

TOWN OF HAYMARKET  
Chartered 1799  
County of Prince William

HAYMARKET TOWN COUNCIL  
SEPTEMBER 9, 1996

PUBLIC HEARING

**MAYOR**

James Shepard, Acting Mayor  
John R. Kapp (absent)

**ATTORNEY**

Peter Steketee

**COUNCILMEN**

Bob Seffinga  
Mary Lou Scarbrough  
Richard Bird  
Dottie Leonard  
Mark Branca (absent)

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Vice Mayor Shepard opened the public hearing at 7:00 p.m. Roll call found Jack Kapp and Mark Branca absent.

1. Ordinance requiring identification upon public safety need. Vice Mayor Shepard read the proposed ordinance.

**Against**

Vice Mayor Shepard called three times for anyone who would like to speak against the ordinance. No one spoke.

**For**

Vice Mayor Shepard called for anyone who would like to speak for the ordinance. Nancy Bailey states anything we can do to help our Police Department will help our town.

Vice Mayor Shepard called the second time for anyone who would like to speak for the ordinance. Phillip Harrover asked if this ordinance was requested by the Police Department and is it in line with state and county code? He was answered yes to both questions.

Mr. Bear asked what brought this on. Sgt Bockey states with juvenile problem he looked to a curfew ordinance but ACLU is resisting curfew ordinances. The attorney brought this as a tool to help as it is state law that we can ask anyone to identify themselves.

Third Asking - no one spoke. Hearing Closed.

2. Ordinance to adopt Washington Street Water District Ordinance. Vice Mayor Shepard explained the Mayor and town has been working for several months to get water in town. Mr. Contrucci addressed the Council and public citing water will:

1. Alleviate future problem with failing wells,
2. Fire protection,
3. Allow favorable impact on insurance rates,
4. Catalyst for economic development in town from a business perspective
5. Many businesses on Washington Street that have wells that do not produce enough water need water.

Mr. Contrucci states certain property owners would be volunteering contributions up front to put

in the water. PWCSA will not do it on gratis basis or pay as you go basis. Town has to come up with the funding. After numerous meetings with Mr. Sloper who said when we could raise significant funds they would consider moving forward. Approximately three to four weeks ago the group submitted to owners on Washington Street and down Jefferson Street subscription agreements at a cost of \$367,718. To date the group has raised \$206,958, over 56% plus \$25,000 pledged, an additional 5.7% for a total of 61.8% of property owners in agreement.

The Town Council drafted the proposed ordinance to be considered tonight at this hearing, Mr. Contrucci states.

#### **Against**

Vice Mayor Shepard called for anyone who wanted to speak against the ordinance. Phillip Harrover states if you look at the map all property owners are not included. He states the Bolt brothers acres (at the Bleight Drive site) are not included. He states if they were excluded because of water being available to them then Bolt, Harrover, Ahn and Rohrbaugh should be excluded. **Mr. Harrover states he is not against the ordinance** but does not see why he should pay when he has water abutting his property. He has spoken with PWCSA and all he has to do is pay an availability fee to hook up to water. He would like to know who drew the map to put people in or out of the water district. He cites no differential between commercial or residential cost. He will not volunteer to subscribe to the water district.

Vice Mayor Shepard called the second time for anyone who wanted to speak against the ordinance. **Mr. Bear doesn't know whether to speak for or against** the only one to benefit is the businesses on Washington Street. He wanted to know why Madison Street is not included. The biggest complaint he hears is how much money it costs to get water and then hook up. He states Haymarket has good well water.

Vice Mayor Shepard called for the third time for anyone who wanted to speak against the ordinance. No one spoke.

#### **For**

Vice Mayor Shepard called for anyone who wanted to speak for the ordinance. Mr. Contrucci states the town is recipient of \$300,000 in ISTEAA grant money which will require substantial digging up on Washington Street frontage. This is only one proposal - the town could tax the residents and put water in the entire town. While the street is being improved it would be a good time to put water line in.

Mr. Contrucci also states the Jefferson Street lateral is \$18,000 shy of paying its full share. To make up the shortage town could (1.) pull Jefferson Street off the project (2.) Town may want to subsidize through tax (3.) Jefferson Street group may want to contribute more to get it done.

