



TOWN OF HAYMARKET TOWN COUNCIL

WORK SESSION
~ AGENDA ~

Kimberly Henry, Clerk of the Council
<http://www.townofhaymarket.org/>

15000 Washington St
Haymarket, VA 20169

Monday, January 30, 2023

7:00 PM

Council Chambers

I. Call To Order

II. Pledge of Allegiance

III. Agenda Items

1. Monthly Financial Report
2. Budget Amendment Second Quarter Discussion
3. Discussion on Use of Town Hall Building
4. Discussion on Town Policy and Procedures
5. Discussion on Town Park Structural Report
6. Prince William County Septic Program
7. Board of Zoning Appeals Re-Appointment

IV. Adjournment

	FY2023			Comments
	Actuals	Budget	% of Budget	
Income				
3110 · GENERAL PROPERTY TAXES				
3110-01 · Real Estate - Current	398,618.07	400,143.00	99.6%	
3110-02 · Public Service Corp RE Tax	12,713.69	12,022.00	105.8%	
3110-04 · Penalties - All Property Taxes	0.00	1,000.00	0.0%	
Total 3110 · GENERAL PROPERTY TAXES	411,331.76	413,165.00	99.6%	
3120 · OTHER LOCAL TAXES				
3120-00 · Transient Occupancy Tax	115,216.47	168,000.00	68.6%	Collections up to November 30, 2022
3120-01 · Bank Stock Tax	0.00	24,000.00	0.0%	
3120-02 · Business License Tax	19,913.00	240,000.00	8.3%	
3120-03 · Cigarette Tax	80,672.53	130,000.00	62.1%	Collections up to December 31, 2022
3120-04 · Consumer Utility Tax	67,907.79	158,000.00	43.0%	Collections up to November 30, 2022
3120-05 · Meals Tax - Current	621,994.04	1,000,000.00	62.2%	Collections up to December 31, 2022
3120-06 · Sales Tax Receipts	68,292.51	160,000.00	42.7%	Collections up to November 30, 2022
3120-07 · Penalties (Non-Property)	5,635.99	5,000.00	112.7%	
3120-08 · Interest (Non-Property)	1,080.55			
Total 3120 · OTHER LOCAL TAXES	980,712.88	1,885,000.00	52.0%	
Development Revenue				
Proffers	0.00	0.00	0.0%	Moved to Escrow account to await all 38 proffers submissions
Total Development Revenue	0.00	0.00	0.0%	
3130 · PERMITS,FEES & LICENESES				
3130-01 · Application Fees	1,100.00	4,500.00	24.4%	
3130-03 · Motor Vehicle Licenses	165.00	1,000.00	16.5%	
3130-05 · Other Planning & Permits	6,125.00	15,000.00	40.8%	
3130-06 · Pass Through Fees	8,580.33		100.0%	
Total 3130 · PERMITS,FEES & LICENESES	15,970.33	20,500.00	77.9%	
3140 · FINES & FORFEITURES				
3140-01 · Fines	8,299.33	20,000.00	41.5%	
Total 3140 · FINES & FORFEITURES	8,299.33	20,000.00	41.5%	
3150 · REVENUE - USE OF MONEY				
3150-01 · Earnings on VACO/MML Investment	4,723.46	1,500.00	314.9%	
3150-03 · Interest on Bank Deposits	4,551.00	6,000.00	75.9%	
Total 3150 · REVENUE - USE OF MONEY	9,274.46	7,500.00	123.7%	
3151 · RENTAL (USE OF PROPERTY)				
3151-04 · Suite 208 B&B Security	2,004.90	4,010.00	50.0%	
3151-06 · Suite 204 MAC-ISA	4,116.00	3,528.00	116.7%	
3151-07 · Haymarket Church Suite 206	20,774.95	35,614.00	58.3%	
3151-08 · 15020 Washington Realty	32,224.29	55,241.00	58.3%	
3151-09 · 15026 Copper Cricket	13,784.05	23,629.00	58.3%	
3151-11 · Cupcake Heaven and Cafe LLC	23,082.64	34,793.00	66.3%	
3151-13 · A1 Testing Solutions LLC	0.00	14,241.00	0.0%	
Total 3151 · RENTAL (USE OF PROPERTY)	95,986.83	171,056.00	56.1%	
3165 · REVENUE - TOWN EVENTS				
3165-00 · Sponsorships	11,500.00	0.00	100.0%	
3165-01 · Town Event	55,780.00	70,000.00	79.7%	
3165-02 · Farmer's Market	2,752.50	1,500.00	183.5%	
3165-03 · Town Ornaments	7,358.96	4,350.00	169.2%	
3165 · REVENUE - TOWN EVENTS - Other	358.00	0.00	100.0%	
Total 3165 · REVENUE - TOWN EVENTS	77,749.46	75,850.00	102.5%	
3180 · MISCELLANEOUS				
3180-00 · Convenience Fee	-340.19		100.0%	
3180-01 · Citations & Accident Reports	20.00		100.0%	
3180 · MISCELLANEOUS - Other	388.17		100.0%	
Total 3180 · MISCELLANEOUS	67.98		100.0%	
3200 · REVENUE FROM COMMONWEALTH				
3200-02 · 599 Law Enforcement Grant	17,344.00	31,548.00	55.0%	2 of 4 collected
3200-04 · Car Rental Reimbursement	115.05	0.00	100.0%	
3200-05 · Communications Tax	36,781.22	80,000.00	46.0%	Collections up to December 31, 2022
3200-06 · Department of Fire Programs	15,000.00	10,000.00	150.0%	
3200-11 · Personal Property Tax Reimburse	18,626.97	18,627.00	100.0%	

Attachment: FY2023 Actuals vs Budget as of 01.24.2023 (5967 : Monthly Financial Report)

3200-12 · Railroad Rolling Stock	1,285.76	1,300.00	98.9%
3200-16 · DMV Select Commission	180.33	60,500.00	0.3%
3200-17 · LOLE Grant	4,366.00	3,094.00	141.1%
Collection up to Novmeber 30, 2022			
Total 3200 · REVENUE FROM COMMONWEALTH	93,699.33	205,069.00	45.7%
4000 · Carry-Over Surplus	0.00	250,000.00	0.0%
4002 · Transfer from ARPA Funds	0.00	209,600.00	0.0%
Total Income	1,693,092.36	3,257,740.00	52.0%
Gross Profit	1,693,092.36	3,257,740.00	52.0%

Expense

01 · ADMINISTRATION

11100 · TOWN COUNCIL

Town has received its refunds pertaining to VML

111001 · Convention & Education	250.00	2,500.00	10.0%
111002 · FICA/Medicare	680.49	2,000.00	34.0%
111003 · Meals and Lodging	77.22	1,000.00	7.7%
111004 · Mileage Allowance	0.00	250.00	0.0%
111005 · Salaries & Wages - Regular	9,692.86	25,000.00	38.8%
Total 11100 · TOWN COUNCIL	10,700.57	30,750.00	34.8%

Conference

12110 · TOWN ADMINISTRATION

1211001 · Salaries/Wages-Regular	166,591.51	357,513.00	46.6%
1211102 · Salaries & Wages - DMV Clerk	0.00	48,478.00	0.0%
1211003 · Salaries/Wages - Part Time	34,308.22	56,615.00	60.6%
1211004 · FICA/Medicare	16,779.72	35,389.00	47.4%
1211005 · VRS	12,219.46	36,809.00	33.2%
1211006 · Health Insurance	21,864.31	66,466.00	32.9%
1211007 · Life Insurance	2,224.24	4,685.00	47.5%
1211008 · Disability Insurance	1,199.25	2,640.00	45.4%
1211009 · Unemployment Insurance	4,817.09	6,160.00	78.2%
1211010 · Worker's Compensation	322.00	335.00	96.1%
1211011 · Gen Property/Liability Ins.	17,802.00	18,025.00	98.8%
1211012 · Accounting Services	1,669.41	8,000.00	20.9%
1211014 · Printing & Binding	3,592.85	8,298.00	43.3%
1211015 · Advertising	1,414.50	9,000.00	15.7%
1211016 · Computer, Internet &Website Svc	7,313.00	23,650.00	30.9%
1211017 · Postage	1,672.65	4,000.00	41.8%
1211018 · Telecommunications	2,959.27	7,500.00	39.5%
1211019 · Mileage Allowance	231.25	1,000.00	23.1%
1211020 · Meals & Lodging	950.10	2,000.00	47.5%
1211021 · Convention & Education	123.90	6,000.00	2.1%
1211022 · Miscellaneous	0.00	2,000.00	0.0%
1211024 · Books, Dues & Subscriptions	8,217.03	16,000.00	51.4%
1211025 · Office Supplies	3,781.82	6,500.00	58.2%
1211026 · Equipment Rental	1,018.71	4,075.00	25.0%
1211030 · Capital Outlay-Machinery/Equip	0.00	5,000.00	0.0%
Total 12110 · TOWN ADMINISTRATION	311,072.29	736,138.00	42.3%

