

Town of Haymarket  
15000 Washington Street~Haymarket, Virginia 20169  
Monday, November 1, 2010  
Mayor Pamela E. Stutz

Mayor calls the meeting to order at 7:00 p.m.

Roll Call: Edwards, Tobias, Cole, Stutz, Scarbrough, Kenworthy, Weir

**Citizen's Time**

• **Maria Turner**

She would like to ask the Town to do some kind of traffic calming on Fayette Street. She has had a couple of suggestions, no left during a certain period of time, speed bump. Of the 12 homes and there are 730 trips per day on the road.

**Minutes**

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**Edwards motions to approve the minutes of October 4, 2010, Kenworthy seconds;**

**Ayes: 5**

**Nays: 0**

**Abstain: Scarbrough**

**Building Official**

Thanks council for moving him up on the agenda since he is not able to drive at this time. Tobias asks about gray house, he asks what his recommendation is. Building Official responds that it should be razed. Weir asks if anything has been done to improve the structure since his letter to Mayor Kapp of 2003? Lowery responds that nothing has been done, other than fencing around the perimeter of the structure and boarding up door/windows.

Mayor refers to the letter of January 2003 and refers to his last paragraph. She asks if the repairs had been done could it have been inhabited. The Building Official responds yes.

Tobias asks about the old post office building. The Building Official responds that it is unsafe, at this time, for anyone to be inside either building.

\*\*Building Official is working on a revised fee schedule with the Town Planner.

The ice rink located at 15155 Washington Street is on a 15 day temporary occupancy that expires at the end of this week. He will follow up with them on the punch out items needed for permanent occupancy.

**Police Report**

Chief points out the corrections to the stats. He provided revised stats for September.

**Business Licenses**

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**Tobias motions to approve the business license applications for R.L. Crider Electric, Blue Ridge Plumbing & Heating, Inc, Sublett Services, LLC, Amerigas, Woodbridge Plumbing, & Simpson Unlimited all as out-of-town contractors, Scarbrough seconds;**

**Ayes: 6**

**Nays: 0**

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**Piedmont Mews Subdivision**

Marchant Schneider explains the issue with the need of an easement for utilities. The Town Attorney reviewed the deed against the Town's subdivision ordinance. The Council will revisit this matter after a break.

**Street-scape Request for additional funding**

Additional appraisal funds are needed to be appropriated by Council tonight.

\*\*Per Randy Culpeper, all offers should be to property owners by Christmas

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**Edwards motions to approve the additional funding of \$8,500 from the Street-Scape line item for payment to Appraisal Review Specialists, Weir seconds;**

**Weir asks what these delays are attributed to? The Town Manager & consultant inform council that there are delays in communicating with property owners from concerns of the Town Attorney in the wording of the deeds, these matters should be settled soon.**

**Roll Call Vote: Edwards-Yes, Tobias-Yes, Cole-Yes, Scarbrough-Yes, Kenworthy-Yes, Weir-Yes**

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**Tobias motions to add to the agenda a closed session, Edwards seconds;**

**Ayes: 6**

**Nays: 0**

**Quarles Bond Reduction**

Councilwoman Edwards notes that she and the Town Manager visited the site with the as-built plans. The ARB is not sure about the release of 80% due to the two other buildings not being built yet. Edwards was informed that the bonds don't apply to the buildings, just the public improvements.

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**Tobias motions to reduce to the Quarles bonds landscaping bond by 80% from \$58,205 to \$11,641; the E&S bond by 80% from \$75,442 to \$15,088.40; and the performance bond by 80% from \$904,460 to \$180,892, Weir seconds;**

**Roll Call Vote: Edwards-Yes, Tobias-Yes, Cole-Yes, Scarbrough-Yes, Kenworthy-Yes, Weir-Yes**

**Museum**

Ellie Ivancic announces the May 7 Sesquicentennial

She explains Preliminary Information Forms (PIFs). Weir asks about consequences of putting it on the register, does it encumber what the Town can do with it? The Town Attorney responds yes there are limitations, if the building should get listed on the State or National Register. The PIF is the 1<sup>st</sup> step in getting any funding. Mayor asks if we could do the Sears houses, she responds yes.

Tobias doesn't have a problem pursuing it for the Red Rooster. Ivancic responds that "If you want to find a hook or brand" for the Town to draw people here, it is the Utterback house.

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**Scarbrough motions to support the Preliminary Information Form for the Utterback house (Gray Apartment Building) and the Old Post Office (15020 Washington Street),  
Edwards seconds;  
Weir moves to divide  
Ayes: Edwards-No, Tobias-Yes, Cole-No, Kenworthy-Yes, Scarbrough-No, Weir-Yes  
MOVE TO DIVIDE FAILS**

**Weir comments that there is always a cost even when there is a grant involved, none of the grants are 100% funded  
Edwards-Yes, Tobias-No, Cole-Yes, Scarbrough-Yes, Kenworthy-No, Weir-No  
Mayor breaks the tie and votes Yes, MOTION CARRIES**

**Haymarket Food Pantry**

Mayor acknowledges that the pantry needs to move. They have been out searching for a new location. She asks Council if the pantry could use the kitchen and one small office or allow them to move to the 2<sup>nd</sup> Sears house at Harrover.

