

HAYMARKET TOWN COUNCIL
SWEARING IN CEREMONY

JULY 1, 1996

MAYOR
John R. Kapp

COUNCIL
James Shepard
Mary Lou Scarbrough
Dottie Leonard
Robert Seffinga
Mark Branca
Richard Bird

At 7:00 p.m. Monday, July 1, 1996 David Mabie, Clerk of the Circuit Court, Prince William County swore in the council for the Fiscal Years 1997 and 1998; Mayor John R. Kapp, Mary Lou Scarbrough, James Shepard, Robert Seffinga, Dottie Leonard, Mark Branca and Richard Bird.

HAYMARKET TOWN COUNCIL
PUBLIC HEARING

Subject: Ordinance Amendment Section 12-302 Code of the Town of Haymarket
Historic property designation 50 years or older

JULY 1, 1996

MAYOR
John R. Kapp

COUNCIL
James Shepard
Mary Lou Scarbrough
Dottie Leonard
Robert Seffinga
Mark Branca
Richard Bird (absent)

Mayor Kapp opened the public hearing at 7:15 p.m. with all members present with the exception of Richard Bird.

For

Mayor Kapp asked for all those who wished to speak **for** the ordinance amendment. Mrs. Turner spoke stating we have houses that are not quite 100 years old but are historic, i.e., the Sears Roebuck homes (on the east end of town on Washington Street.)

Second asking For

Nancy Bailey spoke for the ordinance amendment.

Third asking For

Linda Farr spoke for the ordinance amendment.

Against

Mayor Kapp asked for all those who wished to speak **against** the ordinance amendment.

Second asking no one spoke against the ordinance amendment.

Third asking no one spoke **against** the ordinance amendment.

Public Hearing closed 7:17 p.m.

Mayor Kapp invited all present to join the council for an intermission with refreshments.

TOWN OF HAYMARKET, VIRGINIA
Chartered 1799
County of Prince William

HAYMARKET TOWN COUNCIL
REGULAR MEETING - JULY 1, 1996

MAYOR

John R. Kapp

COUNCIL

James Shepard
Mary Lou Scarbrough
Dottie Leonard
Robert Seffinga
Mark Branca
Richard Bird (absent)

Mayor Kapp called the meeting to order at 7:30 p.m. Roll call found all members present with the exception of Richard Bird. Mayor Kapp led the council in the Pledge to the American Flag. Dottie Leonard gave the opening prayer.

Minutes of the June 10 meeting and public hearing

Councilman Shepard moved to approve the minutes with corrections noted and dispense with the reading of the minutes. Seconded by Councilman Seffinga. Motion carried by unanimous vote.

Police Department

Sgt Bockey reported 53 citations in June. He reports he and Officer Roop have been working on the speeding problem on Jefferson Street serving several citations and a couple of arrests. The general orders are back from the attorneys office. Officer Roop is starting on the wall and new door to the Police Dept upstairs this week.

Mayor Kapp asked Sgt Bockey about the Section 9-7, firing a fire arm, if he had taken care of the problem. Sgt Bockey states he will speak with the attorney after the meeting.

Mr. Bear thanked Sgt Bockey and Haymarket Police for the action they have taken on Madison Street.

Treasurers Report

Operating account balance of \$67,483.45 on June 30. The Treasurer included a list of delinquent personal property tax and real estate tax for council's consideration.

Unpaid Bills

Councilman Shepard moved to approve unpaid bills, seconded by Councilwoman Scarbrough. Motion carried by unanimous roll call vote.

Business License

Charles J. Gueriera, MD - 6611 Jefferson Street - Dr. Gueriera will hold office hours once weekly in Dr. Weavers office. Councilwoman Scarbrough moved to approve, seconded by

Councilwoman Leonard. Motion carried by unanimous vote.

Building Permit

Ryan Homes - Vandenburg - 14915 Greenhill Crossing Drive, Lot 35, Section 2, Greenhill Crossing - Site plan needs to go to the Planning Commission. Councilman Seffinga moved to pre-approve pending site plan approval by PC and Gary Eddy approval, seconded by Councilman Branca. Motion carried by unanimous vote.

