

TOWN OF HAYMARKET, VA.  
Chartered in 1799  
County of Prince William

**MAYOR**  
John R. Kapp

**COUNCIL**  
James Shepard, Vice Mayor (absent)  
Nancy Bailey, PC Liaison  
Tom Utz  
Mary Lou Scarbrough, ARB Liaison  
Doug Mohr, PD Liaison  
Pam Stutz, Historical Comm. Liaison

**ATTORNEY**  
John Arledge, Smith & Davenport

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Mayor Kapp opened the regular session at 7:30 p.m. with the Pledge of Allegiance. Reverend David Jones, St. Paul's Episcopal Church, led the Council in prayer.

**Minutes of January 8 meeting**

Councilwoman Scarbrough moved to approve with corrections noted (Page 7, page 9, page 12,) second by Councilman Mohr. Yeas: Scarbrough, Mohr, Bailey, Utz, Stutz. Nays: None. Motion carried by 5/0 vote.

**Minutes of December meeting**

Mayor Kapp to go over with the Clerk on Tuesday, Feb. 20.

**Police Report**

Chief Roop reported activity for January (see accompanying.) Councilman Utz asks Chief Roop about the nature of the vandalism. The answer was the town mail box.

Councilman Mohr compliments the Chief on letter in packet from Chief (Eiler) in Prince William County. Chief Roop helped a stranded family on Route 66. Councilwoman Bailey says the Chief's devotion is appreciated.

**Treasurers Report**

First Virginia Bank general fund checking account beginning balance \$30,125.09, expenses for January \$52,84.46, deposits for January \$248,051.20, ending balance \$225,329.83.

**Unpaid Bills - January**

- \$26,852.00 Va Power - ISTEAs move utility poles
  - 77,855.79 Gull Corp - 12/4/00 billing
  - 31,044.75 Gull Corp - 1/4/01 billing
  - 3,240.00 Glen Gery brick pavers 1/17/01 billing
  - 3,432.50 Glen Gery brick pavers 10/18/00 billing
  - 236.00 Burgess & Niple - plan review 1A billing 1/17/01
  - 11,103.00 Burgess & Niple - plan review billing 10/18/00
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**Non-ISTEA expenses**

- 93.11 Dominion Va. Power - street lights LSC
- 8.55 NOVEC - street light

2430.00 Waste Mgmt.  
407.27 Verizon- December  
1,674.00 VML Liability Pool - additional insurance Town Center  
32,846.46 January expenses over the allocated 20,000 in monthly budgeted expense  
\$37,459.39

Councilwoman Scarbrough moved to approve expenses [\$37,459.39] except the ISTEAA construction costs, second by Councilman Mohr. Yeas: Scarbrough, Mohr, Bailey, Utz, Stutz. Nays: None. Motion carried by 5/0 vote.

**December Unpaid bills**

\$120 from December unpaid bills for space heaters (2). Can be purchased at Sears for \$39 each. Up to \$150 fax machine \$100 approximately - Councilman Mohr to purchase.  
Up to \$150 for storm window and installation  
\$30,631.32 budgeted expense for December over \$20,000 monthly allocation.  
Councilwoman Scarbrough moved to approve, second by Councilman Mohr. Yeas: Scarbrough, Mohr, Bailey, Utz, Stutz. Nays: None. Motion carried by 5/0 vote.

Councilwoman Stutz asks where the money comes from. Money left in our approved budget, already approved line items.

Councilman Utz asks about lights being installed. Mayor Kapp is planning a lighting ceremony, probably in a couple of weeks.

**Business License**

Haymarket Motors, 15175 Washington Street, Bldg. 3D, I-1 district, auto repair under roof  
Councilman Utz moved to approve, second by Councilwoman Bailey. Yeas: Scarbrough, Mohr, Bailey, Utz, Stutz. Nays: None. Motion carried by 5/0 vote.

**Sign Permit**

Haymarket Motors, 15175 Washington Street, Bldg. 3D, I-1 district, auto repair under roof PC approved not ARB approved. Councilman Utz moved to approve pending ARB approval, second by Councilwoman Bailey. Yeas: Scarbrough, Mohr, Bailey, Utz, Stutz. Nays: None. Motion carried by 5/0 vote. Atty Arledge states this can be pre-approved pending ARB approval since it is not a Planning Commission issue.

