



TOWN OF HAYMARKET TOWN COUNCIL
REGULAR MEETING
~ MINUTES ~

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

15000 Washington St
Haymarket, VA 20169

Monday, February 3, 2020

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

Councilman Chris Morris: Present, Vice Mayor Susan Edwards: Absent, Councilman Robert Day: Present, Councilman Connor Leake: Present, Councilman Madhusudan Panthi: Present, Councilman Steve Shannon: Present, Mayor David Leake: Present.

II. Pledge of Allegiance - ADAMS BSA Troop 2019

Mayor Leake introduced Boy Scout Troop 2019 and invited everyone to stand for the Pledge of Allegiance. The Boy Scout Troop lead in the Pledge of Allegiance and also recited the Boy Scout Motto and Boy Scout Law. The assistant Boy Scout Leader gave the Council tokens from last year's Boy Scout Jamboree.

III. Invocation - Rizwan Jaka (ADAMS) All Dulles Area Muslim Society

Mayor Leake invited Rizwan Jaka to the podium for the evening's invocation.

IV. Public Hearing - Van Metre Amended SUP

Town Planner Emily Lockhart shared that at the last Town Council Meeting, there was a continuation of the public hearing from the original plans that Van Metre submitted. She stated that at the last meeting, Van Metre came with an updated version of the plan. Ms. Lockhart continued by stating that the public hearing was closed and the updated version was sent back to the Planning Commission. Ms. Lockhart stated that at the Planning Commission held a public hearing at their last meeting on the revised plans. Ms. Lockhart invited the representatives of Van Metre to the podium for their presentation.

At this time, the representatives from Van Metre gave their presentation showing the changes to the plan.

1. Citizen's Comments

Patty Kuntz, 5327 Bowers Hill Drive, addressed the Town Council with her concerns of the already existing of over crowding at the area schools and the additional vehicular traffic in the already congested area. She stated that this would just add to the problem and asked that the Town Council consider not approving the Special Use Permit.

Bob Weir, 6853 St. Paul Drive, agreed with the comments from the prior citizen. Mr. Weir stated that the Town Council should consider the traffic issues and asked that a little more thought be put into it before approving the permit as presented.

Dottie Leonard, 14801 Washington Street, was in favor of the permit application and the updated design by the applicant.

2. Close Public Hearing

With no further comment from the citizens, Mayor Leake closed the public hearing.

V. Citizens Time

Mayor Leake opened up citizens time for those wishing to address the Town Council on anything other item other than the public hearing item.

Dottie Leonard, 14801 Washington Street, addressed the Town Council that she still had an issue with something that happened in the past concerning her property. Ms. Leonard expressed her concerns of a portion of her property was taken for what she feels was an unfair amount.

Bob Weir, 6853 St. Paul Drive, addressed the Council from Ms. Leonard's comments. He stated that he originally was going to come to the Town Council on State legislation that could effect the Town but felt the need to address the comments previously made. Mr. Weir responded to the comments made by Ms. Leonard.

With no further comments, Mayor Leake closed Citizens Time.

VI. Minutes Approval

1. Mayor and Council - Work Session - Jan 6, 2020 6:00 PM

Councilman Leake moved to approve the January 6, 2020 Work Session minutes. Councilman Shannon seconded the motion.

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

2. Mayor and Council - Regular Meeting - Jan 6, 2020 7:00 PM

Councilman Leake moved to approve the January 6, 2020 Regular Meeting minutes. The motion was seconded by Councilman Shannon.

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

VII. Agenda Items

1. Consideration of Amended SUP- Van Metre

Mayor Leake asked if the Town Council had any questions for the staff prior to making a decision on the Special Use Permit application before them. Mayor Leake asked for a consensus from the Town Council on whether they are wanting to act on the application at this evening's meeting. The majority of the Town Council was ready to act on the application. Mayor Leake shared his concerns with the absence of the Vice Mayor not being able to weigh in and the lack of citizens present at the evening's meeting about acting on the application.

