

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

HAYMARKET TOWN COUNCIL MEETING-MARCH 6, 1995

MAYOR
John Kapp

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

The March 6, 1995 regular meeting of the Haymarket Town Council was called to order at 7:30 p.m. by Mayor Kapp. 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.

TREASURERS REPORT

The treasurers report was summarized and read by the Treasurer.

UNPAID BILLS

Councilman Hancock moved to approve unpaid bills with the addition of payment to Dorothy Keller for filling in for the Town Clerk. Seconded by Councilman Shepard. Motion carried by unanimous roll call vote.

Mayor Kapp brought forward a bill for \$500 from Vanderpool, Frostick & Massey for reimbursement from the Town Treasury. This expense was incurred by the defamation charge levied against Mayor Kapp and Mrs. Kapp, in his official capacity, by former Town Clerk Shelley Khoury. Mayor Kapp was advised by Town Counsel, Mr. Turner Smith, to seek legal representation.

Councilman Shepard moved to approve payment, seconded by Vice Mayor Bean.

Discussion:

Councilwoman Freeborn questioned why outside counsel was needed when we have Mr. Smith. Mayor Kapp stated due to the charge naming Mayor Kapp and Mrs. Kapp only Mr. Smith recommended he get outside counsel since Mr. Smith represents the Town Council as a group. Mr. Smith stated Ms. Khoury never told Council or Mayor Kapp she was not suing and therefore Mayor Kapp was advised to get his own counsel.

Councilman Hancock questioned if we do not have insurance to cover these things. Mayor Kapp

stated we are not covered under personal loss. Mayor Kapp stated he made claim to the insurance company and Mr. Smith wrote a letter to the insurance company to assist in the claim but was denied. Councilmen Hancock and Shepard assumed we had insurance to cover this type of charge. Mr. Smith feels the insurance company would have turned the claim down even if the suit were filed. Mr. Turner took Ms. Khoury allegation as a real threat that suit was pending. Insurance company assumed by her letter she would file a suit also.

It was apparent all Council members were under the assumption the insurance company would cover this type of claim with the liability clause.

With no further discussion roll call vote was taken. Steve Bean - yes, Ron Hancock - yes, Debbie Johnson - yes, James Shepard - yes, Nancy Bailey - no, Terri Freeborn - abstained. Motion carried by 4 yes, 1 no, 1 abstained.

Councilwoman Freeborn stated she abstained due to the fact she never took Ms. Khoury's statement as a threat of law suit.

OLD BUSINESS

Newsletter - Mayor Kapp and Councilman Shepard to discuss putting town residents on a database for newsletter mailing.

FEMA schedule public hearing for 7 p.m. April 3, 1995.

Farmers Market Town Clerk Heflin asked where Council was considering holding the market. Consensus was at the old fairgrounds with owners permission or at the lot next to Sheetz. Mrs. Heflin stated her original proposal was for the site to be the Town Hall parking lot due to insurance coverage already being in place, otherwise insurance would be an issue. Mrs. Heflin to have guidelines for market drawn up for the April 3, 1995 meeting. Town ordinance stipulates there is a \$15.00 annual fee for "peddlers" which includes selling produce. Council agreed market should be held weekly on Saturday. Mrs. Turner agreed the Historical Commission would oversee the market once it is up and running.

Water - Meeting Wednesday, March 8 at 7 p.m. at the Town Hall. John Sloper of PWCSA and Jim Allen of Farmers Home would be presenting what they could do to facilitate putting water in town. Letters were sent to business and landowners by Bernard Bolt to apprise them of the meeting.

Town Hall Sign - estimates from Budget and Sign by Tweeden. Councilwoman Freeborn asked about the life of the materials used in the estimates. She is aware that MBO life is only 3-4 years before sign would need to be painted or replaced. Council would like to have estimates on other material that has a longer life. Councilwoman Freeborn will pursue and take before ARB for recommendation.

Police - February was a very busy month. Sgt. Tatum cited a rise in juvenile and domestic problems. Sheetz and Q Stop have been experiencing a rise in gas drive-offs, enough that it is becoming a problem.

Robinson House - Sgt. Tatum reported two trucks have been removed from the premises and the for sale sign out front. He has been promised by the tenants they will clean up the rest of the vehicles and mess in the yard. Sgt. Tatum is staying on top of this problem.

