

Mount Jackson
Town Council Regular Meeting (Joint Public Hearing and Public Hearing)
May 12, 2020

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Regular Meeting

The regular meeting of the Mount Jackson Town Council was held May 12, 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 Bonnie Good, Judy Fultz, Rod Shepherd, and Roger Rudy. Councilmembers Dennis Andrick and Whitney Miller, as well as Town Attorney Matt Akers attended electronically through Zoom.

Planning Commission roll call was taken with the following in attendance; Jim Hines. Vice-Chair Anita Miller and Commissioner Dennis Andrick attended electronically through Zoom. Chairman Larry Ambrose and Commissioner Evelyn Burner were absent.

Also, in attendance, Neil Showalter, Town Manager; Joseph S. Paxton, Consultant; and Debbie Stover, Town Clerk. Dave Moore from Cornerstone Technology was present to video record the meeting. There were no visitors.

Joint Public Hearing

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.

Mr. Showalter reminded the public, they are welcome to submit questions or comments on the Town's 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. The submissions for tonight's hearing(s) are due by May 26, 2020.

Mr. Paxton stated there were two changes from the joint work session on April 23. First, in Table 1 in Section 66-32 is regarding the setback in the A-1 district. It was proposed to be 100 feet to encourage agricultural character in that area. However, it was discussed in the work session, that the areas currently zoned A-1 were annexed into the Town and a number of those areas already have structures within the 100 foot setback. Mr. Paxton stated staff informally asked the Planning Commission and Council who generally agree, to revise that setback to 50 feet for the proposed ordinance. Second, in discussions with Councilmember Good, staff agreed that the definition of basement was unclear. It is revised in the draft ordinance to be defined as "a story completely underground or partly underground and having 50% or more of its height below grade. Also, the exposed wall area shall be counted towards the height restriction."

There were no public comments.

Mayor Pifer closed the public hearing.

Vice-Chair Anita Miller called for adjournment of the Planning Commission, motion by Commissioner Andrick, the Planning Commission meeting adjourned at 7:10 PM.

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ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Commissioner Andrick			
Commissioner Miller			
Commissioner Hines			
			Commissioner Burner
			Commissioner Ambrose

3 AYES, 2 ABSENT, motion carried

Public Hearing

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 Service, Auto License Tax, and Other Fees, Charges, Penalties, and Taxes, and Establishing Annual and Specific Appropriations for Fiscal Year 2021.

There were no public comments.

Mayor Pifer closed the public hearing.

Agenda Additions/Deletions/Changes: None

Hear from Visitors: None

Remarks & Recommendations from the Mayor: None

Remarks from Councilmembers: None

Presentations: None

Chief of Police Report: None

Town Manager Report: None

Committee Reports:

1. Finance Committee Chairperson, Rod Shepherd stated he will speak to Items #2 and #4 under New Business.

2. Ordinance Committee Chairperson, Dennis Andrick had no report.

3. Personnel Committee Chairperson, Roger Rudy had no report.

4. Public Safety Committee Chairperson, Judy Fultz reported April Police Department calls were 683, down 155 from March. There were 9 criminal offenses, 5 cleared by arrest, 2 closed, and 2 under investigation. They conducted 511 extra patrols and property checks, and found 5 open doors/windows. There is no report from Fire and Rescue.

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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 April 14, 2020 Regular Meeting, Minutes of April 20, 2020 and April 23, 2020 Special Meetings.

Councilmember Shepherd MOVED, seconded by Councilmember Good to APPROVE the Consent Agenda consisting of the Approval-Minutes of April 14, 2020 Regular Meeting, Minutes of April 20, 2020 and April 23, 2020 Special Meetings.

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			
6 AYES, motion carried			

Old Business: None

New Business:

1. SUP 20-04 Food Lion – to allow signage in the B-3 district in excess of 100 square feet; received on first reading and call for joint public hearing on June 1, 2020 at 7:00 PM.

