

1 **Minutes of the New Market**  
2 **Town Council Meeting**  
3 **Monday, May 15, 2023**  
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, May 15, 2023 with the following members  
8 present: Mayor Larry Bompiani, Vice-Mayor Peggy Harkness, Bob King, Daryl  
9 Watkins, Janice Hannah, and Peter Hughes. Council Member Scott Wymer was absent.

10  
11 Town Attorney – Jason Ham  
12 Town Manager – Buster Nicholson  
13 Town Treasurer – Teresa Green  
14

15 Mayor Bompiani called the meeting to order and established a quorum with all  
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 **Mrs. Harkness made a motion to approve the agenda with the following**  
22 **changes: Change Action Item #4 to be “Discussion and consideration of Ordinance**  
23 **#123: An Ordinance Extending the June Due Date for the payment of certain local**  
24 **taxes in 2023 only”, and to change Action Item #5 to be “Discussion and**  
25 **consideration of Resolution #248, a resolution reaffirming participation in the**  
26 **Virginia Department of Housing and Community Development’s Virginia Main**  
27 **Streets Program. Mr. Hughes seconded the motion which passed on the following**  
28 **unanimous 5-0 roll call vote:**

29  
30 **Mrs. Hannah**                      **Aye**                                      **Mr. King**                                      **Aye**  
31 **Mr. Watkins**                      **Aye**                                      **Mrs. Harkness**                                      **Aye**  
32 **Mr. Hughes**                      **Aye**  
33

34 **Consent Agenda:**

35  
36 **Mr. Hughes moved to approve the Consent Agenda which included the**  
37 **minutes from the April 17, 2023 Meeting of the New Market Town Council, the**  
38 **minutes from the April 24, 2023, Work Session of the New Market Town Council,**  
39 **minutes from the May 1, 2023 Special Called Meeting of the Town Council and the**  
40 **Financial Statements for April 2023. Mr. King seconded the motion which carried**  
41 **on a unanimous 5-0 voice vote.**

42  
43 **Public Hearing:**

44  
45 No public hearings were scheduled.  
46

47 **Citizen Comments and Petitions:**  
48

49           There were no comments from citizens at the meeting and there were no  
50 comments emailed from the public to the Town Manager.

51  
52   **Committee Reports:**

53  
54           There were no committee reports.

55  
56   **Staff Reports:**

57  
58           **1. Public Works Department Monthly Report – Mr. J. D. Fadley**

59           Mr. Fadley gave a power point presentation summarizing the projects on which  
60 his department had worked over the past month. The Maintenance Department had  
61 repaired a water lateral at 325 West Lee Highway, alleviated a sewer back up on the main  
62 at 135 Whitemill Road, and investigated another backup at 9357 North Congress Street,  
63 which was determined to be on the homeowner’s side. Maintenance staff also drained  
64 and cleaned the pool, mulched various Town properties, and inspected a new water and  
65 sewer tap at a new construction on Woodbine Way. Maintenance staff also handled the  
66 regular monthly maintenance of the park restrooms and shelters, streets and sidewalks,  
67 mowing of all town properties, watering and weeding town office and gateway signs, and  
68 maintenance of Rebel Park facility for High school baseball games. The Water  
69 Department replaced an oil seal at pump #2 at North Fork Pump Station, trimmed trees  
70 and brush at River Pump Station, reviewed the Consumer Confidence Report, repaired  
71 coolant lines on a backup generator at Well #6, rebuilt stage #1 at North Fork Pump  
72 station, and built and soldered connections on the new sound system in the Council  
73 Chambers. A copy of Mr. Fadley’s report is on file with the minutes.

74  
75           **2. Planning Department Monthly Report – Buster Nicholson**

76           Mr. Nicholson stated that at the last Planning Commission Meeting, the Food  
77 Truck Ordinance was approved. That item is on Council’s agenda for tonight’s meeting.

