

Unpaid Bills

Mayor Kapp presented a bill for \$55.26 from the Flower Gallery for flowers for Dorothy Keller and Nancy Bailey. Vice Mayor Bean moved to approve unpaid bills, seconded by Councilman Hancock. Motion carried by a unanimous show of hand vote. Councilwoman Bailey asked if the Town Clerk could include all account balances in the Treasurer's report.

Business Licenses

Latino Auto City - formerly Chevy Chase Auto, who could not get a bond, grouped with others and reapplied at Latino Auto City. Councilman Hancock moved to approve, seconded by Vice Mayor Bean. With no further discussion motion carried by unanimous vote.

Pars Motor Network Councilwoman Bailey moved to approve, seconded by Councilwoman Freeborn. With no further discussion motion carried by unanimous vote.

Lansdown Haymarket Auto - request for amendment to Business License to include new and used auto parts dealer. Council states since it is a change in use it would require rezoning. Councilwoman Bailey moved to deny approval, seconded by Vice Mayor Bean. With no further discussion motion carried by unanimous vote.

Sign Permits

Latino Auto City & Pars Motor Network - Alan Gossom is using old signs for inspection purposes until we hear from the State with answer to the waiver question. Mayor Kapp informed Council the letter to the State agency regulating independent vehicle dealers, in reference to the sign requirement of 6" lettering was mailed two weeks ago. Mayor Kapp requested a consideration for our ARB guidelines and a reduction to 4" lettering for signs in Haymarket.

Building Permits

Lewis Leigh, applicant for Matthews Restaurant - cover existing gray clapboard with gray vinyl siding and cover white wood trim with white vinyl siding and repair white aluminum guttering. It was stated PC & ARB approval would not be necessary. Vice Mayor Bean moved to approve, seconded by Councilwoman Freeborn. With no further discussion motion carried by unanimous vote.

ADCO applicant for Milhous - Air conditioning system to be installed. Councilman Hancock moved to approve pending Gary Eddy receiving all permits required, seconded by Councilwoman Freeborn. With no further discussion motion carried by unanimous vote.

John Hamilton - deck - applicant failed to provide drawing of footers, location of deck on plat and height of deck. Councilwoman Bailey moved to approve pending receipt of drawing of footers, location and height of deck for PC meeting, seconded by Councilwoman Johnson. With no further discussion motion carried by unanimous vote.

Councilwoman Johnson asked if approvals from the Townhouse Association came back to Town Council. Mayor states the TC approved first and then they take it to TH Association. Councilman Hancock asked if we want to require an approval from TH Association. The answer was no.

Masonic Lodge - acquirement of land and requirements for expanding their parking facility. Mr. Jim Via and Charles Dawley addressed Council with a request to inform them of the requirements in reference to the eventual purchase of adjoining landowners property and moving their lot line to include a new driveway and parking area. Bean states they would have to submit a site plan and will have to have a public hearing. Mayor Kapp states they will have to meet set back

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requirements.

Old Business

Sign Ordinance - Mayor Kapp went over the changes made to the revised sign ordinance dated 7/17/95. Councilwoman Freeborn asked Attorney Smith about page 11, #3 temporary signs/banners. The decision to remove the words "and discussed with church representatives before any action can be taken" and "on a case by case basis". There was discussion of the extension of the six month period. Public Hearing will be scheduled for September 11 meeting at 7 pm.

Comprehensive Plan - Council scheduled Tuesday August 29th for a joint work session of TC & PC at 7 pm.

Sidewalk/Bathroom RFP - Gary Eddy has not submitted the details yet.

Newsletter - The Town Clerk requested a September 11th, Town Council meeting, article submission date for the September newsletter.

File Cabinet - Town Clerk was asked if she had heard anything back from Gary Eddy in reference to the weight of the file cabinet on the floor. She responded she had not seen him nor heard from him since then in reference to the floor. Councilwoman Johnson moved to approve purchase of file cabinet #1, the base and the locking capability, seconded by Vice Mayor Bean. With no further discussion motion carried by unanimous roll call vote.

