

**Town of Haymarket**  
**Tuesday, March 10, 2009, 7:00 pm**  
**15000 Washington Street~Haymarket, Virginia 20169**  
**Mayor Pamela E. Stutz**

Mayor calls meeting to order at 7:02 pm

Pledge of Allegiance

Roll Call: Vazquez, Leake, Cole, Stutz, Shurn, Edwards, Weir  
All Present

**Journey Through Hallowed Ground**

No presentation due to rescheduled meeting.

**PWC Red Cross – Karen Wayne.**

She thanks the Mayor for accepting the “Mayors Challenge” for Hero’s campaign. Mayor Stutz is the first mayor to have accepted this challenge. She presents the Mayor with a medallion and certificate for thanks the Town for their support. She would like to work with Haymarket as partners in emergency response and recovery. Tasked with sheltering and feeding residents in area should need arise. Keep residents safe by educating and prepare for disaster. She reminds us that our local chapter is ready when needed.

**Martha Hendley – PWC Planning Commissioner for Gainesville District**

Ms. Hendley announces that the Prince William PC Chair is here as well, Mr. Friedman. Ms. Hendley states that the Comprehensive plan review has been a long process; it has been going on for approximately 2 years. Last Comp Plan review was in 2003. It definitely needed updating. The Virginia State code requires that localities review at least every 5 years, and update accordingly. The PWC Planning staff presented a new methodology a rolling review. They suggested reviewing a chapter at a time and keeping on updating. The problem is if things are changed in one chapter, it makes an impact on perhaps several other chapters. The 2008 update did satisfy the 5-year review requirement. The Clerk has received the Planning Commission version and the planning staff version. Today, planning staff was going to the board with a work-session on land use and present resolution from PC asking we have broader interpretation what changes that can be made to the Comp Plan. In light of budget matters carried over from the last BOS meeting, it didn’t get presented to the board today. The Planning Commission will have another public hearing on the Comp Plan, probably around mid-April.

**Gary Friedman-Commissioner-at-Large, PWC Planning Commission**

The Town Council would look at the recommendations both by the Planning Staff and the Planning Commission. PC does not have a recommendation at this point. The PWC Planning Commission is still deliberating and developing own text. They did have a public hearing at one time based on what was essentially the LUAC report.

Weir comments that the State code seems to empower only the Planning Commission with the review of the Comprehensive Plan. He notes that it seems the LUAC is recommending Comp Plan amendments. LUAC is an advisory commission. Map part of comp plan.

LUAC is a committee that is to advise the Planning Commission. LUAC took year to come up with an advisory reform. Weir takes issue with the role of the planning staff coming back with rival comp plan at this late of date. He feels their job is to advise the PC and give them technical support.

Friedman comments that they do have certain level of frustration with Planning Staff, not putting the PC’s recommendation to the board. Welcome as much participation from Town.

The Mayor comments that the Town wants to support a Comprehensive Plan that is fair to the citizens. The Town should look at both recommendations. Some citizens may agree with staff and not PC. We would like to be kept apprised of the public hearing dates.

The Mayor thanks both Gary and Martha for clarifying and attending this meeting.

**Citizens Time**

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Landwehr – thanks Martha. She attended Charrette in 2004 that she went to and asked for example of Comp Plan from her experience. She advised of training for being a Certified PC. Landwehr did complete that certification and thanks Ms. Hendley again for the suggestion.

**Minutes**

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**Weir motions to approve the minutes of 12/1/08 and 1/26/09, Edwards seconds;**

**Ayes: 5**

**Nays: 0**

**Abstain: 1-Cole**

**Quarles Center Final Site Plan**

Discussion over the Certificate of Appropriateness for the demo of the existing building (convenience store). The Town Attorney comments that it was just an error that was not accomplished with the approval of the original site plan. Two sheets have been inserted into the amended plan since PC's approval. B&N has reviewed and approved the changes. No menu signs on plan. Holly had requested maintenance notes for the rain garden (BMP), notes have been added.

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**Weir motions to approve the Amended Final Site Plan for Quarles Center located 15250 Wash Street, dated 1/9/2009, plan #FS20080813, consisting of pages 1 – 33. Cole seconds;**

**Landwehr – signage please call her.**

**Roll Call Vote: Cole – Yes, Leake-Yes, Vazquez – Yes, Weir – Yes, Edwards – Yes, Shuryn – Yes**

Weir asks about Market Center and the proffered intersection improvements. Quarles comments that they spoke with Edens & Avant last week. They did put their shopping center on hold, but all intersection improvements will be completed, timely.

Edwards – noticed speed sign back up.

Reminder that the 25<sup>th</sup> April – Bike Rodeo.

**Building Official's Report**

Lowery comments that the permits for Quarles can be issued. Proceed first of week with taking asphalt. Concrete moved by crane. LF Jennings is the general contractor for the project.