Coalition Against Hunger, 15000 Washington Street, United Way designation sign - Councilman Mohr says there are different color signs all over Manassas. Mayor Kapp says the [United Way] sign in Manassas is sand blown. Councilman Mohr says they need to correct the color and logo. Tabled. Sent back to PC and ARB to approve.

PW's signs - Ron MacInnis states the contractor removed and destroyed PW's signs. Mr. MacInnis has been contracted to re-do the signs and he wants to know if permits, etc. are required. Mayor Kapp will talk to Gull Tuesday, Feb. 6 about paying to replace sign.

**Construction Permit**

Ryan Homes, 6740 Jefferson Street, Lot 16, deck - PC approved. Councilwoman Bailey moved to approve, second by Councilman Utz. Yeas: Scarbrough, Mohr, Bailey, Utz, Stutz. Nays: None. Motion carried by 5/0 vote.

**Preliminary Site Plan**

84 Lumber, 15151 Washington Street, retail store facility on Washington St. front - Mr. Jim Zarnick, project engineer, presented a preliminary plan for 1-1/2 acre small scale hardware store with an accessory building on rear. Access issue being resolved as Mr. Durham has given an easement through 84 Lumber property to relocate his driveway (paved) to the [east] side of the property. They will maintain existing access on Costello Way. VDOT will require a decel lane on front of the property extending from Costello Way past 84 frontage to new parking area. Street scape, light fixtures and landscaping are required, Council informed him. There will be one entrance on Washington Street and one off the new roadway.

Councilman Utz asks what changes there will be from what they have in the existing facility. Mr. Zarnick says it will be more hardware items and special order items. They will pump existing building to the sanitary sewer and will hook up both buildings to public water. Mr. Durham agreement will put him [Durham] on sewer also.

Mrs. Contrucci asks where driveway is. She suggests 84 Lumber be required to meet with Mr. Costello for access to discuss the possibility of sharing access driveway so not to have so many curb cuts. Councilman Mohr asks if they will improve the current driveway. Mr. Zarnick says he doesn't know. He will ask. Councilman Utz thinks this is a great idea.

Councilwoman Stutz asks if this is two or one story building. It is a one store building. The building on the rear is intended for storage only. Mr. Zarnick originally proposed a metal building but is doing a brick colonial.

There is no direct access to new building from existing building. They haven't worked out drainage, utilities, sewer. It will probably be two months of drawings. There is an overhead line for power, states Mr. Zarnick. Councilman Mohr would like to see them go underground. Clerk reminded Council underground utilities are required by code for new construction.

**Special permit**

Mayor Kapp states he has had a couple of calls from someone who wants to open up a fitness center. This would require a zoning text amendment. Need to write up an ordinance to allow in I-1 district. Nothing is in writing. Before advertising, for public hearing, Mayor Kapp will have written request to the Clerk. Councilwoman Bailey will take to the PC. Public hearing scheduled for March 5.

**Citizens Time**

Haymarket Grocery, 15010 Washington Street, Alexa Lee, delinquent rent - Ms. Lee wants to know if the town agrees to permit them to pay the outstanding amount in 24 months. Mayor Kapp says a letter will be written to them. Ms. Lee says they can't get a loan due to the note payment to the sellers. Councilman Mohr states the reason we made that decision is the town does not have funds to finance the loan for them. Ms. Lee says the predicament they are in is because of the town street project. Ms. Lee says with the \$34,000 annual rent she thinks the town should share in their risk and exposure. Mayor Kapp asks to discuss this in closed session. Atty Arledge states there is no exception for that. Ms. Lee asks what plans there are for the [renovation of] grocery store and will the town hall move into any of it. Mayor Kapp states there are no plans at the present time. Councilman Mohr thinks it will be three to five years before any renovation is done there. Councilman Utz moved to accept payment with term of 18 months, \$300 additional payment monthly, no second. Motion failed. Will be discussed in budget

session Feb. 15 at 7:00 p.m.

