



# TOWN OF HAYMARKET TOWN COUNCIL

## WORK SESSION ~ AGENDA ~

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

15000 Washington St  
Haymarket, VA 20169

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Tuesday, April 30, 2013

3:00 PM

Council Chambers

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### 1. Call to Order

### 2. Agenda Items

A. May 6, 2013 Draft Town Council Agenda

### 3. Councilmember Time

- A. Steve Aitken
- B. Rebecca Bare
- C. Katherine Harnest
- D. Milt Kenworthy
- E. Mary Lou Scarbrough
- F. James Tobias
- G. David Leake

### 4. Adjournment



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TO: Town of Haymarket Town Council  
SUBJECT: May 6, 2013 Draft Town Council Agenda  
DATE: 04/30/13

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**ATTACHMENTS:**

- 05-06-2013 TC Packet for Work Session (PDF)



# TOWN OF HAYMARKET TOWN COUNCIL

## REGULAR MEETING ~ AGENDA ~

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

15000 Washington St  
Haymarket, VA 20169

Monday, May 6, 2013

7:00 PM

Council Chambers

### 1. Call to Order

### 2. Public Hearing

A. Zoning Text Amendment - B1 Zoning - Funeral Home

### 3. Citizen's Time

### 4. Minutes Acceptance

- A. Mayor & Council - Regular Meeting - Mar 4, 2013 7:00 PM
- B. Mayor & Council - Continuation Meeting - Mar 21, 2013 7:00 PM
- C. Mayor & Council - Work Session - Apr 9, 2013 7:00 PM

### 5. Updates

### 6. Appropriations

A. 15026 Washington Street

### 7. Department Reports

- A. Building Department Report Soil Consultants, Inc., Interim Building Official
- B. Treasurer's Report - May 2013
- C. Police Report - May 2013 Chief James E. Roop
- D. Engineer's Report - Holly Montague
- E. Planner's Report - May 2013 Marchant Schneider

### 8. Agenda Items

- A. Mayoral Veto
- B. Town Hall Rental Policy Revision
- C. Zoning Permit Applications
- D. Haymarket Regional Food Pantry Request
- E. Zoning Text Amendment - Amend B1 Zoning Marchant Schneider, Town Planner
- F. Ordinance to Adopt a Transient Occupancy Tax
- G. Budget Revisions

### 9. Closed Session

- A. Closed Session
- B. Certification of the Closed Session

### 10. Councilmember Time

- A. Steve Aitken
- B. Rebecca Bare
- C. Katherine Harnest
- D. Mary Lou Scarbrough
- E. Milt Kenworthy
- F. James Tobias
- G. David Leake

### 11. Adjournment

Attachment: 05-06-2013 TC Packet for Work Session (1423 : May 6, 2013 Draft Town Council Agenda)



# TOWN OF HAYMARKET TOWN COUNCIL

## REGULAR MEETING ~ MINUTES ~

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

15000 Washington St  
Haymarket, VA 20169

Monday, March 4, 2013

7:00 PM

Council Chambers

A Regular 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

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.

### 2. Pledge of Allegiance

### 3. Public Hearings

Mayor Leake turns the meeting over to the Planning Commission for their public hearing

A. PC Public Hearing - Rezoning 14820 Washington Street, Trustees Haymarket Baptist Church

Weir calls the Planning Commission special meeting and public hearing to order. The public hearing and special meeting tonight is for an application received to amend the zoning map of the Town of Haymarket, Case #REZ20121106, by Trustees Haymarket Baptist Church for the rezoning of 14820 Washington Street, GPIN #7397-09-2472, from Business-1 to Residential 1 Zoning.

Commissioner Weir invites the public to address the Commission in favor or opposed to this application.  
*No public comment*

Johnson motions to adjourn the special meeting of the Haymarket Planning Commission, Ring seconds;

Ayes: Ring, Bare, Weir, Robinson, Johnson

Nays: 0

B. Trustees Haymarket Baptist Church application to rezone 14820 Washington Street, GPIN #7397-09-2472, containing approximately .6998 Acres

Mayor calls the Town Council public hearing to order and asks if anyone would like to speak for or against REZ20121106 for a rezoning as submitted by Trustees Haymarket Baptist Church

*No public comment*

### 4. Minutes Acceptance

A. Mayor & Council - Regular Meeting - Jan 7, 2013 7:00 PM

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

B. Mayor & Council - Regular Meeting - Feb 4, 2013 7:00 PM

Attachment: 05-06-2013 TC Packet for Work Session (1423 : May 6, 2013 Draft Town Council Agenda)

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

## 5. Citizens' Time

Joseph Mazzu is here tonight to speak about Verizon Fios. He would like to have Fios in his home and was hoping for an update from the Town Council. Clerk will send an email to Mr. Mazzu.

## 6. Appropriations

### A. Street Light Repairs/Maintenance Request for Appropriations Jennifer Preli, Town Clerk

Motion to authorize and appropriate an amount not to exceed \$6,000 to Dominion Electric Supply Company for street light maintenance; funds to come from the street scape expenditures line item

<b>RESULT:</b>	<b>ADOPTED [5 TO 0]</b>
<b>MOVER:</b>	Rebecca Bare, Councilwoman
<b>SECONDER:</b>	Mary-Lou Scarbrough, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy
<b>AWAY:</b>	Jay Tobias

### B. Vehicle Repairs/Maintenance Appropriation Request Chief James E. Roop

Motion to appropriate and authorize the remittance of \$2,596.24 To Piedmont Tire & Auto for invoice 14200, funds to come from the Public Safety vehicle maintenance line item

**Discussion:** *Aitken spoke with the Chief regarding this matter. He believes he has worked this out with the Chief so that this does not happen in the future*

<b>RESULT:</b>	<b>ADOPTED [5 TO 0]</b>
<b>MOVER:</b>	Rebecca Bare, Councilwoman
<b>SECONDER:</b>	Milt Kenworthy, Councilman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy
<b>AWAY:</b>	Jay Tobias

## 7. Department Reports

### A. Police Report - March 2013 - Chief James E. Roop

Harnest thanks Deputy Chief for the enhanced enforcement on cut through traffic for both the parking lot here at Town Hall and in Longstreet Commons.

Aitken notes that he has spoken with the Chief about his staff wages coming close to its budget limit. The Chief will cut back so that he can meet his budget, but he won't be able to provide 24/7 coverage. Aitken states he will be close to providing 24/7, but cannot all of the time with the cut back. Leake would like Council's input on this matter. Council would like the Chief to continue with the current schedule that does pay some overtime, as needed.

### 2002 Crown Victoria Police Cruiser

Motion to donate the 2002 Ford Crown Victoria to the Northern Virginia Cigarette Tax Board

**DISCUSSION:** *Aitken notes that this vehicle has been sitting around unused. It is not worth very much to sell and the Northern Virginia Cigarette Tax Board has helped us in many ways, most recently with the donation of 10 bullet proof vests. It is noted that the value of the vehicle is within the limits of the surplus policy.*

<b>RESULT:</b>	<b>ADOPTED [5 TO 0]</b>
<b>MOVER:</b>	Steve Aitken, Councilman
<b>SECONDER:</b>	Rebecca Bare, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy
<b>AWAY:</b>	Jay Tobias

**B. Treasurer's Report**

Council asks that the Clerk forward a budget vs. Actual report to council prior to the work session.

**C. Engineer's Report - Holly Montague****D. Town Planner's Report - Marchant Schneider****E. Building Department Report - Staff****F. Museum Report - Staff****8. Agenda Items****A. Haymarket Baptist Church - REZ20121106 Marchant Schneider, Town Planner**

Motion that the Town Council forward REZ20121106, Application to Amend the Zoning Map - Trustees of Haymarket Baptist Church, to a future meeting for further consideration and Council directs the Clerk to advertise a public hearing for the site plan waiver/exceptions for the Haymarket Baptist Church for April 1, 2013.

*8:20 PM Tobias returns to meeting*

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

**B. Bond Release - 15151 Washington Street Wood Village LLC, DbA Piedmont Tire & Auto**

Motion that the Town Council hereby release Letter of Credit #1945, in the amount of \$33,077.70, established by Union Bank of 37 Main Street, #102, Warrenton, VA 20186, held in the Town's favor for the performance of Site Plan #AFSP20110301, Wood Village, LLC for improvements to 15151 Washington Street, Piedmont Tire & Auto.

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

**C. Zoning Text Amendment - Amend B1 Zoning Marchant Schneider, Town Planner**

Motion to instruct the Town Clerk to advertise for a public hearing for April 1, 2013 for consideration of a zoning text amendment to allow, as a special use, a funeral home in the B-1 Zoning District

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

**D. Zoning Permit Applications**

Motion that the Town Council approve Zoning Permit #20130122 for Retail Sales Use to be located at 6590 Jefferson Street, in accordance with Section 58-177 (17) of the Town Code.

It is further moved that the Town Council approve Zoning Permit #20130130 for Retail Sales Use to be located at 6601 Jefferson Street, in accordance with Section 58-177(19) of the Town Code.

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

## 9. Citizens' Time II

*No public comment*

## 10. Closed Session

### A. Closed Session

Motions to enter into closed session pursuant to VA 2.2-3711 A(1) Town Manager position, potential candidates for consideration of the Town Manager position, and;

VA 2.2-3711 A(3) Real property lease negotiations with White Oak School, Xcellent Technology Solutions, Daytime Playtime, and Street Scape Property acquisitions

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

### B. Certification of the Closed Session

Motion certification that 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>	Rebecca Bare, Councilwoman
<b>SECONDER:</b>	Mary-Lou Scarbrough, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias, Leake

### C. Council Directives

Direct the Town Clerk to schedule interviews for the Town Manager position for March 21st 7pm-9pm. This will also be a continuation meeting.

Direct the Town Clerk to schedule a budget work session at 7:00 PM on March 19th.

## 11. Councilmember Time

A. Steve Aitken

B. Rebecca Bare

She notes that she almost has the CIP complete and will have it ready for the budget work session on the 19th.

C. Katherine Harnest

Harnest informs Council that the staff is struggling with the new accounting system. There has been some consideration of going back to the prior system. Tobias comments that the new Town Manager will re-evaluate the new software and report back to Council.

Harnest also announces there is a CPR class this weekend; contact her if anyone is interested.

D. Mary Lou Scarbrough

E. Milt Kenworthy

F. James Tobias

G. David Leake

Tenant improvements were completed on suite 280 and that tenant has moved into the space.

## 12. Motion to Adjourn

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jay Tobias, Vice Mayor
<b>SECONDER:</b>	Milt Kenworthy, Councilman
<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





# TOWN OF HAYMARKET TOWN COUNCIL

## CONTINUATION MEETING ~ MINUTES ~

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

15000 Washington St  
Haymarket, VA 20169

Thursday, March 21, 2013

7:00 PM

Council Chambers

A Continuation 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

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: Absent, Mayor David Leake: Present.

### 2. Duties and Responsibilities of the Town Manager

For the record: The Clerk reads aloud a message from Vice Mayor Tobias, he would prefer to have this matter tabled this evening and place it on the April 6, 2013 Town Council agenda for consideration. He has some concerns with the descriptions that have been presented.

Item C, working in conjunction with the clerk as opposed to responsible  
Item 8, serving as the FOIA officer, should be deleted all together  
Zoning administrator removed, will be assigned to another job description  
Aitken would like it clarified the relationship between the Town Manager and the Police Chief. The Town Manager has no supervision responsibility over the police department

Leake asks how other Towns work with regard to the relationship with the police department The Town Attorney responds that those roles are contained within the Charter.

Harnest motions to adopt the Haymarket Town Manager job description, Scarbrough

#### 1. Town Manager Job Description

Motion to adopt the Town Manager job description with the amendments as noted

<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
<b>ABSENT:</b>	Jay Tobias

### 3. Closed Session

#### A. Closed Session

Motions to enter into closed session pursuant to VA 2.2-3711 A(1) potential candidates for consideration of the Town Manager position

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rebecca Bare, Councilwoman
<b>SECONDER:</b>	Steve Aitken, Councilman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Leake
<b>ABSENT:</b>	Jay Tobias

#### B. Certification of the Closed Session

Bare motions to certify that 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

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Mary-Lou Scarbrough, Councilwoman  
**SECONDER:** Rebecca Bare, Councilwoman  
**AYES:** Aitken, Bare, Harnest, Scarbrough, Kenworthy, Leake  
**ABSENT:** Jay Tobias

#### 4. Council Member Time

#### 5. Motion to Adjourn

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Rebecca Bare, Councilwoman  
**SECONDER:** Katherine Harnest, Councilwoman  
**AYES:** Aitken, Bare, Harnest, Scarbrough, Kenworthy  
**ABSENT:** Jay Tobias

Submitted:

Approved:

\_\_\_\_\_  
 Jennifer Preli, Town Clerk

\_\_\_\_\_  
 David Leake, Mayor



# TOWN OF HAYMARKET TOWN COUNCIL

## WORK SESSION ~ MINUTES ~

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

15000 Washington St  
Haymarket, VA 20169

Tuesday, April 9, 2013

7:00 PM

Council Chambers

A Work Session 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

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.

