



TOWN OF HAYMARKET TOWN COUNCIL

REGULAR MEETING
~ MINUTES ~

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

15000 Washington St
Haymarket, VA 20169

Monday, November 3, 2014

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

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

2. Invocation

Councilman Chris Morris offers the invocation this evening

3. Pledge of Allegiance

4. Citizen's Time

Paul Vick - 6833 Saint Paul Drive

He is concerned with the change of the tax deadline. It coincides with the County taxes

Mike Cerny - President, Fosters Grille

- *Town Events: He understands there is a change in event management. He thinks they should be scaled down. 3 or 4 events should be plenty, per year. The Oktoberfest was a flop. He is hoping that whatever the change to be made*
- *He understands there is a meal's tax and Foster's Grille pays over \$40,000 per year. He suggests that the Town start investing in these businesses that pay this tax by providing some additional advertising. He thinks the money should*
- *Signage: He's been with Foster's Grille for 10 years. He would like help with signage. There are 17 locations, he has an obligation*

Dottie Leonard - 14801 Washington Street

We have had issues with signage, she hears it all the time. We need the PC to look at that.

5. Consent Agenda

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Kurt Woods, Councilman
SECONDER:	Pam Swinford, Councilwoman
AYES:	Swinford, Caudle, Morris, Woods, Pasanello, Aitken

- A. Surplus Property - Firearms - Greg Smith
- B. Surplus Property - Rifle - Greg Smith
- C. Town Events Coordination
- D. Department Reports
 - A. Engineer's Report - Holly Montague
 - B. Planner's Report - Marchant Schneider
 - C. Police Report - Greg Smith
 - D. Building Official's Report - Joe Barbeau, Jr.

Minutes Acceptance: Minutes of Nov 3, 2014 7:00 PM (Minutes Acceptance)

- E. Treasurer's Report - Sherrie Wilson
- F. Museum Report - Denise Hall
- G. Town Manager's Report - Brian Henshaw
- E. Minutes Acceptance

- A. Mayor and Council - Special Meeting - Sep 23, 2014 8:00 PM
- B. Mayor and Council - Work Session - Sep 29, 2014 5:00 PM
- C. Mayor and Council - Regular Meeting - Oct 10, 2014 6:00 PM
- D. Mayor and Council - Work Session - Oct 27, 2014 5:00 PM
- E. Committee - Personnel - Committee - Oct 15, 2014 12:00 PM
- F. Committee - Finance - Committee - Oct 15, 2014 1:30 PM

6. Public Hearing

A. Planning Commission Public Hearing

Chairman Weir calls the special meeting of the Planning Commission to order and opens up the public hearing for Special Use Permit #20141007 for an in-home business to be located at 6864 Saint Paul Drive

No public comment received

B. Special Use Permit

Ring moves that the Planning Commission recommend approval of SUP# 20141007, Lovely Rita's Cupcakes, for an in-home occupation at 6864 Saint Paul Drive as described on the special use permit application and narrative received by the Town on October 7, 2014, pursuant to Section 58-53 (6) of the Zoning Ordinance, and subject to the development standards of Section 58-16, Home occupations, Mattox seconds;

Ayes: Ring, Caudle, Mattox, Weir

C. Adjourn Planning Commission

Ring moves to adjourn the special meeting of the Planning Commission, Mattox seconds;

Ayes: Caudle, Ring, Weir, Mattox

D. SUP #20141007 Lovely Rita's Cupcakes - 6864 Saint Paul Drive

RESULT:	ADJOURNED [UNANIMOUS]
MOVER:	Steve Aitken, Vice Mayor
SECONDER:	Kurt Woods, Councilman
AYES:	Swinford, Caudle, Morris, Woods, Pasanello, Aitken

7. Agenda Items

A. Special Use Permit #20141007 - Marchant Schneider

Move that the Town Council approve SUP# 20141007, Lovely Rita's Cupcakes, for an in-home occupation at 6864 Saint Paul Drive as described on the special use permit application and narrative received by the Town on October 7, 2014, pursuant to Section 58-53 (6) of the Zoning Ordinance, and subject to the development standards of Section 58-16, Home occupations; it is further moved 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.

