

TOWN OF HAYMARKET, VA.
Chartered 1799
County of Prince William

PUBLIC HEARING

MAYOR
John R. Kapp

ATTORNEY
none present

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

Mayor Kapp called the public hearing to order at 7:00 p.m.

FY 2000 budget

For:

1st Call - no one spoke.
2nd Call - no one spoke.
3rd Call - no one spoke.

Against:

1st Call - no one spoke.
2nd Call - no one spoke.
3rd Call - no one spoke.

Hearing Closed.

Industrial Zoning District - Use Regulations

For:

1st Call - Mrs. Bailey states it makes more sense and deletions are called for.
2nd Call - no one spoke.
3rd Call - no one spoke.

Against:

1st Call - no one spoke.
2nd Call - no one spoke.
3rd Call - no one spoke.

Hearing Closed at 7:04 p.m.

**TOWN OF HAYMARKET, VA.
Chartered 1799
County of Prince William**

REGULAR SESSION

MAYOR
John R. Kapp

ATTORNEY
none present

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

Mayor Kapp introduced John Meehan of Environmental Services of PWC Health Dept.

Mr. Meehan states he came to speak to Council on sight, septic and well inspections. He states they are regulated by State Code which is the same as the PWC ordinance. If a property is to have a well they will issue a permit with restrictions of the locality.

People on wells - if we want people to connect to public water we have to adopt an ordinance to that effect. There is no requirement except potability.

Mayor Kapp states our town center water district policy does not force residents to connect.

Mr. Meehan says it is more attractive for businesses to be on public water. It is up to the town to force businesses to hook up to public water and to regulate how often it must be tested. In a town this age, the wells have shallow casings of 20' for so. Daycare facilities must have well water tested quarterly.

Pump & Haul - simply means you collect sewerage in tank and pump and have hauled out. It can be temporary for less than 2 years, permanent is sponsored by a government agency. Anything over 1 year is a permanent pump and haul.

Annandale Millwork submitted application for pump and haul and the health dept sent it back as incomplete - needed more information and approval by Mayor Kapp. They were going to contact PWCSA but have not as yet.

Health Dept is responsible for oversight for size of systems and require the Building Official have statement from the Health Dept approving the system.

Mayor Kapp states Century Stair is hooking up to water and will maintain their well. The Health Dept has scheduled monitoring for them, Mr. Meehan states.

REGULAR SESSION

Mayor Kapp opened the regular session of the Town Council at 7:30 p.m. The Mayor led Council in the Pledge to the flag and Rev. David Jones, St. Paul's Episcopal Church, led Council in prayer.

Minutes of May 3, 1999 meeting

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

Police Report

Sgt Roop reports for the month of May: 1691 miles put on cruiser, 154.7 gallons of fuel purchased, tickets written 94, parking tickets 1, Uniformed Traffic Summons 72, 1 criminal felony, 9 criminal misdemeanor, 7 reports filed, 121 complaints answered, 487 hours worked. Six drug charges, 1 malicious wounding, 3 DUI, 46 speeding, 12 R/D.

Standard Operating Procedure - is completed.

Officer Putnam raised \$410 for the American Heart Association in the Cardiac Arrest program. Officer Hoffman was given an award for Excellence in Community Service & Public Safety on May 21.

Treasurers Report

First Virginia Bank General Fund checking account beginning balance \$88,598.30, expenses for May \$22,497.03, deposits for May 45,431.21. Ending balance \$111,398.32.

Spring Festival accounting was submitted showing a net profit \$1,961.92.

Unpaid bills

\$2,497.03 allocated amount above monthly budgeted expenses. Councilwoman Scarbrough moved to approve, second by Vice Mayor Shepard. Yeas: Shepard, Scarbrough, Leonard, Utz, Mohr. Nays: None. Motion carried by 5/0 vote.

Attorney Peter Steketee

Mayor Kapp recognized Attorney Steketee who came to bid farewell to Council before he takes his judgeship in Prince William County District Court. Mayor Kapp congratulated him on his appointment. Atty Steketee thanked Council for the opportunity for his firm to serve the Council the last 25 years and wished the Council his best in achieving our goals.

Business License

Nextel, 15175 Washington St., telecommunications service - Jim Michael, representing Nextel, assures Council Nextel will pay all fees and would like to be treated the same as the neighbor carriers. He states it would be helpful to know what Bell Atlantic & Cellular One pay for their business. Atty Jamison states he thinks it is a matter of public record what the other companies pay. Councilman Mohr states we can only charge them what the town ordinance permits. They would like a statement of the other carriers fees.