### 2. Agenda Items

#### A. FY 2014 Draft Budget

Vice Mayor Tobias begins discussion of the budget. He worked with staff and Councilwoman Bare today and adjusted some numbers in revenue. The next budget work session will focus mainly on expenditures.

### 3. Closed Session

#### A. Enter into Closed Session

Motion to enter into closed session pursuant to VA §2.2-3711:

**A1.** 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; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter that involves the teacher and some student and the student involved in the matter is present, provided the teacher makes a written request to be present to the presiding officer of the appropriate board. **Town Manager Position & Town Attorney Position**

**A3.** Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. **Shed next to The Very Thing, Daytime Playtime lease/building, Old Post Office Renovation Contract**

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

#### B. Certification of the Closed Session

Motion pursuant to VA §2.2-3712. Certification, that 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.

Attachment: 05-06-2013 TC Packet for Work Session (1423 : May 6, 2013 Draft Town Council Agenda)

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Steve Aitken, Councilman
<b>SECONDER:</b>	Rebecca Bare, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias, Leake

Council Directives

Direct staff to work with Councilwoman Harnest in with regards to the Town Manager position

Staff to work with Councilwoman Bare regarding the Town Attorney position

Direct staff work with the Town Attorney on current lease negotiations

Direct staff to ask Thomas to please relocate the excess materials from the deconstruction of the Hulfish over to the Old Post Office for the possible re-use of those items

With no objections from Council, the Town Attorney excuses herself for the evening

#### 4. Councilmember Time

- A. James Tobias
- B. Milt Kenworthy
- C. David Leake
- D. Mary Lou Scarbrough
- E. Rebecca Bare
- F. Katherine Harnest
- G. Steve Aitken

#### 5. Motion to Adjourn

<b>RESULT:</b>	<b>WITHDRAWN [UNANIMOUS]</b>
<b>MOVER:</b>	Jay Tobias, Vice Mayor
<b>SECONDER:</b>	Milt Kenworthy, Councilman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

Submitted:

Approved:

\_\_\_\_\_  
Jennifer Preli, Town Clerk

\_\_\_\_\_  
David Leake, Mayor



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TO: Town of Haymarket Town Council

SUBJECT: 15026 Washington Street - Improvements

DATE: 05/06/13

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TO: Town of Haymarket Town Council  
SUBJECT: Building Department Report - March 2013  
DATE: 05/06/13

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Please see the Building Official's May 2013 Report attached.

**ATTACHMENTS:**

- Building Official's Report May 2013 (PDF)



April 17, 2013

The Honorable David Leake, Mayor & the Honorable Council Members of The Town of Haymarket,  
15000 Washington Street, Suite 100  
Haymarket, Virginia 20168

**Re: Monthly Building Code Compliance Inspection Report at  
The Town of Haymarket, Virginia**

Mr. Leake,

In accordance with your request, Soil Consultants Engineering Inc. (SCE) performed building code compliance inspections for the Town of Haymarket. The information contained in this report covers amounts and results of SCE's inspections from the period of March 1, 2013 thru April 15, 2013. A synopsis of the construction inspections is as follows:

**March**

Building	10
Electrical	6
Mechanical	19
Plumbing	10
Finals	10
Rejections	7

**April**

Building	15
Electrical	11
Mechanical	18
Plumbing	7
Finals	4
Rejections	15

The inspections above resulted with the issuance of five (5) Certificates of Occupancies. Three (3) property condition inspections were conducted during this same time period.

Discussions were conducted with the representatives from DR Horton, the developer of both Alexandra's Keep town homes and Sherwood Forrest sub-division. The discussions have resulted in a positive action to fix the occurring problems of the sediment erosion at Alexandria's Keep and the building code requirements at Sherwood Forrest.

C. Malcolm Payne, a construction superintendent with DR Horton, openly admitted to the drainage issues as a result of the improper final grading to the Alexandra's Keep Town Homes. Mr. Douglas Smith, Vice President of Soil Consultants Engineering, and myself, have documented the issues in an ongoing Property Maintenance investigation. These discussions are continuing to correct the situation.

Life Safety issues & violations of the International Residential Code (IRC) uncovered during several final inspections at Sherwood Forest sub-division resulted in the review of numerous residential sites for compliance to the code, and the past "self inspection" processes. These violations have been brought to the attention of

Town officials, along with supporting evidence. After discussions, DR Horton and their subcontractors, DR Horton has accepted responsibility and is currently in the process of correcting all the issues. A spreadsheet and file has been developed for every lot to facilitate tracking and the progress of the corrective measures. The correction of these issues will be closely monitored for compliance.

Nine (9) permit submittals were reviewed in March, and three (3) in April. The permits included:

Applications for Electric, Plumbing, and various Mechanical permits for the remaining lots in Sherwood Forrest; re-review for 09IRC Code review for the various home models being constructed by DR Horton; several decks through-out the Town.

Currently remaining under review are a cellular antenna site and related equipment hut, and a remodel of a structure to a sports-plex.

We thank you for the opportunity to be of service. If you should have any questions regarding this letter, please do not hesitate to contact us.

Respectfully Submitted,



Dan Lyons, Building Inspector

Cc: Scott Smith, President  
Soil Consultants Engineering, Inc

Doug Smith, Vice President  
Soil Consultants Engineering, Inc

file





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TO: Town of Haymarket Town Council  
SUBJECT: Treasurer's Report - May 2013  
DATE: 05/06/13

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**ATTACHMENTS:**

- P&L for May 2013 (PDF)

4:07 PM  
04/29/13  
Accrual Basis

# Town of Haymarket

## Profit & Loss Budget vs. Actual

### July 2012 through June 2013

	Jul '12 - Jun 13	Budget
Ordinary Income/Expense		
Income		
GENERAL PROPERTY TAXES		
Tax Income/Individuals		
Real Property Tax	290,509.94	300,000.00
Total Tax Income/Individuals	290,509.94	300,000.00
Public Service Corporation Tax		
Real Taxes	8,979.76	9,119.00
Total Public Service Corporation Tax	8,979.76	9,119.00
Business PP Tax	14,173.96	24,615.00
Penalty Income		
Leases	723.07	
Penalties & Interest	15,397.90	5,429.00
Total Penalty Income	16,120.97	5,429.00
Total GENERAL PROPERTY TAXES	329,784.63	339,163.00
REVENUE FROM LOCAL SOURCES		
Other Local Taxes		
Cigarette Tax	157,559.50	250,000.00
Gross Receipts Tax	131,998.87	146,970.00
Franchise Tax	7,156.00	17,652.00
Meals Tax Collected	399,746.05	442,736.00
Total Other Local Taxes	696,460.42	857,358.00
Total REVENUE FROM LOCAL SOURCES	696,460.42	857,358.00
PERMITS,FEES & REGULATORY LICEN		
Development Revenue		
Application Fees	14,975.00	
Inspections	48,826.50	19,800.00
Occupancy Permits	2,500.00	
Pass Through Fees		
Engineering/Planning Fees	0.00	10,000.00
Plan Review	200.00	
Reimbursements	155.00	
Total Pass Through Fees	355.00	10,000.00
Permits	3,100.00	
Proffers	150,084.27	200,112.00
VA Surcharge on Permits	950.70	762.00
Total Development Revenue	220,791.47	230,674.00
Town Decal Receipts	1,860.00	525.00
Total PERMITS,FEES & REGULATORY LICEN	222,651.47	231,199.00
REVENUE FROM THE USE OF MONEY		
7010 - Interest Income		
Gen Governm't	620.86	1,956.00
7010 - Interest Income - Other	1,143.93	
Total 7010 - Interest Income	1,764.79	1,956.00
Total REVENUE FROM THE USE OF MONEY	1,764.79	1,956.00
CHARGES FOR SERVICES		
Public Safety		
Accident Report	340.00	280.00
Donation/Grants	29,146.15	33,922.00
Parking Citations	455.00	560.00
Total Public Safety	29,941.15	34,762.00
Fines (PWC)	67,453.51	70,000.00

Attachment: 05-06-2013 TC Packet for Work Session (1423 : May 6, 2013 Draft Town Council Agenda)

4:07 PM  
04/29/13  
Accrual Basis

# Town of Haymarket

## Profit & Loss Budget vs. Actual

### July 2012 through June 2013

	Jul '12 - Jun 13	Budget
Events/Other Town activities		
Spend The Day in Haymarket	6,838.03	10,500.00
Miscellaneous Income	200.00	
<b>Total Events/Other Town activities</b>	<b>7,038.03</b>	<b>10,500.00</b>
<b>Total CHARGES FOR SERVICES</b>	<b>104,432.69</b>	<b>115,262.00</b>
<b>REVENUE FROM COMMONWEALTH</b>		
Non-Categorical Aid		
PP Tax Relief	18,626.97	18,627.00
Railroad Rolling Stock	1,466.19	1,438.00
Utility Usage Tax	182,735.39	213,454.00
<b>Total Non-Categorical Aid</b>	<b>202,828.55</b>	<b>233,519.00</b>
<b>Total REVENUE FROM COMMONWEALTH</b>	<b>202,828.55</b>	<b>233,519.00</b>
<b>REVENUE FROM LOCAL GOVERNMENT</b>		
Categoric Aid		
Sales Tax Receipts	55,377.08	79,500.00
Grants		
Other	704.00	33,600.00
Advertising	-350.00	
Department of Fire Programs	800.00	
<b>Total Grants</b>	<b>1,154.00</b>	<b>33,600.00</b>
<b>Total Categoric Aid</b>	<b>56,531.08</b>	<b>113,100.00</b>
<b>Total REVENUE FROM LOCAL GOVERNMENT</b>	<b>56,531.08</b>	<b>113,100.00</b>
<b>BUSINESS ACTIVITY</b>		
Rental/Lease Revenue	214,478.54	265,000.00
<b>Total BUSINESS ACTIVITY</b>	<b>214,478.54</b>	<b>265,000.00</b>
<b>ISTEA/Safety LU</b>	<b>143,033.01</b>	<b>780,000.00</b>
Operating Revenue		
Prior Year Surplus	0.00	197,808.00
<b>Total Operating Revenue</b>	<b>0.00</b>	<b>197,808.00</b>
<b>Total Income</b>	<b>1,971,965.18</b>	<b>3,134,365.00</b>
<b>Gross Profit</b>	<b>1,971,965.18</b>	<b>3,134,365.00</b>
<b>Expense</b>		
<b>COMMUNITY DEVELOPMENT-PROFFERS</b>		
Contributions to other entities	101,220.00	101,220.00
<b>Total COMMUNITY DEVELOPMENT-PROFFERS</b>	<b>101,220.00</b>	<b>101,220.00</b>
<b>ELECTED &amp; LEGISLATIVE</b>		
Council & Consultants (1099s)		
Mayor and Council	19,100.00	25,000.00
Architectural Review Board	1,635.00	4,000.00
Planning Commission	3,630.00	5,000.00
<b>Total Council &amp; Consultants (1099s)</b>	<b>24,365.00</b>	<b>34,000.00</b>
<b>Total ELECTED &amp; LEGISLATIVE</b>	<b>24,365.00</b>	<b>34,000.00</b>
<b>EVENTS</b>		
Spend the Day In Haymarket	2,785.56	7,500.00
<b>Total EVENTS</b>	<b>2,785.56</b>	<b>7,500.00</b>

Attachment: 05-06-2013 TC Packet for Work Session (1423 : May 6, 2013 Draft Town Council Agenda)

