



## TOWN COUNCIL REGULAR MEETING

21 Main Street

Tuesday, December 12, 2023 at 9:00 AM

### MINUTES

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AN OPEN MEETING OF THE TOWN COUNCIL OF THE TOWN OF WARRENTON, VIRGINIA, WAS  
HELD ON DECEMBER 12, 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. Paul Mooney; Mr. David McGuire; Mr. Eric Gagnon; Mr. Frank Cassidy, Interim Town Manager; Mr. Stephen Clough, Town Clerk; Ms. Pamela O'Berry, 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. Paul Mooney; Mr. David McGuire; Mr. Eric Gagnon; Mr. Frank Cassidy, Interim Town Manager; Mr. Stephen Clough, Town Clerk; Ms. Pamela O'Berry, Town Attorney.

##### ABSENT

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### **I. 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.

Mr. Nevill welcomed Eric Gagnon, elected to serve the remainder of Kevin Carter's term. He welcomed Pamela O'Berry, Associate at Sands Anderson, who would be serving as their legal counsel today due to Mr. Crim's absence.

Ms. Pamela O'Berry, from Sands Anderson, was present for Mr. Crim, Town Attorney.

#### **A. Resolution to Consider a Boundary Line Adjustment with the Arrington Subdivision**

Rob Walton, Director of Community Development, introduced the topic. He provided a brief summary of the item to Council.

Councilmember Semple asked why a resolution was necessary for this item.

Ms. O'Berry replied that the purpose of the resolution was to express the will and support of the position of the Council at this time; it is important to document the position of the Council at the time the project is initiated.

Councilmember Semple said that he was concerned that this substantive resolution was endorsing and approving the project before it had been reviewed by the Planning Commission or heard in a public hearing. He said that in his opinion, he did not think Council should be hearing this matter.

Ms. O'Berry noted that the resolution did not effectively bind the Town to anything specific; rather, it was expressing general support and asking the Town to participate in the collection of data and process as the application moved onto the Planning Commission.

Councilmember Hamby stated that his understanding was that this resolution was an acknowledgement from the Town that they were aware and supported the past actions of the Fauquier County Board of Supervisors and Planning Commission regarding this project.

Mayor Nevill asked if it was possible to create a new draft resolution that clarifies Councilmember Hamby's point and removed the more prescriptive aspects that Councilmember Semple was concerned about.

Ms. O'Berry confirmed that additional language could be included to clarify that the Town supported the principle of the development and nothing in the resolution should be read to subvert the Planning Commission process or citizen input process.

Councilmember Gagnon expressed concern that approval of this resolution by the Town Council may be sending the message that the matter had already been decided, therefore giving undue influence over the Planning Commission process. He noted that citizens had recently expressed disapproval of large boundary line adjustments, so this issue likely required further discussion before anything was approved by Town Council.

Councilmember Mooney stated that he believed it was possible to make the resolution more generalized, so it clearly expressed that Council was generally supportive of pursuing the project without including so many specific details.

Ms. O'Berry said that it was possible to make it more generalized, but without including the specific details of the project it may allow for changes to be made that the Council did not agree with.

Councilmember McGuire stated that the details were important so they knew exactly what they were getting. He asked if the developer could discuss their plans for the retail space in this development.

Roy Barnett, Group President of Van Metre Companies, replied that 25 acres off of Alwington Boulevard would be established as a commercial district with Commercial (C) zoning. He noted that the resolution included language regarding the applicant's commitment to building a new pump station for the Town using the applicant's funds and at no cost to the Town and that

Alwington Boulevard would be improved with four lanes up to the proposed commercial parcel. The proffers would remain the same as those presented to the County.

Councilmember Semple asked if they were essentially requesting the support of the Town Council for the general concept of the entire project, with the proviso that they be able to do more of the work proposed in some detail.

Mr. Barnett said that was correct. He said that the reason they were here today was because it was a very long process with a year-long timeframe, and they wanted to work with Town staff, elected officials, and the community to ensure it was a successful project for everyone.

John Foote, Attorney with Walsh Colucci Lubeley Walsh, stated that the purpose of this resolution was to initiate the process of a citizen-initiated annexation into the locality. He clarified that the Town Council still holds the ultimate ability to say no to the annexation and the resolution was in no way a commitment to the annexation. The resolution was requesting assistance from the Town in providing the applicant with information that they would use in a citizen-initiated petition, and the language includes a sentence stating that the Town Council may change their mind during the process.

Councilmember Gagnon asked if the applicant would begin the process with the Planning Commission if the resolution was not approved today.

Mr. Foote said that they could not do so because the property was not located in the Town, so the Planning Commission had no jurisdiction over that property.

Mr. Gagnon asked if they could simply refer the matter to the Planning Commission without the resolution.

Mr. Foote said that he did not believe it was possible because the Commission would not recognize it.

Mayor Nevill confirmed there was consensus from Council to have a floor vote on this item with the inclusion of an additional clarifying statement as suggested by Councilmember Semple.

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

The Applicant, St. John the Evangelist Catholic Church, and the Owner, the Catholic Diocese of Arlington, seeks to amend a June 3, 1986 SUP approval to allow for the demolition of an existing building and the construction of a new 13,000 square foot office building. The subject parcel is located in the Residential (R-10) District of the Town of Warrenton Zoning Ordinance and is designated as Live/Work on the Future Land Use Map. The subject parcel (GPIN 6984-36-7135-000) is located at 271 Winchester Street on approximately 11.0664 acres.

Denise Harris, Planning Manager, introduced the topic. She provided a brief summary of the item to Council.

Councilmember Semple asked if lighting during events would be allowed with this request.

Ms. Harris answered yes; temporary lighting would be allowed on a case-by-case basis.

Councilmember Mooney asked if staff could clarify the phrase “regardless of square footage” as it related to stormwater.

Mr. Cassidy replied that the phrase was meant to encompass the current stormwater issues, so it must comply with all stormwater management provisions active today in order to prevent detriment to any development.

Ms. Harris said that the updated resolution stated that when a site plan amendment was approved, there would be a new note acknowledging that the conditions from 2017 had been met and were no longer an issue.

Councilmember Gagnon asked how the case-by-case basis for lighting would work. He asked if events would require a special events permit.

Mr. Cassidy replied that was correct. If it was necessary for there to be a special event permit, they would consider it. The language was meant to avoid an outright denial of lighting on the property.

