

Mount Jackson
Town Council Regular Meeting

August 13, 2024

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Regular Meeting

Mayor Pifer called the regular meeting of the Mount Jackson Town Council to order at 7:00 PM in the Council Chambers at 5901 Main Street. Roll call was taken with Councilmembers Al Asbury, Evelyn Burner, Judy Fultz, Bonnie Good, and Rod Shepherd in attendance. Councilmember Todd Holtzman was absent. Also in attendance were Olivia Hilton, Town Manager; Greg A. Beam, Assistant Town Manager; Randy Lonas, Public Works Supervisor; Barbara Riggleman, Town Clerk; and Keith Cowart, Chief of Police. Visitors included Tommy & Dale Hepner, Ed Harper, Clemmit Sigler, Sandy Whitesides, and Seth Jones & Amelia Jones.

Prayer: Mr. Clemmitt Sigler, Pastor of Branch of the Divine Church, offered the invocation.

Agenda Additions/Deletions/Changes: None.

Hear from Visitors: Tommy Hepner stated that he and his wife, Dale, have lived in Avondale Acres for 24 years, and during that time, have been flooded 5 times in their basement. Most recently was the storm from the remnants of Hurricane Debby. These floods cost a lot of money to have repaired. There is a large drain between them and their neighbor, but when large storms come, the drain cannot handle the large input and rainwater backs up into their basement, as well as their neighbor's. They get all of the runoff from the west side of Rt. 11, from the stoplight down to Bowman's Tractor Supply, and down from the truck stop. On the east side, runoff comes from the old High's store, the bank, Dollar General, and the storage buildings. Also, since the new sidewalk has been installed, this has added to the extra water coming through that area. Mr. Hepner stated that he had addressed Council about 6 years ago and Council was going to look into it. Mr. Hepner shared a letter he had received from Ms. Good back then, but nothing has been done so far. Mr. Hepner asked Council to readdress these issues, and shared some pictures from the most recent storm. Mayor Pifer requested Ms. Hilton pick up where Staff left off on this issue previously. Ms. Hilton stated that an engineer may need to become involved and Staff would look into it. Discussion ensued on previous grant applications and the water issue in Avondale. Ms. Good encouraged efforts as this problem will continue to grow with Town growth.

Opening Remarks from Mayor: None.

Presentations: None.

Chief of Police Report: Chief Cowart reported that the electrical fire in Perry Trailer Park was out and crews were on standby for any rekindling. For the month of July 2024, there were 822 calls for service; 5,169 year to date. There are still 70 active cold cases. There were 4 criminal cases reported – 1 sex offense that was closed by the Commonwealth Attorney due to lack of evidence presented by the victim and not identifying the suspect; 2 reports of vandalism, both closed due to lack of evidence or suspects; 1 report of a narcotic violation, someone found a folded-up dollar bill full of crystal stuff. This has been collected and will be destroyed at a later date. On July 30, 2024, 3 applicants were interviewed for the open patrol officer positions. Two applicants were given offer letters to which both were accepted. Officer Stephanie Fullingim will start on 8/14/24 on night shift and Officer Logan Baker will start on 8/28/24 on day shift. MJPD is excited to have them joining their team/family and they will be introduced at the September Council meeting. National Night Out was held on 8/6/24. It was a great turnout as usual and a great time for everyone. Thankful for all the volunteers that helped to make the event a success as it allowed the officers to be able to connect with the community instead of being stuck at a table. VALOR Awards Ceremony will be on 9/12/24 at American Celebration on Parade. MJPD will have 2 nominees along with an honoring of late Officer Chazz Beaver. The 2nd DEA Drug Take Back Initiative will be on 10/26/24; more information to follow.

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Town Manager Report: Ms. Hilton congratulated Ms. Rigglesman on her 2nd anniversary at the end of the month. Ms. Hilton's 1-year anniversary will be tomorrow. There are 3 new employees – in addition to the 2 new officers, the position in Water & Sewer has been filled. All 3 new employees should be present at the September Council meeting to introduce themselves. Mr. Beam has just completed a press release to introduce the Mount Jackson 5 selected participants. A copy of the press release was provided.

