

Regular Meeting  
September 11, 2012

The regular meeting of the Mount Jackson Town Council was held on September 11, 2012 at 7:30 p.m. in Council Chambers at 5901 Main Street. Roll call was taken with the following in attendance: Joseph Williams, Mayor, Dennis Andrick, Kenneth Hackenbracht, Todd Holtzman, Donnie Pifer, Rodney Shepherd, and Kay P. Whetzel, Councilmembers. Also present: Doug Arthur, Town Attorney, Clark Draper, Town Manager, Neil Showalter, Finance Director, and Judy Fultz, Clerk. Visitors present: Gerald Forsburg and Donna Wolfe.

Town Manager Clark Draper stated we need to change the closed session to Virginia Code Sect. 2.2-3711 (A) (1) Personnel.

Mayor Williams welcomed back Councilmember Whetzel after her surgery.

Councilman Shepherd reported the Town & County Dinner Meeting will be held on October 3, 2012. The Town of Mount Jackson is hosting the meeting. Heather is doing a fantastic job with the program. Please RSVP to Heather whether or not you are attending.

Attorney Arthur stated his report is in the memos to the Town Manager.

Councilman Pifer stated he will have a meeting of the department heads the last week of September.

Motion by Councilmember Whetzel and second by Councilman Holtzman to approve the consent agenda consisting of: 1- Approval – Minutes of July 10, 2012, Regular Meeting; July 2, 2012, Joint Public Hearing; and July 2, 2012, Reorganizational 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 we have a proposal from Byers Mechanical to install sewage ejection pump system in basement of Town Hall. Motion by Councilmember Whetzel and second by Councilman Pifer to table until the next council meeting.

Regular Meeting  
September 11, 2012  
Page 2

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 sign ordinance amendment in the I-1 District. Motion by Councilman Holtzman and second by Councilmember Whetzel to direct the Planning Commission to develop recommendation regarding size of signs in the I-1 District adjacent to the interstate.

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.

There was a discussion of the Shenandoah Historical Society's search for storage space for the glass plates from Morrison Photography. Motion by Councilman Shepherd and second by Councilmember Whetzel to refer the matter to the Public Properties Committee.

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 a resident had been assessed three minimums for a building with three businesses. He had previously been billed for only one minimum. He has met with the finance director and town manager. The Mayor asked the clerk to research the council minutes. On June 13, 1995 a motion was made to set a policy where

Regular Meeting  
September 11, 2012  
Page 3

there are several businesses located in one building that each business will be required to pay a minimum bill. This was an oversight on the staff. He is now being billed correctly. Going forward, it is suggested the Council come up with a more comprehensive policy. Motion by Councilman Shepherd and second by Councilman Hackenbracht to refer the matter to the Public Services Committee.

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 is a request from South End Grocery rezoning application to waive the site plan requirement. The rezoning request is from I-1 to B-2 which is more appropriate. The applicant is making no changes in buildings or uses. They want to use it as a grocery store, gas station, and restaurant. It is not grandfathered in after two years. There are no issues in waiving the site plan requirement. The applicant will need to present a drawing to VDOT for their approval. HML Financial is the applicant representing the buyer who will be moving to the valley. Motion by Councilmember Whetzel and second by Councilman Andrick to approve waiving the site plan requirement for South End Grocery.

ROLL CALL VOTE:

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

4 AYE, 2 ABSTAIN, motion carried.

Town Manager Clark Draper reported on Larry and Sandra Ward Special Use Permit request for property located at 6018 Main Street for increase of residential use in B-1 District. Motion by Councilmember Whetzel and second by Councilman Holtzman to set the public hearing for October 1, 2012 at 7:00 p.m.

Regular Meeting  
September 11, 2012  
Page 4

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 the Town had applied for a grant from VA Department of Health for \$787,200 to construct a well house on public property. We received notification that the Town had been approved for \$432,960. We need to send a letter stating if we accept the offer. We would like to develop well #7 and well #8 and build a tank to blend them. We have been having nitrate issues from well #4 and issues from well #2. There would need to be a rate increase of \$0.31 cents per 1000 gallons of water. In the current fiscal year budget there is included money to run electricity to well #7. Motion by Councilman Shepherd and second by Councilman Hackenbracht to accept the offer from VA Department of Health.

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 Ordinance O-07-2012 a rezoning request from 5722 Main Street, LLC to rezone from R-1 to R-2. The staff has no problems. The Planning Commission asked for it to be tabled to next month. There is a question on the Comprehensive Plan. They would like to set a work session for next Monday. Councilman Holtzman stated he is the applicant. He would like to restore the property and have two apartments. The Planning Commission is concerned about it being an island. Motion by Councilman Hackenbracht and second by Councilmember Whetzel to table until the next council meeting.

Regular Meeting  
September 11, 2012  
Page 5

ROLL CALL VOTE:

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

5 AYE 1 ABSTAIN, motion carried.

Motion by Councilman Pifer and second by Councilman Shepherd that the Council of the Town of Mount Jackson convene a closed session at 8:15 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 Andrick to return to the regular meeting at 8:50 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

Regular Meeting  
September 11, 2012  
Page 6

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	“ “

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

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