



# TOWN OF HAYMARKET TOWN COUNCIL

## REGULAR MEETING ~ AGENDA ~

David Leake, Mayor  
<http://www.townofhaymarket.org/>

15000 Washington St  
Haymarket, VA 20169

Tuesday, September 4, 2012

7:00 PM

Council Chambers

### 1. Call to Order

### 2. Pledge of Allegiance

### 3. Citizen's Time

### 4. Minutes Acceptance

- A. Town Council - Regular Meeting - Jul 2, 2012 7:00 PM
- B. Town Council - Emergency Meeting - Jul 17, 2012 8:00 PM
- C. Town Council - Regular Meeting - Aug 6, 2012 7:00 PM
- D. Town Council - Work-Session - Aug 27, 2012 3:00 PM
- E. Town Council - Special Meeting - Aug 27, 2012 6:00 PM

### 5. Updates

- A. Hulfish House Renovation Update
- B. Old Post Office Renovation

### 6. Appropriations

- A. Engineering Services - Washington Street Enhancement
- B. Alexandra's Keep General Development Conditions
- C. Hiring of New Police Officer
- D. Purchase of a New Police Cruiser
- E. Haymarket Baptist Church - Streetscape Settlement
- F. ARB Appropriations
- G. General Reserves

### 7. Department Reports

- A. Treasurer's Report
- B. Police Report - Chief James E. Roop
- C. Building Official's Report - James R. Lowery, Jr.
- D. Town Manager's Report - Gene Swearingen

### 8. Closed Session

- A. Enter into Closed Session I
- B. Certify Closed Session
- C. Enter into Closed Session II
- D. Certify Closed Session

### 9. Agenda Items

- A. Town Attorney
- B. Town Center Master Plan
- C. Consider Zoning Text Amendments (Town Code Section 58, Zoning) Re: 2012 Session of the Virginia General Assembly / Recent Land Use Matters
- D. Community Center
- E. Liaison Appointment - Police Department
- F. Zoning Permit Application
- G. Appointment of Chief of Police & Town Clerk
- H. Salary Increases

**10. Citizens' Time II**

**11. Councilmember Time**

- A. David Leake
- B. Steve Aitken
- C. Katherine Harnest
- D. Rebecca Bare
- E. Mary Lou Scarbrough
- F. Milt Kenworthy
- G. James Tobias

**12. Adjournment**



# TOWN OF HAYMARKET TOWN COUNCIL

## REGULAR MEETING ~ MINUTES ~

David Leake, Mayor  
<http://www.townofhaymarket.org/>

15000 Washington St  
Haymarket, VA 20169

Monday, July 2, 2012

7:00 PM

Council Chambers

A Regular Meeting of the Mayor & Council of the Town of Haymarket, VA, was held this evening in the Board Room, Commencing at 7:00 PM

Mayor David Leake called the meeting to order.

### 1. Call to Order

Councilman Jay Tobias: Present, Councilman Milt Kenworthy: Present, Councilwoman Mary-Lou Scarbrough: Present, Mayor David Leake: Present, Councilwoman Rebecca Bare: Present, Councilman Steve Aitken: Present, Councilwoman Katherine Harnest: Present.

### 2. Citizen's Time

Matt Gallagher 6930 Jockey Club Lane

Mr. Gallagher congratulates Mayor Leake. He is here tonight representing the Boy Scouts, Troop #1882. Troop #1882 meets here at the Town Hall on Tuesday evenings. Recently there has been a conflict with scheduling the Town Hall; they have lost some of their meeting time. He would like the council's support for a little more permanent standing here at the Town Hall.

#### A. Information Items

##### A. Capital Improvements Projects

The Town Manager presents the Fiscal Year End 2012 Capital Expenditures. Funds in the amount of \$97,000 has been spent and most of the projects have been completed

##### B. Master Plan - Town Center Property

The Town Manager presents to Council proposals for developing a master plan on the Town Center Property. In March 2012, Council asked that instead of piecemeal improvements to the Town Center Property, step back and have staff get quotes from development and planning firms provide us a proposal for a master plan. This plan would take a look at parking for the site, the facade of the Town Hall building, the two renovation jobs. Tonight, he would just like Council to look over the five proposals we have received; we will discuss this item in more detail in August.

##### C. Communications Policy

Mayor Leake presents his 2012-2014 communications policy to the Town Council

### 3. Appropriations

#### A. HVAC Repairs/Replacement

The Town Manager notes that as we can all see, the air conditioning is not working well in the Town Hall. We have received three quotes to replace this older unit, interior and exterior outside in the back. The Town Manager had Councilman Kenworthy help review the quotes. We have one from BMS, it isn't lowest bid but most competitive in quality of equipment and the system worked well upstairs they installed. They were about \$1000 higher than the other bids. The recommendation we go with the BMS quote but will go see if can negotiate price since not lowest bidder.

Kenworthy motions to approve up to \$7,400 to contract with BMS for a new HVAC System for Town Hall (government use space), funds to come from the General Reserves Line Item with the intent to refund after the Fiscal Year 2012 Audit is complete. Scarbrough seconds; Discussion: Scarbrough asks what makes up the difference in prices? The Town Manager responds it is type of equipment (brand). Tobias asks how much the other bids came in at. LH Mechanical came in at \$4,850 (Carrier System); Woody Sudden Service was \$6,561 (Lenox System)

Minutes Acceptance: Minutes of Jul 2, 2012 7:00 PM (Minutes Acceptance)

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Milt Kenworthy, Councilman  
**SECONDER:** Mary-Lou Scarbrough, Councilwoman  
**AYES:** Tobias, Kenworthy, Scarbrough, Bare, Aitken, Harnest

B. Old Post Office

Request tonight is to appropriate the balance of funds for the renovation of the Old Post Office in the amount of \$121,518

Scarbrough motions to appropriate and allocate \$121,518 for the renovation of the Old Post Office Building located at 15020 Washington Street, funds to come from the Street Scape Funding line item with the intent to pay back those monies once the budget carry-over surplus funds have been reviewed and approved by the auditors, Harnest seconds;

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Mary-Lou Scarbrough, Councilwoman  
**SECONDER:** Katherine Harnest, Councilwoman  
**AYES:** Tobias, Kenworthy, Scarbrough, Bare, Aitken, Harnest

C. Hulfish House

Scarbrough motions to appropriate and allocate \$38,474 for the renovation of the Hulfish House located at 15000 Washington Street, funds to come from the Street Scape Funding line item with the intent to pay back those monies once the budget carry-over surplus funds have been reviewed and approved by the auditors, Harnest seconds;

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Mary-Lou Scarbrough, Councilwoman  
**SECONDER:** Katherine Harnest, Councilwoman  
**AYES:** Tobias, Kenworthy, Scarbrough, Bare, Aitken, Harnest

D. Legal Services - Robert Dively

Tobias motions to appropriate and allocate up to \$15,000 out of the Streetscape funding line item, specifically for the legal services of Mr. Robert Dively, Bare seconds.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jay Tobias, Councilman  
**SECONDER:** Rebecca Bare, Councilwoman  
**AYES:** Tobias, Kenworthy, Scarbrough, Bare, Aitken, Harnest

E. Budget Appropriations

Pursuant to the policies adopted in 2010, Tobias motions to appropriate the following budget

Total Income: \$3,161,445; Capital Improvement Projects: \$1,465,864; Council and Boards: \$34,000; Events: \$1,875; Museum: \$1,715.71; Operating: \$77,820.80; Public Safety: \$24,448.50; Public Works: \$32,372.25; Staff Wages & Benefits: \$190,744.50; Town Owned Property: \$86,418.50, Kenworthy seconds.

For the record: Scarbrough would like it all of the expenses appropriated quarterly

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jay Tobias, Councilman  
**SECONDER:** Milt Kenworthy, Councilman  
**AYES:** Tobias, Kenworthy, Scarbrough, Bare, Aitken, Harnest

## 4. Department Reports

A. Police Report - James E. Roop

Kenworthy asks about numbers on the fuel, they do not seem to add up. Mileage has increased but gas has decreased dramatically. Aitken asks about the difference between a report and complaint. Reports are actually entered into the computer and complaints are not.

B. Treasurer's Report - James Naradzay

Treasurer is waiting to hear from the Auditors on their schedules to start the preliminary field work for the Fiscal Year 2012 Audit. For August he would like the Council discuss the possibility of modifying the appropriations policy.

C. Building Official's Report - James R. Lowery, Jr.

No comments

D. Town Manager's Report - Gene Swearingen

I-66 update

VDOT approved the choices of the Town with regard to light posts.

Trash Contract

At the June Town Council meeting the trash removal contract with AAA was approved. We have entered into a temporary one month agreement

Tobias asks if we have helped the resident, per her email.

### Town Attorney

Tobias asks for an update on John Bennett, Mayor Leake responds that he will address this matter during his time at the end of the meeting.

Tobias motions:

Whereas, on June 4, 2012 the Town Council adopted a resolution to enter into contract negotiations with John Bennett for the Town Attorney contract position; Whereas, there have been no substantial communication of contract negotiations brought forth to the Town Manager; Whereas, the Town Manager has attempted to contact John Bennett regarding entering into negotiations and has yet to be successful; Whereas, the Town of Haymarket is in need of contracting with a full time and permanent Attorney for the positions; Whereas, the interim Town Attorney has gratefully performed the duties asked of her while serving in her capacity; Therefore, be it resolved, that Council shall rescind the offer of entering into contract negotiations with John Bennett and disqualify him for serving in that capacity. Furthermore, the Council shall reexamine the originally submitted RFQ responses submitted by the deadline of May 25, 2012; Furthermore, a committee consisting of the Town Manager and 2 Council member will review the Request for Qualifications and select up to three respondents for further evaluation and consultation; Furthermore, in the interim, for a period of at least 3 months, Lisa Baird shall remain in the position of Interim Town Attorney, until a permanent replacement shall be retained and contracted, Bare seconds;

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Jay Tobias, Councilman
<b>SECONDER:</b>	Rebecca Bare, Councilwoman
<b>AYES:</b>	Jay Tobias, Milt Kenworthy, Rebecca Bare, Katherine Harnest
<b>NAYS:</b>	Mary-Lou Scarbrough
<b>ABSTAIN:</b>	Steve Aitken

## 5. Agenda Items

A. Haymarket Lodge - Parcel Boundary Adjustment

Motion that the Town Council approve the subdivision plat titled "Boundary Line Adjustment Plat on the Land of Trustees for the Hay Market Lodge No. 313 of Ancient Free and Accepted Masons and on Parcel 1 of the Land of the Hay Market Lodge Charitable Foundation, Inc." prepared by Rinker Design Associates, P.C., dated January 4, 2012, and its associated Deed of Boundary Line Adjustment and Gift dated 19 March, 2012, subject to, and conditioned upon, the following:

- a. Recordation of all plats and documentation in a form and substance approved by the Town Attorney; and

- b. Payment of all costs, fees, and expenses due to the Town

It is further moved that the foregoing conditions 1a and 1b be done and satisfied within 45 days of this date, otherwise this approval shall be void and of no further effect.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rebecca Bare, Councilwoman
<b>SECONDER:</b>	Jay Tobias, Councilman
<b>AYES:</b>	Tobias, Kenworthy, Scarbrough, Leake, Bare, Aitken, Harnest

B. Policy Development Zoning Permits

Tobias recommends to direct staff to present their recommendations on zoning procedures and present to the Council at the September 4, 2012 meeting.

No objections, So directed

C. Zoning Permits

Tobias motions that the Town Council approve Zoning Permit #20120525 for a studio use to be located at 15125 Washington Street, in accordance with Section 58-177(18) of the Town Code.

Tobias further moves that the Town Council approve Zoning Permit #20120604 for a studio use (fitness) to be located at 6611 Jefferson Street, in accordance with Section 58-177(18) of the Town Code, Bare seconds;

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jay Tobias, Councilman
<b>SECONDER:</b>	Rebecca Bare, Councilwoman
<b>AYES:</b>	Tobias, Kenworthy, Scarbrough, Leake, Bare, Aitken, Harnest

D. Town Center Plot Plan

Harnest moves that the Town Council approve Zoning Permit ZP20120321 for site improvements at 15000, 15020, 15010, 15026 Washington Street and 6630 Jefferson Street. I further move that the Town Council adopt the plot plan entitled "Plot Plan Town of Haymarket Town Center", dated May 11, 2012, as meeting the requirement of Town Code Section 58-179(a), Requirements for Permitted Uses, based on the following Findings:

1. The Town Center Property, encompassing the above-mentioned properties, has been in varying forms of continued use since the effective date of the Town Zoning Ordinance.
2. The improvements described on the Plot Plan will not impact existing stormwater systems.
3. Adjacent residential uses are screened.
4. No additional parking facilities are required.
5. Improvements to the Old Post Office and Hulfish House will meet the requirements of Town Code Section 58-562, Demolition by Neglect

Bare Seconds;

<b>RESULT:</b>	<b>ADOPTED [6 TO 1]</b>
<b>MOVER:</b>	Katherine Harnest, Councilwoman
<b>SECONDER:</b>	Rebecca Bare, Councilwoman
<b>AYES:</b>	Kenworthy, Scarbrough, Leake, Bare, Aitken, Harnest
<b>NAYS:</b>	Jay Tobias

E. Check Signers

Tobias motions to appoint Rebecca Bare, Milton Kenworthy, and David Leake as authorized signers for all of the Town's banking accounts for the term July 1, 2012 through June 30, 2014, Scarbrough seconds.

**RESULT:** ADOPTED [5 TO 1]  
**MOVER:** Jay Tobias, Councilman  
**SECONDER:** Mary-Lou Scarbrough, Councilwoman  
**AYES:** Tobias, Kenworthy, Scarbrough, Aitken, Harnest  
**NAYS:** Rebecca Bare

#### F. Council Liaison & Vice Mayor Appointments

Kenworthy motions to nominate Councilman Jay Tobias to serve as the Vice Mayor for the term July 1, 2012 through June 30, 2014, Bare seconds;

**RESULT:** ADOPTED [5 TO 0]  
**MOVER:** Milt Kenworthy, Councilman  
**AYES:** Kenworthy, Scarbrough, Bare, Aitken, Harnest  
**ABSTAIN:** Jay Tobias

#### Planning Commission Liaison

Tobias motions to appoint Rebecca Bare as the Council liaison to the Planning Commission for the term July 1, 2012 through June 30, 2014, Scarbrough seconds.

**RESULT:** ADOPTED [5 TO 0]  
**MOVER:** Jay Tobias, Councilman  
**SECONDER:** Mary-Lou Scarbrough, Councilwoman  
**AYES:** Tobias, Kenworthy, Scarbrough, Aitken, Harnest  
**ABSTAIN:** Rebecca Bare

#### ARB Liaison

Tobias motions to appoint Katherine Harnest as the Council liaison to the Architectural Review Board for the term July 1, 2012 through June 30, 2014, Bare seconds.