Committee Reports:

1. Finance Committee - Chairperson Rod Shepherd stated that the auditors will be here in September. Once the audit report has been completed, it will be presented at a later council meeting.
2. Ordinance Committee - Chairperson Evelyn Burner had no report.
3. Personnel Committee - Chairperson Todd Holtzman was absent.
4. Public Safety Committee - Chairperson Al Asbury read the July 2024 EMS & Fire Report. Total EMS calls in July were 74; 38 were in town, 35 were in the county, and 1 was in Rockingham County. The Fire Report listed 30 total calls in July; 10 in town and 20 in the county. Of the calls that were run, 10 calls were staffed with Career personnel, 8 calls were staffed with Volunteer personnel, and 12 were staffed with a combination.
5. Public Services Committee - Chairperson Bonnie Good had no report.
6. Public Properties Committee - Chairperson Judy Fultz had no report.

Consent Agenda: **Approval** – Minutes of July 9, 2024 Regular Meeting; July 23, 2024 Work Session; and August 5, 2024 Special Meeting

Councilmember Fultz MOVED, seconded by Councilmember Fultz, to APPROVE the Consent Agenda items above, adding a copy of the Bill Holtzman Day Resolution to the July 9, 2024 Minutes.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Asbury			
Councilmember Burner			
Councilmember Fultz			
Councilmember Good			
			Councilmember Holtzman
Councilmember Shepherd			

5 AYES, 1 ABSENT, motion carried

OLD BUSINESS: None.

NEW BUSINESS: Ms. Hilton requested the Library Proposal be discussed first to accommodate the guest present. Mayor Pifer agreed to this request.

1. Library Proposal

Ms. Hilton shared a proposal for consideration and introduced Sandy Whitesides. Mr. Whitesides introduced himself as the Director of the Shenandoah County Library System, which consists of the County library located in Edinburg and 5 other locations, including Mount Jackson. Ms. Hilton stated that herself, Mr. Beam, and Mr.

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Whitesides would be meeting several times to work on the proposal and communication strategies with volunteers, but ultimately, they are proposing to transition the library into a Town department. It would still remain a part of the Shenandoah County Library system and retain the staff training and infrastructure, like the internet and vast resources from the county library. The Town would work on the operational side, paying a part-time manager, ideally working 20 hours/week, handling the volunteers, and be open more hours. Moving forward, this would stay a department within the Town. Ms. Hilton stated that Mount Jackson would be the first town in the county to add this structuring. Part of the 2017 Comprehensive Plan was “the funding of a part-time library manager, and the recruitment of additional library volunteers”. Ms. Hilton referenced a timeline on the proposal, stating that tonight’s meeting would be the introduction, proposed approval on September 10, October thru winter would be open applications, staff onboarding, volunteer recruitment, and internal gentle renovations. February 2025 will be a soft “re-open”.

Mr. Shepherd asked Mr. Whitesides if he saw any major changes in relation to the town library, just an added value to the system. Mr. Whitesides answered that Town support would strengthen the support for the volunteers running the library, a stronger point of contact, and just the administration would change. Mr. Shepherd inquired if the person would be a Town employee or a Library employee. Ms. Hilton answered that they would be a part-time Town employee. This would be adding to the tourism and community engagement department. Mr. Shepherd inquired if the Library would help fund this person. Mr. Whitesides answered that the Mount Jackson Library would receive the same amount of financial and in-kind support as they currently do. Discussion ensued on Town and Library funding.

2. SU-01-2024: Request to Permit a Single-Family Home within the B-2 District, 5967 King Street – Eligible for Action

Ms. Hilton shared a Staff Report for the Special Use Permit along with Staff Recommendations and conditions, including that the applicant shall provide a minimum of 2 parking spaces in the front of the facility and adhere to the zero-lot line requirements of paving with asphalt or concrete material. Mayor Pifer inquired if paving is standard. Ms. Hilton stated that the zero-lot line requires it. Ms. Good stated that the entire lot would then be paved, and that there is a section in the Comprehensive Plan that talks about the possibility of utilizing other driveway materials to make it more permeable, as paving would create more water issues. Mr. Jones requested to speak, and stated that paving would indeed make issues worse, and inquired if that is the case for this property, why there are not paved designated parking areas for the other properties on the street. Ms. Hilton stated that to her knowledge, they happened prior to the codes being implemented. Mr. Jones stated that since King Street was repaved/chip and tarred, water flow has been a huge problem, so adding more paving would increase this issue.

