



# TOWN OF HAYMARKET TOWN COUNCIL

## REGULAR MEETING

~ MINUTES ~

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

15000 Washington St  
Haymarket, VA 20169

Tuesday, September 8, 2020

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: Late, 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.

After the Pledge, Councilman Chris Morris requested the vehicle take home policy be added to the agenda. There was no objection from the Town Council for this item to be added to the agenda.

### III. Resolution 2020-017: DAV 100th Anniversary

Mayor Luersen read Resolution 2020-017 honoring the 100th anniversary of Disabled American Veterans organization. At this time, Mayor Luersen presented the resolution to Will King, the commander of the Fredericksburg DAV Chapter 7 and asked Mr. King to give some history regarding the DAV. Mayor Luersen and the members of the DAV gathered together for the exchange of the resolution and the certificate of appreciation from the DAV Chapter 7.

### IV. Citizens Time

There were no citizens present at this evenings meeting.

### V. Minute Approval

1. Mayor and Council - Work Session - Jul 6, 2020 6:00 PM

**Councilman Steve Shannon moved to approve the minutes for the work session from July 6, 2020. Councilman Joe Pasanello seconded the motion. The motion carried.**

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

2. Mayor and Council - Regular Meeting - Jul 6, 2020 7:00 PM

**Councilman Steve Shannon moved to approve the regular meeting minutes from July 6, 2020. The motion was seconded by Councilman Joe Pasanello.** There was a request for the engineers estimate from Blight Drive to the church to be researched. **The motion carried.**

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

3. Mayor and Council - Work Session - Jul 27, 2020 7:00 PM

**Councilman Joe Pasanello moved to approve the work session minutes from July 27, 2020. Councilman Steve Shannon seconded the motion. The motion carried.**

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

4. Mayor and Council - Regular Meeting - Aug 3, 2020 7:00 PM

**Councilman Joe Pasanello moved to approve the regular meeting minutes dated August 3, 2020. The motion was seconded by Councilman Steve Shannon. The motion carried.**

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

## VI. Agenda Items

### 1. IT Proposal

Town Manager Chris Coon stated that the proposal presented was to enter into a contract with Ralph from the Computer Dr. Mr. Coon stated that he would be working with the Town Attorney to bring the Computer Dr.'s contract into the town's form to make sure everything is appropriate. Town Attorney Crim shared some edits made to the contract and also answered the questions regarding the contract.

**Councilman Weir moved that the Town of Haymarket enter into the contract as amended with the Computer Dr for IT services pending approval from the Town Attorney.**

**Councilman Pasanello seconded the motion.** A short discussion followed on the contract regarding the termination of services. There was a suggestion that the termination of service clause in the contract be modified to 60 days. **After the discussion, Councilman Weir withdrew his motion.**

**Councilman Weir moved that the Town of Haymarket enter into the contract as amended with a further stipulation that the severance period be 60 days rather than 30 days with the Computer Dr. for IT services pending approval from the Town Attorney. Councilman Morris seconded the motion.** Mayor Luersen clarified that the motion also includes what the Town Attorney has already recommended. Councilman Weir confirmed that his motion included what was previously amended. **With no further discussion, the motion carried by a roll call vote.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>AYES:</b>	Morris, Pasanello, Shannon, Weir, Pater
<b>ABSENT:</b>	Marchant Schneider

### 2. IT Server Equipment

Town Manager Chris Coon continued with the proposal from the Computer Dr for the suggested items related to the server equipment. Mr. Coon stated that his suggested motion would be not a not to exceed amount of \$10K.

**Councilman Joe Pasanello moved that the Town Staff move forward with recommendations from the Computer Dr for Town Hall IT Security with a not-to-exceed amount of \$10,000. Councilman Shannon seconded the motion. The motion carried by a roll call vote.**

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

### 3. Cares Act Relief Fund

Town Manager Chris Coon stated that Town Attorney Crim reviewed the contract submitted by Miles Friedman. Mr. Coon shared the recommendations that the Town Attorney added to the contract. There was a short discussion on the measurable goals added to the contract.