Recorder/Dictaphone - Councilman Shepard will report at the next meeting.

Town Hall Cleanup day - Scheduled for August 31, Thursday at 6:30 pm.

Dorothy Keller Dedication - Councilwoman Bailey spoke with Mrs Keller who states any date Council chooses will be fine with her. Councilwoman Freeborn states it should be before Haymarket Day so the plaque will be installed. Council scheduled September 6, Wednesday at 7 pm. Vice Mayor Bean figures on 40 people in attendance.

Cleaning Service - Town Clerk to pull RFP's from last time and put them on the bulletin board. Motion by Councilwoman Freeborn, seconded by Vice Mayor Bean. With no further discussion motion carried by unanimous vote.

Cablevision - franchise transfer request to Jones InterCable. Councilwoman Johnson moved to adopt the resolution transferring the cable company, seconded by Councilman Hancock. With no further discussion motion carried by unanimous vote. Town Clerk to mail the executed resolution to Cablevision.

Forms/Applications - PC to look at the 8/8 meeting. ARB has copies. Mrs. Leonard, acting chairman of ARB, to get a hold of members to get any comments. There were no comments from Town Council. Subject to be placed on September agenda.

Payne House - Vice Mayor Bean has nothing to report. He states his hopes outdid reality. Mayor Kapp reported a docent from Mount Vernon has offered to help us with some benefits. Mayor Kapp will speak with Nissan Pavilion about benefit concerts also. It was reported by Mayor Kapp that there was an article in the Potomac News a few days ago on the Payne Property.

Insurance Claim - Shelley Khoury letter - Councilwoman Bailey is puzzled about the \$500 attorney fee the Town paid for Mayor Kapp. She understood Attorney Smith to say the town was covered in reference to the harassment claim and the other attorney was secured because Shirley Kapp was named in the letter. Attorney Smith replied he told Mayor Kapp to obtain outside legal counsel because Mayor & Mrs. Kapp were charged and he did not know if there would be any action forthcoming. Councilwoman Freeborn moved to submit claim to VaRISK2 for harassment by the previous Town Clerk, seconded by Vice Mayor Bean. With no further discussion motion carried by unanimous vote.

Prepayment of Fines - there are two fines that Council ought to consider (1) failure to pay tax and failure to secure town tags. Tabled to next meeting.

Virginia Retirement System - Councilwoman Johnson has some material she will give to Council, more will be forthcoming. Tabled.

Trash Disposal - BFI will have a transfer facility and if they will have outside contractors the fees will \$45 ton vs. \$60 ton. Mayor Kapp will speak with Everett should BFI be taking outside contractors.

Historic Overlay - Councilwoman Bailey moved to hold a public hearing next month to repeal chapter XII, article 13 the Old & Historic Overlay, seconded by Councilwoman Freeborn. Councilwoman Bailey reformed motion to have public hearing to get citizen input to revamp or rework Old & Historic Overlay and Attorney Smith input to legality of the Ordinance, seconded by Freeborn. Councilwoman Bailey reformed motion to "hold a work session with Town Council, Ms. Weller and Attorney Smith to discuss possible revamping Old & Historic Overlay Ordinance," seconded by Councilwoman Johnson. The meeting will be open to the public. Motion carried with four in favor and one abstaining (Bean). Councilwoman Freeborn suggested we turn this over to Ms. Weller at the August 29 joint work session for her recommendations for public discussion. Councilman Hancock suggests we schedule a public work session at the September Town Council meeting.

Grants for Citizens - subscription \$129 annually, money back guarantee if you do not get a grant. Councilwoman Johnson moves we get first two free issues and take it from there, seconded by Councilman Hancock. With no further discussion motion carried by unanimous vote.

Linda Farr - massage parlor - Mayor received a copy of the Prince William County code for massage parlor. Copies will be left at the town hall for Council members to pick up. This issue will be addressed at the September.

