REGULAR
COUNCIL MEETING
November 19, 1990

The regular meeting of the Elkton Town Council was held November 19, 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, L. C. Life and W. E. Printz. Councilman Snow came in later in the meeting. Dale Davenport, Attorney, Norma Leap, Clerk, Gerald K. Monger, Superintendent and Warren Pence, Chief of Police were also present.

Mr. Marvin Hillsman was present representing I. L. Jr. and Eleanor D. Flory to request the closing of an unopened and unimproved alley, 10 feet in width, and extending approximately 125 feet in a west to east direction from Clark Avenue in the Town of Elkton to the parcel of land designated "Private Property", all as shown and described upon The Elkton Improvement Company's Map of Elkton, Virginia. Mr. Hillsman asked Council to proceed immediately with a hearing on this matter and to appoint viewers to view the subject alley and report their opinion in writing.

Mayor Dean stated that council normally appoints five members of the Planning Commission to act as viewers.

Mr. Bill Holt was present and gave a report on the Elkton Recycling Committee. The committee was pleased that council agreed not to sign the contract with the County at the last meeting in order to allow the Recycling Committee some input regarding the contract. In the meeting with Mr. Krueger and Linda Zirkle recommendations were made which would square off the additional land at the dump site and to establish a better traffic pattern. They also discussed what neat and orderly as stated in the contract consists of. The committee feels this should be spelled out in more detail. These suggestions were given to Mr. Davenport to review and he prepared the following suggested insert to go into the contract following the first sentence in Paragraph 5:

> "Upon completion of site preparation of the additional land shown on the sketch attached hereto the Lessee will provide an on-site attendant to supervise and maintain the demised premises. Such attendant shall normally be physically on the demised premises during all hours of operation. During such hours the attendant will not accept waste items which will be visible from the road adjacent to the demised premises except such items which are in proper containers provided by the Lessee. Lessee shall prevent entry by unauthorized persons to the site during times other than such hours of operation."

Mr. Bob Tolsma asked how much trouble it would be to have the County pave the dump area when they install the recycling addition. Mr. Holt stated that they talked about this but there was not much response from the County due to a limited budget. Landscaping was also discussed.

Mr. R. A. Worley, Jr., Executive Vice President and Mr. Timothy S. Stowe, Civil Engineer for Anderson & Associates Inc. were present to discuss the Newtown Road Project. They are doing the engineering for the State on this project and if the town decides they would like to make water and sewer improvements in this area during the construction of the project they will do the engineering work for the town at an approximate cost of $10,000.00 and will include construction cost in their plan.

Mayor Dean asked Mr. Worley to prepare a detailed proposal and submit it to the town. The Committee will review it and make a recommendation to council at the December meeting.

Councilwoman L. C. Life moved, seconded by Councilman R. B. Hutton and carried to approve the minutes of the October 15th meeting as presented.

Councilman Hutton reported that the Electric Committee has discussed the request by Elkton Tastee Freez for the Town to pay for damage to their equipment which was caused by a transformer going out. As this was not the fault of the town, but an act of nature, the committee recommended the town not consider paying any damages.

Councilman Printz reported on a request for a skateboard ramp. This will be discussed by the Streets and Sidewalks Committee. He reported that the cones are down in front of the Valley Lunch for safety purposes. Mr. Monger plans to get the problem corrected as soon as possible.

Councilman Printz stated that the pavers still plan to come in this fall if possible and the speed bumps will be installed at this time. They have not talked with AmeriGas about speed bumps as yet.

The Streets and Sidewalk Committee will be looking into the problem of accessibility to Mr. Lewis Johnson's house and the railroad crossing problem on Fifth Street.

Councilwoman Life asked about the trees on Stuart Avenue which the Highway Department had suggested cutting. Mr. Monger stated that nothing has been done on this as yet. He needs to talk with the Garden Club to see what they suggest.

Councilman Leap reported that the Water and Sewer Committee does not feel that the town should share in the cost of water and sewer to Dr. Downey's property east of Route 340 out of town. He has been given permission to hook on to town lines at his expense.

A request was presented from Richard Lam of 201 East Washington Avenue to hook on to the town water. Ms. Lois Dean of 138 Spring Street would also like to hook on to the town water lines.

Councilman H. W. Leap moved, seconded by Councilman W. E. Printz and carried to grant Richard Lam and Lois Dean permission to hook on to the town water system subject to the Health Department's approval.

Councilwoman Life reported that the Planning Commission met and voted five to one to recommend approval of the proposed changes to the Zoning Ordinances.

Councilwoman L. C. Life moved, seconded by Councilman H. W. Leap to approve on Second Reading the amendment to Table 1, incorporated by reference in Section 701 of the Zoning Ordinance; the amendment to Section 708.03-3, Section 708.04-3, the addition of a new Section 606.02-8, Section 616.02-13 and Section 703.02-4, an amendment to Section 606.04-7, Section 616.02-12, Section 616.03-1, Table 1 of Article 7, Section 706.03-5, Section 911.00 and the Town of Elkton Land Development Regulations as written in the October 15, 1990 minutes. The vote was recorded as follows:

Correa	-	yea	Life	-	yea
Hutton	-	yea	Printz	-	yea
Leap	-	yea			

Councilwoman Life presented the following First Reading to amend Section 5-4-9(a) of the Town Code:

Ordinance Amending Section 5-4-9(a)
of the Code of Ordinances
of the Town of Elkton, Virginia

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

Section 5-4-9(a)

(a) All meters for measurement of water furnished and supplied by the town to its consumers shall be read monthly, and the bills for water so supplied and for sewer service provided shall become due on the day of reading. If any such bill is not paid by the 26th day of the month in which such bill is rendered,

or within 10 days of the date such bill is mailed, whichever comes later, a ten percent (10%) penalty shall be added.