Minutes Acceptance: Minutes of Nov 3, 2014 7:00 PM (Minutes Acceptance)

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

B. Sign Ordinance Assessment

Move that the Town Council appropriate and allocate funds from the Community Development budget line item for the said service, not to exceed \$17,000

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

C. Dominion Virginia Power

The Mayor briefs the Council and public on the current status of the proposed Dominion Virginia Power 230KV transmission lines. There are now four draft routes that they are considering. They have taken the Somerset route off as their primary and are now just presenting the four options.

D. Veterans' Day 2014

RESOLUTION 20141103-1

RECOGNIZING VETERANS DAY 2014 AS A SPECIAL "Welcome Home Commemoration" for all who have served in the military since September 14, 2001

WHEREAS the United States, pursuant to the Authorization for Use of Military Force (Public Law 107-40), commenced a war against individuals responsible for the 9/11 attacks;

WHEREAS in the intervening 13 years, members of the United States Armed Forces have engaged in warfare around the globe, especially in Iraq and Afghanistan;

WHEREAS there have been 2,600,000 deployments to Iraq and Afghanistan and more than 500,000 soldiers have completed multiple tours;

WHEREAS over 110,000 sailors have deployed as individual augmentees in support of the war ashore and additional sailors have deployed on navy vessels serving over 180,000 days at sea, providing power projection, regional stability, and global presence;

WHEREAS over 238,000 airmen have deployed to Iraq and Afghanistan and more than 201,000 airmen have deployed to the Area of Responsibility, delivering flights in support of the war effort;

WHEREAS over 330,000 Marines have deployed afloat and ashore, ensuring peace in some of the most dangerous provinces in Iraq and Afghanistan;

WHEREAS, between January 1, 2000 and January 10, 2014 287,911 cases of traumatic brain injury (TBI), often referred to as a signature wound of the wars in Iraq and Afghanistan, were diagnosed among members of the Armed Forces, and approximately 7,100 cases were classified as severe or penetrating;

WHEREAS of the members of the Armed Forces who have been deployed to Iraq and Afghanistan since October 2001, more than 6,800 have been killed in action and more than 52,000 have been wounded in action;

WHEREAS United States Operation Iraqi Freedom and Operation New Dawn combat military operations in Iraq are complete and United States direct military operations in Afghanistan will end in 2014 as the United States transitions to a training and assistance role;

Minutes Acceptance: Minutes of Nov 3, 2014 7:00 PM (Minutes Acceptance)

WHEREAS the sacrifices of United States servicemembers and their families during the last 13 years should be recognized by all citizens of the United States;

WHEREAS November 11, 1918, is generally regarded as the end of hostilities in World War I and Veterans Day has been a legal holiday since May 13, 1938, when it was originally dedicated as "Armistice Day" to honor veterans of World War I and was subsequently amended to honor United States veterans of all wars in 1954; and

WHEREAS November 11th is the day for the Nation to reflect on the service and sacrifice of every generation of veterans:

NOW, THEREFORE, BE IT RESOLVED that the Town of Haymarket

1. Recognizes Veterans Day 2014 as a special "Welcome Home Commemoration" for all who have served in the United States Armed Forces since September 14, 2001
2. Promotes awareness of the services and contributions of all post-9/11 veterans; and
3. Encourages the citizens of the Town of Haymarket to support all who have served during this time

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

E. Harrover Property RFP - Engineering Services

Move to authorize the Town Manager to execute a contract proposal for the Harrover Property Master Plan with Sympoetica. Furthermore the funds for this contract shall come from the designated line item for the Harrover Master Plan

RESULT: ADOPTED [UNANIMOUS]
MOVER: Steve Aitken, Vice Mayor
SECONDER: Pam Swinford, Councilwoman
AYES: Swinford, Caudle, Morris, Woods, Pasanello, Aitken

F. Architectural Review Board Appointment

Move to appoint Robert Day of 6945 Jockey Club Lane to the Architectural Review Board. The term for the appointment is November 3, 2014 - November 2, 2018

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

G. Planning Commission Appointment

Move to appoint Mr. James Carroll of 6862 Track Court to the Planning Commission for a term beginning November 3, 2014 through June 30, 2018; it is further moved to appoint Ms. Maureen Carroll to the Planning Commission for a term beginning November 3, 2014 through June 30, 2018.

