

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

HAYMARKET TOWN COUNCIL PUBLIC HEARING
July 6, 1998

MAYOR
John R. Kapp

ATTORNEY
Charles Jamison

COUNCIL
James Shepard, Vice Mayor
Historical Comm. Liaison
Mary Lou Scarbrough, PC Liaison
Dottie Leonard, ARB Liaison
Bob Seffinga, Police Liaison
Mark Branca
Michael Noonan

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

Fee Schedule

For: Mayor Kapp invited all who would like to speak in favor of adoption of the fee schedule to speak.

First Call: No one spoke.

Second Call: Mrs. Bailey states she thinks it is much better, more detailed and a fair price.

Third Call: No one spoke.

Against: Mayor Kapp invited all who would like to speak against the adoption of the fee schedule to speak.

First Call: No one spoke.

Second Call: No one spoke.

Third Call: No one spoke.

Hearing closed at 7:07 p.m.

Zoning Code Review

Councilman Branca states there is a correction to page 2 paragraph 4 of 5' to 15'.

For: Mayor Kapp invited all who would like to speak in favor of adoption of the zoning amendment to speak.

First Call: No one spoke.

Second Call: No one spoke

Third Call: No one spoke.

Against: Mayor Kapp invited all who would like to speak against adoption of the zoning amendment to speak.

First Call: Mr. Chastine states this does not address the issues in regard to decks.

Second Call: No one spoke.

Third Call: No one spoke.

Public Hearing Closed at 7:16 p.m.

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Mayor Kapp opened this regular meeting at 7:30 p.m with all members present. Rev. John Patterson, Gainesville Methodist Church, led Council in prayer. Mayor Kapp led the Council in the Pledge to the American Flag.

Swearing In Ceremony

Wendy Jones, Deputy Clerk of the Court, swore in Mayor Kapp and Council Members Scarbrough, Leonard, Seffinga, Branca, Shepard and Noonan.

Solid Waste Disposal, Tom Smith

Mr. Smith spoke of the County's proposal to fee each residential property. Issue of the fee has been deferred by the County.

Minutes of the June 1 meeting

Councilman Shepard moved to approve with corrections noted and dispense with the reading of the minutes, second by Councilwoman Scarbrough. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga. Nays: None. Abstain: Noonan. Motion carried by 5/0 vote.

Police Report

Sgt Bockey reports in June the Police Dept participated in the aggressive driving portion of Smart, Safe and Sober Program. They had sixty citations, four DWI, twenty reckless driving. The weather did not cooperate for full participation. Another seat belt check found 84% compliance. The Dept answered twenty five calls, one break in with no suspects, possibly a juvenile crime.

Criminal Codes - Sgt Bockey has an appointment July 9 with Atty Jamison.

General Orders - Sgt Bockey reports they are done and will be delivered to Council.

'97 Ford - Sgt Bockey reports there is a recall on this vehicle for brake lines.

Sgt Bockey reports the radar calibration is okay, although radar is old. He would like approval to pursue a DMV \$1500 mini grant for purchase of new equipment. The state bid was less than \$1500.

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Training - July 14 and 15, VCU School in Waynesboro on accident investigation, Sgt Bockey and Officer Roop would like to attend. There is no registration fee, need lodging and expenses for one night and two days. Councilwoman Leonard moved to approve application and purchase for grant for new radar equipment, second by Councilwoman Leonard. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 vote.

Councilman Seffinga moved to approve two police officers attending the training July 14 and 15 with payment of hotel and meals and mileage with an expense cap of \$200, second by Councilman Leonard. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 roll call vote.

Treasurers Report

First Virginia Bank general fund checking account beginning balance May 31, 1998 \$84,946.97, expenses of \$32,379.71 for June and deposits of \$23,846.42 with an ending balance of \$76,414.08.

Unpaid Bills

Allocation above the \$20,000 monthly budgeted amount of \$12,379.71. Councilman Shepard moved to approve, second by Councilwoman Leonard. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 roll call vote.

