

TOWN OF HAYMARKET, VIRGINIA

Chartered 1799

County of Prince William

**HAYMARKET TOWN COUNCIL AND PLANNING COMMISSION**

**PUBLIC HEARING - JUNE 10, 1996**

**MAYOR**

**John R. Kapp**

**COUNCIL MEMBERS**

**Steve Bean, Vice Mayor**  
**Mary Lou Scarbrough**  
**Nancy Bailey**  
**Debbie Johnson**  
**James Shepard**

**CHAIRMAN**

**Lyssa Whitfield**

**COMMISSIONERS**

**John Duckett, Vice Chair (absent)**  
**Bob Seffinga**  
**Mark Branca (absent)**

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Mayor Kapp opened the public hearing at 7:10 p.m. Roll call found John Duckett and Mark Branca absent.

**Mud and Dust Ordinance - adoption of chapter three of Virginia Erosion & Sediment Control Handbook**

**For**

Mayor Kapp asked for all who would like to speak **for** the adoption of chapter three of the Virginia Erosion & Sediment Control Handbook. After three askings no one spoke.

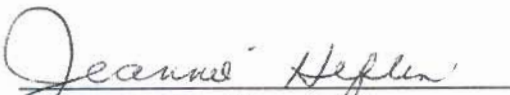
**Against**

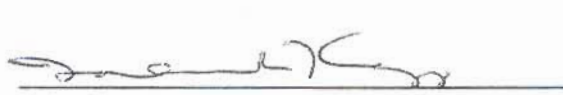
Mayor Kapp asked for all who would like to speak **against** the adoption of chapter three of the Virginia Erosion & Sediment Control Handbook. After three askings no one spoke.

Public Hearing closed at 7:11 p.m.

**RESPECTFULLY SUBMITTED:**

**APPROVED:**

  
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**Jeannie Heflin, Town Clerk**

  
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**John R. Kapp, Mayor**

jph696

TOWN OF HAYMARKET, VIRGINIA  
Chartered 1799  
County of Prince William

HAYMARKET TOWN COUNCIL  
REGULAR MEETING JUNE 10, 1996

**MAYOR**  
**John R. Kapp**

**ATTORNEY**  
**Pete Steketee**

**COUNCIL**  
**Steve Bean, Vice Mayor**  
**Mary Lou Scarbrough**  
**Nancy Bailey**  
**Debbie Johnson**  
**James Shepard**

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Mayor Kapp called the regular Town Council meeting to order at 7:30 p.m. The Mayor led the Council in the Pledge to the American Flag and prayer. Roll Call found all members present.

**Minutes of May 6 Public Hearing, on FY '97 Budget and repeal of the \$5,000 ceiling on BPOL tax, and Town Council meetings**

Councilman Shepard moved to approve minutes with any corrections noted and dispense with the reading of the minutes, seconded by Vice Mayor Bean. Motion carried by unanimous vote.

**Police Report**

Sgt Bockey reports in May there were 65 traffic citations, 12 reckless driving and 7 speeding, with the rest tag violations, inspections expired, etc. He reported 12 reported criminal activities with 7 arrests. Sgt Bockey presented a curfew ordinance for minors and a loitering ordinance from other jurisdictions for Councils consideration. Mayor Kapp states the attorney will look at both of them and then we will schedule a public hearing.

Sgt Bockey reports in regard to the vehicular pursuit a few months ago, Loudoun County law enforcement has identified the driver of the vehicle. Warrants on two charges have been filed.

Sgt Bockey states he spoke with Councilwoman Bailey in regard to help in the office with administrative paper work. Sgt Bockey also spoke with Jerry Maupin about being a non-sworn reserve officer to assist Sgt Bockey with office work at no charge to the town. Jerry agreed.

Sgt Bockey requests an ordinance concerning recreational vehicles parking on the streets. He would like to ban street parking of boats, jet skis, campers, etc.

General Orders - Attorney Steketee states in regard to policy decisions Attorney Spitler suggests a meeting with Sgt Bockey and Council to go over some concerns she has with the general orders. Vice Mayor Bean feels Council should ask Attorney Spitler what her questions are first. Councilwoman Bailey states she has notes on questions she has and that this is the third review the attorneys office has made. Vice Mayor Bean requested from Attorney Steketee that the Police Dept Liaisons review Attorney Spitler's notes before scheduling a meeting.

