



# TOWN OF HAYMARKET TOWN COUNCIL

## REGULAR MEETING ~ MINUTES ~

David Leake, Mayor  
<http://www.townofhaymarket.org/>

15000 Washington St  
Haymarket, VA 20169

Monday, February 3, 2014

7:00 PM

Council Chambers

A Regular Meeting of the Mayor and Council of the Town of Haymarket, VA, was held this evening in the Board Room, Commencing at 7:00 PM

Mayor David Leake called the meeting to order.

### 1. Call to Order

Councilman Steve Aitken: Present, Councilwoman Rebecca Bare: Present, Councilwoman Katherine Harnest: Present, Councilwoman Mary-Lou Scarbrough: Present, Councilman Milt Kenworthy: Present, Vice Mayor Jay Tobias: Present, Mayor David Leake: Present.

### 2. Pledge of Allegiance-Colton Bradley

Tonight's Pledge of Allegiance is led by Scout Colton Bradley

### 3. Citizen's Time

#### **Maria Turner - Fayette Street**

*She is concerned about the state of the North Fork Creek. She reminds that the Charette called for Jefferson Street at the tracks to be a gateway to the Town, and that has yet to be realized. The banks have become overgrown and water is ponding up badly.*

*The Haymarket Drive elementary school will be open this spring. She would like the Council to work with the school to insure that the buses do not use Fayette Street. She would appreciate some control over the potential school traffic might have on Fayette Street*

#### **Josh Mattox - 15008 Gossom Manor Place**

*Residents are experiencing a lot of issues with DR Horton in Sherwood Forest. There has been a lot of fallback with the contractors. He has a history of emails regarding warranty items that have yet to be fully completed. At Fayette & Washington Street, there is a yielding problem there. He and his wife have had several close calls at this intersection. He would appreciate an increased police presence at that intersection.*

### 4. Minutes Acceptance

A. Mayor and Council - Regular Meeting - Jan 6, 2014 7:00 PM

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Steve Aitken, Councilman
<b>SECONDER:</b>	Rebecca Bare, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

B. Mayor and Council - Continuation Meeting - Jan 15, 2014 6:30 PM

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Steve Aitken, Councilman
<b>SECONDER:</b>	Rebecca Bare, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

C. Mayor and Council - Special Meeting - Jan 20, 2014 7:00 PM

**RESULT:** ACCEPTED [UNANIMOUS]  
**MOVER:** Steve Aitken, Councilman  
**SECONDER:** Rebecca Bare, Councilwoman  
**AYES:** Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

D. Mayor and Council - Emergency Meeting - Jan 24, 2014 7:00 PM

**RESULT:** ACCEPTED [UNANIMOUS]  
**MOVER:** Steve Aitken, Councilman  
**SECONDER:** Rebecca Bare, Councilwoman  
**AYES:** Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

E. Mayor and Council - Special Meeting - Jan 28, 2014 6:30 PM

**RESULT:** ACCEPTED [UNANIMOUS]  
**MOVER:** Steve Aitken, Councilman  
**SECONDER:** Rebecca Bare, Councilwoman  
**AYES:** Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

F. Mayor and Council - Work Session - Jan 28, 2014 7:00 PM

**RESULT:** ACCEPTED [UNANIMOUS]  
**MOVER:** Steve Aitken, Councilman  
**SECONDER:** Rebecca Bare, Councilwoman  
**AYES:** Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

## 5. Public Hearing

A. Historic District Boundary Amendment

**John Mattox - 15008 Gossom Manor Place**

*He strongly opposes the revisions of the historic district and urges everyone to vote against it. When they first bought, they had researched the area. What really attracted him to Haymarket was the small town feel and the historic nature of the Town. He doesn't feel it is fair to remove his neighborhood from the historic district boundaries.*

**Tobias**

*Asks if Chair Weir of the Planning Commission would come explain the PC's motivation behind splitting the fairgrounds parcel in their first proposed boundary revisions. Weir believes that leaving the back portion of the parcel out of the historic district may enhance the economic development of that particular parcel.*

**The Mayor would like it noted for the record: Dave & Marie Kline and Dottie Leonard all telephoned the Mayor and expressed views opposed to the revisions to the historic district**

**Guy Gravett - Represents the Fairgrounds property**

*Unfortunately, at this time, they do not have a development plan, so it is hard to discuss the historic district revisions at this time. They do envision a mixed use for this parcel, residential, office and retail. He is just asking for whatever does happen with the historic district, that an open dialogue stay open with this property.*

**RESULT:** ADJOURNED [UNANIMOUS]  
**AYES:** Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

## 6. Agenda Items

A. Historic District Boundary Amendment- Marchant Schneider

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>
<b>MOVER:</b>	Rebecca Bare, Councilwoman
<b>SECONDER:</b>	Katherine Harnest, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

**B. Eagle Scout Request - Colton Bradley**

Colton Bradley is here this evening to seek permission from the Town Council. When he first joined the Scouts, he learned very quickly of the close relationship between the Town and Troop #924. An Eagle Scout project is a requirement and prerequisite to achieving life scout. He proposed to replace the sign at the corner of Washington Street & Bleight Drive. The sign is falling apart. Tobias tells Colton that this was discussed at the work session and suggest that he work with the ARB and Councilwoman Harnest. Aitken suggests that maybe the sign could go at the far eastern entrance to the Town at the former PACE, now that the boundary adjustment is complete.

