REGULAR
COUNCIL MEETING
October 20, 1993

The regular meeting of the Elkton Town Council was held October 20, 1993 at 7:45 p.m. in the council chambers with the Mayor Charles E. Dean presiding. The roll call is recorded as follows:

PRESENT

F. A. Bennett
R. C. Davis
M. B. Fuller
R. L. Snow
T. R. Whitfield III

ABSENT

W. E. Printz

Councilwoman Fuller introduced Mrs. Marsha Deavers the new Main Street Project Manager.

Mrs. Deavers presented a brief report on the progress and events of the Main Street Project.

Adair Kirkendall and Johnathan Kibler, representing Spotswood High School, came before council asking for a donation to help send students to the Mock General Assembly. The cost is $210.00 per student and there will be eleven students attending.

MINUTES

A motion was presented by Councilman R. L. Snow, seconded by Councilman F. A. Bennett and carried unanimously to approve the minutes of the Regular Meeting September 20, 1993 as presented.

DEPARTMENT HEAD REPORTS

Chief of Police

Chief Pence presented the monthly police report.

Treasurer

A motion was presented by Councilman R. L. Snow, seconded by Councilman T. R. Whitfield III and carried unanimously to approve the Finance Report for the month of September 1993.

NEW BUSINESS

Councilwoman Fuller reported that the Planning Commission recommended that council approve the request submitted by Elkwood Company and Mr. Wayne Weaver, as revised, under the R-8 guidelines.

Councilwoman M. B. Fuller moved, seconded by Councilman R. L. Snow to approve the Preliminary Development Plan as requested by Elkwood Company and Kenneth Wayne Weaver, as revised, under the R-8 guideline. The vote was recorded as follows:

YEAS: F. A. Bennett, R. C. Davis, M. B. Fuller, R. L. Snow and T. R. Whitfield III

There was some discussion regarding the specifications in the Subdivision Ordinance which require developers to put in curb, guttering and sidewalks. Councilman Davis, Councilwoman Fuller and Councilman Whitfield all felt curb, guttering and sidewalks should be required due to the fact that they are set up as specifications in the ordinance. It was pointed out that this was given a lot of study when the Planning Commission was working on the new zoning ordinances and these things were included as requirements in the revised ordinances. In light of this fact, they felt council should abide by the stipulations as set forth in the ordinance.

Councilman Snow and Councilman Bennett both felt curb, guttering and sidewalks are nice to have but not always necessary. It was pointed out that 90% of the town does not have curb and gutter. They also felt it would be a heavy burden on the developer thus increasing the cost of the lots and possibly driving development outside town.

Councilman R. L. Snow moved, seconded by Councilman F. A. Bennett that council not oppose waiving curbing and guttering if that is the recommendation of the Board of Zoning Appeals. The vote was recorded as follows:

YEAS: F. A. Bennett and R. L. Snow

NAYS: R. C. Davis, M. B. Fuller and T. R. Whitfield III

Councilman R. C. Davis moved, seconded by Councilman T. R. Whitfield III that council oppose the variance if it goes to the Board of Zoning Appeals. The vote was recorded as follows:

YEAS: R. C. Davis, M. B. Fuller and T. R. Whitfield III

NAYS: F. A. Bennett and R. L. Snow

COMMITTEE REPORTS

Electric Committee

Councilman Davis reported that work is continuing on the substation improvements.

Finance Committee

Councilman Snow reported that the audit has been completed and Mrs. Leap has the copies of the report in her office. The Finance Committee will schedule a meeting to review the audit.

Personnel Committee

Councilwoman Fuller reported that the advertisement for the Town Manager has been placed in numerous magazines, etc. A copy of the ad is in the Personnel Officer's office. Councilwoman Fuller will submit a copy to each council member. She reported that the Personnel Committee has been following the guidelines which have been given to them by the VML and the Recruitment Guidelines. They have reviewed these with the Town Attorney and received suggestions from him.

Mayor Dean reported that we have received sixty-two applications to date. The process will be that any interested council members will get together with the Personnel Committee to narrow these down to approximately five people to interview.

Councilwoman Fuller pointed out that the Personnel Committee will be doing a preliminary screening as they go along and asked council members to stay a few minutes after the meeting so a time can be set to work on this.

Councilman Snow stated he feels all the applicants should be told that the decision to go to a town manager was on a 3-3 split vote as he feels this might influence 75% of the applicants. Councilman Davis stated he feels Councilman Snow has a valid point. Mayor Dean said when the field is narrowed to five applicants this will be done.

