



# TOWN OF HAYMARKET TOWN COUNCIL

## SPECIAL MEETING ~ MINUTES ~

David Leake, Mayor  
<http://www.townofhaymarket.org/>

15000 Washington St  
Haymarket, VA 20169

Monday, September 16, 2013

7:00 PM

Council Chambers

A Special Meeting of the Mayor & Council of the Town of Haymarket, VA, was held this evening in the Board Room, Commencing at 7:00 PM

Mayor David Leake called the meeting to order.

### 1. Call to Order

### 2. Roll Call

Councilman Steve Aitken: Present, Councilwoman Rebecca Bare: Present, Councilwoman Katherine Harnest: Present, Councilwoman Mary-Lou Scarbrough: Present, Councilman Milt Kenworthy: Present, Vice Mayor Jay Tobias: Present, Mayor David Leake: Present.

### 3. Legal Opinion

The Town's legal counsel, Martin Crim, was presented with a question prior to the meeting of adding an agenda item this evening. The Town's adopted "Rules of Procedure" require two things: 1) All Council must be present; we do have that this evening; and 2) If the Council determines in good faith that it is essential to discuss or act on such additional item immediately. Should these two criteria be met, a majority vote of Council is needed to add the item.

Tonight's request was to add the ATTIVA event's contract addendum. The addendum proposes to extend their contract for one additional year. It is Mr. Crim's understanding that the reason for adding the ATTIVA events contract extension this evening is so that ATTIVA can approach potential sponsorship for 2014 on Haymarket Day this coming Saturday. The contract ends December 31, 2013. The idea behind this provision of the Rules of Procedure is so that the public has sufficient notice when possible. Its a balance the public's right to know vs. The need for the action.

The Mayor recommends that this item be added to the next Council agenda so that the public is properly notified in advance of the potential action.

### 4. Closed Session

#### A. Closed Session

Motion to enter into closed session pursuant to VA § 2.2-3711 A(1) this evening for the following purpose:

Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; specifically the **Treasurer position**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jay Tobias, Vice Mayor
<b>SECONDER:</b>	Katherine Harnest, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias, Leake

#### B. Certification of the Closed Session

Motion that pursuant to § 2.2-3712. Closed meetings procedures; certification of proceedings, to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jay Tobias, Vice Mayor
<b>SECONDER:</b>	Katherine Harnest, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias, Leake

## 5. Agenda Items

### A. Town Treasurer Position

Council directs the Town Manager to act as discussed in closed session

### B. Award of Bid - Genesis Contracting

Motion that the Town Council authorize the Mayor and Town Attorney to enter into contract with Genesis Contracting & Consulting, LLC on behalf of the Town, based on their total bid of \$19,532 for repairs to 15025 Washington Street, the Haymarket Museum.

It is further moved that the FY-2014 budget be amended by reducing the 94100 - Washington Street-Street Scape Construction expenditure line item by \$20,000 from \$2,339,623 to \$2,319,623 and increase funding to line item 43100 - Maintenance of General Buildings & Grounds - Capital Outlay Major Building Repairs line item by \$20,000.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Katherine Harnest, Councilwoman
<b>SECONDER:</b>	Mary-Lou Scarbrough, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

## 6. Motion to Adjourn

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jay Tobias, Vice Mayor
<b>SECONDER:</b>	Katherine Harnest, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

Submitted:

Approved:

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Jennifer Preli, Town Clerk

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David Leake, Mayor