**RESULT:** ADOPTED [5 TO 0]  
**MOVER:** Jay Tobias, Councilman  
**SECONDER:** Rebecca Bare, Councilwoman  
**AYES:** Tobias, Kenworthy, Scarbrough, Bare, Aitken  
**ABSTAIN:** Katherine Harnest

#### Appointment of Treasurer's Liaison

Kenworthy motions to appoint Jay Tobias as the liaison to the Treasurer's Office for the term July 1, 2012 through June 30, 2014, Scarbrough seconds.

**RESULT:** ADOPTED [5 TO 0]  
**MOVER:** Milt Kenworthy, Councilman  
**SECONDER:** Mary-Lou Scarbrough, Councilwoman  
**AYES:** Kenworthy, Scarbrough, Bare, Aitken, Harnest  
**ABSTAIN:** Jay Tobias

#### Certification of Closed Session

Tobias 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;



**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jay Tobias, Councilman  
**SECONDER:** Mary-Lou Scarbrough, Councilwoman  
**AYES:** Tobias, Kenworthy, Scarbrough, Bare, Aitken, Harnest

### QBE Acquisition of P.A.C.E.

Motion that the Town Council Town council is pleased to hear of the news that the PWC School Board will be selling P.A.C.E. to QBE, LLC and will be happy to work with QBE, LLC and the PWC Board of County Supervisors to help them move forward with their development plans

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jay Tobias, Councilman  
**SECONDER:** Mary-Lou Scarbrough, Councilwoman  
**AYES:** Tobias, Kenworthy, Scarbrough, Bare, Aitken, Harnest

### Daytime Playtime Lease

Tobias motions to instruct the Town Manager to communicate with the tenant, Daytime Playtime, that we are aware of their request to terminate their lease prematurely. We will be glad to work with them and provide them assistance in advertising that space for lease with the hopes that we can facilitate a new tenant as quickly as possible. However, the Town will be unable to terminate the lease unless a new tenant is secured, Kenworthy seconds.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jay Tobias, Councilman  
**SECONDER:** Milt Kenworthy, Councilman  
**AYES:** Tobias, Kenworthy, Scarbrough, Bare, Aitken, Harnest

### QBE Lease

Motion to instruct the Town Manager along with the Town Attorney to enter into lease negotiations with QBE for the tenant space currently occupied by another tenant on the second floor of the Town Hall building

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jay Tobias, Councilman  
**SECONDER:** Mary-Lou Scarbrough, Councilwoman  
**AYES:** Tobias, Kenworthy, Scarbrough, Bare, Aitken, Harnest

### The Very Thing Flood Damage

Tobias motions to authorize the lease abatement of up to 4 days for the Town's tenant "The Very Thing", located at 15000 Washington Street Suite 110, due to closure during the clean up of flood damage caused by the storm of May 22, 2012; however, the Town summarily rejects their claim made for loss sales, damaged merchandise, clean-up, etc and for any other costs not covered by the insurance companies, Bare seconds.

Scarbrough adds that the reason for this decision is that their lease is worded so that they should have had the appropriate insurance coverage, and would not have been out of pocket had the coverage been in place.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jay Tobias, Councilman  
**SECONDER:** Rebecca Bare, Councilwoman  
**AYES:** Tobias, Kenworthy, Scarbrough, Bare, Aitken, Harnest

### Tenant Insurance

Tobias Instructs the Town Manager to work with the Town Attorney to verify that proper tenant insurance is in place for all of the Town tenants, Bare seconds.



<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jay Tobias, Councilman
<b>SECONDER:</b>	Milt Kenworthy, Councilman
<b>AYES:</b>	Tobias, Kenworthy, Scarbrough, Bare, Aitken, Harnest

## 6. Councilmember Time

A. David Leake

B. James Tobias

It has come to his attention that the Boy Scouts meet regularly at the Town Hall. Due to miscommunication there is now a conflict with the night they need the Town Hall. He would like to direct staff to work out arrangements with Troop 1882 for a more definitive agreement.

C. Milt Kenworthy

Agrees with Tobias

D. Mary Lou Scarbrough

Welcomes new council members. Thanks staff for Facebook postings about the Storm and for posting updates on the Hulfish House and Old Post Office.

E. Rebecca Bare

F. Katherine Harnest

G. Steve Aitken

Thanks everyone for the warm welcome.

## 7. Motion to Adjourn

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Milt Kenworthy, Councilman
<b>SECONDER:</b>	Katherine Harnest, Councilwoman
<b>AYES:</b>	Tobias, Kenworthy, Scarbrough, Bare, Aitken, Harnest

Submitted:

Approved:

\_\_\_\_\_  
Jennifer Preli, Town Clerk

\_\_\_\_\_  
David Leake, Mayor

Minutes Acceptance: Minutes of Jul 2, 2012 7:00 PM (Minutes Acceptance)



# TOWN OF HAYMARKET TOWN COUNCIL

## EMERGENCY MEETING ~ MINUTES ~

David Leake, Mayor  
<http://www.townofhaymarket.org/>

15000 Washington St  
Haymarket, VA 20169

Tuesday, July 17, 2012

8:00 PM

Council Chambers

A Emergency Meeting of the Mayor & Council of the Town of Haymarket, VA, was held this evening in the Board Room, Commencing at 8:00 PM

Mayor David Leake called the meeting to order.

### 1. Call to Order

Councilman Jay Tobias: Present, Councilman Milt Kenworthy: Present, Councilwoman Mary-Lou Scarbrough: Absent, Mayor David Leake: Present, Councilwoman Rebecca Bare: Present, Councilman Steve Aitken: Present, Councilwoman Katherine Harnest: Present.

### 2. Agenda Items

#### A. Virginia Retirement System Employer Contribution Rate

BE IT RESOLVED, that the Town of Haymarket, 55260, does hereby acknowledge that its contribution rates effective, July 1, 2012 shall be based on the higher of a) the contribution rate in effect for FY 2012, or b) seventy percent of the results of the June 30, 2011 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2012-2014 biennium (the "Alternate Rate") provided that, at its option, the contribution rate may be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to Virginia Code §51.1-145 (I) resulting from the June 30, 2011 actuarial value of assets and liabilities (the "Certified Rate"); and

BE IT ALSO RESOLVED, that the Town of Haymarket, 55260, does hereby certify to the Virginia Retirement System Board of Trustees that it elects to pay the following contribution rate effective July 1, 2012;

X The Certified Rate of 8.57%

BE IT ALSO RESOLVED, that the Town of Haymarket, 55260, does hereby certify to the Virginia Retirement System Board of Trustees that it has reviewed and understands the information provided by the Virginia Retirement System outlining the potential future fiscal implications of any election made under the provisions of this resolution; and

NOW, THEREFORE, the officers of the Town of Haymarket, 55260, are hereby authorized and directed in the name of the Town of Haymarket to carry out the provisions of this resolution, and said officers of the Town of Haymarket are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by the Town of Haymarket for this purpose.

#### DISCUSSION:

*Aitken asks if the 8.57% was already factored into the Fiscal Year 2013 Budget; Tobias responds yes it has been factored in. The Town was informed of this rate sometime ago.*

Minutes Acceptance: Minutes of Jul 17, 2012 8:00 PM (Minutes Acceptance)

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jay Tobias, Councilman  
**SECONDER:** Rebecca Bare, Councilwoman  
**AYES:** Tobias, Kenworthy, Leake, Bare, Aitken, Harnest  
**ABSENT:** Mary-Lou Scarbrough

**3. Motion to Adjourn**

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jay Tobias, Councilman  
**SECONDER:** Milt Kenworthy, Councilman  
**AYES:** Tobias, Kenworthy, Bare, Aitken, Harnest  
**ABSENT:** Mary-Lou Scarbrough

Submitted:

Approved:

\_\_\_\_\_  
 Jennifer Preli, Town Clerk

\_\_\_\_\_  
 David Leake, Mayor

Minutes Acceptance: Minutes of Jul 17, 2012 8:00 PM (Minutes Acceptance)



# TOWN OF HAYMARKET TOWN COUNCIL

## REGULAR MEETING

~ Minutes ~

David Leake, Mayor  
<http://www.townofhaymarket.org/>

15000 Washington St  
 Haymarket, VA 20169

Monday, August 6, 2012

7:00 PM

Council Chambers

A Regular Meeting of the Mayor & Council of the Town of Haymarket, VA, was held this evening in the Board Room, Commencing at 7:00 PM

called the meeting to order.

### 1. Call to Order

Councilman Steve Aitken: Present, Councilwoman Rebecca Bare: Present, Councilwoman Katherine Harnest: Present, Mayor David Leake: Present, Councilwoman Mary-Lou Scarbrough: Present, Councilman Milt Kenworthy: Present, Vice Mayor Jay Tobias: Present.

### 2. Pledge of Allegiance

### 3. Citizen's Time

Ken Luersen - 6752 Jefferson Street

He here this evening to thank the Haymarket Police Department. He would like Officer Shaver's good gesture of notifying him that he had left his headlights on to be noticed by the Council. He does not know Officer Shaver. He hopes this could be used toward Officer Shaver's next performance review.

Jim Smith - 6937 Jockey Club Lane

He is here this evening about the Old Firehouse Building. He would like to see it a community center at that location. He is part of a, led by US STEM, Ruritans, Food Pantry. They will put a packet together to submit a proposal to the Board of County Supervisors. He would like the Council to consider a resolution in support of this community center. 1946 is when the firehouse was built, it has served the community for approximately 66 years. There are many great things that could come of this community center.

Charles Stewart - Pastor of Haymarket Baptist Church

He would like to say a word of encouragement and hopes the Town and church can come to a good resolution. Haymarket Baptist Church is anxious to move forward and he knows the Town is also.

### 4. Minutes Acceptance

A. Minutes of June 4, 2012

#### Minutes of June 4, 2012

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Mary-Lou Scarbrough, Councilwoman
<b>SECONDER:</b>	Katherine Harnest, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

B. Town Council - Special Meeting - Jun 18, 2012 7:00 PM

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Katherine Harnest, Councilwoman
<b>SECONDER:</b>	Rebecca Bare, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

### 5. Department Reports

A. Building Official's Report James R. Lowery, Jr.

James R. Lowery, Jr., Building Official (not present)

B. Police Report James E. Roop

- C. Treasurer's Report James Naradzay  
 D. Town Manager's Report Gene Swearingen

In person absentee voting will be at the Town Hall this year, as opposed to at the museum as in past years.

A pedestrian light will be installed at the intersection of Washington and Jefferson Streets. The Town has worked with VDOT on the RFP for this project.

Utility Relocations should be coming to an end in the next couple of weeks, he has been told Columbia Gas should be done by August 10.

Streetscape funding. We are about a month away from the RFP being released. B&N was not able to complete this project, with respect to engineering services. They have subcontracted with Rinker Design, so the Town is working closely with Rinker. We have been informed of VDOT's charges for the construction phase of this project will be approximately 20%. We will be applying for another round of funding this fall.

We have hired a part-time administrative assistant. Her name is Denise Hall. We also have two strong candidates to take over as manager of the museum.

We have been approached by a company who would like to open a nursing facility in this area. We would not support this specific company, but the idea of having additional nursing beds in western Prince William County.

## 6. Land Use Applications

## 7. Appointments

### A. Planning Commission Vacancies

Motion to appoint Chad Dinan and Ralph Ring to the vacant seats on the Planning Commission Tobias asks for a separation of the two appointments. Mayor reminds there is a motion on the floor

<b>RESULT:</b>	<b>DEFEATED [2 TO 4]</b>
<b>MOVER:</b>	Mary-Lou Scarbrough, Councilwoman
<b>SECONDER:</b>	Steve Aitken, Councilman
<b>AYES:</b>	Steve Aitken, Mary-Lou Scarbrough
<b>NAYS:</b>	Rebecca Bare, Katherine Harnest, Milt Kenworthy, Jay Tobias

### Planning Commission Vacancy

Motion to appoint Bob Weir to the Planning Commission through 06/30/2016

<b>RESULT:</b>	<b>ADOPTED [5 TO 1]</b>
<b>MOVER:</b>	Jay Tobias, Vice Mayor
<b>SECONDER:</b>	Milt Kenworthy, Councilman
<b>AYES:</b>	Aitken, Bare, Harnest, Kenworthy, Tobias
<b>NAYS:</b>	Mary-Lou Scarbrough

### Planning Commission Vacancy

Motion to appoint Ralph Ring to the Planning Commission for the term ending June 30, 2013

<b>RESULT:</b>	<b>ADOPTED [4 TO 2]</b>
<b>MOVER:</b>	Jay Tobias, Vice Mayor
<b>SECONDER:</b>	Rebecca Bare, Councilwoman
<b>AYES:</b>	Rebecca Bare, Katherine Harnest, Milt Kenworthy, Jay Tobias
<b>NAYS:</b>	Steve Aitken, Mary-Lou Scarbrough

### B. Architectural Review Board Vacancies

Motion to appoint Sheila Jarboe to the Architectural Review Board for the term ending 06/30/2015

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jay Tobias, Vice Mayor  
**SECONDER:** Rebecca Bare, Councilwoman  
**AYES:** Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

C. Appointment of Tax Collector

Motion to appoint Sherrie Wilson, Deputy Clerk, as the Town of Haymarket Tax Collector for enforcement collection, refunds, revenues, and review of the Town of Haymarket Taxes

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jay Tobias, Vice Mayor  
**SECONDER:** Rebecca Bare, Councilwoman  
**AYES:** Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

## 8. Agenda Items

A. Zoning Permits

Motion that the Town Council approve Zoning Permit #20120620 for an insurance company use to be located at 14950 Washington Street, Suite 104, in accordance with Section 58-177(9) of the Town Code, and moves that the Town Council approve Zoning Permit #20120627 for a hiring center use to be located at 14945 Washington Street, in accordance with Section 58-177(9) of the Town Code, and further moves that the Town Council approve Zoning Permit #20120629 for a bank use to be located at 6719 Leaberry Way, in accordance with Section 58-381(a) of the Town Code.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Rebecca Bare, Councilwoman  
**SECONDER:** Katherine Harnest, Councilwoman  
**AYES:** Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

B. Hulfish House

Motion to move \$15,000 from the Old Post Office budget and re-allocate to the Hulfish House Renovation project; still keeping within the \$350,000 total budget for the two projects

**RESULT:** ADOPTED [5 TO 1]  
**MOVER:** Mary-Lou Scarbrough, Councilwoman  
**SECONDER:** Katherine Harnest, Councilwoman  
**AYES:** Aitken, Bare, Harnest, Scarbrough, Kenworthy  
**NAYS:** Jay Tobias

C. Old Post Office

D. Alexandra's Keep Final Site Plan Revision 2 GPIN 7397-19-3972

Motion that the Town Council approve Amended Final Site Plan AFSP#20120720, Subdivision /Site Plan Revision 2: Alexandra's Keep, Sheet 21 of 24, prepared by Burgess and Niple, and dated September 5, 2006, revised through June 20, 2012, signed and sealed July 20, 2012, in accordance with Section 58-510 of the Town Code.

