



**TOWN OF HAYMARKET TOWN COUNCIL**  
**PUBLIC HEARING/REGULAR MEETING**  
**~ MINUTES ~**

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

15000 Washington St  
Haymarket, VA 20169

Monday, June 1, 2020

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 David Leake called the meeting to order.

## **I. Call To Order**

Due to the COVID 19 pandemic and to comply by the social distancing guidelines passed down by Governor Northam, Councilman Robert Day attended the meeting via Zoom from his home.

### **1. Zoom Meeting Invite -**

<https://us02web.zoom.us/j/84510489358?pwd=EFhKZVpHUmdDbHhGazJSVnVGUkJTZz09>

Councilman Chris Morris: Present, Councilman Robert Day: Present, Councilman Connor Leake: Present, Councilman Madhusudan Panthi: Present, Councilman Steve Shannon: Present, Mayor David Leake: Present.

## **II. Pledge of Allegiance**

Mayor David Leake asked everyone to stand for the Pledge of Allegiance.

## **III. Invocation - Mark Brady, Park Valley Church**

Pastor Mark Brady from Park Valley Church thanked the Town Council and Mayor Leake for their dedication and service to the community prior to the giving the invocation.

## **IV. Public Hearing**

### **1. Notice of Public Hearing**

## **V. Public Hearing Citizens Time**

Mayor Leake opened the floor for citizen comments on the public hearing. There were no citizens wishing to address the Town Council for the public hearing.

## **VI. Close Public Hearing**

With no citizen comments, Mayor Leake closed the Public Hearing.

## **VII. Regular Meeting**

## **VIII. Citizens Time**

Mayor Leake opened the floor for citizen comments.

Dottie Leonard, 14801 Washington Street, stated that she is proud of being a part of the Town and complimented the Police Department on their service to the Town of Haymarket. Ms. Leonard also thanked the Town Council, especially those leaving office, for their service.

## **IX. Consent Agenda**

Councilman Shannon moved to approve the Consent Agenda as presented. Councilman Panthi seconded the motion. There was no discussion on the motion.

1. Mayor and Council - Public Hearing - Apr 14, 2020 7:00 PM

**Councilman Shannon motioned to approve the Consent Agenda as presented. The motion was seconded by Councilman Panthi. There was no discussion on the motion. The motion carried.**

**RESULT:** ACCEPTED [UNANIMOUS]  
**MOVER:** Steve Shannon, Councilman  
**SECONDER:** Madhusudan Panthi, Councilman  
**AYES:** Morris, Day, Leake, Panthi, Shannon

2. Mayor and Council - Special Meeting - Apr 14, 2020 7:15 PM

**Councilman Shannon moved to accept the Consent Agenda as presented. The motion was seconded by Councilman Panthi. There was no discussion on the motion. The motion carried.**

**RESULT:** ACCEPTED [UNANIMOUS]  
**MOVER:** Steve Shannon, Councilman  
**SECONDER:** Madhusudan Panthi, Councilman  
**AYES:** Morris, Day, Leake, Panthi, Shannon

3. Mayor and Council - Special Meeting - Apr 21, 2020 6:00 PM

**Councilman Shannon moved to accept the Consent Agenda as presented. The motion was seconded by Councilman Panthi. There was no discussion on the motion. The motion carried.**

**RESULT:** ACCEPTED [UNANIMOUS]  
**MOVER:** Steve Shannon, Councilman  
**SECONDER:** Madhusudan Panthi, Councilman  
**AYES:** Morris, Day, Leake, Panthi, Shannon

4. Mayor and Council - Work Session - May 4, 2020 6:00 PM

**Councilman Shannon moved to accept the Consent Agenda as presented. The motion was seconded by Councilman Panthi. There was no discussion on the motion. The motion carried.**

**RESULT:** ACCEPTED [UNANIMOUS]  
**MOVER:** Steve Shannon, Councilman  
**SECONDER:** Madhusudan Panthi, Councilman  
**AYES:** Morris, Day, Leake, Panthi, Shannon

5. Mayor and Council - Public Hearing/Regular Meeting - May 4, 2020 7:00 PM

**Councilman Shannon moved to accept the Consent Agenda as presented. The motion was seconded by Councilman Panthi. There was no discussion on the motion. The motion carried.**

**RESULT:** ACCEPTED [UNANIMOUS]  
**MOVER:** Steve Shannon, Councilman  
**SECONDER:** Madhusudan Panthi, Councilman  
**AYES:** Morris, Day, Leake, Panthi, Shannon

