

**TOWN OF HAYMARKET, VIRGINIA**  
Chartered 1799  
County of Prince William

**JOINT PUBLIC HEARING**  
**HAYMARKET TOWN COUNCIL AND PLANNING COMMISSION**  
**FEBRUARY 5, 1996**

- Subject: (1) Subdivision request for 6731 Jefferson Street**  
**(2) Rezoning request Masonic Lodge property 6713 Jefferson St.**  
**(3) Public comment on the Comprehensive Plan Update**  
**(4) Rezoning request Payne Property 15101 Washington St.**

**MAYOR**

**John R. Kapp (absent)**

**ATTORNEY**

**Kristina Keech Spitler**

**CHAIRMAN, PLANNING COMMISSION**

**Lyssa Whitfield**

**COUNCIL MEMBERS**

**Steve Bean, Vice Mayor**

**Nancy Bailey**

**Terri Freeborn**

**Debbie Johnson**

**Mary Lou Scarbrough**

**COMMISSIONERS**

**John Duckett, Vice Chairman**

**Bob Seffinga**

**Mark Blanca**

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Vice Mayor Bean opened the public hearing in the absence of Mayor Kapp, at 7:08 p.m.

Vice Mayor Bean opened the public hearing on the rezoning of the Masonic Lodge property at 6713 Jefferson Street from R-1 to B-1. Vice Mayor Bean called all those who would like to speak for the rezoning. After three calls no one spoke for the rezoning.

Vice Mayor Bean called all those who would like to speak against the rezoning. After three calls no one spoke against the rezoning. Vice Mayor Bean closed the hearing on the rezoning of the Masonic Lodge property at 6713 Jefferson Street.

Vice Mayor Bean opened the public hearing on the comprehensive plan update. Vice Mayor Bean called for all those who would like to speak for the comprehensive plan update. Bob Seffinga spoke for the plan, stating the consultant did a good job consistent with what the town wants to do. Mr. Contrucci asks if the comprehensive plan is available. He was told it was.

Vice Mayor Bean called for all those who would like to speak against the comprehensive plan update. After three calls no one spoke against the comprehensive plan update.

Vice Mayor Bean closed the hearing on the comprehensive plan update.

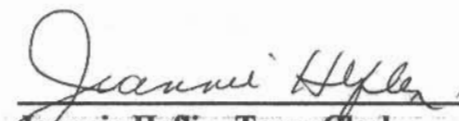
Vice Mayor Bean opened the public hearing on the rezoning request for the Payne Property at 15101 Washington Street from R-1 to B-2. Vice Mayor Bean called those who would like to speak for the rezoning. Mr. Bear spoke for the rezoning. Mr. Dave Schauss, who works for Don Costello spoke for the rezoning. Alan Gossom, who states he has no financial interest in the property spoke for the rezoning. Vice Mayor Bean read a letter into the record from Tim Everett of Gossom's Hardware who wrote in support of the rezoning. After three calls that was all the speakers for the rezoning.

Vice Mayor Bean called all those who would like to speak against the rezoning. Mike Kyle, a resident spoke against the rezoning. Mrs. Turner states she would not speak against the rezoning but would like to see the house saved. After three calls that was all the speakers against the rezoning.

Vice Mayor Bean states the public hearing will be held open to March 4, 1996.

The public hearing adjourned at 7:20 p.m.

**RESPECTFULLY SUBMITTED:**

  
\_\_\_\_\_  
Jeannie Heflin, Town Clerk

jph296

**APPROVED:**

  
\_\_\_\_\_  
Steve Bean, Vice Mayor

2/5/96 Public Hearing - 7:08  
Present: Steve, Nancy, Toni, Debbie, James, Nancy Lee  
P.O. Bob, John, Mark

### Reynolds Masons Property

3 calls no speak either side

### Computerware Plan Update -

3 calls for Bob Siffert plan <sup>spoke for</sup>

~~3 calls~~ by an consultant did a good job

consistent with what the team

wants to do - Intucci asks if

the comp plan is available

3 calls against - no speakers

closed

Reynolds Property - Mr Bear spoke for B-2 <sup>reynolds</sup>  
Dale Schauss who is for

Alan Sisson - has no personal interest

2 calls - Henry Haines - Terry Olson issued 1991

3 calls -

closed

call against - Mike Kyle - accident

2 calls

3 calls - Mrs Turner states she would see  
the house around

Wendy Mary Bear - states the public hearing will  
be held open to March 4, 1996 -

letter from Teri Everett in support of

the rezoning

7:20

**TOWN OF HAYMARKET, VIRGINIA**  
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**HAYMARKET TOWN COUNCIL**  
**FEBRUARY 5, 1996**

**MAYOR**  
**John R. Kapp** (absent)

**ATTORNEY**  
**Kristina Keech Spittler**

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

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Vice Mayor Bean called the regular meeting of the Haymarket Town Council to order at 7:30 p.m. in the absence of Mayor Kapp who was on vacation.