Councilman Morris moved to approve the Van Metre Special Use Permit request as presented in the amended application with the proposed Conditions of Approval as presented. Councilman Panthi seconded the motion. Councilman Leake asked for the Town Council to have an opportunity for a question and answer period with the applicant prior to a roll call vote. Mr. Leake stated he held off his questions from the public hearing because he thought he would have an opportunity to ask questions after the applicant addressed the citizens comments from the public hearing. A short discussion followed.

Mayor Leake asked Town Attorney Crim to address the policy and procedures on public hearings. Mr. Crim recited the procedures after a public hearing on a land use case. In short, Mr. Crim stated that the applicant would have a 5 minute rebuttal response to the comments made during a public hearing and that the Town Council would be allowed to ask questions to the applicant and then give comment to those questions.

With that, Councilman Morris moved to temporarily withdraw the motion with a second by Councilman Panthi.

At this time, the representative from Van Metre responded to the citizens comments made during the public hearing.

Councilman Leake touched base on the history of an application, dating back to June 2019 where a joint public hearing was held and that the SUP at the time was denied. Mr. Leake pointed out several items which brought the Town Council and Planning Commission to that decision. He stated points of concern that were brought up at the previous public hearings, both through the Planning Commission and Town Council. Mr. Leake also pointed out the items that the Planning Commission have been working on to fit in to the Comprehensive Plan. Mr. Leake listed each one of his concerns: traffic impacts, zoning SUP and comprehensive plan for B1 conflicts and lack of walkability and tourism by not having more commercial uses along the front of the property. Mr. Leake suggested to push the school back on the property to allow more commercial uses along the front of the property and look further into the traffic pattern into the property. He asked that the Town Council send this application back to the Planning Commission to have the developer re-design the plan with more commercial along the entire portion of Washington Street, pushing the school back and decreasing the town home units. There were questions about the school building itself. Councilman Day suggested that the lower level of the school building be occupied by retail and use the second for classrooms. The representative from Van Metre stated that it would not be feasible because of security concerns. There was a discussion on Mr. Leake's comments. Councilman Shannon shared that he liked the changes made by the applicant and would support the plan as presented. Councilman Day shared that he likes the idea of the school and how it is situated on the property. Mr. Day stated that he would prefer to see fewer town homes. Councilman Morris stated that there have been several public hearings since the application originally came before the Town Council. He stated that at each meeting the applicant took notes and made the changes on recommendations of the Town Council and Planning Commission. He also stated that he did not feel it was fair to the applicant to bring up or suggest more changes to the property at this time especially after having previous public hearings and other meetings. Mr. Morris stated that he felt that the developer went beyond the previous requests and expectations of the Town Council and that it was time to act. Councilman Panthi also stated that he was ready to act. Mayor Leake gave final comments on the project with stating that the decisions the Town Council makes this evening will affect the Town going forward and that if fine tuning the plans is what needs to be done then the Town Council should use due diligence.

With no further discussion, Councilman Morris moved to approve the Van Metre Special Use Permit request as presented in the amended application with the proposed Conditions of Approval as presented. Councilman Panthi seconded the motion. The motion carried with a roll call vote.

At this time, the Town Council took a 5 minute recess.

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

2. Appointment of Chris Morris - Finance Committee

Mayor Leake stated that on the advice from legal counsel that Mr. Morris be appointed for the meetings he has already attended. Councilman Shannon moved to appoint Councilman Morris to the Finance Committee with an effective date of December 19, 2019 and ratify any actions he has taken. Councilman Leake seconded the motion.

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

3. Resolution 2020-003 - Town Consortium

The Town Council discussed the subject. Councilman Morris raised his concerns about getting into a contract with the other towns that the quality of service to the citizens would drop and that the Town Council would not be able to negotiate the terms and what the percentage increase would be over the next few years once the Town is tied into the contract. Mayor Leake gave the floor to Business Manager Chris Coon to answer the various questions and concerns from the Town Council. Mr. Coon shared that he attended a meeting with other municipalities that were involved. He stated at the first meeting that the Town of Haymarket would not be involved if they had to pay more for the service or if it negatively impacts the citizens. Mr. Coon stated that the resolution is just the beginning process to move forward to be part of the proposals.

Councilman Shannon moved that the Haymarket Town Council approve Resolution 2020-003 authorizing the Town participate in a Town Consortium for the purpose of the development and issuance of a regional request for proposals for refuse and recycling services contracts in each town. The motion was seconded by Councilman Morris. The motion carried with a roll call vote.

