

Town of Haymarket – Council Session of January 23, 2012  
15000 Washington Street-Haymarket, Virginia 20169  
Mayor Pamela E. Stutz

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## **Call to Order**

Vice Mayor Cole calls the meeting to order at 7:02 p.m.

## **Roll Call**

Tobias, Leake, Cole, Scarbrough, Kenworthy, Weir  
Mayor is absent at this time

## **I-66 Projects – Holly Montague, Town Engineer**

### **Widening to Haymarket**

The Town Engineer informs the Council that she has verified the sound wall locations on the preliminary plan from VDOT; it will be through the entire town with the exception of the north east corner of Old Carolina Road.

### **Interchange**

VDOT has done some further analysis on the three recommended options. Now they are ready to make a decision. Modified diamond has a failure; she does not recommend this option moving forward. We are left with the semi-directional and the single point urban interchange (SPUI). The semi-directional works best, and works past the year 2036. There are some cons, what makes this work so well is the fly-over ramp. The other issue is the huge taking of right-of-way on Quarles and the Fairgrounds. The SPUI - There is one signal treating all of the ramps. Drawback is that it is difficult to construct. It will be hard on drivers during construction. It will be at capacity in its design in 2036. There is no right of way take associated with the SPUI. She would like input from council. Deadline is Feb. 6 for the VDOT report. \*\*She would like suggestions from TC by January 30.

Council comments on their personal view:

Tobias: #3 SPUI  
Weir: None of the above. He is not concerned with the potential loss of right-of-way. He feels VDOT should go back to the drawing board and come up with a cloverleaf that works.  
Kenworthy: #3  
Scarbrough #3  
Cole: SPUI, he would also like them to investigate other areas  
Leake No comment

Comments to VDOT: None of the solutions (attached) presented this evening fit the Town's needs.

## **Haymarket Self Storage – Marchant Schneider, Town Planner**

There has been recreational vehicle and boat storage behind Haymarket Self Storage on the Wolf property. There are proffers on this property. They would like to submit a grading plan in lieu of a full site plan. The grading plan may trigger a need for a proffer amendment.

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---

## **House Bill No. 92**

**Tobias motions to adopt resolution #20120123 (attached to minutes) in support of House Bill No. 92 that amends §15.2-2223.1 making the incorporation of Urban Development areas optional rather than mandatory, Weir seconds; Tobias-Yes, Leake-Yes, Cole-Yes, Scarbrough-Yes, Kenworthy-Yes, Weir-Yes**

## **Streetscape Appropriation**

**Tobias motions to authorize the expense of \$9,845.17 to Verizon, for the services of preliminary engineering, from the appropriated line item of Streetscape Expenditures, Weir seconds; Roll Call: Tobias-Yes, Leake-Yes, Cole-Yes, Scarbrough-Yes, Kenworthy-Yes, Weir-Yes**

## **Council Member Time**

- Tobias-Not at this time, he reserves the right to speak when mayor is present
- Leake-Nothing
- Scarbrough-Nothing
- Kenworthy
- Weir-reserve for when Mayor is present

## **Town Manager's Report**

Old Post Office – We had worked with Payne Construction on the partial demo of the Hulfish House. He has started some work at the Old Post Office. The structural engineer said that it is not in near as bad shape as he thought it was. He is putting together a report for the course of work. The Town Manager has continued speaking with potential tenants.

Weir asks where we stand to date the cost of Payne's repairs and the structural engineer. so far Payne has been paid \$6,400. Tobias asks why the cost is 30% more than the estimate. The structural engineer added some additional work, so that cost was added. The Town Manager does not have numbers from the Structural Engineer. Do we have an anticipated cost of the 60-90 days? Not at this time. Is there a contract with the structural engineer for the additional work? There is a clause in his contract that gives an hourly rate. Weir asks if there is a plan over and above the 3 feet of removal on the siding? It depends on what is revealed. Given item 12 on the agenda has not been addressed. Weir doesn't believe that council has made their wish known. Until we get to that point and how we are going to handle the expenditures. Town Manager is not ready to move forward without a work plan. Weir disputes whether that action was approved or not.

\*\*Mayor Stutz enters meeting at 7:57 p.m.

Leake asks if there is any interest from a lease stand point. There have been inquiries, nothing serious. Tobias asks if there are any other proposals from real estate companies. He is concerned about the high rental rate proposed in Garcia's bid. Weir asks where we stand on the ROI. \*\*Treasurer had put something together and we will present to the Town Council in February.

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---

## **Parliamentary Procedures**

Mr. Weir has submitted a letter (attached) for the chair to reconsider an earlier decision of council; the Town Attorney comments that the letter incorrectly states parliamentary procedure. Weir asks if he is supposed to take it that his interpretation of Roberts Rules are incorrect and Council's actions are proper, especially in light of the fact that we haven't even complied with our own spending policy. John Bennett: Council can change policies. There is an allocation of funds with an undefined scope of work (Weir). There is a policy for an allocation and an expense, we have a policy, and there was no waiver of that policy. It appears to Weir that we are circumventing our own policies. We set the policy up to be fiscally responsible. His readings of Roberts Rules are clear. He thinks the public has a right to know the return of investment, before we do any more spending lets have a plan, let's have ROI, lets follow our own policies. It seems to him that there s a different set of rules being applied to two council members.

