

**TOWN OF HAYMARKET, VIRGINIA
Chartered 1799
County of Prince William**

MAYOR
John R. Kapp

COUNCIL
James Shepard, Vice Mayor
Mark Branca (absent)
Dottie Leonard, ARB Liaison
Mary Lou Scarbrough, PC Liaison
Tom Utz

ATTORNEY
Charles Jamison

Mayor Kapp opened in regular session at 7:44 p.m.

Executive Session

Councilwoman Scarbrough moved to go into executive session pursuant to Virginia Code 2.1-344A.3 to discuss real estate for use by the town, second by Vice Mayor Shepard. Yeas: Shepard, Scarbrough, Leonard, Utz. Nays: None. Motion carried by 4/0 vote.

Councilwoman Scarbrough moved to go out of executive session pursuant to Virginia Code 2.1-344A.3 certifying the only business discussed was real estate for use by the town, second by Vice Mayor Shepard. Yeas: Shepard, Scarbrough, Leonard, Utz. Nays: None. Motion carried by 4/0 vote.

Regular Session:

MAYOR
John R. Kapp

COUNCIL
James Shepard, Vice Mayor
Mark Branca
Dottie Leonard, ARB Liaison
Mary Lou Scarbrough, PC Liaison
Tom Utz

ATTORNEY
Charles Jamison

Mayor Kapp opened in regular session at 7:50 p.m.

KSI - Piedmont Project (formerly known as Bellwood)

Representatives presented the *Piedmont* plan showing 975 varied size homes including 225 town homes in the center of the project. The largest home site is one acre lots on the perimeter and they are currently under contract for an additional 75 acres for 90 homes. Also Kendrick (north) has 135 additional houses, the Van Fricken property on the south side has additional 90 home sites on 70' wide lots, which comes to the town limit (fronts on Old Carolina Road) the preliminary plan approved includes road improvements. PWC has just completed the offsite water, boring under Rt. 66 is in the works. VDOT has required them to pave Bleight Drive.

The golf course is under construction - leased to Golf South, Inc. - designed by Tom Fasio. The grand opening is schedule for April 27. Everyone is invited.

The builders in Piedmont; Equity, NV Homes, Ingoll, Quaker, Fairfield, Drees and Van Metre have shown interest.

The traffic light at Old Carolina Road/Route 15 proffered four lanes to the project entrance. Westmarket has proffered the improvements south of their entrance. Mayor Kapp asked KSI for a proffer statement and plat. Mayor Kapp states Mike Lubely got the town \$5,000 for street improvements when he asked for a traffic impact study.

KSI has proffered a ball field at James Long Park, to be installed at the 100th building permit, at the 200th building permit \$100,000 for a bike trail on Route 15.

Councilwoman Leonard states the county gave the town some leeway for architectural design on properties that adjoins the town. She asked if the county discussed this with the developer. They replied the house styles are colonial in design and now that they know this they'll send the architectural design packet to the town.

Ed Wheeler asked who is providing improvements on Route 15 from Old Carolina Road to Route 66. Mayor Kapp states Toll Brothers, Waverly property, is responsible for that by VDOT.

Gossom Property proposal

Mr. Clarence Ing and Tim Jamison, planner/architect for PWC presented the revised sketch for the facade for the hardware building. Mr. Ing states the ARB asked for feedback from their meeting. Mr. Jamison presented their revised drawing asking if they are on the right track and if so they will wait until the town makes their final decision.

Minutes of March meeting

Vice Mayor Shepard moved to note corrections, dispense with the reading of the minutes and approve the minutes, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz. Nays: none. Motion carried by 5/0 vote.

Police Report

Sgt Roop reports for the month of April; 3430 miles driven, 307.2 gallons in fuel, at a cost of \$301.94, 82 tickets written, 2 parking tickets issued, 80 uniform traffic summons, 11 criminal misdemeanors, 6 reports written, 72 complaints, 2 FR-300, 493 hours worked. Breakdown of arrests: 6 drug, 2 habitual offender, 16 reckless driving, 1 DUI, 3 alcohol related charges, 1 breaking and entering.

Additionally, Officer Putnam reports the Safety programs are being offered at Back 2 Basics Child Care and Haymarket Baptist Pre-school. The Virginia matching COPS grant application completed, if awarded it will be \$7,124.00 additional funds. Incident Based Reporting is up and running smoothly. We are registered for the **National Night Out Against Crime**, August 3, under the Turn Off the Violence Program. Tentative plans include a community walk, "Haymarket Steps out to stomp out crime with an ice cream social to follow.

