

Regular Meeting

The regular meeting of the Mt. Jackson Town Council was held on October 10, 2006 at 7:30 p.m. in Council Chambers at 5901 Main Street.

Present were: Joseph Williams, Mayor, Kenneth Hackenbracht, Todd Holtzman, J. Bucky Miller, Rodney Shepherd, and Kay P. Whetzel, Councilmembers. Absent: Michael Koontz. Visitors present were: Jerry Forsburg and Anne Showman.

Motion by Councilman Hackenbracht and seconded by Councilman Miller that Ordinance O-17-2006 be deleted from the agenda and added to the closed session.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Hackenbracht	None	Councilman Koontz
" Holtzman		
" Miller		
" Shepherd		
" Whetzel		

5 AYE, 1 ABSENT, motion carried.

The Mayor reported he was on a trip in Des Moines, Iowa and a man stated he knew who he was because he had seen him on RFD-TV's Road Trip to History. He also stated he wrote a letter to Ophra Winfrey and invited her to Mount Jackson.

The Mayor read a letter from a juvenile who broke into the concession stand at the park and asked for forgiveness.

Motion by Councilmember Whetzel and seconded by Councilman Miller to adopt Resolution R-19-2006 Expressing appreciation to Jean Holmaas for donation of the park land.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Hackenbracht	None	Councilman Koontz
" Holtzman		
" Miller		
" Shepherd		
" Whetzel		

5 AYE, 1 ABSENT, motion carried.

Town Manager Moore reported the Apple Harvest festival is this weekend. The Town and County meeting is tomorrow in New Market. He stated the letter from the juvenile is the result of the police work.

Councilman Miller reported there are four ordinances on the agenda to bring before public hearing.

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Councilman Holtzman reported the police department received new hand guns. Officer Miller is doing good in the academy. We have two people in the auxiliary force.

Councilman Shepherd reported the pool house is gone. Foley's Scrap Yard is gone.

Town Manager Moore reported 400 loads of dirt were moved to the ballfield by twelve trucks. They moved and compacted the dirt. G. B. Foltz provided equipment and manpower. Ten pieces of equipment was used. They ran all day Sunday. We should do something to thank the people who volunteered their time.

Motion by Councilmember Whetzel and seconded by Councilman Miller to approve the consent agenda consisting of: 1- Approval of Minutes of September 12 and September 18, 2006 meetings.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Hackenbracht	None	Councilman Koontz
" Holtzman		
" Miller		
" Shepherd		
" Whetzel		

5 AYE, 1 ABSENT, motion carried.

Motion by Councilman Shepherd and seconded by Councilman Hackenbracht to approve Ordinance O-16-2006 an Ordinance to Add New Sections 66-10 and 66-11, General Site Design Regulations and Landscaping, Screening, Buffer, and Greenway Regulations to the Code of the Town of Mount Jackson.

ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

Motion by Councilman Miller and seconded by Councilman Hackenbracht to approve and set a public hearing on November 14, 2006 at 7:00 p.m. Ordinance O-18-2006 an Ordinance to Amend Section 22-46 Definitions; To Repeal and Re-Enact with Amendment Section 22-48; and to Add new Sections 22-49 Through 22-51 of the Code of the Town of Mount Jackson Pertaining to Inoperative and Junk Vehicles.

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ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Hackenbracht	None	Councilman Koontz
" Holtzman		
" Miller		
" Shepherd		
" Whetzel		

5 AYE, 1 ABSENT, motion carried.

Motion by Councilman Hackenbracht and seconded by Councilmember Whetzel to approve and set a public hearing on November 14, 2006 at 7:00 p.m. on Ordinance O-20-2006 an Ordinance to Amend the Meals Tax Sections 54-141 and 54-145 "Report of Taxes Collected; Remittance; Preservation of Records" and "Penalty and Interest" Respectively, of the Code of the Town of Mount Jackson.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Hackenbracht	None	Councilman Koontz
" Holtzman		
" Miller		
" Shepherd		
" Whetzel		

5 AYE, 1 ABSENT, motion carried.

Motion by Councilman Shepherd and seconded by Councilman Miller to approve and set a public hearing on November 14, 2006 at 7:00 p.m. on Ordinance O-21-2006 an Ordinance to amend Certain Sections and Add Certain Sections of Article III, Sections 58-86 Through 58-109, "Motor Vehicle License" of the Code of the Town of Mount Jackson to Impose an Annual License Tax on Motor Vehicles Garaged, Stored, and Parked Within the Town of Mount Jackson.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Hackenbracht	None	Councilman Koontz
" Holtzman		
" Miller		
" Shepherd		
" Whetzel		

5 AYE, 1 ABSENT, motion carried.

Motion by Councilman Miller and seconded by Councilmember Whetzel to approve Resolution R-20-2006 approving Design for New Street Signs. We will start at budget time and decide how many to buy. The first will be in Old Hickory Heights Subdivision.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Hackenbracht	None	Councilman Koontz
" Holtzman		
" Miller		
" Shepherd		
" Whetzel		

5 AYE, 1 ABSENT, motion carried.

Motion by Councilmember Whetzel and seconded by Councilman Miller to go into closed session at 8:00 p.m. under State Code Sec. 2.2-3711 (A) (1) Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body and 2.2-3711 (A) (30) discussion of the award of a public contract involving the expenditure of public funds, including interviews, of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Hackenbracht	None	Councilman Koontz
" Holtzman		
" Miller		
" Shepherd		
" Whetzel		

5 AYE, 1 ABSENT, motion carried.

Motion by Councilman Miller and seconded by Councilmember Whetzel to return to the regular meeting at 8:45 p.m.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Hackenbracht	None	Councilman Koontz
" Holtzman		
" Miller		
" Shepherd		
" Whetzel		

5 AYE, 1 ABSENT, motion carried.

Whereas, the Mt. Jackson Town Council convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act, and

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Whereas, Section 2.2-3712 of the Code of Virginia requires a certification by the Mt. Jackson Town Council that such closed meeting was conducted in conformity with Virginia law;

Now therefore, be it resolved that the Mt. Jackson Town Council hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which closed meeting was convened were heard, discussed or considered by the Mt. Jackson Town Council.

Vote: Hackenbracht	So Certify	
Holtzman	"	"
Miller	"	"
Shepherd	"	"
Whetzel	"	"
Williams	"	"

Ayes - 6, Nays - None, Absent - 1.

Motion by Councilman Miller and seconded by Councilmember Whetzel to adjourn the meeting. Motion carried.

CLERK

MAYOR