Mr. Jasinowski asked where is the closest vendor for Nextel. Mr. Michael replied probably in Manassas. Mr. Jasinowski asked about E911 implementation on location, is this tower going to be dedicated for that.

Councilman Utz asked the radius of this antenna. Mr. Michael replied two to two and one half miles.

Councilwoman Leonard moved to approve the business license pending issuance of the occupancy permit, second by Vice Mayor Shepard. Yeas: Shepard, Scarbrough, Leonard, Utz,

Mohr. Nays: None. Motion carried by 5/0 vote.

GTE Virginia, no local address given on application - Mr. Lowery states they have antennas on the top of their building on Madison St. Councilman Mohr disapproves pending what this is for. Motion withdrawn.

Councilwoman Leonard moved to approve contingent upon issuance of occupancy permit, second by Councilman Utz. Yeas: Shepard, Scarbrough, Leonard, Utz, Mohr. Nays: None. Motion carried by 5/0 vote.

Sign Permit

Hay Mart Motors, 6707 Fayette St., #1, independent vehicle dealer - Councilwoman Scarbrough moved to approve, second by Councilwoman Leonard. Councilman Mohr questions the size of the sign. Councilwoman Scarbrough amended motion to clarify size, amendment second by Councilwoman Leonard. Yeas: Shepard, Scarbrough, Leonard, Utz, Mohr. Nays: None. Motion carried by 5/0 vote.

Building Permits

Ryan, townhouse section 8, weak link connection - Councilwoman Leonard states the ARB recommended approval. Councilwoman Leonard moved to approve, second by Councilman Utz. Yeas: Shepard, Scarbrough, Leonard, Utz, Mohr. Nays: None. Motion carried by 5/0 vote.

Ryan Homes, Sect 1, Lot 3, 14794 Greenhill Crossing Dr., Vandenburg A - Councilman Utz moved to approve, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Utz, Mohr. Nays: None. Motion carried by 5/0 vote.

Ryan Homes, Sect 9, Lot 28, 6840 St. Paul Drive, Vandenburg A - Councilman Mohr moved to approve, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Utz, Mohr. Nays: None. Motion carried by 5/0 vote.

Ryan Homes, Sect 9, Lot 15, 14938 Greenhill Crossing Dr., Bainbridge F - Councilwoman Leonard moved to approve with colonial lintels, dentil molding, carriage lights with additional light on the garage, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Utz, Mohr. Nays: None. Motion carried by 5/0 vote.

Ryan Homes, Sebastian custom model - Councilwoman Leonard states this is a special exception, this is an altered elevation to be almost identical to the Stratford (an approved elevation). Councilwoman Leonard moved to approve for one time use only for Sect 9, Lot 36 with dentil molding, carriage lights, colonial lintels and either all siding or all brick front, second by Councilwoman Scarbrough. Councilwoman Leonard amends her motion to approval from the Planning Commission, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Utz, Mohr. Nays: None. Motion carried by 5/0 vote.

Certificate of Appropriateness

Kapp, et al. board on board fence 6' high to go between Madison St. properties and Sect 9 of Greenhill Crossing - Mayor Kapp states the ARB sent this to Council without approval for lack of ordinance that allows board on board fencing at this time. Councilwoman Leonard gave the ARB's position on fences and states the ARB is in the process of updating the fence guidelines. Ms. Stutz suggested the ARB consider a picket fence (since it is the only fence permitted in GHC). The ARB has no opposition to this fence being approve for rear yards. Councilwoman

Leonard read the ARB's fence recommendation as it stands now. Councilwoman Leonard states the ARB would prefer scallops and finials. Mayor Kapp states the ARB approved his board on board fence.

Vice Mayor Shepard moved to approve straight board on board fence, second by Councilman Mohr. Yeas: Shepard, Scarbrough, Leonard, Utz, Mohr. Nays: None. Motion carried by 5/0 vote. Mayor Kapp asked the ARB Liaison to get the ARB chairman signature on the application.

Sanitary Sewer revision

Haymarket Self Storage, 6600 James Madison Hwy - Mr. Jacobsen states the PWCSA approval is in and asked Mayor Kapp to sign off on the plan.

Building Permit

Alger, Mateer, 6857 St. Paul Drive, deck - Councilman Mohr moved to approve pending the Building Official approve official plat with appropriate set backs, second by Vice Mayor Shepard. Yeas: Shepard, Scarbrough, Leonard, Utz, Mohr. Nays: None. Motion carried by 5/0 vote.

