



TOWN OF HAYMARKET TOWN COUNCIL  
REGULAR MEETING  
~ MINUTES ~

Chris Coon, Town Manager  
<http://www.townofhaymarket.org/>

15000 Washington St  
Haymarket, VA 20169

Monday, February 1, 2021

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**

Due to the COV-ID 19 pandemic and Governor Northam's executive order on social distancing, Councilman Joe Pasanello and Town Attorney Martin Crim attended this evening's meeting via Zoom meeting from their respective homes.

Councilman Marchant Schneider: Present, Councilman Chris Morris: Present, Councilman Joe Pasanello: Remote, Councilman Steve Shannon: Present, Councilman Bob Weir: Present, Vice Mayor TracyLynn Pater: Present, Mayor Kenneth Luersen: Present.

**II. Pledge of Allegiance**

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

**III. Invocation - Rev Sean Rousseau: St. Paul's Episcopal Church**

The Reverend Sean Rousseau gave the evening's invocation.

**IV. Citizen's Time**

Jim Payne, 6680 Fayette Street, first complimented the Town Council on the decision they made at the previous work session to proceed with the hiring of the 6th police officer. He also addressed the Council on the subject of the proposed DMV Select office. Mr. Payne suggested that the Council do a traffic analysis and also have a dedicated citizens time for public input before making a decision at their next regular meeting.

**V. Minute Approval**

Councilman Weir moved to accept the minutes from the November 30, 2020 Work Session, the December 7, 2020 Regular Meeting, the December 28, 2020 Work Session, the January 4, 2021 Regular Meeting, the January 26, 2021 Special Meeting. The motion was carried by Councilman Shannon. The motion carried.

1. Mayor and Council - Work Session - Nov 30, 2020 7:00 PM

**RESULT:** ACCEPTED [UNANIMOUS]  
**MOVER:** Bob Weir, Councilman  
**SECONDER:** Steve Shannon, Councilman  
**AYES:** Schneider, Morris, Pasanello, Shannon, Weir, Pater

2. Mayor and Council - Regular Meeting - Dec 7, 2020 7:00 PM

**RESULT:** ACCEPTED [UNANIMOUS]  
**MOVER:** Bob Weir, Councilman  
**SECONDER:** Steve Shannon, Councilman  
**AYES:** Schneider, Morris, Pasanello, Shannon, Weir, Pater

3. Mayor and Council - Work Session - Dec 28, 2020 7:00 PM

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Bob Weir, Councilman
<b>SECONDER:</b>	Steve Shannon, Councilman
<b>AYES:</b>	Schneider, Morris, Pasanello, Shannon, Weir, Pater

4. Mayor and Council - Regular Meeting - Jan 4, 2021 7:00 PM

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Bob Weir, Councilman
<b>SECONDER:</b>	Steve Shannon, Councilman
<b>AYES:</b>	Schneider, Morris, Pasanello, Shannon, Weir, Pater

5. Mayor and Council - Special Meeting - Jan 26, 2021 10:00 AM

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Bob Weir, Councilman
<b>SECONDER:</b>	Steve Shannon, Councilman
<b>AYES:</b>	Schneider, Morris, Pasanello, Shannon, Weir, Pater

## VI. Agenda Items

### 1. Budget Amendment

Town Manager Chris Coon shared that this item was discussed in the Closed Session at the previous Work Session which included the Town Clerk's salary increase, the 599 funds used for retention bonuses given to the police department, and the recruitment bonuses to the 2 new officers that will be hired. Councilman Weir stated that he would like to also grant the administrative staff retention bonuses in the same amount as the full time officers as well. A discussion followed on the subject. The decision for the administrative staff retention bonuses was tabled for further discussion until the next work session.

