

# The Town of Washington

"THE FIRST WASHINGTON OF ALL"

July 10, 2017

7:00 p.m.

Town Council Meeting

Approved Minutes

- **CALL TO ORDER:** Mayor John Fox Sullivan called the Town Council meeting to order at 7:03 p.m. Council members Jerry Goebel, Gary Aichele, Mary Ann Kuhn, and Brad Schneider were present. Council members Patrick O'Connell and Katharine Leggett were absent. Town Attorney John Bennett and Town Clerk Laura Dodd were present.

Mayor Sullivan asked the Council to consider adding the possibility of changing the Town election date to the agenda and Mr. Aichele so moved and the Mayor seconded and a roll call was taken:

Mr. Schneider voted "yes"

Mr. Goebel voted "yes"

Ms. Kuhn voted "yes"

Mr. Aichele voted "yes"

Mayor Sullivan voted "yes"

And the motion passed 5-0.

- **MINUTES:** April 10, 2017 draft minutes: Ms. Kuhn gave Ms. Dodd some typographical and grammar corrections. Mr. Goebel made a motion to approve the April 10, 2017 minutes as corrected and Mayor Sullivan 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.

Mr. Schneider made a motion to approve the Treasurer's Report and Ms. Kuhn seconded and the motion passed 7-0.

**Planning Commission:** Planning Commission member Brad Schneider reported there would not be a Planning Commission meeting in July.

Mayor Sullivan discussed that he understood that there would be a joint public hearing on the Comprehensive Plan in September.

After a short discussion, Mr. Aichele made a motion that the Council hold a joint work session with the Planning Commission at the August 14, 2017 Council meeting to review the Comprehensive Plan and Mr. Goebel seconded and a roll call vote was taken:

Mr. Schneider voted "yes"

Mr. Goebel voted "yes"

Ms. Kuhn voted "yes"

Mr. Aichele voted "yes"

Mayor Sullivan voted "yes"

And the motion passed 5-0.

**Architectural Review Board:** Mayor Sullivan reported that there would be no meeting of the ARB in July as there were no applications.

Mayor Sullivan discussed that previously it had been discussed that the Trinity Church bells had not been ringing regularly and reported that now they were ringing every 15 minutes.

- TOWN ATTORNEY: Mr. Bennett had no report.
- OLD BUSINESS:
  - a). Comprehensive Plan Review Update: This agenda item was also discussed under the Planning Commission report.
    - Mr. Aichele asked if the draft Comprehensive Plan was online.
    - Planning Commission member Gail Swift said that it should be.
    - Mayor Sullivan complimented the Planning Commission on the quality of the work that had been done on the Comprehensive Plan.
    - Mr. Aichele discussed that he felt specific language regarding AirBnB's should not be referred to the Planning Commission for inclusion in the Comprehensive Plan but rather the Council might refer the matter of AirBnB's to the Town Attorney to be considered as specific language in an ordinance in light of new changes adopted by the State legislature.
    - Ms. Kuhn agreed that specific language regarding AirBnB's should not be included in the Comprehensive Plan but should be in an ordinance. She discussed that 25 years ago people had been renting out rooms in their homes like Mom and Pop BnB's or a Tourist Homes but that had evolved over time into more sophisticated BnB's more like Inns and that now it had come back full circle with people renting rooms out. She discussed that the current Ordinance did cover Tourist Homes and that the only difference between a BnB and an AirBnB was the word "Air".
    - Mr. Aichele discussed that there was a difference in that a Tourist Home implied the presence of an owner while with an AirBnB an owner never had to be present.
    - Mr. Goebel discussed that the Spa had short term rentals with no owner present.
    - Council agreed by consensus to not have the specific language regarding AirBnb's in the Comprehensive Plan and referred the issue of an AirBnB Ordinance to Mr. Bennett to bring back to the Council.
  - b). Election Date Change: Mayor Sullivan discussed that Mr. Bennett was just starting to look at the issues that might be involved in changing the election date as recommend by the State Voter Registrar and though nothing would be voted on that evening he wanted to start the discussion where any questions could be raised and to see if there was a consensus to move forward on the issue.
    - State Election Board member Judy deSarno discussed that the General Assembly had passed legislation at the start of the year which would allow municipalities to change their election date without altering their charter by passing an ordinance to move the current election date to a time when there was already an election. She discussed that they had grandfathered in elections from 2000 those municipalities that had already changed their election date. She discussed that it made sense to her to move it to the same date as a gubernatorial election and that it would save the Town money.
    - Mayor Sullivan discussed that the Voter Registrar had indicated that the Town now paid about \$4000 for the election but would be charged a smaller minimum amount if the date was changed to coincide with another election.
    - Mr. Aichele spoke in favor of moving the date if it saved the Town money and increased voter turnout but expressed his concerns about extending the term of someone such as himself who had be appointed to fulfill someone else's term.
    - Mr. Bennett expressed his concern that an ordinance would not be able to be passed in time for the election this November due to the fact it had to be requested 60 days before the election.
    - Mr. Aichele discussed that a public hearing could be held in September.

