

Mount Jackson
Town Council Regular Meeting (Public Hearing)

June 9, 2020

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Regular Meeting

The regular meeting of the Mount Jackson Town Council was held June 9, 2020 at 7:00 PM in the council chambers at 5901 Main Street. Town Council roll call was taken with the following in attendance; Mayor Donnie Pifer; Councilmembers Judy Fultz, Rod Shepherd, and Roger Rudy. Councilmembers Whitney Miller and Bonnie Good, as well as Town Attorney Matt Akers, and Consultant Joseph S. Paxton, attended electronically through Zoom. Councilmember Dennis Andrick was absent.

Also, in attendance, Neil Showalter, Town Manager; Mario Rosso, Finance Director; Debbie Stover, Town Clerk; and Jeff Sterner, Police Chief. Dave Moore from Cornerstone Technology was present to video record the meeting. There were no visitors.

Public Hearing

Resolution R-03-2020 – Resolution of the Mayor and Council of the Town of Mount Jackson Amending FY 2020 Annual Budget.

Mr. Showalter stated the proposed amendment to the adopted budget for FY 2020, has been advertised in the local newspaper, and is available on the Town’s website for public viewing. He reminded the public, they are welcome to submit questions or comments on the Towns website link <http://www.mountjackson.com/speaker-card-online/>, or email townoffice@mountjackson.com, or mail to the Town of Mount Jackson, PO Box 487, Mount Jackson, VA 22842.

There were no public comments.

Mayor Pifer closed the public hearing.

Agenda Additions/Deletions/Changes:

Councilmember Shepherd MOVED, seconded by Councilmember Rudy to APPROVE adding agenda item #2 under New Business, to set the date and time for the Annual Organizational Meeting in July 2020.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Fultz			
Councilmember Miller			
			Councilmember Andrick
Councilmember Shepherd			
Councilmember Rudy			
Councilmember Good			

5 AYES, 1 ABSENT, motion carried

Hear from Visitors: None

Remarks & Recommendations from the Mayor: Mayor Pifer stated the office staff, police department and public works department are doing a great job working under the conditions caused by COVID-19.

Remarks from Councilmembers:

Mr. Shepherd stated the repointing of Union Church is underway, and encouraged councilmembers to stop by and look at the nice work.

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Mr. Shepherd stated he was contacted by Robbie Rhur, from Virginia Department of Conservation and Recreation, regarding River Trails. Mr. Rhur asked if Mount Jackson would be interested in adding a canoe launching site where the new bridge will be built. Mr. Shepherd asked for, and received, approval from Council to gather more information on this.

Presentations: None

Chief of Police Report: None

Town Manager Report:

Mr. Showalter stated staff will reopen to the public Thursday, June 11. The intention is to direct customers in the front doors, with a sign reminding them to evaluate their health and any possible COVID-19-related symptoms before entering. There will be a hand sanitizing area there, markings for social distancing, and encouragement for face coverings. Plexiglas has been installed at the front counter for the safety of staff and customers. Customers will then exit through the side door, to minimize contact. Mr. Showalter stated staff feels confident these measures will work to reopen safely.

Mr. Rosso stated he has researched companies that provide on-line payment solutions, and found two that will work with the Town's financial software package, Southern Software. Currently, the Town can only take credit card payments in person, which has been frustrating for customers since the office has been closed to the public for several months due to COVID-19. Mr. Rosso stated he has spoken with other towns that use these software packages, and they are pleased with both systems. Neither system would require customers to register or set up an account; they can make one-time only payments, and dial into the system 24/7 to check their balances and/or make payments. This new system would be in addition to the payment options already offered by the Town. Mr. Rosso noted there would be cost savings to the Town with either system. Currently, credit card fees are fairly high and increasing, but the fees are lower with the on-line systems. He stated customers may also sign up for electronic bills, which would reduce Town costs in paper, ink and postage. Mr. Rosso stated one company could have the Town live in 4-6 weeks, whereas the other would be 2 weeks.

Mr. Rudy asked if there is a subscription charge for this service. Mr. Rosso stated one company has a subscription charge of \$100/month, but there would be potentially no fee with the other company, depending on how the convenience fee is structured (i.e., if that fee is passed to the customers). Mr. Rosso stated another important element of credit card payments is security. Currently, the Town is responsible for credit card security, but the on-line companies would be 100% responsible for security for payments made through their systems.

