

TOWN OF HAYMARKET, VIRGINIA 22069

Chartered 1799

County of Prince William

HAYMARKET TOWN COUNCIL MEETING-APRIL 3, 1995

**MAYOR**

John Kapp

**COUNCIL MEMBERS**

Steve Bean, Vice Mayor

Nancy Bailey

Ron Hancock

Debbie Johnson

Terri Freeborn

James Shepard

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The April 3, 1995 regular meeting of the Haymarket Town Council was called to order at 7:30 p.m. With all members present, Mayor Kapp led the Council in prayer and the pledge to the American flag. Councilman Hancock moved to dispense with the reading of the minutes and approval of the minutes with corrections. Seconded by Councilman Shepard. With no further discussion motion was carried by unanimous vote.

**POLICE REPORT**

Sgt. Tatum spoke to Council regarding the amphitheater and the traffic that will be generated by the events held there. Mr. Bear stated he heard the amphitheater was hiring security personnel and the County Police would be policing the area. Tatum also spoke about Sheetz business being very good and more demand on town police.

**TREASURERS REPORT**

The treasurers report was summarized and read by the Treasurer.

**UNPAID BILLS**

Councilman Hancock moved to approve unpaid bills, seconded by Vice Mayor Bean. With no further discussion motion carried by unanimous roll call vote.

**Coalition Against Hunger**

Ms. Kelly Rodgers spoke to Council concerning the Coalition Against Hunger, housed in an office located in the Haymarket Grocery building. Ms. Rodgers stated this organization takes a "hands-on" approach providing food and services to the needy in Haymarket community. Ms. Rodgers voiced her desire to see a community center in Haymarket. She suggests to hold "community unity" days (events) to bring the community together. Mayor Kapp stated SERVE had a \$5,000 donation given for the use of Haymarket/Gainesville communities.

Ms. Rodgers stated she is looking for events that give one-on-one interaction of the needy with the general population. Ms. Rodgers will get together a list of the most common needed items and give to the Town Clerk.

**OLD BUSINESS**

**Gainesville School**

Mr. Rick Berry, Gainesville representative on the Prince William Park Authority board, spoke

asking Council to write an official request to the Park Authority and the School Board to consider keeping the Gainesville School in public use, turning into a Parks Dept run community facility. Keep in mind if the school is needed for school use again, that it would revert back to the School Board. Mayor Kapp stated he has a meeting with Pat Mulhern this week. Mayor Kapp spoke about a conversation with a Mrs. Hoffman who wants to use the school for day care/elder care, etc.

Ms. Leonard stated the Woman's Club is sending a letter to the School Board and newspapers requesting the facility be given for community use instead of a bus depot.

Councilman Hancock favors a motion for a resolution, seconded by Councilwoman Freeborn. Without further discussion motion carried by unanimous vote. Councilman Hancock will draw up the resolution.

#### **FEMA**

Councilwoman Bailey states Planning Commission recommended approval of the amended floodplain ordinance as provided by FEMA. Councilwoman Freeborn moved to approve the amended ordinance, seconded by Councilman Shepard. With no further discussion motion carried by unanimous vote.

#### **GTE**

Danny Glascock, of GTE, introduced himself as the local manager at the Haymarket facility. He manages the zoning areas of Haymarket, Arcola, Nokesville & Dulles. He can be reached at 754-9301 and would like to hear from anyone who needs assistance with their telephone system.

#### **Farmers Market**

The Council considered the guidelines drawn up by Mrs. Heflin. It was suggested the market use temporary signs like real estate signs. Mr. Bear stated he would donate a real estate sign and paint it white ready for lettering. Councilwoman Johnson stated she would letter the sign. Council stated they did not want hand craft items sold at the market. Hand made crafts were reconsidered and acceptable as long as the market is monitored not to receive flea market type fare or tee shirt sales, etc.

Mr. Smith, Town Attorney questions that the statement limiting legal liability for lawsuit being sufficient. Mr. Smith is to review the guidelines and speak with Steve Cooper of Hutton & Payne Insurance to verify. Mr. Smith to get back to the Town Clerk with any problems within a few days with a written statement. Councilwoman Freeborn moved to approve the guidelines, pending approval by Mr. Smith, seconded by Councilwoman Johnson. With no further discussion motion carried by unanimous vote.

#### **Greenhill Crossing**

John Manganello stated all approvals are in for Section 2, BD&E has no objections to site plans for Section 2, VDOT, PWCSA have no objections. Plats are not recorded, proof of easements, soil & water.