**VDOT/citizen meeting scheduled for Monday, February 12 at 7:00 p.m.**

Coalition Against Hunger, 15000 Washington Street, Wayne Rodgers - discussed their difference of opinion with Mayor Kapp and the Council.

Fax Machine - Mrs. Contrucci states there is an office equipment company in town, TOPS LC. they will be happy to donate a fax machine to the town. Mrs. Contrucci asks that council consider having a bid from TOPS in the future and keep the business in town.

Gerole, potential tenant for town center property - states as a prospective merchant what is the vision for Haymarket. How does Haymarket differ from old town Manassas, New Market, Md., and other historic towns. Mayor Kapp says the town is inviting the businesses to come in and meet to discuss what is needed. She states she is an artist who hand paints on furniture. She also has a heavy marketing background. She asks what is the vision, i.e., Middleburg is hunt country. Mrs. Crafton-Masterson replied the Historical Commission has a mission statement and goals. She says the town is in transition. Mrs. Turner has just completed a book for the period 1799 to today and it is being printed now.

**Planning Commission**

St. Gabriel's Labs, 14540 John Marshall Highway - Councilwoman Bailey requests Mr. Reuter to come to the PC with ideas regarding the M-2 zoning (currently in county).

Comprehensive Plan Survey - PC is still working on it. Will be discussed at next meeting. Councilman Mohr asks if we will have a full demographics done when that is complete, including traffic count, business needed, etc. Councilwoman Bailey states Mr. Van Zee from NVRC is helping with the survey.

Archaeological Survey ordinance - Atty Arledge is working on it.

Town Center B-3 district - Mr. Van Zee, NVRC, has the B-3 zoning district proposal for suggestions.

**Architectural Review Board**

No meeting, no quorum.

**Board of Zoning Appeals**

Nothing.

**Historical Commission**

Mrs. Crafton-Masterson spoke about the Valentine Concert Feb. 17. \$200 has come in for tickets and donations. Cost is \$475 to move and tune the piano and \$50 for rental of the church, plus postage and mailing costs. The Commission is looking for sponsors and doesn't see this as a money maker.

Mrs. Crafton-Masterson thinks highly of Bluemont. The Historical Commission concerts are equally important as Bluemont and she hopes to see council members there, states Mrs. Crafton-Masterson. Ticket prices are \$5 for adults and \$3 for children.

Mrs. Turner's book is at the publisher. It is 276 pages plus index, 1000 copies ordered. It will sell for \$19.95 per book at a cost of \$8 per book. Twenty six businesses are in the book. She states the Historical Commission needs a licensing agreement for people who will be re-selling the book.

The Swing Dance brought in a total of \$3063.75 plus Ms. Ivancic's time. She is considering round or line dancing next time.

The Historical Commission passed a resolution requesting a schedule of renovation of the new town hall so they may make plans to schedule work in the old town hall.

Mrs. Crafton-Masterson introduces their new member Linda Landwehr of Fayette Street, whose expertise is in career telecommunication marketing and production management and who is taking over the Historical Commission submission in the newsletter. Also new member Christy Quinn [not present] is also in telecommunications.

Mrs. Crafton-Masterson states the Commission needs one more new member. She states their treasurer is still out of town with a broken arm.

Procedure for Historical Commission review of submissions - Letter dated October, 2000. Atty Arledge states you have to have an ordinance. He will put in ordinance format for Planning Commission public hearing February 27 and Council public hearing March 5.

Mayor Kapp asked Mrs. Crafton Masterson to get in touch with Historic Resources people to delay the museum project.

**6604 Jefferson Street - B-1 zoning - Jim Finney**

Mr. Finney asked what he can do with his lot for a temporary business. He would like a low volume car lot but no used car lots are allowed in B-1 district. Mr. Finney reminded Council he applied for an antique car restoration facility in the past and was told he couldn't do it here.

Councilman Mohr states he thinks the town has a different idea and would welcome antique car restoration with a museum. Councilman Mohr states we have near 30 car dealers here that are not permitted to display cars and if they were permitted to display cars we would be [inundated] with cars.

