



**June 10, 2024
Council Meeting
Draft Agenda
7:00 p.m.**

- CALL TO ORDER Action
- APPROVAL OF THE AGENDA Action
- MINUTES
 - May 13, 2024 Council meeting minutes Action
- REPORTS
 - Mayor’s Report: Mayor Whited Information
 - Treasurer’s Report: Gail Swift Information
 - Town Attorney: Mr. Crim Information
 - Zoning Administrator: Mr. Gyurisin Information
 - Planning Commission Information
 - Architectural Review Board Information
- OLD BUSINESS
- NEW BUSINESS
 - a) Public hearing – Joan Platt SUP, 78 Piedmont Ave Action
 - b) Public hearing - Zoning text amendment – Bed & Breakfast Action
 - c) FY 24/25 budget approval Action
 - d) Remote participation policy Action
- PUBLIC FORUM
- CLOSED SESSION

Council may vote to enter into closed session in accordance with the provisions of Section 2.2-3711 A.8 of the VA Code for consultation with the town attorney concerning amendments to the Town’s zoning ordinance, a specific legal matter requiring the provision of legal advice.
- ADJOURNMENT

NEXT REGULARLY SCHEDULED MEETING OF THE TOWN COUNCIL
July 8, 2024



June 10, 2024
Town Council Approved Minutes

- **CALL TO ORDER:** Mayor Whited opened the meeting at 7:00 p.m. Council members Drew Beard, Jean Goodine, Patrick O’Connell, Brad Schnieder, and Gail Swift were present, Fred Catlin was absent. Town Attorney Martin Crim and Town Manager/Clerk Barbara Batson were present.

Present from the Planning Commission were, Caroline Anstey, Drew Beard, Constance Bruce, and David Pennington.

- **APPROVAL OF THE AGENDA:** Mr. Schneider made a motion to approve the agenda, Mr. Beard seconded and a roll call vote was taken:

Mr. Beard voted “yes”	Ms. Goodine voted “yes”
Mr. O’Connell voted “yes”	Mr. Schneider voted “yes”
Ms. Swift voted “yes”	Mayor Whited voted “yes”

And the motion passed 6-0, with Mr. Catlin absent

- **MINUTES:** Ms. Swift motioned to accept the minutes for May 10, 2024, Mr. Beard seconded and a roll call vote was taken:

Mr. Beard voted “yes”	Ms. Goodine voted “yes”
Mr. O’Connell voted “yes”	Mr. Schneider voted “yes”
Ms. Swift voted “yes”	Mayor Whited voted “yes”

And the motion passed 6-0, with Mr. Catlin absent

REPORTS:

Mayor’s Report: Mayor Whited shared that his treatment wrapped up three weeks ago and he expects final results in the next few months. He is optimistic he will have a full recovery. He reported that there would be a town social on July 6, prior to the concert, with more details to follow.

Treasurer report: Ms. Swift reported that 40k was moved from the general fund to the LGIP fund. There is now 797k in the LGIP (rainy day fund). The 797k includes water and sewer fees collected from the Rush River Commons project. Those fees were moved into the LGIP in order to accrue interest, which has recently been 5.6%.

Town Attorney: Mr. Crim shared that the voluntary settlement agreement process went well and the public record has now closed. A report is expected by July 12.

Zoning Administrator: Mr. Steve Gyurisin reported he is working with the Board of Zoning Appeals (BZA) to schedule an organizational meeting. Mayor Whited reminded the public there is an open seat on the BZA.

Planning Commission (PC): Ms. Anstey reported that the PC had met at 6:00 p.m. today to discuss the revision to the B&B zoning ordinance. The PC will not meet in August.

Architectural Review Board (ARB): There was no report.

OLD BUSINESS: There was no old business

NEW BUSINESS:

a) Public Hearing – Special Use Permit (SUP) for 78 Piedmont, Joan Platt:

Mayor Whited opened the TC's public hearing at 7:08 p.m.

Ms. Anstey opened the PC's public hearing at 7:08 p.m.

Mr. Gyurisin shared that the applicant was wonderful to work with. She is seeking a SUP for an accessory apartment and a studio in the existing barn. He noted that there had previously been an apartment at that location.

Mayor Whited opened the meeting to public comment at 7:10 p.m.

Mr. Schneider said he had visited the property to look at the water and sewer setup, he has no concerns about approving the SUP.

Mr. Beard made a motion to close the PC's public hearing at 7:11 p.m., and Ms. Bruce seconded. The motion passed unanimously.

Mr. Schneider made a motion to close the TC's public hearing at 7:11 p.m., and Ms. Goodine seconded. The motion passed unanimously.

Ms. Anstey moved to approve the SUP, Ms. Bruce seconded and the motion passed unanimously.

Ms. Swift motioned to approve the SUP, Ms. Goodine seconded and a roll call vote was taken:

Mr. Beard voted "yes"

Ms. Goodine voted "yes"

Mr. O'Connell voted "yes"

Mr. Schneider voted "yes"

Ms. Swift voted "yes"

Mayor Whited voted "yes"

And the motion passed 6-0, with Mr. Catlin absent

b) Public Hearing – Zoning text amendment for Bed and Breakfast:

Mayor Whited opened the TC's public hearing at 7:13 p.m.

Ms. Anstey opened the PC's public hearing at 7:13 p.m.

Mr. Gyurisin reported that the proposal is to create two categories of B&Bs, type one - with a five-room maximum and type two - with a maximum of nine rooms (18 guests). Type two also would require a professional manager. He has worked with the PC and Town Attorney on this document.