Ms. Good stated that she would make a motion to deny this special use request. She stated her basis that over the past 8-10 years, businesses at ground level have been turned into housing throughout town, and the town lacks places for business. Council is depriving the town of having a viable downtown because they keep approving residential areas instead. Ms. Good stated that both of these SUPs tonight are doing the same thing – taking away where there could be business or industry, and that this particular building would be too small. Ms. Hilton stated that there is a definite need for smaller housing, so while she felt the size would be fine, there could be an option for a two-story building with residential on the top level and commercial on the ground level. Ms. Good stated that this would then need to be submitted to Council as a different proposal and she would not be as against it, were it to have this proposal, as this was what the downtown area was supposed to be originally – businesses on street level and housing above. This would also help with parking. Mayor Pifer stated that while he did not agree with Ms. Good, he understood her reasoning and it would be a good reason

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for denying the permit, but he did not see anything happening with the property if it were denied. Ms. Good stated that nothing has been done with the property since it went out of business. Mayor Pifer stated that Mr. Holtzman was asking for the permit to do something with it. Mr. Holtzman would be improving the property and if it were denied, Mayor Pifer stated that he felt it would stay like it is. Ms. Burner stated that she was fine with it being used for housing, but her issues came from paving the lot. Ms. Hilton stated that she could certainly remove the paving requirement, but there are future goals of King Street and making legitimate parking. Future business in town was discussed and potential uses for the subject property. Ms. Hilton stated that Council could table this request until next month to ask some of these questions of the owner/applicant. Mr. Harper stated that they have not seen enough businesses come into town to justify making this property a commercial space that then sits for years unoccupied. They have seen some success with properties like the old gas station, but residential spaces are filling instantly. Discussion ensued on commercial vs. residential and town ordinances.

Councilmember Fultz MOVED, seconded by Councilmember Asbury, to TABLE SU-01-2024 until the September 10, 2024 Council meeting.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Asbury			
Councilmember Burner			
Councilmember Fultz			
Councilmember Good			
			Councilmember Holtzman
Councilmember Shepherd			

5 AYES, 1 ABSENT, motion carried

3. SU-02-2024: Special Use Permit Request for a Residential Building at 6143 Main Street – Eligible for Action

Ms. Hilton pointed to the last page of the Staff Report, showing the inspection approval. The applicant has not been given an occupancy permit because it has not transitioned into residential use, so this would be dependent upon Council determination of the permit. Ms. Hilton gave an introduction to the property and the special use permit request, and pointed to Staff Recommendations on conditions for approval. Mayor Pifer asked clarification that if the conditions were not met that the SUP application would be void; Ms. Hilton answered affirmatively, that it would be revoked.

Ms. Hilton stated that the paving condition could be removed as the end of the parking lot is paved and there is gravel for the driveway. Ms. Good discussed a previous gravel allowance and suggested an ordinance be written to allow a permeable material be used so that the Comprehensive Plan and the Ordinances would be ageeable. Mr. Lonas stated that part of the front of the property will be changed with the sidewalk being redone; some of the driveway near Ruby’s will be redone.

Councilmember Burner MOVED, seconded by Councilmember Fultz, to APPROVE SU-02-2024 with the following conditions: Applicant must receive a Certificate of Occupancy within 30 days and submit to the Town Office; Applicant shall provide a minimum of 2 parking spaces in the front of the dwelling; Applicant must ensure a permanent, designated access road to the dwelling; Applicant must address VDOT concerns with the Main Street entrance to 6141 (the adjacent parcel) within 12 months (with an identified strategy by the 6 month mark) or the special use permit application is void; and if ever sold,

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abandoned for more than 1 year, or condemned, it would no longer retain residential status and would only be approved for I-1 permitted uses.

