



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, November 2, 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 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, Town Attorney Martin Crim, Vice Mayor TracyLynn Pater, and Councilman Chris Morris attended the meeting via Zoom meeting invite. Mr. Crim and Vice Mayor Pater joined the meeting from the homes. Councilman Morris joined the meeting from an alternate private location.

1. Zoom Invite -

<https://us02web.zoom.us/j/87857923170?pwd=TMY0bVRoTUlva3BkcGZaWjIOVHFydz09>

Councilman Marchant Schneider: Present, Councilman Chris Morris: Remote, Councilman Joe Pasanello: Present, Councilman Steve Shannon: Present, Councilman Bob Weir: Present, Vice Mayor TracyLynn Pater: Late, Mayor Kenneth Luersen: Present.

II. Pledge of Allegiance

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

After the Pledge of Allegiance, Mayor Luersen stated that Town Manager Chris Coon would like to recognize two non profit organizations that received CARES Act Funds monies. Mr. Coon invited NOVANT Health to podium to share with the Town Council what they have experienced during the COV-ID 19 pandemic. The representative shared that the monies given from the Town will help educate the public on the importance of the flu shot and education on the coronavirus pandemic. At this time, the Town Council did a check presentation to NOVANT Health in the amount of \$15,000. Mr. Coon also invited the representative from Action and Community through Service (ACTS) to the podium to share a little about their organization and how they are helping the community. The representative stated that the organization was established approximately 50 years ago and has been helping Haymarket most of that time. He stated the most visible ways the organization helps is the food pantry and thrift store. He stated, however, that ACTS also helps with providing a crisis help center. He stated since the quarantine, the organization has seen an increase in domestic violence by 72%, He shared services that they provide in a domestic violence case. He also shared that the organization has been providing food to the food pantries in the Haymarket area. He shared that the CARES Act monies given from the Town will primarily go for mortgage/rental assistance and utility assistance. At this time, the Town Council did a check presentation to ACTS in the amount of \$30,000.

III. Public Hearing I - Budget Amendment

Mayor Luersen announced that the topic for the Public Hearing I was to amend the FY2021 Budget and opened the floor for citizen comment. No citizens present at this evenings meeting wished to comment on the Budget Amendment.

1. Public Notice Budget Amendment

IV. Public Hearing II - SUP Application 6611 Jefferson Street

Mayor Luersen announced that the second Public Hearing of the evening is to consider the Special Use Permit Application for a religious assembly at 6611 Jefferson Street. Mayor Luersen opened the floor for public comment.

Jerry Kennedy, owner of the property at 6611 Jefferson Street, thanked the Town Council for the consideration and would appreciate if they would approve the application as presented. There were no additional comments from the citizens present.

V. Pubic Hearing III - Proffer Amendment Application 14600 Washington Street

Mayor Luersen announced that the subject for the third public hearing before the Council was the proffer amendment application at 14600 Washington Street. Mayor Luersen opened the floor for public comment. Mr. Gregory Terry, 14701 Dogwood Park Lane, stated that his property would be the one most affected since it is right next to the subject property. He stated that he made his comments to the Planning Commission as well at their public hearing. He asked that the Town Council consider denial on the amendment because the property owner agreed to a certain plan when he purchased the property. He stated that he doesn't feel the proffer would benefit the Town or the residents closely connected to the property.

Town Planner Emily Lockhart read the following emails into the record on the subject.

Joseph NamGoong - 6744 Bleight Drive, requested to deny the application

James and Maureen Carroll, 6862 Track Court, requested to deny the application

Nick Pulire, 6740 Bleight Drive, requested to deny the application

Cathy Pasanello, 6895 Track Court, requested to deny the application

Jillian Pulire, 6744 Bleight Drive, requested to deny the application

*** The emails are attached at the end of the minutes.***

At this time, Town Clerk Kim Henry notified the Mayor and Town Council that Vice Mayor Pater joined the meeting via Zoom.

Dottie Leonard, 14801 Washington Street, expressed her support of the proffer amendment.