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

VIII. Department Reports

1. Town Administration Staff Reports

Councilman Morris stated that he feels that the Town Council should know about events like soft openings of businesses so that they are aware of businesses coming into the Town.

2. Chief of Police Staff Reports

Chief Lands gave the Town Council information about a video that the department help make. He shared that the video was up over 1 million views and that the department was happy that they could be involved in the video that gives awareness to mental health support for law enforcement when they face traumatic experiences while in the line of duty.

Chief Lands also shared that he met with the new Commonwealth Attorney about cases she will enforce.

Chief Lands gave the 2020 projects and events for the department.

3. Town Treasurer Report

Town Treasurer Roberto Gonzalez shared that the final draft of the proposed budget will be presented to the Finance Committee at their next meeting and will be before the Town Council at the March meeting.

4. Town Planner Report

Town Planner Emily Lockhart shared with the Town Council information from her report about the interest of installing sidewalks on Fayette Street. Ms. Lockhart shared what would be needed in order to get the project started. There was a short discussion on the subject. Councilman Shannon asked if the staff heard back from Board of Supervisor Canland's office regarding the sidewalk project on the county side of Jefferson Street. Business Manager Chris Coon shared someone from his office came to Town Hall and met with the staff. Mr. Coon stated that the funds were not available at this time. However, the County was looking for other resources to get the project done. A discussion followed.

IX. Updates

1. Architectural Review Board Update

Town Planner Emily Lockhart gave the Architectural Review Board updates since Vice Mayor Edwards was absent.

2. Planning Commission Update

Councilman Shannon gave the Planning Commission updates.

X. Councilmember Time

1. Steve Shannon

Councilman Shannon shared that he was impressed by the new 2020 calendar that was recently distributed and thanked the staff for their hard work. Mr. Shannon also stated that he appreciated the professionalism on the dais at the evening's meeting.

2. Connor Leake

Councilman Leake agreed with Mr. Shannon's previous statement. He stated that he respects the diversity of the Council that they don't always agree on everything yet each member comes with the heart of serving the Town that they represent. Mr. Leake shared that the Finance Committee is working hard on the proposed budget and will have the draft budget ready for the Town Council to review as soon as possible. Mr. Leake asked that the Planning Commission review the CIP that was passed last year to then come in front of the Town Council for consideration.

3. Madhu Panthi

Councilman Panthi did not have any comments.

4. Susan Edwards

Vice Mayor Edwards did not submit any report to the Town Council in her absence.

5. Chris Morris

Councilman Morris thanked the Council for the privilege to serve on the Finance Committee. Mr. Morris stated that he would like to encourage those to not only vote at the upcoming election but also to consider running for office.

6. Robert Day

Councilman Day did not have any comments.

7. David Leake

Mayor Leake stated that even though it was his vision to put the calendar in play, it was the teamwork of the staff that the calendar came to completion. Mr. Leake thanked the staff for their hard work.

XI. Closed Session

1. Motion

Councilman Leake moved that the Town Council go into closed session to discuss the following; As permitted to Virginia Code § 2.2-3711 (A)(8) a matter requiring advice of Counsel specifically dealing with the Second Amendment resolution that was discussed at the Work Session early this evening and as permitted to Virginia Code § 2.2-3711 (A)(29) concerning a contract for tourism advertising. Councilman Shannon seconded the motion.

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

2. Certification

Councilman Leake moved to certify that, to each members knowledge, only those matter lawfully exempted from open meeting requirements by the Virginia Freedom of Information Act and only those items that were identified in the motion leading to the closed session was heard, considered or discussed by the Town Council. Councilman Shannon seconded the motion. The motion carried by a roll call vote.

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

XII. Adjournment

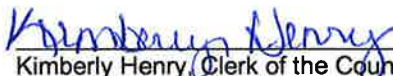
With no further business before the Town Council, Councilman Shannon motioned to adjourn with a second by Councilman Morris.

1. Motion to Adjourn

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

Submitted:

Approved:



Kimberly Henry, Clerk of the Council



David Leake, Mayor