
TOWN OF HAYMARKET, VIRGINIA
Chartered 1799
County of Prince William

HAYMARKET TOWN COUNCIL
JANUARY 13, 1997

MAYOR

John R. Kapp

ATTORNEY

Peter Steketee

TOWN CLERK

Jeannie Heflin

COUNCIL

James Shepard, Vice Mayor (absent)

Mary Lou Scarbrough

Dottie Leonard

Bob Seffinga

Mark Branca

Richard Bird (absent)

Mayor Kapp opened this regular meeting, scheduled at the January 6, 1997 meeting to address several tabled items on the agenda, of the Haymarket Town Council at 7:13 with the Pledge and Prayer.

Old Business

ISTEA grant - Mayor Kapp presented pictures of the park benches he spoke of at the last meeting. Councilman Branca moved to send to the ARB, seconded by Councilwoman Leonard. Motion carried by unanimous vote.

Mayor Kapp states he has a meeting Thursday at 10 a.m. with BDE in the Centreville office in regard to the ISTEA application.

Mayor Kapp states he was informed by Helen, acting resident manager of VDOT, that the storm management pond and drain lines under the street are not included in grant money. Mayor Kapp spoke with Martin & Gass, who has the contract to put in the water, about installing three drain lines. The Mayor will pursue with BDE for location.

Councilwoman Leonard asked Mayor Kapp if he could be paid for his services. Mayor Kapp told the Town Clerk to keep track of the time she spends on ISTEA grant work for reimbursement. Attorney Steketee states Mayor Kapp probably can be reimbursed for administrative work. The Mayor will speak with Helen.

Councilman Branca states he prepared a letter of waiver for the bike lane to be 4' instead of 5' in the downtown section.

Water District - tabled

Silly String Ordinance - tabled

Spring Festival - Mayor Kapp spoke with Martin & Gass who said as long as we stay on the west end of town we will be okay to hold the festival the third Saturday of May. Council agreed to hold the festival from 9 a.m. to 4 p.m. with set up at 7 a.m. and clear out by 5 p.m. Council instructed the Town Clerk to use the crafters location map from Haymarket Day to assign spaces. Councilman Seffinga offered to make up a flyer if the Town Clerk will send him the information.

Press releases are to be put on Channel 8, Jones Comm. Cable, newspapers, etc. The Town Clerk suggested putting a registration form for Haymarket Day on the flyer. The Town Clerk was instructed to place a note on the form "please advise if you don't want to be on our mailing list" and mention there are campground facilities nearby, no cover available for crafters, and rain date Sunday the 18th. \$35.00 per space with a May 3 deadline for entry. Councilwoman Leonard offered to run the flyers on her copier and she will check on getting professional baked goods for the festival.

Railroad Alignment - there is a motion on the floor (from January 6, 1997 meeting) to open an account to receive funds from private and public monies to fund legal assistance, from Steven Kalish, to address the railroad alignment. Attorney Steketee states he had concerns about the fund. 15.1-24 Code of Virginia has a specific description on how money can be donated. It is clear we are not authorized by the state to control such a fund. The Town may employ legal assistance with agreement the town will pay a specific amount and contributions by others will pay the balance. Donations by individuals would be directly paid to the attorney. He feels the town would probably take the lead in this. Councilwoman Leonard states it is probably best so his services are employed by the town and not the fund. We do not want conflicting views out there. Mayor Kapp summarized that the town can employ Mr. Kalish for x amount of dollars and others would contribute to him to support the towns position. Mr. Kalish could be hired hourly with a cap. Councilwoman Leonard states the \$2,000 we mentioned would possibly be ten hours of his time. Councilman Branca asked if this is something that could be done in ten hours or would it be more like forty hours. The Council will have to speak with Mr. Kalish, possibly in executive session to hash out what we want.

Mayor Kapp states until we know whether the Glasgow line is possible we do not know if we need his services.

Mayor Kapp will speak with Mr. Kalish. Councilwoman Leonard withdrew her motion, Councilwoman Scarbrough withdrew her second.

Termite/bathroom restoration - A contractor the Mayor spoke with stated we should get an architect to look at this to see how the building is tied together. He estimates \$1000 for this inspection. Councilman Branca states we probably should look at that or we may have worse problems. We could get a few engineers to estimate for an evaluation of what we should do.

Councilman Branca states we should identify the termite problem and let them make recommendations. Branca recommends we cut a few holes in the floor near the perimeter to make a general assessment. Councilwoman Leonard is concerned about putting the floor back historically.

Councilman Branca states he would rather get a certifiable treatment of the perimeter and we could spot treat the middle. Councilman Branca suggested a committee come up on a weekend day and pull up some flooring and have the termite contractors come out and assess. They scheduled Saturday, January 18 at 7 a.m. Councilman Branca to confirm time with Councilman Seffinga. Mayor Kapp offered to be on the committee also.

Street scape - Councilwoman Leonard spoke with Chris Foley to see if he would do our conceptual development plan at the same hourly rate as Ms. Via, the planner. She asked him to do from Payne house to First Virginia Bank and maybe PW's Eatery. Councilwoman Leonard will speak with Mr. Foley at the ARB meeting to come up with an estimate. She would like to

have the whole two blocks both sides of the street to give the full affect of what we want.

