



TOWN OF HAYMARKET TOWN COUNCIL

REGULAR MEETING ~ MINUTES ~

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

15000 Washington St
Haymarket, VA 20169

Tuesday, July 5, 2016

7:00 PM

Council Chambers

A Regular Meeting of the Mayor and Council of the Town of Haymarket, VA, was held this evening in the 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: Present, Councilman Steve Aitken: Present, Mayor David Leake: Present.

2. Invocation

Pastor Mark Brady with Park Valley Church is here this evening to offer the invocation

3. Pledge of Allegiance

4. Citizen's Time

Natalie - 15064 Gaffney Circle

She is here this evening to express her support of the Train Horn Quiet Zone. She was not aware of the train when she moved here and didn't realize a train could blow their horn so loud and all night long

Bob Weir - 6853 Saint Paul Drive

He stood here over a year ago stating that the FY 16 revenue forecast was flawed and spending unsustainable. The figures are in and he was right. The Town has never been in the red, but the last two years that has been the case. He feels the Town is headed down the same road for the FY 17 budget. There is an agenda item that calls to appoint the Mayor as the Town Manager. His interpretation of the Virginia Constitution and the State Code does not permit anyone on the Town Council to hold another office.

5. Public Hearings - Joint with Planning Commission

A. 6680 Fayette Street Rezoning

The applicants and contract purchasers, Jim & Andrea Payne, are here this evening to present their application. They have applied to rezone 6680 Fayette Street from R-1 to B-1. Their proposed use is for a Dog Day Care facility.

Vice Chairman Jim Carroll opens up the public hearing on the rezoning application. He asks for anyone wishing to speak in favor or opposed to the application to come forward if they would like to address the Planning Commission and Town Council.

Steve Shannon - 14983 Keavy Place

He is all about having a kennel in the area, however, he is concerned about the location. First, traffic is an issue on Fayette Street (north). Second, he does not believe they are providing enough parking. There is no road parking. He is already concerned that there are no sidewalks on Fayette.

Shannon Castaneda - 15001 Gossom Manor Place

She is particularly concerned about the noise from the dogs. Her other concern is that once this property is rezoned, it can be any B-1 use in the future. Parking is also a concern of hers, there is no room for on-street parking.

Tracey Pater

She does not see this parcel as an ideal location for a business.

Irvin Williams - 15009 Gossom Manor Place

He has a concern with the type of dogs that may be there. He is also concerned with potential disease.

Vice Chair Jim Carroll closes the public hearing and opens up dialog between the Planning Commissioners. Maureen Carroll does not believe the PC is ready to make a recommendation at this time. She believes they need more discussion. Connor Leake is also not ready to make a decision at this time, his main concern being noise. He totally supports the business concept and small business ownership. He is concerned about the location. Cathy Pasanello believes the application requires more deliberation. Her main concern is that there are no sidewalks. Madu Panthi is mostly concerned about noise and traffic.

Connor Leake moves that the Planning Commission take REZ 20160602 to tomorrow, July 6, 2016, Panthi seconds;

Ayes: 5

Nays: 0

Absent: Caudle

RESULT:	ADJOURNED [UNANIMOUS]
MOVER:	Susan Edwards, Councilwoman
SECONDER:	Joe Pasanello, Vice Mayor
AYES:	Cole, Morris, Pasanello, Edwards, Leake, Aitken

B. Town Center Property Preliminary Site Plan Waivers

This matter is regarding the preliminary site plan for the Town Center. The Town Council adopted the Town Center master plan several years ago. The project went out for bid for engineering services and the Town hired Rinker Design Associates. They incorporated many of the elements from that plan into the preliminary design. The design is meant to increase pedestrian connectivity, increase the available parking, reduce cut through traffic through the site, provide a more defined community space, and also deal with storm water management.

Vice Chairman Jim Carroll opens up the public hearing and asks for anyone wishing to speak on the matter, please come forward.

