REGULAR
COUNCIL MEETING
March 20, 1995

The regular meeting of the Elkton Town Council was held March 20, 1995 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
D. H. Dail
W. E. Printz
R. L. Snow
T. R. Whitfield III

ABSENT

M. B. Fuller

Ted Costin, Town Manager, Dale Davenport, Attorney, Norma R. Leap, Clerk, Gerald Monger, Superintendent, Theodore Pence, Director of Parks & Recreation, Warren Pence, Chief of Police and Joseph Shifflett, Director of Public Works were also present.

VISITORS

Mrs. Lou Kirkendall, 816 Fourth Street, was present to speak regarding Riverside Park. She feels this is such a beautiful spot, but it is being destroyed by vandalism. She questioned if any action has been taken on closing this street. She realizes the police cannot be in that area at all times. Mrs. Kirkendall assured council that if they can give her valid reasons for wanting this destruction to continue she will not bring this issue to their attention again. Otherwise, she is going to continue being at the council meetings until something is done to save this park.

Mr. Costin reported he had talked with some people from the railroad. A date was set to meet with the Resident Engineer but it snowed on the day the meeting was scheduled. Mr. Costin stated he has been busy and has not been able to get back with the Resident Engineer on this. There does seem to be a willingness on the part of the highway department, the railroad and the town to do something about this. The problem is there has to be some way to cul-de-sac on the other side of the tracks and the property owners there have not been very helpful.

Mr. Dwight (Gene) Kite, 337 W. Spring Avenue, was present concerning the Shen Valley Drywall vs. the Town of Elkton issue. In reading The Valley Banner, Mr. Kite noticed that Shen Valley is talking about selling the building. Mr. Kite stated that he, nor any of the neighbors he has talked to, have seen or heard from anyone informing them as to what is taking place. Mr. Kite has spoken with four council members who have mentioned a compromise. He feels it is hard to compromise when they have no information on which to compromise. He requested council give the people in that area some insight as to what is being discussed, and the opportunity for some input, before making any decisions.

Mrs. Joyce Hoffman, representative from the Rockingham Public Library, came before council requesting that a $500.00 donation for books for the Elkton Library be included in next year's budget.

Mayor Dean assured Mr. Kite that council would keep the people in the Washington Avenue area informed before doing anything.

MINUTES

Councilman R. L. Snow moved, seconded by Councilman F. A. Bennett and carried to approve the minutes of the Regular Meeting February 20, 1995 as presented.

DEPARTMENT HEAD REPORTS

Chief of Police

Chief Pence reported he had nothing other than his written report.

Director of Parks & Recreation

Theodore Pence reported he has been working in the parks. Rockingham Redi-Mix has donated six yards of cement and McDonald's has donated the dugout for the field at the Middle School. Mr. Showalter, with the school system, has said the Recreation Department can have the fence around the old baseball field.

Mr. Pence reported on the track EPIC would like to put in the park. The cost of this project would be approximately $13,000.00.

Mr. Dearing, representing EPIC, reported that they have been to all the committees involved except the Street Committee, which they did not realize they needed to contact. EPIC has agreed to complete the oval part of the track and would like the town to pave the road from the foot of the hill to the pump house. The cost to the town for the street would be $6,150.00 and the cost to EPIC for the oval portion of the track would be approximately $7,000.00. They would like to complete this project this spring. Mr. Dearing stated that since this project is not in the town's budget for this year and if the town does not want to go ahead with the project, EPIC would like permission to go ahead with the track at a different location. The cost to put the track in on down the hill toward the monument about seven or eight feet would be $9,000.00 and EPIC would be willing to pay for the entire project.

Mayor Dean stated he would like to see this project done but would rather it be put in where originally planned with the town paving the road and EPIC the new track portion.

Mr. Costin reported he had hoped there would be some monies left in the Water Budget but based on projections, there is no money available in the Water Budget. The Recreation Department does not have any money available due to some bills relating to the boat landing which did not come in until this fiscal year. Mr. Costin pointed out that he has included this as a Capital Project for the next fiscal year and would recommend consideration be given to that timing rather than trying to do it this year.

Director of Public Works

Mr. Joseph Shifflett stated he had nothing else to present except what is in his written report.

Superintendent

Mr. Monger reported they are in the process of painting the town for the aerial survey.

Treasurer

Councilman R. L. Snow moved, seconded by Councilman F. A. Bennett and carried to approve the Finance Report for the month of February 1995.

Mrs. Leap reported that auto decals went on sale March 15th and are due on by April 15th which is on a Saturday. There will be an extension of time until Monday, April 15, 1995 to purchase the decals. The town office will remain open on Monday the 17th until 7:00 p.m. for this purpose.