Councilman Branca sees (the need for) a couple of elements illustrative drawings of the middle of town plus design standards of architectural and landscaping which would be adopted as an addendum to our ordinance.

Mrs. Via may give us enough data that the PC can draft the ordinance. Councilman Branca states he does not have the time to draft into ordinance format. Councilwoman Leonard thinks Mr. Foley can come up with the draft. Mayor Kapp states he told Mr. Foley we want a concept design of each side of the street from Payne property to First Virginia Bank and give us an estimate. Mrs. Via to bring information (from other jurisdiction ordinances) to the February Town Council meeting.

Employee Handbook - The Council went over the handbook page by page with recommended changes.

Jeannie's Requests - carried over

Kruse Corner - grate on VDOT list to do

CIP - Mayor asked Council to think about extending the Town Hall building 12' x 16' on the east side of the building. Brick sidewalks need to be added, water district and we may want to include ISTEAs goals.

18th Century Haymarket - Councilman Branca states the PC looked at plans for 18th Century Haymarket. They need to post a bond and submit grading plans. Bond should have been posted before the subdivision plat was recorded.

BPOL - Attorney Steketeer states the only changes he spotted are for massage parlors and photographers to come under the \$.10/\$100 gross receipts tax.

Sovereign Immunity - Attorney Steketeer presented a resolution against abolishing Sovereign Immunity. Councilman Branca moved to execute the resolution and forward to the State, seconded by Councilman Seffinga. Motion carried by unanimous vote.

Prince William County Comprehensive Plan Task Force - Mayor Kapp brought to Council's attention the recent developments with the Park Authority's proposal for trails on green ways. He states if a trail goes over private property the property owner is responsible for upkeep and this allows the public to access their private property. Mayor Kapp would like a resolution adopted "no easements on private residential property unless owner wants them" - tabled.

Town Tags - Councilman Branca moved to provide free firefighter tags to active fire fighters and honorary members to purchase fire fighter tags at regular price, seconded by Councilwoman Leonard. Branca amended to disabled fire fighter to receive a free tag, amendment seconded by Councilwoman Leonard. Motion carried by unanimous roll call vote.

Credit Card for Town Administrator - The question if the town should acquire a credit card for the purpose of reserving accommodations for workshops or programs. Mayor Kapp states the accommodations for attendees should be made privately and reimbursed by the Town.

Town Clerk's salary for meetings - Councilman Branca moved to discontinue the Town Clerk's salary for town meetings of \$30.00 per meeting and pay her the regular hourly rate for meetings to be effective immediately, seconded by Councilwoman Leonard. Motion carried by unanimous roll call vote.

Public Utility Tax - Attorney Steketee states pursuant to Code of Virginia 58.1-3814 the town may charge the tax and the county will not be able to impose the tax too. We fulfill the requirements to receive the tax per the Code.

Councilman Branca asked Attorney Steketee to check into storm water utility tax.

Councilwoman Leonard moved to have the attorney draft the ordinance for us and that the funds be used for the upkeep of the brick sidewalks, seconded by Councilman Seffinga.

Councilwoman Leonard amended her motion to the town attorney draft the ordinance for utility tax, seconded by Councilman Branca. Motion carried by unanimous vote. Councilman Branca asked if we establish the rates in the ordinance. Attorney Steketee states yes, rates can be adjusted by amendment.

Budget Work Session - will be scheduled February 3.

Executive Session - Councilman Branca moved to go into executive session per Code 2.1-344(a).3 to discuss personnel matters, seconded by Councilwoman Leonard. Motion carried by unanimous vote.

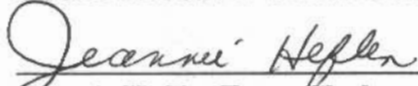
Councilwoman Leonard moved to go out of executive session and return to regular session certifying the only business discussed was personnel matters, seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

Appointment Police Chief - Councilwoman Leonard moved to appoint Charles Bockey to Town Sergeant, per our town charter, seconded by Councilman Seffinga. Motion carried by unanimous vote.

Adjournment

Councilman Seffinga moved to adjourn the meeting at 11:43, seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

RESPECTFULLY SUBMITTED:



Jeannie Heflin, Town Clerk

APPROVED:



John R. Kapp, Mayor

tc197a

1/13/97

Motion to go into Executive Session

I move that this [board][council] now meet in executive session to discuss matters exempt from the open meeting requirements of the Virginia Freedom of Information Act as:

- Personnel matters under VA. Code Section 2.1-344 A. 1;
- Real property use, acquisition, disposition, condition or use under Va. Code Section 2.1-344 A. 3;
- Protection of the privacy of the individuals in personal matters not related to public business under VA. Code Section 2.1-344 A. 4;
- Prospective business or industry matters or expansion of existing business or industry where no previous public announcement has been made under VA. Code Section 2.1-344 A. 5;
- Investing of public funds where competition or bargaining is involved where, if made public initially, the financial interest of the county would be adversely affected under VA. Code Section 2.1-344 A. 6;
- Consultation with legal counsel and briefings by staff members, consultants or attorneys, pertaining to actual or probable litigation, or other specific legal matters requiring the provision of legal advice by counsel under VA. Code Section 2.1-344 A. 7;

The substance of the matters to be discussed involves:

personnel matters