

Town of Haymarket
15000 Washington Street~Haymarket, Virginia 20169
Monday August 2, 2010
Mayor Pamela E. Stutz

Mayor calls the meeting to order at 7:00 p.m.

Roll Call: Edwards, Tobias, Cole, Stutz, Scarbrough, Kenworthy, Weir

Public Hearing
Budget Amendment #2011-001 (attached to minutes)
In Favor – 1st Call
2nd Call
3rd Call

Opposed – 1st Call
2nd Call
3rd Call

Citizen's Time

No citizens spoke

Edwards moves to approve the minutes of July 12, 2010, Kenworthy seconds;

Ayes: 6

Nays: 0

Weir motions to approve the business license applications for Projects Unlimited and Evans Construction Services, both as out-of-town contractors, Cole seconds;

Ayes: 6

Nays: 0

Planning Commission Appointments

Edwards moves to appoint Rebecca Bare to the Planning Commission for the term ending June 30, 2013, Tobias seconds;

Roll Call Vote: Edwards-Yes, Tobias-Yes, Cole-Yes, Scarbrough-Yes, Kenworthy-Yes, Weir-Yes

Mayor swears in Rebecca Bare as the new Planning Commission member

Special Meeting of the Planning Commission is called to order

Roll Call: Ivancic, Landwehr, Bare

The purpose of the special meeting of the Planning Commission is to discuss an application for a temporary ice rink for Prince William Hockey Club.

Marchant Schneider, Town Planner, gives an overview of the proposed Prince William Hockey Club. Chair Landwehr comments that if this were to go to a permanent use, the site plan requirements that may be waived for the temporary use should be instituted. Mr. Evans would just like the temporary approval now. Chair Landwehr would like this for the record that the waivers are just for the temporary application before us tonight.

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Ms. Landwehr moves to schedule a joint public hearing to temporarily waive site plan requirements of 58-259(b) and Article III of the Zoning Ordinance and associated landscaping, buffering, open space, streetscape requirements, and the provisions for temporary trailers as related to the temporary installation and operation of an ice hockey rink at 15151 Washington Street, however, a sketch plan is required. If the applicant wishes to go beyond one (1) season the applicant will come back through the site plan process for a permanent solution, Bare seconds

Ayes: 3
Nays: 0

Ms. Edwards asks about lighting, making sure it is well lit. Applicant responds that there is sufficient lighting already in place. Cole asks about the power source, it is electric. He also asks how late the games run. Answer is midnight-12:30 a.m. He comments that if there is potential for an issue with noise we will have to deal with it. Weir asks if there are any provisions for recreational ice time. No, ice time will be used for the club. Mayor asks where the spectators will sit if the ice rink takes up most of the space.

Weir motions to schedule a joint public hearing for Tuesday, August 10, 2010 with the Planning Commission to consider waiving the site plan requirements of the zoning ordinance for a period ending May 1, 2011, for a temporary ice rink for Prince William Hockey Club to be located at 15151 Washington Street, but to instead require a sketch plan. The provisions of the zoning ordinance considered to be waived include landscaping, buffers and street-scape requirements including the buffering and landscaping as may be required as a condition imposed by Piedmont Tire and Auto site plan. In addition, to consider waiving the ordinance requirement 58-258(15), special use requirement for temporary trailer, and any other zoning ordinance requirements related to this application, Cole seconds;

Roll Call Vote: Edwards-Yes, Tobias-Yes, Cole-Yes, Scarbrough-Yes, Kenworthy-Yes, Weir-Yes

The applicant requests a special meeting of the Town Council on August 10, 2010 at 7:00 p.m.

**Clerk to change Planning Commission meeting to 08-10-2010

Landwehr motions to adjourn the special meeting of the Planning Commission, Bare seconds;

Ayes: 3
Nays: 0

Haymarket Sportsplex Sign Plan

Tobias moves to approve a comprehensive sign plan for Parcel A-1 at 6612 & 6614 James Madison Highway as described in the application and Certificate of Appropriateness revised July 27, 2010. The application is in accordance with Sections 58-338(d), 58-344(b)(2), 58-344(b)(4), and 58-344(b)(9) of the Zoning Ordinance.

In addition, this approval requires removal of all non-approved Sportsplex signs, Scarbrough seconds;

Roll Call Vote: Edwards-Yes, Tobias-Yes, Cole-Yes, Scarbrough-Yes, Kenworthy-Yes, Weir-Yes

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Tibbs Paving Bond Release

Cole moves to release \$11,700 plus interest, Edwards seconds;
Roll Call Vote: Edwards-Yes, Tobias-Yes, Cole-Yes, Scarbrough-Yes, Kenworthy-Yes, Weir-Yes

Annual Contract Maintenance & Repair

The Town Manager is recommending that when we have bid out maintenance and repair work RLS Construction has consistently been the low bidder. They do good work in a timely manner. He got 6 bidders on the project for the 2 tenants upstairs. He recommends that we enter into an annual agreement with RLS to perform maintenance and repair.

Edwards moves that the Town Manger and Town Attorney are authorized to negotiate a contract with RLS Construction for the repair and maintenance of Town owned property for a period of 1 year, Scarbrough seconds;

Mayor is concerned with a 1 year contract; she recommends a caveat of an "out". Any project between \$5-10 anything under \$5K he would have the authority.