TOWN MANAGER

Mr. Costin stated he had nothing except what is in his written report. His report pretty well follows the agenda items and makes recommendations on these items.

COMMITTEE REPORTS

Streets & Sidewalks Committee

Councilman Printz stated he has not had a committee meeting. However, there has been some discussion on the intersection of Route 340 and Rockingham Street. No decisions have been made but there has been talk about putting some type of light there. Councilman Printz asked Mr. Costin to report on his meeting with Supervisor Correa concerning this matter.

Mr. Costin stated that Mr. Correa gave him some background on the issue. Mr. Costin feels we are back to basically the same thing when dealing with the highway department in trying to get lights established at a location. The highway department has certain criteria, such as amount of traffic, amount of collisions, etc., and they do not feel this intersection justifies a light at this time. He feels if it is the council's concern to put in a street light, we have a long way to go.

Councilman Printz stated he feels this is a very dangerous intersection and would be open to suggestions from the citizens.

Mr. Costin reported that the Cemetery Commission will be meeting Wednesday night at 7:30 p.m.

Mayor Dean reported that he had received a call from Richard Davis, Chairman of the Cemetery Commission, and he has another person in town who has volunteered to serve on the commission. The commission has lost two members in the last few months.

Councilman Dail reported that the Planning Commission met a week ago and they will have some business under the New Business section of the meeting.

OLD BUSINESS

Councilman W. E. Printz moved, seconded by Councilman T. R. Whitfield III to approve on Second Reading the purchase of the copiers at a cost of $7,527.00. The vote was recorded as follows:

YEAS: F. A. Bennett, D. H. Dail, W. E. Printz,
R. L. Snow and T. R. Whitfield III

Councilman R. L. Snow moved, seconded by Councilman W. E. Printz to approve on Second Reading to donate $5,000.00 to EAUS. The vote was recorded as follows:

YEAS: F. A. Bennett, D. H. Dail, W. E. Printz,
R. L. Snow and T. R. Whitfield III

Councilman W. E. Printz moved, seconded by Councilman R. L. Snow to approve on Second Reading $3,540.37 for the installation of the new telephone system. The vote was recorded as follows:

YEAS: F. A. Bennett, D. H. Dail, W. E. Printz,
R. L. Snow and T. R. Whitfield III

Mr. Costin reported on the Library Project. EAUS has vacated the old police department building and the town forces have started to strip the building and tear out partitions. They are in the process of asbestos removal. The actual cost to remove the asbestos is $6,857.00. The total that was budgeted for the Library in the FY 93-94 budget was $45,000.00. This did not include the asbestos removal or the facade work. No work was done in the last fiscal year so it is necessary to appropriate the money for this fiscal year. The $45,000.00 is believed to have a good estimate, particularly if we continue to utilize our own manpower. Mr. Monger has a good breakdown on the work done, work to be done and the costs in his report. Mr. Costin recommended council authorize the expenditure of $45,000.00 for this project.

Councilman W. E. Printz moved, seconded by Councilman T. R. Whitfield III to consider this the First Reading to appropriate $45,000.00 for the Library Project.

Mr. Bennett stated he was not opposed to the library having a suitable place but he did not feel it was necessary to make this move.

Councilman Snow asked if the work done up to this point would reduce the need for $45,000.00?

Mr. Costin stated that the amount of money which has been spent so far is being taken out of the existing budget funds. The cost could be dropped down, but then we will probably zero out or be over budget in those other areas.

NEW BUSINESS

A joint Public Hearing with the Planning Commission was set for April 10, 1995 at 7:00 p.m. to consider a request by ATD to utilize a portion of ShenElk Plaza for warehousing.

Councilman R. L. Snow moved, seconded by Councilman W. E. Printz and carried to set the week of May 15-19, 1995 as a special cleanup week.

Chief Pence stated that there are several properties in town that are in violation of the public nuisance ordinance. Normally these people are notified to cleanup their property or council will be asked to take action. Chief Pence requested council members to make note between now and then of any areas they feel are in violation or need some specific attention. He would like to send out the letters and coordinate this with Cleanup Week.

Councilman Dail presented an agreement between the Town of Elkton and Virginia Power. This agreement covers electricity which the town purchases from them, not within the area covered by the town's electric, such as Elkwood or our public stations; anything outside of our own electric.

Councilman D. H. Dail moved, seconded by Councilman F. A. Bennett and carried to approve the agreement between the Town of Elkton and Virginia Power.

Mayor Dean reported that Mr. Costin will have the budget ready by April 1st. A special meeting was set for Tuesday, April 4, 1995 at 7:00 p.m. for the budget presentation.

