REGULAR
COUNCIL MEETING
October 15, 1990

The regular meeting of the Elkton Town Council was held October 15, 1990 at 8:00 p.m. in the council chambers with the Mayor Charles E. Dean presiding. The following council members were present: J. R. Correa Jr., R. B. Hutton, H. W. Leap and L. C. Life. Councilman Snow was present for the last part of the meeting. Councilman W. E. Printz was absent. Dale Davenport, Attorney, Norma Leap, Clerk, Gerald Monger, Superintendent and Warren Pence, Chief of Police were also present.

Mr. Lee Wheelbarger was present on behalf of the Elkton Volunteer Fire Department to propose a system to identify and locate fire hydrants within the Town of Elkton. There would be markers on the roads identifying where the hydrants are, how far it is to the hydrant and the water output capability of the hydrant. These markers would not be above the road surface but would be painted on the road surface. The Fire Company would paint and maintain the markers. After some discussion, Mr. Wheelbarger was asked to have the Fire Company contact Gainsville, Florida who is now using this system and ask them to send a letter to Mayor Dean stating what their experience has been with this system and if they would recommend it to the Town of Elkton. Mayor Dean suggested that some of the Fire Company members attend the next Streets and Sidewalks Committee meeting to answer questions and maybe Mayor Dean would have the letter from Gainsville by then. Councilman Printz will notify the Fire Company as to the time of the meeting. Mr. Monger stated that this would also need approval from the State Highway Department. Council informed Mr. Wheelbarger that they would need a letter from the Fire Company presenting a formal request to install this system. Council would need to consider all the information before making any commitment.

Mr. Wheelbarger stated that he sells and distributes lighting equipment for emergency vehicles. He also installs lighting equipment and radio equipment for emergency, police cars, etc. He would like to offer his services to the town to provide installation and removal of two way radio equipment. He cannot service our equipment but he could install or remove it. Council asked Mr. Wheelbarger to put in letter format the services he is able to provide and to present it to the town.

Councilwoman L. C. Life moved, seconded by Councilman J. R. Correa Jr. and carried to approve the minutes of the Regular Meeting September 17, 1990 as corrected and amended.

Mr. Monger reported on the meeting with Mick concerning recycling at curb side. They want to set up a meeting with the Town to discuss this. If the other town's go with this it would cost approximately $2.50 to $3.50 per each residence.

Councilwoman Life reported that she has been meeting with the Town's Recycling Committee and also has attended the County's recycling meeting. Mick did not give a cost at the meeting she attended and they were informed that a certain number of towns would need to go with this proposal before they could offer recycling curb service. She feels more information is needed before making any decisions. The Town's Recycling Committee will be meeting again October 30th to discuss this further and suggested possibly Mick would like to attend their meeting.

Mr. Monger reported that he has a proposed contract giving the County additional space at the dump site at the west end of town for a recycling center. Mr. Davenport has reviewed the contract. Councilwoman Life stated she has not had the opportunity to look over the contract and would like to take the proposed contract to the Town's Recycling Committee to review before taking any action. The committee would like to have some input regarding appearance, etc. She is all for giving the land but feels the committee needs to have some input. Councilman Leap stated he feels there wouldn't be any need to have the recycling committee and they do the work if council is going to make decisions without giving them the opportunity to make their recommendations regarding site, appearance, etc. Things regarding recycling should be directed through this committee.

Mr. Davenport commented on the draft lease contract. He stated that although it is lengthy, it is exactly the same thing we have had since 1983 except it gives the County another acre and extends it. There is a provision in the contract that says they will keep it in neat and orderly condition and if they don't the Town can do it themselves and charge the County for it.

Mr. Davenport was asked to contact Mr. Krueger tomorrow and inform him of these concerns and where we stand at present.

Mr. Monger was asked to send each council member a copy of the proposed lease contract to review.

Chief Pence presented the monthly police report. He reported that there is no longer any cats in the police department. Another item he felt council needed to address was the 83 hours overtime on the monthly police report. He stated he has no problem with the dispatcher overtime as this was due to illness and vacation. He pointed out that if you check over the past few years, every time we have a council meeting and have a citizen complaint, we assure these people that we are going to add additional police patrol, etc. What's happening is we are accumulating all these additional services but have not added any additional officers. The number of community fund raising events are increasing and everyone expects the police to be there for protection. He has no problem with this but it does require overtime. He feels council needs to consider limiting the number of police officers and hours they are going to allow for security guard work for non-profit organizations because he can apply these same overtime hours to beneficial, hard criminal investigation and accomplish a lot more as far as public protection and public safety.