Business License

S&M Motors, amendment to business license, 14950 Washington St. #202 - Councilwoman Leonard moved to approve, second by Councilman Branca. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 roll call vote.

SW Rodgers - no action required.

Ryan Homes, amendment to business license, NVR Homes - Councilwoman Leonard moved to approve, second by Councilman Shepard. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 vote.

Signature Kitchens, 6612 James Madison Highway (former Annandale Millwork facility)

Councilwoman Leonard moved to approve, second by Councilman Shepard. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 vote. Councilwoman Leonard asked when they occupy, change in use. Mr. Lowery states there is no change in use with this company. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 vote.

Noell Crane & Service, 6612 James Madison Highway, crane rental and service - material handling equipment. Councilman Shepard moved to approve, second by Councilwoman Leonard. Mr. Lowery states there is no change in use in this instance. Councilwoman Leonard asks if it is appropriate to require this to go to the ARB. As long as the exterior does not change it is not appropriate to send it to ARB. Mr. Lowery states the plans are forthcoming. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 vote.

Friends Auto Sales, 6707 Fayette Street #6 - Councilwoman Scarbrough moved to approve, second by Councilman Shepard. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga,

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Noonan. Nays: None. Motion carried by 6/0 vote.

Silver Lake Campground, T/A Environmental Adjustors, 15201 Washington St. - Councilwoman Leonard states the sketch accompanying is what the ARB requires within two weeks for a three month license and an additional sketch is requires for an additional nine month license.

Councilwoman Scarbrough moved to approve, second by Councilman Shepard. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 vote.

Mr. Merkli states he has agreed to do this, he has commissioned Metropolitan Plants to do the work. He wants assurance he will be here more than ninety days. He wants a license.

Councilwoman Leonard states the ARB sketched out the portable pots should he have to move them. Mr. Merkli wants a business license for a year. Councilman Leonard states if he wants a license for longer he must submit the next phase for a license for the nine months following.

Sign Permit

Friends Auto, 6707 Fayette Street #6 - Councilwoman Scarbrough moved to approve, second by Councilman Shepard. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 vote.

Building Permit

Deck Co., Cimo, 14916 Greenhill Crossing Drive, deck - Councilman Branca moved to approve, second by Councilwoman Scarbrough. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 vote.

Noell, 6612 James Madison Highway, move trailer into building - no action required.

Chastine, 6954 Jockey Club Lane, deck - tabled to action on zoning code amendment.

Vandagriff, 6904 Jockey Club Lane, deck - tabled to action on zoning code amendment.

Ryan Homes, Section 9, Lot 26, 6848 St. Paul Drive, Chandler B - Councilwoman Scarbrough moved to approve, second by Councilman Branca. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 vote.

US Home, Section 9, Lot 6, 6817 St. Paul Drive, Avalon D - Councilman Branca moved to approve, second by Councilwoman Leonard. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 vote.

Gee, 6853 St. Paul Drive, deck - Councilman Branca moved to approve, second by Councilwoman Leonard. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 vote.

Scarbrough, 6817 Jefferson St., deck - Councilwoman Leonard moved to approve, second by Councilman Shepard. Councilman Branca moved to approve, second by Councilwoman Leonard. Yeas: Branca, Shepard, Leonard, Seffinga, Noonan. Nays: None. Abstain: Scarbrough. Motion carried by 5/0 vote.

Rohrbaugh, 6880 Jockey Club Lane, deck - Councilman Branca moved to approve, second by

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Councilwoman Scarbrough. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 vote.

Wheeler, 6937 Jockey Club Lane, shed under deck - Councilwoman Scarbrough moved to approve, second by Councilman Branca. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 vote.

Lot Line Adjustment

Ralph Ring, Sect 2, Lot 27, 14920 Greenhill Crossing Drive

Section 9, Lot 17

Section 2, Lot 26

Councilman Branca states all signatures are in, owner of Lot 26A wanted assurance no additional changes are in from last fall. Councilman Branca moved to approve, second by Councilwoman Leonard. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 vote.

