



TOWN OF HAYMARKET TOWN COUNCIL

REGULAR MEETING

~ MINUTES ~

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

15000 Washington St
Haymarket, VA 20169

Monday, August 3, 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

1. Zoom Invite -

<https://us02web.zoom.us/j/85453757517?pwd=QWhGMzIUUV2JHa3NQK3IMZ0NjMnQ4UT09>

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. Citizens Time

The members of the Gainesville-Haymarket Rotary Club addressed the Town Council about the Flags for Heroes Event they plan each year. Originally planned for Memorial Day, because of the COV-ID 19 pandemic the club decided to postpone the event until Labor Day weekend. The group gave a brief presentation of their plans and recognized the local sponsors. The group stated that they will be displaying 100 flags this year. They asked Mayor Luersen to join them at the event and also asked for community involvement. Councilman Chris Morris asked how the Council can help prior to the event. There were no other citizens present wishing to address the Council.

IV. Minute Approval

1. Mayor and Council - Joint Public Hearing- Planning Com./City Council - Jun 29, 2020 7:00 PM
Councilman Steve Shannon moved to approve the minutes for the Joint Public Hearing Planning Commission/Town Council for June 29 as well as the Continuation Meeting for June 30, 2020.
Councilman Weir seconded the motion. The motion carried.

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| RESULT: | ACCEPTED [5 TO 0] |
| MOVER: | Steve Shannon, Councilman |
| SECONDER: | Bob Weir, Councilman |
| AYES: | Schneider, Morris, Pasanello, Shannon, Pater |
| ABSTAIN: | Bob Weir |

2. Mayor and Council - Continuation Meeting - Jun 30, 2020 7:00 PM

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| RESULT: | ACCEPTED [5 TO 0] |
| MOVER: | Steve Shannon, Councilman |
| SECONDER: | Bob Weir, Councilman |
| AYES: | Schneider, Morris, Pasanello, Shannon, Pater |
| ABSTAIN: | Bob Weir |

V. Agenda Items

At this time, Mayor Luersen stated that Councilman Morris would like to add a line item on the Agenda named Public Safety Purchases. The Town Council did not have any objection to having this item added.

1. Museum

Town Planner Emily Lockhart shared that she drafted the rental agreement for Haymarket Coffee Company. She asked for any edits to the contract before presenting it to the company.

Prior to any discussion, Mayor Luersen informed the Town Council that he would be refraining from any discussion or decisions on this subject due to a possible conflict of interest with having a close relationship with the owner of the company. The Town Council asked the Town Attorney to review the contract prior to executing the rental agreement.

Councilman Schneider moved that the Town Council execute a lease agreement with Haymarket Coffee Company per the terms outlined in the Council packet and subject to the Town Attorney's review and endorsement and any changes as agreeable to the lessee that would be effective August 22, 2020. Councilman Morris seconded the motion. The motion carried by a roll call vote.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Marchant Schneider, Councilman |
| SECONDER: | Chris Morris, Councilman |
| AYES: | Schneider, Morris, Pasanello, Shannon, Weir, Pater |

2. Museum: 2020 Ornament

Town Planner Emily Lockhart shared that she reached out to a homeowner about using their home for this year's Christmas ornament. Ms. Lockhart stated that the home was the McCormick House. She shared that she is working with the homeowner to gather some pictures and also working with the homeowner gathering historic information on the house. Ms. Lockhart requested that the Town Council give her approval to proceed with the design of the ornament and once the design is approved to continue with the purchasing of the ornaments. A short discussion followed. The directive was for Ms. Lockhart to bring the proposal to the finance committee for approval instead of waiting until the next meeting.

3. Museum: Landscaping Quotes

Town Planner Emily Lockhart shared that she has received 2 quotes for the landscaping at the Museum. She recommended that since the quotes were not comparable, she would like to have the holly trees removed in the immediate future and then bring the quotes for the rest of the landscaping to the August 31st work session for discussion. There was a discussion on how this would impact the lease with Haymarket Coffee Company. Ms. Lockhart stated that the removal of the holly trees could help the company because it would make the building more accessible. There was a directive for Ms. Lockhart to share with the Haymarket Garden Club that they are appreciated and to thank them for all their hard work.