Mr. Paxton stated this is a request from Food Lion, who will begin a major interior renovation, to install a wall sign up of 134 square feet. The ordinance stipulates a maximum of 100 square feet, but there is a provision that allows an applicant to appeal on hardship to the Council. The current wall sign is 145 square feet, but staff could not find where the owner received a permit for it. The last permit staff found was for a 104 square foot sign, which was approved when the store was originally built. The Planning Commission met last week and is calling for a joint public hearing on June 1 at 7:00 PM.

Councilmember Good MOVED, seconded by Councilmember Andrick to APPROVE a joint public hearing for SUP20-04 on June 1, 2020 beginning at 7:00 PM.

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			
6 AYES, motion carried			

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2. Resolution R-03-2020 of the Mayor and Council of the Town of Mount Jackson Amending FY 2020 Annual Budget; introduction and call for public hearing on June 9, 2020 at 7:00 PM.

Councilmember Shepherd stated staff has made some adjustments to our current year budget, mainly brought on by COVID-19.

Councilmember Shepherd MOVED, seconded by Councilmember Fultz to APPROVE the introduction of and set a public hearing regarding R-03-2020 on June 9, 2020 at 7:00 PM.

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			
6 AYES, motion carried			

3. Consideration – Request to Amend Conditions for SUP 20-03 Triplett Tech for a small-scale solar array; recommendation for approval from Planning Commission – Eligible for Action.

Councilmember Andrick asked if staff determined if the electric line can be run near the propane tank that is on the property. Mr. Paxton stated he checked with the Shenandoah County building official, and as long as the electric line is encased in conduit, and attached to the outside of the wall, it can be done.

Councilmember Rudy MOVED, seconded by Councilmember Fultz to APPROVE the amended conditions for SUP 20-03.

Councilmember Good stated she has some concerns in lowering the solar panels from 4 feet to 3 feet. She understands they are putting in pollinator vegetation, but that can take years to develop, and asked if 3 feet is high enough to mow and maintain under. Councilmember Andrick stated the panels tilt, and can be moved temporarily to work under them. Mr. Paxton added the lowest end of the tilt is 3 feet in height. Commissioner Hines stated he understood the panels to be fixed, and not moveable. Mr. Paxton stated they will be fixed once they are set, but can be manually adjusted if needed.

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			
6 AYES, motion carried			

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4. Consideration of Request from the Historic Union Church Trustees for a Grant of \$10,000 to Repoint Exterior Brickwork.

Councilmember Shepherd stated the Union Church trustees have identified some significant leaking problems in the building along the old deteriorating mortar in the brick walls. The trustees received an expensive bid in January, but subsequent to the COVID-19 event, the contractor has reduced the cost to \$10,000, which is approximately half of the original bid. The trustees are requesting that the Town provide the funding for this work. Mr. Shepherd noted the Town recently received some unexpected income from the sale of surplus property, and the proceeds will more than cover this expense.

Councilmember Shepherd MOVED, seconded by Councilmember Andrick to APPROVE granting the Union Church \$10,000 for this work.

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			
6 AYES, motion carried			

Mr. Paxton stated tomorrow Council will receive a copy of the draft Floodplain ordinance. He stated that document does not have substantial changes, but does use new terminology, for example “freeboard” (distance between ground level and where the structure is built), which is 18 inches to allow for protection against flooding. He stated the ordinance is drafted to meet the requirements established by FEMA, so the Town has little or no flexibility in these regulations. On a good note, the Town currently has little property in the floodplain, however, there are a number of parcels in the growth area that are in a flood hazard area. Mr. Paxton stated the draft ordinance will be presented to the Planning Commission on June 1, with a request to call for a public hearing on July 6. The Berkley Group will have a joint work session with the Planning Commission and Council prior to the public hearing if requested. The ordinance has also been sent to the Town Attorney for his review.

Mr. Paxton thanked the Town for the opportunity to work here the last several months, stating it has been an honor and a pleasure. He stated he has been through Mount Jackson often since retirement, and has enjoyed visiting and working in the Town.

Mr. Showalter added tomorrow is Mr. Paxton’s last working day with the Town, and everyone has benefited from his professional experience and knowledge, and he personally has learned a lot from him, and thanked him for everything.

Motion made by Councilmember Shepherd, seconded by Councilmember Fultz, to adjourn the meeting at 7:30 PM.