REGULAR
COUNCIL MEETING
April 20, 1987

The regular meeting of the Elkton Town Council was held April 20, 1987 at 8:00 P.M. in the council chambers with the Mayor Charles E. Dean presiding. The following council members were present: R. E. Davis, B. B. Holt, H. W. Leap, H. A. Leet, L. C. Life and R. L. Snow. Norma Leap, Clerk, Gerald Monger, Superintendent and Warren Pence, Chief of Police were also present.

Mrs. Vicki Willson was present to present a request from the Woman's Club. They would like to have the room on the upper floor which has been used by the Recreation Department to put in a Teen Section to the library. They need more space and feel teens would be more comfortable with a room of their own.

Mrs. Barbara Dean of 116 Lucas Lane was present and presented a petition with thirteen signatures opposing the building of an apartment building in the 500 Block of Lee Avenue. Speaking in opposition of the apartment was Barbara Dean, Jay Dean, Michael O'Neil and Lewis Herring. The major concerns were the threat of safety to their children, tranquility of the neighborhood, the quality of family life, inadequate parking, street unable to handle the increased traffic and due to the small size of the planned apartments, they did not feel the type of tenants that would be attracted to these apartments would be an asset to the neighborhood.

Councilman Holt and Councilwoman Life stated they had both contacted the town attorney and he had indicated there was no legal way to stop the building. Even though council members might agree with the residents of this area, they were not sure they would be able to stop the building of the apartments.

Mr. O'Neil questioned the validity of the building permit that was issued. He suggested council look at their current policy and consider requiring requests for building permits for multifamily dwellings be brought before council. He made several other suggestions for council to consider.

Mrs. Eva Lucas expressed a concern that if the apartments are built the town might consider opening "G" Street which runs between her property and Mrs. Marie Baugher. Councilman Holt explained that in order to open or close streets there are certain procedures which must be followed, including a public hearing and council action. This could not be done automatically.

Mr. H. L. Baugher also questioned the closing of Park Avenue and Councilman Holt stated the same procedures would apply there also.

Mr. O'Neil requested that council investigate to see if proper procedures were followed in issuing the building permit for these apartments.

Mayor Dean stated council would look into this situation.

Councilwoman L. C. Life moved, seconded by Councilman B. B. Holt and carried to approve the minutes of the regular meeting March 16, 1987 and the special meeting April 8, 1987 as presented.

Council was given the opportunity to ask any questions they might have on the police report for the month of March.

Chief Pence reported that he has presented his proposed budget for 1987-88 to the Public Safety Committee for their consideration.

Officer Weaver was present to present to Chief Pence the American Police Hall of Fame Bravery Award. It is quite an

honor to be given this award. Mayor Dean presented Chief Pence with the pin that accompanied the award and expressed council's congratulations.

Councilman R. L. Snow moved, seconded by Councilman H. A. Leet and carried to approve the Finance Report for March.

Mr. Monger reported that they are still working on the budget.

Councilman Leap reported he has had a number of questions regarding the water and sewer bills.

Councilwoman Life reported that the State Department of Highways is doing a traffic count in regards to our requests for traffic lights. She also reported they had hoped to be able to start the concrete work at the Elementary School but it has been too wet.

Councilwoman Life stated that EPIC will be helping with the Clean Up Week. She would like to run an ad reminding people of Clean Up Week and to also include the mowing requirements. Mr. Monger will see that a trash truck is available for this clean up.

EPIC has requested the town close one of the streets for their fall festival October 17th. and 18th. The street would be used to set up booths for crafts and food.

Councilwoman L. C. Life moved, seconded by Councilman B. B. Holt to close Spotswood Avenue from the triangle to Picklesimers on October 17th. and 18th. from 10:00 a.m. to 6:00 p.m. for crafts.

After some discussion regarding possible problems with this street, Councilman Holt withdrew his second and Councilwoman Life her motion.

Councilwoman Life was asked to work with EPIC regarding their request to close a street. Chief Pence will also work with this group to come up with an area to be closed.

Councilman B. B. Holt presented a First Reading on the following amendments to the town ordinances:

Sec. 5-2-5 WATER CONNECTIONS OUTSIDE TOWN.

(a) Water connections may be made to premises located outside the town if requested and if approved by council. Sewer or electric service from the town are not a prerequisite for water connection.

(b) Connection charges for water connections outside the town shall be determined by the town council. The applicant shall install at his own expense the connecting line to the Town of Elkton's existing available water lines. The installation must meet town requirements and becomes town property when connected to town lines.

Sec. 5-2-6 CONNECTIONS INSIDE TOWN.

Before a connection to the town water system shall be made inside the town, the applicant therefore shall pay to the town treasurer a connection fee in an amount determined by the town council. The town water department shall run all water service lines to the applicant's property line for a distance not to exceed 100 feet. If the distance exceeds 100 feet, the applicant shall pay all costs in excess of 100 feet. Provided, however that if the town council determines it to be in the best interests of the town to extend its existing water lines partly or wholly at town expense, it may enter into agreements with individual landowners or developers whereby such extensions of existing water lines shall be accomplished and the costs thereof shared

as mutually agreed; or, in the proper case, the town council may resolve to extend the town water system wholly at town expense. In determining the best interests of the town, the council shall consider the number of potential connections which such extension of the system might be expected to facilitate; the enhancement to the value or capability of the existing system that would result from such extension; the value of any easements that would be granted to the town under such agreements; the potential for increased employment opportunities and economic development that might reasonably be expected to result from such extension; and the increased revenue the town could be expected to derive from utility service charges and taxes in respect to future development.