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Rebecca Bare, Councilwoman  
**SECONDER:** Katherine Harnest, Councilwoman  
**AYES:** Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

E. Town Hall Master Plan Proposals

Directive from council is to have the staff make a recommendation

F. Spending Policy

Motion to adopt the spending policy regarding the expenditure of Town funds, dated August 6,

2012 as presented this evening by the Town Manager

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jay Tobias, Vice Mayor
<b>SECONDER:</b>	Mary-Lou Scarbrough, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

### G. Citizens' Time

No public comment

H. Closed Session

Motions to enter into closed session 2.2-3711 for the following:

1. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter that involves the teacher and some student and the student involved in the matter is present, provided the teacher makes a written request to be present to the presiding officer of the appropriate board, specifically for the position of Town Attorney

For the record, Lisa Baird, interim Town Attorney, recuses herself from these discussions.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jay Tobias, Vice Mayor
<b>SECONDER:</b>	Katherine Harnest, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Leake, Scarbrough, Kenworthy, Tobias

### Certification of Closed Sesion

Motion 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.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rebecca Bare, Councilwoman
<b>SECONDER:</b>	Katherine Harnest, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Leake, Scarbrough, Kenworthy, Tobias

### I. Closed Session II

Motion to enter into closed session pursuant to 2.2-3711 A

3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically the Streetscape Project and tenant lease agreements, and;

1. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals, namely Town Manager & his staff, and the Chief of Police



**RESULT:**           **ADOPTED [UNANIMOUS]**  
**AYES:**             Aitken, Bare, Harnest, Leake, Scarbrough, Kenworthy, Tobias

### Certification of Closed Session

Motion 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.

**RESULT:**           **ADOPTED [UNANIMOUS]**  
**MOVER:**           Jay Tobias, Vice Mayor  
**SECONDER:**       Katherine Harnest, Councilwoman  
**AYES:**             Aitken, Bare, Harnest, Leake, Scarbrough, Kenworthy, Tobias

#### J. Council Directive

Direct staff to send a zoning determination letter to the Trustee of the Haymarket Baptist Church

## 9. Appropriations

#### A. Washington Street Enhancement Project - Parcel 003 Rebecca Cohen-Pardo

Rebecca Cohen-Pardo (Parcel 003) has agreed to a settlement with the Town. The settlement does provide \$2,100 over and above the appraisal amount of \$7,900.

Motion to appropriate \$2,100 for the settlement with Rebecca Cohen-Pardo, Parcel 003. Funds should be dispersed from the Streetscape expenditures line item

**RESULT:**           **ADOPTED [UNANIMOUS]**  
**MOVER:**           Mary-Lou Scarbrough, Councilwoman  
**SECONDER:**       Rebecca Bare, Councilwoman  
**AYES:**             Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

#### B. Salary Increases Fiscal Year 2013

**RESULT:**           **TABLED [UNANIMOUS]**  
**AYES:**             Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

## 10. Councilmember Time

- A. David Leake
- B. Katherine Harnest
- C. Rebecca Bare

Remind everyone of National Night Out on the Police Department lawn at 14710 Washington Street

- D. Mary Lou Scarbrough
- E. Milt Kenworthy

He asks if there is only one National Night Out scheduled in the Town for tomorrow night.

- F. Steve Aitken

#### G. James Tobias

Motion the following amendments to the Fiscal Year 2013 adopted budget:

\$11,500 from General Reserve to: \$1,500 Museum Communications, \$5,000 Town Center Property, \$5,000 Training & Education

\*\*Tobias would like to see added to the September agenda the consideration of appointing a liaison from the Council to the Police Department

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jay Tobias, Vice Mayor  
**SECONDER:** Rebecca Bare, Councilwoman  
**AYES:** Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

**11. Motion to Adjourn**

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Mary-Lou Scarbrough, Councilwoman  
**SECONDER:** Rebecca Bare, Councilwoman  
**AYES:** Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

Submitted:

Approved:

\_\_\_\_\_  
 Jennifer Preli, Town Clerk

\_\_\_\_\_  
 David Leake, Mayor

Minutes Acceptance: Minutes of Aug 6, 2012 7:00 PM (Minutes Acceptance)



# TOWN OF HAYMARKET TOWN COUNCIL

## WORK-SESSION ~ MINUTES ~

David Leake, Mayor  
<http://www.townofhaymarket.org/>

15000 Washington St  
Haymarket, VA 20169

Monday, August 27, 2012

3:00 PM

Council Chambers

A Work-Session of the Mayor & Council of the Town of Haymarket, VA, was held this evening in the Board Room, Commencing at 3:00 PM

Mayor David Leake called the meeting to order.

### 1. Call to Order

Councilman Steve Aitken: Absent, Councilwoman Rebecca Bare: Present, Councilwoman Katherine Harnest: Absent, Councilwoman Mary-Lou Scarbrough: Present, Councilman Milt Kenworthy: Absent, Vice Mayor Jay Tobias: Present, Mayor David Leake: Present.

### 2. Discussion

1. Draft Agenda - September 2012

### 3. Motion to Adjourn

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Rebecca Bare, Councilwoman
<b>SECONDER:</b>	Jay Tobias, Vice Mayor
<b>AYES:</b>	Rebecca Bare, Mary-Lou Scarbrough, Jay Tobias
<b>ABSENT:</b>	Steve Aitken, Katherine Harnest, Milt Kenworthy

This certifies that the Town of Haymarket Town Council did convene a worksession and that no action was taken during this worksession,

ATTEST:

\_\_\_\_\_  
Jennifer Preli, Town Clerk

Minutes Acceptance: Minutes of Aug 27, 2012 3:00 PM (Minutes Acceptance)



# TOWN OF HAYMARKET TOWN COUNCIL

## SPECIAL MEETING ~ MINUTES ~

David Leake, Mayor  
<http://www.townofhaymarket.org/>

15000 Washington St  
Haymarket, VA 20169

Monday, August 27, 2012

6:00 PM

Council Chambers

A Special Meeting of the Mayor & Council of the Town of Haymarket, VA, was held this evening in the Board Room, Commencing at 6:05 PM

Mayor David Leake called the meeting to order.

### 1. Call to Order

### 2. Roll Call

Councilman Steve Aitken: Present, Councilwoman Rebecca Bare: Present, Councilwoman Katherine Harnest: Present, Councilwoman Mary-Lou Scarbrough: Present, Councilman Milt Kenworthy: Present, Vice Mayor Jay Tobias: Present, Mayor David Leake: Present.

### 3. Agenda Items

#### 1. Closed Session

Motion to enter into closed session pursuant to VA 2.2-3711A (1)

(1) Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals, specifically relating to the hiring of the Town Attorney.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Jay Tobias, Vice Mayor
<b>SECONDER:</b>	Rebecca Bare, Councilwoman
<b>AYES:</b>	Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias, Leake

#### Certification of the closed session

Motion 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.

Minutes Acceptance: Minutes of Aug 27, 2012 6:00 PM (Minutes Acceptance)

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Katherine Harnest, Councilwoman  
**SECONDER:** Rebecca Bare, Councilwoman  
**AYES:** Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias, Leake

#### 4. Motion to Adjourn

**RESULT:** ADOPTED [UNANIMOUS]  
**MOVER:** Jay Tobias, Vice Mayor  
**SECONDER:** Mary-Lou Scarbrough, Councilwoman  
**AYES:** Aitken, Bare, Harnest, Scarbrough, Kenworthy, Tobias

Submitted:

Approved:

\_\_\_\_\_  
 Jennifer Preli, Town Clerk

\_\_\_\_\_  
 David Leake, Mayor

Minutes Acceptance: Minutes of Aug 27, 2012 6:00 PM (Minutes Acceptance)



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TO: Town of Haymarket Town Council  
SUBJECT: Hulfish House Renovation Update  
DATE: 09/04/12

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**Updates on the work are summarized below.**

The Cost Tracking Report for the Hulfish House is attached. The exterior work on the Hulfish House will be completed by the end of August.

Lease negotiations with the tenant for the Hulfish House have been delayed due to the continued request for a monetary settlement related to the May flooding of her store. Some interior work on the Hulfish House will be delayed until that issue is settled.

At the request of the Town Attorney, we will discuss the request with the Council in closed session.

**RECOMMENDATION**

It is recommended that the Town Council review the request from the tenant and determine whether a new settlement is possible.

# Cost Tracking: Hulfish House

Item	Estimated Cost	Actual Cost	Notes	Final Numbers for Completion
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			Amount Spent through 8/24/12	\$137,740.00
Cover exposed interior walls; remove temporary walls and flooring	\$ 2,700.00	\$ 2,700.00	Work Complete	
Clear interior wall; install sump pump; install temporary floor inside door	\$ 1,800.00	\$ 1,800.00	Work Complete	
Prepare all exterior walls for painting	\$ 11,000.00	\$ 11,000.00	Work Complete	
Exterior walls - materials	\$ 1,000.00	\$ 1,595.00	Work Complete	
Install sister joists/replacement joists and plywood	\$ 5,000.00	\$ 5,678.00	Work Complete	
Materials - joists and plywood	\$ 2,500.00	\$ 2,324.00	Work Complete	
Repair/replace boarded windows and doors	\$ 5,000.00	\$ 4,500.00	Total will be \$4,500 including cost of replacement windows and labor.	\$1,500.00
Remove interior walls on second floor	\$ 1,500.00	\$ 1,200.00	Work Complete	
Remove plaster and drywall on first and second floor	\$ 5,000.00	\$ 3,800.00	Work complete	
Install Insulation and dry wall throughout	\$ 7,000.00	\$ 6,500.00	Low bid quote	
Install ADA Bathroom on side porch	\$ 6,000.00	\$ 4,500.00	Balance on quote from Payne	\$2,500.00
Replace Roof	\$ 15,000.00	\$ 12,000.00	Work Complete	
Chimney repair	\$ 2,000.00	\$ 2,000.00	Work Complete	
Materials - Roof and interior framing	\$ 3,300.00	\$ 3,300.00	Work Complete	
Electrical	\$ 12,000.00	\$ 5,000.00	Low bid	\$2,100.00
HVAC Installation	\$ 15,000.00	\$ 10,500.00	Low bid quote from L.H. Mechanical	\$1,100.00
Repair rear foundation wall	\$ 7,500.00	\$ 7,500.00	Payne price	\$820.00
Fill exterior foundation opening with dirt		\$ 3,500.00	Trenching for power to building	\$1,500.00
Paint Building	\$ 20,000.00	\$ 17,200.00	Work Paid	
Repair/Replace Flooring	\$ 3,500.00	\$ 3,500.00	Quote from Payne	\$3,500.00
Install Downstairs Floor and repair stairs	\$ 6,500.00	\$ 8,500.00	Quote from Payne	\$3,500.00
Build cover over open foundation area	\$ 3,500.00	\$ 5,000.00	Estimate from Payne	\$1,000.00
Install gutters	\$ 3,000.00	\$ 2,240.00	Work Complete	
Out building repair and paint	\$ 5,500.00	\$ 5,500.00	Low bid quote from Gossom	
Out building Roof	\$ 4,000.00	\$ 2,600.00	Low bid quote from Smith & Son Construction 3/20	\$2,600.00
Engineering Support	\$ 3,000.00	\$ 2,510.00	Complete	
Sub-Total	\$ 152,300.00	\$ 136,447.00		\$157,860.00
Contingency	\$ (2,300.00)	\$ 13,553.00		\$7,140.00
<b>Total</b>	<b>\$ 150,000.00</b>	<b>\$ 150,000.00</b>	REVISED BUDGET 8/6/12	<b>\$165,000.00</b>

Attachment: Hulfish House - Cost Tracking (1131 : Hulfish House Renovation Update)

Estimated Completion Date: 30-Aug-12





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TO: Town of Haymarket Town Council

SUBJECT: Old Post Office Renovation

DATE: 09/04/12

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**Updates on the work are summarized below.**

The Cost Tracking Report through is attached. The exterior work on the building, including the addition will be complete by the end of August. Interior work is nearly complete however, some work such as the finishing of the interior walls will be held up until a final lease with a tenant is completed.

At Council's direction we have placed a "For Lease" sign in front of the Old Post Office while we continue to negotiate a lease with the Junkalas. To date we have received three calls regarding the building, all from agents.

**RECOMMENDATION**

It is recommended that the Town Council receive this report as information.