Owens, 6949 Jockey Club Lane, screened porch - PC approved. Councilman Mohr moved to approve, second by Councilwoman Scarbrough. Yeas: Shepard, Scarbrough, Leonard, Utz, Mohr. Nays: None. Motion carried by 5/0 vote.

Break - five minutes

Vice Mayor Shepard left at 8:30 p.m.

Harten, 6885 Jockey Club Lane, deck - PC approved. Councilwoman Scarbrough moved to approve, second by Councilman Utz. Yeas: Scarbrough, Leonard, Utz, Mohr. Nays: None. Motion carried by 4/0 vote.

Davis, Hudson, 6876 Jockey Club Lane, porch - PC approved. Councilwoman Scarbrough moved to approve, second by Councilman Mohr. Yeas: Scarbrough, Leonard, Utz, Mohr. Nays: None. Motion carried by 4/0 vote.

Ryan Homes, Sect 9, Lot 12, 6864 Jockey Club Lane, deck - PC approved. Councilman Utz moved to approve, second by Councilman Mohr. Yeas: Scarbrough, Leonard, Utz, Mohr. Nays: None. Motion carried by 4/0 vote.

Rezoning

Hay Market Lodge Charitable Foundation, Inc. - Atty Jamison states Council should go the route of public hearing and notify property owners. Atty Jamison states you may be okay if there is no substantive changes. Councilman Mohr moved to approve rezoning R-1 to B-1 parcel #2 Hay Market Lodge Charitable Foundation, Inc., second by Councilwoman Leonard Yeas: Scarbrough, Leonard, Utz, Mohr. Nays: None. Motion carried by 4/0 vote.

Site Plan Review

EAB Enterprises, 15221 Washington Street - Fred price comments were faxed to Lonnie Sturgeon at BDE. Mr. Price asked if applicant has gotten a permit from Norfolk & Southern Railroad. Councilman Mohr is concerned if we approve this Merkli is going to continue trashing back there.

Mayor Kapp states he met with Mr. Phares last week and went over the ordinances. Mr. Lowery asked if the PWCSA sewer line is shown on the site plan. Mr. Price states the site plan is two or three years old, the sewer line is not on there. Mayor Kapp states plan needs to show the PWCSA easement on it. Tabled.

Councilwoman Leonard asked about the garden use for citizens. Mr. Lowery states you couldn't plant on it, it is garbage.

Councilwoman Leonard asked Mr. Price what is the condition of the lot. Mr. Price replied he did not go to the site and hasn't been back there for a long while. He looked at the plans.

Citizen's Time

Joseph Gheitanchi, owns the post office building and would like to build an apartment bldg on the lot. It is zoned B-1. The ARB suggested and he would like to have commercial on the first floor and apartments upstairs. He states since it is not on a main road he doesn't see the need for retail space. He would have to have that space down zoned if there is no commercial use on it.

Councilwoman Leonard states what he is saying makes sense, we don't have an ordinance to allow higher density use, he's only asking for 8 units. Councilwoman Leonard states our need for quality low income residential rental space is lacking. She would be more favorable if it had 2-4 efficiency units. We have people living in one room who can not afford high rental. The Leigh apartment build was \$575 a month for an efficiency, the cheapest states Doug Mohr who lived there.

Councilwoman Leonard is thinking about the town residents who sat at the public hearing who wanted to know where they are going to live (if the town purchases the Gossom property and renovates the gray house to retail use).

The R-3 zoning would permit apartments. The lot would have to be rezoned. Mayor Kapp asked Mr. Lowery if a two story requires an elevator. No, he would have to sprinkler the whole thing though.

Mayor Kapp said at this time the current ordinance does not permit it.

Councilman Utz said the Bolt property came in for low rental apartments and there was opposition to that. What has changed since then, he asks. Councilwoman Leonard states the town is considering purchasing a property that would move folks who have low cost housing. Mayor Kapp asked how she knows they would relocate.

Mr. Lowery says any commercial property will be valuable with all the new building. He thinks making it a residential rental it will be good. The townhouse folks may not want a store back there. VDOT probably will not approve access to that commercial property.

Mayor Kapp states Council will discuss this further but not tonight.

Mrs. Bailey states she doesn't think this should be discussed during citizen's time. He should be required to be an agenda item.

Tim Jasinowski states he gave the Town Clerk the name of the US Dept of Labor connection who will accommodate Pentium processors (no software included) free of charge.

