF  
WARRENTON HELD ON OCTOBER 14, 2014

The regular meeting of the Town of Warrenton was held on October 14, 2014 in the Town Council Chambers.

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

Also present: Kenneth L. McLawhon, Town Manager, Whitson W. Robinson, Town Attorney and Evelyn J. Weimer, Town Recorder.

The meeting was called to order by Mayor Duggan.

Invocation was given by Councilman John S. Lewis, Jr.

**CITIZENS TIME.**

The Mayor called for citizens wishing to speak.

He noted that citizens would be allowed five minutes to speak on an item other than a public hearing. He also indicated that due to the receipt of a final plat item late in the day he would allow questions or comments on that item when it was reached on the agenda.

Mr. John Albertella.

Mr. Albertella of 205 High Street came forward to address the two restrooms facilities – one at Eva Walker Park and the other at the W.A.R.F. He stated that at the Council worksession there was a presentation of the proposed restroom facility for Eva Walker Park. Mr. Albertella said that there was a plan to remodel the park some years ago at a cost of \$600,000, which included aesthetics and the restroom facility. He read from a petition which is being circulated which urged, and was signed mostly by downtown business owners, that Eva Walker Park's restroom facilities be the same standard of design and construction as those proposed for the W.A.R.F.

He offered to pay for the architectural fees associated with the design of the new facility to have a proper facility constructed and it be equal the cost per square footage to construct the facility. He proposed that the structure meet all historic guidelines for material, design and construction. He stated that the architect he had in mind was Mr. Richard Robison. Mr. Albertella stated he asked that his design be approved without question and that the project be completed within twelve months. He explained that a legal document would have to be prepared.

Ms. Charlene Spollen came forward and noted that she was just trying to understand if Mr. Albertella would be developing the plans and have it be submitted to the Town. Mayor Duggan noted that he wanted it approved without changes.

## **PUBLIC HEARING.**

### Special Use Permit 14-03. 188 Main Street – Dwelling units, Two-family.

Mayor Duggan called upon the Planning Director to give the staff report.

Ms. Sitterle came forward and noted the request was to allow use of the site for the two-family dwelling units, which is permissible with a Special Use Permit in the Residential R-6 District. The extra dwelling unit would be for use by a caretaker or to care for a family member. She noted that the outbuilding would be connected to the main dwelling. Certificate of Appropriateness 14-29 for an addition connecting the dwelling and outbuilding has been approved by the Architectural Review Board. The Comprehensive Plan identifies the property as Medium Density Residential, which includes single-family detached residential dwellings at densities up to five dwellings per net acre. The addition on .46 acres would not exceed the allowable density. The applicant will construct the addition immediately and maintain it as a rental unit indefinitely.

The Planning Commission considered the proposal on September 16, 2014. During the public hearing neighbors attended the meeting to express their concerns which focused on the permanent change from a single-family to a two-family designation for the structure and long term impact to the neighborhood regarding potential tenants for the second dwelling unit. The Commission discussed the proposal and determined that due to the medium density zoning and that the Comprehensive Plan will focus on the need to provide workforce housing, that this type of area was where accessory and two-family dwelling units should be located. The Planning Commission approved the request.

Mayor Duggan opened the public hearing at 7:18 p.m. He called for citizens to speak for or against the request. There being no citizens wishing to speak, he closed the public hearing at 7:19 p.m. and asked for the will of Council.

On a motion by Mr. Lubowsky, seconded by Mr. Kravetz, the Special Use Permit 14-03, 188 Main Street was approved on a 7-0 vote of Council (for: Reynolds, Polster, Wood, Williams, Lubowsky, Kravetz, Lewis; against: none).

## **CONSENT AGENDA**

- a. Approval of Council minutes of the regular meeting held on September 9, 2014.
- b. Financial statement and staff reports and Board and Commission minutes.
  - (1) Financial statement for period ending September 30, 2014.
  - (2) September statement of accounts paid.

