

TOWN OF HAYMARKET TOWN COUNCIL

PUBLIC HEARING/REGULAR MEETING ~ MINUTES ~

Chris Coon, Town Manager http://www.townofhaymarket.org/ 15000 Washington St Haymarket, VA 20169

Monday, April 5, 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

Due to a corrupted file, the video recording of this meeting was lost.

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, Town Manager Chris Coon: Present, Town Planner Emily Lockhart: Present, Clerk of Council Kimberly Henry: Present, Town Treasurer Roberto Gonzalez: Present, Town Attorney Martin Crim: Present.

II. Pledge of Allegiance

Mayor Ken Luersen introduced Mikaeel Martinez Jaka, Eagle Scout, ADAMS ScoutsBSA Troop 2019 to lead in the Pledge of Allegiance.

III. Invocation

Mayor Luersen asked Rizwan Jaka, Chair, Board, All Dulles Area Muslim Society(ADAMS) who gave the evening's invocation.

IV. Public Hearing

Mayor Luersen cited the evening's public hearing topic and opened the floor for citizens time related to the public hearing.

- 1. Notice of Public Hearing
- 2. Public Hearing Citizens Time

No citizens that were present wished to address the Town Council during the public hearing.

V. Close Public Hearing

With no citizens wishing to speak at the evening's public hearing, Mayor Luersen closed the public hearing.

VI. Citizens Time

Jim Payne, 6680 Fayette Street, addressed the Town Council on the subject of police staffing and coverage. Mr. Payne also addressed the Council on the subject of the DMV Select office.

Mary Ramirez, 14974 Cheyenne Way, also addressed the Town Council on the subject of police staffing and coverage. Ms. Ramirez asked that the Council act quickly in the hiring of officers so that the Town can move on.

Katherine Blakeman, 6675 Fayette Street, also addressed the Town Council on the subject of the police staffing and coverage. Ms. Blakeman gave her support in Chief Lands and asked that the Town Council consider keeping him on staff.

Barbara Gonzalez, 6643 Hunting Path - shared her concerns and difficulty in crossing at the designated crosswalks and asked that the Council act quickly bringing the police department back to full coverage so that they could patrol the crosswalks better.

Dottie Leonard, 14801 Washington Street, spoke on behalf of herself and on behalf of the Citizens for the Betterment and Harmony of Haymarket. Ms. Leonard spoke on several items including the support of Chief Lands, the lack of police coverage and officers. She also addressed the Town Council on the subject of closed sessions. She stated that she felt the Council did that on purpose to wear out the citizens and then they make unclear motions once they come out of closed session. On behalf of herself,

Ms. Leonard stated that Councilman Weir should be terminated for his abuse of the Police Department after even stating that he would not micro-manage the department.

Laura Newman, 14651 Red House Road, also spoke regarding the police department. She stated that she did not know what was going on internally within the department but encouraged the Town Council to act quickly on getting the department fully staffed.

VII. Minute Approval

Councilman Weir moved to approve the minutes from the February 22, 2021 Work Session, the Regular Meeting for March 1, 2021 and the Continuation Meeting for March 4, 2021. Councilman Pasanello seconded the motion The motion carried.

1. Mayor and Council - Work Session - Feb 22, 2021 7:00 PM

Councilman Weir moved to approve the minutes from the February 22, 2021 Work Session, the Regular Meeting for March 1, 2021 and the Continuation Meeting for March 4, 2021. Councilman Pasanello seconded the motion The motion carried.

RESULT:

ACCEPTED [UNANIMOUS]

MOVER:

Bob Weir, Councilman

SECONDER:

Joe Pasanello, Councilman

AYES:

Schneider, Morris, Pasanello, Shannon, Weir, Pater

2. Mayor and Council - Regular Meeting - Mar 1, 2021 7:00 PM

Councilman Weir moved to approve the minutes from the February 22, 2021 Work Session, the Regular Meeting for March 1, 2021 and the Continuation Meeting for March 4, 2021. Councilman Pasanello seconded the motion The motion carried.

RESULT:

ACCEPTED [UNANIMOUS]

MOVER:

Bob Weir, Councilman

SECONDER:

Joe Pasanello, Councilman

AYES:

Schneider, Morris, Pasanello, Shannon, Weir, Pater

3. Mayor and Council - Continuation Meeting - Mar 4, 2021 6:00 PM

Councilman Weir moved to approve the minutes from the February 22, 2021 Work Session, the Regular Meeting for March 1, 2021 and the Continuation Meeting for March 4, 2021. Councilman Pasanello seconded the motion The motion carried.

