

TOWN OF HAYMARKET, VIRGINIA
Chartered 1799
County of Prince William

*approved
11/6/95*

TOWN COUNCIL MEETING SEPTEMBER 11, 1995

MAYOR

John R. Kapp

MEMBERS

Steve Bean, Vice Mayor

Ronald Hancock

Debbie Johnson

Nancy Bailey

Terri Freeborn

James Shepard

ATTORNEY

Turner Smith

Mayor Kapp opened a work session preceding the regular Town Council meeting at 6:49 pm. During discussion of the sign ordinance amendment Councilwoman Freeborn states she thought that product banners were exempt from regulation (Section 12-214(a)). Council decided to wait until the Planning Commission members arrived to further discuss the sign ordinance.

Comprehensive Plan

Mayor Kapp asked Ms. Liz Weller to address Council with the proposed changes to the Comprehensive Plan update Section 2. Council agreed to the following changes:

1. Goals - paragraph B change to throughout. Strike sentence #2.
2. Page 2 - new paragraph - Section E - add beautification effort sidewalks, street scape). Add Rt. 55 as a scenic route and add pursuing ISTEA grants.
3. Paragraph G - work with the Park Authority & School Board for Gainesville Elem. School (Write as two different sentences.)
4. Recreation - Greenhill Crossing will offer the town 50 memberships for a lottery.
5. Natural Resources - Par. F - E&S investigate the need for Prince William to do E&S.
6. No changes to environmental feature or groundwater resources.
7. Restore North Fork Creek to its original state. Urban repair in restoration - EPS grant to buy trees. Council states the beaver will just eat them up.
8. 2.3 add C - add more specifics on economic development strategies, i.e., commercial interchange properties.
9. Add - ask NOVA or Strayer Colleges to do a market analysis study for potential new business in town.
10. Land Use - put some of paragraph B in economic section.
11. New 2.,6 - paragraph E - change to conservation of historical character.

Ms. Weller states a full draft will be prepared for October meetings for Town Council and Planning Commission for review. Council will schedule a public hearing at the October meeting. Council to meet at 6:30 before the regular meeting.

Sign Ordinance

Banner Section 12-214(a) - Councilwoman Freeborn suggests an exception for sale banners leaving section (a) as is and adding a new (b) "A business in B-1 area display banners permitted under this subsection advertising sale promotion items with no time limitation. Councilwoman Freeborn asked Attorney Smith if he had any comment on the change. Mr. Smith states he does not want to comment until he could see it in writing and have time to think about it.

REGULAR MEETING

Mayor Kapp opened the regular Town Council meeting at 7:49 pm. Mayor Kapp led the Council in the Pledge to the American Flag. Reverend Larry Lee of Haymarket Baptist Church led the Council in prayer.

Minutes - June 1 special meeting - Councilman Hancock moved to dispense with the reading of the minutes and approve the minutes with the correction of Kristina Spitler's name, seconded by Councilman Shepard. With no further discussion motion carried by unanimous vote.

Minutes - July 10th regular meeting - Councilman Hancock moved to dispense with the reading of the minutes and approve minutes with the correction of Kristina Spitler's name, seconded by Shepard. With no further discussion motion carried by unanimous vote.

Minutes - August 7th regular meeting - Councilman Hancock moved to dispense with the reading of the minutes and approve the minutes with the correction of Kristina Spitler's name, seconded by Councilman Shepard. Mayor Kapp states due to his hearing impairment he does not always hear what is said. In the discussion on Nancy Bailey's suggestion to send letter and claim to VARisk2, the motion by Councilwoman Freeborn was to send the claim for "sexual harrassment, or whatever" to the insurance company. Mayor Kapp takes exception to the reference to "sexual harrassment" which was never mentioned in the resignation of Mrs. Khoury, former Town Clerk. Councilwoman Freeborn retracted the word "sexual" from her motion. Councilman Hancock's motion amended to read "with the correction of Kristina Spitler's name and remove the word sexual from Councilwoman Freeborn's motion to send the claim to the insurance company," seconded by Johnson. With no further discussion motion carried by unanimous vote.

