



# TOWN OF HAYMARKET TOWN COUNCIL

## REGULAR MEETING

### ~ MINUTES ~

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

15000 Washington St  
Haymarket, VA 20169

Monday, January 4, 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-19 pandemic and Governor Northam's executive order on social gatherings, Councilman Joe Pasanello and Town Attorney Martin Crim attended the evening's meeting via Zoom meeting from their respective homes.

Councilman Marchant Schneider: Present, Councilman Chris Morris: Present, Councilman Joe Pasanello: Present, 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 - Pastor Brian Johnson, Haymarket Church

Pastor Brian Johnson from Haymarket Church gave the invocation for this evening's meeting.

## IV. Delegate Danica Roem

Delegate Danica Roem presented a proposed bill that she is presenting at the 2021 Legislative Session that would allow an elected official from a locality to serve on the BZA in the county in which they reside. She asked for Council support by adopting a resolution to be attached to her bill. Ms. Roem also shared other bills that will be before the Legislative Session. Some of the items Ms. Roem discussed was giving the DMV commissioner executive power to extend deadlines on drivers license, registration renewals and original licensing when moving into Virginia from out of state, the federal mandated free lunch program for schools and how this could help the schools in Prince William County, eliminating that a school system could sue for uncollected school meal debt, and carrying a bill to ban the LGBT panic attack defense. At this time, there was a short question and answer period.

## V. Citizen's Time

Jim Payne, 6680 Fayette Street, addressed the Town Council regarding the vacancies on the Police Department. Mr. Payne asked that the Council considered implementing and hiring of the sixth officer. Andrea Payne, 6680 Fayette Street, first thanked Town Manager Chris Coon and the staff for the work done to help the businesses and residents in the Town through the CARES Act. She continued by addressing the Town Council on the possibility of a DMV Select office in Town Hall. She stated her concerns to the Council.

Dottie Leonard, 14801 Washington Street, spoke on her behalf as well as on behalf of the Citizens for the Betterment and Harmony of Haymarket. She first spoke representing the Citizens group expressed her concerns of safety and the vacancies in the Police Department and the funding for the hire of part time officers when full time officers should be hired. She stated that she felt the funds for hiring a full time officer should be expedited before the consideration of a DMV office. Ms. Leonard also raised her concerns of not having an architectural consultant on the Architectural Review Board to help the Board guide them in making decisions.

Prior to moving onto the Agenda Items, Town Manager Chris Coon thanked the Payne's for their comments about the CARES Act funds and shared with the Council how the funds were allocated. Mr. Coon shared the video that was produced with the funds that highlighted some of the businesses in the Town. After the video, Mr. Coon provided numbers on how many times the video has been viewed on the various social media platforms. Mr. Coon stated that the invitation to participate went out to all the businesses at the same time and that there were 12 slots which were filled on a first come basis. Lastly,

Mr. Coon shared that since the program has been extended until December 31, 2021, there might be some funding left for another video spotlighting some other businesses and will be a topic of discussion at the next Business Roundtable meeting.

## VI. Agenda Items

Before proceeding onto the Agenda Items, Councilman Pasanello recommended to add the request of support by resolution from Delegate Roem. The Council agreed to the recommendation.

### 1. Bond Release - 6655, 6665, and 6675 Fayette Street

Town Planner Emily Lockhart stated that due to the recent teleworking schedule by staff, Town Manager Chris Coon joined the Town Engineer at the property site on Fayette Street along with Mayor Luersen. Ms. Lockhart gave the floor to Mr. Coon to discuss the report presented by the Town Engineer. Mr. Coon shared that the report stated that the minimum requirement was met by Town Code and that the bonds should be released with 10% of landscaping bond held in escrow for 2 years. At this time, the applicant was given an opportunity to speak. The applicant gave a short presentation on his request to release the bonds in question. After the applicant's request, the Town Attorney clarified that since the minimum requirement was met within Town Code the zoning administrator has the administrative authority to release the bond. Town Manager Coon stated that the Council could make an affirmative vote to release the bond or it could be handled by the Town Staff, whichever the Town Council prefers. A short discussion followed.