Mr. Jasinowski states he is interested in serving on the Planning Commission, he has submitted a letter for Council's consideration.

Marie Ann Chio also submitted a letter to the ARB and Council to serve on the ARB. She introduced herself to Council and gave her background.

Planning Commission

Councilwoman Scarbrough was not at the meeting.

Architectural Review Board

Councilwoman Leonard states the ARB discussed all the issues addressed earlier tonight.

Historical Commission

Councilman Mohr gave a report (he has taken over as Historical Commission Liaison). He states all members approved the new tee shirts (the double horsehead design). They discussed folks who own homes on the walking tour. Members have been assigned to do more research on those homes. A disaster plan was discussed. Mr. Merkli has unsightly appearance, they want Council to take action against him as he is at odds with the towns beautification.

George Washington commemorative - instead of Lafayette Day this year they are considering commemorating Washington's death. They are considering a military band from Ft. Eustace.

Mr. Mohr states he would like to be considered for the liaison to the Historical Commission from the Town Council.

Mr. Lowery was asked to examine the caboose. Mr. Lowery states it needs some piers on the back. Mayor Kapp states Mr. Gossom will do that at no cost.

Councilwoman Leonard asked Councilman Mohr to take back that Pam Stutz has offered to open her home for the Christmas home tour. Councilwoman Leonard extends an invitation to the Historical Commission to join the Council in organizing the Christmas event.

Building Official

Mr. Lowery states the (safety consultant) from VML (who advised Council Mr. Lowery required liability insurance) has left VML. Mr. Lowery has spoken to Dept of Risk Management who recommends Council appoints him as a part time employee. Mr. Lowery states the pay would not be affected.

Shrink/Swell policy - to attorney tomorrow for review.

D&J Excavating - no more violations.

Signature Kitchens - Mr. Lowery has comments on letter from the meeting.

Frogale - Mr. Lowery understands PWCSA said if it became a public sewer system Signature Kitchens would hook up in 90 days of completion of the sewer line.

Mr. Lowery states he noticed the caboose is in dire need of paint. He recommends to Historical Commission to paint it.

US Homes - Mr. Lowery states US Homes will not put dentil mold on the houses.

Ryan Homes will be doing some re-surveys. Survey from US Home may not be accurate. When Sect 9 was laid out some adjustments were made that should not have been made. Drainage behind lots 1, 2 & 3 of Sect 1, George Cropp called for re-inspection as the inlet is too high. Peterson drilled hole in side of pipe which was supposed to be repaired. Councilman Branca and BDE were aware of it.

Mr. Lowery states in talking to town businesses and residents about going through their buildings in regard to business license inspections, some of them are glad.

Mr. Gossom is working on the electric in the hardware. The gray house is having porches installed, 6 units. Mr. Lowery says there are no one bedrooms in there.

Mr. Lowery states he met with Haymarket Self Storage and Sheetz officials in regard to the roadway sign that was put up and the barriers taken down. Mr. Robinson, Leaberry & Jacobsen met. The record shows Sheetz gave a 60' right of way and must maintain. The sign was put up without a permit. PWC is handling the sign. The electric inspection will come from town.

Lambradozzi, Phares properties - Haymarket Self Storage is upset that Phares has been allowed to build a road with no drainage. Mr. Lowers would like to cite Phares with a violation to put in drainage.

Haymarket Self Storage would like to improve the fence at 6600 James Madison Hwy entrance and improve all the property line at Annandale Millwork boundary. Mr. Lowery states they asked for chain link fence that will not be visible from Rt. 55. They want to build a 10' section for the ARB to look at. Mayor Kapp states chain link fence is not an approved fencing material.

Councilman Mohr asks if it is a repair of an old fence. No, the old fence is falling down, this would be a replacement.

Certificate of Occupancy

Councilman Mohr presented a policy to adopt BOCA maintenance code for existing structures. To adopt information included we have already referenced in chapters 10 and 12 that is adopted code USBC36.105.

With business license, if the business does not change uses there is no inspection. Temporary occupancy can be given to give violators time to complete repairs.

Councilman Mohr presents this to Council as a complete document stating code citations. Tabled.

Mr. Lowery states property maintenance code was adopted three years ago. Atty Jamison states it is already adopted, the Council can not ignore the state code.

Old Business

- A. Tabled
- B. approved

Budget

Public hearing held. Councilman Mohr moved to adopt the budget as discussed in public hearing. Yeas: Scarbrough, Leonard, Utz, Mohr. Nays: None. Motion carried by 4/0 vote.

