



TOWN OF HAYMARKET TOWN COUNCIL
REGULAR MEETING
~ MINUTES ~

Chris Coon, Business Manager
<http://www.townofhaymarket.org/>

15000 Washington St
Haymarket, VA 20169

Monday, August 5, 2019

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 Council Chambers, commencing at 7:00 PM.

Mayor David Leake called the meeting to order.

I. Call to Order

Vice Mayor Susan Edwards: Absent, Councilman Robert Day: Present, Councilman Connor Leake: Present, Councilman Madhusudan Panthi: Present, Councilwoman Bond Cavazos: Present, Councilman Steve Shannon: Present, Mayor David Leake: Present.

II. Pledge of Allegiance - Troop 1882

Troop 1882 begins the pledge for the evening's meeting.

III. Invocation - Rev. Mark Olson, Haymarket Baptist Church

Rev. Mark Olson updates the Council on the recent activities of the church and gives the evening's invocation.

IV. Public Hearing - Continuation of the Public Hearing regarding Budget Amendment.

Mayor Leake asks if there is anyone that would like to speak regarding the budget amendment that was left open from the last meeting.

There was no one there to speak. Mayor Leake closes the public hearing.

Mayor Leake asks that the Police Department's "Crosswalk" PSA presentation be added to the agenda before Citizen's Time.

1. Budget Amendment

V. Consent Agenda

1. Mayor and Council - Joint Planning Commission Work Session - Jun 20, 2019 7:00 PM
2. Mayor and Council - Special Meeting - Jun 20, 2019 7:30 PM
3. Mayor and Council - Work Session - Jul 1, 2019 6:00 PM
4. Mayor and Council - Regular Meeting - Jul 1, 2019 7:00 PM
5. Mayor and Council - Public Hearing/Continuation Meeting - Jul 24, 2019 6:00 PM
6. Administrative Staff Reports - Shelley Kozlowski
7. Police Department Report - Chief Kevin Lands
8. Ordinance #2019-002, Meals Tax Waiver
9. Motion

Councilman Leake *moves to approve the Consent Agenda*. Councilman Shannon seconds the motion.

RESULT:	ADOPTED [4 TO 0]
MOVER:	Connor Leake, Councilman
SECONDER:	Steve Shannon, Councilman
AYES:	Susan Edwards, Connor Leake, Madhusudan Panthi, Steve Shannon
ABSTAIN:	Bond Cavazos
ABSENT:	Robert Day

VI. Anne Marie Maher, Prince William Tourism Department Presentation

Anne Marie Maher, Director of the Prince William Tourism Department, shares with the Mayor, Council and residents an overview of tourism in the County.

VII. Citizens' Time

Dottie Leonard, 14801 Washington Street, states that you don't evolve in an historic overlay. The ARB should be protecting the colonial design.

Peg Contrucci, property owner in Haymarket, reads the letters that were submitted to the Council by her and her husband. Their letters reference the 6706 Jefferson Street demolition appeal and encourages the Council to approve the demolition permit and in favor of the proposed hotel.

Mike Cerny, 4432 Costello Way, Foster' s Grille, speaks in favor of the proposed hotel and the demolition.

With no one else to speak, Mayor Leake closes Citizens' Time.

Mayor Leake asks that if there is no objection, he would like to move the site visit at 6706 Jefferson Street. There is no objection.

The meeting was called back to order at approximately 8 pm.

VIII. Agenda Items

1. Budget Amendment

Councilman Shannon *moves that the Haymarket Town Council approve the amendment to the Fiscal Year 2019-2020 as designated on Resolution #2019-006, for Town Center renovations, and I move the Haymarket Town Council approve an amendment to the Fiscal Year 2019-20 as designated on Resolution #2019-007, to amend the Meals tax, Business License tax, and Fines Revenue line items, and Debt Service - General Obligation to fund Deputy Manager position salary and benefits.* Councilwoman Cavazos seconds the motion.

Mayor Leake asks if there is any discussion on the motion.

Councilman Leake sees the need for the staff position but does not like where the Council is taking the money from. Feels that some of our projections are going to be low and feels we will be able to make a large payment to our debt service.

