



TOWN OF HAYMARKET TOWN COUNCIL

REGULAR MEETING

~ MINUTES ~

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

15000 Washington St
Haymarket, VA 20169

Monday, February 7, 2022

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

Councilman Marchant Schneider: Present, Councilman Chris Morris: Present, Councilman Joe Pasanello: Present, Councilman Bob Weir: Present, Vice Mayor TracyLynn Pater: Present, Councilwoman Mary Ramirez: Present, Mayor Kenneth Luersen: Present.

II. Pledge of Allegiance

Mayor Luersen asked everyone to stand for the Pledge of Allegiance.

III. Invocation - Rev. Don Meeks, Greenwich Presbyterian Church

Reverend Don Meeks from Greenwich Presbyterian Church gave the evening's invocation. Prior to the invocation, Reverend Meeks stated that he has been a 21 year resident of Haymarket and thanked the Town Council for their service.

IV. Recognition of Service

Acting Town Manager Emily Kyriazi recognized Town Treasurer Roberto Gonzalez for his 5 years of service to the Town. She stated that he has been a great supporter and team member and is proud of his accomplishments. The Town Council presented Mr. Gonzalez with a 5 year pin and certificate of service.

V. Citizens Time

Tori Bowers with Lidl spoke in support of SUP 2021-001 asking the Town Council to approve the Starbucks at the property. She proceeded to state that if the SUP was denied, Lidl may be inclined to pull out from further developing at the Crossroads Village Center location.

Jim Payne, 6680 Fayette Street, also spoke in favor of SUP 2021-001 asking for the Town Council to proceed with the approval.

VI. Closed Session

1. Closed Session Motion

Councilman Weir moved that the Town Council go into closed session pursuant to Virginia Code § 2.2-3711(A)(1) for a personnel matter involving the assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Town; specifically dealing with the Town administrative staff namely the Town Manager, Town Planner, Town Treasurer, Town Clerk, DMV employee, and part time staffers; and as permitted by Virginia Code § 2.2-3711 (A)(7), consultation with legal counsel or briefing by staff members or consultants pertaining probable litigation involving 14600 Washington Street and the pending case of The Town of Haymarket vs. Bean here such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Town; and as permitted by Virginia Code § 2.2-3711 (A)(8), consultation with legal counsel regarding a specific legal matter requiring the provision of legal advice by such counsel, relating to the Town Zoning Ordinance. Councilman Pasanello seconded the motion. The motion carried.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bob Weir, Councilman
SECONDER:	Joe Pasanello, Councilman
AYES:	Schneider, Morris, Pasanello, Weir, Pater, Ramirez

2. Certification

Councilman Weir moved that the Council certify that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be discussed in a closed session under the provisions of the Virginia Freedom of Information Act as cited in that motion.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bob Weir, Councilman
SECONDER:	Joe Pasanello, Councilman
AYES:	Schneider, Morris, Pasanello, Weir, Pater, Ramirez, Luersen

VII. Consent Agenda

Mayor Luersen asked to have the Town Administration and the Business Liaison Reports.

Councilman Weir moved to adopt the Consent Agenda items VII A-1, B 2-6, and C 1,2,4 and 5. Councilman Pasanello seconded the motion. The motion carried.

A. Minute Approval

1. Mayor and Council - Regular Meeting - Jan 10, 2022 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Bob Weir, Councilman
SECONDER:	Joe Pasanello, Councilman
AYES:	Schneider, Morris, Pasanello, Weir, Pater, Ramirez

B. Department Reports

1. Town Administration Report

Councilman Pasanello complimented on the new layout of the reports submitted by staff. Mayor Luersen asked about the time line on when the Christmas wreaths would be taken down. Acting Town Manager Emily Kyriazi stated that due to the most recent inclement weather, the contractor had not been able to take them down. However, the contractor was scheduled and the wreaths would be down by the end of the week. Mayor Luersen also stated that he would like to see a weekly status on the upgrading of the audio video system.

2. Treasurer's Report

3. Police Department Report

4. Town Planner Report

5. Town Engineer Report

6. Town Attorney Report

C. Liaison Reports

1. Finance Liaison Report

2. Police Liaison Report

3. Business Liaison Report

Councilman Schneider asked if there was a way to increase the positive comments on Yelp for the Police Department. A short discussion followed.

Councilman Pasanello complimented the Vice Mayor Pater and staff on the most recent changes and details on the report.

Mayor Luersen stated he noticed that the Town businesses are being recognized on the Town's facebook page and asked what strategies are being used to make sure that no business is left out. A short discussion followed with the Mrs. Kyriazi sharing how the staff scheduled the posts.