General Orders - Sgt. Tatum and Mrs. Heflin have agreed to schedule the completion of this project when the work load for the Town Clerk slacks off.

Madison Street "Dead End" street sign - Jane Miller stated that this sign has been pushed back so far it is not readily visible. Many cars go down the road to the cul de sac before they realize it is not a through street.

BUSINESS LICENSE

Tupperware - Dee Ann applied for a business license to sell Tupperware. Councilwoman Freeborn stated no one else sells licenses to Tupperware, Avon or Mary Kay dealers. It was stated that Prince William Co. Requires a license if sales are \$4000 or more. Dottie Leonard said she was sure we excluded these type dealers from licensing. Councilman Hancock stated that Charles Chips and that type sales were route sales and therefore licensed. Council excused the need for this license.

Back 2 Basics - name change for Christian Fellowship Church child care facility. Motion to approve Business License made by Councilwoman Freeborn, seconded by Vice Mayor Bean. Motion carried with a 6/0 vote.

SIGN PERMIT

Back 2 Basics - sign permit was approved December 5, 1994 with a 5/0 vote. Name change noted, formerly Christian Fellowship Church, by Council.

First Virginia Bank - Councilwoman Bailey stated First Virginia Bank sign permit (additional signage on existing sign base) was denied by PC due to lack of appropriate forms and information. Councilwoman Freeborn stated the MOST sign was erected without permit approval or building permit (for electric) - First Virginia Bank should be contacted for permits.

Greenhill Crossing - Councilwoman Bailey stated this sign permit was tabled because PC could not find the plans Mayor Kapp stated were on his desk. Mayor Kapp will request additional plans.

BUILDING PERMIT

Back 2 Basics - Staircase addition on outside rear of building, ground level to second floor. Rev. Wilcox stated he met with Gary Eddy and the Fire Dept. Councilwoman Freeborn asked if plans

were satisfactory. Councilwoman Freeborn moved to send on to Planning Commission with preapproval from Town Council contingent on Planning Commission recommendation and Building Inspector approval. Motion seconded by Vice Mayor Bean. With no further discussion motion carried by a unanimous vote.

COMPREHENSIVE PLAN UPDATE

Councilwoman Bailey passed out draft of revised comprehensive plan from Uri of LDR. She requested Council members go over it and get back to her with comments by Wednesday March 8 special meeting with input for meeting with Council and LDR. Councilwoman Bailey stated Planning Commission requested she advise Council "if we are going to have an update of the comp plan they (the Council) have to get started right away". This was stated emphatically by Planning Commission Chair Whitfield.

HISTORICAL COMMISSION

Historic Designation Friday Mrs. Turner and Gary Eddy tried to discern what is left inside of original building at Town Hall, and went outside to check under the siding but could not remove enough to look under it. A photographer from Marshall is to come to take pictures of different elements to be submitted for Historic Landmark designation. Betty Duly has volunteered to help. The Payne house, Pickett house and a couple of Gossom houses will be submitted. Vice Mayor Bean commented property owners did not want to proceed because they (owners) felt the designation locks up their property. It was stated the State nor Federal monitors the properties once they are designated. Monitoring is on a local level. Mrs. Turner is ordering more plaques for historic homes.

Keep Virginia Beautiful - Sunday, April 2 will be the kick-off for this week. Metropolitan Plants and White Oak Nursery will furnish plants & trees for purchase. Expect this to be a busy day and Mrs. Turner is accepting help wherever it is offered. Sherry Aits will start planting the whiskey barrels with pansies within the next week. Sherry stated she could do a fuller mulch on Town Hall property and set plants for sale in through the mulch so they would not freeze. The plant sale will be held at the old Fire Hall. Gainesville School wants to come up here the 23rd of April to pick up trash since they do not have a large area at school to cover.

Payne House - Councilwoman Freeborn questioned why the Payne House is not occupiable. Vice Mayor Bean stated he heard the floor of the main level is rotten, also the basement is full of water. Dottie Leonard stated she had shown the house since Julie left and it was not in bad shape, she did not see any water in the basement and did not notice any weak floors.

Council suggested a letter be sent to Naim Amireh citing Chapter 9 section 9:29 - property must be kept up and not become a nuisance or offensive to neighboring property.

Harrover & Robinson houses are Sears Roebuck houses. They should be on the landmark register.

Greenhill Mrs. Turner heard H/P got a county permit to tear down Greenhill Farm house. Early in the Greenhill Crossing subdivision planning H/P stated they would keep the old house and possibly make a community center there.