VI. Close Public Hearings

VII. Open Regular Meeting

VIII. Citizens Time

Jim Payne, 6680 Fayette Street, expressed his disappointment on the discussions from the October 26th work session in regards to the vacancy on the Police Department. Mr. Payne supported the comments from Chief Lands to fill the vacancy.

Dottie Leonard, 14801 Washington Street, supported the comments from Mr. Payne and expressed her support to fill the police department vacancy, her concern of the return of the civil disturbance gear and the elimination of the take home vehicle policy.

Town Planner Emily Lockhart read an email from James and Maureen Carroll on the subject of the invocation. The Carroll's suggested a moment of silence to start the meeting.

The email is attached to the end of the minutes.

IX. Minute Approval

1. Mayor and Council - Special Meeting - Sep 12, 2020 9:00 AM

Councilman Pasanello moved to approve the minutes from the Mayor and Council Special Meeting on September 12, 2020 at 9am. Councilman Weir seconded the motion. The motion carried.

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

2. Mayor and Council - Work Session - Sep 28, 2020 7:00 PM

Councilman Pasanello moved to approve the Mayor and Council Work Session minutes from September 28, 2020 at 7 pm. The motion was seconded by Councilman Shannon. The motion carried.

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

3. Mayor and Council - Public Hearing/Regular Meeting - Oct 5, 2020 7:00 PM
Councilman Pasanello moved to approve the Mayor and Council Public Hearing/Regular Meeting minutes from October 5, 2020 at 7 pm. Councilman Shannon seconded the motion. The motion carried.

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

X. Agenda Items

1. Consideration of Resolution 2020-019: Budget Amendment

Councilman Pasanello complimented and thanked the staff for the report and encouraged the citizens to read it because of the wealth of information and transparency provided.

Councilman Pasanello moved that the Haymarket Town Council approve an appropriation to the Fiscal Year 2020-21 as designated on Resolution #2020-019. Councilman Weir seconded the motion. The motion carried by a roll call vote.

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

2. Consideration of SUP Application: 6611 Jefferson Street

Town Planner Emily Lockhart gave an update on the application. She stated that this property was used as a religious assembly before. However, there was a break in use when a different tenant occupied the property. Ms. Lockhart stated that since there was a break in use, the special use permit application for a religious assembly needed to be re-applied. Mr. Lockhart shared that the Planning Commission held a public hearing on the subject at their September 21, 2020 meeting and recommended approval with the following conditions: 1.- The property owner or the tenant must provide proof of occupancy from Prince William County when applying for the business license; and 2.The applicant would provide a parking plan prior to this meeting, which was completed and in the evenings packet. Ms. Lockhart stated that after review of the plans, the use would adequately fit since all other tenants in the building are for day time use and this permit would be for one to two evenings a week and weekend. There was a short discussion on the subject. There was a suggestion to review the use and renew every year. A discussion followed on renewing the application annually.

Councilman Morris moved that the Town Council approve the Special Use Permit for a Religious Assembly at 6611 Jefferson Street with the following condition; the applicant must provide a Certificate of Occupancy for the space to determine the maximum allowable parishioners in the space. This shall be provided by the applicant prior to the religious assembly operating. Councilman Shannon seconded the motion. The motion carried by a roll call vote.

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

3. Consideration of Proffer Amendment Application: 14600 Washington Street

Town Planner Emily Lockhart gave some updates on the application. She stated her report in the packet shows what was presented to the Planning Commission, their discussion and their decision. Ms. Lockhart stated that this application was originally submitted on June 1, 2020 to change the acreage of the proffer at 14600 Washington Street from 4.51 acres to 2.06 acres which would be reserved in the back for green space and ball field use. The proffer was amended on June 24, 2020 and submitted to the Town on June 25, 2020 to change the acreage from 4.51 to 0.00 acres. Ms. Lockhart stated that this evening's public hearing was due to a deficiency in the public notice in June. The public notice went out prior to the amendment which required another public hearing on the subject. She stated that the Planning Commission held their public hearing on amended application on September 21, 2020 and recommended denial of the proffer based on the public comment regarding the subject. Ms. Lockhart stated that as the application stands, the staff is in support of the denial of the proffer amendment as it is presented. Ms. Lockhart continued to state that the applicant has made comments that they would like to keep some of the green space in the back. Ms. Lockhart stated that if this is the case, she would recommend that the proffer amendment be tied to a GDP to maintain the green space use. Ms. Lockhart shared that the applicant is present to answer any questions on the application.