Front loaded costs

12210 · LEGAL SERVICES

1221001 · Legal Services	19,009.10	80,000.00	23.8%
Total 12210 · LEGAL SERVICES	19,009.10	80,000.00	23.8%

Services up to December 31, 2022

12240 · INDEPENDENT AUDITOR

1224001 · Auditing Services	0.00	17,120.00	0.0%
Total 12240 · INDEPENDENT AUDITOR	0.00	17,120.00	0.0%

Total 01 · ADMINISTRATION

340,781.96	864,008.00	39.4%
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03 · PUBLIC SAFETY

31100 · POLICE DEPARTMENT

3110001 · Salaries & Wages - Regular	256,876.11	464,487.00	55.3%
3110003 · Salaries & Wages - OT Premium	12,572.18	23,000.00	54.7%
3110013 · Salaries & Wages - OT Select En	2,845.64	12,000.00	23.7%
3110004 · Salaries & Wages - Holiday Pay	19,607.56	32,310.00	60.7%
3110005 · Salaries & Wages - Part Time	27,395.00	36,000.00	76.1%
3110012 · Salaries & Wages - PT Admin.	900.00	0.00	100.0%
3110020 · FICA/MEDICARE	22,105.33	43,437.00	50.9%
3110021 · VRS	18,297.07	28,427.00	64.4%
3110022 · Health Insurance	42,353.18	78,379.00	54.0%
3110023 · Life Insurance	3,593.58	5,904.00	60.9%
3110024 · Disability Insurance	1,498.35	2,400.00	62.4%
3110025 · Unemployment Insurance	559.49	3,000.00	18.7%

Attachment: FY2023 Actuals vs Budget as of 01.24.2023 (5967 : Monthly Financial Report)

3110026 · Workers' Compensation Insurance	20,067.00	22,825.00	87.9%	Front loaded costs
3110027 · Line of Duty Act Insurance	4,705.00	4,750.00	99.1%	
3110028 · Legal Services	13,259.81	27,300.00	48.6%	Services up to December 31, 2022
3110032 · Computer, Internet & Website	1,475.00	5,000.00	29.5%	
3110033 · Postage	109.44	100.00	109.4%	
3110034 · Telecommunications	5,311.27	12,000.00	44.3%	
3110035 · General Prop Ins (Vehicles)	3,891.00	3,700.00	105.2%	Front loaded costs
3110037 · Meals and Lodging	231.71	5,000.00	4.6%	
3110038 · Convention & Edu. (Training)	299.00	10,000.00	3.0%	
3110040 · Annual Dues & Subscriptions	10,677.20	14,000.00	76.3%	
3110041 · Office Supplies	2,467.02	5,000.00	49.3%	
3110042 · Vehicle Fuels	14,509.33	43,200.00	33.6%	
3110043 · Vehicle Maintenance/Supplies	7,674.99	15,000.00	51.2%	
3110045 · Uniforms & Police Supplies	7,531.62	26,000.00	29.0%	
3110052 · Office Equipment Rental	2,259.36	3,094.00	73.0%	
Total 31100 · POLICE DEPARTMENT	503,072.24	926,313.00	54.3%	
32100 · FIRE & RESCUE				
3210001 · Contributions to other Govt Ent	0.00	10,000.00	0.0%	
Total 32100 · FIRE & RESCUE	0.00	10,000.00	0.0%	
Total 03 · PUBLIC SAFETY	503,072.24	936,313.00	53.7%	
04 · PUBLIC WORKS				
4110002 · Street Beautification - HF	0.00	2,213.00	0.0%	
4110003 · E & S Inspections	0.00	5,000.00	0.0%	
43200 · REFUSE COLLECTION				
4320001 · Trash Removal Contract	53,584.23	110,820.00	48.4%	Services up to January 31, 2023
Total 43200 · REFUSE COLLECTION	53,584.23	110,820.00	48.4%	
43100 · MAINT OF 15000 Wash St./Grounds				
4310001 · Repairs/Maintenance Services	39,775.06	97,672.00	40.7%	
4310002 · Maint Svc Contract-Pest Control	105.00	3,000.00	3.5%	
4310003 · Maint Svc Contract-Landscaping	15,535.00	35,000.00	44.4%	
4310004 · Maint Svc Contract Snow Removal	0.00	7,000.00	0.0%	
4310005 · Maint Svc Cont- Street Cleaning	0.00	2,000.00	0.0%	
4310007 · Electric/Gas Services	10,876.39	16,500.00	65.9%	
4310008 · Electrical Services-Streetlight	2,703.56	5,500.00	49.2%	
4310009 · Water & Sewer Services	2,525.06	3,000.00	84.2%	
4310010 · Janitorial Supplies	204.35	2,000.00	10.2%	
4310011 · Real Estate Taxes	915.51	2,500.00	36.6%	
4310015 · Maintenance - Vehicle Fuel	394.39	2,500.00	15.8%	
4310016 · Maint - Vehicle Maintenance	875.16	1,000.00	87.5%	
Total 43100 · MAINT OF 15000 Wash St./Grounds	73,909.48	177,672.00	41.6%	
Total 04 · PUBLIC WORKS	127,493.71	295,705.00	43.1%	
06 · ECONOMIC DEVELOPMENT				
60000 · Tourism/Traveling Marketing	73,228.93	72,000.00	101.7%	
60001 · Town Tourism	21,116.80	48,000.00	44.0%	
60003 · Advertising	0.00	22,000.00	0.0%	
Total 06 · ECONOMIC DEVELOPMENT	94,345.73	142,000.00	66.4%	
07 · PARKS, REC & CULTURAL				
70000 · HAYMARKET COMMUNITY PARK				
7000001 · Grounds Maintenance/Repairs	9,354.30	20,000.00	46.8%	
Total 70000 · HAYMARKET COMMUNITY PARK	9,354.30	20,000.00	46.8%	
71110 · EVENTS				
7111001 · Advertising - Events	2,094.14	5,000.00	41.9%	
7111003 · Contractural Services	51,312.78	50,000.00	102.6%	
7111004 · Events - Other	11,952.38	19,350.00	61.8%	
Total 71110 · EVENTS	65,359.30	74,350.00	87.9%	
72200 · MUSEUM				
7220009 · Advertising	0.00	750.00	0.0%	
7220012 · Telecommunications	830.14	2,200.00	37.7%	
7200015 · Books, Dues & Subscriptions	0.00	250.00	0.0%	
7200016 · Office Supplies	0.00	250.00	0.0%	
7220018 · Exhibits & Programs	400.00	1,700.00	23.5%	
Total 72200 · MUSEUM	1,230.14	5,150.00	23.9%	
Total 07 · PARKS, REC & CULTURAL	75,943.74	99,500.00	76.3%	
08 · COMMUNITY DEVELOPMENT				
81100 · PLANNING COMMISSION				
8110001 · Salaries & Wages - Regular	1,065.00	5,670.00	18.8%	

8110002 · FICA/Medicare	112.27	500.00	22.5%	
8110003 · Consultants - Engineer	5,217.08	10,000.00	52.2%	
8110004 · Consultants - Comp Plan	0.00	5,000.00	0.0%	
8110005 · Mileage Allowance	0.00	250.00	0.0%	
8110006 · Meals & Lodging	0.00	700.00	0.0%	
8110007 · Convention/Education	820.45	2,000.00	41.0%	
8110009 · Engineer - Pass Through	14,391.25			
Total 81100 · PLANNING COMMISSION	21,606.05	24,120.00	89.6%	
81110 · ARCHITECTURAL REVIEW BOARD				
8111001 · Salaries & Wages - Regular	765.00	5,830.00	13.1%	
8111002 · FICA/Medicare	43.42	446.00	9.7%	
8111005 · Convention & Education	820.45	500.00	164.1%	
Total 81110 · ARCHITECTURAL REVIEW BOARD	1,628.87	6,776.00	24.0%	
81111 · Board Of Zoning Appeals				
8111101 · Convention & Education	0.00	1,500.00	0.0%	
8111102 · FICA / Medicare	0.00	102.00	0.0%	
8111103 · Salaries & Wages - Regular	0.00	1,325.00	0.0%	
Total 81111 · Board Of Zoning Appeals	0.00	2,927.00	0.0%	
Total 08 · COMMUNITY DEVELOPMENT	23,234.92	33,823.00	68.7%	
09 · NON-DEPARTMENTAL				
90001 · Return of Surplus RE Tax Rev	249,323.53	250,000.00	99.7%	Surplus Refund of FY2022 RE Taxes
95100 · DEBT SERVICE				
9510002 · General Obligation Bond - Prin	160,100.00	160,200.00	99.9%	Front loaded costs
9510003 · General Obligation Bond - Int	8,556.89	8,545.00	100.1%	Front loaded costs
Total 95100 · DEBT SERVICE	168,656.89	168,745.00	99.9%	
Total 09 · NON-DEPARTMENTAL	417,980.42	418,745.00	99.8%	
94104 · Street Scape - Park Sidewalk				
9410401 · Architectural/Engineering Fees	15,953.75	144,318.00	11.1%	
Total 94104 · Street Scape - Park Sidewalk	15,953.75	144,318.00	11.1%	
94105 · PERSONNEL				
EMPLOYEE BENEFITS				
6560 · Payroll Processing Fees	222.06			
Total EMPLOYEE BENEFITS	222.06			
Total 94105 · PERSONNEL	222.06			
94106 · TOWN CENTER MASTER PLAN				
9410601 · Architectural/Engineering Fees	7,480.32	65,057.00	11.5%	
Total 94106 · TOWN CENTER MASTER PLAN	7,480.32	65,057.00	11.5%	
94107 · BLIGHT MITIGATION				
9410701 · Building Official/Engr.	0.00	40,000.00	0.0%	
Total 94107 · BLIGHT MITIGATION	0.00	40,000.00	0.0%	
94108 · Capital Improvement Funds Expens	0.00	218,271.00	0.0%	
Total Expense	1,606,508.85	3,257,740.00	49.3%	
Net Ordinary Income	86,583.51	0.00	100.0%	
Net Income	86,583.51	0.00	100.0%	

