



# TOWN OF HAYMARKET TOWN COUNCIL

## REGULAR MEETING

### ~ MINUTES ~

Shelley M. Kozlowski, Clerk of Council  
<http://www.townofhaymarket.org/>

15000 Washington St  
Haymarket, VA 20169

Monday, November 5, 2018

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.

#### **I. Call to Order**

Vice Mayor Susan Edwards: Present, 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. Color Guard - Troop 1882**

Colors were presented by Troop 1882.

#### **III. Pledge of Allegiance**

Pledge of Allegiance was led by Troop 1882.

#### **IV. Invocation - Pastor Don Meeks, Greenwich Presbyterian Church**

Pastor Meeks gives the evening's Invocation.

At this time Mayor Leake asks the Council if there are no objections, he would like to make some changes to the evening's agenda. He asks to move "Minutes Approval" after "Haymarket Day Video" on the agenda and to move "Closed Session" after "Citizens' Time". He also asks to add to "Action Items", "Proposed Police Department Salary Increase".

#### **V. Veteran Banner Presentation**

After giving a brief background on how the Veteran Banner project came about with Senator Black, the Town Clerk, Shelley Kozlowski and Eagle Scout candidate Justin Lease, Mayor Leake, along with Senator Richard Black, presented Mr. Lease with a plaque of appreciation for his hard work.

#### **VI. Senator Richard Black, Special Guest Speaker**

#### **VII. Parade Trophy Presentation**

Parade trophy recipients included; Showcase Dance Company for best performance, Tobaccology, best float and Mayor's choice award to Noah's Ark.

#### **VIII. Haymarket Day Video**

After viewing the Haymarket Day video, Officer O'Neal presented a check for \$2,455.00 to Kristine Moore from INOVA Life with Cancer. The proceeds were raised from the Police Department's recent Breast Cancer Walk in October.

#### **IX. Minutes Approval**

1. Mayor and Council - Work Session - Oct 9, 2018 6:00 PM  
Councilman Shannon moves to *accept the work session minutes from Tuesday, October 9, 2018*.  
Councilwoman Cavazos seconds the motion.

There was no discussion on the motion.

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Steve Shannon, Councilman
<b>SECONDER:</b>	Bond Cavazos, Councilwoman
<b>AYES:</b>	Edwards, Day, Leake, Panthi, Cavazos, Shannon

2. Mayor and Council - Regular Meeting - Oct 9, 2018 7:00 PM

Councilman Leake makes a motion to accept the minutes of the regular Town Council meeting of October 9, 2018. Councilman Shannon seconds the motion.

There was no discussion on the motion.

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Connor Leake, Councilman
<b>SECONDER:</b>	Steve Shannon, Councilman
<b>AYES:</b>	Edwards, Day, Leake, Panthi, Cavazos, Shannon

## X. Department Reports

### 1. Police Department - Chief Lands

- Police Chief Kevin Lands introduces the newest officer to the department, Tim Hood. Chief Lands reports that he attended the NOVA Chief's meeting. He adds that all of the officers went through taser recertification training. He further adds that Haymarket Day and Halloween night went well. He concludes his report stating that the department had its first assault on a police officer in Town. He reports that Officer Gregory was assaulted while on a call but he is okay.

### 2. Administrative Staff Report - Jerry Schiro, Business Manager

Business Manager, Jerry Schiro, thanks the Staff for the great job they did putting on Haymarket Day.

Councilman Leake asks the Town Planner, Emily Lockhart, about the recent Planning Commission public hearing on the McDonald's drive-thru. Ms. Lockhart states that the Planning Commission heard the public comments and referred the SUP to the Town Council with a recommendation for approval for a second drive thru lane at that location. Councilman Leake inquires about the status of the Comprehensive Plan. Ms. Lockhart responds that she has received some comments back from members of the Planning Commission and is now working on a citizen's survey. She concludes that she is hoping it will be completed this fiscal year.

Councilman Leake asks the Treasurer, Roberto Gonzalez, about the worker's compensation line item that is over. Mr. Gonzalez states that while reviewing the numbers, there was a calculation that was incorrect. He adds that he reviewed this with the Town's insurance to correct it which he will bring up in the mid year review in January. He further adds with the new officer, the Town will see an increase with health insurance. He concludes that the Town is operating in the black.

## XI. Citizens' Time

Lisa Bailey, 6670 Fayette Street, shares concerns with construction noise near her home as well as a request for moving her mailbox due to new construction.

Andrea Payne, 6690 Fayette Street, spoke on behalf of 14801 Washington Street's demolition appeal. She states that she is in support of the demolition.

Chris Foley, Berryville Virginia, spoke in support of the demolition at 14801 Washington Street.

