REGULAR
COUNCIL MEETING
October 11, 1971

The regular meeting of the Elkton Town Council was held October 11, 1971 at 8:00 P.M. in the Council Chambers with the Mayor, Edward F. Garber presiding. The following council members were present: Mr. R. E. Davis, Mr. H. A. Leet, Mr. W. H. McGahey, Mr. A. R. Thompson and Mr. H. A. Workman. Mr. C. B. Knott, Chief of Police, Mr. D. C. Liskey, Town Superintendent and Mrs. Norma R. Leap, Clerk were also present. Mr. E. O. Karow was absent.

Mr. Alan R. Thompson opened the meeting with prayer.

Mr. W. H. McGahey moved, seconded by Mr. A. R. Thompson and carried to approve the minutes of the regular meeting September 20, 1971.

Mr. R. E. Davis moved, seconded by Mr. H. A. Leet and carried to approve the minutes of the special meeting October 4, 1971.

Mr. Ronald R. Brown, County Supervisor, United States Department of Agriculture was present to discuss with the council the town's application for assistance on the water system. Due to the absence of the Town Attorney, Mr. Hillsman and the engineers drawing up the plans for the Filteration System. Mr. Brown advised waiting until everyone involved could be present. He stated that there were no grants available for water and any moneys received on the water system would be a straight loan. He did point out, however that there was a good chance of our receiving a grant of approximately 80% of the Project Cost on the Secondary Sewer System.

Mr. Donald A. Perry of Donald A. Perry & Associates, Inc. was present to discuss the towns cancelling the T.V. Franchise with their client American Cablevision. Mr. Perry explained that their client had several delays due to the installing of several large systems on the eastern shore but had been doing some work such as the strand mapping and meeting with the telephone company in regards to their poles. He asked that the town give further consideration to extending the T.V. ordinance and he felt that work on the system could be started immediately. This matter was tabled for further consideration.

Mayor Garber presented a Certificate of Appreciation which he would be presenting to Mr. R. G. Harman for his years on the Town Council.

Mr. A. R. Thompson reported that he is still checking on a buffing machine. He also reported that the roof from the Warrant Justice's office to the jail needs repair. Mr. Liskey was asked to check on prices to make the needed repairs.

Mr. Thompson reported that he is still checking on the Wholesale Business License.

The Audit Report was tabled until the next meeting.

Mr. W. H. McGahey moved, seconded by Mr. H. A. Workman and carried to appoint Mr. James Sipe as Substitute Trial Justice.

Mr. W. H. McGahey reported that there had been a delay on the plans for the Filteration Plant due to alterations which had to be made to meet the approval of the Health Department.

Mr. R. E. Davis reported that his committee had not met on the naming of the street leading to the High School. This matter was tabled until the next meeting. He also reported that he would have something on the Flood Control Insurance before the first of the year.

Mr. H. A. Workman reported that we are continuing our membership in the Yankee Dixie Program.

Mr. H. A. Leet presented a purposed ordinance amendment to prohibit the sale of alcoholic beverages on Sunday.

Mr. H. A. Leet moved, seconded by Mr. A. R. Thompson to amend Section 4-2 and Section 4-3 to read as follows:

Sec. 4-2 When sale of alcoholic beverages prohibited - Generally

It shall be unlawful for any person to sell alcoholic beverages in the Town between the hours of twelve o'clock post meridian of each Saturday and six o'clock ante meridian of each Monday.

Sec. 4-3 Same -- Definition of "alcoholic beverages" and "person"

As used in Section 4-2, "alcoholic beverages" shall include the four varieties of liquor, regardless of the content of alcohol by volume or by weight, defined in Section 4-2 of the Code of Virginia of 1950 as alcohol, spirits, wine and beer and any one or more of such varieties and every liquid or solid, patented or not, containing alcohol, spirits, wine or beer and capable of being consumed by a human being. "Alcoholic beverages" shall also include beer, lager beer, ale, porter, wine, similar fermented malt or vinous liquor and fruit juice as referred to in Section 4-99 of said Code of Virginia as containing one half of one per centum or more of alcohol by volume, and not more than three and two tenths per centum of alcohol by weight.

"Person" shall mean an individual, partnership, association or corporation.

The vote was as follows:

Davis -	yea	Thompson -	yea
Leet -	yea	Workman -	nay
McGahey -	yea		

Mr. Workman stated his reason for opposing the amendments was he felt there was a conflict in the ordinances and these need to be clarified before he could vote for them.

Mr. S. H. Levinson stated that he objected to the vote.

Rev. James Martin expressed his appreciation to the council for their action in this matter.

Roger Wyant a Senior at Elkton High School expressed the view that he felt better than half of the students at the High School were opposed to the sale of beer on Sunday and were looking forward to something more in life.

Mr. L. P. Hale and Mr. Wilson Gaynor both voiced their approval of the council's stand on the beer issue.

Mr. Lewis Workman spoke in opposition to the councils action.

Mr. H. A. Leet presented the following report and recommendations from the Study Committee appointed by the Mayor to study the second draft of the proposed zoning ordinance and the objections from the town citizens:

The committee feels that the proposed zoning ordinance is too extensive in its recommended changes. If the town was in a period of rapid growth in the areas of business, industry, or population then these extensive changes might be required.

The ordinance is an excellent work and much of it might well be adopted some time in the future. It is based on an expected rapid growth of the town which may occur some years hence.

This study committee recommends that the proposed zoning ordinance be held on file by the planning commission for possible use when and if annexation of surrounding areas occur. The committee further recommends that the commission study the present zoning ordinance to up-date it and recommend relatively minor changes that might be needed. It is also proposed that the areas immediately surrounding the town be observed and recommendations be made to the county zoning commission prior to their action in zoning those areas.

Mr. H. A. Leet moved, seconded by Mr. W. H. McGahey and carried to approve the recommendations by the Study Committee and these recommendations be forwarded to the Planning Commission for action along these lines.

Mr. A. R. Thompson moved, seconded by Mr. H. A. Leet and carried to discharge the Committee set up to study the second draft of the proposed zoning ordinance and the objections from the town citizens as their work is completed.

Mr. H. A. Leet moved, seconded by Mr. H. A. Workman and carried to appoint Mr. B. W. Gooden to the Planning Commission.

A letter from Mr. W. J. Osborne, Resident Engineer, Department of Highways, was read informing the council that effective August 13, 1971 a parade permit will be required for all parades and ceremonial celebrations held in all towns with a population under 3,500 and giving the information needed on the applications for permits.

A letter from Mr. Charles Kindred, Pastor, First Baptist Church of Elkton was read in which Mr. Kindred stated that he had called the Highway Department asking that a traffic light be considered at the intersection of Rt. 340 and old Rt. 33 and was told that a request for a traffic study would have to come from the Elkton Town Council. This request should indicate pertinent facts including the exceptionally heavy traffic during certain hours in the morning and afternoon because of the new Blue Bell plant and Elkton High School. Mr. Kindred petitioned the town council to request a traffic study of this intersection and include such facts as he mentioned. This matter was turned over to the Street Committee.

As there was no further business, Mr. R. E. Davis moved, seconded by Mr. W. H. McGahey and carried to adjourn.

MAYOR: Edward F. Garber
Edward F. Garber, Mayor

RECORDER: Norma R. Leap
Norma R. Leap, Clerk