Officer Putnam will be participating as an arrestee in the American Heart Association **Cardiac Arrest** at the request of Captain Smith and requests that everyone give generously towards her bail May 7.

Officer Hoffman has been nominated for an Enforcement Award on May 21 for his efforts to removed impaired drivers from our streets. This award is given by MADD and the Northern Virginia ASAP.

The plans for the Bicycle Rodeo are not quite final yet but we hope to have participation from **Ashby Street Bicycles** and the PWCOSO to assist in Finger Printing for children who have not been previously printed.

Treasurers' Report

First Virginia Bank general fund checking account: beginning balance \$81,346.31, expenses for March \$67,938.89, deposits for March \$72,890, ending balance \$86,298.31.

Business License

Fred Price, 6811 Jefferson Street, home business, surveyor - Councilwoman Leonard moved to approve, second by Vice Mayor Shepard. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz. Nays: none. Motion carried by 5/0 vote.

Arlington Imports, 14950 Washington Street #100 - Councilwoman Leonard moved to approve, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz. Nays: none. Motion carried by 5/0 vote.

Universal Auto, 15017 Washington St. #1 - Councilwoman Scarbrough moved to approve, second by Vice Mayor Shepard. Councilwoman Leonard moved to approve, second by Vice Mayor Shepard. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz. Nays: none. Motion carried by 5/0 vote.

B&J Auto, 15017 Washington Street, #2 - Councilwoman Scarbrough moved to approve, second by Councilwoman Leonard. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz. Nays: none. Motion carried by 5/0 vote.

Global Auto, 14950 Washington Street #301 - Councilwoman Scarbrough moved to approve, second by Vice Mayor Shepard. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz. Nays: none. Motion carried by 5/0 vote.

Merkli, garden center, 15201 Washington Street - Mayor Kapp says under ARB guidelines there were contingencies that were not done. It is in the hand of the attorneys. Mr. Leaberry states he has told the Mayor he asked Merkli to vacate. Mr. Merkli states Mr. Leaberry has taken his rent check. Mayor Kapp states the attorney will get with Mr. Merkli.

Sign Permits

Independent Vehicle Dealers signs - The Town Clerk asked the attorney for an opinion considering the opinion submitted by the attorneys in regard to the Costello Cafe sign.

Arlington Auto Imports, 14950 Washington Street #100 - Councilman Branca moved to approve, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz. Nays: none. Motion carried by 5/0 vote.

Universal Auto, 15017 Washington St. #1 - Councilwoman Scarbrough moved to approve, second by Councilman Branca. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz. Nays: none. Motion carried by 5/0 vote.

B&J Auto, 15017 Washington Street #2 - Councilwoman Scarbrough moved to approve, second

by Councilman Branca. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz. Nays: none. Motion carried by 5/0 vote.

Global Auto, 14950 Washington Street, #301 - Councilwoman Scarbrough moved to approve, second by Councilman Branca. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz. Nays: none. Motion carried by 5/0 vote.

Building Permits

Total Home Remodelers, 6892 Jockey Club Lane, deck - not approved by Planning Commission due to storage underneath. Mr. Lowery states others have been built like this, a shed is approved for up to 150 sq. ft. so it should be approved.

Councilman Utz moved to approve, second by Councilman Branca. Councilman Branca asked how the other deck was permitted for storage under the deck. Councilman Branca called for the vote. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz. Nays: none. Motion carried by 5/0 vote.

Contrucci, 14890 Washington Street, porch, fence, windows & door - ARB & PC approved. Councilman Branca moved to approve, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz. Nays: none. Motion carried by 5/0 vote.

JKLM, III, L.C., 6600 James Madison Highway, Haymarket Self Storage - ARB & PC approved. Councilwoman Scarbrough moved to approve, second by Councilman Branca. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz. Nays: none. Motion carried by 5/0 vote.

Site Development Permit, BDE letter. Councilman Branca talked with BDE, items 2 & 7 we'd like to pursue end section pipe & want collars. Councilman Branca moved to amend his motion to include additional \$5,000 to performance bond and the \$7,500 for E&S Inspections which is the pre-approved amount. Councilman Branca moved to re-approve bond amount from last meeting \$118,549 performance bond & \$10,753 E&S bond plus \$5,000 to E&S escrow for oversight items, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz. Nays: none. Motion carried by 5/0 vote. Mr. Jacobsen states he hopes to open mid June.

Nextel, 15175 Washington Street, telecommunications antennas - approved by PC & ARB. Mayor Kapp states we will have to negotiate the gross receipts tax. Councilman Branca moved to approve. Councilwoman Scarbrough asked about Nextel removing the fuel tanks. Commonwealth Gas tanks, confirmation required that fuel tanks will be moved, through Jim Lowery, second by Councilwoman Leonard. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz. Nays: none. Motion carried by 5/0 vote.