- (3) Miscellaneous staff reports.
- (4) Receive minutes of the Planning Commission meeting held on August 19, 2014 and Architectural Review Board meeting held on August 28, 2014.
- c. Consider request of Habitat for Humanity for reimbursement of fees (building permit fees) associated with Lot 11 (112 Flikeid Lane) and Lot 12 (114 Flikeid Lane totaling \$1003.20 and Lot 9 (124 Flikeid Lane) and Lot 10 (124 Flikeid Lane) totaling \$1000.08 – grand total of \$2,003.28 and building permit fees of \$24,911.18 for Lot 11 and Lot 12.
- d. Consider request of the Fauquier Historical Society for reimbursement of fees for sign permit for \$188.50.
- e. **Bond Release – Home Depot.** Request for release of a Bond (#104433493) held as a surety for the site work, road improvements and erosion and sediment control (SDP #04-07). Council previously reduced the original bond of \$2,228,000, placed on February 28, 2005 to \$342,000 (15% maintenance level) at their May 11, 2010 meeting. The request is for release consistent with the completion of the project. Staff recommends this release as the revised As-Built drawings have been completed and landscaping issues have been resolved.

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

## **NEW BUSINESS.**

Consider request of the Bluemont Concert Series to hold the 22<sup>nd</sup> Annual First Night Warrenton.

Ms. Dunning came forward and asked Council permission to hold the 22<sup>nd</sup> Annual First Night Warrenton. On a motion by Mr. Kravetz, seconded by Ms. Reynolds, the Bluemont Concert Series request to hold the 22<sup>nd</sup> Annual First Night event was approved on a 7-0 vote (for: Reynolds, Polster, Wood, Williams, Lubowsky, Kravetz, Lewis; against: none).

Consider setting new date for November Council meeting since the second Tuesday falls on the Federal, State and Local Veterans Day Holiday.

Mayor Duggan noted that a number of Council would be attending the Veterans' Day program at the Hospital. Ms. Reynolds noted that she had no problem with it staying the same. Mr. Lubowsky asked if it was out of consideration to the public or members of Council. The Mayor felt it was out of consideration for the veterans and members of the public. He stated it was his thought that the veterans are being honored that morning. He

further stated if anyone thought it disrespectful it should be moved. Mr. Wood noted that, as a veteran, he saw no problem with it. He stated that meetings and speeches, etc. are held in the morning. After discussion, all were in agreement to leave the November Council meeting date as November 11.

Final Plat #14-01. Warrenton Crossing Subdivision.

Mayor Duggan asked Ms. Sitterle to come forward and give the staff report. She indicated that the request is the final plat for a 135-lot subdivision which will include construction of a public collector road and local street terminating with cul-de-sacs.

The land consists of seventeen (17) individual parcels totaling 43.20 acres with a combination of R-6 and R-15 districts. The proposed residential subdivision is located east of Falmouth Street, South of East Lee Street, and west of the Route 29 Eastern By-Pass. A collector road is planned to provide a connection from East Lee Street to Falmouth Street and Old Meetze Road. The Comprehensive Plan identifies this area as low-density residential use for single-family detached residential dwellings up to 2.5 dwellings per net acre. Ms. Sitterle stated that the zoning requirements have been met and are consistent with the Comprehensive Plan for both the R-6 and R-15 area. Staff had been concerned that the plat that was submitted had not shown the right of way to be dedicated for Tomkins Drive was not shown across the Gaines property. The connection of Tomkins Drive to the proposed Williams Way was important to establish the road connection for the subdivision and for Phase I of the project. She stated that the open space requirements had been met.

Ms. Sitterle stated that Council had considered waiver requests for street widths and cul-de-sacs during their July 8, 2014 meeting and approved the street waiver with the modification to the local, interior street widths to include a pavement width of 29 feet and the waiver request for the cul-de-sacs was also approved.

Ms. Sitterle noted that the E-911 Section of the Fauquier county GIS Department had found some problems with some of the street names: Williams Streets (there are already two), Stuart Street (there is one in Warrenton and The Plains), Cavalry Drive and Calvary Court would cause confusion, Clarke Street proposed for Mintbrook Subdivision. She noted that Williams Way will be changed to John Williams Way.

The Planning Director said that the property was not within the 100 year flood plain but a substantial wetland approximately one and one half acres is located within the proposed the proposed subdivision, a portion of which is proposed to be disturbed by construction activities. A portion of the wetlands would be located within area reserved as open space. The applicant has submitted a Jurisdictional Determination letter. This letter confirms the Department of the Army Corps of Engineers jurisdiction of waters and wetlands on the property. It does not authorize any work in the wetland areas or indicate that mitigation has been approved. The applicant has indicated they will submit the wetlands permit to USACE and DEQ, but would be on hold pending finalization of the construction drawings. Documentation of the permit submission will be a requirement for the review process. Approval of the permits from USACE

and DEQ will be a requirement for site plan approval and before the land disturbance permit can be issued.