There was no further discussion on the motion.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Steve Shannon, Councilman
SECONDER:	Bond Cavazos, Councilwoman
AYES:	Robert Day, Madhusudan Panthi, Bond Cavazos, Steve Shannon
NAYS:	Connor Leake
ABSENT:	Susan Edwards

2. P.W.C. Mobile Data Computer and Radio MOU

Mayor Leake gives a brief background of the MOU with the PWC Department of Information Technology and police department (An outline of this service is in the evening's agenda packet). He states that the County was originally charging the Town between \$10-12,000 per year for

this service and for approximately 3 years, he did not pay the bill. He adds that the town worked with our representatives and had an ad hoc committee established to meet with the County concerning these fees, but to no avail. Chief Lands continues stating that he and the Mayor met with the County Executives and concludes that after their presentation, the County agreed to no longer charge the Town for the MDC's, radios and encryption.

3. Business Manager Position

Mayor Leake states that they have received interest in the position and will be discussing this in executive session.

4. DWI Ordinance

Chief Lands summarizes that previously the Town adopted several state laws in to our ordinances. Further adds that he would like to adopt the DWI Ordinance into the Town Code.

Councilman Leake moves to approve Ordinance to add section 46-8 to the Town Code relating to Driving While Intoxicated. Councilman Shannon seconds the motion.

Mayor Leake asks if there is a certain time frame for adoption? Town Attorney, Martin Crim, states that it is effective up adoption.

2. Motion to Adopt DWI Ordinance

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Connor Leake, Councilman
SECONDER:	Steve Shannon, Councilman
AYES:	Day, Leake, Panthi, Cavazos, Shannon
ABSENT:	Susan Edwards

5. Finance Committee

Mayor Leake asks if there is any member of Council that would like to serve on the Finance Committee. Councilman Leake, Councilman Panthi and Councilman Day volunteered to join the committee.

6. 6706 Jefferson Street Site Visit

7. Appeal of the ARB Decision- 6706 Jefferson Street, Haymarket Hotel Venture. LLC.

Town Planner, Emily Lockhart, outlines the timeline of the Appeal beginning with the appeal letter dated July 25, 2019 along with her staff report including the previous appeal referencing the property as well as the new demolition applicant by new applicant in June 2019. This was denied by the ARB. She adds that included in tonight's packet is a structural engineer's report.

Ryan Morgan, applicant, addresses the Council and explains his plans for the property and asks to share the new architectural plans for the building. Councilwoman Cavazos objects stating that at the recent ARB training the Town Attorney explained that when considering a demolition permit, we cannot consider what will be built after and we should focus on just the demolition. Town Attorney, Martin Crim concurs with her statement. Councilman Leake references to ARB guidelines particularly Section 6(A) regarding demolition and feasibility.

Mayor Leake states that unless there is a strong objection or motion, we should let Mr. Morgan continue. Mr. Crim states that procedurally, the Mayor is correct. He adds that if there is a motion to prohibit the applicant from saying what he would like to say that would be the will of the Council.

Councilwoman Cavazos *moves to wait and see the sketches until after the Council vote on the demolition.* Councilman Day seconds the motion.

Mayor Leake asks for any discussion.

Discussion ensues about hearing the presentation and what was discussed at the ARB training.

Mr. Morgan continues with his presentation including the architectural plans and building description.

Gifford Hampshire of Blankingship and Keith and the representative of Haymarket Hotel Venture, LLC., addresses the Council. He shares concerns with the ARB appeals, the ARB's findings, the historic overlay and legal parameters.

Concerns and questions from the Council are traffic impact, lack of more information from applicant and property layout.

At this time, Mayor and Council take a five minutes recess.

After returning from recess, further comments from the Council continue. Councilman Leake proceeds with a power point presentation regarding the ARB appeal highlighting fundamental rights, Town Code 58-14.9, Queen Anne architecture, real estate value impact, rehabilitation or relocating of structure, historic significance, ARB demolition guidelines and status of property.

Councilwoman Cavazos states that after the site visit to 6706 Jefferson Street, she feels it can be rehabilitated and preserved and compares it to other homes, including her own, that has been preserved. As the ARB liaison, she also goes over notes from the ARB decision including no new information provided. She concludes why the town has an ARB board and why are we not preserving our history.

Councilman Day states that he respects the ARB decision and their role. However, based upon what has been presented, he is not sure that this building should be saved.

Mayor Leake feels we are at a crossroads referencing the Town's mission statement. He feels that it comes back to the condition and what is worth saving and at what cost. Concludes that he feels this is an opportunity.