Section 18.2 of State Code - the town has only specified certain town codes that can be prosecuted, there is only a certain amount of criminal codes we are allowed to adopt. Attorney Steketee states indeed you can not adopt codes wholesale. We can only adopt those that the state allows municipalities to adopt. The Dumfries and Prince William codes would be good

examples of codes we can adopt. Attorney Steketee suggests we write our own ordinance rather than adopt specific state code. We would certainly want petty larceny, loitering, curfew, etc. Atty Steketee states he would have to look at our codes before speaking specifics. Councilwoman Bailey asked about drug violation codes. Councilwoman Scarbrough asked if we can get a copy of Dumfries, Prince William County and City of Manassas codes to look at. The Town Clerk is to call the office to get a copy on disc.

Councilwoman Scarbrough read a letter of thanks to Sgt Bockey and Officer Roop, of the Police Dept, from Councilwoman Bailey.

Mr. Bear states he can't believe what is going on in Haymarket. He thought the only problem was on Madison Street.

#### **Treasurers Report**

The Treasurer reported a balance of \$67,016.81 in the operating account.

#### **Unpaid Bills**

Councilman Shepard moved to pay bills in the amount of \$1,991.96, seconded by Councilwoman Johnson. Motion carried by 5/0 roll call vote.

#### **Business License**

Victory Harvest Church, day care (infants & toddlers), 15000 Washington Street #9 (former Pam's Beauty Shop location) Councilwoman Johnson moved to approve application pending Fire Marshall inspection, seconded by Councilman Shepard. Motion carried by unanimous vote.

Express Auto Outlet - this company is incorporating and requires a new zoning letter for Express Auto Outlet, Inc. Councilwoman Bailey moved to approve name change to include Inc., seconded by Councilwoman Johnson. Motion carried by unanimous vote.

#### **Sign Permit**

U.S. Home, three signs for model (1) information center (2) brochure box (3) model home name - Vice Mayor Bean moved to send pre-approved to PC, ARB, seconded by Councilwoman Bailey. Motion carried by unanimous vote.

Victory Harvest Day Care, temporary sign, 15000 Washington Street #9 - Rev. Hendrickson will take the old "Pam's Beauty" signs and rework them for Victory Harvest, meanwhile he requests temporary signs in the same location as the old "Pam's Beauty" signs. Vice Mayor Bean moved to approve temporary signs, seconded by Councilwoman Johnson. Rev. Hendrickson states he will attend the ARB meeting on June 13. Motion carried by unanimous vote.

#### **Building permit**

Masonic Lodge, chimney repair, 6731 Jefferson Street - Vice Mayor Bean moved to approve pending Gary Eddy inspection, seconded by Councilman Shepard. Motion carried by unanimous vote.

US Home, Section 2, Lots 27 (Cypress), 24 (Calais), 26 (Brittany) and 39 (Avalon) - Vice Mayor Bean moved to approve all building permits on lots indicated, seconded by Councilwoman Bailey. Carried by unanimous vote.

Gary Eddy states before he reviews plans there has to be a building permit so that he can get paid



as there is no guarantee they will build all plans submitted.

### **Old Business**

ISTEA - Mayor Kapp states he went to Richmond for the ISTEAM meeting. The final vote will be taken on June 20th.

Joe Femia of Utica Contracting asked about the 90 foot and 57 foot road models. Mayor Kapp states in the center of town there will be no green space between sidewalk and road, but on each end of town there is green space.

Mayor Kapp reports three more street lights have been sold for a total of approximately 20.

Rohrbaugh shopping center - Mayor Kapp met with John Rohrbaugh and H/P, the Mayor states H/P will work with Mr. Rohrbaugh to alleviate the storm water management problem.

Spring Arts & Crafts Festival - Mayor Kapp reports there was a good show of community effort. He states the Ruritans asked Pam Stutz to organize the craft vendors for Haymarket Day. Pam would like the town to get involved and get 75% of the proceeds. Mayor Kapp states the town gets no financial benefit from Haymarket Day now. He also stated Occoquan recently made \$75-80,000 on their craft festival held the first weekend in June.

Noise Ordinance - Attorney Steketee states Quantico is the only township that uses the decibel meter and that it is a nuisance as each officer does not have a meter in their vehicle. He states most judges are receptive to the "quiet repose of any citizen." Mayor Kapp states this ordinance already went to public hearing on March 4, 1996. Vice Mayor Bean moved to accept ordinance as presented in public hearing, seconded by Councilwoman Bailey. Motion carried by unanimous vote.