RESULT:

ACCEPTED [UNANIMOUS]

MOVER:

Bob Weir. Councilman

SECONDER:

Joe Pasanello, Councilman

AYES:

Schneider, Morris, Pasanello, Shannon, Weir, Pater

VIII. Agenda Items

1. Resolution 2021-006 Third Quarter Budget Amendment

Town Manager Chris Coon gave a brief report on the budget amendment that was presented.

Councilman Pasanello moved that the Haymarket Town Council approve an appropriation to the Fiscal Year 2020-21 as designated on Resolution #2021-006. Councilman Morris seconded the motion. The motion carried by a roll call vote.

RESULT:

ADOPTED [UNANIMOUS]

MOVER:

Joe Pasanello, Councilman

SECONDER:

Chris Morris, Councilman

AYES:

Schneider, Morris, Pasanello, Shannon, Weir, Pater

2. FY2022 Budget Work Sesison Dates

The Town Council discussed the draft FY2022 budget and scheduled a work session for Monday, April 12, 2021 at 7 pm. Councilman Schneider asked that staff send him the CIP so that it can be discussed at the next Architectural Review Board Meeting. No other action was taken.

3. Sidewalk Authorization

Town Planner Emily Lockhart shared that at the last Architectural Review Board Meeting, the Board made a motion to recommend that the Town Council proceed with a test section of stamped concrete sidewalk on Washington Street in front of the museum which would connect to the Haymarket Hotel's sidewalk.

Councilman Weir moved that the Town Council initiate the Zoning Text Amendment to allow stamped concrete for sidewalks in the Town.. Councilman Morris seconded the motion. Councilman Schneider asked for a friendly amendment to add brick like material to the motion.

Councilman Weir amended the motion to have the Town Council initiate the Zoning Text Amendment to allow stamped concrete or other brick like material for the sidewalks in the Town. Councilman Morris seconded the motion. The motion carried by a roll call vote.

RESULT:

ADOPTED [UNANIMOUS]

MOVER:

Bob Weir, Councilman

SECONDER:

Chris Morris, Councilman

AYES:

Schneider, Morris, Pasanello, Shannon, Weir, Pater

4. Meeting Policy

Town Manager Chris Coon shared that there was a suggestion to combine Department Reports and Draft Minutes as a Consent Agenda. Mr. Coon stated that the Town Council established a meeting policy when they took office in July that would need to be amended by the Council at a future meeting. There was a short discussion on the subject. The Council asked for the subject to be on the next work session agenda for more discussion.

IX. Liaison Reports

1. Finance

There were no additional comments from the Finance Committee.

2. Police

Councilman Morris did not have any additional to report.

3. Planning Commission

Councilman Weir shared that the Planning Commission considered 2 Special Use Permits for Crossroads Village and recommended approval. Mr. Weir stated that the SUP's will be before the Town Council at their May 3rd Regular Monthly Meeting.

4. Architectural Review Board

Councilman Schneider shared that the ARB considered and approved two Certificate of Appropriateness.

5. Business Roundtable

Vice Mayor Pater gave the date for the next Business Roundtable meeting. She also shared information about the upcoming 2021 Farmer's Market season.

X. Department Reports

1. Town Administration Staff

Town Manager Chris Coon asked for any questions regarding his written report. Although there were no questions on his report, the Town Council asked that Mr. Coon contact Premier Landscaping to clean up the sticks and leaves along Washington Street and to contact the company that does the street sweeping to come back and do it again. A discussion followed on the maintenance of the museum property. There was also a discussion on informing the HOA's about the Farmer's Market.

2. Police Department

There was no report from the Police Department at this time.

3. Town Treasurer

Town Treasurer Roberto Gonzalez gave the monthly financial report. Mr. Gonzalez also gave a short presentation on the VML investments firm to the Town Council. A short discussion followed.

4. Town Planner

Town Planner Emily Lockhart gave a short detail on her Town Planner's Report. Ms. Lockhart shared that quarterly newsletter was ready to be distributed. The Town Council asked that Ms. Lockhart keep an eye out on the building behind the Old Bank Building and the blighted house on Washington Street. There was also a short discussion on putting information on the website to give to the citizens information on how to report issues about the railroad crossings.