Mr. Connor Leake, president of Haymarket Properties Group, and Keith Lowery, partner of HPG, gave a brief background regarding the property and their current concept of the proffer amendment application. After Mr. Leake's presentation, Councilman Schneider disclosed his relationship with Mr. Landry, the property owner, and stated that he would be abstaining from any action taken on this subject. However, Mr. Schneider stated that since he was the Town Planner when this property originally was brought into the Town, he could contribute information regarding the property. Discussion followed and questions were asked by the Town Council to the applicant regarding the application and the interpretation of the proffer.

Councilman Weir moved to defer further consideration of this amendment until the regular Town Council meeting in December. Councilman Pasanello seconded the motion. Discussion continued on the subject. After the lengthy discussion, questions to the Town Staff, and a request of supported documentation from the staff and the applicant, the motion carried by a roll call vote.

RESULT:	TABLED [5 TO 0]
MOVER:	Bob Weir, Councilman
SECONDER:	Joe Pasanello, Councilman
AYES:	Morris, Pasanello, Shannon, Weir, Pater
ABSTAIN:	Marchant Schneider

4. Cares Act Agreement with PWC IDA

Town Manager Chris Coon shared that the revisions were made as requested at the Work Session. Mr. Coon stated that the Town Attorney reviewed the agreement and recommended the Council approve the agreement as presented.

Councilman Weir moved that the Town of Haymarket approve the agreement with the Industrial Development Authority of Prince William County as presented. Councilman Pasanello seconded the motion. The motion carried by a roll call vote.

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

5. Invocation Policy and Guidelines

Town Manager Chris Coon stated that staff presented 2 options of the guidelines for Town Council consideration and that the invocation was added as an agenda item in policy rules and procedures adopted at a previous meeting, which would need to be amended. Discussion followed on the guidelines and the implementation of an invocation at the regular Town Council meetings.

Councilman Morris moved the Council to add invocation back to its agenda and also for invocation to be added to 2.3 under Section 5-1. Councilman Shannon seconded the motion. A suggested amendment was made to add moment of silence. Councilman Morris amended his motion to have an invocation/moment of silence to be added to 2.3 under Section 5-1: Order of Business. Councilman Shannon seconded the amended motion. There was clarification that this would be item #3 on the agenda. The motion carried by a roll call vote.

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

6. Police Officer Position

Mayor Luersen initiated the discussion on the subject of the vacancy. Mayor Luersen stated that he is not looking at removing a position from the police force but because of the lack of knowledge on how the department operates, he doesn't feel the force is in jeopardy of holding off the hiring of an officer until the Town Council has a better understanding of the schedule and the operations of the department. Mayor Luersen addressed the comments made during citizens time in regards to the civil defense gear, the operations of the department, and the decision of not having the cruisers parked in the front of the building. Discussions followed on the decision of filling the vacancy and the current staffing of the police department. There was a request from the Town Council for staff to calculate the real estate assessments to see the percentage that goes to the Town for police coverage and the same with taxes paid to the County. Discussion continued on the subject in relation to the administrative duties of the Chief and Lieutenant. The Town Council asked Chief Lands about the interviewing process.

After the lengthy discussion on the subject, Councilman Shannon moved that the Council direct the Chief to follow through and hire the position right away. Councilman Schneider seconded the motion. Councilman Weir made a substitute motion to defer until the December regular meeting. Councilman Pasanello seconded the motion. The substitute motion carried by a roll call vote.

At this time, Councilman Weir asked for the Treasurer and Chief to bring to next month's meeting the potential cost for an admin person for up to 30 hours a week.