**Councilman Morris moved that the Haymarket Town Council approve amendments to the Fiscal Year 2020-21 as designated on Resolution #2021-002 and Resolution #2021-003. Councilman Weir seconded the motion. The motion carried by a roll call vote.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Chris Morris, Councilman
<b>SECONDER:</b>	Bob Weir, Councilman
<b>AYES:</b>	Schneider, Morris, Pasanello, Shannon, Weir, Pater

### 2. Consideration of SUP 2020-002 - 14600 Washington Street

At this time, Town Planner Emily Lockhart gave a report from the Planning Commission meeting where this subject was discussed. Ms. Lockhart shared that the Planning Commission concluded the discussion with the applicant and voted by resolution a recommendation of denial of the SUP at 14600 Washington Street. Ms. Lockhart ended her report by also recommending denial of the SUP on the following basis of 1. the applicant has failed to address the concerns and comments from August 2020 and 2. the designated land for the SUP and the GDP has been rejected for a proffer amendment. There was a brief discussion with Ms. Lockhart on some of the questions raised by the Planning Commission. After Ms. Lockhart's report, Mayor Luersen gave Connor Leake, president of HPG, time to address the Town Council on the SUP application. Mr. Leake reference Virginia Code 15.2-2285B in their disagreement of the decision made by the Planning Commission. He stated that since the Planning Commission did not make a recommendation within the 100 days time frame that is referenced in the Virginia Code he cited, the SUP should have gone straight to Council for consideration. Mr. Leake continued with his presentation of the SUP and its requested use. After Mr. Leake's presentation, the Town Council asked Mr. Leake several questions regarding information that was requested by the Town Planner. A discussion followed by the Town Council. The Council questioned the Town Attorney on the Virginia Code that was referenced. Town Attorney Crim stated that the Virginia Code that was cited refers to amendments to zoning ordinances but in the case of Special Use Permits it does not apply. He stated that Special Use Permits is a use with a special exception

within the zoning ordinance. Mr. Crim also stated that it is not the Town of Haymarket's zoning ordinance that the Planning Commission has to act within the 100 days or would be deemed approve but Prince William County's zoning ordinance. Mr. Crim concluded that the recommendation given to the Town Council from the Planning Commission would stand.

At this time, Councilman Weir read the Resolution of Denial of SUP#2020-002 for 14600 Washington Street in it's entirety into the record.

**Councilman Weir moved to adopt the Resolution of Denial. Councilman Morris seconded the motion.** A lengthy discussion on the subject of the timeline of re-submitting applications, the resolution passed at the Planning Commission and future application protocol followed. **The motion carried by a roll call vote.**

<b>RESULT:</b>	<b>ADOPTED [4 TO 0]</b>
<b>MOVER:</b>	Bob Weir, Councilman
<b>SECONDER:</b>	Chris Morris, Councilman
<b>AYES:</b>	Chris Morris, Joe Pasanello, Bob Weir, TracyLynn Pater
<b>ABSTAIN:</b>	Marchant Schneider, Steve Shannon

### 3. Letter of Support to Deny SB1157

Town Manager Chris Coon shared that he reached to VML to obtain a draft letter asking for the State Legislatures to deny SB 1157 which was a bill to change local elections from May to November.

**Councilman Morris moved that the Town of Haymarket oppose SB1157. Councilman Shannon seconded the motion. The motion carried by a roll call vote.**

There was a directive from Council for staff send the letter to the Chair to Counties, Cities, and Towns committee and to Delegate Roem - Chair to the charter sub committees to the Counties, Citites and Towns committee once all members of Council and Mayor sign the letter.

At this time, the Town Council took a brief recess.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Chris Morris, Councilman
<b>SECONDER:</b>	Steve Shannon, Councilman
<b>AYES:</b>	Schneider, Morris, Pasanello, Shannon, Weir, Pater

### 4. DMV Select Office

Town Manager Chris Coon gave a power point presentation on the proposed DMV Select Office. There were several questions from the Council regarding the operational hours, parking, the return on investment, and general operational cost of extra staff. A suggestion was made to have citizens come speak at the next meeting on the subject, to put the presentation on the website followed by a survey monkey to gather more data. After several questions and discussions, Town Manager Chris Coon stated that he would like to get some kind of idea from Council to move forward with obtaining quotes for the build out and to give the DMV representatives that there is still interest in having an office in Haymarket but that Council needs more information. The Town Council gave Mr. Coon the directive to continue communicating with the DMV representatives that the Town is still interested but would need to get more data.

