



TOWN OF HAYMARKET TOWN COUNCIL

REGULAR MEETING ~ MINUTES ~

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

15000 Washington St
Haymarket, VA 20169

Monday, November 2, 2015

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 Matt Caudle: Present, Councilman Chris Morris: Present, Councilman Kurt Woods: Present, Councilman Joe Pasanello: Present, Councilwoman Susan Edwards: Present, Vice Mayor Steve Aitken: Present, Mayor David Leake: Present.

2. Invocation

Councilman Matt Caudle offers the invocation this evening

3. Pledge of Allegiance

4. Citizen's Time

Nicole Zimnoch - 6692 Comanche Court

She is here this evening to discuss the Harrover property. She is a member of the ARB and a resident of the Town. She feels we all want the same thing in our town ultimately. She is concerned if we do not preserve our history. She asks the Council to consider her request to retain at least one of the structures on the property. The funds used to demolish the building could be used on other projects.

Bob Weir - 6853 Saint Paul Drive

Mr. Weir offers his resignation this evening, effective immediately. Per his request, his resignation is being entered into the minutes in its entirety:

For the past twelve years I have had the pleasure of working with scores of elected and appointed officials as well as members of Town staff, often having vastly disparate sets of interests, agendas and knowledge bases. As a result, I found myself both on the prevailing side and losing side of many issues. That being said, rarely did I feel that the best interests of the Town as a whole were not honestly represented by those in agreement or disagreement with mine own views. Sadly, that is no longer the case thus, after a dozen years of service to the Town, I must respectfully submit my resignation from the Town of Haymarket Planning Commission effective immediately. To remain on the Planning Commission would constitute tacit approval of the questionable actions, ethics and machinations of a minority of the Town's elected representatives as well as certain executive officers of the Town. Instead, I have elected to repudiate them. First and foremost, it has become obvious that some on the Town Council desire to transfer the responsibilities and authority vested upon them when they took the oath of office to certain un-elected members of the Town staff as memorialized in a poorly considered and drafted proposed amendment to the Town Charter. To those individuals I would suggest that if they are not willing or capable of fulfilling those responsibilities, they should immediately step down from the offices to which they were elected. Continuing to pursue the course that has been embarked on will result in a Town Council responsible for little more than parties, proclamations and propaganda. More troubling however are the numerous incidents I have observed over the past sixteen months that can only be characterized as the abuse of the powers of elected office, the authority of the Town and that of Town and state law enforcement authorities, all to further select personal agendas and vendettas. In the span of the past few months alone I have become aware of frivolous if not fraudulent "anonymous" complaints made to a state law enforcement agency regarding a Town business. I should note that said "anonymous" complaints were not truly anonymous as the law enforcement agency has quite openly disclosed and documented the identity of those who initiated the complaints. Similarly, some among the Council have initiated ordinance changes specifically designed to injure existing Town businesses and individuals, often with unintended consequences. One need look no further than the poorly conceived Outdoor Events Ordinance for a prime example. Conversely, while no effort and expense has been spared to pursue those personal agendas, many issues with the potential for a direct impact on the residents and businesses of the Town have been ignored or gone unaddressed. The most recent example being repeated attempts by Susan Shaw, the project manager for the Transform 66 Outside the Beltway, to meet with the Town's mayor to discuss the location of the commuter lot that had been proposed for a site off of Antioch Road or alternately on the Gossom parcels at the northeast corner of the I-66/Route 15 interchange. Those attempts proved futile prior to the CTB vote on the preferred alternative adopted last week. In addition, although I have had frequent differences of opinion with the Town's legal counsel and contract professionals over the years, I have never doubted their competence or professionalism. That too is no longer the case. To be clear, I have the utmost confidence in the Clerk's Office and believe that the Town is truly fortunate to have perhaps the most highly qualified and competent Town Clerk in the Commonwealth. I can not say the same for the rest of the Town's staff. I have no confidence in the Town's current legal representation and truly question the competence of the current Town Manager as

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well as the motivations of several professional and law enforcement employees. This all comes at a real price to the residents and businesses of the Town, a price that diminishes the opportunity for the Town to accomplish long-range goals and promises to the residents. In the short sixteen months this Council has held office the administrative budget for the Town has doubled as has number of employees and appointees. Similarly, the annual expenditure for legal counsel is more than double the Town's historic high water mark. Additionally, numerous contractors have been hired at considerable expense to provide a work product of questionable value and need. The strategy adopted by this Council has resulted in the needless expenditure of tens if not hundreds of thousands of dollars that might have been better used to further the interests of the Town's residents and businesses. In order to fund those expenses, the Town has drawn down the substantial reserves that were in place at the time the present Council took office and will prove unsustainable in the future absent a significant increase in taxes or the tax base. I am personally offended by this fiscally irresponsible behavior and find it an anathema to the fiscally prudent measures adopted by the previous Town Councils and an affront to the elected representatives of the past decade who took great pains to ensure that the present council inherited a fiscally solvent Town. Much has been made of the plans for the future and long overdue capital improvements, I doubt that any, other than those initiated and funded by previous Council, will come to fruition under the present circumstances and leadership.