RESULT:	TABLED [4 TO 2]
MOVER:	Bob Weir, Councilman
SECONDER:	Joe Pasanello, Councilman
AYES:	Chris Morris, Joe Pasanello, Bob Weir, TracyLynn Pater
NAYS:	Marchant Schneider, Steve Shannon

XI. Liaison Reports

1. Finance

Councilman Weir stated that the current report was presented in the form of the Budget Amendment that was passed earlier in the evening. Town Manager Chris Coon shared the audit from the outside agency would be next and that the start of the FY2021-22 budget will be started by the Treasurer soon.

2. Police

Councilman Morris did not have anything additional to report.

3. Architectural Review Board

Councilman Schneider shared that he did not have a report since the Architectural Review Board did not meet in October.

4. Planning Commission

Councilman Weir stated he did not have anything to report since the Planning Commission did not have a meeting in October.

5. Planning Commission Appointment

Councilman Weir shared that an application to fill the Planning Commission vacancy has been submitted. Town Manager Coon stated the vacancy is to fill the unexpired term of Tom Utz, who recently resigned. The term would expire June 30, 2022.

Councilman Weir moved to appoint Melvin C. Mason to the Planning Commission for the unexpired term lasting until June 30, 2022. Councilman Shannon seconded the motion. The motion carried by a roll call vote.

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

6. Business Roundtable

Vice Mayor Pater shared with the Town Council the date for the next Business Roundtable meeting.

At this time, the Council took a short recess.

XII. Department Reports

1. Town Administration Report

Town Manager Chris Coon thanked Town Treasurer Roberto Gonzalez for the extensive report he created for the Budget Amendment. Mr. Coon gave updates from his written report. Mr. Coon shared that the items the Town purchased from the CARES Act Funds started arriving, such as the vouchers for the citizens to spend at local businesses.

Mr. Coon also shared that the Continuity of Government Ordinance that was adopted in March 2020 needs to be re-adopted that gives the Town to conduct business through Zoom and virtual meetings.

Town Manager Coon also shared that DMV as shown interest in the Town establishing a DMV Select Office within the Town Hall building. Mr. Coon stated that staff will be visiting the Remington DMV Select Office and will start to gather information on the possibility of a Select Office in the Town Hall building. Mr. Coon asked for direction from the Town Council if they would be in favor of a DMV Select Office and if staff should continue to pursue the possibility. After a discussion, the Town Council directed Mr. Coon to proceed with gathering information.

2. Adoption of Ordinance 2020-003 Continuity of Government

Since Ordinance 2020-002 Continuity of Government expired on the 14th of October, Councilman Weir moved to adopt Ordinance 2020-003 to ensure the continuity of the Town of Haymarket local government during the COVID 19 pandemic to be effective upon adoption. Councilman Pasanello seconded the motion. The motion carried by a roll call vote.

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

3. Police Chief Report

Prior to giving his monthly report, Chief Lands read into the record a statement regarding the return of the civil disturbance gear. Chief Lands stated that he decided to cancel the delivery of the gear and to look instead for grant opportunities to fund the civil disturbance gear. Chief Lands answered questions on the data he collected from the speed signs.

Chief Lands shared that Lieutenant Shaver attended the last Business Roundtable meeting. He also shared that the full department on was duty during the Halloween weekend and that participation was down due to COVID. Chief Lands also addressed Vice Mayor Paters concerns of crosswalk safety but creating a flier to bring awareness to safety at the crosswalks. Chief Lands also shared that the department is working on the evacuation plan that Vice Mayor

brought up from a meeting with the citizens advisory group that she attended. Chief Lands provided information about police coverage on election day. Lastly, Chief Lands stated that he will provide a copy of the general orders to Town Manager Coon by the end of the week as requested by the Mayor.

There were discussions on security cameras for the building that would have the cruisers on the camera.

4. Town Treasurer Report

Town Treasurer Roberto Gonzalez presented the actual vs budget monthly report and went over some line items with the Town Council. Mr. Gonzalez stated that he has re-created the report so that it is easier to read and follow. Mr. Gonzalez shared that the amended budget and this report was posted on the website during the evening's meeting. Mr. Gonzalez also addressed the Laney detail. He shared that Laney extend the detail for an additional 7 pay periods in the amount of \$30,000 which will probably require an amendment during the 3rd quarter of the budget. There was a discussion on the Laney detail project and the liability to the Town in regards to overtime. Town Attorney Crim stated that he is working with the Town Manager and Town Treasurer and will be in communication with the Police Chief on that matter.