78  
79           **3. Public Safety Monthly Report – Chief Chris Rinker**

80           Chief Rinker gave a power point presentation highlighting the statistics for the  
81 month of April 2023. In early April, Chief Rinker attended a 5-Day Struggle Well  
82 training in Woodstock. Later in the month, Chief Rinker co-coordinated 40-hour Crisis  
83 Intervention Training in Woodstock. Sergeant Smoot attended the Triplett Tech Criminal  
84 Justice career day on April 20, 2023 and spoke with students. Chief Rinker and Benelli  
85 attended Honey Run Elementary school block party at the New Market Community Park.  
86 They also visited an after school tutoring event at Mount Zion Lutheran Church in  
87 Edinburg. Chief Rinker mentioned that this week is National Police Week which is why  
88 he asked the New Market Police Officers to attend this evening’s meeting so they could  
89 hear the Mayor’s proclamation and hear directly from Council how much they are  
90 appreciated. Chief Rinker provided some data on recent levels of violence against law  
91 enforcement. Chief Rinker stated that the New Market Police Department has six full-  
92 time officers with a combined 6,534 hours of Law Enforcement Training and a combined  
93 eighty-six years of Law Enforcement service. He also mentioned that no full-time  
94 officers have resigned from the department since 2016.

95           Mayor Bompiani expressed his appreciation for all the New Market Police  
96 Officers and the job they do. He then read a Proclamation establishing May 9-20, 2023

97 as National Police Week in the Town of New Market. A copy of the proclamation is  
98 included with the packet. A copy of Chief Rinker's report is on file with the minutes.  
99

100 **4. Events & Marketing Monthly Report – Mrs. Amber Smoot**

101 Mrs. Smoot gave a brief power point presentation highlighting events and projects  
102 on which she had worked over the past month. Upcoming events in May include  
103 Jammin' Foods Fest in the Community Park and Movie Night in the Park. Mrs. Smoot  
104 gave a brief update on the Town's participation in the Virginia Main Street Program.  
105 Other projects Mrs. Smoot is working on include the Town's Hispanic heritage  
106 celebration, and promotion of small businesses within the community. A copy of Mrs.  
107 Smoot's power point presentation is on file with the minutes.  
108

109 **Action Items:**

110  
111 The first action item on the agenda was the discussion and consideration of  
112 Ordinance #121 – an Ordinance Amending Certain Provisions of the Town Code of the  
113 Town of New Market to allow mobile food vendors in certain areas and subject to certain  
114 limitations. Mr. Nicholson advised that the Planning Commission is recommending  
115 approval of Ordinance #121, allowing mobile food trucks in the B-1 and B-2 zoning  
116 districts. Permits may be issued for a period not to exceed one year. A Mobile Food  
117 Vendor may re-apply for a subsequent permit or permits. A business license and  
118 temporary use permit are required annually and vendors are required to pay monthly  
119 meals tax to the Town. **Mr. Hughes made a motion to accept Ordinance #121 as**  
120 **presented in the packet. Mr. King seconded the motion which passed on the**  
121 **following 5-0 roll call vote:**  
122

123	<b>Mrs. Harkness</b>	<b>Aye</b>	<b>Mr. Watkins</b>	<b>Aye</b>
124	<b>Mr. King</b>	<b>Aye</b>	<b>Mrs. Hannah</b>	<b>Aye</b>
125	<b>Mr. Hughes</b>	<b>Aye</b>		

126  
127 The next item on the agenda was the discussion and consideration of Ordinance  
128 #122, an Ordinance to authorize participation by the Town of New Market, Virginia in  
129 the VACO/VML Virginia Investment Pool. Mr. Nicholson advised that this was  
130 discussed during the budget work session. There are currently 145 municipalities  
131 participating in the Virginia Investment Pool. Town staff would like to put the Reserves  
132 and the ARPA funds into the Virginia Investment Liquidity Pool, which is currently  
133 paying 4.9%. This also provides access to a wider net nationally for short term loans.  
134 The Town is currently looking for VACO/VML to aid with financing for the new  
135 Maintenance building. The Town is also looking for financing for some additional  
136 equipment. Staff is recommending that Council pass Ordinance #122 to enter into the  
137 VACO/VML investment pool.

