

The Town of Washington

"THE FIRST WASHINGTON OF ALL"

May 10, 2021

Council Meeting

APPROVED Agenda

7:00 p.m.

- CALL TO ORDER Action
- APPROVAL OF THE AGENDA Action
- MINUTES April 12, 2021 Council meeting minutes Action
- REPORTS
 - Mayor's Report: Mayor Catlin Information
 - Planning Commission Information
 - Architectural Review Board Information
 - Treasurer's Report: Ms. Swift Action
- TOWN ATTORNEY Mr. Bennett Information
- OLD BUSINESS
 - a) Water and sewer rate review Action
 - b) Public Hearing for FY 21/22 budget Action
- NEW BUSINESS
 - a) Receive application from Black Kettle, LLC. for a SUP or a PUD for a mixed-use development set forth in the application. Council to determine how to proceed and establish a schedule for review including joint meetings with the PC. Action
 - b) Application by Black Kettle LLC for an ordinance to permit inclusion of the Rush River project within the Town Sewer Service District Action
- PUBLIC FORUM
- ADJOURNMENT

NEXT REGULARLY SCHEDULED MEETING OF THE TOWN COUNCIL

June 14, 2021

The Town of Washington

"THE FIRST WASHINGTON OF ALL"

May 10, 2021

7:00 p.m.

APPROVED Minutes

- CALL TO ORDER: Mayor Fred Catlin opened the meeting at 7:03 p.m. Council members Jean Goodine, Mary Ann Kuhn, Patrick O'Connell, Brad Schneider, Gail Swift and Joe Whited were present. Town Attorney John Bennett and Town Clerk Barbara Batson were present.
- APPROVAL OF THE AGENDA: Mr. Whited motioned the agenda be approved. Ms. Kuhn seconded and a roll call vote was taken:

Ms. Goodine voted "yes"
Mr. O'Connell voted "yes"
Ms. Swift voted "yes"
Mayor Catlin voted "yes"
And the motion passed 7-0.

Ms. Kuhn voted "yes"
Mr. Schneider voted "yes"
Mr. Whited voted "yes"

- MINUTES: Ms. Kuhn motioned to accept the minutes and Ms. Goodine seconded and a roll call vote was taken:

Ms. Goodine voted "yes"
Mr. O'Connell voted "yes"
Ms. Swift voted "yes"
Mayor Catlin voted "yes"
And the motion passed 7-0.

Ms. Kuhn voted "yes"
Mr. Schneider voted "yes"
Mr. Whited voted "yes"

REPORTS:

Mayor's Report: Mayor Catlin reported that the roof is on the post office and curbs have been poured. The estimated opening date of June 1 is not likely to be met due to April rains causing delays. A new estimated opening date may be late June or early July.

Treasurer's Report: Ms. Swift thanked the gardener at The Inn at Little Washington for his care of the boxwoods at Town Hall. She reported that income is slightly higher than expected and thanked Barbara Batson for cutting expenses and Mr. Schneider for helping during the budgeting process.

Ms. Kuhn made a motion to accept the Treasurer's report and Mr. Whited seconded and a roll call vote was taken:

Ms. Goodine voted “yes”
Mr. O’Connell voted “yes”
Ms. Swift voted “yes”
Mayor Catlin voted “yes”
And the motion passed 7-0.

Ms. Kuhn voted “yes”
Mr. Schneider voted “yes”
Mr. Whited voted “yes”

Ms. Swift made a motion to approve the bills to be paid and Mr. Whited seconded and a roll call vote was taken:

Ms. Goodine voted “yes”
Mr. O’Connell voted “yes”
Ms. Swift voted “yes”
Mayor Catlin voted “yes”
And the motion passed 7-0.

Ms. Kuhn voted “yes”
Mr. Schneider voted “yes”
Mr. Whited voted “yes”

Planning Commission Report: Caroline Anstey, Chairwoman of the Planning Commission (PC), reported that the PC met in April and discussed the next steps to review the Comprehensive Plan which expires in 2022. The plan can be amended or approved as-is. The PC will regroup at the July meeting and divide up the responsibilities to determine if revisions are needed and then set a plan for completing the task.

Architectural Review Board Report: Drew Mitchell reported the Architectural Review Board met in April and considered two applications, a fence for Raym Crow and a building change for Jim Abdo.

Town Attorney: Mr. Bennett had no report.