Street Lights, Greenhill Crossing - Mayor Kapp stated there is only one street light in the cul-de-sac, Mayor Kapp personally felt that is not enough. Manganello stated the plan is designed per county standards, one in each cul-de-sac and two at each intersection. Mayor Kapp stated he

doesn't feel there are enough street lights. Manganello states they can provide another in the cul-de-sac.

Cul-de-sac, Greenhill Crossing - must be no longer than 400' - Mr. Smith states driving area needs to be 100' - one cul-de-sac is only a 90' area. H/P will have to change to 100' as per subdivision ordinance. PC brought up this point during planning stage - approval was based on that being resolved.

Storm Drains, Greenhill Crossing - none up

Mr. Smith stated approval should be given when all questions are satisfactorily addressed. Mr. Smith stated E&S agreement with respect to streets, public construction nature other than Soil & Silt & Sewer & Water figure \$250,000 to put in streets, curb, gutter, letter with county does not cover who inspects them. It is not clear if VDOT inspects while being built. Town should request inspections done during building. Question of who inspects is unanswered. Mayor Kapp is to get answers to Mr. Smith, in re., any other public improvements E&S, VDOT & PWCSA inspections and all that will be required.

### **Comprehensive Plan**

Mayor Kapp does not think the Historic Overlay question needs to be in the comprehensive plan survey. Mrs. Leonard says with the expense of the comprehensive plan being so large, why can't we say we like what we did last time and we are happy with it. In regard to a planner to help with the update, it was stated Lorraine Payne is no longer doing side work.

Lyssa Whitfield, Planning Commission Chairman, stated "if the town attorney views our ordinances as ambiguous, then the ordinances are a sham". Councilwoman Freeborn clarifies our comprehensive plan is out of date and must be updated every five years by law. Mayor Kapp stated the consensus of the Council is not happy with the draft provided by LDR. Whitfield states there are problems with our ordinances and can't work with them. Mr. Smith asked if we are speaking about the comprehensive plan only, because Municipal Code does check if there are contradictions in the ordinances we send them. The question was asked if Council can put a comment area on the survey for question #14 and anyone that is going to respond will put in a comment. It was agreed to do that.

Councilman Hancock was stopped Saturday by someone who got the Historical Commission letter. The person didn't know anything about the historic overlay. Councilman Hancock thinks there is a misunderstanding in communication because the letter is not a bad letter. Mr. Seffinga stated the newsletter had an article that explained the purpose and intentions of the historic overlay.

Ms. Leonard stated there were negative comments from people that came to the meeting (referring to the Historical Commission meeting held for educating the owners of older homes what the historic overlay and possible landmark register designation means). Homeowners left with a very positive attitude when they learned what the truth is and they left wanting to know how to help. Mrs. Leonard stated the comprehensive plan is in the hands of every Town Council member and if it gets overturned the Town of Haymarket will go down hill. This is no time to undo the positive things going on.

Councilwoman Johnson moved to add comment section, seconded by Councilwoman Freeborn.

With no further discussion motion carried by unanimous vote.

Councilwoman Johnson commented Comp. Plan Survey, page 3, question #8 on example comment use yes/no instead and leave comment space.

It was decided to put a return date on the cover letter for survey, within 14 days of receipt. The survey is to be hand delivered this weekend. Survey will have to be hand delivered to be sure they get in residents hands.

Mary Lou Scarbrough suggested Page 3 question #1 In what town do you buy groceries (add in) Bob Seffinga stated he would like to take out question #14, but that has already been discussed.

Schedule of delivery is: Lyssa Whitfield - Brave Court & Cheyenne Way, John Duckett - Comanche Court, Terri Freeborn - Hunting Path Road, Bob Seffinga - Jefferson Street South side and Fayette Street to Washington Street, Robert Stalker - Madison Court and Madison Street, Debbie Johnson will fill in if she is in town, Ron Hancock will do Jefferson St. down Washington and down Bleight Drive, Jim Shepard will do - up Fayette Street and up Washington Street West, Jack Kapp - Jordan Lane.

#### **Southern Software**

to be discussed at budget work session.

#### **The old Payne House**

Mayor Kapp received a proffer from Naim Amireh (owner) for the Payne house for: from Freeborn property 130' north by 300' with studio house and the Payne House, if we move the house on the above stated lot, in return for rezoning the front lot (facing Washington Street) from B1 to B2. Vice Mayor Bean moved to say "no thanks", seconded by Councilman Shepard. Motion carried by unanimous vote.

