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

**HAYMARKET TOWN COUNCIL**

**October 6, 1997**

**MAYOR**

**John R. Kapp**

**ATTORNEY**

**Peter Steketee**

**COUNCIL**

**James Shepard, Vice Mayor**

**Mary Lou Scarbrough**

**Dottie Leonard**

**Bob Seffinga**

**Mark Branca**

**Richard Bird**

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Mayor Kapp opened this regular session of the Haymarket Town Council at 7:30 p.m. Mayor Kapp led the Council in the Pledge to the American Flag. Reverend David Jones, St. Paul's Episcopal Church, led the Council in prayer.

**Silly String**

Billy Magyar addressed the Council submitting a Haymarket Day "Silly String Zone" report. Billy reports there were 115 attendants, 7 kids worked during the day and 5 adults. Problems cited were: location was too far away from the center of activity, someone drove a white truck drove through the zone four times knocking some of the equipment over, at about 4 p.m. kids started spraying silly string all over town and they demolished the zone.

Mayor Kapp applauded Billy and his family for their work and cooperation in this endeavor.

**Police Report**

Sgt Bockey reported 31 traffic citations - 4 criminal charges placed - including contributing to minor, answered 29 calls, also assisting the County. Charlie and Jim attended training on the 16th, they both qualified on radar. General Orders are on a disk, there is a new domestic law to go on now, and will be printed for adoption at the November meeting.

Haymarket Day - There were no serious incidents on Haymarket Day. The Sheriff's department sent extra help. There were no problems at the wine festival, except some parents gave their children a taste of wine. The majority of spraying of silly string was around between Town Hall and Jefferson Street.

During firearm training Sgt Bockey learned PWC is doing a study on guns. They are going to change to a 45. Haymarket will trade with them, the only charge being the ammunition.

K-9 program - they are still looking for a dog. The Dept of Criminal Justice is putting in a strict guide to training and dog use. Sgt Bockey and Officer Roop to pursue.

Computer - Sgt Bockey is working with the state police on the computer reporting. A software vendor is to meet with him. Sgt Bockey needs a new computer printer. The donated one is older and he needs a laser jet. Vice Mayor Shepard is to purchase one out of the remaining \$500 of the original allocation for the computer.

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Digest of Certain Acts - Amended by the General Assembly. Sgt Bockey recommends the criminal codes be adopted. Atty Steketee states there are many criminal charges the town has not adopted, i.e., drug violations - Haymarket police are not authorized by the state. Atty Steketee states the town could adopt those codes. Sgt Bockey to meet with Atty Steketee on October 16 to discuss this further.

Commercial & Recreational Vehicle parking ordinance - Hunting Path Rd - Councilman Branca states this area is zoned commercial there the stipulation of this ordinance prohibiting the parking in residential zoning does not address the problem, recommends prohibiting in commercial zoning but allow in industrial zone.

**Ordinance amendment prohibiting commercial, recreational vehicles or boats parking in a residential or commercial zone** - Councilman Branca moved to adopt this ordinance, second by Councilwoman Scarbrough. Motion carried. **For:** Scarbrough, Seffinga, Branca, Shepard and Bird. **Against:** None (Councilwoman Leonard was not present at this time.)

Accolades for Officer Roop - Sgt Bockey states he received a letter praising Officer Roop for his professional manner with which he handled an official duty.

**Treasurers' Report**

The Treasurer reported a balance of \$68,063.05 in the general fund checking account at First Virginia Bank.

**Unpaid Bills**

VML dues - \$267.00 - Vice Mayor Shepard moved to pay, second by Councilwoman Scarbrough. Motion carried by unanimous roll call vote.

**Business License**

Leonard Management Services, Dottie Leonard, applicant - 14982 Cheyenne Way - Councilman Bird moved to approve, second by Councilman Seffinga. Motion carried by unanimous vote.

Sami Auto Sales, Inc., Sami Ullah Khan & Jennifer Smith, applicants - 6707 Fayette Street #7 - Councilwoman Scarbrough moved to approve, second by Councilman Bird. Motion carried by unanimous vote.

MGD Wholesalers, independent vehicle dealer, Giuseppe DiDenza & Manoj Dewan, applicants, 6707 Fayette Street, #6 - Councilwoman Scarbrough moved to approve, second by Councilman Bird. Motion carried by unanimous vote.