- OLD BUSINESS:

- (a) Water & Sewer Rate Review: Mr. Whited presented a slide packet to show the financials for the last ten years. He explained Slide 2, for the general fund, showed the Town does a good job at running a tight ship. He clarified the numbers represented on this slide were only for the Town’s budget. He explained that Slide 3 covered the waterworks system. It shows that largely the waterworks system has a steady operating surplus. Slide 4 shows the upside-down income & losses when all three budgets (general, waterworks, and wastewater) are combined. The final slide shows the Town’s cash reserves. The red line represents the average amount of funds needed for the Town to operate. Mr. Whited reported that the Town would have used all of its cash reserves this year if the town were not able to defer its loan payments. If the Town cannot meet its loan payments the bond requires the Town to implement a property tax. He shared that he and Ms. Swift looked at these numbers two years ago to see where anything could be squeezed but there aren’t any large cuts to be made. Selling the Town Hall is the only possible influx of significant revenue and no one wants to do that. He also said that projections for income next year are looking better than predicted but would not close the deficit gap. Additionally, there may be some funds coming through the American Rescue Plan Act (ARPA).

Mr. Whited motioned the following:

“To adopt an 11% increase in both the water and sewer rates to keep pace with inflation over the 6 years since the previous rate increase and defer the effective date to January 1, 2022. Including in the motion is that TC review the pending rate increase at its regular meeting in November 2021 and that the proposed rate increase not take effect unless the Council votes for a second time to implement the rate increase. Also included in the motion is that any monies provided to the Town under H.R. 1319/Public Law 117-2 the “American Rescue Plan of 2021” be used for the sole purpose of addressing the budget shortfalls of the Washington Water Works and Wastewater Treatment Plant.

Further, he moved that TC amend the Water and Sewer Ordinance to require the TC to review rates on an annual basis during its deliberations on the following fiscal year’s budget.

Further, he moved that TC create a standing Public Works Committee of the TC. That the membership of that Committee be at least two members of the Council chosen by members of the Council during its first organizational meeting following an election. This Committee shall be responsible for conducting active oversight of the Washington Water Works and Wastewater Treatment Plant and reporting to the TC on a monthly basis pending maintenance or other operational matters that warrant the Council’s attention.

He further moved that the TC approve the creation of said Public Works Committee and name myself and Mr. Schneider to be it’s the initial members and that the Council direct us to enter into discussions with the Rappahannock Sewer and Water authority about synergies between our two systems and ways streamline operations which will benefit both plants. That we deliver to the TC at its regular meeting in July a report on the outcome of those discussions

And that the Commission provides an inventory of pending capital improvements to the Washington Water Works and Wastewater Treatment systems and a schedule for completing those improvements over the next 5 fiscal years.”

Mr. Whited made a motion to approve the increase in the water and sewer rates, the use of ARPA funds, and the creation of the Public Works Committee and Mr. Schneider seconded and a roll call vote was taken:

Ms. Goodine voted “yes”

Ms. Kuhn voted “yes”

Mr. O’Connell voted “yes”

Mr. Schneider voted “yes”

Ms. Swift voted “yes”

Mr. Whited voted “yes”

Mayor Catlin voted “yes”

And the motion passed 7-0.

(b) Public Hearing for FY 21/22 Budget: Mayor Catlin opened the public hearing at 7:23 p.m.

Caroline Anstey, Town resident, asked how much revenue would potentially be generated by 20 new connections to the system. She said hypothetically 20 units could equal 53 people. What would the connection fees be in that scenario. Ms. Swift responded that each connection would

be \$20,000 and she had included one connection in the FY 21/22 budget. Mayor Catlin responded there are different rates depending on the type of building.

Ms. Anstey said that the town needed to know the number of connections needed for the Rush River Commons development. Mr. Bennett responded that each residential unit is \$15,000 and each apartment is \$7,500. Mr. Schneider suggested that possible revenue generated from the Rush River Commons development should not be considered at this time and not until a more detailed plan has been reviewed. Mr. Bennett also shared that under Town ordinances the developer is responsible for extending the sewer and water lines.

Mr. O'Connell questioned why the town was proposing a rate increase but postponing it at the same time. Mr. Whited said that the rate increase would be required to be enacted in January. Mr. O'Connell asked what the amount was needed to not enact the rate increase and Mr. Whited said \$50,000 to \$60,000 was needed to cover the deficit. Mr. O'Connell asked if that amount could be a part of the motion. Mr. Bennett advised the deficit was not just based on income but also included expenses. Mr. Whited said the proposed increase was not enough to cover the deficit but he felt that was all the TC could ask the residents to do. Mr. Schneider thought the TC should go on record with the 11% increase so the public would know.

Bob Fasce, General Manager at The Inn at Little Washington, asked if consideration would be made at the November TC meeting regarding the projections the Inn has provided. Mr. Whited said they could be considered at that time. Ms. Swift said that she and Mr. Whited will touch base regarding Meals & Lodgings projections at that time. Mr. Fasce expressed that he feels there should be some type of metric to review the rate increase versus perpetually deferring it. Mr. Whited said the numbers would be evaluated yearly during the budget review cycle. He said in addition to the regular review cycle it will also be considered in January 2022.