Ms. Sitterle stated that there was until earlier in the day absence of demonstration that there was a complete right-of-way for Tomkins Drive and Williams Way across the Gaines property. She said since that was received the following approval is recommended with the following conditions:

1. Documentation on the wetland permit to USACE and DEQ is to be submitted within 30 days of approval of the Final Plat. Any changes in density as a result of the wetlands permitting review by USACE and DEQ will be at the risk of the applicant. Final approval of the site plan is dependent upon completion of the wetlands permit application process and approval from both USACE and DEQ for the wetlands mitigation.
2. The Director of Public Works and Utilities and the Planning Director approve a site development plan for the subdivision.
3. Stormwater management permitting through the Town is completed and approved.

Mayor Duggan noted that he and the Town Attorney had talked earlier in the day and he would be adding some comments about how we got to this point. Mr. Robinson stated that the Planning Commission had approved a plan that was in conformance with the requirements at the time. One of the things that staff had wanted to do is look at the Comp. Plan and show what is actually happening at the intersection and why the Gaines property is important. And also to make sure that the applicant knows that in order for the site plan to be effective they need to, at a minimum, have the Gaines property to make it straight. He stated that would lower the impact on Oliver City. The new plan would move the road up farther. He indicated that the Comp. Plan in 2008 showed that the road would extend the way it will be extending. He noted that the Town had asked the applicant to work on off-site improvements and they said no. Mayor Duggan asked what the traffic rating of the road has been with the by-right approved by the Planning Commission and Mr. Robinson felt it would be the same. Mr. Vento noted that the previous by-right subdivision would have ten vehicle trips per day and be a "F" rating and the new plan would also be a "F". Mayor Duggan asked Mr. Robinson to speak to the wetlands and Mr. Robinson stated that the applicant could not do engineering for the wetlands without the final plat having been done. The engineering is done on a plan that is not finished and the Army Corps of Engineers going over and reviewing a plan that does not exist. One of the conditions to the final plat approval is that within 30 days the application should be submitted to the Army Corps of Engineers which means they have to do their engineering and provide it to the Army Corps. They will look at the process. He asked for assurances from Mr. Dobson and Mr. Vento that if the Army Corps removes certain lots they understand that those lots are gone or that they do the wetlands mitigation. Mr. Robinson noted that Mr. Dobson was nodding his head. Mayor Duggan asked about the contract to buy the right of way and Mr. Robinson noted that Mr. Dobson is aware that it is conditioned upon them having the right of way to straighten the road or they cannot make that connection in accordance with the final plat which would mean the final plat is null and void.

Mr. Wood asked where the wetlands are located. Mr. McLawhon noted that they are roughly where the terrain drops off and is steep, which is the location of the creek.

Mayor Duggan asked Mr. Vento if he had anything to add. Mr. Vento came forward and noted that the construction plan submitted in August is the same as shown on the construction drawings. Mr. Robinson noted that there were two contracts and his understanding was that the applicant was thinking about not doing one because it may not be needed. He stated that the issue outstanding is being able to access off of the back lot. Mr. Vento noted they would meet the owner following the Council meeting.

The Mayor called for citizens wishing to speak.

Mr. Walter Hitchcock.

Mr. Hitchcock, representing Drew Corporation and Town Resident, came forward noting that there is one parallel road with limited access. He urged making it safe. He noted he represented Drew Corporation which had the lot right at the corner and he was concerned about access for that lot. He stated access to the lot is noted as in front of the lot and going down the hill. He asked for a no parking sign in front of that lot. Mr. Robinson stated that, if he is correct in which lot Mr. Hitchcock was referring to, it would have access and granted it would be near the stop sign. The Town Attorney noted that there was no parking on the collector road.

Mayor Duggan called upon others to speak.

Mr. Donald Haley.

Mr. Haley came forward asking that Council stay with the plan approved a year ago.

Mr. Lewis moved that Final Plat #14-01, Warrenton Crossing Subdivision be approved and Mr. Wood seconded the motion.