**Councilman Pasanello moved that the Town of Haymarket enter into a contract with Miles Friedman for CARES Act consulting pending approval from Town Attorney. The motion was seconded by Councilman Shannon. The motion carried unanimously by a roll call vote.**

At this time, Councilman Bob Weir asked that the Town Council direct the Town Clerk to advertise a public hearing on Monday, October 5th at 7 pm to consider amending the FY2020-21 budget to increase the adopted budget for that year in the amount of \$295,452 for a new budget total of \$2,896,046 so that the Cares Act funds can be appropriated and allocated. A short discussion followed with combining this public hearing with the quarterly budget amendment public hearing. Mr. Weir shared because of the timing of the funds, he felt that this public hearing was necessary so that the funds could be allocated rapidly. Town Manager asked the Town Attorney if there would need to be a motion for the Town to accept the funds from the County.

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

### 4. Motion to accept and execute Cares Act Funds

At this time, the Town Council directed the Town Clerk to advertise a public hearing on Monday, October 5th at 7 pm to consider amending the FY2020-21 budget to increase the adopted budget for that year in the amount of \$295,452 for a new budget total of \$2,896,046 so that the Cares Act funds can be appropriated and allocated. A short discussion followed with combining this public hearing with the quarterly budget amendment public hearing. Mr. Weir shared because of the timing of the funds, he felt that this public hearing was necessary so that the funds could be allocated rapidly. Town Manager asked the Town Attorney if there would need to be a motion for the Town to accept the funds from the County.

**Councilman Weir moved that the Mayor, Town Manager and the Town Treasurer accept the funds and execute the agreement. Councilman Pasanello 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>	Joe Pasanello, Councilman
<b>AYES:</b>	Morris, Pasanello, Shannon, Weir, Pater
<b>ABSENT:</b>	Marchant Schneider

### 5. Town Appointments

Town Manager Chris Coon shared that Town Charter states that the September meeting after an election, the Town Treasurer, Town Clerk and Police Chief shall be appointed.

**Pursuant to Article III, § 1 (13) of the Haymarket Town Charter, Councilman Steve Shannon moved that the Haymarket Town Council appoint Roberto C. Gonzalez as the**

Haymarket Town Treasurer

AND;

Pursuant to Article III, § 1 (16) of the Haymarket Town Charter, Councilman Steve Shannon moved that the Haymarket Town Council appoint Kimberly Henry as the Haymarket Town Clerk

AND;

Pursuant to Article III, § 1 (17) of the Haymarket Town Charter, Councilman Steve Shannon moved that the Haymarket Town Council appoint Kevin Lands as the Haymarket Chief of Police.

The motion was seconded by Councilman Morris. The motion carried unanimously by a roll call vote.

At the conclusion of the vote, Councilman Shannon stated that he was proud to make the motion because of the professionalism of the Town of Haymarket staff. Councilman Morris also stated and thanked the staff for doing their job which allows the Town Council to do their job.

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

**6. Town Council Pay Structure Policies**

Town Manager Chris Coon shared that the Town Clerk was able to draft a pay structure policy based on the discussion from the previous work session discussion.

Councilman Weir moved that the Town Council adopt Town Council Pay Structure Policy 2020-09-08. Councilman Morris seconded the motion. The motion carried unanimously 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>	Morris, Pasanello, Shannon, Weir, Pater
<b>ABSENT:</b>	Marchant Schneider

**7. 2020 Museum Ornament**

Town Planner Emily Lockhart provided the pricing for the 2020 Town Christmas ornament. There was a short discussion on the subject regarding the quantity to order.