Councilman Correa stated he feels the Public Safety Committee needs to look into this and asked Chief Pence to bring information on overtime for the past twelve months and a list of all the extra activities contributing to the overtime and the hours spent on each.

Councilman J. R. Correa Jr. moved, seconded by Councilwoman L. C. Life and carried to approve the Finance Report for the month of September.

Councilman J. R. Correa Jr. moved, seconded by Councilman R. B. Hutton and carried to approve the Audit Report for 1989-1990.

Councilman Correa reported that the Personnel Committee discussed the recommendation by the auditors that the Town designate an Equal Employment Opportunity Commission Officer and recommends Norma Leap be appointed to this position.

Councilman J. R. Correa Jr. moved, seconded by Councilwoman L. C. Life and carried to appoint Norma Leap as the EEOC Officer for the Town of Elkton.

Councilman Hutton reported that a town transformer burned out and the Elkton Tastee Freez is asking the Town to pay for damage to their equipment which was caused by the transformer going out. He will take this request to the Electric Committee for further discussion and recommendations.

Councilman Leap stated that Councilman Printz was unable to attend tonight's meeting due to a prior commitment and had asked him to give a report from the Streets and Sidewalks Committee. The committee met and discussed the following:

1. Speed bumps in the alley behind the Elkton Car Wash and the Valley Washer laundromat. This will be done when the pavers come in.

2. Speed bump in the alley at AmeriGas. They will check with AmeriGas to see if they object to a speed bump as they use this alley all the time.

3. Sidewalks. Councilman Printz has received numerous comments regarding extending the sidewalk down Route 340 North toward Mick or Mack.

4. The committee will be creating a Comprehensive Plan so that sidewalk repair can be done yearly.

5. There has been a complaint about the railroad crossing on Fifth Street. The committee has not discussed this but will look into the complaint at their next meeting.

Councilman Leap stated that the committee had discussed one complaint regarding the sidewalk at Valley Lunch. This is a dangerous situation and they are going to try to get this fixed. He also reported that the paved sidewalk on West Spotswood Avenue which runs past Benny King's business will be bid by the State in the fall.

Mr. Monger reported on a letter from W. J. Osborne, Resident Engineer for the State Department of Transportation, regarding the Town's request for another study to determine if a traffic signal is needed at the intersection of Route 340 (Stuart Avenue) and Rockingham Street. The Department of Transportation has completed the study and determined that the intersection does not meet a single warrant of which three of eight are required to install a signal and it would not be appropriate to schedule a signal at this location at this time. They did recommend that several ornamental trees located just north of the intersection near the sidewalk may hinder sight distance for motorists entering the intersection from the east and ask the Town to look into the possibility of having these trees removed or trimmed. The Department of Transportation will be glad to do the work if there are no strong objections.

Councilwoman Life stated she feels the matter of the trees should be discussed by the Streets & Sidewalks Committee.

Councilman Leap reported that the Water and Sewer Committee met. They discussed the request by Reidel Hisey that the Town participate in the lines he requested permission to put in. Mr. Hisey has already been granted permission to connect to the Town's water and sewer lines but the committee recommends the Town not take any further participation in this.

Councilman Leap reported on the Newtown Road Project (Route 759). The State is about to get under way on this. The Town has discussed replacing the lines we have up there and extending them over the hill sometime in the future. It would be easier to do this when the project is done. There is quite a bit of engineering and surveying that will need to be done to see if this is feasible and the cost to do the project. Mr. Monger and the committee, at the recommendation of the State, feel that Anderson & Associates would be an appropriate firm to come in and talk to council about doing such a study and what they would charge for the study. Council was in agreement to have Mr. Monger contact Anderson & Associates to come to the next council meeting to discuss this with council.

Councilman Leap reported that Mr. Wayne Weaver has purchased a trailer park on Route 33 East of Elkton and wants to develop the property. He would like to have sewer on that property treated by the Town. There will be a meeting October 16th at 11:00 a.m. with Mayor Dean, Tim Hulings, Bill Wise and some other property owners who might be involved to discuss the possibility of putting a water and sewer line from this property to Elkton.

Councilwoman Life asked about the flag pole at the triangle in the center of town. Mr. Monger talked with Mrs. Cave and she said to find out what council wants to do and get back to them. Insurance will take care of the damage.

Mr. Monger reported he has not heard any more regarding the traffic light at Shenandoah Avenue and Route 340.

Councilwoman Life reported that she has talked with the Towns of Bridgewater and Grottoes regarding recycling and in the course of her conversations found out that they publish a monthly newspaper for their citizens. She has copies of Bridgewater's for council to review. Grottoes is going to send a copy of theirs also. This might be something council may want to think about doing.

