

The Town of Washington

"THE FIRST WASHINGTON OF ALL"

April 8, 2019

7:00 p.m.

Approved Amended Minutes

- **CALL TO ORDER:** Mayor Fred Catlin called the Town Council meeting to order at 7:03 p.m. Council members Mary Ann Kuhn, Brad Schneider, Gail Swift, Katharine Leggett, and Joe Whited were present. Council Member Patrick O'Connell was absent. Town Attorney John Bennett and Town Clerk Laura Dodd were present.

Mayor Catlin asked the Council to consider adding a closed session in accordance with the provisions of Section 2.3711.a.3 to discuss the disposition of publically held real property, namely Parcel 3 at the intersection of Warren Avenue and Leggett Lane containing 0.5853 acres, where discussion in an open meeting would adversely affect the bargaining position and negotiating strategy of the Town Council. The Council voted 6-0 to amend the agenda to include a closed session.

- **MINUTES:** March 11, 2019 Council Meeting, March 16, 2019 Work Session, and March 31, 2019 Work Session minutes: Ms. Leggett made a motion to approve all three sets of minutes and Ms. Swift seconded. Ms. Dodd made a correction to page 4 of the March 11, 2019 Council meeting minutes under agenda item d under Old Business changing " Mr. Connell voted no" to "Mr. O'Connell voted "yes". Mayor Catlin asked that under the Mayor's Report in the March 11, 2019 Council meeting minutes that the phrase "Task Force Forums" be changed to "Task Forces". A roll call vote was taken:

Mr. Schneider voted "yes"

Ms. Swift voted "yes"

Ms. Kuhn voted "yes"

Ms. Leggett voted "yes"

Mayor Catlin voted "yes"

Mr. Whited voted "yes"

And all three sets of minutes were approved 6-0.

- **REPORTS:**

Mayor's Report: Mayor Catlin reported that the Town was in the final stages of providing required information to the Postal Service and that he hoped all would be resolved and the Town would hear of a final decision on the location of the post office by the end of the month. He discussed that the Town was still interested in obtaining an offer to remove the Warren Avenue building.

He discussed that the Town was still working on getting a new type of light bulb for the street lights and that Torney Van Acker would be making a presentation at the May meeting regarding different types of "Dark Skies" friendly light bulbs. He discussed that the Town would be installing several different light bulbs on Porter Street for the public to review.

He discussed that the Town had received word that VDOT would be repaving Calvert, Jett, Porter, and Gay Streets as well as Piedmont Avenue over the summer.

Treasury Report: Ms. Swift presented the Council with the attached Treasurer's report.

Mr. Schneider made a motion to approve the Treasurer's report and Ms. Leggett seconded and a roll call vote was taken:

Mr. Schneider voted "yes"

Ms. Swift voted "yes"

Ms. Kuhn voted "yes"

Ms. Leggett voted "yes"

Mayor Catlin voted "yes"

Mr. Whited voted "yes"

And the motion passed 6-0.

Planning Commission: Chairman Caroline Anstey reported that the Planning Commission had not met in March.

Architectural Review Board: Mayor Catlin discussed that the ARB would be meeting on April 10, 2019 at Town Hall.

- TOWN ATTORNEY: Mr. Bennett had no Report.
- JOINT PUBLIC HEARING WITH THE PLANNING COMMISSION: Consideration and adoption of an ordinance to amend Article 5-2, Additional Yard Regulations, of the Zoning Ordinance of Washington, VA by the addition of a subsection 5-2-4 to provide as follows: in all areas, the front, side and back yard setbacks for Structures to be used for a post office, postal services, mail and package distribution and similar uses may be reduced by the Governing Body to any distance of at least five feet or more: The Planning Commission joined the Council at the table. Chairman Anstey and Planning Commissioners Gail Swift, Judy deSarno, Drew Beard, and Alan Comp were present.

Chairman Anstey discussed that she had not received any documents on the amendment.

Mr. Bennett discussed that the proposed amendment was stated exactly on the agenda. He discussed that the post office had submitted a working draft of a site plan that would reduce the road setback of the building to between 10 and 15 feet but that he had written the amendment to allow for a setback of 5 feet or more to allow for flexibility if the site plan needed to be changed moving forward. He discussed that the amendment would only apply to this particular property.

Ms. Anstey asked what was meant by “similar uses” and would it apply to any municipal uses.

Mr. Bennett discussed that it was meant to avoid other nuances of non-postal uses such as Fed-Ex or UPS.

Mayor Catlin asked if it meant that the use was for postal services, post office, and mail and package delivery.

Mr. Bennett said yes it could be any one of those.

