

The Town of Washington

"THE FIRST WASHINGTON OF ALL"

April 9, 2018

7:00 p.m.

Approved Minutes

- CALL TO ORDER: Mayor John Fox Sullivan called the Town Council meeting to order at 7:04 p.m. Council members Mary Ann Kuhn, Jerry Goebel, Fred Catlin, Katharine Leggett, and Brad Schneider were present. Council member Patrick O'Connell was absent. Town Attorney John Bennett and Town Clerk Laura Dodd were present.
- MINUTES: December 11, 2017: After giving Ms. Dodd some typographical and grammatical corrections, Ms. Kuhn made a motion to approve the December 11, 2017 minutes and Ms. Leggett seconded and the motion passed 6-0.
- REPORTS: Treasury Report: Treasurer 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 6-0.

Planning Commission: No Report.

Architectural Review Board: Mayor Sullivan reported that the ARB would not be meeting in March as there were no applications.

- TOWN ATTORNEY: No Report.

Mayor Sullivan discussed that Gary Curry, the County Administrator, and Board of Supervisor John Lisenski had met with Shentel, a sub-contractor for Sprint, and had worked out an arrangement to bring in high speed fiber cable to the County Offices, the high school, elementary school, and the Library and that businesses in town should be able to pay to hook up. He discussed that the Town might be able to make high speed internet available for the whole town at a low cost. He discussed that they might be bringing in cell service as well.

- OLD BUSINESS: a). Draft Ordinance to Address P to P (Nee Air BnB's): Update and possible authorization of public hearing: Planning Commission Chair Fred Catlin discussed that the Planning Commission had made two further modifications to the draft P to P (Nee Air BnB's) Ordinance (attached) which were: K3 "Owner must have a parking plan that ensures adequate parking for each structure" and K5 "The Short-Term rental must be offered by the owner, who is also on the premises to manage at times when guests are present."

After a short discussion, Mr. Catlin made a motion to amend the draft ordinance to add the word "all" changing K5 to "The Short-Term rental must be offered by the owner, who is also on the premises to manage at all times when guests are present" and to add K11 "As a condition of the Special Use Permit, the operator shall timely report and pay all Meals and Lodging Taxes to the Town.

After some further discussion, Mr. Catlin amended his motion to additionally change in K3 the word “owner” to the word “operator” and to change K9 to “The operator shall furnish to the Town Clerk, from time to time, current certification and give evidence of good standing with AirBnB or other reputable, person-to-person, short –term rental agency that the recipient is, at all times lodging is offered to others, in good standing.”, and to add K12, a standard severability clause to be provided by John Bennett.

Mr. Goebel seconded Mr. Catlin’s motion and a roll call vote was taken:

Mr. Schneider voted “yes” Mr. Goebel voted “yes”

Ms. Kuhn voted “yes” Ms. Leggett voted “yes”

Mayor Sullivan voted “yes” Mr. Catlin voted “yes”

And the motion passed 6-0.

Mayor Sullivan made a motion to authorize and advertise a joint public hearing with the Planning Commission on the draft P to P Ordinance and Mr. Goebel seconded and a roll call vote was taken:

Mr. Schneider voted “yes” Mr. Goebel voted “yes”

Ms. Kuhn voted “yes” Ms. Leggett voted “yes”

Mayor Sullivan voted “yes” Mr. Catlin voted “yes”

And the motion passed 6-0.

b). Task Force Appointments Update: Mr. Catlin discussed a notice for the newspaper he had drafted (attached) describing the various task forces and what they would be addressing and that all the task force meetings would be open to the public. Council agreed by consensus to hold a task force general organization meeting on May 7, 2018 at 7:00 p.m. with Mr. Catlin acting as temporary chairman.

c). Council will consider possible expenditures and also manners of support, to promote Town interests in connection with planned Innstock celebration celebrating the 40th anniversary: There was a long discussion regarding expending funds towards the Innstock event, as there were many advantages to the Town, with the condition that the marketing specifics be given to the Town by the Inn at Little Washington to be discussed at the May meeting.

Mayor Sullivan moved that the Town make an expression of support of up to \$5000 to further the interests of the Town and its citizens for the marketing efforts undertaken by the Inn at Little Washington through the Innstock event as hereafter to be determined by a final vote of the Council. Mr. Schneider seconded.

Mr. Catlin discussed that word investment should be used.