**Minutes of January 15, 1996 meeting**

Councilwoman Scarbrough moved to dispense with the reading of the minutes and to approve them with corrections noted, seconded by Councilwoman Johnson. Councilwoman Bailey brought up that on the advice of counsel the minutes should be corrected before they are approved. Councilwoman Bailey made the following corrections. Page 3 paragraph 4 - BZA does not have a member on it - supposed to be PC does not have a BZA member on it. Page 5 paragraph 2 - Councilwoman Bailey moved to delete the last sentence. Page 6 last paragraph - Councilwoman Bailey states she did not say Sheetz did not pay what was estimated, she only questioned it.

**Police Dept.**

Officer Roop was released to duty. There were 31 traffic and 5 criminal arrests in January. There was some railroad trouble with kids. The railroad police met with Sgt. Bockey. Sgt. Bockey filed 15 reports in January. Officer Roop has made the majority of the arrests.

The new car engine seized up and was replaced under warranty.

Officer Roop has been through the field training.

Sgt. Bockey would like to have the wall extended to the ceiling in the police department due to security and the lack of privacy for interviews.

Offense reports will go through this department from now on. The Police Department is making up their forms so as to process them.

Mr. Bear responded. He thanked Mrs. Miller for the new light on Madison Street. Since early July the traffic on Madison Street is unbearable. He states one night from 1 a.m. to 5:30 a.m. four cars and a pick up went to the nursing home and stayed three to four minutes - some left speeding some leave with their lights off. He asks why would strangers go down that street that time of

night. He was advised he can call Prince William police in Manassas when Haymarket officers are not on duty. Vice Mayor Bean told him to call Sgt. Bockey when that happens.

**Minutes of the Joint Public Hearing - January 15, 1996**

Correction to ISTEAs grant application - from "Mayor Kapp states the Town Council is asking for approval to go ahead with this project" to "Mayor Kapp would like approval from the Town Council to go ahead with the project". Councilwoman Bailey moved to approve minutes with corrections. Seconded by Councilman Shepard. Motion carried by unanimous vote.

**Minutes of Joint Work Session of TC, PC & ARB - re Greenhill - 10/23/95** - tabled to March meeting for review by Council members.

**Treasurers' Report**

The treasurer read the summarized report with an operating account balance of \$42,282.82.

**Unpaid Bills**

Councilwoman Shepard moved to pay the unpaid bills of \$4,906.57, seconded by Councilwoman Johnson. In discussion the request by the Mayor for payment for a luncheon at the Chamber of Commerce, Council wants the Town to pay for one lunch and the Police Department pay for one lunch. In discussion Councilwoman Bailey states she ordered and paid for the business cards for Shelly Khoury because the Council would not pay for them. Councilwoman Bailey moved if the Town Clerk wants business cards she should pay for her own. In a roll call vote two/three the motion failed.

Councilwoman Bailey moved we do not pay the \$188.10 for business cards since Council said no in the past, seconded by Councilwoman Freeborn. In discussion Councilwoman Johnson states she disagrees she feels the Town Clerk and Mayor should have business cards. Councilwoman Freeborn states it wasn't done in the past. Councilman Shepard suggests a blank Town Hall card that each person could fill in their name and it would be available to every member of the Council. Vice Mayor Bean feels the Town Clerk should have a business card.

Councilwoman Bailey moved to amend her motion to pay the unpaid bills including the Town Clerks' share of the business card bill only (\$47.03), and the others reimburse the town for theirs, seconded by Councilman Shepard. With a roll call vote of five/zero motion carried with a unanimous vote.

The Town Treasurer requested an appropriation for \$15,000 for the month to pay expenses for budgeted expenses only. Councilwoman Freeborn moved to make a monthly appropriation of \$15,000 to expend as necessary to pay for pre-budgeted items only, seconded by Councilwoman Scarbrough. Approved by unanimous roll call vote.

**Business License**

Lightwaves Photography - former pharmacy location in Dr. Weaver's professional building. Councilwoman Bailey moved to approve, seconded by Councilwoman Johnson. Motion carried by unanimous vote.

Old Bank Cafe, Barbara Hardy - Councilwoman Freeborn moved to grant business license,

seconded by Councilwoman Bailey. Motion carried by unanimous vote.

