

1 **Minutes of the New Market**
2 **Town Council Meeting**
3 **Monday, December 16, 2019**
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, December 16, 2019 with the following
8 members present: Mayor Douglas Bradley, Peter Hughes, Scott Wymer, Daryl Watkins,
9 Larry Bompiani and Peggy Harkness. Council Member Tim Palmer was absent.

10
11 Town Attorney – Jason Ham
12 Town Manager – J. Todd Walters
13 Administrative Assistant – Donna Lohr
14

15 Mayor Bradley called the meeting to order and established a quorum with five
16 members present. The Pledge of Allegiance was recited in unison. Mayor Bradley
17 welcomed all visitors and guests.
18

19 **Approval of the Agenda:**

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21 **Mrs. Harkness made a motion to approve the agenda with one change. She**
22 **moved to approve the agenda with the following amendment: Consideration of the**
23 **Second Amendment Resolution. Mr. Wymer seconded the motion which passed on**
24 **a unanimous 5-0 voice vote.**
25

26 **Consent Agenda:**

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28 **Mr. Wymer moved to approve the consent agenda which included the**
29 **minutes from the November 18, 2019 meeting of the New Market Town Council as**
30 **well as the Financial Statements for November 2019. Mr. Hughes seconded the**
31 **motion which carried on a unanimous 5-0 voice vote.**
32

33 **Public Hearing:**

34
35 There were no Public Hearings.
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37 **Citizen Comments and Petitions:**

38
39 The first citizen to speak was Mrs. Patricia Driver, President of the American
40 Legion Auxiliary. Mrs. Driver requested permission from Council to put banners up
41 displaying pictures of Veterans along the street poles. This would be no cost to the Town
42 and the Auxiliary would take care of obtaining the banners. They are requesting that the
43 Town put the banners up on Memorial Day and Veterans Day. They would like the
44 Town to let the Auxiliary know when they take them down and the Auxiliary will clean
45 them, dry them and return them to the Town for the next time they will be displayed. The
46 cost of the banners will come from the Veterans' families or the Veterans themselves. If
47 the Auxiliary has more requests for banners then they have banner poles, they would
48 have the banners printed on front and back sides. The Auxiliary will only charge the cost

49 of the banner to the family purchasing it. There would be no profit for the Auxiliary at
50 all.
51 Mrs. Harkness asked what happens if a Veteran's family wants a banner but does not
52 have the money to purchase it. Mrs. Driver advised they would take that on a case by
53 case basis.
54 Mrs. Harkness asked Mr. Walters how this would affect staff.
55 Mr. Walters advised that he had told Mrs. Driver that she could make her request to
56 Council at tonight's meeting and the item would be brought before Council for a vote at
57 the January meeting. This would allow Mr. Walters time to discuss this item with the
58 public works staff and determine the work involved with putting up and taking down the
59 banners. Mr. Walters asked if the Auxiliary was expecting the banners to just be put up
60 for the weekend or for the week.
61 Mrs. Driver advised that it would be up to the Town how long the banners should be left
62 up.
63 Mr. Walters asked if these banners would be replacing the four Hero banners or if they
64 would be in addition to those banners.
65 Mrs. Driver stated the Veterans banners would be put up in addition to the four Hero
66 banners.
67 Dr. Bompiani asked if the banners would be sold on a first come, first serve basis, or if
68 priority would be given to Veterans from the Town of New Market first.
69 Mrs. Driver stated that when the letters go out, they will send them to New Market
70 residents first. She added that Veterans and their families do not get to designate on
71 which pole a banner will go.
72 Mrs. Driver remarked that Edinburg charged \$100 per banner but the Auxiliary would
73 charge less if the cost of the banners ends up costing less per banner.
74 Mr. Walters advised Mrs. Driver that he would be in contact with her in the near future to
75 gather some additional information and discuss the banners with her.

