

Minutes-Town Council Meeting-Regular Session  
March 1, 2004 6:30pm  
15016 Washington Street-Haymarket, VA 20169

Called to order at 6:40pm, invocation by Father David Jones

Roll Call: Sikorsky, Miller, Shepard, Taylor, Jarboe, Stutz, Garcia

Public Hearing on Bond Refinancing

Favor: None

Opposed: None

Rezoning application 15100 Washington Street from R1 desired B1

Favor: None

Opposed:

Nancy Bailey asks why Washington Street Improvements are in proffer when they are already mandatory.

Public Hearing Closed: 6:44pm

Meeting called to order

Citizen's Time

Linda Landwehr: Concerned about commercial and residential development that is proposed. Feels that the comprehensive plan is not being followed. Reminds of petition signed one year ago against big box development. Excited about Charette, asks that all site plans be placed on hold

Bob Weir: Large number of developments approved already, these are all based on existing traffic patterns. No one has looked forward to future traffic concerns.

Nancy Bailey: Speaks about Fosters lamp posts, they are not correct. They cannot be taller than 16 Feet. Globes are not the same. Council acknowledges that they are aware of problem. Lights are out on a couple of street lights. Agrees with Linda Landwehr on the development and mentions future traffic flow.

Mayor comments that council is working on the public works contract. Mayor asks to

schedule another meeting, Monday March 8, 2004 @ 6:30pm.

KSI-Mike Lubeley-Greater South Market

Assemblege of 600+ acres of many different zoning districts, 90 acres M2, Flex

Minutes-Town Council Meeting-Regular Session

March 1, 2004 6:30pm

15016 Washington Street-Haymarket, VA 20169

Office zoning (13 Acres). 13 acres of office (medium). SR6 Six units per acres. The Rural Crescent is approximately 300 acres. July 2003 the county voted it down the application to rezone. This presentation is the by right use. KSI has filed a comprehensive plan amendment December 2003. Covers 240 acres (east side of project). Existing development obligates widening of Route 15.

David Bailey

Attorney in Richmond representing citizen's on the opposing side of Greater South Market. Wrote letter to town because of our unique charter. Looking at things like RPA, Storm Water Control, Wetlands, etc...This project should not be looked at in isolation, this is part of a much larger development. Urges Haymarket to become involved.

Elaina Schlossberg-Prince William Conservation Alliance

Speaks of meeting of all, Chairman Connaughton. Citizen's came back with a Proposal with only 725 units. She says she can email the Chairman's guidelines.

Re-Zoning Application 15100 Washington Street

Joe Kern-Contract Purchaser:

Shepard comments that PC has approved the proffers and the re-zoning. 12,900 is the Net rentable square footage, identified as problem is no traffic study has been done as of yet. Bennett states this should be done at zoning not site plan. Not showing right-of-way, VDOT wants right-of-way labeled on Washington Street. Should reference a plan number. Strike exterior materials on proffer agreement (brick). Storm Pond is counted as green space. Fence will comply with Ordinances. Dr. Ayers speaks about the proffer amounts with regard to his letting the town use the property and the dedication of land. PC calculates based on net. Please provide explanation of ordinance with relation to parking (net or gross).

Council would like Owner to provide the following:

All four issues addressed from VDOT letter. Curb and guttering discussed.

Right of Way dedication.

Section 1.1 reference plan number

Strike 2.1

Section 2.5 address typical section for sidewalk and put in there than B&N will approve plan.

Section 6.1 insert that construction materials and elevations will be approved by ARB.

Address net or gross space with regard to parking

Reference section of ordinance that reflects mandatory street improvements

Do not exclude uses, just list the use of "office".

Go through 1.2 and strike all uses that you will not support

PWC requires 23' for drive ways.

Mayor comments that the questions asked of the applicant should have been addressed by the PC. Mayor will speak to the PC guiding them on what they need to be doing regarding land issues.

**BLUEMONT**

Peter Dunning-President of Bluemont Concert Series  
Bluemont asks if the town will continue to participate in Performing Arts Grant. Grant applications are due April 1, 2004.

**Stutz motions to submit grant application for VA Commission for the Arts,  
Sikorsky seconds  
Ayes: 6 Nays: 0**

**Certificate of Appropriateness**

**Shepard motions to approve the demolition of the home located on 14085,  
Miller seconds, Discussion**

**Lowery states that a bond is required so to insure debris clean up of  
demolition.**

**Ayes: 6 Nays: 0**

**Stutz motions to approve Johnson (14713 Dogwood Park Drive) fence  
pending any ARB guideline revisions, Jarboe seconds**

**Ayes: 6 Nays: 0**

**Garcia motions to refer ARB Guideline changes to PC, Shepard seconds**

**Ayes: 6 Nays: 0**

**BUSINESS LICENSES**

Shepard motions to approve Debra Nickens business license to provide in-home day-  
care, Sikorsky seconds

**Ayes: 6 Nays: 0**

**POLICE REPORT**

Mayor has asked chief to look into speed cameras. Sikorsky asks about mobile speed detectors.

