

Regular Meeting  
February 12, 2013

The regular meeting of the Mount Jackson Town Council was held on February 12, 2013 at 7:30 p.m. in Council Chambers at 5901 Main Street. The following were in attendance: Joseph Williams, Mayor, Dennis Andrick, Kenneth Hackenbracht, Todd Holtzman, Donnie Pifer, Rodney Shepherd, and Kay P. Whetzel, Councilmembers. Also in attendance: Douglas Arthur, Town Attorney, Clark Draper, Town Manager, Neil Showalter, Finance Director, and Judy Fultz, Clerk. Visitors in attendance: Gerald Forsburg.

The Pledge of Allegiance and flag presentation was presented by Boy Scout Troop 117. The following Scouts participated: Jeremiah Hines, Christopher Delaughter, Zakari Hottle, Dakota Baker, Blake Dysart, James Clark, James Shumway, Derek Weaver, Josh Morris, Jacob Patrick, Layne Ludwig, and Devin Miller. Leaders present: Scoutmaster: Howard Hackenbracht, Asst. Scoutmasters: Steve Hines, Steve Kennedy, Gary Morris, and Jim Patrick.

Scoutmaster Howard Hackenbracht stated that one of the ways the scouts earn their merit badge for Citizenship in the Community is by sitting in on a town meeting. They also participate in the fall festival and pick up trash two times a year.

Councilman Hackenbracht asked that Comprehensive Plan Goals for 2013 be added to the agenda under new business.

Mayor Williams thanked the scouts for their presentation.

Mayor Williams stated he wanted to discuss the farmers market wayfinding signs. Gerald Forsburg stated the vendors are asking about when the signs will be installed. They have advised they will not participate at the farmers market if they do not have signs. Gerald Forsburg stated he is getting the lot paved by the end of April. He was advised to see the Town Manager in reference to the paving.

**COMMITTEE REPORTS:**

Councilman Shepherd, Chairman of the Finance Committee, reported there is a financial report on the midpoint of the fiscal year. We have a cash balance of \$2.8 million dollars. One of the long-term debts is the \$140,000 note that is for the building where the rescue and fire are located. We have an 8.7 million dollar debt for water and sewer at 0% interest. The General Fund revenues were budgeted at \$900,000, and at six months we are \$3,000 under budget. Some of the motel tax needs to be used for tourism. The Capital Improvements and Equipment Replacement Funds are transfers from the General Fund and Water & Sewer Fund.

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Councilmember Whetzel, Chairman of the Public Safety Committee, reported the police department worked foot patrol 20 times on Main St. and found no open doors. They are assisting with security checks at Triplett Tech.

Motion by Councilman Shepherd and second by Councilmember Whetzel to approve the consent agenda consisting of: 1- Approval – Minutes of December 11, 2012 Regular Meeting, and 2- Approval – Minutes of January 8, 2013 Regular Meeting.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilman Andrick	None	None
“ Hackenbracht		
“ Holtzman		
“ Pifer		
“ Shepherd		
“ Whetzel		

6 AYE, motion carried.

Town Manager Clark Draper reported on the request from Chief Fadley to hire an officer to replace Officer Vann. Councilman Pifer reported the Personnel Committee met on January 15, 2013. Motion by Councilman Pifer and second by Councilman Andrick to advertise and hire in April, 2013.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilman Andrick	None	None
“ Hackenbracht		
“ Holtzman		
“ Pifer		
“ Shepherd		
“ Whetzel		

6 AYE, motion carried.

Councilman Andrick reported on the dump truck. The 1980 International is on its last leg. Motion by Councilman Andrick and second by Councilmember Whetzel to dispose of the 1980 International and move it to surplus equipment.

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ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilman Andrick	None	None
“ Hackenbracht		
“ Holtzman		
“ Pifer		
“ Shepherd		
“ Whetzel		

6 AYE, motion carried.

Town Manager Clark Draper reported we have been working on the sewage ejection pump system for several months and now have the bids. Byers Mechanical is the low bid with a bid of \$9,916.00. Motion by Councilmember Whetzel and second by Councilman Pifer to award the contract to Byers Mechanical for the installation of the sewage ejection pump system in the basement of Town Hall.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilman Andrick	None	None
“ Hackenbracht		
“ Holtzman		
“ Pifer		
“ Shepherd		
“ Whetzel		

6 AYE, motion carried.

Mayor Williams thanked the Council for working good together.

Town Manager Clark Draper reported on the TEA-21 grant for sidewalk improvements from Triplett Tech to BB&T. The grant is an 80 -20 match by VDOT. Motion by Councilman Hackenbracht and second by Councilman Andrick to contract with Pennoni Associates, Inc. for engineering services for survey, engineering, design, and construction administration services for sidewalk improvements for a lump sum fee of \$65,000. Pennoni Associates, Inc. was formerly PHR&A.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilman Andrick	None	None
“ Hackenbracht		
“ Holtzman		
“ Pifer		
“ Shepherd		
“ Whetzel		

6 AYE, motion carried.

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Motion by Councilman Shepherd and second by Councilmember Whetzel to adjourn for 10 minutes so the Boy Scouts can leave. Motion carried.