5. Town Planner Report

Town Planner Emily Lockhart shared that the Architectural Review Board and the Planning Commission meetings have been rescheduled since they were both canceled. Ms. Lockhart shared that Van Metre is scheduled to attend both meetings; the Planning Commission with the final site plan and recommended approval and the ARB with the beginning design phase of the town homes. Ms. Lockhart also stated that there would be a possible presentation of site concept from a developer. She also shared that the ARB will be looking at the possibility of designing a "LOVE" sign for placement at the Town Park. Ms. Lockhart also shared that the Planning Commission has started reviewing the zoning text amendment and invited any input from the Council.

Lastly, Ms. Lockhart shared that she has been sending out zoning violations to several properties in the Town. She also shared that she has started a dialogue with Prince William County in regards to several property maintenance concerns. She stated that the County is working on what their next steps are going to be and how she can help them facilitate the next course of action.

There was a short discussion on the Jefferson Street pedestrian project update. Ms. Lockhart shared the updates on the project. Ms. Lockhart also gave the Town Council on the Washington Street paving and crosswalk project. Ms. Lockhart stated staff met with the paving company and VDOT to address and resolve the issues found.

6. Town Engineer Report

There were no questions on the Engineer's Report.

7. Town Attorney Report

Town Attorney Crim did not have anything to add other than a request for a closed session to discuss the right of first offer from Haymarket Properties Group.

XIII. Closed Session

1. Motion to go into Closed Session

Councilman Weir moved that the Town Council go into closed session to discuss the following; as permitted by Virginia Code § 2.2-3711(A)(3) a matter involving the acquisition of real property for public purposes; specifically involving property within the Town of Haymarket limits as discussion in open session would adversely affect the Town's bargaining position namely 14600 Washington Street. Councilman Shannon seconded the motion. The motion carried.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Bob Weir, Councilman
SECONDER:	Steve Shannon, 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. The motion was seconded by Councilman Pasanello. The motion carried by a roll call vote.

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

3. Motion

Councilman Weir moved that the Council rejects Haymarket Properties Groups offer to sell the property at \$7.5 million and the Council directs the Town Attorney to send a letter as discussed. Councilman Pasanello seconded the motion. The motion carried by a roll call vote.

RESULT:	ADOPTED [5 TO 0]
MOVER:	Bob Weir, Councilman
SECONDER:	Joe Pasanello, Councilman
AYES:	Morris, Pasanello, Shannon, Weir, Pater
ABSTAIN:	Marchant Schneider

XIV. Councilmember Time

1. Marchant Schneider

Councilman Schneider shared that he, Vice Mayor Pater and staff walked the Haymarket Hotel property with the developer. He also shared that he received a call from the developer of Crossroads Village and shared their intent to move forward with Lidl project. Lastly he disclosed that he met with Mr. Leake and Mr. Lowery to discuss the General Development Plan for the property at 14600 Washington Street.

2. Joe Pasanello

Councilman Pasanello congratulated Melvin Mason on his appointment to the Planning Commission. Mr. Pasanello also suggested that the Council have a discussion on the Legislative Agenda and suggested that Delegate Roem be invited to the January meeting to discuss any updates.

3. TracyLynn Pater

Vice Mayor Pater shared that she was looking forward to the next Business Roundtable in November.

4. Steve Shannon

Councilman Shannon did not have anything to add at this evenings meeting.

5. Chris Morris

Councilman Morris stated that this Council is trying to fix things not only fiscally, financially but procedurally. Mr. Morris asked for the citizens to put feelings aside and look at those things to better the Town.

6. Bob Weir

Councilman Weir did not have anything to add at this evening's meeting.

7. Ken Luersen

Mayor Luersen invited the public to join him for his monthly walk. He also apologized for his sternness to the citizen who disrupted the meeting earlier. He stated that there is a time for citizens to voice their comments during citizens time but disruptions would not be tolerated from this administration.

