REGULAR
COUNCIL MEETING
July 22, 1991

The regular meeting of the Elkton Town Council was held July 22, 1991 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. C. Davis, L. C. Life and R. L. Snow. H. W. Leap and W. E. Printz were absent. Dale Davenport, Attorney, Norma Leap, Clerk, Gerald Monger, Superintendent and Warren Pence, Chief of Police were also present.

Councilwoman L. C. Life reported that Mr. Ditman Flory, President of the Elkton Historical Society, had called and was not going to be able to be at the council meeting. He asked that she present a request on behalf of the Historical Society for utilities, use of town equipment and help from town employees for the Horse Show September 7, 1991.

Councilman R. L. Snow moved, seconded by Councilwoman L. C. Life and carried to approve the minutes of the Regular Meeting June 17, 1991 and the Special Meeting June 24, 1991 as presented.

Mr. Monger reported that he had received a price not to exceed $2400.00 for clearing the underbrush at the Stonewall Riverside Park.

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

Councilman J. R. Correa Jr. moved, seconded by Councilwoman L. C. Life and carried to write off the 1987 and 1988 Real Estate Taxes for Annie L. Baugher in the amount of $20.00.

The Clerk read the following letter from Councilman Printz:

Dear Mayor Dean and Council Members,

The rescheduling of this months Council Meeting and the inability to cancel a prior commitment has put me in the position of not being able to attend this evenings meeting.

Although I am unable to attend this meeting, I felt an urgency to convey to this Council my thoughts on the recent adoption of a two percent meals tax in Elkton.

With the recent acquisition of the former Blue Bell building and with the recent opening of Odell's Grocery Store we should not end the fiscal year with a short-fall of funds. The obvious results from these events is a probable return of the level of revenues in our previous budget.

Therefore, I request Mayor Dean and fellow Council Members to consider a resolution to repeal the two percent Meals Tax for it is no longer needed to fulfill the Town's financial responsibilities.

Thanking you in advance for your consideration.

Mayor Dean asked if the Finance Committee would like to take any action regarding Councilman Printz's letter and they did not want to do anything at this time.

Chief Pence presented the monthly Police Report and answered questions regarding the report.

Chief Pence reported that during the last Fireman's Carnival there were only twenty-eight arrests. He pointed out that only two of those arrested were Elkton residents.

Councilman Davis reported that the Elkton Fire Company has asked him to present a request that the town donate the electric used for the Fireman's Carnival. The bill was $107.56.

Councilman R. L. Snow moved, seconded by Councilwoman L. C. Life and carried to write off the electric usage in the amount of $107.56 for the Fireman's Carnival.

Mayor Dean reported that in the 1990-1991 budget there was $2400.00 appropriated for the Fire Company and Rescue Squad gasoline. Since these groups have separated the Treasurer used the same formula as was used to set up a gasoline allotment for the 1991-1992 budget. The Fire Company was given $1600.00 and the Rescue Squad was given $800.00.

Councilwoman Life stated that there is a need for a Street Committee meeting to discuss the problem on Park Avenue. Mr. Monger felt the committee needs to meet with some of the residents in that area to discuss this problem.

Council rescheduled next month's council meeting due to the fact that several council members will be out of town on that date. The meeting was changed to August 26, 1991 at 8:00 p.m.

Councilwoman L. C. Life presented the following First Reading on Zoning Ordinance changes regarding Home Occupations:

Ordinance to Amend Zoning Ordinance
For the Town of Elkton, Virginia

WHEREAS, the present Zoning Ordinance provides for home occupations in certain residential zones as accessory uses upon a lot, as well as pursuant to a special exception permit; and

WHEREAS, accessory uses should be permitted only subject to the special exception permit process;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED as follows:

1. The following sections of the Zoning Ordinance are deleted in their entirety: 602.04-1, 603.04-1, 604.04-1, 605.04-1, 606.04-1 and 607.04-1; and

2. The sections following these deleted sections are hereby renumbered sequentially to following the section numbers immediately preceding the deleted sections and to be consistent with the uniform numbering system contained in the Ordinance.

Mr. Monger stated it will be necessary to have a Public Hearing on these changes.

Councilwoman L. C. Life presented the following First Readings to amend Sections 7-1-39 and Sections 8-1-1 and 8-1-2, Article A, Chapter 1, of Title 8, of the Code of Ordinances of the Town of Elkton, Virginia:

An Ordinance Amending Section 7-1-39

Section 7-1-39 of the Code of Ordinances of the Town of Elkton, Virginia is hereby amended to read as follows:

7-1-39 Precious Metals Dealers. All of the provisions and requirements of the laws of the state contained in Chapter 41 of Title 54.1 of the Code of Virginia as in force and effect on July 1, 1991, except those provisions which by their nature can have no effect or application to the Town, if any, are hereby adopted and incorporated in this Chapter by reference and made applicable within the Town, as fully as though set forth at length herein, except as provided herein. An initial permit issued hereunder be valid for the remainder of the calendar year of issuance, without proration of the application fee, and any renewed permit shall be valid for the calendar year of issuance. (Ord. of August 21, 1989; Amended by Ord. of _____ 1991.)

