



# TOWN OF HAYMARKET TOWN COUNCIL

## REGULAR MEETING

### ~ MINUTES ~

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

15000 Washington St  
Haymarket, VA 20169

Monday, March 1, 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-ID 19 pandemic and Governor Northam's executive order on social distancing, Councilman Joe Pasanello attended this evening's meeting via Zoom meeting from his home. 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, Town Planner Emily Lockhart: Present, Town Treasurer Roberto Gonzalez: Remote, Police Chief Kevin Lands: Present, Town Clerk Kimberly Henry: Remote.

## II. Pledge of Allegiance

Mayor Ken Luersen invited everyone to stand for the Pledge of Allegiance.

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

Pastor Mark Brady from Park Valley Church thanked the Town Council for their dedication and service to the Town and the community before giving this evening's invocation.

After the invocation, Mayor Luersen asked for a moment of silence for the two fallen police officers who tragically lost their lives in the line of duty.

## IV. Delegate Danica Roem

Delegate Roem gave updates to the Town Council on the bills that were passed during the last General Assembly session. She shared that the bill she presented referring to it as "Joe's Law" passed which would allow an elected official from a Town or City to serve on their County's Board of Zoning Appeals. She shared various other bills that could affect the Town of Haymarket. There was a short question and answer period after Delegate Roem's presentation. The main question was the bill that changed local elections to November from May. Ms. Roem gave information on the bill and stated that the Town would be saving money with the Town elections being part of the general elections in November but felt it should have been handled differently with the request from each Town to change their elections and charter than to have it as a State enforced bill.

## V. Citizen Input on DMV Select Office

Town Manager Chris Coon stated that he did not have any updates since the work session on the questionnaire that was conducted on survey monkey regarding the possible DMV Select Office in Town Hall.

## VI. Citizens Time

Town Planner Emily Lockhart read an email into record that was received from Ken Luersen, 6752 Jefferson Street, regarding the engineers report on the Jefferson Street's tributary and storm water management assessment.

Valerie Boykin, 6758 Jefferson Street, was present and also addressed the Town Council on the subject of the storm water waste management and the erosion on her property due to the overflow. She asked the Town's help in resolving the problem instead of the burden being put on the few properties that are affected.

John Soto, 6764 Jefferson Street, also addressed the Town Council on the same subject of the storm water that backs up onto the properties on Jefferson Street. Mrs. Soto stated that the water on her

property is like a creek and has taken away about a third of her property. The Soto's also asked for the Town to help with this problem that only affects the five houses on Jefferson Street. Asad Mirza, 6770 Jefferson Street, also addressed the Town Council on the same subject of the storm water issue that affects his property. He stated that his property has flooded previously where there was 5-6 feet of water. Mr. Mirza asked for some action to be taken by the Town since the water is coming from the Town not from the few properties on Jefferson Street.

Jim Payne owner of a Dog's Day Out, 6680 Fayette Street, addressed the Town Council on the subject of the proposed DMV Select office. He stated he was not sure that this venture would benefit the Town. He stated that after talking with Town Manager Chris Coon, he would support the DMV Select office in Town Hall.

Dottie Leonard, 14801 Washington Street, stated that her concerns on the subject of the proposed DMV Select office would be the increase in traffic and lack of parking at Town Hall.

## VII. Minute Approval

1. Mayor and Council - Work Session - Jan 25, 2021 7:00 PM

**Councilman Weir moved to approve the minutes from January 25, 2021 Work Session and February 1, 2021 Regular Meeting. Vice Mayor Pater seconded the motion. The motion carried.**

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

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

**Councilman Weir moved to approve the minutes from the January 25, 2021 Work Session and the February 1, 2021 Regular Meeting. Vice Mayor Pater seconded the motion. The motion carried.**

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

## VIII. Agenda Items

1. Administrative Staff Retention Bonuses

**Councilman Weir moved that the Haymarket Town Council approve an appropriation to the Fiscal Year 2020-2021 budget as designated on Resolution #2021-005. 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

2. DMV Select Office

Town Manager Chris Coon shared that he did not have any further updates since the Work Session and asked for Town Council to instruct Town Staff to move forward with the DMV Select Office and to advertise the position. There was a short discussion period regarding parking. Mr. Coon shared that since the office would operate on appointment only, parking would be designated to the front of the building. There was also a discussion on the yearly contract, reviewing the revenue vs expenses in December 2021 before the next budget season, and the Town's return on the investment.