Mr. Finney states he called over here this summer to find out the ordinance was changed to allow three story buildings. Councilman Mohr suggests an antique mall, he would love to see that. Mayor Kapp asked him to think about that.

**Police Liaison**

Councilman Utz states regarding his tenure as Police Dept. Liaison, Councilman Mohr approached him last month. Chief Roop and Councilman Mohr agreed that Councilman Mohr will be the liaison and Councilman Utz resign. Councilman Utz did not intend to leave and that was interpreted to Chief Roop that Councilman Utz would not work with him. Mayor Kapp states Chief Roop should come to council. Councilman Roop spoke to Councilwoman Scarbrough and said it is fine [to change liaison].

**Town Council VDOT meeting - February 12, 2001 at 7:00 p.m.**

**Town Council continuation February 15, 2001 7:00 p.m.**

**Town Council budget work session February 26, 2001 7:00 p.m.**

**Town Council public hearing March 5, 2001**

Town Clerk to take Town Center B-3 District off list of public hearing issues.

**Town Hall museum fund raiser**

Super Bowl raffle \$1500 raised with \$138 expense for printing. Accounting from Mayor Kapp to be submitted at February 15 meeting.

## **OLD BUSINESS**

**Town Center floor plans**

Councilwoman Stutz states she is disappointed at the reduced retail space on the bottom floor. She asks where retail space has access to bathrooms and how does access to town hall get closed off. Mayor Kapp states a fire door is installed.

Gerole asked about town center, re: prime retail being used as town hall offices. What about parking in front of building and losing visibility to shops. Mayor Kapp explained the plan to her and parking will be determined.

Mayor Kapp told Council if we are proceeding with this [renovation] he needs to do it. He needs to put fire board up.

**Closed Session**

At 10:10 p.m. Councilwoman Stutz moved to go into closed session pursuant to Virginia Code Section 2.1-344(A)(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..., second by Councilman Utz. Subject matter is Town Clerk. Yeas: Scarbrough, Mohr, Bailey, Stutz, Utz. Nays: None. Motion carried by 5/0 vote.

Motion by Councilwoman Scarbrough "I move that the Council certify, that to the best of each Council member's knowledge as recognized by each Council members affirmative vote, only public business matters lawfully exempted from the open meeting requirements of the VIRGINIA FREEDOM OF INFORMATION ACT and only such public business matters as were identified in the motion by which preceding executive session was convened; were heard, discussed or considered during the executive session of the Council; and that the vote of each individual member be recorded and included in the minutes of this meeting". Second by Councilwoman Stutz. Yeas: Scarbrough, Mohr, Bailey, Stutz, Utz. Nays: None. Motion carried by 5/0 vote.

**Councilman Mohr left**

**15000 Washington Street**

The Clerk was directed to send a letter to tenant to vacate the two front rooms on Washington Street. Councilwoman Stutz asked council if they will offer the space at full price. Yes, each office is about 250 square feet (total 1545) price at \$10 square foot. Councilwoman Stutz moved

to send letter that within sixty days the town will change their rent to current rent at \$10 sq. ft. and they will be put on a lease based on 1545 sq. ft., April rent to \$1545 and state they could consolidate to reduce their space, second by Councilman Utz. Yeas: Scarbrough, Bailey, Utz, Stutz. Nays: None. Motion carried by 4/0 vote.

**Town Center property**

Mayor Kapp wants to ask Ryan Homes to build the facade with council approval. Councilwoman Stutz suggests to wait for Mr. Newlon to bring in another design.

**Sgt. Of Arms**

Councilman Utz thinks we should ask Chief Roop to sit in on our meetings through Citizen's Time.

**Meeting recessed**

At 11:35 p.m. Council recessed to February 15, 2001 at 7:00 p.m.

**TOWN OF HAYMARKET, VA.  
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**FEBRUARY 15, 2001 CONTINUATION**

**MAYOR**

**John R. Kapp**

**ATTORNEY**

**John Arledge, Smith & Davenport**

**COUNCIL**

**James Shepard, Vice Mayor (absent)**

**Nancy Bailey, PC Liaison**

**Tom Utz**

**Mary Lou Scarbrough, ARB Liaison**

**Doug Mohr, PD Liaison**

**Pam Stutz, Historical Comm. Liaison**

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Mayor Kapp submitted to council a new procedure for meetings.