4. Prince William County Railroad Tracks Resolution

Town Planner Emily Lockhart presented the revised resolution to the Town Council for approval.

Councilman Pasanello moved to accept Resolution: endorse Prince William County's application for the Route 15 Improvement with Railroad Overpass project to the Smart Scale Program for State Funding from the Commonwealth Transportation Board. Councilman Morris seconded the motion. The motion carried by a roll call vote.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Joe Pasanello, Councilman |
| SECONDER: | Chris Morris, Councilman |
| AYES: | Schneider, Morris, Pasanello, Shannon, Weir, Pater |

5. Cares Act Options

Town Manager Chris Coon shared that he reached out to Prince William County to see how they dispersed the Cares Act Funds to businesses. Mr. Coon stated that they utilized Industrial Development Authority (IDA), which is a non profit that help facilitate the process. Mr. Coon continued by stating that he contacted IDA and that they were willing to work with the Town for a fee to cover their expenses. Mr. Coon also stated that he sent a survey out to the businesses to find out the need of the Town businesses. There was also a discussion on helping the residents of Haymarket. Mr. Coon shared that the IDA will only allocate the funds as the Town directs. Town Attorney Crim explained how the Town can allocate the funds from the Cares Act. It was the suggestion of Town Manager Coon for the Town Council to hire an admin person who can properly research and give recommendations on how to allocate the funds. A short discussion followed on obtaining an admin person. Town Attorney Crim stated that the Town can only make the contributions to the IDA for the businesses or to the 501(C)(3) to the

residents. He clarified that the Town can not make the distributions directly to the businesses or the residents. Mr. Coon stated that he will reach out to the local 501 (C)(3) organizations to inquire the type of services they are offering and bring that back at the next work session. There was a discussion on delaying the decision until the September regular meeting. Mayor Luersen suggested that the Council could hold a special meeting based on the Town Managers weekly report.

6. ARB By-Laws

Councilman Weir moved that the Town Council strike everything starting with the word Addendum on page 7 of 13 after Article 12 and adopt the By-Laws, Rules and Procedures for the Town of Haymarket Architectural Review Board as amended. The motion was seconded by Councilman Schneider. The motion carried by a roll call vote.

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Bob Weir, Councilman |
| SECONDER: | Marchant Schneider, Councilman |
| AYES: | Schneider, Morris, Pasanello, Shannon, Weir, Pater |

7. Priority List

Town Manager Chris Coon presented the updated priority list based on the ranking questionnaire distributed at the previous meeting. Mr. Coon explained and addressed the list and stated that the list can be re-evaluated in a few months.

8. Public Safety Purchases

Councilman Morris read the purchasing policy that is currently in place. Mr. Morris asked for a discussion and clarification for purchases of items from the police department in amounts over \$3000 but under \$10,000. Mr. Morris stated that the current policy reads that the Police Chief would need to get approval from the Town Manager if purchases were made in the amount of \$3000 even if it is in the budget. Mr. Morris asked if this policy was the intent of the Town Council. Discussion on the subject followed. Mr. Morris stated that he felt this policy was not clear and that it was not fair to the Police Chief. Town Treasurer Roberto Gonzalez shared that in other localities the Chief would present his request to the Town Manager for approval because generally the Treasurer is also involved for budget reasons. Mr. Gonzalez stated that this is a common practice in other localities. Police Chief Lands stated that he understood the policy and that he has abided by that policy in the past. Mr. Gonzalez confirmed that this is not so much as approval but coordination so that the funds are available for the Police Chief's purchases. No further discussion or action was taken.

VI. Department Reports

1. Town Manager Staff Reports

Town Manager Chris Coon went over some of the items on his reports. He shared a new link for the Town Council to take the FOIA training. Mr. Coon also shared that he is looking at shade options for the park. There was a question regarding the IT contract. Mr. Coon stated that he will have the proposed contractor come to the September meeting. There were questions on whether the current contractor could have access to everyone's email. Mr. Coon stated that since he had global access, the current contractor could read everyone's email. There were questions on IT security policy, confidentiality policy and file permissions. Mr. Coon answered those questions. Mr. Coon also informed the Town Council he will bring new IT proposals at the next work session.