Mayor Catlin opened the public hearing for the Council.

Chairman Anstey opened the public hearing for the Planning Commission.

Selma Thomas asked if the ARB would have to review the site plans.

Mr. Bennett discussed that there had been no formal submission of a site plan but the Town had seen some conceptual drawings. He discussed that the ARB would have to consider the exterior of the structure but not the site plans.

Mayor Catlin discussed that the ARB would be reviewing things like the brick, roofing, and other exterior materials.

Ms. Thomas asked if once the building was moved would the contractor have to start construction within thirty days as outlined in the guidelines.

Mr. Bennett discussed that if the project moved forward the Town would be free to solicit a contractor to move the building.

Sharron Proper asked if the amendment would apply only to the post office.

Mayor Catlin said yes.

Mr. Comp expressed his concern regarding the Town following the rules for relocation of buildings, demolition, and new construction as outlined in the Historic District Ordinance Guidelines. He discussed that he would like to hear from the adjoining homeowners.

Ms. Kuhn asked if the Town was required to send notices of the public hearing on the amendment to the adjoining homeowners.

Mr. Bennett discussed that that might be the case and that the Avon Hall owners had waived notice requirements but he was unsure of the owner on the right having received notice. He discussed that the public hearing could be continued to flush out the legal notice requirement.

Bill Fischer, co-owner of Avon Hall, asked what was to stop Fed Ex from using the property in 5 years.

Ms. Kuhn and Chairman Anstey discussed that they felt that “and similar uses” should be removed.

Mr. Bennett discussed that “and similar uses” could be struck from the amendment.

Mr. Comp asked how long the lease would be for.

After a short discussion, the Council and the Planning Commission agreed by consensus to remove “and similar uses” from the amendment.

Mr. Bennett discussed that the lease had not been fixed but the shortest post office lease he had seen was for 25 years.

There was short discussion on continuing the public hearing until the question of legal notices to adjoining property owners was resolved.

Ms. Thomas asked if it would be appropriate to ask for a site plan for everyone to see by the next meeting.

Mr. Bennett discussed that the project was not at that stage.

Mayor Catlin discussed that the contract needed to be approved first.

Mr. Comp discussed that he felt that the Town should have a site plan so that the Council and Planning Commission would know what they were approving.

Ms. deSarno discussed that the Town wanted the new post office and that the Town had a history of making it difficult for anything to happen. She discussed that this was an amendment to a setback and that she did not think it was the role of the public having to consider site plans to approve the amendment.

Mr. Bennett agreed with Ms. deSarno and discussed that the ARB was not being absolved from any review of a new structure, and what was before the Council and the Planning Commission was to allow the building to be pushed further back based on the working drawings. He discussed that there would be a natural buffer between the two properties and that the contractor was willing to put in landscaping and buffers to help make the structure less visible from the road.

Mayor Catlin discussed that there would be no fluorescent post office sign put in.

Drew Mitchell discussed that as an owner of Avon Hall he hoped the ARB would have the strength and fortitude to insure that the new building would be in keeping with the rest of the town. He discussed that he and his partner were in support of the post office; but that he was concerned about the prominent position of the site and it being the first building people would see coming in on Warren Avenue and that it should have a heightened responsibility to set the tone of the town.

Mayor Catlin discussed that as a Federal building there were not many options as to style but there were opportunities to have choice with materials such as the brick.

Ms. Kuhn discussed that the Council felt the same as Mr. Mitchell and appreciated the impact of the building and wanted input from the town regarding the structure.

Mr. Bennett discussed that as soon as there was an official document and formal site plan it would be going to all the Town officials including the ARB and Planning Commission members.

Ms. Anstey made a motion to continue the joint public hearing for the Planning Commission to the May 13, 2019 Town Council meeting and Ms. deSarno seconded and a roll call was taken:

Ms. deSarno voted “yes”

Chairman Anstey voted “yes”

Ms. Swift voted “yes”

Mr. Comp voted “yes”

Mr. Beard voted “yes”

And the motion passed 6-0.

Ms. Kuhn made a motion to continue the public hearing for the Town Council to the May 13, 2019 Town Council meeting and Ms. Swift seconded and a roll call vote was taken:

Mr. Schneider voted “yes”

Ms. Swift voted “yes”

Ms. Kuhn voted “yes”

Ms. Leggett voted “yes”

Mayor Catlin voted “yes”

Mr. Whited voted “yes”

And the motion passed 6-0.

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• OLD BUSINESS: a). OSHA items to be completed at the Wastewater Plant: Ms. Swift discussed that the Town had received a proposal through ESS from A&E Virginia for Arch Flash labeling at the Wastewater Treatment and Water Plants for a lump sum of \$7,350.