Mayor Kapp and Mrs. Turner spoke with Senator Colgan who stated he will introduce appropriation to buy the whole Payne property. It is for sale for \$437,000. Councilwoman Freeborn stated property is "going down hill" fast. Vice Mayor Bean would like to buy it and build a new Town Hall and a park and playground for the youth.

#### **Bathroom fix up**

Councilwoman Johnson presented two proposals for the bathroom. She stated we do not need to discuss now. Tabled to budget work session. Mayor Kapp has appointment with contractor for an estimate also.

#### **Sign Ordinance**

Councilwoman Bailey questioned if Mr. Smith, town attorney, received the sign ordinance revision. Turner Smith stated he did not respond in writing. Mr. Smith wants to point out if you interpret solely within statute as sign effects the historical zoning there are one or two places it is still ambiguous. The courts have considerably widened their view as to aesthetics. Virginia is a Dillon Rule state, no building including signs unless approved by ARB or under review with Council - compatible with surrounding number of signs applied for and wording of sign brings in first amendment right, brings in political issue, strictly architectural it would be okay. Mayor Kapp asked if we should make reference to sign style recommended by ARB based on historical significance - Mr. Smith stated it is dangerous to say what a sign can say. Bob Seffinga explained

existing sign ordinance with language was taken from an ARB consultant who got it from Loudon, Alexandria and Reston. Mr. Smith stated we must be careful to refer to architecturally & historically compatible.

Mayor Kapp asked if refer to the statute and ARB should take out the preferred "a consideration will be given by ARB as to sign style". "Department" for inspection replace with Town Council. "Zoning Administrator" is Town Council. "Colors - tastefully executed" leaves us wide open to attack - colors as adapted by ARB. Number of signs "generally" - what does that mean? Existing signs will be "usually pleasant" - would not stand up. Bob Seffinga wants to take a closer look at "one permanent sign per business 'strongly' recommended - existing ordinance can have one of each style no limit to of number of signs. Possibly change to one sign per entrance to business.

Individual letter sign - logos on a case by case basis if referred to architecturally compatible - Mr. Smith recommends we delete logo issue. Bob Seffinga says if you do not address logo we can not deny anything - Mr. Smith suggests we do not try to tell them what to say. If we want to say something about logos say it is architecturally compatible not on a "case by case" basis.

#### **Signet Bank \$1400 balance shortage**

Councilwoman Johnson moved to write off \$1400, seconded by Vice Mayor Bean. Signet Bank operating account shortage that the Treasurer traced back to before July 1, 1994. The checking account has not been reconciled by approved accounting method and the shortage can not be traced to its origin. The treasurer states she does not suggest any wrongdoing but the shortage must be addressed so that the Mayor can make a statement to Hutton and Payne Insurance Company in order for them to release the surety bond on Ms. Shelley Khoury, former Treasurer, and post a surety bond on current Treasurer, Jeannie Heflin. Roll call vote, Bean-no, Bailey-yes, Freeborn-yes, Johnson-yes, Shepard-yes, Hancock-yes. Motion carried by 5/1.

#### **Rohrbaugh rezoning**

Mayor Kapp read the zoning amendment for the second reading. Motion to approve amendment by Councilman Hancock, seconded by Vice Mayor Bean. With no further discussion motion carried by unanimous vote.

#### **Business License**

Balloon 'n Gift Expressions - Barbara Mullins and Betty Walker, applicants for shop at 14950 Washington Street, Old Red House (facing Washington Street on right of P Jays, in the offset). Councilwoman Johnson checked completeness of the business license application. Vice Mayor Bean moved to approved, seconded by Councilwoman Bailey. With no further discussion motion carried by unanimous vote.

Sign Permit Balloon 'n Gift Expressions - 4' high by 3' wide, Councilman Hancock moved to send to PC and ARB preapproved pending their approval, seconded by Councilman Shepard, Hancock amended motion to include "subject to appropriateness forms being completed and submitted", seconded by Councilwoman Bailey. Motion carried by unanimous vote.

Pam's Beauty Shop (business license) - 15000 Washington Street, #9. Pam Thomas, applicant. Vice Mayor Bean moved to approve, seconded by Councilwoman Bailey. With no further discussion, motion carried by unanimous vote.

