REGULAR
COUNCIL MEETING
November 20, 1995

The regular meeting of the Elkton Town Council was held November 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
D. H. Dail
M. B. Fuller
R. L. Snow
T. R. Whitfield III

ABSENT
F. A. Bennett
W. E. Printz

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

VISITORS

Lou Kirkendall

Lou Kirkendall of 816 Fourth Street spoke regarding the fact that a group of citizens appeared before council in June concerning unregulated traffice, littering, loitering and vandalism in downtown Elkton. As of this date they have received no written or oral communications from council. They would like to know if council feels they have viable concerns that need to be addressed. Mrs. Kirkendall requwsted that the citizens group receive some sommunications from council regarding these concerns within the next two weeks.

Minutes

Councilman R. L. Snow moved, seconded by Councilwoman M. B. Fuller and carried to approve the minutes of the Regular Meeting October 16, 1995 as presented.

Department Head Reports

Chief of Police

Chief Pence presnted his monthly police report. He called attention to the two letters attached to the report thanking and commending Officer Donald Jenkins and Sargenr Robert Marshall for their assistance. Chief Pence asked council members to express their approciation to these two employess.

Chief Pence reported that on Tuesday night, as a result of an ongoing serviolance for vandalism on Ore Wash Road, the police department arrested some individuals and placed six charges for vandalism, trepassing and reckless driving.

Chief Pence reported that there has been numerous cases of people entering vehicles in the area of Prospect, Spring, Washington, Fairfax and Marshall Avenues. The police department has charged two individuals for this same offense several months ago. They have developed suspects and the officers are concentrating on patrolling in that area, as well as doing some surveliance.

Director of Parks and Recreation

Mr. Costin reported that Theodore Pence could not be in attendance tonight as he had a Girl's Basketball Banquet. The department is in the process of sign ups for Boy's Basketball.

Director of Public Works

Mr. Shifflett noted that there are a couple zoning issues pending which will be brought before council later in the meeting.

Mr. Shifflett reported that there is some electrical upgrading going on in the 4th Street area. This was originally budgeted, but was taken out of the budget, however, situations have occured which required us to go ahead with the improvements.

Councilman Snow asked if we have done any tree trimming?

Mr. Shifflett reported that the local trimmers are hesitant about giving the town an estimate. They have received one estimate to date. They may have to go out of town to find someone to do the trimming. It may be more expensive if we go out of town. Councilman Snow pointed out that we are entering the snow and ice season which could create some problems.

Mr. Shifflett stated he had been trying to save some money but if he can't get the estimates he has been looking for in the next week or ten days he will just have to look elsewhere.

Mr. Costin stated he would concur with Mr. Shifflett as he ahd talked with one of the contractoes himself but had not received any response.

Superintendent

Mr. Monger staed he had nothing except what is in his written report.

Mayor Dean asked if the amount quoted in Mr. Monger's report on the River Bank Project reflects the final cost. Mr. Monger stated that as far as he knows this is the total cost of the project.

Councilwoman Fuller commended Mr. Monger and the department for the great job done on the River Bank Project.

Treasurer

Councilman R. L. Snow moved, seconded by Councilwoman M. B. Fuller and carried to approve the Finance Report for the month of October.

Town Manager

Mr. Costin highlighted several areas of this written report. He noted that there needs to be Water and Sewer, Finance, Electric, and Streets and Sidewalks Committee meetings to address pending issues.

Mr. Costin stated that he River Bank Project was a very good project and they were able to hold the cost down. He noted however that this will require continuous effort to keep the bank stabilized.

Mr. Costin stated that the Municipal Building issue needs to be settled.

Mr. Costin reported that everything that involves Ordinance Admendments and Resolutions has been reviewed by the Town Attorney.

Mr. Costin stated that there was some difficulty in contacting one of the four citizens who were identified to serve on the committee to discuss the concerns brought by Mrs. Kirkendall and the Citizens Group. They were finally able to contact the fourth person this week and plan to set up a meeting right after Thanksgiving.

Committee Reports

Personnel

Councilwoman Fuller reported that they had tried to schedule a Personnel Committee meeting this month and was not able to do so. She plans to set a date for a meeting at the end of the council meeting tonight.

