

TOWN OF HAYMARKET, VIRGINIA  
Chartered 1799  
County of Prince William

HAYMARKET TOWN COUNCIL  
June 1, 1998

**MAYOR**  
John R. Kapp

**ATTORNEY**  
Charles Jamison

**COUNCIL**  
James Shepard, Vice Mayor  
Mary Lou Scarbrough  
Dottie Leonard  
Bob Seffinga  
Mark Branca  
Richard Bird (absent)

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Mayor Kapp opened this regular meeting at 7:45 p.m. Rev. Ron Christian, Shepherd of the Hills Lutheran Church, led Council in prayer. Mayor Kapp led the Council in the Pledge to the American Flag.

**Presentation by Charles Darley, Hay Market Lodge Charitable Foundation**

Mr. Darley and Mr. Wayne Grindle, speaking on behalf of the Hay Market Lodge Charitable Foundation members, presented a possible plan to house a recreation center for the town. A long term lease (10 year) at \$1.00 per year and willing to share in the expense to make a Van Horn Memorial Park. Mr. Darley states the town would have to accept the liability for the property. The house and surrounding property is about .65 acres. Councilman Branca says we should have our ARB consultant, Chris Foley, look at the facility. He could look at all recreational options and make recommendations. Mr. Lowery states he would work with Chris to go over the code requirements. Mr. Bear agrees we need all the recreational facilities mentioned but who would have the controlling interest. The Mason's would own it but not have the control of using for town's use.

**Minutes of May 11 and April 2 work session.**

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, Seffinga, Branca. Nays: None. Motion carried by 5/0 vote.

**Police Dept.**

Sgt. Bockey states there were 70 traffic citations, 3 DWI, one accident at Sheetz. Fifteen calls were answered. There are no major cases at this time. The County has an \$1800 larceny case at 84 Lumber.

Grass/Trash violations - Sgt Bockey & Officer Roop did a walk through for trash and grass. Overall the properties are in good shape. The worst place is the drainage ditch. Mr. Bear asked about all the trash behind Dr. Weaver's office. Rev. Christian has been after Dr. Weaver to clean it up. Sgt. Bockey says the grass has been mowed there.

Digest of Certain Acts - will be ready in July.

General Orders - they are being modified.

**HAYMARKET TOWN COUNCIL - June 1, 1998****Treasurers' Report**

The treasurer reported a beginning balance of \$150,560.53. Expenses 20,944.58, transfers \$75,000.00, deposits \$30,331.02. Ending balance \$84,946.97.

**Unpaid Bills**

Vice Mayor Shepard moved to approve \$1,680.46 in unpaid bills, second by Councilwoman Leonard. Yeas: Shepard, Scarbrough, Leonard, Seffinga, Branca. Nays: None. Motion carried by 5/0 roll call vote.

**Business License**

Star Motors, 14950 Washington St., #401 - Councilwoman Scarbrough moved to approve, second by Vice Mayor Shepard. Yeas: Shepard, Scarbrough, Leonard, Seffinga, Branca. Nays: None. Motion carried by 5/0 vote.

A&A Imports, 6707 Jefferson Street #4 - Councilwoman Scarbrough moved to approve, second by Vice Mayor Shepard. Yeas: Shepard, Scarbrough, Leonard, Seffinga, Branca. Nays: None. Motion carried by 5/0 vote.

**Sign permit**

Star Motors, 14950 Washington Street, #401 - Councilwoman Scarbrough moved to approve, second by Vice Mayor Shepard. Yeas: Shepard, Scarbrough, Leonard, Seffinga, Branca. Nays: None. Motion carried by 5/0 vote.

A&A Imports, 6707 Jefferson Street #4 - Councilwoman Leonard moved to approve, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Seffinga, Branca. Nays: None. Motion carried by 5/0 vote.

Coalition Against Hunger, 15000 Washington Street, approved by Planning Commission & ARB - Councilwoman Scarbrough moved to approve, second by Councilman Seffinga. Yeas: Shepard, Scarbrough, Leonard, Seffinga, Branca. Nays: None. Motion carried by 5/0 vote.

**Building Permit**

Sheetz, 15315 Washington Street, flag pole - located just past the parking spots on Washington St. PC was concerned about approving with other issues outstanding. Councilman Branca moved to approve, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Seffinga, Branca. Nays: None. Motion carried by 5/0 vote.

