

The Town of Washington

"THE FIRST WASHINGTON OF ALL"

December 14, 2015

7:00 p.m.

Town Council Meeting

Draft 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, and Gary Aichele were present. Council members Jerry Goebel and Patrick O'Connell were absent. Council member Katharine Leggett arrived at 7:06 p.m. Town Attorney John Bennett and Town Clerk Laura Dodd were present.

- MINUTES: May 11, 2015 minutes: Mr. Aichele and Ms. Kuhn gave Ms. Dodd some corrections to the May 11, 2016 minutes. Ms. Kuhn made a motion to approve the May 11, 2015 minutes as corrected. Mr. Aichele seconded and the motion passed 4-0.

Ms. Leggett arrived.

- 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 Ms. Leggett seconded and the motion passed 5-0.

Planning Commission: Chairman Schwartz reported that the Planning Commission had met in November to continue the Comprehensive Plan review with a focus on Avon Hall. He discussed that the Planning Commission would not be meeting in December and that there was still a vacant position on the Commission.

Architectural Review Board: Mayor Sullivan reported that there was no ARB meeting in December and that the September minutes were available.

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

- TOWN ATTORNEY: No Report.

- OLD BUSINESS:
 - a). Continued discussion of marketing and sale of the 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 few members of the Avon Hall Study Group were continuing to discuss, based on Council discussions, how to best publish and market the Avon Hall property in a way that would bring the maximum value in terms of dollars and usage of the site. He discussed that there was a lack of clarity in how to do that if a purchaser made themselves known. He discussed that the Council had authorized John Bennett to be the point person for any offers but what was needed was a clear plan which he hoped could be put before the

Council at the January meeting which would allow the Town to market the property in pieces if no one came forth to buy the property as a whole.

Mr. Fred Catlin discussed that he was speaking not as a Planning Commission member or an Avon Hall Study Group member but as a citizen of the town. He distributed a map of the Avon Hall property, attached, which showed the property divided into parcels. He discussed that he wished to express his ideas on what should be done with Avon Hall based on his observations of the Avon Hall discussions of the last eight months that would allow a maximum return for the Town and would also help invigorate it through thoughtful land use.

He asked the Council to look at the property in four parts. He discussed that parcel 1, at Warren Avenue and Leggett Lane could be converted to a commercial use and the character of the existing building preserved and that it could be marketed very quickly.

He discussed that parcel 2, the Avon Hall building and side yards, about a 4 to 6 acre lot, could also be marketed quickly.

He discussed that parcel 3 could be a clustered "green" neighborhood on about 2.5 acres to the south of Avon Hall, which could provide additional vibrancy to the town. He discussed that this could be marketed to a "green" builder to develop this area according to strict guidelines from the Planning Commission and Architectural Review Board.

He discussed that nothing would have to be done with the remaining 3-5 acres, which could be used to expand the existing walking trail and/or to build another cluster development neighborhood, or it could be used to create a mini estate around the Avon Cottage.

He summarized that by breaking Avon Hall into four parts the Town would be able to market three or four parts very quickly and realize proceeds quickly and with significantly greater proceeds from the sale as the plan would maximize the property's value versus selling it as one big lot. He discussed that this would also allow the Town to take the time necessary to see how the first three parts evolved and assess different options for the best use of the asset Avon Hall.

Mr. Aichele discussed Mr. Catlin's proposal and that the character of the Warren Avenue parcel was fundamentally different than the other parcels, such as parcel 3 which was more accessible to wastewater. He discussed that it made sense to put more concentrated housing where it would be served by town services and where it would be close to the center of town. He discussed that each parcel was uniquely different and that he was in favor of Mr. Catlin's approach.

Mr. Schwartz discussed that the Planning Commission had had several meetings trying to advance the work of the Avon Hall Study Group, Milt Herd's presentation, and Council discussions on Avon Hall. He discussed that an underlying issue was marketability, which he felt the Planning Commission was not the best resource to address. He discussed that the Planning Commission had spent many hours looking at the total land area and how to best use it, which Mr. Catlin had just summarized. He discussed that now it needed to be taken to the next level to see how the Town's ordinances applied to any proposed development but he did not want to do that until there was a more solid proposal. He discussed that the Town could make the entire Avon Hall property an overlay district and could evaluate the possible recommendations for any potential development. He discussed that Avon Hall was currently zoned Rural Residential, which currently did not get sewer. He discussed that the Planning Commission was ready to review and make any recommendations and suggestions for ordinance amendments that the Council recommended in order to move forward with marketing and selling the property to capitalize on it.

Ms. Leggett asked about zoning on the whole property.