## Cost Tracking: Old Post Office

Item	Estimated Cost	Actual Cost	Notes	Final numbers for completion
			Amount spent through 8/24/12	\$104,800.00
Demolition of Interior, remove chimney and other exterior work	\$ 9,500.00	\$ 7,700.00	Work Complete	
Removal of siding and floor joists. Brace wall dig out rock foundation. Pour concrete footer for western exterior wall and center footers	\$ 20,000.00	\$ 18,300.00	Work Complete	
Repair/replace siding on sides and front	\$ 4,500.00	\$ 3,118.00	Work Complete	
Materials for siding repair	\$ 2,000.00	\$ 2,000.00	Work Complete	
Replace floor framing and flooring	\$ 7,500.00	\$ 4,831.00	Work Complete	
Materials - floor framing and sub-flooring	\$ 5,000.00	\$ 3,160.00	Work Complete	
Replace/repair windows and doors	\$ 7,500.00	\$ 750.00	Included in other quotes	
Repair of north Foundation wall	\$ 3,500.00	\$ 1,200.00	Work Complete	
Replace stairs	\$ 1,500.00	\$ 2,000.00	Century Stair quote plus estimated installation	\$1,200.00
Beam and bracing for second floor ceiling	\$ 1,200.00	\$ 1,200.00	Final estimate	\$1,200.00
Demolish old addition	\$ 2,500.00	\$ 2,500.00	Work Complete	
Replace Roof	\$ 10,000.00	\$ 10,500.00	Final amount to be paid when addition is complete	\$3,500.00
Gutters	\$ 1,500.00	\$ 1,450.00	Final Number	\$1,450.00
New addition	\$ 20,000.00		Final quotes	
Prepare foundation		\$ 2,700.00	Work Complete	
Plumbing for ADA Bathroom		\$ 7,500.00	Revised Quote	\$4,500.00
Construction		\$ 16,000.00	Revised Quote	\$2,620.00
Addition - Insulation and Drywall		\$ 2,000.00	Revised Quote	\$2,000.00
Handicap Ramp	\$ 3,500.00	\$ 2,500.00	Final quote	\$2,000.00
Paint Exterior	\$ 14,000.00	\$ 8,650.00	Remainder to be paid	\$4,750.00
Upstairs Beam and Bracing	\$ 5,000.00	\$ 5,000.00	Final quote	\$1,500.00
Electrical	\$ 10,000.00	\$ 6,500.00	Final Quote	\$5,500.00
HVAC	\$ 18,000.00	\$ 7,850.00	Low bid from L H Mechanical	\$5,850.00

Repair Windows and Front door	\$ 2,500.00	\$ 2,500.00	Final estimate	\$2,500.00
Repair/Replace Upstairs flooring	\$ 2,500.00	\$ 2,500.00	Final Estimate	\$2,500.00
Install downstairs flooring	\$ 4,500.00	\$ 4,500.00	Final estimate	\$5,700.00
Water tap Fee	\$ 5,750.00	\$ 5,750.00	Paid	
Upstairs insulation and interior Painting			Quote from Payne	\$5,500.00
Stone façade on foundation			Quote from Payne	\$1,900.00
Final grading	\$ 5,000.00	\$ 5,000.00	Tenant	
Engineering/Administration	\$ 12,000.00	\$ 4,740.00	Through 8/3	
Sub-Total	\$ 178,950.00	\$ 142,399.00		\$158,970.00
Contingency	\$ 21,050.00	\$ 57,601.00		\$26,030.00
			Total to Complete Old Post Office	\$185,000.00
<b>Total Budget</b>	<b>\$ 200,000.00</b>	<b>\$ 200,000.00</b>	<b>NEW BUDGET - 8/6/12</b>	<b>\$185,000.00</b>

Estimated Completion Date:

19-Sep-12



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TO: Town of Haymarket Town Council  
SUBJECT: Engineering Services - Washington Street Enhancement  
DATE: 09/04/12

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On August 9, a Pre-Advertisement Conference (PAC) was held at VDOT to go over review comments from VDOT in preparation for the August 31 Advertisement of the project. Two important issues impacting the project were raised at the meeting:

1. While VDOT had agreed in 2001 to perform the Geotechnical testing and recommendations, it had never been done. VDOT has since begun the testing and will provide the recommendations no later than mid-September. An addendum to the RFP can be issued if any of the recommendations require revisions to the plans.
2. When this project was started in 2000, it was established that the drainage would follow the VDOT standards and protocols. At that time, the VDOT standard for providing water quantity and water quality control (also known as SWM/BMP) was to allow an exemption for needing SWM/BMP if there was less than an acre of new pavement proposed by the project. This project had been developed using this standard and was approved for Right of Way Acquisition by VDOT in 2009 with that understanding.

However, also in 2009, VDOT changed their standard for allowing an exemption in accordance with laws passed on stormwater management to allow SWM/BMP exemptions only for projects that had less than one acre of "regulated disturbed area" per outfall. VDOT never informed the Town of this change or that the Enhancement Project would not be grandfathered to the previous exception. In addition, even newer SWM/BMP standards and laws came into effect as of July 1, 2012. The issue that the Enhancement Project would need to address SWM/BMP was raised for the first time at the PAC.

It has been determined that the Enhancement Project will be grandfathered from the new standards that came into effect on July 1, but will have to address SWM/BMP to the standards that were in effect prior to July 1, 2012. Based on an initial evaluation, the Town's engineering consultant believes that the Enhancement Project will still be exempt from needing to provide SWM/BMP, but will need to perform research, survey, calculations, documentation and coordination with VDOT to establish what actually needs to be done for this project.

As a result of having to go through this process and admitting that not informing the Town of the changed standards is their fault, VDOT agrees that the project cannot be advertised on August

31, 2012. The engineering consultant has stated that this issue can be addressed along with moving the drainage in accordance with the Haymarket Baptist Church settlement so that the project can be advertised on or before the end of September. However, the addendum for the engineer to perform this additional work needs to be approved by Town Council.

The addendum from the engineering consultant is \$18,227, which includes both the relocating the drainage as part of the Haymarket Baptist Church settlement and the need to meet SWM/BMP standards. It should be noted that this contract is a cost plus fixed fee contract with a not to exceed amount, not a lump sum contract. This means that the engineer will only bill for time actually worked and the additional amount is the increase in the not to exceed amount. Due to the efficient nature of their work to date, they have not used up the entirety of funds available from the previous addendum. However, so that staff does not have to come back to Council to request additional money which would cause additional delay in advertising, The Town Manager and staff requests that the Council approve the addendum and appropriate up to \$18,227 for it.

The appropriation will come from the Streetscape Expenditures Line Item.

As mentioned in the August meeting, the Town Manager and staff will be going after additional grant funding to cover the additional expenses occurred on this project. This addendum is eligible for the 80% reimbursement from the enhancement program grant.




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TO: Town of Haymarket Town Council  
 SUBJECT: Alexandra's Keep General Development Conditions  
 DATE: 09/04/12

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The subdivision of Alexandra's Keep, when approved, had proffered conditions attached to its development. The monetary contribution proffers become due and payable once the occupancy permits are issued. All twelve lots have been billed \$16,676.03 each; DR Horton has paid all twelve invoices. The following is the breakdown of the \$16,676.03:

Designated purpose	Amount per lot	Total per designated purpose
<b>Historic Resources</b> <i>"To be used by the Historic Commission of Haymarket"</i>	\$500.00	\$6,000.00
<b>Police Fire &amp; Rescue</b> <i>"To be used for the improvement of police, fire and rescue services within the Town. The Town may forward all or a portion of this contribution to Prince William County or to the Gainesville Volunteer Fire Company"</i>	\$1,257.53	\$15,090.36
<b>Parks, Recreation, Public Works</b> <i>"To be used for parks, recreation facilities, sidewalks, streetscape, and other public improvements within the Town"</i>	\$4,500.00	\$54,000.00
<b>Schools</b> <i>"To be used for the improvement of public schools serving the Town residents. The Town Council, at its sole discretion, may forward all or a portion of this contribution to the Prince William County School Board or to a specific local school PTA"</i>	\$8,435.00	\$101,220.00
<b>Escalator</b>	\$1,983.50	\$23,802.00
<b>TOTAL</b>		<b>\$200,112.36</b>

**ATTACHMENTS:**

- Alex Keep-Ordinance-SUP Dev Conditions-Binder (PDF)

MOTION: Weir August 1, 2005 - Regular Meeting  
Continued to August 15, 2005  
SECOND: Sikorsky Ord. No. 05- 001

RE: AN ORDINANCE TO ESTABLISH A SPECIAL USE PERMIT (SUP) WITH DEVELOPMENT CONDITIONS FOR ALEXANDRA'S KEEP – TRUSTED MANAGEMENT AND SERVICES LLC AND ROBERT L. SIMMONS & ASSOCIATES, LLC (Applicants) GPIN PARCEL NO. 7397-19-3972

**ACTION:**

**WHEREAS**, this is a request to approve a Special Use Permit (SUP) to allow townhouses in an R-2 zone with a private shared accessway as shown on the *Generalized Development Plan, Special Use Permit Plan and Zoning Plat*, prepared by Burgess & Niple (last revised June 10, 2005) and with conditions as set forth in the Special Use Development Conditions dated April 27, 2005, revised August 1, 2005. The site is located along Bleight Drive and is identified on Town maps as GPIN 7397-19-3972; and

**WHEREAS**, the special use permit was duly referred to the Planning Commission and a public hearing was held after due notice and advertising in strict conformity with the statutes made and provided for such matters and the Planning Commission did recommend adoption of such special use permit to the Council; and

**WHEREAS**, the Town Council did hold a public hearing on the 1<sup>st</sup> day of August 2005, after duly advertising and noticing the same, all in strict conformity with the statutes made and provided for such matters; and

**WHEREAS**, the Town Council did thereafter consider the special use permit and the appropriate development conditions in relation thereto.

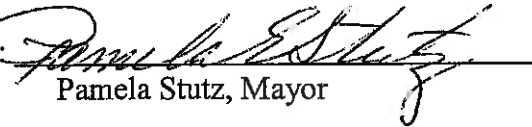
**NOW, THEREFORE, BE IT ORDAINED**, on motion duly made and upon a roll call vote, a quorum being present, by the Town Council of the Town of Haymarket, Virginia that the public necessity, convenience, general welfare and good zoning practice indicate that the Council grant a special use permit under the particular facts and circumstances of the application for townhouses in an R-2 district as permitted by Section 58-98 of the Code of the Town of Haymarket, Virginia, and in furtherance thereof a special use permit is hereby granted for property consisting of approximately 1.9 acres identified as GPIN PARCEL NO. 7397-19-3972, but only upon the express conditions set forth in the Special Use Permit Development Conditions dated April 27, 2005, revised August 1, 2005, attached hereto as Exhibit "A" and incorporated by reference including, among other things, the Generalized Development Plan, Special Use Permit Planning and Rezoning plat of Alexandra's Keep prepared by Burgess & Niple, dated June 10, 2004, all of which are incorporated as if fully set forth herein and further conditioned upon the validity and enforcement of a certain Indemnification Agreement



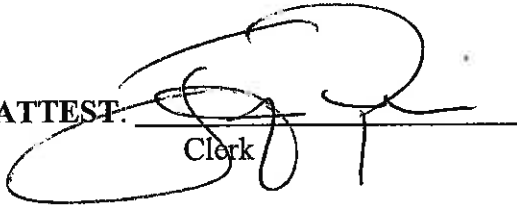
dated April 15, 2005 executed by the owner and contract purchaser, attached hereto as Exhibit "B". The Council finds that the special use permit gave rise to the need for such conditions, and that such conditions have a reasonable relation to the special use permit hereby granted.

Done this 15<sup>th</sup> day of August, 2005 by roll call vote of the Town Council of Haymarket, Virginia.

TOWN COUNCIL  
TOWN OF HAYMARKET, VIRGINIA

By:   
Pamela Stutz, Mayor

ATTEST.

  
Clerk

Voting aye: Tobias, Garcia and Weir

Voting nay: Sikorsky and Jarboe

Abstaining: None

Absent: None

SUP Alexandra's Keep 8/25/05  
Exhibit "A"

**SPECIAL USE PERMIT DEVELOPMENT CONDITIONS**  
**APRIL 27, 2005**  
**REVISED AUGUST 1, 2005**  
**ALEXANDRA'S KEEP**

**Record Owners/Applicants:** Trusted Management and Services, LLC

**Contract Purchaser:** Robert L. Simmons & Associates, LLC

**Property:** GPIN Number 7397-19-3972; Town of Haymarket  
(hereinafter, the "Property")

**Site Area:** 1.9 ± acres

**Zoning:** R-2 with an SUP for Townhouses

The term "Applicant" as referenced herein shall include within its meaning all successors and assigns of the current Applicant. The term "Special Use Permit Plan" or "SUP Plan" as referenced herein shall include the plan entitled "Generalized Development Plan, Special Use Permit Plan and Rezoning Plat Alexandra's Keep," prepared by Burgess & Niple and dated June 10, 2004, as last signed and sealed April 26, 2005.

**1. DEVELOPMENT AND USE**

1.1 The Property shall be developed and used for a maximum of twelve (12) single family attached townhomes, with a minimum lot size exceeding 2,000 square feet.

1.2 Development of the Property shall be in substantial conformance with the Special Use Permit Plan, provided, however, that minor modifications to the lot layout and road alignments may be made due to final engineering considerations at the time of subdivision plan submission.

1.3 Prior to obtaining the first occupancy permit for the Property, the Bleight Drive cul-de-sac and road improvements shall be constructed by the Applicant substantially as shown on the SUP Plan. Bleight Drive shall be widened to a twenty-two (22) foot wide pavement section in the area shown on the SUP Plan in conformance with VDOT as well as Town requirements and specifications.

**2. COMMUNITY DESIGN**

2.1 Subject to modifications made in the ARB approval process, the architectural design and building materials on the Property shall be substantially the same in design, materials and color, with that shown on Exhibit A hereto.

RM SIL

2.2 A landscaped berm along I-66 shall be installed by the Applicant as generally shown on the SUP Plan. This landscaped berm shall be protected by a conservation/buffer easement and maintained by an HOA established by the Applicant.

2.3 At least eight deciduous shade trees, other than maples and weeping willows, each with a planting height of at least eight feet shall be planted, maintained and replaced, if dead or dying, along the internal access road on the Property. The species and exact location of these trees shall be approved by the Town at the time of final site plan.

2.4 All outdoor lighting fixtures, excluding public street lights, shall use full cut-off or directionally shielded fixtures which direct and control light so as to minimize glare by substantially confining the light to the object or area intended to be illuminated. Said lighting fixtures shall be specified on the site plan approved by the Town.

2.5 Each townhouse shall be greater than 1800 square feet in finished floor area, exclusive of basement areas, and shall have an attached two car garage.

2.6 A covenant shall be recorded among the Land Records which provides that garages for the single-family attached units shall only be used for a purpose that will not preclude the intended purpose of garages (e.g., parking of vehicles). This covenant shall be recorded among the land records prior to the sale of any lots and shall run to the benefit of the homeowners association and the Town. The Town shall have the authority, but not the obligation, to enforce such covenants and all provisions of condition number 10 below. The homeowners association documents and covenants shall be submitted to the Town Attorney for review and approval. These documents shall provide that the Town, as prevailing party in any enforcement action, shall be entitled to reimbursement of all its costs, including reasonable attorneys fees in prosecuting such enforcement action. Purchasers shall be advised of the foregoing prior to entering into a contract of sale.

**3. UTILITIES**

3.1 The Property shall be connected to public water and sewer at no cost to the Town or to the Prince William County Service Authority (PWCSA). The Applicant shall be responsible for construction of all on and off site facilities necessary to allow dwellings on the Property to be served by public water and sewer facilities.

**4. ENVIRONMENT/TREE SPECIES**

4.1 Super-silt fencing or equivalent practices for erosion and sedimentation control shall be provided on all portions of the Property in connection with any land disturbing activity.

4.2 The Applicant shall submit a landscaping plan, as part of the first Subdivision Plan submission, which provides for the planting of street trees and buffer areas. The Applicant shall establish deed covenants and restrictions to preserve existing and supplemental landscaping

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shown on said landscaping plan. Said landscaping plan shall not utilize any white pine, flowering pears or mountain ash trees.

4.3 Said landscaping plan shall show a minimum of 32 deciduous and evergreen trees along the southern boundary, at least 16 deciduous and evergreen trees along the eastern boundary, and at least 40 deciduous and evergreen trees along the northern boundary, each with a minimum planting height of eight feet, all as substantially shown on the SUP plan. The species and exact location of these trees shall be approved by the Town at the time of final site plan. The Applicant, its successors and assigns, shall be responsible for planting, maintaining and replacing, if dead or dying, all such trees shown on the approved Site Plan.