Lowery notes that something needs to be done at 14748 Jordan Lane. They have done work without a permit. PC denied garage because it was too large. They have not yet come back to the Town with a new application. Yard is being used as construction storage facility. Zoning needs to address this problem as soon as possible.

There are some tenants at the Bloom building that moved in without permits.

JB III Bldg. Get with TM how to handle this. Asked design Eng of site to give written report of inspection that site is satisfactory. Hope to get straightened out in next month to release bond.

Restaurants – He informs council of the new non-smoking law in restaurants to be effective December 1, 2009. The building official will enforce this new law.

He received a call from the attorney for 84 Lumber indicating they will be going to settlement.

Town Manager is working on the Durham property. There are rental trucks there now. They need to obtain a business license for the addition of the use.

Sportsplex- Working with Mr. Mulhern on Gym and party center at the Signature Kitchen warehouse to obtain occupancy.

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The building official will set up a time with the Town Manger to talk about Development income with regard to the FY-2010 budet.

Team Fishel has started laying Fiber optic cable in town. He's been looking daily at their activity. He will ensure that the sidewalks get back to the way they are supposed to be.

**Treasurer's Report**

At the end of January the overall strengths of Town's financial position is going against the grain. Revenue and expenses are a little up. However, the net is positive for the Town. The deputy clerk helped prepare a schedule on the Real Estate Tax. The Town is entitled to a one-time publishing of delinquent real estate taxes, if authorized by council. He is asking for authorization. Shurn reads stats of delinquent real estate taxes. Treasurer comments that nearly 10% is uncollected.

Bennett advises that there is an automatic lien on the property even if it is not filed with the County. The burden is on owner for any outstanding taxes. The Town Attorney to check on statute of limitations.

Mayor needs council to agree to publish a list.

Options for publication are: internet, newspaper, and newsletter. The treasurer will write an article with this info included. The Deputy Clerk has sent many notices over and over.

Bennett – give notice to those delinquent that they will be advertised by more than 30 days.

The Town Manager mentioned insurance proceeds for museum damage. They will be deposited into the general checking while we wait for repair costs.

There is a budget meeting on April 26<sup>th</sup>. 7:00pm.

The Mayor would like to take a serious look at where the Town funds are invested at present time.

**Appeal to Council for denied sign**

Arsel Driving School – 14950 Washington Street. Owner is here to talk about sign.

He had requested a hanging sign identical to Cathy's Hair sign. The ARB approved the sign and the Planning Commission denied it. The PC recommended a banner until Mr. Kennedy (building owner) could submit a complete sign package for the entire building. Mr. Kennedy is working on a complete sign package. The Mayor comments that there is nothing in the sign ordinance requiring a sign package. Cole suggests to get a sign that works for now but does not violate current code.

Edwards understands we want to have signs so that they are not on top of each other. However, businesses need signs to be seen, not hidden behind a door to go find.

Weir says it's a complimentary sign and no, can't go in that location. 58-340 – part 2.

Kennedy in interest of him having a sign, request to allow the front corner to have sign. Will come back and adapt a bldg plan to satisfaction to PC and ARB. The Town attorney recommends that we approve this sign in its proposed location for a period of one year.

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**Vazquez motions to approve the Certificate of Appropriateness for a sign for Arsel Driving School to be located on the front of the building at 14950 Washington Street (Red House Ordinary) (not over the entrance door),**

**Edwards seconds;**

**Weir does not agree with this procedure of appealing to Council and doesn't know what the issue is.**

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Leake, for the record, notes that the motion of the PC was to deny the Certificate of Appropriateness. Landwehr comments that if this is approved, there is an assumption that there will be 4 signs and that could be a problem.

Cole comments that is not the assumption.

Weir exits; Council waits for his return before voting

Ayes: 5

Nays: 0

Abstain: 1 (Weir)

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Cole motions to instruct that a sign plan be coordinated for Red House Ordinary and set before the Planning Commission by the June meeting, must be seen by the ARB as well, Vazquez seconds.

Weir comments that it does not make sense to send something to ARB prior to PC review. It's a waste of time if PC has a zoning problem with it. It should be the PC first then ARB. Cole notes that the ARB can approve based on color, lettering.

The Mayor comments that we are in the process of defining and developing where the staff will look and decide if an application complies.

Ayes: 6

Nays: 0

Abstain: 0

**Foster's Building Mural**

The applicant asks if this can be considered artwork, since there are no provisions in the code for a mural?

Edwards comments that the ARB sent this to the Council because there is nothing defining this in the code.

Weir comments that it is too large. Cole asks do we want to do this or restrict it. He is torn. Edwards likes the idea of it.

Mike Sterny from fosters grille talks about the change economic conditions, how does a business get visibility? He asks for the council's recommendation. Vazquez likes the idea, but it is definitely a sign. The Mayor recommends that they work with the Town Manager and Chair Leake to identify murals. Vazquez does not want to see idea die.

