

TOWN OF HAYMARKET-MAYOR DAVID P. TAYLOR
TOWN COUNCIL MEETING-DECEMBER 6, 2004
PUBLIC HEARING
15016 WASHINGTON STREET-HAYMARKET, VA 20169

PUBLIC HEARING: Zoning Text Amendment application to allow Neo-traditional town homes, applied for by the Payne Lane property owners.

Meeting called to order

Roll Call: Sikorsky-Yes, Tobias-Yes, Stutz-Yes, Taylor-Yes, Garcia-Yes, Jarboe-Yes, Weir-Yes

Request by applicant to defer a vote on the proposed ZTA received in clerk's office today.

Mayor asks if council would motion to defer the matter of the Payne Lane properties ZTA, **no motion to defer....**

Public Hearing on ZTA from the Payne Lane Property owners:

In Favor: None in favor

Opposed: **Wendy Felt**-6848 St. Paul Drive-comments on moving to Haymarket and her dream of being stymied by traffic, this dream has come true. Asks this council to please not develop anymore.
Linda Landwehr-Does not want to see a townhouse development-references the Charrette.
Father David Jones-Opposes this ZTA. Feels that 27 town-homes would be detrimental to the community. Not in the benefit of the Town of Haymarket.
Rich Gillim-Fayette Street-There are other avenues for developers to come in. Feels we could become a townhouse haven.

Public Hearing Closed

Regularly scheduled meeting called to order:

Citizen's Time:

Mike Manning-Little John Court-asks if his application for an addition for his home can be heard by council. Mayor responds that council can hear the application, if the ARB chair, John Cole would review his application and if clerk would re-produce application for council.

Bryan Garcia-comments on raising money for transitional housing in Fauquier county with respect to the doll-house, sponsored by Heritage Realty of Haymarket, that is being used to raise money for that purpose. The drawing will be next Saturday, December 11, 2004.

Garcia Motions to approve the business license for Jim Corridon Electric, as a Contractor not located in the Town, Stutz seconds

Ayes: 6
Nays: 0

Stutz Motions to approve the business license application for Cobra Fire Protection, as a Contractor not located in the Town Jarboe seconds

Ayes: 6
Nays: 0

Stutz motions to approve the business license application for RCB General contracting, as a Contractor not located in the Town, Jarboe seconds

Ayes: 6

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Nays: 0

Tobias motions to approve the business license for L&H Enterprises as an itinerant merchant (selling Christmas Trees), Sikorsky seconds

Ayes: 6
Nays: 0

Weir Motions to approve the Certificate of Appropriateness for MCG, LLC, for an exterior stair-case, Tobias seconds

Garcia removes himself from this vote and the following vote, as he is employed and related to owner

Ayes: 5
Nays: 0
Abstain: 1 (Garcia)

Tobias Motions to approve the construction permit application for 15030 Washington Street, owned by MCG, LLC to construct an exterior staircase, Weir seconds

Ayes: 5
Nays: 0
Abstain: 1 (Garcia)

Tobias Motions to approve the construction permit application and Certificate of Appropriateness for 6720 Bleight Drive (Deck), Weir seconds

Ayes: 6
Nays: 0

Motions to approve the demolition permit for 15000 & 15010 (Grocery Store owned by the Town), Weir seconds

Ayes: 6
Nays: 0

Tobias seconds Motions to approve the demolition permit application for 6630 Jefferson Street (gray apartment house owned by Town), Stutz seconds

Ayes: 6
Nays: 0

Tobias Motions to approve the minutes of the regularly scheduled Nov. 1 Town Council meeting, Sikorsky seconds

Ayes: 6
Nays: 0

Tobias motions to approve the Certificate of Appropriateness and Construction permit application for Manning-Little John Court, for an addition to their home, Sikorsky seconds;

Ayes: 6
Nays: 0

Site Plan for 15120 Washington Street, Russo, Joe's Italian Restaurant, The town's engineer has removed himself from this application and an outside Engineer has been retained to review this site development, with respect to E&S controls and Storm Water management and Washington Street Enhancement Project.