Councilmember Gagnon asked if there would be other requirements in the case of an event permit.

Mr. Cassidy said that if there was a special event, the permit would require the applicant to address specific uses such as number of attendees, lighting, music, and other items. If the applicant wanted to add other uses to this specific SUP, they would need to go through the permitting process again.

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### **C. Financial Auditor’s Presentation – Fiscal Year Ended June 30, 2023**

Stephanie Miller, Director of Finance, introduced the topic.

Chris Murray, Auditor with Brown Edwards Certified Public Accountants, provided Council with a presentation on the Financial Auditor’s Report of the Fiscal Year Ended June 30, 2023.

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### **D. Utilities Project Update for Plants – CIP & Projects Update**

Frank Cassidy, Interim Town Manager, introduced the topic.

Mr. Cassidy provided an update on the Utilities CIP and projects.

Councilmember Semple requested that Council review this item at their next meeting as well, considering that there was a lot of information to digest.

Mr. Cassidy replied yes; they could revisit this topic as often as Council would like.

## E. Agenda Review

Mr. Cassidy reviewed the agenda.

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## F. Closed Session

**As permitted by Virginia Code § 2.2-3711 (A)(1), a personnel matter involving: Discussion, consideration, or interviews of prospective candidates for employment or appointment; OR assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Town; specifically dealing with the Town Manager Appointment**

Vice Mayor Hartman moved to convene a closed session as permitted by Virginia Code 2.2-3711 (A)(1).

Councilmember Mooney Seconded. There was no discussion on the motion.

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

**Nays:**

**Abstention:**

**Absent:**

Upon reconvening at from the closed session, Vice Mayor Hartman moved to adopt the following Certification of Closed meeting:

### **CERTIFICATION OF CLOSED MEETING**

**WHEREAS**, the Town Council of the Town of Warrenton has convened a closed meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and

**WHEREAS**, Section 2.2-3172 E of the Code of Virginia requires a certification by the Town Council that such closed meeting was conducted in conformity with Virginia law;

**NOW, THEREFORE, BE IT RESOLVED** that the Town Council hereby certifies that, to the best of each members knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Town Council.

Councilmember Hamby seconded. There was no discussion on the motion.

The vote for the motion was unanimous, as follows:

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

**Nays:**  
**Abstention:**  
**Absent:**

Motion put forth by Vice Mayor Hartman was for the Warrenton Town Council to adopt a resolution directing the Mayor and Town Attorney to enter contract negotiations with Mr. Francis G. Cassidy for the position of Town Manager of Warrenton, Virginia.

Seconded by Councilmember Hamby.

The vote was as follows:

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

**Nays:**  
**Abstention:**  
**Absent:**

The motion passed unanimously; the resolution was adopted.

The Mayor Congratulated Francis on his successful six-month interview.

Mr. Francis Cassidy thanked the Mayor and Council for their faith in him and for the opportunity to continue to do great things for the Town.

With no further business, this meeting was adjourned at 11:03 am.

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## **II. 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.

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### **A. INVOCATION.**

Volunteer Police Chaplain Wally Smith led the invocation.

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### **B. PLEDGE OF ALLEGIANCE.**

Eli and Owen Kiffney, Boy Scouts from Ward 4 Troop 175, led the Pledge of Allegiance.

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### **C. PROCLAMATIONS, RECOGNITIONS, AND PROMOTIONS.**

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

Mr. Cassidy announced the Town's new hires: In Public Works and Utilities, Stormwater Administrator Carrie Wharton; in the Parks and Recreation Department, Lifeguards Michael Clark, Savina Thorton, and Jalen Torres; Customer Service Specialists Jonathan Cannon, Triston Kamel, and Hayden Short.

Mr. Cassidy stated that the Employee Appreciation Luncheon was held last week, where he recognized the following staff for their five years of service to Warrenton: in Public Works & Utilities, Adam Mullins, Roy Carpenter, Paul Ashby, Dwight Beahm, and Johnny Powers; in Information Technology, Anne Payne; in Parks and Recreation, Shino Brown, Dolores Call, Percy Sampson, and David Zemo; in Community Development, Hunter Digges and Amber Heflin. For 10 years of service, he recognized Finance Department employees Melanie Harrison and Stephanie Miller. For 15 years of service, he recognized Public Works & Utilities Department employees Cover Baker and Shane Ball; Police Department employee Scott Arnold; and Information Technology Department employee Stephen Bruck. For 20 years of service, he recognized Finance Department employee Cheryl Huffman and Public Works & Utilities employee Donald Peel. For 30 years of service, he recognized Public Works & Utilities employee Wayne Twomey. For 40 years of service, he recognized Public Works & Utilities employee John Ward.

Mr. Cassidy announced the Town's staff promotions: In the Parks and Recreation Department, Manager on Duty Charlie Mulliss; and in the Human Capital Department, Director of Human Capital Kasey Braun.

Mr. Cassidy announced the 2023 Team of the Year Award was awarded to the Public Works & Utilities Department's Land Management Crew, Greg Weakley, Bruce Sanford, Andrew Alexander, Roy Carpenter, Carroll Carter, Michael Fletcher, Roger Heflin, Travis Johnson, Wyatt Lowenbach, Adam Mullins, Cameron Pickel, Jesse Quartermann.

Mr. Cassidy announced the 2023 Employee of the Year Award was received by the Public Works & Utilities Department's Maintenance Worker and Team Lead Bruce Sanford and Facilities & Fleet Manager Johnny Switzer.

Mr. Cassidy recognized Ginger O'Brien and Carlton Shutt of Premiere Hospitality for running a great Christmas Parade on December 1.

- a. A Proclamation Recognizing Jay Heroux for His Dedication and Service to the Town of Warrenton, Virginia

Mayor Nevill presented Mr. Jay Heroux with a Proclamation for His Dedication and Service to the Town of Warrenton, Virginia.

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#### **D. CITIZEN'S TIME.**

No citizens chose to speak at Citizen's time.

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## **E. APPROVAL OF THE AGENDA.**

Mayor Nevill sought a motion to approve the agenda.

Motion put forth by Councilman Hamby was to approve the agenda.

Seconded by Vice Mayor Hartman.

The vote was as follows:

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

**Nays:**

**Abstention:**

**Absent:**

The motion passed unanimously; the agenda was approved.