Councilman Morris moved the Town Council to approve the purchase of the 2020 ornaments for the quantity of 500 ornaments for sale. Councilman Pater seconded the motion. The motion carried unanimously by a roll call vote.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Chris Morris, Councilman
<b>SECONDER:</b>	TracyLynn Pater, Vice Mayor
<b>AYES:</b>	Morris, Pasanello, Shannon, Weir, Pater
<b>ABSENT:</b>	Marchant Schneider

**8. Police Department Vehicle Take Home Policy**

Councilman Chris Morris asked for this item to be added to the agenda prior to the meeting. Mr. Morris gave a brief history regarding the Police Department. He stated that in 2014, the police department was trying to serve the community with limited resources and that the maintenance cost on the vehicles had driven up the budget which forced the Town Council in looking at purchasing a new fleet of vehicles. He shared that in 2017, 6 new vehicles were obtained through a lease program with the leases expiring in 2022. He shared the current mileage on those vehicles. Before sharing the proposal he established, Mr. Morris stated that during the last

work session a reduction of fuel cost was discussed. Mr. Morris stated that he felt instead of reduction of fuel, a policy should be established.

**Councilman Morris moved to adopt the draft "No Take Home Vehicle Policy" provided by the Chief of Police on September 4, 2020 for officers below the rank of a supervisor effective September 8, 2020 pending approval from our Town Attorney. Councilman Weir seconded the motion. A discussion followed on this particular subject and on securing the vehicles on the property. The motion carried by a roll call vote.**

**The Town Council also directed the Town Manager to pursue camera security options for the Town Hall property.**

<b>RESULT:</b>	<b>ADOPTED [4 TO 1]</b>
<b>MOVER:</b>	Chris Morris, Councilman
<b>SECONDER:</b>	Bob Weir, Councilman
<b>AYES:</b>	Chris Morris, Joe Pasanello, Bob Weir, TracyLynn Pater
<b>NAYS:</b>	Steve Shannon
<b>ABSENT:</b>	Marchant Schneider

## VII. Liaison Reports

### 1. Finance

Councilman Pasanello shared with the Town Council items that he and Councilman Weir have been working regarding the budget. Mr. Pasanello shared some budget analysis that the Finance committee is working on. Councilman Weir also provided additional information on this subject. A short discussion followed.

At this time, Councilman Schneider entered the meeting.

### 2. Police Dept

Councilman Morris asked to give his report after the Police Chief's report.

### 3. Architectural Review Board

Councilman Schneider gave the ARB updates. He shared that Lidl Food Markets came to the meeting to share their design concept with the Board in order to see if there was an interest in coming to the Town. There was a question on the Crossroad Villages site plan. Town Planner Emily Lockhart answered the questions and stated that she was working with the property owner.

### 4. Planning Commission

Councilman Bob Weir gave the Planning Commission updates. He stated that the proffer amendment public hearing for 14600 Washington Street will be before the Planning Commission at their next meeting. He also stated that there will be a public hearing on a Special Use Permit for 6611 Jefferson Street. Mr. Weir shared that he, Ms. Lockhart and Councilman Schneider are starting to work on edits and changes to proposed zoning text amendments.

### 5. Business Roundtable/Planning

Vice Mayor Pater gave a brief update on the Business Roundtable meetings that are being held monthly. She stated that because of the low turnout, those in attendance decided not to hold a meeting the day after a holiday. There was a short discussion on reaching out to the businesses about the next meeting and the Haymarket Gainesville Business Association.

## VIII. Department Reports

### 1. Town Administrator Staff Reports

Town Manager Chris Coon asked for any questions after giving his monthly administrative report. There were questions on Jefferson Street project and the relocation of the gas lines. Mr. Coon stated that the Town is sitting at the mercy of Columbia Gas waiting for a final approval from headquarters. A short discussion followed on that subject.

There was also a request that the website be updated at some point in the near future. There was also a question about making online payments through the website. Town Manager Coon provided an update in regards to the online payment question.

There was also a short discussion on establishing written policy and procedures when accepting applications or documents from each staff member. Town Planner Lockhart stated

that those written guidelines and a checklist is being worked on. Town Planner Lockhart shared that she would keep this on a running line item in her monthly report.