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Tobias motions to Refer the site plan for 15120 Washington Street, Joe's Italian Restaurant back to PC with councils concern that the Storm Water Controls need to be removed from the buffer and must accompany Sign-off's (approvals) from all agencies, Weir seconds

Motion amended to reject the site plan to be reviewed and re-submitted to PC, Weir amends second;

Ayes: 6

Nays: 0

**DH Group, preliminary site plans, Realty Exchange:
Garcia Motions to approve the preliminary site plans for DH Group (Realty Exchange), located at 6608 and 6604 Jefferson Street, Garcia seconds;**

Ayes: 6

Nays: 0

KSI, Piedmont Mews plat of correction: Applicant directed to submit to the Planning Commission for their review and recommendation to council.

Town's ZTAs

**Planning Commission has reviewed the Town's ZTAs, advertise for a joint public hearing for Town's ZTAs on January 3, 2004.

Stutz motions to refer to PC the ARB Design Guidelines drafted by the ARB for review and comment, Tobias seconds

Ayes: 6

Nays: 0

Payne Lane Property ZTA to the B1 zone.

Sikorsky motions to approve the Payne Lane ZTAs to increase potential density to the B1 district with regard to proposed changes to buffers setback and heights, Tobias seconds;

Sikorsky-Nay, Tobias-Yea, Stutz-Nay, Garcia-Nay, Jarboe-Nay, Weir-Nay

Motion is denied, the ZTA is not approved

**Clerk to advertise the ARB Guidelines in conjunction with the Town's ZTAs.

Tobias motions to appropriate \$3,700.75 to Two-Step-byte-room for the services rendered for the creation of a forms database software, Weir seconds

Ayes: 6

Nays: 0

Stutz motions to authorize a week's leave with pay to officer Hoffman to be used within the next 30 days, Sikorsky seconds; amended to make sure the Chief covers the shift, for the purpose of paternity leave, Sikorsky amends second.

Ayes: 6

Nays: 0

Roll Call Vote-Sikorsky-yes, Tobias-yes, Stutz-yes, Weir-yes, Jarboe-yes, Garcia-yes

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Tobias Motions to declare its official intent to cause the reimbursement of certain expenditures from the proceeds of obligation not to exceed \$10 million, Sikorsky seconds (resolution attached to minutes)

Roll Call Vote: Sikorsky-yes, Tobias-yes, Stutz-yes, Weir-yes, Garcia-yes, Jarboe-yes

****Clerk to send out lease to council for Lovelace and Colville for their comments.**

Sikorsky motions to terminate the lease between Red Rooster Antiques and Collectables, effective November 30, 2004, the record reflects that Stutz abstains from this vote, she is the lessee and has a financial interest in the business, Jarboe seconds

Ayes: 5

Nays: 0

Abstain: 1 (Stutz)

Tobias motions to enter into closed session pursuant to 2.2-3711 (A1) to consider and evaluate the performance and responsibilities of named town employees, appointments to the BZA and

(A3) Discussion and consideration publicly held real property, namely a lease of town held property, Weir seconds

Ayes: 6

Nays: 0

Stutz Motions Certification of executive session, Jarboe seconds

By a Roll Call Vote: Sikorsky-Yes, Tobias-Yes, Stutz-Yes, Taylor-Yes, Garcia-Yes, Jarboe-Yes, Weir-Yes

Tobias motions to appropriate \$2,400 to be moved to the Mayor's discretionary fund, Jarboe seconds, amended to include that the funds are to be used for discretionary holiday expenses, Jarboe amends second;

Ayes: 6

Nays: 0

****Clerk to send the Saddlery Liquidators Appeal to the BZA.**

Garcia motions to authorize the mayor to sign the contract with SoDeep for the purpose of re-designating the utilities in Phase IA of the Washington Street, Stutz seconds