Councilwoman Life also commented on the nice job at the Agriculture Building and the sidewalk at the police station.

Councilwoman L. C. Life moved, seconded by Councilman R. B. Hutton to approve on Second Reading the amendment to Section 606.02-4 of the Zoning Ordinance as printed in the minutes of the Regular Meeting September 17, 1990. The vote was recorded as follows:

Correa	- yea	Life	- yea
Hutton	- yea	Snow	- yea
Leap	- yea		

Councilwoman Life reported that she did contact Professor Bodkin from JMU. He had said he would send a letter concerning the oak tree in the yard but he has now decided he would rather not go on record regarding the ivy on the tree.

Councilwoman L. C. Life presented the following First Reading to amend sections of the Town of Elkton Zoning Ordinances:

An Ordinance Amending Table 1,
Incorporated by Reference in Section 701 of the
Zoning Ordinance of the Town of Elkton, Virginia

IT IS HEREBY ENACTED AND ORDAINED, That the following existing section of the Code of Ordinances of the Town of Elkton, Virginia is hereby amended to read as follows:

Table 1, incorporated by reference in Section 701 of the Code of Ordinances of the Town of Elkton, Virginia is hereby amended in such a manner that the footnote referenced by the letter "a" applies to "minimum yard requirements, one side", rather than to "minimum lot requirements, setback".

An Ordinance Amending Certain Sections
and Adding Certain Sections of the Zoning Ordinance
of the Town of Elkton, Virginia

IT IS HEREBY ENACTED AND ORDAINED, that Section 708.03-3 is amended to read as follows:

"In the event that such use ceases for reasons other than destruction for a period of more than two (2) years, any subsequent use shall conform to all requirements for this Ordinance for the district in which the land is located;"

IT IS FURTHER ORDAINED, that Section 708.04-3 is amended to read as follows:

"When a nonconforming use of a structure or structures and premises in combination is discontinued or abandoned for two (2) years, except when government action impedes access to the premises; or when a nonconforming use is superseded by a permitted use; the structure and premises shall not thereafter be used except in conformity with the regulations of the district in which it is located."

IT IS FURTHER ORDAINED, that a new Section 606.02-8 of the Zoning Ordinance of the Town of Elkton, Virginia, is hereby added to read as follows:

"Apartments located in the same building as a private garage, but only if a single-family detached dwelling exists on the same lot, and further limited to a single such apartment on such lot."

IT IS FURTHER ORDAINED, that a new Section 616.02-13 of the Zoning Ordinance of the Town of Elkton, Virginia, is hereby added to read as follows:

"Manufactured homes that are nineteen (19) or more feet in width, on a permanent foundation and on an individual lot."

IT IS FURTHER ORDAINED, that a new Section 703.02-4 of the Zoning Ordinance of the Town of Elkton, Virginia is hereby added to read as follows:

"All such parking spaces shall be connected by a driveway to a paved street or paved alley."

IT IS FURTHER ORDAINED, that Section 606.04-7 is hereby amended to read as follows:

"Private garage;"

IT IS FURTHER ORDAINED, that Section 616.02-12 is hereby amended to read as follows:

"Public buildings and utilities;"

IT IS FURTHER ORDAINED, that Section 616.03-1 is hereby amended to read as follows:

"Manufactured homes in accordance with the provisions of Article 7:"

IT IS FURTHER ORDAINED, that Table 1 of Article 7 is hereby amended as follows:

In B-1 Downtown Business Districts, the minimum distance of accessory buildings to principal building, side lot line and rear lot line shall read "N/A" in each case.

In B-2 General Business Districts, the minimum rear yard requirement, and the minimum distance of accessory buildings to principal building, side lot line and rear lot line shall read "N/A" in each case.

IT IS FURTHER ORDAINED, that Section 706.03-5 is hereby amended to read as follows:

"Signs located on the premises describing active construction projects;"

IT IS FURTHER ORDAINED, that Section 911.00 is hereby amended to read as follows:

"VACATION OF PLATS

A plat may be vacated under the provisions of Title 15.1, Article 7, Code of Virginia, 1950, as amended."

