

Planning Commission and Town Council Joint public hearing

Chair Landwehr calls the Planning Commission public hearing to order at 7:03 pm.

Roll Call: Landwehr, Ivancic, Weir, Gillin present

Public hearing for a Special Use Permit for an in-home business to be located at 6860 Jockey Club Lane.

In favor

1<sup>st</sup> Call

2<sup>nd</sup> Call

3<sup>rd</sup> Call None

Opposed

1<sup>st</sup> Call

2<sup>nd</sup> Call

3<sup>rd</sup> Call None

Mayor call the Town Council public hearing to order for a special use permit application for an in-home business to be located at 6860 Jockey Club Lane.

Mayor asks if anyone would like to speak in favor of the special use permit application

1<sup>st</sup> Call

2<sup>nd</sup> Call

3<sup>rd</sup> Call None

Opposed

1<sup>st</sup> Call

2<sup>nd</sup> Call

3<sup>rd</sup> Call None

Chair Landwehr calls the PC public hearing to a close and opens the special meeting.

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Ivancic motions to approve the in-home SUP with comments, Gillin seconds;

Ayes: 4

Nays: 0

Piedmont Mews Minor Site Plan Amendment

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Weir moves to forward the minor site plan amendment for two retaining walls to the Town Council for approval, Gillin seconds pursuant to 58-510;

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Weir motions to adjourn the special meeting of the Planning Commission, Gillin seconds

Ayes: 4

Nays: 0

Mayor closes TC public hearing

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\*\*\*\*\*

Cole motions to close public hearing for the special use permit application for an in-home business to be located at 6860 Jockey Club Lane, Jarboe seconds;

Ayes: 6

Nays: 0

Mayor opens the public hearing for the meals tax amendment to exempt caterers from the meals tax when catering an event outside of the Town's limits.

Mayor asks if anyone would like to speak in favor:

Mr. Hoffman-owner of Alibi Catering asks if the meals tax can be amended for his catering business only delivering to those outside of the town.

2<sup>nd</sup> Call

3<sup>rd</sup> Call in favor

Opposed

1<sup>st</sup> Call

2<sup>nd</sup> Call

3<sup>rd</sup> Call           None

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Cole motions to close the public hearing on the meals tax amendment, Jarboe seconds;

Ayes: 6

Nays: 0

Citizens' Time

Ken Leursen

6752 Jefferson Street

Talks about the town property for sale. He is concerned about the street-scape with regards to parking requirements.

Linda Landwehr

6771 Fayette Street

She was not able to be at the public hearing in December. It seems to her that moving the historic buildings would give haymarket the walking town that is and has been desired. She feels it is worth a lot to have the restored homes and it may be intangible.

John Soyka

Centex Homes

He is pursuing VDOT release for the roads in Haymarket Station.

Cole read aloud Mr. Watts letter provided to the Clerk, Letter to be attached to the minutes.

Scott Weible letter to council regarding the sale of the Town property. Letter to be attached to the minutes.

Minutes

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Weir motions to approve the minutes of December 3 & December 10, 2008, Jarboe seconds;

Ayes: 6

Nays: 0

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Weir motions to refer the preliminary site plan for Haymarket Baptist Church, 14800 Washington Street, Revision to Quarles Site Plan and the Special Use Permit application for a drive through pharmacy to be located at 15250 Washington Street and a Special Use Permit application for a construction trailer to be located at 15250 Washington Street all to the Planning Commission for review and comment, Jarboe seconds;

Ayes 6

Nays 0

Weir motions to approve the business license application for , Cole seconds;

Ayes: 6

Nays: 0

Sales Contract

Mayor calls for a vote on the sales contract for the Town Center Property

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Sikorsky motions to approve the sales contract as attached to the minutes for the town center property, Jarboe seconds;

Discussion: Town Attorney tells council that they may want to defer to consider the new terms of the Teaching the basics lease agreement  
Amend lease agreement to

Vazquez discusses that he is in support of the sale of the property. He does feel there is issue with planning a move of the government offices. The risk can be looked at in two ways. The importance of the historic homes vs. the move and cost of the move. His perspective is taking the risk and the plan to move. He has heard that the town wants to save the homes, but we need to put all of our efforts into saving the town's historic homes.

Weir states his concerns that the new site and feels it would be fiscally irresponsible to relocate the town hall without any plans. He feels saving the buildings is a great thing, but at what cost to the Town? Who will pay for this move, people are already upse: about the meal's tax. He feels that until we have a plan in place, he cannot support any sale.

Sikorsky talks about the "plan" discussions for over two years now. Which comes first, the chicken or the egg? No one on council was willing to make that decision, is it going to be expensive? Yes of course it is, but we have not been willing to make that decision. She is not willing to risk having a 4 story building on this site. She doesn't care that the town hall is less than perfect.

Jarboe agrees with all. She comments that we have had the property on the market for several months. She feels this building is not a money maker and that we are not good landlords. She does not want to sit and possibly loose something good like this offer from Mr. Kennedy.

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Shuryrn Comments that she agrees with the plan and that we are falling short on the plan for the move. We do have many options to look at. We may need to go with an interim plan. Point is that we need to aggressively work toward that plan. The risk to say no is to loose the opportunity. She does feel the majority of the Town people want a project like the one Mr. Kennedy is proposing.

Weir comments that we painted and presented a different scenario. Cash deal we walk away. Now we are talking interim plan that he does not buy into. He thinks they [the numbers] are substantially underestimated. Renovations could be staggering at the new facility. Feels we will be in the same situation that we are now, same debt and one less asset.