**5. STORMWATER MANAGEMENT**

5.1 A stormwater management/best management practices facility serving the entire area of the Property shall be provided offsite on GPIN parcel number 7397-19-4508. The easement and design specifications for said SWM/BMP facilities shall be approved by the Town as part of the Site Plan for the Property.

5.2 A restrictive covenant shall be included in the Deed of Subdivision precluding any discharge into the public sanitary or storm sewer of fuels, oil, solvents, antifreeze or other similar pollutants.

**6. HISTORIC RESOURCES**

The Applicant shall contribute to the Town, on a per unit basis, \$500.00 per townhouse unit, to be used by the Historic Commission of Haymarket. This per unit contribution shall be made on or before the time of obtaining each final building permit.

**7. POLICE, FIRE AND RESCUE**

The Applicant shall contribute to the Town, on a per unit basis, \$1,257.53 per townhouse unit, to be used for the improvement of police, fire and rescue services within the Town. The Town may forward all or a portion of this contribution to Prince William County or to the Gainesville Volunteer Fire Company. This per unit contribution shall be made on or before the time of obtaining each final building permit.

**8. PARKS/RECREATION/PUBLIC WORKS**

The Applicant shall contribute to the Town, on a per unit basis, \$4,500.00 per townhouse unit to be used for parks, recreation facilities, sidewalks, streetscape, and other public improvements within the Town. This per unit contribution shall be made on or before the time of obtaining each final building permit.

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**9. SCHOOLS**

The Applicant shall contribute to the Town, on a per unit basis, \$8,435.00 per townhouse unit, to be used for the improvement of public schools serving Town residents. The Town Council, at its sole discretion, may forward all or a portion of this contribution to the Prince William County School Board or to a specific local school PTA. This per unit contribution shall be made on or before the time of obtaining each final Building Permit.

**10. CREATION OF HOMEOWNERS ASSOCIATION**

10.1 A homeowners association ("HOA") shall be created and shall be made responsible for the maintenance and repair of all common areas and facilities, including the off-site stormwater management facility established in accordance herewith. The HOA shall be granted such other responsibilities, duties, and powers as are customary for such associations, or as may be required to effect the purposes for which such HOA is created. Such HOA shall also be granted sufficient powers as may be necessary, by regular or special dues or assessment, to raise revenues sufficient to perform the duties assigned hereby, or by the documents creating the Association.

10.2 In addition to any other duties and responsibilities as may be assigned to it, the HOA shall have title to and responsibility for maintaining, repairing, improving and/or constructing all facilities, landscaping and other improvements on, under or over (i) all common open space areas not dedicated to public use, (ii) all common buffer areas located outside of residential lots, and (iii) the any entrance feature, signs, private drive, private sidewalks, common area lighting and off-site stormwater management facility.

10.3 The HOA documents and covenants shall fully implement the letter and spirit of these SUP development conditions. The HOA documents and covenants shall be reviewed and approved by the Town Attorney prior to their recordation among the land records.

**11. ESCALATOR**


In the event the monetary contributions set forth herein are paid to the Town within eighteen (18) months after final approval of this SUP, said contributions shall be in the amounts as stated herein. Any monetary contributions set forth herein which are paid to the Town after eighteen (18) months following final approval of this SUP shall be adjusted in accordance with the Consumer Price Index for all urban consumers 1982-1984=100 (not seasonally adjusted) ("CPI-U") published by the United States Department of Labor, such that at the time contributions are paid they shall be adjusted by the percentage change in the CPI-U from that date eighteen (18) months after final approval of this rezoning to the most recently available CPI-U to the date the contributions are paid.

**12. DEVELOPMENT CONDITIONS**

The foregoing development conditions are agreed to and accepted as binding by the owner and contract purchaser of the Property and upon any successor in title of the Property.

*Handwritten initials: RN*      4      *Handwritten initials: S.L*

Any contract of sale for the Property and any deed of conveyance of the Property shall contain a statement that the Purchaser/Grantee agrees to and accepts as binding all provisions of the SUP application and any permits issued pursuant thereto.

By:  \_\_\_\_\_, Managing Member  
Robert L. Simmons & Associates, LLC

By:  \_\_\_\_\_, Managing Member  
Trusted Management and Services, LLC

V:\Company\Simmons & Associates, LLC\SUP Develop Conditions clean 8-16-05.doc

SUP-Alexandra Keep 8/15/05  
Exhibit "B"

August 15, 2005

Town Council  
Haymarket Town Hall  
15016 Washington Street  
Haymarket, VA 20168

**Re: Alexandra's Keep**

Dear Council Members:

The Applicant, on behalf of itself and its successors and assigns, hereby agrees to and accepts as binding the SUP Development Conditions which are dated April 27, 2005 and revised August 1, 2005. The Applicant, on behalf of itself and its successors and assigns, further agrees to indemnify the Town against any legal challenge filed by the Applicant, its successors or assigns, to any or all of these SUP conditions. Said indemnification shall include the reimbursement of all reasonable costs, including reasonable attorney fees, of defending such legal challenge filed by the Applicant, its successors or assigns.

Robert L. Simmons & Associates, LLC

By: 

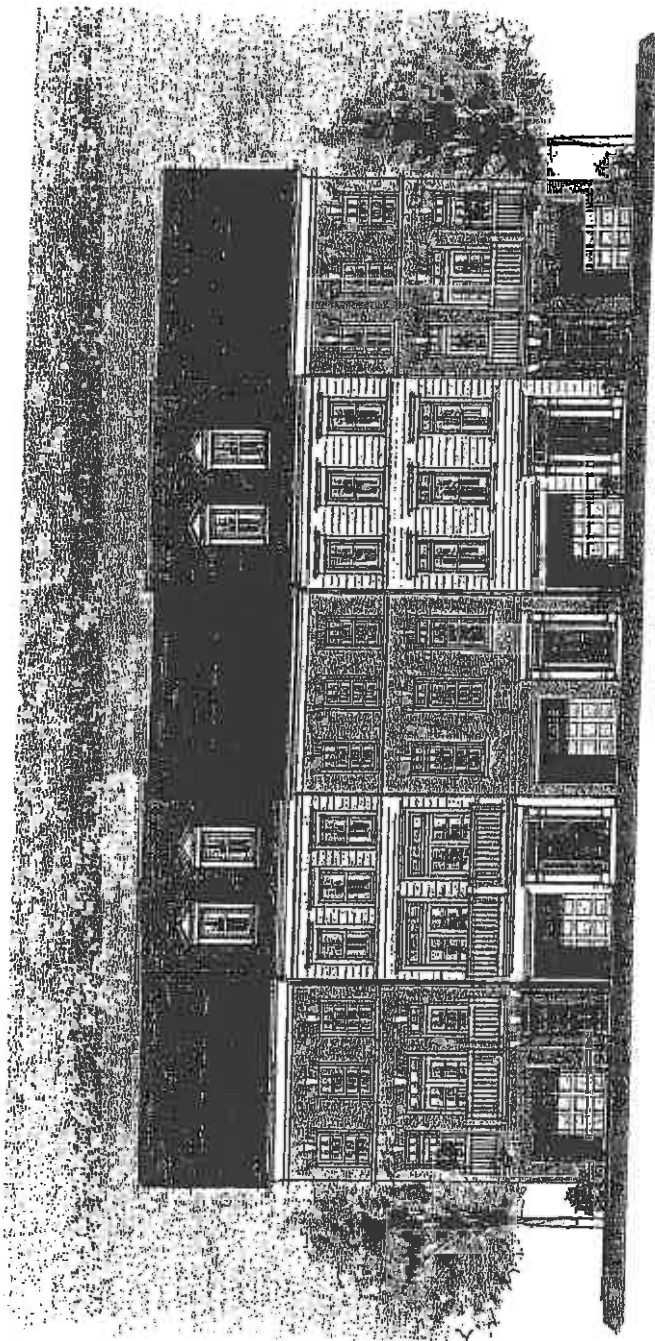
Trusted Management and Services, LLC

By:  08/17/2005



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*S.L*

ALEXANDRA'S KEEP

HAYMARKET, VA  
NOV. 8, 2004.

ROBERT L. STANFORD & ASSOCIATES, LLC

ELEVATION

THE LESSARD ARCHITECTURAL GROUP INC.  
 10011 LITTLEPIPER DRIVE, SUITE 100, WYOMING, OH 43082  
 TEL: 614-763-2323 FAX: 614-763-2328

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TO: Town of Haymarket Town Council

SUBJECT: Hiring of New Police Officer

DATE: 09/04/12

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**The 2013 Approved Budget included funding for the hiring of a new Police Officer.**

#### BACKGROUND

Before the position can be filled, the approval of the Town Council is required. The Chief of Police will discuss the position with the Council.

#### RECOMMENDATION

It is recommended that the Town Council review the position request from the Chief.



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TO: Town of Haymarket Town Council

SUBJECT: Police Cruiser

DATE: 09/04/12

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The 2013 Budget includes funding for a new Police vehicle to replace the vehicle being driven by the Chief. The purchase requires the action by the Council.

#### BACKGROUND

The Council requested that Chief research various options for the type of vehicle and options for procurement. He will provide the Council with the updated information at the meeting.

#### RECOMMENDATION

It is recommended that the Council approve the purchase of the vehicle based on the information provided by Chief Roop.



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TO: Town of Haymarket Town Council  
SUBJECT: Haymarket Baptist Church  
DATE: 09/04/12

---

Haymarket Baptist Church has agreed to the settlement for the procurement of easements and rights-of-way for the Streetscape Project.

#### BACKGROUND

After several months of negotiations, the Church has agreed to our final offer as described in the attached settlement document. The settlement amount is the amount of our appraisal. There will be no additional payment to the church.

There will be additional costs of \$8,600.00 related to the re-design of the storm water system by our Engineering Consultant, RDA. Those re-design costs are included in the appropriation item for Engineering Services - Washington Street Enhancement Project.

The Town Council is being asked to formally approve the attached agreement. The signatures of the Church Council are now being obtained so that a signed final agreement will be presented to the Council on September 4.

#### RECOMMENDATION

It is recommended that the Town Council approve the agreement. The form of the motion would be:

*"I approve the settlement agreement with the Haymarket Baptist Church as presented to the Town Council on September 4, 2012."*

Or, another motion.



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TO: Town of Haymarket Town Council

SUBJECT: ARB Appropriations

DATE: 09/04/12

---

It is requested this evening that the Town Council amend the budget to appropriate an additional \$1,220, for a new amount of \$5,220, for the line item of Council & Boards, Architectural Review Board. The funds should be transferred from the General Reserves line item.

The purpose of the amendment is so that the Architectural Review Board could be fully staffed with seven members, this would be an additional two members than are currently on the board.



---

TO: Town of Haymarket Town Council  
SUBJECT: General Reserves  
DATE: 09/04/12

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The Town's auditor, Robinson, Farmer Cox has provided a summary of the changes in fund balance and has projected an amount of \$123,025.00 which can be brought forward to the 2013 Budget.

#### BACKGROUND

The onsite work for the audit is now complete. We requested that the auditor review our fund balance and provide the actual amount that can be carried forward from the 2012 budget to the 2013 Budget. The summary is attached. That number includes the amount of revenue collected over the amount budgeted and the amount of expenditures under the amount budgeted.

Bringing this amount forward to this year's budget will increase the total budget by \$123,025.00. State law requires that any increase in the Town budget of over 1% requires a public hearing.

#### RECOMMENDATION

It is recommended that the Town Council amend the budget by bringing the amount of \$123,025.00 from prior year fund balance forward to the 2013 Budget and that the funds be placed in the General Reserve line item.

It is further recommended that the Town Council schedule a public hearing at the October 1, 2012 Council meeting for the amendment of the 2103 Operating budget.

#### ATTACHMENTS:

- Fund Balance Changes Draft 08-24-2012 (PDF)

Town of Haymarket, Virginia  
Summary of Current Year Changes in Fund Balance - DRAFT  
June 30, 2012

	General	Capital Improvements	Town Hall Properties	TOTAL
Fund Balance - June 30, 2011	1,083,225.00	654,575.00	311,907.00	2,049,707.00
FY 12 Revenues	1,791,333.00	115,012.00	251,795.00	2,158,140.00
FY 12 Expenditures	(1,714,663.00)	(205,108.00)	(115,344.00)	(2,035,115.00)
FY 12 Transfers	10,929.00	91,136.00	(102,065.00)	-
Total FY 12 Changes in Fund Balance	87,599.00	1,040.00	34,386.00	123,025.00
Fund Balance - June 30, 2012	1,170,824.00	655,615.00	346,293.00	2,172,732.00

Attachment: Fund Balance Changes Draft 08-24-2012 (1127 : General Reserves)



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TO: Town of Haymarket Town Council

SUBJECT: Treasurer's Report

DATE: 09/04/12

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**ATTACHMENTS:**

- Treasurers Report (PDF)





**APPROVED BUDGET  
FISCAL YEAR 2013**

EXPENDITURES	ADOPTED FISCAL YEAR 2013 BUDGET	ACTUALS THROUGH AUGUST 28, 2012	APPROPRIATED
<b>Capital Improvements</b>			
Boundary Adjustment			
Police Cruiser	34,795	5,448.69	
Town Center Property	5,000	4,162.37	
Street Scape Expenditures	936,000	44,430.37	
Street Scape Funding	425,000	4,571.50	
General Reserve	58,569	6,400.00	
Additional Capital Projects			
<b>Total Capital Improvements</b>	<b>1,459,364</b>	<b>65,012.93</b>	<b>1,459,364.00</b>
<b>Council &amp; Boards</b>			
Council & Consultants (1099s)			
Mayor and Council	25,000	3,150.00	
Architectural Review Board	4,000	255.00	
Planning Commission	5,000	390.00	
<b>Total Council &amp; Consultants (1099s)</b>	<b>34,000</b>	<b>3,795.00</b>	
<b>Events</b>			
Spend the Day In Haymarket	7,500	478.07	
<b>Total Events</b>	<b>7,500</b>	<b>478.07</b>	
<b>Museum</b>			
Museum Programs	3,000		
Equipment	500		
Advertising/Marketing	2,000		
Dues & Subscriptions	45		
Office Supplies	500		
Security System	270		
Website	450	0.00	
<b>Total Museum</b>	<b>6,765</b>	<b>0.00</b>	
<b>Operating Expenses</b>			
Advertising - Meals Tax	7,000		
Audit	18,150		
Advertising	6,000		
Bank Service Charges	120		
Bond Amortization Expense	1,038	170.92	
Cigarette Tax Administration	7,500		
Commissioner Admin Fee	3,992	270.42	
DHCD Surcharge	1,373	182.90	
Discretionary Fund	0		
Grant Proceeds Used	0		
<b>Insurance</b>			
General Liability	29,710	7,143.75	
Worker's Compensation	3,000	1,825.00	
<b>Miscellaneous Expenses</b>			
Dues and Subscriptions	3,530	1,418.16	
Leased Equipment	1,534	98.25	
Literature & Publications	840		
Office Equipment	2,500	93.93	
Office Supplies	4,200	772.66	
Postage and Delivery	3,000	5.75	
Printing and Reproduction	3,000	725.40	