Mr. Polster noted he received two emails from Oliver City residents who had traffic concerns. He stated that the item had come up at the last Traffic and Safety Committee and they are moving forward with discussions on how to mitigate the traffic at that intersection. Ms. Reynolds, Chair of the Transportation Safety Commission, noted that there is going to be a considerable problem at the Walker Drive and Lee Street intersections. She indicated a roundabout or traffic may need to be considered at the Town's expense.

The Town Attorney stated that the Town is not allowed to in a by-right, as was approved by the Planning Commission previously, require a developer to do off-site improvements. He stated that the Town had asked the developer to rezone the property so the road could be straightened out. The developer had told the Town not to ask for proffers but they would do it. The developer stated that he would be work with the Town to mitigate internally the issues associated with the traffic but Town should not ask for off-site improvement. The Town Manager reiterated, though asked, the developer declined to address the intersection matter or issue on Lee.

Ms. Charlene Spollen.

Ms. Spollen, resident of 401 Falmouth Street, asked if the developer does the traffic study and the Town mitigates. The Town Attorney stated that in a normal situation the Town would want to rezone the property because they want additional lots and they want more units to have a larger profit. In doing that, the localities are able to negotiate. It is not required if you are not asking for a rezoning for additional units. The Town cannot require a developer to do off-site improvements, but are required to do the traffic study. In this particular case, there was a rezoning, and the Town asked for off-site improvements and the developer noted that they would stay with their by-right plan. But then the Town asked them to do the rezoning to get the driveways off the collector road to make it safer.

Ms. Catherine Ord.

Ms. Ord, resident of Edgemont, noted that if it ends up being a traffic problem and Ms. Reynolds had mentioned doing something with a roundabout, is the Town looking to do something in that area. Ms. Reynolds noted that the Town was trying to be proactive and felt that there would be a traffic problem there, especially at peak times of the day. Mr. McLawhon circulated sketch of a roundabout that was discussed when the project first began and noted that a roundabout could cost as much a \$2 million. He reiterated that a request was made to the developer for a roundabout, knowing that otherwise the cost would otherwise be borne by the taxpayers. The Council at that time made the decision, that the infrastructure for the relief behind Falmouth Street and the getting the driveways off of that particular access mitigated trying to push for the off-site improvements and denying an approval. That would have triggered the by-right subdivision. Mr. Wood stated that he was concerned about the intersection and a roundabout being constructed. He noted that he would not vote for a roundabout due to the cost and the spending of taxpayers' money. He stated another solution would be a traffic signal which as noted would not be paid for by the developer either.

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

**UNFINISHED BUSINESS.**

67 Waterloo

Mrs. Sitterle came forward and noted that two structural engineer reports had been received and the Building Official was in the process of reviewing them. His preliminary determination has not been finalized as yet. Mr. Lubowsky asked what the consequences will be once the Building Official makes his determination and Mrs. Sitterle responded that he is going to review both reports to see if there are any immediate concerns where if he had to make a determination from a structural or safety standpoint. Mr. Robinson noted that what is being reviewed now is that as the Building Official, Mr. Mercer, makes a determination by State Code he can have certain portions removed immediately. While reviewing both structural engineering reports he is determining whether there is an

indication where those can actually go ahead and get started under his authority under the State Code on an immediate level. If there is a discrepancy as to other portions of it not necessarily on a safety issue that those may end up having to go through the A.R.B. The Building Official will review the reports for items both reports agree on. Mr. Robinson stated for those areas which are not safety hazards the property owner would have to go through the A.R.B. to get those sections removed. Ms. Reynolds asked if it would go through the A.R.B. and then come to Council and Mr. Robinson responded that the Building Official can make the determination that it is not safe and it can be removed and the remainder would go before the A.R.B. and if they do not like the A.R.B. decision they could appeal to the Council, but under a whole different set of standards.

Mr. Lewis noted that there are two reports and both say different things. He stated that his report is more favorable to his situation. Mr. McLawhon noted that they are trying to reconcile the elements and the applicant is taking another look at the analysis done by the Town at first. Mr. Lubowsky in conjunction with the two reports determines there can be portions demolished who would engage in the demolition. He assumed that it would be the owner and asked who would superintend to be sure the action is for those parts which could be demolished. Mr. McLawhon noted that given the sensitivity of this that the Town would be coordinating and working with the superintendent to make sure it is done as proposed. Mr. Robinson noted that would be what would happen and what is left would have to be taken before the A.R.B. Mr. Polster wanted to make sure that during demolition some things can happen and something not planned for demolition could fall down.