4. Planning Commission Liaison Report

5. Architectural Review Board Liaison Report

VIII. Agenda Items

1. Economic Development Update - Miles Friedman

Acting Town Manager Emily Kyriazi introduced and invited Miles Friedman to the podium so that he could give updates on the economic development he and his partner have been working on for the Town. Mr. Friedman shared that they finished up with the CARES ACT funds by the deadline date. He stated that the Town of Haymarket got good reviews on what was done with the CARES ACT money. Mr. Friedman stated his plan on the contract was in 3 phases with phase one being the implementing what an economic development strategy would look like. He continued with examples in phase one. He stated that he visited businesses and how were they affected by COV-ID. He went over some information that the businesses provided. He also shared ideas on what the businesses would like to see from the Town, such as branding and continue marketing the Town. Mr. Friedman stated the businesses would like to see a full blown marketing plan and a full blown economic development strategy. He continued to state that if the Town would continue with phases 2 and 3 of the suggested plan, these things could be included at some point. He continued by stating that he would like to get the businesses more involved with the Business Roundtable meetings by scheduling a calendar of meetings and speakers for each meeting well in advance. He stated that the next Business Roundtable meeting would be at the new Hilton Garden Inn with the Prince William County small business development manager who will talk about the rescue retail program. He stated that the first year a vision is laid and a direction is discussed. The second year is to start looking for resources and decide what services are important. And the third year is the implementing the vision or plan. He concluded by giving a brief summary of the first quarter.

After Mr. Friedman spoke, there was a request that the Town Council receive a written quarterly report. Mr. Friedman stated that he provides a written quarterly and a final yearly report. There was also a discussion on implementing the Transient Occupancy Tax with what Mr. Friedman had in his economic strategy. The Town Council discussed the Business Roundtable and Mr. Friedman's involvement and if it fits within the contract perimeters. There was also a discussion on involving the Haymarket Gainesville Business Association in marketing. Acting Town Manager Emily Kyriazi stated that she can get in touch with HGBA since the treasurer has been in touch with the Town. Councilman Weir stated that by ordinance and the contract with the hotel, the TOT collected by hotel is to be spent in tourism marketing. However, it is not the discretion of the Town on how it is spent and feels that the Town Council would need to discuss that at the next work session.

2. Motion to Remove Tabled Decision from Crossroads SUP

Town Planner Emily Kyriazi gave a brief overview of the SUP by providing an updated staff report from the last work session and all information provided by the applicant at the work session. There was a discussion that since the SUP consideration was tabled for the applicant to provide more information, it would need to come off the table in order to discuss or consider.

Councilman Schneider moved to take off the table SUP 2021-001:Restaurant with Drive-In and open the discussion. Councilwoman Ramirez seconded the motion. The motion carried by a roll call vote.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Marchant Schneider, Councilman
SECONDER:	Mary Ramirez, Councilwoman
AYES:	Schneider, Morris, Pasanello, Weir, Pater, Ramirez

3. Crossroads Village Center SUP#2021-001 Restaurant, Drive-In

Councilman Pasanello moved that the Town Council deny SUP 2021-001. Councilman Morris seconded the motion.

Councilman Weir read Resolution 2021-001 in its entirety and made a substitute motion to deny the SUP by resolution. Councilman Morris seconded the motion. A short discussion followed. The motion carried by a roll call vote.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bob Weir, Councilman
SECONDER:	Chris Morris, Councilman
AYES:	Schneider, Morris, Pasanello, Weir, Pater, Ramirez

4. Final ARPA Guidelines Report and Discussion

After a brief recess from the Town Council, Town Treasurer Roberto Gonzalez provided an overview on the ARPA funds report. Mr. Gonzalez shared that at the work session there was a discussion on how to receive the funds; either a lump sum or by calculations of lost revenues. He stated that the Town could implement the funds into the operational budget and that the lump sum would be below the threshold. There was a discussion on the reporting the expenditures. Once the Town reports that they would like to receive the lump sum, no other reporting would be required. Mr. Gonzalez stated that the Town would be receiving approximately \$1.7 million and it would be deposited into an interest bearing account. The Town Council directed Town Treasurer Gonzalez to proceed with reporting that the Town would like to receive the lump sum option.

5. Transient Occupancy Tax Ordinance Discussion

Town Treasurer Roberto Gonzalez stated that the draft ordinance was before the Town Council so that it would match up with the State ordinance. Since the state ordinance has been tabled, no action was needed at this time.

6. RFP Sidewalk Discussion

Town Planner Emily Kyriazi followed up with the Town Engineer's report regarding the RFP. Mrs. Kyriazi stated that the engineers recommendation was to proceed with the Design Bid Build option. A short discussion followed on the two options. With no objection, the Town Council directed the Town Manager to proceed with the Design Bid Build option. No further action was needed.

7. Personnel Liaison Appointment

Acting Town Manager Emily Kyriazi stated that at the previous work session, the subject of updating the personnel manual was being discussed. She stated that it was a recommendation of staff to include a Council Member in the discussion and revision of the manual. The Council discussed having the police liaison be appointed the personnel liaison.

