



TOWN OF HAYMARKET TOWN COUNCIL

PUBLIC HEARING ~ MINUTES ~

Alice Jarrell, Clerk of the Council
<http://www.townofhaymarket.org/>

15000 Washington St
Haymarket, VA 20169

Monday, May 15, 2017

7:00 PM

Council Chambers

A Public Hearing of the Mayor and 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 John Cole: Present, Councilman Chris Morris: Present, Vice Mayor Joe Pasanello: Present, Councilwoman Susan Edwards: Present, Councilman Connor Leake: Absent, Councilman Steve Aitken: Absent, Mayor David Leake: Present.

2. Citizen's Time

Ms. Dottie Leonard (14801 Washington Street): raises the matter of screening of visible defunct automobiles; it is customary for a local jurisdiction to require screening in the form of fencing and/or trees, if a property has been zoned for this use.

Mr. Bob Weir (6853 Saint Paul Drive): raises the issue of the First Amendment's protection of the right to free speech, especially as regards speaking to public concerns. He reminds the Council that a Town body is not able to interfere with a citizen's right to share his or her concerns in public.

3. Public Hearings

A. Chapter 58 of the Town Code - Zoning Ordinance & Zoning Map

Mayor introduces the Town's zoning consultant, Mr. Darren Coffey of the Berkley Group, who presents on changes to the Zoning Ordinance and Zoning Map.

This Ordinance has been two years in the making, and will bring the Town's Ordinance into compliance with the State Code. District uses were evaluated, and Article 20 of the Town Code is now folded in as the Subdivision Ordinance.

The Town has made economic development a priority, so the various districts are meant to be business-friendly. Definitions have been clarified and expanded, and illustrations have been included to illustrate vague concepts. By-right uses have been more clearly defined, as have the use and design standards.

The Sign Ordinance has been edited to ensure that it is content-neutral.

The landscaping section has been expanded, and there is a new section that deals with lighting.

Proposed vs. Existing Zoning Map: colors changed for clearer aesthetic definition. Mr. Coffey goes through the new map and explains the changes; he says that the Town's Future Land Use Map is dated, and should be revised to align with the Zoning Ordinance, to eliminate discrepancies.

The Mayor opens the floor for clarification questions about Mr. Coffey's presentation, ahead of the general Public Hearing questions.

Dottie Leonard (14801 Washington Street): In what areas was the Town not in compliance with the State Code? Mr. Coffey answers that its references, its penalty and procedural clauses, though he does not remember the specifics off-hand.

Ms. Leonard opposes the 'transitional' district, and asks which uses are permitted in different categories?

Mr. Coffey explains the different use types, and how they fit into the different zoning districts. He also elaborates on the allowed uses in the transitional commercial zoning designation. The proposed zoning map does not include any properties designated as 'transitional commercial;' it is included on the future land use map, but the Planning Commission did not recommend including it on the Zoning Map.

Ms. Leonard asks what is meant by "different house types"? Mr. Coffey lists some examples, such as single family, single family attached, etc., and Leonard says that this has clarified the matter for her.

Ms. Leonard asks if the new Ordinance will bring the Town into compliance with the State Code, how could there be leeway for litigation in court over it? Mr. Coffey answers that the State Code allows, in some areas, for a variety of definitions; beyond this, the Town can apply as it wants, and see how its applications hold up if challenged.

Which consultant firm prepared the Sign Ordinance ahead of the Berkeley Group's revision? Mr. Coffey answers that it was Herd Consulting, and confirms that the residents have not lost any rights to content on their signs, but that their type definitions in the Ordinance cannot be based on that content. (For example, 'political signs'.)

The Mayor opens the floor for general comments for the Public Hearing.

Bob Weir (6853 Saint Paul Drive): reminds the Council that economic development does not always lead to the best results for the Town. He suggests that the packet be returned to the Planning Commission so that it can correct its procedural errors. He points out errors in the hearing notice, and submits written comments to be included in the record.

Rebecca Bare (14977 Cheyenne Way): shares major concerns with regard to the height allowances, and with potential conflicts of interests connected to development projects within the Town. She suggests starting this over, and following the proper procedures throughout.

Dottie Leonard (14801 Washington Street): opposes the inclusion of the proposed transitional commercial designation.

David Bailey (14946 Madison Court): requests the list of land owners that were notified of this zoning change; he did not receive a notice. He would like to receive a copy of the Town's Zoning Ordinance, sent certified.

B. Proposed Real Property Tax Increase

Town Manager Kimberly Murray summarizes the proposed real property tax rate of \$0.146 per \$100 of assessed value.

Mayor Leake opens the Public Hearing.

Rebecca Bare (14977 Cheyenne Way): opposes tax increase, and believes that every alternative avenue should be explored to reduce budget. She repeats her previous suggestions on this matter, such as the Council waiving its funds. The Town must operate within its means.

