

Haymarket Town Council
Monday, June 6, 2005
15016 Washington Street-Haymarket, VA 20169
Mayor David P. Taylor

Vice Mayor Stutz calls meeting to order at 7:10 pm
Councilman Tobias and Mayor Taylor not present

Garcia motions to approve Bob Gorman to proceed with his Eagle Scout project of constructing a podium for the Town, Sikorsky seconds:

Ayes: 5
Nays: 0
Absent: Tobias

Tobias & Mayor join meeting

Peter Dunning with Bluemont Concert Series gives a brief summary of the summer plans for Bluemont Concert Series.

Residents

Mark Joyner-16206 Lee Highway

Kennedy proposal-feels this will be conducive to the value of Historic Haymarket

Joe's Italian Restaurant-signature for line of sight easement. Feels this is good for Haymarket and would like council to sign this letter.

Calendar-Classic Captures-the Historical Commission is working on a calendar that they feel will not be necessary to

Winterham-grass too tall. The Historic Commission is loosing

Terry Karnes-Fayette Street

Pleased that Mark Joyner has joined the Historic Commission

Talks about an email from a previous council member about current council member currently benefiting from the Kennedy proposal.

Maria Turner

Kennedy presentation-was surprised with his ideas and they did not sit well with her. Reminds that we eliminate the "crossroads" Feels we were on the right road with Bloom and feels this slows things down for the town.

Karen Walton

Feels parking will be a problem. Joe's Italian Restaurant-feels it will do very well in town.

Linda Landwehr-

Comments on Washington Post article about Route 15. Reminds council that we have a lot of control being an incorporated town in this historic corridor.

Minutes are deferred to next meeting

VDOT line of sight waiver for Joe's Italian Restaurant.

Stutz motions to authorize the mayor to draft a letter that assures VDOT that the line of sight for turning left out of Joe's Italian Restaurant with not be obstructed agreement, Jarboe seconds

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

Tobias Motions to approve the construction permit applications for 14851 Caboose Trail and 14838 Caboose Trail, Garcia seconds

Ayes: 6
Nays: 0
Absent: 0
Abstain: 0

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**Denotes Action Required

Attachments to minutes: Borrowing Resolution with Attachment Exhibit A

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Weir motions to approve the construction permit application for 6746 Jefferson Street deck,
Stutz seconds;

Ayes: 6
Nays: 0
Absent: 0
Abstain: 0

Weir motions to approve the construction permit application for 15020 Washington Street (Joe's
Italian Restaurant), Stutz seconds;

Ayes: 6
Nays: 0
Absent: 0
Abstain: 0

Weir motions to approve the Certificate of Appropriateness for 15100 Washington Street, Stutz
seconds (JBIII two story office building);

Ayes: 6
Nays: 0
Absent: 0
Abstain: 0

Stutz motions to approve the Certificate of Appropriateness for a deck located at 6746 Jefferson
Street, Tobias seconds;

Ayes: 6
Nays: 0
Absent: 0
Abstain: 0

Tobias motions to approve the certificate of appropriateness for Joes Italian Restaurant located
at 15120 Washington Street, Weir seconds;

Ayes: 6
Nays: 0
Absent: 0
Abstain: 0

Weir motions to approve the Business license application for Electrical Solutions, Stutz seconds

Ayes: 6
Nays: 0
Absent: 0
Abstain: 0

Weir Motions to approve the Site/Subdivision Plan and Plat for Sherwood Forest , Stutz
seconds;

Ayes: 6
Nays: 0
Absent: 0
Abstain: 0

Tobias motions to approve Certificate of Appropriateness for Joe's Italian Restaurant located at
15120 Washington Street, Sikorsky seconds;

Ayes: 6

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Nays: 0

Council tables calendar until next meeting, June 21, 2005

Tobias Motions to approve the borrowing resolution (see attached) (also see attached Term Sheet as exhibit A), Sikorsky seconds;

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

Motion to authorize the mayor to enter into an agreement for the demolition of the grocery store.

**Advertise for July 11 Towing Ordinance.

**All building permits must now go through PC, including tenants. TC will be looking for a recommendation from PC for council's ultimate approval.

Modify construction permit application to reflect the applicable ordinance for the proposed use, and PC's recommendation, and ARB "approval" or "not required".