Mayor Sullivan amended his motion to: the Town make an investment of up to \$5000 to further the interests of the Town and its citizens to take advantage of the marketing efforts undertaken by the Inn at Little Washington through the Innstock event as hereafter to be determined by a final vote of the Council. Mr. Schneider seconded the amendment and a roll call vote was taken:

Mr. Catlin voted “yes” and stated he was voting yes to approve the investment for the following reasons:

- 1.It will generate monetary return in the short- term through Meals and Lodging taxes.
- 2.It will generate monetary return in the long –term while a contingency fund is being built.
- 3.Funds will be coming from the Meals and Lodging tax, not sewer or water fees.

- 4. This is a promotion of the Town's future.
- 5. The Town will receive advertising from this investment.

Ms. Leggett voted "yes"
Mr. Goebel voted "yes"
Mayor Sullivan voted "yes"
Ms. Kuhn voted "yes"
Mr. Schneider voted "yes"
And the motion passed 6-0 with Mr. O'Connell being absent.

d). Authorization of a Public Hearing on May 14, 2018 on the FY 2018-2019 Budget: Mayor Sullivan did a short review of the draft Budget and discussed that Water Works was almost self-sufficient but Wastewater continued to be non-self-sufficient by a large amount and that the gaps for both would be covered by General Funds.

After a short discussion, Ms. Kuhn made a motion to authorize and advertise a public hearing on May 14, 2018 and Mr. Catlin seconded. A roll call vote was taken:

Mr. Schneider voted "yes" Mr. Goebel voted "yes"
Ms. Kuhn voted "yes" Ms. Leggett voted "yes"
Mayor Sullivan voted "yes" Mr. Catlin voted "yes"
And the motion passed 6-0.

Mayor Sullivan discussed that the Council was still looking for letters of interest from persons interested in being appointed to the ARB.

Ray Gooch discussed that at the last meeting during the Foster Harris House modified Special Use Permit (SUP) public hearing there had been some confusion as to whether he had had the correct Ordinance and definitions. He discussed that he had checked his documents against Mr. Bennett's and they were identical. He read through the definition amended on August 13, 2013 where meals were limited to one seating for one breakfast, one lunch, and one dinner per day and discussed that he felt that the SUP was contraventional to the Town's ordinance. He discussed that he felt he had been made to look like a fool.

There was a short discussion during which Mr. Bennett discussed that he held Mr. Gooch's legal judgement and abilities in the highest regard but it was just a difference of agreement on a point. He discussed that based on the information he had, the Council could take the actions that they had taken and that by adopting the revised SUP, even if the definitions were different, specifics of the SUP controlled over the general definitions of the ordinance.

- NEW BUSINESS: a), Consideration of ESS Wastewater and Water Works Operations Contracts: Mayor Sullivan discussed that the Town had received the attached Water Systems Contract, which outlined general lab fees, and the Wastewater and Water Operations Contract, for an annual fee of \$100,821.90, which was about a 2% higher than last year. He discussed that ESS did a good job and recommended approval with the caveat that the Town continue to look at alternatives.

After a short discussion, Mr. Catlin made a motion to approve both contracts, and Ms. Kuhn seconded and a roll call vote was taken:

Mr. Catlin voted "yes" Mayor Sullivan "yes"

Ms. Leggett voted “yes” Ms. Kuhn voted “yes”
Mr. Goebel voted “yes” Mr. Schneider voted “yes”
And the motion passed 6-0.

b). Rappahannock Food Pantry Day Contribution:

Ms. Leggett made a motion to approve up to \$2000 as a contribution to the Rappahannock Food Pantry and Ms. Kuhn seconded and a roll call vote was taken:
Mr. Schneider voted “yes” Mr. Goebel voted “yes”
Ms. Kuhn voted “yes” Ms. Leggett voted “yes”
Mayor Sullivan voted “yes” Mr. Catlin voted “yes”
And the motion passed 6-0.

- PUBLIC FORUM: Mayor Sullivan opened the Public Forum.

As there were no comments from the public, Mayor Sullivan closed the Public Forum.

- CLOSED SESSION: There was no closed session.
- ADJOURNMENT: At 9:23 p.m. Mr. Goebel moved to adjourn and Mr. Schneider seconded and the motion passed 6-0.

NEXT REGULARLY SCHEDULED COUNCIL MEETING ON MAY 14, 2018

Respectfully submitted,

Laura Dodd

Attachments:
Treasurer’s report
Additional Bills to be Paid
Bills to be Paid
ESS Wastewater and Waterworks Contracts
Draft FY 2018-2019 Budget for Public Hearing
Draft Ordinance to Address P to P (Nee Air Bnb’s)
Task Force Newspaper Notice