#### Mr. David Norden.

Mr. Norden, architect representing the owner, came forward and noted that the fire happened in July and it is October and the owner has no understanding of what is expected of him. He stated that the owner wishes to get permission to demolish the slave quarters and the connecting link that goes to the house which has already been approved for demolition by the A.R.B. He noted that the north wall of the slave quarters can be moved back and forth with your hand. He stated that there is no way when demolishing the connecting link without the building falling. The applicant thought approval had been given previously to remove the slave quarters and the connecting link but when machinery was brought on site they were told not to demolish the slave quarters. The applicant is not going to touch the connecting link because the slave quarters are going to come down too. Mr. Norden indicated he was asked to attend the meeting to make the request that permission to remove the slave quarters with the connecting link, which would expose the house itself and it may be a higher consideration to the Council to try to preserve it. He stated that it would enable the owner to tarp the building better. Mr. Norden noted that he did not agree with some items in the inspection report and the wall would have to be removed. Mayor Duggan stated that it would be a matter for the Building Official and Mr. Robinson said that the Code reads that building inspector can do things immediately for safety issues but whatever is left has to go to the A.R.B. via normal process. He said that the building inspector did as much as he could because it was obvious to him initially but because he was not a structural engineer that is why a report was requested so he could base his opinions on the safety issue.

Mr. Norden stated that the owner did not know that process was happening and asked what the timeline was. The Town Manager noted that the building official is working it now and he pointed out that Mr. Polster's point is an important and what has been said by the A.R.B. previously that the owner took too much to heart which was not to go into the building and do anything else in the middle and have some things damaged. He said that while that could occur there is a difference of opinion. The report says that "the second floor framing within the slave quarters appears to be generally in sound condition". He stated if that falls down as part of that it could happen. Mr. Norden pointed out that on page 7 the engineer said that the second level masonry wall is in overall good condition but then the next three sentences talks about where they are not in good condition. Mr. Norden stated that there is a lot of confliction in the engineer's report and a lot of assumptions but he does not indicate how he reaches those assumptions. Mr. Polster felt that a matrix had been established. Ms. Reynolds stated the mention in the second engineering report of cost effective reuse or repair which she felt was a very loose term. She found it strange that owner did not understand the processes the Town was going through. Mr. Robinson stated that at the last Council meeting it was discussed and he believed the owner was sitting in the audience. Ms. Reynolds asked if he received a copy of the report and the Manager confirmed he did. He stated staff is attempting to not overstep its bounds with an appeal on the A.R.B. element.

#### Revised Guidelines for Events.

Mr. Polster stated that originally the Town of Leesburg policy was reviewed along with numerous other jurisdictions. He met with staff members to update the policy and found out there were three separate event policies and all were meld into one application. He explained the proposed policy. Mr. Kravetz gave a history of the process. He stated that there was an original one-page event policy which came forth because there was a situation whereby an organization appeared before Council thirty days prior to the event saying it had to be approved because it had already been advertised. He stated he felt the new policy was overly bureaucratic and it should be reworked. He did not like the idea of people paying fees and a lot of groups have event for the overall good of the Town. He moved that the matter be tabled so it could be refined and Town friendly. Mr. Polster noted that he was unaware of the Town's inflatable policy and Prince William County had a six page policy dealing only with inflatables. They noted that they wanted people coming in to know what their policy was. Mr. Polster stated that the revised Town policy encompassed all the concerns that staff had. Mr. Polster moved to move forward with the policy. Mayor Duggan noted that Mr. Kravetz had moved to table the policy. Mr. Lewis seconded Mr. Kravetz's motion.

