REGULAR
COUNCIL MEETING
September 8, 1975

The regular meeting of the Elkton Town Council was held Monday, September 8, 1975 at 8:00 P.M. in the Council Chambers with the Mayor, H. Ditman Flory presiding. The following council members were present: Mr. C. E. Dean, Mr. R. R. Dean, Mr. H. A. Leet, Mr. R. J. Lough, Mr. W. H. McGahey and Mr. W. P. Suiter. Mr. F. M. Cloonan, Town Patrolman, Mr. Gerald K. Monger, Town Superintendent, Mr. R. Bruce Wiles, Town Attorney and Mrs. Norma R. Leap, Town Clerk were also present.

Mr. R. R. Dean opened the meeting with prayer.

Mr. R. J. Lough moved, seconded by Mr. R. R. Dean and carried unanimously to approve the minutes as presented of the regular meeting August 11, 1975.

Mr. W. H. McGahey moved, seconded by Mr. W. P. Suiter and carried unanimously to approve the minutes as corrected of the special meeting August 27, 1975.

Mr. and Mrs. R. B. Hutton were present regarding the flooding conditions on Jackson Avenue and ask for the council's report on what action they plan to take to correct this situation.

Mr. Monger reported that he had been in contact with a representative from the State Highway Department regarding the problem on Jackson Avenue. The State man will not say which to use, pipe or open cut. Prices to grade and seed the alley would run about $2,500.00. To install 36" concrete pipe, grade and seed would cost approximately $11,000.00.

After discussing the Jackson Avenue problem and the need to correct the North Avenue problems also, Mayor Flory suggested that Mr. Monger get prices on this project and each councilman take a look at the situation before making a decision. He would plan a special meeting for Wednesday, September 17, 1975 at 7:30 P.M. to act on this problem.

Mr. Hutton stated that this problem is not a recent one and the town had tried grading once before and had been forced to fill it in. He stated he had already contacted his attorney and if the town tried grading again he will take them to court. Mr. Hutton said he would wait until the September 17th. meeting before taking further action.

Mr. Dallas Meadows, who also lives on Jackson Avenue, said he just wanted to see the problem corrected.

Mr. David Hatmaker, an attorney for Mr. Jack Farren, was present regarding the property (Lot 1, Blk. 22) on Spotswood Trail and Shenandoah Avenue which Mr. Farren had sold to Francis and Anita Lambert. The Lambert's have brought suit against Mr. Farren because a portion of the building extends onto town property and they claim Mr. Farren advised them wrong as to where the boundaries were.

Mr. Hatmaker asked the town to deed outright enough of its right-of-way on Shenandoah Avenue to accomodate the building or to give the Lambert's an easement for the life of the building provided no additions are added.

Mr. Lough said he would be very reluctant to give away any portion of the right-of-way as the full width of this street will be needed if the shopping center developes. He further stated that he could see nothing wrong with giving the Lamberts an easement until such time as the town may need the land.

Mr. Leet stated this had been acted on once and that nothing new has been presented to justify reconsidering it. He felt the town would not pursue the removal of this building off the street.

Mr. McGahey pointed out that if the town would grant a twenty year easement and then found they needed this land they would have to condemn the building and buy it back.

This matter was tabled until the special meeting.

Mr. Suiter reported that the town has all four demand meters but is waiting on current transformers. The Fossil Fuel Adjustment will be $11.06 per thousand for September.

Mr. W. P. Suiter moved, seconded by Mr. W. H. McGahey and carried unanimously to donate the $52.61 electric bill for the Fireman's Carnival.

Mr. Lough reported that each councilman would be given an audit report to study and action would be taken at the next meeting.

Mr. R. J. Lough moved, seconded by Mr. W. P. Suiter to approve the Second Reading to appropriate an additional $3,500.00 of which $2,740.50 is to complete root removal and television work required and the remainder to be used for contingencies if necessary. The vote was recorded as follows:

C. Dean	- yea	R. Lough	- yea
R. Dean	- yea	W. McGahey	- yea
H. Leet	- yea	W. Suiter	- yea

It was reported that the State Water Control Board will have a Public Hearing October 9, 1975 at Madison College.

Mr. C. E. Dean reported that Michie Publishing Co. had been contacted but they have not returned our call as yet to see about updating our ordinance books.

Mr. H. A. Leet reported that the Ordinance Committee had met regarding the ruling of the Board of Zoning Appeals in regards to rebuilding old buildings, garages, etc. It was the opinion of the committee that the Zoning Board was probably correct and they did not wish to make any recommendation of an ordinance change. It appeared that the intention of the present ordinance is to try to start getting rid of the older buildings setting on property lines.

Mayor Flory reported that one of the town employees had resigned because of receiving a better position and that the town needs a meter reader. He suggested the council consider establishing a position entitled Meter Reader at a beginning salary of $3.00 per hour. After some discussion this was turned over to the Personnel Committee to bring recommendations back to the special meeting.

Mr. W. P. Suiter moved, seconded by Mr. R. J. Lough and carried unanimously to adjourn.

MAYOR: H. Ditman Flory Mayor
H. Ditman Flory, Mayor

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