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## **F. NEW BUSINESS**

### **a. Initiation of a Zoning Ordinance Text Amendment to Revise Section 3-5.1 FPD-Floodplain District and Adopt FEMA's Updated Floodplain Maps**

Rob Walton, Director of Community Development, introduced the topic. He provided a brief summary of the item to Council.

Councilmember Hamby asked if the letter sent out to affected residents allowed citizens to contact the Town or to contact FEMA.

Mr. Walton said that approximately five residents had contacted the Town regarding the floodplain map changes since the process started and the letter was sent out two years ago. Citizens were given an appeal period in the case of discrepancies or incorrect information, in which case they would appeal to FEMA.

Motion made by Vice Mayor Hartman was to adopt the resolution to recommend the Town staff analyze and begin the process to amend the Zoning Ordinance to Revise Section 3-5.1 FPD – Floodplain District and Adopt FEMA's Updated Floodplain Maps.

Seconded by Councilmember Sutphin.

The vote was as follows:

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

**Nays:**



**Abstention:**  
**Absent:**

The motion passed unanimously; the resolution was adopted.

#### **b. Discussion of Board of Zoning Appeals Appointments**

Rob Walton, Director of Community Development, introduced the topic. He provided a brief summary of the item to Council.

Mayor Nevill asked Councilmembers to notify constituents that there was an opportunity to serve the Town of Warrenton and get involved in land use matters.

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#### **c. Resolution to Consider a Boundary Line Adjustment with the Arrington Subdivision**

Ms. O'Berry clarified that if this resolution was approved and the citizen-initiated annexation moved forward, there was a nontraditional role the Town Planning Commission would take in the process. The Planning Commission could collect, vet, and prepare public comment that would be utilized in the public hearing process before the three-judge panel that would decide on the annexation.

Councilmember Semple expressed his confusion regarding whether this was an annexation or a boundary line adjustment.

Ms. O'Berry said that the Town Council had the opportunity to vote via ordinance whether they wanted to voluntarily submit to the annexation process or not. If they chose to do so, it would go before the three-judge panel for the decision-making.

Mayor Nevill sought a motion on the item.

Motion put forth by Councilmember Hamby was to support the application for a citizen-initiated petition for annexation or boundary line adjustment with Fauquier County.

Seconded by Vice Mayor Hartman.

Councilmember Gagnon expressed concern with the proposed resolution, which circumvented the process they were supposed to follow. He stated that the planning and zoning process would thoroughly review this application and provide adequate opportunity for the public to receive information and provide input. He expressed concern that this resolution was giving the Town Council too much influence over the outcome of this project before it had been reviewed by the Planning Commission.

Councilmember Semple stated that regardless of Council's decision tonight, he believed the process that should follow the action should go through the Planning Commission. He expressed concern regarding the level of detail in this resolution, which he believed should be reviewed by their subject-matter experts in their normal planning and zoning process prior to presentation to

the Town Council. He recommended that Council defer this item to allow them time to review whether this was the appropriate approach.

Councilmember Hamby clarified that because the subject property was not located within the Town, they could not begin any Town processes regarding the property until they began the boundary line adjustment process. He expressed support for the resolution because it was the beginning of a long planning and zoning process for this application.

Mayor Nevill agreed with Councilmember Hamby that this resolution was initiating the Town's inclusion in the process for this development.

Councilmember Mooney clarified that there was nothing specifically assured in the resolution; it was stating the Town was willing to collaboratively work with the County regarding this project to ensure the best possible outcomes. He emphasized that the County could approve this development and put homes there without giving any benefit to the Town, and this boundary line adjustment could positively impact the Town.

Vice Mayor Hartman agreed with Councilmember Mooney and clarified that the County was certainly going to build this development, so he questioned why the Town would want to remove themselves from the process when they had been asked to participate. He noted that the applicant had offered to rebuild the Taylor pump station, which was a documented need, and was planning to improve Alwington Boulevard. He expressed support for the resolution because it would give the Town citizens a better opportunity to give input and because the boundary line adjustment would economically benefit the Town.

Mayor Nevill asked if it was correct that the commercial space in this proposed development was contingent on annexation into the Town, and otherwise it would be developed as residential units.

Ms. O'Berry confirmed that was correct. She clarified that if this resolution failed, there was no Planning Commission process for the Town because the project would not be within the Town boundary.

Councilmember McGuire asked if the resolution moved forward, then Council would revisit the project and vote on it.

Ms. O'Berry said that was correct; they would vote on it once the project became part of the Town.

Councilmember McGuire asked if the property would still be part of the town if the development did not move forward, or if the annexation was contingent on approval of the development.

Ms. O'Berry replied that the three-judge panel decided if the boundary line would be adjusted, then the Town and County decided how to engage with the project from that point forward.

Mayor Nevill called the vote on approval of the resolution to support the application for a citizen-initiated petition for annexation or boundary line adjustment with Fauquier County.

The vote was as follows:

**Ayes:** Ms. Heather Sutphin; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. David McGuire; Mr. Paul Mooney

**Nays:** Mr. William Semple; Mr. Eric Gagnon

**Abstention:**

**Absent:**

The motion passed (5-2); the resolution was adopted.

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## **G. PUBLIC HEARINGS.**

1. **Special Use Permit (SUP) 2023-01 St. John the Evangelist Catholic Church** – the Applicant, St. John the Evangelist Catholic Church, and the Owner, the Catholic Diocese of Arlington, seeks to amend a June 3, 1986 SUP approval to allow for the demolition of an existing building and the construction of a new 13,000 square foot office building. The subject parcel is located in the Residential (R-10) District of the Town of Warrenton Zoning Ordinance and is designated as Live/Work on the Future Land Use Map. The subject parcel (GPIN 6984-36-7135-000) is located at 271 Winchester Street on approximately 11.0664 acres.

Denise Harris, Planning Manager, introduced the topic. She provided a brief summary of the item to Council.

The public hearing was reopened at 7:20 p.m.

Mr. Carson, representing the applicant, thanked staff for their support during the process. He said that the project team was available to answer questions.

Steve Wojcik addressed Council in support of the project, outlining the needs of a parish center.

Reverend Charles Smith addressed Council in support of the project, noting that the growing parish required new facilities.

Carol Collins addressed Council in support of the project.

Sina Peter addressed Council regarding the need for the new facility to support the church and the community.