Mr. Harrover asked if Mr. Bear understood why Jefferson Street gets water and not Madison Street. He says because Madison Street dead ends with no development potential. Peg Contrucci says since lots are so small (on Madison Street) the cost per acre would be very much higher than on Washington Street or Jefferson Street.

Mr. Contrucci states exclusions are a legal issue if they are permitted under state code. The Bolt property at Bleight Drive was excluded since he definitely has water on his property. Individual circumstances will have to be taken into consideration by the Town Council and the town attorney.

The Lyon's property as a matter of proffer H/P brought water to the townhouses and to the edge of town and to charge for that property also would double hit them and may jeopardize the proffer.

In regard to ISTEA grant - construction must start by next September. If we do not proceed we will lose those funds. Mr. Contrucci presented a time line (1.) Town pass ordinance (2.) Town/PWCSA negotiate water contract consistent with money as subscribed - no more than 5% overage (3.) Town accepts subscriber agreements by November 1 (4.) Town bills those who have pledged and those who have not subscribed make agreement or payment plan or the town decides to tax properties.

Mr. Bear wants to know if everyone knows where the water comes from? It is from Lake Manassas - it is so close why do we have to pay so much for it, he asks?

Mr. Contrucci says hook up is not mandatory. The project has been pared back as close to budget and the most economical as possible.

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Public Hearing Closed at 7:50 p.m.

Vice Mayor Shepard called the regular September meeting of the Town Council to order at 7:50 p.m. Roll call found Mayor Kapp and Mark Branca absent.

#### **Minutes of the August meeting**

Councilwoman Scarbrough moved to dispense with the reading of the minutes and to approve the minutes with noted corrections, seconded by Councilman Seffinga. Motion carried by unanimous vote.

#### **Police Department**

Sgt Bockey states August saw 25 traffic citations, 4 criminal arrests from one incidence and 26 calls answered.

Sgt Bockey and Officer Roop qualified for firearms (shot gun) at the training academy. The shot gun is in bad shape, Sgt Bockey would like to get rid of it. John & Belinda Jones donated at AR 180 223 assault rifle (\$1500 value) and 400 rounds of ammunition to the Police Department. Sgt Bockey will get in touch with the academy to get qualified for using it.

The wall and door project has been completed in the Police Dept. Sgt Bockey states Officer Roop did a fantastic job.

Virginia State Police will do a security check. By next year our office will be reporting directly to the state police by computer.

Sgt Bockey cited vehicle trouble - the '89 ignition switch recall - the '93 suffered a broken windshield, bad water pump, rear differential plate and the radar went bad.



Haymarket Day - Sheriff Stoffregen confirmed he will send five extra people to help with Haymarket Day.

Inoperable Motor Vehicles - most everyone has complied - letters are out to those who have not - should be taken care of by next month.

General Orders - Sgt Bockey is still working on general orders. He made the changes the attorney suggested and then another attorney made more changes. He will keep working on them.

**Treasurers Report** - \$69,831.55 August 31 general fund balance.

**Unpaid Bills** - \$970.00 Councilman Seffinga moved to approve, seconded by Councilwoman Scarbrough. Motion carried by 5/0 vote.

#### **Business License**

Bell Atlantic Nynex Mobile - telecommunications tower - Council received a letter stating there will be minimum tax paid due to inability to count how many Haymarket residents use the tower. It was suggested no more than \$200 would be paid in gross receipts. Attorney Stekete states his response from the Commissioner of Revenue was not helpful. It looks like we will get minimum tax until we come up with something different. Councilman Bird moved to approve business license for Bell Atlantic Nynex Mobile, seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

BR's Budget Dry Cleaners - 14950 Washington Street #301 - drop off and pick up cleaning only, Monday through Friday full day and one-half day Saturday. Pick up and delivery by cleaners approximately three times a week. Councilman Seffinga moved to approve, seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

Amendment to Business License - Yousefi 6707 Fayette Street #3 name change from Express Auto to Budget Auto - Councilman Seffinga moved to approve, seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

Abdul Amadi - Union Auto - 6707 Jefferson Street #5 - Councilwoman Scarbrough moved to approve, seconded by Councilman Seffinga. Motion carried by unanimous vote.

Haymarket Tire & Auto Service Center - 14940 Washington Street (Lane's Auto Sales & Service) - Larry Terry, general manager, states they are taking over the garage for full service garage. After one year they will also take over the back buildings and Mrs. Lane will be totally out of the facility. Councilman Seffinga moved to accept, seconded by Councilman Bird. Motion carried by unanimous vote.