XV. Adjournment

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

1. Motion to Adjourn

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

Submitted:

Approved:



Kim Henry, Clerk of the Council



Ken Luersen, Mayor

Joseph NamGoong
6744 Bleight Drive
Haymarket, VA 20169

November 1, 2020

Subject: Proffer Amendment, QBE Business Park Property

* PLEASE READ MY COMMENTS AT THE MEETING AND SUBMIT IT FOR THE RECORD.

Mayor, Town Council and Town Planning Committee:

My name is Joe NamGoong, my family and I live on Bleight Drive. Unfortunately, due to work, I cannot make this meeting in person. However, I am writing to you again because this is VERY IMPORTANT to us and to my neighbors.

My family and I are 100% against the Proffer Amendment. We are asking you to vote "NO" on this issue.

In my opinion, the land was sold to the QBE owner at a reduced price so the residents would be able to use this land and ball fields. By changing the Proffer Amendment, QBE would be voiding their portion of the deal. When QBE purchased this land, they agreed to the terms of the contract. They should keep their word and HONOR this contract.

Thank you for your time,

Joe, Jeeun, and James NamGoong

Kimberly Henry

From: [REDACTED]
Sent: Monday, November 2, 2020 10:30 AM
To: Ken Luersen; Joe Pasanello; Marchant Schneider; Steve Shannon; Tracy Lynn; Robert Weir; Chris Morris; Kimberly Henry; Emily Lockhart; Chris Coon
Subject: Reject the QBE Proffer Amendment revision

We request that this email be read out loud into the official minutes of tonight's town council meeting.

November 2, 2020

Dear Mayor Luerson and Members of the Town Council:

This past weekend we saw parents, grandparents, and friends on the fields at QBE enjoying watching their children playing T-ball against another local group of children. We have often seen these QBE fields used and enjoyed by local citizens and we believe the fields should continue to be used and enjoyed. This will not be the case if the current Proffer Amendment application is allowed by the Town Council.

The Prince William County board saw the need for more green space in the area and made the initial agreement with the QBE owners. The QBE owners agreed to this condition. For these reasons, this Proffer Amendment, already denied by the Planning Commission, must now be totally rejected by the Town Council.

Maureen and James Carroll
6862 Track Court
Haymarket, VA

Hello,

My name is Nick Pulire, 6740 Bleight Drive, and I am writing in comment to the proffer amendment for the QBE property. I wrote previously on this matter in Sept 2020 for the Planning Commission meeting. I am requesting that the town council votes "no" to the proffer amendment.

When the town originally made the deal with the owner for QBE it was one that was mutually beneficial. The town could keep the green space, the old school could be developed, and the owner was able to get the property at a reduced rate as well as change the town property line while also re-zoning to a Business 1 (B1) district.

The original plan as presented to the town by QBE was to build vertically and improve the old school that was falling apart. The town entered into the agreement with those development plans in mind and supported the development as well as the reduced sales price. QBE has now changed their development plan significantly and instead of preserving the green space, which was a major point for the town's support in the original agreement, seeks to build on the land and void QBE's portion of the agreement.

The revised development plan is grand and will significantly change the last of the open spaces in Haymarket forever. I request that the town deny the proffer amendment so the lease can run per the original agreement. I would also like the town to negotiate with the owner at the end of the original term to the proffer amendment in 3 years and keep the green space development free. From our window we can see how great it is to have the green space and ballfields available to our residents. Families and kids playing and enjoying each other's company and it provides that connection to each other that gives us that "small town feel". I believe the town should maintain the balance of green space to development and avoid over develop as other towns have near us eliminating their opportunities for community connectedness. We have a choice now to avoid these other towns' mistakes.

Thank you for your time,

Nick Pulire

A thick black horizontal bar used to redact the signature of Nick Pulire.

Kimberly Henry

From: Emily Lockhart
Sent: Monday, November 2, 2020 9:27 AM
To: Kimberly Henry
Subject: Fwd: QBE Proffer Amendment

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~~From: Cathy Pasanello <jcpasa@comcast.net>~~
Sent: Sunday, November 1, 2020 8:18:46 AM
To: Emily Lockhart <elockhart@townofhaymarket.org>
Subject: QBE Proffer Amendment

Emily,
Thanks in advance for reading this into the record.

