



TOWN OF HAYMARKET TOWN COUNCIL

REGULAR MEETING

~ MINUTES ~

Kimberly Henry, Clerk of the Council
<http://www.townofhaymarket.org/>

15000 Washington St
Haymarket, VA 20169

Tuesday, January 2, 2024

7:00 PM

Council Chambers

A Regular Meeting of the Mayor and Council of the Town of Haymarket, VA, was held this evening in the Council Chambers, commencing at 7:00 PM.

Mayor Kenneth Luersen called the meeting to order.

I. Call To Order

In accordance with Virginia State Code 2.2-3708.3 (B) 1 and the Town of Haymarket's adopted remote participation policy, Councilmember Pasanello attended the meeting remotely from his home through electronic communication means due to my ongoing medical condition preventing him from physically attending the meeting.

In accordance with Virginia State Code 2.2-3708.3 (B) 1 and the Town of Haymarket's adopted remote participation policy, Councilmember Beyene attended the meeting remotely from his home through electronic communication means due to an illness.

Council Member Marchant Schneider: Present, Council Member Joe Pasanello: Remote (7:05 PM), Councilman Matthew Gallagher: Present, Vice Mayor TracyLynn Pater: Present, Council Member Alexander Beyene: Remote (7:55 PM), Council Member Mary Ramirez: Present, Mayor Kenneth Luersen: Present.

II. Pledge of Allegiance - Girl Scout Troop #90064

Mayor Luersen introduced Girl Scout Troop #90064 and invited them to lead in the Pledge of Allegiance.

III. Invocation - Dr. Ruth Anne Sawyer, Prince William County Police Chaplain

Mayor Luersen introduced Dr. Ruth Anne Sawyer and invited her to give the evening's invocation.

IV. Business Spotlight - Christine Asadourian, Breathe Joy Yoga and Massage Studio

Ms. Christine Asadourian was not in attendance at the evening's meeting for the Business Spotlight.

V. Legislative Time

Delegate Elect Josh Thomas and Senator Elect Danica Roem joined the meeting via Zoom. Mr. Thomas started the time by stating he and Senator Elect Roem prepared a brief presentation for the evening's meeting. Before handing the floor over to Ms. Roem, he shared that he is excited to represent Haymarket and the 21st District.

1. Senator Danica Roem

Senator Elect Danica Roem gave a short presentation of some of the bills her and Mr. Thomas will be bringing to the General Assembly for consideration. Some of these items include: Data Centers - stormwater management and noise ordinance; School Meal Debt- universal free school meal program, farm to table task force and food banks included in the WIC program; Guardianship Reform - training and form updates; Transportation Safety - continued effort to get a flyover at the railroad tracks on Route 15; FOIA - congratulated the Town of Haymarket on full transparency and compliant to FOIA regulations. She also provided information on other legislation such as the Joint Legislative Audit and Review Commission (JLARC) on data center development studies, VDOT study on implementing roadway and pedestrian improvements along Somerset Crossing and an exit sign on Interstate 66 for Manassas Park. There was a brief discussion period.

2. Delegate Josh Thomas

Delegate Elect Josh Thomas gave his legislative priorities. He addressed Housing Affordability and Security - tax credit increase and extended rental grace eviction period for seniors; Wage Theft; Benefits for Gig Workers - affordable benefits program for those working for DoorDash,

UberEats and similar programs; Increasing Language Accessibility - expand language accessibility for contractor license exams; Voting Rights with Disability voters - would allow those with temporary disabilities to vote curbside; Teacher shortages - would grant a provisional teaching licenses to qualified individuals who have not yet passed the exam; Reducing Greenhouse Gas Emmissions - a bill to create a point of sale for e-bike rebate for low income or moderate income for local transportation. After his presentation, Mr. Thomas opened the floor for any questions from the Town Council. A short discussion followed on the law enforcement shortage.

VI. Citizens Time

Pam Swinford, Jockey Club Lane, addressed the Town Council on the subject of the Town Park Building. She stated that there is concern about the building. She referenced other buildings that the Town owns that have proven profitable, such as the Cupcake Heaven building and Washington Street Realty building. She stated with that thought in mind, why would the Council not consider keeping the Town Park building and be useful for the community. She stated when you take down a historic building, you are not only losing revenue but the history of the Town will also be gone.