Councilwoman Fuller congratulated EPIC and the Junior Order on Autumn Days and Fall Festival. She stated she feels this was a real asset to the town.

Councilman Whitfield reported that he met with Jim Lincolm who is the director of the Virginia Employment Commission. He gave a brief overview of what the Employment Commission offers free. They have a computer system called ALEX which plugs in the town's criteria which is now in over 55,000 locations across the country. They also do all the screening to see if they meet the criteria. They feel we can expect approximately 100-150 through the ALEX Computer Network. Mr. Lincoln asked him to convey two things to the town. The first comment he made was that through the media he has seen very positive dynamic things happening in Elkton. Secondly he stated that the packett of information which had been given to council detailing the criteria was one of the best, well organized, precise, well thought out, complete packages that he has ever seen. Councilman Whitfield stated that, whether council agrees on the concept of town manager, they can all agree that Councilwoman Fuller, Mayor Dean, the Personnel Committee and Personnel Officer Mrs. Leap have all gone above and beyond the call of duty and he applauds the committee on the good job they have done.

Public Health, Ordinances & Recreation Committee

Councilman Whitfield reported that the Public Health, Ordinances and Recreation Committee met October 13, 1993 at 7:30 p.m. The first item discussed was road blocks. Guests at the meeting were Mr. Donnie Davis and Mr. Gary Smith representing the Elkton Volunteer Fire Company. The committee recommendation is that the Fire Department and Rescue Squad be allowed to conduct two road blocks per year. No others will be allowed. The reason that the committee felt they could separate these two organizations is that they provide emergency response. He pointed out that at present there are about approximately twelve to eighteen road blocks held seasonally.

Councilman T. R. Whitfield III moved, seconded by Councilwoman M. B. Fuller that the Elkton Town Council allow the Elkton Volunteer Fire Company and Elkton Rescue Squad two road blocks per year. Road blocks will be limited to these two organizations only, no others.

Councilman Snow stated he feels if council is eliminating road blocks, they should eliminate them all or give everyone two per year.

Councilman Whitfield pointed out that present policy is to allow each organization one per year.

Councilman Bennett stated he has reservations and feels council should not eliminate everyone.

Councilman Whitfield and Councilwoman Fuller spoke regarding the safety issue and the potential liability to the town if the town sanctions road blocks for everyone. Councilman Whitfield stated that if road blocks are continued he feels the town should give our present application to Mr. Davenport to revise and tighten up to help protect the town.

Councilman Snow stated he felt a good compromise would be to allow two road blocks per organization per year and would not be opposed to saying no children allowed in the road block. He feels eliminating road blocks to the civic organizations does not send a very good message to the other volunteers in the community.

The vote was taken on the motion and recorded as follows:

YEAS: R. C. Davis, M. B. Fuller and T. R. Whitfield III

NAYS: F. A. Bennett and R. L. Snow

Councilman Whitfield stated they have been asked by some representatives of civic organizations to possibly act as a clearing house for times when soliciting would occur by setting up a calendar, giving a time limit and issuing a permit. He has spoken to the town attorney and he has told Councilman Whitfield that this would be difficult, if not impossible, to limit when someone can go on private property. The feeling of the committee is, that although it may be a good idea to prevent overlapping of solicitation, it is not something within their legal boundaries to do.

Councilman Whitfield presented a proposed ordinance which Mr. Davenport has prepared regarding Unauthorized Parking of Commercial Vehicles. The committee decided they would like to solicit comments from the community, have a meeting in November to discuss their findings and then bring back a recommendation to council.

Councilman Whitfield reported that the committee discussed the proposed facade renovation which was designed by Frazier Associates for town hall. The committee recommends asking for bids on the proposed plan if there are no objections from council.