**CONSTRUCTION PERMIT APPLICATIONS**

**Shepard motions to approve construction permit applications for 6738  
Sycamore Park Drive, 14812 Cypress Park Lane, 14808 Cypress Park Lane,  
14804 Cypress Park Lane, Garcia seconds**

**Ayes: 6 Nays:0**

**Sikorsky motions to direct VDOT to install striping on pedestrian crosswalks,  
Jarboe seconds**

**Ayes: 5 Nays: 0**

**Miller Absent**

**Bond Financing**

Minutes-Town Council Meeting-Regular Session  
March 1, 2004 6:30pm  
15016 Washington Street-Haymarket, VA 20169

Rates have been reviewed with bond counsel and they do feel they are low. Proposal is valid for 30 days. We would have to close before April 1, 2004. We can roll in the expenses of the financing.

**BY ROLL CALL VOTE**

**\*Stutz motions to approve bond financing, Shepard seconds**

\*see attached resolution for the above vote

**Discussion and Stutz amends motion:**

**Streetscape at option A with pre-payment penalty, Mortgage at option B no pre-payment penalty and roll in cost to the maximum extent possible Amended, Shepard seconds**

**Ayes: 5-Sikorsky, Shepard, Garcia, Jarboe, Stutz (Miller absent)**

**Shepard motions to appoint Pamela E. Stutz as Zoning Administrator, Garcia seconds, \*see attached resolution**

**BY ROLL CALL VOTE**

**Ayes: 5-Sikorsky, Garcia, Shepard, Jarboe, Stutz      Nays: 0  
(Miller Absent)**

**Shepard motions to adjourn, Sikorsky seconds**

**All in favor**

**Ayes: 5      Nays: 0 (Miller absent)**

**Town Council Meeting continued to March 8, 2004 @ 6:30pm.....**

Approved: \_\_\_\_\_

\_\_\_\_\_, David P. Taylor

*[Handwritten signature]*  
*[Handwritten signature]*, Clerk

RESOLUTION

WHEREAS, the Town Council of the Town of Haymarket, Virginia deems it advisable to appoint a zoning administrator to have only the authorities and discretions relating only to the enforcement of ordinances of the Town of Haymarket and related laws of the Commonwealth of Virginia; and

WHEREAS, a previous resolution was adopted by the Town on the 1<sup>st</sup> day of March, 2004; and

WHEREAS, the Town Council now wishes to rescind the earlier resolution by the adoption of this resolution;

NOW THEREFORE, BE IT RESOLVED that the motion of JAMES SHEPARD, seconded by BRYAN GARCIA and upon a roll call vote, the following individuals voting in the affirmative: SIKORSKY, GARCIA, SHEPARD, JARBOE, STUTZ and the following voting in the negative: NONE, with the following absent: ROBERT MILLER,

Pamela E. Stutz is hereby appointed zoning administrator to serve at the pleasure of the Town Council for the Town of Haymarket, Virginia, to have all authorities and discretions provided for under the ordinances of the Town and the laws of the Commonwealth of Virginia insofar as they relate to the enforcement of such ordinances and laws. The authority to enforce such ordinances and laws shall be concurrent with all other individuals having lawful authority to enforce the same. The Town Council specifically reserves unto itself all other authorities and discretions of the zoning administrator or administrator under the ordinances of the Town of Haymarket and the laws of the Commonwealth of Virginia, including, among others, the right to review and approve all subdivisions and all matters relating thereto.

This resolution shall become effective upon adoption.

**Continuation Meeting Town Council**  
**March 8, 2004 6:30pm**  
**15016 Washington Street-Haymarket, VA 20169**

Continuation meeting called to order at 6:40pm

Mayor asks the record to reflect that the property owner of Lincoln Court Parcels B & C requested a deferral from the March 1, 2004 meeting to the April 5, 2004 town council meeting. Mayor asks that all concerned send their comments to the mayor and he will forward to council.

**Inga Jelescheff-**  
**6856 St. Paul Drive**

Requests that the citizens be heard even though the applicant for Lincoln Court subdivision is not present.

Mayor consults council to see if they would like the residents to speak. Council would like to hear residents.

**Robert Jelescheff**  
**6856 St. Paul Drive**

Looked at proposal for Lincoln Court subdivision. He is concerned about the water flow onto his property. Asks that the water issue be addressed.

**Wendy Felt**  
**6848 St. Paul Drive**

Talks about initial idea of the White's being a pool on that property. Concerned about the cutting of the trees there have been at least a dozen removed already.