Mayor Sullivan agreed that saving money and increasing voter turn-out would be good but that he didn't want the changing of the date and thereby increasing the current Council's term limits to be perceived as some kind of power play.

Mr. Bennett discussed that no term limits could be shorten so the date change would have to be enacted for November 2018 that any sitting member's term would be lengthened to January 1<sup>st</sup>.

Council agreed by consensus that Mr. Bennett should look at the issue and come back to the Council with his recommendations.

Mr. Bennett discussed that previously towns had decided to remove their elections from November elections so that the election was focused on the local election and local matters.

- NEW BUSINESS: a). Report on OSHA required upgrades to the Wastewater Treatment Plant: Mayor Sullivan discussed that the Occupational and Safety and Health Administration (OSHA) had passed regulations that now applied to the Wastewater Treatment Plant and that he, Ms. Dodd, and Mr. Schneider had met with Don Hearl and ESS to review what those mandated changes would mean. He discussed that Mr. Schneider's experience with these issues had been invaluable in setting goals and cutting costs. He discussed that there were no proposals yet on the work that needed to be but he wanted the Council to know they would be coming in soon and that the work would have be done.

Mr. Schneider discussed that one issue was that all the electrical systems had to rated and labeled as to electrical safety and that another issue was that a series of physical barriers and safety gates needed to be installed for employee safety. He discussed that he would be working with ESS on a cost effective approach and that he would also be clearing a lot of junk off the plant property and taking it to the dump.

- PUBLIC FORUM: Mayor Sullivan opened the Public Forum.

Sharone Proper discussed that there needed to be a hand rail at the steps going up the Trinity Church at Gay and Middle Streets.

Mayor Sullivan discussed that was some question of who was responsible for repairs to the Town sidewalks and it was a frustrating problem as it never seemed to be resolved and things never got done.

During a short discussion Mr. Bennett discussed that the Town took the position that it never had maintained the sidewalks and it was not responsible for them and it was either a VDOT or property owner problem.

Mayor Sullivan discussed that if steps and sidewalk were on the Trinity Church's property they should install the rails.

Mr. Aichele discussed that at some point the Town should determine the larger issue of who had installed the original sidewalks and also look into the possibility of the question of additional insurance to cover liability should the Town start repairing the sidewalks.

Mayor Sullivan discussed that he would talk to the Church.

Ms. Proper discussed her concerns that after heavy rains she had smelled septic smells in town and all around the County.

Mr. Bennett discussed that it was unlikely in the Town for sewer smells to occur due to the way the forced main system was designed.

Mayor Sullivan closed the Public Forum.

Mr. Bennett discussed that he had had concrete discussions with the party interested in the Warren Avenue property and discussions were at the stage that the interested party might need to employ some professionals to see if their ideas would fit on the lot. He discussed that they were not ready to present anything to Council.

- CLOSED SESSION: There was Closed Session
- ADJOURNMENT: At 7:56 p.m., Mr. Goebel moved to adjourn and Mary Ann Kuhn seconded and the motion passed 5-0.

NEXT REGULARLY SCHEDULED COUNCIL MEETING ON AUGUST 14, 2017

Respectfully submitted,

Laura Dodd

Attachments:  
Treasurer's report  
Additional Bills to be Paid  
Bills to be Paid