Please DENY the proffer amendment statement for the property at [14600 Washington Street](#). My grandson played and now my granddaughter is playing softball on those fields. We need those green spaces so our future athletes have places to play!

Respectfully as a town paying taxpayer,
Cathy Pasanello
6895 Track Ct.
Haymarket, Virginia

Sent from my iPad

Kimberly Henry

From: [REDACTED]
Sent: Monday, November 2, 2020 2:35 PM
To: Kimberly Henry; Chris Coon
Subject: Email submission to be read for Special Use Proffer 11/2/20 council mtg tonight

(Please enter the below for record and read for tonight's town council meeting, thank you.)

Hello to the Town Council, Town Employees, and the Mayor, thank you for hearing from residents on this special proffer issue sought for the QBE property.

I am vehemently opposed to the special use proffer sought for the QBE property. The applicant was given a sweetheart deal on the property (purchasing the property for the cost of just 2 of the new homes on Bleight Drive) and in turn, the applicant had very specific parameters to follow to get such a shockingly low sales price on that property. Part of that agreement hinged on him keeping the ball fields for public use.

The applicant is now essentially asking the town to allow him to breach his contract under the guise of a special use proffer, and I hope that the town council votes No here, ensuring that the applicant's contract is fulfilled in it's entirety, as it was intended, as it was designed, and as it was agreed upon when it was entered into.

I wonder though, was the applicant planning to do this all along to take advantage of the extremely low price paid for the property and turn it into something else he didn't reveal when he purchased? All real estate deals are supposed to be done in good faith, this deal at this price was made in good faith with the intention of the applicant fulfilling the deal that he accepted in full.

The applicant shouldn't be attempting to skirt his responsibilities years early to demolish and turn the last remaining ball fields and green space here into condos, a strip mall, and a potential drive thru by seeking a special use proffer amendment to effectively terminate his agreement early.

But whatever the reason this is being sought so quickly by the applicant, the answer should be a No either way. The applicant should be held accountable to the deal that he agreed to when he purchased the property, just as everyone else is expected to.

Thank you- Jillian Pulre
Bleight Drive, Haymarket

Regular meeting - Citizen's Time

Kimberly Henry

From: [REDACTED]
Sent: Monday, November 2, 2020 10:54 AM
To: Kimberly Henry
Subject: Question of prayer versus a moment of silence

PLEASE read the following email out loud at Citizens' Time

At the work session held last week, all of you expressed your opinions regarding an opening prayer to begin your meetings. We felt a most lukewarm endorsement for this from many of you for two reasons: first, this is not the time or place for prayer as we as a nation have a strongly expressed belief in separation of religion from politics; and second, many of you are reluctant to express a seemingly hostile attitude toward prayer in a public forum because both you and your constituents have strongly held religious convictions.

Might we suggest an alternative solution to this difficulty by employing the use of a moment of silence. A moment of silence is presently being used by the Planning Commission. This moment of silence allows for everyone to gather his/her thoughts in the presence of each person's concept of god without overly extending the already lengthy meetings, or, more importantly, needing to seek out a monthly prayer leader and keeping a record of which religious traditions are being overly used, or worse, not acknowledged enough.

Thank you.

Maureen and Jim Carroll
6862 Track Court
Haymarket, VA 20169

Kimberly Henry

From: Carnahan, Charles <Charles.Carnahan@am.jll.com>
Sent: Tuesday, April 14, 2020 1:52 PM
To: Kimberly Henry
Subject: Haymarket Town Council Special Meeting 4/14/20 Citizen Time Comment

Mayor and Council,

I hereby grant you permission to enter my comments into the record and read them aloud at the Town Council Special Meeting April 14, 2020. Permission is granted only on the condition that they are read in their entirety and not summarized or paraphrased when read in public or recorded in the minutes.

While I feel the proposed stimulus for town businesses is a noble gesture... I believe it is mis-directed if we are only focusing on the meals tax and restaurants.

