

1 **Minutes of the New Market**  
2 **Town Council Meeting**  
3 **Monday, August 20, 2018**  
4 **6:30 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 20, 2018 with the following  
8 members present: Mayor Douglas Bradley, Peggy Harkness, Daryl Watkins, Peter  
9 Hughes, Scott Wymer, Tim Palmer, and Larry Bompiani.

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11 Town Attorney – Jason Ham  
12 Town Manager – J. Todd Walters  
13 Town Treasurer – Teresa Green  
14 Town Planner – Alex Berryman  
15 Events & Marketing Director – Amber Smoot  
16 Administrative Assistant – Donna Lohr  
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18 Mayor Bradley called the meeting to order and established a quorum with all  
19 members present. The Pledge of Allegiance was recited in unison. Mayor Bradley  
20 welcomed all visitors and guests.  
21

22 **Approval of the Agenda:**  
23

24 **Mr. Palmer made a motion to approve the agenda as presented. Mr. Hughes**  
25 **seconded the motion which passed on a unanimous 6-0 voice vote.**  
26

27 **Consent Agenda:**  
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29 **Mr. Hughes moved to approve the consent agenda which included the**  
30 **minutes from the July 16, 2018 meeting of the Town Council and the Financial**  
31 **Statements for July 2018. Mr. Palmer seconded the motion which carried on a**  
32 **unanimous 6-0 voice vote.**  
33

34 **Public Hearing:**  
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36 No public hearings scheduled.  
37

38 **Citizen Comments and Petitions:**  
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40 Mr. Keven Walker, Chief Executive Officer of the Shenandoah Valley  
41 Battlefields Foundation was listed on the agenda to speak, but he was unable to attend the  
42 meeting. There were no other citizen comments, nor petitions.  
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44 **Committee Reports:**  
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46 There were no Committee Reports.  
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48 **Staff Reports:**  
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**1. Public Works Monthly Report - Mr. Alex Berryman**

Mr. Berryman gave a brief power point presentation noting projects on which the public works department has been working. A copy of Mr. Berryman’s presentation is on file with the minutes.

**2. Public Safety Monthly Report – Chief Chris Rinker**

Chief Rinker gave a brief power point presentation which included statistics for the department for the month of July as well as events and trainings attended by New Market Officers. Chief Rinker fielded a few questions from council members regarding statistics for the month of July. A copy of the information presented by Chief Rinker is on file with the minutes.

**3. Events & Marketing Report – Mrs. Amber Smoot**

Mrs. Smoot gave a power point presentation which included a review of events held during the month of July. She also presented information on upcoming events. A copy of Mrs. Smoot’s report is on file with the minutes.

**Action Items:**

The first action item was the discussion and consideration of the Shenandoah County Law Enforcement Mutual Aid Agreement. Mr. Walters advised that Council had received a copy of the Agreement in their packet. The agreement has not really changed from the one that the Town currently has. Mr. Ham advised that there were only two changes to the document. One change was to list all the towns and the other was to remove reference to the regional jail, which no longer exists. Otherwise this document is the same as the one that was signed in 2014. **Mr. Hughes made a motion to approve the Shenandoah County Law Enforcement Mutual Aid Agreement. Mr. Wymer seconded the motion which passed on the following roll call vote:**

<b>Mr. Hughes</b>	<b>Aye</b>	<b>Mr. Watkins</b>	<b>Aye</b>
<b>Mr. Wymer</b>	<b>Aye</b>	<b>Mr. Bompiani</b>	<b>Aye</b>
<b>Mr. Palmer</b>	<b>Aye</b>	<b>Mrs. Harkness</b>	<b>Aye</b>

The next action item was the discussion and consideration of Ordinance #103: An Ordinance Amending Chapter 70 of the Code of New Market. Mr. Walters advised that this is regarding the public hearing that was just held this evening. **Mr. Palmer made a motion to approve Ordinance #103: An Ordinance Amending Chapter 70 of the Code of New Market. Mrs. Harkness seconded the motion which passed on the following roll call vote:**

<b>Mrs. Harkness</b>	<b>Aye</b>	<b>Mr. Palmer</b>	<b>Aye</b>
<b>Mr. Bompiani</b>	<b>Aye</b>	<b>Mr. Wymer</b>	<b>Aye</b>
<b>Mr. Watkins</b>	<b>Aye</b>	<b>Mr. Hughes</b>	<b>Aye</b>

The third action item was the discussion and consideration of Façade Enhancement Grant Recipients. Mr. Walters advised that at the August Work Session, Council members had discussed the applications that had been received for the Façade Enhancement Grant. Council members had also discussed raising the amount from \$5,000 to \$10,000. Mr. Walters stated that the amount could be raised to \$10,000 by utilizing the Town-wide Enhancement and Contingency Line Items. Mr. Berryman has

