

1 **Minutes of the New Market**
2 **Town Council Meeting**
3 **Monday, July 20, 2020**
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, July 20, 2020 with the following members
8 present: Mayor Larry Bompiani, Vice-Mayor Peggy Harkness, Daryl Watkins, Scott
9 Wymer, Bob King, and Doug Bradley.

10
11 Town Attorney – Jason Ham
12 Town Manager – J. Todd Walters
13 Administrative Assistant – Donna Lohr
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:**
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21 **Mrs. Harkness made a motion to amend the agenda to include a Closed**
22 **Session regarding the selection of a council member and that Action Items 1 and 2**
23 **be considered after the Closed Session. Mr. Wymer seconded the motion which**
24 **passed on the following unanimous 5-0 roll call vote:**
25

26	Mr. Wymer	Aye	Mr. Bradley	Aye
27	Mr. Watkins	Aye	Mr. King	Aye
28	Mrs. Harkness	Aye		

29

30 **Consent Agenda:**
31

32 **Mrs. Harkness moved to approve the consent agenda which included the**
33 **minutes from the June 15, 2020 meeting of the Town Council, the minutes from the**
34 **June 22, 2020 special called meeting of the Town Council, and the Financial**
35 **Statements for June 2020. Mr. Wymer seconded the motion which carried on a**
36 **unanimous 5-0 voice vote.**
37

38 **Public Hearing:**
39

40 There were no public hearings.
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42 **Citizen Comments and Petitions:**
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44 Mr. Sonny Mongold, 151 Shady Lane, advised Council that he believes it is
45 important that they understand what a declaration of emergency is and what the Town
46 needs to do when a state of emergency is declared. Mr. Mongold believes the Town
47 should have someone come in and explain what a state of emergency is and what the
48 Town's roll is in a state of emergency.

49 Mr. Jason Ham responded to Mr. Mongold's comment. He explained that town
50 residents are also Shenandoah County residents. Mr. Ham explained that for a Town that
51 has less than 3,500 residents, the Virginia Code is pretty clear in Chapter 3.2, Emergency
52 Services and Disaster Law that the town cannot declare a state of emergency. The
53 County must be the one to declare that.

54 Mr. John Stevens, John Sevier Road, New Market, was the next citizen to speak.
55 He asked if the Town is prepared to defend the citizens of the Town in the event of riots.

56 Chief Rinker responded that the New Market Police Department will do
57 everything they can to ensure the safety of the Town's citizens. If necessary, the Town's
58 Police Department will call in the Sheriff's office, State Police or whoever else is
59 necessary to establish peace in the Town. Chief Rinker advised that the current state of
60 affairs has been on his mind. He reviews bulletins regarding it every day. His officers
61 are investigating any suspicious activity or any calls or comments they receive from
62 citizens regarding possible issues to verify whether or not there is a threat.

63 Mr. Stevens asked Chief Rinker if he had considered deputizing citizens or
64 forming a local militia.

65 Chief Rinker advised that he had not.

67 **Committee Reports:**

68
69 There were no Committee Reports.

71 **Staff Reports:**

72 **1. Public Works Department Monthly Report – Mr. J. Todd Walters**

73 Mr. Walters gave a brief power point presentation which included updates on
74 planning and zoning items and a summary of projects that the Maintenance and Water
75 Departments worked on during the month. Mr. Walters mentioned that the Town is now
76 accepting applications for the Façade Enhancement Grant. Applications are due August
77 21, 2020. Mr. Walters mentioned that he had approved a zoning permit for McDonald's.
78 They will be remodeling their structure. Mr. Walters mentioned that he is currently
79 reviewing a zoning permit for 9329 North Congress Street for the addition of a second
80 floor balcony. Mr. Walters stated that in the public works department a water break had
81 been repaired and another one had been investigated. The maintenance department is
82 handling the daily maintenance and operations of the pool, working on pavement repairs
83 from water breaks, and performing regular maintenance and mowing of town facilities.
84 Mr. Walters commented that the Water Department had been inspecting a sewer line on
85 John Sevier Road, working on a plan of action for a sewer force main repair as well as a
86 plan of action to install flow meters on the sewer line from the rest areas. In addition, the
87 Water Department has completed their regular monthly testing and meter reading. A
88 copy of Mr. Walter's presentation is on file with the minutes.