UNFINISHED BUSINESS

Councilman R. L. Snow moved, seconded by Councilman F. A. Bennett and carried to approve on Second Reading the 1993-1994 Cemetery Budget as presented and a copy of which is in the minutes of the Regular Meeting September 20, 1993. The vote was recorded as follows:

YEAS: F. A. Bennett, R. C. Davis, M. B. Fuller,
R. L. Snow and T. R. Whitfield III

Councilman R. L. Snow moved, seconded by Councilman F. A. Bennett and carried to approve on Second Reading the transfer of $32,000.00 from the Cemetery Real Estate Account to the Cemetery General Fund to pay for the new addition to the cemetery and $25,000.00 from the Perpetual Care Account to the Cemetery General Fund for operating expenses. The vote was recorded as follows:

YEAS: F. A. Bennett, R. C. Davis, M. B. Fuller,
R. L. Snow and T. R. Whitfield III

Councilman R. L. Snow moved, seconded by Councilman T. R. Whitfield III to approve on Second Reading the cemetery expenses from November 19, 1984 through June 30, 1993 as presented and a copy of which is attached to the minutes of the September 20, 1993 minutes. The vote was recorded as follows:

YEAS: F. A. Bennett, R. C. Davis, M. B. Fuller,
R. L. Snow and T. R. Whitfield III

Councilwoman Fuller noted that Mr. Theodore Pence, Recreation Coordinator, had presented an updated Budget Report for Recreation. He was unable to attend the council meeting due to the change in time from Monday to Wednesday and he had a scheduled Recreation event.

NEW BUSINESS

Councilman Whitfield congratulated the Junior Order and EPIC on the Autumn Festival. He thanked the Maintenance Department, the Ruritans, the Police Department and EPIC for their support and help in making the town look great for this event.

Councilman Whitfield recognized the Valley Market IGA who is a new business in town. He wished them good luck and urged everyone to support this business as it is a big asset to the town.

Councilman Whitfield reported that representatives from two civic organizations have asked him to ask council to consider a reduction in electrical rates for civic events. He asked Councilman Davis and the members of his Electric Committee to study this request and make a recommendation at some point in the future.

Councilman Whitfield reported on the VML Annual Meeting which was held in Richmond. He stated that this is a good learning experience, there is a wealth of resources there at this meeting, and it is a great opportunity to meet and talk with other communities who are encountering similar challenges as Elkton and how they have approached these challenges.

Councilman Whitfield distributed a handout on the Americans With Disabilities Act and how it will impact small communities.

Councilman R. L. Snow moved, seconded by Councilman T. R. Whitfield III and carried to donate $420.00 to support two Spotswood High School Students in attending the Mock General Assembly.

Councilman Whitfield and Councilwoman Fuller's committees were asked to study the information provided by Mr. Davenport in regards to the ADA and to bring back recommendations to council.

Councilman F. A. Bennett moved, seconded by Councilman R. C. Davis to appoint Barry Ream to fill the vacany on the Planning Commission.

Councilwoman Fuller asked that the motion be withdrawn so that a motion could be made to go into Executive Session to discuss potential nominees to the Planning Commission.

Councilman Bennett withdrew his motion and Councilman Davis his second.

Councilwoman M. B. Fuller moved, seconded by Councilman T. R. Whitfield III and carried to go into Executive Session to discuss the potential nominees to the Planning Commission.

Councilman F. A. Bennett moved, seconded by Councilman R. L. Snow and carried to go from Executive Session back into Regular Session.

Councilwoman M. B. Fuller moved that council certify that to the best of the council member's knowledge only public business matters lawfully exempted from open meeting requirements under the appropriate sections of the Virginia freedom of Information Act and only such public business matters as were identified in the motion by which the Executive Meeting was convened were heard, discussed or considered in the meeting by our public body. The vote was recorded as follows:

YEAS: F. A. Bennett, R. C. Davis, M. B. Fuller,
R. L. Snow and T. R. Whitfield III

Councilman F. A. Bennett moved, seconded by Councilman R. L. Snow to appoint Barry Ream to fill the vacany on the Planning Commission. The vote was recorded as follows:

YEAS: F. A. Bennett, R. C. Davis and R. L. Snow

NAYS: M. B. Fuller and T. R. Whitfield III

Councilwoman Fuller stated that her reason for voting no on the motion is that she was asked to contact, and did ask another candidate. He was willing to serve on the Planning Commission and she feels she had to vote no in support of her candidate.

Councilman Whitfield stated he voted no because over two months ago he had pledged his support to Mr. Andy Dixon.

Mr. Monger reported that the grant application for a boat ramp was filed by the deadline of October 18, 1993. Mr. Monger, along with Keith Arnold, completed this application. By word of mouth, council agreed that the site for the ramp would be under the bridge. This will be a 75-25 grant and the total estimated price is $49,312.

Mayor Dean stated that if the town receives the grant, they will have to decide if they want to accept it and appropriate approximately $12,500.00 which would be the town's portion.

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