Ryan Homes, Sect. 9, Lot 2, 6801 St. Paul Drive, Vandenburg C, vinyl siding - Councilwoman Leonard states Mr. Foley had seen some siding colors that aren't approved on the ARB's walk through of Greenhill Crossing. Councilman Seffinga approved pending builder supplying colors before the next meeting of the ARB, second Councilman Branca. Yeas: Shepard, Scarbrough, Leonard, Seffinga, Branca. Nays: None. Motion carried by 5/0 vote.

**Boundary Line Adjustment**

Boutwell, Section 2, Lot 21, 14896 Greenhill Crossing Drive - Councilman Branca states owners came to the Planning Commission meeting. Ryan Homes has agreed to the property line and to pay the fees as per addendum by the Boutwell's. Councilman Branca moved to approve boundary line adjustment pending signature of both parties before execution, second by Councilwoman Scarbrough. Mr. Vandagriff, lot 20, states he has no problems with the

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adjustment. Yeas: Shepard, Scarbrough, Leonard, Seffinga, Branca. Nays: None. Motion carried by 5/0 vote

Boutwell, Sect 2, Lot 21, 14896 Greenhill Crossing Drive, sun room, built not approved - Councilman Branca moved to approve contingent upon Ryan Homes and property owner providing recordation information to the Town Clerk, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Seffinga, Branca. Nays: None. Motion carried by 5/0 vote.

Ryan Homes, 6871 Jockey Club Lane, deck - Councilwoman Scarbrough moved to approve, second by Councilman Branca. Yeas: Shepard, Scarbrough, Leonard, Seffinga, Branca. Nays: None. Motion carried by 5/0 vote.

J2 Construction, 6868 Jockey Club Lane, deck - Councilwoman Scarbrough moved to approve, second by Councilwoman Leonard. Yeas: Shepard, Scarbrough, Leonard, Seffinga, Branca. Nays: None. Motion carried by 5/0 vote.

Taylor, 6945 Jockey Club Lane, deck (dual level) - Councilwoman Scarbrough moved to approve, second by Councilman Branca. Yeas: Shepard, Scarbrough, Leonard, Seffinga, Branca. Nays: None. Motion carried by 5/0 vote.

Davis, Llanaza, 6930 Jockey Club Lane, deck - Councilwoman Scarbrough moved to approve, second by Councilman Seffinga. Yeas: Shepard, Scarbrough, Leonard, Seffinga, Branca. Nays: None. Motion carried by 5/0 vote.

Davis, Brady, 14885 Greenhill Crossing Drive, deck - Councilman Branca moved to approve, second by Vice Mayor Shepard. Yeas: Shepard, Scarbrough, Leonard, Seffinga, Branca. Nays: None. Motion carried by 5/0 vote.

Davis, Taylor, 6918 Jockey Club Lane, deck - Councilwoman Scarbrough moved to approve, second by Councilman Branca. Yeas: Shepard, Scarbrough, Leonard, Seffinga, Branca. Nays: None. Motion carried by 5/0 vote.

Greenhill Crossing Fence, existing fence coming down, replacement - at rear property line stockade fence. ARB recommended approval per condition of "caps pickets are cut off flush and a 1' x 4" cap installed with a board on the back". Fence is to be 6' high and run 1,450 linear feet. ARB felt this fence is a compromise and the fence is almost not seen from any road. Question arose if the existing fence is to be torn down and replace it all or if they are altering the old one.

**Citizen's Time**

Mrs. Bailey asked if anyone has been checking uncut grass. Yes, Sgt Bockey reports. Also is there anything being done about the "beanie baby" signs at Madison Street. Councilman Branca reports no portable signs are permitted by ordinance. Mrs. Bailey says she has heard an offer was made on property of the old hardware and old grocery store. Mayor Kapp states the town offered \$1.1 million. He states for years the town discussed a new town hall. He has discussed with Don Costello and Alan Gossom about several properties. He has talked with Prince William County School Board about the old Gainesville School. He assures her nothing will be done until public hearing are held.

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Councilman Seffinga states as a council member when the offer came up council felt they should look into it since the town needs property.

Mayor Kapp assures Council is not doing anything underhanded. We are studying options and all legal requirements will be complied in pursuit of public opinion. Councilwoman Leonard states a study period and feasibility period are appropriate.