Site Plan Review

Leaberry, 15201 Washington Street - Councilman Branca states the PC accepted this as a preliminary plan at the last meeting. Issues are (1) require a special use permit application for grocery store use, (2) other retail uses limited to 3,000 square feet, larger facility needed (11,000 and 5-8,000 sq. Ft.) Councilman Branca would recommend to send to PC to investigate zoning text amendment, (3) proposal for self storage units are not specifically identified as a use definition, need interpretation if definition includes self storage. Applicant needs a watch person residence. Most zoning ordinances have specific requirements for self storage. Mr. Leaberry asks if he can do these things. Councilman Leonard states law has just changed that if Council approves preliminary plan we must allow it. Councilwoman Leonard states ARB was glad to see the brick fronts. Mr. Leaberry says he is not sure it will be brick, it may be a wall or screen. Mr. Leaberry says the market is not here yet for the retail center. Councilwoman Leonard says in case it never comes to a retail center we have to protect the historic district overlay. Mayor Kapp recommends the PC looks at size of retail space, report to Council and schedule a public hearing in August. Mr. Leaberry wants site plan approval in August. Councilman Branca states before preliminary plan approval for grocery store he needs to apply for a special use permit to address the site issues. Conditions need to be shown satisfied on the site plan. Councilman Seffinga states we can not approve a site plan with the requested needs. Councilman Branca states they could not move forward on the back part of the lot with a concept of the frontage the town does not commit to without all the information.

Councilman Branca recommends PC re-evaluate, expand the square foot use over 3,000 for retail space, interpret zoning ordinance for use needed, need presentation to the ARB.

Tabled.

Mr. Lowery asked if it would be for any use or for anyone in that district. Mayor Kapp states it would be a whole I-1 district.

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Site Development Permit

Bellwood/Piedmont off site water extension plan - to take 18" water line from Washington Street up Bleight Drive under Route 66 and across Jordan Lane up to the new community. Councilman Branca advised Council the Planning Commission asked specifics on pavement restoration and the easement defined and the plans are in order. Planning Commission recommends the applicant pave Bleight Drive. Councilman Branca moved to approve recommending they pave Bleight Drive, second by Councilwoman Scarbrough. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 vote.

Citizen's Time

Lonnie Milstead says he researched the town Police Dept and compared it with areas around other small towns. He has law enforcement background. He has connection with PW, Stafford, State, etc. He presents a letter and petition with 154 signatures stating they support our Police Dept. and its growth and strengthen with a Police Chief. Councilwoman Leonard states our charter calls for a Sergeant. Mr. Milstead states it is 1998, time for change. Town charter calls for the appointment of town sergeant, states Mayor Kapp. Mayor Kapp states he spoke with some of the people who signed the petition who were not aware of the town charter and its ramifications. Mayor Kapp asked the specifics and Mr. Milstead states he is shocked at the towns handling of the hiring a new officer. Mayor Kapp states when you send your charter to Richmond (for amendment) sometimes they take liberties with making their own changes.

Mr. Milstead also submitted an article on decks.

Ralph Ring asks what is going on with grading in Greenhill Crossing. He has two rivers in his back yard. Councilman Branca states they looked at his lot, one area next to lot 17 was backing up water and causing soggy water between him and lot 26A. US Home is to (1) shoot elevations to verify positive draining and as built conditions, if not to recommend corrective actions, (2) adjust grading to his lot at edge. Grading conditions in rear yard is in conformance.

Mr. Bear states Council should have a 9:00 p.m. break for three to five minutes. The benches are killing people.

Ed Wheeler states he has heard rumblings about a new building inspector. He feels the current *inspector has been helpful to the Greenhill Crossing residents to get their homes repaired. They would like to keep him (Jim Lowery).* Councilman Branca states the Council is looking to hire a permanent building official and felt the need to advertise before making that selection.

Mr. Chastine spoke about the deck encroachment proposal and asked Council to approve the 10' for decks over 36: and 15' for decks under 36". He wants to know when it will be final.