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04/29/13  
Accrual Basis

# Town of Haymarket

## Profit & Loss Budget vs. Actual

### July 2012 through June 2013

	Jul '12 - Jun 13	Budget
<b>MUSEUM</b>		
Museum Literature	0.00	500.00
Museum Programs	1,000.00	9,000.00
Advertising/Marketing	0.00	2,000.00
Dues & Subscriptions	0.00	45.00
Office Supplies	0.00	500.00
Security System	577.50	270.00
Website	0.00	450.00
<b>Total MUSEUM</b>	<b>1,577.50</b>	<b>12,765.00</b>
<b>OPERATING EXPENSES</b>		
(GG) Operating Expenses		
Advertising - Meals Tax	0.00	7,000.00
Audit	13,950.00	18,150.00
Advertising	6,190.98	6,000.00
6120 - Bank Service Charges	0.00	120.00
Bond Amortization Expense	854.60	1,038.00
Cigarette Tax Administration	4,934.22	7,500.00
Commissioner Admin Fee	270.42	3,992.00
DHCD Surcharge	182.90	1,373.00
6180 - Insurance		
Liability	18,730.00	27,566.25
Worker's Compensation	300.00	3,000.00
<b>Total 6180 - Insurance</b>	<b>19,030.00</b>	<b>30,566.25</b>
Office Expenses		
6160 - Dues and Subscriptions	3,269.83	3,530.00
Leased Equipment	1,377.65	1,534.00
Literature & Publications	37.00	840.00
Office Equipment	1,181.53	2,500.00
Office Supplies	2,509.98	4,200.00
6250 - Postage and Delivery	1,186.29	3,000.00
6260 - Printing and Reproduction	3,535.81	3,000.00
6300 - Equipment Repairs/Maintenance	1,931.00	1,823.00
66900 - Reconciliation Discrepancies	-117.24	
<b>Total Office Expenses</b>	<b>14,911.85</b>	<b>20,427.00</b>
Professional Services		
Admin Support	815.04	
Building Official	33,241.20	18,000.00
Chief Financial Officer	11,795.15	21,200.00
Engineering Fees	12,267.50	35,000.00
6280 - Legal Fees	24,000.00	80,000.00
Pass Through Fees	0.00	6,672.00
Planner	11,620.00	11,025.00
Storm Water Plan Review/Inspect	8,274.00	2,800.00
<b>Total Professional Services</b>	<b>102,012.89</b>	<b>174,697.00</b>
Training & Education	3,119.00	6,375.00
6350 - Travel & Ent		
6360 - Entertainment	0.00	
Lodging	2,465.24	1,500.00
6370 - Meals	481.23	500.00
Mileage	1,192.62	1,500.00
<b>Total 6350 - Travel &amp; Ent</b>	<b>4,139.09</b>	<b>3,500.00</b>
Unused Fire Department Grant	0.00	10,577.00
<b>Total (GG) Operating Expenses</b>	<b>169,595.95</b>	<b>291,315.25</b>
<b>Total OPERATING EXPENSES</b>	<b>169,595.95</b>	<b>291,315.25</b>

Attachment: 05-06-2013 TC Packet for Work Session (1423 : May 6, 2013 Draft Town Council Agenda)

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Accrual Basis

**Town of Haymarket**  
**Profit & Loss Budget vs. Actual**  
**July 2012 through June 2013**

	Jul '12 - Jun 13	Budget
<b>PERSONNEL</b>		
Staff Wages & Benefits		
Payroll Only (Public Safety)	290,521.54	354,606.00
Salaries & Wages	163,174.58	217,455.00
Staff - Museum	1,515.00	4,000.00
<b>Total Staff Wages &amp; Benefits</b>	<b>455,211.12</b>	<b>576,061.00</b>
<b>EMPLOYEE BENEFITS</b>		
Employer Payroll Taxes	41,153.08	53,850.00
Health Insurance	26,653.39	
6560 - Payroll Processing Fees	2,182.62	2,600.00
Retirement Contributions	31,298.60	40,925.00
Health/Life & Disability	98,862.31	108,542.00
<b>Total EMPLOYEE BENEFITS</b>	<b>200,150.00</b>	<b>205,917.00</b>
<b>Total PERSONNEL</b>	<b>655,361.12</b>	<b>781,978.00</b>
<b>PUBLIC SAFETY</b>		
Advertising	0.00	878.00
Discretionary Fund	541.06	1,013.00
Dues & Subscriptions	4,048.50	5,400.00
Equipment Rental	1,669.39	3,645.00
Equipment Maintenance	1,474.98	2,025.00
Equipment	5,878.00	10,500.00
Grant Passthrough	2,039.01	11,475.00
Insurance - Vehicles	9,845.00	9,765.75
Insurance - Workers Comp	8,197.00	8,300.00
Legal	7,725.00	12,000.00
Office Supplies	3,272.24	3,375.00
Office Equipment	0.00	405.00
Public Defender	1,080.00	2,500.00
Postage & Delivery	233.14	608.00
Promotional	602.84	945.00
Travel/Meals/Mileage	250.79	500.00
Uniforms/Accessories	4,326.58	6,000.00
Uniform Maintenance	1,655.95	2,850.00
Vehicle/Fuel	16,735.82	25,000.00
Vehicle/Maintenance	13,165.49	20,000.00
Security System	263.40	675.00
<b>Total PUBLIC SAFETY</b>	<b>83,004.19</b>	<b>127,859.75</b>
<b>PUBLIC WORKS</b>		
Landscaping	9,538.00	15,000.00
Maintenance Contract/Street	3,332.50	7,245.00
Snow Removal	500.00	4,000.00
Street Cleaning	5,500.00	11,000.00
Street Light Electricity	2,078.28	4,244.00
Trash Removal	56,918.49	88,000.00
<b>Total PUBLIC WORKS</b>	<b>77,867.27</b>	<b>129,489.00</b>
<b>ENTERPRISE</b>		
15026 Washington St (School)		
Utilities	1,058.06	
Building Improvements/Repairs	767.00	
<b>Total 15026 Washington St (School)</b>	<b>1,825.06</b>	

Attachment: 05-06-2013 TC Packet for Work Session (1423 : May 6, 2013 Draft Town Council Agenda)

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Accrual Basis

# Town of Haymarket

## Profit & Loss Budget vs. Actual

### July 2012 through June 2013

	Jul '12 - Jun 13	Budget
<b>15000 Washington St (Tenants)</b>		
Janitorial Supplies	829.87	
Building Improvements/Repairs	6,881.68	3,500.00
Building Materials	140.31	
Cleaning	5,005.00	4,000.00
Leasehold Real Estate Tax	1,842.04	900.00
Pest Control	395.00	630.00
Utilities	6,178.11	3,463.00
<b>Total 15000 Washington St (Tenants)</b>	<b>21,272.01</b>	<b>12,493.00</b>
<b>Total ENTERPRISE</b>	<b>23,097.07</b>	<b>12,493.00</b>
<b>TOWN OWNED PROPERTY</b>		
Signage	204.79	
<b>14740 Washington St (Vac Harr)</b>		
Building Improvements/Repairs	0.00	2,500.00
<b>Total 14740 Washington St (Vac Harr)</b>	<b>0.00</b>	<b>2,500.00</b>
<b>14710 Washington St (Police Dp)</b>		
Building Maintenance/Cleaning	0.00	2,000.00
Building Maintenance/Repairs	360.00	6,535.00
Communications		
Sprint/Nextel Communications	1,512.00	2,016.00
VA Info Technologies	321.41	384.00
<b>Total Communications</b>	<b>1,833.41</b>	<b>2,400.00</b>
Utilities	7,315.02	11,927.00
<b>Total 14710 Washington St (Police Dp)</b>	<b>9,508.43</b>	<b>22,862.00</b>
<b>15000 Washington St. (T.H.B)</b>		
Building Improvements/Repairs	8,588.75	5,000.00
Cleaning	4,821.53	3,500.00
Internet & Website	8,758.84	16,000.00
Pest Control	0.00	750.00
6390 - Utilities	7,859.96	19,031.00
<b>Total 15000 Washington St. (T.H.B)</b>	<b>30,029.08</b>	<b>44,281.00</b>
<b>15020 Washington St</b>	<b>0.00</b>	<b>2,500.00</b>
<b>15025 Washington St (Museum)</b>		
Building Improvements/Repairs	3,806.22	44,675.00
Utilities	3,076.25	3,090.00
<b>Total 15025 Washington St (Museum)</b>	<b>6,882.47</b>	<b>47,765.00</b>
<b>Hulfish House</b>		
Utilities	113.45	
Building Improvements/Repairs	994.19	2,500.00
<b>Total Hulfish House</b>	<b>1,107.64</b>	<b>2,500.00</b>
<b>Total TOWN OWNED PROPERTY</b>	<b>47,732.41</b>	<b>122,408.00</b>
<b>DEBT SERVICE</b>		
Debt Service		
SunTrust - Harrover	107,153.25	118,420.00
<b>Total Debt Service</b>	<b>107,153.25</b>	<b>118,420.00</b>
<b>Gen'l Obligation Bonds</b>	<b>33,155.67</b>	<b>97,353.00</b>
<b>Total DEBT SERVICE</b>	<b>140,308.92</b>	<b>215,773.00</b>
<b>CAPITAL OUTLAY</b>		
Development		
Boundry Adjustment Cost	0.00	0.00
<b>Total Development</b>	<b>0.00</b>	<b>0.00</b>
<b>Capital Improvements</b>		
Street Scape Expenditures	161,159.09	936,000.00
Police Cruiser	53,688.65	57,794.00

Attachment: 05-06-2013 TC Packet for Work Session (1423 : May 6, 2013 Draft Town Council Agenda)

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Accrual Basis

# Town of Haymarket

## Profit & Loss Budget vs. Actual

### July 2012 through June 2013

	Jul '12 - Jun 13	Budget
Town Center Property		
15026 Washington Street	1,520.00	
Old Post Office Renovation	144,432.97	
Hulfish House Renovations	62,829.09	
Town Center Property - Other	0.00	214,881.00
<b>Total Town Center Property</b>	<b>208,782.06</b>	<b>214,881.00</b>
<b>Total Capital Improvements</b>	<b>423,629.80</b>	<b>1,208,675.00</b>
<b>Total CAPITAL OUTLAY</b>	<b>423,629.80</b>	<b>1,208,675.00</b>
<b>INTERFUND TRANSFERS</b>		
General Reserve	6,400.00	88,889.00
<b>Total INTERFUND TRANSFERS</b>	<b>6,400.00</b>	<b>88,889.00</b>
<b>Total Expense</b>	<b>1,756,944.79</b>	<b>3,134,365.00</b>
<b>Net Ordinary Income</b>	<b>215,020.39</b>	<b>0.00</b>
<b>Other Income/Expense</b>		
<b>Other Income</b>		
Operating Transfers		
PY Meals Tax Collections	0.00	425,000.00
Amended Budget Appropriations	0.00	0.00
<b>Total Operating Transfers</b>	<b>0.00</b>	<b>425,000.00</b>
Street Scape Activity		
Street Scape Construction	400.00	
<b>Total Street Scape Activity</b>	<b>400.00</b>	
<b>Total Other Income</b>	<b>400.00</b>	<b>425,000.00</b>
<b>Other Expense</b>		
Appropriated Reserves		
Street Scape Funding	35,417.60	425,000.00
Appropriated Reserves - Other	0.00	0.00
<b>Total Appropriated Reserves</b>	<b>35,417.60</b>	<b>425,000.00</b>
<b>Total Other Expense</b>	<b>35,417.60</b>	<b>425,000.00</b>
<b>Net Other Income</b>	<b>-35,017.60</b>	<b>0.00</b>
<b>Net Income</b>	<b>180,002.79</b>	<b>0.00</b>

Attachment: 05-06-2013 TC Packet for Work Session (1423 : May 6, 2013 Draft Town Council Agenda)



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TO: Town of Haymarket Town Council  
SUBJECT: Police Report - May 2013  
DATE: 05/06/13

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**ATTACHMENTS:**

- May 2013 Police Report (PDF)



**Town Police Statistics for  
January, February, & March 2013**

Activity	January	February	March	Total
<b>Mileage</b>	<b>5282</b>	<b>5028</b>	<b>5773</b>	<b>16083</b>
<b>Warning Tickets</b>	<b>112</b>	<b>128</b>	<b>0</b>	<b>240</b>
<b>Parking Tickets</b>	<b>2</b>	<b>15</b>	<b>2</b>	<b>19</b>
<b>Uniform Traffic Summons</b>	<b>131</b>	<b>138</b>	<b>273</b>	<b>542</b>
<b>Criminal Felony</b>	<b>1</b>	<b>8</b>	<b>0</b>	<b>9</b>
<b>Criminal Misdemeanor</b>	<b>3</b>	<b>12</b>	<b>7</b>	<b>22</b>
<b>Reports</b>	<b>10</b>	<b>29</b>	<b>14</b>	<b>53</b>
<b>Complaints</b>	<b>448</b>	<b>351</b>	<b>326</b>	<b>1125</b>
<b>Accidents</b>	<b>6</b>	<b>4</b>	<b>0</b>	<b>10</b>
<b>Hours Worked</b>	<b>1018</b>	<b>1136</b>	<b>1159.5</b>	<b>3313.5</b>

During the month of March 2013 the Haymarket Police Department participated in the following:

March 1, 2013 Officer J. M. Davis gave a safety talk to Den 20 Tiger Scouts.

March 13, 2013 Officer J. M. Davis attended the Bull Run ASAP Board Meeting.

Plans were made for the upcoming April DUI checkpoint and letters of request for assistance were sent out to VSP, PWCSO, and PWCPD for extra law enforcement.

Criminal Stats for March 2013  
Haymarket Police Department

1. Suspicious Person = 8
2. Shooting in County = 1 (Assisted County)
3. Warrant Service = 1
4. Larceny = 1
5. Suspicious Vehicles = 4
6. Hit and Run = 1
7. Runaway = 1
8. Injured Animal = 1 (Deer)
9. Disorderly = 4
10. Firearm Violation = 1
11. Sexual Assault = 1
12. Parking Violation = 2
13. Traffic Obstruction = 8
14. Noise Complaint – 2
15. Welfare Check – 1
16. Alarm Calls – 4
17. Assist PWC – 12
18. Assist VSP – 1





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TO: Town of Haymarket Town Council  
SUBJECT: Engineer's Report - March 2013  
DATE: 05/06/13

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### **Enhancement Project Update**

The request for Approval to Award the project to Finley Asphalt and Sealing was submitted to VDOT on April 9. Staff has been coordinating with VDOT in order to obtain their approval. An update on the current status will be given by the Town Engineer.