Public Health, Public Safety and Ordinances

Mayor Dean reported that he committee has met and they have several itmes that will come up under new business.

Old Business

Municipal Building

Mr. Costin brought council up to date on where we stand in regards to the Municipal Building. They had tried to discuss this at the last council work session but there were not enough in attendance at the last session to do anything. He requested council set a Special Meeting, as soon as possible, to make some decisions on the building. A meeting was set for Wednesday, November 29, 1995 at 8:00 p.m. to discuss the Municipal Building.

New Business

Special Exception Request - Weaver

Councilman Dail reported that Mr. Wayne Weaver has requested a special exception to establish a Home for Adults on Stuart Avenue. The Planning Commission has reviewed this request and, following a Public Hearing at which Town Council was present, voted to recommend approval of this request with certain conditions attached.

Councilman Dail moved, seconded by Councilman R. L. Snow to approve the Speoial Exception Request by Wayne Weaver with the following noted conditions:

1) Special exception is granted to Wayne Weaver for a Home for Adults as defined and described in Section 302.115 of the Zoning Ordinance ot the Town of Elkton.
2) The owner/operator be in compliance with all local, state, and federal rules, regulations, ordinances, and laws.
3) Residential occupancy by non-clients shall be limited to the owner/operator and one full-time staff person.
4) No deliveries before 7:00 am or after 5:00 pm are to occur.
5) Obtain a lot line vacation.
6) Pave and maintain to state specifications the alley from its intersection with Spotswood Avenue to the entrance of the parking lot of the Home for Adulsts for a distance of 270 feet.

Councilman Whitfield stated he applauds Mr. Weaver's enterpreneural spririt and he is not opposed to a Home for Adults; he is concerned about the potential amount of traffic in the alleyway and will have to vote against this.

Mayor Dean asked Mr. Weaver if he had any problems with the six conditions and Mr. Weaver stated he did not.

A vote was taken on the motion and it carried.

Lot Line Vacation - R. Dean

Councilman Dail reported on the request by Randall Dean for a lot line revision in order to accommodate a companion special exceprion for the establishment of additional mini storage buildings. The Planning Commission recommends approval of the lot line revision.

Councilman D. H. Dail moved, seconded by Councilwoman M. B. Fuller and carried to grant the lot line vacation as requested by Randall Dean.

Special Exception Request - R. Dean

Councilman D. H. Dail reported that there has been a Special Exception Request by Randall Dean to establish additional mini storage buildings. The Planning Commissionhas reviewed this request following a Public Hearing, at which town council was present, and recommends approval of this request.

Councilman D. H. Dail moved, seconded by M. B. Fuller and carried to approve the Special Exception Request by Randall Dean, as recommedned by the Planning Commission, with the following conditions:

> Prior to approval of the line revision plot, provide the Subdivision Agent with a copy of the document transferring ownership.

Resolution Regarding Road/Street and Subdivision Naming Manual

Councilman T. R. Whitfield III moved, seconded by Councilwoman M. B. Fuller and carried that the Elkton Town Council approve the resolution to adopt the final draft of the Road/Street and Subdivision Naming Manual:

RESOLUTION OF TOWN COUNCIL ADOPTED NOVEMBER 20, 1995

RESOLVED, that the final draft of the Road/Street and Subdivision Naming Manual dated September 15, 1995, a cooperative effort by the Town of Elkton, the other incorporated Towns located within Rockingham County, Rockingham County, and the City of Harrisonburg, is hereby approved for use in the Town of Elkon, Virgina.

BE IT FURTHER RESOLVED, that the Mayor is authorized to execute the Memorandum of Agreement indicating such approval on behalf of the Town.

BE IT FURTHER RESOLVED, that all officers, employees and agents of the Town are authorized and directed to take such other necessary and resonable actions to implement the provisions of the manual.

I certify that the above Resolution was passed at the regular Council Meeting of the Town Council of the Town of Elkton, Virginia on November 20, 1995.

VMEA Resolution

Councilman Dail reported that the Virginia Municipal Electric Association #1 has passed a resolution. This proposal basically restructures the revenue sharing formula that is used between the seven towns. This will be applicable to only six of the seven towns. It changes the formula from one based upon investment in the system. This change will benefit Elkton.