Sign Permit Pam's Beauty Shop - two signs (1) 2'x3' on the wall next to the door. Send to PC,

ARB preapproved, if recommended, motion made by Vice Mayor Bean, seconded by Councilman Hancock. (2) 4'x6' - 24 sq ft on side of building on the corner of Washington St. & Jefferson St.. Vice Mayor Bean moved to preapprove, pending ARB & PC approval, seconded by Councilwoman Freeborn. With no further discussion, motion carried by unanimous vote.

Impressions motors - Saheed - car dealer not replacing anyone. Vice Mayor Bean moved to approve business license, seconded by Councilwoman Freeborn. With no further discussion, motion carried by unanimous vote.

Impressions Motors - Saheed - sign permit - standard auto dealer sign - motion by Vice Mayor Bean to approve, seconded by Councilwoman Bailey. With no further discussion motion carried by unanimous vote.

### **Sign Permits**

Sheetz application went to PC & ARB - had never been to Council - Mayor Kapp stated that is not according to Hoyle and asks that ARB & PC not accept applications that have not been before the Town Council. Sheetz requests to replace the 19' x 9' canopy on the left side of the front door. Councilman Hancock asked PC's recommendation - Ms. Whitfield replied "Yuck!" Councilwoman Bailey stated PC can not say "no". Councilman Hancock moved to return application to PC, seconded by Councilwoman Johnson. Councilman Hancock questioned if signage is a question (due to Town Counsel's original approval of building designed for that style sign). Mayor Kapp stated we have already set precedent that replacement can not be denied. Mr. Seffinga stated because of current ordinances ARB & PC is stuck with it. Hancock withdraws his motion. Vice Mayor Bean moved to approve sign, seconded by Councilwoman Bailey. With no further discussion motion carried by unanimous vote.

### **Building Permit**

Sheetz submitted application for pizza oven installation and preparation area. Internal elevation not included in plans. Councilwoman Johnson moved to approve Sheetz renovation, seconded by Vice Mayor Bean. PC recommended approval pending internal elevation being provided to Bldg. Official. Mayor Kapp questions why PC needs to see this application. Mr. Seffinga stated Gary Eddy, Bldg. Official, stated he did not want anything sent to him that is not complete. Motion carried by unanimous vote.

First Virginia Bank - Gary Eddy sent letter citing signs and ATM booth violations.

### **Planning Commission**

Councilwoman Bailey stated at the last PC meeting they preapproved Back 2 Basics stair installation and subdivision sign for Greenhill Crossing that had already been to ARB.

Councilwoman Bailey stated there was a request from PC to send a PC commissioner (John Duckett) to a VMI (Lexington) course on April 6 & 7. The cost is \$95. Mayor Kapp stated he did not think we had that much to do with subjects covered - Mayor Kapp states we have agreement with Mr. Wilson at PW Public Works for inspections and we do not handle that much. Request denied.

PC Chairwoman Whitfield requested a professional publication subscription and to join the VCPA - it had been requested and denied. Mayor Kapp asked if they have an application for membership

and forms for subscriptions. Please submit to Council.

#### **Historical Commission**

Mrs. Turner, Chairwoman, reported on the Keep Virginia Beautiful plant sale and painting raffle. The paintings are of Beverly Mill, Town Hall and St. Paul's Church. They will be displayed at the Fire Hall from 10-2 Tues thru Saturday. There are maple trees for sale 20' tall, three white pear trees, rodedendrums, herbs, geraniums, etc. for sale.

#### **ARB Town Hall sign**

Councilwoman Freeborn reported the last meeting of ARB the discussions were on the Town Hall sign paint colors, reporting the background will be off white, with Lafayette Green letters. The estimates are in; Budget Sign at \$1178.80 excluded installation, Tweeden at \$2317. Includes installation. Webb Signs at \$2262 less \$350 as Mr. Freeborn (Webb) will install for free. Councilwoman Freeborn recommends Webb because of their reputation. Councilwoman Johnson moved to approved the Webb Sign for purchase, seconded by Councilwoman Bailey. With a 5/0 vote with 1 abstaining (Freeborn as her husband works for Webb) the motion carried.

#### **Citizens Time**

Mr. Bear wants water line information on Madison Street. He was told \$120 per year for the life of the note which would be 40 years at the outside.

**Councilwoman Bailey** stated her family is pursuing buying property behind their house that is currently owned by H/P Companies, Inc.