Lonnie Milstead states he moved in a year ago February. He has not come to many meetings where aesthetics are discussed and support the boards efforts. He is embarrassed by the new garden center and trailer at the Leaberry property (15201 Washington Street), buildings that look like they need paint, the corner of the grocery store, businesses that have junk vehicles with grass growing up around them. (Lane property) visible from the street. He states he doesn't understand why the landscaper is allowed. Councilwoman Leonard states he presented an (business license) application which she wanted to go before the ARB for approval. He is on a temporary basis. Mr. Milstead says he would like to see all properties brought up to standards.

Councilwoman Leonard states the ARB is working on the problems at every meeting.

Councilman Branca asked if the ARB can look at the Lane property. He states the ordinance does not permit the vehicles parked there.

Ed Barfield, Noell Crane Service, asked for a special exemption for a trailer for office use at 6712 James Madison Highway (old Annandale Millwork facility). He states the company purchased it and installed it for office use. Mr. Frogale has sold the center building where there the rest rooms are and they no longer have access to the rest rooms. Noell is in the building closest to the railroad track.

Councilwoman Leonard states the town does not allow any trailers in town. She asked if Mr. Frogale leased them a building no bathrooms? She states there is a state law in regard to rest room facilities.

Mayor Kapp asked attorney Jamison if we can permit a temporary use of a trailer. Atty Jamison states the ordinance is not specific about trailers. It is not appropriate to take care of this during Citizen's Time. Possibly we should permit in the industrial zone.

Mr. Lowery states the trailer is in violation of the building code without a permit. If it is granted a permit it is only allowed 180 days. Mr. Lowery could grant a code modification for the temporary use.

Mr. Bear states he agrees with Mr. Milstead, stating there are three bad spots in town: Paxton property, Alan Gossom's grocery store corner, Alan's property on Washington St. at his office - black top tar trucks, asphalt equipment.

Mr. Bear further states everyone on the town council plus the mayor has served two years and now they will serve two more years. On Madison Street there are five houses that have a dirt road and he has black top. Mayor Kapp states he has talked to VDOT and they have agreed to take the cull de sac into their system. The attorneys are working on the easements and it will be paved.

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### **Planning Commission**

Councilman Branca states they will work on the zoning code review and fee schedule at a work session June 2. They have scheduled a public hearing for June 30 meeting. They would like the Town Council to schedule a public hearing for the July 6 meeting.

Mr. Vandagriff states, in regard to the zoning amendment, his deck would encroach in the rear yard set back. He wants to get a permit to go ahead and build if the ordinance amendment is not adopted he would seek a variance. Councilman Branca asks Atty Jamison if we can permit. Atty Jamison states Council can not permit something not allowed in the ordinance.

### **Architectural Review Board**

Councilwoman Leonard presented sketches of the Bicentennial Banner for approval. There was not a unanimous vote on anyone of the three choices at the ARB meeting.

The Board also discussed Sheetz violation. They have not responded to Atty Jamison's letter. He asked what Council wishes. He was instructed to send a second notice and identify what actions we will take.

US Home came again they didn't get it that Council made the decision to put in the ten dentil molding violations and waive the five Avalon D. Town Council to send letter to US Home with that information.

### **Historic Commission**

#### **Brownie Bass Smith house**

Mrs. Turner states they met Saturday. She had some disturbing information. Mrs. Heard said the Beck's lost their shirts renovating that house. Mrs. Heard said maybe the Historical Commission could help them out with their renovations. Possibly have tea parties in their yard to raise funds.

#### **Museum seminar**

Mrs. Turner states Mary Washington College is holding a three day seminar on museums June 21, 22, 23. The emphasis is on small towns. The college is providing lodging in the dorms. The cost is \$50.

#### **Lafayette Day**

Lafayette Day, Sept 26. She has booked Easy Smith and his 20 piece band. We can have the Gainesville School. SAR will have an event. We'll charge \$20 per person and \$35 per couple which will include a buffet.

### **Building Official**

ISO rating - nothing has come back yet.

### **Bicentennial Committee**

They will work on the cancellation stamp when the banner work is finished. Councilwoman Leonard has received the crafter list from Fairfax City.

### **ISTEA Grant**

Mayor Kapp announced the town received \$150,000 instead of the full \$450,000 we asked for. The attorney is working on the easements.