### **Erosion and Sediment Control Violations**

Due to repeated Erosion and Sediment (E&S) Control violations on the Sherwood Forest and Alexandra's Keep developments, the Town issued a formal E&S Notice to Comply to DR Horton for each site. DR Horton has agreed to remedy each site before the next inspection on 5/6/13.

On Alexandra's Keep, should the developer not comply, the next step would be to initiate a recall of their E&S Escrow and/or go to PWC Circuit Court to obtain monetary civil penalties because the construction work is essentially complete.

On Sherwood Forest, should the developer not comply, the next step would be to issue a Stop Work Order for the site because construction work is still on-going on the site.

In addition, on the Alexandra's Keep site, the Town has notified Prince William County of the violations that our inspector noted for portions of the site within the County. The Town Engineer and the Town E&S Inspector are meeting with PWC at the site to review these concerns on 4/30/13.



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TO: Town of Haymarket Town Council  
SUBJECT: Planner's Report - May 2013  
DATE: 05/06/13

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The Town Planner will brief Council on the following items:

1. Status of Town Center Master Plan
2. Status of sale of Pace West / Boundary Line Adjustment
3. Recent site plan applications / amendments
4. 1-Mile Developments
5. Code Enforcement
6. General Town Inquiries




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TO: Town of Haymarket Town Council  
 SUBJECT: Mayoral Veto  
 DATE: 05/06/13

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Pursuant to **Article III Administration and Government**, of the Town Charter

*Section (8)*

*Ordinances. Every ordinance, or resolution having the effect of an ordinance, shall, before it becomes operative be presented to the mayor. If he approves, he shall sign it, but if not, he may return it, with his objections in writing, to the town clerk who shall enter the mayor's objections at length on the minute books of the council. The council shall thereupon proceed to reconsider such ordinance or resolution. If, after such consideration, two-thirds of all the members elected to the council shall agree to pass the ordinance or resolution, it shall become operative notwithstanding the objection of the mayor. In all such cases the votes of members of the council upon such reconsideration and the names of the members voting for and against the ordinance or resolution shall be entered on the minute book of the council. If any ordinance or resolution shall not be returned by the mayor within five (5) days (Sunday excepted) after it shall have been presented to him, it shall become operative in like manner as if he had signed it, unless his term of office or that of the council, shall expire within said five (5) days.*

On April 1, 2013 the Town Council passed a resolution, #20130401-1, by a vote of:

Ayes: Bare, Kenworthy, Tobias  
 Nays: Harnest, Scarbrough  
 Abstain: Aitken

The purpose of the resolution was to remove Mayor David Leake as an authorized signer for the Town checking, savings and certificate of deposit accounts.

The Mayor did not sign the resolution and returned it to the Town Clerk on April 5, 2013, noting his objections in writing.

Pursuant to the Town Charter, the matter is set for agenda this evening for Council to reconsider this resolution. Two-thirds of the Council must agree to pass resolution 20130401-1

**ATTACHMENTS:**

- Mayoral Veto (PDF)

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**MEMORANDUM****RECEIVED**

APR - 5 2013

TOWN OF HAYMARKET

**To: Jennifer Preli, Town Clerk****From: Mayor David M. Leake****Date: April 5, 2013****Subject: Notice of Veto**

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Jennifer,

Please record the following comments into the official meeting record/minutes for the April 1, 2013 town council meeting books as per the charter requires.

As Mayor of the Town of Haymarket, I hereby veto the attached check signing resolution with the following objections:

1. The resolution is a personal attack on me and the position that I hold. This resolution would have placed question(s) into the record of the decisions that I have made as the Mayor and acting Town Manager without proper consideration of the authority or allow for proper discussion.
2. Facts and information regarding the allegations made in the resolution along with the comments in discussion during the motion were not allowed to be further discussed or any follow up due to a quick "call for vote" motion.
3. The draft resolution should have been presented and discussed at the prior agenda work session.

  
David M. Leake, Mayor

## Resolution # 20130401-

WHEREAS, The Town of Haymarket routinely issues checks for payment to various vendors;

WHEREAS, The Town of Haymarket's policy has been to have three (3) signatories available for check signing, where two (2) signers for each payment are then required;

WHEREAS, The Town of Haymarket's policy is to have invoices approved for payment by an authorized party prior to releasing the funds;

WHEREAS, The Town of Haymarket's Mayor, David Leake, appears to have repeatedly violated the above procedures during the month of March 2013;

WHEREAS, The Mayor, David Leake, appears to have violated the Spending Policy adopted by the Town for the hiring of contractors, namely "My Painter of Virginia";

WHEREAS, The Mayor, David Leake, did violate the adopted policy of having invoice's approved prior to payment by issuing payment to "My Painter of Virginia";

WHEREAS, The Mayor, David Leake, did violate the adopted policy of having invoice's approved prior to payment by issuing payment to "David Leake";

WHEREAS, The Mayor, David Leake, may have caused an appearance of impropriety by signing a check made payable to himself for reimbursable expenses, prior to obtaining proper approvals;

NOW THEREFORE be it resolved, this resolution serves to remove David Leake as an authorized signer for the Town's checking, savings and certificate of deposit accounts AND

Therefore be it further resolved, that this resolution serves to name \_\_\_\_\_ as an authorized signer for the Town's checking, savings and certificate of deposit accounts.

TOWN OF HAYMARKET, VIRGINIA

BY \_\_\_\_\_  
David Leake, Mayor

VETO

ATTEST:

\_\_\_\_\_  
Jennifer Preli, Town Clerk

Voting Aye:

Voting Nay:

Abstaining:

Absent:



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TO: Town of Haymarket Town Council  
SUBJECT: Town Hall Rental Policy Revision  
DATE: 05/06/13

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In 2012, the Town Council adopted a "Town Hall Rental Agreement". The agreement provides the rental of Town Hall at no cost to Town businesses or residents, or if an organization, only one member need be a resident or Town business.

As a result of that policy, the Town has spent an extensive amount of money on janitorial supplies, electricity, and water. Staff recommends the changes on the attached Town Hall Rental Agreement, reflecting a fee for the usage of Town Hall. This would apply to anyone or any group wishing to use the Town Hall, with the exception of *Town* Home Owners Associations for their regular/annual/bi-annual or special meetings.

Staff believes these changes will compensate for supplies, water, and electricity used during rental.

**ATTACHMENTS:**

- Town Hall Rental Agreement - Proposed Changes (PDF)

## POLICY AND RULES OF USE FOR THE TOWN OF HAYMARKET TOWN PROPERTY

### I. POLICY

The Town of Haymarket owns property within the town including the Town Hall building, the parking facility around that building, the "Town Green" in front of the Town Hall and the Harrover Field in front of the Town Police station (eliminate?).

Those properties are available for use at the discretion of the Town Manager.

The fee schedule for these uses is included at the end of this document.

The Town Police Department will be notified of any usage of Town property and will have unrestricted access to the usage. Usage of Town property for any unlawful purpose is prohibited.

The Town reserves the right to deny usage of Town property at its discretion.

### II. GENERAL RULES FOR THE USE OF ALL TOWN PROPERTY

A. Any town meetings (Town Council, Planning Commission, ARB) or Town events (scheduled annual events, concerts, farmer's market, special events), have priority over private use by any applicant. For meeting dates and times, please see the Town's website at [www.townofhaymarket.org](http://www.townofhaymarket.org), or email Sherrie Wilson at [swilson@townofhaymarket.org](mailto:swilson@townofhaymarket.org).

B. Town property may be reserved only by an Applicant 18 years of age or older. Reservations must be requested at least ten (10) days in advance through the Town Hall office. Reservation requests shall be accepted from Applicants on a first- come, first-served basis. Requests shall be noted and filed by the Town Hall staff and marked on a calendar maintained by Town Hall staff. Reservation Requests and Applications are not accepted unless accompanied by payment of all required fees and deposits and receipt of a fully executed application form.

C. Applicant shall be notified of approval or disapproval of their applications within four (4) business days of receipt. Fees will be refunded if the application is disapproved.

D. Notice of cancellation must be received no later than forty-eight (48) hours prior to the event date and time. Cancellations received less than forty-eight (48) hours prior to the event date and time will result in the forfeiture of the non-refundable rental fee.

E. Applicants agree to be personally in attendance during the reserved hours. Any change in plans, deliveries or number of guests must be communicated to and cleared with the Town Hall staff prior to the date of the event.

F. Applicants agree to assume full financial responsibility for any loss or damages to the property as a result of the use and for the proper conduct of guests or other persons employed or otherwise engaged by the applicant while they are on the property owned by the Town of Haymarket.

G. Prior to the use of the property, the applicant and a Town Hall staff person shall inspect the property with a prepared checklist. The same checklist will be used to re-inspect the property after the event. If the property is not in its original condition or if damage has occurred, the costs and charges to repair any damages, or any cleanup, will be billed to the applicant.

H. Access to restrooms is not included in the use of the Town Green and the Harrover property.



I. Access to electrical power is not included in the use of the Town Green, the Town parking lot or the Harrover property.

J. Access to water on the exterior of the Town Hall building must be specifically requested and approved by Town Hall staff.

K. The Town of Haymarket reserves the right, at any time prior to or during the function to immediately revoke the approval granted herein and immediately suspend the right of use of the Room by the Applicant and his or her guests and require Applicant and guests to vacate the premises during the function if it is determined that there were misrepresentations set forth in the Application or if there is any violation of rules or damage to property or violation of any Federal, State or local laws, statutes or ordinances. Such determination to revoke, suspend and vacate the premises shall be within the sole discretion of the Town of Haymarket Town Manager. If the Applicant fails to abate noise, excessively loud music or any other disturbing activities when requested to do so, the Town Manager or other authorized representatives are authorized and directed to immediately revoke the approval, suspend the right of use and vacate the Room. If applicant refuses to cooperate with such revocation the Police will be called.

L. The Town of Haymarket Staff, Mayor, Town Manager, Board Members, and Town Council Members shall have free access to the property at all times.

M. All trash and garbage should be properly bagged and sealed and deposited in the dumpster provided at the rear of the building. There is a recycle dumpster as well. A charge will be assessed per hour/per worker to cover additional cleanup if the Town Manager or staff deems it necessary.

N. Violation of any Town of Haymarket Town rules or regulations are grounds for prohibiting an Applicant from using Town property for a period of one year.

O. Applicant assumes sole and total responsibility for any property damage, injury or accident to any person arising out of Town property use. Applicant further agrees on behalf of itself and its guests and invitees to indemnify, reimburse and hold the Town harmless for any and all violations of any and all Federal, State or local laws, statutes or ordinances, and to indemnify, reimburse and hold the Town of Haymarket harmless for any and all losses, damages, causes of actions claims, proceedings, and/or injuries sustained, including attorneys fees, arising out of or related to Applicant's and his or her guests' or invitees' use of Town property.

P. Applicant represents and acknowledges that he or she has an insurance policy in force with liability coverage. In the event of a claim, Applicant agrees that Applicant's liability insurance coverage shall be primary. The name of the insurance carrier, the name of the insurance agent and the policy number must be provided to and coverage confirmed upon the submission of the application to use Town property.

### III. RULES FOR THE USE OF THE TOWN HALL COUNCIL CHAMBERS

A. Only the approved Applicant reserving the Room may gain access to the Room. The applicant will be provided a code for the front door by the Town Hall staff prior to the usage.

B. Furniture and furnishings may not be removed from the Room and all must be returned to the same position in their original condition prior to the event.

C. All events shall be confined to the Room reserved. Use of the nearby restroom facilities in the hallway is permitted. Applicants must advise their guests of all rules, the guest parking areas

available, and that spaces are on a first-come, first-served basis. All guests must go directly to the Room where the event is being held. No loitering or disturbing noises in the parking areas shall be permitted.

D. Use of the Kitchen must be approved by Town Staff. Use of specific kitchen equipment and supplies (stove, microwave, dishwasher, etc.) must be approved by the Town in advance. Additional fees may be applied for such use.

E. The number of persons in attendance in the Room is limited by the posted number, according to the Prince William County and State Fire Codes. A maximum of 90 persons will be permitted in the Room at any one time.

F. Parties or events for minors under the age of eighteen (18) years are required to be continuously chaperoned by the Applicant hosting the event. Two (2) adult chaperones are required for every ten (10) minors in attendance. Applicant and chaperone(s) must be present throughout the entire event.

G. Smoking is prohibited in the building. You may smoke outside, and dispense of the cigarette in the dispenser provided along the side of the building.