Mayor Kapp states there were two exceptions to personnel matters spoken of in the Executive Session during the August 7th meeting. Motion by Councilman Hancock to accept the minutes of the executive session, seconded by Councilwoman Johnson. With no further discussion motion carried by unanimous vote.

Police Department

Vice Mayor Bean states the Police Department liaisons scheduled the police hours for September and it was not well received. Vice Mayor Bean states the Police did follow the schedule. Councilman Hancock states for seven years the Council scheduled the Police Dept work day and he feels Council probably should go back to that routine. Mayor Kapp states he hasn't had any complaints. Councilwoman Freeborn states she has had citizen complaints that they haven't seen the Police Officers.

Mayor Kapp read Sgt Billy Tatum's letter of resignation dated September 1, 1995. Regretfully Councilman Hancock moved to accept the resignation of Sgt Billy Tatum with a letter of recommendation, seconded by Councilman Shepard. With no further discussion motion carried by unanimous vote.

Unpaid Bills

Councilman Hancock moved to approve payment of bills in the amount of \$3,101.67, seconded by Councilman Shepard. With no further discussion motion carried by unanimous roll call vote.

Business License

Jean's Used Things - Mrs. Lane provided receipts for business license fees for 1991 through 1994. Councilwoman Johnson moved to pre-approve license pending an inspection by the Fire Marshall, seconded by Councilman Shepard. Attorney Smith was asked for his opinion on the

vote.

Lane Motor Sales - Vice Mayor Bean has a problem with the request for Sales & Service. He feels the facility does not lend itself to repair work. He also states the service bays have been filled with yard sale material. Councilwoman Johnson moved to table license for clarification by Mrs. Lane, seconded by Councilman Shepard. With no further discussion motion carried by unanimous vote.

Building Permit

Jane Miller - garage door - Vice Mayor Bean moved to approve, pending inspection by Building Official, seconded by Councilwoman Bailey. With no further discussion motion carried by unanimous vote.

Lynda Farr - Hairmarket - fence - Council concedes Ms. Farr does not need a permit to erect a fence.

Sign Permit

Haymarket Grocery - sign already erected - Councilwoman Bailey states this is replacing old sign. Councilwoman Bailey moved to approve, seconded by Councilwoman Johnson. With no further discussion motion carried by unanimous vote.

Councilwoman Bailey states this (erecting signs without a permit) has to come to a stop.

St. Paul's Episcopal Church - two signs (1) at Parish Hall, (2) at the Church. Replacement sign at the church. Parish Hall is a new sign, on the corner of Payne Lane & Fayette Streets. Vice Mayor Bean moved to send to PC, ARB & Building Official preapproved, with inspection fees collected, seconded by Councilman Hancock. With no further discussion motion carried by unanimous vote.

Citizen's Time

Agenda items only. Residents of Longstreet Commons brought up for discussion a youth playground. It was stated that Dr. Weaver has given permission for the youth to use the vacant lot behind his building at 6611 Jefferson St. Dr. Weaver was concerned about the mowing and insurance. Attorney Smith states in order for the town to insure it the town would have to lease or have a contract and would have to take on all the responsibilities. Mayor Kapp asked if the town could then sub-lease the lot the Longstreet Commons Homeowner's Association for the maintenance. Attorney Smith states Council would have to have an agreement that if sub-lessee did not keep the agreement there would be a penalty of some sort.

Councilman Hancock states that this is a win/win situation. Council should pursue whatever we can do to make this happen. Dee Lane, a resident, asked if this could be part of the after school program to be held in Dr. Weaver's building. Councilwoman Johnson asked if we could ask the Park Authority to cover the insurance cost. Councilman Hancock asked if we could have an activity commission to pursue with members from the community, Council and neighborhood.

