REGULAR
COUNCIL MEETING
November 15, 1993

The regular meeting of the Elkton Town Council was held November 15, 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
W. E. Printz
R. L. Snow
T. R. Whitfield III

ABSENT

R. C. Davis

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

Lori Dixon was present representing EDRC. Mrs. Dixon is also the District 5 member on the Rockingham County Planning Commission. She reported that during a recent tour of the Rockingham County Planning Commission before one of their public hearings they drove through downtown Elkton. Some of the commissioners remarked on the improvements which have been made to the buildings. At that time one of the other Planning Commission members said that he had heard from Tim Foles, one of the State Main Street Coordinators, that of all the town's that have been brought into the Main Street Program, they were most impressed with Elkton and the public and private support for the Elkton program. They have also heard that based on Elkton's experience with the Main Street Program, Harrisonburg and Bridgewater are considering reapplying for Main Street consideration.

Lee Shuler, President of the Elkton Lions Club, was present along with approximately fifteen to twenty members. Mr. Shuler stated they were present to ask council to reconsider their position on the road block issue. The Lions Club is a non-profit organization and the bulk of their fund raising comes from their annual road block on White Cane Day. The Lions Club collected $1150. last year on White Cane Day and returned all they collected, with additional funds, to the community for eye examinations, eye glasses and other community projects. The Lions Club presented a suggested road block policy for council's consideration.

Bill Holt asked about something he had heard. He was told that if an item is passed by council it cannot be brought up again unless one of the people voting in the affirmative requests that it be brought up. Mayor Dean stated this applies only to during the same meeting.

Mr. Davenport explained that according to Robert's Rules of Order if you voted with the majority and wish to reconsider a resolution in the same meeting then you can do so. At a subsequent meeting, the proper motion is a motion to rescind and anyone can make that motion. However, it does require that notice of the intention to make that motion be included in a called meeting or if not, that it be announced at a prior meeting.

Councilman Holt, Randal Life and Charles Shuler also spoke on behalf of the Lions Club and urged council to reconsider the road block issue.

Mayor Dean stated that no action would be taken at this time on road blocks but will have to wait until the December meeting.

MINUTES

A motion was presented by Councilman R. L. Snow, seconded by Councilman F. A. Bennett and carried to approve the minutes of the Regular Meeting October 20, 1993 with the following amendment:

Page 1, second paragraph, line 2, under New Business insert "Preliminary Development Plan as requested by".

A motion was made by Councilman R. L. Snow, seconded by Councilwoman M. B. Fuller and carried to correct the minutes of the Special Council Meeting June 29, 1993 as follows:

Page 2, sixth paragraph, add "A motion was made by Councilwoman M. B. Fuller to approve the Telephone Franchise."

DEPARTMENT HEAD REPORTS

Chief of Police

Chief Pence presented the monthly police report and noted he has included a crime statistic report and a letter from Lindsey Funeral Home which was sent to the police department.

Town Superintendent

Mr. Monger reported that when they started discussing the changes at the regulator station the projected cost was approximately $30,000.00. It now appears that it is going to cost about $66,737.12. Mr. Monger stated this is coming out of the Electric Department budget and they will have to come back later in the year for additional appropriations.

Mr. Monger reported that paving has been done on lower Spotswood Avenue from Spotswood Trail to Hill Avenue and on upper Spotswood Avenue from the Movie House to North Street and on North Street to the east side of the cemetery entrance. The approximate cost to date is $33,000.00.

Mr. Monger reported that a drinking fountain has been installed in the park close to the Monger Shelter. They plan to install another one at the Kid's Castle within a week or so. They have a third one to install and plans are to install that one here at the Municipal Building. Councilman Snow suggested that all council members get together and decide on a location.

Treasurer

A motion was presented by Councilman R. L. Snow, seconded by Councilman F. A. Bennett and carried unanimously to approve the Finance Report for the month of October 1993.

Mrs. Leap reported that the Town Christmas Party will be held December 9, 1993 at 7:00 p.m. at the Elkton Fire Company Community Center.

COMMITTEE REPORTS

Electric Committee

Mayor Dean reported that the Electric Department replaced three transformers yesterday on Fifth Street. They were able to get the transformers from the Harrisonburg Electric Commission at a fraction of what it would have cost for new ones.

Finance Committee

Councilman Snow asked Mr. Monger to work up a report regarding what the estimated worth of the regulator station will be after completing this project.

Councilman Snow reported that the Finance Committee met with the auditors. They reviewed the town audit and indicated that the town is spending money faster than they are making it although revenues have increased. The committee met earlier, before council meeting, with Betsy Crockett from NationsBank. She reviewed some investment strategies. The committee will be talking with another firm regarding types of investments and will then prepare some recommendations to be presented to council on investments.

Councilman R. L. Snow moved, seconded by Councilman F. A. Bennett and carried to approve the Audit Report for the Fiscal Year 1992-93.