Ms. Reynolds noted that there are mostly nonprofits groups who put on the events and whether the Town should charge fees or the taxpayers absorb the fees. She noted that with some events there are liabilities. She explained a problem on 5<sup>th</sup> Street where food vendors' oil was dumped in the street. She also noted at the car show she had cleaned up some of the oil/grease. Mr. Lubowsky agreed that those people who are going to profit from an event should not be subsidized by the Town. Mayor Duggan asked the Town

Attorney to work with Mr. Polster and Mr. Kravetz on revision of the policy. Ms. Reynolds commented that if the fees are waived for law enforcement, it would raise the budget. Mr. Kravetz agreed if the group is a for-profit they should cover the costs of Town expenses. Mr. McLawhon noted that there would need to be some terminology for agreements with the non-profits and profit organizations. Mr. Kravetz asked that it be refined and forwarded back to the Council at the next meeting.

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

#### Website/IT.

Mr. McLawhon noted that Council had received copies of the information from F1. He stated if the Town was going to move ahead on the project the role the consultant would take on is putting together the documentation necessary to get the project out to bid. He stated that the “front visuals” do have an interface with the back side of the operation and he wanted to make sure we get something that looks nice and that it actually works/interfaces. Mr. Fred Drucker of F1 was available for questions. Ms. Reynolds stated that she understood that the RFP was going to go out for design and Mr. Drucker stated it would be for the entire site. The Council or Town staff would define the scope. Ms. Reynolds felt design had to be done and Mayor Duggan noted that hosting was an option. Mr. McLawhon noted that hosting on-site or elsewhere was previously discussed. He stated that if the specifications are put together in elements such as a menu then it might be the best choice for more flexibility. Ms. Reynolds felt that staff had been working within the current system for years and felt that they are capable of making that decision. Mr. Kravetz agreed that the staff should do it. The Town Manager noted he was hearing that the web portion was going out and the back end portion we can still work through as per prior arrangement. Mr. McLawhon stated that he did not disagree with Ms. Reynolds that a part time person to handle the web would be helpful but pointed out that there are other positions that are being suggested as budget additions such as an economic development person and police officers and he noted it would be adding to the bottomline.

Mr. Kravetz suggested when getting close to awarding a contract to someone there should be a task force developed to work with the vendor so everyone have input. Mr. Polster stated that it is important for the Town staff to be the advocate throughout the process. Mr. Lubowsky stated it seemed that the back end of the system is being disengaged and proceeding with the web. He indicated that the project description indicated to include new Town website and integrate with intranet and payments and he thought that was part of the back end. He asked if only the front end was being talked about and the Manager noted that while there was some overlap, yes, that was the point. Mr. Drucker noted that the traditional website most communities have vendors create a new site and they typically want any third party application to represent itself on the web as a link. He stated that the Town has some intranet functions that require a tighter integration, a new payment system needs to be integrated and typically web vendors want staff or a third party to come and do that integration. He indicated that the site needs to be custom designed to integrate with existing applications and new payment system. Mr. Lubowsky stated that he would like for there to be a easily accessed, user friendly interface and what does that look like,

how much is already in place and what has to be done to get there. Mr. Drucker noted that what Mr. Lubowsky just described is what will be delivered by the conventional web design firms. The intranet function which is not always part of websites is what Town staff uses for time recording, HR processes, and those intranet functions are a custom built add on to a public facing site. He stated that there is a third piece, the extranet, where the public interacts with the site in a transaction, for example, a payment system. Those things can be modules that the web site designer can give the Town. Mr. Drucker stated that F1 is providing a dual one – one that interfaces with the vendor for just getting it done right and the piece that is a little more code driven – intranet/extranet – that many towns do not build. Mr. Lubowsky asked why staff could not come into the intranet via another portal and Mr. Drucker noted that was a possibility.

Ms. Reynolds asked Mr. Drucker if he knew what Mindmixer was and he indicated he did not. Ms. Reynolds noted that a Planning Commission member had noted that a nearby jurisdiction used it. Mr. McLawhon noted that there would be a public meeting when front end or web elements will be discussed. Ms. Reynolds noted that the R.F.P. would be going out and Mr. Drucker noted that they would assume staff asked them.

Making election laws applicable to towns having populations of 25,000 or more applicable to Warrenton.