Attachment: Treasurers Report (1104 : Treasurer's Report)



**APPROVED BUDGET  
FISCAL YEAR 2013**

EXPENDITURES	ADOPTED FISCAL YEAR 2013 BUDGET	ACTUALS THROUGH AUGUST 28, 2012	APPROPRIATED
<b>Repairs</b>			
Computer Repairs	500	575.00	
Copier Maintenance	1,323		
<b>Professional Services</b>			
Building Official	18,000	3,080.00	
Administrative Support		815.04	
Chief Financial Officer	21,200	5,793.25	
Engineering Fees	15,000	0.00	
Legal Fees	80,000	3,375.00	
Pass Through Fees	6,672	0.00	
Planner	11,025	1,120.00	
Storm Water Plan Review/Inspect	2,800	3,670.00	
PWC BOE			
Training & Education	6,375	315.00	5,343.75
<b>Travel &amp; Entertainment</b>			
Entertainment	0		
Lodging	1,500	562.74	
Meals	500	69.78	
Mileage	1,500	83.27	
Unused Fire Department Grant	10,577	0.00	
<b>Total Operating Expenses</b>	<b>273,459</b>	<b>60,685.33</b>	<b>82,820.80</b>
<b>Public Safety</b>			
Advertising	878	0.00	
Discretionary Fund	1,013	39.85	
Dues & Subscriptions	5,400	2,722.50	
Equipment Rental	3,645	330.00	
Equipment Maintenance	2,025	75.00	
Equipment	10,500	259.80	
Grant Pass-through	11,475	0.00	
Insurance - Vehicles	7,622	0.00	
Insurance - Workers Comp	8,300		
Legal	12,000	525.00	
Office Supplies	3,375	419.31	
Office Equipment	405	0.00	
Postage & Delivery	608	8.75	
Promotional	945	602.84	
Public Defender	2,500	360.00	
Security System	675	65.85	
Travel/Meals/Mileage	500	56.52	
Uniforms/Accessories	5,000	49.34	
Uniform Maintenance	3,850	0.00	
Vehicle/Fuel	30,000	1,781.77	
Vehicle/Maintenance	15,000	956.18	
<b>Total Public Safety</b>	<b>125,716</b>	<b>8,252.71</b>	<b>24,448.50</b>
<b>Public Works</b>			
Landscaping	15,000	1,958.00	
Maintenance Contract/Street	7,245	780.00	
Snow Removal	4,000	0.00	
Street Cleaning	11,000	0.00	
Street Light Electricity	4,244	288.39	

Attachment: Treasurers Report (1104 : Treasurer's Report)



**APPROVED BUDGET  
FISCAL YEAR 2013**

EXPENDITURES	ADOPTED FISCAL YEAR 2013 BUDGET	ACTUALS THROUGH AUGUST 28, 2012	APPROPRIATED
Trash Removal	88,000	10,944.50	
Total Public Works	129,489	13,970.89	32,372.25
<b>Staff Wages &amp; Benefits</b>			
Salaries, Wages & Earnings			
Staff - Museum	4,000	0.00	
Salaries & Wages	213,455	77,551.05	
Payroll Only (Public Safety)	354,606	878.34	
Total Salaries, Wages & Earnings	572,061	78,429.39	
Payroll Burden			
Health/Life & Disability	108,542	30,471.24	
Employer Payroll Taxes	53,850	6,280.36	
Payroll Processing Fees	2,600	386.80	
Retirement Contributions	40,925	5,703.27	
Total Payroll Burden	205,917	42,841.67	
Total Staff Wages & Benefits	777,978		190,744.50
<b>Town Owned Property</b>			
<b>14710 Washington St (Police Department)</b>			
Building Maintenance/Cleaning	2,000	74.00	
Building Maintenance/Repairs	6,535		
Sprint/Nextel Communications	2,016	168.00	
VA Info Technologies	384	63.81	
Verizon	5,000	844.86	
SunTrust - Harrover	59,200	1,693.13	
Cable	1,601	96.90	
Electric	3,137	423.39	
Gas	2,189	48.00	
Total 14710 Washington St (Police Dp)	82,062	3,412.09	
<b>14740 Washington St (Food Pantry)</b>			
SunTrust - Harrover	59,220	1,693.12	
Building Maintenance/Repairs	2,500		
Total 14740 Washington St (Vac Harr)	61,720		
<b>15000 Washington St. (Government Use)</b>			
Building Repairs	5,000	2,786.38	
Cleaning	3,500	320.00	
General Obligation Bonds	97,353	6,776.66	
Internet & Website	16,000	2,525.00	
Pest Control	750		
<b>Utilities</b>			
Electric	12,417	2,031.66	
Long Distance	1,307	139.73	
Telephone	1,307	310.05	
Water	4,000	248.90	

Attachment: Treasurers Report (1104 : Treasurer's Report)



**APPROVED BUDGET  
FISCAL YEAR 2013**

EXPENDITURES	ADOPTED FISCAL YEAR 2013 BUDGET	ACTUALS THROUGH AUGUST 28, 2012	APPROPRIATED
Total 15000 Washington St. (T.H.B)	141,634		
<b>15000 Washington St (Leasehold)</b>			
Cleaning	4,000	440.00	
Leasehold Real Estate Tax	900	100.30	
Pest Control	630	175.00	
<b>Utilities</b>			
Electric	3,202	573.04	
Gas	261		
Total 15000 Washington St (Tenants)	8,993		
<b>Hulfish House</b>			
Building Maintenance/Repairs	2,500		
Total Hulfish House	2,500		
<b>15020 Washington St (Old Post Office)</b>			
Utilities Old Post Office			
Building Maintenance/Repairs	2,500		
15020 Washington St (Old Post Office) - Other			
Total 15020 Washington St (Old Post Office)	2,500		
<b>15025 Washington St (Museum)</b>			
Repairs	44,675		
<b>Utilities Museum</b>			
Communications	1,500	541.76	
DSL			
Electric	359	90.34	
Gas	1,004	140.00	
Water/Sewer	227	53.20	
Total 15025 Washington St (Museum)	47,765		
<b>15026 Washington St (School)</b>	0		
Total Town Owned Property	347,174		86,418.50
<b>Total Expense</b>	3,161,445		
<b>Surplus / (Deficit)</b>	0		
<b>Prior Year Funding - Transferred</b>			
<b>Net Surplus / Deficit)</b>	0		

Attachment: Treasurers Report (1104 : Treasurer's Report)



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TO: Town of Haymarket Town Council

SUBJECT: Police Report

DATE: 09/04/12

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Please see the Police Report attached.

**ATTACHMENTS:**

- 09-2012 Police Report (PDF)

**Town Police Statistics for  
May, June, & July 2012**

Activity	May	June	July	Total
<b>Mileage</b>	<b>4853</b>	<b>4359</b>	<b>5187</b>	<b>14399</b>
<b>Gas</b>	<b>344.6</b>	<b>446.7</b>	<b>556.3</b>	<b>1347.6</b>
<b>Warning Tickets</b>	<b>32</b>	<b>19</b>	<b>46</b>	<b>97</b>
<b>Parking Tickets</b>	<b>1</b>	<b>2</b>	<b>4</b>	<b>7</b>
<b>Uniform Traffic Summons</b>	<b>57</b>	<b>63</b>	<b>97</b>	<b>217</b>
<b>Criminal Felony</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>8</b>
<b>Criminal Misdemeanor</b>	<b>3</b>	<b>4</b>	<b>6</b>	<b>13</b>
<b>Reports</b>	<b>11</b>	<b>8</b>	<b>12</b>	<b>31</b>
<b>Complaints</b>	<b>257</b>	<b>318</b>	<b>340</b>	<b>915</b>
<b>Accidents</b>	<b>2</b>	<b>3</b>	<b>2</b>	<b>7</b>
<b>Hours Worked</b>	<b>995</b>	<b>974.5</b>	<b>999</b>	<b>2968.5</b>

During the month of July 2012 the Haymarket Police Staff participated in the following:  
 July 9, 2012 underwent VCIN Audit by State Police, results were 100% compliance.  
 July 14, 2012 provided traffic control for Stars & Stripes Celebration.  
 July 17, 2012 Donna completed VCIN Recertification course with 100% test score.

Criminal Stats for July 2012  
Haymarket Police Department

- Drug Overdose = 1
- Suspicious Vehicle = 5
- 911 Hang ups = 2
- Alarm Calls = 3
- Suspicious Person = 9
- Vehicle Crash = 2
- Assist PWC = 1
- Assist VSP = 1
- Loitering = 1
- Juvenile = 1 (Special Inv. for ICAC)
- Larceny = 1
- Fraud = 1
- Animal Call = 1
- Foot Patrols = 1
- Trespassers = 1
- Solicitors = 1
- Abandoned Auto = 1
- Disorderly Conduct = 1
- Fight Call = 1





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TO: Town of Haymarket Town Council  
SUBJECT: Building Official's Report  
DATE: 09/04/12

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1. Performed final inspections on remaining Lots 1,3, and 7-12, Alexandra's Keep. Ready for occupancy.
2. Performed inspections at White Star property, 4426 Costello Way, 2<sup>nd</sup> floor owner renovations.
3. Performed inspections at Hulfish House and Old Post Office.
4. Continuing inspections on Lot 27, Sherwood Forest.
5. Fire alarm inspections approved at QBE space in basement of Foster Building.
6. Performed close-in and insulation inspections at 14975 Walter Robinson Lane.
7. Approved Sona Bank, in Shoppes at Haymarket, for final and occupancy.
8. Spoke with owners of 3 properties on Madison Street regarding need to obtain permits for renovations.
9. Final inspection approved for QBE, second floor, Town Hall Building.
10. Approved fire alarm test for Haymarket Museum.




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TO: Town of Haymarket Town Council  
 SUBJECT: Town Manager's Report  
 DATE: 09/04/12

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#### Museum Update

The new Museum Director, Fran Jacinto, has opened the Museum the past three Sundays and will have the building open for Haymarket day. Fran will attend the Council meeting.

#### Streetscape Utility Relocation

Both Washington Gas and Verizon are still working on Washington Street and both indicate that they will complete their work before Haymarket Day.

#### Pedestrian Signal at Washington and Jefferson Streets

VDOT has installed the wiring necessary for the pedestrian signal. The completion of the installation is expected by the end of September. We have coordinated with VDOT to make sure there will be no work done or heavy equipment present on Haymarket Day.

#### Pedestrian Improvements Project

VDOT has given us approval to advertise for bids to design and construct the Pedestrian Improvement Project which will extend a shared use path along the western side of Jefferson Street from the Cheyenne Way intersection to Washington Street. The advertisement has been published with bids due by October 1, 2012.

#### I-66 Project Updates

**I-66 Widening:** This project is in a holding pattern as the design-build contractors are preparing proposals for consideration by VDOT. VDOT has let the Town know they will allow the contractors to determine the typical section for the Old Carolina Bridge & approaches. While the contractor will be required to put the shared use path on the west side of the bridge, they may choose from a shoulder section (a wide, flat paved area separates the roadway and the shared use path), a curb section (a curb and flat landing area separates the roadway and the shared use path) or a barrier section (a low concrete wall with a railing on top separates the roadway and the shared use path). Holly told VDOT that the curb section would be the Town's preferred option because that matches what the Town envisioned for Old Carolina Road.

**I-66/Rte 15 Interchange:** VDOT has prepared preliminary RFP Plans and disbursed them within VDOT, to Prince William County and to the Town. Holly will be reviewing and commenting on the plans and will attend a work session at VDOT on September 20 to go over all submitted comments. VDOT also hosted a meeting at Town Hall on August 23 with the Town, Prince William County, FHWA, Department of Historic Resources, Buckland Preservation Society, Piedmont Environmental Control, Journey Through Hallowed Ground and Wright Realty to begin the coordination efforts for the 106 process (how the project effects historic resources).





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TO: Town of Haymarket Town Council

SUBJECT: Enter into Closed Session I

DATE: 09/04/12

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1. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals, namely the position of Town Attorney



---

TO: Town of Haymarket Town Council

SUBJECT: Certify Closed Session

DATE: 09/04/12

---

Do each of you 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.



---

TO: Town of Haymarket Town Council

SUBJECT: Enter into Closed Session II

DATE: 09/04/12

---

1. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals, namely the Town Manager and Chief of Police

3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, namely the lease agreement with The Very Thing



---

TO: Town of Haymarket Town Council

SUBJECT: Certify Closed Session

DATE: 09/04/12

---

Do each of you 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.



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TO: Town of Haymarket Town Council

SUBJECT: Town Attorney

DATE: 09/04/12

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TO: Town of Haymarket Town Council  
SUBJECT: Town Center Master Plan  
DATE: 09/04/12

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**The Town received five proposals for developing a master plan for the Town Center property.**

#### BACKGROUND

The Town Council, at its August 2012 meeting appointed a Review Committee which was charged with recommending the preferred firm to provide the design and engineering services for a “master” plan for the Town Center Property. The committee met with the following firms:

Anderson & Associates/Fraizer  
Burgess & Niple  
J2E/LPDA

After that meeting the committee requested a second meeting with J2E. As a result of the interviews and reference checks, the committee is prepared to make a recommendation regarding the firm to provide the Master Plan for the Town Center Property.

#### RECOMMENDATION

It is the recommendation of the review committee that the team of J2Engineers and LPDA be awarded the contract for the Town Center Property Master Plan. It is further recommended that the Town Council amend the budget by transferring \$20,000 from the Capital Reserves line item to the Professional Services Line item Town Planner and appropriate and allocate up to \$20,000 for this service.