Attachment: FY2023 Actuals vs Budget as of 01.24.2023 (5967 : Monthly Financial Report)

**NOTICE OF PUBLIC HEARING
TOWN OF HAYMARKET
FISCAL YEAR 2022/2023 AMENDMENT TO THE ADOPTED BUDGET**

The Haymarket Town Council will hold a public hearing on Monday, February 06, 2023 beginning at 7:00 p.m. at the Haymarket Town Hall, 15000 Washington Street, #100, Haymarket, Virginia 20169, and/or at such other times as to which such hearing may be continued, to consider amending the FY 2022/2023 budget as summarized below. This amendment will now increase the adopted Operating budget for Fiscal Year 2022- 2023 by \$ 84,649. The new overall adopted budget with these increases will be \$ 3,342,389.

The proposed budget amendments are available for public review both online at www.townofhaymarket.org and in the Clerk’s office at 15000 Washington Street, #100 Haymarket, Virginia 20169.

The hearing is being held in a public facility believed to be accessible to persons with disabilities. Any person with questions on the accessibility to the facility should contact the Town Clerk at the above address or by calling 703-753-2600.

Budget Amendment for FY2022-2023 Budget

Operational Budget

	<u>Adopted 2022-23 Budget</u>	<u>Amended Budget</u>	<u>Change</u>
REVENUE:			
Cigarette Tax	\$ 130,000	\$ 140,000	\$ 10,000
Meals Tax	\$ 1,000,000	\$ 1,100,000	\$ 100,000
Town Event	\$ 70,000	\$ 80,000	\$ 10,000
DMV Select Commission	\$ 60,500	\$ 0	(\$ 60,500)
LOLE Grant	\$ 3,094	\$ 4,393	\$ 1,299
Carry-Over Surplus	\$ 250,000	\$ 273,850	\$ 23,850
EXPENDITURE:			
Town Administration:			
Salaries/Wages- Regular	\$ 357,513	\$ 330,500	(\$ 27,013)
Salaries/Wages- DMV Clerk	\$ 48,478	\$ 0	(\$ 48,478)
Salaries/Wages- Part Time	\$ 56,615	\$ 79,960	\$ 23,345
Computer, Internet, & Website Svc	\$ 23,650	\$ 28,550	\$ 4,900
Police Department:			
Salaries & Wages – Part Time Admin.	\$ 0	\$ 19,500	\$ 19,500
FICA/MEDICARE	\$ 43,437	\$ 44,937	\$ 1,500
Unemployment Insurance	\$ 3,000	\$ 3,360	\$ 360
Workers’ Compensation Insurance	\$ 22,825	\$ 23,305	\$ 480
Office Equipment Rental	\$ 3,094	\$ 4,393	\$ 1,299
Events:			
Events – Other	\$ 19,350	\$ 30,850	\$ 11,500
Economic Development:			
Tourism/Traveling Marketing	\$ 72,000	\$ 95,850	\$ 23,850
Planning Commission:			
Convention/Education	\$ 2,000	\$ 1,000	(\$ 1,000)
Architectural Review Board:			
Convention/Education	\$ 500	\$ 1,500	\$ 1,000
Capital Improvement Funds Expense	\$ 218,271	\$ 291,677	\$ 73,406

TOWN OF HAYMARKET

Attachment: Public Notice for 2nd Qt Budget Amendment for FY2023 for 02.06.2023 (5942 : Budget Amendment Second Quarter Discussion)

Resolution #2022-011 AMEND COUNCIL RULES OF PROCEDURE

BE IT RESOLVED by the Town Council of the Town of Haymarket, in accordance with the Town Charter, that the following Council Rules of Procedure be adopted, as amended on June 27, 2022, with an effective date of July 1, 2022.

Section 2-1: Meetings was amended changing time of regular monthly meetings to 6 pm, Section 2-6 (A): Organizational Meeting by changing the date of the meeting from July to the January after the November Town Council election and Section 5-1: Order of Business by moving closed session to the top of Order of Business that will start at 6 pm, when closed session is needed. This amendment will effect at the Town Council regular monthly meeting on July 5,2022

RULES OF PROCEDURE**Introduction**

These rules of procedure were designed and adopted for the benefit and convenience of the Haymarket Town Council. Their purpose is to help the Town Council conduct its affairs in a timely and efficient manner. They incorporate the general principles of parliamentary procedure found in *Robert's Rules of Order Newly Revised* and applicable Virginia laws. The rules of procedure do not supersede the provisions of the Town Charter. The rules of procedure do not create substantive rights for third parties or participants in proceedings before Town Council. Further, the Town Council reserves the right to suspend or amend the rules of procedure whenever a majority of Council decides to do so. The failure of the Town Council to strictly comply with the rules of procedure shall not invalidate any action of Town Council.

SECTION 1 - PURPOSE AND BASIC PRINCIPLES

Section 1-1. Purpose of Rules of Procedure

- A. To enable the Haymarket Town Council to transact business fully, expeditiously and efficiently while affording every opportunity to citizens to witness the operations of government;
- B. To protect the rights of each individual Council member;
- C. To preserve a spirit of cooperation among Council members; and
- D. To determine the will of Town Council on any matter.

Section 1-2. Basic Principles Underlying Rules of Procedure

- A. The business of the Town Council should proceed in the most efficient manner possible;
- B. Town Council's rules of procedure must be followed consistently;
- C. Town Council's actions should be the result of a decision on the merits and not a manipulation of the procedural rules;
- D. Only one subject may claim the attention of Town Council at one time;
- E. Each item presented for consideration is entitled to full and free discussion;
- F. Every member has equal rights to participate and vote on all issues, as provided by the Town Charter;
- G. Every member must have equal opportunity to participate in decision making;
- H. The will of the majority must be carried out, and the rights of the minority must be preserved; and
- I. The Council must act as a body.

SECTION 2 – MEETINGS

Section 2-1. When and Where Regular Meetings are Held

The time and place of regular meetings of the Haymarket Town Council (hereinafter referred to as the Council) shall be established as follows:

First Monday of the month, 6:00 p.m. Closed Session, As Needed 7:00 p.m. – Regular meeting
Last Monday of the month, 7:00 p.m. – Work Session

Meetings shall be held in the Town Hall Council Chambers. The Council may hold additional meetings or work sessions at other locations and times, or may change the locations and times of regularly scheduled meetings or work sessions as it deems appropriate to do so. Notice of such additional meetings or changes to the location or time of regularly scheduled meetings or work sessions shall be provided to the public and the press as required by State Code.

Section 2-1.1. Continued Meetings

A regular meeting shall be continued to a date to be agreed upon in open session at the same time and place as the regular meeting. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

Section 2-2. Special and Emergency Meetings

- A. The Council may hold such special meetings, as it deems necessary, at such times and places as it may find convenient; and it may adjourn from time to time. A special meeting of the Council shall be called pursuant to Article III, Section 1(10) of the Town Charter.
- B. Special meetings may be called by the Mayor, or any two (2) members of the Council in writing to the Clerk of Council for the purpose stated in the notice of the special meeting. The

Clerk of Council shall forthwith notify the members of the Council of the time and place designated and the purpose of the meeting. Written notice of the special meeting shall be delivered to each member of the Council by giving reasonable notice at his or her place of abode or place of business or via e-mail. Only matters specified in the notice of the special meeting shall be considered unless (1) all of the members of the Council are present and (2) the Council determines in good faith at the meeting that it is essential to discuss or act on such additional item(s) immediately.

C. Emergency meetings may be called by the Mayor or any two members of Council in writing to the Clerk of the Council for the purpose stated in the notice of the emergency meeting. The Clerk of Council shall forthwith notify the members of the Council of the time and place designated and the purpose of the meeting. Written notice of the emergency meeting shall be delivered to each member of the Council by giving reasonable notice at his or her place of abode or place of business or via e-mail. Only matters specified in the notice of the emergency meeting shall be considered unless (1) all of the members of the Council are present and (2) the Council determines in good faith at the meeting that it is essential to discuss or act on such additional item(s) immediately.

