

The Town of Washington

"THE FIRST WASHINGTON OF ALL"

January 11, 2016

7:00 p.m.

Town Council Meeting

Approved Minutes

- CALL TO ORDER: Mayor John Fox Sullivan called the Town Council to order at 7:00 p.m. Council members Gary Schwartz, Mary Ann Kuhn, Patrick O'Connell, Katharine Leggett, and Gary Aichele were present. Council member Jerry Goebel was absent. Town Attorney John Bennett and Town Clerk Laura Dodd were present.
- MINUTES: June 8, 2015 minutes: Mr. Aichele and Ms. Kuhn gave Ms. Dodd some corrections and Ms. Kuhn made a motion to approve the June 8, 2015 minutes as corrected and Mr. Aichele seconded and the motion passed 6-0.
July 13, 2015 Minutes: Ms. Kuhn and Mr. Aichele gave Ms. Dodd some corrections. Ms. Leggett made a motion to approve the July 13, 2016 minutes as corrected and Ms. Kuhn seconded and the motion passed 6-0.
- REPORTS: Treasury Report: Mayor Sullivan reviewed the attached Bank Summary Report, the Bills-To-Be Paid List, and the Additional Bills to Be Paid List.
Mayor Sullivan made a motion to accept the Treasurer's Report and Mr. O'Connell seconded and the motion passed 5-0.

Planning Commission: Chairman Schwartz reported that the Planning Commission had not met in December and would be meeting on January 25, 2016 to continue the Comprehensive Plan review with a focus on the Avon Hall.

Architectural Review Board: Mayor Sullivan reported that the ARB would be meeting that week to consider some signage applications.

Website: Ms. Kuhn discussed that she had nothing to report.

- TOWN ATTORNEY: Mr. Bennett asked the Council to consider an additional closed session agenda item to include going into a closed session under section 2.203711.A7 to consult with the Town Attorney concerning probable and/or actual litigation involving VDOT which Council agreed to be consensus.
- OLD BUSINESS:
 - a). Continued discussion of marketing and sale of Avon Hall property and possible adoption of resolutions relating to and authorizing marketing and offering for sale of Avon Hall property: Mr. Aichele discussed that a resolution to sell and/or develop the Avon Hall property and that it had been a long process to get to this point involving a lot of input from the public, the Town Council, and other professionals. He read through the resolution and made a motion that the Council adopt it.
Mr. O'Connell discussed that he was disqualifying himself from the discussion in case there were any misconceptions of conflict of interest and he left the Council table.

Ms. Kuhn led a discussion of some grammar and typo corrections to the resolution, which the Council agreed to by consensus, which are reflected in the attached signed resolution.

Mayor Sullivan seconded Mr. Aichele's motion.

Mr. Schwartz discussed that it was the consensus of the Planning Commission that the resolution was where they wanted it to be.

Mr. Aichele discusses that the process leading to the resolution was led by the Comprehensive Plan. He discussed that the conversation regarding Avon Hall had turned, with the help of Alan Comp, from a focus on the Avon Hall building itself into a discussion of the development of the property, which was as important to the future of the Town as what happened to Avon Hall building itself. He reviewed the process how of the Avon Hall Study Group had gotten to the resolution and that they had worked with the Town Council and the Planning Commission to preserve the very fullest range of options to ensure that the very best outcome occurred. He discussed that once Avon Hall was sold it was sold and that Milt Herd had said that in his experience the Town faced one of the best opportunities to shape its own future of any municipality that he had seen. He discussed that Mr. Herd had pleaded with the Town not to waste this opportunity. He discussed that the question was what was the best use and could the Town find partners to make that happen.

Ms. Kuhn discussed that the resolution covered all the bases and represented years of work by the Town and the Avon Hall Study Group and reflected the opinions of what people had to say.

Ms. Leggett agreed with Ms. Kuhn.

Mayor Sullivan opened the discussion to the public.

Mr. Phil Irwin discussed that he wished to see an amendment to reflect Mr. Carrigan's wishes that the property be used by people of the town and the county.

Mr. Aichele discussed that the Avon Hall Study Group had looked at that question but hadn't found any record or any direction being expressed by Mr. Carrigan or his estate that suggested any specific outcome such as that it be restored or redeveloped. He discussed the resolution did not require public assess and that would depend on the buyer.

Alan Comp congratulated the Council on the resolution. He asked if the portions where the resolution referred to "certain legal obligations and restrictions" should be more specific, if there was any sense or limit to number of units that would be allowed, and if there was any requirement for rehabilitation of historic structures.

Mayor Sullivan discussed that this was a blueprint for an advertisement and basically it was a case of seeing what the market wanted and they were saying the property was for sale. He discussed that preferences like public assess had been discussed and a buyer would have to give some parameters that would have to be worked out.

Mr. Schwartz discussed that the "certain legal obligations and restrictions" phrase led back to the existing Comprehensive Plan and Town's Zoning Ordinance.

Rick Lessard asked would the advertisement come back to the Council before it was put out for sale and would Mr. Comp's concerns be addressed before then.

Mr. Aichele and Mayor Sullivan said no.

Mr. Aichele discussed that Mr. Bennett would be more specific once someone made an offer.

Mr. Schwartz discussed that the Planning Commission had looked at trying to come up with some answers regarding what could or should be allowed and that was very difficult to do. He discussed that the resolution was where it needed to be.

Mr. Bennett discussed that it was not uncommon for a government to have a proposal that really fitted with what it wanted to do but it might not fit into an ordinance drafted 20

- CLOSED SESSION: Mr. Aichele made a motion that the Council enter into closed session in accordance with the provisions of Section 2.2-3711.a7 to consult with the Town Attorney about actual and/or probable litigation pertaining to VDOT.; and further under Section 2.2-3711.3 to discuss and consider the disposition of publicly held property, namely all or a portion of the Avon Hall property, where discussion in an open meeting would adversely affect the bargaining position and negotiating strategy of the Town Council; and further in accordance with the provisions of Section 2.2-3711.7 for consultation with the town attorney regarding a specific legal matter, namely contract matters relating to Avon Hall, requiring the provision of legal advice by the town attorney. Mayor Sullivan seconded and a roll call vote was taken:

Mr. Schwartz voted "yes" Ms. Leggett voted "yes"

Ms. Kuhn voted "yes" Mr. Aichele voted "yes"

Mayor Leggett voted "yes"

And the motion passed 5-0.

- OPEN SESSION: Mayor Sullivan reconvened the public session at 9:50 p.m. and Mr. Bennett asked each member to certify that to the best of their knowledge:

Only public business matters lawfully exempted from open meetings requirements under the Code of Virginia and only, such public business matters as identified in the motion by which the motion by which the closed meeting was convened were heard, discussed, or considered by the Town Council. A roll call vote was taken and

Mr. Schwartz voted "yes" Ms. Leggett voted "yes"

Ms. Kuhn voted "yes" Mr. Aichele voted "yes"

Mayor Sullivan voted "yes"

- ADJOURNMENT: At 9:52 p.m. Mr. Schwartz moved to adjourn and Mayor Sullivan seconded and the motion passed 5-0.

-

NEXT SCHEDULED COUNCIL MEETING TO BE HELD ON FEBRUARY 8, 2016

Respectfully submitted,

Laura Dodd

Attachments:

Treasurer's report

Additional Bills to be Paid

Bills to be Paid

Avon Hall Resolution