Tobias "totally supports the mission of the food pantry"; he is concerned about the amount of time that staff may have spent on the pantry.

Mayor notes that they have talked with the county regarding the vacant fire department building.

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**Cole motions to allow the pantry to use the kitchen portion of the Town Hall until 15 January, 2011, Kenworthy seconds; Weir notes a point of order that Edwards, Stutz, and Scarbrough must recuse themselves since they sit on the board of the Haymarket Food Pantry.**

**For the record: Edwards, Stutz, Scarbrough recuse themselves**

**Weir asks what happens come January 15 if the Harrover house turns out not to be a viable option?**

**Weir wants a plan and a date certain move out date.**

**Tobias-Yes, Cole-Yes, Kenworthy-Yes, Weir-Yes**

**Scarbrough-Abstain and recuses; Edwards-Abstain and recuses;**

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**Edwards motions to enter into closed session pursuant to 2.2-3711 A(3) acquisition of property for a public purpose, namely the streets-scape properties, and disposition of publicly held property, namely the Town center and A(7) consultation with the Town Attorney on specific legal matters**

**Roll Call Vote: Edwards-Yes, Tobias-Yes, Cole-Yes, Scarbrough-Yes, Kenworthy-Yes, Weir-Yes, Stutz-Yes**

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**Motions certification of the closed session that the only items discussed were those noted in the motion to enter.**

**Roll Call Vote: Edwards-Yes, Tobias-Yes, Cole-Yes, Scarbrough-Yes, Kenworthy-Yes, Weir-Yes, Stutz-Yes**

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### **Piedmont Mews**

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**Weir moves to defer the subdivision application for Piedmont Mews per the applicant's request, Tobias seconds;**

**Ayes: 6**

**Nays: 0**

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**Weir moves to instruct the Planning Commission to review, comment, and make suggestions on Section 58-12 of the Haymarket Zoning Ordinance, Kenworthy seconds;**

**Roll Call Vote: Edwards-No, Tobias-Yes, Cole-Yes, Scarbrough-Yes, Kenworthy-Yes, Weir-Yes**

### **Treasurer's Report**

Haymarket Day Finances

We have made great progress in transferring funds to the Fauquier Bank

\*\*Mayor asks that all the true expenses get recorded appropriately from here out

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**Edwards motions to amend the "Events" budget line item expense increasing it by \$4,300, funds to come from the 3.5% Reserves, Scarbrough seconds;  
Edwards-Yes, Tobias-Yes, Cole-Yes, Scarbrough-Yes, Kenworthy-Yes, Weir-Abstain**

### **Employee Retirement Program**

Last month Council asked staff to talk to The Virginia Retirement System (VRS) and look into other defined contribution plans. The Town Manager did look at other defined contribution retirement plans. His assessment revealed that these plans would cost the Town about as much as VRS would, yet VRS offers a more secure return.

The Town Manager recommends that we begin participation in the Virginia Retirement System on January 1, 2011. There are several scenarios that VRS will look at.

The Council instructs the Town Manager to continue discussion with VRS and get various scenarios from them.

### **Town Center Property Vacant Buildings**

The Town Manager reads aloud figures provided by Mr. Kennedy. "We obtained information from Mr. Gerry Kennedy regarding the cost of restoring the properties. Based on his data, the range of costs for the restoration of the Red Rooster is \$155,000 to \$175,000. The range for the Utterback House is \$169,000 to \$190,000. The difference in the two prices is based on renovating the whole Town Center site at the same time (the lower price) and doing the renovations individually."

- There are two meetings coming up. The first is a Town Business meeting on November 10 @ 4:00 p.m. The second is with the County Planning staff. The Town Manager and Town Planner will attend on November 17 @ 6:00 p.m.

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**Comcast Franchise Agreement**

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**Weir moves to defer the Comcast Franchise Agreement to the December 6, 2010  
Town Council meeting, Kenworthy seconds;**

**Ayes: 6  
Nays: 0**

**Cole**

- Quiet Zones: This one quiet zone in the Town would consist of 7 crossings. It starts at 55 and goes to Route 29 in Gainesville. We can declare the quiet zone at no cost. We need to send a notice of intent soon however. We will self declare. Cole will work with John Stirrup. We will need a letter from the County allowing Haymarket to be the point of contact for this quiet zone.

**Mayor Stutz**

- \*\*Mayor asks the Town Manager to contact VDOT for a traffic count on Fayette Street south

**Weir**

- He was talking to some boy scouts about cleaning up the Harrover property. Also, he requests that when a letter goes out from the Town regarding the Town's position on a matter, that the rest of Council be informed. He is specifically referring to the TANV (Town Association of Northern Virginia) letter regarding privatizing the ABC Stores in Virginia.


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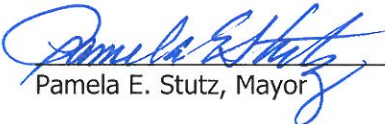
**Weir motions to continue the regularly scheduled meeting of the Haymarket Town  
Council to November 16, 2010 @ 7:00 p.m., Scarbrough seconds;**

**Ayes: 6  
Nays: 0**

Submitted:

Approved:

  
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Jennifer Preli, Town Clerk

  
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Pamela E. Stutz, Mayor