D. In accordance with the Code of Virginia, 2.2-3707(D) Notice, reasonable under the circumstance, of special or emergency meetings shall be given contemporaneously with the notice provided members of the public body conducting the meeting, the Town Attorney, and the Town Manager.

Section 2-3. Legal Holiday

When a regularly scheduled Monday meeting falls on a legal holiday, the meeting shall be held on the following Tuesday unless the meeting is canceled or otherwise rescheduled by a majority vote of the Council.

Section 2-4. Adjourned or Recessed Meetings

A. A meeting of the Council is adjourned when the Council has finished its business and is bringing the meeting to a close, with the intention of holding another meeting at a later date. Generally, when a meeting of the Council is adjourned, the next meeting of the Council is preceded by opening ceremonies. A meeting of the Council is recessed when the Council takes a break between sittings and after the recess business is resumed where it left off.

B. A properly called regular, additional scheduled, or special meeting may be recessed or adjourned to a time and place certain by a motion made and adopted by a majority of the Council in open session during the regular, additional scheduled, or special meeting. The motion shall state the time and place when the meeting will reconvene. No further notice need be given of such a recessed or adjourned session of a properly called regular, additional scheduled or special meeting.

Section 2-5. Cancellation or Rescheduling of Meetings

A regularly scheduled meeting may be cancelled or rescheduled, in special circumstances and for the convenience of Council, if the change would not impact an advertised public hearing or a scheduled public presentation. The Council shall agree to any such change and the remaining members of the Council shall be immediately notified of the change and the reason therefore. The public and the media shall be notified promptly of the change.

Section 2-6. Organizational Meeting

A. The first meeting in January following the November Council election shall be known as the organizational meeting.

B. The Vice Mayor shall be elected at the organizational meeting for a term of two years in

accordance with the procedures set out in Section 2-7.

C. Following the election of the Vice Mayor, the Council shall make Liaison assignments as appropriate.

Section 2-7. Procedure for Election of Vice Mayor

A. Election of the Vice Mayor at the organizational meeting shall be accomplished in accordance with the following procedures:

1. The Mayor shall call for nominations from the Council.
 2. Any Council member, after being recognized by the Mayor, may place one or more names in nomination and discuss his or her opinions on the qualifications of the nominees.
 3. After all nominations have been made the Mayor shall close the nominating process and open the floor for discussion.
 4. After discussion the Mayor shall call for the vote on each nominee in the order his or her name was placed into nomination.
 5. A majority of those voting shall be required to elect the Vice Mayor.
- B. The Vice Mayor shall serve until a successor is elected by the Town Council.

Section 2-8. Seating Arrangement

The Mayor shall occupy the center seat on the dais. Members of the Council shall select among seats according to seniority, unless determined otherwise by Council.

SECTION 3 – OFFICERS

Section 3-1. Mayor and Vice Mayor

The Mayor shall preside over all meetings of the Council; and, shall only vote in the case of a tie, as provided by the Town Charter. The Vice Mayor serves in the absence of the Mayor. In the absence from any meeting of both the Mayor and Vice Mayor, the Council members present shall choose one of their members as temporary presiding officer.

Section 3-2. Parliamentarian

The Town Attorney shall serve as the Parliamentarian for the purpose of interpreting these Rules of Procedure, the Code of Virginia (1950), as amended, as may be directed by the presiding officer, or as required as a result of a point of order raised by one or more Council members. If the Town Attorney is unavailable, the Town Manager shall serve as the Parliamentarian. All legal questions from Mayor and Council on all Town business shall be addressed to the Town Attorney.

Section 3-3. Preservation of Order

A. At meetings of the Council, the presiding officer shall preserve order and decorum. The presiding officer shall have the following powers:

1. To rule motions in or out of order, including any motion not germane to the subject under discussion or patently offered for obstructive or dilatory purposes;
2. To determine whether a speaker has gone beyond reasonable standards of courtesy in his or her remarks and to entertain and rule on objections from other members on this ground;
3. To call a brief recess at any time;
4. To adjourn in an emergency.

B. A decision by the presiding officer under either of the first two powers listed above may be appealed to the Council upon motion of any member. Such a motion is in order immediately after a decision under those powers is announced and at no other time. The member making the motion need not be recognized by the presiding officer, the motion does not require a second, and the motion, if timely made, may not be ruled out of order. There are two exceptions to this right of appeal. The presiding officer may adjourn without the Council's vote or appeal in an emergency, and he or she may also call a brief recess without a vote at any time for the purpose of restoring calm.

SECTION 4 – AGENDA

Section 4-1. Preparation

A. The Town Clerk shall prepare an agenda for the regularly scheduled meetings conforming to the order of business specified in Section 5-1 entitled "Order of Business".

B. Any Council member may request that items be placed on a meeting agenda by contacting the Clerk at least seven (7) days prior to the Council meeting for which they wish the item scheduled. The Clerk shall place requested items on the agenda for the next regular meeting or work session, as appropriate, following the request.

C. Any member of the public may request that items be placed on a meeting agenda by contacting the Clerk at least seven (7) days prior to the Council meeting for which they wish the item scheduled. Items that are based upon a statutory requirement will automatically be placed on the agenda by the Clerk. Requests for items that do not have a statutory requirement may only be added to the agenda if a member of Council agrees to sponsor such request.

D. All items which are requested to be placed on the agenda and which have not been submitted within the prescribed deadline shall be placed on the following regular work session agenda for consideration.

E. Nothing herein prohibits the Council from adding items to the agenda, provided that such a request is in the form of a motion, voted upon by a majority of the Council. Members must use discretion in requesting the addition of items on the agenda. It is considered desirable to have items listed on the published agenda.

F. Unless required by law, no item will be scheduled for a public hearing unless by the vote of a majority of the Council to hold a public hearing on the item.

Section 4-2. Delivery of Agenda

The Council meeting package, including the agenda and related materials, shall be delivered to each member of the Council and the Town Attorney one week prior to the Monday work session and one week prior to the Monday regular Council meeting . Such materials shall be posted to the Town website on those dates.

Section 4-3. Copies

The Town Clerk shall prepare or cause to be prepared extra copies of the meeting package and shall make the same available to the public and the press in the Town Hall for public inspection.

Section 4-4. Internet

The Town Clerk shall post the agenda for all Town meetings and work sessions on the Internet for public information as promptly as possible.

SECTION 5 -- ORDER OF BUSINESS FOR COUNCIL MEETINGS

Section 5-1. Order of Business

A. At regular meetings of the Council on the 1st Monday of the month, the order of business shall generally be as follows:

1. *Call to Order*
2. *Roll Call*
3. *Closed Session, As Needed*
4. *Adjourn Closed Session*
5. *Pledge of Allegiance*
6. *Public Hearings (if any)*
7. *Citizens' Time*
- Consent Agenda*
- a. *Minute Approval*
- b. *Department Reports*
- c. *Liaison Reports*
8. *Agenda Items*
9. *Councilmember Time*
10. *Adjournment*

B. The above order of business may be modified by the Town Clerk, as directed by the Mayor or Majority of Council, to facilitate the business of the Council.

C. Council work sessions are less formal meetings and the agenda may be as prepared by the Town Manager and Town Clerk to best facilitate the business of the Council.

D. Council elected to begin adopting a "consent agenda" based upon recommendation of the Mayor, Clerk and Town Manager for issues that do not need any additional discussion or deliberation by the Council. Please note, that any member of Council can request of the Mayor to remove an agenda item from the consent agenda prior to the adoption of the consent agenda.

Section 5-3. Citizen Participation

A. Every petition, communication or address to the Council shall be in respectful language and is encouraged to be in writing.

B. Public Comment

1. Individuals or groups wishing to speak at a regular Council meeting shall be recognized by the presiding officer during the Public Comment section of the meeting. Groups wishing to make a presentation are encouraged to submit a written request to the Clerk of Council by noon on the Thursday prior to the regular meeting date.

2. Public comments shall be for the purpose of allowing members of the public to present any Town business related matter, which, in their opinion, deserves the attention of the Council. They shall not serve as a forum for debate with the Council.

3. Candidates running for any public office who wish to appear before the Council on issues related to their candidacy shall do so under Public Comments; and, shall adhere to the five minute time limit.

4. Remarks shall be addressed directly to the Council and not to staff, the audience, or the media.

5. The presiding officer shall open the Public Comments.

6. Each speaker shall clearly state his or her name and address. If the speaker is uncomfortable stating his or her address in public, he or she may provide that information privately to the Clerk of Council after speaking.