Committee Reports:

1. Finance Committee Chairperson, Rod Shepherd stated he will speak to several agenda items later in the meeting.
2. Ordinance Committee Chairperson, Dennis Andrick was absent.
3. Personnel Committee Chairperson, Roger Rudy had no report.

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4. Public Safety Committee Chairperson, Judy Fultz reported May Police Department calls were 698, up 15 from April. There were 5 criminal offenses, 3 cleared by arrest, 1 closed, and 1 under investigation. They conducted 536 extra patrols and property checks, and found 6 open doors/windows at 2 different locations. Ms. Fultz stated there is no report from Fire and Rescue, and she will check with them on getting that report monthly.

5. Public Services Committee Chairperson, Bonnie Good had no report.

6. Public Properties & Facilities Committee Chairperson, Whitney Miller had no report.

Consent Agenda: Approval – Minutes of May 12, 2020 Special Meeting, Minutes of May 12, 2020 Regular Meeting and Joint Public Hearing/Public Hearing, and June 1, 2020 Special Meeting and Joint Public Hearing.

Councilmember Shepherd MOVED, seconded by Councilmember Fultz to APPROVE the Consent Agenda above.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Fultz			
Councilmember Miller			
Councilmember Shepherd			Councilmember Andrick
Councilmember Rudy			
Councilmember Good			

5 AYES, 1 ABSENT, motion carried

Old Business:

1. SUP 20-04 Food Lion – to allow signage in the B-3 district in excess of 100 square feet - Review comments from public submitted since joint public hearing - Review recommendation of Planning Commission - Eligible for Action.

Mr. Showalter stated Food Lion is undergoing a major renovation, which includes updating their sign. They applied for a special use permit to replace the current 148 square foot sign with a new 134 square foot sign, which exceeds the 100 square foot zoning limitation in the B-3 district. The Planning Commission recommended denial of the special use permit, as they could not find a condition peculiar to the site that would justify an exception. Mr. Showalter noted there was one public comment received after the joint public hearing by email on Wednesday, June 3 at 8:45 AM, from Mr. Thomas Selby which stated “I would say to approve the request of the 134 square foot sign; yes its bigger than the ordinance allows, but they are actually shrinking it from the current 148 square foot sign”.

Mayor Pifer stated he personally has heard some public comments from people questioning the action of the Planning Commission. They feel since Food Lion wants a smaller sign than the current one, it should be approved. Mr. Paxton stated Council could consider changing the B-3 signage limitation to be consistent, if they feel 100 square feet is too small.

Mr. Rudy stated he feels the zoning ordinance should add another consideration; that the size of the sign be relative to the size of the building frontage. He personally feels this special use permit should be approved in this case, possibly by grandfathering it in, since the new sign is smaller than the current one. Ms. Good asked if a grandfather clause is part of the Town’s zoning ordinance. Mr. Paxton stated normally a grandfather clause would occur if nothing changes, such as non-conforming uses, but would not apply in this case. He noted the

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sign ordinance is very specific, and the contractor stated they would build whatever size the Town allowed, and have done so in other areas.

Councilmember Shepherd MOVED, seconded by Councilmember Rudy to APPROVE SUP 20-04, with the condition staff and the ordinance committee reevaluate the B-3 signage specifications.

Ms. Good stated she feels Council should follow the Town's ordinance unless there is a unique circumstance, and she doesn't feel there is one for this special use permit, and this should be tabled. She agrees with Mr. Rudy there should be a correlation between the size of the sign and the size of the building frontage.

Ms. Miller stated her interpretation of the uniqueness of this situation to allow approval of this special use permit, is the size of the building frontage is very large in correlation to the sign size, and the distance from Route 11 is far enough to justify that a larger sign would look better.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Fultz			
Councilmember Miller			
			Councilmember Andrick
Councilmember Shepherd			
Councilmember Rudy			
	Councilmember Good		

4 AYES, 1 NAY, 1 ABSENT, motion carried

2. Ordinance O-06-2020 to amend chapter 66 zoning, sections 66-1 through 66-390 and sections 66-426 through 66-510 of the code of the Town of Mount Jackson to update and streamline the Town's zoning ordinance - Review comments from public submitted since joint public hearing - Review recommendation of Planning Commission - Eligible for Action.