Ryan Homes - Stratford - Lot 4, Section 2, Greenhill Crossing - site plan submitted. Councilwoman Leonard moved to pre-approve and refer to the Planning Commission and the ARB and Gary Eddy pending their approval, seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

Betty Jo Santangelo - 6740 Fayette Street - Certificate of Appropriateness for exterior house paint - Councilwoman Leonard moved to pre-approve provided it meets with approval of ARB, or they work out an alternative if it doesn't, seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

U.S. Home - request to move house from Lot 31, Section 2 to Lot 28, Section 2 - Councilman Seffinga moved to approve change of lot numbers from lot 31 to lot 28 Greenhill Crossing, amended to state based on site plan approval by PC for lot 28, seconded by Councilman Branca. Motion carried by unanimous vote.

Citizens Time

Mr. Bear wants to know what committee makes up their mind what a permit costs. He asked if the mayor thought \$408 was a lot to build a garage on your own property. (He's speaking of the Blankenships.) Mayor Kapp states the Town Council, Planning Commission and the Building Official make up the charges and we will look at the fee schedule.

OLD BUSINESS

ISTEA grant - (1) agreement for development and administration (document distributed to council). Council has to comply with the requirements of the grant, (2) Virginia procurement guidelines (distributed) - we have to adhere to the requirements. We have to put out RFP and get three or four companies and negotiate the price. The money becomes available October 1, 1996. Mayor states he doesn't see us beginning construction until spring of 1997. Councilwoman Leonard asked for explanation of phases. Phase I is Fayette Street to Madison Street (and maybe a little further with this money) before January 31 we need to apply for Phase II. Councilwoman Leonard asks if it is likely we'll get another portion of the grant - Mrs. Turner states she feels we will get a second grant - we do have to apply for each phase.

Councilwoman Leonard states without Mrs. Turner and the Mayor we would not have gotten the grant. Our thanks to Sarah Turner and the Mayor.

Councilman Branca wants to know if \$300,000 includes money for design and looking at federal money is there a time when some funds expire. Mrs. Turner states money has to be used by October 1997. Councilman Branca states it may have to be a contract awarded by then not construction started.

Councilwoman Leonard asked if the money can be used for bringing water in town. Mayor

Kapp answered no.

Councilman Branca states we should come up with a time line to be ready for a design contract in the fall and construction contract in the spring.

Mayor Kapp states VDOT will meet with us to steer us with this project.

Councilman Branca offered to help in anyway technically or whatever is needed. Mrs. Turner suggested we start the proposal for next year. Mayor Kapp feels it will be a matter of updating the figures.

Mayor Kapp states all "in-kind" contributions (20% minimum above \$300,000) including the development of the street scape for each property owner on Washington Street.

Budget - \$213,950 - Councilman Shepard moved to accept the proposed budget on which a public hearing was held on May 6, 1996, seconded by Councilwoman Leonard. Motion carried by unanimous roll call vote.

Water - Mayor Kapp states next meeting is July 10. He states what the group proposes is the landowners on Washington Street organize a water district - the developers on the west end of town are willing to put in extra to cover anyone who does not want to pay to hook up now and they will put a lien on the property when it is sold or when they hook up to water. They are also looking into a trigger of B-1 re-zoning. Attorney Steketee states "as a condition of zoning" is illegal but voluntarily agreeing is okay. It is how you approach it. Mayor Kapp states the proposed shopping center needs to have water to proceed.

Councilwoman Leonard states possibly property owners could be surveyed to see how they feel about the water district.

Councilman Branca asked if the shopping center people are willing to pay extra to get water in town. The Mayor states they are. Councilman Branca asked what is the status of the shopping center. Mayor Kapp states Utica Contracting hired Carey Winston to do the marketing to bring in a grocery store. Mayor Kapp updated Councilman Branca on last months informal presentation by Joe Femia (of Utica Contracting) and the discussions on options Council would like included. Councilman Branca says brick walls and landscaping to hide the parking is a good idea.