7. There shall be a time limit for each individual speaker of 5 minutes.
8. A representative of a civic association, a home owners association, or any organizations formally recognized and current with Internal Revenue Service and/or the Commonwealth of Virginia State Corporation Commission shall have ten (10) minutes for their presentation. In the event that there is a question as to whether an organization is recognizable for purposes of the extended time limitation, the presiding officer shall so determine. The representative shall identify the group at the beginning of his or her presentation. A group may have no more than one spokesperson.
9. There shall be no comment by speakers during Public Comment on a matter for which a public hearing is scheduled during the same meeting.
10. Any issue raised by the public which the Council wishes to consider may be put on the agenda for a future Council meeting or work session by consent of the Town Council.
11. The above rules notwithstanding, members of the public may present written comments to the Council or to individual Council members at any time during the meeting. Such written comments shall be submitted through the Town Clerk.
- B. Other than as stipulated above or during public hearings, no person shall be permitted to address the Council orally, except by permission of the Council, and such permission shall not be granted unless with the consent of a majority of the members of the Council present at such meeting.
- C. No speaker's time shall be extended except by a majority vote of the Council members present.
- D. Any person who desires to submit written statements for forwarding to the Council prior to a Council meeting must submit a copy to the Clerk of Council by 12:00 noon on the Date of the Council meeting.

Section 5-4. Prohibited Conduct

- A. Persons appearing before the Council will not be allowed to:
1. Market or solicit business from the Town;
 2. Use obscenities or other speech tending to create a breach of the peace;
 3. Use language which insults or demeans any person or which, when directed at a public official or employee is not related to his or her official duties, however, citizens have the right to comment on the performance, conduct, and qualifications of public figures;
 4. Interrupt other speakers or engage in behavior that disrupts the meeting including but not limited to applause, cheers, jeers, etc.;
 5. Engage in behavior that intimidates others;
- B. The presiding officer shall preserve order and decorum at Council meetings. He or she may order the expulsion of any person, other than members of the Town Council, for violation of these rules, disruptive behavior, or any words or action which incites violence or disorder, subject to appeal to the Council. Any person so expelled shall not be readmitted for the remainder of the meeting from which expelled. Any person who has been so expelled and who at a later meeting again engages in behavior justifying expulsion may also be barred from attendance at future Council meetings for a specified and reasonable period of time not to exceed six months, or upon a still subsequent expulsion a period not to exceed one year either by the presiding officer, subject to appeal to the Council, or by motion passed by the Council.

Section 5-5. Public Hearings

A. This section of the agenda shall be for public hearings as required by Town, State, or Federal law, or as the Council may direct.

B. The presiding officer shall conduct all public hearings.

C. The order of public hearings shall be as follows:

1. The presiding officer shall open the public hearing.
 2. Hearings shall begin with a brief presentation from a staff member and/or representative from the cognizant board, authority, commission or committee upon recognition of the presiding officer. The presentation shall summarize the facts about the issue and the staff recommendation. Council members may seek clarification during the presentation.
 3. In land use cases (rezoning or conditional use permit) the applicant or his or her representative shall be the first speaker(s). There shall be a time limit of ten (10) minutes for the applicant's or his or her representative's presentation.
 4. The presiding officer shall then solicit comments from the public. Each speaker must clearly state his or her name and address. If the speaker is uncomfortable stating his or her address in public, he or she may provide that information privately to the Clerk of Council after speaking. There shall be a time limit of five (5) minutes for each individual speaker. If the speaker represents a group, there shall be a time limit of ten (10) minutes. A speaker representing a group shall identify the group at the beginning of his or her remarks. A group may have no more than one spokesperson. The Council, by majority vote of the members present, may allow any speaker to proceed past the time limit.
 5. After public comments have been received, in a land use case, the applicant or the representative of the applicant, at his or her discretion, may respond with a rebuttal. There shall be a five (5) minute time limit for rebuttal.
 6. Upon the conclusion of public comments, or the applicant's rebuttal in a land use case, the presiding officer shall close the public hearing.
- D. When a public hearing has been closed by the presiding officer, no further public comment shall be permitted. Council members, however, may direct questions to the applicant, the representative of the cognizant board, authority, commission, committee, to a speaker, or to a staff member for clarification prior to taking any vote, if a vote is in order.
- E. Following the close of the public hearing, the presiding officer may entertain a motion to dispose of the issue and the Council may debate the merits of the issue.

Section 5-6. Action Items

This section of the agenda shall include items of a general nature to be considered by the Council. After the presiding officer has stated the item for consideration, staff may be asked to provide a brief summary.

Section 5-7. Items Not on the Agenda

With the Council's unanimous consent, items may be added to the agenda to respond to situations and/or questions of a critical nature which have arisen after the deadline has passed for items to be placed on the agenda.

Section 5-8. Closed Meetings

A. Closed Meetings should only be used when the matter to be discussed is too sensitive for discussion in public and only as allowed by law.

B. No meeting shall become a Closed Meeting until the Council takes an affirmative record vote during the open meeting.

1. The motion shall state specifically the purpose or purposes which are the subject of the closed meeting and reasonably identify the substance of the matters to be discussed. The motion shall make specific reference to the applicable exemption(s) under the Freedom of

Information Act, which authorizes the Closed Meeting.

2. Members shall request the assistance of the Town Attorney when making additions to the published Closed Meeting agenda.

C. No resolution, ordinance, rule, contract, regulation or motion considered in a Closed Meeting shall become effective until the Council reconvenes in an open meeting and takes a vote of the membership on such resolution, ordinance, rule, contract, regulation or motion which shall have its substance reasonably identified in the open meeting.

D. At the conclusion of a Closed Meeting, the Council shall reconvene in open meeting immediately thereafter and shall cast a vote certifying that to the best of each member's knowledge:

1. Only public business matters lawfully exempted from open meeting requirements were discussed; and;

2. Only public business matters identified in the motion convening the Closed Meeting were heard, discussed or considered.

3. Any member who believes that there was a departure from the above requirements shall so state prior to the presiding officer's call for the vote, indicating the substance of the departure that, in his or her judgment, has taken place.

E. The failure of the certification to receive the affirmative vote of the majority of the members present during the Closed Meeting shall not affect the validity or confidentiality of the Closed Meeting with respect to matters considered therein in compliance with the Freedom of Information Act.

F. Upon the vote of the Council as a part of the motion to convene the Closed Meeting, the Council may permit non-members to attend a Closed Meeting if their presence would reasonably aid the Council in its consideration of an issue.

G. Individuals attending a Closed Meeting should respect the Council's decision that the subject matter is too sensitive for public discussion and should treat the Closed Meeting discussion as confidential. The Council shall remind those attending the Closed Meeting of their duty in this regard as a part of their certification motion.

SECTION 6 – RULES OF PROCEDURE FOR COUNCIL MEETINGS

Section 6-1. Quorum

A. As provided by Section 15.2-1415 of the Code of Virginia, the Council may exercise any of the powers conferred upon it at any regular, special, or adjourned meeting at which a quorum is present. According to Article III of the Town of Haymarket Charter, a majority of the members of Council constitutes a quorum for the transaction of business. In the event that a meeting is held without a quorum of the Council, the Council may not take any action, whether formally or by consensus, including conducting public hearings.

B. If a quorum fails to attend any meeting that contains agenda items requiring action on the part of the Council, no action shall be taken and the Town Clerk shall enter such adjournment to the next regularly scheduled meeting in the minute book of the Council. The Clerk shall notify absent members thereof in the same manner as required for special meetings.

C. If the Virginia Conflict of Interests Act prevents some of the members of the Council from participating in an item of business, Sections 2.2-3112 and 15.2-1415 of the Code of Virginia provide that a majority of the remaining members of the Council shall constitute a quorum.

Section 6-2. Priority in Speaking on the Council

When two or more members of the Council wish to speak at the same time, the presiding officer shall name the one to speak first.

Section 6-3. Comments, Queries of Council Members

Council members are to observe the following rules during the discussion of agenda items:

A. The presiding officer shall keep discussion germane to the subject.

B. Council members may address questions to the Town Manager, staff or other appropriate individuals present at the meeting. All legal questions should be addressed to the Town Attorney.

Section 6-4. Action by the Council

A. Items of business will be considered and dealt with one at a time, and a new proposal may not be put forth until action on the preceding one has been concluded.

B. When a proposal is perfectly clear to all present, and the proposal will not obligate the Council in any manner nor finally decide an issue before the Council, action can be taken upon the unanimous consent of the Council members present, without a motion having been introduced. However, unless agreed to by unanimous consent, all proposed actions of the Council must be approved by vote under these rules. Silence, or the lack of spoken dissent, is taken as consent.

Section 6-5. Motions

A. Informal discussion of a subject is permitted while no motion is pending.

B. Any voting member may make a motion.

C. Voting members are required to obtain the floor before making motions or speaking, which they can do while seated.

D. A voting member may make only one motion at a time.

E. Except for matters recommended by a Council committee, or as otherwise stipulated in these rules of procedure, all motions require a second and a motion dies for lack of a second.

Section 6-6. Substantive Motions

A. A substantive motion is any motion that deals with the merits of an item of business and is within the Council's legal powers, duties and responsibilities.

B. A substantive motion is out of order while another substantive motion is pending.

Section 6-7. Procedural Motions

A. Procedural motions are those motions that the Council may use to "act upon" a substantive motion by amending it, delaying consideration of it, and so forth. Procedural motions are in order while a substantive motion is pending and at other times, except as otherwise noted.

