

TOWN OF HAYMARKET, VIRGINIA
Chartered 1799
County of Prince William

HAYMARKET TOWN COUNCIL
March 2, 1998

MAYOR

John R. Kapp

ATTORNEY

Peter Steketee

COUNCIL

James Shepard, Vice Mayor

Mary Lou Scarbrough

Dottie Leonard

Bob Seffinga

Mark Branca

Richard Bird (absent)

Mayor Kapp opened the regular meeting at 7:30 p.m. Councilwoman Leonard led the Council in prayer.

Minutes of previous meeting

Vice Mayor Shepard moved to dispense with the reading of the minutes and approve with any changes noted, second by Councilwoman Scarbrough. Motion carried by unanimous vote.

Police Report

Sgt. Bockey reports 35 traffic citations in February, 2 reportable cases - 1 petty larceny at Sheetz. The department answered 16 calls.

Move - The Police Department will move on Wednesday to above the hardware store, suite #5.

Digest of Certain Acts - Atty Steketee is to speak to Sgt Bockey in regard to an update for criminal, traffic and other codes in need of reconsideration. Atty Jamison is working on them and a written update will be submitted for the April meeting.

Cops Grant - no word on the grant for the new officer. We will advertise when we are officially notified of the grant.

Meetings schedule

Mayor Kapp states the Town Council to meet the first Monday of the month, the Planning Commission will meet the Monday prior to the Town Council. Submittal for the Boards will be due the Thursday prior to the Planning Commission meeting. The ARB will meet during the week between Planning Commission and Town Council meetings.

Treasurers Report

The Treasurer reported a beginning balance in the general fund at First Virginia Bank checking account of \$63,602.90 with February expenses of \$18,492.97 and deposits of \$85,369.67. The ending balance is \$130,479.60.

Mayor Kapp states Mrs. Stutz of The Red Rooster Antiques shop gave six Princess Bear Beanie Babies to the Historical Foundation. The proceeds of the raffle was \$2,700.

Unpaid Bills

BDE ISTEBA billing \$1576.00. Councilman Branca moved to pay unpaid bills, second by Vice

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PUBLIC HEARING

HAYMARKET TOWN COUNCIL and PLANNING COMMISSION

Subject: (1) Street Scape Ordinance

(2) Utility Service Tax Amendment - exemptions

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Dottie Leonard
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Mark Branca (absent)
Richard Bird (absent)

Mayor Kapp opened the public hearing at 7:05 p.m.

Street Scape Ordinance

FOR:

First Call - Mr. Utz spoke in favor.

Second Call - no one spoke

Third Call - no one spoke

AGAINST:

First Call - no one spoke

Second Call - no one spoke

Third Call - no one spoke

Utility Service Tax Ordinance - Exemption

FOR:

First Call - no one spoke

Second Call - no one spoke

Third Call - no one spoke

AGAINST:

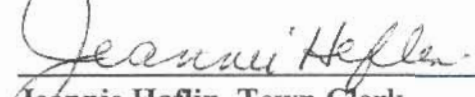
A First Call - no one spoke

Second Call - no one spoke

Third Call - no one spoke

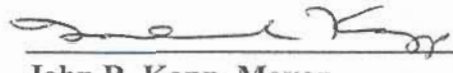
Public hearing closed at 7:07 p.m.

RESPECTFULLY SUBMITTED:



Jeannie Heflin, Town Clerk

APPROVED:



John R. Kapp, Mayor

jph398

Mayor Shepard. Motion carried by unanimous roll call vote.

Business License

Cesario's - office in trailer - parking on 15201 Washington Street - trailer not allowed in town. Tabled.

Carplex, Maunir Seboali, 6707 Jefferson Street #6, independent vehicle dealer - Councilwoman Scarbrough moved to approve, second by Councilwoman Leonard. Motion carried by unanimous vote.