**Councilman Morris moved to have the sediment and erosion bond released and the landscaping bond released with 10 % of the landscaping bond held in escrow for 2 years beginning June 2020. Councilman Shannon seconded the motion. The motion carried by a roll call vote.**

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

### 2. Resolution 2021-001

Councilman Weir read into the record Resolution 2021-001: A resolution of support for House District #13's Delegate Danica Roem's Bill that provides for a Town elected official to serve on the Board of Zoning Appeals in the County in which they reside.

**Councilman Weir moved to adopt Resolution 2021-001 in its entirety. Councilman Morris 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

## VII. Liaison Reports

### 1. Finance

Councilman Pasanello gave the monthly liaison report. Mr. Pasanello stated that the committee is still following the checks and balances through virtual meetings.

### 2. Police

After a short discussion, Councilman Steve Shannon recommended that Councilman Morris be re-enacted as the Police Liaison. The Town Council agreed to Mr. Shannon's recommendation. Councilman Morris accepted after stating that he purposely step back as the liaison as to not cause conflict within the department and within Council because of the Mayors active involvement within the department.

### 3. Architectural Review Board

Councilman Schneider shared that the previous Architectural Review Board meeting was canceled due to a lack of a quorum.

**4. Planning Commission**

Councilman Weir gave the Planning Commission update. Mr. Weir stated that the Commission started reviewing and editing the Zoning Text Amendment and that a decision on the SUP for 14600 Washington Street was deferred until the next meeting. There was a short discussion on the land use application and procedures. Councilman Weir shared that the policies and guideline were re-established in July when the new Council took over. Town Planner Emily Lockhart suggested that staff meet with the Commission liaison to review the policy and guidelines so that they can be acted upon.

**5. Business Roundtable**

Vice Mayor Pater shared the date for the next Business Roundtable meeting. She also shared that the meeting will be via Zoom for those businesses that can't attend in person. A short discussion followed on ways to reach out to more businesses so that they are aware of the meeting and getting them more involved.

**VIII. Department Reports****1. Town Administration Staff**

Town Manager Chris Coon went over the staff monthly report. He stated that he will provide a comprehensive report of the CARES Act funds at the next Town Council meeting. In addition, Mr. Coon stated that he will be giving a full comprehensive presentation on the possible DMV Select office at the next work session as well for the Town Council to base their decision. There was a short discussion on the use of the CARES Act remaining funds since the deadline has been extended through December 31, 2021.

**2. Police Chief Report**

Police Chief Kevin Lands shared that, to date, he had not received any applications for the posted part time or full time vacancy positions. He shared that almost every police department in the area is having difficulty filling their vacancies, as well. Chief Lands also shared that the department has partnered with Haymarket Baptist to provide temporary relief in the way of gas cards, food gift certificates and hotel vouchers for those who may be homeless or stranded on the interstate.

Councilman Pasanello congratulated Chief Lands on his 4 year anniversary with the Town. There was a short discussion on some of the street lights that have gone out recently. Chief Lands stated that he's been communicating which lights are out with Town Planner Lockhart. Ms. Lockhart shared that she has contacted the electrician and is actively working on it. There was also a question on the increased In Town Calls for Service on his report. Chief Lands shared that the In Town calls for service also include the business checks. He continued to state that the officers have more time to do business checks during these months.

**3. Town Treasurer Report**

Town Treasurer Roberto Gonzalez gave his monthly budget report. He shared that he is working with Town Manager Chris Coon in reconciling the CARES Act fund expenses. He also answered Councilman Weir's question on the Communication Tax revenue. Lastly, Mr. Gonzalez shared that he has started working on the FY22 draft budget and sending out business license applications. There was a short discussion on the audit. Mr. Gonzalez stated that the auditor will be giving a presentation once it is complete. There was a discussion on the line item in Public Safety under erosion and sediment inspection. Mr. Gonzalez stated that up until around 2018 the inspections were done through the Town which was why it was kept under public safety. Mr. Gonzalez stated that he could move that line item to a different section in the budget. A short discussion followed on the subject.

**4. Town Planner Report**

Town Planner Emily Lockhart gave her monthly report. Ms. Lockhart shared that the Town received a Board of Zoning Appeals application regarding a property on Jefferson Street. She shared that staff is working on getting the Board notified of the meeting and setting the date for the meeting.

Ms. Lockhart also shared that the quarterly newsletter should be ready to mail by the week's end.

Lastly, Ms. Lockhart stated that she will be notifying the County about some property maintenance concerns within the Town.