The public hearing was closed at 7:29 p.m.

Mayor Nevill sought a motion on the item.

Motion put forth by Councilmember McGuire was to approve SUP 2023-01.

Seconded by Councilmember Semple.

The vote was as follows:

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

**Nays:**  
**Abstention:**  
**Absent:**

The motion passed unanimously; the special use permit was granted.

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| <b>Public Hearing:</b> |                     |                                   |
|------------------------|---------------------|-----------------------------------|
| <b>Name</b>            | <b>Address</b>      | <b>Organization or Individual</b> |
| Mr. Carson             | 271 Winchester St.  | Applicant                         |
| Steve Wojcik           | 621 Old Meetze Road | Individual                        |
| Charles Smith          | 231 Winchester St.  | Individual                        |
| Carol Collins          | 490 Winchester St.  | Individual                        |
| Sina Peter             | 153 Menlough Drive  | Individual                        |

## **H. CONSENT AGENDA.**

### **a. Approval of Updated Town Council Handbook**

Mayor Nevill sought a motion on the item.

Motion put forth by Councilmember Hamby was to approve the Consent Agenda as presented.

Seconded by Councilmember McGuire.

The vote was as follows:

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

**Nays:**  
**Abstention:**  
**Absent:**

The motion passed unanimously; the Consent Agenda was approved.

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## **I. UNFINISHED BUSINESS**

### **a. Health Center Agreement Update**

Kasey Braun, Director of Human Capital, provided an update on the Health Center Agreement to Council. She said that they were close to finalizing the agreement, and they were estimating employees could start using the health center by the first quarter.

Councilmember Hamby asked who would be the point of contact for the Town and employees.

Ms. Braun said that she would be the point of contact.

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#### **J. TOWN ATTORNEY'S REPORT.**

There was no report.

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#### **K. TOWN MANAGER'S REPORT.**

Mr. Cassidy thanked the Council for the opportunity to continue to do great things with the Town. He thanked Ms. O'Barry for assisting with the meeting. Mr. Cassidy reported that at the most recent Town Talk, they discussed snow routes, and they aimed to host Town Talks every other month. He encouraged everyone to attend the Holiday Market at 18 Court Street. He announced that the Rappahannock Street water main would be replaced next week, and he would send out additional reminders. He said that a strategic planning session was scheduled for Friday, January 26, 2024, held at either 18 Court Street or the police department.

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#### **L. COUNCILMEMBERS TIME.**

**Mr. McGuire:** Thanked Town staff, Council, and other partners for their dedicated work regarding the St. John's project. Thanked the police and fire department for keeping residents safe during the holiday season. Wished everyone a merry Christmas, happy Hanukkah, and a festive Kwanzaa.

**Mr. Gagnon:** Wished everyone a merry Christmas and happy New Year. Noted that the past year had been an experience for him and his wife, and that while they had lived in the Town for 23 years, they had done so relatively quietly. Noted that over the past year, he had met many new people and made several friends. Committed to representing the ward and its interests and protecting the public health, safety, and welfare of the community.

**Mr. Hartman:** Announced that he attended the Employee Recognition Banquet. Recognized Ms. Miller and her staff for a successful audit, and Ms. Braun and her staff for empowering their employees. Recognized the tenure of their staff and how that reflected on the quality of the work environment. Acknowledged the success of the Christmas Parade. Wished everyone a merry Christmas and happy New Year.

**Mr. Hamby:** Reflected on the success of that year's employee luncheon. Wished everyone a happy holiday season.

**Mr. Semple:** Wished everyone a happy and safe holiday season. Congratulated Mr. Cassidy on his appointment as Town Manager.

**Ms. Sutphin:** Congratulated Mr. Cassidy on his appointment as Town Manager and acknowledged his success in the interim. Acknowledged the work of staff and their ability to work across departments. Congratulated the success of the Christmas Parade. Recognized the contributions of the police, 911 dispatchers, sheriff's office, and all the other first responders who worked during the holidays. Mentioned that several people in the community were without food or shelter, and Community Touch was distributing Christmas food baskets for those in need. Encouraged people to reach out and donate to local organizations. Wished everyone a merry Christmas and happy New Year.

**Mr. Mooney:** Thanked the public for attending the meeting, acknowledging the importance of public input on Town matters. Welcomed Mr. Gagnon on to Council. Congratulated Mr. Cassidy on his appointment as Town Manager. Recognized Ms. Miller's work in the Finance Department. Recognized Town staff on their contributions. Acknowledged the success of the Christmas Parade. Encouraged everyone to reach out and donate to local charities, noting that this could be a difficult time of year for many people. Wished everyone a merry Christmas and a happy New Year.

**Mr. Nevill:** Extended his gratitude to Town staff. Acknowledged the positive impact of Mr. Cassidy's leadership. Acknowledged Mr. Clough for his work over the past year. Noted that Council's job was made easier by the work of staff. Wished everyone a happy Festivus.

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#### **M. ADJOURNMENT.**

**With no further business, this meeting was adjourned at 7:55 PM on Tuesday, December 12<sup>th</sup>, 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 December 12<sup>th</sup>, 2023.**



Stephen M. Clough  
Town Recorder

#### **Attachments:**

- 1) Citizen Comment Emails and form submissions.
- 2) Signed legislation.



The Town of Warrenton  
P.O. Box 341  
Warrenton, VA 20188  
P (540) 347-1101  
F (540) 349-2414

## **December 12th, 2023, Regular Town Council Meeting Minutes**

**Attachment 1: Citizen Comment Emails and form  
submissions.**

**From:** "Steven and Ann Rose Wojcik" <[REDACTED]>  
**Sent:** Tue, 12 Dec 2023 13:41:41 +0000 (UTC)  
**To:** "Citizencomment" <citizencomment@warrentonva.gov>  
**Subject:** Public Comment in Support of SUP Application for St. John's Parish Center

You don't often get email from [REDACTED] [Learn why this is important](#)

**[EXTERNAL EMAIL]** DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Please include the following in the official record for the Town Council Public Hearing on 12/12/2023 considering the application for an SUP for St. John the Evangelist Church Parish Center. Thank you,

Steve Wojcik  
621 Old Meetze Rd  
Warrenton, VA 20186

Steve Wojcik, Old Meetze Rd, here in town. My family and I are members of St. John's. I urge your approval of the SUP to build a parish center for three reasons.