#### ATTACHMENTS:

- Town Hall Master Plan Proposal Evaluation-2 (PDF)

	Anderson	J2E
Services	\$19,680 Lump	\$10,000 Lump
Direct costs/estimated costs	(Inc. in Services)	\$10,000 Estimated
# Meetings	3 (Inc. in Services)	8 (Inc in Est Cost)
	<b>\$19,680</b>	<b>\$20,000</b>
	Any mtgs > 3 additional cost	

Proposal Aspects		
Firm Experience	X	
Referenced Comp Plan/Charette	X	
# Prelim Layouts	1	Up to 2
SWM/BMP	X	X
Parking	X	X
Traffic Circulation	X	X
ADA/Pedestrian	X	?
Town Green	X	X
Landscaping	X	X
Building Façade	X	X
Lighting	X	
Phasing	X	?
Funding Sources	X	X
Environmental Concerns		

Interview Aspects		
Grants/funding knowledge	X	✕
Innovative Eng. Solutions	/	✕
Landscape Arch. Ideas	✕	X
Town Knowledge	/	X
Rapport	X	X

Post Interview		
References	X	✕

Legend:

- ? Or blank      Not sure/Not addressed
- /                      Marginally Addressed
- X                      Addressed
- ✕                      Exceptionally Addressed

Attachment: Town Hall Master Plan Proposal Evaluation-2 (1121 : Town Center Master Plan)




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TO: Town of Haymarket Town Council  
 SUBJECT: Zoning Text Amendments  
 DATE: 09/04/12

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**Town Staff has been asked to review legislation enacted during the 2012 Session of the Virginia General Assembly to determine what amendments to the Town's Codified Ordinances, if any, would be required; specifically, amendments to Section 58 of the Town Code (Zoning Ordinance). In conjunction with this effort, Staff is also recommending that the Town Council consider Zoning Ordinance amendments to address, among other standards, business signage, parking, and site plan requirements.**

#### BACKGROUND

The American Planning Association, Virginia Chapter, distributes an annual "Key Bills for Planners" report regarding legislation enacted by the Virginia General Assembly. The intent of the report is to apprise local governments of actions taken by the State which may have an impact on local governance. The Town Attorney and Town Planner have reviewed the Report as well as suggested revisions to the Town Code provided by former Councilman Bob Weir (see attached text). Several amendments are suggested regarding the administration of the Town's Historic District, "stop work" orders regarding land disturbance, and rules and regulations regarding Board of Zoning Appeals decisions. Legislation regarding the authority of the Zoning Administrator is still under review by the Town Attorney.

Also, several land use applications that have been approved in recent years and several pending applications have highlighted conflicting and/or untenable zoning ordinance standards; specifically, parking requirements for drive-thru restaurants, changes of use requiring a site plan, permitted use / special use definitions, and business signage. The Council may also wish to address existing retail uses that are considered "non-conforming uses" in the I-1 district (i.e. Leaberry Shopping Center) as well as town streetscape lighting.

#### RECOMMENDATION

It is recommended that the Town Council adopt a resolution of intent to amend Chapter 58 of the Town Code and to forward the resolution to the Planning Commission for consideration pursuant to Code of Virginia, 15.2-2285, as amended. The resolution directs the Planning Commission to consider such amendments and forward their recommendation to the Town Council.

#### DRAFT MOTION(S)

1. I move that the Town Council adopt the attached Resolution of Intent to Amend Chapter 58 (Zoning) of the Code of Haymarket, Virginia.

Or,

2. I move that the Town Council take no action regarding \_\_\_\_\_.

Or,

3. I move an alternate motion



**ATTACHMENTS:**

- 09-04-2012 Draft Town Council Resolution (ZTAs) (PDF)
- 09-04-2012 Suggested Codified Ordinance Amendments (text) (PDF)

**RESOLUTION OF INTENT TO AMEND CHAPTER 58 (ZONING)  
OF THE CODE OF HAYMARKET, VIRGINIA**

WHEREAS, the Town Council wishes to consider amending Chapter 58 (Zoning) of the Code of Haymarket in furtherance of the purposes of zoning as set out in §15.2-2283 of the Code of Virginia and to further implement the Comprehensive Plan;

WHEREAS, the Town Council wishes to consider initiating amendments to: (1) amend the Minimum Off-street Parking Standards; (2) amend Old and Historic Haymarket District Overlay Standards; (3) amend the use regulations of the I-1 zoning district; (4) amend Signs and Nameplates Standards; (5) amend Site Plan Requirements; (6) amend the Rules and Regulations of the Board of Zoning Appeals; (7) amend Landscaping, Screening, Buffering, Open Space and Streetscape; and (8) amend Definitions, as necessary, to implement any proposed changes;

NOW, THEREFORE, BE IT RESOLVED that the Town Council states its intention to consider amending Chapter 58 of the Code of Haymarket, Virginia, to adopt new provisions and to amend it Comprehensive Plan in furtherance thereof, if necessary;

AND BE IT FURTHER RESOLVED that the Town Council hereby refers these matters to the Planning Commission to consider whether these amendments are in furtherance of the public necessity, convenience, general welfare, and good zoning practice; to prepare draft amendments for consideration; and for the Planning Commission's recommendation in regard to these matters referred.

Done this 4<sup>th</sup> day of September, 2012

TOWN OF HAYMARKET, VIRGINIA

BY \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Clerk

Voting Aye: \_\_\_\_\_

Voting Nay: \_\_\_\_\_

Abstaining: \_\_\_\_\_

Absent: \_\_\_\_\_

Attachment: 09-04-2012 Draft Town Council Resolution (ZTAs) (1128 : Zoning Text Amendments)

## SUGGESTED CODIFIED ORDINANCE AMENDMENTS RE: 2012 SESSION OF THE VIRGINIA GENERAL ASSEMBLY

[09-04-12]

### **Enacted Legislation: HB 327 Historic structures; demolition.**

Amends § 36-105 to provide that a locality may require by ordinance that certain structures within a historic district not be demolished until approved by the review board or, on appeal, the governing body after consultation with the review board. The bill provides, however, that if the local maintenance code official, in accordance with the Uniform Statewide Building Code, Part III Maintenance, determines that the structure constitutes a hazard, the historic structure shall be razed and removed. The bill defines contributing landmark, building, or structure.

### **Town Code Modification**

Sec. 58-554. - Certificate of appropriateness required to erect, reconstruct, alter, restore or raze a building.

(a) In order to promote the general welfare, through the preservation and protection of historic places and areas of historic interest, all buildings within the Old and Historic Town of Haymarket which are 50 years old or older are designated historic buildings. No historic building may be demolished, in whole or in part, nor may any architectural features of such buildings which are subject to public view from a public street be altered without prior application to the architectural review board, [unless the local maintenance code official consistent with the Uniform Statewide Building Code, Part III Maintenance, determines that it constitutes such a hazard that it shall be razed, demolished or moved.](#)

### **Enacted Legislation: HB 1009 Land-disturbing activities; service of order for violation shall be posted on site, etc.**

Amends § 10.1-566 to specify the means of serving an order for land disturbance where no plan has been approved or permit obtained, other than where an agricultural exemption applies. Current law refers only to an order for a failure to comply with a plan or permit.

### **Town Code Modification**

Sec. 18-71. - Monitoring, reports, and inspections.

(c) Upon determination of a violation of this article, the program administrator may, in conjunction with or subsequent to a notice to comply as specified in this article, issue an order requiring that all or part of the land disturbing activities permitted on the site be stopped until the specified corrective measures have been taken. If land disturbing activities have commenced without an approved plan, the program administrator may, in conjunction with or subsequent to a notice to comply as specified in this article, issue an order requiring that all of the land disturbing activities be stopped until an approved plan or any required permits are obtained. Where the alleged noncompliance is causing or is in imminent danger of causing harmful erosion of lands or sediment deposition in waters within the watersheds of the commonwealth, or where the land disturbing activities have commenced without an approved plan or any required permits, such an order may be issued without regard to whether the permittee has been issued a notice to comply as specified in this article. Otherwise, such an order may be issued only after the permittee has failed to comply with such a notice to comply. The order [for noncompliance with a plan](#) shall be served in the same manner as a notice to comply, and shall remain in effect for a period of seven days from the date of service pending application by the enforcing authority or permit holder for appropriate relief to the circuit court of the county. [The order for disturbance without an approved plan or permits shall be served upon the owner by registered or certified mail to the address specified in the land records of the locality, shall be posted on the site where the disturbance is occurring, and shall remain in effect until such time as permits and plan approvals are secured, except in such situations where an agricultural exemption applies.](#) If the alleged violator has not ~~obtained an approved plan or any required permits~~ [implemented the specified corrective measures](#) within seven days from the date of service of the order, the program administrator may issue ~~an a subsequent~~ order to the owner requiring that all construction and other work on the site, other than corrective measures, be stopped until ~~an approved plan and any required permits have been obtained.~~ [Such an such corrective measures are implemented.](#) The subsequent order shall be served upon the owner by registered or certified mail to the address specified in the permit application or the land records of the town. The owner may appeal the issuance of ~~an any~~ order to the circuit court of the county. Any person violating or failing, neglecting or refusing to obey an order issued by the program administrator may be compelled in a proceeding instituted in the circuit court of the county to obey the order and to comply therewith by injunction, mandamus or other appropriate remedy. Upon completion and approval of corrective action or obtaining an

approved plan or any required permits, the order shall immediately be lifted. Nothing in this section shall prevent the program administrator from taking any other action authorized by this article.

**Enacted Legislation: HB 1137 Historic districts; any locality that establishes or expands district shall identify all landmarks.**

Amends § 15.2-2306 to provide that before any locality designates by ordinance any building, structure, district, object, or site as part of a local historic district, public input is required, consistent with § 15.2-2204 of the Code of Virginia. The owners of such property proposed for designation shall be given written notice of the public hearing on the ordinance. A locality shall identify and inventory all structures being considered for inclusion in such a district and shall establish written criteria to be used in making such determination.

**Town Code Modification**

Sec. 58-553. - Creation; boundaries.

- (a) In order to preserve the unique cultural heritage of the town, there is hereby established an overlay district to be known as the "Old and Historic Town of Haymarket," which shall include all that area which lies within the corporate limits of the town.
- (b) Prior to the expansion of the historic district the Town shall identify and inventory all structures being considered for inclusion in such a district and shall establish written criteria to be used in making such determination. The Town shall the identify all landmarks and designate by ordinance any building, structure, district, object, or site as part of a local historic district, subsequent to soliciting public input in a manner consistent with § 15.2-2204 of the Code of Virginia. The owners of such property proposed for designation shall be given written notice of the public hearing on the ordinance.

**Enacted Legislation: HB 1269 Zoning appeals, board of; appeals resulting in tie vote may be carried over until next meeting.**

Amends § 15.2-2311 to provide that if certain votes of a local board of zoning appeals result in a tie vote, the person filing an appeal may have the matter carried over until the next meeting.

**Town Code Modification**

Sec. 58-468. - Rules and regulations of board of zoning appeals.

- (h) In any appeal taken pursuant to this section, if the board's attempt to reach a decision results in a tie vote, the matter may be carried over until the next scheduled meeting at the request of the person filing the appeal.

**Items that need legal input, interpretation or Town Council sense of direction**

**HB 34** Advertising; Commissioner of Highways may enter into agreements with local governing body regarding. Amends §§ 33.1-373 and 33.1-375.1 to allow the Commissioner to enter into agreements with any local governing body authorizing local law-enforcement agencies to act as agents of the Commissioner regarding unlawful signs and advertising on highways and collection of penalties and costs. The bill also amends the law regarding agreements with Fairfax County to provide that signs giving directions to "special events" posted on weekends are not subject to such agreements.

**HB 408** Real property tax; exemption for elderly and disabled.

Amends § 58.1-3212 to provide more flexibility to localities in determining the income and financial worth of the elderly and disabled, for those localities that choose to have caps on income and financial worth in establishing eligibility for the real property tax exemption.

**HB 922** Real estate tax; exemption for disabled veterans.

Real property tax exemption for disabled veterans. Provides that the tax exemption for the primary residence of a disabled veteran, a disabled veteran and his spouse, or a surviving spouse of a disabled veteran includes real property (i) held in a revocable inter vivos trust over which the veteran, the veteran and his spouse, or the surviving spouse hold the power of revocation; (ii) held in an irrevocable trust under which a veteran alone or in conjunction with his spouse possesses a life estate or an estate for joint lives, or enjoys a continuing right of use or support; or (iii) held by a veteran alone or in conjunction with his spouse as tenant or tenants for life or joint lives. The bill also provides that the exemption for the surviving spouse of a disabled veteran includes property held in any of these ways. Finally, the bill establishes a formula for pro rating the amount of the exemption in the event there are owners in addition to the disabled veteran.

**HB 933** Real estate tax; exemption for disabled veterans.

Real property tax; exemption for disabled veterans. Provides that the real property tax exemption for disabled veterans for property acquired after January 1, 2011, begins on the date of acquisition and that the previous owner of the property is entitled to a pro rata refund of any taxes paid for any period of the tax year coming after the date of acquisition. The bill also provides that a veteran or spouse otherwise qualified for the exemption does not lose the exemption solely because of extended stays at hospitals, nursing homes, or other convalescent facilities as long as the real property is not leased to another person.

**HB 1294** Churches, synagogues, etc.; localities shall not charge any fee unless authorized by general law.

Adds § 15.2-108.1 to prohibit localities from charging any fee to any church, synagogue, or other place of worship unless authorized by general law or special act of the General Assembly.

**SB 230** Highway projects; VDOT to provide for training and certification of local government employees.

Administration of local highway projects. Requires VDOT to provide for training and certification of local governments to enable them to administer locally performed highway maintenance and construction projects with minimal VDOT supervision.



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TO: Town of Haymarket Town Council

SUBJECT: Community Center

DATE: 09/04/12

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It is recommended that the Town Council discuss their potential support of a community center in the Town.



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TO: Town of Haymarket Town Council  
SUBJECT: Liaison Appointment - Police Department  
DATE: 09/04/12

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It is recommended that the Town Council consider appointing a liaison to the Police Department



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TO: Town of Haymarket Town Council

SUBJECT: Zoning Permits

DATE: 09/04/12

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The form of the motion would be:

I move that the Town Council approve Zoning Permit #20120711 for an business office use to be located at 14950 Washington Street, Suite 203, in accordance with Section 58-177(9) of the Town Code.

Renee Enterprises, LLC  
14950 Washington Street, #203  
Haymarket, Virginia 20169

**ATTACHMENTS:**

- 14950 Washington Street - New tenant and sign (PDF)



# The Town of HAYMARKET

Established in 1799

RECEIVED  
JUL 11 2012  
TOWN OF HAYMARKE

ZONING PERMIT #: ZP20120711

**NOTE:** This application must be filled out completely and all components of submission requirements must be met before the application can be accepted and scheduled for review/hearing.