76
77 The next citizen to speak was Mr. Dennis Barlow of Tee Court, who has been a
78 resident of New Market for the past seven years. He advised that he was at the meeting
79 with two friends this evening to discuss the second amendment movement that is
80 sweeping the state and how they feel it impacts the local community. Their purpose this
81 evening is to discuss how it will impact the Town and their feelings regarding it and to
82 tell Council members a little about the Resolution that was passed in Shenandoah County.
83 Mr. John Chroniger, 39 Greenview Lane, New Market was the next to speak. He
84 gave some background information on the Second Amendment. He stated that when
85 proposed, the second amendment was meant to be a way to deprive the federal
86 government of having too much power and in shifting that power towards the individual
87 state and its people to fight back against the tyrannical federal government. The battle
88 now being fought is to keep our state government aware that its citizens will not tolerate
89 overt laws that begin the race to limit their ability to keep and bear arms. This is
90 enshrined within our own state constitution. For the first time the Supreme Court ruled
91 that despite state laws, individuals who were not part of the state militia did have the right
92 to bear arms. As part of its ruling, the second amendment protects the individual right to
93 possess a firearm unconnected with service in a militia and to use that arm for a
94 traditionally lawful purpose such as self-defense within the home. Supreme courts have
95 ruled that the second amendment applies equally to the federal government and the states.
96 Mr. Chroniger cited several cases that support the premise that "all instruments that
97 constitute bearable arms are protected under the second amendment". The constitution of

98 the Commonwealth of Virginia defines and limits the power of the state government and
99 the basic rights of its citizens. The Virginia Constitution is supreme over Virginia laws
100 and acts of government however, it may be superseded by the U.S. Constitution and
101 federal law. Mr. Chroniger provided information on Virginia's constitution. He
102 commented that section 13 of article 1 governs arms. It states that the military is
103 subordinate to civil power, that a well-trained militia, composed of the body of the
104 people, trained to arms, is the proper, natural, and safe defense of a free state. Therefore
105 the right of the people to bear arms shall not be infringed. It goes on to state that standing
106 armies in time of peace should be avoided as dangerous to liberty and that in all cases the
107 military should be under strict subordination to and governed by the civil power. The
108 reasoning in the proposed amendment that Mr. Chroniger, Mr. Barlow, and Mr. Rogers
109 are providing to Council this evening, is that the people of this state feel that no laws
110 taking away their rights are valid unless they change Article 13. To make that change
111 there are specific steps that must be taken to revise the state constitution. Any change
112 must pass in both houses in two consecutive sessions of the legislature and then within 90
113 days be voted upon by the citizens. Until that step is taken and passed, we feel that this
114 warning and expression of our values to the General Assembly is warranted.

115 Mr. Chroniger also remarked that he hopes Council will support the American
116 Legion Ladies Auxiliary's request to put up Veterans banners.

117 Mr. Bill Rogers, Periwinkle Lane, New Market was the next citizen to speak. He
118 commented that the Christmas lighting on the streetlights downtown really make the
119 Town look bright and cheerful.

120 Mr. Rogers remarked that he was in support of the second amendment sanctuary
121 status for the County and to ask for Council's support. He is deeply concerned about the
122 potentially unconstitutional and irrational gun laws being introduced in Richmond. He
123 believes we need to join many thousands of other Virginians to oppose them. Mr. Rogers
124 discussed how these proposed laws might affect him personally as well as other citizens.
125 He stated, "Lots of trained citizens with their own weapons could undoubtedly save many
126 lives. We need the right to form citizen militia and to be able to protect our homes,
127 families and communities when the police are not available. I urge the Council to pass a
128 resolution in support of our rights and the second amendment. Thank you."

129 Mr. Dennis Barlow was the last citizen to speak regarding new laws that are being
130 introduced. Mr. Barlow stated that we should not wait until the bills are passed to find
131 out what is in them before trying to short circuit them. He believes that it is more
132 difficult to stop something after it is a law than before it becomes a law. His goal is a
133 non-partisan effort to address the issue before it becomes a republican/democrat issue.
134 He would like to drive the sides together with a bill that is a compromise and that makes
135 some sense. Mr. Barlow gave some examples of some of the proposed bills he is hearing
136 regarding gun laws. He also provided some details of his background, and military and
137 professional experience. He mentioned that there is an estimate that as many as a million
138 of our citizens across the state could be potential felons if the proposed laws are passed.
139 He also remarked that the Governor's plans for consequences for people who do not turn
140 in weapons were unclear. He believes we need more promise and background from the
141 Governor before these laws are passed. He also stated that he does not want to see the
142 National Guard called out to enforce these proposed laws in our towns and counties. Mr.
143 Barlow stated that the Shenandoah County Board of Supervisors has unanimously passed
144 a resolution supporting the second amendment as a basic part of the bill of rights that
145 needs to be protected. That resolution has also been passed by the Town of Strasburg.
146 Mr. Barlow stated that he has written up the same one and will pass out copies of it to

