

1 **Minutes of the New Market**
2 **Town Council Meeting**
3 **Monday, August 15, 2016**
4 **7:30 pm**
5

6 The New Market Town Council met in the Council Chambers of the Arthur L.
7 Hildreth, Jr. Municipal Building on Monday, August 15, 2016 with the following
8 members present: Mayor Douglas Bradley, Peter Hughes, Scott Wymer, Gary Comer,
9 Tim Palmer and Peggy Harkness. Vice-Mayor John Blosser was absent.

10
11 Town Attorney – Jason Ham
12 Town Manager – Mike Ritchie
13 Administrative Assistant – Donna Lohr
14

15 Mayor Bradley called the meeting to order and established a quorum. The Pledge
16 of Allegiance was recited in unison.

17 Mayor Bradley welcomed all visitors and guests.
18

19 **Approval of the Agenda:**

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21 **Mr. Comer made a motion to approve the agenda as presented. Mr. Palmer**
22 **seconded the motion which carried on a 5-0 unanimous voice vote.**
23

24 **Consent Agenda:**

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26 **Mr. Comer moved to approve the consent agenda which included the**
27 **minutes from the July 18, 2016 Meeting of the Town Council and the Financial**
28 **Statements for July 2016. Mr. Palmer seconded the motion which carried on a 5-0**
29 **unanimous voice vote.**
30

31 **Public Hearing:**

32
33 No public hearings scheduled.
34

35 **Citizen Comments and Petitions:**

36
37 Ms. Mary Nelson, representing residents of the Pleasant View Subdivision, made
38 the following comments:

39 “A number of the neighbors from the Pleasant View Subdivision want to see
40 something done with the property located at 9969 S. Congress Street. They would like to
41 see it demolished, the debris and vermin removed, the property landscaped because it is a
42 nuisance, dangerous, and is a health, safety and environmental hazard in a respectable
43 neighborhood. The County Building Official, Michael Dellinger, has deemed the
44 property uninhabitable and unfit for human habitation. It cannot be rehabilitated because
45 it is a hoarder’s dwelling and he recommends demolishing the building but cannot take it
46 further due to no ordinances to do so. He stated that he advised the Town of New Market
47 of the Virginia State Code to remedy the problem. We have seen articles in the Daily
48 News Record about Dayton acquiring a nuisance ordinance and about the State Codes to
49 handle this problem. We want to know why the Town of New Market has not enacted

50 codes to handle the problem property. Many of the neighbors have complained to the
51 Town and the Town replies they cannot do anything. Virginia State Codes allow
52 localities to abate, raze, or remove a public nuisance that includes unsafe buildings that
53 constitute a menace to the health and safety of the public. Due to water in the home,
54 most certainly mold is growing and being released into the air and mosquitos are
55 breeding and they can carry disease. Being a hoarder's home, most certainly there are
56 vermin that can roam the neighborhood and carry disease. It's also a fire hazard and a
57 blight upon our town as it sits right on a main road. I have a petition with 21 signatures
58 of residents of Massanutten Avenue and South Congress Street that want the property
59 demolished and made presentable due to health and environmental factors. What would
60 you do if that property was next door to you? We are pleading for your assistance to
61 remedy this problem as soon as possible to protect our health and environment."

62 Mr. Ritchie advised that Town staff has been working with the property owners
63 and representatives over the past few months. Mr. Ritchie provided two photos, one
64 showing the property in May, and one photo showing the property with some progress
65 that has been made in cleaning up the vehicle. Three inoperable vehicles have been
66 relocated, the grass is being regularly mowed, the property has been spruced up, ruts in
67 the front yard have been filled in, and loose trash in the front yard was cleaned up by
68 volunteers. Mr. Ritchie advised that the Town's attorney is present this evening and may
69 wish to comment.