Hairmarket, renewal, Lynda Farr, applicant, 15030 Washington Street - Councilwoman Scarbrough moved to approve, second by Councilman Bird. Motion carried by unanimous vote.

Tri-State Motors, renewal, Saleem Ahmad Khan, applicant, 14950 Washington Street #202 - Councilwoman Scarbrough moved to approve, second by Councilman Bird. Motion carried by unanimous vote.

R&W Repair, mobile (from truck) vehicle repair service, Richard Bird, applicant, 14941 Washington Street - Councilwoman Scarbrough moved to approve, second by Councilman Seffinga. Motion carried by 4/0 vote, 1 abstention (Councilman Bird).

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S&W Auto Sales, independent vehicle dealer, Sami & Shah Wali, applicants, 6707 Jefferson Street, #5 - Councilwoman Scarbrough moved to approve, second by Vice Mayor Shepard. Motion carried by unanimous vote.

Carr Zone, independent vehicle dealer, Carina Tyler, applicant, 6707 Fayette Street #1 - Councilwoman Scarbrough moved to approve, second by Vice Mayor Shepard. Motion carried by unanimous vote.

**Sign Permit**

MGD Wholesalers, 6707 Fayette Street #6 - Councilman Branca moved to approve, second by Councilwoman Scarbrough. Motion carried by unanimous vote.

Sami Auto Sales, 6707 Fayette Street #7 - Councilman Seffinga moved to approve, second by Vice Mayor Shepard. Motion carried by unanimous vote.

Carr Zone, 6707 Fayette Street #1 - Councilwoman Scarbrough moved to approve, second by Councilman Branca. Motion carried by unanimous vote.

S&W Auto, 6707 Jefferson Street #5 - Councilman Branca moved to approve, second by Councilwoman Scarbrough. Motion carried by unanimous vote.

**Building Permit**

Dottie Leonard, applicant for the Estate of Jaquelin Smith - 6771 Madison Street, roof, facia, chimney, electric - Councilman Branca moved to approve, second by Councilman Bird. Motion carried by unanimous vote.

Ryan Homes, Sect 9, Lot 22, 14908 Greenhill Crossing Drive, Vandenburg A - Councilman Branca moved to pre-approve and send to the PC, second by Councilman Bird. Motion carried by unanimous vote.

Ryan Homes, Sect 9, Lot 29, 6836 St. Paul Drive, Vandenburg B - Councilman Branca moved to pre-approve and send to the PC, second by Councilman Bird. Motion carried by unanimous vote.

Novitsky, 14899 Greenhill Crossing Drive, finished basement - Councilman Branca moved to approve, second by Councilwoman Scarbrough. Motion carried by unanimous vote.

Deck Builders, Novitsky, 14899 Greenhill Crossing Drive, deck - Councilwoman Branca moved to pre-approve and send to the PC, second by Councilman Scarbrough. Motion carried by unanimous vote.

Paul Woscek - applied for a deck last month but did not comply to the rear yard setback. Atty Steketee states we do not have the authority to waiver the setback, it has to be taken to the BZA. Councilman Branca states the other option is that the Council is looking at architectural encroachments in the zoning code review which will not be for three or more months. The Town Clerk was asked to request Liz Via to look at this.

Mayor Kapp asked if we could consider that a special clause for property abutting undevelopable land. Ms. Via to take this under consideration.

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### **Web Site**

Tim Jaisonowski suggested network site name "Haymarket.net" or "Haymarket.Va.US". He states the cost will be \$30 to \$50 per month. Plus \$30 - 150 start up fee, more for Va.US (\$100 additional). \$50 each after name reservation. Need to have session with PC/ARB/Council for input, plus historical information. General information on how the town operates, calendar of events, bicentennial events, brief history, etc. Council needs to consider how expansive they want to be.

Mr. Jaisonowski states he can have the web site up in thirty days. He will push with other Internet providers as First Virginia Bank has stated they are not interested in sponsoring.

Councilman Branca states maybe the commercial businesses in town will want to chip in. Mr. Jaisonowski will hopefully have a demo ready for the November meeting.

### **Citizen's Time**

Mrs. Bailey wants to know where in the ordinance it says a sign can not have advertising for business not allowed in town. Mayor Kapp replied that is not why the Coalition Against Hunger sign was disapproved. Councilman Seffinga states the sign ordinance says advertising can not be off site of the business.