Councilman F. A. Bennett moved, seconded by Councilman W. E. Printz to go forth with the summer rates on sewer the same as last year.

Councilman Whitfield asked Mrs. Leap, the Treasurer, her opinion on this. She stated that the intent is to give a break to people watering their gardens but we have no way to govern this. It also creates more work for the office staff. She feels the town should not be giving away these revenues, but if we are going to do so, it should be given to all and she doesn't feel the town can afford to do this.

Mr. Costin stated it is his understanding that the water and sewer budgets were overspent last year and the year before. He pointed out that when a major piece of equipment breaks down, the town does not get a summer rate to replace it. He feels it would be nice to be able to give folks a break but it could result in a "robbing Peter to pay Paul" situation. Mr. Costin stated he would be opposed to this summer rate.

Councilman Bennett pointed out that we are running ahead of budget in Water and Sewer this year after the rate adjustment was put into place the previous year. The reason the town ran in the arrears for two consecutive years is because council failed to take action on adjusting the rates. He pointed out that water which does not go down the sewer does not have to be treated and costs the town less money.

Councilman Whitfield feels that rather than encouraging environmental conservation, it discourages it. He stated that although it is said this is for gardens, in actuality it is for lawns and swimming pools which are luxuries and should be treated accordingly. Councilman Whitfield pointed out that if this is such a good idea then lets simplify the process and give it to everyone.

Councilman Bennett stated it would be ludicrious to grant this to everyone as they do not have gardens, etc. He does feel there needs to be some iniative on the part of the user to come in and sign up for the program.

Councilman Snow stated he feels council spends a lot of time on these nickle and dime stuff. When you consider some of these budget busting items like the $45,000.00 for the library, etc., this is a rather insignificant amount.

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

YEAS: F. A. Bennett, D. H. Dail, W. E. Printz, and R. L. Snow

NAYS: T. R. Whitfield III

Councilman Printz asked if council would consider authorizing some money to get some decent chairs for the council chambers. Mr. Costin was asked to look into chairs and a new top for the council table. Councilmen Snow and Printz will help with this.

Mr. Dearing, EPIC representative, reported that he has just talked with the contractor regarding the proposed track in the park. The contractor is willing to go ahead with construction and defer payment of the town's portion of the cost until after July 1, 1995.

Councilman R. L. Snow moved, seconded by Councilman W. E. Printz and carried to give EPIC permission to proceed with the track in the park, in accordance with the plans presented to the Recreation Department, and the town will include their portion for paving the road in next year's budget.

Councilman Printz stated it is his understanding that a number of years ago the town stickers were introduced to help pay for the sewer plant. It was indicated at that time that some time in the future this would be eradicated. He would like this to be studied in committee to get rid of the town stickers. It was explained to Councilman Printz that if the town does away with stickers, the town residents will have to purchase county stickers and the county will be getting that revenue.

Councilman Printz stated he is concerned about the children crossing over from the school to the park as this is a very dangerous situation. There is still no light or anything there and he wondered if anyone has heard whether the county is going to do anything about this situation.

Mr. Monger stated the last he heard was from Mr. Showalter which was quite awhile ago. Mr. Monger met with Mr. Showalter to discuss the electric in the area, etc. and he said to hold off until he got back with the town.

Councilman Bennett suggested Councilman Printz talk with Mr. Necsary who is on the School Board. Councilman Bennett stated that in his conversations with Mr. Necsary, he would prefer this being pursued through the School Board.

Mr. Monger stated it has already gone this route and they are working on it.

Mr. Costin stated he and Mr. Monger would get with Mr. Necsary to see what is being done and report back to council.

Theodore Pence stated he feels there should be some way to keep trucks off the road back of the school. Mr. Monger stated the town could post signs prohibiting through trucks.

Councilman Printz reported he has had a lot of complaints this month regarding electric bills being too high. The Mayor pointed out that January was one of our coldest months.

Councilman W. E. Printz moved, seconded by Councilman R. L. Snow to go into Executive Session for the purpose of discussing possible litigation and the possible acquisition of property.

Councilman W. E. Printz moved, seconded by Councilman T. R. Whitfield III to amend the motion to include the possible disciplining of the Chief and the Town Electrician.

The vote was taken on the motion as amended and carried.

Councilman F. A. Bennett moved, seconded by Councilman W. E. Printz and carried to go from Executive Session back into Regular Session.

The following council members certified that to the best of his knowledge, 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.

YEAS: F. A. Bennett, D. H. Dail, W. E. Printz,
R. L. Snow and T. R. Whitfield III

Mr. Costin read a letter from Catherine Holmes, sponsor for the Youth in Government Club at Spotswood High School, thanking council for their generous contribution for area students to attend the Model General Assembly.

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