### 5. Police Dept Vehicle Take Home Policy

Town Manager Chris Coon shared the requested information gathered by Town Treasurer Roberto Gonzalez on the fuel cost for the police vehicles. Mr. Gonzalez went over the report that he provided. There was a discussion on re-establishing the vehicle take home policy in order for better recruitment and retention purposes. There was also a discussion on the permitted radius and of the hybrid plan that was offered earlier in the year that the Chief did not want so those funds where moved to other line items within the budget. The discussion continued if the take home policy was re-instated the budget would need to be amended again. There was a suggestion to address this subject during the budget season rather than implement the policy at this time. A suggestion was made to give the Chief a pole of money for

maintenance and gas with the take home policy and allowing to the Chief to manage the expenditures to determine when a vehicle should be parked. A lengthy discussion followed on the suggested ideas.

**Councilman Morris moved for the Council to pursue re-instituting the take home vehicle police with a radius of 40 miles and if there is any budgetary impact an amendment will be discussed at the next work session and regular meeting. Councilman Shannon seconded the motion. A discussion followed. The motion failed by a roll call vote.**

<b>RESULT:</b>	<b>DEFEATED [2 TO 4]</b>
<b>MOVER:</b>	Chris Morris, Councilman
<b>SECONDER:</b>	Steve Shannon, Councilman
<b>AYES:</b>	Chris Morris, Steve Shannon
<b>NAYS:</b>	Marchant Schneider, Joe Pasanello, Bob Weir, TracyLynn Pater

#### 6. Laney Detail

Town Manager Chris Coon shared the requested information from the discussion at the Work Session of dollars per hour breakdown which includes fuel cost, vehicle maintenance, workers compensation, taxes and admin cost. Mr. Coon shared the total loss to the Town for having the Laney Detail. Mr. Coon stated that he asked Chief Lands to contact the representative from Laney to see if they would be willing to increase the hourly amount paid to the Town to cover these costs. Chief Lands shared that Laney will increase the hourly amount to cover the cost to the Town in order for the police department to continue with the detail. A discussion followed on the timeline of when the detail would end and the scheduling demand on the officers. No further action was needed at this time.

## VII. Liaison Reports

### 1. Finance

Councilman Weir shared that the committee and Town Treasurer Gonzalez are starting to work on the FY22 budget and asked that the Council give any budgetary needs to Mr. Gonzalez.

### 2. Police

Councilman Morris stated that since he started as the liaison, all daily reports have been sent to him to review. He asked the Town Council for guidelines on what they would like the Chief to share with the entire Council such as weather updates, traffic impacts and the like. There was a short discussion on the subject.

### 3. Architectural Review Board

Councilman Schneider shared the updates from the previous Architectural Review Board meeting. He shared that a representative from Aldi was at the last meeting with their updated sign design and the building facade. He also shared that the Board approved the Robinson Village project by Van Metre. Lastly, Mr. Schneider shared that the Board gave conditional approval on the preliminary design of Transform Power Yoga that will be located on Hunting Path Road. He stated that the Town Council may hear some push back from the citizens regarding the modern design of the building. Mayor Luersen shared that he had a request for an appeal by a citizen. He stated that according to the ordinance, an appeal must be made within 7 days of approval. He shared that with the meeting schedules of the ARB and Town Council, the time expired. He suggested that when updating the ordinance, the time for appeal be extended to 14 days.

### 4. Planning Commission

Councilman Weir gave the Planning Commission updates. He also addressed the subject of the Transform Power Yoga design. He stated that a site plan should be approved prior to a certificate of appropriateness through the Architectural Review Board. He also shared that the Planning Commission is working on the zoning text amendment and will address and redefine the historic area of the Town.

### 5. Business Roundtable

Vice Mayor Pater gave the date for the next business roundtable meeting. She shared that the staff has been working on an updated contact list for the businesses so that everyone is reached regarding future meetings.

## VIII. Department Reports

### 1. Town Administration Staff

Town Manager Chris Coon asked for any questions on his written weekly reports. There was a short discussion from a previous meeting about complaints of smoking on the patio of the museum. Mr. Coon stated that he had not received any complaints.

