

Public Hearing

The Mt. Jackson Town Council held a public hearing on November 14, 2006 at 7:00 p.m. in Council Chambers at 5901 Main Street, The purpose of the hearing was to receive comments on 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. There were no comments from the public. The hearing was adjourned.

Public Hearing

The Mt. Jackson Town Council held a public hearing on November 14, 2006 immediately following the hearing on Ordinance O-18-2006 in Council Chambers at 5901 Main Street. The purpose of the hearing was to receive comments on Ordinance O-19-2006 an ordinance to add a new Section 58-18 to the Code of the Town of Mount Jackson regulating parking of large vehicles on residential streets. There were no comments from the public. The hearing was adjourned.

Public Hearing

The Mt. Jackson Town Council held a public hearing on November 14, 2006 immediately following the hearing on Ordinance O-19-2006 in Council Chambers at 5901 Main Street. The purpose of the hearing was to receive comments 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. There were no comments from the public. The hearing was adjourned.

Public Hearing

The Mt. Jackson Town Council held a public hearing on November 14, 2006 immediately following the hearing on Ordinance O-20-2006 in Council Chambers at 5901 Main Street. The purpose of the hearing was to receive comments 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. There were no comments from the public. The hearing was adjourned.

Regular Meeting

The regular meeting of the Mt. Jackson Town Council was held on November 14, 2006 immediately following the hearing on Ordinance -21-2006 in Council Chambers at 5901 Main Street. Present were: Joseph Williams, Mayor, Kenneth Hackenbracht, Todd

Regular Meeting
November 14, 2006
Page 2

Holtzman, Michael Koontz, J. Bucky Miller, Rodney Shepherd, and Kay P. Whetzel, Councilmembers. Also present: Charles Moore, Town Manager, and Judy Fultz, Clerk. Visitors present: Don Albright, Louise Dellinger, Gerald Forsburg, and Nancy Zirkle.

Motion by Councilman Koontz and seconded by Councilmember Whetzel to add to agenda under new business 1- Resolution R-26-2006 Acceptance of park bench

ROLL CALL VOTE:

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

6 AYE, motion carried.

Councilman Shepherd reported the audit will be ready soon.

Councilman Miller thanked the staff for working on all the ordinances.

Councilman Hackenbracht stated the sludge machine we are using belongs to Front Royal. It dries the sludge.

Councilman Koontz reported the gym floor has been completed and looks really good.

Motion by Councilman Hackenbracht and seconded by Councilman Miller to approve the consent agenda consisting of: 1- Approval of Minutes of October 10, 2006 Meeting, 2- Old Hickory Subdivision - Minor Amendment to Subdivision Plan - Boundary Line Adjustment, 3- R-22-06 approving Contract to Bore Under Route 11 for Avondale Water Line, 4- R-21-06 Ratifying Contract for Floor refinishing at Community Center, and 5- Loan #06-2006 - Approval of Loan of RBEG Funds per Recommendation of Economic Development Authority.

ROLL CALL VOTE:

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

6 AYE, motion carried.

Regular Meeting
November 14, 2006
Page 3

Motion by Councilman Miller and seconded by Councilman Koontz to accept Ordinance O-18-2006 An Ordinance to Amend Ssection 22-46 Definitions; to Repeal and Re-Enact with Amendment Ssection 22-48; and to Add New Ssections 22-49 Through 22-51 of the Code of the Town of Mount Jackson Pertaining to Inoperative and Junk Vehicles.

ROLL CALL VOTE:

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

6 AYE, motion carried.

Motion by Councilmember Whetzel and seconded by Councilman Miller to accept Ordinance O-19-2006 An Ordinance to Add a New Section 58-18 to the Code of the Town of Mount Jackson Regulating Parking of Large Vehicles on Residential Streets.

ROLL CALL VOTE:

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

6 AYE, motion carried.

Motion by Councilmember Whetzel and seconded by Councilman Koontz to accept 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>ABSTAIN</u>
Councilman Hackenbracht	None	None
" Holtzman		
" Koontz		
" Miller		
" Shepherd		
" Whetzel		

6 AYE, motion carried.

Regular Meeting
November 14, 2006
Page 4

Motion by Councilman Miller and seconded by Councilmember Whetzel to amend Ordinance O-21-2006 Sec. 58-88 to read license year to begin on February 1 and end on January 31 of each year.

ROLL CALL VOTE:

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

6 AYE, motion carried.

Motion by Councilman Miller and seconded by Councilmember Whetzel to accept 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 as amended.

ROLL CALL VOTE:

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

6 AYE, motion carried.

Motion by Councilmember Whetzel and seconded by Councilman Miller to accept the colors for the pool house as presented by the architect.

ROLL CALL VOTE:

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

6 AYE, motion carried.

Regular Meeting
November 14, 2006
Page 5

Motion by Councilman Koontz and seconded by Councilman Shepherd to accept the donation of a park bench from Don Albright.

ROLL CALL VOTE:

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

6 AYE, motion carried.

Motion by Councilman Hackenbracht and seconded by Councilmember Whetzel to adopt Resolution R-23-2006 Authorizing the Purchase of a Security Gate for the Public Works Facility with the money received from a Homeland Security Grant in the amount of \$8769 toward this project which must be spend by December 1, 2006. The contract to be awarded to Webster & Webster for construction of a new security gate in the amount of \$10,712.80 plus necessary additional remote control units. The balance of these funds is to be provided by the wastewater treatment plant construction project.

ROLL CALL VOTE:

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

6 AYE, motion carried.

Motion by Councilmember Whetzel and seconded by Councilman Miller to go into closed session at 7:55 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, Sec. 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, Sec. 2.2-3711 (A) (3) Discussion or consideration of the acquisition of real property for public purpose, or of the disposition of publicly held property, where discussion in an open meeting would adversely affect the bargaining position or negotiation strategy of the public body, and Sec. 2.2-3711 (A) (7) Consultation with legal counsel and briefings by staff members or

Regular Meeting
November 14, 2006
Page 6

consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.

ROLL CALL VOTE:

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

6 AYE, motion carried.

Motion by Councilmember Whetzel and seconded by Councilman Miller to return to the regular meeting at 8:25 p.m.

ROLL CALL VOTE:

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

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.

Regular Meeting
November 14, 2006
Page 7

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

Ayes - 7, Nays - None.

Motion by Councilman Miller and seconded by Councilman Holtzman to amend the agenda to add to the new business - Personnel matter.

ROLL CALL VOTE:

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

6 AYE, motion carried.

Motion by Councilmember Whetzel and seconded by Councilman Holtzman to appoint Darren Swartz to fill the next vacancy on the Planning Commission.

ROLL CALL VOTE:

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

6 AYE, motion carried.

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

CLERK

MAYOR

