

The Town of Washington

"THE FIRST WASHINGTON OF ALL"

January 10, 2022

Council Meeting

APPROVED Agenda

7:00 p.m.

- CALL TO ORDER Action
- APPROVAL OF THE AGENDA Action
- MINUTES
 - December 13 and 17, 2021 Council meetings minutes Action
- REPORTS
 - Mayor's Report: Mayor Catlin Information
 - Planning Commission Information
 - Architectural Review Board Information
 - Treasurer's Report: Ms. Swift Action
 - Public Works Committee Information
 - Zoning Administrator Information
 - Town Attorney Information
- OLD BUSINESS
 - a) ARB vacancies Action
 - b) Confirm Town Attorney Action
- NEW BUSINESS
 - a) Public Hearing for possible sewer rate increase Action
 - b) Resolution referring the topics of solar panels and other external utility structures to the Planning Commission Action
 - c) Referring a matter to the ARB under section 13.6.2 of the zoning ordinance, Minimum Maintenance Requirement (Demolition by Neglect) demolition under neglect Action
 - d) Resolution honoring former Town Attorney, John Bennett Action
- PUBLIC FORUM
- CLOSED SESSION Council may vote to enter into closed session in accordance with the provisions of Section 2.2-3711 A.7 of the VA Code for consultation with the town attorney concerning adjustments to the Information

- OPEN SESSION Town boundaries, a specific legal matter requiring the provision of legal advice.
- ADJOURNMENT

NEXT REGULARLY SCHEDULED MEETING OF THE TOWN COUNCIL
February 14, 2022

The Town of Washington

"THE FIRST WASHINGTON OF ALL"

January 10, 2022

7:00 p.m.

APPROVED Minutes

- CALL TO ORDER: Mayor Fred Catlin opened the meeting at 7:00 p.m. Council members Jean Goodine, Mary Ann Kuhn, Patrick O'Connell, Brad Schneider, Gail Swift and Joe Whited were present. Town Attorney Martin Crim and Town Clerk/Town Administrator Barbara Batson were present.
- APPROVAL OF THE AGENDA: Mr. Whited asked to add an item under new business; referring a matter to the ARB under Article 13.6.2 of the Zoning Ordinance, Minimum Maintenance Requirement (Demolition by Neglect). Ms. Swift made a motion to approve the amended agenda and 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 for December 13 and 17 ,2021 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"

REPORTS:

Mayor's Report: Mayor Catlin shared he was pleased to have Mr. Martin Crim serving as Acting Town Attorney and Mr. Steve Gyurisin serving as the Zoning Administrator. He shared that both Mr. Crim and Mr. Gyurisin have a wide breadth of experience in their respective fields. Mayor Catlin said he met with representatives of the growth, accessibility, and planning study for a grant to study the sidewalks and pathways in town. The town's application has moved past the first round and now the financial estimates are being reviewed.

Planning Commission (PC): Ms. Caroline Anstey reported the PC did not meet in December. The PC will meet on January 24 to consider a swimming pool ordinance and will hold a public forum on January 31 to discuss the 2022 Comprehensive Plan.

Treasurer's Report: Ms. Swift said she will be moving \$100,000 into the Local Government Investment Pool (LGIP) account, which is used as a contingency fund.

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"

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

Public Works Committee: Mr. Whited reported the town is working with a second contractor to continue the work on replacing water meters. Mr. Schneider reported that the sand filters at the pump house need to be repainted. He met with a vendor today to discuss having the tanks grit-blasted. This would remove all the paint to the base of the tank. A primer and epoxy would then be applied to the tanks. He is waiting for a quote for this work. He also reported that it's too cold to complete the cleaning that's needed at the Inn's lift station and that will be put on hold until the weather is warmer. Mr. Schneider will be reaching out to Mr. Don Hurl to assist with some projects that will be needed for the wastewater treatment plant, including replacing the control panel. ESS has provided a quote of \$40,000 but Mr. Schneider will work with Mr. Hurl to find an alternate solution.

Zoning Administrator: Mr. Steve Gyurisin reported he has been reading the zoning ordinances and reviewing the open zoning permit applications. Once he has been able to provide a determination on the open applications, he will begin the work on additional projects previously discussed (i.e., reviewing the zoning application and process, how the zoning and ARB application process works together, etc.).

Mr. Schneider mentioned he was aware of a meeting request from Rush River Commons (RRC) to discuss questions regarding their site plan. He wants to delay that meeting until an engineer can be engaged by the town. Mr. Schneider suggested a meeting with RRC, ESS and Country Water can be scheduled after an engineer is engaged.

Town Attorney: Mr. Crim reported he expects to meet with former Town Attorney John Bennett to pick up some files and discuss open items. He will also be taking a tour of the Town.

- OLD BUSINESS:

- (a) Architectural Review Board vacancies: Mayor Catlin shared that Mr. George Eatman and Mr. Raym Crow have resigned from serving on the ARB. He thanked both Mr. Eatman and Mr. Crow for their time and expertise serving on the Board. The town has received two letters of interest (Mr. Wesley Kerr and Mr. David McKnight) to fill these vacancies.

Mayor Catlin made a motion to appoint Mr. Kerr to complete Mr. Crow's term and Mr. McKnight to complete Mr. Eatman's term and Ms. Swift 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) Confirm Town Attorney: Mr. Crim had been appointed as the Acting Town Attorney until Ms. Swift could complete negotiations with him. Ms. Swift shared that she had completed negotiations and made a motion to appoint Mr. Crim as the Town Attorney 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	

- NEW BUSINESS:

- (a) Public Hearing for possible sewer rate increase: Ms. Swift said she was suggesting an \$8 increase to the base sewer service rate. The base rate currently is \$40 and the increase will make the base rate for sewer \$48. Ms. Goodine asked if consideration was made to raise the rate charged for gallons used above the minimum 3,000 gallons. Ms. Swift said it had been previously discussed but further consideration would happen during the next budget review cycle.