Tobias: Bob speaks eloquently about the topic. There is a spending policy in place. He does find it odd that a certain motion that gets made that does not conform to the views of the chair and one or two other council members cannot be reconsidered. He understands what the intent may have been, but we don't operate on intent, the spending policy is in black and white.

Cole-We need to spend some exploratory funds

Scarborough-We need to have a plan, she agrees, which is why we hired a structural engineer.

Kenworthy-A plan is what we need, we need to stop monkeying around year after year

Tobias recommends a little historical research and title search be done on the house.

Mayor-addresses the newspaper article, she asks Mr. Weir if he has ever known a reporter to misinterpret anything?

The policy procedure is what Weir is concerned about, she asks why it hasn't been mentioned at all during this process? Tobias asks why would there be mention of a policy that has already been adopted and is in effect, there is a presumption that it is being followed? Mayor comments on the historical research, quite a bit has already been done, she refers to the PIF application. \*\*She asks the Clerk to provide Council with the "Preliminary Information Form (PIF) Application to VA Department of Historic Resources. It seems to her [Mayor] that all we are doing is procrastinating by going back to do the historic research.

Weir: Decision has not been made. There seems to be a substantial question as to the basis, if Hulfish ever lived there.

\*\*Send the PIF to Council along with the pictures that were provided by the Hulfish descendant.

**Tobias motions to table discussion of the Hulfish House until the Council has had sufficient time to review the PIF's that were submitted to Department of Historic Resources, Weir seconds;**

**Ayes: 4**

**Nays: 2 (Cole & Leake)**

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---

The Town Manager explains that he thought the direction given at the December meeting was to move forward with renovations. Cole believes that, yes, we do need a plan. But we have to get into those houses to see how to move forward. Therefore, some exploratory funds are needed.

**Cole motions to amend the allocation of \$350,000, \$150,000 to the Hulfish House and \$200,000 to the Old Post Office, to add that the funding is to be allocated to the Town Center Property line item from the Prior Year Surplus Funds, Leake seconds;**

Discussion: Weir asks for the advertisement For the July public hearing regarding amending the 2012 budget to fund projects from the prior year surplus, **Leake seconds;**

**Weir moves to divide, Tobias seconds;**

**Tobias-Yes, Leake-No, Cole-No, Scarbrough-No, Kenworthy-Yes, Weir-Yes**

**Mayor breaks the tie with a No, motion fails to divide**

**Discussion:** Weir has no issue spending the funds for the Red Rooster, but he does have questions about the Hulfish House, he is not comfortable moving that money without estimates, lack of procedures, he does not support the motion.

**Tobias-No, Leake-Yes, Cole-Yes, Scarbrough-Yes, Kenworthy-No, Weir-No**

**Mayor breaks tie with a Yes, Motion carries**

**Cole authorizes the Town Manager to spend up to \$10,000 over and above what has already been spent to-date on each building [Old Post Office & Hulfish House] funds to come from the Town Center Property line item for exploratory monies, Discussion:**

Kenworthy is against spending any funds on the Hulfish House. **Town manger is not to spend any funds over and above the \$10,000 without Council approval;**

**Tobias-No, Leake-Yes, Cole-Yes, Scarbrough-Yes, Kenworthy-No, Weir-Abstain**

## **Council Time** *(continued)*

### Tobias

- Cautions all council members when you make comments to the press; make sure your facts are researched.
- He thinks we need to discuss our financial reporting methods. Perhaps we can talk about that on the 26<sup>th</sup>.
- He would like to see if the Town Manager can get estimates on the getting the side of the building painted and the museum painted.
- He is going to start working with James on budget, if anyone has comments, please forward them ASAP. One of the things he will be looking at is all of the professional services provided to the Town.

### Weir

- Sidewalk is complete; he asks if it was funded by the Connelly Pedestrian Earmark funds or TEA 21? The Town Manager responds that no, it was the direction of Council to move forward immediately and fund from the budget.
- What is the status of streaming and/or online storage of meetings?  
\*\*He would like a report on the recordings at the next meeting
- Weir expresses his concern that the resolution pertaining to 15.2-2281 was not handled in a timely manner as required by Council at the November meeting, it is now too late to be done, and he thanks everyone for wasting his time.

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- Weir asks that the Town Planner take a look at a “cord” running between Powell and Arthur’s Court. He would like to know what it is there for
- The building and other town owned buildings need our attention. The ARB is in the design phase of the façade, he suggests that we start thinking about how we will fund everything.
- The police department does not take up 33% of the budget as Councilman Leake reported in the newspaper, perhaps some should do some fact checking first.

Scarborough

- She says there are some preliminary ideas that the ARB has come up with \*\*Agenda item for February. Scarborough would like Ms. Swinford’s letter entered into the record of this meeting (attached to minutes)

Mayor

- PACE West Elementary is officially up for sale. It has been advertised in the Bull Run Observer. She would like this council to strongly consider a request from a public private enterprise. There is a group that wants to make it into a community center. There is a bid that has been placed on the property; she is unsure how much that offer is for.

**Cole motions to adjourn the meeting of January 10 continued to January 23, 2012 at 9:30 p.m., Leake seconds;  
Ayes: 6      Nays: 0**

Submitted:

Approved:

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Jennifer Preli, Town Clerk

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Pamela E. Stutz, Mayor