147 Council. He urges that Council consider supporting the second amendment and the bill
148 of rights as a key right of citizens. He believes that this movement is already having
149 some effect in Richmond. Mr. Barlow thanked the Mayor and Council Members for
150 their time and consideration.

151

152 **Committee Reports:**

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154 There were no Committee Reports.

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156 **Staff Reports:**

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158 **1. Planning & Public Works Department Monthly Report – Mr. J. Todd**

159 **Walters**

160

161 Mr. Walters gave a power point presentation highlighting projects from the
162 Planning and Public Works Departments. Mr. Walters mentioned that a public hearing
163 on the Short Term Rental Ordinance will be held on January 6, 2020. He also approved a
164 zoning permit for 9373 North Congress Street for a change of use. Mr. Walters
165 mentioned several projects on which the Public Works Departments had worked. A copy
166 of Mr. Walter’s presentation is on file with the minutes.

167

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

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170 Chief Rinker gave a brief power point presentation which included statistics for
171 the department for the month of November. Chief Rinker mentioned several events that
172 members of the New Market Police Department had worked. A copy of the information
173 presented by Chief Rinker is on file with the minutes.

174

175 **3. Events & Marketing Monthly Report – Amber Smoot**

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177 Mrs. Smoot gave a power point presentation. She mentioned several conferences
178 she had attended, provided an update on New Market’s branding project, discussed the
179 success of the Tis the Season event, and reminded everyone of upcoming events and
180 projects. A copy of Mrs. Smoot’s presentation is on file with the minutes.

181

182 **Action Items:**

183

184 The first item on the agenda was the discussion and consideration of appointments
185 to the Historic Overlay District Review Board. Mr. Walters advised that three
186 appointments to the Historic Overlay District Review Board will expire at the end of the
187 year. Those appointments include Mr. Walters’, Mr. Weissenborn’s, and Mr. Reinhart’s.
188 It was stated in the information included in the packet that all three are willing to serve
189 another term however, Mr. Reinhart had not responded yet to Mr. Walters’ inquiry about
190 being reappointed. Mr. Walters called him today and he is out sick. Mr. Walters said
191 that he did email Mr. Reinhart last week and he has not told Mr. Walters that he doesn’t
192 want to serve. To that end, Mr. Walters recommends that Council reappoint all three
193 gentleman to the Historic Overlay District Review Board. **Mr. Hughes made a motion**
194 **to reappoint Mr. Walters, Mr. Weissenborn, and Mr. Reinhart to the Historic**
195 **Overlay District Review Board for a three year term, effective January 1, 2020. Mr.**

196 Wymer seconded the motion which carried on the following unanimous 5-0 roll call
197 vote:

198				
199	Mr. Hughes	Aye	Dr. Bompiani	Aye
200	Mr. Wymer	Aye	Mrs. Harkness	Aye
201	Mr. Watkins	Aye		
202				

203 The next item on the agenda was the discussion and consideration of approving a
204 Resolution regarding the second amendment. Mrs. Harkness made a motion to
205 approve the following resolution: The Town of New Market resolves to support the
206 Constitution of the United States and the Second Amendment as well as all other
207 amendments to the Constitution. Mr. Wymer seconded the motion which passed on
208 the following unanimous 5-0 roll call vote:

209				
210	Mrs. Harkness	Aye	Mr. Wymer	Aye
211	Dr. Bompiani	Aye	Mr. Hughes	Aye
212	Mr. Watkins	Aye		
213				

214 **Mayor's Comments:**

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216 Mayor Bradley made the following comments:

- 217 • He remarked that the Town of New Market has an outstanding,
218 hardworking staff.
- 219 • He thanked all the citizens that are making the Town look great for the
220 holiday season.
- 221 • He thanked the Town Staff, Maintenance Employees, Fire Department
222 Volunteers, the Police Department and the citizens of New Market for
223 making the Town a great place in which to live and work.
- 224 • 2019 was a great year and he looks forward to 2020.
- 225 • He thanked all the guests that came out to tonight's meeting.
- 226 • He wished everyone a very Merry Christmas and Happy New Year.