**Clerk to remind Mayor to call zoning enforcement from Manassas.

Mr. Lowery brings up point of "open space"

**Look for Haymarket Village Site Plan

Stutz motions to enter into executive session pursuant to 2.2-3711 A1 consideration and evaluation and performance of named town employees, A3 acquisition of real property for a public purpose, town hall property and acquisition of other properties, Weir seconds;

Jarboe motions certification of executive session, that the only items discussed were listed in the motion to enter, Stutz seconds;

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

Tobias Motion to purchase 8 vests for police department in an amount not to exceed \$2950, Stutz seconds;

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

Tobias motions that moving forward, planning commission members receive \$60 per meeting attended and \$75 for the chairman of the planning commission, Sikorsky seconds;

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

Tobias motions that ARB board members receive \$60/meeting, and the ARB Chair receive \$75/meeting, effective immediately, Stutz seconds;

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

Tobias motions that Town Council members receive \$100/meeting attended, Sikorsky seconds;

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

Garcia motions that Council reserve unto itself, effective immediately, the authority for all personnel decisions and actions including, but not limited to hiring, firing and disciplining of any town employees or police department personnel until further action of the council., Sikorsky seconds;

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Ayes: 5
Nays: 1 (Weir)
Absent: 0
Abstain: 0

Stutz asks council if Shirley Jones (Farmer's Market Merchant) could use the Old Post Office for Storage of her tents. Council agrees.

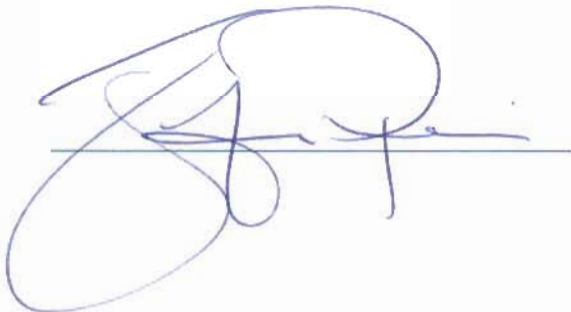
Tobias motions to schedule a special meeting of the Town Council on June 21, 2005 @ 7:00 pm,
Sikorsky seconds;
Ayes: 6
Nays: 0
Absent: 0
Abstain: 0

Tobias motions to schedule a special meeting of the Town Council on June 28, 2005 @ 7:00 pm,
Stutz seconds;
Ayes: 6
Nays: 0
Absent: 0
Abstain: 0

Sikorsky motions to adjourn the regularly scheduled meeting of June 6, 2005 of the Haymarket
Town Council, Tobias seconds;
Ayes: 6
Nays: 0
Absent: 0
Abstain: 0

**Clerk to send a letter asking for executive summary from Stanley with B&N regarding request of map revision for Wolf Realty property.

SUBMITTED:



APPROVED:



The undersigned Clerk of the Town Council of the Town of Haymarket, Virginia, certifies that the foregoing constitutes a true, complete and correct copy of the Resolution adopted at a meeting of the Town Council of the Town of Haymarket, Virginia, held on June 6, 2005.



Jennifer Preli, Clerk of the Council

[SEAL]

RESOLUTION

WHEREAS, the Town of Haymarket ("Town") did on the 4th day of April, 2005, adopt an Initial Ordinance and Resolution ("Resolution") providing for the authority of the Town to issue a bond or bonds for the purposes therein set forth up to an aggregate amount of \$10,000,000.00; and

WHEREAS, such Resolution did provide in paragraph 4 that no bond shall be issued, executed or delivered pursuant to such Resolution unless and until such time as the Town Council shall do such things as is set forth in such paragraph 4; and

WHEREAS, the Town is desirous of borrowing a sum up to \$200,000.00 from SunTrust Bank on the terms and conditions and in the form hereafter set forth;

NOW THEREFORE, BE IT RESOLVED in accordance with the laws of the Commonwealth and the Resolution hereto for adopted by the Town Council of the Town of Haymarket, Virginia, on the 4th day of April, 2005 that the Town shall borrow in one or more bonds a sum not to exceed \$200,000.00 at an interest rate not to exceed 5.5% per annum to be repaid by or within two years from the date of closing to be paid interest only in monthly payments with such bond or bonds to be sold to SunTrust Bank and that all of the foregoing constitute the "official action" of the Town Council within the meaning of paragraph 4 of such Resolution. Notwithstanding the foregoing, a bond on the terms set forth in the term sheet of SunTrust Bank dated May 23, 2005 is hereby specifically authorized and approved.