Ben Barben, Longstreet Commons, also addressed the Town Council on the subject of the Town Park Building. He shared that his family moved to Haymarket because of the quaint small town feel. He shared that he is a licensed Architectural Engineer and he works for a firm that works on existing historic buildings in Washington DC, Maryland and Virginia. He also shared that he is the Vice Chairman with the Haymarket Architectural Review Board. He shared his views and reasoning on why he voted for the denial of demolition of the Town Park building. He shared one of the main reason was the Town's zoning ordinance 58-1611. He also referenced the engineers report stating the structure was in good condition. He shared that the cost estimate provided was not an accurate reflection of the property and that the plan was too costly but not fully evaluating the cost. He stated that the Town had the master plan developed in 2015. He stated that it hasn't been used since. He shared that the plan should be brought back up and reevaluate it as a whole. He shared that the Town should consider the home because it is historic and instead eradicating another historic piece of the Town. Lastly, he brought up that the last section of the ARB's motion was to have a dialogue with the Town Council to figure out different avenues and stated that he hopes the Council will consider that.

Prior to reading a comment sent via email into the record, Town Clerk Kim Henry noted that both Councilmember Pasanello and Councilmember Beyene was in attendance via Zoom from their respective homes.

Ms. Henry read a comment sent via email from James and Maureen Carroll, 6862 Track Court, stating that they were in favor of the demolition of the Town Park building. The email stated that the survey supported the demolition and that the Town Council should honor the results of the survey. They continued to state that the cost of the reconditioning and maintenance of the building cost far more than simply building and maintaining a pavilion. They stated that the pavilion is more suitable for the size of the Town Park. They stated that they were frustrated in participating in a survey only to have their views minimized or ignored by some members of the Town Council and the Architectural Review Board.

VII. Consent Agenda

Mayor Luersen asked if there were items that Council would like to have pulled from the Consent Agenda. Councilmember Schneider asked to have the Town Treasurer's Report pulled. Councilmember Ramirez asked to have the Town Administration Report pulled.

Vice Mayor Pater moved to adopt Consent Agenda Items A: 1-3, B: 3-5 and C:1-5. Councilmember Ramirez seconded the motion. The motion carried.

After the discussion of the pulled reports, Vice Mayor Pater moved to adopt Consent Agenda Items B: 1-2. Councilmember Gallagher seconded the motion The motion carried.

A. Minutes

1. Mayor and Council - Work Session - Nov 27, 2023 7:00 PM

RESULT: ACCEPTED [UNANIMOUS]
MOVER: TracyLynn Pater, Vice Mayor
SECONDER: Mary Ramirez, Council Member
AYES: Schneider, Pasanello, Gallagher, Pater, Beyene, Ramirez

2. Mayor and Council - Public Hearing/Regular Meeting - Dec 4, 2023 7:00 PM

RESULT: ACCEPTED [UNANIMOUS]
MOVER: TracyLynn Pater, Vice Mayor
SECONDER: Mary Ramirez, Council Member
AYES: Schneider, Pasanello, Gallagher, Pater, Beyene, Ramirez

3. Mayor and Council - Special Meeting - Dec 12, 2023 6:00 PM

RESULT: ACCEPTED [UNANIMOUS]
MOVER: TracyLynn Pater, Vice Mayor
SECONDER: Mary Ramirez, Council Member
AYES: Schneider, Pasanello, Gallagher, Pater, Beyene, Ramirez

B. Department Reports

1. Town Administration Report

Councilmember Ramirez asked for Town Manager Emily Kyriazi to explain the new system with CivicPlus and the plans on how staff plans on notifying the public. Mrs. Kyriazi stated that Civic Plus currently houses the Town's website and in the future the Clerk staff will be using the Civic Plus software for agendas, minutes and live streaming. She stated that this change over will be more user friendly than what currently is being used. She shared that the migration should take place in the Spring 2024. Councilmember Ramirez suggested that staff do a how-to tutorial and post that on the Town's social media platforms. Councilmember Ramirez also recognized the opening of Kung Fu Tea and the upcoming opening of Planet Fitness in the Town.

Councilmember Gallagher asked for an update on the Communication Survey and Plan draft. Vice Mayor Pater shared that with the last season being so busy, the plan was pushed to the side. However, the plan will be revamped in the New Year. Mr. Gallagher stated that he would be willing to help wherever he can to get this plan going. Town Manager Kyriazi suggested that when talking with constituents, find out what source of communication would be best for them.

Councilmember Pasanello asked for an update on the Personnel manual. Town Manager Kyriazi shared that she has been working with the Town Attorney's firm on the manual. She shared that they still have a good portion of the manual to go through. But with the holidays, they have not met recently. She stated that the next meeting will involve the Town Treasurer and the Chief of Police to finalize the discussion. After that process, staff will be doing some research and follow up with the firm for them to put a final draft together for an updated manual. Councilmember Pasanello stated with the increase new businesses and new buildings coming to fruition, he noticed an up tick in truck traffic in the Town. He asked about the truck traffic coming through the Town and what can be done to mitigate the truck traffic going through the Town which could impact the walk-ability of the Town. Mrs. Kyriazi stated that she can follow up with Chief Sibert but to date there has not been significant truck traffic.

