Regular Council Meeting
October 13, 1997
7:30 p.m.

The regular meeting of the Elkton Town Council was held on October 13, 1997 at 7:30 p.m. in the council chambers with Mayor Charles E. Dean presiding. The roll call was as follows:

PRESENT

F. A. Bennett
M. L. Dearing
A. D. Dixon
W. E. Printz
R. L. Snow

ABSENT

R. C. Davis

Gerald Monger, Town Manager, Dale Davenport, Attorney, Warren Pence, Chief of Police, Kenny Flick, Director of Public Works, Theodore Pence, Director of Parks and Recreation and Nancy Sours, Treasurer/Clerk were also present.

Councilman Bennett offered the invocation.

Councilman Dearing led the Pledge of Allegiance.

CITIZENS COMMENTS

Marsha Deavers - EDRC Quarterly Report

Ms. Deavers presented council with EDRC's quarterly report. She explained that the Main Street program operated under the four point approach. Ms. Deavers briefly explained the following events that occurred in the past quarter:

1. Revised three property sites
2. Loan Pool is available at 1/2% less than banks
3. Assisted Ms. Donna Brewster with an ISTEA Grant
4. Donated Clock will be placed soon
5. Four new businesses providing eleven new jobs
6. Working with Virginia Tourism Association
7. Working on a Walking Brochure
8. Presented Main Street Awards
9. Attended meetings on Street Scape
10. Expressed appreciation for town's assistance with Summer Concerts
11. Halloween Hoo Doo is planned for October 31
12. Offered a seminar on business competition.

Councilman Dearing asked that the EDRC quarterly report be included in the council packets, prior to the meeting. Ms. Deavers responded that would be acceptable.

Councilman Printz expressed his appreciation to Ms. Deavers and EDRC for their efforts.

Benny King

Mr. King expressed opposition to town charges for a standard zoning permit. He feels that the fifty-dollar charge is not fair and that other localities do not impose this fee.

Mayor Dean stated that the Planning Commission should address this issue.

MINUTES

Councilman R. L. Snow moved, seconded by Councilman F. A. Bennett and carried to approve the minutes of the Regular Council Meeting, September 15, 1997 as presented.

YEAS: F. A. Bennett, M. L. Dearing, A. D. Dixon, W. E. Printz, R. L. Snow

Councilman Dearing asked that meeting dates be set for Public Safety Committee and Streets and Sidewalks Committee.

DEPARTMENT HEAD REPORTS

Chief of Police

Chief Pence offered to answer questions on his monthly report.

Councilman Dearing asked the amount of funds received from the Division of Motor Vehicles grant. Chief Pence responded approximately $3,000.00 and will end mid-October.

Councilman Dearing stated that he has received several complaints regarding the double yellow lines Virginia Department of Transportation painted on Stuart Avenue (between Tastee-Freez and Family Dollar Store). Councilman Dearing asked if a vehicle heading south can turn into the Family Dollar parking lot. Chief Pence stated that crossing double lines to enter that parking lot was legal.

Councilman Dearing suggested that the stop signs on Rockingham Street be patrolled between 5:00 to 7:00 a.m. and late night. Chief Pence mentioned that the increase of speeding tickets derived from Rockingham Street.

Councilman Printz stated that he has received complaints on unauthorized trucks using Rockingham Street. Chief Pence stated that summons can only be issued if the truck's destination is on Rockingham Street. Chief Pence stated that only a limited amount of time can be spent on each area.

Councilman Snow asked if the stop light at Hillside and Route 340 is being monitored. Chief Pence stated that no additional time has been spent at that intersection, but more tickets are issued at that location than the other intersections combined.

Officer Monte Dean reported that the Neighborhood Watch Program is active in the community. He said that watch signs have been placed and two way radios have been provided for participates. Officer Dean said that the program has planned a Bake Sale at the Autumn Days event. He reported that the Youth Center should be completed next year.

Mayor Dean asked Chief Pence if the loitering issues have been addressed. Chief Pence responded that several charges have been issued and efforts with property owners are pending.

Parks and Recreation

Mr. Pence submitted his written report and offered to answer questions.

Councilman Dearing asked why the activity center could not be used for other events, such as a youth center. He stated it is currently being used solely as a dance studio. Councilman Dearing stated that there is no written contact with the operator of the dance studio.

Councilman Snow stated that the floor was placed for the purpose of providing a dance program. Councilman Snow stated that he would prefer the dance studio floor be protected. He stated that no one was denied use of this facility, but the accommodations could not be made due to scheduling conflicts. Councilman Snow stated that this dance program is a service to the community and should not be viewed as a profit/loss situation.

Mr. Pence stated that the dance studio contributes 20% of their registration fees to the town. He said that the town provides utilities and maintenance to the activity building.

Mr. Pence reported that the tennis courts have been refinished at a total cost of $9,200.00. He stated that the girls' basketball and mens' softball programs are almost complete. Mr. Pence announced that Mid-Atlantic Wrestling is scheduled for November 22 at the Elkton Middle School. He stated that the recreation department will receive 15% of the proceeds from this event.