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Councilwoman Leonard asked for a rundown of expenses so far for ISTEA. To be submitted in July.

**Haymarket Day**

September 19. George Allen will be our grand marshal for the parade.

**Spring Festival**

Council scheduled the 1999 Spring Festival for May 22.

**Railroad**

Surface Transportation Board will meet on CSX, Conrail, Norfolk Southern take over. Final decision to come July 18.

**Web Site**

Mayor Kapp to get phone Tim.

**Budget**

The Police Dept salaries were reported incorrectly. Councilman Seffinga states under income we included the state donation. The full salary was not reflected in the expense column. Councilman Branca moved to approve FY '99 budget with correction noted, second by Councilman Seffinga. Yeas: Branca, Seffinga, Leonard, Scarbrough, Shepard. Nays: none. Motion carried by 5/0 roll call vote.

**Fund Raiser offer**

Mrs. Bailey states she belongs to a car club which annually has a car show on Memorial Day weekend. One hundred twenty seven cars entered this year. Would the town be interested in hosting the event next year and the proceeds would benefit the street enhancement project. Mayor Kapp will put on the agenda for July.

**Town Hall restoration project**

Mayor Kapp states the phone company was called. They have not responded. The new door has not been purchased yet. Mr. Lowery asked Greco to go back and work on the bathroom door, it won't close. Mr. Lowery states ceiling tiles cost \$2.50 - \$3.00 each. It would take about 50 tiles at a total cost of about \$125. Mr. Lowery will install the tiles if Council will purchase them.

**Jeannie's requests**

Tabled.

**Kruse corner grate**

Tabled.

**Payne property gutter**

Tabled.

**Rats**

Mayor Kapp states if people don't clean up their trash it is a violation of town ordinance. Mr. Lowery states it is also a building code violation, under property maintenance, if Council wants them sent Mr. Lowery will do so.

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Councilman Branca states you have many renters and high turnover in the townhouses. Most people look at it as a problem in the neighbors yard, not theirs. We discussed town trash cans with USA Waste, they were expensive. Mr. Lowery states Mr. Bean has leftover Furr trash cans. He needs to get rid of them. Mayor Kapp to speak with him.

### **Inspection of commercial property**

Council may require it by vote on a general basis. Mr. Lowery gave Atty Jamison information on the state law today. He hasn't had a chance to review it. Mr. Lowery states now the residential property inspection is at the discretion of the town body, inspections at time of vacation. Commercial property is part of the zoning ordinance, inspection prior to occupancy with business license. For instance the lessors at Annandale Millwork have no bathrooms available since the building housing bathrooms has been sold. Councilwoman Leonard asked what Atty Jamison would recommend. He asked for Mr. Lowery to fax to him the state code on commercial property.

### **Business License violation**

No comment.

### **Paint Town Hall roof and shutters**

ARB to recommend color.

### **Storm Drain on Washington St.**

Tabled.

### **Shrink/Swell policy**

Mr. Lowery provided information to Atty Jamison. Notice of joint resolution. Need to get the detail for everyone to review. Mr. Lowery says after reviewing Prince William Co. Maps, Haymarket does not have a severe shrink/swell problem. Tabled.

### **Gas Franchise**

Mayor Kapp talked to Columbia Gas representatives. They revised the application. Atty Jamison states we should go ahead and publish the notice for four time in four consecutive weeks. The code states the Council will adopt the franchise at a public meeting, not hearing.

### **Zoning Code Review**

Public Hearing scheduled for July 6 at 7:00 p.m.

### **Fee Schedule**

Public Hearing scheduled for July 6 at 7:00 p.m.

### **Bicentennial Banner**

Councilwoman Scarbrough moved to approve style #3, double sided, second by Councilwoman Leonard. Yeas: Shepard, Scarbrough, Leonard, Seffinga, Branca. Nays: None. Motion carried by 5/0 roll call vote.

### **NEW BUSINESS**

#### **Greenhill Crossing brick over garage instead of vinyl siding.**

Councilwoman Leonard states a new builder she spoke with stated the cost of bricking over the garage on the homes in GHC is an additional \$500, not the higher cost quoted by US Home.

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Another builder stated if he built homes in town he would like the builder to be required to build brick, stone, stucco or wood structures.

Mayor Kapp states we got two out of three town homes in brick. Councilwoman Leonard states that was only because the town houses were not allowed in that zoning.