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

H. On-Call Planning Services

Move to authorize the Town Manager to execute a contract proposal for On-Call Planning Services with the Berkley Group

Discussion: Woods would like to know what items the on-call planner will handle. The Town Manager responds that it will be the day-to-day operations

Minutes Acceptance: Minutes of Nov 3, 2014 7:00 PM (Minutes Acceptance)

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

8. Closed Session

A. Enter into Closed Session

Move to enter into closed session pursuant to 2.2-3711 A(7) consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically matters involving a commercial lease with the Town

RESULT: ADOPTED [6 TO 0]
MOVER: Kurt Woods, Councilman
SECONDER: Steve Aitken, Vice Mayor
AYES: Caudle, Morris, Woods, Pasanello, Aitken, Leake
RECUSED: Pam Swinford

B. Certification of 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 public body.

RESULT: ADOPTED [6 TO 0]
MOVER: Steve Aitken, Vice Mayor
SECONDER: Chris Morris, Councilman
AYES: Caudle, Morris, Woods, Pasanello, Aitken, Leake
RECUSED: Pam Swinford

C. Directive

Move to direct the Town Attorney and the Town Manager to proceed as discussed in the closed session

RESULT: ADOPTED [5 TO 0]
MOVER: Kurt Woods, Councilman
SECONDER: Chris Morris, Councilman
AYES: Caudle, Morris, Woods, Pasanello, Aitken
RECUSED: Pam Swinford

D. Amend Agenda

Move to amend the agenda to allow consideration of a request from Spend the Day in Haymarket organization

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

E. Spend the Day in Haymarket Contract Obligations

Move to waive late fees, for a period of 30 days, associated with the stipend for the Oktoberfest Celebration held on October 22, 2014

RESULT: ADOPTED [UNANIMOUS]
MOVER: Kurt Woods, Councilman
SECONDER: Pam Swinford, Councilwoman
AYES: Swinford, Caudle, Morris, Woods, Pasanello, Aitken

F. Request form Spend the Day in Haymarket

Minutes Acceptance: Minutes of Nov 3, 2014 7:00 PM (Minutes Acceptance)

Move to table discussion of the request from Spend the Day in Haymarket organization to waive the stipend for the Oktoberfest Haymarket Day

RESULT: ADOPTED [UNANIMOUS]
MOVER: Steve Aitken, Vice Mayor
SECONDER: Pam Swinford, Councilwoman
AYES: Swinford, Caudle, Morris, Woods, Pasanello, Aitken

9. Councilmember Time

A. Chris Morris

- Reminds everyone to vote tomorrow
- He continues to receive positive comments about the police department

B. Pam Swinford

- She discusses that the Town will be taking back the events. She plans to have the staff work closely with the businesses

C. Kurt Woods

D. Matt Caudle

- He has heard from several business owners about the deficiencies in our sign ordinance. He is very sensitive to the business owners and their continued success
- He is hearing a lot from people about the bridge closure and he asks if the Catharpin Bridge

E. Joe Pasanello

- He thanks the Town Manager for the retreat last week.
- He reminds that we passed the sign ordinance assessment tonight

F. Steve Aitken

- He commends the Police Chief on seeing an officer out walking through Greenhill Crossing last week.

G. David Leake

- The Mayor responds that he has heard Ms. Leonard's concerns. He assures that he will be talking with Council to properly address her issues.
- He acknowledges that the signage is a problem. He went years not knowing that there was a florist in the Town

10. Adjournment

A. Motion to Adjourn

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

Submitted:

Approved:

Jennifer Preli, Town Clerk

David Leake, Mayor

Minutes Acceptance: Minutes of Nov 3, 2014 7:00 PM (Minutes Acceptance)