#### **Sign Permit**

Amadi - Union Auto - 6707 Jefferson Street #5 - standard auto dealer sign - Councilwoman Scarbrough moved to approve, seconded by Councilman Seffinga. Motion carried by unanimous vote.

BR's Budget Dry Cleaning - asked if she can have a temporary grand opening sign or banner. Councilman Seffinga moved to approve based on PC review, seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

Haymarket Tire and Auto - hanging sign off existing pole - Councilwoman Scarbrough moved to pre-approve pending PC & ARB approval, seconded by Councilman Seffinga. Motion carried by unanimous vote.

#### **Building Permits**

James A. Gossom - 14851 Washington Street - porch addition - Councilman Seffinga moved to pre-approve and send on to PC and ARB, seconded by Councilman Bird. Motion carried by unanimous vote.

Patricia Francowicz - 6710 Fayette Street - hot water heater replacement - does not need to come before Council. Gary Eddy to handle.

Barbara Hardy - Old Bank Cafe - patio and door addition - she states plans will be provided for the PC. Councilman Seffinga moved to pre-approve pending providing plat, plans to PC & ARB, seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

U.S. Home - Section 2, Lot 45, Greenhill Crossing - Councilman Seffinga moved to pre-approve pending PC approval, seconded by Councilwoman Leonard. Motion carried by unanimous vote.

#### **Citizens Time**

Mr. Bear asked where the Mayor is and congratulated Vice Mayor Shepard on doing a good job. He thanked Richard Bird stating he is glad to see him on the council.

Last month Mr. Bear brought up getting the steps fixed and cushions on the bench backs or new chairs. He also states the fence at Paxton property paint looks bad and that council should contact Paxton and get building and fence cleaned up before Haymarket Day. Mrs. Turner said the town is in negotiation to get the property for town use.

Mr. Bear said we are blessed we had no major inconvenience by Hurricane Fran.

John Duckett states the street light on the corner of Hunting Path, Cheyenne Way & Rising Sun Lane is completely out now. Town Clerk to contact Virginia Power again.

#### **Old Business**

Identification Ordinance - Councilman Seffinga moved to approve Article III, Section 9, Ordinance requiring identification upon public safety need, seconded by Councilwoman Leonard. In discussion Councilwoman Leonard states she would like the citizens to know that this ordinance is in lieu of a curfew ordinance to prevent problems and act as a deterrent to violence. Councilman Seffinga read the ordinance. Attorney Steketee states this will not mean the officers will be questioning everyone they come across. Motion carried by unanimous vote.

ISTEA Grant - meeting in Culpeper canceled due to hurricane. Tabled.

Railroad realignment - meeting postponed due to hurricane. Councilman Seffinga states they had meeting a couple of weeks ago and we circulated a petition to continue the study. If they pursue three of the alternatives or do nothing there will be fifty five trains a day going by Haymarket. Peg Contrucci states any alternative on Route 15 they use will close Old Carolina Road. The town is urging they look further west toward I-81.

Water Ordinance - Councilman Seffinga states we need to schedule a work session to discuss

further and he felt we should have continued the public hearing to next month. Work session was scheduled for Wednesday September 18th at 7:00 p.m. - only notice needed is announced here - no public advertising or notice needed.

Haymarket Day - town selling raffle tickets, cotton candy, pizza, afghans, tee and sweat shirts, etc. Councilwoman Scarbrough states she got the weed eater. Councilwoman Leonard states she had the car and needs \$19.99 for the battery for the car. Councilman Bird moved to approve the \$19.99 for the car battery, seconded by Councilwoman Scarbrough. Motion carried by 5/0 roll call vote. The American Legion donated the materials for the cotton candy machine. Mayor Kapp had suggested we donate \$25.00 to the Legion. Councilwoman Leonard moved to send \$25.00 to the American Legion, seconded by Councilman Bird. Motion carried by 5/0 roll call vote. The raffle ticket price was set at \$1.00 each.

Bathroom renovation/floor restoration - Historic Resources people are going to advise us where to get random width flooring. Councilman Bird says if we have termites in the floor they will be in the walls also - we'll have wall damage.

Employee Handbook - Vice Mayor Shepard asked if anyone has reviewed - tabled.

Street Scape - need to do the field trip. Council will coordinate and go in groups.