Ms. Goodine asked when would the Public Works Committee be created. Mr. Whited said it would be created tonight and officers would be named.

Mayor Catlin closed the public hearing at 7:35 p.m.

- NEW BUSINESS:

- (a) Receive application from Black Kettle, LLC for a SUP or a PUD for a mixed-use development set forth in the application. Council to determine how to proceed and establish a schedule for review including joint meetings with the PC: Mayor Catlin reminded the TC that they were not taking an action regarding the applications tonight. This item was to decide the process moving forward to consider the applications.

Mr. Bennett shared this was the Town's first foray into the Planned Unit Development Ordinance. He thinks it's important that the TC meet jointly with the PC and invite the ARB to the work sessions. Ms. Swift supported this idea and Mr. Schneider said he thinks it's important the stakeholders participate in the discussions. Mr. Whited and Ms. Kuhn also expressed they felt it was important to include everyone.

Ms. Anstey likes the idea of joint meetings. She said that normally the PC does the technical review of the application and then makes a recommendation to the TC. She asked if all meetings will be held jointly. Mayor Catlin responded that the joint meetings start concurrently and when the PC has a recommendation to present to TC the PC portion of the meeting will close and the TC will continue with its open meeting.

Ms. Swift made a motion to have Town Council and the Planning Commission meet jointly at such times as may be agreed, to review, hold any required public hearings and act upon, in their respective capacities, the application of Black Kettle LLC for a Special Use Permit for a Planned Unit Development known as Rush River Commons; provided, if there not be a quorum of either body at any such meeting, the body with a quorum present may continue with its meeting singly and take such lawful actions singly, as it may determine; and provided further, the adoption of this motion shall not diminish each body's option to meet singly or lawful requirements for it to act singly in relation to the application. Mayor Catlin seconded the motion and a roll call vote was taken:

Ms. Goodine voted "yes"
Mr. O'Connell voted "yes"
Ms. Swift voted "yes"
Mayor Catlin voted "yes"
And the motion passed 7-0.

Ms. Kuhn voted "yes"
Mr. Schneider voted "yes"
Mr. Whited voted "yes"

Mayor Catlin suggested having a joint TC and PC meeting on Sunday, May 23 at 1:00 p.m. at Town Hall. Ms. Kuhn suggested having representatives from Black Kettle LLC present at the first joint session to do a brief presentation and answer any questions the TC or PC may have. Mayor Catlin said the presentation could be at the start of the work session and reminded everyone that the work sessions are public meetings.

Mayor Catlin made a motion to schedule a work session on May 23 at 1:00 p.m. and Ms. Swift seconded and a roll call vote was taken:

Ms. Goodine voted "yes"
Mr. O'Connell voted "yes"
Ms. Swift voted "yes"
Mayor Catlin voted "yes"
And the motion passed 7-0.

Ms. Kuhn voted "yes"
Mr. Schneider voted "yes"
Mr. Whited voted "yes"

- (b) Application by Black Kettle LLC for an ordinance to permit inclusion of the Rush River project within the Town Sewer Service District: Mr. Bennett recommended this item be tabled.

A voice vote was taken to table this agenda item and was passed unanimously.

PUBLIC FORUM: Mayor Catlin opened the public forum at 7:54 p.m.

Mr. Mitchell, ARB representative, said he will not be able to attend the joint session but will ask other members of the ARB if they could attend.

Ms. Anstey asked if any costs associated with extending the sewer line would be the developer's responsibility. Mr. Bennett responded that if the Town needed to hire a specialist the costs would be the developer's responsibility.

Chuck Akre, Black Kettle property owner and creator of Rush River Commons, asked what was expected of his team at the joint session on May 23. Ms. Kauffmann responded that a general overview of the project would be appreciated. Mr. Akre expressed his desire to have the project move along quickly and Mayor Catlin said he was expecting semi-monthly meetings to occur.

Mayor Catlin closed the public forum at 8:02 p.m.

ADJOURNMENT: Mr. Whited made a motion to adjourn the meeting and Ms. Swift seconded and a roll call vote was taken:

Ms. Goodine voted "yes"
Mr. O'Connell voted "yes"
Ms. Swift voted "yes"
Mayor Catlin voted "yes"
And the motion passed 7-0.

Ms. Kuhn voted "yes"
Mr. Schneider voted "yes"
Mr. Whited voted "yes"

THE NEXT REGULARLY SCHEDULED MEETING OF THE TOWN COUNCIL IS
June 14, 2021.

Barbara Batson, Town Clerk

Attachments:

Treasurer's Report

Bills to be paid

Town of Washington Budget Review 2009-2020

Rush River Commons PUD and sewer district expansion applications