138 **Mrs. Harkness made a motion to approve Ordinance #122 as presented. Mr.**  
139 **King seconded the motion which passed on the following roll call vote:**  
140

141	<b>Mrs. Hannah</b>	<b>Aye</b>	<b>Mr. King</b>	<b>Aye</b>
142	<b>Mr. Watkins</b>	<b>Aye</b>	<b>Mrs. Harkness</b>	<b>Aye</b>
143	<b>Mr. Hughes</b>	<b>Aye</b>		

145 The third item on the agenda was the discussion and consideration of Resolution  
146 #247, a resolution for an application for an allocation of funds through the Virginia  
147 Department of Transportation Fiscal Year 24-25 Revenue Sharing Program. Mr.  
148 Nicholson stated that this is a pre-requisite for the Town being able to apply for this  
149 funding cycle, Fiscal Year 24-25 for the VDOT 50-50 Revenue Sharing Program. The  
150 Town can go ahead and fill out the pre-application. The Town can withdraw before an  
151 application is filled out in the fall if budgetary restrictions do not allow for funding.  
152 Further discussions will occur before the fall application due date, but staff's  
153 recommendation is to fill out the pre-application.

154 **Mr. Hughes made a motion to approve Resolution #247 as presented. Mr.**  
155 **Watkins seconded the motion which passed on the following roll call vote:**

157	<b>Mrs. Harkness</b>	<b>Aye</b>	<b>Mr. Watkins</b>	<b>Aye</b>
158	<b>Mr. King</b>	<b>Aye</b>	<b>Mrs. Hannah</b>	<b>Aye</b>
159	<b>Mr. Hughes</b>	<b>Aye</b>		

160  
161 The next action item was the discussion and consideration of Ordinance #123, an  
162 Ordinance for granting taxpayers an extension of time for payment of real estate and  
163 personal property tax. Mr. Nicholson advised that this is Ordinance #123, not Resolution  
164 #248. This must be adopted so that the Town can grant an extension of the due date per  
165 Town Code. This would provide more time for residents to pay their 2023 first half  
166 installment tax bills. Staff is recommending adoption of Ordinance #123.

167 **Mrs. Hannah made a motion to adopt Ordinance #123, granting tax payers**  
168 **an extension of time for payment of real estate and personal property tax. Mr.**  
169 **Watkins seconded the motion which passed on the following roll call vote:**

171	<b>Mrs. Hannah</b>	<b>Aye</b>	<b>Mr. King</b>	<b>Aye</b>
172	<b>Mr. Watkins</b>	<b>Aye</b>	<b>Mrs. Harkness</b>	<b>Aye</b>
173	<b>Mr. Hughes</b>	<b>Aye</b>		

174  
175 The final action item was the discussion and consideration of Resolution #248, a  
176 resolution reaffirming participation in the Virginia Department of Housing and  
177 Community Development's Virginia Main Streets Program. Mr. Nicholson explained  
178 that this Resolution reaffirms the Town's intent to continue to participate in the Virginia  
179 Main Streets Program. Staff recommends the passing of resolution #248, reaffirming  
180 participation in the Virginia Department of Housing and Community Development's  
181 Virginia Main Streets Program.

182 **Mr. King made a motion to accept Resolution #248 as presented. Mrs.**  
183 **Hannah seconded the motion which passed on the following roll call vote:**

185	<b>Mrs. Harkness</b>	<b>Aye</b>	<b>Mr. Watkins</b>	<b>Aye</b>
186	<b>Mr. King</b>	<b>Aye</b>	<b>Mrs. Hannah</b>	<b>Aye</b>
187	<b>Mr. Hughes</b>	<b>Aye</b>		

188  
189 **Mayor's Comments:**

190  
191 Mayor Bompiani read aloud a Proclamation establishing May 21-27, 2023 as  
192 National Public Works Week. A copy of the proclamation is included in the packet.