### **Planning Commission**

PC looked into Q Stop issue (of interior seating) and discovered there is no reference on the application, site plan or the architectural plans on file in regard to indoor seating. The interior had shelving, walk ins but no seating. Council did not receive a request for seating. Councilman Branca says it would be different use for parking regulations. Atty Steketee is to write a letter they are not in compliance, and that is not a permitted use in that zoning district. Also Q Stop is in violation of building code with seating, as it does not qualify as retail store. Also reappearance of parked vehicles in the grass area should be addressed in the letter. The letter should allow a ten day compliance period.

Mr. Lowery states there is also an infiltration problem evident. The store manager says PWCSA caused the problem.

### **Architectural Review Board**

Councilwoman Leonard states they did not get the major street scape issues resolved.

### **Historical Commission**

Mrs. Turner is representing Mr. Paxton tonight. A Realtor came in to say Mr. Paxton wants to market the property (old funeral home), that they want a McDonald's. She suggested the Realtor come before the town council and ask what the town would like. Mayor Kapp says it is a four acre lot and he would like to see them take down the fence and building. Mrs. Turner told Paxton the town wants to use the building for an art gallery. Mr. Paxton told Mrs. Turner it was a blacksmith shop. Councilman Bird said it was later, after it had been a funeral home, the blacksmith shop was in the garage that has since then been torn down. Councilman Bird states the fence went up when Mr. Gossom was parking trucks back there. Council stated the field needs mowing. The Town Clerk is to advise Alan Gossom, who stated he is taking care of the property for Mr. Paxton.

Mrs. Turner states she would like the building to be retained. Mr. Lowery will look at the

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building and report back to Council. He will contact Mr. Gossom to gain access.

Mrs. Turner will be working on the new history book for another two to three weeks for sources, index and credit references.

**Building Official**

1996 BOCA Code - the town has not adopted the new code.

Greenhill Crossing, lot grading - Mr. Lowery asked in regard to 7 lots at Greenhill with improper grading, he would like to work with George Cropp. Mr. Lowery states US Home changed the grade on these lots and he would like to get these lots stable.

Mr. Lowery asked if the Planning Commission has to look at each change to every home. The answer was yes, if it is not the same as on the grading plans. Councilman Branca states he spoke with George Cropp last week who states he is very happy with the cooperation he has received from Mr. Lowery.

Greenhill Crossing, Waterproofing - Mr. Lowery has six permits in the works, one homeowner doesn't want an inspection and doesn't want waterproofing. Mr. Lowery states she has finished her basement with no permit nor inspections. Mr. Lowery states US Home is doing a nice job straightening out the problems.

Councilman Seffinga asked who is responsible for the houses not having concrete footings? Mr. Lowery reports there is 10-12" of gravel where concrete should be. He states Long Island Concrete is paying for all this work and is carrying concrete in five gallon buckets to complete this job.

Greenhill Crossing Section 8 Townhouse weak link connection - Councilman Branca asked about the townhouse weak link resolution. Mr. Lowery states they tied the houses together with a foundation system. Mr. Peterson intends an architectural feature but he has not presented it to the town yet. He will come back later with that.

Fee Schedule - Councilman Branca asked Mr. Lowery about the fee schedule. Mr. Lowery said it will be by next week.

Business Cards - Mr. Lowery would like to have business cards, he doesn't mind paying for them but would like permission. Council approved.

Councilwoman Leonard asked if there is any legal reason the town council shouldn't pay for them all to have business card? Councilman Seffinga states since they only serve two years they should wait.

Councilwoman Leonard moved to pay for 500 business cards for the building inspector with a limit of \$50, second by Councilwoman Scarbrough. Councilman Branca asked if we should have building department. Motion carried by unanimous roll call vote.

Councilman Branca moved to reimburse the mayor and Mrs. Turner for their business cards, purchased two years ago, not in excess of \$50, second by Councilwoman Leonard. Motion carried by unanimous roll call vote.

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Shed - Mr. Lowery stated he and his son painted the shed white with green trim. The job is not complete as they had to wait for the paint to dry.