99 basically laid out what each recipient would get that would make up the \$10,000. **Mr.**  
100 **Hughes made a motion to approve the Façade Enhancement Grant recipients**  
101 **utilizing the dissemination of funds as laid out in the council packet. Mr. Palmer**  
102 **seconded the motion.** Mr. Palmer mentioned that this is something that Council had  
103 been talking about for a while and he is glad that Council is moving forward with this.  
104 Mr. Bompiani mentioned that he appreciated that staff had found the additional \$5,000 in  
105 funds for the Façade Enhancement grant. He said that you can see the changes making a  
106 difference on Congress Street. **The motion passed on the following roll call vote:**

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108	<b>Mr. Hughes</b>	<b>Aye</b>	<b>Mr. Watkins</b>	<b>Aye</b>
109	<b>Mr. Wymer</b>	<b>Aye</b>	<b>Mr. Bompiani</b>	<b>Aye</b>
110	<b>Mr. Palmer</b>	<b>Aye</b>	<b>Mrs. Harkness</b>	<b>Aye</b>

111  
112 The last action item was the discussion and consideration of a letter of support for  
113 the Shenandoah Valley Battlefields Foundation. Mr. Walters stated that staff received an  
114 email from the Shenandoah Valley Battlefields Foundation requesting a letter from  
115 Council stating their support of Shenandoah Valley Battlefields Foundation purchasing  
116 the Lutheran Church Parsonage property. Mr. Walters remarked that it was not  
117 something that he wanted to just sign without bringing it to Council for their review. If  
118 Council sends a letter of support, it would basically be saying that the Town is in  
119 agreement with the Battlefields Foundation applying to put that property into a  
120 Preservation Easement for perpetuity. Mr. Berryman remarked that the purpose of the  
121 Battlefield Foundation's letter is that they are seeking a letter of support before they  
122 apply to the Virginia Battlefield Preservation Fund which is a state fund that supports the  
123 purchase of battlefield sights. A condition of any the award is that the purchaser then  
124 seeks a conservation easement in order to receive funds from a grant such as the one from  
125 the Virginia Department of Historical Resources. The letter of support from the Town  
126 would then be part of the review process by the State Department of Historical  
127 Resources. They would then decide if the agreement of such an easement complies with  
128 the Town's Comprehensive Plan. Mr. Walters advised that the Virginia Department of  
129 Historical Resources will contact the Town. Mr. Walters remarked that he had asked Mr.  
130 Walker to be present at the meeting to answer any questions Council might have  
131 regarding the purchase of this property and the requested letter of support. Mr. Berryman  
132 advised that the Shenandoah Valley Battlefields Foundation has applied to the Town for a  
133 Conditional Use Permit. Their application proposed a third of the square footage of the  
134 house would be open to the public for museum exhibits as well as space for their  
135 collections and materials. The remainder of the structure would only be available to the  
136 Battlefield Foundation's staff. They are also proposing a small gift shop in that structure.  
137 Mr. Palmer mentioned that he has spent a lot of time researching this issue. He does not  
138 understand why they need a conservation easement in perpetuity if they are going to own  
139 the property. If they own the property, there is no reason to restrict the use or how it's  
140 developed. If they are not going to own the property and somewhere down the line the  
141 museum doesn't work out and they decide to sell the property or do something else, then  
142 the state would have the control on how that property can be used. The request is that  
143 Council endorse the action for that property to become a preservation easement. Mr.  
144 Palmer does not believe we should endorse such an easement within the Town of New  
145 Market. The Town has a lot of open space and as time goes on the Town needs to have  
146 the ability and opportunity to define those open spaces. This should not be done at the  
147 state level, but rather by town government. Mr. Palmer does not believe that the

148 easement is needed for the Greenway Trail that was previously proposed by the  
149 Shenandoah Valley Battlefields Foundation. Mr. Palmer stressed that if every piece of  
150 property that becomes available for purchase is purchased by the Battlefields Foundation  
151 and a preservation easement is established on that property, then these are properties that  
152 the Town would be losing periodically over time for business and development purposes.

153 Mrs. Harkness mentioned that a conservation easement on a property within the  
154 Town hurts the Town. In future years, there will just be a property in the middle of Town  
155 on which nothing can be done. If the Battlefields Foundation purchases a property, then  
156 they can do what they want with that property. They do not need a conservation  
157 easement to preserve the land if that's what they want to do with it. Mrs. Harkness stated  
158 that she is not in favor of this. She remarked that she would like to help them but she  
159 believes that this is not right for the future of New Market and so does not offer her  
160 support.

161 Mr. Palmer mentioned that the Greenway Trail that was proposed by Shenandoah  
162 Valley Battlefields Foundation is a great idea, but it hasn't been defined and they have  
163 not requested permission from the Battlefield. Mr. Palmer is in favor of a museum on the  
164 parsonage property, but he cannot endorse putting a conservation easement on the  
165 property.

166 Mr. Hughes asked if the conservation easement is tied to funding.

167 Mr. Walters advised that in order for them to receive grant funding from the entity  
168 that they are applying to, they have to put the property in a preservation easement.

169 A brief discussion ensued regarding the grant funding the Battlefields Foundation  
170 is applying for and the requirements they must meet in order to receive funding.