193 Mayor Bompiani expressed his appreciation for the Town’s public works staff and the  
194 work they do, especially their work during the late night hours and cold temperatures.

195

196 **Council Comments:**

197

198 Mrs. Harkness thanked the Police Department and the Public Works staff for their  
199 hard work.

200 Mrs. Harkness also announced that Mrs. Anna Hildreth will be celebrating her  
201 100<sup>th</sup> birthday on May 31<sup>st</sup>, 2023.

202 Mr. Watkins thanked the Police Department for their response to his business. He  
203 stated that they were a very reassuring presence on the few occasions when they have had  
204 incidents at the business.

205 Mrs. Hannah thanked the Police Department and the Public Works staff for the  
206 job they do. She remarked that she knows there is an emotional toll from the work they  
207 do and she appreciates everything they do.

208 Mr. King asked J.D. to please thank the public works staff for the work they do.  
209 Mr. King thanked the Police Department for the job they do.

210 Mr. Hughes stated that he believes the Town of New Market is in a timeframe  
211 when they are able to appreciate the staff that has come to New Market over the years.  
212 Council appreciates that employees stay in their jobs. The longevity builds confidence  
213 and trust and saves time and effort in training new people.

214

215 **Staff Comments:**

216

217 There were no staff comments.

218

219 **Closed Meeting: At 7:05 p.m., Mrs. Harkness made a motion to recess into Closed**  
220 **Session to consult with legal counsel regarding specific legal matters requiring the**  
221 **provision of legal advice by our attorney as authorized by section 2.2-3711(A)(7) of**  
222 **the state code. The subject matter of the meeting is matters related to the Virginia**  
223 **Freedom of Information Act. And a Closed Session to Discuss the performance and**  
224 **employment of specific local government personnel, as authorized by section 2.2-**  
225 **3711(A)(1) of the state code. The subject matter of the meeting is a specific local**  
226 **government appointee, the New Market Fire and EMS Chief. And a Closed Session**  
227 **as authorized by section 2.2-3711(A)(1) of the state code to discuss the hiring or**  
228 **appointment of specific public officers, appointees, or employees. The subject**  
229 **matter is the appointment of a New Market Fire and EMS Chief. Mr. Hughes**  
230 **seconded the motion which passed on the following 5-0 roll call vote:**

231

232	<b>Mrs. Hannah</b>	<b>Aye</b>	<b>Mr. King</b>	<b>Aye</b>
233	<b>Mr. Watkins</b>	<b>Aye</b>	<b>Mrs. Harkness</b>	<b>Aye</b>
234	<b>Mr. Hughes</b>	<b>Aye</b>		

235

236 **At 8:46 p.m., Mr. Watkins made a motion to return from Closed Session and**  
237 **read aloud the following Certification Resolution: With respect to the just-**  
238 **concluded Closed Session and to the best of each member’s knowledge, (i) only**  
239 **public business matters lawfully exempted from open meeting requirements under**  
240 **The Virginia Freedom of Information Act and (ii) only such public business matters**  
241 **as were identified in the motion by which the closed meeting was convened were**

242 heard, discussed or considered in the meeting by the Town Council. Mr. Hughes  
243 seconded the motion which passed on the following 5-0 roll call vote:

244				
245	Mrs. Harkness	Aye	Mr. Watkins	Aye
246	Mr. King	Aye	Mrs. Hannah	Aye
247	Mr. Hughes	Aye		
248				

249 **Adjournment:**

250  
251 With no further business to discuss, at 8:47 p.m. Mrs. Harkness made a  
252 motion to adjourn the meeting. Mr. Hughes seconded the motion which carried on  
253 a unanimous 5-0 voice vote.


254

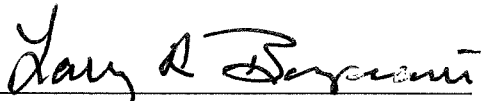
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Buster Nicholson, Town Clerk Interim  
J. TODD WALTERS,

  
Larry Bompiani, Mayor