There was a short discussion on confirming the active BZA members. There was also discussion on the Robinson Paradise project. Ms. Lockhart stated that the staff was recently contacted by D R Horton who is interested in purchasing the property and developing it

according to the original site plans. She shared that she and the Town Engineer will be meeting with them to update their plan to bring it back in accordance with the current site plan ordinances. She stated that she could give a better update after that meeting.

There was also a question on the McDonald's second drive thru site plans. Ms. Lockhart shared that the McDonald's site plan would be before the Planning Commission at their next meeting. Lastly, there was a discussion on the Pardo House. Town Manager Chris Coon shared that the Town had to follow procedures in order to move forward in taking action on the property. There was also a short discussion regarding a property that has a falling down fence. Ms. Lockhart stated that she would be able to give an update on that issue after she has an opportunity to speak with the property owner.

#### **5. Town Engineer Report**

Town Planner Emily Lockhart gave the Town Engineer report.

At this time, there was a discussion on the hotel project and the expense of removal of the utility lines. Town Manager Chris Coon shared that he will be in contact with Delegate Roem to see if the Town can partner with the State and County to get funding or grants for the Town to receive in order to get the utilities relocated. A short discussion followed.

There was also discussion on the projected open date of the hotel with the discussion of relocating of utility lines.

#### **6. Town Attorney Report**

Town Attorney Crim was available to answer any questions on his written report. There was a question regarding Blue Sky. Mr. Crim stated the Council will be going into closed session on the subject.

## **IX. Councilmember Time**

### **1. Chris Morris**

Councilman Morris recognized the staff in the spending of CARES Act funds to purchase outside furniture for public use and the placement of the furniture. Mr. Morris also thanked Haymarket Baptist Church for their partnership with the police department to provide a much needed service to the community. Councilman Morris also congratulated Police Chief Lands on his anniversary and confirmed a statement made during citizens time that Chief Lands has been the best chief that he has ever worked with. Lastly, Councilman Morris recognized Vice Mayor Pater on a job well done.

### **2. Joe Pasanello**

Councilman Pasanello wished everyone a Happy New Year and stated that he heard all the comments during citizens time and that he will take everything they said into consideration especially when making the decision about the DMV Select Office. In addition, Councilman Pasanello recognized Chief Lands years of service to Haymarket.

### **3. TracyLynn Pater**

Vice Mayor Pater wished everyone a Happy New Year and stated that she would look forward to the report from the Town Manager in order to make an informed decision about the DMV Select Office.

### **4. Marchant Schneider**

Councilman Schneider stated that he thinks Council should revisit the priority list to make sure they are prioritizing correctly. Councilman Schneider thanked the staff for staying the course during these pandemic times. Lastly, Mr. Schneider stated that he is happy to serve on the Council as the New Year begins.

### **5. Steve Shannon**

Councilman Shannon also congratulated Chief Lands on his anniversary. Mr. Shannon also recognized Town Manager Coon and the staff on the hard work that helped the businesses and residents with the programs put forth with the CARES Act funds. Lastly, Councilman Shannon thanked the citizens who take the time and attend and speak at the meeting.

### **6. Bob Weir**

Councilman Weir also recognized Vice Mayor Pater for all the work she has done so far while being on the Town Council.

### **7. Ken Luersen**

Mayor Luersen thanked everyone for all the hard work and their service to the community during the first half of the fiscal year. Mayor Luersen also announced the date of the next monthly Mayor's walk.

### X. Closed Session

1. Motion to go into Closed Session

Councilman Weir moved to go into Closed Session Pursuant to Virginia Code § 2.2-3711 (A)(8) with regard to pending litigation specifically the Town and Blue Sky Events, LLC in circuit court and the parallel Blue Sky Events bankruptcy filing. Councilman Shannon seconded the motion. The motion carried.

<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

2. Motion of Certification

Councilman Weir moved to certify that, to each members knowledge, only those matter lawfully exempted from open meeting under the provisions of the Virginia Freedom of Information Act and only those items that were identified in the motion leading to the closed session was heard, considered or discussed by the Town Council in the closed session that just concluded. Councilman Morris 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>	Chris Morris, Councilman
<b>AYES:</b>	Schneider, Morris, Pasanello, Shannon, Weir, Pater, Luersen

### XI. Adjournment


With no further business before the Council, Councilman Weir motioned 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