B. In addition to substantive proposals, only the following procedural motions, and no others, are in order. Unless otherwise noted, each motion requires the floor and a second, is debatable, may be amended, and requires a majority of the votes cast, a quorum being present, for adoption. Procedural motions are listed below in their order of priority. If a procedural option is not listed below, then it is not available.

1. To Appeal a Procedural Ruling of the Presiding Officer. A decision of the presiding officer ruling a motion in or out of order, determining whether a speaker has gone beyond reasonable standards of courtesy in his remarks, or entertaining and answering a question of parliamentary law or procedure may be appealed to the Council which shall decide the matter by majority decision. Such an appeal is in order immediately after such a decision is announced and at no other time. The member making the motion need not be recognized by the presiding officer, the motion does not require a second, and the motion, if timely made, may not be ruled out of order.

2. Motion To Adjourn. At a meeting of the Council, a motion to adjourn shall always be in order. The motion may be made only at the conclusion of action on a pending substantive matter; it may not interrupt deliberation of a pending matter. The motion is not debatable and cannot be amended.

3. To Take a Brief Recess. This motion allows the Council to pause briefly in its proceedings. A motion to take a brief recess is in order at any time except when a motion to appeal a procedural ruling of the presiding officer or a motion to adjourn is pending

4. To Suspend the Rules. The Council may suspend provisions of its rules of procedure. The Council may not, however, suspend any provisions of the rules that state requirements imposed by law on the Council. For adoption, a motion to suspend the rules requires a majority vote of members present.

5. To Defer Consideration. The Council may defer action on a substantive motion to a more convenient time. The Council may use the following motions to defer consideration of a substantive motion:

(a) The motion to "lay on the table" is used to temporarily set aside an item of business to deal with a more urgent item. Once an item of business has been laid on the table, a motion to "take from the table" is needed to bring the item back before the public body for discussion.

(b) (b) The motion to "postpone" delays debate on an item of business so that it may be considered at a later date. An item of business may be "postponed definitely," when it is continued to a definite time or date or "postponed indefinitely" if no future time or date is specified in the motion. A matter that has been postponed to a certain time or day shall be brought up again automatically when that time arrives. When a matter has been postponed indefinitely it takes an affirmative vote of a majority of the Council to bring the matter back for further discussion.

(c) Section 15.2-2286 of the State Code requires that a zoning petition must be "acted upon" within a "reasonable time," not exceeding one year. The Council may defer action on a zoning petition for consideration at a more convenient time. However, the Council may not dispose of a zoning petition with a motion to postpone indefinitely.

6. Call the Question. The motion to call the question is not in order until every member of the Council has had an opportunity to speak at least once and. The motion is not amendable or debatable.

7. To Amend. Any substantive motion properly on the floor may be amended. An amendment to a motion must be pertinent to the subject matter of the motion. An amendment is improper if adoption of the motion with that amendment added would have the same effect as rejection of the original motion. A proposal to substitute completely different wording for a motion or an amendment shall be treated as a substitute motion. A motion may be amended no more than twice. Once a motion has been offered to the Council, it is up to the Council to decide whether or not it should be changed by amendment. It is not necessary for the person making the original motion to approve of any proposed amendment to the motion.

8. Substitute Motion. A substitute motion shall be allowed to replace any motion properly on the floor. It shall have precedence over an existing motion and may be discussed prior to being voted on. If the substitute motion fails, the former motion can then be voted on. If the substitute motion passes, the substitute motion replaces the main motion and the matter is decided. No more than one (1) substitute motion may be made.

9. Withdrawal of Motion. A motion may be withdrawn by the introducer at any time before it is amended or before the presiding officer puts the motion to a vote, whichever occurs first.

10. Motion to Reconsider. The Council may vote to reconsider its action on a matter. The motion to reconsider must be made no later than the next succeeding regular meeting of the Council and can only be made by a member who voted with the prevailing side. In the event of a tie vote on the original motion any Council member may introduce a motion to reconsider. The motion cannot interrupt deliberation on a pending matter but is in order when action on a pending matter concludes..

Section 6-8. Debate

A. The presiding officer shall state the motion and then open the floor to debate. The presiding officer shall preside over the debate according to the following general principles:

1. The maker of the motion is entitled to speak first;
2. A member who has not spoken on the issue shall be recognized before someone who has already spoken;
3. To the extent possible, the debate shall alternate between proponents and opponents of the measure.
4. A member of the Council may vote against his or her motion, but may not speak against his or her motion.
5. The presiding officer may participate in the debate prior to declaring the matter ready for a vote.

Section 6-9. Duty to Vote

A. Each voting member of the Council who is present at a meeting is expected to vote upon all issues presented for decision unless prohibited from doing so by the Virginia Conflict of Interests act.

B. If there is an abstention, it shall be the responsibility of the Town Clerk to note the abstention and the reason for abstaining, if stated, for the record.

Section 6-10. Method of Voting

A. After debate, the presiding officer shall ensure that the motion is clear and call for the vote.

B. All questions submitted to the Council shall be determined by a majority vote of the members voting on any such question, unless otherwise required by special or general law. A majority is more than half.

C. An “affirmative vote” by a majority of the Council present being necessary to adopt a motion, a tie vote means that the motion has been rejected. When a motion fails on a tie vote, the “noes” prevail.

Section 6-11. Decisions on Points of Order

Any Council member may raise a point of order without being recognized by the presiding officer. The presiding officer shall refer any point of order to the Parliamentarian. The Parliamentarian shall advise the presiding officer who shall then make a ruling on the point of order. A Council member may appeal the ruling of the presiding officer to the full Council which shall decide the matter by majority decision.

SECTION 7 - BOARDS, AUTHORITIES, COMMISSIONS AND COMMITTEES

Section 7-1. Appointments to Boards, Authorities, Commissions, and Committees

A. Members of boards, commissions and committees requiring a Council vote shall be appointed by an affirmative vote of a majority to serve specified terms as may be deemed to be appropriate by the Council or as specified by statute.

B. The Council by majority vote shall select the liaisons for the following: Planning Commission, Architectural Review Board, Finance, Business and Community Outreach. The liaisons shall be responsible for leading the discussion of the standing committees during Council meetings and for keeping the Council informed on issues related to their respective committees.

Committee liaisons will serve two-year terms.

C. Ad hoc committees, such as special task forces, may be created from time to time, for specific purposes, as determined by the Council.

Section 7-2. Standing Committees Roles and Guidelines

The roles of and the operating guidelines for the standing committees shall be as adopted by a majority of the Council.

SECTION 8 -- GENERAL OPERATING POLICY

Section 8-1. Live Streaming via Webcast and Recording of Town Business

All meetings and work sessions of the Council, Planning Commission, Architectural Review Board and Board of Zoning appeals will be aired live via Webcast. Any additional gatherings may be aired via Webcast at the discretion of the Town Manager when in the best interest of the public, notwithstanding technology failures, power outages, and other complications beyond the control of the Town Staff. Copies of the broadcast may be obtained via the Town's website by download. If a copy of a meeting is desired, charges may apply.

Section 8-2. Numbering and Indexing of Resolutions and Ordinances

It shall be the responsibility of the Clerk to number and index all resolutions and ordinances adopted by the Council. The resolutions shall be numbered consecutively, and use the four digits of the calendar year, the month and day.

Example: for the first resolution made on January 1, 2013, the resolution number would be shown as: RES201301-01. Ordinances shall also be numbered consecutively.

Section 8-3. Minutes of the Council Meetings

The minutes of the Council meetings shall reflect the official acts of the Council. They shall provide a summary of discussion and record Council votes. Minutes shall be considered for approval within a reasonable time after the meeting they record.

Section 8-4. Amending the Rules of Procedure

These rules may be amended at any regular meeting, or at any properly called special meeting that includes amendment of the rules as one of the stated purposes of the meeting. Adoption of an amendment shall require an affirmative vote of four (4) members of the Council.

Section 8-5. Special Rules of Procedure

The Council may adopt its own special rules of procedure to cover any situations that are not adequately addressed in these Rules of Procedure. Adoption of a special rule of procedure shall require an affirmative vote of a majority of a quorum of the Council.

SECTION 9 – CORRESPONDENCE POLICY

Section 9-1. Town Clerk

All correspondence for Council, Commissions, Boards and Staff should be copied to Town Clerk to ensure proper recording keeping.

Section 9-2. Town Attorney

Mayor and Council need to address all legal questions to the Town Attorney. The Town Attorney should be copied on any and all correspondence on town municipal matters.



December 30, 2022

Emily L. Kyriazi
Town of Haymarket
15000 Washington Street, Suite 100
Haymarket, Virginia 20169

RE: Structural Condition Assessment
Town Park Building
Haymarket, Virginia
IMEG #22008621.00

Dear Emily:

In accordance with your request, on November 2, 2022, IMEG Corp. conducted an observation of the Town Park Building structure in Haymarket, Virginia. The observations were limited to non-destructive visual observations made from ground level around the perimeter of the building and on floor surfaces within the attic, main level, and basement. The purpose of the site visit was to observe existing structural conditions and gather information to enable us to render an opinion as to the structural condition of building and provide recommendations for repair.