**Councilman Shannon moved that the Town of Haymarket Town Council instruct Town Staff to move forward with installation of a new service window AND receive draft agreement for DMV for the Town Attorney to review AND advertise and interview for a full-time Deputy Town Clerk/DMV Select Clerk. Councilman Morris seconded the motion. 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>	Schneider, Morris, Pasanello, Shannon, Weir, Pater

### 3. Personnel Policy

Town Manager Chris Coon presented the updated version of the personnel policy from the suggested edits at the previous work session.

**Councilman Weir moved that the Haymarket Town Council adopt the Town of Haymarket Personnel Policies as revised and presented. Councilman Morris seconded the motion. The motion carried by a roll call vote.**

Councilman Weir proceeded to state that without objection from the Town Council, he would direct that all Town Staff to forward all receipts to the Town Clerk for disbursement to the appropriate agencies or departments so that there is a full accounting for all invoices, payments and contracts. The discussion followed. The Town Council directed the Town Manager to draft a policy to be added to the policy manual for the next meeting.

<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

## IX. Liaison Reports

Mayor Luersen asked, in the sake of time, for any items that needs to be addressed to the appropriate department liaison. Councilman Pasanello addressed the subject brought up during citizens time from the residents on Jefferson Street and the storm water issues they are having. At this time, Mayor Luersen stated that he is one of the residents involved with the problem and recuse himself. Vice Mayor Pater took over the meeting for this subject. Town Manager Chris Coon shared that Councilman Pasanello would like the staff to further investigate the storm water management issue that was brought forth during citizens time. Mr. Coon asked for consensus of the Council to proceed. There was a consensus of Council to proceed with the research and bring findings to the Council as soon as possible.

### 1. Finance

There was nothing additional to report.

### 2. Police

There was no report from Councilman Morris.

### 3. Planning Commission

Councilman Weir shared that Prince William County Board is starting to consider the Route 29 small area plan which would involve widening of Old Carolina Road and Route 29 in addition to Old Carolina and Rte 55 in the Town. Mr. Weir stated that he feels that the plan is not in the best interest of the Town and asked for the Town Planner to give a presentation at the Board meeting on this subject that would give the Town's opinion on the proposal. There was a short discussion with the support of the Town Planner representing the Town of Haymarket's view on the proposal.

### 4. Architectural Review Board

There was no report from Councilman Schneider.

### 5. Business Roundtable

There was no report from Vice Mayor Pater.

## X. Department Reports

The Town Council did not have any questions for any department reports presented in the agenda.

### 1. Town Administration Staff

### 2. Police Chief

### 3. Town Treasurer

### 4. Town Planner

### 5. Town Engineer

## 6. Town Attorney

**XI. Closed Session****1. Closed Session Motion**

Councilman Weir 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 Chief of Police and one member of Town Council and pursuant to Virginia Code § 2.2-3711 (A)(7), consultation with legal counsel or briefing by staff members or consultants pertaining to: Probable litigation involving the Bean Property; and pursuant to Virginia Code § 2.2-3711 (A)(8), consultation with legal counsel regarding a specific legal matter requiring the provision of legal advice by such counsel, relating to contracts and grants. Councilman Shannon 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

**2. Certification**

Councilman Weir moved that the Council certify 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. 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

**3. Directive**

Councilman Weir asked, without objection, to have the Council direct the Town Attorney to proceed as directed with respect to communication with the Chief of Police. There was no objection from the Town Council on the directive.