H. Applicant will maintain volume of music and noise at a level sufficiently reduced so as not to disturb the residents around the Town Hall building. Playing of loud amplified music is not permitted.

I. Applicant agrees that any decorations or the decorating of the Room must be done in a manner so as not to cause any damage to any area of the Room. The use of tape, nails, tacks, staples and any substance or item which may cause permanent damage are not permitted to be used to attach decoration or other items to the walls, doors, door trim, windows, furniture or any other surfaces in the Room.

J. Applicant agrees to remove and properly dispose of all personal property immediately after the event, such as dishes, foods, bottles, trash, decorations, etc. Nothing should be left in the refrigerator. The Room must be cleaned and restored to its pre-event condition by the Applicant prior to leaving. Arrangements must be made with the Town Hall concerning delivery and removal of any rented tables, chairs, or catering items if unable to be picked up by the rental company immediately following the function or if after 10 p.m. must be removed by 10:00 a.m. the following day. Deliveries and removal of food, tables, musical equipment, or caterers providing service, will be permitted during the hours of 8:00am through 4:30pm Monday thru Friday. Applicant must be present to deal with the rental or service companies for delivery or pick up.

K. The Town of Haymarket will not be responsible for the loss or damage of any personal effects, dishes, equipment, decorations or food. Any personal property or items left unattended after the event will be considered abandoned and will be removed for disposal.

L. All music and noise making activities must stop by the prescribed hour. The Room must be returned to its original condition, vacated of people, lights out, the room secured and the door locked by the prescribed closing hours. Adjacent restrooms should be left in the same condition as they were in prior to the event with lights out.

M. No candles or other open flame items are permitted. Food warming trays may be used only under the strict supervision of a caterer or attendant and must be removed from the premises at the conclusion of the event.

N. No pets, except service pets, are permitted in the facility.

**O. Alcoholic beverages are strictly forbidden at all times, inside the Town Hall building, or on Town Center property.**

#### IV. HOURS OF USAGE AND FEES.

A. The Town property will be available for use between the hours of 4:30 p.m. - 10:00 p.m. Monday thru Friday; or between 8 a.m.- 11:00 p.m., Saturday and Sunday. Under no circumstances will time be extended before or past the closing hours stated.

#### B. Fees:

The application for use of the property must be completed and approved by Town staff. Applicants will be subject to fees related to the cleaning or repair of the property if necessary. Town of Haymarket HOA Meetings will be held at no charge. Use of the Kitchen must be requested at the time of application. Otherwise the Kitchen will not be available for use. Please request, if applicable, how many tables are needed.

The following fees apply:

Rental of Town Hall only: \$25.00 up to 2 hours (\$25.00 minimum charge).  
 2 – 4 Hours: \$50.00. (With kitchen use an additional \$25.00)  
 4 – 8 Hours: \$100.00 (With kitchen use an additional \$50.00)  
 8 + Hours: \$150.00 (With kitchen use an additional \$75.00)

Rental of Town Green/parking areas: \$50.00 per four (4) hour period (there is no access to the Town Hall, or water during this rental). There are electrical outlets on the streetlight poles for use.

Rental of Harrover Field: \$200.00 per four (4) hour period **(if the Town desires to rent out this space)**

All fees are to be paid in advance and submitted with the completed application form. **Fees are non-refundable after use.**

#### C. Deposit:

A \$100 Deposit is required for all rentals of the Town Hall. The deposit will be returned to the lessee upon a satisfactory inspection by a Town employee or representative. The deposit is applicable to all lessees including Town residents. It is recommended that those who lease the facility on a regular or on-going basis keep a permanent deposit with the Town. All deposit funds will be held in an escrow account owned by the Town.

# APPLICATION FOR RESERVATION OF THE TOWN OF HAYMARKET FACILITIES, AND USE AGREEMENT

Name of Applicant: \_\_\_\_\_

Address of Applicant: \_\_\_\_\_

Telephone No.: (Home) \_\_\_\_\_

(Cell) \_\_\_\_\_

Email address (Mandatory): \_\_\_\_\_

**Date Facility/Property is requested:** \_\_\_\_\_

**Alternate Date Requested if first date is not available:** \_\_\_\_\_

Hours: \_\_\_\_\_ Number of Guests: \_\_\_\_\_

Type of Affair Planned:  
(e.g., dinner party, HOA meeting, yard sale, birthday party, etc.) \_\_\_\_\_

Insurance Company Name \_\_\_\_\_ Policy # \_\_\_\_\_

Insurance Agent Name \_\_\_\_\_ Phone # \_\_\_\_\_

Will you be: Serving food? \_\_\_\_\_ What kind? (catered/cooking here) \_\_\_\_\_

Using the Town Hall Kitchen?: \_\_\_\_\_

Providing music? \_\_\_\_\_ Type: \_\_\_\_\_

(e.g., cds, band, DJ, etc.)

\*\*\*\* Alcohol is not permitted at any time\*\*\*\*

I hereby apply for a reservation to use the Town of Haymarket \_\_\_\_\_. By my signature below, I hereby acknowledge that I have read the attached Rules of Use for the Town Hall which are attached hereto and incorporated herein by reference, and, if my Application is approved, I agree to comply with, abide by, and be bound by the terms of the Rules as outlined therein. Any approval granted is personal to the Applicant and may not be transferred or assigned.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Co- Applicant (if applicable)

\_\_\_\_\_  
Date

The Town of Haymarket Hereby verifies receipt of the Nonrefundable Use Fee in the amount of \$\_\_\_\_\_ for the reservation of the \_\_\_\_\_ on \_\_\_\_\_, 2013 and hereby, by the signature of its authorized agent set forth below provides its approval for applicant's use on and between the hours of \_\_\_\_\_ and \_\_\_\_\_ subject to the Rules and applicant's agreement to abide, comply and be subject to the Rules.

\_\_\_\_\_  
Signature of Town Manager  
Town of Haymarket

-----  
FOR OFFICE USE ONLY:

Date and Time Reservation Received: \_\_\_\_\_

Date Use Fee Received: \_\_\_\_\_ Amount Received: \_\_\_\_\_

Form of Payment: \_\_\_\_\_ Personal check, \_\_\_\_\_ Money Order, Other \_\_\_\_\_

Date Facility Inspected Pre-Event \_\_\_\_\_ By: \_\_\_\_\_

Date Facility Re-inspected **Post-Event** \_\_\_\_\_ By: \_\_\_\_\_

Amounts Invoiced for damages/cleanup: \$ \_\_\_\_\_

Authorizing Personnel: \_\_\_\_\_

Town of Haymarket Town Hall Room  
Inspection Form

	Pre-Event Inspection	Post-Event Inspection
1. Exterior Doors	_____	_____
2. Women's Bathroom	_____	_____
3. Men's Bathroom	_____	_____
4. Kitchen	_____	_____
Floor	_____	_____
Counter Top/Sink	_____	_____
Cabinet's	_____	_____
Appliances	_____	_____
5. Carpeting	_____	_____
6. 35 Chairs 4 tables	_____	_____
7. Walls	_____	_____
8. Interior Doors	_____	_____
9. Exterior (parking area/trash.)	_____	_____
10. Other _____	_____	_____

Comments: \_\_\_\_\_  
\_\_\_\_\_

Pre-Event Inspection: \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_  
Signature of Applicant

Pre-Event Inspection: \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_  
Signature of Authorized Agent.  
Town of Haymarket

Post-Event Inspection: \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_  
Signature of Applicant

Post-Event Inspection: \_\_\_\_\_ Date \_\_\_\_\_ Time \_\_\_\_\_  
Signature of Authorized Agent



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TO: Town of Haymarket Town Council  
SUBJECT: Zoning Permit Applications  
DATE: 05/06/13

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It is recommended that the Town Council approve the zoning permit applications for the following businesses:

15161 Washington Street - Permit Number ZP20130322

The form of the motion would be:

1. I move that the Town Council approve Zoning Permit #20130322 for a Blacksmith shops, welding or machine shops, using manual/traditional processes
- OR,
2. I move an alternate motion.

**ATTACHMENTS:**

- ZP #20130322 15161 Washington Street B&M Certified Welding (PDF)


**ZONING PERMIT #:** ZP 2013 03022

**NOTE:** This application must be filled out completely and all components of submission requirements must be met before the application can be accepted and scheduled for review/hearing.

## ZONING PERMIT APPLICATION

**ZONING ACTIVITY:** ☐ New Construction ☐ Alteration/Repair ☐ Addition ☐ Sign  
(Check all that apply) ☒ New Tenant/Use ☐ Change of Use ☐ Relocation

**NAME OF BUSINESS/APPLICANT:** Bardm certified welding LLC

**PROPOSED USE:** WELDING/MACHINE SHOP/FABRICATION USE Size (Sq. Ft./Length) of Construction: \_\_\_\_\_

**SITE ADDRESS:** 15761 Wiltshire St. Haymarket VA 20169 Parcel ID #: \_\_\_\_\_

**Subdivision Name:** Jim Durham Building Lot Size: 5 Acres

**ZONING DISTRICT:** ☐ R-1 ☐ R-2 ☐ B-1 ☐ B-2 ☒ F-1 ☐ C-1 Site Plan Required: ☐ Yes ☒ No

**Special Use Permit Required:** ☐ Yes ☒ No Homeowners Association (HOA) Approval: ☐ Yes ☒ No

**Off-street Parking:** Spaces Required: \_\_\_\_\_ Spaces Provided: \_\_\_\_\_

**BRIEF DESCRIPTION OF ACTIVITY:** (i.e. previous use, type and dimensions of signs, height/length of fencing, etc.)

WE WILL BE OCCUPYING THE TENANT SPACE PREVIOUSLY  
OCCUPIED BY RICE TIRE

**Supporting Documentation (attached):** ☐ Narrative ☐ Plan/Plat ☐ Specification Sheet

**FEE:** ☐ \$25.00 Residential ☒ \$50.00 Commercial

## CERTIFICATE OF APPROPRIATENESS

**ADDITIONAL DESCRIPTION:** (i.e. color, type of material, font style, etc.)

**Supporting Documentation (attached):** ☐ Specification Sheet ☐ Photograph(s)

### PERMIT HOLDER INFORMATION

Miki Brin

Name

12625 Greenbriar Rd

Address

Potomac Va 20854

City

State

Zip

443-463-1848

Phone#

Email

BardmWelding@yahoo.com

### PROPERTY OWNER INFORMATION

James Durham

Name

Address

City

State

Zip

Phone#

Email



**APPLICANT / PROPERTY OWNER SIGNATURE**

\*\*\*\*\*REQUIRED\*\*\*\*\*

I, as owner or authorized agent for the above-referenced parcel, do hereby certify that I have the authority to make the foregoing application and that the information provided herein is correct. Construction of improvements described herein and as shown on the attached plat, plan and/or specifications will comply with the ordinances of the Town of Haymarket and any additional restrictions and/or conditions prescribed by the Architectural Review Board (ARB), Planning Commission, or the Town Council and all other applicable laws.

Applicant Signature

Property Owner Signature

\*\*\*OFFICE USE ONLY\*\*\*

ZONING PERMIT #:

2P20130322

Date Filed: 3-22-13 Fee Amount: 50.00 Date Paid: \_\_\_\_\_DATE TO ARCHITECTURAL REVIEW BOARD (ARB): N/A☐ APPROVED ☐ DISAPPROVED ☐ TABLED UNTIL: \_\_\_\_\_ ☐ DEFERRED UNTIL: \_\_\_\_\_

ARCHITECTURAL REVIEW BOARD CHAIR: \_\_\_\_\_

SIGNATURE

PRINT

CONDITIONS: \_\_\_\_\_

DATE TO PLANNING COMMISSION: 4-8-13☒ APPROVED ☐ DISAPPROVED ☐ TABLED UNTIL: \_\_\_\_\_ ☐ DEFERRED UNTIL: \_\_\_\_\_

PLANNING COMMISSION (where required):

SIGNATURE

PRINT

CONDITIONS:

In accordance 58-257 (2)DATE TO TOWN COUNCIL: 5-6-13☐ APPROVED ☐ DISAPPROVED ☐ TABLED UNTIL: \_\_\_\_\_ ☐ DEFERRED UNTIL: \_\_\_\_\_

TOWN COUNCIL (where required): \_\_\_\_\_

SIGNATURE

PRINT

CONDITIONS: \_\_\_\_\_



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TO: Town of Haymarket Town Council  
SUBJECT: Haymarket Regional Food Pantry Request  
DATE: 05/06/13

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The Haymarket Regional Food Pantry has submitted a request to the Town Council.

**ATTACHMENTS:**

- Food Pantry Request (PDF)
- HRFP Stats (PDF)



P.O. Box 132  
Haymarket, VA 20168

April 26, 2013

Haymarket Regional Food Pantry  
PO BOX 132  
Haymarket, VA 20168

To: Mayor David Leake & Haymarket Town Council;

The Haymarket Regional Food Pantry would like to continue leasing the town property located at 14740 Washington Street for an additional 5 years at \$1 per year.