Ordinance to Amend Section 8-1-1 and Section 8-1-2, Article A, Chapter 1, of Title 8, of the Code of Ordinances of the Town of Elkton, Virginia

BE IT RESOLVED that Section 8-1-1, Article A, Chapter 1, of Title 8, of the Code of Ordinances of the Town of Elkton, Virginia is amended to read as follows:

Pursuant to the authority of Section 46.2-1313 of the Code of Virginia, as amended, all of the provisions and requirements of the laws of the state contained in Title 46.2 and Article 2 of Chapter 7 of Title 18.2 of the Code of Virginia, as in force and effect on July 1, 1991, except those provisions and requirements the violation of which constitutes a felony, and except those provisions and requirements which by their very nature can have no application to or within the town are hereby adopted and incorporated in this chapter by reference and made applicable within the town. References to "highways of the state" contained in such provisions and requirements hereby adopted shall be deemed to refer to streets, highways and other public ways within the town. Such provisions and requirements are hereby adopted, mutatis mutandis, and made a part of this chapter as fully as though set forth at length herein, and it shall be unlawful for any person, within the town, to violate or fail, neglect or refuse to comply with any provision of Title 46.2 or of Article 2 of Chapter 7 of Title 18.2 of the Code of Virginia which is adopted by this section; provided, that in no event shall the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for a similar offense under Title 46.2 or under Article 2 of Chapter 7 of Title 18.2 of the Code of Virginia. To the extent that any provisions of Title 8 of the Elkton Town Code may be inconsistent with the provisions and requirements of Title 46.2 or of Article 2 of Chapter 7 of Title 18.2 of the Code of Virginia hereby adopted, the Title 8 provisions are superseded. (Ord. of Nov. 8, 1976; Amended by Ord. of _____, 1991)

BE IT FURTHER RESOLVED that Section 8-1-2, Article A, Chapter 1, of Title 8, of the Code of Ordinances of the Town of Elkton, Virginia is hereby amended to read as follows:

Words and terms used and contained in this Chapter shall be as defined in the Code of Virginia, Section 46.2-100. (Code 1966, Sec. 17-1; Amended by Ord. of _____, 1991)

Committee meetings were set for August 12, 1991 at 8:00 p.m.

Councilman Correa reported that the Personnel Committee hopes to have the Pay Range Structure ready for the Personnel Committee meeting.

Councilman J. R. Correa Jr. moved, seconded by Councilman R. L. Snow and carried to approve the Clerk/Dispatcher job description as updated by the Personnel Committee.

Councilman Correa reported that the Personnel Committee plans to start on updating the Personnel Manual as their next project.

Councilman J. R. Correa Jr. moved, seconded by Councilwoman L. C. Life and carried to provide the Historical Society with utilities, equipment and manpower for their Horse Show September 7, 1991.

Mrs. Leap reported that the 40th Annual Local Government Officials' Conference will be held in Charlottesville August 18-20, 1991. Those wishing to attend should contact Mrs. Leap.

The following letter from ATD-American Co. to the Mayor was read:

It was indeed a pleasure visiting with you on July 16. Your hospitality was very generous and we hope to have the opportunity of reciprocating at our corporate headquarters in Wyncote, Pennsylvania.

It is our objective to be a productive member of your community. We are planning to have a long term relationship with the town of Elkton by providing year round production with national distribution to our customers that include hospitals, hotels, schools, government agencies and other types of institutions.

We would appreciate the opportunity to display and explain our capabilities and we hope you can meet with us here in Wyncote sometime during mid August.

Your comments and advice will be appreciated. We are looking forward to a long, cordial, and mutually beneficial relationship.

Councilman Correa reported that he feels we are ready to start talking to consultants regarding our computer system and software.

Council was in agreement to set up a meeting to receive suggestions and quotes.

Councilman Correa reported that the Elkton Downtown Revitalization Corporation would like to attend a council meeting to talk about the Revitalization Program.

Mr. Davenport reported that the State of Virginia will no longer review Grievance Procedures. Mayor Dean and Mr. Davenport will certify to the State that the town is in compliance. They are working on this.

A Public Hearing on the Home Occupation Ordinance was set for August 26, 1991 at 7:00 p.m.

Councilman R. L. Snow moved, seconded by Councilwoman L. C. Life to approve the clearing of brush at the Stonewall Riverside Park at a cost not to exceed $2400.00. The vote was recorded as follows:

Correa	-	yea	Life	-	yea
Davis	-	yea	Snow	-	yea

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