1) First, St. John's has been an integral and growing part of the fabric of the Town of Warrenton since its early days.

The Parish of St. John's dates back to the 1840s when a number of Irish Catholics settled in the area around Melrose and Casanova. The first Catholic Mass in Warrenton was celebrated in 1855 at Mecca on Culpeper St., the home of Rice Payne and his wife, Ann America Semmes. She hailed from a prominent early English Catholic family in Maryland and was concerned that she and other Catholics had to travel all the way to Georgetown or Alexandria for Mass and the sacraments. The Paynes donated land for the original St. John's Church on Lee St., which was dedicated in 1861 and almost immediately served as a hospital for wounded soldiers during the Civil War. St. John's long ago outgrew the church on Lee St. moving to the Winchester St. campus in the 1960s and doubling the capacity of the church in 2008. When my family moved here 20 years ago, St. John's was home to 2,000 families. Today that number is over 3,000 families.

2) The parish center is a much needed long overdue facility to support the needs of St. John's parishioners today and in the future.

The parish center, housed in the old Stuyvesant School building from the 1940s, has not been updated or grown along with the parish. It functions as the parish office, offices



for the pastor and priests, meeting rooms, space for the church's charitable activities and other functions. A new parish center with the amenities and features expected of a parish center of today is sorely needed.

3) Lastly, A thriving St. John's parish is good for Warrenton in many ways.

The church and school are community assets that boost real estate values. One of the reasons we moved here is to be close to a Catholic Church and school. St. John's is the only Catholic Church for miles around. You have to go to Culpeper, Gainesville, or Little Washington for the next closest Catholic Church, and the latter two don't have schools. That's why our parish has over 3,000 families and counting. Warrenton is not only an attractive place to live for Catholics, it benefits the town financially. On Sundays and schooldays, you can routinely see fellow parishioners shopping at the local grocery stores, having breakfast or lunch at the restaurants in town, or shopping at other stores on Main Street or Broadview Avenue after Mass or after dropping or picking up their children at school. Just last Sunday, after Mass, my wife and I saw fellow parishioners at the hardware store and several other stores we visited.

The economic benefits that St. John's adds to the town and its businesses will only magnify with a state of the art parish center. Therefore, I urge the Town Council to approve the SUP.

Thank you.



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Warrenton, VA 20188  
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## **December 12th, 2023, Regular Town Council Meeting Minutes**

### **Attachment 2: Signed legislation**

December 12<sup>th</sup>, 2023  
Town Council  
Regular Meeting

**RESOLUTION OF THE TOWN OF WARRENTON FOR SUPPORT OF APPLICATION FOR A  
CITIZEN INITIATED PETITION FOR AN ANNEXATION OR BOUNDARY LINE ADJUSTMENT  
WITH FAUQUIER COUNTY**

WHEREAS, the Town of Warrenton, Virginia (hereinafter "the Town") is a municipal corporation and body politic located within the County of Fauquier; and

WHEREAS, Alwington Farm, L.L.C. (the "Owner"), is the owner of the parcel identified on the Fauquier County, Virginia, Land Records as Parcel Identification Number (PIN) 6983-44-5875-000 containing approximately 431.19759 acres (the "Parent Tract"); and

WHEREAS, the Parent Tract is located immediately adjacent to the Town's existing boundary along James Madison Highway (Routes 17/29/15) south of Alwington Boulevard (Route 1105), Warrenton and has been previously considered for inclusion in the Town's boundaries; and

WHEREAS, the Board of Supervisors of Fauquier County (the "County") did, on November 12, 2015, approve rezoning application (REZN-15-003477) and a preliminary subdivision plat for the Parent Tract including a proffer statement dated October 30, 2015, which provided for the development of 217 residential lots on a 206.43 acre portion of the Parent Tract rezoned PRD, 10 residential lots on the remaining 224.53 acres of the Parent Tract zoned R-A (9 cluster lots on approximately 29.62 acres, and one open space lot consisting of 194.91 acres) (collectively, the "2015 Approvals", all served with public water from the Town pursuant to an existing Joint Planning and Water Service Agreement dated November 1, 2015, by and between the Town, the County, and Alwington Farm Developers, LLC (the "Joint Water Agreement") and the PRD zoned lots served by a privately owned alternative onsite sewer system and associated primary and reserve dispersal fields; and

WHEREAS, Alwington Farm, L.L.C., has filed an application with the County (REZN-22-017978) to amend the 2015 Approvals and existing proffers (the "Rezoning"), and

WHEREAS, the Rezoning includes three separate development scenarios: (1) a Base Zoning with 217 market-rate lots with public water pursuant to the Joint Water Agreement, and a privately owned alternative onsite sewer system and associated primary and reserve dispersal fields, (2) Alternative A with 195 market-rate lots (144 single-family detached lots and 51 single-family attached lots), 16 single family attached lots reserved for affordable housing, a commercial component consisting of an eating establishment with a gross floor area no greater than 8,000 square feet and a hotel (inn) with a maximum of 15 sleeping rooms, all within the portion of the Parent Tract to be zoned PRD zoned (the "PRD Area"), and a 25-acre land bay to be developed in accordance with the regulations of the Town's Commercial (C) Zoning District ("Land Bay W"), and (3) Alternative B with 254 market-rate lots (161 single-family detached lots and 93 single-family attached lots), 16 single-family attached lots reserved for affordable housing, a commercial component consisting of an eating establishment with a gross floor area no greater than 8,000 square feet and a hotel (inn) with a maximum of 15 sleeping rooms, all within the PRD Area, and the 25-acre Land Bay W to be developed in accordance with the regulations of the Town's Commercial (C) Zoning District; the two alternative scenarios being dependent on inclusion of the PRD Area and Land Bay W within the corporate limits of the Town, the availability of public sanitary sewer service from the Town for all lots, and the availability of additional public water connections from the Town for the commercial components and all residential lots (with Alternative B also requiring dedication

of right-of-way from an adjacent property owner to accommodate the extension of Alwington Boulevard to the northerly boundary of the Parent Tract); and

WHEREAS, a December 6, 2022, update of the Town's Water and Sewer System Growth and Capacity Evaluation (the "Water and Sewer Study") states that the Town is currently planning on increasing the capacity of the wastewater treatment plant ("WWTP") from 2.5 MGD to 3.0 MGD within approximately 10 years, confirms that the actual average daily flow to the WWTP in 2021 was 1.72 MGD, and acknowledges that the current wastewater treatment plant capacity of 2.5 MGD would accommodate the proposed development of the PRD Area and Land Bay W, as currently planned under Alternatives A and B; and