6. Mayor and Council - Regular Meeting - May 26, 2020 7:00 PM

**Councilman Shannon moved to accept the Consent Agenda as presented. The motion was seconded by Councilman Panthi. There was no discussion on the motion. The motion carried.**

**RESULT:** ACCEPTED [UNANIMOUS]  
**MOVER:** Steve Shannon, Councilman  
**SECONDER:** Madhusudan Panthi, Councilman  
**AYES:** Morris, Day, Leake, Panthi, Shannon

## X. Agenda Items

### 1. Resolution 2020-012 BB&T Overpayment Refund Amendment

**Councilman Leake moved that the Haymarket Town Council approve an amendment to the Fiscal Year 2019-20 as designated on Resolution # 2020-012, to amend the BB&T Tax Overpayment Refund line item in the amount of \$32,594 by moving this amount from the Administration - Health Insurance line item and Administration - Salary/Wages - Part Time line item. The motion was seconded by Councilman Shannon. The motion carried by roll call vote.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Connor Leake, Councilman
<b>SECONDER:</b>	Steve Shannon, Councilman
<b>AYES:</b>	Morris, Day, Leake, Panthi, Shannon

## XI. Department Reports

Mayor Leake asked to add an agenda item after the Town Attorney Report.

### 1. Town Administrator Staff Reports

Business Manager Chris Coon asked for any questions on his report. Mr. Coon shared that the speed table is scheduled to be re-installed on June 2nd. Mr. Coon shared that due to some complaints expressed at the County level, VDOT will make the speed table low in height. Mr. Coon also shared that the Jefferson Street sidewalk project has started and work was to continue through out the week. Councilman Morris asked Mr. Coon to expand with more of an explanation on his report. A short discussion followed.

### 2. Chief of Police Report

Police Chief Kevin Lands asked for any questions from the monthly numbers report. Chief Lands shared with the Town Council information from the protest events that took place in Manassas over the weekend. There was a discussion about providing the police department with riot gear. Mayor Leake stated that he would like to address that item later during the evening's meeting. Chief Lands provided information of the gear needed and the estimated cost to obtain the gear.

Police Chief Lands thanked the Town Council for giving him the opportunity to serve the Town and the Council. He thanked those, particularly the ones not returning to Council, for supporting him and the police department. Chief Lands read a statement to the Town Council on the accomplishments of his officers. The officers were in attendance at the evening's meeting to be recognized as follows:

Officer Davis leads the force in drug detection and arrests. He is the firearms instructor, defensive tactics instructor and teaches women's self defense classes.

Officer O'Neale is the community relations officer and has successfully built community partnerships to organize and put on great events and school outreach programs that resulted in positive interaction between children and the police department.

Officer Hood is one of the night shift officers that works diligently to keep the businesses safe after hours as well as the homes in the community. He has recently has assumed the responsibilities as the evidence room technician.

Officer Burgoon just joined the team and has adapted very quickly to the responsibilities of being a Haymarket police officer.

Officers Anderson and Nugent are the departments part time officers and are invaluable to the team because they are always available to cover shifts when needed or for special events.

Fleet Manager Milstead keeps all the vehicles current on maintenance checks and equipment certifications and installs.

At this time, Chief Lands asked Sargent Jeff Shaver to join him at the podium. Chief Lands shared that Mr. Shaver was a newly appointed sergeant with little or no training when Chief Lands came on board with the Haymarket Police Department. Chief Lands stated that Mr. Shaver picked up quickly on ways to be a leader and was determined to be the best supervisor he could be. Chief Lands continued to state that in the past 3 years Mr. Shaver has grown so much and has gained the respect of the officers in the department. He handles the day to day operations that keeps the department running, as well as being a working sergeant who often patrols the Town of Haymarket. Chief Lands stated that Sargaent Shaver's dedication to the department has been invaluable and Haymarket is lucky to have him. In conclusion, Chief Lands announced that as a result of Sergeant Shaver's hard work and dedication, his determination and leadership skills, his willingness to learn, and the respect that he has gained from the department promoted Mr. Shaver from Sergeant to Lieutenant effective immediately. Police Chief Lands invited a special guest, Jeff's father who is also a police officer and Jeff's mother, to the podium to pin the lieutenant badge on their son. After a standing ovation congratulating Mr. Shaver, the department formed a line to salute and congratulate Lieutenant Shaver.