70 Mr. Ham, Town Attorney, stated that there are private property rights. Mr. Ham
71 remarked that he was unaware that the property had been rendered unsafe by the County
72 Building Official. Mr. Ham remarked that the County Building Official has the power to
73 condemn the building, but this is a County power, not a Town one. The Town has the
74 power to make it a public nuisance, but a property can be messy inside the house and not
75 be a public nuisance. Mr. Ham advised that he and Mr. Ritchie would look further into
76 the matter and if there is something they can do about the issue, then they will. However,
77 private property rights must be recognized. Mr. Ham stated that on the basis of the
78 pictures that he saw, he did not see that the Town had the power to declare it a nuisance
79 because when there is not trash and debris outside the structure, and what he saw was a
80 big mess inside, but it was behind the glass and inside a sealed building and based on that
81 he did not see that the Town had the power to do anything. Regarding the property being
82 declared an unsafe structure, Mr. Ham advised that he will contact Mr. Dellinger and see
83 what he tells him and if there is something to do about it then we will. The Town and
84 Council want the property to look good also, but there are limits to what can be done due
85 to private property rights.

86 Ms. Susan Showman, property owner within the Pleasant View Subdivision
87 advised that the aesthetic value is one facet of the problem but the health issue and the
88 environmental issue is what she is most concerned about. With the debris and the vermin
89 and the state on the inside of the house that Mr. Dellinger mentioned to the property
90 owners and that council has seen pictures of is a health hazard and that is what she is
91 concerned about.

92 Mayor Bradley thanked citizens for their comments.

93

94 **Committee Reports:**

95

96 **Finance & Personnel:** Mrs. Harkness stated that the Finance and Personnel
97 Committee met on Tuesday, August 9, 2016. A quorum was established with all
98 members present. The first item on the agenda was the discussion and consideration of

99 an appointment to the Planning Commission. Mr. Palmer made a motion to recommend
100 to full council the appointment of Mr. Danny Rice to the Planning Commission to fill the
101 vacated seat of Mr. Ron Gore for the duration of Mr. Gore's term which is set to expire at
102 the end of December 2018. Mr. Hughes seconded the motion which passed on a 3-0 vote
103 of the committee. With no other business to discuss, the meeting was adjourned.

104
105 **Public Works:** Mr. Blosser was not present to report on the Public Works
106 Committee Meeting.

107
108 **Public Safety:** Mr. Comer stated that the Public Safety Committee met on
109 Monday, August 1, 2016 with all members present. The first item on the agenda was the
110 discussion and consideration of appointing a Fire and Rescue Chief. Chief Yew
111 introduced Deputy Fire Chief Tim Williams who will be taking over as interim Fire Chief
112 for Shenandoah County. Mr. Blosser made a motion to recommend to full Council the
113 appointment of Mr. Tim Williams as Interim Chief of New Market's Fire and Rescue
114 Department. Mrs. Harkness seconded the motion which passed on a unanimous voice
115 vote of the committee. The next item on the agenda was the Police Department monthly
116 report given by Chief Rinker. With no other business to discuss the meeting was
117 adjourned.

118
119 **Economic Development:** Mr. Hughes stated that the Economic Development
120 Committee met on Tuesday, August 9, 2016 with all members present. The first item on
121 the agenda was the discussion and consideration of the 2016 Town of New Market
122 sponsored Façade Enhancement Grant applications. Three applications were received.
123 Mr. Palmer made a motion to allocate façade enhancement grant funds in the following
124 manner: \$486 to Still River Days Antiques, located at 9438 S. Congress Street for the
125 replacement of the awning, \$2,257 to Ms. Annie Sherman for replacement windows at
126 her location at 9535 S. Congress Street, and \$2,257 to Ms. Joy Green for exterior siding
127 for her location at 9294 N. Congress Street. Mr. Wymer seconded the motion which
128 passed on a unanimous voice vote of the committee. With no further business to discuss
129 the meeting was adjourned.

130
131 **Tourism and Historic Preservation:** Mr. Palmer stated that the Tourism and
132 Historic Preservation Committee was unable to meet on Monday, August 1, 2016 due to
133 the lack of a quorum.