**Fitness Center**

Mayor Kapp submitted a letter from Mr. Curtin for the Planning Commission.

**Minutes**

Councilman Mohr asked if we can take care of minutes of previous [December] meeting. Mayor Kapp states he will meet with the Clerk to discuss the minutes on Tuesday at 8:00 a.m.

**Web Site**

Mayor Kapp updated council of conversation with O. P. Ditch. He also states our town minutes can not go on the web site until approved.

**Haymarket Day**

Mayor Kapp states the garden club wants to use the new town hall for flower show for Spring Festival. Councilwoman Stutz suggests it goes to the event committee of the Foundation.

**Embossed bricks for street**

Mayor Kapp asks where they are going to be placed in sidewalks, in park around flag pole, in

front of new town hall. Sent to ARB. Tabled.

**Newspaper articles**

Discussion of articles about the Coalition Against Hunger.

**Piedmont Proffer**

We got \$25,000 from Piedmont for traffic light or street enhancement. Mayor Kapp to check when it is coming.

**PWC Mayor's breakfast**

Mark Houckman, Dominion Semi-conductor. Mayor Kapp talked with him about being a sponsor.

**OLD BUSINESS**

**A. Town Hall** - done

**B. Town Center** - working on prices.

**C. ISTEA plaques** - Councilwoman Stutz says she is waiting to see the alternate plaque. Mayor Kapp says no one liked the sample shown. The one the mayor wants is oval instead of square as the sample. Councilwoman Stutz says we have the list [of purchasers] in order and ready. Councilwoman Stutz asks where do they go? A few people want special placement. Mayor Kapp states Mr. Wilbourn wants in front of the Hairmarket. Mayor Kapp will bring in a sample for approval.

The Clerk asked about the proffer from Hairmarket for the street enhancement. Mayor Kapp says it was only for curb and sidewalks that she proffered.

Councilman Mohr states he was disappointed in the retaining wall [at Hairmarket]. Mayor Kapp and Councilwoman Stutz agree. Mayor Kapp says it should have been parged.

Field inspection will be Wednesday February 21 at 9:00 a.m. Councilwoman Stutz asks if Burgess & Niple will do an "as built"? Mayor Kapp doesn't know if it is in the contract. Mayor Kapp asks shall we hire another engineer to do if it is not in the contract. Atty Arledge states it is very expensive. Councilwoman Stutz says an as built should be done prior to the walk through. Councilwoman Stutz says if it is not included in the contract it should not be more than \$2500.

**D. Day Care Center** - Mayor Kapp with get with Mr. Lowery.

**E. Municipal Code** - we are awaiting the new draft.

**Town Center facade**

Mr. Newlon presented an alternate facade. Councilwoman Bailey says at PC they discussed doors and side lights. The question was maybe it ought to be double doors instead of single doors. Mr. Newlon states the town hall is a double door. Councilman Mohr would rather see larger single door instead of double door. Mayor Kapp says maybe at Jefferson Street side. Councilwoman Stutz asked about what happened to the standing seam metal roof. Mr. Newlon says it would be better but it is up to the council as the expense would be four times the cost. The roof is about 16 squares which would be \$5000 vs. \$2000. Mayor Kapp says if we went with shingle roof can we put standing seam roof in later. Yes.

Councilwoman Stutz says there was concern the town hall entrance not being so dramatic. Mr.



Newlon would be hesitant to make that entrance two stories high. Mayor Kapp says if we do the brick entrance in the parking lot it would come right to the town hall. Councilwoman Bailey states the PC suggested putting a flag pole on the town hall area.

Mr. Newlon states we discussed to mimic planters on the street, [porch] may go around the corner with planters [toward Back 2 Basics]. Mayor Kapp says we need to be careful with taking up parking spaces. Mayor Kapp states he likes the original drawing. Also the PC and ARB like it. Mayor Kapp suggested to put handicap parking right out front.