Lieutenant Shaver gave a small speech and thanked the Council for allowing him to serve the Town of Haymarket for the past 13 years. He stated that he has seen a lot during those years. He stated that he and the officers are honored to serve the Town of Haymarket. Police Chief Lands gave his final comments with an emotional thanks to the Mayor and the Town Council leaving office.

### **3. Town Treasurer Report**

Town Treasurer Roberto asked for any questions on the Treasurer's Report. Mr. Gonzalez shared recent updates on Business License and Meals Tax revenues. Mr. Gonzalez stated that business license revenue exceeded the budget and that with 2 months left in this fiscal year the meals tax revenues are trending to exceed the budget.

Councilman Leake shared that with the projection of ending the year in the black and with Prince William County passing on funds from the Cares Act, the funds are available to look at some CIP items. Mayor Leake mentioned looking at the riot gear equipment for the police department that was part of a discussion earlier. Councilman Leake invited Business Manager Coon to explain the Corona relief fund, or Cares Act and how the funds can be used. Mr. Coon stated that the Town should receive \$147,726 and can be used for necessary expenditures incurred due to public health emergencies with respect to COVID 19, to cover cost that was not accounted for in the budget that was recently approved since March 27th and cost that incurred between March 1 - December 30, 2020. Mr. Coon gave some examples on how the monies can be spent and also shared that it must be spent by December 30, 2020 or the Town would need to return the funds.

### **4. Town Planner Report**

Town Planner Emily Lockhart gave updates from the most recent Architectural Review Board meeting. She stated that at their June meeting, the ARB by-laws will be addressed. Ms. Lockhart also gave updates on the Planning Commission meetings. She stated that the Planning Commission have not currently been having meetings. However, she will be recommending them to have a June meeting to go over the 1 mile review sent from the County. Ms. Lockhart shared some background to the one mile review. Ms. Lockhart stated that, since the weather has been nice, she has walked the streets of the Town and has made note of areas where sidewalk repair needs to be addressed.

Ms. Lockhart also shared that she received two Special Use Permit Applications from QBE at the close of today's business hours. Ms. Lockhart shared with the Town Council the updates on the Pardo House located on Washington Street. She stated that she has given the property owner until June 17th to address the conditions of the property and to secure the premises before issuing zoning violations. Ms. Lockhart shared that Aroma 2, Morais Vineyards, was issued a temporary occupancy permit and should open in the near future. Ms. Lockhart gave updates on the Haymarket Hotel project.

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

Town Planner Emily Lockhart gave the Town Engineer report. She stated that the Jefferson Street sidewalk project has started. There were no other report from the Town Engineer. There was a question about the repaving of Rte.55. Ms. Lockhart stated that she had not heard of any updates. Councilman Steve Shannon stated that he would check with VDOT on the status of the project.

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

Town Attorney Martin Crim gave a brief update on items he was working on. He stated that he was working with Business Manager Coon on the solid waste contract, the outdoor dining policy with businesses during COVID, and working with staff on the Haymarket Hotel Venture easement documents. There was a short discussion on the Haymarket Hotel project and the delay from Prince William County. Mr. Crim asked if the Council would like for him to expand on the explanation of the Cares Act that was discussed previously. Mayor Leake suggested that the Council go into closed session and when they came back into open session, the Cares Act could be discussed at that time.

\*\*\*At this time, Mayor Leake moved the Closed Session up on the agenda.\*\*\*

## **XII. Closed Session - As Needed**

### **1. Motion to Enter Into Closed Session**

**Councilman Leake moved to enter into Closed Session pursuant to Virginia Code 2.2-3711 (A)(1) to discuss a personnel matters 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 Town Business Manager. The motion was seconded by Councilman Panthi. The motion carried.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Connor Leake, Councilman
<b>SECONDER:</b>	Madhusudan Panthi, Councilman
<b>AYES:</b>	Morris, Day, Leake, Panthi, Shannon

## 2. Certification of Closed Session

**Councilman Shannon moved that the Council certified 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. The motion was seconded by Councilman Leake. The motion carried by a roll call vote.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Steve Shannon, Councilman
<b>SECONDER:</b>	Connor Leake, Councilman
<b>AYES:</b>	Morris, Day, Leake, Panthi, Shannon, Leake

## 3. Motion from Closed Session

**Councilman Leake moved to direct the Town Attorney to work with the Mayor and Town Council to draft an employment contract for Mr. Coon as Town Manager. Councilman Shannon seconded the motion. The motion carried by a roll call vote.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Connor Leake, Councilman
<b>SECONDER:</b>	Steve Shannon, Councilman
<b>AYES:</b>	Morris, Day, Leake, Panthi, Shannon

## XIII. COVID Wage

At this time, Councilman Panthi left the meeting.