ISTEA

Easements being wrapped up. We are unofficially on the list for another \$100,000 for the second phase and we will continue to apply for additional funding for phase II, states Mayor Kapp.

Town Clerk asked if there is a time deadline to spend the grant money. No, was the reply.

Spring Festival

Councilwoman Leonard thought it was wonderful. Mayor Kapp states Mary (Ruffo) tried to do it all alone and she did not have enough help. Councilwoman Leonard states for the first time since we've had these events there were many people strolling with purchases in hand.

Municipal Code

Work session June 14, 7:00 p.m.

Web Site

Mayor Kapp and Councilman Mohr to get with Al Walker.

Van Horn Memorial Park

Councilman Mohr is working on it, he contacted the County and is waiting for response.

Councilwoman Leonard said Lynn Myers who said the county is doing volleyball courts just outside town limits to start right away. Mayor Kapp states that is on the property the Boy Scouts gave the Park Authority.

Madison Street improvements

Atty Jamison does not have the originals of the plat. He is set other than that.

Kruse Corner

Tabled.

New Business

On the top of the water tank they want to put a 30' tower and up on Rt. 15, at the old prison, they want a 240' tower with a 800 MTZ radio for rescue. Councilman Mohr says it will have an effect on the town. Tim Jasinowski says they will have to do an interference study. Councilwoman Leonard says we need to find out more about it.

Citizen's Time

Mrs. Bailey, asks who does she go to about interference from CB's on her television. She was told to contact FCC.

Property standard

Councilman Utz states the fence on Tony Gossom house and Jefferson Street is in terrible disrepair. The Council sent this to the ARB.

Councilman Utz asked what happened to the "house of the quarter". Councilwoman Leonard said they just discussed that, we'll address it at Christmas.

Councilman Utz states he has the Police Dept statistics for May if anyone is interested.

Executive Session

At 10:30 p.m. Councilwoman Scarbrough moved to go into executive session pursuant to Va. Code 2.1344A.1 personnel matters and 2.1344A.3 to discuss real estate matters and 2.1344A.7 to discuss legal matters, second by Councilwoman Leonard. Yeas: Scarbrough, Leonard, Utz, Mohr. Nays: None. Motion carried by 4/0 vote.

At 11:10 p.m. Councilwoman Scarbrough moved to go out of executive session certifying only personnel, real estate and legal matters were discussed, second by Councilwoman Leonard. Yeas: Scarbrough, Leonard, Utz, Mohr. Nays: None. Motion carried by 4/0 vote.

Appointments

Councilman Mohr moved to appoint Timothy Jasinowski to the Planning Commission to replace Tom Utz and as Liaison to the ARB, term expires June 30, 2000 second by Councilwoman Scarbrough. Yeas: Scarbrough, Leonard, Utz, Mohr. Nays: None. Motion carried by 4/0 vote.

Councilwoman Leonard moved to appoint Marie Ann Chio to the Architectural Review Board to replace Jane Miller, term expiring December 9, 1999. Yeas: Scarbrough, Leonard, Utz, Mohr. Nays: None. Motion carried by 4/0 vote.

Councilwoman Leonard moved to appoint Councilman Mohr as the liaison to the Historical Commission, second by Councilwoman Scarbrough. Yeas: Scarbrough, Leonard, Utz, Mohr. Nays: None. Motion carried by 4/0 vote.

Greenhill Crossing, Section 2, bond reduction request from Peterson Companies

Councilman Mohr thinks we should get approval by the HOA before approval by Council. Town Clerk was directed to send a letter to the HOA for input, second by Councilman Utz. Yeas: Scarbrough, Leonard, Utz, Mohr. Nays: None. Motion carried by 4/0 vote.

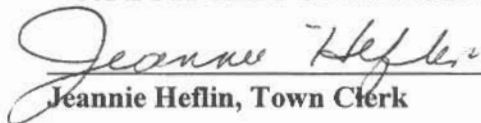
ARB message to Council

Councilwoman Leonard states the ARB wants the Council to treat all people the same. If the town is going to purchase the property across the street those on Council must commit to see it through.

Recess

Councilwoman Leonard moved to recess at 11:14 p.m., second by Councilwoman Scarbrough. Yeas: Scarbrough, Leonard, Utz, Mohr. Nays: None. Motion carried by 4/0 vote.

RESPECTFULLY SUBMITTED:


Jeannie Heflin, Town Clerk

APPROVED:


John R. Kapp, Mayor