Ryan Homes, Section 9, Lot 3, 6805 St. Paul Drive, Bainbridge F - PC & Arb approved. Councilwoman Scarbrough moved to approve, second by Councilwoman Leonard. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz. Nays: none. Motion carried by 5/0 vote.

Ryan Homes, Section 9, Lot 10, 6872 Jockey Club Lane, Vandenburg C - Councilwoman Scarbrough moved to approve, second by Councilman Utz. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz. Nays: none. Motion carried by 5/0 vote.

Ryan Homes, Section 9, Lot 13, 6833 St. Paul Drive, Patterson B - Councilwoman Leonard moved to approve, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz. Nays: none. Motion carried by 5/0 vote.

Ryan Homes, Section 9, Lot 15, 14938 Greenhill Crossing Drive, Ravenwood C with morning room C - Councilwoman Scarbrough moved to approve, second by Councilman Utz. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz. Nays: none. Motion carried by 5/0 vote.

Ryan Homes, Section 9, Lot 16, 14934 Greenhill Crossing Drive, Vandenburg C with morning room, brick front - Councilwoman Scarbrough moved to approve, Second by Councilman Utz. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz. Nays: none. Motion carried by 5/0 vote.

Ryan Homes, Section 9, Lot 27, 6844 St. Paul Drive, Vandenburg A - Councilman Utz moved to approve, second by Councilwoman Leonard. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz. Nays: none. Motion carried by 5/0 vote.

Section 8, Greenhill Crossing, Townhouse weak link connection - ARB approved. Councilwoman Leonard states the ARB is satisfied if Council is satisfied. Councilman Branca would like to see it better worked with the ARB and see it down to scale so we will know proportionally. Tabled.

Woscek, 6953 Jockey Club Lane, deck - Town Clerk states this did not get included in PC packet for review. Councilwoman Scarbrough states it meets set back requirements. Councilman Branca moved to approve, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz. Nays: none. Motion carried by 5/0 vote.

Citizen's Time

Mr. Mohr states there is an issue that the monies, for the town hall museum, Senator Colgan requested from legislation have been vetoed by Gov. Gilmore. He said that money would be a waste. Mayor Kapp states the reason it was future money to come in and he doesn't want to designate it until it comes in. Sen. Colgan felt it was going to be approved. Mayor Kapp says April 7 is the one day veto session.

Section 4, Greenhill Crossing, Ed Wheeler asked if they are in town. No was the answer.

Heather Bonney asked about the Section 2 bond, if it was released. It has been reduced but hasn't been requested for release.

Planning Commission

Councilwoman Scarbrough states there is nothing to report.

Architectural Review Board

Councilwoman Leonard states she has covered the issues discussed. The Sheetz violation the attorney will discuss in executive session. US Home, Jim Lowery is still working on.

Historical Commission

Mrs. Turner asked Mrs. Jamison to speak tonight on the Piedmont property. She will return another night.

The Historical Commission met Saturday and talked about opening the caboose beginning April 17. She states the Commission is losing members. Mayor Kapp suggested a membership drive at the Spring Festival.

Building Official

Certificate of Insurance - Mr. Lowery reports he, his insurance company and VML are working on it.

Shrink/Swell policy - PWC made changes he will incorporate them.

Business License - Mr. Lowery states business licenses are supposed to be tied to a certificate of occupancy. Mr. Lowery suggests a business license fee of \$80 which includes an inspection for safety issues.

Mr. Lowery states the D&J roll off service is on the Durham property not Costello. There is also parking for Mullins Auto, Costello leases the property. Mulch piles are appearing.

Mayor Kapp asked Atty Steketee about the roll off service. Atty Steketee states it is not permitted. What steps cease and desist. A letter from Mayor Kapp stating withing 10 days stop operation and then count the days from the receipt of the letter. Councilman Branca asked if they are dumping there. No they don't dump every day, replied Mr. Lowery, they will dump if they need an empty truck. Mr. Costello wants to know why they don't have town tags on their vehicles. It is a roll off service, they dump at Lorton. Councilman Branca states they shouldn't be coming in here loaded. Mr. Lowery says if they are too late to dump in Lorton they bring it back full. Councilman Branca states there shouldn't be any full trucks here at all. Mr. Lowery states Mr. Costello does not rent dumpsters from D&J Excavating.

