

Mount Jackson  
Town Council Public Hearing and Regular Meeting

May 10, 2022

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Public Hearing

Mayor Pifer opened the public hearing at 7:00 PM in the council chambers at 5901 Main Street, to hear public comment regarding the adoption of Ordinance O-01-2022 – 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 Services, Auto License Tax, and Other Fees, Charges, Penalties, and Taxes, and Establishing Annual and Specific Appropriations for Fiscal Year 2023.

There were no public comments and Mayor Pifer closed the public hearing.

Regular Meeting

Mayor Pifer called the regular meeting of the Mount Jackson Town Council to order immediately following the public hearing. Roll call was taken with Mayor Pifer, and Councilmembers Rod Shepherd, Whitney Miller, Bonnie Good, Dennis Andrick, Judy Fultz, and Roger Rudy in attendance. Also, in attendance, Neil Showalter, Town Manager; Erick Moore, Planning and Development Director; Mario Rosso, Finance Director; Keith Cowart, Police Chief; and Debbie Allen, Town Clerk. Jim Hines was a visitor.

Agenda Additions/Deletions/Changes: None

Hear from Visitors: None

Remarks & Recommendations from the Mayor: Mayor Pifer stated he is pleased to see the military banners up, and the Hometown Partnership is having a Memorial Day event at Veteran’s Park. Mr. Showalter added the Town has been asked by the Hometown Partnership if Council will grant them permission to close King Street for the time in which that observance is going to be held. Mr. Showalter asked Chief Cowart if the police department could possibly suspend the one-way only traffic on King Street to let residents enter the other way. Chief Cowart stated there are only 4 people that would be affected due to the apartment house, and other than those using that road as a quicker route to 263, it should not be an issue.

Remarks from Councilmembers: Ms. Good stated John Boor gave her a list of items to mention. The Memorial Day Event will be May 30 between 4:30-6:30 PM, with festivities starting at 5:00 PM, and closing King Street for up to 2 hours. The Hometown Partnership would like to request help from the Town for the \$300 cost of the Hometown Hero medal, which will be presented that day. They are hoping the high school band will play and would like the Boy Scouts to present the colors. The Hometown Partnership is hopeful many veterans will attend this event honoring them.

Councilmember Good MOVED, seconded by Councilmember Andrick to APPROVE the Town Assist the Hometown Partnership by Donating \$300 to Pay for the Medal for this Memorial Day Event.

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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Presentations: None

Chief of Police Report: Chief Cowart stated there were 1249 police department calls in April; 1013 extra patrols/property checks/constructions checks; 1 report of a domestic assault closed by arrest; 1 sexual assault closed by arrest; 1 burglary/destruction of property at the Caverns area closed by a single arrest with multiple charges and several victims; 1 trespassing closed by arrest, 1 shoplifting and 1 hit and run both closed leads were exhausted; and 2 active cases one being elderly abuse and larceny and another is a death that occurred at Sheetz, still being investigated by several agencies. There were 22 mutual aid calls for service; and 4 open doors/windows in 2 locations. Chief Cowart stated at this time there is no change in the application status for the night shift officer. He thanked the officers for coverage, stating they do not have to work extra hours, but there is no breathing room currently. The police department did 3 community events; the Mount Jackson/Edinburg Rotary Club; the Drug Take Back Event; and the Fire Department Annual Banquet Event. Mount Jackson collected 9 pounds of prescription medications, running the same as other towns in Shenandoah County. Mayor Pifer asked if there is another drug take back event scheduled. Chief Cowart stated there are two a year, April and October, and the DEA sets those dates.

