Minutes of the New Market
Town Council Meeting
Monday, March 16, 2020
6:30 pm

The New Market Town Council met in the Council Chambers of the Arthur L.
Hildreth, Jr. Municipal Building on Monday, March 16, 2020 with the following
members present: Vice-Mayor Peggy Harkness, Peter Hughes, Tim Palmer, Scott
Wymer, Daryl Watkins, and Larry Bompiani. Mayor Douglas Bradley was absent.

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

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

Approval of the Agenda:

Mr. Palmer made a motion to approve the agenda. Mr. Hughes seconded
the motion which passed on a unanimous 6-0 voice vote.

Consent Agenda:

Mr. Hughes moved to approve the consent agenda which included the
minutes from the February 18, 2020 meeting of the New Market Town Council, the
minutes from the March 2, 2020 Special Called Meeting of the New Market Town
Council as well as the Financial Statements for February 2020. Mr. Wymer
seconded the motion which carried on a unanimous 6-0 voice vote.

Public Hearing:

There were no Public Hearings.

Citizen Comments and Petitions:

Mr. L. Miguel Wells, Project Manager addressed Town Council, regarding a
Special Use Permit application for an out-of-town business venture located in the Town
of New Market's growth plan. Mr. Miguel referenced a letter that Council had in front of
them at the meeting. A copy of the letter is on file with the packet. He stated that the
letter describes some concessions and clarifications that had been made to their original
application for a Special Use Permit. He remarked that if they were to have rodeo events,
they would provide security and trained medical personnel. All rodeo events would end
by 10:00 p.m. The maximum amount of people allowed would be reduced and the
number of parking spots would be reduced to 133. The rodeo events would only be held
at a maximum of ten months per year with no more than two events being held per
month. Livestock would be limited to seventeen animals per event and they would be
allowed to stay two consecutive days on the premises. These clarifications regarding the
50 rodeo events were based on comments from the different departments and citizens that
51 provided comments at the County Planning Commission Meeting.
52 Mr. Wells advised that in an attempt to address the concerns of citizens and other
departments, they are willing to take the rodeo completely out of the Special Use Permit
and just request that the permit be for a wedding and special events venue only. The
venue would then be utilized for up to a maximum of 250 guests and 90 parking spots.
56 Mr. Wells answered several questions from council members regarding size of
tents, available parking, and number of animals.
58 Mr. Wells advised that if Council members are not open to a rodeo as a possible
59 event to be held at the venue, then they would take that off the table completely and the
venue would be for wedding and other special events only and there would be no animals
61 at the site.
52 Council members voiced their concerns over lights, traffic and noise for a special
63 events venue that would be located in a quiet residential neighborhood. Council
64 members remarked that they had hoped that Mr. Lopez’ property would be a housing
development.
66 Mr. Wells mentioned that Mr. Lopez had considered a housing development on
that land but due to constraints from the County with how many houses he could build
there, they had discarded that as an option.
69 Ms. Liz Gum, representing the Chamber of Commerce, was the next citizen to
70 speak. She announced that the Chamber is postponing their banquet.
71 The next citizen to speak was Mr. Sonny Mongold, Shady Lane, New Market, Va.
72 He remarked that Council should declare a “state of emergency” for the Town of New
73 Market due to the Coronavirus. Mr. Mongold believes that by declaring a state of
74 emergency, New Market may then be entitled to some funding if it becomes available.
75 After some discussion, Mr. Jason Ham advised that he would find out what it
76 would entail to declare a “state of emergency” and what the County is planning to do
77 regarding this issue. He believes that any funding would flow through the County, but if
78 New Market wishes to declare a “state of emergency”, that would be fine, but he did not
79 believe it would make any difference legally.
80 Under advisement from Mr. Walters, Council members agreed to wait until Mr.
81 Ham provides additional information. If it is determined that the Town needs to declare a
82 “state of emergency”, Council members can hold a Special Meeting to do so.
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84 Committee Reports:
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86 There were no Committee Reports.
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88 Staff Reports:
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90 Due to the outbreak of the coronavirus and in the interest of limiting exposure,
91 there were no staff reports this month in an effort to shorten the duration of the meeting.
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93 Action Items:
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95 The first item on the agenda was the discussion and consideration of a
96 Conditional Use Permit (C.U.P.) request for 197 E. Lee Highway, by For Ventures/F.
97 Douglas French (Community Care and Learning Center, LLC, lessee). Mr. Walters
98 advised that this is a follow-up to the joint public hearing that was held earlier in the
month. This is for an expansion to the daycare. 197 E. Lee Highway is the eastern end of the building. With the expansion, the daycare facility will be able to take infants. They would move the older children into the space at 197 E. Lee Highway and use their current location for infants. The Planning Commission did recommend approval of the C.U.P. at their meeting on March 2, 2020 following the joint public hearing. **Mr. Hughes made a motion to approve the Conditional Use Permit request for 197 E. Lee Highway, by For Ventures/F. Douglas French (Community Care and learning Center, LLC, lessee).** Mr. Palmer seconded the motion which carried on the following unanimous 6-0 roll call vote:

