

Town of Haymarket
15000 Washington Street, #100, Haymarket, Virginia 20169
Monday, November 3, 2008
Mayor Pamela E. Stutz

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

Mayor opens the public hearing on the proposed Verizon Franchise Agreement at 7:02 p.m.
Mayor announces that Verizon has withdrawn their franchise agreement
Mayor discusses that Fiber Lite & Comcast agreements are under negotiation.

Mayor asks that anyone in favor of the Town negotiating a franchise agreement with Verizon, Fiberlite, or Comcast.

1st Call

Linda Landwehr

She suggests that having been in telecommunications for 25+ years and feels we should negotiate.

Milt Kenworthy

In favor of Verizon; they have laid the cable; "let's go for it".

Kathleen Marnian

She agrees with Kenworthy, the lines are in we should negotiate with Verizon

2nd Call

3rd Call

Mayor asks that anyone opposed to the Town negotiating an agreement with Comcast, Fiber Lite, or Verizon please address council

1st Call

2nd Call

Linda Landwehr: Do we currently have an agreement, do we have to have one, does it tie our hands. She questions that if we don't have to have one, why do it.

3rd Call

Mayor closes public hearing

**Vazquez enters meeting 7:05 p.m.

Town Manager clarifies that we are not selecting one vendor that we can enter into agreements will multiple companies for fiberoptic cable service. The state code reads that it is not exclusive. For the record; the attorney is not with us this evening.

Citizen's Time

Ingle LaFada

Her husband's vehicle was broken into last evening. She asks that the haymarket police department be funded appropriately so that there is 24 hour coverage. She believes that police presence will deter crime. She asks that funds be looked at.

Kathleen Marnian

With the police officers that we have now, can we have night shift. PWC takes too long to get out here.

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Minutes

Weir motions to approve the minutes of October 6, 2008 with corrections noted, Leake seconds;

Ayes: 5

Nays: 0

Absent: Shurn

Police Report

Edwards notes that she has already discussed this with the Chief, but the traffic situation at Haymarket Baptist Preschool is terrible during their pick up and drop off times. It backs up in the middle of the day on Route 55. She sees it as a definite problem.

Mayor congratulates Vazquez on his graduation.

Building Official

Cole asks about Sports facility. Lowery responds that they should get occupancy tomorrow

Treasurer's Report

Weir asks about council and boards expenses.

Mayor announces that the audit field work was completed two weeks ago. Auditor should have a draft next week. Treasurer speaks of the 3 budget work sessions. He would like to have one more budget session before Christmas. Tentatively, January would be the first real solid budget work-session.

**Mayor asks that Treasurer write a newsletter article.

Budget work-session set for December 3 @ 7pm.

**Get the one page from Treasurer from the for the web site.

Town Manager

Street lights should be installed next week at Giuseppe's. He has no update on Winterham street-lights. Update on code compliance. Roofing company on Washington Street has moved out. They do have a court date on Thursday, but they seem to be in compliance. Chief will check the docket and confirm. He reminds of December 4, a summons will be issued for the Town and Ms. Lane's attendance.

Street-scape update: Appraiser has just about completed his work. At that point we have to provide them to VDOT for their approval before we can negotiate with any property owners. AT the last meeting Cole asked for a status on the new town hall for this meeting. We received 9 bids, after they were carefully reviewed and the cost was really more than the Town could take on. A letter was sent that we would not be renovating the property and we are now looking at other options. Talks about Town of Louisa project and how they were able to get a town hall built.

CIP: looking at the possibility of specific use of the meal's tax. Currently the only things we are funding are the Washington Street project. He and the treasurer are looking at other items to fund with the meal's tax. He hopes to have something to the PC this Monday night for the CIP. Last month the TC approved a ZTA for the I-1. Action was not taken on the fee that should be charged to the applicant. The town manager recommended a fee for that ZTA of \$500. Town Attorney says we can change the fee schedule at any time.

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Cole motions to charge the applicant \$500 for the commercial indoor recreation facility zoning text amendment, as a one time fee to Parcel A-1, LLC, Edwards seconds; Vazquez-Yes, Leake-Yes, Cole-Yes, Edwards-Yes, Weir-Yes, Shuryn-Absent

Weir talks about maintenance on this current building, particularly with regard to the plumbing. Weir asks if we have heard anything back from the county on the land use maps, No.

Sign Ordinance

Rich Gillin-The PC took a look around at other zoning ordinances. They decided to look at Middleburg, Leesburg, & Warrenton. They went to those three as a model to pick and choose from. General findings are that we are pretty comparable to those Towns. One difference is that monument sign is discussed in other codes but not in our code. Some of the major changes, neon signs: Choose to allow a neon open sign during business hours, except buildings that are 50 years or older, 15 x 24. Definitions were added. We didn't have a method to calculate the sign area, so that was created. The unusual site situation ordinance was added.