Mayor Catlin opened the public hearing at 7:25 p.m. There was no public comment and he closed the public hearing.

Mr. Whited made a motion to amend section 105, Monthly User Charges of the Sewer Ordinance of the Town of Washington to increase the base sewer fee from \$40 to \$48 and Ms. Swift 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) Resolution referring the topics of solar panels and other external utility structures to the Planning Commission: Mayor Catlin recommended that the Town Council refer the topics of

solar panels and other external utility structures to the PC to consider updating the zoning ordinance.

Mr. Schneider suggested the ARB review the PC's recommendation. Ms. Kuhn questioned if the resolution was needed since solar panels are already addressed in the Historic Guidelines. Mr. Crim responded that guidelines do not have the force of law. If solar panels are included in the zoning ordinance it doesn't allow for any discretion. Mayor Catlin mentioned that the historic guidelines for solar panels refer to historic buildings. The PC would also be looking to see if an ordinance is needed to include having different requirements based on the property's zoning classification and whether there should be setback considerations. Ms. Kuhn asked what is the process for coordinating the guidelines with any new zoning ordinance. Mr. Crim responded that the PC would also make a recommendation if the guidelines also needed to be updated.

Ms. Goodine made a motion to refer the topics of solar panels and other external utility structures to the PC and Mr. Whited 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

- (c) Referring a matter to the ARB under Article 13.6.2 of the Zoning Ordinance, Minimum Maintenance Requirement (Demolition by Neglect): Mr. Whited said that several constituents have brought to his attention the state of the property known as the "packing shed".

Mr. Whited moved to refer the matter of the property's condition at 330 Porter Street to the ARB and Ms. Kuhn 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

- (d) Resolution honoring former Town Attorney, John Bennett: Ms. Kuhn drafted a resolution honoring Mr. John Bennett as the former Town Attorney and Mayor Catlin read the resolution into the record.

Resolution Honoring John C. Bennett
For His Service To
The Town of Washington, Virginia

Whereas John C. Bennett served for 23 years as the Town Attorney of Washington, Virginia providing wise counsel and exceptional dedication to the Town and its citizens; and

Whereas during five of those most recent years he also served with utmost diligence as Zoning Administrator and Freedom of Information Act Officer; and

Whereas John C. Bennett served the Town with sound judgement and stability, promoting respect for the rule of law and applying it equally since his December 9, 1998 appointment as Town Attorney; and

Whereas John C. Bennett in his endeavors put the best interests of the Town and its Historic District first, so much so, that he became familiarly known as the “protector of Little Washington;” and

Whereas John C. Bennett worked tirelessly in crafting ordinances, resolutions and other legal documents benefiting the Town’s best interests and resolving controversial issues; and

Whereas John C. Bennett was instrumental in guiding the Town Council, the Planning Commission, the Architectural Review Board and the Board of Zoning Appeals tirelessly through key challenges and major hurdles over more than two decades, including the establishment of a wastewater treatment plant and the creation of the first Planned Unit Development; and

Whereas John C. Bennett was not only by the Town’s side, but on the Town’s side, during these significant years of service, and consistently displayed a genuine devotion and loyalty to the Town.

Now, therefore be it resolved, that the Town of Washington, Virginia, its Mayor and Town Council, do hereby acknowledge the noteworthy tenure of John C. Bennett and extend their deepest gratitude and appreciation to him for his exemplary service to this historic Town.

Be it further resolved, a copy of this resolution be entered permanently into the minutes of the Town Council meeting of January 10, 2022 and into the records of the Town.

Ms. Goodine shared that she found Mr. Bennett to be one of the most pleasant people she’s met. She appreciated his even temper throughout the acrimonious time while installing the town’s wastewater system.

Mr. Whited shared he felt lucky when he joined Town Council that Mr. Bennett was seated next to him. Mr. Bennett was keen to help Mr. Whited learn about how the town operated. Mayor Catlin said he enjoyed knowing and working with Mr. Bennett; they would talk about sailing and racecars. Ms. Kuhn shared that Mr. Bennett was invited to attend tonight but he was out of town. She suggested the resolution be framed and given to Mr. Bennett at his office.

Ms. Kuhn moved to adopt the resolution honoring Mr. John Bennett as the former Town Attorney and Mr. Whited seconded and a roll call vote was taken:

Ms. Goodine voted “yes”
Mr. O’Connell voted “yes”

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

Ms. Swift voted "yes"
Mayor Catlin voted "yes"
And the motion passed 7-0

Mr. Whited voted "yes"

PUBLIC FORUM: Mayor Catlin opened the public forum at 7:45 p.m.; there were no comments.

CLOSED SESSION:

Mayor Catlin motioned to go into closed session in accordance with the provisions of Section 2.2-3711 A.7 of the VA Code for consultation with the town attorney concerning adjustments to the Town boundaries, a specific legal matter requiring the provision of legal advice and invited the Town Clerk to join 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"

OPEN SESSION: Mayor Catlin moved to go into open session at 8:27 p.m. and 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"

Mr. Crim asked each member: Do each of you certify that to the best of your knowledge only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in such meeting?

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"

ADJOURNMENT: Ms. Kuhn made a motion to adjourn the meeting at 8:29 p.m. 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"

THE NEXT REGULAR MEETING OF THE TOWN COUNCIL IS
FEBRUARY 14, 2022.

Barbara Batson, Town Clerk

Attachments:

Treasurer's report

Bills to be paid

Resolution honoring Mr. Bennett as former town attorney

Amended sewer rate ordinance

Resolution referring the topics of solar panels and other external utility structures to the Planning Commission