171 Mr. Bompiani asked if this sets a precedent for the other houses that the  
172 Battlefields Foundation is considering utilizing grant funding to obtain. He asked if they  
173 will need to put preservation easements on those properties as well.

174 Mr. Walters advised that he was not certain, but it is likely that they would pursue  
175 the same type of grant funding.

176 Mr. Berryman suggested that a compromise might be for the Battlefields  
177 Foundation to subdivide the parsonage property, which would allow for a conservation  
178 easement to be on the parcel where the museum is, but there would still be close to an  
179 acre of green developable space. This would narrow the confines of the portion that is  
180 preserved.

181 Mr. Daugharty mentioned that he sees this as something positive for the Town of  
182 New Market. The Battlefields Foundation is moving forward to do something good for  
183 our community. This would potentially bring some additional traffic to our community  
184 and would be doing something favorable for the Town.

185 Mr. Palmer stressed that he is in favor of a museum at that location, but he is not  
186 in favor of a conservation easement on that property.

187 **Mr. Hughes made a motion to table Action Item #4 which is the discussion**  
188 **and consideration of a letter of support for the Shenandoah Valley Battlefields**  
189 **Foundation. Mrs. Harkness seconded the motion.** Mr. Bompiani mentioned that this  
190 is an example of how proactive the Shenandoah Valley Battlefields Foundation is and the  
191 Town needs to make sure that it doesn't become stalemated by the Shenandoah Valley  
192 Battlefields Foundation's land purchases. He wants to encourage council to put a lot of  
193 thought into what their plans are for the Town and to move forward with them. **With no**  
194 **further discussion, the motion passed on the following roll call vote:**

195

196

Mrs. Harkness

Aye

Mr. Palmer

Aye

197                    **Mr. Bompiani**                    **Aye**                                            **Mr. Wymer**                    **Aye**  
198                    **Mr. Watkins**                    **Aye**                                            **Mr. Hughes**                    **Aye**  
199

200 **Mayor's Comments:**

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202 Mayor Bradley mentioned the following items:

- 203                    • Council had a retreat on July 28<sup>th</sup> at the Shenvalee. Thanks to Mr. Walters  
204                    for the effort and work he put into planning this retreat.
- 205                    • National Night Out was a huge success. The Police Department did an  
206                    outstanding job on this event. There was a big crowd present.
- 207                    • Cross Roads Fest had a good turn out and a very good band.
- 208                    • The Yard Crawl was busy again this year.
- 209                    • The Town of New Market has a super crew that is doing a great job for the  
210                    Town.

211  
212 **Council Comments:**

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214                    Mr. Watkins mentioned that he really enjoyed the Council retreat. He stated that  
215                    as a new council member, it really gave him a good working knowledge of the Town.  
216

217 **Staff Comments:**

218                    Mr. Walters asked for clarification regarding the issue that was tabled by Council.  
219                    He asked what Council wanted him to do in regards to this issue.

220                    Council advised they would like Mr. Walker to be present at the next Council  
221                    meeting to answer questions. In addition, if Mr. Walters is planning to have Mr. Walker  
222                    in for a meeting, then maybe some of the questions can be cleared up before the next  
223                    Council meeting.

224                    Mr. Walters then made the following comments:

- 225                    • The final signature for the pocket park easement has been obtained.
- 226                    • New lighting has been put in at various locations in the Town Park. Mr.  
227                    Walters encouraged Council members to visit the park at night and see the  
228                    new lighting that has been installed in some of the shelters. There is better  
229                    visibility at night which will aid the police department in preserving safety  
230                    in the park.
- 231                    • National Night Out was very well attended. Mr. Walters appreciated the  
232                    Mayor's help in serving hot dogs.
- 233                    • New Market Pool will be closed on Monday, September 3<sup>rd</sup>, 2018 which is  
234                    Labor Day, due to pool managers having college classes and not being  
235                    able to work.
- 236                    • Staff has received several complaints in the past few weeks regarding  
237                    several blighted properties. The property on John Sevier Road will need  
238                    to be cleaned up by Town Staff or a contractor for the town. Out of  
239                    courtesy, staff is attempting to contact the property owner to let him know  
240                    that the Town will be cleaning up his property. Town staff will continue  
241                    to work on several other blighted properties on which complaints have  
242                    been received. Mr. Walters advised council that he is aware that one of  
243                    their priorities is to clean up blighted properties within the Town.

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245 **Closed Meeting:**

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247 No closed meetings.

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249 **Adjournment:**

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251 **At 7:43 p.m. Mr. Bompiani made a motion to adjourn the meeting. Mr.**

252 **Wymer seconded the motion which carried on a unanimous 6-0 voice vote.**


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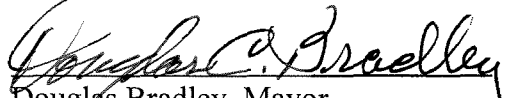
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J. Todd Walters, Town Clerk

  
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Douglas Bradley, Mayor