Haymarket Day - Mayor Kapp states he has scheduled a meeting with Pam Stutz and the Ruritans to discuss the crafters. Town is to handle the crafters - the fee is \$35 per 10 x 10 table space. The town gets 75% of the income. The town agreed to have cotton candy, raffle for radio control car, power lawn tool, dinner for two at Matthew's, (Dottie is checking on the car, Mary Lou the tool) Tee shirts, a 50/50 raffle and afghan sales. Mayor Kapp is getting one hundred afghans from Billy Tatum for resale as fund raiser. Mayor Kapp asked for approval to rent a cotton candy machine for \$45.00 plus six boxes of makings for \$18.00. Councilwoman Leonard moved to approve to rent machine and purchase the makings and purchase afghans for resale, seconded by Councilman Branca. Motion carried by unanimous roll call vote.

Mayor Kapp states VDOT has authorized us to restrict truck traffic from 8 a.m. to 5 p.m. and close the road from 10:45 a.m. to 2:00 p.m.

Haymarket Gainesville Business & Professional Assn. - next meeting July 31 at 7:00 p.m. Meeting will be held at Evergreen VFD. There will be a discussion with the railroad people regarding the delays in Gainesville due to train traffic. This is not a meeting on realignment. The meeting is open to the public.

Train Realignment - Ed Wilbourn met with Loudoun County, Stafford County, VDOT & Prince William County discussing, instead of by pass corridor, use Rt. 17 to hook up Dulles, Manassas & Stafford airports.

Lafayette Day - July 27 - the Fife & Drum Corp, living history group and the D.C. Kites will be here. There will be an Open House at St. Paul's Episcopal Parish Hall. James Shepard and Debbie Johnson are working on obtaining live music. Mr. Pusey will not be with us this year but is trying to get a replacement to give a speech on Lafayette Day. Mrs. Turner spoke of Lafayette's original visit to Haymarket.

Mayor Kapp states the day will begin with a prayer breakfast at Matthew's Restaurant at 8 a.m. All are welcome.

Blue Print hangers - Council approved the purchase of 1 hanging unit and two sets of clamps at \$79.95 each from previous allocation.

Employee Handbook - Town Council to get a copy to new council - tabled.

Street Scape - Councilwoman Leonard wants Chris Foley to do drawings and plan for what we require for street scape. Councilman Branca states what we need is specifics to write an ordinance - details of our street scape. Councilwoman Scarbrough states other municipalities have an ordinance for street scape as a guide to develop our own. Councilman Seffinga states Falls Church (Broad Street area) is almost exactly what we want. Town Clerk to call Falls Church and Occoquan to get their street scape ordinance. Call Virginia Municipal League and see if they have copies of ordinance. Robert Trent Jones has the type street lights the Mayor proposes. Chris Foley suggested we take pictures of what we want and make them part of our ordinance. Councilman Shepard states it is urgent we get this developed.

Council agreed to take a field trip to take pictures of areas on Saturday, July 13 at 8:30 a.m. meet at Matthew's. Councilwoman Scarbrough will do Falls Church as she will be away and Councilman Seffinga will print 8" x 10" s from the film.

Ordinance Amendment - Historic Designation 50 years or older - Councilman Seffinga moved to approve adoption of ordinance amendment Section 12-302, seconded by Councilman Branca. Motion carried by 5/0 vote; Seffinga-yes, Branca-yes, Scarbrough-yes, Leonard-yes, Shepard-yes.

Delinquent Real Estate Tax - Attorney Stekete confirmed, with Prince William County Treasurers Office, there is a lien on property at 14920 Washington Street as of June 11, 1996 which is proceeding to a tax sale. Mr. Longhi has received and put in place our real estate liens. The Town should send a list of name and addresses and account numbers of delinquent tax to the Treasurers Office annually.

Councilwoman Leonard asked about the normal procedure - delinquencies of three years - Attorney Stekete states we should report each year to the County all delinquencies and let them

deal with them.

Jeannie's Requests - Councilwoman Leonard to check into shelves for chamber wall.

Kruse Corner - grate - Mayor Kapp to speak with VDOT. Tabled.

Gutter - Mayor Kapp to speak with VDOT. Tabled.