Councilman D. H. Dail moved, seconded by Councilwoman M. B. Fuller and carried to approve the following Virginia Municipal Electric Association #1 Resolution:

RESOLVED, that the Town of Elkton shall provide for the execution on its behalf of the Third Amendment to the Virginia Municipal Electric Association #1 Power Sales Contract, a copy of which is attached hereto; and

BE IT FURTHER RESOLVED, that Charles Dean, Mayor of the Town of Elkton, Virginia, is authorized to exucute such Third Amendment on behalf of the Town of Elkton, Virgina.

ENACTED by the Town Council of Elkton, Virginia, on the 20th day of November, 1995.

Amendment of Ordinances relating to Garbage Collection (First Reading)

Councilman T. R. Whitfield III presented the First Reading to amend the Garbage Collection Ordinance.

Amendment of Ordinance regarding the disposition of recovered property (First Reading)

Councilman T. R. Whitfield III presented the First Reading on an ordinance to amend Title 8, Chapter 4 of the Code of Ordinances of the Town of Elkton regarding the disposition of unclaimed bicycles and mopeds. The amended ordinance is the one which allows the Town to donate to a charitable organization or sell at public auction.

ISTEA Co-Applicants

Mr. Costin reported that they have been working on the ISTEA grant application for 1996 as previously directed by council. In the meeting they have attended two recommendations were given for improving the application. They suggested trying to make it a co-application. One co-applicant should be a private sector entity. The leading candidate for this would be Elkton Downtown Revitalization Committee. The other co-applicant would be a multi-jurisdiction appllication and obviously the leading candidate would be Rockingham County. Mr. Costin requested council's permissions to approach Elkton Downtown Revitalization Committee and the County of Rockingham to see if they would be interested in being a co-appliant. Council was in agreement with this request.

Remove 1988, 1989 & 1990 Real Estate and Personal Property Tax

Councilman R. L. Snow moved, seconded by Councilwoman M. B. Fuller and carried to allow the Treasurer to write off the Personal Property and Real Estate uncollectibles for the years 1988, 1989 and 1990.

Resolution on the passing of Samuel P. H. Flick

Councilwoman M. B. Fuller moved, seconded by Councilman D. H. Dail and carried to approve the following resolution:

WHEREAS, Samuel "Sam " Patrick Henry Flick, a long time resident of the Town of Elkton, passed away on October 30, 1995; and

WHEREAS, "Sam" was a dedicated public servant, giving of this time and talents as a member of the Elkton Town Council from July 1, 1978 to June 30, 1986; as an official of the Elk Run Cometery Commission and officer of its predecessor for over twenty-five years; as a contributing member to numerous civic organizations, the most recent being Meals on Wheels; as well as being an active member of the Elkton Presbyterian Church; and

WHEREAS, "Sam" was a good friend and neighbor and earned the respect and admiration of many;

NOW, THEREFORE IT BE RESOLVED, that the Town Council of the Town of Elkton, Virginia does hereby recognize the contributions made to the Elkton community by Samuel Patrick Henry Flick; and

BE IT FURTHER RESOLVED, that in Mr. Flick's memory, two shrubs be planted so as to enhance the new sign at the Elk Run Cemetery.

The following committee meetings were set for November 29, 1995:

Finance Committee	7:00 pm
Personnel Committee	9:00 pm

Mayor Dean reported that on two things that have been discussed. One is the hydrant being used by the water haulers should be cut off by December 1st and the haulers notified. Council will also need to decide what they are going to do with the people hauling water.

Mr. Monger reported that they are looking at several sites for the haulers but that these need to go to committee.

Mayor Dean stated he will contact Councilman Bennett about a meeting, but in the meantime the town will leave the hydrant on until January 1st. Staff will cut the hydrant off at night if they feel there is a chance of freezing. If no other arrangements have been arranged, staff will notify the haulers that the hydrant will be off during January and February.

Mr. Costin reported that Pano's has been reserved for the Town Christmas Party on December 21, 1995 at 6:00 pm. This needs to go before the Personnel Committee.

The next council work session will be December 6, 1995 at 7:30 pm.

Councilwoman Fuller stated she feels congratulations are in order on the Library opening, the Halloween Who Do and the Valley Branner Candidate Forum.

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