227
228 **Council Comments:**

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230 Mr. Hughes remarked that the Town looks great for the season and complimented
231 the staff for a job well done on the Christmas decorations. He commented that the
232 Christmas lights in the pocket park look great and really go well with the other Christmas
233 lights in Town. He appreciated the hard work by the Police Department last week in
234 helping with a traffic accident in Town. He commented that he is optimistic that we will
235 get something good from the on-going branding project.

236 Mrs. Harkness thanked the citizens who attended the meeting and spoke regarding
237 the second amendment. They had done their research and presented the facts to Council
238 and she appreciated that. She stated she is also pleased about the banner project that was
239 presented by the American Legion Ladies Auxiliary at this evening's meeting. She
240 remarked that she is pleased with the turnout at this evening's meeting and encourages
241 everyone to continue to attend meetings.

242 Dr. Bompiani thanked Mr. Barlow, Mr. Chroniger, and Mr. Rogers for presenting
243 the information they did at this evening's meeting. Dr. Bompiani stated that he believes

244 that 99.9% of citizens out there are law abiding and it is a shame that we have to worry
245 about the ones that are not. He believes that “us locking arms together” to say that we
246 support our amendment is positive. Dr. Bompiani thanked Mrs. Driver for her Veterans
247 banner project. He also commented that the Christmas streetlight decorations in Town
248 look great and he is glad to be a part of the Town and Council.

249 Mr. Watkins commented that he appreciates what he sees happening with three
250 properties that were in violation of the nuisance ordinance. Progress is being made to
251 clean up and restore those properties and he appreciates that progress.

252
253 **Staff Comments:**

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255 Mr. Walters mentioned the following items:

- 256 • A great job has been done by staff on the downtown Christmas lighting.
257 He hopes to make it even better for next year.
- 258 • There will be a public hearing January 6, 2020.
- 259 • There will likely be a work session in February to discuss a few items such
260 as the Town’s requests to VDOT regarding traffic concerns.
- 261 • The employee holiday lunch is scheduled for Wednesday at noon. All
262 Council members are invited.
- 263 • He advised that White Tree Manor, the home on Route 11 north, is
264 officially closed. All the residents were transferred sometime this past
265 weekend. Mr. Walters advised that the Town had nothing to do with that
266 closing. The owner closed and that was his choice. Some comments had
267 been posted that the Town was responsible for closing the business. That
268 is untrue. Mr. Walters remarked that it is bad news that White Tree Manor
269 closed but it is good news that the residents have all been transferred to
270 new homes.
- 271 • Thanks to Town Council and Staff for their work in 2019. It was a good
272 year and he is looking forward to 2020. There are many new projects on
273 which to work.
- 274 • Mr. Walters thanked Veterans for their service. He remarked that they are
275 not thanked enough for their service. We are able to live the way we live
276 because of things that Veterans have done in the past.
- 277 • Merry Christmas and Happy New Year to everyone!

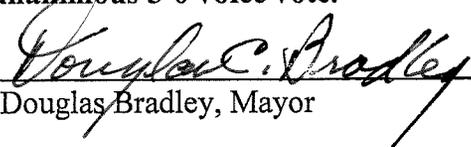
278
279 **Closed Meeting:**

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281 No Closed Meetings scheduled.

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283 **Adjournment:**

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285 **At 7:35 p.m. Mr. Watkins made a motion to adjourn the meeting. Mr.**
286 **Hughes seconded the motion which carried on a unanimous 5-0 voice vote.**

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290 _____
291 J. Todd Walters, Town Clerk


Douglas Bradley, Mayor