Councilwoman Cavazos shares her thoughts on what would approval of a demo with little to no justification mean for future applications. She also states that the Vice Mayor is not here tonight and would like to table this after hearing her thoughts. Mayor Leake asks if Mrs. Edwards shared her thoughts with her and Councilwoman Cavazos states no. Mayor Leake feels like they have a good representation of the Council to move forward.

Councilman Leake moves that the Town Council overturn the Architectural Review Board decision to deny the Certificate of Appropriateness ZP#2019-020 for 6706 Jefferson Street thus granting approval to demolish 6706 Jefferson Street. Councilman Day seconds the motion.

Mayor Leake asks if there is any discussion on the motion.

Councilman Leake reaffirms that it is not an irreplaceable historic value. References others that been saved and basis his decision on our ordinance, 58-14.9 and the ARB guidelines.

Mayor Leake restates that we are at a "y" crossroads and truly feels this is truly an opportunity for the town.

RESULT:	ADOPTED [4 TO 1]
MOVER:	Connor Leake, Councilman
SECONDER:	Robert Day, Councilman
AYES:	Robert Day, Connor Leake, Madhusudan Panthi, Steve Shannon
NAYS:	Bond Cavazos
ABSENT:	Susan Edwards

8. Motion to defer applicant's presentation

RESULT:	DEFEATED [1 TO 4]
AYES:	Bond Cavazos
NAYS:	Robert Day, Connor Leake, Madhusudan Panthi, Steve Shannon
ABSENT:	Susan Edwards

IX. Updates

1. Planning Commission

Councilman Shannon states that chair was out at the last meeting. He adds that per the attorney he was voted vice-chair so they could have the meeting. He further adds that Michelle Williams at 6604 and 6608 Jefferson Street SUP was voted to move forward to the Town Council.

2. Architectural Review Board

Councilwoman Cavazos states that the ARB meeting was held on July 24 and they denied the demolition permit for 6706 Jefferson Street tabled the Taco Bell application

X. Council Member Time

1. Connor Leake

No Comments

2. Steve Shannon

Councilman Shannon states it is an honor to sit on this Council and serve, as well as the Planning Commission. He further states his appreciation of those who serve.

3. Madhu Panthi

No Comments

4. Susan Edwards

5. Bond Cavazos

No Comments

6. Robert Day

No Comments

7. David Leake

Mayor Leake addresses the many tragedies that have occurred across the Country in recent days and shares his support of those currently suffering. Mayor Leake reminds those watching about the upcoming National Night Out.

XI. Closed Session

Attorney Martin Crim gives the form of the motion for Closed Session. Motion: the Town Council enter Closed Session pursuant to Virginia Freedom of Information Act, VA Code Sec 2.2 3711 (A (1) for the purpose of the discussion of candidates for appointment or selection for employment specifically to the Business Manager position, and in addition to discuss the assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of the Town.

Councilman Leake moves. Councilman Shannon seconds the motion.

1. Motion to Enter into Closed Session

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Day, Leake, Panthi, Cavazos, Shannon
ABSENT:	Susan Edwards

2. Motion to Call Meeting Back into Open Session

RESULT:	ADOPTED [UNANIMOUS]
AYES:	Day, Leake, Panthi, Cavazos, Shannon
ABSENT:	Susan Edwards

3. Motion

Mayor Leake requests a motion from the Town Attorney

Town Attorney Martin Crim states with regard to the interviews for the business manager the form of the motion would be that within the next 15 days the Town Council will meet in Closed Session without further notice to the public for the sole purpose of interviewing the candidates.

Councilman Leake moves

Councilman Shannon seconds.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Connor Leake, Councilman
SECONDER:	Steve Shannon, Councilman
AYES:	Day, Leake, Panthi, Cavazos, Shannon
ABSENT:	Susan Edwards

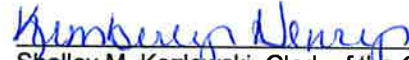
XII. Adjournment

1. Motion to Adjourn

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Steve Shannon, Councilman
SECONDER:	Connor Leake, Councilman
AYES:	Day, Leake, Panthi, Cavazos, Shannon
ABSENT:	Susan Edwards

Submitted:

Approved:



 Shelley M. Kozlowski, Clerk of the Council
 Kimberly Henry 118120



 David Leake, Mayor