Ayes: 6

Nays: 0

Special Use Permits

Garcia motions to adjourn the regularly scheduled Town Council meeting of December 6, 2004, Jarboe seconds

Ayes: 6

Nays: 0

MEETING ADJOURNED

Submitted:

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**Denotes Action required

Approved:

TOWN OF HAYMARKET-MAYOR DAVID P. TAYLOR

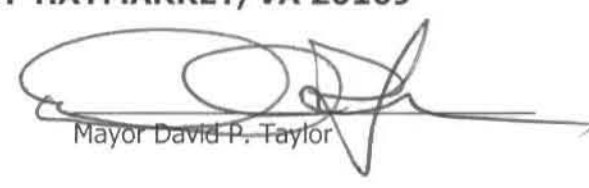
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Jennifer Preli, Clerk of the Council



Mayor David P. Taylor

A RESOLUTION OF THE
TOWN OF HAYMARKET, VIRGINIA
DECLARING ITS OFFICIAL INTENT TO CAUSE THE
REIMBURSEMENT OF
CERTAIN EXPENDITURES FROM PROCEEDS OF OBLIGATIONS

RECITALS

A. The Town of Haymarket, Virginia ("Town") is a Virginia municipal corporation and political subdivision.

B. The Town has and will make expenditures (the "Expenditures") with respect to expenses incurred in connection with the acquisition, design, demolition of existing structures, site work, engineering, construction, renovation and equipment of new buildings and renovation of existing buildings on the property commonly known as the Town Hall property, including necessary permits, engineering, architectural design and studies relating thereto (the "Project").

C. The Town Council of the Town (the "Council") has determined that the funds to be advanced to pay the Expenditures are or will be available only for a temporary period, and that it will be necessary to cause the Town to be reimbursed for the Expenditures from the proceeds of one or more issues of debt, which may include tax-exempt bonds to be incurred by a governmental issuer ("Obligations").

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL AS FOLLOWS:

1. The Council declares its intent and reasonable expectation to cause the Town to reimburse itself for the Expenditures with proceeds of Obligations.
2. This Resolution constitutes a declaration of "official intent" under Treasury regulations Section 1.150-2.

3. On the date each Expenditure is made, it will be a capital expenditure (or would be a proper election) under general federal income tax principles or will otherwise comply with the requirements of Treasury Regulations Section 1.150-2(d)(3).

4. The maximum principal amount of Obligations expected to be issued for the Project is \$ 10,500,000.

5. The adoption of this Resolution is consistent with the budgetary and financial circumstances of the Town.

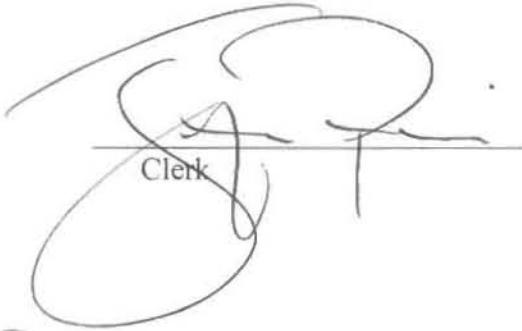
6. This Resolution shall take effect immediately upon its passage. As provided under Treasury Regulations Section 1.150-2(d)(3), the official intent declared by this Resolution covers qualifying Expenditures made at any time after the date sixty (60) days before the effective date of this Resolution. It also covers all other qualifying sums heretofore expended by the Town for these public facilities.

Done this 6th day of December, 2004 by a roll call vote.

TOWN OF HAYMARKET, VIRGINIA

BY: 
Mayor

ATTEST:


Clerk

Voting aye: SIKORSKY, TOBIAS, STUTZ, WEIR, GARCIA
JARBOE

Voting nay: - NONE -

Abstaining: - NONE -

Absent: - NONE -