Planning Commission

At the July 11 PC meeting

- (1) Approved Greenhill Crossing and Karen Blatter sign permits.
- (2) Approved the purchase of the smallest plan/plat file cabinet
- (3) Comprehensive Plan - joint work session scheduled August 29, public informational meeting planned for October and Public Hearing in December
- (4) Sign Ordinance - reviewed last revision
- (5) Robert Stalker - resigned due to school conflict.

Historic Commission

Marshall Garth - a framed picture of Marshall Garth was presented to Council for hanging in the chamber. General Garth was the nephew of Maude Jordan and was highly decorated during his

TOWN OF HAYMARKET, VIRGINIA
Chartered 1799
County of Prince William

*copy
approved
8/11/95*

TOWN COUNCIL MEETING AUGUST 7, 1995

MAYOR

John R. Kapp

ATTORNEY:

Turner Smith

Kristine Keech Spittler

MEMBERS

Steve Bean, Vice Mayor

Ron Hancock

Debbie Johnson

Nancy Bailey

Terri Freeborn

James Shepard (absent)

The regular Haymarket Town Council meeting was brought to order at 7:30 pm by Mayor Kapp. Mayor Kapp led the Council in the Pledge to the American Flag. Rev. Terry Wilcox of Christian Fellowship Church led the Council in prayer.

FBI agent Dave Williams was invited to address Council in reference to "terrorism".

Ruritans - Haymarket Day

Charlie Coe, Kim Light and Don Holmes. It was reported 40 booths have been reserved. The festival will honor the Gainesville/Haymarket VFD in commemoration of the 50th anniversary of the Fire Company. The parade will begin at 11:00 am and the parade marshalls will be past fire chiefs. Chuck Dedi is in charge of the parade and Terry Alexander will be one of the judges of the parade. There will be 10 award categories. There is entertainment scheduled for all day. The Haymarket Day Gazette has a circulation of 34,000. Council was asked to update their biographies and get back to Mr. Coe as soon as possible. Mr. Coe is going to borrow the Mayor's picture from the wall for the Gazette. Mr. Coe asked about the farmers market booths during Haymarket Day. After much discussion Mr. Coe suggested that the market vendors fill out forms for a space, with the Ruritans, so that they may schedule and allot space for them free of charge. It would probably not be the usual spaces the vendors occupy but there will be no charge to them for the day. Council agreed that was fine. Kim Light is in charge of craft vendors. It was reported that Centreville Ruritans will help with the food booth. Mr. Bear asked how many years it has been going. Mr. Coe answered the Ruritans have been sponsoring it for seven years. The first was attended by approximately 2,500. Last year the count was estimated at 10,000. The next Ruritan meeting is Thursday August 10 at Evergreen at 7:30.

Minutes of July 10 regular meeting, May 11 special meeting and June 1 special meeting.

Hancock moved to dispense with the reading of the minutes and approve the minutes, seconded by Johnson. Motion carried by unanimous vote.

Police Department

Police Department Liaison Steve Bean reports the General Orders are not completed. Sgt Tatum reported to him there is a need for a light on Jordan Lane at the dip. Councilwoman Bailey moved to approve the placement of a street light in the dip on Jordan Lane, seconded by Councilwoman Freeborn. With no further discussion motion carried by unanimous vote. Town Clerk is to ask the police to get the pole number and order the light.

Treasurer's report

The reading of the treasurer's report stated a July 31, 1995 operating account balance of \$68,967.09.

military career which included serving during World War II, Korean War and the Viet Nam wars. General Garth was a graduate of Haymarket High School. General Garth lived on Washington Street which was located at the First Virginia Bank lot.

Eddie Melton - a framed picture of Eddie Melton was presented to Council for hanging in the Council chamber. Lt. Melton is the son of Fewell & Frances Melton, was born and raised in Haymarket and served in the Viet Nam war.

Christmas Ornaments - Mrs. Turner announced she is ordering ornaments which will have the pen and ink drawing.