## ZONING PERMIT APPLICATION

ZONING ACTIVITY:  New Construction  Alteration/Repair  Addition  Sign  
(Check all that apply)  New Tenant/Use  Change of Use  Relocation

NAME OF BUSINESS/APPLICANT: Renee Enterprises LLC

PROPOSED USE: Advertisement - location Size (Sq. Ft./Length) of Construction: \_\_\_\_\_

SITE ADDRESS: 14950 Washington Street suite 203 Parcel ID #: \_\_\_\_\_

Subdivision Name: \_\_\_\_\_ Lot Size: \_\_\_\_\_

ZONING DISTRICT:  R-1  R-2  B-1  B-2  I-1  C-1 Site Plan Required:  Yes  No

Special Use Permit Required:  Yes  No Homeowners Association (HOA) Approval:  Yes  No

Off-street Parking: Spaces Required: \_\_\_\_\_ Spaces Provided: \_\_\_\_\_

BRIEF DESCRIPTION OF ACTIVITY: (i.e. previous use, type and dimensions of signs, height/length of fencing, etc.)  
1) Housing Redevelopment / buying houses and remodeling to suit  
2) Sign - Renee Enterprises LLC - colors Brown & Teal - hanging

Supporting Documentation (attached):  Narrative  Plan/Plat  Specification Sheet  Sign  
FEE:  \$25.00 Residential  \$50.00 Commercial

① 58-177(9)  
② 58-343(3)

PAID  
JUL 11 2012

## CERTIFICATE OF APPROPRIATENESS

ADDITIONAL DESCRIPTION: (i.e. color, type of material, font style, etc.)  
\_\_\_\_\_  
\_\_\_\_\_

Supporting Documentation (attached):  Specification Sheet  Photograph(s)

PERMIT HOLDER INFORMATION	PROPERTY OWNER INFORMATION
Name: <u>Ralph Monaco - crystal ours</u>	Name: <u>Gerry Kennedy</u>
Address: <u>14950 Washington St - Suite 203</u>	Address: <u>PO Box 546</u>
City: <u>Haymarket Va</u> State: <u>Va</u> Zip: <u>20169</u>	City: <u>Haymarket VA</u> State: <u>VA</u> Zip: <u>20168</u>
Phone#: <u>703-743-5663 / crystal@renee</u>	Phone#: <u>703-754-3908</u>
Cell: <u>763-870-4005</u> Email: <u>Enterprisesva.com</u>	Email: _____

Attachment: 14950 Washington Street - New tenant and sign (1120 : Zoning Permits)

**APPLICANT / PROPERTY OWNER SIGNATURE**

\*\*\*\*\*REQUIRED\*\*\*\*\*

I, as owner or authorized agent for the above-referenced parcel, do hereby certify that I have the authority to make the foregoing application and that the information provided herein is correct. Construction of improvements described herein and as shown on the attached plat, plan and/or specifications will comply with the ordinances of the Town of Haymarket and any additional restrictions and/or conditions prescribed by the Architectural Review Board (ARB), Planning Commission, or the Town Council and all other applicable laws.

Cynthia Ours Pres Attached email  
Applicant Signature Ralph Monaco VPRES \* Property Owner Signature

\*\*\*OFFICE USE ONLY\*\*\* ZONING PERMIT #: ZP20120711

Date Filed: 7-11-12 Fee Amount: \_\_\_\_\_ Date Paid: \_\_\_\_\_

DATE TO ARCHITECTURAL REVIEW BOARD (ARB): 8-15-12

APPROVED  DISAPPROVED  TABLED UNTIL: \_\_\_\_\_  DEFERRED UNTIL: \_\_\_\_\_

ARCHITECTURAL REVIEW BOARD CHAIR: \_\_\_\_\_  
SIGNATURE PRINT

CONDITIONS:  
\_\_\_\_\_  
\_\_\_\_\_

DATE TO PLANNING COMMISSION: 8-13-12

APPROVED  DISAPPROVED  TABLED UNTIL: \_\_\_\_\_  DEFERRED UNTIL: \_\_\_\_\_

PLANNING COMMISSION {where required}: \_\_\_\_\_  
SIGNATURE PRINT

CONDITIONS:  
\_\_\_\_\_  
\_\_\_\_\_

DATE TO TOWN COUNCIL: 9-4-12

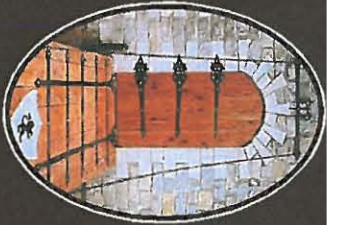
APPROVED  DISAPPROVED  TABLED UNTIL: \_\_\_\_\_  DEFERRED UNTIL: \_\_\_\_\_

TOWN COUNCIL {where required}: \_\_\_\_\_  
SIGNATURE PRINT

CONDITIONS:  
\_\_\_\_\_  
\_\_\_\_\_

Attachment: 14950 Washington Street - New tenant and sign (1120 : Zoning Permits)





# Renee Enterprises LLC

HOUSING DEVELOPMENT

*Bringing old back to new*

703.743.5663

14950 WASHINGTON ST.

(1) 18"x24" 1/2" Wood (double-sided)

Brown bkgd / Teal and beige letters/ border

w/graphic

\$129.38 (plus tax)

**Sherrie Wilson**

---

**From:** Gerry Kennedy [gkennedy@attivacorp.com]  
**Sent:** Thursday, July 19, 2012 2:41 PM  
**To:** Sherrie Wilson  
**Subject:** Re: New Tenant

Hello Sherrie: Thanks for your email. Plz consider this email as my agreement with Renee Enterprises zoning and sign request. Thank you. Best regards, gerry

Sent from my iPhone  
Thank you,  
gerry kennedy  
(o) 703 754 3900  
(c) 301 639 0058

On Jul 19, 2012, at 11:51 AM, "Sherrie Wilson" <[swilson@townofhaymarket.org](mailto:swilson@townofhaymarket.org)> wrote:

**I received Renee Enterprises Zoning Permit app  
for a new tenant at 14950 Washington Street.**

**They were supposed to get you to sign it.  
Can you send me an email stating you have  
approved them in your building, and them  
putting up a small hanging sign?**

Sherrie Wilson  
Deputy Clerk

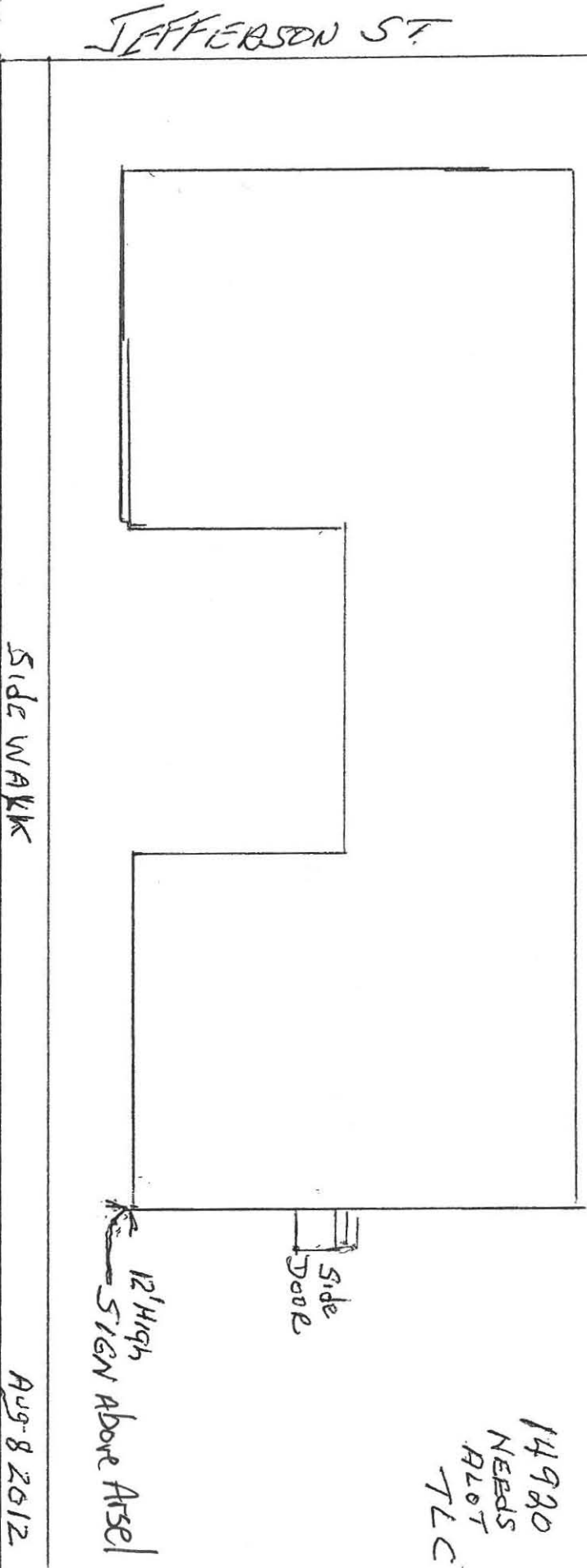
<image001.jpg>

P.O. Box 1230  
Haymarket, VA 20168  
703-753-2600  
Fax: 703-753-2800  
Please visit our website at [www.townofhaymarket.org](http://www.townofhaymarket.org)

Attachment: 14950 Washington Street - New tenant and sign (1120 : Zoning Permits)

Sign Letters

Parking lot



WASHINGTON ST

SIDE WALK

RENEE ENTERPRISES LLC #203

RED HOUSE ORDINARY

14950 WASHINGTON ST  
HAYMARKET VA 20186

14920  
NEEDS  
PLOT  
TLC

12' High  
SIGN ABOVE AISLE

AUG 8 2012

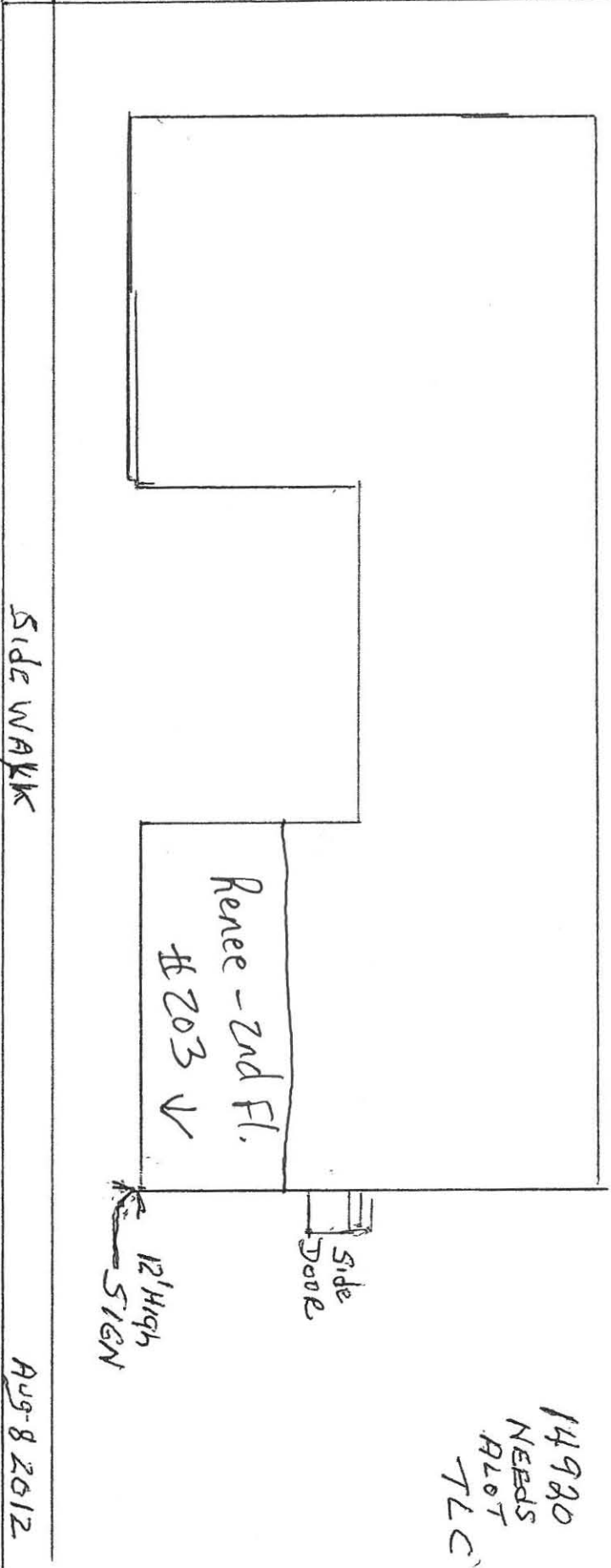
NOT TO SCALE

R MONACO

LOCATION OF CURVE

Parking lot

JEFFERSON ST



WASHINGTON ST

SIDE WALK

12' High SIGN  
SIDE DOOR

14950  
NEEDS  
PLOT  
TLC

RENEE ENTERPRISES LLC #203

RED HOUSE ORDINARY

14950 WASHINGTON ST

HAYMARET VA 20186

AUG-8-2012

NOT TO SCALE

R MANARO



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TO: Town of Haymarket Town Council  
SUBJECT: Appointment of Chief of Police & Town Clerk  
DATE: 09/04/12

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The newly elected Town Council is required by its Charter to appoint the positions of Town Clerk and the Police Chief after it takes office.

#### BACKGROUND

Under Article III. Administration and Government of the Town Charter, The Clerk paragraph (16) and the Chief of Police paragraph (17) are to be appointed by the newly elected Council at the first regular meeting in September. The Charter sections are attached.

#### RECOMMENDATION

It is recommended that the Town Council appoint Jennifer Preli as the Town Clerk and James Roop as the Town Police Chief. The form of the motion would be:

*"I move to appoint Jennifer Preli as the Town Clerk as required by the Town Charter. I further move to appoint James Roop as Town Police Chief as required by the Town Charter."*

Or, other motion.





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TO: Town of Haymarket Town Council  
SUBJECT: Salary Increases  
DATE: 09/04/12

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**The 2013 Budget includes funding for salary increases for the staff in an amount of up to 5% per employee. The 5% includes a 3% cost of living increase and up to an additional 2% based on performance.**

#### BACKGROUND

The Town Council approved funding for salary increases and requested that all employees receive a performance review and a salary increase recommendation. Those reviews were completed and the salary recommendations made.

At the August Town Council meeting, the Council suggested that staff make another review the salary increase recommendations and make changes if needed. The second review has now been completed.

When the Council approved the 2013 Budget the amount of the 5% salary increase, \$23,894.14 was included in that approval. That amount includes the increase in regular salaries. The corresponding increase in any overtime paid to those employees eligible for overtime is also included in the budget. The Council must take official action on salary increases in addition to its approval of the payroll budget. Because this official action has not taken place, the increases have not yet gone into effect.

Two town employees, the Town Manager and the Police Chief are not included in this request. Any recommendation for a salary increase for these employees must be made by the Town Council.

#### RECOMMENDATION

It is recommended that the Town Council approve the amount of \$23,804.14 for salary increases for the staff. It is further recommended that the Town Council approve a salary recommendation for the Town Manager and Police Chief and include that recommendation in the action.

Finally, it is recommended that the salary increases be made retroactive to July 1, 2012 to allow employees to receive the full year of the increase.