

Town of Haymarket Town Council Meeting  
Monday, October 24, 2011  
15000 Washington Street, Haymarket, Virginia 20169  
Mayor Pamela E. Stutz

## Roll Call

Tobias, Leake, Cole, Stutz, Kenworthy, Weir  
Scarborough-Absent

## Public Hearings

### **Purchase Options for 2011 Police Cruiser Purchase – Public Hearing #1**

The Mayor opens up the first public hearing regarding the purchase options for the 2011 police cruiser acquisition. Options are to: Buy it outright, finance it alone, or bundle the two 2009 cruisers with the new cruiser into one finance option.

The Mayor calls for anyone wishing to speak on the purchase options

*No public comment*

### **Wal-Mart – Public Hearing #2**

The Town has advertised a public hearing to get input from its residents on a proposed Super Wal-Mart that is to be built outside the Town limits at Market Center Land Bay 3  
Input from residents Wal-Mart Supercenter

**Karen Weldon** – Representing Shoppes @ Haymarket

She would like to know what the town can do, if anything, to stop Wal-Mart from coming. She is concerned of the negative impact the store could have on small shops and the neighboring grocery stores.

**Bill Hunt** - Madison Street

He is a 50 year resident of the Town. He believes that Wal-Mart will be good for Haymarket and Prince William County. There will be traffic, but there will be traffic anyway. He believes that Wal-Mart will stimulate the local business economy. He thinks it is a good thing for everyone.

### **Water Supply Plan – Public Hearing #3**

In November 2005, the Commonwealth of Virginia enacted the Local and Regional Water Supply Planning (WSP) Regulation (9 VAC 25-780-10).

The purpose of the Regulation is to: ensure adequate and safe drinking water, encourage, promote, and protect all other beneficial uses of the Commonwealth's water resources; and encourage, promote, and develop incentives for alternative water sources.

The Mayor calls for anyone wishing to speak on the Water Supply Plan

*No public comment*

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**Weir moves to add Wal-Mart to tonight's agenda for discussion, Kenworthy seconds;**

**Ayes: 5      Nays: 0      Absent: Scarborough**

## Citizen's Time

*No public comment*

## Commercial Transitional Zoning District - ZTA

### Weir Motions

WHEREAS, the Town of Haymarket, Virginia, the Town of Haymarket is empowered by the Commonwealth of Virginia to make and adopt a comprehensive plan for the town; and WHEREAS, amendments to the Town of Haymarket Comprehensive Plan were adopted by the Town Council on September 8, 2008; and WHEREAS, Comprehensive Plan Chapter 3.4, Land Use Plan, and Figure 15, Planned Land Use Map, describes and identifies a "Transitional Commercial" land use category; and WHEREAS, the text of the Plan states a zoning ordinance amendment implementing this land use category is anticipated following the adoption of the plan; and WHEREAS, the Planning Commission, pursuant to § Sec. 58-425, held a public hearing on October 5, 2011, and has recommended the adoption of the attached Article IV, Transitional Commercial Zoning District text; and WHEREAS, a Town Council's public hearing was held on October 5, 2011, and interested citizens were heard; and WHEREAS, the public necessity, convenience, general welfare and good zoning practice are served by the text amendment; NOW, THEREFORE, BE IT ORDAINED that the Town of Haymarket, pursuant Article XI, Chapter 58 of the Code of Haymarket, does hereby amend the text of § Chapter 58 to create Article IV, Transitional Commercial Zoning District and associated text, Cole seconds;

**Tobias-Yes, Leake-Yes, Cole-Yes, Kenworthy-Yes, Weir-Yes, Scarbrough-Absent**

## Police Cruisers

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**Tobias motions to enter into a finance agreement with The Fauquier Bank for a period of three (3) years at a rate of 3%, financing a total of \$55,440 for the purchase of a 2011 Dodge Charger Police Cruiser and to refinance two existing loans with SunTrust for two 2009 Police Cruisers, Kenworthy seconds; Discussion:** Leake asks how much the prepayment penalty will be on the two existing loans for the 2009 cruiser purchases. Tobias responds that it was in the paperwork provided at the October 5, 2011 Town Council Meeting.

**Tobias-Yes, Leake-no, Cole-Yes, Kenworthy-Yes, Weir-Yes, Scarbrough-Absent**

## Structural Engineer Quotes

DRH Design Group is the firm that the Town Manager recommends proceeding with for structural engineer services. However, the Town Manager recommends proceeding with only the Old Post Office, not the Hulfish House at this time.

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**Cole motions to retain the services of DRH Design Group for the analysis of both the Old Post Office and the Hulfish House, Leake seconds.**

Discussion: Tobias ask that the Town Manager reply to the Engineers that the Town would like them to denote that the intended use for the Old Post Office is light retail and also clarify in their report the requirements that would be needed for uses on the second story of each building.