I feel any relief effort should be applied equitably to all businesses, not just the restaurants. Take for instance the barbershop and salons in town... they have suffered far more loss than the restaurants. Or what about Dr Gore or Dr Kayes who have been forced to close their offices? what about the retail shops? How do we give those Businesses some relief?

Yes, I realize the meals tax has the greater affect on the towns revenues and therefore merits increased attention.. but only focusing on the meals tax does not benefit all the town's businesses.. I would argue that as the Town Attorney explained at your last meeting the restaurants are only acting as the collection agency for what is the Town's tax. The Meals tax does not affect the businesses' profitability in an economic downturn. So applying relief in the form of meals tax relief or remittance extensions does not benefit the business owner. But merely decreases or delays the Town's revenue stream, albeit reduced. You are merely making a loan of Town owned assets (the revenue from the tax) to the restaurants. That's not really relief.

What form any relief should take is still up for discussion. I would suggest widening the conversations the town manager has had with the restaurants to the larger group of businesses in town. Ask them what form of relief would most benefit them.

I think the increased focus using the Town's resources to promote Town businesses (ie webpage and Facebook) is a great thing. But this effort needs to also be used to promote the other businesses as well in any we we can with current restrictions and on a more concentrated effort in weeks and months, or even years to come. This work is applauded from my seat in the audience.

Chuck Carnahan
6654 Hunting Path Road
Haymarket, VA 20169

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Kimberly Henry

From: Carnahan, Charles <Charles.Carnahan@am.jll.com> 6654 Hunting Path
Sent: Tuesday, April 14, 2020 1:49 PM
To: Kimberly Henry
Subject: Haymarket Budget Public Hearing 4/14/20 Citizen Comments.

Mayor and Council,

I hereby grant you permission to enter my comments into the record and read them aloud at the public hearing April 14, 2020. Permission is granted only on the condition that they are read in their entirety and not summarized or paraphrased when read in public or recorded in the minutes.

I am relieved to see you have maintained relevance as a public body and remain committed to open meetings by continuing to allow public comment in person, in writing or by video means during these challenging times.

With regard to the budget and the proposed tax rate... I'll repeat what I have often asked of this body for many years... Are we living within our means?

While the Mayor may dismiss old and new poor economic outlooks as "Doom and Gloom" predictions and we are to blindly admire the Emperors new clothes. I believe this is a disastrous attitude when you are charged with a fiduciary responsibility to the citizens of this town.

I firmly believe there is some merit to those forecasts. I believe in turn there must be some prudence and realization that current economic factors will seriously affect the Towns operating revenues. And therefore affect the Town's budgeted operations in the coming fiscal year.

If there ever was a time to present a conservative budget this is it. Why risk setting this town up for failure based on the unknown, or at the very least uncertain, revenue projections? What's the worse that could happen if you proposed a very conservative budget and you were wrong? Heaven forbid we might end the year in the black or maybe even with a surplus next year?

With regard to the proposed tax rate... While it now looks like a convenient excuse to blame increased tax bills on our recently increased property assessments, why add insult to injury by increasing the tax rate simultaneously? At the very least it gives the outward appearance of greed. And at its worse sets the Town up for failure. Has anyone given a thought to what happens next year when, as history has proven, our assessments go down? My home lost 2/3's or its value in 2008-2009 and has still not recovered to its former assessed value. You are leaving some future Council faced with making even deeper cuts to the budget due to reduced revenues. Presenting a fully funded budget on unknown revenue projections is just kicking the inevitable problem down the road.

I think we also have to accept the possibility that all that new development may not happen as quickly as you anticipate. Those investors have been and continue to be affected by the current economic conditions as well. What affect does that have on the towns projected revenues if that hotel doesn't get built for a couple more years? What if those commercial properties at the fairgrounds and Van Metre don't get built? What if more businesses don't survive this current economic climate? Have we planned for those possibilities? Are we counting our chickens before they hatch?

So to summarize and ask that all important question again....Are we living within our means?

Regards,

Chuck Carnahan
6654 Hunting Path Road
Haymarket, VA 20169

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