Nancy Bailey wants to know if a letter about grass height has been sent to the people next to the Post Office and the Rohrbaugh property. Town Clerk states the Post Office property has been mowed. She is to send a letter to Rohrbaugh.

Break

Mayor Kapp called a break from 9:20 to 9:30.

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Planning Commission

Councilman Branca reports the PC recommended zoning code review approval. The PC had a public hearing and everyone has had opportunity to review. It addresses the additional uses and architectural features. The PC jumped around a lot on decks. The final recommendation was 2-1 vote, one abstaining to allow decks over 36" to encroach 5' and decks lower to encroach 10' into the rear yard set back. He personally feels it should be encroach 10' for decks over 36" in height and 15' for decks less than 36" in height. He feels it would be a rare occasion when you would have less than 20' between rear yard decks.

Councilman Branca moved to approve the zoning text amendment with one change. Residential decks should read "over 36" above grade may project 10' into the rear yard set back and decks less than 36" may project 15' into the rear yard set back. Councilwoman Leonard moved to approve, second by Councilwoman Scarbrough. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 vote.

Building Permit

Chastine, 6954 Jockey Club Lane, deck - Councilman Branca moved to approve, second by Councilwoman Scarbrough. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 vote.

Vandagriff, 6904 Jockey Club Lane, deck - Councilman Branca moved to approve, second by Councilwoman Leonard. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 vote.

Fee Schedule

Councilman Branca states the PC came to the consensus that stayed in the structure of the original schedule giving relief to decks, more flat fees, increased zoning map amendment and get closer to cover our cost on lengthy issues. Councilman Branca recommends to approve fee schedule effective August 1, 1998, second by Councilman Seffinga. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 vote.

Architectural Review Board

Councilwoman Leonard reports the ARB wrote a letter, based on US Home recommendation to residents who need molding, from the sample letter we had.

Mr. Mallott, US Home, states he is not in agreement with this letter. They submitted a letter to town attorney on June 4 and have not had a response. Town Clerk draft a letter to US home, certified mail return receipt indicating this problem and they are required to comply. Mr. Jamison asked if Mr. Mallott would give him a copy of that letter. Councilwoman Leonard states the homeowner letter may come from the ARB and not US Home, the letter from Council will just be to tell US Home to add the dental molding to the ten homes (in question).

Mayor Kapp states Council will send a certified letter detailing the town position and he will sign the letter. Mr. Mallott states he has awaited a response to the letter from the town attorney. Mr. Mallott states they do not agree to put the dental mold on the homes. Council states the town attorney will handle it.

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Councilwoman Leonard states the ARB is working on a cancellation stamp for the bicentennial with the committee. They would like an outline of the town hall building.

Welcome to Councilman Noonan

Councilwoman Leonard welcomed Michael Noonan to Council.

Bicentennial Committee

We'll have a harpsichord playing in the town hall all day Haymarket Day, dressed in colonial costume. Committee needs \$200 to pay for the player, also need approval on carriage rides for the parade or hay wagon. Mayor Kapp states Lynne Myer will provide a driver for the wagon and we possibly can use Mr. Turner Smith's wagon. Councilwoman Branca let the public know Governor Allen will be the grand marshal of the parade.

Councilwoman Leonard states if we want carriages we need to reserve them now. She states she definitely wants them for Christmas. Councilman Seffinga states he is concerned about congestion for Haymarket Day. Council consensus is they don't want them for Haymarket Day.

Historical Commission

Mrs. Turner thanked Council for their service and hard work. Several members have served many years and we are grateful to them giving up their time. We hope the next few years Haymarket will grow and see the sidewalks, street lights come and James will have the utility lines buried. Jack has been keeping the highways out of town. Her dream has been realized with the celebration of Lafayette Day.

Lafayette Day, September 26 will have an reenactment and encampment at the Gainesville School. Easy Smith will play big band music for four hours.