Dottie Leonard - 14801 Washington Street

She has lived in the Town for 44 years. She is so proud and impressed with the work that has been done in the past 18 months. She is aware of a grant from Tom Davis that was never used for the street scape project. She is grateful to this Council.

Arman Ghadori - 7523 Rio Grande Way, Gainesville

His wife works at the Haymarket Food Pantry. His understanding is that the Council wants to remove the food pantry from its current location. This Town is known for the food pantry region-wide. He feels the Town needs to provide a location should they wish to move them from the current location.

Rebecca Bare - 14977 Cheyenne Way

She reminds that the Town has held at least 4 public hearings regarding the Harrover property. Same things are always said, Town owned, public use, green space. It's always been standard that if we start talking about demolition the Town should hold a public hearing specifically on that. She feels a specific public hearing should be held asking the Town residents if they want either of those buildings removed or demolished. Her second issue is regarding a proposed charter amendment. She reminds there has not been a public hearing regarding that either.

Robert Day - Greenhill Crossing

He is very proud and glad of the current Town Council. He is a member of the ARB. The ARB has proposed to keep the two structures at Harrover. When he started with the ARB, he was a new citizen. He wasn't much concerned with preservation of older buildings. He has come to appreciate the buildings. He understands that Haymarket is made up of a variety of structures, its what makes Haymarket. Once they are gone, they cannot be replaced. He reminds that the ARB as a whole recommends keeping those buildings.

Chuck Carnahan - 6654 Hunting Path Road

He is thrilled there is finally a plan, however there has been no discussion of how the improvements at Harrover & Town Center improvements will be paid for. He has no opinion either way on how to deal with the structures at Harrover. He reminds that the Council has a fiduciary responsibility that if they are going to put forward this plan you have to have a funding mechanism. He expresses concern about traffic when the Old Carolina/Jefferson St bridge reopens. The Chief attended the last Longstreet Commons HOA meeting and shared some ideas with the Board. They look forward to implementing some of those. He thanks the Town Council for their service.

Susan Edwards

Mrs. Edwards steps to the podium to speak as a resident. She is speaking tonight about the Harrover property and the future Harrover Park. She knows this is an important project for this town but feels the Council is obligated to follow the strategic plan and that if the Council moves in the direction that is in direct opposition to the plan, the plan should be amended accordingly and public hearings should be scheduled for resident input. The Council needs to hold themselves to the same standards as the property owners and businesses and adhere to our Council approved strategic plan that holds preservation of properties in its highest priority.

Mayor Leake

Mr. Ghadori would like to speak a second time, the Mayor asks Council if they will allow him to speak again. Woods, Edwards, Caudle, Morris & Aitken agree to allow him to speak a second time as long as he is brief.

Arman Ghadori - 7523 Rio Grande Way, Gainesville

He has heard this evening that the Town is considering building new offices. He states that this is the Food Pantry, he suggests that the Town budgets funds to place them in a new facility. He wants it on the record that the community would like a set budget amount, not just a donated old ratty facility that you can't even use the bathroom in, but a nice place for us to be able to distribute food. He thinks that the need for food trumps fancy buildings.

5. Public Hearing**A. Special Use Permit #20150611**

Mayor opens the public hearing for Special Use Permit and asks that any citizen wishing to speak in favor or opposed to the application, to please come forward.

-No public comment

6. Agenda Items**A. Special Use Permit - In-Home Business**

Move that the Town Council approve SUP# 20150611, Crave Sweets for an in-home occupation at **14932 Southern Crossing** as described on the special use permit application and narrative dated June 11, 2015, pursuant to Section 58-98 (8) of the Zoning Ordinance, and subject to the development standards of Section 58-16, Home occupations;

It is further move that the SUP shall remain in effect for a period of one year, to renew automatically for additional periods of one year, BUT EXPRESSLY CONDITIONED UPON THE FOLLOWING: Council may require, upon a majority vote, after notice to the applicant, for the applicant (or present property owner) to submit a new application for an SUP, which shall be treated in all respects as a new and different application, subject to approval or disapproval, in accordance with general principles of law for a new application. If such notice is given to the applicant or present property owner, this SUP shall terminate automatically and without further notice or action by the Council 60 days from the giving of such notice.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kurt Woods, Councilman
SECONDER:	Chris Morris, Councilman
AYES:	Caudle, Morris, Woods, Pasanello, Edwards, Aitken

B. Alzheimers Awareness Month

Mayor Leake announces that the Council is adopting November as Alzheimer Awareness Month. Francis Heron is here this evening to speak about Alzheimer Disease. The Mayor announces a short recess to go to the Museum and light the building purple for awareness of Alzheimer Disease.

C. 66 Alliance

Mayor Leake announces Gregg Scott, he is here this evening representing the 66 Alliance. The 66 Alliance is a group of people who are impacted by matters involving I-66.

