

## Regular Meeting

The regular meeting of the Mt. Jackson Town Council was held on November 12, 2003 at 7:30 p.m. in Council Chambers located at 5901 Main St.

Present were: Joseph Williams, Mayor, Kenneth Hackenbracht, Todd Holtzman, Michael Koontz, Rodney Shepherd, Kay P. Whetzel, and George Whiting, Councilmembers. Also present: James Allamong, Town Attorney, Charles Moore, Town Manager, and Judy Fultz, Clerk.

Visitors present: Cheyre Estep, Virginia Estep, Nancy Fadely, Neil Fadely, Nelson Keller, David Moore, and Forrest Waggy.

Motion by Councilman Whiting and seconded by Councilmember Whetzel to add IDA Appointment to the agenda under new business.

### ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Hackenbracht	None	Councilman Holtzman
“ Koontz		
“ Shepherd		
“ Whetzel		
“ Whiting		

5 AYE, 1 ABSENT, motion carried.

Cheyre Estep spoke to the Council about concerns she has with the Nelson Keller building. There is a concern for the safety of potential residents because of the traffic on Rt. 11 There is a concern about the number of parking spaces. Town Code calls for 14 and only 13 spaces are provided. There cannot be any parking in the rear. There is no play area for children to play. The proposed recreation room was omitted. There is a concern about the number of residents living in the building. Nancy Fadely stated she was concerned about the number of tenants. The complex is for low to moderate income families.

Councilman Whiting stated low to moderate income is the average in Shenandoah County and in the Town of Mt. Jackson.

Councilman Holtzman entered the meeting at 7:40 p.m

Mayor Williams thanked Vice Mayor Whetzel for taking over the council meeting in his absence. The Mayor stated the Town of Gordonsville changed their Code to read when the town manager is gone the mayor takes over.

Town Manager Moore reported our computers crashed today. We cannot process any payments, run checks, or do any type of accounting work. The Town has received an additional \$112,000 from TEA-21. FEMA is paying for our damages from the hurricane in the amount of approximately \$5000.

The Chamber of Commerce is sponsoring several events for Christmas on December 11<sup>th</sup> and 12<sup>th</sup>. There will be Christmas music, a tree lighting, a flag retirement ceremony, and other events.

Councilman Whiting thanked Town Manager Moore for his extra efforts for the Town. Gale Netz has obtained a \$36,000 grant with less than 48 hours to prepare for it. This shows initiative in an employee. The grant is for a piece of equipment with a camera to go into sewer lines to detect leaks. The Town employees work together as a team. We had a preliminary meeting with the auditors.

Councilmember Whetzel reported we have hired a new police officer – Travis Cave.

Councilman Hackenbracht reported we had a meeting with DEQ. Gale Netz showed videos of leaks. The North Fork Regional Sanitation Authority will meet on November 18<sup>th</sup>. The engineers will have figures on upgrading the town sewer plant.

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There was a discussion on the polling place for Mt. Jackson. A request will be sent to John Flanagan, Chairman of the Electoral Board, to have the polling place moved to the new building.

Motion by Councilman Whiting and seconded by Councilman Koontz to approve the consent agenda consisting of: 1-Approval of Minutes of September 24 and October 14, 2003 meetings, 2- Acceptance of Treasurer's Report, 3- Ordinance O-07-2003 (Amendment #1 Version) – Amending FY 2004 Town Budget to Re-appropriate Unexpended Funds from FY 2003 Budget for Sidewalks and Town Hall Projects and Appropriate Donated Funds Received for Auxiliary Police Services, and Recognize Grants Received. Introduction and Set Public Hearing for December 9, 2003, 4- Re-appointment of Rodney Shepherd to the Industrial Development Authority of the Town of Mount Jackson. Term 7/01/03 – 7/01/07, 5- Ordinance O-08-2003 Annexing Relocated Rt. 730 and Parcel 091-A-044 – Set Joint Public Hearing for December 1, 2003 at 7:30 p.m., and 6- Approval of Purchase of Grant Funded Sewer Line Camera System.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Hackenbracht	None	None
“ Holtzman		
“ Koontz		
“ Shepherd		
“ Whetzel		
“ Whiting		

6 AYE, motion carried.

The Special Use Permit request from Nelson Keller was discussed. Mayor Williams stated he had received calls in reference to the parking and the number of apartments. Several of the BZA requests are needed due to the changes in the Town Code. VDOT has not given final approval as yet. Nelson Keller stated there are two apartments already there. Four apartments will be added under the CDBG grant. The Planning Commission recommended approval subject to seven conditions.

Motion by Councilman Holtzman and seconded by Councilmember Whetzel to approve the Special Use Permit request from Nelson Keller with the conditions recommended by the Planning Commission and one more condition that the rear of the building be maintained with siding - subject to approval by the BZA. Councilman Shepherd and Councilman Hackenbracht stated they thought there were too many apartments.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilman Holtzman	Councilman Hackenbracht	Councilman Koontz
“ Whetzel	“ Shepherd	
“ Whiting		

3 AYE, 2 NAY, 1 ABSTAIN, motion carried.

Motion by Councilmember Whetzel and seconded by Councilman Koontz to go into closed session at 8:20 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.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilman Hackenbracht	None	None
“ Holtzman		
“ Koontz		
“ Shepherd		
“ Whetzel		
“ Whiting		

6 AYE, motion carried.

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Motion by Councilmember Whetzel and seconded by Councilman Whiting to return to the regular meeting at 8:35 p.m. Action will be taken at the next meeting.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
Councilman Hackenbracht	None	None
“ Holtzman		
“ Koontz		
“ Shepherd		
“ Whetzel		
“ Whiting		

6 AYE, 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

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	“ “
Koontz	“ “
Shepherd	“ “
Whetzel	“ “
Whiting	“ “
Williams	“ “

Ayes – 7, Nays – None, Absent – None

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

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CLERK

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MAYOR