



TOWN OF HAYMARKET TOWN COUNCIL
PUBLIC HEARING/REGULAR MEETING
~ MINUTES ~

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

15000 Washington St
Haymarket, VA 20169

Tuesday, September 7, 2021

7:00 PM

Council Chambers

A Public Hearing/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, Town Manager Chris Coon: Present, Clerk of Council Kimberly Henry: Present, Police Sergeant Jake Davis: Present, Town Treasurer Roberto Gonzalez: Present.

II. Pledge Of Allegiance

Mayor Ken Luersen invited everyone to stand for the Pledge of Allegiance.

III. Invocation - Pastor Brian Johnson, Haymarket Church

Mayor Luersen introduced Pastor Brian Johnson of Haymarket Church and asked him to give the evening's invocation.

IV. Special Recognition and Presentation of Appreciation

Councilman Chris Morris invited Officer Randy Anderson to the podium for a special recognition and presentation. Mr. Morris shared that Officer Anderson started with the Haymarket Police Department in 2006 as a reserved officer while serving our country in the Marine Corp. Upon retiring from the Marines in 2008, Officer Anderson has served as a part time officer within the department. Numerous times since, Officer Anderson has stepped up and worked full time hours while the department was in transition filling vacancies while sacrificing his time with this family. Councilman Morris stated that in the past 5 months, Mr. Anderson assumed the role of a full time officer.

Councilman Morris stated that on behalf of the Mayor and Town Council, fellow officers and friends of the Haymarket Police Department and the staff of the Town of Haymarket, it was with humble appreciation and thanks for the tremendous work that Officer Anderson has given and continues to give to the Town of Haymarket. At this time, Councilman Morris presented Officer Anderson with a plaque of appreciation of loyal service and commitment to the community.

V. Public Hearing - CANCELLED

Mayor Luersen stated that the Public Hearing was cancelled due to an inaccuracy of the notice and would be rescheduled for a future regular monthly meeting.

1. Public Hearing Notice

VI. Citizens Time

Jim Payne, 6680 Fayette Street, congratulated and welcomed the new officers.

Sarah Germek, a local resident, read a letter to the Town Council asking that the Town recognize all cancers, particularly ovarian cancer, in the month of September.

The letter is attached at the end of the minutes.

VII. Consent Agenda

Mayor Luersen stated that there was a request to pull out the following from the Consent Agenda for further discussion: the Police Department, ARB liaison report, Town Administration Report and the Police Liaison Report,

Councilman Weir moved to adopt Consent Agenda items A 1-2; B 3-6; and C 1, 3-5. Councilman Pasanello seconded the motion. The motion carried.

A. Minute Approval

1. Mayor and Council - Work Session - Jul 26, 2021 7:00 PM

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

2. Mayor and Council - Regular Meeting - Aug 2, 2021 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

Mayor Luersen asked about the future of the DMV Connect coming back to Haymarket. Town Manager Chris Coon stated that the DMV Connect came for the one day. He shared that there were several issues from the day including more traffic flow in Town Hall because of the increase in windows from what was originally agreed upon. He stated that he is still communicating with DMV to address the issues before scheduling another visit. Mayor Luersen also asked about the recent historic walk that was planned by Town Planner Emily Lockhart. He asked for a more detailed report on its success. Councilwoman Ramirez stated that she attended the walk and that it was a great success. She shared that approximately 50 people attended and was very rewarding. Mayor Luersen also asked about the weekly report that mentioned the inspection of the Town Park building. The Mayor asked if there would be anything to stop the Town from doing any upgrades. Town Manager Coon affirmed that there were no issues. Mr. Coon stated that party interested in having a partnership with the Town will be at the next work session to provide more information.

Mayor Luersen asked Councilwoman Ramirez about the maintenance worker job description. Councilwoman Ramirez gave a brief update on the position and the needs for the worker. Mr. Coon stated that the job description will be on the agenda for the next work session. He stated that the finance liaisons discussed and will have continued discussion on the funding for the position.

Lastly, Mayor Luersen asked about the contract with Mr. Friedman that would help the Town on the ARPA funding. Mr. Coon stated that the Town Attorney reviewed the contract with one edit. Mr. Coon stated that he is prepared to add that item to the evening's agenda if Council desired. The Town Council agreed to have the item added on as Agenda Item D.