**4. Motion of Continuation Meeting**

Councilman Weir moved that the Town Council continue the March 1, 2021 meeting to March 4, 2021 at 6 pm. Councilman Morris seconded the motion. The motion carried.

<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

**XII. Councilmember Time**

Council Member Time was continued until the March 4, 2021 Continuation Meeting.

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

### **XIII. Adjournment**

The meeting was continued until March 4, 2021 at 6 pm





TOWN OF HAYMARKET TOWN COUNCIL
CONTINUATION MEETING
~ MINUTES ~

Chris Coon, Town Manager
http://www.townofhaymarket.org/

15000 Washington St
Haymarket, VA 20169

Thursday, March 4, 2021

6:00 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 6:00 PM.

Mayor Kenneth Luersen called the meeting to order.

I. Call To Order

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, Clerk of Council Kimberly Henry: Present, Chief of Police Kevin Lands: Present, Town Attorney Martin Crim: Present.

II. Closed Session

1. Closed Session Motion

Councilman Weir moved that the Town Council go into closed session pursuant to Virginia Code § 2.2-3711(A)(1), a personnel matter involving consideration of interviews of candidates for employment or appointment; or the assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of the Town; specifically dealing with the Chief of Police and pursuant to Virginia Code § 2.2-3711 (A)(8), consultation with legal counsel regarding specific legal matter requiring the provision of legal advice by such counsel, relating to DMV and extra duty contracts and grants. Councilman Morris seconded the motion. Councilman Pasanello stated that at the end of the closed session, he would leave the building and join via Zoom from his home. The motion carried.

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

2. Motion to Add Citizens Time

Councilman Shannon moved to add Citizen's Time to the agenda after the Town Council comes out of Closed Session. Councilman Pasanello seconded the motion. The motion carried.

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

3. Certification

Councilman Weir moved that the Council certify 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. 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>	Schneider, Morris, Pasanello, Shannon, Weir, Pater, Luersen

#### 4. Motion

**Councilman Weir moved to have the Mayor communicate to the Chief the performance evaluation and other actions as decided by Town Council. Councilman Pasanello seconded the motion. There was a tie vote with 3 in favor and 3 opposed. Mayor Luersen voted in favor of the motion to break the tie.**

<b>RESULT:</b>	<b>ADOPTED [4 TO 3]</b>
<b>MOVER:</b>	Bob Weir, Councilman
<b>SECONDER:</b>	Joe Pasanello, Councilman
<b>AYES:</b>	Joe Pasanello, Bob Weir, TracyLynn Pater, Kenneth Luersen
<b>NAYS:</b>	Marchant Schneider, Chris Morris, Steve Shannon

### III. Councilmember Time

Prior to Council Member Time time, Mayor Luersen took a ten minute recess so that Councilman Pasanello could leave the building and rejoin the meeting from his home via Zoom.

#### 1. Ken Luersen

Mayor Luersen started the evening's Council Member Time with a statement regarding an email that was sent from a Council Member to other members of Council and Staff. Mayor Luersen stated that the email has had a detrimental effect on the Town Council's standing in the community and cannot be tolerated. Mayor Luersen stated that the Council Member has apologized to his colleagues but felt a public apology is in order because the matter has now become a matter of public concern.

#### 2. Bob Weir

Councilman Weir made a public apology statement. The following was the statement made by Mr. Weir;

"Last Saturday I wrote an email to the Mayor, fellow Council Members and Town Staff regarding County taxes. In the email, I referred to the Governor by his college nickname which is a racially offensive term. My intent was to express displeasure with the Governor. However, I acknowledge that my intent is not what matters here and that the impact of my using that nickname was to convey a racially offensive message that reflects poorly on me and on the Council. For that reason, I apologize to the public for using that term and commit for being responsible for the affects of my words in the future."

Councilman Weir did not have any other statement.

#### 3. TracyLynn Pater

Vice Mayor Pater shared that date for the next Business Roundtable meeting.