Historical Commission Liaison - Mayor Kapp asked Councilwoman Johnson to represent the Town Council on the Historic Commission. The Commission will begin meeting on Thursday evening before Council meeting.

Mrs. Turner states they are working on the bicentennial. So far plans are to open the celebration with 18th century horse races during the summer of 1998 and cap off the celebration with an 18th century ball on January 11, 1999.

Architectural Review Board

At the last meeting they approved all the signs sent by Council except Gossom's for independent vehicle dealers. Gossom's signs are in limbo since Council sent a letter to the State regulatory office for waiver of the 6" letters for the dealer signs. Mayor Kapp states he will contact the State if we haven't heard by the next Town Council meeting.

Resignation of ARB Chairman - Mrs. Twining submitted her resignation effective immediately on July 12, 1995. She and her family are building a house on Bull Run Mountain Road and will be moving out of town soon.

Citizen's Time

Mr. Bear asked the Council to move citizen's time back to the top of the list, about number 6 or 7. The reason, he states, is when he says something he wants someone to be here to hear him.

Correspondence

Commonwealth Gas - Council has received a rate increase notice they are to peruse.

VML - telecommunications reform bill

Richmond Center - Virginia Power - two passes VIP guests August 16 & 17.

Virginia Freedom of Information Act

GTE South - local exchange access and rates

Virginia E&S regulation - public meeting 8/23 7 pm

Calendar of Events - NOVA

Governor's Uniform BPOL Ordinance

Streetlight Program - Mayor Kapp announced GTE and Sheetz bought street lights.

Lane's Business License - Council states she needs to pay back fees before renewal. Gary Eddy to inspect when license is applied for. Attorney Smith asked to respond in writing to the Lane letter as he would like to speak with Martin Crim, of his office, before responding.

Auto Painting business in the back of Lane's

Ms. Keach states if Lane is operating without a license the Code provides for criminal sanctions. Police Department can be sent to evaluate what is going on. Town Council would have to send a representative to go to court verifying that Lane does not have a license. Proof (pictures) must be obtained of business in operation (Police get license number on vehicles being worked on and trace to owner and get their testimony).

With no further business to discuss the regular meeting adjourned at 10:20 pm.

Councilwoman Freeborn moved to go into executive session per State Code Section 2.1344 A. L, to discuss personnel matters, seconded by seconded by Councilman Hancock at 10:26 pm. Motion carried by unanimous vote.

Councilman Hancock moved to go back into regular session at 11:52 pm, seconded by Councilwoman Freeborn. Motion carried by unanimous vote.

Councilman Hancock rescinded his motion to dispense with the approval of the minutes with corrections duly notes and any corrections noted for approval at next meeting, seconded by Councilwoman Johnson. With no further discussion motion carried by unanimous vote.

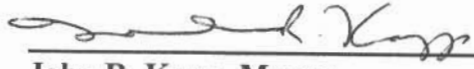
With no further business meeting was adjourned at 11:55 pm.

RESPECTFULLY SUBMITTED:



Jeannie Heflin, Town Clerk

APPROVED:



John R. Kapp, Mayor

MOTION: *Freeborn*
SECOND *Hancock*

RESOLUTION NO.:
MEETING DATE: *8/7/95*

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Council of the Town of Haymarket has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, SECTION 2.1-344.1 of the Code of Virginia requires a certification by the Council of the Town of Haymarket that such executive meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Town of Haymarket hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Council of the Town of Haymarket.

VOTE

AYES: *Bean, Johnson, Bailey*

NAYS:

[For each nay vote, the substance of the departure from the requirements of the Act should be described]

ABSENT DURING VOTE: *Shepard*

ABSENT DURING MEETING: *Shepard*

Jeannet Heflin

Town Clerk
Town of Haymarket

Mayor

Date

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

Freeban, see Hancock Motion - covered
union vote

Following items were discussed during open session that were not personnel matters.

1. Discussion on allowing constituent to speak during T.C. meeting.
2. The Mayor's wife alleged statement that the Mayor was leaving Town on Sept.