Sign Permit

Carplex, 6707 Jefferson Street #6, independent vehicle dealer - Councilman Branca moved to approve, second by Councilwoman Scarbrough. Motion carried by unanimous vote.

Building Permit

Glenn Baker, 6896 Jockey Club Lane, deck - Councilman Branca moved to pre-approve and send to the Planning Commission, second by Vice Mayor Shepard. Motion carried by unanimous vote.

Stephen Soloski, 6942 Little John Court, deck - Councilman Branca moved to pre-approve and send to the Planning Commission, second by Councilwoman Scarbrough. Motion carried by unanimous vote.

Ryan Homes, Sect 9, Lot 1, 6797 St. Paul Drive, Vandenburg B - Councilman Branca moved to send to the ARB and PC, second by Councilwoman Scarbrough. Motion carried by unanimous vote.

Ryan Homes, Sect 9, Lot 7, 6821 St. Paul Drive, Vandenburg A - Councilwoman Leonard moved to send to the PC & ARB, second by Councilwoman Scarbrough. Motion carried by unanimous vote.

Zernick, 6929 Jockey Club Lane, deck - Councilman Branca moved to pre-approve and send to the PC, second by Councilwoman Scarbrough. Motion carried by unanimous vote.

US Home, Sect 9, Lot 23, 6860 St. Paul Drive, Birchfield B - Councilwoman Leonard moved to send to PC & ARB, second by Councilwoman Scarbrough. Motion carried by unanimous vote.

US Home, Sect 2, Lot 10, Birchfield A - Councilwoman Leonard moved to refer to the PC & ARB, second by Councilman Seffinga. Motion carried by unanimous vote.

Site Plan Review

St. Paul's Church Parking Lot - Rick Groux presented a plan to put a new parking lot (18 spaces) between the Rectory and the Church behind the large boxwood bushes, which provide screening. Councilwoman Leonard asked if it would be possible to embellish the entrance with a brick wall on both sides. Mr. Groux states the Vestry would like to make it pleasing and enhance the historic presence. Councilwoman Leonard asked Council to refer this to the ARB. Councilwoman Leonard moved to pre-approve and send to the PC and ARB providing it meets the guidelines, second by Councilwoman Scarbrough. Motion carried by unanimous vote.

Citizen's Time

Review Board prior to the Town Council giving final approval.

Mr. Bush of US Home states he agrees with the re-submittal of plans for review, but once those models and elevations are approved why do they have to go to the ARB for approval again. Councilman Branca states because there have been houses built that were not approved.

Historical Commission

Mrs. Turner reports at the last meeting the Commission discussed the caboose lattice work is in need of painting. She further states the Historical Commission is interested in strengthening the commission as after the bicentennial celebration the commission could be absolved.

Rector funeral home - petition for saving to use as a visitor center was circulated.

In regard to fences in town, the town should encourage picket fences along the main drag.

The Commission wants a copy of the street scape ordinance.

Councilwoman Leonard thought it a good idea to have a workshop with the Town Council, Architectural Review Board and the Historic Commission for guidelines and Historic District Overlay to express feelings to Council with concerns of property standards. The Commission would like legal advice in how strong are the guidelines. The Tyler house is in bad need of painting. The ordinance says houses must be kept up. Mayor Kapp states he will talk to the homeowner.

Mrs. Turner states she spoke with Alan Gossom about his courtyard, stating he should make it the J. R. Gossom courtyard with a wrought iron fence and entrance. Chris Foley would draw the plan for it.

Mrs. Turner states the Commission has not been made aware of the public hearings. They decided to have two members of the commission at the ARB meetings.

Building Inspector

ISO rating - no report until the end of the month.

US Home waterproofing - Mr. Eddy's letter explains the rationale (of the approval of the DECO 20). All homeowner's should have a copy of this letter to attach to their occupancy permit, showing the approval.

Masonic Lodge - Mr. Lowery states he received the plans on February 14 which were not reviewed until February 17. The plumbing and electric engineers were looking at them during that time. Responses were delayed due to not having the fax numbers.

