



# TOWN OF HAYMARKET TOWN COUNCIL

## REGULAR MEETING

### ~ MINUTES ~

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

15000 Washington St  
Haymarket, VA 20169

Monday, December 2, 2019

7:00 PM

Council Chambers

A Regular Meeting of the Mayor and Council of the Town of Haymarket, VA, was held this evening in the Council Chambers, commencing at 7:00 PM.

Mayor David Leake called the meeting to order.

## I. Call to Order

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

## II. Pledge of Allegiance by Cub Scout Pack #1833

Mayor Leake invited Scout Troop #1833 to lead in the Pledge of Allegiance.

## III. Invocation- Rev Ruth Anne Sawyer

Reverend Sawyer shared that she is currently the chaplain for Prince William County Police and Prince William County Fire and Rescue, which includes the Haymarket Police Department. Before the invocation, Reverend Sawyer asked for a moment of silence for the passing of Chief Shelby Jacobs. Mr. Jacobs was the first Fire Marshall for Prince William County in 1966. He became the first Fire Chief in 1971 and served the County until his retirement in 1994. He was a resident of the Town of Haymarket until he moved to Williamsburg. After a moment of silence, Reverend Sawyer read Proverbs 16 and gave the invocation.

## IV. Public Hearing - Van Metre Special Use Permit Request

Town Planner Emily Lockhart informed the Town Council that one of the documents was mistakenly left off. She stated that the document was before them and also available to the public. Ms. Lockhart stated that the applicant, Van Metre, was in attendance for a presentation of their Special Use Permit request for 38 town homes at 14850, 14860 Washington Street and 6701 Hunting Path Road. Ms. Lockhart shared that 2 public hearings were held with the Planning Commission. At their October meeting, the Planning Commission forwarded the application to the Town Council with recommendation of approval based on the recent submission after the requested changes were made. After the presentation from Van Metre, Mayor Leake opened the Public Hearing for comment followed by comments from the applicant.

Chuck Carnahan, 6654 Hunting Path Road, stated that he was speaking for himself not as the HOA President for Longstreet Commons. Mr. Carnahan stated that he is in favor of the request. He shared that the representatives from Van Metre came to previous HOA board meetings and listened to the communities concerns and made the appropriate changes to the concerns brought forth.

Dottie Leonard, 14801 Washington Street, stated that she was in favor of the request.

Mayor Leake stated since the Town Council was still receiving comments on the request, the public hearing would remain open until the next meeting in January 2020. Councilman Morris asked if the Town Council could ask the applicant questions at this point, since the public hearing was not closed. Mayor Leake stated that he didn't want an opinion to be formed until the public hearing was closed and as long as the questions were one of clarification. Mr. Morris asked the Town Planner if the commercial aspect in the front of property affects the application. Ms. Lockhart stated that the commercial portion in the front does not affect the Special Use application. The representative from Van Metre disclosed that a center for higher learning of young children has interest in obtaining the commercial portion of the property. There were several other questions from the Town Council to the applicant. The Town Council asked for a rendering on the commercial property and how it would look with the commercial building, parking and sidewalks to the residential portion of the property. The applicant stated that he would have the rendering available for the next meeting.

1. Van Metre Special Use Permit 38 Townhomes

V. Citizens Time

Marie Turner, Fayette Street, requested that Chief Lands remind the officers that Fayette Street is no thru for trucks. She stated that recently dump trucks have been using the street. Ms. Turner also brought up the subject of the hotel and vehicle stacking on Route 55. Ms. Turner stated that at both the Architectural Review Board and Planning Commission meetings that the entrance to the hotel be on Payne Lane as opposed to Fayette Street because of possible traffic back ups. Ms. Turner also stated that if the project from the public hearing comes to fruition, the same would apply to having a designated drop off and pick up location so that Washington Street does not get back up in both directions.

Dottie Leonard, 14801 Washington Street, stated that she feels there are many ways to get in and out of the Town of Haymarket.

Chuck Carnahan, 6654 Hunting Path, stated that he would be sending a letter on behalf of the HOA. He stated that about 6-8 years ago no parking signs were installed on the east side of Hunting Path. He stated that at the time that was part of a fire code requirement. He is requesting that the curb be painted yellow so that there could be further enforcement. He also asked that the staff have the property owner on the west side of Hunting Path do something with the trees so that it is easier to walk, particularly between Longstreet Commons and El Vaquero. He stated that he would love to see street lights on Hunting Path Road and that Long Street Commons HOA may be able to help with that project.

