REGULAR
COUNCIL MEETING
April 15, 1991

The regular meeting of the Elkton Town Council was held April 15, 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, H. W. Leap, L. C. Life, W. E. Printz and R. L. Snow. Dale Davenport, Attorney, Norma Leap, Clerk, Gerald Monger, Superintendent and Warren Pence, Chief of Police were also present.

Dennis Toomey, Dan Nardi and Kerry Potter of Merck & Co., Inc. were present to give an update on the Riverbank Project which their Community Action Team had undertaken. They have converted this area owned by Merck into a beautiful park. In honor of the fifty years the Stonewall Plant has been in Elkton, they would like to donate the 4.08 acre park to the Town of Elkton and hope the Town will continue to develop this area for future community use. They also thanked the council for their support over the past fifty years.

Mayor Dean expressed council's appreciation to Merck & Co. and their willingness to accept the gift of the 4.08 acre park. Mayor Dean reported that Mr. Monger has contacted the Inland Game & Fisheries Commission regarding a boat landing. Council will set up a meeting to officially accept the park.

Marsha Fuller of the Elkton Downtown Revitalization Corporation gave council an update on the yard sale set for April 27th and thanked Mr. Monger for his assistance.

The Clerk of Council, Norma Leap, read the following joint statement issued to the Town Council by the Elkton Progressive Improvement Committee and the Elkton Downtown Revitalization Corporation:

> "On Thursday, April 4, 1991, officers of the Elkton Progressive Improvement Committee and the Elkton Downtown Revitalization Corporation met to discuss their individual goals and objectives. While both groups agreed that they share a mutual desire to improve the quality of life in the Town of Elkton, they recognize and respect their diverse approaches in accomplishing these goals."

Mrs. Marla Nemoytin and Marguerite Dean of the Elkton Historical Society were present and gave a progress report on the Miller Kite House. They also requested council to consider giving the Elkton Historical Society a $5,000.00 donation to be used toward this restoration project.

Mr. John Adams, representing the Elkton Downtown Revitalization Corporation, presented the following resolution in support of Merck & Co.'s donation of river land to the Town of Elkton:

RESOLUTION

WHEREAS, Merck and Company, Inc. has offered to deed, free of charge, to the Town of Elkton a certain piece of real estate lying within the Town of Elkton along the Shenandoah River; and

WHEREAS, the property to be conveyed by Merck and Company, Inc. is scenic and would greatly enhance the recreational opportunities available to the citizens of the Town of Elkton; and

WHEREAS, The Elkton Downtown Revitalization Corporation believes that acceptance of the property would contribute to the revitalization of the Town of Elkton; and

WHEREAS, acceptance of Merck and Company, Inc.'s most generous gift would be in the overall best interest of the Town of Elkton.

NOW, THEREFORE, BE IT RESOLVED that The Elkton Downtown Revitalization Corporation strongly recommends that the Elkton Town Council accept Merck and Company, Inc.'s most generous gift of land situated along the scenic Shenandoah River on behalf of the citizens of the Town of Elkton

The Board of Directors
Elkton Downtown Revitalization Corporation

Several citizens questioned the recent rate study which has been completed. Mayor Dean explained a little about the basic concept of the study but stated that there probably would be no action taken on the rate proposals tonight.

Councilwoman L. C. Life moved, seconded by Councilman R. L. Snow and carried to approve the minutes of the Public Hearing March 18, 1991, the Regular Meeting March 18, 1991 and the Special Meeting March 25, 1991 as presented.

Mr. Monger reported he had nothing to bring up at this time but that the Water and Sewer Committee needs to meet as soon as possible. Councilman Leap stated he will get together with the committee after the council meeting to set up a date.

Councilman R. L. Snow moved, seconded by Councilman H. W. Leap to accept the property donated by Merck & Co. Inc. as this will be a great asset to the community. The vote was recorded as follows:

Correa	-	yea	Life	-	yea
Davis	-	yea	Printz	-	yea
Leap	-	yea	Snow	-	yea

Chief Pence reported that he would like to raise the fees for parking violations and other nonmoving violations as set forth in the Town Code Sec. 8-1-6 from $3.00 to $5.00. He does not know if this requires a change in the ordinance. Mr. Davenport was asked to check into this.

Chief Pence also questioned the possible enforcement of Sec. 9-3-4 of the code. Mr. Davenport will also check this section.

Chief Pence reported that he has sent a letter to Mr. Curtis Samuels of East Rockingham Street informing him that he has received numerous complaints that this property is not being maintained and has become a public nuisance. He advised Mr. Samuels that he is required to bring this matter to the attention of council at their next regular meeting April 15, 1991 at 8:00 p.m.