WHEREAS, the Water and Sewer Study also identified certain water and sewer system infrastructure improvement requirements including substantial modifications or replacement of the Taylor Run Pump Station to serve any further demand from developments within the Town or other areas within the Turkey Run drainage area; and

WHEREAS, the County wishes to make extensive and costly renovations to, and an expansion of, the Taylor Middle School, but because of such proposed renovations and expansion, the County will need additional sanitary sewer service capacity from the Town, and such flows will further exaggerate the need for substantial modifications or replacement of the Taylor Run Pump Station; and

WHEREAS, the Town considers it environmentally desirable and that it promotes the public health, safety, and general welfare for development in and near the Town to occur on public sewer and water service rather than on well and septic systems or a private wastewater treatment facility and to protect the Occoquan Watershed and its tributaries including Taylor Run; and

WHEREAS, a portion of Alwington Boulevard is presently split by the Town/County boundary creating difficulties with maintenance and control of that road between the Town and the Virginia Department of Transportation, such that the Council considers it prudent to bring that entire road into the Town's system of public streets; and

WHEREAS, the Owner has advised both the Town and the County that it intends to commence a Citizen Initiated Petition for the portion of the Parent Tract located within the Turkey Run drainage shed (the "Annexation Area") to be annexed into the Town's boundary pursuant to Va. Code Ann. § 15.2-3203 and related sections of the Code with respect to Boundary Adjustments and Changes of Status of Counties, Cities and Towns; and

WHEREAS, the Owner has advised the County and the Town that if such area is brought within the Town's boundary, the Owner will develop the PRD Area consistently with the Rezoning as approved by the County and will commit to the Proffers, Concept Development Plan, and Code of Development made in connection therewith through an Order to that effect entered by the Special Court approving an adjustment of that boundary and approving land use agreements between the Town and the County as authorized by law in proceedings pursuant to the foregoing statutes; and

WHEREAS, the Owner agrees that if the Annexation Area is brought within the Town's boundary, it will construct, at its sole expense, a new Taylor Run Pump Station and associated gravity sewer and force main as shown on the Concept Development Plan included with the Rezoning, and connect all development within the Annexation Area to the Town's public sewer and water systems in lieu of constructing an alternative onsite sewer system and associated primary and reserve dispersal fields; and

WHEREAS, the Owner agrees that if the Annexation Area is included within the Town's



boundary, the Owner will construct all necessary and planned improvements to Alwington Boulevard that are required to serve the Arrington development and surrounding community at its sole expense; and

WHEREAS, the Town Council is of the opinion that the inclusion of the Annexation Area in the Town's boundaries will provide substantial benefits to the Town both economically and environmentally, and to the County, as set forth herein, and that there is compelling justification for such a boundary adjustment;

NOW, THEREFORE, BE IT RESOLVED that the Warrenton Town Council does hereby express its support for a Citizen Initiated Petition as generally described above, and instructs the Town Manager to assist the Owner in the collection of data and materials relevant to that Petition, as such data and materials may be required by law or regulations promulgated by the Virginia Commission on Local Government, to provide those data and materials to the Owner as requested, and to otherwise cooperate fully with the Owner in connection with said Petition.

BE IT FURTHER RESOLVED that nothing contained herein shall preclude the Town from later combining with the Owner and the County in a joint Petition for the purposes stated herein, should the parties so agree.

**Votes:**

**Ayes:** Ms. Heather Sutphin; Mr. Brett Hamby; Mr. James Hartman, Vice Mayor; Mr. Paul Mooney; Mr. David McGuire.

**Nays:** Mr. William Semple; Mr. Eric Gagnon.

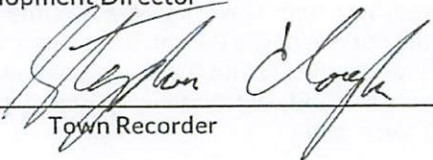
**Absent from Meeting:** None

**For Information:**

Community Development Director

Town Attorney

**ATTEST:**

  
\_\_\_\_\_  
Town Recorder

December 12<sup>th</sup>, 2023  
Town Council  
Regular Meeting

**A RESOLUTION DIRECTING THE MAYOR AND TOWN ATTORNEY TO ENTER INTO CONTRACT  
NEGOTIATIONS WITH MR. FRANCIS G. CASSIDY FOR THE POSITION OF TOWN MANAGER OF  
WARRENTON, VIRGINIA**

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

**WHEREAS**, pursuant to Town Charter Section 6-1 "There shall be a Town Manager who shall be the chief executive officer of the Town and shall be responsible to the Council for the proper administration of the Town government. He shall be chosen by the Council without regard to his political beliefs and solely on the basis of his executive and administrative qualifications. He shall be appointed for an indefinite period and shall hold office during the pleasure of the Council"; and

**WHEREAS**, Francis G. Cassidy was appointed as the Interim Town Manager on April 11<sup>th</sup>, 2023, for a one-year term; and

**WHEREAS**, the Town Council of the Town of Warrenton has been pleased with the communication, prowess, and leadership of Mr. Cassidy; and

**WHEREAS**, after reviewing potential candidates from a nationwide search facilitated by Baker Tilly the Council decided to offer Mr. Cassidy the position of Interim Town Manager for a period of one year; and

**WHEREAS**, the Town Council hereby wishes to enter into contract negotiations with Mr. Francis G. Cassidy for the position of Town Manager; and

**NOW, THEREFORE, BE IT RESOLVED** that the Warrenton Town Council is hereby authorizing the Mayor and Town Attorney to negotiate the aforementioned contract; and

**BE IT FURTHER RESOLVED**, that the Town Council will review the contract in Closed Session at the January 9th, 2023, Town Council Meeting before any further action is taken.

