

Regular Meeting
March 12, 2013

The regular meeting of the Mount Jackson Town Council was held on March 12, 2013 at 7:30 p.m. in Council Chambers at 5901 Main Street. The following were in attendance: Joseph Williams, Mayor, Dennis Andrick, Kenneth Hackenbracht, Todd Holtzman, Donnie Pifer, and Rodney Shepherd, Councilmen. Absent: Kay P. Whetzel. Also in attendance: Doug Arthur, Town Attorney, Clark Draper, Town Manager, Neil Showalter, Finance Director, and Judy Fultz, Clerk. Visitors present were: Michelle Biller, Gerald Forsburg, Donna Wolfe, and Robert Tuthill.

Town Manager Clark Draper advised a closed session will be added at the end of the meeting.

Mayor Williams thanked the Town staff for cleaning the streets and sidewalks considering they had a water leak on Rt.11.

Councilman Holtzman advised he had sent a letter to Worth Carter, Jr. of Carter Bank & Trust of Martinsville, VA from the Council and himself on May 10, 2011 in reference to his property, the former First Virginia Bank. He asked Town Manager Clark Draper to check into the blight ordinance and to send him a notification from the Town.

Attorney Doug Arthur stated he would look into the blight ordinance and give a report on what the Town can do as far as enforcement.. He will advise the objectivity and subjectivity of what you can do. He will get with the Town Manager and report back at the April meeting.

COMMITTEE REPORTS:

Councilman Shepherd, Chairman of the Finance committee, reported we are into the preliminary budget steps and hope to present the budget in April, hold the public hearing in May and approve in June.

Councilman Hackenbracht, Chairman of the Public Services committee, reported the staff is working with Pittsburgh Tank on the water tank..

Motion by Councilman Shepherd and second by Councilman Hackenbracht to approve the consent agenda consisting of: 1- Approval – Minutes of February 12, 2013 Regular Meeting.

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ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Andrick	None	Councilmember Whetzel
“ Hackenbracht		
“ Holtzman		
“ Pifer		
“ Shepherd		

5 AYE, 1 ABSENT, motion carried.

Town Manager Clark Draper presented Ordinance O-01-2013, Robert Tuthill Rezoning – 5254 Main Street, Rezone from B-3 to B-2. Public hearing was held on March 4, 2013. The Planning Commission recommends approval. Motion by Councilman Pifer and second by Councilman Andrick to approve Ordinance O-01-2013 Robert Tuthill Rezoning for 5254 Main Street from B-3 to B-2.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Andrick	None	Councilmember Whetzel
“ Hackenbracht		
“ Holtzman		
“ Pifer		
“ Shepherd		

5 AYE, 1 ABSENT, motion carried.

Town Manager Clark Draper presented Special Use Permit application from Robert Tuthill for 5254 Main Street to allow billiard room use in B-2 District contingent on approval of corresponding rezoning application. A public hearing was held on March 4, 2013. Planning Commission recommended approval of this application with the recommendation that the Town Council consider placing a ban on alcohol sales as a condition of approval. Motion by Councilman Hackenbracht and second by Councilman Pifer to approve the Special Use Permit with the addendum of placing a ban on alcohol sales as a condition of approval.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Andrick	None	Councilmember Whetzel
“ Hackenbracht		
“ Holtzman		
“ Pifer		
“ Shepherd		

5 AYE, 1 ABSENT, motion carried.

Town Manager Clark Draper reported on the consideration of quote from Shade Equipment to outfit 1990 International truck with a dump body. The quote is \$215.00

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more because of an additional item. The total cost is \$23,835.00. Motion by Councilman Holtzman and second by Councilman Andrick to approve the quote from Shade Equipment to outfit the 1990 International truck with a dump body at a cost of \$23,835.00.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Andrick	None	Councilmember Whetzel
“ Hackenbracht		
“ Holtzman		
“ Pifer		
“ Shepherd		

5 AYE, 1 ABSENT, motion carried.

The Planning Commission vacancies will be discussed in closed session.

Motion by Councilman Pifer and second by Councilman Shepherd to approve the duties of the newly created part-time Office Clerk position. Copy attached to minutes.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Andrick	None	Councilmember Whetzel
“ Hackenbracht		
“ Holtzman		
“ Pifer		
“ Shepherd		

5 AYE, 1 ABSENT, motion carried.

Motion by Councilman Pifer and second by Councilman Hackenbracht that the Council of the Town of Mount Jackson convene a closed session at 8:00 p.m. under the Virginia Freedom of Information Act under State Code Sect. 2.2-3711 (A) (1) to discuss personnel involving specific officers, appointees or employees of the Town of Mount Jackson for the purpose of considering such individuals' assignment, appointment, promotion, performance, demotion, salary, disciplining or resignation.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Andrick	None	Councilmember Whetzel
“ Hackenbracht		
“ Holtzman		
“ Pifer		
“ Shepherd		

5 AYE, 1 ABSENT, motion carried.

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Motion by Councilman Pifer and seconded by Councilman Shepherd to return to the regular meeting at 8:27 p.m.

ROLL CALL VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Councilman Andrick	None	Councilmember Whetzel
“ Hackenbracht		
“ Holtzman		
“ Pifer		
“ Shepherd		

5 AYE, 1 ABSENT, motion carried.

Councilman Pifer 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 the certification resolution applies, and (ii) only such public 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.

Vote: Andrick	So Certify
Hackenbracht	“ “
Holtzman	“ “
Pifer	“ “
Shepherd	“ “
Williams	“ “

Ayes – 6, Nays – 0, Absent – 1.

No decision was made on the appointments.

Motion by Councilman Pifer and second by Councilman Andrick to adjourn the meeting.
Motion carried.

CLERK

MAYOR