Mayor Kapp asked Ms. Liz Weller to speak with Rick Berry or the operations folks at the Park & Recreation Authority to ask if they will assume insurance liability if the homeowner's association will maintain and keep the lot clean.

Mr. Bear states he is for the park 100%. He is sick of Prince William County with the money we pay in taxes we get nothing in return. Mayor Kapp asked Mr. Bear to draw up a petition.

Councilwoman Johnson will check on insurance.

Mayor Kapp asked the Longstreet representatives to meet at Rev. Wilder's office at noon on Tuesday, September 12. The Mayor will check with H/P to get them a truck load of dirt to fill in the holes at the lot. Mr. Duckett asked about a screen for the neighboring houses facing the lot to keep stray balls from hitting their homes.

Mrs. Turner asked why the parents did not get a group to supervise activity at Gainesville School. Rev. Lee mentioned there is a lot behind the Haymarket Baptist Church.

Mr. Bear noticed the old clock was in working order again and stated he appreciated that. He also says the Masonic Lodge is spending thousands and thousands of dollars to fix up the lodge and the fire hose rack is ready to fall on the building. He also asks why can't the town get the trash off Madison Street. Trash and trucks at the entrance of Madison Court is unsightly. Police Liaison is to look into it.

OLD BUSINESS

Sidewalk & Bathroom RFP's

Council will have copies left on their desks to be picked up later.

Newsletter

Articles are due tonight. Mayor asked they get in by this week.

Historic Overlay Ordinance

Mayor asked to get folks thoughts to PC, ARB & Town Council. Councilwoman Freeborn states Liz Weller answered any problems she had with the Overlay at the August 29th meeting. The issues are being included in the Comprehensive Plan. Councilwoman Bailey agreed with Councilwoman Freeborn. Councilman Hancock was not at the 8/29 meeting and would like to get a copy of what was discussed, it may answer his questions.

Recorder/Dictaphone

Councilman Shepard presented Council with a price of \$280 for a recorder/transcriber that is available at Staples. He will check further to be sure it is compatible with the microphone system. Councilman Shepard will get more information before Town Council pursues.

Town Hall Cleaning

Councilwoman Freeborn moved to hire Virgie Woodward with three month probation, seconded by Councilwoman Bailey. Roll Call hand vote, motion carried by unanimous vote.

Massage Parlor Ordinance

Lynda Farr, Applicant. Attorney Smith states we do not need to publish notices or have a public hearing in order to vote on adopting an ordinance except it be zoning or subdivision ordinance. Councilwoman Freeborn moved to adopt ordinance, seconded by Councilman Shepard. Councilman Hancock states \$50 is inexpensive fee (for investigation), stating other municipalities charge quite a bit more. Motion carried by unanimous vote.

Mayor Kapp states masseuse was included on her business license application for 1995 therefore it is not necessary to address that use.

Forms & Applications

Mr. Seffinga states Planning Commission went through and made the forms and applications consistent. Council tabled discussion to next meeting. Copy of PC changes to Council at least one week before next meeting..

Payne House

Mayor Kapp stated he spoke with the manager of Nissan Pavilion who stated the big name musicians do not really like to donate concerts. The manager offered to allow the town to hold a craft show/band performance on the parking lot of the facility, once each spring. He stated we could make \$20,000 from such an event. Mrs. Leonard states she has the names of about one hundred crafters. Chris Foley will speak with his partner as they are doing a lot of debt service. He will see if they can help set something up. Councilwoman Johnson states, seeing the work the Ruritans do for Haymarket Day, it is a lot of work to put on such an event.

Discussion tabled.

Sign Ordinance

Councilwoman Freeborn moved to adopt the amended sign ordinance, seconded by Councilman Hancock. Motion carried by unanimous vote. Mr. Seffinga will make the one change to the ordinance and get it to Town Clerk.

Noise Ordinance

Tabled to next meeting.

Prepayment of Fines

Tabled to next meeting.