Antosek Associates - Michael Antosek, applicant - Councilwoman Bailey moved to approve pending proof of state license, seconded by Councilman Shepard. Motion carried by unanimous vote.

Quality Motors, Ernest Lee Duncan, applicant - formerly Best Buy Auto - Councilwoman Freeborn moved to approve, seconded by Councilwoman Johnson. Motion carried by unanimous vote.

#### **Sign Permit**

Quality Motors - Councilwoman Bailey moved to approve, seconded by Councilman Shepard. Motion carried by unanimous vote.

#### **Rezoning**

Masonic Lodge - 6713 Jefferson Street - Councilwoman Johnson moved to approve rezoning application, Planning Commission formerly approved, seconded by Councilwoman Bailey. Motion carried by unanimous vote.

#### **Citizens Time**

Mr. Bear wanted to know what card Town Council was talking about. It was the business cards.

#### **Old Business**

Kruse Corner - 15001 Washington St. - Councilwoman Johnson, Bailey & Scarbrough and Mayor Kapp met at the office of Gossom & Costello Paving at Kruse Corner. Councilwoman Johnson submitted minutes of the meeting. They met with Alan Gossom and looked at his site plans. The committee would like to see an example of the sidewalks Alan proposes that are asphalt but are processed to look like cement. The meeting was left open for further discussion.

#### Comprehensive Plan

Councilwoman Bailey moved to approve the January 2, 1996 draft of comprehensive plan, seconded by Councilwoman Johnson. Motion carried by unanimous vote. Councilwoman Bailey withdrew motion until the Planning Commission can make a recommendation. The Planning Commission went out to vote on comprehensive plan.

Wolfe Industrial Auction trailer - Attorney Spittler states there is a problem persuing the bond as a remedy. In addition, the letter of credit is made out to another insurance company. This *particular bonding company has a reputation of not paying unless you take them to court.* Attorney suggests we look at abandoned vehicle or public nuisance ordinance. Attorney suggests she be requested to look into the abandoned vehicle ordinance. Councilwoman Johnson moved to have attorney look into abandoned vehicle approach, seconded by Councilwoman Bailey. Motion carried by unanimous vote.

Comprehensive Plan - Planning Commission recommends approval by a unanimous vote. Councilwoman Bailey moved to approve the Comprehensive Plan which was recommended by the Planning Commission, seconded by Councilwoman Johnson. Motion carried by unanimous vote.

Forms and applications - tabled. Gary Eddy to be asked to submit changes for routing form.

Noise Ordinance - to be scheduled for public hearing in March pending approval by attorney.

Youth Program - home work lab to begin on February 12th. A meeting has been scheduled for February 6th at 7:30 for youth, parents and mentors.

Prepayment of fines - moved to re-codifying process

Town Code - Attorney Spitler states she has been in contact with Municipal Code Corporation on our behalf to get information on a total code recodifying. The current code that complies with state code would cost \$8500. Council should review proposal from Municipal Code and ask Attorney Spitler any questions so she will have the answers for a decision in March so Council can move on this. Attorney Spitler will find out how long it will take to have the code re-codified.

Upgrade of Computer - Councilman Shepard states the cost of a new computer is approximately \$1840 and an upgrade is \$1140. Future upgrades will be easier if we get a new system now. Councilman Shepard moved to purchase a new computer, seconded by Councilwoman Johnson. In discussion Vice Mayor Bean asked about status of the budget for such an expense. There is money in the budget for equipment and furniture to cover this item. Motion carried by a 5/0 roll call vote.

Mike Kyle, a resident, offered to meet with Councilman Shepard, in regard to the computer upgrade, at 2 p.m. Saturday, February 10 as he has some ideas that may save some money.

Exemption of personal property tax - to exclude all property except vehicles - Manassas ordinance to be re-worked by Attorney Spitler. Tabled.

Employee handbook - Councilwoman Johnson and Councilwoman Scarbrough have worked up an outline. Attorney Spitler asked that it be sent to her office for checking before adopted.

Councilwoman Johnson asked Council about holiday schedules. She understands that the Town Clerk has no paid holidays but what days is the Town Hall closed. Councilwoman Johnson obtained a list of holidays from Prince William County, there are 15. Councilwoman Johnson also asked about sick leave. She advised Council gave the Clerk sick leave but did not state how much.

#### **New Business**

Prosecution Resolution - submitted by Attorney Spitler Councilwoman Freeborn moved to adopt the resolution for prosecution, with the date changed to February 5, 1996, seconded by Councilwoman Johnson. Motion carried by unanimous vote. Attorney Spitler asked the Town Clerk to give a copy to the Police Dept.