No public comment

Connor Leake moves that the Planning Commission forward Preliminary Site Plan PRE#20150504, Haymarket Town Center Redevelopment, to a future Planning Commission meeting for further discussion, Cathy Pasanello seconds;

Ayes: 5

Nays: 0

Absent: Caudle

Connor Leake motions to adjourn the special meeting of the Planning Commission, Cathy Pasanello seconds

Ayes: 5

Nays: 0

Absent: Caudle

6. Minutes Acceptance

A. Mayor and Council - Regular Meeting - Apr 4, 2016 5:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Susan Edwards, Councilwoman
SECONDER:	Joe Pasanello, Vice Mayor
AYES:	Cole, Morris, Pasanello, Edwards, Leake, Aitken

B. Mayor and Council - Special Meeting - Jun 14, 2016 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Susan Edwards, Councilwoman
SECONDER:	Joe Pasanello, Vice Mayor
AYES:	Cole, Morris, Pasanello, Edwards, Leake, Aitken

7. Department Reports

- A. Main Street Coordinator's Report - Denise Andrews
- B. Treasurer's Report - Sherrie Wilson
- C. Town Engineer's Report - Holly Montague
- D. Building Official's Report - Joe Barbeau, Jr.
- E. Planner's Report - Marchant Schneider
- F. Police Report - Eric Noble, Chief of Police

8. Agenda Items

A. 6680 Fayette Street Rezoning - Marchant Schneider

The Planning Commission will be addressing this matter at their next regularly scheduled meeting of July 6, 2016

B. Town Center Property Preliminary Site Plan Waivers - Marchant Schneider

C. Appropriation Request - Mayor Leake

Move that the Town Council (1) waive the requirement that the Town obtain three bids per the adopted spending policy, POL20140707, with regard to the siding replacement of 15026 Washington Street, and (2) authorize the Treasurer to issue half payment in the amount of \$7,537 prior to work commencing then final payment to Peak Roofing in an amount not to exceed \$7,537, once the project is complete.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joe Pasanello, Vice Mayor
SECONDER:	Connor Leake, Councilman
AYES:	Cole, Morris, Pasanello, Edwards, Leake, Aitken

D. Budget Appropriation

Move to adopt Resolution #2016-012 Appropriating the General Fund Expenditures for the Fiscal Year 2017 Adopted Budget and the Capital Expenditure of \$274,824 Pedestrian Improvement Project.

GENERAL FUND EXPENDITURES

Administration	\$712,350.00
Police & Public Safety	\$775,900.00
Public Works (Includes buildings & grounds)	\$212,000.00
Community Development	\$64,600.00
Museum/Parks, Rec & Cultural	\$70,650.00
Debt Service	\$186,440.00
General Reserves	\$30,000.00
TOTAL EXPENDITURES	\$2,051,940.00

CAPITAL EXPENDITURES

Pedestrian Improvement	\$274,824.00
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RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joe Pasanello, Vice Mayor
SECONDER:	Chris Morris, Councilman
AYES:	Cole, Morris, Pasanello, Edwards, Leake, Aitken

E. Appointment of Interim Town Manager

The Town Attorney informs that the purpose of the Resolution is to ensure that business management duties are performed until the Council appoints a new Manager. The Town Attorney did review the Resolution Article VII, Section 6 of the Constitution of Virginia provides no person at the same time shall hold more than one office mentioned in this Article. Town Manager is not mentioned. The Town is not required to have a Town Manager. Pursuant to Virginia Code §15.2-1536 a Chief Administrative Officer is a discretionary position the Town may have. Section 119 of the Town Charter permits Council to appoint a business manager for the Town. An interim acting business manager is not holding an office and therefore does not violate Article VII, Section 6 of the Virginia Constitution or its derivative statute VA §15.2-1535.