Councilwoman L. C. Life presented the following First Reading to amend the Town of Elkton Land Development Regulations:

1. Page 31, Section 302.209 - The term Sign, Roof has been changed to Sign, Roof <u>Top</u>.

2. Page 109, Section 706.02-3 - has been changed to read as follows: Roof top signs, roof top sign structures, <u>roof line signs and roof line structures</u> shall not extend more than twenty (20) feet above the roof line. Roof top signs or sign structures shall not extend beyond or overhang on exterior wall of the building upon which secured:

3. Page 112, Section 706.04-2(b) - has been changed to read as follows: A free-standing sign upon a lot may be erected or displayed only where drive-in service or private parking for more than <u>ten (10)</u> cars is provided;

4. Page 113, Section 706.04-3 - has been changed to read as follows: Industrial Districts. Within any industrial district, any sign permitted in any business district is allowable in accordance with Section 706.04-02. Section 706.04-3(a) has been deleted.

5. Page 114, Add new Section 706.08 Permits and Fees to read as follows: For the purpose of permits and fees, all permitted signs shall be treated as an accessory use.

6. A new Section 706.04-2(c) to read as follows: A rooftop sign or a roofline sign; provided that such a sign shall not be over 40% in length of the side of the building on which it faces and shall not extend more than 20 feet above the roofline; but in no case to exceed 400 square feet.

   Sections 706.04 (c) and (d) shall remain the same but shall listed as Section 706.04 (d) and (e) respectively.

Councilwoman L. C. Life presented the following First Reading to amend the official Zoning Map of the Town of Elkton:

An Ordinance to Amend the Official Zoning Map
of the Town of Elkton, Virginia

It is hereby enacted and ordained that the official Zoning Map shall be amended so that certain property located at the intersection of Stuart and Shenandoah Avenues, now owned by Randell L. Snow shall be zoned B-1; and that certain property located on Wirt Avenue, now owned by Herbert L. Baugher and Jim Spart, shall be zoned B-2.

There will be a Public Hearing on these changes November 19, 1990 at 7:00 p.m.

Councilman R. L. Snow moved, seconded by Councilwoman L. C. Life to hire Heidi Kuhn for the position of Recreation Coordinator at a starting salary of $14,500.00 effective October 8, 1990 and suggests a one year probation period at which time she could then be considered for a raise. The vote was recorded as follows:

Correa	-	yea	Life	-	yea
Hutton	-	yea	Snow	-	yea
Leap	-	yea			

Councilman Correa reported that the Personnel Committee met. Job descriptions were returned and have been assigned for review. The committee will meet again next month to go over the finalized versions of the job descriptions.

Councilman Correa reported on the employee picnic. It was pretty good and there were about 40 of the 70 people anticipated in attendance. The picnic was moved to the Elementary School due to the rain.

Councilman Correa reported on the benefits survey. Four of the seven towns have reported. Bridgewater, Dayton and Mt. Jackson have been contacted and will be sending in their responses.

There was a discussion regarding the Committee Meetings schedule. The schedule will be changed to run from 6:00 p.m. to 8:00 p.m. Mayor Dean asked that each Chairperson notify their committee members if they do not plan to meet.

Councilman Correa asked about Garner Downey's request for water and sewer for his property east of Route 340 out of town. Dr. Downey had indicated he would be willing to share the cost and Councilman Correa was not sure how this was left at the last meeting. Mayor Dean stated that at first it was suggested this go to the Water and Sewer Committee but that Councilman Leap had stated that as the property was out of town he didn't feel we should participate in this. After some discussion, it was decided to take the request from Dr. Downey to the Water and Sewer Committee for further discussion.

Councilman Correa asked if anything has been resolved regarding replacing water meters. Mr. Monger stated nothing has been done as yet and he feels we should wait until we get the rate study back.

Councilman Leap and Mr. Monger were asked to get out revised schedules for Committee Meetings.

Councilman Correa announced that the next meeting of the Revitalization Committee will be Thursday at 7:30 p.m. at the Elementary School.

Councilman Correa asked if anyone has any recommendations ready for computer requirements. There were no suggestions at this point. Council members were asked to have something ready for the next committee meeting night.

The Finance Committee will meet with the Cemetery Commission tomorrow night, October 16th, at 7:30 p.m.

Mayor Dean reported that he has been working with some of the people at Merck regarding Riverside Park. They would like to donate this to the town if the town feels they can maintain it. The town would also have to be able to work with the Department of Game & Inland Fisheries in regards to a fishing pier and boat access. Mayor Dean and Mr. Monger have told them that they feel the town can maintain the land and work with the Department in Richmond. Councilman Snow stated he would like to see us pursue this property as a boat landing would be a benefit to the community.

Councilman Correa thanked all the employees for their help on the picnic; Norma Leap, Betty Engle, Norma Waybright, Gerald Monger and most importantly the Chief and Donnie Jenkins who worked all night and then cooked the pig. Their efforts are really appreciated.

Councilwoman Life thanked Councilman Correa and Councilman Printz for their work on the picnic.

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