REGULAR
COUNCIL MEETING
August 16, 1993

The regular meeting of the Elkton Town Council was held August 16, 1993 at 7:30 p.m. in the council chambers with the Mayor Charles E. Dean presiding. The roll call is recorded as follows:

PRESENT

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

ABSENT

R. C. Davis
W. E. Printz

Robert Keefer, Attorney, Norma Leap, Clerk, Gerald Monger, Superintendent and Warren Pence, Chief of Police were also present.

MINUTES

A motion was presented by Councilman R. L. Snow, seconded by Councilwoman M. B. Fuller and carried unanimously to approve the minutes of the Regular Meeting July 19, 1993 and the Public Hearings July 19, 1993 and July 29, 1993 as presented.

DEPARTMENT HEAD REPORTS

Chief of Police

Chief Pence presented the monthly police report and answered questions. He stated he would like to respond to some questions which have been presented to him by some of the council members.

1. Chief Pence pointed out that they are enforcing town tags. They have been issuing a summons on vehicles on the streets. If the vehicle is on private property, they place a letter on the vehicle instructing the owner that they need to purchase a town tag within five days or the department will obtain a warrant against them.

2. Chief Pence reported that there is a terrible problem with trash, especially in the business district. He has talked with individuals on the streets in the early morning hours and asked for their cooperation in keeping the trash off the streets. He feels that if more trash containers are placed in the areas the people will cooperate and keep the trash picked up.

   Mr. Monger stated he feels they have enough trash containers to put additional ones in these areas but there will not be anyone working on weekends to pick up this trash. He stated he will put the containers out and see if this helps.

3. Chief Pence reported that the land going into the park would have to be designated as a public street as they cannot enforce the speed limits on private property. Mr. Monger stated this is public property.

Chief Pence stated it would be a big help to the Police Department if individuals observing violations would report them.

Town Superintendent

Mr. Monger presented each council member with a written report.

Mr. Monger reported that Mike York, Brian O'Dell and Gary Turner with the Harrisonburg Electric Commission met with Richard Davis, Fred Bennett, Ken Hammer, Joe Shifflett and Mr. Monger at the Elkton Regulator Station on Tuesday, July 20, 1993 and discussed upgrading the station. HEC has equipment the town could use and the above mentioned gentlemen would help with their expertise to install it. The costs discussed will probably be in the neighborhood of $25,000.00 to $30,000.00. According to Mr. York, this would not be wasted time or money in the event the town would decide to upgrade their system to a higher voltage at a later date. Mr. Monger reported that they are in the process of lining up a contractor to do the foundation work for the first phase of this at this time and will probably need a special appropriation to cover this project. Mr. Monger feels the town will probably have to upgrade before too long and should go ahead with the additional appropriations.

Mr. Monger reviewed and answered questions on the water figures report concerning pumpage and loss.

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 July 1993.

Mrs. Leap reported that the auditors have completed their field work and hope to have the report by the September meeting.

COMMITTEE REPORTS

Personnel Committee

Councilwoman Fuller reported that subsequent to the July Council Meeting the Personnel Committee and other interested Council members met twice to review the Town Manager's job description and discuss related issues. Mayor Dean, Councilman Bennett, Councilman Davis, Councilman Whitfield and Councilwoman Fuller were present at the first meeting. Mayor Dean, Councilman Davis, Councilman Whitfield and Councilwoman Fuller attended the second meeting.

Councilwoman Fuller stated that the completion of the two meetings yielded the following recommendations:

(1) To adopt the Town Manager's job description as originally presented (Attachment 1 which was distributed to each council member), but also to continue to identify other tasks for the Town Manager (Attachment 2 which was distributed to each council member), drawn from Town Council Meeting minutes, so that Council will come to a mutually agreed upon understanding of the Town Manager's specific responsibilities.

(2) To define (with the assistance of the Town Attorney) the relationship between the Town Council and the Town Manager. Such definition should include the general principles expressed in Attachment 3 which was distributed to each council member.

(3) To encourage, but not require, the Town Manager to reside within the Town of Elkton.

(4) To provide a vehicle for the Town Manager's use if he/she resides within the Elkton mailing area.

(5) To provide the Town Manager with administrative assistance drawn from existing staff or from temporary personnel services, until such time as his/her needs may be more fully assessed.

