

Regular Meeting

The regular meeting of the Mt. Jackson Town Council was held on July 12, 2005 at 7:30 p.m. in Council Chambers at 5901 Main Street.

Present were: Joseph Williams, Mayor, Kenneth Hackenbracht, Todd Holtzman, Michael Koontz, J. Bucky Miller, and Rodney Shepherd, Councilmen. Absent: Councilmember Whetzel. Also present: Charles Moore, Town Manager and Judy Fultz, Clerk.

At 6:30 p.m. the following action was taken: Motion by Councilman Koontz and seconded by Councilman Shepherd to go into closed session under the Virginia Freedom of Information Act State Code Sect. 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 body and Sect. 2.2-3711 (A) (3) Discussion or consideration of the acquisition of real property for public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiation strategy of the public body. The closed session concluded at 7:30 p.m.

Motion by Councilman Koontz and seconded by Councilman Shepherd to return to the regular meeting.

ROLL CALL VOTE:

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

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

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.

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Vote: Hackenbracht	So Certify
Holtzman	“ “
Koontz	“ “
Miller	“ “
Shepherd	“ “
Williams	“ “

Ayes – 6, Nays – None, Absent – 1.

David Uhl, Chamber of Commerce President, addressed the Council. He reported the August meeting of the Chamber will be in the evening at 7:00 p.m. Earl Hargrove will be the guest speaker. On August 13th there will be a countywide yard sale. They would like to use the parking lot to put the vendors. He advised the First Friday was a success, and they would like to continue it. He asked about trimming the trees in front of his building on Main St. Town Manager Moore advised he is trying to secure a professional tree trimmer. The chamber printed a brochure with the names of business listed.

The Mayor stated our auxiliary police worked 120 hours during the month of June. They assisted with 62 calls. The auxiliary police are Bert Young, Daren Litten, Travis Hottinger, and Richard Turner.

The special meeting for the \$140,000 refinancing will be August 2, 2005 at 4:30 following a public hearing.

Council Shepherd reported the Mt. Jackson Fins Swim Team has won all of their meets. The final meet will be tomorrow night. Mayor Williams stated he attended a meet at the pool and advised it was well attended by family members.

Motion by Councilman Koontz and seconded by Councilman Miller to approve the consent agenda consisting of: 1- Approval of Minutes of June 14, June 28, and July 1 Meetings, 2- Acceptance of Monthly Financial Report, 3- Resolution Authorizing Selection of Suntrust as the Issuing Bank for \$140,000 Refinancing, 4- Ordinance O-11-2005 to Amend Article VII, Cigarette Tax, of the Code of the Town of Mount Jackson to Provide that the Levy and Rate and the Registered Agent Discount shall be Established Annually in the Town Budget Ordinance –Set Public Hearing for August 9, 2005, 7:30 p.m., 5- Ordinance O-12-2005 Background Checks for Town Employees in Certain Jobs-Set Public Hearing for August 9, 2005 , 7:30 p.m., 6- Ordinance O-14-05 Amending I-1 Zone to Allow on-site Retail Sale of Products Manufactured Therein-Set Public Hearing for September Planning Commission Meeting, 7:00 p.m., 7- Industrial Park Special Use Permit-Reschedule Hearing for September Planning Commission Meeting, 7:00 p.m., and 8- Industrial Park Land Sale, 10 Acres-Reschedule Hearing-September 13, 2005, 7:30 p.m.

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ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

Motion by Councilman Shepherd and seconded by Councilman Koontz to approve the Valley Ice Special Use Permit subject to all conditions mentioned including: Screening/buffering improvements as described, number and use of vehicle restrictions, lighting restrictions, and hard surface parking/circulation/loading areas and related bonds.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Councilman Hackenbracht	None	Councilman Holtzman	Councilmember Whetzel
“ Koontz			
“ Miller			
“ Shepherd			

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

Motion by Councilman Holtzman and seconded by Councilman Koontz to approve the Old Hickory Heights Subdivision contingent upon VDOT approvals, Utility easements, Short St./Randall St. turn-arounds and related easements, Town Engineer approval of utility plans, and Storm water management by Homeowners Association provisions.

ROLL CALL VOTE:

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

5 AYE, 1 ABSENT, motion carried.

A letter from Robert Cook about the above referenced project was read and discussed.

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

CLERK

MAYOR