Town Tags for firefighters - The Town Clerk asked what firefighters receive free town tags. She advised she checked with Prince William County who only offers free tags to active firefighters. Councilwoman Johnson moved honorary firefighters have to pay for their tags if they are inactive,

seconded by Councilwoman Scarbrough. Motion carried by unanimous vote.

BPOL - In regard to Century Stair refund request Attorney Spitler states there is no provision in the state code to have a maximum tax. The town ordinance is invalid, therefore the entire tax is due. The Town Council can decide the ordinance was valid, then you have to address the interest and the state code does not allow for interest to be paid. Councilwoman Freeborn moved to table this question to the March meeting for Attorney Spitler to come back with her research, seconded by Councilwoman Bailey. Motion carried by unanimous vote.

Hunting Path Road - no parking zone request - Mrs. Mundie, a resident of the townhouses, requested "no parking" for Hunting Path Road. Vice Mayor Bean will request VDOT to write her a letter.

Commissioner Duckett asked why VDOT can't put a "no parking" on the Washington Street end of Hunting Path. Vice Mayor Bean will ask VDOT.

VMCA conference - the Town Clerk requested to attend the annual conference of the Virginia Municipal Clerks Association April 18 - 20. The conference registration is \$100, room \$140 and a \$50 allowance for two gifts requested by VMCA, plus mileage. Councilwoman Johnson moved to allow the Town Clerk to attend the meeting with a total of \$350 allotted, seconded by Councilwoman Freeborn. Motion carried by a 5/0 roll call vote.

Historic structure - the question of changing the designation of historic structure in the historic district overlay from pre 1900 to more than 50 years old.

Kristina Keech Spitler, primary attorney - Councilwoman Bailey moved the Town Council approve Kristina Keech Spitler as our primary attorney and adopt the resolution, seconded by Councilwoman Johnson. Motion carried by unanimous vote.

Rezoning notification to Prince William County - Attorney Spitler advises the town must notify Prince William County by copy of zoning amendment to the zoning administrator with a cover letter. Ms. Weller talked with NVPDC and they state they can update our large wall map and make small maps at no charge. We will have to have them copied and colored at a printer.

The Planning Commission is to send a letter to John White explaining our zoning codes. The Town Clerk is to write the letter.

Request from attorneys office for donation toward expense of the 1996 Spring Conference of Local Government Attorneys - Councilwoman Freeborn moved to provide \$200 toward Kristina & Turner attending, seconded by Councilwoman Bailey. Motion carried by unanimous roll call vote. The attorneys office will bill on the monthly statement.

#### **Planning Commission**

Requested BOCA and CABO books.

Chairman Whitfield asked why Council tabled the Town's recodification question to the March meeting. Vice Mayor Bean states Council needs to read over the proposal.



Chairman Whitfield requests for joint workshop with Contrucci, our staff planner, she says we may consider getting away from having joint public hearings to have the option to have more time to formulate a recommendation, and she is looking for a procedural suggestion to request the Planning Commission hold separate public hearings. Attorney Spitler suggests the Planning Commission hold a separate meeting on issues unless they request to meet with the Town Council.

Attorney Spitler commented you can draw up a resolution to change procedure but it is not required.

**Historical Commission**

Mrs. Turner wrote to GTE thanking them for the Christmas decorating. They say they will take down the tree ornaments as soon as the weather improves.

Mrs. Turner states she and her volunteers are beginning to make a copy of all documents and sending them down to State Archives, Virginia Historical Soc. And the Prince William County Library.

**Architectural Review Board**

At the last meeting they recommended approval of the J. Brady Hill sign, the Matthew's signs and the Masonic Lodge building permit. Mr. Contrucci also presented the Payne Property rezoning application.

Payne Property - Councilwoman Johnson moved to hold a joint Town Council and Planning Commission meeting on Monday, February 26 at 7 p.m. at the new Gainesville Fire Dept., seconded by Councilwoman Bailey. Motion carried by unanimous vote.

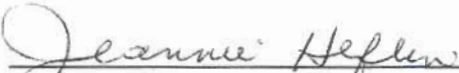
Councilwoman Bailey stated she would like to say she is impressed by Jim Roop's performance.

Vice Mayor Bean asked Attorney Spitler when Mr. Contrucci calls our town attorney is the town supposed to pay the bill for the time. He states we never have in the past, it is billed to the caller. Attorney Spitler states the town is their client and the attorney will bill the town.

ARB Chairman Bob Seffinga confirmed there is no need for the ARB to meet this month.

With no further business meeting adjourned at 10:20 p.m.

**RESPECTFULLY SUBMITTED:**

  
Jeannie Heflin, Town Clerk

**APPROVED:**

  
Steve Bean, Acting Mayor

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