Councilwoman Scarbrough moved to use the first rendering for the facade, second by Councilman Mohr. Yeas: Scarbrough, Mohr, Bailey, Stutz, Utz. Nays: None. Motion carried by 5/0 vote.

Signage - Councilwoman Bailey asked Mr. Newlon if anyone asked what we will do with the signage over there. Mr. Newlon says this is the first step, that will come later.

#### **Web Site**

Karen has given the disk to O. P. Ditch.

#### **Beautification Project**

Mayor Kapp refreshed the memory of everyone. Take off agenda.

#### **Archeological Survey Ordinance**

Atty Arledge working on.

#### **Signature Kitchens**

Mayor Kapp met with Mr. Lambradozzi who states he is not charging for people to park trucks there. Mayor Kapp has Councilwoman Bailey look up if it is okay. Couldn't find prohibition. Councilman Mohr says it is trucks and tractor trailers. Councilwoman Bailey says I-1 zoning says "sufficient parking shall be provided to screen (2) off street parking incidental to industry or its clients or employees."

Councilwoman Bailey to check if Robinson has a trailer on Signature Kitchen property as an office. Councilwoman Bailey says PC is coming up with a definition for trailer.

Councilman Mohr asks about metal building, not allowed, a trailer is a metal building. Atty Arledge says if it can be attached to a vehicle it is a mobile home. Atty Arledge says we need to start to work on the code when it is returned from Municipal Code to strengthen language for these things.

**McDonald's site plan** - at Zigler and Payne. Councilman Mohr asked we consider a hard look at McDonald's done in brick. They don't look so good in brick he states.

#### **L. Burgess & Niple letter**

1. Letter to state that town is in violation of state E&S.
2. Leaberry - not paid E&S inspection to B&N. Mayor Kapp to call Leaberry.
3. Witcher - Atty Arledge says need to do a letter against letter of credit.

Councilman Mohr is concerned with the billing and who is doing the inspections. Clerk states

we have no billing for Mr. Lowery doing the E&S inspections, we have no cash in escrow from property owners.

Mayor Kapp to send certified letter to Mr. Lowery and send Burgess & Niple letter with a cover letter stating he has to have E&S inspection reports to B&N and billing current by March 1, 2001, and council wants billing for escrows to property owners for all E&S inspections.

Mayor Kapp states at Mayor's breakfast the Quantico mayor stated they use the county building inspectors. Mayor Kapp will contact Tom Eitler, at the county. Councilman Mohr asks about the Fire Marshal. Councilwoman Stutz states the county Fire Marshal is still inspecting her shop. Atty Arledge informs council they will have a hard time finding an individual to do this work, the county is the only option.

**M. St. Gabriel's Laboratories - boundary line adjustment**

Atty Arledge states he needs direction from the council for the agreement.

**N. Stotler - zoning dispute - 6608 Jefferson Street**

Councilwoman Stutz moved to write a letter stating unless he can find records that the land is B-1 our record indicates it is R-1 and unless he can provide records of rezoning approval he will have to request a rezoning, second by Councilwoman Scarbrough. Yeas: Scarbrough, Mohr, Bailey, Stutz, Utz. Nays: None. Motion carried by 5/0 vote.

**O. Historical Commission review of town submissions**

Councilman Mohr to e-mail Historical Commission by-laws to Atty Arledge who will put in ordinance form.

**P. Town Center Water District assessments - record at county**

Councilwoman Scarbrough moved to record liens for Town Center Water District assessments at the county, second by Councilwoman Bailey. Yeas: Scarbrough, Mohr, Bailey, Stutz, Utz. Nays: None. Motion carried by 5/0 vote. Mayor Kapp explained to council the Water District agreement. Councilwoman Stutz confirmed that everyone knows they owe the money. Yes, was the reply. Clerk to send documents to Atty Arledge. Councilwoman Stutz moved that Atty Arledge proceed to file liens, second by Councilwoman Scarbrough. Yeas: Scarbrough, Mohr, Bailey, Stutz, Utz. Nays: None. Motion carried by 5/0 vote.