Mayor Duggan noted when he first heard of the possibility of this that he was in favor of the transparency. There had been a presentation by the Registrar, Alex Ables, setting out the process and there would be a possibility of a criminal case if not careful but it is understood if done through the website it is not that difficult. He stated that the law is subject to towns with a population over 25,000 and it may discourage citizens from running for office. Mr. Lewis felt it would be voluminous and nothing more than paperwork which would be shipped off to Richmond. He stated you make one little mistake and you would get a slap on the wrist. He said that you may have done something innocently or by accident but there was no room on the form to indicate this. He knew of no one who has abused the system. Mr. Wood stated he was a person who had lived under the system of at the State Legislature where \$50 and above had to be reported, he thought the public needed to know where the money is coming from and what you are accepting and how you are operating your campaign. He felt that whether it comes this year or years to come, that the public would demand that it be done. Ms. Reynolds noted her biggest concern is that it would keep people from running for office. She stated that making a mistake you could actually be fined and that would keep people from running for office.

Mr. Lubowsky noted that he had worked on county and state campaigns and it was not a huge nuisance. He stated as races become contested it will be all the more important for people to know where the money is coming from. Mr. Polster stated change in policy is never easy but at some point, you have to stand up and say that it is the right thing to do. Mr. Lubowsky stated that Mr. Ables is the front end and he could waive a fine if the disclosure is late. The Town Attorney stated that the motion would be to direct the Town staff to prepare the ordinance, a public notice advertising the meeting and a vote at a Council meeting.

Mr. Polster moved to direct staff to draft an ordinance concerning the item so Council could consider it at the November meeting. Mr. Wood seconded the motion. A call roll vote (6-1) was held with Ms. Reynolds, Mr. Polster, Mr. Wood, Mr. Lubowsky, Mrs. Williams, Mr. Kravetz voting for and Mr. Lewis voting against.

Consideration of Sharrows program for Walker Drive.

Ms. Reynolds noted that the Transportation Committee met recently and unanimously passed the Sharrows Program the entire length of Walker Drive up to Falmouth Street. The Committee recommended it be permanent and not a trial and one of the main reasons was the cost and difficulty in applying the temporary paint. On a motion by Ms. Reynolds, seconded by Mr. Kravetz, the Sharrows Program was approved for the entire length of Walker Drive to Falmouth Street (for: Reynolds, Polster, Wood, Williams, Lubowsky, Kravetz, Lewis; against: none).

**REPORTS AND COMMUNICATIONS.**

Report from Center District Supervisor.

Supervisor Granger noted that there was an extensive package concerning the last Landfill worksession the County had. He explained that IFBs for fixed-based operator and transfer stations and looked at 30 year projections of cost. He felt the County would be looking at a transfer/construction debris there while maintaining the permit on the landfill so that 20-30 years when another technology came along to dispose of trash, there is still capacity. He stated that the Town should do some planning two years from now about how to deal with disposing of trash at the transfer station because it will be run by a private operator. The County would no longer be controlling tipping fees.

Report from Town Attorney.

There was no report.

Report from Finance Committee.

Mr. McLawhon noted that the annual budget letters were sent out earlier in October. The Classification/Compensation study is being undertaken and the representative was recently in Town to start the process. Numbers should be available for the budget to implement a new, updated classification /compensation plan. Mr. Lewis asked about including Council and the Mayor. The Manager indicated staff would be glad to do that. He stated his intention was to include classification/compensation numbers in the budget.

Report from the Public Safety Committee.

Mr. Kravetz noted he sat in on a training session at the Police Department on active shooter. There was praise for the way the recent standoff incident on Alexandria Pike, noting it

was done “by the book.” Mr. McLawhon noted that the County took the lead on the incident and that he had received numerous emails and telephone calls via the new notification alert system. Mr. McLawhon noted that there is a request to the Town to underwrite the system.

Report from the Public Works Committee.

There was no report.

Report from the Utilities Committee.

Mr. Lubowsky noted that he had attended the recent water summit sponsored by the County and found it very interesting.

Report from Planning District 9 Representative.

There was no report now but meeting would be held soon.

Report from Transportation Committee.

Ms. Reynolds noted that a meeting was held and the Sharrows program at Walker Drive and Lee Streets was recommended. She stated that eliminating the four parking spaces on Third Street was discussed. She noted that Mr. Wood had indicated that his Homeowners’ Association was interested in installation of a four way stop at Oaks Springs and Fletcher Drives. She said that Mr. Wood will have the Homeowners’ Association prepare a statement that they wish a four way stop.

Report from Recreation Committee.