E & S Inspections

Mayor Kapp met with Doug Carter of Soil Conservation District Office. Mr. Carter wrote up a number of things we should do in reference to definitions that our ordinance lacks. Council states we adopted that two months ago. Mayor Kapp will check into it. One thing Carter suggested we need staff certified for program administrator, who could be the Mayor, we could pay BD&E, or the PWCSWCD. Mayor Kapp spoke with someone at the PWCSWCD who is bringing it up at their meeting tonight.

Gossom's signs

Mayor Kapp states VDOT sent a letter asking to see our Overlay, in reference to independent vehicle dealer signs. Mayor sent a letter with a copy of the Overlay asking for a waiver.

Gossom's office parking lot

Councilwoman Freeborn asked about the status of Alan Gossom returning the parking lot to grass and landscape. She asked what happened to the plan Mr. Gossom presented to Council.

Harassment Claim

Councilwoman Freeborn asked the status of the claim. She was apprised that there is a \$500 deductible but the claim will be made for the record.

Police Department Retirement

Councilwoman Johnson states she still has not received the manual she was promised months ago. She states we must pay hefty fees to get into the program. Attorney Smith states program is not

intended for this type of situation (small municipality). Vice Mayor Bean stated retirement was not part of the deal upon the Police Officers employment.

Wolfe Industrial Auction trailer

Councilwoman Johnson asked about the trailer. Mayor states owner has filed bankruptcy and we will have to wait until we know who takes over.

New Ordinance Books

Councilwoman Bailey asked about the books. Mayor states as soon as the ordinance is in they can go with it. Town Clerk to send sign ordinance down and ask for immediate response.

Paxton Property

Councilwoman Freeborn asked about the Paxton property. Mrs. Turner states she spoke with Mr. Paxton recently and he did not mention any plans. Councilwoman Freeborn says that maybe they can do something about the fence needing paint.

Dr. Weaver's

It was reported the trash bin is always overflowing. Vice Mayor Bean states other people are dumping their trash. He spoke with Everett about it - he suggested to Dr. Weaver to move the bin behind the building.

Trash

Mayor Kapp met with Waste Management. They will start in October and charge \$45 ton for the City of Manassas. They will probably charge \$48 ton for outsiders. He will stay in touch with this.

NEW BUSINESS

Real Estate Tax Bills

Prince William County Real Estate Tax Office offered to print the bills for 1995 for a set up fee of \$300-350. The bills will be run when they run theirs. Councilman Hancock moved to approve to contact PW County to print our real estate bills, seconded by Vice Mayor Bean. Motion carried by unanimous roll call vote.

Structural Evaluation - Town Hall

Mayor Kapp spoke with Jim Payne. He states for \$200 he will come out and do a structural evaluation of the Town Hall. Vice Mayor Bean moved to approve, seconded by Councilwoman Johnson. Motion carried by unanimous roll call vote.

Planning Commission

Town Council has a copy of the letter from the Planning Commission in reference to the letter from Council to the PC and ARB in May, 1995. Councilman Hancock moved to accept this letter with no reply, just as was done with the ARB response, seconded by Councilwoman Johnson. Motion carried by unanimous vote.

Councilwoman Bailey stated the Planning Commission at the August 8th meeting went over the Comp. Plan Part 1 and the sign ordinance. They had a very enjoyable work session.

Historical Commission

Councilwoman Johnson stated they discussed Haymarket Day and the commemorative Christmas ornaments the commission will offer for sale at \$10 each, plus they will have white elephant items. The commission discussed Bicentennial items such as a cookbook, a book on Haymarket's

history, winter dance for a fund raiser, possibly for Winterham house.

They also discussed a walking tour of town, a contest for Christmas wreaths with a prize. A chorus will sing in front of the Christmas tree next to the Town Hall. GTE will bring a bucket to decorate the tree.

Mrs. Turner asked if everyone saw the list of former mayors. She has filled in Mayors dates as much as she was able to get.

Councilwoman Johnson suggested an auction for a fund raiser in November.

ARB

No meeting was held last month. Next meeting scheduled for Sept. 13 at 7:30.