We greatly appreciate the town's generosity for this endeavor and are working on a grant to bring water back to the house at no cost to the town.

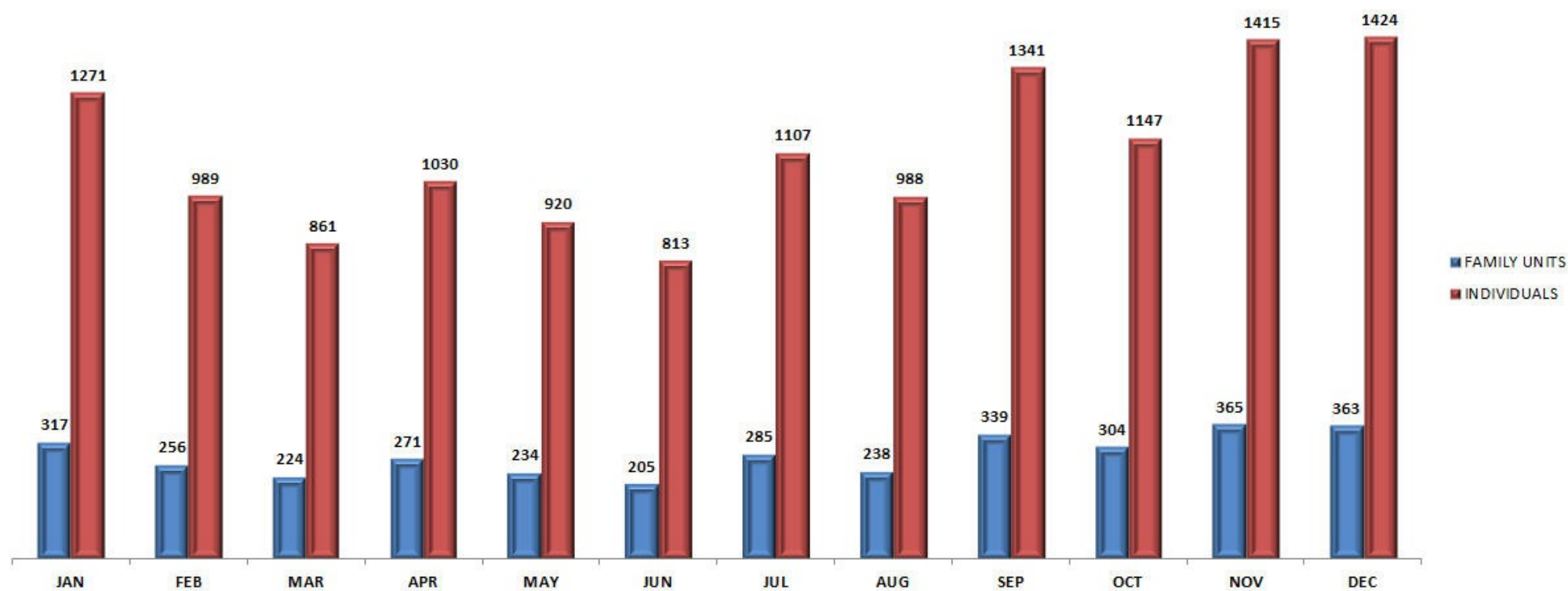
We would also like to have the first right of refusal should the town decide to sell the property.

Thank you.

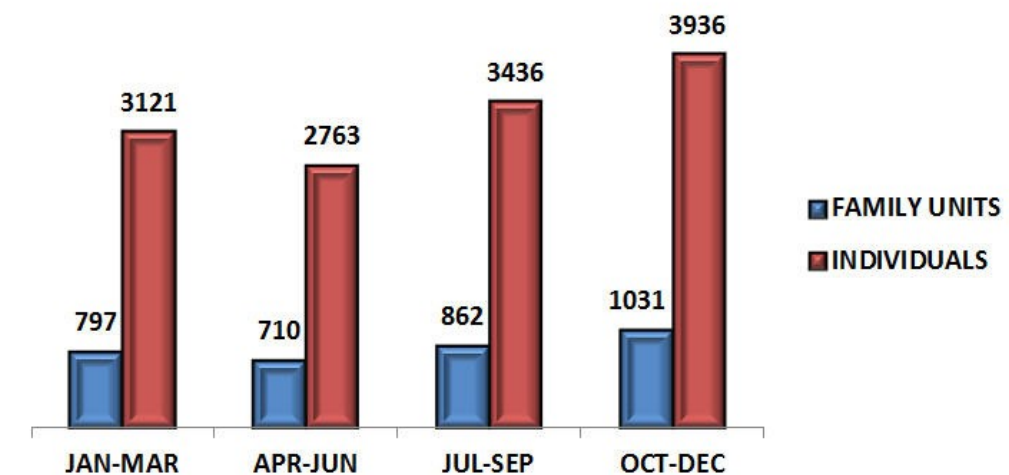
Regards,

Pam Stutz  
HRFP Executive Director

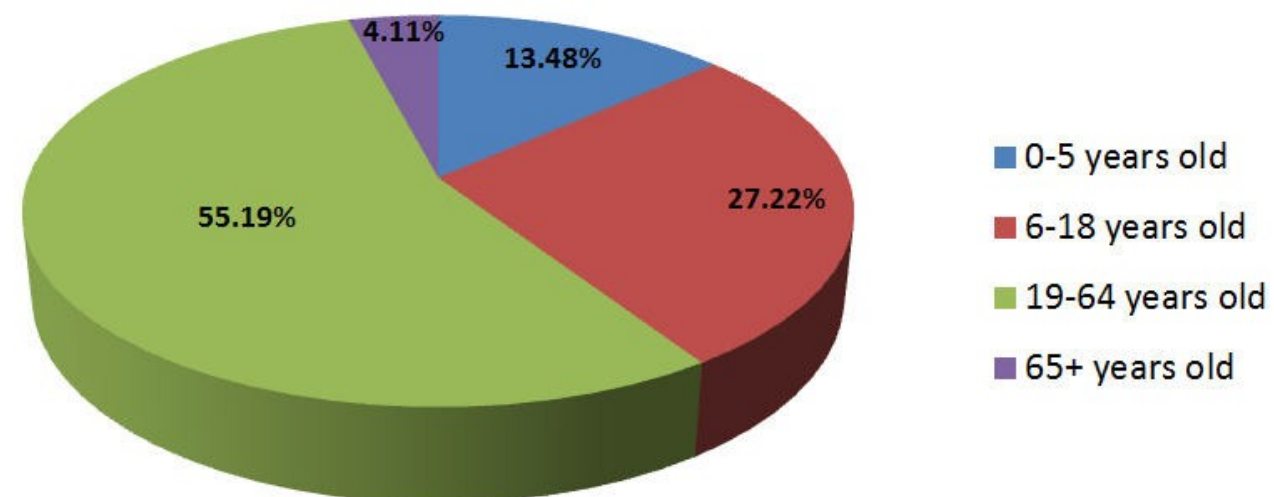
CLIENTS SERVED BY MONTH 2012



CLIENTS SERVED IN 2012



Client Demographics



Unique Family Units Served






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TO: Town of Haymarket Town Council

SUBJECT: Zoning Text Amendment - Amend B1 Zoning

DATE: 05/06/13

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The Town Council held a public hearing regarding the above application on April 1, 2103 per its motion at the March 4, 2013 meeting. No members of the public spoke regarding the application. Following the public hearing, the Council voted 3-3 (Mayor voting yes) to direct the Planning Commission to work with the Town Attorney and the Applicant to come up with mutually agreeable terms to amend the B-1 zoning district to allow for funeral home use by Special Use Permit (SUP). The Commission had alternatively recommended language to permit funeral home use by SUP in the B-2 zoning district subject to certain performance standards. At its April 8 meeting, per the Council direction, the Planning Commission amended its previously recommended language to permit funeral home use by SUP in the B-1 zoning district, also with performance standards. The Commission also revised language regarding road frontage requirements to require turn lanes unless such turn lanes are waived by the state approving authority (i.e. VDOT). Lastly, the Commission instructed staff to schedule a joint public hearing with the Council at the May 5, 2013 Town Council meeting regarding the amended language.

Pursuant to Section 58-425, the Town Council has one year from the date the Amendment application was accepted by the Town Clerk to render a decision. The deadline for a decision by the Town Council is November 3, 2013. The Council may approve, deny, or recommend alternative amendments subsequent to the public hearing.

It is recommended that the Town Council consider the below-mentioned matters for consideration, applicable land use policy, B-1 Zoning District intent, and the previous Planning Commission recommendation. It is also recommended that the Council evaluate the impact and compatibility of funeral home, mortuary use to those uses permitted within the B-1 zoning district and those land uses that about the B-1 zoning district (primarily residential). Staff has made additional recommendations below.

#### BACKGROUND

At its November 2012 meeting, the Town Council adopted a resolution of intent to amend Chapter 58 of the Town Code (Zoning) to consider a Zoning Text Amendment Application to permit "Mortuary, funeral home" use by-right within the B-1 zoning district as well as permit "Crematory" use by special use permit. Pursuant to Section 58-425 of the Zoning Ordinance, the Town Council forwarded the application to the Planning Commission for consideration.

The application was submitted by John Foote on behalf of Clifford Blasius and McGraw's Corner, LLC, in reference to establishing a mortuary, funeral home use at 14850 Washington Street; however, the amendment, which has been subsequently amended, would permit the proposed use by special use permit anywhere within the B-1 zoning district (i.e. not limited to the site). A narrative explaining the proposal is attached.

The Planning Commission held its public hearing on January 14, 2013. Several members of the public spoke in opposition to the application noting, among other issues, traffic and overflow parking issues associated with such a use as well as perceived conflicts with the Town's goal to create a "walking town". At its February meeting, the Planning Commission motioned to recommend denial of the application having determined, among other findings, that the application is not consistent with the existing uses and

character of the B-1 Zoning District, is not consistent with the Comprehensive Plan, would have a negative impact on the Town's transportation infrastructure, and would negatively impact the value of neighboring properties. The Commission alternatively proposed language to permit funeral home use with a special use permit in the B-2 zoning district subject to certain performance standards. The Commission concluded that as a permitted use with the B-2 zoning district, the use would be consistent with the Planned Interchange Park land use designation and would have supporting road infrastructure (see discussion below).

As noted in the Town Council resolution, the Planning Commission was to consider whether the amendments are in furtherance of the public necessity, convenience, general welfare, and good zoning practice; to consider whether these amendments are consistent with the Town's Comprehensive Plan; to consider the impact of these amendments on the services, character, and needs of the community; and to prepare draft amendments for consideration.

Section 58-429 further states the proposed amendments shall be considered with reasonable consideration of the following matters.

- (1) Existing use and character of the area;
- (2) Suitability of the property for various uses;
- (3) Trends of growth or change;
- (4) Current and future requirements of the town as to land for various purposes as determined by population and economic studies and other studies;
- (5) Transportation requirements of the community and the town's requirements for parks, playgrounds, recreation areas, other public services, or the conservation of natural resources and preservation of floodplains; and
- (6) Conservation of properties and their values and the encouragement of most appropriate use of land throughout the town.

The Ordinance also states that the above considerations shall include but are not limited to comprehensive plans or their parts, capital improvement programs, relation of development to roads and construction programs, and the proximity of the development to utilities and public facilities.

**[Excerpts from the Comprehensive Plan and Zoning Ordinance relevant to the land area in question are included below]**

#### PLANNING COMMISSION REVIEW AND RECOMMENDATION

The Commission reviewed the above-mentioned application at its December 2012 and January and February 2013 meetings. The Commission commented on the appropriateness of the use within the Town and the B-1 zoning district, the Amendment's compliance with the planned land use policies of the Comprehensive Plan (Neighborhood / Town Center and Transitional Commercial), traffic and parking associated with such a use, and compatibility of a funeral home use with residential zoning districts adjacent to the B-1 Zoning District. The Applicant noted the limited availability of funeral homes in the area and stated the use was similar to an office use with minimal impact and occasional traffic due to funeral services. The Applicant states the subject site is anticipated to be able to provide sufficient parking for the use. Subsequent to the December Planning Commission meeting, the Applicant revised its application to remove "crematory" use and permit mortuary, funeral home as a special use in the B-1 Zoning District.

As noted above, several members of the public spoke in opposition to the Amendment at the Planning



Commission's January 2013 public hearing, noting, among other issues, additional traffic on Route 55 and overflow parking into adjacent neighborhoods as well as perceived conflicts with the Town's goal to create a "walking town". At the conclusion of their February meeting, the Planning Commission forwarded the Amendment to the Town Council with a recommendation of denial having determined the following:

1. The Amendment is not consistent with the existing uses and character of the B-1 Zoning District;
2. Properties in the B-1 Zoning District are not suitable for the uses contemplated in the Amendment;
3. The Amendment is not consistent with the Town's Comprehensive Plan;
4. The Amendment would have a negative impact on the Town's transportation infrastructure;
5. The Amendment would negatively impact the value of neighboring properties;
6. The Amendment would not encourage the most appropriate use of the land throughout the Town;
7. The Amendment does not further the public necessity, convenience and general welfare and does not constitute good zoning practice.