Mr. Schwartz discussed that most of the property was Rural Residential except parcel 1 and part of the Avon Hall driveway, which were zoned Village Residential.

Mr. Aichele discussed that the advantage that the Town had was that it owned Avon Hall and that it could develop it in a way that did not damage the core and the beauty and character of the town but could actually enhance what was here in a way that could lead to phased growth over time that would lead to an increase in families living here. He discussed that an overlay district might be the way to go.

Mr. Bennett asked if there were a consensus that parcel 1 be marketed as a potential commercial property.

There was a short discussion about zoning and rezoning and the impact of having a commercial property where there currently are no commercial lots. Mr. Bennett discussed that it would be a good idea to market it for certain types of uses subject to rezoning.

Ms. Kuhn asked what was allowed under a commercial use.

Mr. Bennett reviewed what was allowed and suggested that the Council wait until an offer was made and then rezone around it.

Mr. Aichele agreed with Mr. Bennett.

There was a brief discussion of property values and the recent huge increase in land values in town.

Mr. Schwartz also agreed with Mr. Bennett that the parcel could be marketed with possible rezoning.

There was a short discussion about whether parcel 1 was a separate lot and Mr. Bennett suggested that it should be surveyed.

Mr. Aichele discussed that he, Ms. Kuhn, Mr. Catlin, and Ms. deSarno could be tasked with working with Mr. Bennett to put something together for Council action in January.

Mayor Sullivan discussed that basically parcel 1 was for sale and asked for suggestions on how to proceed with parcels 2 and 3. He discussed that there was an interest in selling parcel 3 as a unit that could be subdivided into several lots, which might be of different sizes.

Mr. Aichele discussed that the Town could go back to Mr. McCarthy and Mr. Herd to get advice on how to develop parcel 3. He discussed that its value would go up if it were sub-dividable and that would take the pressure off having to get a big number for parcel 4.

Mr. Bennett discussed that a general approach would be that the Town, as owner, could request proposals for attached and detached family houses with a density consistent with the development of such parcels with the surrounding houses and parcels and the remaining Avon Hall property. The intent is not to create a sub-area of the town that was not unified with the nature and character of the town but rather consistent with the unique character and fabric of the town. He discussed that development schemes of 12 lots or so had been favorably reviewed by the Town Council and Planning Commission. He discussed that Mr. Herd had suggested that after the Town had developed the language of the RFP the Town could put the word out to local builders, developers, chambers of congress, and realtors.

Mr. Schwartz discussed that he liked the idea of a RFP but instead of focusing on the number of lots per acre of the 2.5 acres to consider single, two- family, and multi-family units on the 2.5 acres and there was a potential for 10 houses.

Mr. Bennett discussed that clustered housing was selling well right now.

Sharron Proper discussed that she didn't think that the houses could be affordable given the high cost of property and that she didn't think ten houses could fit.

Mr. Schwartz discussed that if you looked at smaller houses of about 1000 square feet it would be affordable especially if they were multi-family.

Nancy Buntin asked if the Town's ordinances gave the Town enough control to possibly deal with a corporate developer.

Mr. Bennett discussed that if someone came in wanting to rezone they would have to submit a development plan which would be legally enforceable so there was a lot of control.

Mike Sands discussed that he been associated with a conservation community and recommended that the Town put out a RFP for the whole piece for sale without carving it up first, except for possibly parcel 1, and that there were local people who were interested.

Shelia Gresinger spoke in favor of small homes and clustered housing.

Mr. Aichele discussed that the Town was going to have to get creative to be able to get affordable housing.

The Council agreed by consensus that Mr. Aichele, Mr. Catlin, Ms. Kuhn, and Ms. deSarno would work with Mr. Bennett to bring back a proposal on how to move forward on Avon Hall at the January meeting.

b). Appointment of an ARB member: Mayor Sullivan discussed that there was a vacancy on the ARB and the Town had received letters of interest from Robert Ballard and Selma Thomas.

Mr. Aichele asked if the Town could increase the size of the ARB.

Mr. Sullivan discussed that it could be done but it was probably a lengthy process and that there was a potential for other openings in the future.

Mr. Aichele nominated Mr. Ballard to fill the position vacated by Susan Stoltzaman. He discussed that Mr. Ballard had been a constant presence at many meetings and had been very supportive of the Town.

Mr. Schwartz seconded the nomination and a roll call vote was taken:

Mr. Schwartz voted "yes"

Ms. Leggett voted "yes"

Ms. Kuhn voted "yes"

Mr. Aichele voted "yes"

Mayor Sullivan voted "yes"

And Mr. Ballard was appointed.