VI. Minutes Approval

Councilman Shannon moved to approve the following minutes: Special Meeting on August 23, 2019, the Regular Meeting on September 9, 2019, the Regular Meeting on October 2, 2019, the Work Session dated on November 4, 2019, and the Regular Meeting that also took place on November 4, 2019. Councilman Edwards seconded the motion.

1. Mayor and Council - Special Meeting - Aug 23, 2019 6:00 PM

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Steve Shannon, Councilman
<b>SECONDER:</b>	Susan Edwards, Vice Mayor
<b>AYES:</b>	Edwards, Day, Panthi, Shannon, Morris
<b>ABSENT:</b>	Connor Leake

2. Mayor and Council - Regular Meeting - Sep 9, 2019 7:00 PM

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Steve Shannon, Councilman
<b>SECONDER:</b>	Susan Edwards, Vice Mayor
<b>AYES:</b>	Edwards, Day, Panthi, Shannon, Morris
<b>ABSENT:</b>	Connor Leake

3. Mayor and Council - Work Session - Nov 4, 2019 6:00 PM

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Steve Shannon, Councilman
<b>SECONDER:</b>	Susan Edwards, Vice Mayor
<b>AYES:</b>	Edwards, Day, Panthi, Shannon, Morris
<b>ABSENT:</b>	Connor Leake

4. Mayor and Council - Regular Meeting - Oct 2, 2019 7:00 PM

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Steve Shannon, Councilman
<b>SECONDER:</b>	Susan Edwards, Vice Mayor
<b>AYES:</b>	Edwards, Day, Panthi, Shannon, Morris
<b>ABSENT:</b>	Connor Leake

5. Mayor and Council - Regular Meeting - Nov 4, 2019 7:00 PM

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Steve Shannon, Councilman
<b>SECONDER:</b>	Susan Edwards, Vice Mayor
<b>AYES:</b>	Edwards, Day, Panthi, Shannon, Morris
<b>ABSENT:</b>	Connor Leake

## VII. Agenda Items

### 1. Town Administration Staff Reports

Business Manager Chris Coon asked for any questions from his weekly reports. With no questions, Mr. Coon shared that he would be bringing the Jefferson Street pedestrian project bids to the Finance Committee for approval prior to bringing it to the Town Council to award the contract. He also shared that he reached out to a local architect to possibly serve as a consultant for the Architectural Review Board. Mr. Coon stated that the architect would only come to meetings when needed and would not have any voting rights.

Mayor Leake asked Ms. Lockhart to update the Council on the Christmas and Holiday Celebration event planned for Saturday, December 7th. Ms. Lockhart gave a brief report of all the things planned for the day. Ms. Lockhart also shared that Premier Landscaping would be putting up the wreaths and banners before the event. There was a short discussion on American flags that need to be secured on Washington Street. The staff stated that they would have that addressed.

Councilman Morris asked Mr. Coon if Dominion ever removed the old poles once the new lines were installed a few years back. Mayor Leake answered Mr. Morris' question since Mr. Coon was not on staff at that time. Mr. Coon stated he would follow up with Dominion.

### 2. Chief of Police Staff Report

Chief Lands asked for any questions on the statistics for the month of November. With no questions, Chief Lands shared that the officers completed some required training for re-certifications. He shared that the department is in the applicant process for the vacant officer position. He stated that he anticipates having a new officer on the force and working by the end of December.

Chief Lands also shared that 2 new businesses are coming into the Town of Haymarket.

### 3. McDonald's/Leaberry Way Closure

Town Planner Emily Lockhart gave the Town Council some background on the subject. She stated that staff has been working with McDonald's to come up with a solution to the problem of having too many vehicles going to the drive thru which causes a back up onto Route 55. She continued to state that they applied for permits to have a second drive thru installed with leaving both entrances open even after the Town Council asked them to close the first entrance closer to Route 55. Ms. Lockhart stated that Mr. Leaberry, owner of the property, has submitted a letter requesting that the Town Council move forward in requiring McDonald's to close the first entrance. Ms. Lockhart also shared information on the easement document stating that anyone partied to the agreement can have, at any time, the first entrance closed. She stated that the Town is partied to that easement. The Town Council asked the Town Attorney for directive. A discussion followed.