## 2. Chief of Police Report

Chief Lands gave his monthly report to the Council and asked for any questions.

At this time, Councilman Morris asked the Chief about the monthly reports that come before the Town Council. He asked the Chief Lands about how he calculates the numbers in his monthly reports and also stated that he had a recommendation and proposals for future reporting. Chief Lands explained his report. After the explanation of the Chief, Councilman Morris asked if the Chief could give a more detail reporting by officer in a formatted spreadsheet by percentages so that the Chief could ascertain the day and time of the when the "hot spots" happen in the Town to help with scheduling and the demands for possible extra coverage on a particular day. A discussion followed.

Police Chief Lands shared that last year Prince William County IT Department was charging the Town for the in car computer licensing fees. He stated that this has been an on going battle with the County and will negotiate the terms at the end of the contract. He continued to state that in addition to the licensing fess, the County was charging for the accessibility fees for the radios. He stated that he started researching and found that when the radios turn to encrypted system at the beginning of next year, he verified that the County Chief stated that the Town would not be charged for the service. Chief Lands stated that this change over to the encrypted service is expensive. He stated that since then, that Chief retired and the County is now expecting the Town to bear the cost of the switch over. He stated that the County shared that the solution was for the Town, along with other jurisdictions, apply for a multi - jurisdictional federal grant. Chief Lands stated that it could take up to a year to get the approval. Until then, Prince William County would lend out a few to the department until the grant approval would come through. Chief Lands a few could mean 2 or 3 radios which would not be enough for the department to operate. Chief Lands asked the Council to reach out Prince William County executives to see if they could help out the Town on this matter. There was a discussion on this subject.

Councilman Weir stated that he would draw a very hard line with the County on this matter since the Town citizens pay County taxes as well as Town and feels that this puts our officers at risk since they would not be able to communicate properly with dispatch. Mr. Weir stated that he contacted the Deputy County Executive who is in charge of their budget and that it will be looked into by them.

There was also a suggestion from Councilman Pasanello for the department to start up the bike safety program. There was also a short discussion on sharing evacuation plans on social media from the department.

**The Town Council directed the Chief to pursue and execute any grant applications on behalf of the Town as an individual entity for communications equipment and upon provision of the equipment by the County at no cost to the Town to authorize the Chief to execute any multiple jurisdictional grant for said equipment but not to pursue the multiple jurisdictional grant until an arrangement is reached with the County with respect to the current situation.**

Councilman Chris Morris also addressed the subject of an advisory board and working with that board in getting important information out to the citizens.

## 3. Town Treasurer Report

Town Treasurer Roberto Gonzalez shared that his reports will be more current as requested. He gave the monthly budget actual report as of August 24th. Mr. Gonzalez also shared that the new accounts have been opened at The Fauquier Bank and that he will start transferring funds from Sona Bank. Mr. Gonzalez also went over some actual line items. There was a short discussion on the actual budget report.

## 4. Town Planner Report

Town Planner Emily Lockhart gave her monthly report. She shared that the ARB will be working on the guidelines. She also gave updates on Planning Commission projects. She stated that Van Metre will be bringing their site plan to the Planning Commission at their next meeting. She also stated that she would be meeting with Morais Vineyards on the topic of food trucks, entertainment and the landscaping barrier on their property. Ms. Lockhart also gave a brief update on the Crossroads Village and Williams Holdings properties. Ms. Lockhart gave more

detailed information regarding the QBE SUP and Proffer Amendment application that will be before the Planning Commission. She also updated the Council on progress at the Pardo House.

Ms. Lockhart shared some pricing information on the sidewalk in front of the park that was requested by Councilman Pasanello. There was a short discussion on the different type of sidewalk, for example installing brick vs stamped asphalt. The Council tasked the staff to proceed with getting more pricing comparison on sidewalk installation options.

Ms. Lockhart also shared that the developer requesting the bond release for the homes he built on Fayette Street has been notified and will be in attendance at the October Work Session to answer any questions from the Town Council.