Councilmember Pasanello asked about the bond release for Crossroads Village. He asked since the sidewalk has not met the Town's standards, would the bond be released. Mrs. Kyriazi shared that the bond associated with the sidewalk is a performance bond not the landscaping bond referenced in the report. She continued to state that the owner was notified that the sidewalk did not meet the standards set by the ordinance and that it is currently being addressed.

Additionally, Councilmember Pasanello asked about an update on the Bleight Drive townhomes. Town Manager Kyriazi gave a brief update. Mr. Pasanello also addressed the maintenance of the light poles. He asked if there could be a stand alone line item in the budget to address the issues.

Mayor Luersen asked Mrs. Kyriazi to provide additional information in the strategic planning work session for the upcoming Work Session at the end of January. She shared that she will be putting it on as an agenda item at the Work Session for a discussion of the Council to list their priorities based on the CIP and be able to incorporate those priorities in the upcoming budget discussion. Mayor Luersen informed the Town Council that the Town Manager and Chief of Police evaluations are due. He asked that staff set up a closed session for the February Regular meeting and asked the Council to fill out the evaluation forms that will be sent to them.

2. Town Treasurer Report

Councilmember Schneider asked about the proffers coming in from the new developments at Crossroads Village and Robinson Village and the ARPA funds committed to the completion of the sidewalk. He confirmed with Mr. Gonzalez the proffer funds that have been collected on the Parks and Rec line item.

3. Chief of Police Report

4. Town Engineer Report

5. Town Attorney Report

C. Liaison Reports

1. Finance Liaison Report

2. Business Liaison Report

3. Community Relations Liaison Report

4. Planning Commission Liaison Report

5. Architectural Review Board Liaison Report

VIII. Agenda Items

1. Mobile Food Establishment Ordinance: Authorize to Advertise for Public Hearing

Town Manager Emily Kyriazi gave a brief recap that came out of the Work Session from earlier that evening. She shared that the staff made 2 edits since the last discussion from the December meeting. She stated that staff would like to present the ordinance out to the public and to schedule a public hearing for the February regular meeting. She stated that staff will present the ordinance at the next Business Roundtable meeting in January for feedback from the businesses as well. A short discussion followed. A question was asked if there was changes made to the ordinance, would the Town need to hold another public hearing. Town Manager Emily Kyriazi stated that if substantial changes were made, then the Town would need to hold another public hearing. Mrs. Kyriazi also stated that she would provide the results from the survey that Councilmember Beyene and Vice Mayor Pater were working on and the feedback from the business roundtable meeting on the evening of the public hearing for Council to have available prior to consideration of the ordinance.

The Town Council gave the direction for staff to proceed in scheduling the public hearing for the February regular meeting. There was no other action at this time.

2. Demolition Permit of Town Park Building: Appeal to ARB Decision

Town Manager Emily Kyriazi gave a brief update that came from the Work Session earlier in the evening. She stated that the park building demolition COA was denied by the Architectural Review Board and that the Town Council has appealed that decision. She stated that the findings for denial from the Architectural Review Board was in the evening's agenda packet. She shared that at the Work Session that took place earlier in the evening, the Council went over the summary of the appeal package. She stated that some questions were answered at the Work Session and that Council heard from citizens during citizens time earlier.

Councilmember Schneider shared that during the Work Session, he went over the elements of the ARB's discussion. He stated that one of the items was the development plan budget. He shared that the ARB criteria was the cost comparison. He shared that taking into consideration of timeline and projection of cost, the cost of tearing down the house would be more than repairing and reusing the building as a meeting space. Mr. Schneider also addressed the survey and the results from it. He also stated that in previous years there was a concerted effort to get a plan in order. But the previous Council did not make it a priority and did not act on the plan and the cost went up substantially. He continued by providing the increase in population with the addition of the townhomes in Crossroads Village, Robinson Village and homes in Robinson Paradise, the new businesses coming into the Town and the potential of another hotel at the western border of the Town and his concerns on how the Town is going to meet the needs. He also addressed the budget, the potential of saling the Town owned buildings and the suggestion

of using the Town Park building for storage with an office for the Town Maintenance staff. He shared that the Council needs to be thinking outside of the box. An example is showcasing and advertising that the Town has one of the few Lewis homes left and market that using TOT money. He stated that the Council needs to respect the needs of the community and the ordinance trying to make sure that those with competing interests have something. He asked that the Town Council weigh in all the elements that went into the decision and support the ARB to keep and rehab the existing building.