Building Official temporary period expires Oct 15 - Councilman Branca moved to extend the period ninety days to the first meeting in January to get fee issue resolved, second by Councilwoman Leonard. Motion carried by unanimous vote.

### **State Archeological Society meeting**

Mrs. Turner states she and Mary Carter will attend this meeting in Roanoke, leaving Saturday at 4 a.m. and stay for the banquet on Saturday night and return Sunday. They will try to get someone to come and do an archeological survey of the town. Councilwoman Leonard moved to contribute \$200 to the Historical Commission for the purpose of sending the Chairwoman of the Commission and one member to attend the archeological convention in Roanoke, second by Councilwoman Scarbrough. Motion carried by unanimous roll call vote.

### **OLD BUSINESS**

#### **Bicentennial**

Grand Illumination - bicentennial kick off - Councilwoman Leonard reports the Grand Illumination is December 7, 4:00 - 6:30 or 7 p.m. She has confirmed with Dave Mabie that Copper will sing one or two songs at no cost. Ken Foster and "Good News" have not been confirmed yet. Dave will bring sound equipment. Councilwoman Leonard asks that Ed Wilbourn speak briefly. Councilwoman Leonard suggests incorporating the town Christmas party with the caroling, carriage rides, etc.

Lights - A Commission member is checking into a discounted light purchase through GE, and also the discounted purchase of timers, to resell to residents.

Mayor Kapp states his wife Shirley suggested when we get this plan established to make up a flyer to pass out to business and residents. Councilwoman Leonard would like to make up a flyer with a cover like the Marshall Bicentennial brochure. This should be done in the next couple of weeks. Councilwoman Scarbrough asked if Walmart might help with the light program.

Christmas Decorations - Councilwoman Leonard would like us to purchase the frames to support the Williamsburg style decorations to wire on greenery and fruit. They will ask for contributions from the business association, maybe to designate to the old buildings, i.e., Red House Inn, the old Post Office building. Councilwoman Leonard will come up with a cost at the November meeting.

Councilman Seffinga asked about the power poles. Councilwoman Leonard is not ready for that yet. What she has seen is too large. She would like to wait for the new street lamps and enhance those.

#### Christmas Party

Councilwoman Leonard states food is a problem. She will do two large spiral sliced hams and she suggests we do fewer things but in greater quantity, i.e., three batches of meat balls, two large vegetable wreaths. The Town Clerk is to reserve St. Paul's Parish Hall for Sunday, December 7.

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Carriage Rides - three to five horse drawn carriages , the lighting of the town tree will be at 5 p.m. with carols at the tree. The party will begin at 5:30 until 8:00 p.m. at the Parish Hall. The invitations should have an RSVP by November 28th to determine the amount of food needed.

### **ISTEA grant**

Utility Poles - Mayor Kapp and Councilman Branca determined it would cost \$55,000 to move poles. Some poles are in the Va Power right of way. They will continue to fight to have the poles moved and paid for by Va Power.

GTE will bury all large black cable on the south side of Washington Street, at their cost, all the way to Route 15. Jones will bury their cable. Virginia Power wants to run line back and forth across the street. Councilman Bird states these phone lines go to Dulles airport. There is a 15' utility easement. When we dig for the conduit the phone and cable will be laid then. Councilman Branca asked Atty Steketee is he has prepared any deeds. Councilman Branca asked what he needs. He will get with the Mayor on that. Councilman Branca and the mayor want to finish the utility issues this month (within the next two weeks). The mayor will go to the property owners to ask for easements.

Councilman Branca asked if we want BDE to update our grant application. Mayor Kapp will ask BDE to update the cost and dates.

### **Planning Commission**

Councilman Branca states he will not be here for the Planning Commission meeting, Tuesday, Oct 7. Councilwoman Scarbrough will stand in for him.

### **Haymarket Day**

Mayor Kapp states we made \$3000 and Joe Contrucci said they have a check for \$700 coming which was 5%. Mayor Kapp asked for comments on Haymarket Day. Councilwoman Leonard thought it went well, she asked 75% of the crafters and most did well and would come back. There was a picture of a horse drawn wagon in the Washington Post the next day.

### **Spring Festival**

Councilwoman Leonard spoke to the juried craftsmen who said if we get out registration forms in January and move the show up to the last weekend in April (April 25) we will do better. Councilwoman Leonard has several folks who are willing to come at that time.