Curfew Ordinance - Attorney Steketee states minor curfew (sample provided by Police Dept.) is getting too involved in making law. We need to give notice to loiterers. If we round up children we could end up babysitting. The state has had no cases on curfew. Arlington County has an "identification ordinance" which aids police and will be upheld by the courts. State law authorizes - Dillon rule - but nothing about what you can do to parents. Virginia has not authorized us to do this yet. We should contact Richmond looking for change. Tabled.

Town Clerk substitute - Mayor Kapp stated Mrs. Turner has substituted for the Town Clerk when she has been away. Mayor Kapp suggested the town pay her for her time. Councilwoman Leonard moved to pay Mrs. Turner, seconded by Councilwoman Scarbrough. Motion amended by Councilwoman Leonard to include "for up to a maximum of ten (10) days at \$10 per hour, amendment seconded by Councilwoman Scarbrough. Motion carried by unanimous roll call vote.

NEW BUSINESS

Capital Improvement Plan - Council to study - copy to PC and ARB for recommendations.

Town Hall Mail Box - Mayor Kapp spoke with Post Master Ellen Wilson concerning our mail that does not include our Post Office Box number. Ms. Wilson explained since we do not have a receptacle at the Town Hall the mail is returned to sender. She suggested we place a mail box on Fayette Street with the Washington Street address to receive mail with the Washington Street address. Councilwoman Leonard moved to purchase a colonial mail box pending approval by the ARB, seconded by Councilman Shepard. Mayor Kapp states he likes the mail boxes at Virginia Oaks. Councilwoman Leonard moved to amend her motion to include a maximum allocation of \$150 which would include a 4" x 4" post and box which holds a newspaper, seconded by Councilman Shepard. Motion carried by unanimous roll call vote.

Council Appointments

Vice Mayor - Councilwoman Leonard moved to appoint James Shepard as Vice Mayor, seconded by Councilman Branca. Motion carried by unanimous vote.

Planning Commission Liaison - Councilwoman Leonard moved to appoint Mark Branca, seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

Architectural Review Board Liaison - Councilman Seffinga moved to appoint Dottie Leonard, seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

Police Department Liaison - Councilwoman Leonard moved to appoint Richard Bird, seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

Historical Commission Liaison - Councilwoman Leonard moved to appoint Vice Mayor

Shepard, seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

Insurance Administrator - Councilwoman Leonard offered to take over insurance.

Back-up appointees - Councilman Branca moved to appoint the following back-up appointees:
Planning Commission - Councilwoman Scarbrough
Architectural Review Board - Councilman Seffinga
Historical Commission - Councilwoman Leonard
Police Department - Councilwoman Scarbrough, seconded by Councilwoman Leonard. Motion carried by unanimous vote.

Planning Commission - Councilwoman Leonard moved to appoint Tommy Utz to fill the term of Mark Branca and Charles King to fill the position of Bob Seffinga and renew John Duckett to a full four year term, seconded by Vice Mayor Shepard. Motion carried by unanimous vote. Mayor Kapp states Lyssa Whitfield's term is up July 31st.

Architectural Review Board - Councilwoman Leonard moved to appoint Doug Rizzardi to fill the position of Dottie Leonard and David Schauss to fill the position of Bob Seffinga to comply with term limits, seconded by Vice Mayor Shepard. Motion carried by unanimous vote.

Board of Zoning Appeals - Mayor Kapp states Ed Bailey resigned. Councilman Branca moved to appoint John Duckett to fill position of Mark Branca, seconded by Councilwoman Scarbrough. Motion carried by unanimous vote. Councilman Seffinga moved to appoint Robert Stalker to fill position of Ed Bailey, seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

Councilman Branca offered to create a table of boards with terms and appointees. Councilman Seffinga offered to finalize the format.

Town Map on Computer Disk - Councilman Branca will work with the Town Clerk to get the County map on his computer to enable the town to create a town map.

PLANNING COMMISSION

Councilwoman Scarbrough reported the PC recommended approval of U. S. Home signs at the last meeting.

HISTORICAL COMMISSION

Mrs. Turner spoke of the bronzing of Mary Carter's horse statue. Mrs. Turner states the horse is just about ready and asked council to look into using the H/P proffer money from Greenhill Crossing to get the horse bronzed. She states it is approximately \$2500 to have the bronzing done. The Historical Commission needs \$2000 additional funds.