2. Chief of Police Report

Police Chief Lands asked for questions on his monthly stats report. There was a question about tracking the out of town responses of the department. Chief Lands gave more detailed information on the responses outside of the town limits. Councilman Schneider encouraged the Council to schedule a ride along with an officer once the COV-ID restrictions are lifted. There were questions about time and cost involving the new law when an officer pulls over a vehicle, the time involved in the monthly reporting of the citations, and the requests for increased awareness that the department does house checks.

Police Chief Lands stated that, after listening to the work session and the discussion on budget cuts, he decided to cancel the order on the civil disturbance gear with the exception of the two pepper ball guns. He stated that when it fits into his budget, he will possibly look at re-ordering those items. A discussion followed on the subject. Chief Lands also distributed a spreadsheet

on line items he believes could be cut in order to meet the budget based on Councilman Weir's suggestions at the work session. The Council discussed the Chief's cuts.

Mayor Luersen asked Councilman Morris, the Police Department's Liaison, if he needed to add anything. Mr. Morris stated he did not have anything additional to report or discuss.

3. Town Treasurer Report

Town Treasurer Roberto Gonzalez shared with the Town Council that Sona Bank left the Town of Haymarket in June 2020. Since Sona Bank holds the Town's accounts and the loss of revenue through the Bank Franchise Tax, Mr. Gonzalez suggested that the Town move their funds from Sona Bank to The Fauquier Bank. Mr. Gonzalez shared some of the current rates being held at The Fauquier Bank. Mr. Gonzalez asked for the directive from the Town Council. Town Treasurer Gonzalez went over the monthly financials with the Town Council. The Council had some questions regarding the monthly report and particular line items.

2. Motion to move funds to The Fauquier Bank

Councilman Weir moved that the Council direct the Treasurer and the Town Manager to move forward with the transfer of all Town funds from The Sona Bank to The Fauquier Bank in a timely manner as possible. Councilman Shannon seconded the motion. The motion carried by a roll call vote.

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

4. Town Planner Report

Town Planner Emily Lockhart gave updates on the Jefferson Street Pedestrian project. She shared that the work is not on schedule because a gas line needed to be relocated and gave the Council the estimated cost for the relocation. Town Manager Chris Coon provided additional information on the costs that may effect the Town's budget for the project. Mr. Coon stated that more detailed information will be provided at the next work session once the staff receives all the costs associated with the project from Columbia Gas.

Town Planner Lockhart shared some of the items from her report. She stated that the Architectural Review Board and Planning Commission met within the last month. Ms. Lockhart shared with the Town Council agenda items that each board considered. Ms. Lockhart shared that the ARB appointed a new chairperson, Sheridan King. She also shared that the Board considered a fence application and that Councilman Schneider gave the ARB some information regarding the By-laws. In addition, Ms. Lockhart shared that the Planning Commission appointed Matt Caudle as their chairperson. She stated that the Planning Commission did not consider the QBE proffer amendment application that was carried over from the June 29th joint public hearing. She shared that she had a meeting with the applicant and Chairman Caudle. She stated that the applicant asked to put the Special Use Permit application on hold at this time. At the meeting with the applicant, it was also decided to push the proffer amendment to a later date once the applicant provided additional information. Ms. Lockhart stated that the applicant had not provided the additional information requested at this time. Ms. Lockhart stated that since the proffer amendment has changed from the original application, a new public hearing will be required. Ms. Lockhart shared that she met with the Planning Commission liaison on this subject to determine if the Town Council should review, discussion and refer this to the Planning Commission to schedule a new public hearing date. There was a discussion on the subject. The directive from the Town Council was for staff to stick to the Town's Policy and Procedures in regards to applications and proper noticing after review. The Council stated that since the staff has not received the documents from the applicant, then they will not refer this to the Planning Commission for a public hearing notice. The Council asked the Town Attorney if this qualifies for a reset in time to make a decision since the original documents were accepted. Town Attorney Crim stated that the proffer amendment was changed after the advertisement occurred. He stated that the Town did not advertise what they now want. Mr. Crim suggested that either the applicant extend their request or the Planning Commission would need to make their recommendation within the 100 day time period, which is established in the State Code. Councilman Weir, who is the Planning Commission liaison, stated that the Planning Commission is aware of the time frame.