John Murray, 11106 Bristow Road. Mr. Murray states that he is the home inspector for Ms. Leonard's home at 14801 Washington Street. He shares with the Council the state of the home and its deterioration.

Chuck Leonard, son of demolition applicant Dottie Leonard, shares his support of the demolition.

Joe Pasanello, 6895 Track Court, addresses the Council. He comments on the new VDOT Chick fil A wall as well as the recent activity in the Museum. He also shares concerns with the blighted properties in Town as well as the ARB appeal on the evening's agenda.

Bob Weir, 6853 St. Paul Drive, shares concerns with having work sessions immediately prior to the last 2 regular meetings and the Police Department salary increase added to the agenda. He also comments on the ARB appeal presented to the Town Council and the timing of the filing of the appeal.

## XII. Closed Session

**1. Motion Enter into Closed Session: Moves that the Town Council wishes to enter into closed session to discuss the salary of the Business Manager pursuant to Va. Code section 2.2 3711(A) (1) and legal consultation with regard to the appeal from the Architectural Review Board pursuant to Va. Code section 2.2 3711 (A) (7) for consultation from legal counsel.**

There was no discussion on the motion.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Connor Leake, Councilman
<b>SECONDER:</b>	Steve Shannon, Councilman
<b>AYES:</b>	Edwards, Day, Leake, Panthi, Cavazos, Shannon

**2. Motion Certification of Closed Session: Moves that each member of the Council certifies that to the best of their knowledge only those matters that are lawfully exempted under the provisions of Virginia Freedom of Information Act were heard or discussed and only those matters that were identified in the motion pertaining to this closed session were heard or discussed by the Council.**

Councilman Leake states that there was no "second" on the motion. Town Attorney, Martin Crim, states that you do not need one after the motion has been voted on.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Connor Leake, Councilman
<b>AYES:</b>	Edwards, Day, Leake, Panthi, Cavazos, Shannon, Leake

## XIII. Action Items

### 1. Haymarket Historic Foundation

Vice Mayor Edwards makes a motion *to adopt Resolution #2018-16 as presented and it is a Resolution to appropriate distributed funds from the Haymarket Historic Foundation.*

Councilman Shannon seconds the motion.

Mayor Leake asks if there is any discussion on the motion. Councilman Leake confirms that it goes to the Architectural Review Board for design approval and to the Town Council for approval of expenditures. Vice Mayor responds yes and states that a task list was sent to the ARB. The Vice Mayor and Mayor give the audience a brief history of the Historic Foundation and the funding.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Susan Edwards, Vice Mayor
<b>SECONDER:</b>	Steve Shannon, Councilman
<b>AYES:</b>	Edwards, Day, Leake, Panthi, Cavazos, Shannon

### 2. Architectural Review Board Appointment

Vice Mayor Edwards moves *to appoint Marchant Schneider to the Town of Haymarket Architectural Review Board for the full term of November 5, 2018 - November 4, 2022.*

Councilman Day seconds the motion.

There was no discussion on the motion.

<b>RESULT:</b>	<b>ADOPTED [5 TO 1]</b>
<b>MOVER:</b>	Susan Edwards, Vice Mayor
<b>SECONDER:</b>	Robert Day, Councilman
<b>AYES:</b>	Edwards, Day, Panthi, Cavazos, Shannon
<b>NAYS:</b>	Connor Leake

### 3. Architectural Review Board Appeal - 14801 Washington Street

Mayor Leake invites the applicant, Dottie Leonard, to address the dais. She states the process she went through to complete her application and had the Clerk hand out her concept plan to the Council. She discusses what her original plans were for the property when she purchased it. She also shares the present state of the home and repairs that she has made to the home. She adds that she used the same home inspector that inspected the home on Jefferson Street.

Ms. Leonard states that her plan is to build one floor of retail, a restaurant and beauty shop and the rest condos.

Discussion ensues at the dais concerning historic preservation, previous demolition application requirements, ARB guidelines and structural engineer reports.

Councilman Leake makes a motion *to approve the appeal for the demolition permit for 14801 Washington Street, Zoning Permit 2018-046*. Councilman Shannon seconds the motion.

There was no discussion on the motion.

<b>RESULT:</b>	<b>ADOPTED [3 TO 2]</b>
<b>MOVER:</b>	Connor Leake, Councilman
<b>SECONDER:</b>	Steve Shannon, Councilman
<b>AYES:</b>	Connor Leake, Madhusudan Panthi, Steve Shannon
<b>NAYS:</b>	Susan Edwards, Robert Day
<b>ABSTAIN:</b>	Bond Cavazos

### 4. Proposed Police Department Salary Increase

Mayor Leake states that during the strategic planning, that was open to the public, this was an item they were looking at for salaries. He adds that the Council asked the Chief to present what would be considered an equivalent for the officers that serve in Prince William County. He adds that during work session they discussed some proposed ideas on how this would be funded.