(6) To allow check-writing authority only and jointly to the Town Treasurer and the Town Manager.

(7) That the Town Council evaluate (via the Personnel Committee and any other interested Council members) the Town Manager's performance on a monthly basis for at least the first six (6) months of his/her employment.

Councilwoman M. B. Fuller moved, seconded by Councilman T. R. Whitfield to approve the recommendations No. 1 through No. 7.

Councilman Bennett stated he could not go along with the recommendations as they are not as originally agreed upon at the first meeting. He major concerns were the provision of a vehicle and administrative assistance.

Councilwoman M. B. Fuller moved, seconded by Councilman T. R. Whitfield III to amend the motion to approve all recommendations except No. 4. The vote was recorded as follows:

YEAS: M. B. Fuller, T. R. Whitfield III and Mayor Dean

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

Councilwoman Fuller reminded council that at the last regular council meeting council approved that a resolution be drafted expressing appreciation to the Cave's, owners of the Hair Gallery, for the landscaping at the triangle. She submitted the following resolution for council's consideration:

RESOLUTION

Now hereby be it RESOLVED that the TOWN OF ELKTON recognizes and appreciates the landscaping design installed and maintained by SHELLEY and CHARLES EDWARD CAVE, owners of the HAIR GALLERY.

Be it further RESOLVED that the MAYOR and the COUNCIL gratefully acknowledge the contribution that SHELLEY and CHARLES EDWARD CAVE have made toward enhancing the physical appearance of the Town of Elkton.

Councilwoman M. B. Fuller moved, seconded by Councilman T. R. Whitfield III and carried to adopt the resolution with the addition of Debbie Hensley's name and asked the Mayor to set up an appointment with the Cave's to present this resolution.

Water and Sewer Committee

Councilman Bennett reported that approximately thirty older water meters were replaced this past month. They will know more about metering at the Fire Hall after the vendor comes in to look at the situation.

Chancellor Lough, representing the Elkton Ruritan Club, was present. He reported that the Ruritans now have a barbecue shelter. Utility hookups are available and they plan to have them connected at this location. They are requesting that council waive the deposits and only charge them for the usage.

Councilman F. A. Bennett moved, seconded by Councilwoman M. B. Fuller to waive the Electric and Water Deposits for the Elkton Ruritan Club. The vote was recorded as follows:

YEAS: F. A. Bennett, M. B. Fuller and T. R. Whitfield III

ABSTAIN: R. L. Snow

UNFINISHED BUSINESS

Councilwoman Fuller asked if the water problem at Mr. Bennington's has been resolved? Mr. Monger stated it has not been resolved as yet. Mr. Bennington is having a survey done on his property as he is going to build a garage behind the Sports Shop and when he does this the town will take care of this problem at the same time.

Mr. Monger reported that he has talked with Mr. Peter Bonavita regarding the request for a Special Exception Permit to allow the building located at 330 W. Washington Avenue to be used as a church. Mr. Bonavita said not to approve the Special Exception Permit until he talks with the owners of the building and gets back with us.

NEW BUSINESS

Councilman Whitfield reported that it is the unanimous recommendation of the Elkton Planning Commission to grant the Special Exception Permit for the construction of a Mini-Storage Building No. 4 on Shenandoah Avenue.

Councilman T. R. Whitfield III moved, seconded by Councilman F. A. Bennett and carried unanamiously that the Elkton Town Council grant a Special Exception Permit to allow the construction of a 24' x 72' Mini-Storage Building located on Shenandoah Avenue.

Councilman Whitfield reported that the Elkton Planning Commission met on July 12th and recommended 5 to 1 that the Elkton Town Council grant a lot line revision to Mr. & Mrs. Keith Moored and Ms. Sheila Monger on property owned by Mr. & Mrs. K. Wayne Weaver in Elkwood Subdivision.

Councilman T. R. Whitfield III moved, seconded by Councilman R. L. Snow that the Elkton Town Council grant a lot line revision to Mr. and Mrs. Keith Moored and Ms. Sheila Monger on property owned by Mr. and Mrs. K. Wayne Weaver, lots 43-A and 44-B, located on Sweetgum Street in Elkwood Subdivision. The vote was recorded as follows:

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

Councilman Whitfield reported that the estate of Hobby Robinson had donated the fan to the town.