**Shuryn enters meeting at 7:48 pm.

Schick Grading Plan

Cole motions to approve the grading plan for the Schick property at 14780 Jordan lane, Leake seconds;
Ayes: 6
Nays: 0
Absent: 0

Weir motions to approve the construction permit application for a new modular home to be built at 14780 Jordan Lane, Leake seconds;
Ayes: 6
Nays: 0
Absent: 0

Construction Permit Application

Sign at Winterham

Town Attorney did not realize this was a "temporary sign". The Town Manager reminds that this really isn't a temporary sign, because the town does not have a temporary menu sign. Weir comments that we shouldn't act on anything on this property with the current zoning violations.

Weir moves to table the construction permit application for a sign to be installed at 15101 Washington Street (Winterham), no second. Motion fails.

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Cole motions to annotate the application with 24 sq. ft. maximum temporary menu sign, six months to keep the sign up at the end of that time we will utilize bond money, by the 18th \$3,000 cash bond be posted on the further condition that all other signs that all unapproved signs are removed prior to the installation of the menu sign. Approval expires May 3, 2009. The bond is on the condition that the applicant grants the Town permission to enter upon the property and to remove any other unauthorized signs, Weir seconds;

Roll Call Vote: Vazquez-Yes, Leake-Yes, Cole-Yes, Shurn-Yes, Edwards-Yes, Weir-Yes

Cole motions to authorize a public hearing for December 1, 2008, with tonight's corrected version to 58-343 B6, 58-344 B 6 to the sign ordinance revisions, Edwards seconds;

Roll Call Vote: Vazquez-Yes, Leake-Yes, Cole-Yes, Shurn-Yes, Edwards-Yes, Weir-Yes

Transitional Commercial Zoning District language

Cole requests that a couple of words be changed. Landwehr reminds that the TA, Weir recommends that we remove the use of residential over commercial. He asks that we strike it.

**Transitional Commercial on next agenda for review of the text at the December meeting.

Business Licenses

Weir motions to approve the business license application La Frontera to be located at 14810 Washington Street, Shurn seconds;

Ayes: 6

Nays: 0

Absent: 0

Weir motions to approve the business license application for Newman Sports to be located at 6612 James Madison Highway, Cole seconds;

Ayes: 6

Nays: 0

Absent: 0

Weir motions to approve the business license application for Haymarket Dental Care to be located at 6735 Leaberry Way, Edwards seconds;

Ayes: 6

Nays: 0

Absent: 0

Cole Motions to approve the business license application for Young Chow Café to be located at 6715 Leaberry Way, Edwards seconds;

Ayes: 6

Nays: 0

Absent: 0

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Land Use Policies & Procedures

Change item 3 to 10 business days for review of completeness of application
Item 6 change to 2/3 consent

Weir motions to approve the land use policy, #090808-1, as amended this evening, item 3 should read 10 business days and item 6 should be 2/3 consent. Mayor asks for clarification, this is for future, not for items already under application. It is determined that application of the policy to existing applications will be determined on a case-by-case basis, Edwards seconds;

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

Town Attorney asks that we publish the policy with the code and on the web site.

**Add to PC agenda to appoint PC designee for new policy

Town initiated Zoning Text Amendments

Weir motions to authorize a public hearing for December 1, 2008 to receive public input on the proposed zoning text amendments, Edwards seconds;

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

Request for rent reduction for Teaching the Basics

**The record reflects that Mayor Stutz recuses herself and turns the meeting over to Vice Mayor Cole due to a conflict of interest for the Mayor, as she is employed by the applicant

Ray Bell addresses the Council. Enrollment is a bit down (by approx 10 students). He appreciates the council's consideration of this request.

Weir motions to enter into closed session pursuant to VA §2.2-2711 A3 disposition of publicly held real property, specifically the lease with Teaching the Basics, and to discuss the contract with Gerry Kennedy

Weir motions, Vazquez

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

Weir motions to certify that the only items discussed in the closed session were those noted in the motion to enter, Cole seconds;

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

Cole motions to authorize a reduction of the rent for Teaching the Basics by \$500 each month November & December 2008, Edwards seconds;

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

Cole motions to extend the contract with Mr. Kennedy to January 9, 2009 Vazquez seconds;

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

Additionally the Mayor may notify Mr. Kennedy of this extension date

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Vazquez

Thanks council for their patience through his schooling

Leake

Nothing

Cole

Printed out lamentations (17), some are easier than others. Council discusses the lamentations.
**Clerk to provide Council with a pro and con on paying taxes online. (This was a lamentation)
Quiet zone will run around 60K because they have to have safety devices installed, he is looking into other funding.

Edwards

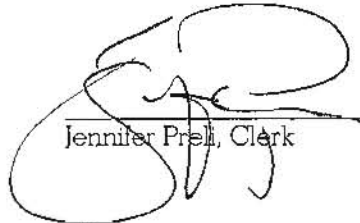
Talks about Haymarket Baptist and the traffic problem with relation to the preschool pick-up and drop-off. She and the Chief are addressing the problem.

Weir

VRE-he emailed a draft resolution.

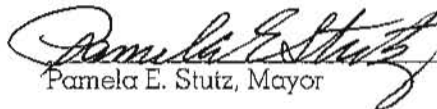
He recommends that we vote on a resolution that opposes the extension from Gainesville to Haymarket.

Submitted:



Jennifer Prell, Clerk

Approved:



Pamela E. Stutz, Mayor