Motion by Councilman Shepherd and second by Councilmember Whetzel to come out of adjournment. Motion carried.

Motion by Councilman Holtzman and second by Councilman Pifer to appropriate \$8,537.19 to Burner Well Drilling, Inc. for replacement of pump and motor at Well #3.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilman Andrick	None	None
“ Hackenbracht		
“ Holtzman		
“ Pifer		
“ Shepherd		
“ Whetzel		

6 AYE, motion carried.

Motion by Councilman Shepherd and second by Councilman Holtzman to approve a \$5,000 grant (50% state match) to Shenandoah Valley Music Festival. The cost to the Town would be \$2,500. This money would be taken from the motel tax revenues.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilman Andrick	None	None
“ Hackenbracht		
“ Holtzman		
“ Pifer		
“ Shepherd		
“ Whetzel		

6 AYE, motion carried.

Town Manager Clark Draper reported on an application for rezoning from Robert Tuthill to rezone from B-3 to B-2 property located at 5254 Main Street for a public billiard room and supplies. Motion by Councilman Hackenbracht and second by Councilman Holtzman to set a joint public hearing on March 4, 2013 at 7:00 p.m. on the rezoning request.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilman Andrick	None	None
“ Hackenbracht		
“ Holtzman		
“ Pifer		
“ Shepherd		
“ Whetzel		

6 AYE, motion carried.

Town Manager Clark Draper reported on an application for a Special Use Permit, which is the next step if the applicant is successful on the rezoning request. There has been no discussion on signs. They will not be selling alcohol. Attorney Arthur stated in the Town Code minors are not allowed in billiard rooms. The Town can pass an ordinance to regulate minors in an amusement. The Town ordinance refers to a State Code that has been overturned. The owner of Sonny’s Place has a concern of young people loitering and getting alcohol. Motion by Councilmember Whetzel and second by Councilman Holtzman to set a joint public hearing on the Special Use Permit request from Robert Tuthill to allow billiard room use in B-2 District, contingent on approval of corresponding rezoning application.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilman Andrick	None	None
“ Hackenbracht		
“ Holtzman		
“ Pifer		
“ Shepherd		
“ Whetzel		

6 AYE, motion carried.

Town Manager Clark Draper reported there are two vacancies on the Planning Commission. Mr. Zirkle and Mr. Scherer have resigned. There was a discussion on the vacancies. The Council will come back with names at the next council meeting.

Councilman Hackenbracht reported the Comprehensive Plan was updated in 2006. Many goals were set – some long range and some short range. The Planning Commission has come up with some goals – some are still active, some have been completed, and some have been eliminated. The Planning Commission would like to present these to the Council. Motion by Councilman Hackenbracht and second by Councilman Shepherd that the Council adopt and add the goals to the Comprehensive Plan.

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ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilman Andrick	None	None
“ Hackenbracht		
“ Holtzman		
“ Pifer		
“ Shepherd		
“ Whetzel		

6 AYE, motion carried.

Motion by Councilman Pifer and second by Councilmember Whetzel that the Council of the Town of Mount Jackson convene a closed session at 8:30 p.m. under the Virginia Freedom of Information Act under State Code Sect. 2.2-3711 (A) (1) to discuss personnel involving specific officers, appointees or employees of the Town of Mount Jackson for the purpose of considering such individuals' assignment, appointment, promotion, performance, demotion, salary, disciplining or resignation.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilman Andrick	None	None
“ Hackenbracht		
“ Holtzman		
“ Pifer		
“ Shepherd		
“ Whetzel		

6 AYE, motion carried.

Motion by Councilmember Whetzel and second by Councilman Pifer to return to the regular meeting at 9:00 p.m.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilman Andrick	None	None\
“ Hackenbracht		
“ Holtzman		
“ Pifer		
“ Shepherd		
“ Whetzel		

6 AYE, motion carried.

Councilman Pifer stated the Council of the Town of Mount Jackson hereby certifies by roll call vote, that to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting to which the certification resolution applies, and (ii) only such public matters as were identified in the motion convening the

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closed meeting were heard, discussed or considered by the Council of the Town of Mount Jackson.

Vote: Andrick	So Certify		
Hackenbracht	“	“	
Holtzman	“	“	
Pifer	“	“	
Shepherd	“	“	
Whetzel	“	“	
Williams	“	“	

Aye – 7, Nays - 0, Absent – 0.

Motion by Councilmember Whetzel and second by Councilman Holtzman to adjourn the meeting. Motion carried.

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CLERK

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MAYOR