### **Utility Service Tax - ordinance limiting multiple commercial meters at a single address**

Atty Jamison states the ordinance is drafted toward business at same street address. We should check with Prince William to be sure their meters are on the same street address for the accounts. Councilman Branca states Atty Jamison had mentioned we could rebate directly (to affected businesses). Atty Jamison says we should adopt an ordinance to allow the power company to handle it.

### **Contract for FY '99**

Metropolitan Plants submitted a bid for July 1, 1998 through June 30, 1999 at \$138.33 per month. Councilwoman Leonard will speak to them about all the plants being in red. Councilwoman Leonard moved to renew the contract at \$138.33 per month providing they allow the ARB to have some selection in the flowers, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Seffinga, Branca. Nays: None. Motion carried by 5/0 roll call vote.

### **St. Paul's request**

St. Paul's has requested to use the town's canopy for the Sunday School picnic June 7. Council approved by consensus.

### **Grand Illumination**

Councilwoman Leonard asked Atty Jamison when we had our grand illumination celebration we requested all the churches to have church services and we had Glory to God in our theme, was there anything wrong in that. Atty Jamison states there is nothing wrong with that as long as you are circumspect. General reference to God is okay, not specific to Christianity.

### **Correspondence**

June 18, I66 HOV widening at Route 29 interchange meeting, Northern Virginia District Exec Conference room

VML Virginia to Virginians, towns get together one on one

Virginia citizens Planning Association, Inc - \$20 dues, John Duckett is a member. Time for renewal. Councilman Branca moved to approve, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Seffinga, Branca. Nays: None. Motion carried by 5/0 roll call vote.

Old cell phones - request to donate for victim witness program. Mayor Kapp has information.

### **Insurance**

VML has asked if we are interested in no fault liability coverage. Council feels it is not needed.

### **Demolition - Paxton property**

Mr. Lowery would like direction from Council in regard to demolishing the old funeral home



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building. Councilman Branca states personally from the report it should be taken down. Councilwoman Leonard states the ARB has worked on the demolition process. They must apply to the ARB.

**Stockade fence**

Mr. Lowery states the stockade fence on the side of the equipment sales and repair shop belongs to Alan Gossom. The equipment people restored the fence.

Councilman Branca asked the ARB to look at it.

**Executive Session**

At 10:30 p.m. Councilwoman Scarbrough moved to go into executive session to discuss personnel matters per Va. Code 2.1-344, second by Councilman Seffinga. Yeas: Shepard, Scarbrough, Leonard, Seffinga, Branca. Nays: None. Motion carried by 5/0 vote.

Vice Mayor Shepard moved to go out of executive session and into regular session, second by Councilman Seffinga. Yeas: Shepard, Scarbrough, Leonard, Seffinga, Branca. Nays: None. Motion carried by 5/0 vote.

**Meeting continued to Thursday, June 11 at 7:00 p.m.**

Vice Mayor Shepard moved to continue meeting to Thursday, June 11 at 7:00 p.m., second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Seffinga, Branca. Nays: None. Motion carried by 5/0 vote.

**TOWN COUNCIL CONTINUATION JUNE 11, 1998**

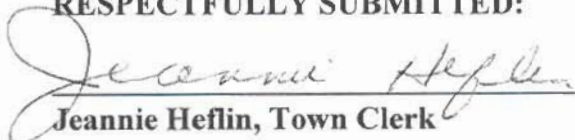
Present: Mayor Kapp, Vice Mayor Shepard, Councilwoman Leonard, Councilwoman Scarbrough, Councilman Branca, Councilman Seffinga. Absent: Councilman Bird

**Executive Session**

Councilwoman Scarbrough moved to go into executive session to discuss personnel matters second by Vice Mayor Shepard. Yeas: Scarbrough, Shepard, Leonard, Seffinga, Branca. Nays: None. Motion carried by 5/0 vote.

Councilwoman Scarbrough moved to go out of executive session certifying only personnel matters were discussed, second by Vice Mayor Shepard. Yeas: Scarbrough, Shepard, Leonard, Seffinga, Branca. Nays: None. Motion carried by 5/0 vote.

**RESPECTFULLY SUBMITTED:**

  
Jeannie Heflin, Town Clerk

**APPROVED:**

  
John R. Kapp, Mayor