

Regular Meeting

The regular meeting of the Mt. Jackson Town Council was held on July 10, 2007 at 7:30 p.m. in Council Chambers at 5901 Main Street.

Present were: Kenneth Hackenbracht, Michael Koontz, J. Bucky Miller, Rodney Shepherd, and Kay P. Whetzel, Councilmembers. Absent: Joseph Williams, Mayor and Todd Holtzman. Also present: Charles Moore, Town Manager and Judy Fultz, Clerk. Visitors present: Charlie Fansler.

The meeting was called to order by Vice-Mayor Whetzel due to the absence of the Mayor.

Town Manager Moore advised he had added to the agenda under consent agenda Item #5- Ratification of Ordinance O-10-2007 Adopting the Town Budget for FY 2008 and Item #6- Approval of Purchase of Flow Meter for Bowman Apple Products Flow Monitoring - \$6350.

Lisa Lewis and Maggie Jermstad, two members from the swim team, presented the Council members with tee shirts with the Fins logo on them. They expressed their appreciation for the use of the pool for their practices and swim meets.

Councilmember Whetzel reported the Town is advertising for a maintenance employee.

Councilman Hackenbracht reported the sewer plant and I & I projects are under way.

Councilman Shepherd expressed his appreciation for the new sidewalk on Bridge Street.

Motion by Councilman Shepherd and seconded by Councilman Miller to approve the consent agenda consisting of: 1-Approval of Minutes of June 12 and June 29, 2007 meetings, 2- Dale Ruby, 1294 Caverns Road - Special Use Permit - Used Car Sales and Auto Detailing - Set Public Hearing for August 6, 2007, 7:00 p.m., 3- SEARCH, New Location 5182 Main St. (former Rescue Squad Building) - Parking Waiver Application - Introduction/Set Public Hearing for August 6, 2007, 7:00 p.m., 4- Ordinance O-10-2007 An Ordinance to Amend Sections 66-3, 66-21, 66-32, 66-62, 66-92, 66-167, 66-291, and 66-301 of the Code of the Town of Mount to Add Certain Definitions and to Add Child Care as an Allowable Use by Special Use Permit in the R-1, R-2, R-3, B-1, and B-2 Zones and Overnight Campgrounds Eligible Uses in the B-1, A-1 Zones, and Floodplain District - Introduction/Set Public Hearing for August 6, 2007, 7:00 p.m., 5- Ratification of Ordinance O-10-2007 Adopting the Town Budget for FY 2008, and 6- Approval of Purchase of Flow Meter for Bowman Apple Products Flow Monitoring - \$6350.

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ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

Town Manager Moore presented the rezoning request for the Emmart Oil Property from A-1 to B-2. The owner, at the present time, does not want to re-open a gasoline station, but has been approached by a company that wants to rent the station, make improvements, and open an automobile sales lot and auto detailing operation. The property was zoned A-1 when it was in the county prior to annexation, so it remained A-1 in the town by action of the annexation ordinance. The applicant has committed to cleaning up the site. The only comment received from an adjoining property was the backyard storage site. The recommendation is approval of the rezoning from Emmart Oil from A-1 to B-2 subject to the owner's clean-up of all outdoor storage on the site. Motion by Councilman Hackenbracht and seconded by Councilman Koontz to approve the rezoning with proffer.

ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

Town Manager Moore presented Resolution R-15-2007 Resolution of the Town Council of the Town of Mount Jackson, Virginia Approving the Issuance of up to \$6,000,000 Revenue Bonds for the Benefit of Bowman Apple Products Company, Inc. The Town of Mount Jackson has no legal liability. This is done by the Economic Development Authority. This will provide 40 new jobs. Motion by Councilman Miller and seconded by Councilman Shepherd to approve Resolution R-15-2007 approving the issuance of up to \$6,000,000 revenue bonds for the benefit of Bowman Apple Products Company, Inc.

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ROLL CALL VOTE:

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

4 AYE, 1 ABSTAIN, 1 ABSENT, motion carried.

Motion by Councilman Miller and seconded by Councilman Shepherd to convene a closed meeting at 7:40 p.m. under the Virginia Freedom of Information Act in order to discuss a prospective business where no previous announcement has been made under Virginia Code Sec. 2.2-3711 (A) (5). No action is to be taken.

ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

Motion by Councilman Miller and seconded by Councilman Koontz to return to the regular meeting at 8:15 p.m.

ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

Councilmember Whetzel stated the Council of the Town of Mount Jackson hereby certifies, by roll call vote, that to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Council of the Town of Mount Jackson.

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

Aye - 5, Nay - 0, Absent - 2.

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

CLERK

MAYOR