Discussion amongst the Mayor, Council and members of Staff include funding for this year and years ahead, other Town Staff raises as well as the timing of the Police Department raises.

The Mayor asks to take a 5 minute recess.

Councilman Leake makes a motion *to change the Police Department's salary as presented effective January 1, 2019*. Councilman Shannon seconds the motion.

There was no discussion on the motion.

#### 1. Motion

<b>RESULT:</b>	<b>ADOPTED [5 TO 1]</b>
<b>MOVER:</b>	Connor Leake, Councilman
<b>SECONDER:</b>	Steve Shannon, Councilman
<b>AYES:</b>	Day, Leake, Panthi, Cavazos, Shannon
<b>NAYS:</b>	Susan Edwards

## XIV. Updates

### 1. Planning Commission

Councilman Shannon states that there was a Zoning Text Amendment for the crematorium that the Commission will be voting on at the November 18th meeting and an SUP for McDonald's second drive thru lane. Councilman Shannon adds that the Commission approved the SUP and recommended it be moved to the Town Council.

## **2. Architectural Review Board**

Councilwoman Cavazos reports that the Architectural Review Board meeting was held on October 17, 2018. She notes that the tabled request for the demolition of 14801 Washington Street was denied based on the grounds that we did not have enough information or reports that the building was beyond repair. She adds that it is an historical building in Town and it is our responsibility to preserve it. She further states that the applicant did not provide plans for what would be built if the building was demolished. She also reports that a deck and fence application was approved for 6639 Hunting Path Road. She concludes her update stating that the Crossroads Village Center commercial building design and sign plans were tabled until the next meeting and there will be a work session prior to that meeting.

## **XV. Council Member time**

### **1. Steve Shannon**

Councilman Shannon encourages those to vote tomorrow.

### **2. Connor Leake**

Councilman Leake also encourages those to vote. Thanks Justin Lease and Senator Black for their involvement with the Veteran Banners. He adds that we have appropriated money in our budget for the blight properties and we should start taking action. He suggests reviewing the Planning Commission guidelines and ARB guidelines with Councilman Shannon and Councilwoman Cavazos. Thanks the Staff and Police Department.

### **3. Madhu Panthi**

No comments.

### **4. Susan Edwards**

No comments.

### **5. Bond Cavazos**

Councilwoman Cavazos states that she agrees with many of Bob Weir's comments this evening. She add that she feels that things are happening with short notice and the quick additions to the meetings is starting to feel really exhausting to her along with the outside chatter. She concludes that she feels decisions are being made ahead of the work sessions and that moving forward we are abiding by our decision to be transparent.

### **6. Robert Day**

Councilman Day states that he is proud to be a part of the Town Council that is giving the police department the pay raise they deserve. He adds that this increase will be their pay to approximately the same pay rate as a Prince William County police officer. He further adds that town officers face the same dangers as a county officer and deserve to be paid accordingly. Councilman Day states that they should not have to choose between an underpaid position protecting our Haymarket residents or a living wage as a County or State officer. He continues stating that we are privileged and blessed to live in the Town of Haymarket with its own police department where officers frequently drive through our neighborhoods day and night, monitor bus stops, conduct foot and bike patrols, business safety checks, assist citizens with a variety of issues and are involved in community events. He notes that it recently took County officers approximately 30 minutes to respond to a breaking and entering call just outside of Town. He adds that this is not a negative reflection of the County officers, the County is occasionally overwhelmed with calls and our officers are often called upon to assist just outside of the Town. He states that he would prefer to be in a town that provides help instead of a town that needs help and we are fortunate to have a police department that is able to respond quickly to incidents. He adds that we are privileged to live in the Town of Haymarket where the police department truly cares about the Town's citizens and our County neighbors.

### **7. David Leake**

Mayor Leake thanks Senator Black once again for coming to the evening's meeting. He adds that it was very touching to hear his comments about Haymarket and from other residents that truly make Haymarket everyone's hometown. He concludes that we don't have the boundaries when we see at Haymarket Day thousands of people from neighboring communities coming to be a part of our Town. He concludes that we are going in the right direction and shares the sentiments of Councilman Day about the police department.

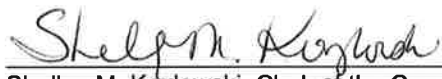
## XVI. Adjournment

### 1. Motion to Adjourn

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Steve Shannon, Councilman
<b>SECONDER:</b>	Connor Leake, Councilman
<b>AYES:</b>	Edwards, Day, Leake, Panthi, Cavazos, Shannon

Submitted:

Approved:

  
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Shelley M. Kozlowski, Clerk of the Council

  
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David Leake, Mayor