Building Inspector

Mr. Lowery states Mr. Lambradozzi and Gene Frogale requested he write a letter to building inspector in Prince William County Eric Mays that he have permitting and inspection responsibilities for the two buildings and businesses and the small property (old Prince William Supply) in Haymarket. Mayor Kapp states he met with them (Gene and John and Mike Lubely, their attorney). They are looking at a boundary line adjustment rather than annex to the town. They are working toward getting the Haymarket boundary line adjusted. Councilwoman Leonard has a problem being an industrial park, it is not an industrial park, it is the wrong image. Mr. Lowery states he means industrial zoned property.

Gainesville Firemen

Mayor Kapp states the GVFD is collecting for four firemen who went to Florida to fight the fires. Funds will be collected at the Town Hall.

ISTEA

Tabled.

Greenhill Crossing Fence

Mr. Chastine asked about the fence. Mayor Kapp states they are cutting off the peaks and putting a board on top and reinforcing the top back with a 1" x 4" board. Councilwoman Leonard states Peterson Companies will not replace the portion of fence that they have found an adult removing.

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Next meeting August 3 at 7:30 p.m.

Executive Session

Councilman Branca moved to go into executive session to discuss personnel and legal matters per Code of Va. 2.1344, second by Councilman Shepard. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 vote.

Councilman Shepard moved to go out of executive session into regular session, second by Councilwoman Scarbrough. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 vote.

Advertise Police Officer and Building Official positions

The Town Clerk is to re-advertise the positions for one week.

Appointments

Councilman Seffinga moved to appoint Charles King to the Planning Commission for a four year term, Mary Lou Scarbrough as Liaison to the Planning Commission, Dottie Leonard as Liaison to the Architectural Review Board, Bob Seffinga as Liaison to the Police Dept, James Shepard as Liaison to the Historical Commission, Jeannie Heflin as Town Clerk, Pete Stekete of Smith & Davenport as town attorney, Mary Ruffo as Assistant to the Treasurer, second by Councilman Branca. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 vote.

Councilman Seffinga moved to extend temporary period for Jim Lowery, Building Official to September 14 Town Council meeting, second by Councilman Branca. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 vote.

US Home

Councilman Branca moved to charge the town attorney to reevaluate our position with US home, second by Councilman Shepard. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 vote.

Rural Crescent Resolution

Mayor Kapp presented a proposed resolution to the Town Council stating the town will suffer in school, recreational, economic development, etc. should the rural crescent planning be adopted.

Councilwoman Scarbrough moved to pass resolution, second by Councilman Shepard.

Councilwoman Leonard would like the employment center issue as an asset included. "Any property previously planned for commercial center designation should not be down planned to residential for economic reasons". Councilwoman Scarbrough amended the motion to include this statement, second of amendment by Councilman Shepard. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 vote.

Personal Property Tax Relief Program - class for Treasurers

The Town Clerk asked Council for approval to attend whichever class she can schedule for the implementation of the personal property tax relief bill passed by Gov. Gilmore. Councilman Seffinga moved to approve the Town Clerk attending the class as convenient and submit expense statement, second by Councilwoman Scarbrough. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 roll call vote.

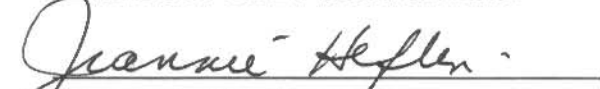
HAYMARKET TOWN COUNCIL July 6, 1998**Appointment of Vice Mayor**

Councilman Seffinga moved to appoint James Shepard as Vice Mayor, second by Councilwoman Leonard. Yeas: Branca, Scarbrough, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 5/0 vote. Abstained: Shepard.


Adjournment

Councilwoman Scarbrough moved to adjourn at 11:25 p.m., second by Vice Mayor Shepard. Yeas: Branca, Scarbrough, Shepard, Leonard, Seffinga, Noonan. Nays: None. Motion carried by 6/0 roll call vote.

RESPECTFULLY SUBMITTED:


Jeannie Heflin, Town Clerk

APPROVED:


John R. Kapp, Mayor

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