134
135
136 **Action Items:**

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138 The first action item on the agenda was the discussion and consideration an
139 appointment to the Planning Commission. Mr. Ritchie advised that there is a vacancy on
140 the planning Commission due to the resignation of Mr. Ron Gore. The Finance and
141 Personnel Committee recommended the appointment of Mr. Danny Rice to the Planning
142 Commission for the remainder of Mr. Gore's term which expires at the end of December
143 2018. **Mr. Palmer made a motion to recommend the appointment of Mr. Danny
144 Rice to the Planning Commission, effective immediately and for the duration of Mr.
145 Ron Gore's unexpired term which ends December 2018. Mr. Hughes seconded the
146 motion which passed on a unanimous roll call vote of 5-0 as follows:**
147

148	Mr. Hughes	Aye	Mr. Palmer	Aye
149	Mr. Wymer	Aye	Mrs. Harkness	Aye
150	Mr. Comer	Aye		

151
 152 The next item on the agenda was the discussion and consideration of appointing a
 153 Fire and Rescue Chief. Mr. Ritchie remarked that Chief Yew has announced his
 154 retirement and in his place the County has appointed Mr. Tim Williams to serve as
 155 Interim Chief. The Public Safety Committee has recommended that Council appoint Mr.
 156 Tim Williams as interim Fire and Rescue Chief. **Mr. Comer made a motion to appoint**
 157 **Mr. Tim Williams as the Interim Fire and EMS Chief for the Town of New Market.**
 158 **Mrs. Harkness seconded. The motion passed on a unanimous roll call vote of 5-0 as**
 159 **follows:**

160				
161	Mrs. Harkness	Aye	Mr. Wymer	Aye
162	Mr. Palmer	Aye	Mr. Hughes	Aye
163	Mr. Comer	Aye		

164
 165 **Mayor's Comments:**

166
 167 Mayor Bradley recognized Mr. Gordy Farrey and Ms. Claudia Gray for their
 168 years of service to the New Market Community Center. They completed 25 years
 169 volunteering for the Center. Mayor Bradley mentioned many accomplishments that Mr.
 170 Farrey and Ms. Gray were instrumental in implementing during the past twenty five
 171 years. Mayor Bradley, Council Members, Town staff, and members of the audience
 172 applauded Mr. Farrey and Ms. Gray for their service to the community.

173 Mayor Bradley mentioned the VMI parade upcoming on September 4, 2016 as
 174 well as the Fun Fest at the Shenvalee on September 3, 2016.

175
 176 **Council Comments:**

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 178 Mr. Palmer advised that he had spoken with Ms. Joy Green and she thanked Town
 179 Council for the grant funds provided through the facade enhancement grant.

180 Mrs. Harkness commented that the Cross Roads Fest event held on August 12,
 181 2016 was a great concert.

182 Mr. Hughes mentioned that he had met with Mr. Conard and that Mr. Conard is
 183 interested in organizing a new theatre group in New Market. A meeting will be held
 184 regarding this on Thursday, August 18, 2016 at 7:00 p.m. at the Town Library. Mr.
 185 Hughes also reminded council to review the survey they had received. He asked them to
 186 focus on the following three questions:

- 187 - What is changed since this survey was done in 2002 in New Market?
- 188 - What questions from the 2002 survey are relevant now?
- 189 - What other information do we want to gather?
- 190 -

191 **Staff Comments:**

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 193 Mr. Ritchie mentioned that this Friday, August 19, 2016 is Family Movie Night in
 194 the New Market Town Park. This event is in cooperation with the Shenandoah County
 195 Chamber in partnership with Shentel. Mr. Ritchie also reminded everyone that
 196 September 2, 2016 is the final event of the Cross Roads Music Series events. The band

197 playing at this event is "Who Shot John", which was a very popular band at last year's
198 music series.

199 **Closed Meeting:**

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201 No Closed Meetings scheduled.

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203 **Adjournment:**

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205 At 7:56 p.m. Mr. Comer made a motion to adjourn the meeting. Mr. Wymer
206 seconded the motion which carried on a unanimous 5-0 voice vote.

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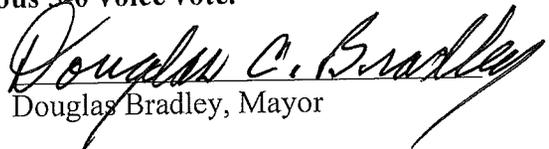
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Mike Ritchie, Town Clerk


Douglas Bradley, Mayor