Councilman Snow complimented the appearance of the tennis courts and asked that efforts be made to remove the leaves.

Councilman Printz asked who was managing the concession stand. Mr. Pence responded that he was overseeing the concessions.

Director of Public Works

Mr. Flick offered to answer questions.

Councilman Dearing stated that he contacted Mr. Kenny Crawford regarding the appearance of his property and the property now complies with town regulations.

Councilman Dixon asked what cost the town would incur with the Barry Ream water and sewer connection. Mr. Flick responded the only cost would be the difference between a 2-inch line and an 8-inch line.

Councilman Dearing pointed out that Mr. Barry Ream did not receive any special treatment on his out of town water and sewer connection request.

Treasurer

Councilman R. L. Snow moved, seconded by Councilman A. D. Dixon and carried to approve the September Finance Report as presented.

YEAS: F. A. Bennett, M. L. Dearing, A. D. Dixon, W. E. Printz, R. L. Snow

Finance Committee meeting set for October 28, 1997 at 7:00 p.m. to review the 96-97 Audit Report prepared by McGladrey & Pullen.

Councilman Printz expressed his concern over positions being hidden in the budget. Councilman Dearing responded that the Cemetery Commission recommended appointing a Cemetery Director to manage the cemetery. He stated that it was discussed several times before an approval was made. Councilman Bennett mentioned the importance and need for this position.

Councilman Dearing asked for a report on the Cemetery Certificates of Deposits showing the maturity due dates.

TOWN MANAGER

Councilman Dearing asked about the progress of the ISTEA Grant. Mr. Monger stated that bids must be obtained on work to be done on the ISTEA Grant.

Mr. Monger reported vehicle fuel will be purchased from Rockingham County at an approximate cost of .65 per gallon.

Mr. Monger announced that the Rockingham Municipal League meeting is scheduled for Wednesday night at 6:30 p.m. at the Broadway Rescue Squad Building.

COMMITTEE REPORTS

Personnel

Councilman Dearing announced that Ms. Denise Jenkins accepted the position of Cemetery Director.

Councilman Dearing stated that he is working with Mr. Davenport on a drug screening process.

Councilman Dearing reported that revisions to the recreation bylaws are undecided, as he is awaiting a response from the recreation commission.

Streets and Sidewalks

Councilman Printz stated that he has received several complaints regarding the poor conditions of the sidewalks. He asked that a Streets and Sidewalks Committee meeting be set to discuss this.

Councilman Printz asked if Mr. Monger had received any estimates on repairing the drainage problem on Rockingham Street.

UNFINISHED BUSINESS

Wayne Weaver - Proposed Building Expansion Plans for Victorian Haven

Mr. Weaver presented council with a copy of the draft plans for the expansion. Mr. Weaver stated that the alley has been completely paved and a dumpster has been placed.

Councilman Printz read the list of restrictions imposed upon the expansion:

1. The owner/operator shall be in compliance with all local, state, and federal rules, regulations, ordinances, and laws.
2. Residential occupancy by non-clients shall be limited to the owner/operator and one full-time staff person.
3. No deliveries before 7:00 a.m. or after 5:00 p.m. are to occur.
4. A lot line vacation must be obtained before the permit is effective.
5. Pave within 180 days from the permit issuance date and maintain to town specifications the alley from its intersection with Spotswood Avenue to the entrance of the parking lot of the Home for Adults for a distance of 270 feet.
6. Pave 180 days from the permit issuance date to town specifications the remainder of the alley from existing pavement to "C" Street.
7. No additional expansion of this use shall be allowed on the subject property,

other than the proposed expansion as allowed by vote of council at the meeting on which time the action is taken.

8. Locate and maintain a large commercial trash and garbage container on the south-east corner of the property adjacent to the alley intersections.
9. Any water and sewer upgrades at Mr. Wayne Weaver's expense by reasonable determination by town council.
10. Limit occupancy to a maximum total of 63 residents.
11. Council's approval (prior to any construction) on blueprints and draft with no material modifications.
12. Place a security fence along the property perimeter, having a design approved by the Zoning Administrator, at Mr. Weaver's expense.

Councilman Dixon asked what are the plans for a security fence. Mr. Weaver stated that there will be a picket fence placed around the property.

Councilman Dixon stated that adjoining neighbors have complained about construction crews working on weekends. Mr. Weaver stated that construction crews will not work on Sundays and only until noon on Saturdays.

Councilman Dixon asked how these construction proposals will be monitored. Mr. Weaver stated that no changes can be made to these blueprints.

Councilman R. L. Snow moved, seconded by Councilman W. E. Printz and carried to approve the blueprints presented by Mr. Wayne Weaver for the Victorian Haven expansion.