**ATTACHMENT:** None

**Votes:**

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

**Nays:**

**Absent from Meeting:** None

**For Information:**

Human Capital Director

Town Clerk

Town Attorney

**ATTEST:** \_\_\_\_\_

  
Town Recorder

December 12<sup>th</sup>, 2023  
Town Council  
Regular Meeting

**RESOLUTION TO RECOMMEND THE TOWN STAFF ANALYZE AND BEGIN THE PROCESS TO AMEND  
THE ZONING ORDINANCE TO REVISE SECTION 3-5.1 FPD - FLOODPLAIN DISTRICT AND ADOPT  
FEMA'S UPDATED FLOODPLAIN MAPS**

**WHEREAS**, a Letter of Final Determination was issued by FEMA to the Town of Warrenton on October 25, 2023; and

**WHEREAS**, the new FEMA floodplain maps will become effective on April 25, 2024; and

**WHEREAS**, Staff is requesting the initiation of a Zoning Ordinance text amendment to revise Section 3-5.1 FPD-Floodplain District and to adopt FEMA's updated floodplain maps to remain compliant with the National Flood Insurance Program regulations; and

**WHEREAS**, the Town of Warrenton has determined that the public necessity, convenience, general welfare, and good zoning practice warrant this amendment; and

**WHEREAS**, pursuant to Section 11-3.9.2 of the Town Zoning Ordinance allows Town Council to initiate a text amendment by Resolution.

**NOW THEREFORE**, be it resolved, that the Town Council of the Town of Warrenton directs Town Staff to analyze and prepare a text amendment to the Town Zoning Ordinance to amend Section 3-5.1 FPD-Floodplain District and Adopt FEMA's updated floodplain maps.

**Votes:**

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


**Nays:**

**Absent from Meeting:** None

**For Information:**

Community Development Director

**ATTEST:** \_\_\_\_\_



Town Recorder

**RESOLUTION TO APPROVE SPECIAL USE PERMIT 23-01 ST. JOHN THE EVANGELIST CATHOLIC CHURCH PURSUANT TO SECTION 11-3.10 OF THE ZONING ORDINANCE OF THE TOWN OF WARRENTON TO AMEND PREVIOUSLY APPROVED CONDITIONS FOR SPECIAL USE PERMIT JUNE 3, 1986 (GPIN 6984-36-7135-000)**

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

**WHEREAS**, St. John the Evangelist Catholic Church, and the owner, the St Johns Catholic School TEES, ("the Applicant"), is the requesting a Special Use Permit approval on a parcel of land containing approximately 11.0664 acres, identified as GPIN 6984-36-7135-000, located at 271 Winchester Street in the Town of Warrenton and hereinafter referred to as the "Property"; and

**WHEREAS**, the Applicant has applied for a Special Use Permit pursuant to §3-4.2.3 of the Zoning Ordinance, to amend a June 3, 1986, approval to allow for the demolition of an existing building and the construction of a new approximate 13,000 square foot office building allow to be located on the Property, hereinafter the "Special Use Permit"; and

**WHEREAS**, the Applicant's Site Development Plan SDP 2017-01 was approved with a note indicating the "owner is aware that any future projects adding more than 5,050 SF of impervious area will have to comply with the State's VSMP requirements for the area shown here and the additional impervious area," and

**WHEREAS**, the adopted Condition of Approval 7.c states the property owner is required to account for all improvements, regardless of square footage, made to the property since July 1, 2014, and design and construct for the accumulative stormwater management for both quantity and quality in accordance with all applicable State and local requirements in effect at the time of site development plan approval; and

**WHEREAS**, the amended Site Development Plan for the property, once satisfying SUP 2023-01 Condition of Approval 7.c, may include a note indicating the SDP 2017-01 note has been addressed; and

**WHEREAS**, pursuant to §11-3 of the Zoning Ordinance upon petition of the Applicant for approval of the Special Use Permit, the Planning Commission upon advertisement and notice properly given pursuant to §15.2-2204 of the Virginia Code held a Public Hearing on May 16, 2023 and June 20, 2023; and

**WHEREAS**, the Town Council received and considered the recommendation of the Planning Commission for approval of the Special Use Permit based on Conditions of Approval; and

**WHEREAS**, the Town Council of the Town of Warrenton held a Public Hearing on July 12, 2023, upon notice properly and duly given; and



**WHEREAS**, the Town Council of the Town of Warrenton deferred and held open the Public Hearing, upon the request of the Applicant, to December 12<sup>th</sup>, 2023, upon notice properly and duly given; and

**WHEREAS**, the Town Council finds that the Application meets the criteria for approval in the Town of Warrenton Zoning Ordinance; and

**WHEREAS**, the Town Council, in consideration of all of the foregoing, is of the opinion that the application for the Special Use Permit be approved subject to certain conditions;

**NOW, THEREFORE, BE IT RESOLVED** that the Warrenton Town Council on this 12<sup>th</sup> day of December 2023, that SUP 23-01 be, and is hereby, approved, subject the following conditions:

1. General: This Special Use Permit is issued covering the entire Property pursuant to the provisions of § 11-3.10 of the Town of Warrenton Zoning Ordinance.
2. Site Development: The Property shall be developed in substantial conformance with the Special Use Permit Plan entitled, "Special Use Permit Plat," prepared by Carson Land Consultants, Page 1 dated February 10, 2023 and Pages 2-4 dated December 6, 2022, all revised October 26, 2023, consisting of four (4) sheets (the "SUP Plan"). Minor changes and adjustments may be made to the road and street alignments, entrances, parking, dimensions and location of SWM/BMP facilities, the exact configuration and location of building footprints, and other similar features as shown on the SUP Plan, provided they meet the intent of these Conditions and are approved by the Director of Community Development or the Zoning Administrator.