2. Motion

Councilman Morris moved to add the contract with Miles Friedman on the Agenda as Agenda Item D 1. Councilman Pasanello seconded the motion. The motion carried.

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

3. Police Department Report

Mayor Luersen thanked the Police Department in organizing and holding the annual National Night Out event in August. He was appreciative of the whole department's involvement with that event. Mayor Luersen also congratulated Sergeant Davis on the women's self defense class that he organized. There was a recognition of Officer Finley who put in extra time on the selective enforcement that the department recently initiated. Sergeant Davis gave a brief explanation about the selective enforcement program. The Town Council complimented the department and the positive feedback that the Council is receiving on the new officers.

4. Town Treasurer Report

5. Town Planner Report

- 6. Town Engineer Report
- 7. Town Attorney Report

C. Liaison Reports

- 1. Finance Liaison Report
- 2. Police Liaison Report

Councilman Chris Morris shared the media release from the Town of Haymarket announcing the hiring of Edgar Al Sibert as the new Chief of Police for the Town of Haymarket. Mayor Luersen recognized Sargeant Jake Davis for stepping up and taking over the acting Police Chief role and commended him for his performance and for going above what was expected of him.

- 3. Business Roundtable Report
- 4. ARB Liaison Report
- 5. Planning Commission Liaison Report

VIII. Agenda Items

1. Appeal on ARB decision for Demolition Request: 6712 Jefferson Street

Town Manager Chris Coon gave the floor to Councilman Schneider who was part of the ARB's decision to deny the demolition request. Mr. Schneider gave a brief update and timeline on regarding the property. Councilman Schneider shared the outcome of the denial and the processes that the ARB went through to make the determination. After the ARB's decision to deny, the applicant appealed the decision to the Town Council.

After Councilman Schneider's update, Bonaventure Gonsalves spoke on behalf of the Bean family requesting that the ARB decision to be overturned. Mr. Gonsalves provided information on the steps that were taken since the original request for both houses to remain. He stated that the Zoning Administrator gave a zoning determination which was then sent to the BZA. The Haymarket BZA overturned the Zoning Administrator's determination, in which the Town has appealed. He stated that the court date for the appeal is set for October 25. Mr. Gonsalves stated that the Town Attorney approached the applicant with suggestion to tear down one building to make the property conforming, in which the decision was made to turn down the older structure. The applicant applied for demolition permit and the COA from the ARB was denied. Mr. Gonsalves stated that there is no historic events or persons that would make the older home classified as a historic structure other than that the house meets the 50 year criteria to be considered historic.

After Mr. Gonsalves' response to the ARB's decision, the Town Council discussed the appeal. The explanation was that one of the structures would need to be demolished in order to satisfy the zoning requirements. The decision to remove the older structure was because of the financial cost to fix the older structure. Town Manager Coon stated that the issue was 2 structures on one parcel. If the older structure was taken down, there would be no zoning violation and the remediation and court date would not be needed. There was also a discussion on the proper permitting of the second structure. Councilman Pasanello stated that he would like to see all of the documentation, including the written response to the Architectural Review Board's findings of denial, before making a final decision. Mr. Pasanello also stated that he would like for the Town Attorney and Zoning Administrator present to answer any and all questions of the Council prior to making a decision. The Town Council agreed on Mr. Pasanello's recommendation.

1. Demo Permit Application and Documents

Councilman Weir moved to defer further consideration until the October 4, 2021 regular meeting of the Town Council. Councilman Pasanello seconded the motion. A short discussion followed. The motion carried by a roll call vote.

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

2. Ordinance 2021-001: Meals Tax Free Weekend

Town Treasurer Roberto Gonzalez presented Ordinance 2021-001 which was free meals tax for the Haymarket Day weekend in October.

1. Ordinance #2021-001

Vice Mayor moved to adopt Ordinance 2021-001. Councilwoman Ramirez seconded the motion. The motion carried by a roll call vote.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	TracyLynn Pater, Vice Mayor
SECONDER:	Mary Ramirez, Councilwoman
AYES:	Schneider, Morris, Pasanello, Weir, Pater, Ramirez

3. VDOT Sidewalk Grant: Amended Resolution 2021-012

Mayor Luersen addressed the resolution for the VDOT grant application. He gave a brief explanation on the application and how there would be an opportunity to have the grant funds in tandem to the proposed sidewalk project, if approved.