Mr. Kravetz noted a meeting would be set up early November. He explained two items on the agenda would be discussion on what to do with the Depot park, potential enhancements to the Academy Hill Park, with the idea of installing a dog park and enhancing the softball fields. Ms. Reynolds stated that she had put the discussion of Timberfence on the Liaison Committee and following that, she would like to have discussion at the Rec. Committee meeting. Mr. Kravetz clarified that he had mentioned to the Mayor that he would step down as Chair of the committee to make room for one of the new members to chair. He suggested that Mr. Polster would be a good fit since he had young children and frequents the W.A.R.F. He stated that it was a suggestion and he would be more than happy for him to chair the committee if Council felt it a good idea.

Report from Liaison Committee representative.

Ms. Reynolds noted that the next meeting is scheduled for 4 p.m. on October 20. She stated that the economic development process would be discussed along with Timberfence.

Report from the Historic District Planning Committee.

There was no report.

Report from the Town Manager.

The Manager noted that the Fall Cleanup would start on October 20 and the schedule is found in the newsletter.

Update on Special Task Force.

Mr. Lubowsky noted there should be some items to talk about soon, since he and Mr. Polster will talk with Ms. Sara Makely.

Presentation of Proclamation “Red Ribbon Week”

Mayor Duggan read the proclamation concerning “Red Ribbon Week” requested by the Shenandoah Young Marines. They were not present to accept the proclamation.

**COUNCILMEMBERS’ TIME.**

Ms. Reynolds noted that Mr. Miles Friedman had forwarded a proposal for an economic development position.

Mr. Kravetz moved to approve the associated resolution and Mr. Polster seconded the motion.

Ms. Reynolds presented the following resolution for consideration:

**A RESOLUTION IN SUPPORT OF CREATING AN  
ECONOMIC DEVELOPMENT POSITION**

**WHEREAS**, the Town Council of the Town of Warrenton believes in keeping the Town a prosperous community for businesses to grow; and

**WHEREAS**, the Town Council is committed to retaining existing businesses and adding to a vibrant commercial community; and

**WHEREAS**, the Fauquier County Department of Economic Development has offered to assist the Town with these goals; and

**WHEREAS**, the Town Council believes one of the best ways to achieve these goals is by having a person dedicated to the Town of Warrenton solely.

**NOW THEREFORE**, be it **RESOLVED** that the Town of Warrenton is committed to creating a position dedicated to assisting existing businesses grow and attracting new businesses inside the Town of Warrenton; and

**BE IT FURTHER RESOLVED**, that the Town of Warrenton authorizes the Town staff to prepare the necessary documents for creating this position both organizationally and financially, and to coordinate with the Fauquier County Department of Economic Development in furtherance of the same.

Mr. Lubowsky stated that the Town needed to have something that is as much as a statement of work as a job description to include what the person will be doing and how much it involved in it. He stated implications are that it is a full-time job but there should be definition of what they will do. Mr. McLawhon felt that was a good point and the document he saw indicated \$120,000 figure.

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

Mr. Kravetz noted that the Halloween Happyfest is approaching and he thanked the article concerning the parade in the "Lifestyle" magazine. He said Walmart will be furnishing 600 treat bags for children and 100 for dogs. Carousel will be doing free ice cream.

Mr. Wood pointed out that he has not been appointed to any committees. He suggested the Finance, Recreation and Transportation Committees.

Mr. Lubowsky noted that he and Ms. Reynolds would be making a site visit to Eva Walker Park and later to Rady Park on Thursday, 16<sup>th</sup> at 10 a.m.

Mayor Duggan asked for feedback on Mr. Albertella's offer to build the restroom facilities at Eva Walker Park. He noted he was "on board" until Mr. Albertella indicated it would have to be built according to his specifications. Ms. Reynolds noted she was waiting to see what Smith-Midland comes back with. Mr. Kravetz commented that there are already a set of architectural plans for the WARF and they could be utilized for Eva Walker Park. Mayor Duggan noted that Mr. Tucker had indicated they would have to be redone or taken as is. Mr. Tucker stated that it would need to be reworked to reduce the size of the facility.

Mr. Lubowsky felt Mr. Albertella's concern was that he wanted to see something more consonant with the space. Mr. Lubowsky stated it was a generous offer and should not be discounted.

There being no further business, the meeting adjourned at 9:40 p.m.

Evelyn J. Weimer, Town Recorder