3. **Use Parameters:**
  - a. **Special Use Permit Area** – The Special Use Permit shall apply to the entire +/- 11.0664 acre site.
  - b. **Use Limitations** – The use shall be limited to a religious institution and related facilities including the church, school, and those accessory uses customarily incidental to the primary uses.
  - c. **Maximum Students** – The maximum number of students shall be 540 as approved in the previous SUP dated June 3, 1986.
4. **Architecture:** The site is located within the Historic District and is subject to Architectural Review Board, Certificates of Appropriateness (COA), and the Town of Warrenton Guide to Historic Resources. No structures shall be modified or erected until a COA has been issued. This includes walls and fences exceeding 42" in height.
5. **Signage:** All signage shall comply with the applicable provisions of Article 6 of the Town of Warrenton Zoning Ordinance.
6. **Site Maintenance and Refuse Collection:** Any refuse storage areas shall be screened with a solid enclosure constructed of materials that are compatible with the buildings on the property. The enclosure shall have gates that prohibit viewing this area from adjoining properties and public rights-of-way. The gates shall remain closed when not in use and the trash containers shall be emptied as necessary to prevent odors or infestation by vermin. Compliance with this condition shall be demonstrated on each final site plan(s). Deliveries and refuse collection shall follow Town Code Section 11-19(9).
7. **Environment:** All landscaping shall be native and drought-resistant or other species as may be approved on the final site plan(s).
  - a) **Landscaping** – The Applicant shall make all efforts to maintain and preserve the existing mature vegetation and hardwood trees when feasible.
  - b) **Minimize Clearing and Grading** – The Applicant shall show the limits of clearing and grading for the site on the approved final site plan(s). For portions of buffers located outside the limits of clearing and grading, the existing vegetation shall be preserved and supplemented to meet the intent the buffer as noted above. In addition, existing trees and shrubs shall be incorporated into the landscaping plan. This does not preclude the removal of diseased, noxious and/or invasive vegetation.
  - c) **Stormwater Management** – The property owner is required to account for all improvements, regardless of square footage, made to the property since July 1, 2014, and design and construct for the accumulative stormwater management for both quantity and quality in accordance with all applicable

State and local requirements in effect at the time of site development plan approval.

**8. Lighting:**

- a. Proposed lighting shall be reviewed during the review of the Certificate of Appropriateness and at the time of site plan in accordance with the Zoning Ordinance.
- b. Building-mounted security lighting, which is full cut-off and directed toward the building and in compliance with the Zoning Ordinance, shall be permitted.
- c. All new and replacement light fixtures shall consist of full cut-off fixtures with a color temperature of 3,000 K or lower, and a maximum mounting height of 14 feet.
- d. Permanent pole lighting on the school managed turf fields is prohibited.
- e. All other proposed lighting shall be addressed at site plan in accordance with the Zoning Ordinance.

**9. Transportation:**

- a) Vehicular Access – The site shall be accessed from the Winchester Street and John E. Mann entrances. Egress shall be controlled via a stop sign traffic control with stop bar at the exits.
- b) There shall be no stacking of vehicles into the public right-of-way. The school is responsible for ensuring drop off and pick up from the school do not result in backs ups on the public streets. Stacking on the property by accessing the school by way of Winchester Street or staggering times is required to achieve this condition.
- c) Handicapped Parking and Signage – Handicapped parking and signage for shall be provided in accordance with the PFM and the Americans with Disabilities Act.
- d) Dedication of public right-of-way on Winchester Street to back of curb, and an easement outside this right-of-way dedication over Town owned utilities, shall be included on the Site Development Plan and be recorded prior to occupancy permit.

- 10. Parking:** Parking located on the north side of the property, adjacent to Richards Lane shall buffer and shield the headlights of vehicles from the adjacent residences. Headlights shall be screened from view from the residential-zoned property located to the north to at least 3.5 feet in height above the parking surface elevation with a solid wall, sight-tight fence, evergreen shrubs, or other method as approved by the Zoning Administrator as a part of the Site Development Plan, to extend the length of the parking on the north side.

11. **Water and Sewer:** The site shall continue to be served by public water, with the property owner bearing all costs associated with providing the additional services that will be required. Construction of a new 3-story building, +/- 13,000 square foot located at the northwest corner of the property on Winchester Street will require a separate water meter, per Town Code
12. **Demolition:** Demolition of the existing 3 story stone and block building located in the northwest portion of the property adjacent to Richards Lane shall require a permit from the Town. No final occupancy permit shall be issued on a new 3-story building, +/- 13,000 square foot located at the northwest corner of the property on Winchester Street until the above existing building has been demolished. The old building will be demolished within 6 months after the issuance of the temporary occupancy permit.

**Votes:**

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

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

**For Information:**

Community Development Director,  
Town Attorney

**ATTEST:**



Town Recorder



## Motion for Convening a Closed Session

Council Meeting Date: December 12<sup>th</sup>, 2023.

I move that the Council convene in closed session to discuss the following:

- ☒ As permitted by Virginia Code § 2.2-3711 (A)(1), a personnel matter involving: Discussion, consideration or interviews of prospective candidates for employment or appointment; OR assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Town; specifically dealing with **Discussion of Town Manager Appointment** [Give department, job title(s), or job category].
- \_\_\_ As permitted by Virginia Code § 2.2-3711 (A)(3), a matter involving: discussion or consideration of the acquisition of real property for a public purpose; OR specifically involving \_\_\_\_\_ [Give location of property], because discussion in an open meeting would adversely affect the City's bargaining position or negotiating strategy.
- \_\_\_ As permitted by Virginia Code § 2.2-3711 (A)(4), a matter requiring the protection of the privacy of individuals in personal matters not involving the public business.
- \_\_\_ As permitted by Virginia Code § 2.2-3711 (A)(7), consultation with legal counsel or briefing by staff members or consultants pertaining to:  
\_\_\_ probable litigation involving \_\_\_\_\_ [Give subject]; OR  
\_\_\_ the pending case of \_\_\_\_\_ [Give case name],  
where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the City.
- \_\_\_ As permitted by Virginia Code § 2.2-3711 (A)(8), consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, relating to \_\_\_\_\_ [Give nature of matter].
- \_\_\_ As permitted by Virginia Code § 2.2-3711 (A)(29), discussion of the award of a public contract for \_\_\_\_\_ [Give nature of the contract] involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the City Council.
- \_\_\_ As permitted by Virginia Code § \_\_\_\_\_, a matter involving: \_\_\_\_\_

[IDENTIFY THE APPLICABLE PARAGRAPH OF § 2.2-3711(A) OR OTHER LAW AND GIVE THE SUBJECT MATTER AND PURPOSE FOR THE CLOSED SESSION.]

Votes:

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

Nays:

Absent from Vote: None

**CERTIFICATION MOTION AFTER RECONVENING IN PUBLIC SESSION:**  
(requires a recorded roll call vote)

I move that the Council certify that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed in a closed session under the provisions of the Virginia Freedom of Information Act as cited in that motion.

**Votes:**

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

**Nays:**

**Absent from Vote:** None

**For Information:**

Town Clerk

**Effective date:**

Stephen Clough, Town Recorder

A handwritten signature in black ink, appearing to read 'Stephen Clough', is written over a horizontal line.