Councilman Whitfield recognized the members of the Jr. Order for the very successful Field Day and the Elkton Police Department for the good job they did during this celebration.

Councilman Whitfield asked why the lights burn night and day in the parks. Mr. Monger stated the lights at the Jr. Order Park burn due to the way they are wired and the Jr. Order pays for their usage. He doesn't know why they are burning on the softball fields and at the Little League but will check with Mr. Hammer on this.

Councilman Whitfield reported that Mr. Daniel W. Goodson, Chairman of the Elkton Planning Commission has submitted his resignation from the Planning Commission effective August 9, 1993. He expressed his appreciation to Mr. Goodson for the dedication and service he has given to the town over the years.

Councilman T. R. Whitfield III moved, seconded by Councilwoman M. B. Fuller and carried to accept the resignation of Planning Commission Chairman Daniel W. Goodson.

Councilwoman Fuller suggested the town send a letter of appreciation to Mr. Goodson for his dedication and service to the town.

Mr. Monger was asked to get copies of the sign ordinance changes to each member of the council to review so action can be taken at the next meeting.

Mr. Chancellor Lough asked why the Field Day parade route was changed? Mayor Dean stated Mr. Lough would have to check with the Jr. Order on this as the town has nothing to do with this.

Councilman Whitfield stated he would like to acknowledge the work done by Superintendent Monger and Director of Public Works Joe Shifflett on the preparation and cleaning of the town streets prior to the Field Day celebration.

Councilman Bennett stated he has been approached by some of the residents in Elkwood concerning only one entrance into the subdivision and the plans for expansion of the area which would provide room for forty new homes. He would like to see the Planning Commission discuss this at a future meeting. Mr. Monger stated they would be reviewing this proposal.

Councilwoman Fuller reported on a letter from Mrs. Jeannie Eye, the Third Grade Children and Teachers at Elkton Elementary School. They are doing a section on history and would like to change the name of "B" Street to one of historical and heritage significance. They are also interested in Conrad's Store and its' restoration. Mr. Monger was asked to check to see what would need to be done if council decided to rename the street.

Councilman Snow stated he feels the Electric Department should go ahead with the work at the Regulator Station and appropriate the additional money needed at the end of the year. Council was in agreement with this suggestion.

Councilwoman M. B. Fuller moved, seconded by Councilman R. L. Snow and carried to provide free utilities and labor for the Horse Show sponsored by the Historical Society.

Councilman Snow moved that in the event the Historical Society can't get enough sponsors for the classes, the town donate up to $250.00 for sponsorship of classes. The motion died due to lack of a second.

Councilman Whitfield reminded council that they need to appoint a new council representative on the Planning Commission.

Mr. Skip Stover volunteered to serve on the Planning Commission.

Councilman F. A. Bennett moved, seconded by Councilman T. R. Whitfield III to appoint Councilwoman M. B. Fuller as council's representative on the Planning Commission. The vote was recorded as follows:

YEAS: F. A. Bennett, R. L. Snow and T. R. Whitfield III.

ABSTAIN: M. B. Fuller

Mayor Dean stated that council will need to make two appointments to the Planning Commission at the next meeting. He asked council members to consider and present their suggestions to him before the next meeting. There was some discussion regarding Mr. Monger not being a voting member due to his having to implement the policies. Council was in agreement that Mr. Monger should not be a voting member.

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

ATTACHMENT 1

Job Title: Town Manager

Responsibilities:

The town manager shall be responsible to the council for the proper administration of the town government.

Major Duties:

(1) The town manager shall be the administrative head of the town government. He/she shall be responsible to the council for the proper administration of all affairs of the town.