#### Alternate Amendment

During its discussion of the Applicant's proposed Amendment, the Commission recognized the demand for funeral home use in the west end of Prince William County and determined that such a use would be more appropriate within the B-2 zoning district given use's consistency with the corresponding planned land use designation (Planned Interchange Park) and due to the supporting road infrastructure in the area. Based on the Council's initiating Resolution, the Commission separately motioned to recommend that the Council alternatively add a definition for Funeral Home within the Zoning Ordinance and amend the Use Regulations for the B-2 Neighborhood Business Commercial District to permit funeral home use with performance standards. The standards establish parking requirements and limit the location of funeral homes to parcels which front Washington Street or Old Carolina Road and which can accommodate staging of funeral processions onsite. The standards also preclude the use from locating within a multi-tenant building (i.e. strip mall). As noted above, the Commission revised the recommended language, per the Council direction, to permit funeral homes use in the B-1 zoning district as follows:

Amend Sec. 58-1. - Definitions.

Funeral home means a facility used for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial, and may include indoor storage of caskets, funeral urns, and other related funeral supplies and the storage of funeral vehicles, but does not include facilities for cremation.

Amend Sec. 58-11. - Minimum off-street parking.

(7) For ~~mortuaries~~ and liquor stores, at least ten parking spaces.

Amend Sec. 58-178. - Special Uses.

The following uses shall be permitted in the B-1 district with a special use permit:

(8) Funeral home subject to the following conditions:

(a) Such use shall be located:

1. Within a parcel comprising at least two acres;
2. Within a freestanding building and be the sole principal use on the lot.

3. On a parcel of land fronting on, and with direct access to, an existing collector or arterial road with dedicated turn lane(s) unless such dedicated turn lane(s) are waived by the state approving authority.
- (b) Sufficient car stacking space shall be provided on the lot such that a collector or arterial road need not be used for the forming of funeral processions. The area of the lot used for the forming of funeral processions shall have direct access to the collector or arterial road.
- (c) Off street parking requirements: 1 space / 4 persons in permitted occupancy approved by the Fire Marshall plus 1 space / employee and 1 space / business vehicle and 2 loading spaces.

#### STAFF REVIEW AND RECOMMENDATION

It is recommended that the Town Council give consideration of the above-mentioned matters for consideration, applicable land use policy, B-1 Zoning District intent, and the Planning Commission recommendation. It is also recommended that the Council evaluate the impact and compatibility of funeral home, mortuary use to those uses permitted within the B-1 zoning district and those land uses that about the B-1 zoning district (primarily residential). Lastly, should the Town Council consider the Amendment text as drafted by the Applicant, it is recommended that Section 58-11(7) (minimum off-street parking standards) be removed from the Zoning Ordinance. As currently written, Section 58-11(7) states "For mortuaries and liquor stores, at least 10 parking spaces" are required. The Ordinance otherwise requires commercial buildings to provide one parking space for each 200 square feet of business floor space in a building (Section 58-11(9)).

Regarding the Applicant's revised application, permitting a "mortuary, funeral home" as a special use within the B-1 Zoning District would allow for the assessment and mitigation of possible impacts of such a use on a case by case, site specific basis (i.e. traffic impact, screening, lighting, etc.). However, as noted during the Planning Commission discussion, accommodation of an influx of attendees during funeral services could be problematic as no on-street parking is available on Washington Street. Specific to the subject site, the only opportunity for overflow public parking is on-street parking within Greenhill Crossing across Washington Street. Private parking is available at the adjacent animal hospital and Baptist Church, but use of these facilities is at the discretion of the landowner and only those spaces in excess of the Town's parking requirements could be used.

#### DRAFT MOTION(S)

1. I move that the Town Council deny ZTA#20121221 based on the Planning Commission's findings for denial.

OR

- 2.a. I move that the Town Council forward ZTA#20121221 to a future meeting for further discussion.

AND

- 2.b. I further move that the Town Council to instruct staff to draft an Ordinance adopting [the Applicant's text amendment as proposed] / [the Planning Commission's recommended text] / [alternative text as proposed by the Town Council].

OR



3. I move an alternate motion

## COMPREHENSIVE PLAN

The B-1 zoning district encompasses a land area planned as two distinct land use patterns: Neighborhood/Town Center and Transitional Commercial. The Comprehensive Plan's guidance regarding the development of these planned areas is as follows (*excerpt from Chapter 3.4, Land Use Plan*):

*"Continued scattered commercial development in the Town, with resultant problems such as parking, traffic congestion and noise, should be discouraged. To accommodate future commercial development the plan recommends that major commercial growth be limited to those areas designated as the Neighborhood/Town Center, Transitional Commercial and the Planned Interchange Park. These areas are located primarily along Washington Street which should be promoted as the Town's "main street". Consideration should be given to the addition of a restricted commercial district zone along Washington Street east of the Town Center to create a more cohesive mix of low intensity commercial uses either in existing historic structures or new structures consistent with styles that reflect a post-Civil War era.*

*Neighborhood/Town Center - Development of a center within the Town is proposed to provide a convenient focus for community activities and services such as neighborhood stores, offices and restaurants. A cluster of dwellings, stores, and local institutions has grown at the intersection of Washington Street and Jefferson Street as a result of convenient location, traffic flow, and nearby residential development.*

*Neighborhood/Town Center commercial areas with a visual connection of brick sidewalks and period street furniture.*

*Features of community development needed to strengthen Haymarket's Town Center include:*

- 1. Provisions for expansion of retail stores and offices serving Town residents in a manner consistent with an appropriate village character for the Center;*
- 2. Provision of additional off-street parking and loading facilities to serve commercial development, including a public parking lot to limit parking needs at individual sites;*
- 3. Preservation of architecturally significant structures including older residential and commercial structures as well as the Old Town Hall and Old Post office buildings;*
- 4. Beautification activities including additional landscaping, new street furniture (lights, benches, trashcans) and brick sidewalks;*
- 5. The elimination of distracting signs;*
- 6. Repair and improve maintenance of sidewalks serving the residents adjacent to the Town Center;*
- 7. The construction of new structures that are carefully integrate with older, existing buildings and do not overpower the existing Street scape or pose a threat to the center's character.*

*Transitional Commercial - The Plan calls for low-intensity commercial uses to serve as a distinct transition between low and moderate density residential areas and high intensity commercial uses within the neighborhood/Town Center and Planned Interchange Park. Conversions of existing residential structures to commercial uses are encouraged and should continue the open, small town atmosphere and sense of place. New structures or additions to existing structures should be permitted under the guidance of the Architectural Review Board and should take into account the impact of parking, lighting, and screening requirements of commercial uses when adjacent to planned*

*residential areas. A zoning ordinance amendment implementing this land use area is anticipated following the adoption of this plan.”*

#### B-1 ZONING DISTRICT - PURPOSE AND INTENT

Section 58-176 of the Zoning Ordinance states the intent of the B-1 zoning district as follows:

*“The town center district B-1 provides primarily for retail shopping and personal services uses to be developed either as a unit or in individual parcels oriented to attracting pedestrian shoppers, tourism and local convenience. Recognizing the economic value of the existing historical area, it shall further be the intent of the district to encourage the retention and rehabilitation of structures and uses in the district that have historic and/or architectural significance. The range, size, hours of operation, lighting, signs and other developmental aspects of permitted uses may be limited in order to enhance the general character and historic nature of its compatibility with its residential surroundings.”*

#### **ATTACHMENTS:**

- (2) 12-21-12 APP REVISED ZTA (PDF)
- (3) 11-02-12 Applicant ZTA Filing - funeral home without application (PDF)



Jessica L. Sacksteder  
Planner  
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jsacksteder@pw.thelandlawyers.com

**WALSH COLUCCI  
LUBELEY EMRICH  
& WALSH PC**

December 21, 2012

**Via E-Mail and Mail**

R. Marchant Schneider  
Town Planner  
Town of Haymarket  
P.O. Box 1230  
Haymarket, VA 20168

Re: Zoning Text Amendment - Funeral Home

Dear Marchant:

As a follow-up to the Planning Commission hearing and subsequent meetings, attached please find a revised blackline of the Zoning Ordinance to permit "mortuary, funeral home" with a special use permit in the B-1, Town Center, District. Please note that crematory has been removed.

Please do not hesitate to contact John Foote or me if you should have any questions or need additional information.

Very truly yours,

WALSH, COLUCCI, LUBELEY,  
EMRICH & WALSH, P.C.

Jessica L. Sacksteder  
Planner

Enclosure

cc: Clifford Blasius  
John Foote, Esq.

PHONE 703 680 4664 ■ FAX 703 680 6067 ■ WWW.THELANDLAWYERS.COM  
GLEN PARK I ■ 4310 PRINCE WILLIAM PARKWAY, SUITE 300 ■ WOODBRIDGE, VA 22192-5199

ARLINGTON OFFICE 703 528 4700 ■ LOUDOUN OFFICE 703 737 3633

## PROPOSED ZONING TEXT AMENDMENT

Amend the Town's Zoning Ordinance to add certain definitions and to amend the Use Regulations for the B-1 Town Center District as follows:

**Add the following definitions to be inserted into the Code in proper alphabetical location.**

*Funeral home means a facility used for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial ~~or cremation where permitted by special use permit~~, and may include storage of caskets, funeral urns, and other related funeral supplies and the storage of funeral vehicles.*

*Mortuary shall mean a place for the storage of dead human bodies prior to their burial ~~or where permitted by special use permit, cremation.~~*

### **Amend Sec. 58-177. - Use regulations.**

A building or land in the B-1 district shall be used exclusively for one or more of the following uses:

- (1) Apartments as ancillary uses on the second floor of structures designed for other commercial uses; not more than 40 percent of the gross floor area of any structure may be devoted to apartment use.
- (2) Banks, drive-in or otherwise, so long as driveway space shall be provided off the street for all vehicles waiting for drive-in service.
- (3) Bakeries occupying not more than 3,000 square feet of floor area, and provided all products produced on the premises shall be sold at retail on the premises.
- (4) Barbershops or beauty parlors.
- (5) Catering or delicatessen businesses.
- (6) Dry cleaning or pressing pickup stations or shops occupying not more than 3,000 square feet of floor area.
- (7) Florists' shops.
- (8) Nursery schools, child care centers, kindergartens.
- (9) Offices, general business or professional.
- (10) Pet shops or dog beauty parlors, provided that any workrooms, cages or pens are maintained within a completely enclosed, soundproof building.



- (11) Public uses, including post offices, utility company offices and libraries.
- (12) Private clubs, lodges or meeting halls, not to include those of an adult nature.
- (13) Restaurants, but not with drive-in or fast food restaurants.
- (14) Shoe repair shops occupying not more than 3,000 square feet of floor area.
- (15) Service stations (with major repairs under cover).
- (16) Shops for the sale, service or repair of home appliances, office machines, electrical, television and radio equipment occupying not more than 3,000 square feet of floor area.
- (17) Stores or shops for the conduct of retail business of new merchandise, including the sale of accessories, appliances, beverages, books, carpets, clothing, drugs, fabrics, food, furniture, garden supplies, groceries, hardware, hobby supplies, office supplies, paint, saddlery supplies, sporting goods, stationery, and similar stores, but not including adult bookstores or adult mini motion picture theaters; but no shop may occupy more than 3,000 square feet of floor area.
- (18) Studios for artists, photographers, teachers, sculptors or musicians.
- (19) Sale of antiques and collectibles.
- (20) Nonprofit, community service organizations.
- (21) Veterinary hospitals (small animal).
- (22) Farmer's Market

**Amend Sec. 58-178. - Special uses.**

The following uses shall be permitted in the B-1 district with a special use permit:

- (1) Estate/liquidation auction sale.
- (2) Outdoor craft and/or antique shows/sales.
- (3) Parades.
- (4) Carousels; games (as defined in section 14-9).
- (5) Secondhand retail sales.
- (6) Wire line telecommunications services not to exceed 5,000 square feet.

(7) Mobile office/classroom shall only be permitted with a special use license with the following restrictions:

- a. For use as a classroom for a period of one year and must reapply for a special use permit for each additional year thereafter;
- b. For use as an office for a period of six months and must reapply for an additional six months, with one year being the maximum for an office.

(8) Mortuary, funeral home.



**WALSH COLUCCI  
LUBELEY EMRICH  
& WALSH PC**

John H. Foote  
(703) 680-4664 Ext. 5114  
jfoote@pw.thelandlawyers.com  
Fax: (703) 680-2161

November 2, 2012

Mr. Gene Swearingen, Town Manager,  
Mr. Marchant Schneider, Town Planner  
Town of Haymarket  
P. O. Box 1230  
Haymarket, Virginia 20168

Re: Application for Zoning Text Amendment

Dear Messrs. Swearingen and Schneider:

This firm represents Clifford Blasius and McGraw's Corner, LLC, in connection with their request that the Planning Commission and Council consider amendments to the Town's Zoning Ordinance that would permit construction of a funeral home in the Town's B-1 District. McGraw's Corner is soon to be under contract to acquire a property in that District. As you can see from the draft of that contract attached, purchase would be contingent upon approval of zoning text amendments to permit the desired use of the property.