Move to adopt Resolution #2016-11

WHEREAS, Section 1 (19) of the Town Charter permits the Town Council in its discretion to appoint a "business manager" for the town, and Virginia Code § 15.2-1536 permits each locality in its discretion to appoint a "chief administrative officer"; and

WHEREAS, the Haymarket Town Code delegates certain duties to the Town Manager, including duties contained in Town Code §§ 15-5, 15-9, 15-13, 15-15, 18-38, 22-4, 46-92, 54-208, 54-209, 54-213, 54-216, and 54-218 through 54-221; and

WHEREAS, there is a vacancy in the office of Town Manager that the Town Council expects to fill on a permanent basis after advertising the position and interviewing candidates, but there is an immediate need for a Town Manager to perform the duties set out in the Town Code and the job description for the Town Manager;

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Haymarket, meeting in regular session this 5th day of July, 2016, that the Council does hereby appoint David Leake as its Acting Town Manager until further action of the council.

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

F. Town Manager Job Description

Move that the Town Council adopt the revised Town Manager description incorporating the recommended amendments by the Town Attorney.

Discussion: Councilwoman Edwards asks about the section Employer Overview, page 57 the correct term is The Journey Through Hallowed Ground National Heritage Area. The Town Attorney offers typographical corrections. Councilwoman Edwards wanted to know why the drivers license requirement was struck. The Mayor is unsure of Mr. Crim's recommendation on that. Councilman Pasanello refers to Section 13, the word "visiting" he is concerned with that term. He was hoping the Town Manager would inspect, be the eyes and ears, then pass on to staff to follow up. The Town Attorney believes that inspect connotes action. Councilman Cole asks "what a regular basis means".

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Steve Aitken, Councilman
SECONDER:	Connor Leake, Councilman
AYES:	Cole, Morris, Pasanello, Edwards, Leake, Aitken

G. Town Council Code of Ethics & Standards of Conduct - Mayor Leake

The Mayor asked that this item be placed on the agenda for the Council Member to review and sign

H. Planning Commission Appointment

Move to appoint Steven Shannon to the Town of Haymarket Planning Commission. His term is effective July 5, 2016 through June 30, 2019.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Susan Edwards, Councilwoman
SECONDER:	Joe Pasanello, Vice Mayor
AYES:	Cole, Morris, Pasanello, Edwards, Leake, Aitken

I. Vice Mayor Nominations

Mayor Leake opens the floor for nominations for Vice Mayor:

Councilwoman Edwards moves to nominate Joe Pasanello as Vice Mayor

Councilman Aitken moves to nominate Chris Morris as Vice Mayor

Mayor calls for a vote for the nomination of Joe Pasanello as Vice Mayor

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Susan Edwards, Councilwoman
AYES:	Cole, Morris, Pasanello, Edwards, Leake, Aitken

J. Appointment of ARB Liaison

Move to appoint Susan Edwards as the Town Council Architectural Review Board liaison to a term running concurrent with their Council term, ending June 30, 2018

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Steve Aitken, Councilman
SECONDER:	Connor Leake, Councilman
AYES:	Cole, Morris, Pasanello, Edwards, Leake, Aitken

K. Appointment of PC Liaison

Move to appoint Connor Leake as the Town Council liaison to the Planning Commission to a term running concurrent with their Council term, ending June 30, 2018

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

L. Dominion VA Power 230 kV Transmission Line & Substation

The SCC hearing was held in June. There were two days of testimony. The transcripts of the hearing will be posted and the Council will need to review those. Councilwoman Edwards asks if in the hearings it was confirmed that this extension is for one customer. Pasanello says we really need to review the transcripts to see that. The Mayor informs that it appears Dominion had the support of some legislative bodies.

M. VRE - Haymarket Extension

Vice Mayor Pasanello has reached out to Christine Hoeffner, Project Manager for the Haymarket/Gainesville Extension of VRE. VRE has reached out to Fauquier County about a storage facility. They received considerable push back, so they are back to looking at Prince William County. The Town has been invited to attend a VRE Operations Board meeting on July 15, 2016. They are doing a work session on this project. He will try to attend.

