



# TOWN OF HAYMARKET TOWN COUNCIL

## WORK SESSION ~ MINUTES ~

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

15000 Washington St  
Haymarket, VA 20169

Tuesday, April 29, 2014

7:00 PM

Council Chambers

A Work Session 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. Agenda Items

#### A. Amend the Agenda

Move to modify the work session agenda to make the first items of business 1) Conduct of the Mayor - statements to the press and 2) Resolution of non-support

<b>RESULT:</b>	<b>ADOPTED [4 TO 2]</b>
<b>MOVER:</b>	Rebecca Bare, Councilwoman
<b>SECONDER:</b>	Jay Tobias, Vice Mayor
<b>AYES:</b>	Rebecca Bare, Mary-Lou Scarbrough, Milt Kenworthy, Jay Tobias
<b>NAYS:</b>	Steve Aitken, Katherine Harnest

#### B. Statement

The Mayor asks if Councilwomen Scarbrough and Bare would like to discuss. Bare responds by discussing statements made in the Haymarket Beat article

#### C. Call for the vote on the censure of the Mayor

<b>RESULT:</b>	<b>ADOPTED [5 TO 1]</b>
<b>MOVER:</b>	Mary-Lou Scarbrough, Councilwoman
<b>SECONDER:</b>	Rebecca Bare, Councilwoman
<b>AYES:</b>	Bare, Harnest, Scarbrough, Kenworthy, Tobias
<b>NAYS:</b>	Steve Aitken

#### D. Censure Mayor Leake

Move to censure Mayor David Leake for failing to disclose to the Town Council in closed session his knowledge of allegations against town employees and for failure to keep confidential, personnel matters

**Discussion:** *The Mayor asks which article Bare is referring to? Ms. Scarbrough provides a copy of the letter. Bare points out that 1) the Mayor stating he had no knowledge of the Virginia State Police Investigation, then 2) later in the article the Mayor referring to the fact that the letter only states that the employee did not commit anything against a minor. Bare asks how the Mayor knew that is what VSP was investigating. The Mayor informs that he called and asked VSP what they were investigating and they told him. The Mayor expresses concerns that the letter never made its way to him, but it was leaked to the press. Tobias informs that the letter was sent electronically to Mr. Crim. Tobias reminds that everyone was contacted by the press and all the rest of Council declined to comment. The Mayor comments that just as Bare would like to remove herself from his comments, he would like to do the same from her. Tobias feels that by telling the press that the crimes were not against a minor, that it is character assassination. Tobias reminds the Mayor that everyone on Council, except for him, took the position that personnel matters are confidential. Council was never apprised of any*

*investigation or allegation of a crime against a minor, and he feels that by stating this in the press, it is character assassination. Also, Tobias quotes the paper saying the Mayor commented that this is only one of the five allegations against the Chief; Tobias said Council was only made aware of four allegations. Leake disagrees, he comments that Council was made of aware of five allegations. Aitken feels the primary purpose of this meeting is the sway the upcoming elections. He feels this should have been done at the next open Council meeting, not by calling a special meeting. Tobias responds that the meeting was called sooner rather than at the next Council meeting, is because he wants to distance himself from the Mayor's words. Aitken still believes that there would be no difference of impact had this been taken up at the next Council meeting.*

<b>RESULT:</b>	<b>ADOPTED [5 TO 1]</b>
<b>MOVER:</b>	Rebecca Bare, Councilwoman
<b>SECONDER:</b>	Mary-Lou Scarbrough, Councilwoman
<b>AYES:</b>	Bare, Harnest, Scarbrough, Kenworthy, Tobias
<b>NAYS:</b>	Steve Aitken

#### E. Resolution of Non-Support

##### RESOLUTION 20140429 - 1

BE IT RESOLVED by the Council of the Town of Haymarket, meeting in work session this 29<sup>th</sup> day of April, 2014, that the Council did not authorize the mayor to make his recent statements to the press regarding a personnel matter which was previously discussed in closed session and which should have remained confidential, and further that the council does not support those remarks.

**Discussion:** *Tobias notes that the previous discussion applies to this resolution.*

<b>RESULT:</b>	<b>ADOPTED [5 TO 1]</b>
<b>MOVER:</b>	Mary-Lou Scarbrough, Councilwoman
<b>SECONDER:</b>	Rebecca Bare, Councilwoman
<b>AYES:</b>	Bare, Harnest, Scarbrough, Kenworthy, Tobias
<b>NAYS:</b>	Steve Aitken

#### F. Statement

Tobias: Mr. Mayor as I expressed to you on the phone, please be advised that council has spoken 5-1 and should you decide to veto these resolutions again, it would incur another fee and another cost to the Town.

For the Record: Leake disagrees with the will of the council. "When the public knows what happened in this situation, they will understand what I stood for." Mayor reminds that Tobias has gone on record saying he will tell everything on July 1.

#### G. Town Council May 5, 2014 Draft Agenda

### 3. Councilmember Time

- A. Steve Aitken
- B. Rebecca Bare
- C. Katherine Harnest
- D. Mary Lou Scarbrough
- E. Milt Kenworthy
- F. James Tobias
- G. David Leake

### 4. Adjournment