### 2. Police Chief

Chief Lands thanked the Town Council for the retention bonuses on behalf of the officers. Chief Lands gave an update on filling the vacancies within the department. Chief Lands also updated the Town Council on information he received from the Northern Virginia Police Chiefs meeting. Chief Lands asked for any questions from his report. There was a short discussion on the availability of the officers getting the COVID vaccine.

At this time, Town Manager Chris Coon read into the record an email from Dottie Leonard that was not received during citizen's time.

\*\*The email will be attached at the end of the minutes.\*\*

### 3. Town Treasurer

Town Treasurer Roberto Gonzalez gave a brief update on his report. Mr. Gonzalez shared that the auditor will be at the next work session to go over the audit report. Mr. Gonzalez asked for any questions from his report. No questions were asked however the Town Council recognized Mr. Gonzalez on his anniversary with the Town.

### 4. Town Planner

Town Planner Emily Lockhart gave a brief update on her report. She addressed the conversation regarding the Transform Power Yoga design and related ordinances that were discussed. Ms. Lockhart also shared that the Planning Commission will hold a public hearing at their next meeting for a drive thru restaurant and 2 over 2 condominiums at the Crossroads Village property. Ms. Lockhart gave an update on the Pardo House and the communications that staff has had with the owner. Lastly, Ms. Lockhart shared that 3 properties were reported to the County for property maintenance code violations. There were no questions for the Town Planner.

### 5. Town Engineer

Town Planner Emily Lockhart went over Town Engineer Katie McDaniel's written report. There were no questions on the Town Engineer's report.

### 6. Town Attorney

Town Attorney Crim asked for any questions from his written report. There were no questions for the Attorney.

## IX. Councilmember Time

### 1. Christopher Morris

Councilman Morris thanked the Town Council's input on the subject of the vehicle take home policy.

### 2. Joe Pasanello

Councilman Pasanello thanked Ryan Morgan from Haymarket Hotel Venture, LLC on the site visit of the hotel property.

### 3. TracyLynn Pater

Vice Mayor Pater thanked her fellow Council Members and the fact that they can have the opportunity and freedom to have lively conversations.

### 4. Marchant Schneider

Councilman Schneider shared that he hopes in the future that the Town Council can have conversations, particularly about the Police Department, and be patient with one another. Mr. Schneider also shared his conversation with Ryan Morgan from Haymarket Hotel Venture regarding re-locating the Verizon lines. He also stated that he will be working with staff on parking study, threshold of population before addressing the Crossroads Village concept.

### 5. Steve Shannon

Councilman Shannon stated that appreciates that the Town Council can agree to disagree and have the opportunity to engaged in lively conversations.

### 6. Bob Weir

Councilman Weir did not have anything to address.

### 7. Ken Luersen

Mayor Luersen thanked the Town Council for their work and dedication.

**X. Closed Session - As Needed**

**1. Motion to go into Closed Session**

Councilman Pasanello moved to go into Closed Session pursuant to Virginia Code § 2.2-3711 (A)(8) consultation with legal counsel regarding a specific legal matters specifically email investigations of the Town. The motion was seconded by Councilman Weir. The motion carried.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Joe Pasanello, Councilman
<b>SECONDER:</b>	Bob Weir, Councilman
<b>AYES:</b>	Schneider, Morris, Pasanello, Shannon, Weir, Pater

**2. Certification**

Councilman Weir moved that 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 Shannon seconded the motion. The motion carried by a roll call vote.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Bob Weir, Councilman
<b>SECONDER:</b>	Steve Shannon, Councilman
<b>AYES:</b>	Schneider, Morris, Pasanello, Shannon, Weir, Pater, Luersen

**XI. Adjournment**

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

**1. Motion to Adjourn**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Bob Weir, Councilman
<b>SECONDER:</b>	Steve Shannon, Councilman
<b>AYES:</b>	Schneider, Morris, Pasanello, Shannon, Weir, Pater

Submitted:

Approved:

  
Kim Henry, Clerk of the Council

  
Ken Luersen, Mayor