



# TOWN OF HAYMARKET TOWN COUNCIL

## REGULAR MEETING ~ MINUTES ~

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

15000 Washington St  
Haymarket, VA 20169

Monday, April 7, 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: Absent, Councilman Milt Kenworthy: Present, Vice Mayor Jay Tobias: Present, Mayor David Leake: Present.

### 2. Pledge of Allegiance

### 3. Minutes Acceptance

A. Mayor and Council - Work Session - Feb 25, 2014 7:00 PM

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

B. Mayor and Council - Regular Meeting - Mar 11, 2014 7:00 PM

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

C. Mayor and Council - Work Session - Mar 12, 2014 6:30 PM

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

D. Mayor and Council - Emergency Meeting - Mar 24, 2014 7:00 AM

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

### 4. Public Hearings

#### Planning Commission Call to Order

Commissioners present: Bare, Weir, Ring

Commissioners absent: Robinson & Johnson

Chair Weir opens up the public hearing for Saint Paul's School special use permit. The Town Planner, Marchant Schneider discloses that he has a daughter that attends this school, he does not have a financial interest in the school and feels he can perform a fair and impartial review of the application. This is a request to renew the use of a classroom trailer at 6635 Fayette Street. Councilwoman Bare reminds that this application is not for the use of the school, but rather the temporary classroom trailer.

Chair Weir calls forward anyone wishing to speak on behalf or in opposition to the application.

**Coke Whitrock**

*Mr. Whitrock provides background information on the need and use of the trailer. They anticipated it to be temporary, but there was a subsequent court ruling that changed the schools direction. They started over from scratch. He is asking for a renewal of the special use permit through August 31, 2017.*

**John Cole - Fayette Street**

*He is here to let the Council know that the use of a temporary classroom trailer has had no impact on his life. He lives just a few houses away from the school.*

**Pam Stutz - 6720 Jefferson Street**

*She is a member of Saint Paul's Church and she lives directly behind the school. She sees no impact from the use of the classroom trailer. She reminds that the parents of children attending the school shop here and*

**Ken Farren**

*His granddaughter attends Saint Paul's School and his grandson will start next year. He drove by the trailers today to look at them, he was pleased that they are clean and nice looking. He reminds that August 2017 is the drop dead date and that the school will be out of that location by then. He thinks they are a great part of the community and that it is a wonderful school.*

**Ms. Silio & Ms. Stevens**

*They both teach 4 year old pre-k at Saint Paul's School. They love being part of the school, they both teach in the modular trailer.*

**Jennifer Nelson - Preschool Administrator**

*When the modular opened in 2008 it was filled immediately and it is already full for next year. They really need that building to stay there.*

**David Jones - Minister, Saint Paul's Anglican Church**

*He is here tonight to thank the Council for all the help with the school. He appreciates the past special use permit and he hopes they will be able to continue the school.*

The Clerk enters into record seven emails received from: Krysta Ardigo, Jill Rosen, Lora Laconti of Little John Court, Lesli Ebert, Katherine Rickwald, Melanie Minor, and Nikki Adams

A. Joint Hearing - Saint Paul's Special Use Permit

|                  |                                          |
|------------------|------------------------------------------|
| <b>RESULT:</b>   | <b>CLOSED [UNANIMOUS]</b>                |
| <b>MOVER:</b>    | Jay Tobias, Vice Mayor                   |
| <b>SECONDER:</b> | Rebecca Bare, Councilwoman               |
| <b>AYES:</b>     | Aitken, Bare, Harnest, Kenworthy, Tobias |
| <b>ABSENT:</b>   | Mary-Lou Scarbrough                      |

**Planning Commission**

Weir would like to hold the public hearing open until the Planning Commission meeting on April 14.

Weir would like to know if this is based on the original special use permit, or is this being treated as a new application. The Town Planner has processed this as an entirely new application.

Chair Weir would like the following for Monday's Planning Commission meeting:

- Traffic Management Policy
- Traffic Narrative
- Exception Management
- Enrollment totals then and now
- Stormwater & any environmental issues

**Ring moves to adjourn the special meeting of the Planning Commission, Bare seconds;  
Ayes: 3      Nays: 0      Absent: Robinson & Johnson**

B. Historic District Overlay Revisions

**Susan Edwards - 6938 Little John Court**

*She has been a resident since 1996. She has been on the Town Council & the ARB. Some people bought in this town because of the Historic District Overlay. The guidelines are simple and easy to understand. She asks that we please keep the current boundaries because there is no going back the other way.*

**Pam Swinford - Jockey Club Lane**

*She doesn't know that there have been any real true complaints about the ARB review procedure, except for those who were unable to attend the meetings. This is not a big place and once you take it away, you can never have it back. Is it really costing the Town more money for the extra areas?*