N. Enter into Closed Session

Move to enter into closed session pursuant to the Virginia Freedom of Information Act §2.2-3711

A7. Consultation with legal counsel and staff briefings pertaining to the pending case of Blue Sky Events, LLC vs. Town of Haymarket as consultation or briefing in open meeting would adversely affect the Town's negotiating posture, and

A1. Discuss or consider personnel matters namely the consideration or interviews of prospective candidates for the Town Manager position, and appointment performance or salaries of specific officers, appointees, or employees of the Town, and

A3. Discussion or the consideration of the disposition of publicly held real property, specifically leases held at 15026 Washington Street and 15000 Washington Street, where discussion in an open meeting would adversely affect the negotiating strategy of the Town, and

A29. Discussion of the award of a public contract involving the expenditure of public funds, specifically the Town's landscaping contract, including discussion of the terms and scope of such contract where discussion in an open session would adversely affect the negotiating posture of the Town

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

O. Certification of the Closed Session

Move 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 Haymarket Town Council

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

P. Landscaping Contract

Move to award the Town's Landscaping contract to Premier Landscaping

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

Q. Blue Sky Events, LLC

Move to proceed as discussed in the closed session

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Connor Leake, Councilman
SECONDER:	Chris Morris, Councilman
AYES:	Cole, Morris, Pasanello, Edwards, Leake, Aitken

R. Personnel Matters

Move to proceed as discussed in the closed session with regard to personnel matters

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

S. Lease Negotiations

Move to proceed as discussed in closed session with regard to lease negotiations regarding the property at 15000 Washington Street to insert the amount owed and due date in the Memorandum of Understanding

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

9. Councilmember Time

A. Connor Leake

- Councilman Leake thanks Joe, Steve, the Mayor, and Chris for helping take down the sheds at the Harrover property
- He thanks the Mayor & Joe for getting the shrubs out in front of Copper Cricket
- Thoughts and prayers are with Thomas Richards and his family
- Thanks the Town staff for the Health & Fitness Fair
- Washington Street Realty is looking to partner with the Town to sponsor a 5K run in September or October

B. John Cole

- He thanks the Council for their patience and he is excited to be working with everyone

C. Steve Aitken

- He offers some words of wisdom to Vice Mayor Pasanello, good luck, he knows its in good hands. Good luck keeping the Mayor on the straight and narrow

D. Susan Edwards

- Councilwoman Edwards thanks the Mayor & the staff for all the hard work at the end of the Fiscal Year

E. Chris Morris

- Councilman Morris notes that it has been a great past two years and is looking forward to the next two

F. Joe Pasanello

- He congratulates Steve Shannon and welcomes him to the Planning Commission
- He welcomes John and Connor to the Town Council
- He thanks Steve for his service as Vice Mayor
- He reminds that the Council is not always going to agree, but we need to build the team. He is looking forward to the retreat on the 21st
- He would like to have a serious discussion about traffic calming in Town

G. David Leake

- Mayor Leake reminds that there is an event this Saturday at QBE. There will be an escort for Sergeant. Dandrea to his new home where there will be a key dedication ceremony. There were over 100 modifications made to this home to accommodate his specific disability.
- Grace Church of Gainesville has offered the Town a service project to put together our park benches and picnic tables
- Mayor Leake thanks staff for keeping his head above water during this transition with the Town Manager
- The Mayor recognizes Cathy & Joe Pasanello for all their volunteer work with the planters
- Two new businesses have opened, Cookies & Cream Ice Cream Parlor & Copper Cricket

10. Adjournment

A. Motion to Adjourn

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Steve Aitken, Councilman
SECONDER:	Joe Pasanello, Vice Mayor
AYES:	Cole, Morris, Pasanello, Edwards, Leake, Aitken

Submitted:

Approved:

Jennifer Preli, Town Clerk



David Leake Mayor