Mr. Showalter stated the Berkley group and ordinance committee have spent months updating this code, there was a public hearing with no comments, and the Planning Commission recommended approval.

Councilmember Good MOVED, seconded by Councilmember Rudy to APPROVE adopting Ordinance O-06-2020.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Fultz			
Councilmember Miller			
			Councilmember Andrick
Councilmember Shepherd			
Councilmember Rudy			
Councilmember Good			

5 AYES, 1 ABSENT, motion carried

3. Resolution R-03-2020 – Resolution of the Mayor and Council of the Town of Mount Jackson amending FY 2020 annual budget – Eligible for Action.

Mr. Shepherd stated FY budget 2020 was modified due to COVID-19 and the reduction of revenues.

Councilmember Shepherd MOVED, seconded by Councilmember Fultz to APPROVE Resolution R-03-2020.

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ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Fultz Councilmember Miller			Councilmember Andrick
Councilmember Shepherd Councilmember Rudy Councilmember Good			

5 AYES, 1 ABSENT, motion carried

4. Ordinance O-05-2020 Adopting budgets for the general fund, utilities funds, capital projects, and equipment replacement funds; establishing real and personal tax rates, establishing compensation amounts/rates, setting fees for water, sewer, refuse services, auto license tax, and other fees, charges, penalties, and taxes, and establishing annual and specific appropriations for fiscal year 2021 - Review public comments submitted through May 26 since public hearing - Eligible for Action.

Councilmember Shepherd MOVED, seconded by Councilmember Fultz to APPROVE Ordinance O-05-2020.

Mr. Showalter stated no public comments were received on this. Mr. Shepherd reminded Council that normally there is a minimal increase in water and sewer fees annually, but due to COVID-19, the Town will not pass these increases to customers until January 1, 2021, instead of July 1, 2020.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Fultz Councilmember Miller			Councilmember Andrick
Councilmember Shepherd Councilmember Rudy Councilmember Good			

5 AYES, 1 ABSENT, motion carried

New Business:

1. Ordinance O-07-2020 – To repeal chapter 66, sections 66-391 through 66-425, floodplain district, and adopt chapter 28 – floodplain, sections 28.1 through 28.61 of the code of the Town of Mount Jackson for the purpose of updating the Town’s floodplain ordinance to comply with federal and state regulations - Set for joint public hearing July 6, 2020, 7:00 PM - Consider work session with consultant prior to joint public hearing.

Mr. Showalter stated the floodplain ordinance needed to be updated in congruence with state and federal regulations, particularly as it relates to flood insurance. The Berkley Group has drafted this, and has offered to meet with the Council and/or Planning Commission for a work session if requested. The Planning Commission did not feel a work session was necessary. Mr. Shepherd stated a briefing before the public hearing in July would be beneficial, and Mr. Showalter stated he will contact The Berkley Group to arrange that.

Councilmember Rudy MOVED, seconded by Councilmember Shepherd to APPROVE the introduction and set a joint public hearing on July 6, 2020 beginning at 7:00 PM for Ordinance O-07-2020.

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ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Fultz			
Councilmember Miller			
			Councilmember Andrick
Councilmember Shepherd			
Councilmember Rudy			
Councilmember Good			

5 AYES, 1 ABSENT, motion carried

2. Set date and time for annual organizational town council meeting.

Mr. Showalter stated this meeting was 9:00 AM last year, but has also been held in the evening prior years. He stated there are several public officials that need to be officially re-appointed to conduct town business, as well as approval of a tentative schedule of meetings for the upcoming fiscal year.

Councilmember Shepherd MOVED, seconded by Councilmember Fultz to APPROVE setting the annual organization meeting for July 1, 2020 at 9:00 AM.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Fultz			
Councilmember Miller			
			Councilmember Andrick
Councilmember Shepherd			
Councilmember Rudy			
Councilmember Good			

5 AYES, 1 ABSENT, motion carried

Motion made by Councilmember Shepherd, seconded by Councilmember Rudy, to adjourn the meeting at 7:55 PM.

Debbie A. Stover, Clerk

Donald I. Pifer, Mayor