GENERAL STRUCTURE DESCRIPTION

The existing building is an aging single-story, single-family detached structure constructed of a wood framed roof, wall, and floor supported by a below-grade masonry foundation wall. The roof and attic floor framing are constructed of 2x6 dimensional lumber with spacing at both 16 inches and 24 inches on center, depending on location. The roof structure is supported by load bearing exterior wood framed walls and two interior load bearing wood framed walls. The load bearing walls are concealed by finishes but are presumed to be wood framed. The main level floor framing is constructed of 2x10 dimensional lumber spaced at 16 inches on center and supported by two rows of wood beams supported by wood posts. The basement walls are constructed of 8-inch thick solid grouted concrete masonry unit (CMU) walls and retain up to 5 feet of soil. A portion of the foundation below the walls was observed and appears to be a 6-inch-thick shallow concrete strip footing. The basement floor is a concrete slab-on-grade.

OBSERVATIONS

EXTERIOR

1. The porch rafter splices have separated at several locations at each roof overhang at the front, rear, and north sides of building.
2. Wood rot was observed on the roof near the fascia as several locations.
3. Vegetation is overgrown and climbing on the structure, generally on the north and east sides of the building.
4. Several roof corbels are detached from the exterior wall on the north side of building.
5. The rear porch wood floor framing and stairs are deteriorating. The stairs do not appear to be safe.

ATTIC

1. The roof framing is mostly concealed from view by insulation. At representative isolated locations the framing was able to be observed and appeared to be in good condition.
2. The attic floor framing is mostly concealed from view by floorboards. At representative isolated locations the framing was able to be observed and appeared to be in good condition.
3. The masonry chimney appears to be out of plumb in the attic, and efflorescence was observed on the surface. No active water leaking was observed at the time of our site visit.

MAIN LEVEL

1. Most of the interior space appears to be recently refinished, except in the kitchen.
2. The kitchen walls are cracking at several locations. This cracking does not appear to coincide with load bearing walls.
3. The ceiling in the bedroom in the southeast corner of the building was removed due to reported damage from pests. This removal exposed a portion of the roof framing which appears to be in good condition.
4. The load bearing wall framing was concealed by finishes and not able to be observed. It appears that two interior load bearing walls extend the full length of the building from north to south:
 - a. Wall #1 separates the kitchen from the dining room.
 - b. Wall #2 separates the dining room from the front room.

BASEMENT

1. The perimeter masonry foundation walls appear to be solid grouted.
2. During our visit moisture was observed on the inside face of the foundation walls. Water stains were observed several inches above the concrete slab-on-grade.
3. Efflorescence staining was observed along the full height of the CMU walls.
4. The foundation wall strip footing is undermined at a step in elevation at one location on the north side and one location on the south side of the building,



5. An approximately 2-foot length of the CMU wall has step cracking and has shifted laterally roughly 2 inches to the interior. The top of the strip footing below the wall was visible and does not appear to have shifted with the wall.
6. The west CMU wall at the northeast corner of the building has a continuous vertical crack mid-length of the wall that is greater than 1/8" in width and extending through the concrete strip footing below.
7. The North CMU wall just west of the staircase has a continuous vertical crack that is approximately 1/8" in width. This crack extends from the bottom corner of a window but does not extend to the foundation.
8. The basement below the front half of the building was not accessible due to mounded soil. Steel post-shoring was in place between the front of the building and load bearing Wall #2. The steel posts and framing in this area could only be observed from a distance and not reviewed in detail.
9. The floor framing between load bearing Wall #1 and the rear of the building was supported by wood posts and beams that are deteriorating and unstable.

Observations were documented on the day of the inspection. Referenced photographs are presented at the end of this report.

RECOMMENDATIONS

EXTERIOR AND ABOVE GRADE STRUCTURE

In general, the wood framed structure above the ground level is in good condition. The wood rot that was observed at isolated locations around the perimeter of the roof generally coincides with locations where vegetation has attached to the structure. We recommend completely clearing the structure of vegetation and removing the siding where vegetation was present to verify the deterioration has not spread behind the siding into the wall framing.

We recommend that a roofing contractor inspect the overall roof surface with special attention to the flashing around the masonry chimney. The condition of the masonry chimney above the roof was not observed but shall be repointed as needed prior to repairing any waterproofing or flashing around the chimney. The chimney within the attic is not plumb but appears to be stable and not actively moving. This condition has likely been present for a long period of time and may be an original construction defect.

We recommend that the separated porch rafter splices be glued with a structural adhesive and spliced using galvanized metal strap ties and shear plates to prevent further separation.

We recommend removing and replacing the deteriorating rear porch wood floor framing and stairs.



BASEMENT AND FOUNDATIONS

Water infiltration at the foundation walls is likely due to the combination of a failed waterproofing system and a failed foundation drainage system. We recommend that the soils surrounding the foundation walls be trenched to the top of the strip footing and a new waterproofing system applied to the exterior side of the foundation walls. Masonry foundation walls should be assessed and repairs completed prior to the application of new waterproofing. We also recommend that the foundation drainage system be replaced prior to filling the surrounding soils back in.

Undermined foundations are susceptible to settling and therefore require repair. We recommend that deleterious materials and inadequate soils be removed from beneath the exposed foundations. The resulting void spaces shall then be formed and backfilled with a flowable grout. After the repairs are completed, the surrounding soils shall be replaced back to the original condition.

The cracks in the CMU walls at the three locations in the northeast corner of the building appear to be structural in nature and require repair. The cause of the cracking is not clear but is likely exacerbated by the failure of the perimeter foundation drainage system and potentially by roots from large nearby trees in this area. The repair of these cracks will require both sides of the wall to be exposed and should be completed at the same time the perimeter foundation drainage system is replaced. Repairs at each of these conditions will likely require selective demolition and replacement of the CMU wall that has shifted. Alternatively, the damaged CMU walls can be left in place and a new 4-inch thick minimum reinforced concrete wall can be cast onto the exterior side of the wall with dowels drilled into the existing CMU. The new concrete wall would need to extend several feet beyond the damaged length of wall and may require the concrete strip footing to be widened.

The unstable wood post and beam do not appear to be part of the original building construction and it is not clear why they were added. We recommend leaving them in place and adding additional posts at both cantilevered ends of the beam with a concrete foundation below each new post. New bridging shall be installed to laterally brace the beams and posts to the main level floor framing.

It is our understanding that the building may be repurposed in the future as a gathering place for the community and include a public restroom. Based on our observations, it is unlikely that the existing floor structure would be able to support the minimum live loading required by the Virginia Uniform Statewide Building Code for a public restroom. Strengthening of the floor system would likely require additional steel or wood beams and posts with concrete foundations to reduce the span length of the existing floor joists and girders.

All repair recommendations are generic in nature and based on limited visual observations. If a repair program is implemented, a licensed contractor experienced in the type of repairs to be performed should be engaged and portions of the structure that become exposed while the contractor is performing the repair should be re-evaluated by a licensed design professional.



Emily L. Kyriazi
December 30, 2022

IMEG #22008621.00
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This report is limited specifically to the items indicated and is not intended to cover mechanical, electrical, or architectural features. Due to the limited scope of this investigation, we cannot attest to the overall structure's compliance with building codes.

We appreciate the opportunity to be of service to you regarding this project. If we may be of further assistance, please do not hesitate to contact us.

Sincerely,

Steve H. Wiemeler
Senior Associate / Senior Structural Engineer
steven.h.wiemeler@imegcorp.com

Larisa D. Ramich, PE, LEED AP
Project Executive
larisa.d.ramich@imegcorp.com

SHW;LDR/dm
\\files\Active\Projects\2022\22008621.00\Correspondence\2022.12.30 Ltr Haymarket Parks Building Condition Assessment