Grant - Decision on ISTEIA grant to come in June.

Lafayette Day - Richard Bird was approached by Mrs. Turner to paint the old Fire Hall. He stated the building is for sale therefore they would not be painting it since it would probably be torn down if the property is sold. Mrs. Turner has lined up the Fife & Drum Corps and a military band, living history enactors. Mrs. Turner contacted the School Board to use the school for the Lafayette Day celebration, she was told it was to be turned into a bus depot and would not be available.

Old Telephone Building - Mayor Kapp stated when he was approached by Reuter about the potential use of the former Disney space, he understood that it was to be a training building not a trading building. Mayor Kapp does not approve of the museum featuring grotesque displays.

Gainesville School - Vice Mayor Bean states if proposed bus depot is approved then Long Park should not be the site of the maintenance facility. The County should plan that facility at the School instead of the Park.

ARB - last meeting 2/13 - next meeting as directed by Council for any review. Mrs. Heflin to contact Cindee Twining when something is to be approved. At the last meeting First Virginia Bank sign was discussed. The Town Hall sign colors were discussed.

Citizen Time - no comments

NEW BUSINESS

Town Clerk - Councilwoman Johnson questioned if there was a sick policy for the Town Clerk. Vice Mayor Bean stated you just close the door unless there is urgent need to be open. Vice Mayor spoke with former Town Clerk, Mrs. Keller, who consented to substitute for the Town Clerk in the future if needed. Council consensus was to offer sick leave and they offered to pay regular wage for the recent two day absence due to a death in the Heflin family. Councilman Hancock moved to reimburse Mrs. Heflin for the two days she was away.

Town Hall - Gary Eddy advised Council that if we are not on the Historic Landmark Register by April 1, 1995 we are required to have the handicap facility. Council is under the understanding that if no one complains we will not have to put in a handicap ramp. Mayor Kapp stated there are stipulations where you are not required to have handicap facility if: (1) service can be provided at the curb or in another way, (2) you have a home business, (3) handicap access improvements do

not have to be more than 20% of the total renovation cost. The Council can also use the "Historic Landmark Register" application is pending statement.

Town Hall Bathroom - Councilwoman Johnson questioned if Council had budgeted the bathroom renovations. Also she feels the group needs to clean up and fix up the Town Hall.

Mayor Kapp is going to contact contractors to wallpaper, install vanity and put in bathroom cabinets. Vice Mayor Bean mentioned Micky would do that work.

1880 Minutes - Mrs. Turner questioned where the 1880 minutes are. She states no one seems to know their location.

Time cards - Councilwoman Bailey stated we should have time cards kept, in lieu of Ms. Thompson's recommendation at the February Town Council meeting. Mrs. Heflin stated time cards have been kept since she started work here in December, 1994.

Certified Massage Therapy - Vice Mayor Bean stated Linda Farr (Hairmarket) questioned if a massage parlor would be permitted by ordinance. The Council has an ordinance on lewd activity. County has ordinance concerning a therapeutic massage. If Haymarket does not have an ordinance it can not be denied.

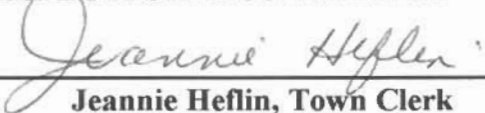
Internet - Virginia Innovation Group in cooperation with the Virginia Institute of Government is holding a workshop titled "Plugging into the Internet" which is being held in Richmond on March 31. Mrs. Heflin has stated she would like to attend, pending information from Prince William County's response to their "take" on the subject. The Cost is \$89 for member and \$109 for non-member. Councilwoman Bailey moved to approve the \$109 fee plus travel expenses, seconded by Councilwoman Johnson. Motion carried by a unanimous roll call vote.

ARB - Certified Local Government qualifying ARB & Historical Commission, you are eligible for grants Betty Duly stated. Phil Harrover is a good architect, Vice Mayor Bean offered to talk to Phil Harrover to request he donate his time as a consultant to the ARB.

PC meeting - Councilwoman Bailey asked if Greenhill and First Virginia Bank were given notice for Planning Commission meeting.

Meeting Adjourned 9:21 p.m.

RESPECTFULLY SUBMITTED:



Jeannie Heflin, Town Clerk

APPROVED:



John R. Kapp, Mayor