**Cole amends his motion to include the discussion points, Leake amends his second;**

**Tobias-Yes, Leake-Yes, Cole-Yes, Kenworthy-Yes, Weir-Yes, Scarbrough-Absent**

## **Memo of Understanding - Prince William Soil & Water Conservation District**

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**Tobias motions to adopt the Fiscal Year 2012 Memo of Understanding with the Prince William Soil & Water Conservation District for Erosion & Sediment Control plan review and inspection services, Weir seconds;  
Tobias-Yes, Leake-Yes, Cole-Yes, Kenworthy-Yes, Weir-Yes, Scarbrough-Absent**

## **Water Supply Plan**

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**Weir moves to defer the Northern Virginia Regional Water Supply Plan to November 7, 2011, Tobias seconds;  
Ayes: 5      Nays: 0      Absent: Scarbrough**

\*\*Email Weir the link to the entire plan

## **Building Official's Report – James Lowery**

Mr. Lowery anticipates occupancy for the Alexandra's Keep townhomes to be around February 2012.

Tobias asks when Piedmont Tire & Auto will open. Mr. Lowery believes sometime in November 2011.

## **Wal-Mart**

Weir is concerned about the grid-lock that this project will create.

\*\*John Bennett will be able to report to Council at the November meeting on his discussion with the County Attorney regarding this matter.

### **Town Planner**

He comments that there are other opportunities for the Town. Find Wal-Mart's representative and express the Town's concerns. He believes we should create a venue to communicate with Wal-Mart directly.

### **Mayor Stutz**

Comments that we have been contacted by Supervisor Stirrup's office, who is asking what the Town would like. The Mayor has told them that a traffic study is what the Town would like to see done. Mayor also said we would like to have some discussion with respect to the original proffers.

### **Tobias**

He agrees with the Town Planner and recommends reaching out to Wal-Mart to work together.

\*\*Mayor asks that the development outline be made available on the internet

## Town Manager's Report – Gene Swearingen

- **Absentee Voting**  
Museum is closed until mid-November to accommodate the voting equipment
- **Brick Sidewalks**  
Holly will be looking at the quotes for the sidewalks
- **Audio Video Solutions**  
The Town Manager has received a quote to have the equipment moved

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### **Leake motions to appropriate up to \$1,100 to move the meeting recording equipment, Weir seconds;**

Discussion: \*\*Tobias had this been done the right way when it was first installed, we would have this additional cost of \$1,100

**Tobias-Yes, Leake-Yes, Cole-Yes, Kenworthy-Yes, Weir-Yes, Scarbrough-Absent**

Tobias asks if the Town Manager has any additional information from Comcast. The Town Manager responds that communications have been very slow with Comcast. \*\*Tobias asks for resolution from Comcast about the PEG Channel. \*\*Schedule for November agenda

- **LODA & UDA Resolutions**  
The Town has received a letter from Governor McDonnell regarding unfunded mandates. @ 11 a.m. Please announce it to the public that this is potentially a "meeting". The Mayor asks the clerk to advertise that Council Members could be on the same phone call.

## Council Members

- **Tobias**  
\*\*Status of medical retirement plan for employees – November 7  
  
\*\*Council directs that the office must be staffed at all times with 2 people. Effective November 1, 2011. Mayor would like it effective this week.  
  
\*\*Ask Chief to have a status of the sale of the 1998 surplus police cruiser
- **Leake** – nothing
- **Cole**- nothing
- **Kenworthy** – nothing
- **Weir** – Roberts Rules – Mayor asks that they get together and decide and then have the proper set on file  
  
\*\*Please get a security box over the thermostat.

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**Weir motions to enter into closed session pursuant to 2.2-3711 (A7) consultation with the Town Attorney regarding Town Charter provisions relating to subdivision of land and commercial zoning of a property that joins the town; and (A3) discussion and consideration of acquisition of public property and any matters relating to annexation, Cole seconds;**

**Tobias-Yes, Leake-Yes, Cole-Yes, Kenworthy-Yes, Weir-Yes, Scarbrough-Absent, Stutz-Yes**

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**Weir motions that the Council of the Town of Haymarket does hereby certify that to the best of each member's knowledge, only public business matters lawfully exempt from the open meeting requirements by Virginia law were discussed in the closed session, to which this certification applies, and only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by Council, Scarbrough seconds;**

**Tobias-Yes, Leake-Yes, Cole-Yes, Scarbrough-Absent, Kenworthy-Yes, Weir-Yes, Stutz-Yes**

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**Tobias motions to instruct the clerk to advertise a public hearing for Tuesday, November 15, 2011, for the Institution of Eminent Domain/Condemnation Cases, including filing Certificates of Take and then initiating and completing condemnation proceedings for VDOT Universal Project Code (UPC) No. EN96-233-128, P103, R201, C502, Route 55 (Washington Street), State Project EN96-233-128, C502 (Haymarket Streetscape Project), as shown on Sheet No. 3, 4, 4B, 5(2), and 5(3) of plans on file with the Town of Haymarket and the Virginia Department of Transportation, and involving the following subject parcels, to-wit:**

**Parcel 001; 14891 Washington Street, Haymarket, VA 20169; GPIN: 7297-99-4363; record owner: John R. Evans and Marika Pardo Evans, Tobias seconds;**  
**Tobias-Yes, Leake-Yes, Cole-Yes, Kenworthy-Yes, Weir-Yes, Scarbrough-Absent**

**Weir motions to adjourn the continuation meeting of October 24, 2011 @ 9:25 p.m., Kenworthy seconds;**

**Ayes: 5      Nays: 0      Absent: Scarbrough**

Submitted:

Approved:

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Jennifer Preli, Town Clerk

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Pamela E. Stutz, Mayor