Minutes of the New Market
Town Council Meeting
Monday, September 16, 2019
6:30 pm

The New Market Town Council met in the Council Chambers of the Arthur L.
Hildreth, Jr. Municipal Building on Monday, September 16, 2019 with the following
members present: Mayor Douglas Bradley, Peter Hughes, Daryl Watkins, Scott Wymer,
Tim Palmer, and Larry Bompiani. Vice-Mayor Peggy Harkness was absent.

Town Attorney — Jason Ham
Town Manager — J. Todd Walters
Administrative Assistant — Donna Lohr

Mayor Bradley called the meeting to order and established a quorum with all
members present. The Pledge of Allegiance was recited in unison. Mayor Bradley
welcomed all visitors and guests.

Approval of the Agenda:

Mr. Hughes made a motion to approve the agenda as presented. Mr. Palmer
seconded the motion which passed on a unanimous 5-0 voice vote.

Consent Agenda:

Mr. Palmer moved to approve the consent agenda which included the
minutes from the August 19, 2019 meeting of the New Market Town Council as well
as the Financial Statements for August 2019. Mr. Wymer seconded the motion
which carried on a unanimous 5-0 voice vote.

Public Hearing:

No public hearings scheduled.

Citizen Comments and Petitions:

There were no citizen comments nor petitions.

Committee Reports:

There were no Committee Reports.

Staff Reports:

1. Planning & Public Works Department Monthly Report — Mr. J. Todd
   Walters

   Mr. Walters gave a brief power point presentation which included updates on
   planning and zoning items as well as a summary of projects that the public works
   department had worked on over the past month. A copy of Mr. Walter’s presentation is
   on file with the minutes.

Chief Rinker gave a brief power point presentation which included statistics for the department for the month of August. A copy of the information presented by Chief Rinker is on file with the minutes.

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

Mrs. Smoot gave a power point presentation which included a summary of events held during the past month. Events included the New Market Rotary Golf Tournament, Cross Roads Fest, and the Pup Pool Party. Mrs. Smoot also mentioned some upcoming events and other projects on which she is currently working. A copy of Mrs. Smoot’s monthly report is on file with the minutes.

Action Items:

The first item on the agenda was the discussion and consideration of Resolution #233 – A Resolution for an application for an allocation of funds through the Virginia Department of Transportation Fiscal year 2021-2022 Revenue Sharing Program. Mr. Walters explained that as part of the application process for the funding for the Rt. 211 Sidewalk project, a Resolution passed by Council is required. This Resolution confirms for VDOT that if the Town receives $175,000 in this grant, then the Town is committed to spending $175,000 of Town funds on the project. Mr. Walters cautioned Council members that the $350,000 for the project is based on the engineer’s estimate. If the actual construction costs end up being more than $350,000, VDOT will not give more than the $175,000 that is committed in the grant. Mr. Walters advised that he believes the Town has a very strong application for the grant for this project.

Mr. Hughes made a motion to adopt Resolution #233 – A Resolution for an application for an allocation of funds through the Virginia Department of Transportation Fiscal year 2021-2022 Revenue Sharing Program. Mr. Watkins seconded the motion which passed on the following 5-0 unanimous roll call vote:

Mr. Hughes Aye Mr. Watkins Aye
Mr. Wymer Aye Dr. Bompiani Aye
Mr. Palmer Aye

The next item on the agenda was the discussion and consideration of the purchase of property on John Sevier Road in New Market, Virginia. Mr. Walters explained that this item had been previously discussed in Closed Session. The property is located at 9498 John Sevier Road. There have been issues trying to get the property cleaned up and in compliance with the Town’s nuisance ordinance. Several months ago the Town sent the property owner a nuisance violation letter. The property owner came in and talked to Mr. Walters and Chief Rinker and asked if the Town would be interested in purchasing the property. He had asked for a price of $33,500 which is what the tax assessment is. After walking through the property, the Town Manager made a verbal offer to the owner of $29,000. The owner agreed to that price. At that time, Mr. Walters asked Mr. Ham, Town Attorney to look into the deed to make sure the Town would not run into any issues. There was an issue, but that has since been resolved. If Council is in agreement to purchase the property, the motion that should be made is to purchase the property located at 9498 John Sevier Road at a price of $29,000 contingent on a good title as
determined by the Town Attorney. Mr. Walters advised that the Town will not make
money on this purchase. This is an opportunity for the Town to get rid of a property in
Town that has been in violation of the nuisance ordinance for some time.

Mr. Palmer made a motion to purchase the property located at 9498 John
Sevier Road at the price of $29,000 contingent on a good title as determined by the
Town Attorney. Dr. Bompiani seconded the motion. Under discussion, Mr. Hughes
asked if the purchase of property by the Town is only going to happen under unusual
circumstances and verified that this will not be a usual occurrence by the Town. Mr.
Walters advised that he does not plan to actively seek out parcels to purchase in the
future. He also advised that there is the possibility that if this purchase goes well, then in
future fiscal years, a budget line item may be added for the possible purchase of other
properties. Mr. Hughes asked Mr. Walters to verify that the funds that will be utilized to
purchase this property are not coming out of currently budgeted funds for the year, but
out of surplus funds. Mr. Walters stated that is correct. Mr. Hughes clarified that it is the
Town’s intent to make an effort to break as even as possible on the purchase of this
property. Mr. Walters answered that is correct. Mr. Palmer remarked that this is a way
for the Town to clean up a property that has been an on-going problem. Dr. Bompiani
asked what the estimate for demolition is. Mr. Walters advised that the estimate he has is
between $5,000 and $7,000. He also advised that the contractor who gave the estimate
might consider purchasing the property. With no further discussion, the motion
carried on the following unanimous 5-0 roll call vote:

Dr. Bompiani Aye  Mr. Wymer Aye
Mr. Watkins Aye  Mr. Hughes Aye
Mr. Palmer Aye

The third action item was the discussion and consideration of Façade
Enhancement Grant Recipients. Mr. Walters advised that the Town had received two
applications for the Façade Enhancement Grant. One was from Jon Henry General Store
and the other was from The Home Store. The Town has budgeted $10,000 for the Façade
Enhancement Grant. The Home Store’s estimate for the work they plan to do is
$10,774.03. Jon Henry’s estimate is $20,000. Mr. Walters advised that the amount of
the grant went from $5,000 to $10,000 this year. He also advised that Council could
split the amount budgeted for the grant and give each applicant half, or they could adjust
the amounts. Council does not have to give all $10,000 away. Council members
discussed options on how to distribute the façade enhancement grant funds. Council
members wanted to know if they could give a portion of the funds to each applicant but
not distribute all $10,000 that was budgeted. Mr. Ham advised that Council could take a
short recess to allow him to review the rules for the façade enhancement grant so that he
could advise them on their options.

Council members took a short recess.
Council members reconvened after the recess.
Mr. Ham advised that the rules of the Façade Enhancement grant state that no less
than $250 and no greater than $10,000 can be awarded. Dr. Bompiani then made a
motion to award $3,500 to each of the two applicants towards construction on their
projects. The remaining $3,000 will not be awarded and will remain in the budget.
There was no second to the motion so the motion died.

Mr. Hughes then made a motion to award $5,000 to each applicant. Mr.
Palmer seconded the motion. Dr. Bompiani remarked that he believed the façade
enhancement grant was to encourage businesses to fix up their properties and that was the reason for increasing the funding for the façade enhancement grant. The extra funding was so that money could be given to more applicants. He stated that maybe just a portion should be given to the two applicants this year and the rest of the money could be carried over and added to funding for next fiscal year with the hopes that more businesses would apply for the grant. Mr. Hughes remarked that if we have money in the budget for the façade enhancement, then that money should be given to those who applied for the grant. With no further discussion, the motion carried on a unanimous 5-0 roll call vote:

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<tr>
<th>Name</th>
<th>Vote</th>
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<tbody>
<tr>
<td>Mr. Hughes</td>
<td>Aye</td>
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<tr>
<td>Mr. Wymer</td>
<td>Aye</td>
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<tr>
<td>Mr. Palmer</td>
<td>Aye</td>
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<tr>
<td>Mr. Watkins</td>
<td>Aye</td>
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<tr>
<td>Dr. Bompiani</td>
<td>Aye</td>
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</tbody>
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Mayor's Comments:
Mayor Bradley read aloud the following Proclamation on Constitution Week:

"WHEREAS: September 17, 2019, marks the two hundred and thirty-second anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS: It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary; and to the patriotic celebrations which will commemorate the occasion; and

WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I, Mayor Douglas Bradley, by virtue of the authority vested in me as Mayor of the Town of New Market do hereby proclaim the week of September 17 through 23 as CONSTITUTION WEEK."

Mayor Bradley commented on the following events that he had attended:

- A meeting at Howell Metal with Governor Northam. Howell Metal is making an eight million dollar investment that will create over a hundred jobs.
- Sonabank customer appreciation day.
- Cross Roads Fest Music Series. This was a great event. Thanks to Mrs. Smoot for her hard work on this event.
- A visit to Shenandoah Place on September 9, 2019 where he issued a Proclamation for Assisted Living Week.
- Chamber of Commerce meeting at Endless Caverns
- A meeting with Mr. Don Hindman and Todd Walters regarding Mr. Hindman's Rails to Trails Project
- Pup Pool Party at New Market Pool

Council Comments:
Mr. Hughes thanked Mrs. Smoot and Chief Rinker for the work they did at the Town Park for National Night Out. Mr. Hughes thanked Mrs. Smoot for the work she did this year on the Cross Roads Fest Events. Mr. Hughes reminded everyone of the Fall Fling at the Fire Department as well as Heritage Day on September 28, 2019. He also remarked that Mrs. Harkness was recovering well after her surgery and she sends her regards to all.

Mr. Palmer commented that the VMI Cadet parade is a great event in New Market.

Dr. Bompiani thanked Town employees for their work. He remarked that he is impressed by Town staff and the work they put in for the Town.

**Staff Comments:**

Mr. Walters made the following comments:

- He agreed with Dr. Bompiani that he has a great staff. He said that he learned early on to surround himself with good people.
- The change to trash collection day went well.
- Town Managers are still planning to do an RFP for trash collection services at the end of next year.
- VDOT will be milling and paving Rt. 211 West beginning on September 17, 2019 from Congress Street to the County Line. There will be a two inch lip at the entrances to businesses until the work is complete. This will be night time work.
- Conflict of Interest Training for Council Members will take place on October 1, 2019 at the County Building in Woodstock. All Council Members must take this training before the end of December as mandated by the General Assembly. If Council members are unable to attend the training in Woodstock, they may complete the training online.
- He advised that the Town did close on the Shipp Street property this past Friday. This will require the Town to have a budget amendment.
- He is still trying to determine a date for a Council retreat sometime in October.

Mr. Ham advised that since the budget amendment will be more than one percent of the budget, a notice of public hearing is required to be posted in the paper and a public hearing will have to be held.

**Closed Meeting:**

There were no Closed Meetings.

**Adjournment:**

At 7:42 p.m. Mr. Watkins made a motion to adjourn the meeting. Mr. Hughes seconded the motion which carried on a unanimous 5-0 voice vote.

Douglas Bradley, Mayor
J. Todd Walters, Town Clerk