- Mr. Hughes: Aye
- Mrs. Harkness: Aye
- Mr. Wymer: Aye
- Dr. Bompiani: Aye
- Mr. Palmer: Aye
- Mr. Watkins: Aye

The next item on the agenda was the discussion and consideration of refunding the C.U.P. application fee to the community Care and Learning Center, for 197 E. Lee Highway. Mr. Walters stated that during the March 2, 2020 meeting of the Planning Commission, a motion was made to recommend to Council that the $500 application fee be refunded to the Community Care and Learning Center, LLC for 197 E. Lee Highway. Mr. Walters reminded Council that there are costs associated with the C.U.P. requests. There is staff time involved as well as other costs. Mr. Hughes asked if it would be possible to determine an actual cost for the C.U.P. request based on work done by staff members. Discussion ensued regarding how Mr. Walters will go about acquiring that information as well as why Planning Commission members made this recommendation to Council. Mr. Ham remarked that Council would be making a charitable donation to the non-profit organization rather than refunding the money for the C.U.P. application fee. Mr. Ham noted that if anyone wishes to make a motion, then it should be for Council to make a donation to the non-profit. Mr. Walters mentioned that the Town has received $5,000 for administering the grant for the daycare center. **Mr. Hughes made a motion to table this action item until next month.** Dr. Bompiani seconded the motion which passed on the following unanimous 6-0 roll call vote:

- Mr. Watkins: Aye
- Dr. Bompiani: Aye
- Mrs. Harkness: Aye
- Mr. Palmer: Aye
- Mr. Wymer: Aye
- Mr. Hughes: Aye

The next item on the agenda was the discussion and consideration of Resolution #236, A Reimbursement resolution of the Town of New Market, Virginia regarding upgrades to the Town’s water supply system. Mr. Walters advised that this allows the Town to be refunded for any funds that are spent prior to the Town receiving a loan for upgrades to the Town’s water supply system. Mr. Ham mentioned this would be worth having “on the books” for the water supply project. **Mr. Palmer made a motion to approve Resolution #236, A Reimbursement resolution of the Town of New Market, Virginia regarding upgrades to the Town’s water supply system.** Mr. Hughes seconded the motion which passed on the following unanimous 6-0 roll call vote:

- Mr. Hughes: Aye
- Mrs. Harkness: Aye
- Mr. Wymer: Aye
- Dr. Bompiani: Aye
- Mr. Palmer: Aye
- Mr. Watkins: Aye
The last item on the agenda was the discussion and consideration of a revised request pertaining to an out-of-town business venture for a rodeo and wedding venue located in the Town of New Market's growth plan. Mr. Walters mentioned that he and Mrs. Harkness had attended the County Planning Commission meeting several weeks ago and at that meeting Mr. Wells had presented changes to the Special Use Permit. In addition, Mr. Wells had discussed those changes with Mr. Walters and Mrs. Harkness. Mr. Walters asked Council to determine if, with those changes, they wish to change their position at all, or do they wish to send a new letter to the County, or change their original letter in any way. The Shenandoah County Planning Commission still recommended denial of the request, even with the changes proposed by Mr. Wells at the meeting. This will go to the Board of Supervisors and will be on their schedule for their meeting on March 24, 2020. Dr. Bompiani asked Mr. Ham if the Council needs to make another statement or send another letter stating their position on the Special Use Permit request, if their position has not changed from what was stated in the original letter. Mr. Ham advised that the Council doesn’t need to do anything, but if they want their position to be made known, then it would be a good idea to make some written statement to the County. Mr. Walters advised that he will attend the Board of Supervisors meeting.