Town Manager Report: Mr. Showalter stated yesterday he, Joey, Mario met with consulting engineer Rob Mangrum regarding the large sewer equalization basin project, who presented his findings for the preliminary engineering and environmental report being submitted this week. Depending on the reaction of the state, this will lead the Town to the next step which will be the detailed design of the basin. Mr. Showalter stated it is possible the state may want more research done with the archeological aspects of the site, as there evidently was an Indian encampment on that property at one time, however, most of the project will be on the site of the previous sewer plant. The Town hopes to reach the first big milestone to have the project designed and out for bid by October 31, which is in the consent letter signed with the DEQ. In Mr. Mangrum's estimation the project is about 1 month ahead of that milestone. The Town is also looking at two primary financing alternatives, both attractive involving a good interest rate, and grant money to go along with it. Mr. Showalter stated he and Mr. Moore met with the CEO of Randy's Hardware, Christian, who has a rather ambitious sign plan, and the provisions in the code for B-1 signage are pretty limiting. He added Mr. Moore has also been talking to them regarding the layout of the store and how they might use the parking area. Mr. Moore stated it became apparent in discussions the outdoor storage of materials, such as lumber and concrete, needed to be addressed. In the zoning ordinance it states outdoor storage should only be in the rear yard, but there is no rear yard to this property. Mr. Moore stated he proposed they put a fence from the corner of the front to the property line facing south, as well as running along the property line, and because it needs to be screened from residential lots would require a special use permit. Mr. Moore stated he would ask for this to be conditioned for approximately 24 months, since it is restricted to the rear yard, but the Town wants to help them get reopened as quickly as possible. Also, the outdoor display of merchandise is very limited to within the first 10 feet of the building outwards, so the parking lot or road frontage is not to be used. The difference between this property and approvals for other special uses such as Food Lion and Hardees, is those are B-2 properties, and B-1 is extremely restricted. Mr. Moore stated he did a cursory review in the B-1 area, and there are hardly any signs greater than what the ordinance states. He suggested maybe at a minimum, allow Randy's to use the same square footage as what Shop and Save had. The sign plan they are proposing comes from Do-It-Best corporation, and includes internally illuminated signs which are prohibited in B-1. He sent an email asking for a revision last week but has heard nothing back. Mr. Rudy stated the ABC store, which in the B-1 district, has an illuminated sign inside. Mr. Moore stated it would be grandfathered in as pre-existing, but in this case, all of the old signage was removed so this is treated as a brand new building.

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Mr. Showalter stated discussion on this matter should be limited at this time because they have not submitted their plan yet, but the Town will work with them on temporary basis to allow banner-type signs. Mr. Showalter reminded Councilmembers the bid opening for the Avondale sidewalk project is this Thursday at 3:00 at Town Hall. There were three different contractors who attended the pre-bid meeting, and some follow-up questions, so hopefully there will be three bids. Mr. Showalter added finally, he will be out of the office next week.

Committee Reports:

1. Finance Committee Chairperson, Rod Shepherd had no report.
2. Ordinance Committee Chairperson, Dennis Andrick stated the police chief provided him a report of ordinance violations. There were 17 cases served on 4/25/22, expiring 5/10/22, to comply with inoperative vehicles. Two have complied, leaving 15 still in non-compliance. Mr. Andrick thanked Chief Cowart for providing this information.
3. Personnel Committee Chairperson, Roger Rudy stated Preston Lutz is retiring from Public Works in July, and Assistant Treasurer, Sharon Bauserman, is retiring in June. There will be an advertisement for the position in Public Works to replace Preston. In terms of Sharon, there was a discussion among staff, and the Town Clerk, who holds a degree in Mathematics, has expressed an interest in that position. Staff met and discussed it so Debbie Allen will be moving into the Assistant Treasurer position, and the Town will be advertising for a Town Clerk.
4. Public Safety Committee Chairperson, Judy Fultz stated she would present the Fire and Rescue report. Kelly Stauff was planning to attend the meeting tonight but apologized as he had to attend another mandatory meeting. The total responses for April were 82 (63 EMS and 19 Fire); 21% of the total EMS responses included volunteer members on the apparatus; 53% of the total Fire responses included volunteer members; 83% of the EMS calls responded to by a unit capable of advanced life support care. The total number of volunteers taking calls was 14, total number of calls in Mount Jackson was 30, and total number of calls in the county was 52. The special fund drive contributions as of May 5 are \$14,075, and the fund drive letter is scheduled to be mailed the week of May 9.
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 12, 2022 Public Hearing and Regular Meeting

Councilmember Good MOVED, seconded by Councilmember Fultz to APPROVE the Consent Agenda above.

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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Old Business: None

New Business:

1. Ordinance O-02-2022 – Amending Section 66-21 of the Mount Jackson Town Code Pertaining to the Number of Planning Commissioners.