Vice Mayor Pater shared that she watched the ARB meeting. She also shared that she and Mr. Schneider worked on the survey questions together and that she personally worked on getting the survey out to the public. She stated that this was a survey that was done to the best that could be done. She also shared that the Council needs to look at the return on investment and using it as a storage facility is not a good return on investment. She also shared that society suffered a pandemic in 2019 and that they view things differently as they did in 2015 when the master plan was established. Finally she stated that she wants to honor the historic nature of the Town and moving on with a pavilion is the best way to go.

Councilmember Gallagher shared that since he wasn't here for all the debates, he spent time getting familiar with the project. He shared that he read the minutes, listen to the meetings and talked with the citizens. He stated that he walked the property. He said that we could get a lot of estimates but there would be a lot of guesses too. He said everyone is very passionate about this subject and even though he would love to save the house, it comes down to reality and that the space isn't large enough for a meeting space and a pavilion would serve the community better.

Councilmember Ramirez shared that since she's being serving on Council, she has continually said that the Town needs a meeting space. She also shared that she felt the Council viewed the property as a community space and personally she really wished that the Council would keep the home. She stated that there is a need for community space. She also stated that for Council to vote down the opportunity to assess cost by an engineer coming in to evaluate the home and then using the topic of cost later to deter from saving the home is not a strong argument. She said however the Council wanted to move forward and she wants the space to be used by the community so she was in favor of moving forward with the pavilion. She stated that went the application went to the ARB, the standards were not met to proceed with the demolition. She questioned the next steps. Does Council go back and get an engineering report only to find that it is too expensive to rehab the building or how does the Council provide a space for the community. She shared that there is no clear line to either option.

Councilmember Pasanello shared this has been one of the better conversations the Council has had in a long time. He stated that there is passion on both sides. He asked a few questions to the staff regarding the procedural issues of the process. Both the Town Attorney and the Town Manager did not have any issues. Mr. Pasanello stated that times and conditions have changed since the original master plan to use the building and that he felt the pavilion would fit better. He stated that there is a lot of the unforeseen in the structure that scares him. He stated that the Council reached out to the public and that the Council understands that it has the authority to seek the approval for the demo and follow the process. Lastly he shared that it is within the Council's purview to overturn the denial.

Councilmember Beyene shared that he feels he needs to support the results of the survey, which is to build a pavilion. He also stated that he would support the pavilion because of the cost difference. He stated it's not just the short term cost but the long term cost in maintaining the building would be more. He also brought up the subject of the return on investment and that the pavilion would be a better use for the Town residents.

At this time, Councilmember Pasanello moved to overturn the Architectural Review Board's denial of COA ZP #2023-1001 to demolish the Sears House/Lewis Home, aka Town Park building, and to direct staff to procedure with the demolition of 14740 Washington Street. Vice Mayor Pater seconded the motion. A short discussion followed on incorporating architectural elements of the home in the pavilion design. Town Attorney Simmons suggested that Councilmember Pasanello withdraw his motion and make a new motion with the amendments just discussed added.

Councilmember Pasanello withdrew his original motion.

Councilmember Pasanello moved that the Haymarket Town Council overturn the Architectural Review Board's denial of COA ZP #2023-1001 to demolish the Sears House/Lewis Home, aka Town Park building, and proceed with the demolition of 14740 Washington Street to include harvesting of historic elements and design into a new pavilion, including bathrooms. Vice Mayor Pater seconded the motion. The motion carried by a roll call vote.

Lastly, Mayor Luersen gave his comments by stating that he served on the ARB when there was a discussion with the citizens years ago about the houses on the property. He stated that he is passionate about trying to keep the history in Town. He stated that while on ARB, his sole purpose was make sure that everything integrated in Town and that the history was kept. He continued to state that being on the Council, there are several different elements that need to be considered prior to making a decision. He stated that a lot of things has changed since the original master plan was drawn up with the construction of a playground and a community garden on the property. So it's uses have changed to an open area asset as opposed to a community center option.