Sec. 5-3-7 CONNECTION CHARGES WITHIN TOWN.

(a) Before a connection to the town sewer system is made within the town, the applicant therefore shall pay to the town treasurer a connection fee in an amount determined by the town council. The sewer department shall run all sewer lines to the applicant's property line for a distance not to exceed 100 feet. If the distance exceeds 100 feet, the applicant shall pay all costs in excess of 100 feet. Provided, however, that if the town council determines it to be in the best interests of the town to extend existing sewer lines partly or wholly at town expense, it may enter into agreements with individual landowners or developers whereby such extensions of existing sewer lines shall be accomplished and the costs thereof shared as mutually agreed; or, in the proper case, the town council may resolve to extend the town sewer system wholly at town expense. In determining the best interests of the town, the council shall consider the number of potential connections which such extension of the system might be expected to facilitate; the enhancement to the value or capability of the existing system that would result from such extension; the value of any easements that would be granted to the town under such agreements; the potential for increased revenue from utility service charges and taxes that could be expected to result from future development made possible by extension of the sewer system; and the potential for increased employment opportunities and economic development that might reasonably be expected to follow such extension of the sewer system.

(b) Notwithstanding the foregoing, the connection fee with respect to houses located within the town and in existence on September 12, 1977, to which sewer service was not available on that date, shall be $400 if application for connection is made and such fee is paid immediately upon receipt of notice by the property owner that sewer service is available. The town superintendent shall notify the owners of such existing houses by certified mail with return receipt when sewer service shall become available. (Code 1966, Sec. 32-27, as amended by Ord. of 3/10/75, Ord. of 9/12/77, and Ord. of 2/12/79)

Sec. 5-3-8 CONNECTION CHARGES OUTSIDE THE TOWN.

Before a connection to the town sewer system is made outside the town, the applicant for a connection to the town sewer system shall pay to the town treasurer a connection fee in an amount determined by the town council. Applicant shall install at his expense the connecting line to existing available Elkton sewer lines. The installation must meet town requirements and becomes town property when connected to the town lines. (Code 1966, Sec. 32-28; as amended by Ord. of 3/10/75; and by Ord. of 10/10/77)

Sec. 5-4-4 RATES FOR WATER AND SEWER SOLD BY TOWN INSIDE AND OUTSIDE THE TOWN.

Monthly charges for water and sewer furnished and supplied by the Town of Elkton shall be determined by the town council, and subject to rules and regulations adopted therewith.

Councilman Holt reported that Mr. Davenport has developed a cruising ordinance but they are not prepared to bring it to council at this time as they are waiting to hear from the Virginia Municipal League regarding any information or input they might have.

Councilman Holt stated that the Fire Company had come before council a few months ago requesting the ceiling be lowered in the fire company building and permission be given to put in a permanent barbeque pit up from the town Christmas tree. Councilman Holt felt council needs to know more about the Fire Company's plans regarding the building they are planning to build outside town before making any commitments.

It was suggested that the Public Safety Committee meet with representatives of the Fire Company to discuss this.

Councilman Leet stated that during January and February the water meters were estimated. In some cases the estimates were too low and when the meters were read in March it resulted in the bills being rather high. They have received a lot of complaints. The main reason was the fact that council had set March as the basis for determining the summer sewer rate. The Water and Sewer Committee has discussed this and suggest changing from March to April.

Councilman H. A. Leet moved, seconded by Councilwoman L. C. Life to set the month of April as the standard for summer sewer rates. The vote was recorded as follows:

Davis	-	yea	Leet	-	yea
Holt	-	nay	Life	-	yea
Leap	-	yea	Snow	-	yea

Councilman Davis remarked on all the trash that was set outside the gates to the dump when it was closed and wondered if maybe the county shouldn't advertise when they are closed for holidays, etc. Mr. Hulings stated the hours are posted at the dump. It was suggested maybe a permanent sign should be erected.

Councilman B. B. Holt moved, seconded by Councilwoman L. C. Life and carried that the Town of Elkton adopt the week including May 15th. as the town Clean Up Week.

Mr. Monger reported that he plans to attend the Virginia Municipal League meeting on liability insurance in Charlottesville.

Councilman H. A. Leet moved, seconded by Councilman B. B. Holt to go into Executive Session to discuss matters requiring possible litigation. The vote was recorded as follows:

Davis	-	yea	Leet	-	yea
Holt	-	yea	Life	-	yea
Leap	-	yea	Snow	-	yea

Councilman H. W. Leap moved, seconded by Councilman H. A. Leet and carried to go from Executive Session back into Regular Session.

Council discussed the Woman's Club request to take over the room being used by the Recreation Department for a Teen Library. It was suggested that there needs to be some reorganization of records, etc. in order for the town to have enough storage room. Mayor Dean suggested telling Mrs. Willson that council will consider this but it could be a long range project.

As there was no further business, the meeting adjourned.

MAYOR: Charles E. Dean
Charles E. Dean, Mayor

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