Haymarket entrance signs - Tweeden Signs came in with a much lower price. The east end of town can be installed the west end will have to wait until we determine where to place it. Councilman Bird will speak with Sheetz people. The town would like to put in right of way in front of Sheetz.

Economic Development Commission - pictures taken September 17, 18 & 19 and will be available on disc for prospective businesses to review. Councilwoman Leonard says an artist friend is going to paint Kruse corner.

Kruse Corner grate - tabled.

Jeannie's requests - tabled

Payne Property gutter - tabled.

Capital Improvement Plan - Vice Mayor Shepard states council needs to review and have suggestions at next meeting. The Town Clerk was asked to provide a copy to the PC and ARB at their next meeting.

Variance to zoning - 3,000 square feet to 30,000-40,000 square feet per building for shopping center. Attorney Steketee to have information for next meeting.

BDE approval - Section 2 subdivision plan - pavement plans - only VDOT can approve. No action required.

#### **New Business**

Virginia Mayor's Institute - October 18 through 20 at Hotel Roanoke - Virginia Municipal League conference - cost \$150 registration fee, lodging \$79.00 per night single or double for two nights. Councilwoman Leonard moved to approve Mayor going, seconded by Councilman Bird



\$79.00 per night for lodging two nights, \$150 for registration, plus mileage at actual cost with a maximum of \$400., seconded by Councilwoman Scarbrough. Motion carried by 5/0 roll call vote.

Councilwoman Leonard moved to pay registration fee, hotel and gas for the town clerk to attend the Virginia Municipal Clerks Association Institute, seconded by Councilwoman Scarbrough. Motion carried by 5/0 roll call vote.

PD vehicle alternative fuel grant - no action required.

#### **Planning Commission**

Mr. Duckett states they approved building permits for Greenhill Crossing at the last meeting and a few were not approved.

#### **Historical Commission**

Mrs. Turner states they have been working on the letters in regard to the train relocation. She has buying a collection of historic books for lending library. Mrs. Turner would like someone with a camera to take black and white pictures of the town to get Haymarket declared a historic town.

#### **Gainesville Elementary School**

Mrs. Turner stated she would like to town to pursue using the Gainesville Elementary School for town functions. Councilman Bird commented the school was a community built school, built in 1935. The community went to the School Board and asked them to build it. There is a booklet explaining the origin of the school that was available at the 50th anniversary celebration. Formerly the school was used for many community functions. There is an effort to use the school for a library, multiple use for the Gainesville District Fire & Rescue, and recreation needs. Councilman Bird thinks the town should bet a hold of the library board and Friends of the Library board to pursue community use of the school. A committee was formed, members are: Dottie Leonard, Jack Kapp and James Shepard with assistance from Richard Bird. Richard Bird suggested possible users as Parks & Recreation Dept., Library Board, County Police Dept. Communication Center for Gainesville District and town offices for Haymarket. Meeting will be organized by Dottie to be held at the Gainesville VFD.

#### **Architectural Review Board**

Councilwoman Leonard reported they elected a chairman, Douglas Rizzardi and they also approved Ryan Homes permits.

#### **Citizen's Time**

Nancy Bailey states we better consider sending one of the Planning Commissioners to the Certified Planner Institute.

#### **Correspondence**

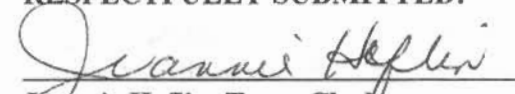
Potomac Valley Brick & Supply brochure and samples. They sell commemorative bricks. Councilman Bird states the Manassas Museum paved their sidewalk with this type of fund raiser.

Mrs. Turner states we need a fence ordinance.

The Town received a contract proposal for design of the street scape from Cook and Miller. Tabled to next meeting when Mayor Kapp and Mark Branca are back.

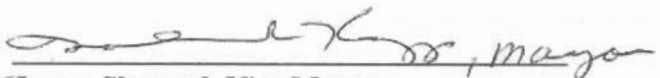
Councilman Seffinga moved to adjourn the meeting, seconded by Councilwoman Scarbrough at 10:17 p.m. Motion carried by unanimous vote.

**RESPECTFULLY SUBMITTED:**

  
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Jeannie Heflin, Town Clerk

tc996

**APPROVED:**

  
\_\_\_\_\_  
for James Shepard, Vice Mayor