Chief Pence stated that this property is not only an eye sore but is a danger to the surrounding property owners due to all the debris lying around. It is a possible fire hazard. There is overgrown vegetation which can harbor rats and snakes. He has received numerous complaints regarding this property.

Councilwoman L. C. Life moved, seconded by Councilman W. E. Printz that council finds this property on East Rockingham Street owned by Curtis Samuels is likely to endanger the public health and safety of the residents and therefore declare it a public nuisance and order this problem to be abated promptly. The vote was recorded as follows:

Correa	-	yea	Life	-	yea
Davis	-	yea	Printz	-	yea
Leap	-	yea	Snow	-	yea

Chief Pence distributed a draft of the proposed Public Safety Budget for 1991-92.

Councilman R. L. Snow moved, seconded by Councilwoman L. C. Life and carried to approve the Finance Report for March.

Mayor Dean requested the Finance Committee to meet when the Water & Sewer Committee meets.

Mrs. Leap reported that Alexander & Alexander will be here tomorrow morning at 10:30 a.m. to go over the VML Insurance proposal.

Mayor Dean announced that Councilman Davis has been appointed as the Chairman of the Electric Committee.

Councilman Printz thanked Mr. Monger for the nice work done on the streets over next to the park. The paving looks real good. He reported that the speed bumps have been placed in the alley near the car wash and AmeriGas.

Councilwoman L. C. Life moved, seconded by Councilman H. W. Leap to approve on Second Reading to accept the second and third recommendations of the Planning Commission of 3/18/91, which are to rezone the Spart property from B2 to R6, and the Baugher property from C1 to B2, as those properties are described in the Planning Commission recommendations, and to change the Zoning Map accordingly. The vote was recorded as follows:

Correa	-	yea	Life	-	yea
Davis	-	yea	Printz	-	yea
Leap	-	yea	Snow	-	yea

Councilwoman Life reported that she has received a reply to her letter to Jamesway. They still plan to close the store but she felt it was very nice of them to reply to her letter.

Councilwoman Life reported that she has received a very nice letter from the Regional Manager of Adelphia Cablevision thanking council for considering them at the last meeting.

Councilwoman Life requested the Finance Committee consider a donation to the Historical Society. Councilman Snow stated they will consider this at their next meeting.

Mayor Dean stated the Finance Committee also needs to consider the requests from the Elkton Rescue Squad, Fire Company, EAUS and the Revitalization Corporation.

Councilwoman Life stated that council needs to consider the agreement between Adelphia and the Town. The only thing that bothers her is the length of the contract which would be ten years with automatic renewal for an additional five years.

There was some discussion regarding the length of the contract. Some felt we should continue with eight years as in the present contract and some felt the years should be even less.

Councilman Correa asked Mr. Kitchen of Adelphia why they have not had a telephone number in the yellow pages so people know where to call. Mr. Kitchen said he did not know but he will check on this and get it resolved. Councilman Correa also questioned Mr. Kitchen on several other items regarding customer service.

Mr. Kitchen pointed out that Adelphia will be going to 24 hour a day service manned by Adelphia personnel. As of April 25th they will have a new telephone number available for people to call (1-800-835-4949). This is a move in the direction of providing better customer service.

Councilman Printz stated he does not feel it is good for our citizens to have a ten year contract. He has had more calls on this issue than any other since he has been on council. The two items people seem to be concerned about are the length of the contract and the price.

Councilwoman L. C. Life moved, seconded by Councilman H. W. Leap to accept Adelphia's new proposal for the cable with the understanding that it will only run for eight years. The vote was recorded as follows:

Correa	-	yea	Life	-	yea
Davis	-	yea	Printz	-	nay
Leap	-	yea	Snow	-	yea

Councilman Correa reported that the following job descriptions are ready for council approval:

Telecommunicator (Dispatcher)
Police Officer
Police Sergeant
Labor 1 and Labor 2
Custodian
Equipment Operator
Foreman-Waste Water Treatment and Water Supply
Assistant-Waste Water Treatment and Water Supply
Foreman-Electrical Division
Foreman-Maintenance Division
Senior Clerk-Treasury and Personnel

Councilman J. R. Correa Jr. moved, seconded by Councilman W. E. Printz and carried that the position descriptions which were outlined be formally approved by council.

Councilman Correa reported that everyone has received the proposed job descriptions for the department heads and asked if there are any questions.