The main issues were the property use is B-1, BOCA has no bearing on zoning and vice versa. This property never had a certificate of occupancy for business use. It is a barn structure and has to comply with BOCA building code requirements for office, which are different than a barn.

Mr. Lowery states he responds to calls in a timely manner, in the early morning, lunch time and the evening until 10 p.m. Inspections are performed in early morning, lunch (in an emergency) and evening after 5 p.m. and one full day.

Council needs to understand Mr. Darley had all the work done prior to having a permit. Mr. Lowery states he has not pressed criminal action but he is required to do so by Code (as work has been done without a permit). This matter came before Council and was sent back to the Mason's for plans and details. The second floor has to have minimum design load. The removal of the staircase is required if the second floor does not meet requirements. Mr. Lowery has asked to have the architect call him. A code modification could be made to work under the 1996 code. Under the 1993 code he only has to have one bathroom.

Councilwoman Leonard asked if there is an exemption for historic buildings. Mr. Lowery's states no, but there is a form you can complete and can get code modification. Mayor Kapp states the Mason's need to have an architect call Mr. Lowery so they can get this rectified.

Mr. Lowery states the architect has had opportunity to call him about the outstanding issues. He understands the inconvenience but he is only doing his job to secure safety issues and code requirements. Mr. Lowery states there are several outstanding permits on the lodge building that need to be completed, one is the elevator inspection.

Mayor Kapp asked Tom Pierce, contractor, to call Mr. Lowery to arrange to inspect of the elevator with a Prince William County inspector.

OLD BUSINESS

Bicentennial - The Post Office has sent us information on a cancellation stamp for January 11, 1999. We need to design the stamp. Councilman Seffinga asked Mayor Kapp to get samples and specifications.

Mayor Kapp states he and Councilman Seffinga spoke about Bicentennial hats or something to give or sell. Mrs. Turner states Mr. McKenna can get all those things. Mrs. Turner asked Mr. McKenna to look into a banner. Councilwoman Leonard states the ARB and Bicentennial Committee have been working on this.

ISTEA - There is a meeting on the 6th of April at 10:00 a.m. at the City of Fairfax, 10455 Armstrong Street, elected officials can address the Commonwealth Transportation Board for enhancement applications. Mayor Kapp states he will be there.

Councilwoman Leonard states people have asked her why we can't do what we can before the weather gets bad. Mayor Kapp states we can not get anything completed before winter and the street would be torn up all winter.

Don Costello requested the specifications for the Old Bank Cafe frontage.

Mayor Kapp told Atty. Steketee we need a sample of the easement agreement. Councilman Branca, Atty Jamison, Mayor Kapp and Mr. Contrucci to discuss easement issues.

Councilman Branca has utility issues the Town Council is to discuss. He states we got our final relocation on the second submission from Virginia Power. They are only relocating two poles, price - all town cost - \$33,000. Mayor Kapp states we are going to a private contractor for bids. Contingencies are \$6,000, actual construction cost \$19,000 and \$8,000 for design. GTE and Jones Communication plan to go underground. With easement agreements we only have to add in the owners name. Councilman Branca states Council vote should come tonight to grant the easement for the town property.

Councilwoman Scarbrough and Councilman Seffinga say a subcontractor for GTE came to their house a couple of months ago. They said they were burying the lines on Jefferson Street. They left some wires out and dangling. There are also some at the Red House Inn.

Councilman Branca moved that the town grant the easement to GTE on our property, second by Councilwoman Scarbrough. Motion carried by unanimous vote.

Mayor Kapp states we are putting the sidewalk up to the grocery store building. The initial plans were move the alignment to the south side. If we moved it back to the middle of the street then we wouldn't have room for the light pole and would have to move it.