Vice Mayor Edwards moved that the Town of Haymarket request that the entrance #1 upon the approval of Food Lion, LLC., its successor or assigns, be closed not later than June 30, 2020. The motion was seconded by Councilman Norris.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Susan Edwards, Vice Mayor
<b>SECONDER:</b>	Chris Morris, Councilman
<b>AYES:</b>	Edwards, Day, Panthi, Shannon, Morris
<b>ABSENT:</b>	Connor Leake

#### 4. ARB - 14881 Washington Street (Pardo House)

Mayor Leake stated that this is a directive request from the Architectural Review Board. Councilman Shannon re-iterated what was discussed in the Work Session by issuing the owner a letter giving her one week to reply with a plan and timeline to correct the issue or to contact the staff to fill out the proper permit applications. A short discussion followed if it would follow on a violation of the Blight Ordinance. Town Attorney Crim stated that it would be a zoning violation not the Blight Ordinance violation. There was a consensus from the Town Council to proceed with a letter of zoning violation.

#### 5. Meals and Transient Occupancy Tax Penalty & Interest

Town Attorney Crim answered the questions about the penalty and interest on the meals tax that was raised at the Work Session. Mr. Crim stated that there 2 kinds of penalties. He stated that there is a non filing penalty that can be imposed in addition to the non payment penalty. He stated that in general, 10% for non filing and 10% non payment penalty is the most that can be imposed.

Councilman Shannon moved to Ordinance 2019-004 as presented. The motion was seconded by Councilman Morris.

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

## VIII. Closed Session

## IX. Updates

### 1. Architectural Review Board Update

Vice Mayor Edwards shared that the ARB has approved several solar panel applications. She also shared that the ARB has approved all elevations for the hotel except for the landscape materials. Town Planner Lockhart shared that all the landscaping materials presented in the plans have met the requirements so that would not need to go before the Board. Ms. Edwards also shared that the owner of the Old Bank Building submit application for new signs and was approved. Ms. Edwards stated that the signs that was recently installed by the tenant will be replaced with the approved signs.

Town Attorney Crim addressed the Town Council on the subject of solar panels. He stated that an ordinance could be adopted with a criteria with administrative approval so that homeowners would not have to come before the ARB for approval. A short discussion followed on the subject. Town Planner Lockhart stated that the ARB is working on the by-laws and guidelines with which this could be added.

### 2. Planning Commission Update

Councilman Shannon stated that they approved the 2020 meeting calendar. Mr. Shannon also shared that the Commission will start working on the Comprehensive Plan. He also shared that the Planning Commission has a new member, Pearl Carter-Bush.

## X. Councilmember Time

### 1. Steve Shannon

Councilman Shannon shared his thoughts with the rest of the Town Council on how important their jobs are not only now but in the future. He thanked each Council Member and staff member for their dedication and hard work. He also thanked the citizens for taking the time come to the meetings and speaking.

**2. Connor Leake**

**3. Madhu Panthi**

Councilman Panthi did not have any comments.

**4. Susan Edwards**

Vice Mayor Edwards asked that there be a little more social media postings in the future so that the citizens are more aware of the meetings, events and pertinent information that could affect the citizens like road closings and trash re-scheduling. Ms. Edwards asked also that the trash cans at the playground be emptied more frequently. Ms. Edwards stated that she would like to receive more information when a new business comes to the Town.

**5. Chris Morris**

Councilman Morris stated that he, too, would like to see more social media postings. He stated he would like to see more postings about meetings and events. He stated also that he would like to see businesses, either new businesses that just opened or an existing business, highlighted on the Town's Facebook page.

**6. Robert Day**

Councilman Day complimented the staff for doing a great job.

**7. David Leake**

Mayor Leake reflected on how many things were accomplished this past year from Fox 5's Zip Trip and various events through out the year to having the Town property buildings painted and the sidewalks repaired from Greenhill Crossing to Sheetz. He also reflected on the Town Center property with the Town Hall building re-organization. Mayor Leake also stated that the coming year shows good things to come to the Town with new businesses, the park and the new developments starting to come to fruition.

**XI. Adjournment**

**1. Motion to Adjourn**

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

Submitted:

Approved:

  
Kimberly Henry, Clerk of the Council

  
David Leake, Mayor