Mr. Watkins stated that he didn’t believe the lights and noise from a wedding venue would be any worse than the lights and noise that occur during the summer at Rebel Park baseball field, which is surrounded by houses. Mr. Watkins advised that the events would be in a tent which would likely minimize the lighting issue.

Mrs. Harkness remarked that her concern is for the growth of our Town. There are only certain areas where the Town can grow. The area where the wedding venue is being proposed is one of the areas in the Town’s growth plan that is designated for residential growth. Mrs. Harkness advised that she would like to see housing or even small businesses developed in this area. She believes this should be the use for the land. Dr. Bompiani stated that he is still comfortable with the letter of denial that Council originally sent. He stated that the Town wants to grow and he hopes that the Town could work with Mr. Lopez to help him develop his land residentially.

Mr. Ham advised that the property could be annexed into the Town and the Town could provide water and sewer services to the property. He would recommend to Council that they have a pre-annexation agreement with the developer to clarify that they would pay for the water and sewer lines.

Mrs. Harkness stated that she would be more agreeable to that.

Mr. Walters remarked that he is not sure how many houses could be built on that land, but he did not believe that it could only be one house per ten acres if that land was annexed by the Town.

Mr. Wymer stated that there has been minimal growth in the Town for many years. He remarked that this is something new and different that might bring in people to the community. In addition, a wedding venue might generate catering business for a local restaurant. It might bring people in who would stop to get gas, or possibly eat at a restaurant in the area. Mr. Wymer understand the concerns but he believes something different would be good for New Market.

Mr. Walters explained that the decision for this Special Use Permit request is up to Shenandoah County, however they are interested in knowing the Town of New Market’s position on this issue since the land is located in the Town’s growth area.

With no further discussion, Dr. Bompiani made a motion that the Town Council is still opposed to the request for a Special Use Permit even with the...
removal of the rodeo and other changes that were presented at this evening’s meeting. Mrs. Harkness seconded the motion. Mr. Hughes commented that he appreciates the efforts made by Mr. Lopez and Mr. Wells to make this request work. He just believes that the use is inappropriate for this location and property. Mr. Hughes remarked that they should consider developing the property with a housing development and Town Council would likely be more amenable to the request. Council members thanked Mr. Lopez and Mr. Wells for coming to the meeting and presenting their changes at this evening’s meeting.

With no further discussion the motion carried on the following 4-2 roll call vote:

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<th>Nay</th>
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<th>Aye</th>
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<tbody>
<tr>
<td>Mr. Watkins</td>
<td></td>
<td></td>
<td>Mr. Palmer</td>
<td>Aye</td>
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<tr>
<td>Dr. Bompiani</td>
<td>Aye</td>
<td></td>
<td>Mr. Wymer</td>
<td>Nay</td>
</tr>
<tr>
<td>Mrs. Harkness</td>
<td>Aye</td>
<td></td>
<td>Mr. Hughes</td>
<td>Aye</td>
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Mayor’s Comments:

Mayor Bradley was not present at the meeting.

Council Comments:

Mrs. Harkness encouraged everyone to follow the CDC recommendations to take care of themselves during this time.

Staff Comments:

Mr. Walters mentioned that the Easter Egg Hunt and the Arbor Day Celebration are cancelled.

The Volunteer Appreciation breakfast will be postponed.

A notice has been posted on the Town’s website regarding the Coronavirus.

The Town is encouraging citizens not to come in to the Town Office but to conduct business over the phone or utilize the drop box.

The Town is not currently closing the office but if the office is shut to the public in the future, staff members will still be at work.

The coronavirus will likely affect the budget. Restaurant business is down which affects meals tax and that in turn will affect Town revenues. If that happens, and there is a large shortfall, it is possible the Town may need to utilize reserves in order to pay the bills.

Town staff will step up cleaning the restrooms at the park in an effort to help keep people safe.

A budget work session is scheduled for the first week in April. Mr. Walters is not going to cancel that meeting yet. Mr. Ham is looking into the possibility of having a policy where two members can call in for meetings. A quorum must still be present but two people could call in rather than attend the meeting.

Closed Meeting:

No Closed Meetings scheduled.
Adjournment:

At 7:45 p.m. Mr. Hughes made a motion to adjourn the meeting. Mr. Watkins seconded the motion which carried on a unanimous 6-0 voice vote.

J. Todd Walters, Town Clerk

Douglas Bradley, Mayor