Ms. Good stated that she still felt this was removing an option for future business, especially if the commercial building in front of the property were to be expanded. Ms. Good thanked Ms. Hilton for the Staff Report.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Asbury			
Councilmember Burner			
Councilmember Fultz			
	Councilmember Good		
			Councilmember Holtzman
Councilmember Shepherd			

4 AYES, 1 NAY, 1 ABSENT, motion carried

4. Kimly Horn – Conceptual Designs for Baker Addition

Ms. Hilton shared two conceptual designs from Kimley-Horn for the added Baker property and requested Council input. Discussion ensued on the two designs. Option 1 was more favorable with councilmembers present, with the road into the park going along the interstate and not thru the park.

5. Presentation from Randy Lonas

Mr. Lonas stated that there had been some reservations regarding replacing the sprinkler system piping in the Town Office and that it may not be old enough for replacement. Mr. Lonas stated that there was another leak in the Town Office on August 2, this time in the basement, again on the air line. Mr. Lonas showed two sections of pipe that had been removed, showing the deplorable conditions of the pipe, and that it does need to be replaced. Mayor Pifer inquired if Mr. Lonas had a cost estimate on replacement. Mr. Lonas stated that it was budgeted \$25,000/year to begin replacing pipes. Mr. Lonas conferred with Barry Patch and 6 or 7 leaks have already been repaired in this line, 2 bad ones over the library, and the Town has been lucky that nothing has been damaged in the library or the town offices. Mr. Lonas said it could probably be done for a little over \$50,000. The line overhead in the upper level is the one that needs to be replaced now; the one in the basement is not the most pressing need right now.

Mr. Shepherd inquired into materials. Mr. Lonas stated that the same material could be used, but galvanized would be thicker and last longer. Mayor Pifer inquired if this would be something that Mr. Lonas would give priority to right away. Mr. Lonas stated that it needed to be done before there is another leak, and if approval was given, they would start from the area most needing repair. Ms. Hilton inquired if there was any financial impact if Mr. Lonas were to replace a portion this fiscal year and another portion the next fiscal year. Mr. Lonas stated that if the main breakage area were to be replaced, the rest could wait just a bit. He understands from Mr. Rosso that there is \$60-70,000 for building maintenance, to which Ms. Hilton agreed, but he stated that they did not want to use it all in case something else were to happen. He would prefer to start and go as far as they can with \$25,000. Access holes were also discussed as the current holes are not very big to allow for pipes to be pulled through. Councilmembers present were in favor of Mr. Lonas beginning repairs as soon as possible. Ms. Hilton stated that this repair project was already in the budget, so an action vote is not needed. Mr. Shepherd stated that this is something that needs to be done and not talked about or thought about. Mr. Lonas stated that this is the reason he was here to show the condition of the pipes.

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6. River Access Property Exchange with Rouge River Farms – Set for Public Hearing

Ms. Hilton stated that Staff was requesting a public hearing on September 10, 2024 to discuss the proposed exchange of Well #4 for the 11.5 acres of river front property along Red Banks Road.

Councilmember Shepherd MOVED, seconded by Councilmember GOOD, to SET a Public Hearing for September 10, 2024 at 7:00 PM for the debate and discussion of the proposed real estate exchange with Rouge River Farms Inc.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilmember Asbury			
Councilmember Burner			
Councilmember Fultz			
Councilmember Good			
			Councilmember Holtzman
Councilmember Shepherd			

5 AYES, 1 ABSENT, motion carried

Closing Remarks by Council Members. Mayor: Mayor Pifer commended Chief Cowart and the MJPD for their excellent efforts with the National Night Out. It was a great job and a great crowd. Mayor Pifer inquired if Chief Cowart thought the turnout was about the same number, to which Chief Cowart answered that it ran just a bit shy of last year’s attendance. Ms. Good stated that the weather was very hot that day.

Mr. Asbury inquired if chicken coops are allowed in town, as he had a discussion with another resident. Mayor Pifer stated that he did not believe there was an ordinance against raising chickens. Chief Cowart answered that chicken coops are allowed as long as they are kept sanitary. Mayor Pifer stated that he believed free range chickens were allowed in most towns.

Motion made by Councilmember Shepherd, seconded by Councilmember Burner, to adjourn the meeting at 8:13 PM. All members present signified approval by saying AYE; meeting was adjourned.

Barbara Riggelman, Clerk

Donald “Donnie” I. Pifer, Mayor