**C. Code of Conduct (Draft) - Rebecca Bare, Steve Aitken, Brian Henshaw**

Move to adopt the Code of Ethics/Standards of Conduct as presented

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Steve Aitken, Councilman
<b>SECONDER:</b>	Rebecca Bare, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

**D. Resolution for Special Election - Martin Crim, Town Attorney**

Move to table discussion of the resolution for special election to the July 7, 2014 Town Council meeting, in the meantime for staff to work with the Council to give us ideas on how to best to position this and inform the voters

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>
<b>MOVER:</b>	Jay Tobias, Vice Mayor
<b>SECONDER:</b>	Rebecca Bare, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

**E. Site Plan Approval Extension - Marchant Schneider**

Move that the Town Council **REAPPROVE** final site plan FSP#20081212, Haymarket Baptist Church - Building Addition and Parking Expansion, prepared by Ross, France, and Ratliff, LTD, dated May 15, 2007, sealed May 16, 2013, BUT EXPRESSLY CONDITIONED UPON THE FOLLOWING:

1. Recordation of a Stormwater Management Facilities Maintenance Agreement providing for maintenance of all such facilities without cost to the Town for all on-site (and off-site, if applicable) stormwater facilities to be installed in conjunction with the development of the subject property; and,
2. Payment of all costs, fees and expenses due the Town.

It is further moved that the Town Council, pursuant to Sections 58-699(c) and 58-703(f) of the Town Code, approve the alternative buffer yards and waiver of perimeter parking lot landscaping as depicted on Sheet 6 of FSP#20081212;

It is further moved that the Town Council approve the record plat titled "Record Plat Showing Consolidation and Various Easements, the Property of Trustees of Haymarket Baptist Church," prepared by Ross, France, Ratliff, LTD, dated July 7, 2008, and its associated Deed of Consolidation and Easement, subject to, BUT EXPRESSLY CONDITIONED UPON THE FOLLOWING:

1. Recordation of all plats and documentation in a form and substance as approved by the Town Attorney; and
2. Payment of all costs, fees and expenses due the Town; and

3. The foregoing two conditions to be completed and satisfied within 90 days of the date of Town Council approval, otherwise the approval to be void and of no further effect.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Katherine Harnest, Councilwoman
<b>SECONDER:</b>	Rebecca Bare, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

**F. Request for Proposals - Parking Ordinance Review**

Move that the Town Council authorize staff to advertise the attached Request for Proposals for a Parking Ordinance and Needs Assessment and return to Council with a recommendation regarding an award of a contract for said proposal. Extend the RFP deadline to March 14, return to Council at the April 7 meeting with a recommendation

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Katherine Harnest, Councilwoman
<b>SECONDER:</b>	Rebecca Bare, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

## 7. Department Reports

- A. Treasurer's Report - Renee DuBiel  
Tobias - Harnest
- B. Engineer's Report - Holly Montague
- C. Planner's Report - Marchant Schneider
- D. Museum Report - Denise Hall
- E. Police Report
- F. Town Manager's Report - Brian Henshaw

## 8. Closed Session

**Enter into Closed Session**

Move to enter into closed session pursuant to Virginia State Code 2.2-3711:

A1. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body, specifically **the Town Police Department**

**The record reflects that Vice Mayor Tobias does not enter into closed session discussions.**

<b>RESULT:</b>	<b>ADOPTED [6 TO 1]</b>
<b>MOVER:</b>	Katherine Harnest, Councilwoman
<b>SECONDER:</b>	Mary-Lou Scarbrough, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Leake
<b>NAYS:</b>	Jay Tobias

**Certification of the Closed Session**

Pursuant to VA 2.2-2712 (D), Move to certify that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body.

<b>RESULT:</b>	<b>ADOPTED [6 TO 0]</b>
<b>MOVER:</b>	Katherine Harnest, Councilwoman
<b>SECONDER:</b>	Mary-Lou Scarbrough, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Leake
<b>ABSTAIN:</b>	Jay Tobias

**Appoint Jeff Shaver**

Move to appoint Jeff Shaver as interim Town Sergeant during the suspension of Chief Roop and that he be assigned the temporary rank of Police Sergeant, this motion does not change the assignment of duties made by Council at its January 20, 2014 meeting.

<b>RESULT:</b>	<b>ADOPTED [5 TO 0]</b>
<b>MOVER:</b>	Steve Aitken, Councilman
<b>SECONDER:</b>	Katherine Harnest, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy
<b>ABSTAIN:</b>	Jay Tobias

**Directive**

Direct the Town Manager, Brian Henshaw and Sergeant Shaver to work together to alter the police department's schedules, as needed, to maximize coverage

**Hire part-time officer**

Move to hire Officer Randy Anderson, part-time, at \$18.27/hour, with no benefits, for no more than 24 hours per week, through April 8, 2014.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Steve Aitken, Councilman
<b>SECONDER:</b>	Rebecca Bare, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

**9. Councilmember Time**

- A. Steve Aitken
- B. Rebecca Bare
- C. Katherine Harnest
- D. Mary Lou Scarbrough

Scarbrough would like to make council aware of issues at food pantry, there has been water in basement

- E. Milt Kenworthy
- F. James Tobias
- G. David Leake

**10. Motion to Adjourn**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Katherine Harnest, Councilwoman
<b>SECONDER:</b>	Mary-Lou Scarbrough, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

Submitted:

Approved:

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Jennifer Preli, Town Clerk

David Leake, Mayor