

Public Hearing

A public hearing was held by the Mt. Jackson Town Council on April 13, 2004 at 7:30 p.m. in Council Chambers located at 5901 Main St. The purpose of the hearing was 1- Ordinance O-01-2004 – Adopting State Motor Vehicle Laws as Part of Town Code and 2- Ordinance O-02-2004 – Establishing Polling Places for Town Elections. The first ordinance is done each year before July 1st. The second ordinance is establishing polling places for elections to be held in the new building. No one from the public spoke at the hearing. The hearing was adjourned.

Regular Meeting

The regular meeting of the Mt. Jackson Town Council was held on April 13, 2004 at 7:30 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 were: Rescue Squad Members: Gerald Bohus, David Brinegar, and Dale Painter. Also: Mr. & Mrs. Eagles, Betty Walters, John & Kathy Fadely, Jerry Pool, Jim Wolfe, and John & Pat Stauff.

Boy Scout Troop 50 led the group in the Pledge of Allegiance to the American flag.

Mayor Williams opened the meeting and thanked Boy Scout Troop 50 who are attending the meeting to prepare for their Citizenship badge.

Motion by Councilman Hackenbracht and seconded by Councilman Holtzman to adopt the consent agenda consisting of: 1- Approval of Minutes of March 9, 2004, 2- Acceptance of Treasurer's Report, 3- Ordinance O-03-2004 Curfew-Introduction/Set Public Hearing for May 11, 2004, 4- Resolution R-02-2004 Proclaiming National Historic Preservation Week May 3-9, 5- Approval of PHR&A for Inflow and Infiltration Engineering Services, 6- Ordinance O-05-2004 – FY 2005 Budget – Introduction, Set Public Hearing for May 11, 2004, 7:30 p.m., 7- Approval of Purchase of Air Compressor and Trench Compactor, and 8- Mt. Jackson Fins Swim Team-Approval of Use of Town Pool.

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.

Mayor Williams stated citizens have asked him about street signs. A lot of the signs are old.

Town Manager Moore reported the House has approved the state budget and sent it to the Senate. The Town flag is missing from the Council Chambers and is being carried to Afghanistan.

Councilman Whiting reported the finances remain in good order. Councilman Shepherd stated the ordinances are on the agenda.

Councilmember Whetzel stated Randy Lonas gave a tour of the maintenance building and showed them what they have done. They have saved the Town a lot of money with the things they have done.

Mayor Williams stated the Town has started a program that takes place in July for citizens to take a tour of the Town's buildings, wells, and property. The Police Dept. has a ride along program for citizens to ride with them. They have a video camera in the car.

Regular Meeting
April 13, 2004
Page 2

Councilman Hackenbracht reported the North Fork Regional Sanitation Authority has set a meeting for April 15th to consider proposals on extending the new sewer line or upgrading our sewer plant.

Town Manager Moore reported the Council directed him to solicit proposals for engineering services for the Veterans Park and get committee appointments. The Mayor has asked the following individuals to serve on the Advisory Committee for the Veterans Park: 1- Mr. Jerry Frosberg, Chairman, Mrs. Betty Burke, Mrs. Diane Ryman, Mrs. Nancy Fadely, Mrs. Christine Paradise, Mr. Buzz Frye, Mr. John Proctor, Mr. Bill Steadman, Mr. Roland Walters, American Legion-Mr. Sam Garman, and VFW-Mr. Hal Sharpe.

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.

Mayor Williams stated we hope to have the Veterans Park ready when Gale Netz returns.

Motion by Councilman Hackenbracht and seconded by Councilmember Whetzel to approve Ordinance O-01-2004 Adopting State Motor Vehicle Laws as part of Town Code.

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.

Motion by Councilman Shepherd and seconded by Councilman Koontz to approve Ordinance O-02-2004 Establishing Polling Places for Town Elections.



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.

Motion by Councilman Whiting and seconded by Councilman Koontz to approve the Wolfe Property Rezoning, amended, 5480 Main St. from B-2 to R-1.

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.

Motion by Councilman Koontz and seconded by Councilmember Whetzel to approve Wolfe Property Three-Lot Subdivision, amended, 5480 Main St.

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.

Motion by Councilmember Whetzel and seconded by Councilman Hackenbracht to approve the Holtzman Special Use Permit, 341 Nelson St., Carport.

ROLL CALL VOTE:

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

6 AYE, motion carried.

Dale Painter presented the 2003 report for the rescue squad. The rescue squad does a lot of good things for the community. They are asking for a donation from the Town as in the past. Town Manager Moore reported \$10,000 is in the budget for this year and in the proposed budget for next fiscal year. They have some junior members now. The squad traveled a total of 14,494 miles on 693 calls. Total man hours spent was 2054:41.

Town Manager Moore stated he put discussion of abandonment of the alley between Tisinger St. and Wunder St. on the agenda. People are using the alley and going on other people's property. John Stauff stated his tenants have used the alley as an access. There is a driveway on both sides of his apartments. He stated it is one of his tenants who is using the alley. He stated he had talked to Carroll Estep and he advised he thought the alley should remain open for fire protection. John Eagles stated people are using the alley and have moved over on their property. Darren Swartz stated the alley comes out past his residence and is in need of attention. Betty Walters stated she thought the alley should be open for fire protection. John Fadely stated he thought the alley should remain open. The police department patrols it. Jerry Pool stated it is the only way for him to get fuel in to his house. Motion by Councilmember Whetzel and seconded by Councilman Whiting to refer the matter to the Public Properties & Facilities Committee and the Town Manager.

Regular Meeting
April 13, 2004
Page 4

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.

Town Manager Moore stated Ordinance and resolution O-05-2004 is authorizing the issuance of a tax exempt refunding note. The refinancing takes the interest rate from 4.14% to 2.5%. We need to sign it and send it to the court. Motion by Councilman Whiting and seconded by Councilman Koontz to approve the Ordinance and resolution O-05-2004.

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.

Motion by Councilmember Whetzel and seconded by Councilman Holtzman to go into closed session at 8:30 p.m. under State Code Sec. 2.2-3771 (A) (6) The investing of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected.

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.

Motion by Councilmember Whetzel and seconded by Councilman Shepherd to return to the regular meeting at 9:05 p.m.

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.

Regular Meeting
April 13, 2004
Page 5

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

Motion by Councilman Whiting and seconded by Councilman Shepherd to adjourn the meeting. Motion carried.

CLERK

MAYOR