And to this end the Mayor or in his absence, the Vice Mayor is hereby authorized to execute such bonds and such other necessary and advisable documents in connection with the issuance of such bond or bonds in accordance with the terms and conditions set forth above duly

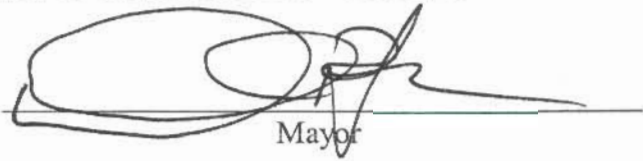
attested to by the Clerk of this Council who is hereby directed to attest to such bonds.

This Resolution shall take effect immediately.

Approved and done this 6th day of June, 2005 by a majority of a quorum of the
Town Council.

TOWN OF HAYMARKET, VIRGINIA

BY:



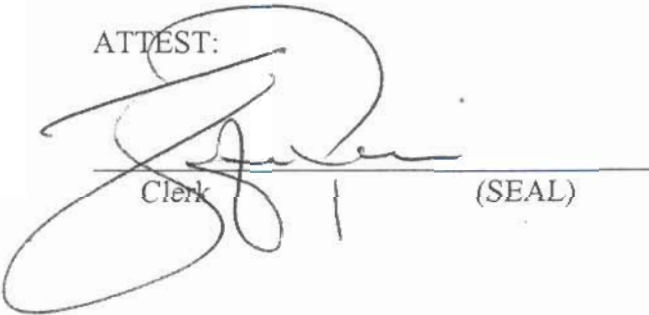
Mayor

CERTIFICATE

The record of the roll-call vote by the Town Council of the Town of Haymarket, Virginia, on the foregoing Resolution adopted by the Town Council by a majority of a quorum at the regular meeting of the Town Council on June 6, 2005, is as follows:

Voting Aye: Sikorsky, Tobias, Stutz, Garcia, Jarboe, Weir
Voting Nay: None
Abstaining: None
Absent: None

ATTEST:



Clerk (SEAL)

Exhibit A
Town of Haymarket, VA
Proposed Terms and Conditions

General Structure: Listed below is an outline of the significant terms and conditions of the financing.

Borrower: Town of Haymarket, Virginia (the "Town")

Amount: Up to \$200,000

Facility: Taxable Interim Note (the "Note")

Purpose: To interim financing for the demolition of a building and to fund costs related to the relocation of utilities.

Security: General Obligation pledge of Town of Haymarket, Virginia.

Final Maturity: 2 years from the date of closing.

Interest Rates:

<i>Current Rates</i>	
Fixed Rate	* 5.00%
<i>Upfront Costs</i>	
Bank Fees, paid at closing	\$350
Accrual basis shall be actual/360 days	

**These rates will be held through June 23, 2005.*

Interest Due: Interest will be paid monthly.

Amortization: None; principal due at maturity.

Optional Redemption: Beginning in Year 2, the Town will have the ability to prepay the Note at any time without penalty, at par.

Funding: The Note will be fully funded at closing.

Closing Date: At the convenience of the Town but in no instance later than June 23, 2005 without the express consent of SunTrust.

Documentation:

- Note between SunTrust and the Town;
- General Obligation resolution approved by the Town Council;

SUNTRUST BANK
5/23/05

Town of Haymarket, VA
Proposed Terms and Conditions

- Statement of no material change in financial position, since June 30, 2004 Comprehensive Annual Financial Statements;
- Others as required by counsel.

**Legal Fees and
Transaction Costs:**

The Town will pay all fees and expenses of the transaction including but not limited to reasonable fees and expenses of its counsel. In order to reduce the Town's financing costs, SunTrust would not anticipate using outside Bank Counsel.

Legal Opinions:

Bond Counsel will give the customary opinion as to authorization, validity, permits and other matters requested by the Bank.

**General
Covenants:**

- Annual receipt of the Town's audited Comprehensive Annual Financial report;
- Timely payment of principal and interest as required by the Note.

Ratings:

None.

**Acceptance of this
Proposal:**

Acceptance of SunTrust's proposal should be directed to any of the following.

Jennifer Zydney

Submitted by:

Jennifer F. Zydney
Vice President
SunTrust Bank