BDE additional fees to move alignment to the south \$5,091.32 to move it. Councilman Branca moved to approve addendum to shift to the south side, second by Councilwoman Leonard. Mayor Kapp asked Councilman Branca to amend motion to include to discuss the impact with the property owners, amendment made by Councilman Branca, second by Councilwoman Leonard. Motion carried by unanimous roll call vote.

Addendum to BDE bid proposal - \$3,600 for Phase I. Councilman Seffinga recalls we included this in the original bid proposal.

Spring Festival

We have forty vendors and more coming, reports Councilwoman Leonard. There is lots of enthusiasm from the Bicentennial Committee. Mayor Kapp states Carolyn Hopkins called and offered her help.

Mayor Kapp states he has a contract from Harmon's Carriages for \$950 for two carriages for two hours. They need a down payment of \$200 due now and a remaining \$750 payable on the day of the event. Cancellation at least four hours in advance of scheduled time. Councilwoman Leonard states they are scheduled from 2-4 p.m. Mayor Kapp feels (the time) is too late, we are about to close up at that hour. Councilwoman Leonard states we agreed to charge \$5.00 for adults and \$1.00 for children. Mayor Kapp asked if we approved that previously. Yes, was the answer.

Utility Tax Amendment - Public Hearing held

Councilman Seffinga moved to approve, second by Councilwoman Scarbrough. Motion carried by unanimous vote.

Utility Tax double billing to commercial consumer

Councilman Branca asked if Atty Jamison was looking into the double billing. Atty Jamison states the person he spoke with at Virginia Power locally was unable to answer the question. He was unable to reach the person in Richmond to answer his question.

Councilman Branca states it seems difficult for Virginia Power to administer this issue. Atty Steketee states that it would probably be a good idea for the town to rebate to the customer.

Councilman Branca states the ARB needs to change the brick sidewalk from concrete to sand base. Mr. Foley says, with concrete base, if you have to get to a utility the cost is too expensive and maintenance is expensive.

Railroad - Nothing to report.

Street Scape Ordinance - Tabled.

Internet Web Site - nothing to report.

Termites

Terminex will honor the \$500 contract from August of 1996. They also have another system. Council agreed to stay with the \$500 contract.

New front door to the Town Hall

Mr. Lowery states he spoke to John Greco about replacing the door. Councilman Seffinga states the Town Clerk wants a mail slot. Councilwoman Leonard moved to replace the front doors with identical replicas with the addition of an appropriate mail slot, second by Vice Mayor Shepard. Motion carried by unanimous roll call vote.

Replace mail box post

Councilwoman Scarbrough moved to replace the mail box post and install, second by Vice Mayor Shepard. Motion carried by unanimous roll call vote.

Greenhill Fence

Mayor Kapp states Peterson Companies agrees to put in the fence we want.

Zoning Code Review

We need to hold a workshop on the zoning code review. Scheduled for Thursday, April 2 at 7:00 p.m.

Budget Work Session

Schedule moved to Tuesday, March 17 at 7:00 p.m.

Business License

Councilwoman Leonard to speak with the plumber who is in violation of business license ordinance.

Executive Session

Councilman Seffinga moved to go into executive session pursuant to Virginia Code 2.1344a.1 to discuss personnel matters, second by Councilwoman Leonard. Motion carried by unanimous vote. Councilwoman Scarbrough moved to go out of executive session and back into regular session, second by Vice Mayor Shepard. Motion carried by unanimous vote.

Councilman Seffinga moved to pay the Building Official current bills and Council will look at the logs on the 17th of March, second by Councilwoman Scarbrough. Motion carried by unanimous roll call vote. Mr. Lowery states on Wednesday (March 4) he will have 50 or 60 inspection logs complete. Monthly inspection log will be submitted and final inspection logs submitted.

Continuation

At 11:13 p.m. Councilman Seffinga moved to continue the meeting to March 17 at 7:00 p.m., second by Councilwoman Scarbrough. Motion carried by unanimous vote.