#### 4. Marchant Schneider

Councilman Schneider congratulated Prince William County Schools for the seamless transition in reopening the schools back up. Mr. Schneider also shared the passing of Haymarket resident Susan Serrano. He asked that the Town Council keep her family in their thoughts and prayers.

#### 5. Steve Shannon

Councilman Shannon addressed Mr. Weir's email. He stated that although he doesn't believe it was racist in nature but with the possibility of negative press coverage that could arise he would recommend the resignation of Mr. Weir for the better of the Town.

#### 6. Chris Morris

Councilman Morris stated that we are living in interesting times and wished that the Town Council could openly discuss items that are in the closed session. He stated that there is a reason for it and because of that, the Council has to respect it. He asked that the Town Council respect the process and that some decisions may not be liked but that he and the rest of Council should strive to be fair.

#### 7. Joe Pasanello





Councilman Pasanello thanked Councilman Weir thanked Councilman Weir for the public apology. Mr. Pasanello shared the date of September 18th for the Officers Down Memorial Ride.

**IV. Citizen's Time**

Robert Day, 6945 Jockey Club Lane, shared his support for Chief Lands and the Police Department. His stated that he felt that are some members of Council who have an agenda by dismantling the police department and personally attacking the Chief Lands. He stated that he feels that the Council is not only hurting the Town and themselves.

Dottie Leonard, 14801 Washington Street, shared her disappointment and appalled at the motion that came out of Closed Session. She stated that the motion is detrimental to the Police Chief and stated her support for Chief Lands. She also directed a comment to Councilman Weir's public apology by stating that she does not accept his apology.

Connor Leake, 15111 Washington Street, first thanked the Council for their service and the work that they do to the community. Mr. Leake stated that there has been a vendetta against the police department. He stated that the Council ran on transparency yet the motion made coming out of closed session was vague and the future of Chief Lands. He supported Chief Lands and the work he has done in the community. Mr. Leake also addressed the topic of Councilman Weirs email by stating the action taken was reactive not proactive. He stated that he was disappointed that an action was not taken on Councilman Weir.

Andrea Payne, 6680 Fayette Street, expressed her disappointment in the decisions made at the evenings meeting. Ms. Payne emotionally supported Chief Lands and the police department.

Shawn Landry, 14600 Washington Street, also expressed his support for the police department and stated that he sees the loss from the police department in the Council. He also shared his disappointment of the lack of hiring the fifth and sixth officer. He stated that no clear decisions have been made and no clear vision of where the Town is going. Mr. Landry also addressed Councilman Weir's public apology. He stated that it was a check box not a true apology and is disappointed that Mayor Luersen would accept the statement made by Mr. Weir as an apology.

Town Clerk Kim Henry read two emails into the record.

Pam Magill, 14888 Greenhill Crossing, stated her support in Chief Lands and stated that the police department is under attack in her email.

Matt, a resident of Greenhill Crossing, emailed the Mayor in support of the police department and Chief Lands. He stated that he is concerned that the Town Council is trying to disband the police department.

Mayor Luersen thanked all the citizens for their comments and concerns and stated that the Council will take everything said into consideration.

\*\*\*The emails will be attached to the end of the approved minutes.\*\*\*\*

**V. Adjournment**

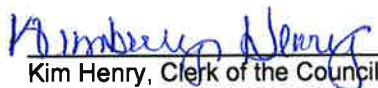
With no further business before the Town Council, Councilman Schneider moved to adjourn with a second by Councilman Weir. The motion carried.

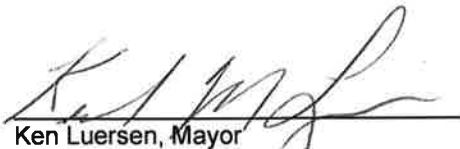
**1. Motion to Adjourn**

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

Submitted:

Approved:

  
Kim Henry, Clerk of the Council

  
Ken Luersen, Mayor