NEW BUSINESS:

a). Review revised contract with ESS, and if acceptable, enter into the revised contract, providing ESS will provide current sewer system services and, in addition thereto, assume the operation of the Town's water system. The new contract would represent a savings of \$31,021 to the Town. Mayor Sullivan discussed that the Council would be considering an ESS contract to oversee and manage both the wastewater treatment and water systems. He discussed that the water system had been managed by the Rappahannock County Water and Sewer Authority (RCWSA) and that the Town had been looking at how to reduce operation costs for both the water and sewer systems. He discussed that ESS had come back with a proposal, attached, to manage both the sewer and water systems for the same price as they had managed the wastewater system, which would save the Town close to \$30,000.

Mr. Schwartz discussed that the Town had asked DEQ to reduce the number of hours ESS was required to be at the wastewater plant which had been approved but consequently grinder pump repairs probably would not occur during contract hours which would probably result in increased costs to the Town. He made a motion to approve the ESS contract with two amendments: Section 6.D.3 amended to show that the emergency response be within 8 hours from the request for approval from the Town unless particular

circumstances prevent a response within such eight hour period and Section 6.D.2 be amended to state that a copy of the spreadsheet on plant performance and list of any needed maintenance or repair items be electronically submitted to the Town by the 10th of each month.

Mr. Aichele seconded that motion and a roll call vote was taken:

Mr. Schwartz voted “yes” Ms. Leggett voted “yes”

Ms. Kuhn voted “yes” Mr. Aichele voted “yes”

Mayor Sullivan voted “yes”

And the motion passed 5-0.

Mr. Bennett asked when the Council wished to switch over from RCWSA to ESS.

Council agreed by consensus that the Mayor negotiate the date of the switch.

Mayor Sullivan discussed that the Town had raised the rates for both water and sewer and now had reduced operational costs which over time should improve the Town’s finances.

b). Water Tap Request from Mr. Akre, owner of Mt.

Prospect: Ms. Dodd discussed that Mr. Akre had requested a water tap at a cost of \$5,000 for his rental house at Mt. Prospect and that he understood that he would have to pay all the costs of construction.

Ms. Kuhn made a motion to approve Mr. Akre’s water tap request and Ms. Leggett 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 Sullivan voted “yes”

And the motion was approved 5-0.

Mr. Aichele asked if the Town were to hold a public hearing on raising the Meals and Lodging Taxes in January would it have to advertised.

Mr. Bennett said yes.

Mr. Aichele said that there was no reason why someone buying a meal or staying in town should have to pay less Meals and Lodging taxes than someone staying five blocks away outside of town. He discussed that it should not be controversial that Meals and Lodging taxes should be the same as in the County which would result in a slight increase in what was paid to the Town. He discussed that he thought the Town needed to raise revenue and there was nothing to be gained by delaying the discussion. He asked if the Council wished to authorize a public hearing to raise the Meals and Lodging Tax rate to equal the County’s.

Mr. Bennett discussed that raising the Meals and Lodging Tax was a significant decision and there should be a debate by Council to show that there was an interest in supporting holding a public hearing.

Mr. Aichele asked that it be put on the January agenda.

- PUBLIC FORUM: Mayor Sullivan opened the Public Forum:

Mayor Sullivan closed the Public Forum.

- CLOSED SESSION: At 9:03 p.m. Mr. Aichele made a motion to go into closed session pursuant to the provisions of Section 2.2-3.711A1 of the Code of Virginia to

discuss a personnel matter involving a named Town employee. Ms. Kuhn seconded and the motion passed 5-0.

- OPEN SESSION: Mayor Sullivan reconvened the public session at 9:38 p.m. and 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”

Mr. Aichele made a motion in recognition Ms. Dodd’s service to the Town that Laura Dodd receive an annual bonus of what she received last year and Ms. Leggett seconded and a roll vote was taken:

Mr. Schwartz voted “yes” Ms. Leggett voted “yes”
Ms. Kuhn voted “yes” Mr. Aichele voted “yes”
Mayor Sullivan voted “yes”

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And the motion passed 5-0.

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- ADJOURNMENT: At 9:41 p.m. Mr. Schwartz moved to adjourn and Mayor Sullivan seconded and the motion passed 5-0.

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NEXT SCHEDULED COUNCIL MEETING TO BE HELD ON JANUARY 11, 2016

Respectfully submitted,

Laura Dodd

Attachments:

Treasurer’s report

Additional Bills to be Paid

Bills to be Paid

Mr. Catlin’s Avon Hall property map

ESS contract