#### **Fire Trucks**

Vice Mayor Bean moved to send certified letter to the Gainesville Fire Department stating the fire trucks are going through town at too high a rate of speed (55/60 mph). Bean states that they are mostly on second call and it is not necessary for that rate of speed. Motion seconded by Councilwoman Bailey. Councilman Hancock stated Haymarket Police have monitored fire trucks speed in the past. Mayor Kapp offered that our police could monitor for 30 days and then send a letter and then our police follow up and report to Council. Councilman Hancock stated usually 10 mph over posted speed is the maximum for fire vehicles stating the weight of fire trucks causes them to take longer to stop. Eventual letter should state the fire vehicles have been observed to be going excessively fast through Haymarket and the Town Council requests they proceed more cautiously.

#### **Lane's Motors**

Vice Mayor Bean asked about Lane's overdue taxes. Town Clerk to pursue with Crim at attorneys office.

#### **Hairmarket**

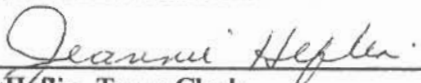
Linda Farr is to get copy of ordinance re: therapeutic massage from Prince William County for Council to look at.

#### **Alan Gossom**

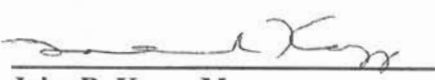
Alan asked why business licensing got down to bottom of agenda. Mayor Kapp states it was always there. Alan asked when ARB meets (4/10) would be the usual schedule. Town Clerk will call Chairwoman Twining and inform her there is business for the committee and inform Alan of date.

Meeting adjourned at 11:35 p.m.

**RESPECTFULLY SUBMITTED:**

  
Jeannie Heflin, Town Clerk

**APPROVED:**

  
John R. Kapp, Mayor

**TOWN OF HAYMARKET, VIRGINIA 22069**  
**Chartered 1799**  
**County of Prince William**

**JOINT PUBLIC HEARING**  
**HAYMARKET TOWN COUNCIL AND PLANNING COMMISSION**  
**April 3, 1995**

**Subject: Floodplain Ordinance**

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

**TOWN COUNCIL**  
**Steve Bean, Vice Mayor**  
**Nancy Bailey**  
**Ron Hancock**  
**Debbie Johnson**  
**Terri Freeborn**  
**James Shepard**

**CHAIRMAN**  
**Lyssa Whitfield**

**PLANNING COMMISSION**  
**Mary Lou Scarbrough**  
**Bob Seffinga**  
**Nancy Bailey, Liaison**

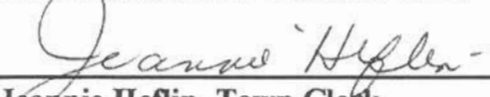
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The April 3, 1995 joint public hearing of the Haymarket Town Council and Planning Commission was called to order at 7:02 p.m. by Mayor Kapp.


The Mayor asked for all who wish to speak in favor of the adoption of the floodplain ordinance to come forward. After the second time of asking, the Mayor asked for all who wish to speak against the adoption of the floodplain ordinance to come forward. After the second time of asking, Mayor Kapp closed the hearing to discussion. The Planning Commission retired to consider the ordinance amendment.

Joint Public Hearing closed at 7:05 p.m.

**RESPECTFULLY SUBMITTED:**

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

**APPROVED:**

  
\_\_\_\_\_  
**John R. Kapp, Mayor**



MEMO TO: Mayor Kapp

FROM: Jeannie

RE: Southern Software "Citi-Pak"

I spoke with Pat Mullins, the Clerk/Treasurer of the Town of Middletown, population 1120. They have had Citi-Pak for three years. They have the accounting package and decal management capability. Pat says she is 85% satisfied with the program. She would eventually like to have more modules to incorporate utility billing, etc. She has had no problem with the program but had no computer experience at all before purchasing this system. She luckily had an assistant that had some experience to get the program up and running. After much discussion it sounds to me like her major problem is not being familiar with computer accounting.

I also spoke with Loretta, the Town Clerk of Dumfries, population 4200. (Dumfries has a Town Clerk and a Treasurer.) They purchased the Citi-Pak system last fall. The Treasurer likes the payroll package, which is all she works with, I think. The Clerk does all the accounting and she likes the system. She states though that Prince William County prints their real estate tax bills, free of charge, and they do not have personal property tax. They do have town decals which they bill on Citi-Pak. They network seven computers in their office and have had very little problem. They have not gotten all the modules of Citi-Pak they want, they have been on written journal system previously, and are looking forward to getting the rest of their system up and running.