

The Town of Washington

"THE FIRST WASHINGTON OF ALL"

July 9, 2018

7:00 p.m.

Approved Minutes

- CALL TO ORDER: Mayor John Fox Sullivan called the Town Council meeting to order at 7:00 p.m. Council members Mary Ann Kuhn, Jerry Goebel, Fred Catlin, and Brad Schneider were present. Council members Katharine Leggett and Patrick O'Connell were absent. Town Attorney John Bennett and Town Clerk Laura Dodd were present.
- MINUTES: February 12, 2018: Mr. Goebel made a motion to approve the February 12, 2018 minutes and Mr. Schneider seconded and the motion passed 5-0.
- REPORTS: Treasury Report: Mr. Goebel 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 approve the Treasurer's report and Ms. Kuhn seconded and the motion passed 5-0.

Planning Commission: No Report

Architectural Review Board: Mayor Sullivan reported that the ARB would be meeting on July 18, 2018 to consider several applications.

- TOWN ATTORNEY: No Report.
- CONTINUED JOINT PUBLIC HEARING WITH THE PLANNING COMMISSION: From May 21, 2018: Draft Ordinance to Address P to P (Nee Air BnB's) Short Term Rentals:: Mayor Sullivan opened up the Continued Public Hearing for the Council and Chairman Catlin opened up the Public Hearing for the Planning Commission.
Planning Commission members present were Chairman Catlin, Caroline Anstey, Judy deSarno, and Alan Comp.
There were no comments from the public.
Ms. Anstey asked if Section 6-1-2-3 should be changed from "two guests per room at any time shall be permitted" to "two adult guests per room at any time shall be permitted".
Mr. Bennett discussed that the draft ordinance was based on the Planning Commission's recommendations.
Ms. Anstey recommended it be changed that evening.
Ms. deSarno discussed that the Planning Commission had agreed to "two guests".
Mr. Comp asked it could be changed and recommended that it be changed. He made a motion to change the language of Section 6-1-2-3 from "two guests" to "two adults".
Mr. Bennett discussed that the Planning Commission could vote to recommend that it be changed but procedurally the Council would probably then move forward with a new public hearing on a revised ordinance.
Chairman Catlin spoke in favor of keeping the "two guests" wording.

Ms. deSarno spoke against the change in the wording in order to move forward with the ordinance.

Mr. Bennett discussed that the philosophy behind the draft ordinance was that enforcement was not needed because if there was a violation of a condition of the Special Use Permit, the Special Use Permit would come up for a review and the Council could revoke the permit.

Ms. Anstey seconded Mr. Comp motion and discussed it would allow children accompanying adults.

Ms. Swift spoke in favor of leaving the wording at two guests.

A roll call vote was taken on Mr. Comp's motion:

Mr. Comp voted "yes" Ms. Anstey voted "yes"

Ms. deSarno voted "no" Chairman Catlin voted "no"

Ms. Swift voted "no"

And the motion failed 3-2.

Ms. deSarno moved that the Planning Commission recommend adoption of the draft ordinance and Mr. Comp seconded and a roll call vote was taken:

Mr. Comp voted "yes" Ms. Anstey voted "yes"

Ms. deSarno voted "yes" Chairman Catlin voted "yes"

Ms. Swift voted "yes"

And the motion passed 5-0.

Chairman Catlin moved to close the public hearing for Planning Commission and Ms. deSarno seconded and the motion passed 5-0.

Mayor Sullivan asked if there were any comments from the public and there being none closed the Council public hearing.

Mr. Bennett discussed that if there were any material changes to the draft ordinance the Council would have to authorize a new public hearing on the revised draft.

Ms. Kuhn discussed that Section 6-1-2-1 should be changed from "All applicable Virginia Department of Health Standards shall be observed." to "Any applicable Virginia Department of Health Standards shall be observed." as she had spoken with the Department of Health and they did not regulate Air BnBs with sewer.

Council agreed by consensus to change the wording in 6-1-2-1 from "All" to "Any".

Ms. Kuhn discussed that 2018 legislation allowed the Health Department to allow BnBs to allow meal service for up to 18 guests per day, not just for breakfast, under certain conditions, which she discussed was a big change in the law.

Mr. Bennett agreed to come back to the Council with information on the new legislation.

Mayor Sullivan made a motion to authorize and advertise a new public hearing on the revised draft P to P (nee Air BnBs) Short Term Rentals Ordinance on the August 13, 2018 Council meeting and Mr. Catlin seconded and a roll call vote was taken:

Mr. Schneider voted "yes" Mr. Goebel voted "yes"

Ms. Kuhn voted "yes" Mr. Catlin voted "yes"

Mayor Sullivan voted "yes"

And the motion passed 5-0.