Councilwoman Leonard moved to table this discussion and discuss it in executive session, occupancy inspections attached to business license renewal, second by Councilwoman Scarbrough. Yeas: Scarbrough, Leonard, Utz. Nays: Branca. Motion carried by 3/1 vote.

Haymarket Lodge - site plan returned to Mr. Darley. Tabled.

Old Business

Budget

Continuation Monday, April 19, 7:00 p.m.

ISTEA grant

Mayor Kapp called BDE. VDOT sent changes back to them. BDE sending back to VDOT this week. Mayor Kapp met with Virginia Power, Costello, Gossom. Revised estimate \$855,000. Virginia Power is finalizing the plan and estimate. Construction date is Sept 1.

Spring Festival - Doug Mohr updates Council on crafters, flyer will be available for approval. Working on publicity, he has spoken with papers about articles. Pepsi has offered free banners with Crossroads at Haymarket. He is looking for fund raisers for activities.

Clean Up - April 17 no chairman yet.

Municipal Code - continue on April 19

Website - give additional information to Mayor Kapp

Christmas decorations - to order the lamp posts we need to tell them if we want the arms for banners. Councilman Branca moved to approve getting with 2 arms, second by Councilwoman Scarbrough. Yeas: Branca, Scarbrough, Leonard, Mohr, Utz. Nays: none. Motion carried by 5/0 vote.

Century Stair, 15175 Washington Street, sewer/water - Mr. Lowery has been approached by DEQ and PWC Health Dept they have not looked at it. They control pump stations, they determine who has to have public sewer and water. They (Health Dept) want to know if PWC approved the sewer system approved for a pump station. PWC has them under violation. Councilman Branca states the County should pursue that apart from the town.

On advice of our attorney we will allow the health dept to pursue the violation. Should have been approved by town last June. The Health Dept does not approve of the back building being on the pump system.

Mayor Kapp says we probably need to get with the health dept. And service authority. Councilman Branca thinks we need to get with the applicant.

Mayor Kapp asked Mrs. Contrucci if she would see if they have an approved copy.

Mr. Frogale requested a pump and haul site for Prince William Supply. Signature Kitchens, no paper work was ever submitted to PWCSA. The Health Dept. has to approve. Councilman Branca states the health dept issues the permit to the County. The tank is in PWC the pipes goes through Haymarket. Mr. Leaberry has offered one hook up at \$33,000. Councilman Branca asks if Mr. Frogale knows the town will revoke their business license and occupancy permit. Mr. Lowery states their attitude is that they are entitled to favors. Mayor Kapp will talk to them.

Saddlery Liquidators is returning next week.

Merkli garden center, 15201 Washington St. - Mr. Lowery asked to issue letter that Mr. Merkli a violation for not having a bathroom facility.

Zoning Text Amendment

Structures up to 45' in height. The ARB did not get to that. Tabled.

Zoning Text Amendment

Residential use in commercial zoning. Tabled.

Continuation

At 10:50 p.m. Councilwoman Leonard moved to continue meeting April 19 at 7:00 p.m., second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz. Nays: none. Motion carried by 5/0 vote.

Executive Session

At 10:50 p.m. Councilwoman Scarbrough moved to go into executive session to discuss real property acquisition for town use and legal matters & personnel matters pursuant to Virginia Code 2.1-344A.3, second by Councilman Utz. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz. Nays: none. Motion carried by 5/0 vote.

At 11:30 p.m. Councilwoman Scarbrough moved to go out of executive session certifying only real property and legal and personnel matters, second by Councilwoman Leonard.

Continuance

At 11:30 p.m. Council recessed until April 19.

April 19, 1999

MAYOR
John R. Kapp

ATTORNEY
none

COUNCIL
James Shepard (absent)
Dottie Leonard
Mary Lou Scarbrough
Mark Branca
Tom Utz
Doug Mohr

At 7:14 p.m. Mayor Kapp continued the regular session of the Town Council.

Health Insurance

Councilwoman Leonard states Optimum Choice had the best rate initially but due to Trigon being more reasonable for one employee, due to age, after five years when everyone is over 40 Optimum Choice will be more reasonable and we will want to change carriers.

Councilman Branca moved to provide 100% paid health benefits of full time permanent personnel for individual Blue Cross proposal, second by Councilwoman Leonard. Councilman Branca amends his motion to include after six months an employee may add their family members and may pay for their own insurance prior to the six months. Councilman Branca amends or 90 days of service, second by Councilman Mohr. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz,, Mohr. Nays: none. Motion carried by 6/0 vote.

Ed Wilbourn, PWC Gainesville Supervisor states he just came from Virginia Oaks with the fire situation in Sam's junk yard. He states EPA is in their. They have been told there are no toxic fumes at present.