RESULT:	ADOPTED [4 TO 2]
MOVER:	Joe Pasanello, Council Member
SECONDER:	TracyLynn Pater, Vice Mayor
AYES:	Joe Pasanello, Matthew Gallagher, TracyLynn Pater, Alexander Beyene
NAYS:	Marchant Schneider, Mary Ramirez

3. Budget Amendment for First Half FY2024: Authorize to Advertise for Public Hearing

Town Treasurer Roberto Gonzalez shared that the Council discussed the mid year budget amendment at the Work Session earlier that evening. Mr. Gonzalez shared that since the budget amendment is over the 1% threshold, a public hearing will be needed. Mr. Gonzalez is requesting to advertise the public hearing for the February 5, 2024 regular monthly meeting. A short discussion followed. Mr. Gonzalez shared that the biggest adjustments on the revenue side will be the Transient & Occupancy Tax and the Meals Tax income. One the expenditure side, Mr. Gonzalez shared that the biggest adjustment will be legal services. After a short discussion, the Town Council gave the directive to proceed with the public notice for a February public hearing.

At this time, Councilmember Beyene left the meeting.

4. Notice to Award for Park Sidewalk RFP

Town Manager Emily Kyriazi shared at the Work Session earlier in the evening, she provided a recommendation to award the contract to M&F Concrete in the amount of \$643,527.80. She stated that staff would like to proceed with the intent to award and post it publicly for 10 days prior to the official awarding of the contract. A short discussion followed on timeline to make sure the sidewalk would be complete by Haymarket Day. There was also a discussion on the impact on the Town Park and playground area during construction. There was also a discussion on engineering and unforeseen contingency on the budget.

With no further discussion, Councilmember Pasanello moved to direct the Town Manager to award the notice to award the Park sidewalk RFP to M & F Concrete in the amount of \$643,527.80. Vice Mayor Pater seconded the motion. The motion carried by a roll call vote.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joe Pasanello, Council Member
SECONDER:	TracyLynn Pater, Vice Mayor
AYES:	Schneider, Pasanello, Gallagher, Pater, Ramirez
ABSENT:	Alexander Beyene

IX. Councilmember Time

1. Councilmember Marchant Schneider

Councilmember Schneider recognized the staff on a successful Christmas and Holiday event. He also shared that he received positive feedback on how beautiful the Town looked during the holiday season and congratulated the staff on the time and the investments that were made to make it happen. He also recognized the Police Department on a job well done. Lastly, he stated that he was disappointed in the vote regarding the Town Park building. He stated that he joined the Council to be collaborative and thinks that they could do a better job. He stated that he thinks that can do a better job at thinking outside the box and make decisions more quickly. He stated he hopes that the Council moves more quickly on the house in the next three years than the lack thereof in the past three years. He stated that this year needs to be a reinvestment into the CIP and do it responsibly and quickly. He concluded with his looks forward to the discussions on the next fiscal year budget.

2. Councilmember Mary Ramirez

Councilmember Ramirez stated that she hoped everyone had a wonderful holiday filled with joy. She shared that she is looking forward to progress and working with everyone in making this town the best it can be.

3. Councilmember Matthew Gallagher

Councilmember Gallagher congratulated the staff on the success of the holiday event. He also congratulated Chief Sibert on the Operation Santa event. He also shared that with the increase in the population and the sidewalk infrastructure, the Town needs to concentrate on pedestrian safety.

4. Councilmember Alexander Beyene

Councilmember Beyene left the meeting before Councilmember Time.

5. Councilmember Joe Pasanello

Councilmember Pasanello echoed on Mr. Gallagher's comment on pedestrian safety. He commended Chief Sibert in keeping costs down by applying for grants to help offset some of the costs for portable units. Mr. Pasanello also addressed the proffers and the recurring costs that will probably increase which will affect the Town's budget. He stated that he feels the Council will be able to do something with the Town Park in the very near future.

6. Vice Mayor Tracylynn Pater

Vice Mayor Pater wished everyone a Happy 2024. She shared the date for the next quarterly Business Roundtable. She stated she knows the vote this evening didn't go as everybody had hoped for but thanked Councilmember Schneider for taking the time to meet with her and that she really enjoys working with everyone.

7. Mayor Ken Luersen

Mayor Luersen stated that he hoped everyone had a nice holiday break. He commented that it would be nice to salvage the house and asked if Council would want to entertain the idea of putting the house for sale prior to demolition. The Council did not entertain the idea.

X. Adjournment


With no further business before the Town Council, Councilmember Ramirez moved to adjourn with a second by Vice Mayor Pater. The motion carried.

1. Motion to Adjourn

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mary Ramirez, Council Member
SECONDER:	TracyLynn Pater, Vice Mayor
AYES:	Schneider, Pasanello, Gallagher, Pater, Ramirez
ABSENT:	Alexander Beyene

Submitted:

Approved:


Kimberly Henry, Clerk of the Council


Kenneth Luersen, Mayor