Correspondence

Notice from Prince William Tourist office to send in notice for annual events by September 22 for inclusion in their brochure.

GTE rate hike - notice. Council to write a letter to SCC against hike. Vice Mayor Bean moved to submit letter to SCC requesting no increase, seconded by Councilwoman Bailey.

Potomac News - letter to editor in reference to the article on the purchase of the Payne House. Marshall painter of Color Craft Homes offers fifty man hours of work in renovation on the Payne house.

Leukemia Foundation will be in town taking up collections.

Vice Mayor Bean presented Council with a scrapbook of pictures of Dorothy Keller's dedication party for anyone to peruse.

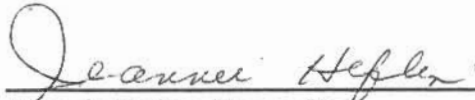
Thank you cards from Margaret Ayers and Dorothy Keller for the Dorothy Keller dedication.

Councilman Hancock wanted to reiterate the sentiments of the cards, the ladies of the Council did a great job for Dorothy.

Councilwoman Bailey spoke to Attorney Smith about the hay wagon for Haymarket Day. Councilman Hancock made a contribution for the candy fund. Councilwoman Johnson will purchase the candy for the parade. Councilwoman Bailey states the wagon should be for the Mayor, Town Council and Town Clerk to ride.

With no further business to discuss Vice Mayor Bean moved to adjourn the meeting at 10:42 pm, seconded by Councilman Hancock.

RESPECTFULLY SUBMITTED:


Jeannie Heflin, Town Clerk

APPROVED:


John R. Kapp, Mayor

TOWN OF HAYMARKET, VIRGINIA
Chartered 1799
County of Prince William

affirmed
11/6/95

JOINT PUBLIC HEARING
HAYMARKET TOWN COUNCIL AND PLANNING COMMISSION

Subject: Sign Ordinance Amendment
SEPTEMBER 11, 1995

TOWN COUNCIL:

John R. Kapp, Mayor
Steve Bean, Vice Mayor
Ronald Hancock
Debbie Johnson
Nancy Bailey
Terri Freeborn
James Shepard

PLANNING COMMISSION:

Lyssa Whitfield, Chairman (absent)
John Duckett, Vice Chairman
Mary Lou Scarbrough
Bob Seffinga

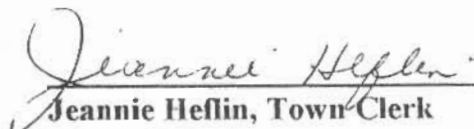
Mayor Kapp called the Joint Public Hearing of the Town Council and Planning Commission to order at 7:46 pm.

Mayor Kapp asked all those wishing to speak in favor of the adoption of the sign ordinance to speak. Bob Seffinga states the ARB and Planning Commission have worked very hard on this ordinance. After three askings no one else spoke for the adoption.

Mayor Kapp asked all those wishing to speak against the adoption of the sign ordinance to speak. After three askings no one spoke against the adoption.

Public Hearing closed at 7:49 pm.

RESPECTFULLY SUBMITTED:


Jeannie Heflin, Town Clerk

APPROVED:


John R. Kapp, Mayor

UNPAID BILLS - September 11, 1995

\$ 1,408.71	First Virginia Bank - 941 August
171.32	GTE - Town Hall
20.22	AT&T - Town Hall & PD
37.04	Journal Messenger - Public Notice 8/28
269.04	Virginia Power - Street Lights - August
115.27	Mobil - PD vehicle fuel
100.00	Haymarket Historical Commission - July & August
67.20	Virginia Power - Town Hall
126.99	B&S Industries, Inc. - PD supplies
138.33	Metropolitan Plants - August
618.34	Dorothy Keller Appreciation Day expenses
29.21	PWCSA
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\$3,101.67	TOTAL

Note - Wolfe Industrial Auction has not cashed their check for \$150.00 written February 7, 1995, representing a refund of the special use permit fee, that was denied at the February 6th meeting.