**Mark Miller**  
**6811 Jefferson Street**

He has the easement on his property. He was also told it would be a swimming pool. He would like to make sure that the easement is taken care of properly. He feels there are some easement issues that are not being shown on the plat.

**Ed Milhous**  
**6711 Jefferson Street**

Lives three doors up and that this will set precedence and he could do the same on his property as well.

Mayor encourages everyone to submit concerns in writing.

Roll Call: Sikorsky, Shepard, Taylor, Garcia, Jarboe, and Stutz (Miller Absent)

**Reading of the Minutes**  
**Shepard motions to approve minutes of Feb. 2, 2004, Garcia seconds**  
**Changes noted**  
**Ayes: 5      Nays: 0**

**Historical Commission:**

**Continuation Meeting Town Council  
March 8, 2004 6:30pm  
15016 Washington Street-Haymarket, VA 20169**

All museum inventory has been entered, Jarboe announces that they will be walking around town and taking pictures of the town and entering into the database as well.

**Planning Commission:**

Shepard speaks of ZTA for the Quarles property. PC asks advise from Town Attorney on whether this should be a by-right use or a special use. Council starts speaking of Charette and maybe waiting. Mayor comments that they are asking us to extend to May for the Charette.

George Quarles speaks about his project. He clarifies that he is looking for both a bank drive-thru and a food drive-thru. Mr. Quarles states that a traffic study has been commissioned.

**Budget:**

Mayor requests that the PD, HC, and Clerk's office provide some preliminary figures for their budget by April 1, 2004. Mayor sets budget workshop for April 19 @ 6:30pm workshop. Budget requires only one advertisement then a delay of 7 days. Show budget for last year, projection of end of year, write explanations, new budget figures.

ADVERTISE ORDINANCE CHANGE FOR BUSINESS LICENSE DUE DATES AND DUE DATE FOR GROSS RECEIPTS TAX.

**Shepard motions to approve Bloom Management LLC Deed of Easement,  
Garcia seconds**

**Ayes: 0      Nays: 1**

**Motion Dies**

**B&N Proposal**

Counsel instructs council to send a letter to B&N. Mayor asks if everyone agrees on the scope of services. Fees are ok. Mayor would like to send a letter setting a cap of \$1500, approving the scope of services, and asking for an estimate

**Shepard motions to authorize mayor to send a letter to B&N accepting their  
scope of services, requesting a cap of \$1500 on invoicing, and asking for an  
estimate of each review, Jarboe seconds**

**Ayes: 5      Nays: 0**

**Motion to enter into a contract with DMV for the purpose of managing tax  
arrearages and participate in the VRW program, Shepard seconds**

**Ayes: 5      Nays: 0**

**Shepard motions to ask clerk to submit regulations for use of the DMV  
services, Jarboe seconds**

**Ayes: 5      Nays: 0**

**Shepard Motions to appoint councilwoman Stutz, Sikorsky seconds**

**\*\*\*\*Engineering services for B&N and a Public Hearing**

**Continuation Meeting Town Council**  
**March 8, 2004 6:30pm**  
**15016 Washington Street-Haymarket, VA 20169**

**Building Official**

Finished with Occupancy Permit filing

**Town Center Property Site Plan**

Mayor speaks of concept and his meeting with Jim Payne. This would show building locations, accurate lot lines, everything that is current. \*\*\*Furnish Title Opinion or Title Insurance Policy. Certified physical boundaries all five lots included and he consider that the buildings that will be condemned are reflected.

**18<sup>th</sup> Century Haymarket**

Mayor will try to get this paid for from donations. Mayor is not asking for any appropriations as of yet. This expands from the RR to the Church.

**Town Center Property**

\*\*\*Suite 5 build-out, tabled until April meeting.

**Rules of Order**

Jarboe speaks of her findings of other jurisdictions  
Mayor \*\*\*By-laws

**Charette**

Jessica Clay

6809 St. Paul Drive

Mayor will direct her accordingly on how to proceed with Charette Plans.

\*\*\*Continue this TC meeting, March 15, 2004 at 6:30pm. Notify ARB and PC of 6:30 start time.

\*\*\*Research cost of easements for DAVID

**Washington Street Enhancement Project**

Garcia speaks about process for Phase IA. \$25K projected for Right-of-Way acquisition. \$313K anticipated for utility relocation. Mayor would like a spreadsheet outlining what has been an expense for Phase IA to date.

**Garcia motions to authorize the commencement of the Right-of-Way acquisition and utility relocation contingent upon the appropriations of the Omni-Bus Transportation bill where Haymarket is to receive \$500K, Shepard seconds**

**Garcia amends motion to place a cap of \$400K, and still contingent upon receipt of Federal appropriations, Shepard seconds**

**Ayes: 5      Nays: 0**

**Land Management Software**

Garcia speaks of technical support, being non proprietary, place on next agenda. Ask Glen for demo at next meeting.