There was a suggestion to have Van Metre come to the next meeting to update the Council on the new development just outside of the Town limits.

There was a short discussion on the one mile review that was mentioned in Ms. Lockhart's report. The Town Council asked for regular updates on this subject so that they are better informed for when citizen questions come their way. Town Planner Lockhart shared with the Town Council the comments that the Planning Commission came up with to send back to the County.

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

There was no report from the Town Engineer.

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

Town Attorney Martin Crim did not have anything to report.

### **IX. Councilmember Time**

#### **1. Marchant Schneider**

Councilman Schneider asked to have the Town Hall Master Plan on the agenda for the next meeting. Mr. Schneider gave a brief history and asked that the Council revisit the plan especially with the development of the hotel across the street. Councilman Schneider complimented the administrative and teaching staff of the Prince William County Schools on the first day of virtual learning.

Lastly, Mr. Schneider encouraged the Council to get out and meet the businesses and share the Council's vision with them.

#### **2. Joe Pasanello**

Councilman Pasanello reminded the Council of the anniversary of 9/11 and shared that September is childhood cancer awareness month. Mr. Pasanello stated that he recognized all the gold ribbons on the lamp posts on Washington Street and thought it was a nice touch. He also shared that September is blood cancer awareness month and how it personally affects him.

Mr. Pasanello congratulated Haymarket Coffee and staff for the great work on getting the museum opened on the weekends.

Lastly, Mr. Pasanello suggested that a message board be placed on the property for meeting information dates.

#### **3. TracyLynn Pater**

Vice Mayor Pater thanked everyone for the great input for ideas, input from the community and the business round table, the help with planning and that she was looking forward to working with everyone.

#### **4. Steve Shannon**

Councilman Shannon thanked the Town Staff and fellow Council Members, the team, for all their hard work. Mr. Shannon also recognized the children suffering with blood cancer and asked that everyone keep these children in prayer.

#### **5. Chris Morris**

Councilman Morris also recognized Haymarket Coffee and the decision to join with them in getting the museum opened on the weekends. Mr. Morris also recognized the Flags for Heroes event that took place in the Town park on the previous weekend. Mr. Morris thanked Chief Lands for his participation in the event. Lastly, Mr. Morris was asked by the residents of Longstreet Commons to pass on to the Council their appreciation for leadership and transparency since they have taken office.

#### **6. Bob Weir**

Councilman Weir did not have anything additional to report.

#### **7. Ken Luersen**

Mayor Luersen shared that he participated in the Flags for Heroes event and was honored to be a part of the ceremony. He also shared that he attended the Willing Warriors Open House and encouraged everyone to attend that campus.

Lastly, Mayor Luersen also shared that he will start doing a mayor's walk on the second Saturday of each month starting in front of the Town Hall building at 9 am. He encouraged the public to attend.

## X. Closed Session

### 1. Closed Session Motion

**Councilman Pasanello moved to go into Closed Session Pursuant Virginia Code § 2.2-3711 (A)(7) to discuss 2 active litigation matters 1- Blue Sky Events vs The Town of Haymarket, Circuit Court Case 15-4905 and 2- The Town of Haymarket vs Dottie Leonard, Circuit Court Case 11-2674; and under Virginia Code § 2.2-3711(A)(8) other legal matters requiring advice of legal counsel specifically public records and the non-disclosure agreements with former employees. The motion was seconded by Councilman Shannon. The motion carried.**

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

### 2. Certification

**Councilman Pasanello 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. Councilman Weir seconded the motion. The motion carried by a roll call vote.**

<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, Luersen

### 3. Directive

**The Town Council directed the Town Attorney to clarify the terms of NDA non-disparage agreement entered into by certain former employees and to move forward with the public records matter, as directed.**

## XI. Adjournment

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


### 1. Motion to Adjourn

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

Submitted:

Approved:

  
Kim Henry, Clerk of the Council

  
Ken Luersen, Mayor