Personnel Committee

Councilwoman Fuller reported that the Personnel Committee, and all council members who were able to be present, met to review the applications for town manager. The town has received 133 applications. At the last meeting the committee was able to pare this number down to eleven for consideration by the full council. Councilwoman Fuller stated that later on in the meeting she will move to go into Executive Session to consider potential appointments to the position of town manager.

Mr. Monger reported that Mark Hensley has accepted the position of Maintenance Foreman and will be coming to work on November 30th.

Public Health, Ordinances & Recreation Committee

Councilman Whitfield reported that the committee met Thursday, November 11th at 8:00 p.m. They considered a preliminary list of suggestions regarding road blocks submitted by the Lions Club. No action was taken. Councilman Whitfield stated that at such time as the council or Mayor would like for them to consider the final recommendation, they will be happy to do so.

The committee discussed an ordinance prohibiting commercial vehicles from parking on public property in the Elkton corporate limits. No action was taken. They discussed, and are in the process of, soliciting advice and sample ordinances from other communities that have faced this before and how they have handled it. They are also contacting VML for suggestions.

They discussed considering a resolution creating a "smoke free" environment within town hall. It is in effect in the council chambers but this would include all of town hall. Councilman Whitfield stated he has met with Mr. Davenport and given him the information they have gathered. Mr. Davenport is in the process of researching this. Councilman Whitfield stated that council can do one of two things tonight; adopt the idea and have Mr. Davenport draft a resolution for adoption at the next meeting or wait to see the resolution and then vote on it.

The committee developed a strategy for ordinance enforcement within the Elkton corporate limits. They discussed identifying what they consider to be the most obvious violations; who is responsible within the town government framework; consult ordinances from other communities and combining with the town council, subcommittees, the Town Superintendent and Chief of Police to define who's responsibility it will be to enforce these ordinances.

Councilwoman Fuller stated that if she remembers correctly in the discussion on commercial vehicles someone in the meeting mentioned that they look at this in terms of commercial vehicles not being totally banned from residential areas, but could be on public property adjacent to the owner's own property. Councilman Whitfield stated this is correct and is what is being discussed.

Water and Sewer Committee

Councilman Bennett reported that the Newtown Road Project is on for 1994 as far as they know. Bid date is April 1994.

UNFINISHED BUSINESS

Councilwoman Fuller reported that at the last Planning Commission meeting the commission unanimously voted to reaffirm it's position on portable signs. She had reported to the Planning Commission that the Mayor had asked council people who had questions or concerns about the ordinance, as it was originally sent up, to get back to the Planning Commission to present their suggestions. Councilwoman Fuller stated she wanted to remind the council members of this and if they have any suggestions to please contact the Planning Commission.

Councilwoman Fuller reported that some of the Planning Commission members have indicated, especially the new ones, that they would be interested in some sort of orientation. If council is in agreement, the commission thought they might invite some of the county officials down to talk about the duties of planning commissioners in general. There were no objections from council. It was pointed out that there are seminars held for Planning Commission members and in the past the Chairman of the Planning Commission has attended. Mayor Dean stated he feels it would be a good idea to send someone to the next seminar.

Councilwoman Fuller reported that about a year ago Bill Veno spoke to the Elkton Planning Commission. They had discussed developing some sort of transitional zoning around the periphery of the town that would serve as a buffer between town and county. Mr. Veno indicated that the county would be very interested in working with Elkton on this. She feels they are probably at the point now that they could sit down with the county and discuss this. The Planning Commission could work on this and then present the preliminary findings or recommendations to the council.

NEW BUSINESS

Councilman T. R. Whitfield III moved, seconded by Councilman W. E Printz that the Elkton Town Council go into Executive Session to discuss a possible appointment to the Elkton Planning Commission plus the applications for a town manager. The vote was recorded as follows:

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

Councilwoman M. B. Fuller moved, seconded by Councilman F. A. Bennett that council go from Executive Session back into Regular Session and that each member, to the best of his knowledge, certify that only public business matters lawfully exempted from open meeting requirements under Chapter 21 of title 2.1 of the Code of Virginia were heard, discussed or considered. The vote was recorded as follows:

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

Councilman T. R. Whitfield III moved, seconded by Councilman W. E. Printz and carried that at the December 20th meeting of the Elkton Town Council the council appoint one or more individuals to the Elkton Planning Commission and during the interim any individuals that are interested are welcome to submit their names for consideration.

Councilwoman M. B. Fuller moved, seconded by Councilman F. A. Bennett and carried to reconsider the motion.

Councilman T. R. Whitfield III moved, seconded by Councilman W. E. Printz and carried to amend the motion to say that council will consider increasing the number of Planning Commission members to 8 or 9.

Mayor Dean asked for a volunteer from council to work with Mrs. Leap, Mr. Monger and Mr. Davenport on bringing the town code up to date.

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