Steve Shannon (14983 Keavy Place): Mr. Shannon is retired Army and Law Enforcement, and would like to answer some comments from previous meetings regarding the Police Department; he speaks to the hard work and quick response time of the Haymarket Police. He reminds those present that Chief Lands reduced his budget for the upcoming year by 2.6%.

Chuck Carnahan (6654 Hunting Path Road): shares his skepticism of a budget that defers maintenance, raises taxes, borrows money, and does not contribute to the Reserve Fund. He opposes the Town's granting of money to local school programs.

Bob Weir (6853 Saint Paul Drive): says that the Town is doing its budget and tax rate in reverse order. He criticizes the replacement of long-term staff with consultant employees. He believes that the proposed budget is flawed in its projected revenues.

Dottie Leonard (14801 Washington Street): shares that she would prefer the elected officials to make major financial decisions, not the Town staff, and repeats her belief that the Town does not need a full-time Town Planner. Budget needs to reflect that Town property values are increasing, so tax revenue will increase anyway. She is very grateful to the Police Department, and says that they are worth their money. She asks the Council to finish the Town Center façade, finish the park, and defer the brick sidewalks on Jefferson Street.

4. Agenda Items

A. Ordinance #2017-001: Chapter 58 of the Town Code - Zoning Ordinance & Zoning Map

Mayor Leake opens the matter to comments from Council Members.

Morris feels that this recommendation needs to be revisited with the Planning Commission; the proper procedures need to be followed.

Cole agrees; he thinks that, as Planning Commission liaison, Councilman Leake could present on this matter and elaborate on the Commission's recommendation.

Edwards says that she is not prepared to vote tonight on this matter; she still has too many questions.

Pasanello thanks the residents who came to offer comments; says that it would be prudent to review the matters raised by the residents' comments. He is concerned about the procedural issues raised, and would like to hear from the Town Attorney to be sure.

Pasanello has some questions for Staff: were there any concerns that were raised in the Planning Commission's Public Hearings that have not been addressed?

Mr. Coffey says that there have been no substantive changes to the text of the Zoning Ordinance since April 5th; the Planning Commission recommended approval of this version. The legal ad was rewritten to give more detail, per guidance from the Town Attorney.

Ms. Murray confirms that the procedural issues were raised at the Planning Commission's Public Hearing were examined. After that meeting, the staff verified the properties that were meant to receive such notices, per state statute.

Mr. Morris asks whether a record exists for questions raised at the Commission's Public Hearing; Ms. Murray answers that questions were answered broadly, but staff is working with residents one-on-one, and the Town Clerk is summarizing the comments.

Edwards has been approached by residents with questions on these matters; she is very careful with her voting and wants to be sure that all are doing their due diligence and giving the

comments the proper attention. She encourages all residents to reach out and speak publicly with their concerns.

Pasanello asks how the Zoning Ordinance can leap ahead of the Comprehensive Plan.

Mr. Coffey clarifies that the Comprehensive Plan is a guide, whereas the Zoning Ordinance has the force of law; this is why, he assumed, the Town decided to update its Ordinance first. He suggests that the Town update its Comprehensive Plan, but says that it is not uncommon to go in this order.

Mayor Leake clarifies that the transitional commercial designation was purposefully chosen to be included in the Comprehensive Plan.

B. Discussion: FY2017/2018 Town Budget

Mayor Leake confirms with Ms. Murray that the Council will vote on the FY2017-18 budget at its meeting on June 5th. The Vice-Mayor suggests having another meeting in the mean while, at a time when all Council Members can attend.

Vice-Mayor Pasanello agrees with residents' comments that more efficiencies can be found, particularly within the budget of the Police Department. He believes that it has too many vehicles, and that both the number of vehicles and the take-home policy need to be revisited. He also would like to see further discussion on funds for the Haymarket Community Park, the savings on health care, and the debt service payments for the Town Center Master Plan development.

The Zoning update is added to the agenda for the June meeting as a discussion item, and a Work Session for further revision on the budget is set for May 22nd at 6:00 PM. Mayor Leake suggests that those who would like to raise issues, send their notes on specific line items to the other Council Members in advance.

Morris asks whether the points raised by Vice-Mayor Pasanello were raised at the Finance Committee meetings. Pasanello admits that he was not at all of them, but says that he did raise some of these issues in the past.

5. Adjournment

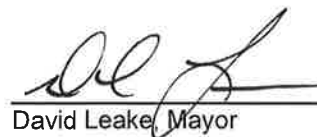
A. Motion to Adjourn

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	John Cole, Councilman
SECONDER:	Susan Edwards, Councilwoman
AYES:	Cole, Morris, Pasanello, Edwards, Leake
ABSENT:	Steve Aitken

Submitted:

Approved:


Danielle Kijewski, Clerk of Council


David Leake, Mayor