Councilwoman Life presented the following First Reading to amend Section 4-4-27(a) of the Town Code:

Ordinance Amending Section 4-4-27(a)
of the Code of Ordinances
of the Town of Elkton, Virginia

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

Section 4-4-27(a)

(a) All meters for measurement of electric current furnished and supplied by the town to its consumers shall be read monthly and the bills for such current shall be due on the day of reading. If any such bill is not paid by the 26th day of the month in which such bill is rendered, or within 10 days of the date such bill is mailed, whichever comes later, a ten percent (10%) penalty shall be added.

Councilwoman Life suggested that an ad be put in the paper after January 1991 that no extensions will be given on utility bills after the month of February.

Councilwoman Life reported that the Elkton Planning Commission voted five to one to approve the changes to the official zoning map.

Councilwoman L. C. Life moved, seconded by Councilman W. E. Printz to approve on Second Reading the amendment to the Official Zoning Map as written in the October 15, 1990 minutes. The vote was recorded as follows:

Correa	- yea	Life	- yea
Hutton	- yea	Printz	- yea
Leap	- yea		

Councilwoman Life stated that the proposed lease with the County has been presented with a proposed insertion in Paragraph 5 as suggested by the Recycling Committee. There has also been suggested that we insert in the contract a clause to include paving the area and landscaping and she agrees with these suggestions.

Councilman Correa stated that he strongly urges the council to include paving in the contract.

Mayor Dean suggested having Mr. Davenport include paving and landscaping in the proposed contract along with the insertion to Paragraph 5; the contract then be reviewed by Mayor Dean and Councilwoman Life and Mayor Dean be authorized to sign the contract.

Councilman Leap stated that he feels there should be a plat showing exactly how the site is going to look.

Councilwoman L. C. Life moved, seconded by Councilman H. W. Leap and carried that the committee, under the supervision of our town attorney, insert some language in this contract pertaining to paving with a date, landscaping and a diagram of traffic flow etc., to the satisfaction of the Town Attorney, Mayor Dean, Gerald Monger and Councilwoman Life. The Mayor would then be authorized to sign this contract after these changes are inserted.

Chief Pence reviewed the monthly Police Report.

It was reported that Mr. Monger was given permission by the committee to work with Mr. Lee Wheelbarger and to go ahead with the project to place markers on the roads to identify where fire hydrants are located and the output capability of the hydrants, etc.

Councilman R. L. Snow moved, seconded by Councilman J. R. Correa Jr. and carried to approve the Finance Report for the month of October 1990.

Mr. Davenport was asked to check with some of the other towns in the area to see what they have done regarding the VML Insurance Program.

Councilman Snow informed Councilwoman Life that money is budgeted each year for repairs and that this would cover repairs to the caboose.

Councilman R. L. Snow moved, seconded by Councilwoman L. C. Life and carried to write off some 1989 Personal Property Taxes in the amount of $285.39. Most of these taxes were abated by the County or the people did not live in Elkton.

Mayor Dean reported that in the past the town has had a lease with Eula Leap and Welty Hensley for parking beside the Sovran Bank. The leases were not renew last year.

Councilwoman L. C. Life moved, seconded by Councilman R. L. Snow and carried to have Mayor Dean sign new leases on the property beside the bank after correct lot descriptions are obtained and inserted in the leases.

Mayor Dean reported that the County has asked if the town would approve of Richard Field's request to change 27 acres from R2 to R3 and a request from Kenneth W. and Darlene Weaver to change 9.364 acres from A2 to MH1. There will be a Public Hearing before the County Planning Commission on December 4th at 7:00 p.m. They would appreciate knowing if the town has any concerns regarding these requests. The Elkton Planning Commission recommended approval of both of these by a 6-0 vote. There were no objections by council.

Councilman Correa reported that all the towns with the exception of one has responded to the benefit survey. The survey request has been sent to Timberville and after we receive their response the survey will be completed.

Councilman Correa reported that the Personnel Committee has just about completed the job descriptions. Council members on the committee will meet November 27th and hope to finalize the job descriptions at that time.

Councilman Correa reported that Ms. Leap has contacted the State Retirement System regarding long term disability and life insurance. There is no long term disability through the State and they are sending information on life insurance.

The Town Christmas Party will be held December 11th at 7:00 p.m. at the Belle Meade Restaurant. Committees will not meet on that night. Mayor Dean stated that if a committee needs to meet they should set up another meeting date.

Councilman Correa reported that the Revitalization Committee is coming along well. They have formed sub committees on Positive Image, Physical Appearance and Business Development. He also reported that he had attended a meeting of the County Comprehensive Growth Plan Advisory Committee and found it to be very interesting.

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