5. Town Engineer

Town Planner Emily Lockhart gave a brief update on the Town's Engineer's report. No discussion ensued.

6. Town Attorney

Town Attorney Crim provided his written monthly report. There were no questions for Mr. Crim.

XI. Closed Session - As Needed

1. Motion for a Closed Session

Councilman Morris moved that the Town Council go into closed session pursuant to Virginia Code§ 2.2-3711(A)(1) for a personnel matter involving the assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Town; specifically dealing with the Police Chief. Councilman Shannon seconded the motion. The motion carried.

RESULT: AD

ADOPTED [UNANIMOUS]

MOVER:

Chris Morris, Councilman Steve Shannon, Councilman

SECONDER: AYES:

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 Morris seconded the motion. The motion carried by a roll call vote.

RESULT:

ADOPTED [UNANIMOUS]

MOVER:

Joe Pasanello, Councilman

SECONDER:

Chris Morris, Councilman

AYES:

Schneider, Morris, Pasanello, Shannon, Weir, Pater, Luersen

3. Motion

Councilman Morris moved for the Town Attorney to communicate with Chief Lands attorney. Councilman Pasanello seconded the motion. The motion carried by a roll call vote.

RESULT:

ADOPTED [5 TO 1]

MOVER:

Chris Morris, Councilman

SECONDER:

Joe Pasanello, Councilman

AYES:

Schneider, Morris, Pasanello, Weir, Pater

NAYS:

Steve Shannon

XII. Motion for Continuation Meeting

1. Motion

Councilman Weir moved for the Town Council to continue the meeting at 7 pm on Wednesday, April 7, 2021. Councilman Pasanello seconded the motion. The motion carried.

RESULT:

ADOPTED [UNANIMOUS]

MOVER:

Bob Weir, Councilman

SECONDER:

Joe Pasanello, Councilman

AYES:

Schneider, Morris, Pasanello, Shannon, Weir, Pater

XIII. Councilmember Time

Council Member Time was moved to the Continuation Meeting on April 7, 2021 at 7pm.

- 1. Marchant Schneider
- 2. TracyLynn Pater
- 3. Steve Shannon
- 4. Chris Morris
- 5. Bob Weir
- 6. Joe Pasanello
- 7. Ken Luersen

XIV. Adjournment

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TOWN OF HAYMARKET TOWN COUNCIL

CONTINUATION MEETING ~ MINUTES ~

Chris Coon, Town Manager http://www.townofhaymarket.org/ 15000 Washington St Haymarket, VA 20169

Wednesday, April 7, 2021

7:00 PM

Council Chambers

A Continuation 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 gatherings, Councilman Joe Pasanello attended the meeting via Zoom.

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, Town Manager Chris Coon: Present, Clerk of Council Kimberly Henry: Present, Town Attorney Martin Crim: Present.

II. Closed Session

1. Motion for Closed Session

Councilman Weir moved that the Town Council go into closed session pursuant to Virginia Code§ 2.2-3711(A)(1) to discuss the appointment, removal, etc. of employees of the Town; specifically relating to the Police Department. Councilman Morris seconded the motion. The motion carried by a roll call vote.

RESULT:

ADOPTED [UNANIMOUS]

MOVER:

Bob Weir, Councilman

SECONDER:

Chris Morris, 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 Morris seconded the motion. The motion carried by a roll call vote.

RESULT:

ADOPTED [UNANIMOUS]

MOVER:

Bob Weir, Councilman

SECONDER:

Chris Morris, Councilman

AYES:

Schneider, Morris, Pasanello, Shannon, Weir, Pater, Luersen

3. Motion to accept resignation

Vice Mayor Pater moved that as required by Virginia Code § 15.2 - 1510.1, the Town Council announces that the Town's acceptance of Chief Lands resignation will result in payment of three (3) months salary to his Virginia Retirement System account, a gross amount of \$25,000 to be paid from the Police Department Salary budget. Vice Mayor Pater also moved to approve the separation agreement and general release agreement that accepts the resignation of Chief Lands. Councilman Morris seconded the motion. Councilman Shannon made a statement that he would not support this decision. With no further discussion, the motion carried by a roll call vote.

