

1 **Minutes of the New Market**  
2 **Town Council Meeting**  
3 **Monday, September 20, 2021**  
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, September 20, 2021 with the following  
8 members present: Mayor Larry Bompiani, Vice-Mayor Peggy Harkness, Bob King, Peter  
9 Hughes, Daryl Watkins and Janice Hannah. Councilman Scott Wymer was absent.

10  
11 Town Attorney – Jason Ham  
12 Town Manager – J. Todd Walters  
13 Town Treasurer- Teresa Green  
14

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

19 **Approval of the Agenda:**  
20

21 **Mr. Watkins made a motion to approve the agenda as presented. Mr.**  
22 **Hughes seconded the motion which passed on a unanimous voice vote of all five**  
23 **members.**  
24

25  
26 **Consent Agenda:**  
27

28 **Mrs. Hannah moved to approve the Consent Agenda which included the**  
29 **minutes from the August 16, 2021 meeting of the Town Council, the minutes from**  
30 **the September 7, 2021 Special Called Meeting of the Town Council, and the**  
31 **Financial Statements for August 2021. Mr. Hughes seconded the motion which**  
32 **carried on a unanimous 5-0 voice vote.**  
33

34 **Public Hearing:**  
35

36 There were no public hearings scheduled.  
37

38 **Citizen Comments and Petitions:**  
39

40 There were no citizen comments nor petitions.  
41

42 **Committee Reports:**  
43

44 There were no committee reports.  
45

46 **Staff Reports:**  
47

48 **1. Public Works Department Monthly Report – Mr. J. D. Fadley**

49 Mr. Fadley gave a brief power point presentation which summarized the projects  
50 the public works department had worked on during the past month. Some of those  
51 projects included repairs on the water main from the water storage tank on Miller Lane,  
52 replacement of a sewer lateral at 9324 John Sevier Road, exploratory work to correct an  
53 on-going sewer issue at a residence on South Congress Street, rebuilding of the road at  
54 Stirewalt Pump Station, system wide leak detection which resulted in several leaks found  
55 at hydrants and air releases, and the rebuilding of a pump at Stirewalt Pump Station. A  
56 copy of Mr. Fadley's presentation is on file with the minutes.  
57

## 58 **2. Planning Department Monthly Report – Meghan Rupkey**

59 Ms. Rupkey gave a power point presentation highlighting planning and zoning  
60 items for the month. A zoning permit for a roof over a basement stairwell at 9873 S.  
61 Congress Street had been issued. Ms. Rupkey presented information on the new ShenGO  
62 Transit System which will begin on October 4, 2021. The bus will stop at several  
63 locations in New Market and will travel to other Towns in Shenandoah County as well.  
64 A copy of Ms. Rupkey's presentation is on file with the minutes.  
65

## 66 **3. Public Safety Monthly Report – Chief Chris Rinker**

67 Chief Rinker distributed his monthly report to Council members. He provided an  
68 update on the calls for service for August. Chief Rinker also noted that the National  
69 Night Out event was held in the Community Park on August 3, 2021. A copy of Chief  
70 Rinker's report is on file with the minutes.  
71

## 72 **4. Events & Marketing Annual Report – Mrs. Amber Smoot**

73 Mrs. Smoot gave a brief power point presentation. She mentioned that August's  
74 Podcast guest was Mrs. Karla Kokkonen, representing The Home Store as well as the  
75 Merchant's Committee. The podcast for September has also been completed and the  
76 guest for that is Mr. Jimmy Shifflett with Southern Kitchen Restaurant. Mrs. Smoot  
77 mentioned that the Pup Pool Party event was a success with twenty dogs participating.  
78 The movie night in September was very well attended. Upcoming events include the Fall  
79 Festival, hosted by the Chamber of Commerce, the October Cross Roads Event featuring  
80 the band "Souled Out", and the last movie night in the park is scheduled for October 2,  
81 2021. Mrs. Smoot also presented a video that was created with the help of Sproutly,  
82 LLC, which will be a promotional video for the Town of New Market. A copy of Mrs.  
83 Smoot's presentation is on file with the minutes.  
84