BOCA/CABO books - Lyssa Whitfield has not purchased yet. Gary Eddy states he would like to purchase property maintenance code and NEC books. Mayor Kapp asked if Gary would pick up the BOCA and CABO books also. Vice Mayor Bean moved to approve purchase of Property Maintenance Code and NEC books, seconded by Councilwoman Bailey. Motion carried by 5/0 roll call vote.

Bathroom renovation - Gary Eddy presented RFP and cost estimate to Council.

Employee Handbook - Attorney Steketee states Atty Spitler had a comment concerning an exception from federal code in regard to overtime and there may be inconsistency in the general orders and handbook. Tabled.

Street Scape - tabled.

Historic District Ordinance, designating historic property as being 50 years or older. Bob Seffinga states the ARB recommended approval. Mayor Kapp scheduled a public hearing for 7:15 July 1.

Swearing in ceremony - scheduled for July 1 at 7:00 p.m. The Town Clerk is to call Dave Mabie, Clerk of the Circuit Court to schedule.

Comprehensive Plan Amendment application and procedure - Councilwoman Scarbrough states

the Planning Commission recommends approval of this form. Councilwoman Bailey moved to adopt the Comprehensive Plan Amendment application and procedure form, seconded by Councilwoman Johnson. Motion carried by unanimous vote.

Kruse Corner grate - Vice Mayor Bean will contact VDOT. Tabled.

Lien on properties - Atty Steketee states as per the April 4 memo, from Martin Crim of Smith & Davenport, giving options to collect delinquent real estate taxes, in regard to delinquent report to be passed on the Treasurer of Prince William County - what form they require is not clear to Atty Steketee. The Town Clerk will pursue with County Treasurers Office.

Mayor Kapp states we want to get on the books for suits filed, the County withdrew the one suit filed and we haven't heard anything further.

Jeannie's Requests - (1) books shelves: Mrs. Leonard will do a drawing and get estimates. The door, blinds, window washing and carpet cleaning have not been addressed.

#### Plan File

Councilman Shepard states there is money already approved to purchase the plan file. Vice Mayor Bean moved to redirect the \$750 for plan file to purchasing two hanging plan files and wall off the furnace area and hang a door there, seconded by Councilwoman Bailey. Motion carried by unanimous vote. Mayor Kapp suggests to add the wall and door installation to bathroom bid.

Payne Property - gutter on corner of Payne property - VDOT looked at it, they are supposed to install reflectors. Vice Mayor Bean to call VDOT.

Curfew Ordinance - tabled.

Dust & Mud Ordinance - Councilwoman Johnson moved to approve Dust & Must Ordinance, seconded by Councilman Shepard. Motion carried by unanimous vote.

Capital Improvement Plan - tabled.

Long Street Commons Town home Association - Councilwoman Johnson states the association considered doing a parking survey. The annual meeting is July 29th. They have called PWCSA to inquire what they are tearing out and leaving in regard to the water facility.

#### **Planning Commission**

At the May meeting the PC went over comp plan amendment, noise ordinance, mud & dust ordinance, etc.

#### **ARB**

At the May meeting the ARB looked at signs, historic designation, Blankenship garage.

#### **Historic Commission**

- (1) Mrs. Turner presented Alan Gossom with a gift for his help to the town.
- (2) Mrs. Turner stated the caboose will be open Saturdays from 9 to 1.
- (3) Lafayette Day there will be kites and an open house with refreshments at St. Paul's Parish Hall.

(4) If we receive the ISTEA grant we will have a huge celebration for our bicentennial. Mrs. Turner has made some preliminary contacts.

**Citizen's Time**

Mr. Bear shared his speed bump story.

Mayor Kapp stated he attended the Virginia Power & GTE economic marketing meeting. They will be taking pictures in Haymarket in mid July.

Mrs. Leonard extended her best wishes to Debbie Johnson, Steve Bean and Nancy Bailey and thanked them for all their work on the Town Council.

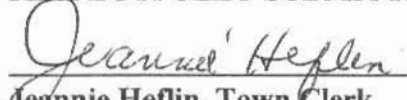
**Executive Session**

Councilwoman Bailey moved to go into executive session, citing 2.1-344.1 Code of Virginia, to discuss personnel matters, seconded by Councilwoman Johnson. Motion carried by unanimous vote.


Vice Mayor Bean moved to return to regular session, seconded by Councilwoman Bailey. Motion carried by unanimous vote.

Councilwoman Johnson moved to adjourn, seconded by Councilwoman Scarbrough. Meeting adjourned at 10:35.

**RESPECTFULLY SUBMITTED:**

  
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Jeannie Heflin, Town Clerk

**APPROVED:**

  
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John R. Kapp, Mayor

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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