**Pam Stutz - 6720 Jefferson Street**

*The historic overlay was done for a reason, it was done for the growth of the Town. She understands there are people that are unhappy that they have to fill out an application. She reminds that there will always be those who oppose the rules. She is asking that Council keep the historic overlay the way that it is and not make any changes*

**Bob Weir - 6853 Saint Paul**

*The town ordinance is open to challenge and minimizing the district is not going to destroy anyone's property values. This comes down to looking out for the Town's best interest as a corporate entity. There are people that are in favor of the reduction. He feels that reducing the district is a common sense thing.*

**Tobias**

*Asks Mr. Gravett to come forward. Gravett explains that he is considering mixed use on that property. There will be a portion of the property that is residential. They were hoping that the residential portion would not have the ARB review.*

**Susan Edwards**

*She reminds that Mr. Gravett is not a resident of this town.*

**Katherine Harnest**

*She would like it noted for the record, that as a resident, she is opposed to the revisions to the historic district.*

|                  |                                          |
|------------------|------------------------------------------|
| <b>RESULT:</b>   | <b>CLOSED [UNANIMOUS]</b>                |
| <b>MOVER:</b>    | Steve Aitken, Councilman                 |
| <b>SECONDER:</b> | Milt Kenworthy, Councilman               |
| <b>AYES:</b>     | Aitken, Bare, Harnest, Kenworthy, Tobias |
| <b>ABSENT:</b>   | Mary-Lou Scarbrough                      |

## 5. Citizen's Time

**Josh Mattox - 15008 Gossom Manor Place**

*He talks about the proposed Fiscal Year 2015 budget. He has recently seen the Town's current balance sheet and that the Town has over \$2,000,000 between checking, savings, money markets and CD's. He is asking Council to reconsider the increased revenue in the proposed budget that is attributable to increased assessed property values. He thinks we have the money in the bank to offset this increase and he reminds that Prince William County will also probably have an increase in property taxes this year.*

**Bull Run Middle School Students, Dev Suri and Kofi Asenso, & Noah Wong**

*The young men here this evening are with the Robotics team at Bull Run Middle School, they are here this evening to ask for the Town's financial support to go to the world championships in Anaheim, CA*

**Appropriate Funds**

Move to appropriate \$1,000 from the Town Administration: Education & Training budget line item as a gift to the Bull Run Middle School Robotics Team towards their trip to Anaheim, CA for the world competition.

**Discussion:** *Harnest asks why only \$1,000? Tobias explains that we do not really have a policy about gifts and donations and it could open up "Pandora's Box". Harnest would really like to do a \$2,000 donation to get our name on the robot. Motion stands.*

|                  |                                          |
|------------------|------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>               |
| <b>MOVER:</b>    | Jay Tobias, Vice Mayor                   |
| <b>SECONDER:</b> | Steve Aitken, Councilman                 |
| <b>AYES:</b>     | Aitken, Bare, Harnest, Kenworthy, Tobias |
| <b>ABSENT:</b>   | Mary-Lou Scarbrough                      |

**6. Agenda Items****A. Special Use Permit - Saint Paul's School****B. Historic District Overlay**

Table to the next Council meeting of May 5, 2014

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

**C. Bull Run Middle School - Request to Council****D. Parking Study Analysis Proposals**

Move to send the parking analysis proposals to the Planning Commission for their review

|                  |                                          |
|------------------|------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>               |
| <b>MOVER:</b>    | Jay Tobias, Vice Mayor                   |
| <b>SECONDER:</b> | Rebecca Bare, Councilwoman               |
| <b>AYES:</b>     | Aitken, Bare, Harnest, Kenworthy, Tobias |
| <b>ABSENT:</b>   | Mary-Lou Scarbrough                      |

**E. The Very Thing...For Her Certificate of Appropriateness**

Move to deny request to council for approval of the Certificate of Appropriateness for a sign to be located on the Hulfish building for The Very Thing for Her

|                  |                                          |
|------------------|------------------------------------------|
| <b>RESULT:</b>   | <b>ADOPTED [UNANIMOUS]</b>               |
| <b>MOVER:</b>    | Jay Tobias, Vice Mayor                   |
| <b>SECONDER:</b> | Rebecca Bare, Councilwoman               |
| <b>AYES:</b>     | Aitken, Bare, Harnest, Kenworthy, Tobias |
| <b>ABSENT:</b>   | Mary-Lou Scarbrough                      |

**F. Appointment of Building Official - Brian Henshaw**

Tobias asks if Mr. Smith would be open to a minor modification. He asks if Total Construction Solutions could strike the mileage provision of the contract. Mr. Smith agrees to strike.