**Tobias does not want to give carte-blanche to an amount he still wants it to come to council
Weir is opposed to sole source contracting.**

Roll Call Vote: Edwards-Yes, Tobias-Yes, Cole-Yes, Scarbrough-Yes, Kenworthy-Yes, Weir-Yes

**Clerk to provide current spending policy to Council

Weir moves to amend the agenda to add the item "Budget Amendments", Tobias seconds;
Roll Call Vote: Edwards-Yes, Tobias-Yes, Cole-Yes, Scarbrough-Yes, Kenworthy-Yes, Weir-Yes

Weir moves to amend the following budget line items, Cole seconds

	<u>REVENUE</u>	
	<u>Adopted Budget</u>	<u>Amended Budget</u>
Use of Prior Year Surplus	00.00	\$289,858
TOTAL REVENUES	\$1,996,081	\$2,285,939
	<u>EXPENDITURES</u>	
Town Center Property	\$111,989	\$166,189
Street-Scape Expenditures	\$380,000	\$435,200
Reserves	\$55,724	\$229,432
Museum		
National Trust	\$4,000	\$10,300
EXPENDITURES	\$1,996,081	\$2,285,939

Roll Call Vote: Edwards-Yes, Tobias-Yes, Cole-Yes, Scarbrough-Yes, Kenworthy-Yes, Weir-Yes

Town Center Property Leases

There are three proposed leases for council's consideration. Mr. Kennedy is party to one of the leases and he is out of town and asked if we could defer this matter until he returns. When the Town Manager was hired he was told to negotiate leases, but we have negotiated leases. The two here tonight are current tenants and are moving to accommodate the new larger tenant from Mr. Kennedy. He is happy to bring the leases back to TC as they come up. He is also asking the Council to authorize the TA and TM to negotiate the larger lease with Mr. Kennedy. He is looking for some direction from Council. Edwards remembers having a discussion that the Mayor, Town Manager, and Town Attorney could negotiate leases.

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Tobias says he is not a landlord or an attorney. He found one lease in particular that was signed and then modified. Negotiating a lease is one thing executing a lease is another. He compliments the Town Manager on his negotiating but thinks the council reserves the right to spend money.

Weir dovetails with Jay, specifically to the lease with Daytime Playtime, there were multiple requests from the previous tenant some approved, and the latest was not approved. He personally wants to be kept up on lessee that are not keeping up on rents, amendments, new leases, etc...He is not inclined to dispose of that oversight.

Cole doesn't disagree he does want to say that we should not micromanage this task. Have the Town Manager handle it. In fact, he thought that was already delegated.

The Town Attorney thought that was delegated to the Town Manager and time could cause you to lose a tenant. He feels we are moving backwards by having Council input on everything.

Mayor says she was aware of the rent reduction with Daytime Playtime. As far as that particular lease she thought it was better to keep the tenant than to lose them.

Edwards motions that the Town Manager, the Mayor, and with assistance from the Town Attorney have the authority to negotiate leases on the Town Properties with the caveat that if something in the lease drastically changes that they have to report back to council, Scarbrough seconds;

TM talks about moving her, looking at the big picture with the property, its not the change, it's the notification process more than anything else. He's not terribly adverse with delegating that authority but he wants to set a floor and any amendments

Edwards-Yes, Cole-Yes, Tobias-No, Scarbrough-Yes, Kenworthy-Yes, Weir-No

Building Official's Report

CVS store is shooting for a final on Wednesday, hopefully will be fully stocked by Friday.

**Board asks Mr. Lowery to please look into the Old Post Office issue (explain).

Rose Building - is under total renovation, they have leased out.

We need to tear down our buildings; he has issued a condemnation notice on the apartment building Mayor would like to see the letters.

Building Official asks about the tree that is uprooting the sidewalk on Fayette Street South in front of 6707 Fayette Street.

Town and Country auto sales, he feels he is getting an over abundance of vehicles. **Clerk to get it in writing from dealer board that they have a salvage license.

**Weir motions to solicit bids on the property known as the blue house, Tobias
This is 2 months in a row that the building official has told us the building has to come down.
Edwards-No, Tobias-Yes, Cole-Yes, Scar-Yes, Kenworthy-Yes, Weir-Yes**

Police Report

Tobias wants the police report moved up on the agenda if possible.

The Chief reminds Council that tomorrow is National Night Out and will be held in Villages of Haymarket neighborhood.

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Personnel Policy Manual

**Cole-Edwards moves to approve that includes revisions to page 3
Roll Call: All in favor**

**Scarborough moves to approve the revised Architectural Review Board Guidelines
No Second, Motion Fails**

The Town Attorney asks that the ARB Guidelines be deferred he needs to review the document.
**September Agenda Item – ARB Guidelines

Treasurer's Report

We moved the money to FB

Move additional monies to total the reserve line item, so that the account at FB houses the reserves.

**Cole moves to bring up the current Fauquier Bank account to \$229,432 and be restricted for
reserves, Tobias seconds; Monies to come from the general fund
Edwards-Yes, Cole-Yes, Tobias-Yes, Scarborough-Yes, Kenworthy-Yes, Weir-Yes**

**Weir moves to appropriate \$54,200 out of the TCP line item to be used solely for the renovation and
repair for suite 100 at 15000 Washington Street
Motion withdrawn**

Cole comments on Saturday's Vision Work-Session. There will be a 2 hour maximum for the meeting.

**Edwards motions to continue the August 2, 2010 meeting to Monday August 16, 2010, Cole seconds;
Ayes: 6
Nays: 0**

Submitted:

Approved:

Jennifer Preli, Clerk

Pamela Stutz, Mayor