Mayor Leake addressed the COVID wage agenda item that he added to the evening's agenda. Mayor Leake asked Business Manager Coon to share the information he received on the Cares Act and the possibility of paying a differential wage or hazardous pay to those who worked with the public during the shutdown. Mr. Coon shared that other localities have provided additional pay using the Cares Act funds due to the fact that they were essential workers to maintain the functions of the Town. Mayor Leake also asked the Town Attorney for interpretation of the act. Mr. Crim stated that he anticipates that the hazard pay differential would be a permitted expense. He shared that numerous localities are paying those who having day to day contact with the public because they were putting their lives at risk for COVID 19. He also shared that although the criteria is not very detailed, the general guidelines are that it has to be an un-budgeted expense and has to deal directly with the COVID crisis, and it cannot be used for loss revenue. He continued to state that it could be used for protective equipment, the cost to de-contaminate spaces and for hazard pay differential. Mayor Leake suggested that the Council consider paying the differential from the current budget then once the funds are disbursed from the County, those funds would go back into the budget. Mr. Coon stated that the fund of \$147,000+ would be coming from the County within the month. There was a short discussion on the hazard pay differential, hours worked and rate of pay.

### 1. Motion for COVID 19 differential pay

**Councilman Morris moved to pay a hazard pay differential to be reimbursed from the Cares Act funds for Town Staff having contact with the public for the time period from March 12 through June 30. Councilman Shannon seconded the motion. Discussion followed on extending the payment after July 1 with the new Town Council and the timeline on expected disbursement of funds from the Cares Act. The motion carried by a roll call vote.**

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Chris Morris, Councilman
<b>SECONDER:</b>	Steve Shannon, Councilman
<b>AYES:</b>	Chris Morris, Robert Day, Connor Leake, Steve Shannon
<b>ABSENT:</b>	Madhusudan Panthi

## XIV. Civil Disturbance Gear

### 1. Approval to Purchase Civil Disturbance Gear

Mayor Leake asked Police Chief Lands to provide information he gathered for the protective riot gear equipment. Chief Lands stated that he would have to order for various companies to get what he needs to provide the department with the right equipment. He stated that he would need approximately \$15,000. Mayor Leake asked if the Council would want to take any action on this item.

**Councilman Shannon moved to authorize the Chief of Police to purchase civil disturbance gear for the Haymarket Police Department for the amount not to exceed \$17,000. The motion was seconded by Councilman Morris.** Councilman Leake stated that this purchase would put the police department over budget for uniforms. Councilman Leake stated that there would need to be an amendment to fund that line item. Councilman Morris stated that he would like the Chief to gather more research. A discussion followed on that subject. The motion carried by a roll call vote.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Steve Shannon, Councilman
<b>SECONDER:</b>	Chris Morris, Councilman
<b>AYES:</b>	Chris Morris, Robert Day, Connor Leake, Steve Shannon
<b>ABSENT:</b>	Madhusudan Panthi

## XV. Councilmember Time

### 1. Steve Shannon

Councilman Shannon congratulated Mr. Shaver on his promotion to Lieutenant. Mr. Shannon stated that he would save his remaining comments for the final meeting.

### 2. Connor Leake

Councilman Leake did not have any additional comments to add.

### 3. Madhu Panthi

Councilman Panthi left the meeting early and did not provide any additional comments.

### 4. Chris Morris

Councilman Morris stated that he was impressed by how many people came out and voted at the last election.

### 5. Robert Day

Councilman Day stated he would like to save his comments for the final meeting.

### 6. David Leake

Mayor Leake thanked the staff for their hard work,

## XVI. Adjournment


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

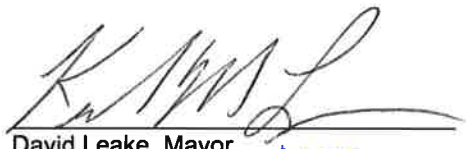
1. Motion to Adjourn

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Steve Shannon, Councilman
<b>SECONDER:</b>	Connor Leake, Councilman
<b>AYES:</b>	Chris Morris, Robert Day, Connor Leake, Steve Shannon
<b>ABSENT:</b>	Madhusudan Panthi

Submitted:

Approved:

  
\_\_\_\_\_  
Kimberly Henry, Clerk of the Council

  
\_\_\_\_\_  
David Leake, Mayor  
Kenneth Luersen, Mayor  
David Leake