Mr. Blasius has long and successful experience in this essential business. Most recently, he was the owner/manager of the Blasius-Baker Funeral Home in Old Town Manassas, adjacent to residential and commercial uses, where he operated for many years until he sold that company. He wishes to re-enter the business, and after much analysis has determined that the need for the services of a funeral home is greatest in the Gainesville/Haymarket area. There are, indeed, presently no such facilities in the area.

For purposes of comparison, most jurisdictions in which this firm works, including as examples Prince William, Stafford, and Fairfax Counties, the cities of Manassas and Fairfax, and the Towns of Occoquan, Herndon, and Front Royal permit funeral homes as a use by right in one or more of their commercial districts, in recognition they are business operations with minimal impact on a locality, and that are fundamentally identical to other business uses.<sup>1</sup> They present no adverse effects on surrounding businesses or residences, and increase the taxable value of the

<sup>1</sup> We note that most Virginia jurisdictions appear to use the term "funeral home," rather than "mortuary." The terms do not have a significant difference in meaning, and both are proposed in the text provided.



Mr. Gene Swearingen  
Mr. Marchant Schneider  
November 2, 2012  
Page | 2

real property on which they are located. They are, in short, good neighbors providing a service that, unless the laws of nature have been repealed, all need in the fullness of time, and that are participating taxpayers and citizens.

The application submitted proposes the addition of the necessary definitions, and the inclusion of the appropriate uses, including the inclusion of a crematory as a special use, it should be understood that the applicant does not propose a crematory and has no present plans for such a facility. Because such services are today often associated with funeral homes, however, we suggest that the Town consider providing for them but only by special use permit.

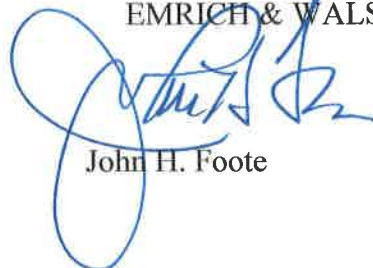
We also note that although the current Town Zoning Ordinance does not provide for funeral homes, mortuaries, or crematoria, there is, interestingly, a provision in § 58-11(7) of the Ordinance regulating minimum off-street parking for mortuaries, requiring at least ten parking spaces.

Because we have had long experience in the development of ordinance amendments, we are also attaching for the Council's convenience a proposed initiating resolution that comports with the requirements of Virginia law for the commencement of the zoning text amendment process.

We are pleased to submit this application on our clients' behalf, and pleased as well to discuss this with you, the Commission, and the Council. We appreciate the Town's cordial consideration of this proposal.

Very truly yours,

WALSH, COLUCCI, LUBELEY,  
EMRICH & WALSH, P.C.



John H. Foote

JHF/jf

cc: Clifford Blasius



---

TO: Town of Haymarket Town Council  
SUBJECT: Ordinance to Adopt a Transient Occupancy Tax  
DATE: 05/06/13

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Attached please find Ordinance 20130506-1 for the Town Council's Consideration this evening.

**ATTACHMENTS:**

- Hotel Tax Ordinance (PDF)

**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES, TOWN OF HAYMARKET, VIRGINIA (2004), AS AMENDED, BY ADDING SECTION 38-47 TO ARTICLE VI. CHAPTER 42 TAXATION.**

**BE IT ORDAINED** by the Council for the Town of Haymarket, Virginia, meeting in regular session this 6<sup>th</sup> Day of May 2013:

**That the Transient Occupancy Tax be adopted into Haymarket's Code of Ordinances, Chapter 42, TAXATION Article VI. Sections 38-47**

**ORDINANCE 20130506-1**

**Chapter 42 TAXATION**

**ARTICLE VI – Transient Occupancy Tax**

**Sec. 42-38. - Definitions.**

For the purposes of this article, the following words and phrases shall have the meanings respectively ascribed to them by this section.

***Hotel*** shall mean any public hotel, inn, apartment hotel, hostelry, tourist home or house, motel, rooming house or other lodging place within the country, offering lodging for four or more persons at any one time, and the owner and operator thereof who, for compensation, furnishes lodging to any transient.

***Room rental*** shall mean the total charge made by any hotel for lodging or space furnished any transient. If the charge made by a hotel to a transient includes any charge for services or accommodations in addition to that of lodging or the use of space, then such a portion of the total charge as represents only room or space rental shall be distinctly set out and billed to such transient as separate item.

***Transient*** shall mean any person who, for any period of not more than 29 consecutive days, either at his own expense or at the expense of another, obtains lodging or the use of any space in any hotel or travel campground, for which lodging or use of space is made.

***Travel campground*** shall mean any site, lot, field or tract of land within the country offering spaces for recreational vehicles or campsites for transient dwelling purposes, temporary dwelling during travel, recreational or vacation use.

***Travel campground space rental*** shall mean the total charge made for recreational vehicle space or campsite to a transient during travel or recreational and vacation uses.

**Sec. 42-39. - Levied; amount.**

In addition to all other taxes of every kind now or hereafter imposed by law, there is hereby imposed and levied on each and every transient a tax equivalent to five percent of the total paid for room rental or travel campground space rental by or for any such transient to any hotel or travel campground.

**Sec. 42-40. - Expectations.**

No tax shall be payable under this article on room rental paid to any hospital, medical clinic, convalescent home or home for the aged.

**Sec. 42-41. - Collection.**

Every person receiving any payment for room rental or space rental with respect to which a tax is levied under this article shall collect the amount of such tax from the transient on whom the same is levied or from the person paying for such rental, at the time payment for such rental is made.

**Sec. 42-42. - Reports and remittances generally.**

The person collecting any tax pursuant to section 26-124 shall make out a report, upon such forms and setting forth such information as the director of finance may prescribe and require, showing the amount of room or space rental charges collected and the tax required to be collected, and shall sign and deliver such report to the director of finance with the remittance of such tax. Such reports and remittances shall be made on or before the last day of the month following each quarter and covering the amount of tax collected during the preceding quarter. Such quarterly reports and remittances shall be made on or before the last day of January, April, July, and October, in each year; provided however, that any person operating a hotel or travel campground may make such reports and remittances on a monthly basis.

**Sec. 42-43. - Duty of collector going out or disposing of business.**

Whenever any person required to collect and pay to the Town a tax under this article shall quit or otherwise dispose of his business, any tax payable, under the provisions of this article to report the country shall become immediately due and payable, and such person shall immediately make a report and pay the tax due.

**Sec. 42-44 - Penalty and interest for late remittance.**

If any person shall fail or refuse to remit to the director of finance the tax is required to be collected and paid under this article within the time and in the amount specified in this article, there shall be added to such tax, by the director of finance, a penalty of ten percent. If the tax shall remain delinquent and unpaid for a period of one month from the date such is due and payable, there shall, in addition, be added to such tax interest at the rate of ten percent per year on the amount of tax for each month or portion thereof from the date upon which the tax is due.

**Sec. 42-45 - Disposition of remittances.**

The remittances received under this article from that portion of the tax up to two percent by the director of finance shall be promptly paid into the country general fund. The remittances received under this article from that portion of the of the tax over two percent shall be designated and spent for promoting tourism, travel or business that generates tourism or travel in the county.

**Sec. 42-46. - Powers and duties of the Treasurer under article.**

- (a) It shall be the duty of the Treasurer to ascertain the name of every person operating a hotel or travel campground in the county, who is liable for the collection of the tax levied by this article. The director of finance shall have the power to adopt rules and regulations, not inconsistent with the provisions of this article, for the purposes of carrying out and enforcing the payment, collection and remittance of the tax levied by this article, and a copy of such rules and regulations shall be on file and available for public examination in the director's office. Failure or refusal to comply with any rules and regulations promulgated under this section shall be deemed a violation of this article.
- (b) If any person required to collect and remit the tax imposed by this article fails to file a report and make a remittance, or if the director of finance has reasonable cause to believe that an erroneous report has been filed, the director of finance may proceed to determine the amount due to the Town, and in connection therewith, shall make such investigations and take such testimony and other evidence as may be necessary; provided, however, that notice and opportunity to be heard

shall be given who may become liable for the amount owing prior to any determination by the director.

**Sec. 42-47. - Violations of article.**

Any person violating or failing to comply with any of the provisions of this article shall be guilty of a Class 3 misdemeanor. Each such violation or failure shall constitute a separate offense, but conviction thereof shall not relieve any person from the payment of such tax, penalties and interests, as provided in this article.

Done this 6<sup>th</sup> Day of May 2013

TOWN OF HAYMARKET, VIRIGNIA

BY: \_\_\_\_\_  
David Leake, Mayor

ATTEST:

\_\_\_\_\_  
Jennifer Preli, Town Clerk



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TO: Town of Haymarket Town Council  
SUBJECT: Budget Revisions  
DATE: 05/06/13

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Attached please find the staff's recommended budget revisions

**ATTACHMENTS:**

- Budget Revisions May 2013 (PDF)

Budget Revisions  
May 2013

**2.A.a**

Line Item	Current Balance	Adopted Budget	Amount Needed	Recommended Line Item
Museum Security System	\$577.50	\$270	\$325	Museum Office Supplies
Operating Expenses: Advertising	\$6,937	\$6,000	\$4,000	Operating Expenses: Audit
Operating Expenses: Printing & Reproduction	\$2,716	\$3,000	\$1,200	Operating Expenses: Worker's Compensation
Operating Expenses: Equip. Repairs/Maintenance	\$1,931	\$1,823	\$1,000	Operating Expenses: Postage
Professional Services: Building Official	\$33,242	\$18,000	\$38,800	Professional Services: Legal
Professional Services: Planner	\$10,980	\$11,025	\$4,000	Professional Services: Pass-thru fees
Professional Fees: Storm Water/Plan Review	\$8,274	\$2,800	\$8,500	Professional Services: Engineering
Travel & Ent./Lodging	\$2,466	\$1,500	\$1,000	Operating Expenses: Training/Education
Public Safety: Salaries	\$290,521	\$354,606	\$10,000	Personnel/Salaries & Wages: TH Staff
15026 Wash. St. Utilities	\$841	\$0	\$1,100	15000 Wash. St. (THB): Utilities
15026 Wash. St. Building Improvements/Repairs	\$767	\$0	\$1,000	Operating Expenses: Commissioner Admin Fee
15000 Wash. St. (Tenants): Janitorial Supplies	\$830	\$0	\$1,100	Operating Expenses: Commissioner Admin Fee
15000 Wash. St. (Tenants): Building Improvements/Repairs	\$6,882	\$3,500	\$5,000	Professional Services: Chief Financial Operator
15000 Wash. St. (Tenants): Building Materials	\$141	\$0	\$500	Professional Services: Engineering
15000 Wash. St. (Tenants): Cleaning	\$5,005	\$4,000	\$2,200	Professional Services: Chief Financial Operator
15000 Wash. St. (Tenants): Leasehold RE Tax	\$1,843	\$900	\$943	Operating Expenses: Commissioner Admin Fee
15000 Wash. St. (Tenants): Utilities	\$6,179	\$3,463	\$4,100	15000 Wash. St. (THB): Utilities
Town Owned Property: Signage	\$205	\$0	\$205	Professional Services: Engineering
15000 Wash. St. (THB): Building Improvements/Repairs	\$8,589	\$5,000	\$5,000	Professional Services: Engineering
15000 Wash. St. (THB): Cleaning	\$4,822	\$3,500	\$2,500	Professional Services: Pass-thru fees
15025 Wash. St: Utilities	\$3,077	\$3,090	\$500	15000 Wash. St. (THB): Utilities
Hulfish: Utilities	\$114	\$0	\$2,200	15000 Wash. St. (THB): Utilities

\$95,173

Attachment: 05-06-2013 TC Packet for Work Session (1423 : May 6, 2013 Draft Town Council Agenda)




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TO: Town of Haymarket Town Council  
 SUBJECT: Closed Session  
 DATE: 05/06/13

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The Virginia State Code allows for government entities to enter into closed session discussions for specific purposes outlined in VA §2.2-3711. The Haymarket Town Council will enter into closed session discussions this evening for the following purpose:

A1. 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; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter that involves the teacher and some student and the student involved in the matter is present, provided the teacher makes a written request to be present to the presiding officer of the appropriate board.

A3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; **Food Pantry Lease 14740 Washington Street**

A7. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

29. Discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.





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TO: Town of Haymarket Town Council  
SUBJECT: Certification of the Closed Session  
DATE: 05/06/13

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§ 2.2-3712. Closed meetings procedures; certification of proceedings.

Certification: 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.