**Q. Witcher E&S inspections** - Atty Arledge and Mayor Kapp to discuss Witcher site inspections. **Engineer expense - town does not collect full price for applicants engineering expense** - Mayor Kapp to call Jim Payne, Zigler & Payne, and tell him we need proposals for review fees. **Executive Disclosure** - this was tabled in May, 2000 and voted on. Motion did not carry. Remove from agenda.

**R. Town Center - shutters and front door** - style approval. Councilwoman Scarbrough moved to approve style shutter and door, second by Councilman Utz. Approved by ARB.

Councilwoman Stutz stay they did not approve size. That is to be left to the architect. Yeas: Scarbrough, Mohr, Bailey, Stutz, Utz. Nays: None. Motion carried by 5/0 vote. Councilman Mohr asks about roof shingles. Mr. Newlon states the porch shingles will match the existing shingles.

**S. BZA appointment of John Duckett** - done

**19. New Business**

**A. Town Center Mail boxes** - Councilman Mohr to pursue exterior boxes. Tabled.

**C. 18<sup>th</sup> Century Permit** - no action required.

**E. Town Center B-3 District** - need in ordinance format - sent to the PC for revision and public hearing

**F through L.** Zoning text amendments - back to PC for public hearing

**M. Attorney questions - rights of liaisons, responsibilities of liaisons, closed session-discussion out of session** - Rights of liaisons - Atty Arledge states voting rights are what council desires. Councilwoman Bailey to look up. Atty Arledge states if ordinance is silent on vote issue they [liaison] would be member of the board [with full privileges]. Councilwoman Stutz asks about her power in Historical Commission as Liaison. Atty Arledge says only power to Historical Commission is authority to an employee of the town. Councilwoman Scarbrough moved that liaison to the Historical Commission be able to vote, second by Councilwoman Bailey. Yeas: Scarbrough, Mohr, Bailey, Utz. Nays: None. Abstain: Stutz. Motion carried by 4/0/1 vote.

**Closed session - discussion out of session** - Atty Arledge states Council may discuss out of session. Mayor Kapp thinks it should not be discussed outside. Atty Arledge says there is no supporting rule in state law. Atty Arledge states council can pass a policy but if someone discusses out of session you can not do anything about it. As an employee should not be discussed outside without approval of council or by court order. No determination.

**N. Fax Machine** - old one to be saved for youth center.

**O. Storm window in town hall** - Mayor Kapp to get price.

**P. Space heater** - Councilman Mohr to get.

**Q. ISTEIA resolution** - Councilwoman Scarbrough moved to adopt resolution 2001 TEA 21 retroactive to January 22, 2001, second by Councilman Utz. Yeas: Scarbrough, Mohr, Bailey, Stutz, Utz. Nays: None. Motion carried by 5/0 vote.

**R. Bluemont 2002** - for budget session - Bluemont at Spring Festival. Mayor Kapp states he doesn't agree with Bluemont providing the entertainment as you don't get admission fee. Councilman Mohr says we used to get sponsors for entertainment. He agrees with the mayor as that is what he heard at the Bluemont training session. The Clerk advises the Mayor that the Ruritans want Bluemont to do all the entertainment for Haymarket Day. Councilman Mohr states the Ruritans want the town to pick up more and more expense for Haymarket Day and we're not getting anything back. Councilwoman Stutz says she has been asked by the Ruritans to help them with Haymarket Day. She will attend their organization meeting.

**S. Town Center - leases and lease trade off** - tabled for review.

**20. Citizen's Time** - Mrs. Turner says the street lights and sidewalks are beautiful. She is sorry the meeting Monday [VDOT meeting Feb. 12] was so disagreeable and sorry Mr. Cassada wasn't thanked for what he has done.

**Haymarket Grocery delinquent rent** - Councilwoman Stutz states she has done soul searching and she can not lend money to them. If we had a slush fund she would agree but we would have to use town people's money and she can't do that. Councilwoman Stutz moved to not extend loan with Haymarket Grocery store and proceed to have them make full payment, second by Councilwoman Bailey. Discussion ensued. Yeas: Scarbrough, Mohr, Bailey, Stutz, Utz. Nays: None. Motion carried by 5/0 vote. Atty Arledge to send letter to demand payment and say we can't afford to finance them.

