

Regular Meeting  
July 12, 2011

The regular meeting of the Mount Jackson Town Council was held on July 12, 2011 at 7:30 p.m. in Council Chambers 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. Also present: Charles Moore, Town Manager, Neil Showalter, Finance Director, and Judy Fultz, Clerk. Visitors present: Gerald Forsburg, William Holtzman, Jerry Stoehr, Kim Miller, Micah Miller, Yvonne Frazier, and Gary Kalwaytis.

Vice-Mayor Whetzel opened the meeting due to the absence of Mayor Williams.

Motion by Councilman Hackenbracht and second by Councilman Fadely to add William Holtzman to Presentations on the agenda.

ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

Item #2 under New Business change public hearing date to August 1, 2011 at 7:00 p.m. instead of August 9, 2011.

William Holtzman made a proposal to build an elevated wooden sidewalk at Perry Trailer Park. Many of his employees walk past this area which is very dangerous. He stated he was walking and a vehicle veered toward him and then turned quickly to avoid hitting him. A lot of people are walking now and it is very dangerous. He would rather do this before an accident happens. He presented a proposed sidewalk which will cost \$20,000. He advised he would pay half of the cost.

Motion by Councilman Fadely and second by Councilman Miller to accept Mr. Holtzman's offer for \$10,000 for the sidewalk next to the VDOT sidewalk pending VDOT approval.

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.

Regular Meeting  
July 12, 2011  
Page 2

Yvonne Frazier made a presentation on Healthy Families of Shenandoah County. They work with younger children to prepare them for school. Shenandoah Memorial Hospital had been the physical agent. JMU has been the overseer for the last 8 months. They are expanding and have their own board. They serve 40 families and are grant funded.

COMMITTEE REPORTS:

Councilman Shepherd, Chairman of the Finance Committee, stated it was not a finance report but asked the clerk to make note that Micah Miller was in attendance at the council meeting.

Councilman Fadely, Chairman of the Personnel Committee, reported Bert Young has been hired to fill the vacancy created by the appointment of Chief J. D. Fadley.

Motion by Councilman Shepherd and second by Councilman Miller to approve the consent agenda consisting of: 1- Approval of Minutes of June 14, 2011 Regular Meeting, June 21, 2011 Special Meeting, and June 30, 2011 Reorganizational Meeting.

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 Miller and second by Councilman Fadely to approve Ordinance O-05-2011 An Ordinance to Amend Section 66-397 “Zoning Permit Required; Application; Expiration; Payment of Delinquent Taxes” of the Code of the Town of Mount Jackson To Clarify that Permits must be Obtained for Demolition of Structures.

Town Manager Moore stated Ordinance O-06-2011 adds Farm Market to the B-1 and B-2 Zoning Districts. It is to be studied to add temporary structures must be taken down daily. Wares may be displayed outdoors. We will check with the County on what per cent of the goods displayed outdoors they allow in their ordinance.

Motion by Councilman Hackenbracht and second by Councilman Holtzman to set a joint public hearing on August 1, 2011 at 7:00 p.m. on Ordinance O-06-2011 An Ordinance to Amend Sections 66-3, 66-167, and 66-19 of the Code of the Town of Mount Jackson to

Regular Meeting  
July 12, 2011  
Page 3

Add a Definition for “Farm Market” and Add Farm Market Uses as Special Permit Uses in the B-1 and B-2 Zoning Districts.

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.

Gary Kalwaytis asked about the drainage on First Ave. Town Manager Moore stated he did not see a good solution. The Town has asked an engineer to look at the problem, and he thinks he has enough information. VDOT was called and advised that the drain under Rt. 11 has weeds blocking the drainage of water. It is the drain where the handrail is located.

Terry Stoehr, the Chief Operating Officer from Bowman Andros, was in attendance. Town Manager Moore stated the property was annexed in 2002. Since the properties were not zoned R-1 or A-1 in the County at the time of annexation, they were automatically zoned X-Transitional under the Town Zoning Code. This was discussed by Town staff and Bowman staff and considered “grandfathered.” Mr. Stoehr advised they need to expand the warehouse. Andros has purchased 70% of the business and the employees own 30%. He brought samples of applesauce that is made in pouches. They will abide by all Town ordinances. They have added management positions and will be adding more employees.

Motion by Councilman Fadely and second by Councilman Miller to set a joint public hearing on August 1, 2011 at 7:00 p.m. on Ordinance O-07-2011 An Ordinance to Rezone Recently Annexed Bowman Andros (Formerly Bowman Apple) Properties to be I-1 to Conform with the Current Uses and the Zoning Classifications in the Code of the Town of Mount Jackson and Establish Southern Side Yard Setback.

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.

Regular Meeting  
July 12, 2011  
Page 4

Motion by Councilman Hackenbracht and second by Councilman Miller to approve Resolution R-09-2011 Resolution of the Mayor and Council of the Town of Mount Jackson Establishing Capacity Reserve Surcharge in Accordance with Town Code Section 62-72(G) and the Budget Ordinance O-03-2011 (Amendment #1).

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 Miller and second by Councilman Fadely to set a public hearing on August 9, 2011 at 7:30 p.m. on Resolution R-10-2011 Approving the Portion of the Northern Shenandoah Regional Water Supply Plan Applicable to the Town of Mount Jackson.

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

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CLERK

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MAYOR