Mayor Kapp wants the flyers out in mid November.

### **Prince William Tourism Advisory Council**

Councilwoman Leonard states she spoke to several people, to represent the town, and her son is interested depending on when the meetings are held. Mayor Kapp states they are held during on weekday mornings.

### **Street Scape**

Tabled.

### **Tax Collection**

Prince William County has filed a lien on the Lane property for \$24,000 County tax and \$1500 town tax. If payment not made it will be sold.

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**Liability Insurance**

Councilwoman Leonard has a meeting Tuesday, Oct 14 with VML and she will contact Hutton and Payne.

**Floor Restoration**

Bids in from Labrozzi and Tren. Councilwoman Leonard moved to accept Mr. Labrozzi's bid and add any minor changes necessary, second by Councilwoman Scarbrough.

Councilman Seffinga asked if we are looking to another Labrozzi bid of \$35,000? Mr. Lowery states he thinks we can get a better price by going to an hourly rate. Mr. Lowery will cut a hole and ask for a new bid.

Councilman Branca suggests we go back to where we started, replacing the floor. We should go to where we have the termite problem and determine how extensive the damage is, check the flooring every six feet and exterminate, and look at the sag to check the beams. Cut one exploratory hole to access to determine damage at \$35 per hour for time to cut out. Councilman Branca moved to spend \$200 maximum, second by Councilman Bird. Motion carried by unanimous roll call vote.

Councilwoman Leonard withdrew her motion, Councilwoman Scarbrough withdrew her second.

**Rats**

Councilwoman Leonard states she has not had a chance to work on the rat situation.

**Complaint**

Councilwoman Leonard states she had a complaint from someone whose property backs up to the Lyon's property because he wasn't told about the rezoning. He thought we should have a notice to adjoining property owners when anything was going to be disturbed. He wants a fence and debris (brush) removed and wants a privacy fence that is dog and child proof, all the way to the end of Madison Street.

**NEW BUSINESS**

**Correspondence**

ISO - Mr. Lowery to respond to the ISO report just received. He states the rating we received is low because we don't have the personnel they expect. He will contact them with his credentials.

PWC area veterans organization - Ceremony to honor the four chaplains on Saturday, Oct 18.

Oktoberfest - Warrenton - October 10 and 11, St. John's in Warrenton.

Railroad - Lisa Claussen, Auburn, Washington, wrote in regard to the railroad impact.

Prince William Park Authority - to dedicate Occoquan Park Playground in Woodbridge.

Falcon Communications - Social Tuesday, October 14.

Reuter - Environmental Enforcement - Milky spore facility and security work is also performed there. Mr. Reuter spoke with the Mayor about maybe building a light industrial park in the Haymarket area.



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Executive Session - Councilman Branca moved to go into executive session at 10:57 p.m., pursuant to State Code 2.1344A.1 to discuss personnel matters, second by Councilwoman Scarbrough. Motion carried by unanimous vote.

Councilwoman Scarbrough moved to go out of executive session at 11:10 p.m., certifying no business was discussed other than personnel matter, second by Vice Mayor Shepard. Motion carried by unanimous vote.

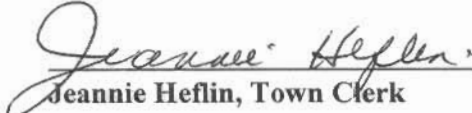
Officer Roop - Bonus - Councilman Branca moved to give Officer Jim Roop a \$500 bonus citing exceptional service apprehending a fugitive recently, second by Councilwoman Leonard. Motion carried by unanimous vote.

Jeannie Heflin - Bonus - Councilman Branca moved to recognize Jeannie's (Town Clerk) efforts in bringing forward the Utility Service Tax by offering her 5% of the gross taxes for the first year, from October 1, 1997 to October 1, 1998, second by Vice Mayor Shepard. Councilman Branca amended the motion to give \$1500 up front this month and the balance at the end of the year period, second by Vice Mayor Shepard. Motion carried by unanimous roll call vote. The Town clerk thanked the Council for their generosity.

**Adjournment**

With no further business to discuss the meeting was adjourned at 11:15 p.m.

**RESPECTFULLY SUBMITTED:**

  
 Jeannie Heflin, Town Clerk

**APPROVED:**

  
 John R. Kapp, Mayor

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