Councilman Weir moved to appoint Councilman Morris as the personnel liaison and combine his role as the police department liaison as one role. Councilman Pasanello seconded the motion. The motion carried.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bob Weir, Councilman
SECONDER:	Joe Pasanello, Councilman
AYES:	Schneider, Morris, Pasanello, Weir, Pater, Ramirez

8. Consideration of Resolution 2022-001: Support of HB79

Mayor Luersen stated that the following resolutions being considered has not been available and visible to the citizens. Mayor Luersen asked if Council would like to hold off on adopting the resolutions in order to give the citizens a chance to review and comment. Also, he stated that Resolution 2022-002 and Resolution 2022-003 are House Bills that Delegate Roem asked for support. However, Resolution 2022-001 was a bill that had no request of support and felt that it was questionable because it was dealing with peoples 4th amendment rights. Mayor Luersen opened the floor for discussion. Councilman Weir gave a brief explanation of the bill which re-institutes the ability of a police officer to remove unsafe equipment from the roads as a primary offense and took the suspension of marijuana is out of the bill. Chief Sibert gave a history of the bill and stated that the bill was brought back for safety reasons not profiling. Discussion followed after Chief's summary of the bill.

Councilman Weir moved to adopt Resolution 2022-001 as presented. Councilman Morris seconded the motion. The motion carried by a roll call vote.

After the vote, Mayor Luersen stated that he felt that this bill was not of a political nature and that he would not impose a veto.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bob Weir, Councilman
SECONDER:	Chris Morris, Councilman
AYES:	Schneider, Morris, Pasanello, Weir, Pater, Ramirez

9. Consideration of Resolution 2022-002

Councilman Weir updated the Town Council on this bill that would provide legal counsel to Board of Zoning Appeals in order to do their job.

Councilman Weir moved to adopt Resolution 2022-002. Councilman Pasanello seconded the motion. At this point, it was brought to the attention of Councilman Weir that the resolutions 2022-002 and 2022-003 were reversed. Councilman Weir amended his motion to reflect the correct resolution 2022-003. Councilman Pasanello seconded the amended motion. The motion carried by a roll call vote.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bob Weir, Councilman
SECONDER:	Joe Pasanello, Councilman
AYES:	Schneider, Morris, Pasanello, Weir, Pater, Ramirez

10. Consideration of Resolution 2022-003

Councilman Weir shared that this bill is a transparency bill that states that if you take a contribution on excess of \$100 within one calendar year from any party and that party appears with a land use application in the form of a rezoning SUP or a comp plan, the board member must disclose that contribution in writing and verbally and also must recuse from the vote. A short discussion followed.

Councilman Weir moved to adopt Resolution 2022-002. Councilman Pasanello seconded the motion. The motion carried by a roll call vote.

After the vote, the Town Council directed the Town Clerk to send all the resolutions to the appropriate committees and sub committees.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bob Weir, Councilman
SECONDER:	Joe Pasanello, Councilman
AYES:	Schneider, Morris, Pasanello, Weir, Pater, Ramirez

11. Texting Service - Acai Software

Acting Town Manager Emily Kyriazi shared that the Town recently received an invoice for the push to text notification service from Acai Software. Mrs. Kyriazi stated that the staff does not utilize this service. There was a short discussion on the subject by researching to see if the Town can be part of the Prince William County alert notification system. The Town Council directed the Town Manager to extricate the Town from the contract with Acai Software and have the Chief look for other options.

IX. Councilmember Time

1. Chris Morris

Councilman Morris shared that Carry To Full Term was selected by the Prince William County Human Rights commission as one of the recipients of the 2021 human rights award. He stated that since they are in our community, he would like for Council to invite a representative to future meeting for them to share what they are doing at the facility.

2. Mary Ramirez

Councilwoman Ramirez shared with Valentine's Day around the corner, she encouraged everyone to shop local. Mrs. Ramirez recognized Office Assistant Emily Huffman for a job well done when posting to the social media platform.

3. Marchant Schneider

Councilman Schneider recognized the Police Department and stated that the community is thankful for their involvement. Mr. Schneider also congratulated the staff on a job well done with

clearing the sidewalks quickly. Councilman Schneider stated that he would like to see signage above the Town Hall and Police Department doors. He also mentioned that the Council discuss at the strategic planning meeting to address the building on Town Property that is in need of windows and general upkeep.

4. TracyLynn Pater

Vice Mayor Pater congratulated and thanked Town Treasurer Roberto Gonzalez for his years of service. Vice Mayor also gave the dates for the next quarterly business roundtable meeting.

5. Joe Pasanello

Councilman Pasanello thanked the Chief the clarification on HB79. Mr. Pasanello also recognized Office Assistant Emily Huffman on her work and initiative. Lastly Councilman Pasanello stated that he hoped that the comments made from LIdl during citizens time does not come to pass and that they remain on track with coming into the Town.

6. Bob Weir

Councilman Weir did not have any additional comments.

7. Ken Luersen

Mayor Luersen shared the date of the Mayor's walk.

X. Adjournment

With no further business before the Town Council, Councilman Pasanello moved to adjourn with a second by Councilwoman Ramirez. The motion carried.

1. Motion to Adjourn

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joe Pasanello, Councilman
SECONDER:	Mary Ramirez, Councilwoman
AYES:	Schneider, Morris, Pasanello, Weir, Pater, Ramirez

Submitted:

Approved:


Kimberly Henry, Clerk of the Council


Ken Luersen, Mayor