Cole does feel it is difficult to plan a move, now we have an option now we can plan exactly. The issue is risk. We may be putting ourselves in a precarious position or an interim position at least we have given the people of the town what they have been looking for. We do have rough figures, not exact. To him the goal is making the Town what we want and feels this contract is a step in that direction. The responsibility of government is to serve the people. This is a reasonable risk.

Mayor commends Councilman Weir and she doesn't want the public to think that figures have come from out of the air. We have disregarded the future of the Town Hall site, but the time is now. She does think we are doing our fiduciary responsibility to the taxpayers of this town.

Vazquez comments that there are three methods of dealing with risk. Insurance, Mitigation, and Acceptance. If we don't go forward and say no today, we are accepting the risk. We have no way of accepting the risk and there is nothing we can do. If we say yes, the risk that we have is ones we can identify. We can do something about it.

Sikorsky does agree with Bob that during the public hearing that we kind of glossed over where we would go and maybe we didn't present all of the details of the cost and that we didn't communicate the details of the interim.

Weir says that it is about risk management. The disagreement he has is the magnitude of the risk. One of the components that increase this magnitude is that we now have a place to live. The cost to replace this facility in the interim is a drag. In order to mitigate that cost is the success of the business plan, if the business plan fails and there is no revenue stream, we fail. Given the way we are entering this, purchase of the property. We purchased two sub-standard buildings and look at what it has cost. He can't help but sense that we are doing the same thing here. He states for the record that consideration of Mr. Kennedy's site plan consideration will only be pursuant to the Haymarket zoning code.

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Weir motions to table a vote on the signing of the sales contract for the Town Center Property,  
motion fails due to no second

By a Roll Call Vote: Weir-No, Jarboe-yes, Shuryrn-Yes, Cole-Yes, Sikorsky-Yes, Vazquez-Yes  
Motion Carries  
Signed contract attached to the minutes

Mayor announces that this is a major complex project and that Councilman Vazquez will be starting up the management of this project.

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Police Report

26<sup>th</sup> We are offering an 8 hour course for CPR training. 8-4 CPR and first aide training.

Comp Plan

Chair Landwehr will be scheduling a meeting with Clerk and TM.

Building Official

The Police Department now has an occupancy permit.

\*\*TM to send a letter if they have not begun work within 30 days to correct and pull the bond.

Lowery asks that Centex look at the brick design where it is falling apart in front of Haymarket Station and the Leonard property.

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Weir moves to mayor instruct the clerk to send a certified letter to the record owner of 4400 Costello Way and to advise them of that they have 30 days from today to complete the outstanding work on the streetscape project and landscaping in accordance of their approved site plan. This is to include light pole relocation and landscaping features and that if the owner fails to comply that the town will initiate proceedings to draw on the surety bond to complete such improvements as the absence of street lighting and sidewalks constitutes an immediate matter of public safety, Sikorsky seconds;

Ayes: 6

Nays: 0

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Weir moves to instruct clerk to send a certified to the record owner of 15125 Washington Street formerly 15000 Lumber Way, and advise them that they have 30 days from today to complete the outstanding streetscape and landscape improvements in accordance with their approved site plan, to include lighting, sidewalk and road improvements and that if the owner fails to comply that the town will initiate proceedings to draw on the surety bond to complete such improvements and that the absence of sidewalks and street lighting constitute an immediate matter of public safety, Vazquez seconds;

Ayes: 6

Nays: 0

\*\*\*\*\*

Weir moves to instruct clerk to send a certified to the record owner of 15101 Washington Street, and advise them that they have 30 days from today to complete the outstanding streetscape and landscape improvements in accordance with their approved site plan, to include lighting, sidewalk and road improvements and that if the owner fails to comply that the town will initiate proceedings to draw on the surety bond to complete such improvements and that the absence of sidewalks and street lighting constitute an immediate matter of public safety, Vazquez

seconds;

Ayes: 6

Nays: 0

Treasurer's Report

Set dates for budget work-session, available in Feb. Citizen participation will be important for this budget year.

Town Manager Report

PD now has an occupancy permit

Town hall will have occupancy by Friday of this week.

Town Manager requests \$4,557 for payment to Dominion VA Power

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Cole motions to pay Dominion Virginia Power \$4557 from the Safety-Lu budget line item, Jarboe seconds;

By a Roll Call Vote: Weir-Yes, Jarboe-Yes, Shurn-Yes, Cole-Yes, Sikorsky-Yes, Vazquez-Yes

\*\*Feb answer to unfinished Phase III items.

\*\*JBIII outstanding issues. TM to send letter regarding outstanding landscaping issues.

\*\*Place on next month's agenda.

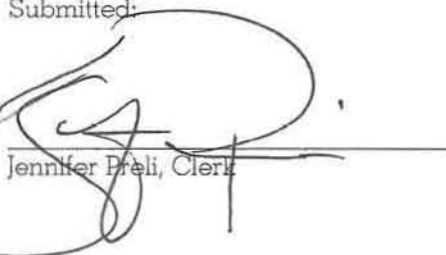
\*\*Keep on the agenda KHP 2008

Sikorsky motions to continue the regularly scheduled meeting of January 7, 2008 to January 24, 2008, Cole seconds;

Ayes: 6

Nays: 0

Submitted:



Jennifer Drel, Clerk

Approved:



Pamela E. Stutz, Mayor