Exterior Observation #1

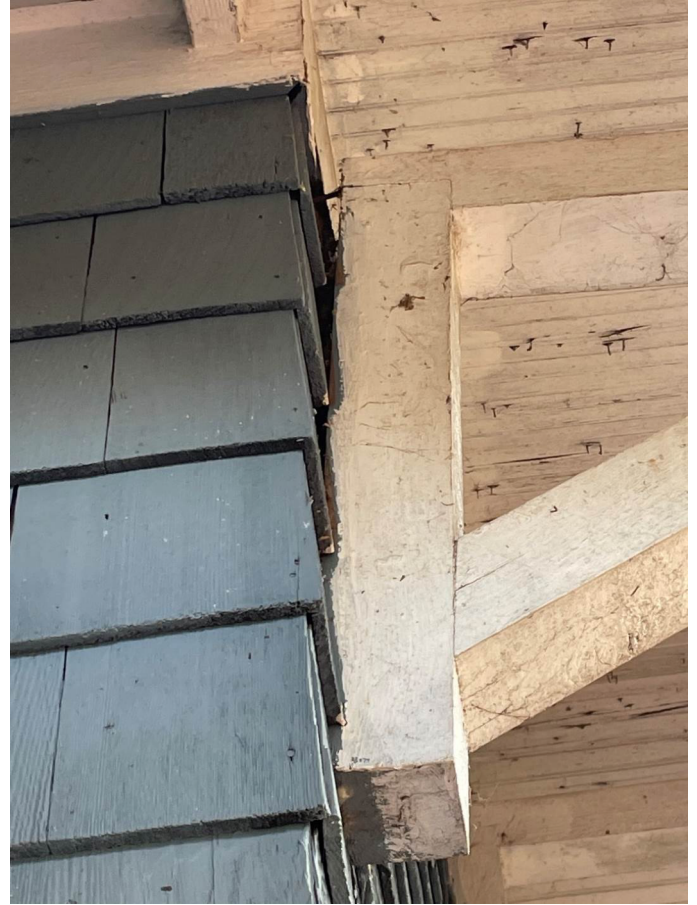


Exterior Observation #2





Exterior Observation #3



Exterior Observation #4





Exterior Observation #5

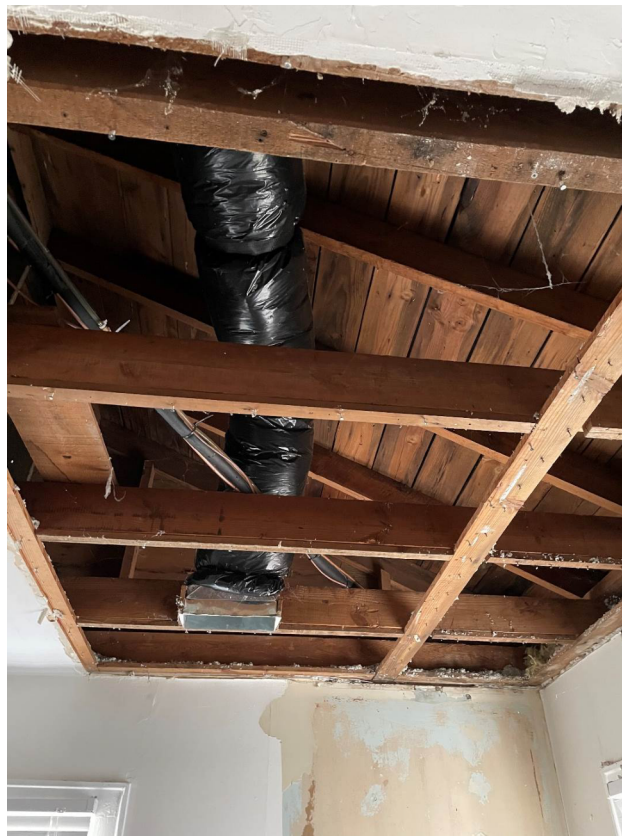


Attic Observation #1 thru #3





Main Level Observation #2



Main Level Observation #3





Basement Observation #2



Basement Observation #3





Basement Observation #4 (Photo 1 of 2)



Basement Observation #4 (Photo 2 of 2)





Basement Observation #5



Basement Observation #6



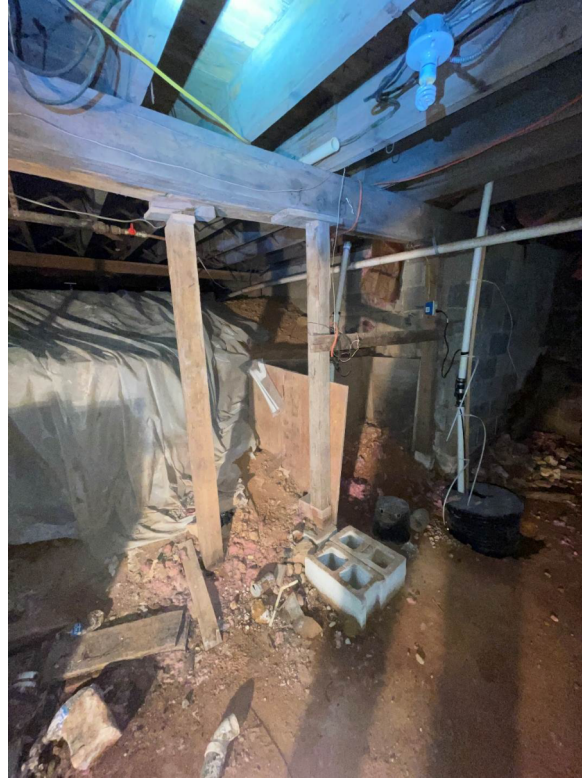


Basement Observation #7



Basement Observation #8





Basement Observation #9 (Photo 1 of 3)



Basement Observation #9 (Photo 2 of 3)





Basement Observation #9 (Photo 3 of 3)



SAMPLE RESOLUTION

ADOPT THE UPDATED 2022 PRINCE WILLIAM COUNTY SOLID WASTE MANAGEMENT PLAN

WHEREAS, the Solid Waste Planning and Recycling Regulations in Virginia Administrative Code Section 9VAC20-130 require that local jurisdictions, including Prince William County, develop and maintain comprehensive and integrated Solid Waste Management Plans that describe the current solid waste system and how solid waste will be managed over the next 20 years; and

WHEREAS, on June 22, 2004, by Resolution No. 04-705, the Prince William Board of County Supervisors (Board) adopted a County-wide Solid Waste Management Plan to meet Virginia regulations; and

WHEREAS, the 2004 Prince William County Solid Waste Management Plan included the Towns of Dumfries, Haymarket, Occoquan, and Quantico; and

WHEREAS, the adopted 2004 Prince William County Solid Waste Management Plan was submitted to the Virginia Department of Environmental Quality (VADEQ), and the agency approved the plan on April 22, 2005; and

WHEREAS, the County's 2004 Solid Waste Management Plan is nearing the end of the 20-year planning period; and

WHEREAS, the Board authorized funding in the fiscal year 2020 budget to revise and update the 2004 Solid Waste Management Plan to reflect changes in the County's solid waste management programs; and

WHEREAS, an updated draft Solid Waste Management Plan has been developed by a consultant, SCS Engineers, with input from professional staff and the Solid Waste Advisory Group, which is a standing committee of citizen members appointed by the Board; and

WHEREAS, the Solid Waste Advisory Group approved the updated draft Solid Waste Management Plan at its February 10, 2022 meeting, and the plan was subsequently submitted to the participating Towns of Dumfries, Haymarket, Occoquan, and Quantico for review; and

WHEREAS, a public outreach program was implemented to obtain public input on the updated Solid Waste Management Plan from homeowners' associations, private refuse collection companies, the Chamber of Commerce, and the general public; and

WHEREAS, pursuant to Virginia Administrative Code Section 9VAC20-130-120.F, the Solid Waste Management Plan must include a copy of the local governing body's resolution adopting the plan; and

WHEREAS, Virginia Administrative Code Section 9VAC20-130-130.B requires the Board to publish a notice and hold a public hearing on the Solid Waste Management Plan or a major amendment to the plan prior to adoption by the Board; and

WHEREAS, by Resolution No. 22-415 on September 6, 2022, the Board authorized the Clerk to the Board to advertise notice of a public hearing for the adoption of the updated 2022 Prince William County Solid Waste Management Plan; and

WHEREAS, a public hearing was advertised and conducted in the Prince William County Board chambers on October 11, 2022, and the Board subsequently adopted the updated 2022 Prince William County Solid Waste Management Plan by Resolution No. 22-477; and

WHEREAS, Virginia Administrative Code Section 9VAC20-130-120.G requires the adopted Solid Waste Management Plan be approved by members of the solid waste planning unit, which includes the Towns of Dumfries, Haymarket, Occoquan, and Quantico;

NOW, THEREFORE, BE IT RESOLVED that the [Name of Town Governing Body] hereby approves the adopted 2022 Prince William County Solid Waste Management Plan.

[Signature Lines]

ATTEST: _____

Attachment: Sample Resolution_Adopt PWC SWMP (5946 : Prince William County Septic Program)



Town of Haymarket
 15000 Washington Street, #100
 Haymarket, VA 20169
 703-753-2600

MEMORANDUM

TO: Honorable Mayor and Town Council
 FROM: Kim Henry, Town Clerk
 DATE: January 30, 2023
 SUBJECT: BZA Re-appointment

BACKGROUND:

Mr. John King has served on the Board of Zoning Appeals since April 1, 2019. His term will expire on January 31, 2023. I have spoken with Mr. King and he is happy to serve on the BZA for another 5 year term. His term would be February 1, 2023 – January 31, 2028. I have asked Mr. King to submit an application showing his interest in serving on the BZA. I have yet to receive that application. I will reach to him again prior to February 6th regular monthly meeting for the application. Below is the recommended motion once I receive Mr. King's application.

Suggested Motion:

The Haymarket Town Council recommends to the Circuit Court of Prince William County the re-appointment of John King to the Haymarket Board of Zoning Appeals with a term ending January 31, 2028.

Or Alternate Motion