After a short discussion, Ms. Kuhn made a motion to approve the A&E Virginia proposal, attached, and Mr. Whited seconded and a roll call vote was taken:

Mr. Schneider voted "yes" Ms. Swift voted "yes"
Ms. Kuhn voted "yes" Ms. Leggett voted "yes"
Mayor Catlin voted "yes" Mr. Whited voted "yes"

And the motion passed 6-0.

Ms. Swift discussed that the Town had received a proposal through ESS to provide fall protection equipment for the reservoir form Capital Supply for \$1,624.29.

Mr. Whited made a motion to approve up to \$1,624.29 for the fall protection equipment and Ms. Leggett seconded and a roll call vote was taken:

Mr. Schneider voted "yes" Ms. Swift voted "yes"
Ms. Kuhn voted "yes" Ms. Leggett voted "yes"
Mayor Catlin voted "yes" Mr. Whited voted "yes"

And the motion passed 6-0.

d). Street lights Update: Ms. Swift discussed that Torney Van Acker would be making a presentation on the Dark Skies program and the Town's street lights. She discussed that experimental light bulbs would be put up along Porter Street.

• NEW BUSINESS: a). Authorization of a Public Hearing on the FUY 2019-2020 Budget: Mayor Catlin discussed that there would be a Work Session on the budget on Friday, April 12, 2019 at 9 a.m. at Town Hall. Mr. Whited made a motion to authorize and advertise a public hearing on the FY 2019-2020 Budget on May 13, 2019 and Mr. Schneider seconded and a roll call vote was taken:

Mr. Schneider voted "yes" Ms. Swift voted "yes"
Ms. Kuhn voted "yes" Ms. Leggett voted "yes"
Mayor Catlin voted "yes" Mr. Whited voted "yes"

And the motion passed 6-0.

• PUBLIC FORUM: Mayor Catlin opened the public forum. Henry Gorfein asked if VDOT could be asked to repair the damage done to Mt. Salem Avenue when the yellow lines had been removed. He also discussed that when the street lights were installed it had taken over 2 years before a decision had been reached.

Mayor Catlin discussed that the lines on Mt. Salem Avenue had been painted in error and had to be removed.

Ms. Dodd discussed that the past decision on street lights had included the fixture but now the Town was only looking at the light bulbs.

Mr. Schneider discussed that was no good solution to repair Mt. Salem Avenue.

Keir Whitson asked about the lines.

There was a short discussion regarding the lines being put in by mistake.

Nancy Buntin asked that since there were ongoing costs for both the Wastewater Treatment and Water Plants was there a 5 year plan that listed what needed to be done and what the costs were.

Mayor Catlin discussed that the Town was in the process of developing a plan.

Mr. Schneider discussed that the Council was looking at both a short term and long term plan.

Ms. Proper thanked the Town and Trinity Church for putting the railing at the steps next to the church.

Ms. Kuhn asked what was the status of the Town entrance sign that was missing on Warren Avenue.

Ms. Swift discussed that it would be up soon and that the repair person had been ill.

Mayor Catlin closed the public forum.

- CLOSED SESSION: At 8:05 p.m. Ms. Swift made a motion that the Council enter into closed session in accordance with the provisions of Section 2.3711.a3 to discuss the disposition of publically held real property, namely Parcel 3 at the intersection of Warren Avenue and Leggett Lane containing 0.5853 acres, where discussion in an open meeting would adversely affect the bargaining position and negotiating strategy of the Town Council Mr. Whited seconded and a roll call vote was taken:

Mr. Schneider voted “yes”

Ms. Swift voted “yes”

Ms. Kuhn voted “yes”

Ms. Leggett voted “yes”

Mayor Catlin voted “yes”

Mr. Whited voted “yes”

And the motion passed 6-0.

- OPEN SESSION: 8:17 p.m. Council returned to open session. 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. Schneider voted “yes”

Ms. Swift voted “yes”

Ms. Kuhn voted “yes”

Ms. Leggett voted “yes”

Mayor Catlin voted “yes”

Mr. Whited voted “yes”

- ADJOURNMENT: At 8:20 p.m. Ms. Swift moved to adjourn and Mr. Whited seconded and the motion passed 6-0.

NEXT REGULARLY SCHEDULED MEETING OF THE TOWN COUNCIL

May 13, 2019

Laura Dodd

Attachments:

Treasurer’s report

Additional Bills to be Paid

Bills to be Paid

A & E Virginia Arch Flashing Proposal

ESS Fall Protection Water Reservoir Information