Councilwoman Life asked if there had not been some discussion on a job description for a Town Manager or Administrator and if any work has been done on this.

Councilman Correa stated the committee has not talked about this any more since the last time. At the meeting before the last one they decided to work in what they have for existing positions now unless someone has a problem with this.

Councilman J. R. Correa Jr. moved, seconded by Councilman W. E. Printz and carried to approve the position descriptions for the Department Heads, namely the Chief of Police, Town Superintendent and the Town Treasurer/Clerk of Council/Personnel Officer.

Councilwoman Life stated she would still like to see a job description for a possible Town Manager.

Councilman Correa reported that the Personnel Committee will meet the Wednesday night before the council meeting (May 15th) at 6:00 p.m. Any council member wanting to attend may do so and have some input into a job description for a manager.

Councilman Correa reported they still have job descriptions for Jr. Clerk, CLerk/Dispatcher and Utility Clerk which are currently existing. The Town Superintendent will be proposing for the next Personnel Committee meeting a position for a Utility Clerk or possibly some other title wording. The Town Clerk will be revising the Jr. Clerk position description for this meeting and all three department heads will be getting together to give some input to the Chief on the Clerk/DIspatcher position. These will be brought back to the next council meeting.

Councilman Snow was asked to prepare a Recreation Coordinator's job description to be discussed at the next Personnel Committee meeting.

Councilman Correa reported that each council member was sent some information from Bright & Associates regarding software and a Municipal Government Spring Software Seminar they will be holding on the 8th of May in the IBM Building in Richmond. Councilman Correa asked the department heads to look at this information to see if there might be something they could get from attending this seminar.

Councilman Correa reported he has also received information from IBM, a police software package and some other groups as well. He feels that within another thirty to sixty days the Personnel Committee will be ready, with council approval, to start talking to these software people. This will not obligate us in any way but will let us know what is available.

Councilman W. E. Printz moved, seconded by Councilman J. R. Correa Jr. and carried that the department heads be allowed to attend the seminar May 8th if they would like, but it not be mandatory.

Councilman Correa reported that some people from the Elkton Downtown Revitalization Corporation went to Bedford to discuss some issues and that he asked them to discuss the skateboard facility that Bedford has. Councilman Correa stated he was very encouraged by the letter from Mr. Davenport saying that although the town could be liable for gross negligence that it appears due to this amendment to the state code, the town, under normal circumstances, could claim immunity.

Councilman Correa presented some information from Bedford on their skateboard park. This included a diagram of the park area, building specifics, operating rules, etc. Mrs. Leap was asked to make copies for council. Councilman Correa stated he would get a cost figure on this also.

Councilman Snow reported that the Recreation Commission talked about a skateboard park at their last meeting and have about decided that they can't afford to build something like this, based on information the Recreation Coordinator has gotten from her inquiries.

Councilman Correa reported that the Personnel Committee will be discussing pay ranges at their next meeting and asked if council is going to start planning some budgeting sessions to discuss staffing and pay ranges from a financial standpoint.

Councilman Snow stated the Finance Committee plans to have a joint meeting with the Water and Sewer Committee and will probably discuss some of this at that time.

Mayor Dean reported that Elkton will be hosting the Rockingham Municipal League meeting this Wednesday night at 6:30 p.m. at the Fire Company Activities Building. There will be a discussion on recycling.

Mayor Dean reported that the Virginia Municipal Clerks Association's annual meeting will be held in Harrisonburg at the Sheraton Inn beginning Wednesday night and running through noon on Friday. The Town of Elkton and Rockingham County are co-hosting this meeting. There will be a banquet Thursday night and if any council member would like to attend they need to contact Mrs. Leap.

Mayor Dean stated that council needs to be thinking about the electric, water and sewer rate study. Mr. Saffer was told the town would get back with him if we wanted him to do any other studies. In this proposal most residential rates would go down but overall water rates would go up 15½%, sewer rates would go up 22% and electric would go up 10½%. Council decided to just stay as we are at present until council has a chance to study this further. Mr. Monger was asked to call Mr. Saffer and tell him not to do anything else at this time.

Mayor Dean reported that the mediation between the Fire Company and Rescue Squad has been completed. Some positive relations were built between the two groups and some differences were settled.

Mr. Monger reported that on Wednesday the Highway Department will be discussing and having Public Hearings on Route 759.

Councilman Correa reported that he had a discussion with the Elkton Downtown Revitalization Corporation Board of Directors and they are temporarily withdrawing their request for financial assistance for operating funding in the amount of $2000.00 from the town. They will continue with private funding.

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