**Stutz motions to enter into executive session Pursuant to 2.2-3711, Shepard seconds**



**Continuation Meeting Town Council  
March 8, 2004 6:30pm  
15016 Washington Street-Haymarket, VA 20169**

**A1 Personnel Matters  
A3 Consideration of the Publicly held real property.  
Ayes: 5 Nays: 0**

**Stutz motions to certify the discussions during executive session were limited to: Shepard seconds**

**A1 Personnel Matters  
A3 Consideration of the Publicly held real property.**

**Roll Call all answering affirmative: Sikorsky, Shepard, Taylor, Garcia, Jarboe, Stutz (Miller Absent)**

**Shepard motions to continue meeting to March 15, 2003, Garcia seconds  
Ayes: 5 Nays: 0**

**Nancy Bailey  
Madison Court**

Fosters Building does not have required parking that they should have. Mayor instructs zoning administrator to submit notification. Bailey speaks about the comp plan being outdated.

Shepard motions to adjourn continuation meeting and set another continuation meeting to March 15, 2004 @ 6:30pm, Garcia Seconds

All in favor  
Adjourned and continued....

Approved: \_\_\_\_\_

David P. Taylor, Mayor

*[Handwritten signature]*, Clerk

**Continuation Meeting-Town Council-March 15, 2004  
15016 Washington Street-Haymarket, VA 20169  
ARB & PC Work-session 6:30pm**

Meeting time 6:40pm

Roll Call: Miller, Shepard, Taylor, Garcia, Jarboe (Sikorsky & Stutz absent)

Mayor would like to set up date for Haymarket Spring Clean-up. Set for Saturday, April 17, 2004, meet at town hall at 8:00am. Mayor asks that we get out a mailing and press release.

Mayor presents proposal for the renovation of Suite 5, 6630 Jefferson Street.

**Shepard motions to approve the proposal from R. Underwood for the suite 5 renovations, Garcia seconds**

**Ayes: 4 Nays: 0 (Sikorsky & Stutz absent)**

**Shepard motions to approve the GDC proposal for outside lighting (6 at town hall building/2 at Red Rooster building) \$1,730.**

**Ayes: 4 Nays: 0 (Sikorsky & Stutz absent)**

**CHARRETTE**

Mark Gibb with Northern VA Regional Commission speaks on behalf of Charrette. Dates are set for May 6-8, 2004.

John Cole asks how we are going to handle the imminent development with regard to the Charrette. Gibb states that developers can be delayed for the Charrette.

Linda Landwehr wants council to make sure that we will be looking at the entire town, not just the business district. Mr. Gibb feels that funding (generous funding) will come from VDOT, County, Utilities, etc...

Gibb states we will get two things from the Charrette: 1. A consensus of what the residents/business owners want the town to be and 2. a blueprint of the town.

Sikorsky is now in attendance...

**Miller motions to approve and sign the contract with Northern VA Regional Commission to hold the Haymarket Charrette on May 6-8, 2004, Shepard seconds**

**Roll Call Vote all answering in the affirmative: Sikorsky, Miller, Shepard, Jarboe, Garcia**

**Shepard motions to enter into executive session pursuant to 2.2-3711**

**A3 Government owned real estate**

**And A1 personnel matters**

**Ayes: 5 Nays: 0**

**Miller motions certification of executive session, Shepard seconds, on a roll call vote:**

**Continuation Meeting-Town Council-March 15, 2004  
15016 Washington Street-Haymarket, VA 20169  
ARB & PC Work-session 6:30pm**

**Ayes: Miller, Shepard, Taylor, Garcia, Jarboe (Sikorsky & Stutz absent)  
(Sikorsky did not return from executive session)**

**Jarboe motions to increase the deputy clerk's salary by \$.50/hr, Shepard  
seconds**

**Ayes: 4 Nays: 0**

**Jarboe motions to increase the clerk's salary by \$1.33/hr, Shepard seconds**

**Ayes: 4 Nays: 0**

**Jarboe amends both motions to make the pay increase retroactive to  
anniversary date, Shepard seconds**

**Ayes: 4 Nays: 0**

**Jarboe motions to approve the software contract proposal from Two-Byte  
Step Room to include proposals 9 & 10, Garcia seconds**

**Ayes: 4 Nays: 0**

**Shepard motions to adjourn at 8:50pm, Miller seconds**

**Ayes: 4 Nays: 0**

**Approved: \_\_\_\_\_, David P. Taylor, Mayor**

*[Handwritten signature]*  
*[Handwritten signature]*, Clerk