### 85 **Action Items:**

86 The first action item was the discussion and consideration of a preliminary  
87 engineering contract with Ramboll. Mr. Walters mentioned that the contract is only for  
88 preliminary engineering. There are no design services included in this contract. Some of  
89 the items in the contract are required by the VDH and the funding agency. Those items  
90 are the Asset Management Plan and the Waterworks Business Operations Plan. Those  
91 two things must be done because they are tied to the funding. The Town did receive  
92 \$30,000 from VDH to go towards those two items. Mr. Walters mentioned that two  
93 preliminary engineering reports will be prepared. One will be for the water tank and one  
94 will be for the line replacements. An environmental review will also be required for the  
95 site. The Town will also have the existing tank inspected. This will be a clearer  
96 inspection than what was previously done. This will allow the town to determine in the  
97 next stage if the existing water tank needs to be replaced or if it can just be drained and

98 rehabbed once the new tank is built and functional. The total for the contract is  
99 \$178,369. A project schedule which includes the planned activities and completion dates  
100 for those activities is included in the contract. Mr. Walters added that the contract has  
101 been reviewed by the Town Attorney. Mr. Walters advised that if Council votes to  
102 approve the contract, he will proceed with signing the contract immediately along with  
103 the engineer. The engineer will then begin work immediately upon receiving a signed  
104 copy of the contract. Mr. Hughes asked what the timeframe is for work to begin on the  
105 new water tower. Mr. Walters advised that the Town is slightly behind but he believes it  
106 will begin in late spring or early summer of 2022. **Mrs. Harkness made a motion that**  
107 **the Town Manager be authorized to execute the agreement between the Owner and**  
108 **Engineer for professional services with such completions and amendments as may**  
109 **be authorized by the Town manager. Mr. Hughes seconded the motion. The motion**  
110 **passed on the following unanimous 5-0 roll call vote:**

111				
112	<b>Mrs. Hannah</b>	<b>Aye</b>	<b>Mr. King</b>	<b>Aye</b>
113	<b>Mr. Watkins</b>	<b>Aye</b>	<b>Mrs. Harkness</b>	<b>Aye</b>
114	<b>Mr. Hughes</b>	<b>Aye</b>		
115				

116 The second action was the discussion and consideration of a text amendment to  
117 the Town Zoning Ordinance defining and regulating the keeping of chickens and bees on  
118 certain properties within the Town. Ms. Rupkey mentioned that at the beginning of  
119 September, a joint public hearing was held with the Planning Commission in order to  
120 receive comments on the text amendment relating to the keeping of chickens and bees.  
121 There were no public comments made at that time. During their meeting, the Planning  
122 Commission voted to recommend to Council the approval of the text amendment to the  
123 Town Zoning Ordinance defining and regulating the keeping of chickens and bees on  
124 certain properties within the Town. Ms. Rupkey summarized the text amendment. A  
125 copy of Ms. Rupkey's presentation highlighting the text amendment is included with the  
126 minutes. Mr. Walters mentioned that the text amendment had been reviewed by the  
127 Town Attorney's office. Mr. Hughes asked if any objections to the text amendment had  
128 been received. Ms. Rupkey answered that no objections had been received or voiced in  
129 the public hearing. Mr. Hughes asked if allowances for bees and chickens are common in  
130 other towns. Mr. Ham advised that the City of Harrisonburg does allow for chickens.  
131 Mr. Walters mentioned that Christiansburg allows for both chickens and bees. Ms.  
132 Rupkey mentioned that requests for both of these were brought to the Town. Discussion  
133 ensued regarding penalties for not complying with the changes to the Ordinance. Chief  
134 Rinker advised that the Police Department will assist Ms. Rupkey with any violations in  
135 regard to chickens or bees. Chief Rinker stated that this text amendment allows them and  
136 Ms. Rupkey to address some issues that have come up with the keeping of chickens in the  
137 Town. Ms. Hannah mentioned that provisions should be made for those people wishing  
138 to keep chickens or bees in order to have fresh eggs and honey. Mr. Walters mentioned  
139 that even though the ordinance will allow for chickens or bees in Town, there are some  
140 subdivision covenants that will not allow for chickens or bees and those covenants  
141 overrule the Town's text amendment allowing for them. **Mr. King made a motion to**  
142 **approve the text amendment to the Town Zoning Ordinance defining and regulating**  
143 **the keeping of chickens and bees on certain properties within the Town. Mrs.**  
144 **Harkness seconded the motion.** Discussion ensued regarding the need for a text  
145 amendment to regulate the keeping of chickens and bees since there is currently nothing  
146 in this regard and this text amendment gives the Town Planner and the Police Department

147 a tool to use to exercise some control over the keeping of chickens and bees. **The motion**  
148 **passed on the following unanimous 5-0 roll call vote:**

149				
150	<b>Mrs. Harkness</b>	<b>Aye</b>	<b>Mr. Watkins</b>	<b>Aye</b>
151	<b>Mr. King</b>	<b>Aye</b>	<b>Mrs. Hannah</b>	<b>Aye</b>
152	<b>Mr. Hughes</b>	<b>Aye</b>		

153  
154  
155 **Mayor's Comments:**

156  
157 There were no comments from the Mayor.