Town Planner Lockhart finished her report by informing the Town Council that she received a one mile review from Prince William County. She also went over the Old and New Business from her report.

There was a question to Ms. Lockhart about the possibly of obtaining a building inspector to the Town payroll. Ms. Lockhart stated that at this time she felt the job is being done very well and appropriate records are being kept at the County level. A short discussion followed on the subject.

Mayor Luersen asked if Councilman Schneider, the ARB Liaison, or Councilman Weir, the Planning Commission Liaison, had anything additional to report. There was no additional reporting from either liaison.

5. Town Engineer Report

Town Planner Emily Lockhart gave the Town Engineer's report.

6. Town Attorney Report

Town Attorney Martin Crim gave a report on projects that he is working with staff on. There was a discussion on the other boards taking and completing the FOIA training that was required by the Town Council. Mr. Crim stated that he thought it would be advisable but not required for all boards to take the training.

VII. Councilmember Time

1. Bob Weir

Councilman Weir did not have anything additional to report.

2. Joe Pasanello

Councilman Pasanello did not have anything additional to report.

3. TracyLynn Pater

Vice Mayor Pater thanked Chief Lands for meeting with her. Vice Mayor Pater expressed her excitement about the Business Roundtable resuming. She stated that she hopes to get a lot of input from the businesses and to keep that communication going. Finally, Ms. Pater shared with the Council that the staff organized a town clean up day in the near future and encouraged Council participation.

4. Marchant Schneider

Councilman Schneider started a disclosure policy by informing the Town Council that he met with Haymarket Property Group on the discussion of the QBE business park application. He also stated that he and Mayor Luersen met with Don Wotton, Crossroads Village property owner, to discuss possible business opportunities on that property. He also stated that he briefly talked with Ryan Morgan on the Haymarket Hotel Venture project. Mr. Schneider stated that he would like to meet with Councilman Weir on the land use policies.

5. Steve Shannon

Councilman Shannon stated that he would not apologize for his passion about the police department. However, he would like to formally apologize to the Town Treasurer for his statements to the Treasurer at the last meeting.

6. Chris Morris

Councilman Morris thanked the staff and the police chief for their hard work this past month with the transition and flexibility. Mr. Morris also thanked his fellow Council members for the lively discussions.

7. Ken Luersen

Mayor Luersen addressed the community by stating that he is re-addressing the communication channels to get the word out to them. Mayor Luersen thanked the Vice Mayor for taking on that responsibility.

VIII. Closed Session - As Needed

1. Enter into Closed Session

Councilman Weir moved to enter into Closed Session Pursuant to Virginia Code § 2.2-3711 (A)(8) specific legal matters requiring advice of counsel; specifically consultation regarding public records with legal counsel. Councilman Pasanello seconded the motion. The motion carried.

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

2. 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. Councilman Shannon seconded the motion. The motion carried by a roll call vote.

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

3. Directive of Council

Councilman Weir moved that Town Council directs the Town Manager to proceed as directed with respect to emails and electronic files.

IX. Adjournment

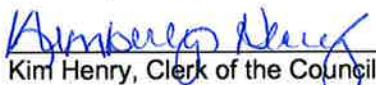
With no further business before the Town Council, Councilman Shannon motioned to adjourn with a second by Councilman Pasanello. The motion carried.

1. Motion to Adjourn

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| RESULT: | ADOPTED [UNANIMOUS] |
| MOVER: | Steve Shannon, Councilman |
| SECONDER: | Joe Pasanello, Councilman |
| AYES: | Schneider, Morris, Pasanello, Shannon, Weir, Pater |

Submitted:

Approved:


 Kim Henry, Clerk of the Council


 Ken Luersen, Mayor