

Regular Meeting
March 13, 2012

The regular meeting of the Mount Jackson Town Council was held on March 13, 2012 at 7:30 p.m. in the basement conference room at 5901 Main Street. Roll call was taken with the following in attendance: Neil Fadely, Kenneth Hackenbracht, Todd Holtzman, J. Bucky Miller, Rodney Shepherd, and Kay P. Whetzel, Councilmembers. Absent: Joseph Williams, Mayor. Also present: Doug Arthur, Town Attorney, Charles Moore, Town Manager, Clark Draper, Assistant Town Manager, Neil Showalter, Finance Director, and Judy Fultz, Clerk. Visitors present: Donna Wolfe.

Councilman Miller stated he is not seeking a third term on the Council. He stated he gave a story to the Northern Virginia Daily.

COMMITTEE REPORTS:

Councilman Shepherd, Chairman of the Finance Committee, reported the Town has been accepting credit card payments. This is causing some extra work on the bank reconciliation. The Town is looking into the matter of adding a fee to the customer. Other towns are also considering charging a fee. This matter will be discussed at a later date.

Councilmember Whetzel, Chairman of the Public Safety Committee, reported the police department has received 303 calls for service in February. Criminal offenses reported were 1 Simple Assault (cleared by arrest), 1 Aggravated Malicious Wounding (cleared by arrest), 1 Assault Family Member (cleared by arrest), 1 Auto Theft (cleared by arrest), 2 Child Abuse (cleared by arrest), 1 Unlawful Entry (cleared by arrest), and 1 Fugitive from Justice (cleared by arrest). Sgt. Sterner has been released to report back to full duty on March 5. Auxiliary personnel worked 20 hours and assisted on 19 calls for service. Foot patrol was done on Main St. 19 times and one open door was found. The Police Department received a letter complimenting the Police Department on their extraordinary courtesy by an officer. This was determined to be Sgt. Sterner.

Councilman Hackenbracht, Chairman of the Public Services Committee, reported the committee had met a week ago. They discussed the painting of the water tower and possibly using Hargrove Graphics. They discussed Well #7 and #8, and advised we have applied for a grant to get the wells on line.

Motion by Councilman Shepherd and second by Councilman Miller to approve the consent agenda consisting of: 1- Approval of Minutes of February 14, 2012, Regular Meeting and February 6, 2012, Joint Public Hearing, 2- Authorization for Town Manager to Make Application for a Virginia Department of Health (VDH) Grant for Construction of Water System Improvements to Bring New Wells 7 and 8 into the Town's System Consistent with the Recommendations of the Preliminary Engineering Report (PER) and VDH Approvals of the PER, and 3- Resolution R-01-2012 – Exonerating Personal Property Taxes for Years 2006 and Older.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilman Fadely	None	None
“ Hackenbracht		
“ Holtzman		
“ Miller		
“ Shepherd		
“ Whetzel		

6 AYE, motion carried.

Town Manager Moore reported on Ordinance O-02-2012. A public hearing was held last week. This ordinance allows a conversion of existing buildings to one new residential structure in B-1 and B-2 zoning districts by Special Use Permit. An amendment was also presented that would also allow construction of one new residential structure in the B-1 and B-2 zoning district by Special Use Permit. Motion by Councilman Hackenbracht and second by Councilman Fadely to approve Ordinance O-02-2012 with Amendment #1 – Amending Town Code Sections 66-167 and 66-197 to Allow Conversion of Existing Buildings in B-1 and B-2 Zone to One Dwelling Unit or Allow Construction of One New Residential Structure - All by Special Use Permit.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilman Fadely	None	None
“ Hackenbracht		
“ Holtzman		
“ Miller		
“ Shepherd		
“ Whetzel		

6 AYE, motion carried.

Assistant Town Manager Draper presented Ordinance O-03-2012 – An Ordinance to Amend Sections 66-3 and 66-335 of the Code of the Town of Mount Jackson Regulating Signs. The most significant changes are: 1- Definition and regulation of signs with electronic features, 2- Increased emphasis on Monument signs when signs are freestanding, 3- Emphasis on signs having the name of the business on them rather than generic products signs such as the ‘throwaway’ signs attached to light poles in shopping centers, 4- Allowing freestanding signs in the B-1 Zone which apparently had been overlooked in the past codes or was inadvertently deleted in the past, and 5- Simplification of some of the sign area calculations and standardization of area requirements. Motion by Councilman Miller and second by Councilman Hackenbracht to set a joint public hearing on April 2, 2012 at 7:00 p.m. on Ordinance O-03-2012.

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ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilman Fadely	None	None
“ Hackenbracht		
“ Holtzman		
“ Miller		
“ Shepherd		
“ Whetzel		

6 AYE, motion carried.

Assistant Town Manager Draper presented Ordinance O-04-2012 – An Ordinance to Amend Chapter 62 (Utilities) to Require Mandatory Connection to Town Water System and Allowing Certain Exceptions. Motion by Councilman Miller and second by Councilman Shepherd to set a public hearing on April 10, 2012 at 7:30 p.m.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilman Fadely	None	None
“ Hackenbracht		
“ Holtzman		
“ Miller		
“ Shepherd		
“ Whetzel		

6 AYE, motion carried.

Attorney Doug Arthur will have a conference call with Municipal Code in April to update the Town Code. It will be put on the web page in late 2012.

Motion by Councilman Shepherd and second by Councilman Miller that the Council of the Town of Mount Jackson convene a closed session at 7:50 p.m. under the Virginia Freedom of Information Act under State Code Sect. 2.2-3711 (A)(5) Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community and 2.2-3711 (A)(1) To discuss personnel involving specific officers 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 Fadely	None	None
“ Hackenbracht		
“ Holtzman		
“ Miller		
“ Shepherd		
“ Whetzel		

6 AYE, motion carried.

Motion by Councilman Shepherd and second by Councilman Miller to return to the regular meeting at 8:45 p.m.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilman Fadely	None	None
“ Hackenbracht		
“ Holtzman		
“ Miller		
“ Shepherd		
“ Whetzel		

6 AYE, motion carried.

Councilman Shepherd 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 business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Council of the Town of Mount Jackson.

Vote: Fadely	So Certify
Hackenbracht	“ “
Holtzman	“ “
Miller	“ “
Shepherd	“ “
Whetzel	“ “

Ayes – 6, Nays – 0, Absent – 1.

Motion by Councilman Shepherd and second by Councilman Fadely to adjourn the meeting. Motion carried.

CLERK

VICE - MAYOR