158  
159 **Council Comments:**

160  
161 There were no council comments.

162  
163 **Staff Comments:**

164  
165 There were no staff comments.

166  
167 **Closed Meeting:**

168  
169 At 7:21 p.m., Mrs. Harkness made a motion to recess into Closed Session to  
170 consult with legal counsel regarding specific legal matters requiring the provision of  
171 legal advice by our attorney, as authorized by section 2.2-3711(A)(8) of the state  
172 code. The subject matter of the meeting is legal issues regarding a COVID  
173 vaccination bonus. Mr. Watkins seconded the motion which passed on the following  
174 unanimous 5-0 roll call vote:

175				
176	<b>Mrs. Hannah</b>	<b>Aye</b>	<b>Mr. King</b>	<b>Aye</b>
177	<b>Mr. Watkins</b>	<b>Aye</b>	<b>Mrs. Harkness</b>	<b>Aye</b>
178	<b>Mr. Hughes</b>	<b>Aye</b>		

179  
180 At 7:36 p.m., Mr. Watkins made a motion to return from Closed Session by  
181 reading aloud the following Certification Resolution: With respect to the just  
182 concluded closed session, and to the best of each member's knowledge, (i) only  
183 public business matters lawfully exempted from open meeting requirements under  
184 The Virginia Freedom of Information Act and (ii) only such public business matters  
185 as were identified in the motion by which the closed meeting was convened were  
186 heard, discussed or considered in the meeting by the Town Council. Mr. Hughes  
187 seconded the motion which passed on the following unanimous 5-0 roll call vote:

188				
189	<b>Mrs. Harkness</b>	<b>Aye</b>	<b>Mr. Watkins</b>	<b>Aye</b>
190	<b>Mr. King</b>	<b>Aye</b>	<b>Mrs. Hannah</b>	<b>Aye</b>
191	<b>Mr. Hughes</b>	<b>Aye</b>		

192  
193 At 7:36 p.m., Mr. Hughes made a motion that the agenda for this  
194 meeting be amended to allow for a Closed session, and to recess into that Closed  
195 Session to discuss the performance and employment of specific local government

196 personnel, as authorized by section 2.2-3711(A)(1) of the state code. The subject  
197 matter of the meeting is specific local government employees. Mr. Watkins  
198 seconded the motion which passed on the following unanimous 5-0 roll call vote:  
199

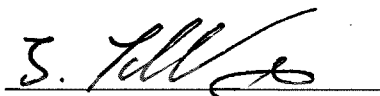
200	Mrs. Hannah	Aye	Mr. King	Aye
201	Mr. Watkins	Aye	Mrs. Harkness	Aye
202	Mr. Hughes	Aye		


203  
204 At 8:35 p.m., Mr. Watkins made a motion to return from Closed Session by  
205 reading aloud the following Certification Resolution: With respect to the just  
206 concluded closed session, and to the best of each member's knowledge, (i) only  
207 public business matters lawfully exempted from open meeting requirements under  
208 The Virginia Freedom of Information Act and (ii) only such public business matters  
209 as were identified in the motion by which the closed meeting was convened were  
210 heard, discussed or considered in the meeting by the Town Council. Mr. Hughes  
211 seconded the motion which passed on the following unanimous 5-0 roll call vote:  
212

213	Mrs. Harkness	Aye	Mr. Watkins	Aye
214	Mr. King	Aye	Mrs. Hannah	Aye
215	Mr. Hughes	Aye		

216  
217 **Adjournment:**  
218

219 With no further business to discuss, at 8:37 p.m. Mr. King made a motion to  
220 adjourn the meeting. Mr. Watkins seconded the motion which carried on a  
221 unanimous 5-0 voice vote.  
222

223  
224   
225 \_\_\_\_\_  
226 J. Todd Walters, Town Clerk

  
\_\_\_\_\_  
Larry Bompiani, Mayor