

**TOWN OF MIDDLETOWN
TOWN COUNCIL MEETING MINUTES
DECEMBER 9, 2024 | 7:31 P.M.**

The Town of Middletown Town Council meeting was held in the council chambers located at 7875 Church Street, Middletown VA on December 9, 2024 at 7:31 p.m.

Town Council Present

Mayor Charles Harbaugh IV
Vice Mayor Jeffrey Pennington
Councilor Carolyn Aliff
Councilor Jacob Skeith
Councilor Diane Newman
Councilor Shayla Rickard

Town Council Absent

Councilor Stephanie Mitchell

Staff Present

Town Manager & Public Works Superintendent Les Morefield
Chief of Police Gary Benedict Jr.
Town Treasurer Keith Smith
Town Clerk Christina Smith
Zoning Amanda Kerns, NSVRC

1. Set Agenda

Mayor Harbaugh asked for a motion to set the agenda. Councilor Skeith made a motion to set the agenda. Councilor Newman seconded the motion. All Councilors were in favor and the agenda was set.

2. Approval of Previous Meeting Minutes

Mayor Harbaugh asked for a motion to approve the Town Council minutes from November 12, 2024. Councilor Aliff made a motion to approve both sets of minutes. Councilor Skeith seconded the motion. All Councilors were in favor and the minutes were passed.

3. Citizen Comments (3 minutes per person per meeting – max 30 minutes)

No citizen comments.

4. Report of the Finance Committee

Councilor Skeith made a motion to approve the Treasurer's Report. Councilor Pennington seconded the motion. Mayor Harbaugh asked for a roll call vote.

Councilor Aliff – Yes
Councilor Pennington – Yes
Councilor Newman – Yes

Councilor Skeith – Yes
Councilor Rickard – Yes

Motion carried 5-0

5. Report of the Personnel Committee

Nothing to report

6. Report of the Public Works Committee and Facilities Committee

Nothing to report

7. Report of Public Safety Committee

Councilor Rickard advised the monthly calls for service are in the packet.

8. Report of the Ordinance Committee

Nothing to report

9. Report of the Planning and Zoning Committee

Councilor Pennington made a motion to approve ZONING TEXT AMENDMENT 24-03: PROPOSED AMENDMENT TO THE MIDDLETOWN ZONING ORDINANCE TO INCLUDE "INSTITUTIONAL USES" AND "MUSEUMS" AS BY RIGHT USES WITHIN THE B-1 (CENTRAL BUSINESS DISTRICT). THIS AMENDMENT ALSO INCLUDES CORRESPONDING DEFINITIONS FOR "INSTITUTIONAL USES" AND "MUSEUMS" UNDER SECTION 17-1. Councilor Aliff seconded the motion. Mayor Harbaugh asked for a roll call vote.

Councilor Aliff - Yes

Councilor Pennington – Yes

Councilor Newman – Yes

Councilor Skeith – Yes

Councilor Newman – Yes

Motion carried 5-0

Councilor Pennington made a motion to approve ZONING MAP AMENDMENT 24-01: TOWN INITIATED REZONING REQUEST FOR TAXMAP NUMBER 91-A-28 FROM FREDERICK COUNTY M-1 (LIGHT INDUSTRIAL) TO TOWN B-2 (HIGHWAY BUSINESS) ZONING DISTRICT. Councilor Aliff seconded the motion. Mayor Harbaugh asked for a roll call vote.

Councilor Aliff - Yes

Councilor Pennington – Yes

Councilor Newman – Yes

Councilor Skeith – Yes

Councilor Newman – No

Motion carried 4-1

Councilor Pennington made a motion to approve ZONING TEXT AMENDMENT 24-01– USES BY SPECIAL PERMIT IN THE B-2 ZONING DISTRICT: A REQUEST TO AMEND SECTION 17-7.C TO ADD TRUCK OR FLEET MAINTENANCE AND SALES FACILITY TO LIST OF USES PERMITTED BY SPECIAL PERMIT AND INCLUDE CORRESPONDING DEFINITION INTO SECTION 17-1. Councilor Skeith seconded the motion. Mayor Harbaugh asked for a roll call vote.

Councilor Aliff - Yes
Councilor Pennington – Yes
Councilor Newman – No

Councilor Skeith – Yes
Councilor Newman – Yes

Motion carried 4-1

Councilor Pennington made a motion to approve SPECIAL USE PERMIT FOR TAXMAP NUMBER 91-A-28: PERMIT APPLICATION FROM PROPERTY OWNERS OF TAXMAP 91-A-28 TO ESTABLISH A TRUCK OR FLEET MAINTENANCE AND SALES FACILITY WITH RECOMMENDATIONS THAT HAVE BEEN PRESENTED. Councilor Aliff seconded the motion. Mayor Harbaugh asked for a roll call vote.

Councilor Aliff - Yes
Councilor Pennington – Yes
Councilor Newman – No

Councilor Skeith – Yes
Councilor Newman – Yes

Motion carried 4-1

Councilor Pennington made a motion to approve ZONING TEXT AMENDMENT 24-02 – SHORT TERM RENTALS, HOMESHARES, AND BED AND BREAKFAST ESTABLISHMENTS: A PROPOSAL TO ADD REGULATIONS GOVERNING SHORT TERM RENTALS, HOMESHARES, AND BED AND BREAKFAST ESTABLISHMENTS WITHIN ARTICLE III (SUPPLEMENTARY REGULATIONS) THIS AMENDMENT WILL INTRODUCE RELEVANT DEFINITIONS UNDER SECTION 17-1 AND DESIGNATE APPROPRIATE ZONING DISTRICTS FOR THESE USES. Councilor Skeith seconded the motion. Mayor Harbaugh asked for a roll call vote.

Councilor Aliff - Yes
Councilor Pennington – Yes
Councilor Newman – Yes

Councilor Skeith – Yes
Councilor Newman – Yes

Motion carried 5-0

Councilor Pennington made a motion to approve Vincent Cassella from the Town of Middletown Planning Commission for conduct that has been duly considered by the Town Council arising to the level of malfeasance. Councilor Aliff seconded the motion. Mayor Harbaugh asked for a roll call vote.

Councilor Aliff - Yes
Councilor Pennington – Yes
Councilor Newman – Yes

Councilor Skeith – Yes
Councilor Newman – Yes

Motion carried 5-0

10. Report of Special Committees

Mayor Harbaugh thanked the police department and the parade committee for their help in making the Christmas parade a success.

11. New or Unfinished Business

Mayor Harbaugh set the Work Session meeting for January 6, 2025 @ 7:00 p.m.

12. Petitions and Communication

Mayor Harbaugh bid farewell to Councilor Stephanie Mitchell (absent) and Councilor Shayla Rickard. Delegate Delores Oates presented Councilor Rickard with a state flag that was once flown over the U.S. Capitol Building in Richmond. Mayor Harbaugh also presented Councilor Rickard with a plaque of appreciation for her service to the town.

Mayor Harbaugh announced Wreath Across America wreath laying will take place on 12/14 at Mt. Carmel cemetery.

13. Adjournment

Mayor Harbaugh adjourned the meeting at 7:45 p.m.

Christina Smith
Municipal Clerk

Charles Harbaugh, IV
Mayor