RESULT:

ADOPTED [5 TO 1]

MOVER:

SECONDER:

TracyLynn Pater, Vice Mayor Chris Morris, Councilman

AYES:

Schneider, Morris, Pasanello, Weir, Pater

NAYS:

Steve Shannon

4. Motion to appoint

Councilman Morris moved to appoint Sergeant Jake Davis as the acting Chief of Police and to the position of Town Sergeant for the Town of Haymarket Police Department effective immediately. Vice Mayor Pater seconded the motion. The motion carried by a roll call vote.

RESULT:

ADOPTED [UNANIMOUS]

MOVER:

Chris Morris, Councilman

SECONDER:

TracyLynn Pater, Vice Mayor

AYES:

Schneider, Morris, Pasanello, Shannon, Weir, Pater

5. Directive

There was a directive from the Town Council for the staff to advertise the vacant positions for officers and Chief of Police for the Haymarket Police Department.

At this time, Vice Mayor read a public statement recognizing the Kevin Lands for his work as the Chief for the Town of Haymarket. At the end of the statement, Vice Mayor Pater stated that the Town Council wished him well in his future endeavors.

III. Council Member Time

1. Chris Morris

Councilman Morris shared that Lieutenant Shaver moved on after 15 years of service to the Town. Mr. Morris stated that the Lieutenant was pursuing his lifelong dream in becoming part of the motorcycle unit for the Town of Warrenton. Mr. Morris thanked former Chief Lands for his service to the Town. And finally, Mr. Morris congratulated Sergeant Davis on his promotion within the police department and shared that he was excited for the new challenges that lie ahead.

2. Steve Shannon

Councilman Shannon stated that the citizens need to understand that there is not currently 24 hour service by Haymarket PD however recognized Councilman Morris for working with Prince William PD to make sure the Town has police coverage. Mr. Shannon congratulated Sergeant Davis and stated that he felt he was highly qualified for the position.

3. Marchant Schneider

Councilman Schneider recognized the work and dedication of former Lieutenant Shaver and former Chief Lands. He also congratulated Sergeant Davis and offered his support when needed. Councilman Schneider shared that he attended a meeting between staff and Haymarket Properties Group to talk the process to accommodate a future tenant. He also stated he met with Van Metre regarding the Robinson Village Development. Lastly, Mr. Schneider shared that he spoke with Don Wooden regarding changes that have been made since the Council last saw the Crossroads Village Center concept and would like to do a presentation prior to the May 3 public hearing.

4. TracyLynn Pater

Vice Mayor Pater congratulated Sergeant Davis on his promotion. Ms. Pater shared that the Haymarket Farmer's Market was kicking off its 2021 season on Sunday, April 11th. She also shared that the date for the next Business Roundtable was scheduled for Tuesday, April 13th at 6:00 PM via Zoom. Lastly, the Vice Mayor stated that the planning for Haymarket Day has started and will be bringing updates at future meetings.

5. Joe Pasanello

Councilman Pasanello expressed his well wishes to Mr. Lands and Mr. Shaver but also expressed his congratulations to Sergeant Davis on his accomplishments with the Haymarket

^{**}The statement read by Vice Mayor Pater is attached at the end of the minutes.***

Police Department. Mr. Pasanello shared that the bill that allows a town official to serve on the county's BZA in which they reside has been signed by Governor Northam.

6. Bob Weir

Councilman Weir stated that their has been significant division between those in the Town and particularly those on the Council. He stated to set the record straight, to his knowledge no actions were personally motivated. He stated that he wished the Council could be more forthcoming than it has been and hopefully the Town understands. He stated that there has been a lot of things this Town Council has been dealing with and needed to be addressed.

7. Ken Luersen

Mayor Luersen wished Mr. Lands and Mr. Shaver well in their future endeavors. Mayor Luersen congratulated Sergeant Davis on his promotion. Mr. Luersen shared that there would be no monthly Mayors walk for April. He stated that he wishes the Farmer's Market much success this season. Mayor Luersen asked for Town Manager Chris Coon to share information on the flags for heroes event that is coming up in June. Mr. Coon gave a brief report on the event.

IV. Adjournment

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

1. Motion to Adjourn

RESULT:

ADOPTED [UNANIMOUS]

MOVER:

Bob Weir, Councilman

SECONDER:

Chris Morris, Councilman

AYES:

Schneider, Morris, Pasanello, Shannon, Weir, Pater

Submitted:

Approved:

Kim Henry, Clerk of the Council

Ken Luersen, Mayor