Move to approve the proposed contract with Total Construction Solutions, LLC, authorize the Town Manager to execute the Contract, striking the mileage reimbursement provision, and authorize TCS to designate its employee, Mr. Joe Barbeau, as the Town's interim Building Official to perform the services and responsibilities identified within the contract.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jay Tobias, Vice Mayor  
**SECONDER:** Katherine Harnest, Councilwoman  
**AYES:** Aitken, Bare, Harnest, Kenworthy, Tobias  
**ABSENT:** Mary-Lou Scarbrough

**G. Budget Amendments - Brian Henshaw**

I move to amend the Fiscal Year 2014 Adopted Budget, Amendment #2014-002 by the following:

| Budget Line Item                                         | Adopted Budget | Amended Budget |
|----------------------------------------------------------|----------------|----------------|
| <b>Revenue: Transfer of Cash Reserves</b>                |                |                |
| <b>Total Revenue</b>                                     | \$1,048,771    | \$1,055,965    |
| <b>Debt Service: Capital Lease: 100-09-95100-4009210</b> | \$4,335,430    | \$4,342,624    |
| <b>TOTAL EXPENSES</b>                                    | \$21,794       | \$28,988       |
|                                                          | \$4,335,430    | \$4,342,624    |

And...

| Budget Line Item                                                                                               | Adopted Budget | Amended Budget |
|----------------------------------------------------------------------------------------------------------------|----------------|----------------|
| <b>14710 Washington: Repairs &amp; Maintenance Services 100-04-43205-4003310</b>                               | \$2,500        | \$1,500        |
| <b>14710 Washington: Electrical Services 100-04-43205-4005110</b>                                              | \$4,000        | \$1,000        |
| <b>Maintenance of General Buildings &amp; Grounds: Repairs &amp; Maintenance Services 100-04-43100-4003130</b> | \$15,000       | \$19,000       |

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Steve Aitken, Councilman  
**SECONDER:** Katherine Harnest, Councilwoman  
**AYES:** Aitken, Bare, Harnest, Kenworthy, Tobias  
**ABSENT:** Mary-Lou Scarbrough

**H. Appropriations - Renee DuBiel**

Move that pursuant to Policy #20100816 adopted by the Town Council on August 16, 2010, it is requested that the Council appropriate the following for the fourth quarter of Fiscal Year 2014:

| AMOUNT    | LINE ITEM              | Action      | PURPOSE                 |
|-----------|------------------------|-------------|-------------------------|
| \$198,374 | Police & Public Safety | Appropriate | Quarterly Appropriation |
| \$138,500 | Administration         | Appropriate | Quarterly Appropriation |
| \$43,615  | Public Works           | Appropriate | Quarterly Appropriation |
| \$24,591  | Community Development  | Appropriate | Quarterly Appropriation |
| \$18,237  | Non-Departmental       | Appropriate | Quarterly Appropriation |
| \$7,194   | Cash on Hand           | Appropriate | Pay off Capital Lease   |

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

#### I. HVAC Replacement - 15026 Washington St.

Council requests that the Town Manager get quotes on a more energy efficient unit, 15 or 16 seer, and bring back to May Town Council meeting.

## 7. Department Reports

#### A. Treasurer's Report - Renee DuBiel

Council sets a budget work session on April 17, 2014 @ 7pm

#### B. Engineer's Report - Holly Montague

#### C. Planner's Report - Marchant Schneider

#### D. Museum Report - Denise Hall

#### E. Police Report - Chief James E. Roop

Council would like the Chief to attend either the work session or the regular meeting

#### F. Event Report - Kim Ingalls

The Council asks where are the road signs indicating there is a closure this coming weekend.

#### G. Building Inspector's Report - Joseph Barbeau, Jr.

Council thanks Joe Barbeau for his quick response to the inspection of the Food Pantry and for coming out on a weekend day.

#### H. Town Manager's Report - Brian Henshaw

## 8. Closed Session

#### A. Enter into Closed Session

Move to enter into closed session pursuant to VA 2.2-3711

A(1) 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; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals, specifically personnel matters of the police department

A(3) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically Town Rental Properties & Leases

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

#### B. Certification of Closed Session

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.

Direct the Town Attorney to send a letter as discussed in closed session

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

**9. Councilmember Time**

A. **Steve Aitken**

B. **Rebecca Bare**

There are vacancies on the Planning Commission, please set this for

The Town has received a Community Appearance award for the renovation of the Old Post Office

C. **Katherine Harnest**

D. **Mary Lou Scarbrough**

E. **Milt Kenworthy**

F. **James Tobias**

G. **David Leake**

Mayor reminds that Earth day this Saturday. Bare encourages all 7 members of Council to help pick up trash on Earth Day

8:50 PM

**10. Motion to Adjourn**

Submitted:

Approved:

\_\_\_\_\_  
Jennifer Preli, Town Clerk

\_\_\_\_\_  
David Leake, Mayor