- **OLD BUSINESS:**
 - a). Task Forces Update. Mr. Catlin reported that the Housing task force had meet twice and that he was acting as Chairman, Gary Aichele was acting as Secretary, and that members included Mr. Comp, Ray Gooch, Jean

Goodine, and Sheila Gessinger. He discussed that they had reviewed the Town and County Comprehensive Plans and the limited housing options. He reviewed the May 23, 2018 Housing Task Force meeting minutes, attached, including the assessment of the current housing situation and evaluation of goals' including the recommendation that the Council consider paying consulting and management help in moving forward with the task force's recommendations. He discussed that the next meeting would be on July 11, 2018 at 5 p.m.

Ms. Kuhn discussed that both the Tourism and Business Development Task Forces had met twice and each would presenting their recommendations at the September Town Council meeting. She discussed that the Tourism Task Force were exploring how to market the town, how to attract more visitors, and how to enhance the visitors' experience. She discussed that they would meeting again on July 17, 2018 at 4 p.m. She discussed that the Business Task Force was working on a draft survey to send to residents, businesses, and commercial property owners to ask what businesses they would like to see in town and that they would be meeting again on July 24, 2018 and July 25, 2018 and the actual date would be announced.

Mr. Schneider discussed that the Infrastructure Task Force had met on June 25th with Mr. Comp, Nancy Buntin, Jean Goodine, and himself as members. He discussed that they were working on identifying infrastructure components such as water, sewer, phone, electricity, cable, and buildings and structures owned by the Town. He discussed that they were looking at upgrades and improvements including incorporating solar. He discussed that the next meeting would be on July 23, 2018 at 9 a.m. He discussed that the Finance Task Force would be meeting on July 23, 2018 at 11 a.m.

Mr. Catlin reminded the public that all Task Force meetings were open to the public and he encouraged people to attend and give feedback. He discussed that the meetings were no limited to Town residents.

b). Gay Street Stub Street Vacation Request

Update: Mr. Brown discussed that he had gotten a VDOT list of approved appraisers and that he was working on getting an appraisal. He discussed that he was also working on getting a private easement agreement with Lisa Leftwich and that he was hoping to have all necessary materials available so the application could be deemed completed by the August Town Council meeting. At Mayor Sullivan's request, he reviewed the application to vacate the stub street, which was 130 feet by 30 feet, and to revert it to the adjacent property owners, George Eatman and Fredette Eagle and with Ms. Leftwich getting an easement to her property.

Mr. Eatman discussed that he had spoken with the Hodges, who property was located at the end of the stub street, and they were in favor.

Mr. Catlin discussed that it would be helpful to have a formal support document from the Hodges.

Mr. Brown discussed that they would get one. He discussed that before his clients incurred the cost of a full survey, he would like to submit a sketch of the stub street and if the application was approved then they would pay for a final survey.

Mr. Bennett discussed that he knew that there was a steep drop-off at the end of the stub street where it adjoined the Hodges property but as far as possible future use of the stub street that obstacle could be overcome. He discussed that the Town needed to determine what could be the future need for the access to the stub street.

Mayor Sullivan discussed that there was a question if the Town was giving up something that the y might regret in ten years and there was also the question of whether the Town was compensated in some way for the value of the property.

Mr. Bennett discussed that he would be absent from the August 13, 2018 Town Council meeting. He discussed that once there was enough specificity concerning terms agreeable to the Town then the Town could consider adopting the vacation after an authorized and advertised public hearing.

- NEW BUSINESS: a).

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- PUBLIC FORUM: Mayor Sullivan opened the Public Forum.

Mr. Aichele discussed that the abandoning a public road, which might be an access to future housing development, was problematic.

Mr. Comp discussed that the Town should look at what benefit it would be to the Town to abandon the stub street.

Ms. Anstey discussed that the Town had other stub streets and whether the Town was going to examine the vacation of them case by case or was there going to be some underlying policy. She discussed that there should be some conditions in place before the Town gave up stub streets and that there should be some known benefit before doing so.

Mayor Sullivan discussed that the Town might benefit financially.

Mr. Eatman discussed the Town would benefit by the possible future enhancement of Ms. Eagles property.

Mr. Catlin asked Mr. Eatman if there was a wall in front of his property.

Mr. Eatman discussed that there was a hedge leading to the steep drop off at the end of the street.

Mayor Sullivan closed the Public Forum.

- CLOSED SESSION: There was no closed session.
- ADJOURNMENT: 8:47 p.m. Mayor Sullivan moved to adjourn and Mr. Goebel seconded and the motion passed 7-0.

NEXT REGULARLY SCHEDULED COUNCIL MEETING ON AUGUST 13, 2018

Respectfully submitted,

Laura Dodd

Attachments:

Treasurer's report

Additional Bills to be Paid

Bills to be Paid

Draft Ordinance to Address P to P (Nee Air BnB's)

Housing Task Force minutes from May 23, 2018