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**Weir motions to enter into closed session in accordance with the provisions of §2.2-3711 (A) 3 & A (7), Code of code of Va for discussion and consideration of publicly held property and legal advise from the Town Attorney, namely the Town Center Property, Granting of a Franchise Agreement with Comcast and the lease between the Town and St. Paul's Teaching the Basics, Cole seconds;**

Vazquez - Yes, Leake - Yes, Cole - Yes, Shuryrn - Yes, Edwards - Yes, Weir - Yes, Stutz - Yes

Closed session begins 9:05pm

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**Weir motions certification of the closed session that the only matters that were discussed were noted in the motion to enter, Edwards seconds;**

Vazquez - Yes, Leake - Yes, Cole - Yes, Shuryrn - Yes, Edwards - Yes, Weir - Yes, Stutz - Yes

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**Edwards motions to extend the sales contract between the Town and Mr. Kennedy for the Town Centre property to May 12<sup>th</sup> Leake seconds; Discussion:**

Weir comments that "here we are again, I told you so, now we can add one more concern, the FY2010 budget. It is getting close to the time where make hard budget decisions." Vazquez is concerned about that as well. This project has been so well received in town. People want the project to go forward. They want to see something quickly. Rarely has he seen this much support for one project. The majority of the council excited about it going forward. Edwards comments that her neighbors are always asking when it will start. Kennedy thanks Council and Tom for coming.

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The Mayor is very anxious to see the project move forward as well. This is a monumental change for the Town.  
Projects such as this and Quarles will help stimulate the economy as well.  
Vazquez - Yes, Leake - Yes, Cole - Yes, Shuryn - Yes, Edwards - Yes, Weir - No

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Cole motions to deny a request from St. Paul's church for reduced rent for Teaching the Basics (15026 Washington Street), Edwards seconds;  
For the record, the Mayor has stepped down and is not participating in these discussions  
Vazquez - Yes, Leake - Yes, Cole - Yes, Shuryn - Yes, Edwards - Yes, Weir - Yes

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Weir motions to authorize the Town Manager to advertise a public hearing, in a timely manner, for a cable franchise agreement, if successfully negotiated, Cole seconds;  
Ayes: 6  
Nays: 0  
Abstain: 0

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Weir motions to approve the construction permit application and Certificate of Appropriateness for Building 2 (Fauquier Bank) at 15250 Washington Street, the with 3 drive-up lanes, Edwards seconds;  
Ayes: 6  
Nays: 0  
Abstain: 0

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Weir motions to approve the Construction Permit Applications for Buildings 3 and 4 at 15250 Washington Street (Quarles Center), Edwards seconds;  
Ayes: 6  
Nays: 0  
Abstain: 0

**BUSINESS LICENSES**

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Weir motions to approve the business license application for Alger Deck and Fence, Vazquez seconds;  
Ayes: 6  
Nays: 0  
Abstain: 0

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Weir moves to approve the business license application for Arsel Driving School, located at 14950 Washington Street, Vazquez seconds;  
Ayes: 6  
Nays: 0  
Abstain: 0

Mayor has asked to defer the sign ordinance. There are contentious situations that have arisen and need to be addressed prior to adopting a new sign ordinance. She asks that the Town Manager explain this to the Planning Commission.

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Mayor talks about the ad campaign for town businesses, The Passport to Haymarket.

**Revision of Traffic Flow Plan for Teaching the Basics**

PC has approved this traffic flow change.

**Town Manager**

At the last council meeting, council authorized to start advertising and put campaign together for businesses in town. There was a motion that was approved to run an ad campaign with the Bull Run Observer with a limit of \$8500. He has found that we get better coverage if we advertise in other publications as well as the Bull Run Observer. He requests to get authorization and increase that amount to \$9000. The original budget was \$10,000 from meals tax.

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**Cole motions to authorize the advertising campaign not to exceed \$9000 and can go in other publications,  
Edwards seconds;**

**Vazquez - Yes, Leake - Yes, Cole - Yes, Shuryn - Yes, Edwards - Yes, Weir - Yes**

**Weir**

PWC Comp Plan update. He asks Council to support the Planning Commission version, not planning office version. We Will see strip malls every where.

The Mayor would like to hear both sides, Staff and PC.

Cole would like to talk with Stirrup, we can reconsider at the April meeting

Edwards - neighbor gave something Fairfax is going to new recycling program.

The Mayor announces that the Earth Day celebration is set for April 25, 2009

Leake - Informs council that Gillin resigned from the Planning Commission, so there is a vacancy.

Cole - emails going back and forth on the sign issues, these emails are conveying feelings and messages. He reminds all to please be careful using email. People interpret things the wrong way. There should be no personal feelings involved, the Town business should remain professional.

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**Vazquez motions to adjourn at 10:08 p.m., Edwards seconds;**

**Ayes: 6**

**Nays: 0**

**Abstain: 0**

Submitted:

Approved:

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Jennifer Preli, Town Clerk

Pamela Stutz, Mayor