Mr. O'Connell recused himself from the discussion.

Mr. Beard said, with regard to the zoning text amendment for B&B's, I am a member of a group affected by the transaction as a result of owning an affected business, but I am able to participate in the transaction fairly, objectively, and in the public interest.

Mayor Whited opened up public comments at 7:16 p.m.

Evan Addams said he has spoken with Mr. Gyurisin and has learned some town history. He shared that Foster Harris House was constructed with 10 bedrooms and that a professional manager lives onsite. Their intention is to use the 12 parking spaces currently available and use the additional rooms already built, but are currently unused. He wants to listen to anything the public might discuss and have Foster Harris House be considered to use 10 guest rooms.

Mr. Jim Abdo said he wanted to commend the Zoning Administrator for creating a step in the right direction for by-rights uses, as it relates to these properties. It provides a certain level of security for property owners in town.

Mr. John Sullivan shared that he thinks this is an important discussion, especially when the discussion of rezoning is involved. When he was mayor, he encouraged new thinking and growth. He said previously TC had considered the rules for Foster Harris house in context that the building is zoning village residential. He reminded council that Foster Harris House has neighbors. He thinks having a small hotel in town is a big deal. He thinks the location of those establishments is important, especially in a residential zone. The notion of doubling the size of guests and parking is something that should be carefully considered. He is a neighbor and not sure he is comfortable with the idea of a lot of people sitting outside and socializing and the amount of noise that would generate. He said he can sometimes hear the guests at The Gay Street Inn, and they are three times farther away. He reminded TC and PC that there are neighbors close by to Foster Harris House. He's not sure if it's reasonable to increase the capacity if the zoning is residential.

Ms. Anstey closed the PC's public hearing at 7:24 p.m.

Mayor Whited closed the TC's public hearing at 7:25 p.m.

Ms. Anstey moved to recommend to TC that the town attorney and zoning administrator work further on the ordinance incorporating:

- A second B&B category to be restricted to village mixed use.
- The second category would specify a maximum of 9 rooms within the existing footprint
- That the business be professionally managed.

Ms. Bruce seconded and the motion passed 3-0, with Mr. Beard abstaining.

The PC adjourned their meeting at 7:28 p.m.

Mayor Whited said that a recommendation from the PC was now before TC with possible changes to the B&B ordinance. He said that the current draft goes toward addressing some of the PC's concerns and thinks the additional changes can be made tonight during the meeting.

Ms. Goodine asked if the PC would be coming back to TC once the new draft was done. Mayor Whited explained that the PC had made their recommendation and the issue now sat with the TC. He said there were two options, Mr. Crim and Mr. Gyurisin could update the draft and the TC could vote on it in July, or the TC could work on the changes now and vote tonight.

Mr. Schneider asked if an applicant wanted to do a zoning revision, is it an open process to apply? Would TC still be able to vote on the application. Mayor Whited responded, yes, that application would come before the TC.

Mr. O'Connell asked if one building could be rezoned, or does the entire block need to be. Mayor Whited replied that one building could be rezoned without affecting the rest of the block.

Ms. Goodine moved to instruct staff to update the draft ordinance with the changes discussed tonight, Mr. Beard seconded and a roll call vote was taken:

Mr. Beard voted "yes"	Ms. Goodine voted "yes"
Mr. O'Connell voted "yes"	Mr. Schneider voted "yes"
Ms. Swift voted "yes"	Mayor Whited voted "yes"

And the motion passed 6-0, with Mr. Catlin absent

c) FY 24/25 budget:

Mayor Whited motioned to approved the FY 24/25 budget and release FY25 Q1 funds, Ms. Swift seconded and a roll call vote was taken:

Mr. Beard voted "yes"	Ms. Goodine voted "yes"
Mr. O'Connell voted "yes"	Mr. Schneider voted "yes"
Ms. Swift voted "yes"	Mayor Whited voted "yes"

And the motion passed 6-0, with Mr. Catlin absent

d) Remote participation policy: Mr. Crim explained an update to the policy was needed to include that remote participants with a disability or caring for someone with a disability can be counted towards a quorum. Also, the policy must be adopted each year.

Mayor White motioned to approve the remote policy, Ms. Swift seconded, and a roll call vote was taken:

Mr. Beard voted "yes"	Ms. Goodine voted "yes"
Mr. O'Connell voted "yes"	Mr. Schneider voted "yes"
Ms. Swift voted "yes"	Mayor Whited voted "yes"

And the motion passed 6-0, with Mr. Catlin absent

PUBLIC FORUM: Mayor Whited opened the public forum at 7:40 p.m.

Ms. Nancy Buntin said a better sound system and lighting was needed in town hall. Mr. Jay Brown agreed with Ms. Buntin's comment. Mayor Whited said that work would be going on in July and August to town hall and a new sound system was part of that project.

Mayor Whited closed the public forum at 7:41 p.m.

Mr. Schneider motioned to adjourn, Ms. Goodine seconded and a roll call vote was taken:

Mr. Beard voted "yes"

Ms. Goodine voted "yes"

Mr. O'Connell voted "yes"

Mr. Schneider voted "yes"

Ms. Swift voted "yes"

Mayor Whited voted "yes"

And the motion passed 6-0, with Mr. Catlin absent

THE NEXT REGULAR MEETING OF THE TOWN COUNCIL IS
July 8, 2024.

Barbara Batson, Town Manager/ Clerk

Attachments:

Zoning Administrator's report

FY 24/25 budget

SUP for 78 Piedmont Ave.

B&B ordinance

Remote participation policy