1. Resolution #2021-012

Councilman Pasanello moved to approve the amendments to Resolution 2021-012 as presented. Vice Mayor Pater seconded the motion. The motion carried by a roll call vote.

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

4. Contract Consideration

Town Manager Chris Coon distributed the final edited contract with Miles Friedman to assist for the Cares Act and ARPA funds expenditures.

Councilwoman Ramirez moved to approve the amended contract with Miles Friedman for economic development service as amended and discussed. Vice Mayor Pater seconded the motion. The motion carried by a roll call vote.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mary Ramirez, Councilwoman
SECONDER:	TracyLynn Pater, Vice Mayor
AYES:	Schneider, Morris, Pasanello, Weir, Pater, Ramirez

IX. Councilmember Time

1. Bob Weir

Councilman Weir shared that he spoke with Prince William County Public Works who agreed to visit and address the storm water concerns with the Town.

2. Joe Pasanello

Councilman Pasanello acknowledged the invocation given by Pastor Johnson. Mr. Pasanello also recognized and thanked Sergeant Davis for all the hard work he put in while the Council searched for a new Police Chief.

3. TracyLynn Pater

Vice Mayor Pater thanked service members in recognition of the anniversary of September 11. Ms. Pater also thanked Sergeant Davis for his dedication and hard work. She shared the dated for the next Business Roundtable meeting.

4. Marchant Schneider

Councilman Schneider also thanked Sergeant Davis. Mr. Schneider asked for any volunteers in helping the Town staff with the upcoming Haymarket Day. Lastly, Mr. Schneider congratulated Town Planner Emily Lockhart Kyriazi on her recent marriage. Without objection, Mr. Schneider directed staff to send flowers to the newlywed from the Town Council.

5. Mary Ramirez

Councilwoman Ramirez also gave a huge thank you to Sergeant Davis for his hard work and recognized and gave appreciation to the police department. Ms. Ramirez stated that she would be attending Farmer's Market.

6. Chris Morris

Councilman Morris shared an event at Carried to Full Term on September 25. Mr. Morris asked staff to put events in the Town on the website. A short discussion followed.

7. Ken Luersen

Mayor Luersen recognized the citizen who spoke during Citizen's Time and the request for recognizing cancers in September. The Mayor encouraged those who are interested in supporting causes such as this, there would need to be outside funding resources and individuals to be in charge. He shared that the October Breast Cancer Awareness was fully funded by an individual as well as Alex's Army and Flags for Heroes. Mayor Luersen also announced his monthly Mayor's walk date.

X. Closed Session - As Needed**1. Motion to go into Closed Session**

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 salaries of specific public officers, appointees, or employees of the Town; specifically dealing with the Chief of Police; and as permitted by Virginia Code § 2.2-3711 (A)(3), a matter involving acquisition of real property for a public purposes; and as permitted by Virginia Code § 2.2-3711 (A)(7), consultation with legal counsel or briefing by staff members or consultants pertaining to probable litigation involving Haymarket Property Group and the pending case of Bean vs. The Town of Haymarket where 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 contractual obligations resulting from separation from Town employment. Councilman Pater seconded the motion. The motion carried.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Joe Pasanello, Bob Weir
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. Councilman Pater seconded the 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, Luersen

3. Directive

Without objection, Mayor Luersen directed the Town Manager and legal counsel to proceed as directed. There were no objections from the Council.

XI. Adjournment

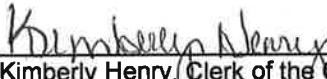
With no further business before the Town Council, Councilman Schneider moved to adjourn with a second by Vice Mayor Pater. The motion carried.

1. Motion to Adjourn

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Marchant Schneider, Councilman
SECONDER:	TracyLynn Pater, Vice Mayor
AYES:	Schneider, Morris, Pasanello, Weir, Pater, Ramirez

Submitted:

Approved:



Kimberly Henry, Clerk of the Council



Ken Luersen, Mayor