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

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

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

96 Mrs. Smoot gave a power point presentation which included a brief update on
97 upcoming events such as Movie Night in the Park and Cross Roads Fest. The Cross

98 Roads Fest held in July was very successful and was the largest crowd to date. The next
99 Cross Roads Fest is scheduled for August 14th, 2020. Mrs. Smoot also mentioned several
100 other projects on which she is currently working. A copy of Mrs. Smoot's report is on
101 file with the minutes.

102

103 **Action Items:**

104 The first action item to be discussed was the discussion and consideration of
105 water and sewer service on delinquent accounts and the adoption of Ordinance #113. Mr.
106 Walters explained that back in April Town Council voted to not do disconnections for
107 water service on people whose accounts were delinquent. In addition, Council voted to
108 not impose late fees on water/sewer accounts. Mr. Walters advised Council that a lot of
109 surrounding localities have reinstated disconnections and late fees, now that it's July.
110 Mr. Walters advised that this action item would reinstate disconnections and late fees.
111 Late fees would be imposed beginning the August 2020 billing cycle and disconnections
112 would start again on September 15th, 2020. Mr. Walters stated that currently there are
113 customers who have not paid the February bill. The current total delinquent amount for
114 all customers is about \$21,000. Mayor Bompiani asked if Mr. Walters knew how many of
115 the customers who are delinquent are ones who have habitually been delinquent, even
116 before COVID-19. Mr. Walters advised that those customers who are delinquent for the
117 months of February, March, and April are delinquent for reasons other than COVID-19.
118 Those customers are always on the delinquent list. Mr. Walters advised that he would
119 not say that those customers have not been affected by the virus but those people that are
120 delinquent for February and March were not affected by the virus. Some customers have
121 high delinquent balances and it is going to be very difficult for them to pay their balance
122 in order to get reconnected once we start doing disconnections. There are also a few
123 businesses that are on the delinquent list. Mr. Walters advised Council that they could
124 wait on this issue but waiting will not help the situation get any better. Mr. Walters
125 mentioned that delinquent customers have been receiving a letter every month notifying
126 them of the delinquent amount that is due. Mayor Bompiani read aloud Ordinance
127 number 113, which is included in Council's packet. **Mr. Watkins made a motion to**
128 **approve Ordinance Number 113. Mr. Wymer seconded the motion.** A brief
129 discussion ensued regarding the possibility of payment plans for customers with
130 delinquent accounts. **The motion passed on the following unanimous 5-0 roll call**
131 **vote:**

132

133	Mr. King	Aye	Mr. Watkins	Aye
134	Mr. Bradley	Aye	Mr. Wymer	Aye
135	Mrs. Harkness	Aye		

136

137 The next action item was the discussion and consideration of a budget
138 amendment. Mr. Walters advised that the Town had a police officer that was involved in
139 an accident. His police car was totaled in the accident so the police department is down a
140 car which really needs to be replaced. In order to purchase a new vehicle, a budget
141 amendment will need to be done to add the purchase of a vehicle to the budget. An
142 explanation regarding the budget amendment is included in the packet. The funds for the
143 vehicle are coming out of reserve funds. The Town did receive a little over \$12,000 from
144 insurance for the totaled vehicle. The total cost of a new vehicle is \$43,000. **Mr.**
145 **Wymer made a motion to approve the budget amendment as presented in the**

146 packet. Mr. King seconded the motion. The motion passed on the following
147 unanimous 5-0 roll call vote:

148
149 Mr. Wymer Aye Mr. Bradley Aye
150 Mr. Watkins Aye Mr. King Aye
151 Mrs. Harkness Aye