(2) The town manager is empowered to and shall:
- (a) See that all laws and ordinances are enforced.
- (b) Exercise supervision and control over all town departments and divisions, and have general supervision over all public improvements, works and undertakings.
- (c) Attend all regular meetings of the council, with the right to take part in the discussion but having no vote.
- (d) Recommend to the council for adoption such measures as he/she may deem necessary or expedient.
- (e) Prepare the annual budget and submit it to the council, and, after its adoption, be responsible for its proper administration.
- (f) Keep the council at all times fully advised as to the financial condition and future needs of the town, and make recommendations with respect thereto.
- (g) Supervise and control all heads or directors of departments and all subordinate officers and employees of the town.
- (h) See that all terms and conditions imposed in favor of the town or its inhabitants in any public utility franchise or in any contract are faithfully kept and performed; and upon knowledge of any violation thereof call the same to the attention of the council and town attorney.
- (i) Meet and confer with various citizen groups or individual citizens.
- (j) Perform liaison activities to other local, State and Federal agencies and organizations.
- (k) Review, approve and sign documents approving the hiring of personnel, personnel actions, expenditure of town funds, use of town facilities, etc.
- (l) Perform all such other duties as may be prescribed by law or required by the council.

ATTACHMENT 2

ADDITIONAL TASKS FOR TOWN MANAGER
(DRAWN PRIMARILY FROM TOWN COUNCIL MEETING MINUTES)

1. Inquiries from Public
   - Vernon Shifflett's request (flagpole, installation of lights) in park.
   - EPIC's request (improvements at Fort Stonewall).
   - General decision-making capability with respect to Town property.

2. Personnel
   - Assume responsibilities of Personnel Officer for the Town.
   - Resolve employees' inquiries, complaints, etc.
   - Become the immediate supervisor of the Town Treasurer, Town Superintendent, Chief of Police, Recreation Coordinator.
   - Identify equipment/office (eg. computer) needs.
   - Set and ensure adherence to deadlines.
   - Hiring/firing responsibilities.
   - Review existing reports to Council; make suggestions, as necessary, with respect to content and format.
   - Ensure that all forms issued by the Town of Elkton (eg. applications for employment, etc.) meet local, state and federal standards.

3. Financial
   - Submit comprehensive annual budget well in advance of new fiscal year.
   - Expend funds in accordance with Town's budget.
   - Monitor utility rate structures and make recommendations regarding increases/decreases.
   - Monitor investment of Town funds and recommend advantageous investment strategies.

4. Policy and Planning
   - Ensure adherence to and enforcement of all Town policies (including ordinances).
   - Ensure that all Town business needs (short and long-term), including capital improvement needs, are identified and prioritized.

ATTACHMENT 3

RELATIONSHIP BETWEEN THE TOWN COUNCIL AND THE TOWN MANAGER

Neither the council nor any of its members shall direct or request the appointment of any person to or his removal from office by the town manager or by any of his subordinates, or in any manner take part in the appointment or removal of officers and employees in the administrative service of the town. Except for the purpose of inquiry, the council and its members shall deal with the administrative service solely through the town manager and neither the council nor any member thereof shall give orders to any subordinates of the town manager, either publicly or privately. Any councilman/woman violating the provisions of this section, or voting for a resolution or ordinance in violation of this section, shall be guilty of a misdemeanor and upon conviction thereof shall cease to be a councilman/woman.

Required Knowledge, Skills and Abilities:

Comprehensive knowledge of the principles and practices of public administration, including a thorough knowledge of administrative and office procedures and a thorough knowledge of personnel administration practices and procedures.

Comprehensive knowledge of municipal finance practices, including a thorough knowledge of programming and budgeting techniques.

Comprehensive knowledge of the laws, ordinances and regulations underlying a municipal corporation.

Ability to plan, direct and coordinate the work of a large operating agency.

General knowledge of town ordinances governing zoning, subdivision and related codes.

General knowledge of the principles and practices of municipal and sanitary engineering as applied to the administration of public works activities.

General ability to supervise and coordinate engineering and construction work.

Initiative and resourcefulness in handling general public works problems.

Ability to analyze complex problems and develop effective solutions from general instructions.

Ability to conduct research and develop recommendations to improve program effectiveness.

Ability to establish and maintain effective working relationships with the general public, property owners, town employees, town officials and representatives of other jurisdictions.

Strong verbal and written communication skills, including the ability to write clear and concise reports, memoranda, directives and letters.

Qualifications:

Master's degree in Public Administration or a related field from an accredited college or university.

or

Bachelor's degree in Public Administration or a related field from an accredited college or university in addition to extensive progressively responsible experience in an administrative capacity in local government.

or

Any equivalent combination of experience and training which provides the required knowledge, skill and ability.