YEAS: **F. A. Bennett, W. E. Printz, R. L. Snow**

NAYS: **M. L. Dearing, A. D. Dixon**

NEW BUSINESS

Hutchens/Sowinski - Special Exception Request for a Home Occupation Permit

Councilman A. D. Dixon moved, seconded by Councilman W. E. Printz and carried to deny the Hutchens/Sowinski Special Exception Request for a Home Occupation Permit at 515 East Rockingham Street.

YEAS: **F. A. Bennett, M. L. Dearing, A. D. Dixon, W. E. Printz, R. L. Snow**

Councilman Bennett stated that he is not opposed to certain businesses in a residential area.

Councilman Snow stated that if the noise could be controlled, he would not be opposed to this request. He mentioned that Mr. Sowinski can build cabinets for his personal use.

Councilman Dixon asked how this could be monitored, so that cabinets are not built and sold from this residents. Mrs. Horne responded that the Department of Environmental Quality will address this if products are being sold.

Board of Zoning Appeals - Appointment

Councilman Bennett reported that the Board of Zoning Appeals met and recommended that Mr. Daniel Goodson be appointed to the Board of Zoning Appeals.

Councilman F. A. Bennett moved, seconded by Councilman R. L. Snow and carried to recommend to the Circuit Court the appointment of Mr. Daniel Goodson to the Board of Zoning Appeals.

YEAS: F. A. Bennett, M. L. Dearing, A. D. Dixon, W. E. Printz, R. L. Snow

Resolution Honoring Mr. C. Jackson Davis

Councilman F. A. Bennett moved, seconded by Councilman M. L. Dearing and carried to adopt a resolution honoring Mr. C. Jackson Davis as follows:

YEAS: F. A. Bennett, M. L. Dearing, A. D. Dixon, W. E. Printz, R. L. Snow

RESOLUTION OF THE TOWN OF ELKTON, VIRGINIA

WHEREAS, Calvin Jackson "Jack" Davis a long time resident of the Town of Elkton, passed away on September 22, 1997; and

WHEREAS, "Jack" was a dedicated public servant giving of his time and talents as a charter member of the Elkton Emergency Squad and life member of the Elkton Volunteer Fire Department; as a member of the Jr. O.U.A.M. Blue Ridge Council 149; as a long time member of the Town of Elkton Board of Zoning Appeals; as well as being an active member of the Elkton Evangelical United Methodist Church; and

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

WHEREAS, 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 Calvin Jackson Davis; and

BE IT FURTHER RESOLVED, that in Mr. Davis's memory, a copy of this Resolution be mailed to his widow, Mrs. Leona Davis.

Councilman Dearing mentioned that the Board of Zoning Appeals asked for council's approval for BZA alternates. Mayor Dean asked that Mr. Davenport review this request.

David Hensley - Out of Town Water Connection Request

Councilman Bennett reported that Mr. David Hensley's property is near Mr. Ronald Grimsley who was granted out-of-town water connection last month.

Councilman F. A. Bennett moved, seconded by Councilman W. E. Printz and carried to approve the request by Mr. David Hensley for a out-of-town water connection on 205 E. Washington Street.

YEAS: F. A. Bennett, W. E. Printz, R. L. Snow

NAYS: M. L. Dearing, A. D. Dixon

Councilman Dearing expressed concern over the low water pressure in-town residents are experiencing and feels this should be addressed first.

Mr. Flick stated that the plans to install a booster pump will improve water pressure.

Consolidation of Election Dates

Councilman Printz stated that he would like to see the town election moved from May to November to accommodate the voters.

Councilman Dixon stated that by keeping the elections separate, voters express town issues in May verses party related matters in November.

3 Phase Electric Service to Residential Area

Councilman Dixon suggested that council monitor the requests for a 3-phase electric service being installed at a residential area.

Mr. Flick stated that approximately $2,143.00 was spent to install 3-phase electric service at the residence on Rockingham Street.

Mr. Monger suggested that higher base fee be set for this type of service and perhaps a connection fee to cover the expense.

Councilman Dearing and Councilman Bennett suggested that the Electric Committee review this before any action is taken.

Councilman A. D. Dixon moved, seconded by Councilman R. L. Snow and carried to require councils' approval before installing any 3-phase electric service to a residential area.

YEAS: **M. L. Dearing, A. D. Dixon, R. L. Snow**

NAYS: **F. A. Bennett, W. E. Printz**

TOWN ATTORNEY

Mr. Davenport asked that Crime Solvers signs be placed at the entrances into town.

Crime Solvers Signs

Councilman W. E. Printz moved, seconded by Councilman M. L. Dearing and carried to place four Crime Solvers signs at the entrances into town.

YEAS: **F. A. Bennett, M. L. Dearing, A. D. Dixon, W. E. Printz, R. L. Snow**

Adjournment

As there was no further business, the meeting adjourned.

MAYOR: Charles E. Dean
Charles E. Dean, Mayor

RECORDER: _____
Nancy A. Sours, Clerk