Mr. Showalter stated he prepared a memo on the proposed ordinance amendment explaining the Planning Commission has been operating with 5 members while the Town code specifically calls for 7. He wrote an ordinance amendment that changes the members from 7 to 5, with a quorum of 3, to get this discussion started. Councilmembers can determine if they feel it needs to be changed or kept the same, and that input needs to go to the Planning Commission who is currently looking to amend their by-laws which have not been updated since 2011. The Town Council determines the size of the Planning Commission by code but it needs to be reconciled with the by-laws. Mayor Pifer asked if it would be eligible for action tonight if Council decided to change it. Mr. Showalter stated it would need to be put on the schedule for a public hearing since it is an ordinance amendment, if Council decides to change the Town code. Mr. Andrick asked if the Town has had much interest from the community to be on the Planning Commission. Mr. Showalter stated there has been some interest, but there has been a reluctance to add just one member making it an even number. Ms. Good stated there is an individual who wants to apply but is unaware of an application. Mr. Showalter stated the application is on the Town website. She stated she does not feel Councilmembers have put much effort into finding people to serve on the Planning Commission. Mr. Andrick stated he has talked with two people, only one expressed interest, but he feels it should be changed to 5 members. Ms. Good stated if there are only 5 members and the quorum is 3, quite often 2 people would be making decisions for the Town, and she feels more voices are needed on the Planning Commission. Mr. Showalter stated the current code states there shall be 7 members, and since the Planning Commission will be updating their by-laws, they need to agree. Mr. Shepherd asked if the Town attorney could address the revision of the by-laws regarding culpability of operating with a 5-member Planning Commission when the charter says 7. Mr. Showalter stated Mr. Neal said state law requires 5-15 members on a Planning Commission, but did not have a recommendation or objection if Council wishes to change from 7 to 5. Mr. Showalter stated he will contact Mr. Neal again with more pointed questions.

Councilmember Shepherd MOVED, seconded by Councilmember Andrick to TABLE Ordinance O-02-2022 until the next Town Council meeting to, 1) Determine what the Planning Commission would like to do, and 2) Receive answers from the Town attorney on more detailed questions.

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			

2. Resolution R-02-2022 – Congratulating Shenandoah Caverns on its 100-Year Anniversary and Proclaiming June 2022 as Visit Shenandoah Caverns Month.

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Mr. Moore read the resolution as follows:

- “WHEREAS,** *In 1884, rock quarrying for the new Southern Railway provided a chance encounter for local children to explore. While playing in the quarry, two boys noticed cool air rising from a hole in the ground; and, when the boys scrambled down a 275-foot shaft with ropes & candles they made the initial discovery of a cavern; and,*
- WHEREAS,** *With the arrival of passenger railway service and a cavern discovery, a local businessman had the opportunity to open Shenandoah Caverns with cavern tours & a full-service hotel for family-friendly experiences on May 3, 1922; and,*
- WHEREAS,** *Shenandoah Caverns contributions to Shenandoah Valley tourism includes “CELEBRATION ON PARADE”, the “YELLOW BARN” and the only cavern in Virginia with elevator access to its seventeen connecting chambers; and,*
- WHEREAS,** *Shenandoah Caverns geological formations were featured in a 1964 issue of National Geographic Magazine; and,*
- WHEREAS,** *Shenandoah Caverns has endured times of war & conflict, economic downturn & uncertainty and loss & rebuilding; and,*
- WHEREAS,** *Shenandoah Caverns contributions have benefited countless community projects; and,*
- WHEREAS,** *Shenandoah Caverns continues the spirit of wonderment, exploration & discovery with new attractions & venues; and,*
- WHEREAS,** *Shenandoah Caverns remains a destination for visitors from around the world to marvel at its natural wonders; and,*
- WHEREAS,** *Shenandoah Caverns welcomes new guests as well as generations of returning families for the past 100 years and with confidence into the next 100 years;*

**NOW THEREFORE, BE IT RESOLVED** by the Mayor and Town Council of the Town of Mount Jackson, Virginia, to honor the One Hundredth Year ANNIVERSARY of SHENANDOAH CAVERNS and declare June 2022 as visit Shenandoah Caverns month.

*PASSED by the Council of the Town of Mount Jackson, Virginia, on this 10th day of May 2022.”*

Councilmember Shepherd MOVED, seconded by Councilmember Fultz to APPROVE Resolution R-02-2022.

**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			

Ms. Miller stated the pool opens May 24, and Mount Jackson is having a serious lifeguard shortage as is New Market, who is considering weekends only, with no pool parties. She stated the ad is on Facebook and asked Councilmembers to please share it. Mr. Showalter stated the Town is offering a \$250 sign on bonus which will in effect pay fully for the lifeguard certification cost. That cost has been one of the objections that some lifeguards have given. Ms. Good stated staff could reach out to the High School for recruitment, and the Town Clerk will do so.

Motion made by Councilmember Shepherd, seconded by Councilmember Fultz, to adjourn the meeting at 7:44 PM.