D. Town Manager's Report - Brian Henshaw

- Set Charter Amendment discussions for January work session agenda

E. Refund of Overpayment - Sherrie Wilson

Move to adopted Resolution #2015-015 directing the Treasurer to refund excess meals tax late fees and to authorize the treasurer to issue any refund up to \$2,500 as a result of an erroneous assessment.

Discussion: Councilman Woods notices a discrepancy in the amounts shown in the motion vs. The report. The Mayor points out there was a revised print out provided to the Council this evening.

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RESULT: ADOPTED [UNANIMOUS]
MOVER: Joe Pasanello, Councilman
SECONDER: Chris Morris, Councilman
AYES: Caudle, Morris, Woods, Pasanello, Edwards, Aitken

F. Caboose Enhancement Project - Award of Contract

Move that the Town Council award the construction of the Access Improvements to the Southern Railway Caboose, VDOT #EN10-233-112, N501, P101 UPC #97839 to Genesis Contracting and Consulting Inc, for the amount of \$24,407.00 and direct the Town Manager to sign the Contract on behalf of the Town Council.

Discussion: Councilman Woods asks if there is a budgeted line item for the 20% match? Ms. Montague responds that yes, there is. Councilman Morris asks if the date for the liquidated damages will be addressed separately between the deck completion and the landscaping. Ms. Montague responds yes, it will be separated out. Vice Mayor Aitken asks if this is a good time to discuss perhaps taking this opportunity to consider composite material instead of the traditional wood.

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

G. Caboose Enhancement Change Order

Mayor Leake relays that it is the direction of Council to consider composite material change order for the Caboose deck. Ms. Montague did speak with the contractor and informs that there is a wide range of pricing depending upon the quality of the composite. She has come up with a cost estimate of \$15,000-\$20,000, she reminds that this would be 100% paid by the Town. If we do go forward with a change order, this will delay the construction of the deck through the winter. She would like to know if this is what they would like to pursue. Councilman Caudle would like to see a cost analysis showing life expectancy and maintenance/replacement.

H. Harrover Property

The Mayor asks that this be placed on the agenda in an attempt to get some decisions made with regard to the Master Plan. He asks that a continuation meeting be set. The Mayor sets the continuation for Friday, November 6, 2015 at 5:00 PM.

Vice Mayor Aitken states that he is a supporter of the Food Pantry. He asks what level of financial support should the government give to the Food Pantry.

Pam Stutz addresses the Council and assures the Food Pantry will not give up. She wonders if the Council members has talked to folks in the community about taking down the Lewis Homes. She would like to know exactly what the building (food pantry) costs the Town annually.

I. 14740 Washington Street - Food Pantry

J. 14710 Washington Street - Old Police Department Building

K. 14740 Washington Street - Food Pantry Building

7. Consent Agenda

RESULT: ADOPTED [UNANIMOUS]
MOVER: Joe Pasanello, Councilman
SECONDER: Susan Edwards, Councilwoman
AYES: Caudle, Morris, Woods, Pasanello, Edwards, Aitken

A. Department Reports

- i. Police Report - Eric S. Noble, Chief of Police
- ii. Engineer's Report - Holly Montague
- iii. Main Street Coordinator's Report - Denise Hall

- iv. **Planner's Report - Marchant Schneider**
- v. **Treasurer's Report - Sherrie Wilson**

B. Minutes Acceptance

- i. Mayor and Council - Work Session - Sep 28, 2015 5:00 PM
- ii. Mayor and Council - Regular Meeting - Oct 1, 2015 7:00 PM

C. Bull Run ASAP Policy Board Appointment

D. Route 15 Bridge Over Rail Road

E. Authorization of Check Signer

8. Councilmember Time

A. Susan Edwards

- ARB Update: Welcome signs. The ARB is requesting some assistance from a graphic artist.

B. Kurt Woods

- He will reserve his comments on Harrover until Friday
- He would like to publicly state that he doesn't know of any personal agendas being put forward on this council. He is working toward what he believes to be the best for Town. He encourages anyone with concerns to come talk to him.

C. Steve Aitken

D. Chris Morris

- He expresses concern about comments made during citizens time about the Town doubling its staff, attorney's fees, and board members. He feels the Council has an obligation to let the public know whether or not the statements are true.
- He feels we should be reaching out to VDOT. He doesn't believe we should draft a resolution until we have the whole picture

E. Joe Pasanello

- He attended the Town Association of Northern Virginia (TANV) meeting with the Town Manager. The bulk of the discussion was the legislative agenda.
- He recognizes Chief Noble for having the department out on Halloween. He got a lot of positive feedback from the community
- Upcoming VRE meeting, November 10 @ Gainesville Middle School

F. Matt Caudle

- He has a lot of thoughts on the Harrover Property. He has been a resident in Haymarket since 2003. He helped Mr. Harrover move out of his home. The lack of decision has been hanging over this Town for way too long. Once a decision is made, we can make a plan, then we can identify funding.

G. David Leake

- The Mayor attended the grand opening of the Haymarket/Gainesville Library.

9. Adjournment

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