Councilwoman Leonard moved to move the Certificate of Deposit upon its maturity (August 24, 1996) to the Historical Commission (2,000 of the \$5,000) and allow them to determine its prescribed use, seconded by Councilwoman Scarbrough. Motion carried by unanimous roll call vote.

ARCHITECTURAL REVIEW BOARD

Councilman Seffinga reported the ARB recommended approval of the U. S. Home signs at the

last meeting.

Computer Upgrade - Vice Mayor Shepard reports the old computer was moved upstairs for Mrs. Turner's use. Vice Mayor Shepard is having trouble getting the monitor to work. (The monitor was given to the town by Fred Price.)

Erosion & Sediment Control Administrator - Councilman Branca spoke with Prince William Soil Conservation District personnel in this regard. Councilman Branca is getting a packet with information. He states he understands he needs to be certified which will require his taking the course. He also states if BDE is doing our review and inspections they have to be certified. He states we can delegate work to the local soil and water conservation district. Mayor Kapp states he was told they do not have the manpower.

Citizen's Time

Mr. Bear shared his story about the rabbits and pit bull.

Haymarket Historical Foundation

Mayor Kapp spoke about the foundation organized to receive donations and monies raised for the ISTEA grant. Mayor Kapp states he is the president pro tem and Bob Mayer is the Treasurer. The group is looking for members. Mayor Kapp drafted a letter about the street light and park bench purchase program that is to go to a list of possible purchasers.

Town Hall ants and termites

Mayor Kapp reported the results of inspections done by exterminators. He has received a \$125 proposal for ant treatment. It is impossible to get under the floor to treat termites as there is no crawl space. He has been told you can drill through the foundation and treat termites for \$1165 with no guarantee or take up the floor and treat the whole foundation for \$745 for the treatment and a guarantee. A contractor would have to take up the flooring. Mayor Kapp will get ideas and estimates from contractors on pulling up the floor. Councilwoman Leonard states if we want the Town Hall to be a museum we might want to redo the floors now. Mayor Kapp will ask the School Board if we can use space in the Gainesville School temporarily. Councilman Branca asked if they could go around the perimeter of the building and treat for termites. He also asked where the nearest well is located as it must be at least 50' set back.

Greenhill Crossing \$15,000 proffer

Councilwoman Leonard moved that the two uses for the Greenhill Crossing proffer remain in the intentions of the proffer, seconded by Vice Mayor Shepard. Motion carried by unanimous vote. Councilwoman Leonard states the \$5,000 of proffer can be \$2,000 for horse bronzing and \$3,000 for floor restoration.

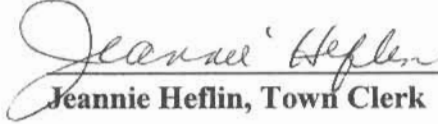
Adoption of State Laws 8-4 - 18.2 and 46.2 Code of Virginia as amended - Councilman Branca moved to adopt applicable ordinance to be in compliance with July 1, 1996 amendment to Code of Virginia, seconded by Councilwoman Leonard. Vote taken at 10:42 p.m. Scarbrough-yes, Leonard-yes, Seffinga-yes, Branca-yes, Shepard-yes.

Executive Session - At 10:40 p.m. Councilwoman Scarbrough moved to go into executive session to discuss personnel matters, seconded by Vice Mayor Shepard. Motion carried by unanimous vote.

Vice Mayor Shepard moved to adjourn executive session and return to regular session and certify only personnel matters were discussed in executive session, seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

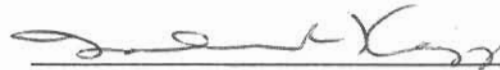
Appointment of Town Attorney - Councilman Branca moved to appoint Peter Stekete of Smith and Davenport as the town attorney for a term of one year, seconded by Councilwoman Leonard. Motion carried by unanimous vote.

RESPECTFULLY SUBMITTED:



Jeannie Heflin, Town Clerk

APPROVED:



John R. Kapp, Mayor

tc796