Mr. Wilbourn states the Board of Supervisors is preparing to do a sector plan in conjunction with the 29/66 change in Gainesville. Mr. Wilbourn would like to go to the board with a plan of expansion of the town limits that will help us take in historic areas and a town center plan with the help of his staff at county expense. South about to Haymarket Drive to Rt. 15 on Old Carolina Road to Rt. 15 and to Catharpin Road.

Mr. Wilbourn states it would have to be done with standards, zoning documents which would be enforced consistently. Williamsburg has corridors that are historic and outer corridors are not under the same regulations. Councilwoman Leonard states she has as much respect for Mr. Wilbourn as she has for any public official but she fears that would be more than Council can handle with the Gossom property proposal. She is not comfortable giving any control to the county. Mr. Wilbourn states the town would carry their standards to the expanded area.

Councilman Mohr states it is an opportunity to grow and build our economic area. Councilman Branca sees this as a good opportunity to expand with the expertise of the county personnel.

Mr. Wilbourn states there are only six areas for this sector plan. Haymarket/Gainesville is priority one due to the Rt. 29/66 reconfiguration.

Mr. Utz asked what Mr. Wilbourn's concept of a town center is. Mr. Wilbourn states in the

1800's there was a commuter train to Washington, D. C. for shopping and visits to the city. The town could recreate a train depot. Councilman Mohr says what if meanwhile the 60 acres east of town is developed (Carter property) to something we don't care to have. Mr. Wilbourn states the County is looking at that property and it is under review under the sector plan. If the town pursues annexing the town will have some say in the plan for that property.

Councilman Mohr states there is a bill in congress that would require post offices.

Councilman Branca asked the next step. Mr. Wilbourn states he would sell it to his board with the towns approval.

Councilman Mohr moved to move forward to explore expansion of the town through the sector plan to an area to be determined, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Branca, Utz. Nays: none. Motion carried by 5/0 vote.

Mr. Wilbourn states the Boy Scouts will create a park along Rt. 66/66 south (Old Nickens property).

PWC is acquiring 125 acres next to Alvey's store for regional park for this district. Dewberry & Davis will do all the design and engineering, Hazel & Rodgers will do all the site work. 1.5 million dollars has been donated in kind for softball and soccer fields with lights.

Mr. Wilbourn talked to the County Executive about town hall project and he thinks he can get some money for the town hall.

Budget

Increase Roop, only 5% to \$35,700, Hoffman remains at \$28,500 and Putnam remains at \$28,500.

ISTEA

Councilman Branca says he thinks the cost should be more at \$450,000 - \$600,000 for Phase 1. Mayor Kapp says VDOT donated all concrete pipe, curb, Lynda Farr's frontage. Councilman Branca says best case we have to come up with \$300,000.

Mayor Kapp states he had a meeting with a head finance person at First Virginia Bank. He thinks this is a good project for the town. He is thinking about 5% money.

Councilman Branca asked about if the Mason's are looking for community project they may consider the street enhancement.

Councilwoman Leonard states she thinks Sarah's idea of creating the James Gossom park, in the hardware/grocery store area, would be a good idea and Alan says if the town purchases the property there will be many people who will want to donate toward the project.

Gossom Property

Straw Vote - Mayor Kapp says we have done our public hearings we have our input and he doesn't think we should pursue that. Councilwoman Leonard agrees. Councilman Branca sees

costs: (1) remedial costs, (2) start up costs, (3) facade costs-seed money \$25,000, (4) retail space. HVAC (Doug check on change to gas) \$25,000.

Councilman Branca states we're short \$50,000. Consensus was we should finance the \$100,000 down payment, the whole thing at the bank at 5% rate.

Mayor Kapp will get better figures on the ISTE A grant, the ISTE A grant goes to Richmond for review this week.

Councilman Mohr says maybe we should go look for an investor to purchase the property and lease it to the town. Mr. Mohr will pursue grant money. Mayor Kapp will get remedial costs.

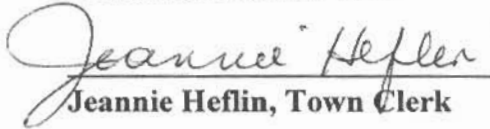
New Business

Bolt property, 8 acres Bleight Drive - Mayor Kapp states in 1978 Mr. Bolt dedicated Bleight Drive to VDOT which required a subdivision of three houses.

Adjourned

With no further business to discuss Council adjourned at 10:43 p.m.

RESPECTFULLY SUBMITTED:



Jeannie Heflin, Town Clerk

APPROVED:



John R. Kapp, Mayor