152
153 **Closed Session:**

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155 Mayor Bompiani announced that the next item on the amended agenda was a
156 Closed Session. At 7:19 p.m., Mrs. Harkness made a motion to enter into a Closed
157 Session as authorized by section 2.2-3711(A)1) of the state code, to discuss the hiring
158 or appointment of specific public officers, appointees, or employees. The subject
159 matter is the appointment of a specific public official. The specific public official is
160 a town council member. Mr. Watkins seconded the motion which carried on the
161 following 5-0 unanimous roll call vote:

162
163 Mr. King Aye Mr. Watkins Aye
164 Mr. Bradley Aye Mr. Wymer Aye
165 Mrs. Harkness Aye

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167 At 7:46 p.m., Mr. Watkins made a motion to return from Closed Session by
168 reading aloud the following Certification Resolution: With respect to the just-
169 concluded closed session and to the best of each member's knowledge, (i) only public
170 business matters lawfully exempted from open meeting requirements under The
171 Virginia Freedom of Information Act and (ii) only such public business matters as
172 were identified in the motion by which the closed meeting was convened were heard,
173 discussed or considered in the meeting by the Town Council. Mr. Wymer seconded
174 the motion which carried on the following 5-0 unanimous roll call vote:

175
176 Mr. Wymer Aye Mr. Bradley Aye
177 Mr. Watkins Aye Mr. King Aye
178 Mrs. Harkness Aye

179
180 **Action Items:**

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182 The next item on the agenda was the original action item #1, which was the
183 discussion and consideration of an appointment to the New Market Town Council.
184 Mrs. Harkness made a motion to appoint Mrs. Janice Hannah to the New Market
185 Town Council until such time as her successor has been elected and qualified. Mr.
186 Wymer seconded the motion. Mayor Bompiani stated that this has been a tough
187 decision and all three candidates that applied are very qualified and very much
188 appreciated. Mrs. Harkness mentioned that she has been on council a long time and this
189 was one of the toughest decisions she has had to make during her time on Council. The
190 motion carried on the following 5-0 unanimous roll call vote:

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192 Mr. King Aye Mr. Watkins Aye
193 Mr. Bradley Aye Mr. Wymer Aye
194 Mrs. Harkness Aye

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The final item on the agenda which was the original action item #2, which was the discussion and consideration of an appointment to the New Market Planning Commission. Mr. Walters explained that the Town Council needs to have one Town Council member as their representative on the New Market Planning Commission. Mr. Palmer had been that representative but since he is no longer on Council he will need to be replaced on the Planning Commission. **Mrs. Harkness made a motion to appoint Mr. Bob King as Town Council’s representative on the New Market Planning Commission. Mr. Wymer seconded the motion which passed on the following unanimous 5-0 roll call vote:**

Mr. Wymer	Aye	Mr. Bradley	Aye
Mr. Watkins	Aye	Mr. King	Aye
Mrs. Harkness	Aye		

Mayor’s Comments:

Mayor Bompiani remarked that very tough decisions had to be made at this evening’s meeting. He stated that he looks forward to working with Council and staff. He stated that he has a lot of work he wants to do as Mayor to meet with different businesses, real estate agents and other people to build energy and grow the Town.

Council Comments:

Mr. Bradley thanked all the candidates that applied for the Town Council position and agreed that it was a tough decision.

Mr. Wymer thanked all the candidates for showing an interest and wanting to get involved.

Mrs. Harkness encouraged everyone to stay safe and healthy.

Staff Comments:

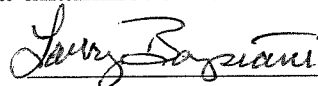
Mr. Walters commented that there is one position open currently on the New Market Planning Commission. Mr. Walters advised that staff will advertise that position on Facebook and town newsletter. Mr. Walters mentioned that \$119,000 has been allocated for the Town of New Market through CARES act funding that the County has received. These funds must be spent only on COVID-19 related expenses.

Closed Session:

Moved due to amendment of agenda

Adjournment:

At 7:54 p.m. Mr. Wymer made a motion to adjourn the meeting. Mr. Bradley seconded the motion which carried on a unanimous 5-0 voice vote.



Larry Bompiani, Mayor

244 J. Todd Walters
245 J. Todd Walters, Town Clerk