**Historical Commission review submissions ordinance** - Atty Arledge asks who the contact

person is on this. Councilwoman Stutz was the reply.

**ISTEA problem** - Councilwoman Stutz says as a business owner these are the street problems:  
1. Piece of concrete along side her steps - a lady tripped on it., 2. We should try to do something to clean up the town. Mayor Kapp states Mr. Furr will come in and vacuum the streets.  
Councilwoman Stutz says the building exteriors should be cleaned as a good will.

Councilwoman Stutz suggests the first part of April have a town clean up. Mayor Kapp would like to see [property tenant at 14950 Washington Street] get all that junk out of front.

Council directed a letter to business owners about a town clean up April 21. Clerk to get bags and vests from PWC Clean Community Council and advise the Boy Scout troop. Councilwoman Stutz asks if the ARB will send notices to property owners to clean up. Also send letters to Sheetz, Q-Stop and PW's about clean up and request them to donate food and burgers.

**Local tax**

Councilman Mohr asks regarding Haymarket local tax - how can we be sure we get the money. The Clerk to call Cellular One to see if we are getting the resident cell phone tax per phone.

**Historical Commission** - Councilman Mohr states the HC was going to fund the paint if the property owners will paint their building. Councilwoman Stutz will ask the Commission.

**Paving parking areas** - Councilman Mohr states it is time to start letting business owners know they have to pave parking area. It has been a year since council decided this. Contrucci paved. Gossom needs to put grass out front and pave the side and pave at the Red House. All business owners are supposed to do it including the Lodge. Councilwoman Bailey to research.

**Police Department Liaison**

Mayor Kapp states he talked to Chief Roop and he is amenable to having Councilman Mohr serve. Councilman Utz says he spoke what he needed to say at the last meeting. He says he thinks Councilman Mohr would be better served to be the building inspector liaison. Councilman Utz is fine with this.

Councilman Utz moved to appoint Councilman Mohr as Police Department Liaison, second by Councilwoman Scarbrough. Yeas: Scarbrough, Stutz, Utz. Nays: None. Abstain: Mohr, Bailey. Motion carried by 3/0/2 vote.

**Closed Session**

Councilwoman Bailey moved to go into closed session pursuant to Virginia Code Section 2.1-344(A)(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..., second by Councilman Utz. Subject matter is Council members demeanor and way of handling ourselves at meetings. Yeas: Scarbrough, Mohr, Bailey, Stutz, Utz. Nays: None. Motion carried by 5/0 vote.

Motion by Councilwoman Bailey "I move that the Council certify, that to the best of each

Council member's knowledge as recognized by each Council members affirmative vote, only public business matters lawfully exempted from the open meeting requirements of the

Council member's knowledge as recognized by each Council members affirmative vote, only public business matters lawfully exempted from the open meeting requirements of the VIRGINIA FREEDOM OF INFORMATION ACT and only such public business matters as were identified in the motion by which preceding executive session was convened; were heard, discussed or considered during the executive session of the Council; and that the vote of each individual member be recorded and included in the minutes of this meeting". Second by Councilwoman Stutz. Yeas: Scarbrough, Mohr, Bailey, Stutz, Utz. Nays: None Motion carried by 5/0 vote.

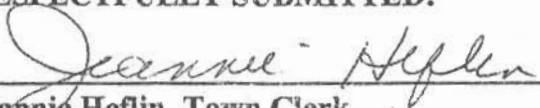
**Comments on Council rules and procedures** - Councilwoman Stutz suggests council does not bring anything else in the meeting that is not on the agenda. Councilman Mohr suggests the Police Dept. make only report that is needed , not the whole report. Council to decide what we want from him.

**Budget meeting February 26, 2001, 7:00 p.m.**

**Adjournment**

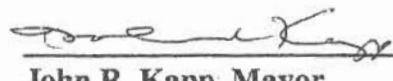
Meeting was adjourned at 10:15 p.m.

**RESPECTFULLY SUBMITTED:**



Jeannie Heflin, Town Clerk

**APPROVED:**



John R. Kapp, Mayor

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