Regular Council Meeting
June 15, 1998
7:30 p.m.

The regular meeting of the Elkton Town Council was held June 15, 1998 at 7:30 p.m. in the council chambers with the Mayor Charles E. Dean presiding. The roll call was as follows:

PRESENT

F. A. Bennett
R. C. Davis
M. L. Dearing
D. E. Kite
W. E. Printz

ABSENT

R. L. Snow

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

Councilman Bennett offered the Invocation.

The Pledge of Allegiance was recited.

CITIZENS COMMENTS

Liz Seal

Ms. Seal of Lewis Avenue, stated that she has an ongoing problem of water coming out of a drainage pipe and flooding her yard. She asked that this problem be addressed immediately.

Bobbie Horne

Ms. Horne stated that she has been contacted by residents complaining that stray cats are going through their yards. She asked that the town ordinance pertaining to this be published. Ms. Horne stated that she contacted Animal Control and a cage could be placed on the property to capture the animals.

Paul & Jane Goodall

Mr. & Mrs. Goodall stated their support for Mary Liz Humphrey's dance program. They feel the dance program is very convenient and beneficial to the community.

Elaine Austin

Ms. Austin of Rockingham Street stated that a vacant house located on Rockingham Street was creating many problems in the neighborhood. She stated that snakes have been seen coming from the vacant house.

Betty Hensley

Ms. Hensley of Spotswood Trail feels that Gene Kite should be appointed to fill the vacancy on council.

Lucky Sigafoose

Mr. Sigafoose spoke on behalf of the Neighborhood Watch Program. He stated that the organization is upset over the key policy at the activity building. He feels that the policy is inconsistent, that the Neighborhood Watch Program has been treated unfairly. He demanded that the Neighborhood Watch receive an answer before July 31 or legal action will be taken.

Hazel Crider

Ms. Crider of Elkwood, stated that the Neighborhood Watch Program is an effective program. She pointed out that a Neighborhood Watch news bulletin is distributed worldwide, listing Elkton as a participate. She feels that the Neighborhood Watch Program has not received support from the Town Council. Ms. Crider feels that this program has received unfair treatment. She stated that a picnic is planned in the park and everyone is invited. Ms. Crider complimented Theo Pence for his work in the recreation department and hopes that he will remain in that position. She feels that Gene Kite should be appointed to fill the vacancy on council.

Mildred Shifflett

Ms. Shifflett of Spotswood Trail expressed her support for Gene Kite filling the vacant council seat. She asked who furnished lights at the baseball fields. Ms. Shifflett stated that her family witnessed a drug deal on the sidewalk directly in front of her home. She stated that she telephoned the Elkton Police Department and the officer refused to respond to the compliant. She stated that she then telephoned the Rockingham County Sheriff's department and they responded. Ms. Shifflett stated that a formal compliant was filed and asked what action had been taken.

Florence Barrett

Ms. Barrett expressed her gratitude to Mayor Charlie Dean and his many years of service to the Town of Elkton.

Joan Sigafoose

Ms. Sigafoose stated that the Neighborhood Watch Program does not want to eliminate Mary Liz Humphrey's dance program. She feels that the recreation center should be used by everyone.

John Glick

Mr. Glick spoke in support of the dance program. He stated that a theatrical production is planned for next year highlighting the residents removed from the Skyline Drive. He suggested renaming the activity center to an Art Center.

Gary Monger

Mr. Monger stated that he was the owner of the property on 218 Water Street. He stated his opposition to granting permission to placing an Auction House on Water Street. He feels this will create more traffic and noise problems.

Tom Weyrick

Mr. Weyrick expressed his appreciation for Charlie Dean's leadership over the years. He stated that he accomplished many things over his tenure. He stated that Mayor Dean has always displayed a professional management style.

Marsha Fuller

Ms. Fuller expressed her appreciation for Mayor Dean's service and dedication. She stated that she hopes Mayor Dean will be appointed to serve on council.

MINUTES

Councilman D. E. Kite moved, seconded by Councilman W. E. Printz and carried to approve the minutes of the Regular Council Meeting, May 18, 1998 and the Public Hearing, June 8, 1998 as presented.

YEAS: F. A. Bennett, R. C. Davis, M. L. Dearing, D. E. Kite, W. E. Printz

DEPARTMENT HEAD REPORTS

Chief of Police

Chief Marshall offered to answer questions on his monthly report. Chief Marshall stated that police officers are issuing warnings regarding the signs posted at the railroad crossings.

Recreation

Mr. Pence offered to answer questions on his report.

Councilman Kite asked about Recreation Commission members not attending the monthly meetings. Mr. Pence responded that one member has not attended a meeting since October. Mr. Pence stated that he thought the guidelines stated that members who miss three consecutive meetings, would be removed from the commission.

Director of Public Works

Mr. Flick stated that the Mr. & Mrs. Dean on Clark Avenue have been complaining about councils' recent action on parallel parking in front of their property. Councilman Printz stated that clarification is needed regarding the parking agreement.

Finance

Councilman F. A. Bennett moved, seconded by Councilman M. L. Dearing and carried to approve the May Finance Report as presented.

YEAS: F. A. Bennett, R. C. Davis, M. L. Dearing, D. E. Kite, W. E. Printz

TOWN MANAGER

Mr. Monger offered to answer questions on his report.

Councilman Dearing stated that several properties were violating the nuisance ordinance. Mayor Dean asked if Chief Marshall had notified the property owners of this problem before it came before council.

COMMITTEE REPORTS

Electric

Councilman Davis stated that the Electric Committee reviewed the Virginia Power Contract and recommended it be approved.

Virginia Power Contract - Power Purchased Out of Territory

Councilman R. C. Davis moved, seconded by Councilman M. L. Dearing and carried to accept the Virginia Power Contract regarding the power purchased out of territory.

YEAS: F. A. Bennett, R. C. Davis, M. L. Dearing, D. E. Kite, W. E. Printz

Personnel

Police Officer Appointment - Mr. James E. Porter

Councilman M. L. Dearing moved, seconded by Councilman D. E. Kite and carried to appoint Mr. James E. Porter as Police Officer effective July 1, 1998, at an annual salary of $23,400.00

YEAS: F. A. Bennett, R. C. Davis, M. L. Dearing, D. E. Kite, W. E. Printz

Public Health & Safety

Councilman Dearing asked that the property owner of the vacant house on Rockingham Street be sent a letter stating they are violating an ordinance.

Streets and Sidewalks

Councilman Printz asked for a schedule on the streets scheduled for repairs. Mr. Flick responded that those streets were next on the list and hopefully will be completed in this fiscal year.

Councilman Kite asked about the status of the O Street project. Mr. Flick stated that is also on the priority repair list.

Cemetery

Councilman Dearing asked if the cemetery reimbursement to the town should be considered revenue in the general government account. Mr. Monger responded that cemetery funds can only be spent on the operation expenses.

Mr. Davenport said that he would review the cemetery bylaws and determine the proper procedure.

OLD BUSINESS

1998-99 Proposed Fiscal Budget - Second Reading

Councilman F. A. Bennett moved, seconded by Councilman R. C. Davis and carried to accept the 1998-99 Proposed Fiscal Budget as presented.

YEAS: F. A. Bennett, R. C. Davis, M. L. Dearing, D. E. Kite, W. E. Printz

Councilman Printz stated his opposition to paying Rockingham County Sheriff's department $28,500.00 for dispatching services.

Mayor Dean pointed out that the request to the County for dispatching services was made after the preparation and approval of the 98-99 Budget. He stated that $28,500.00 was an estimate, and the actual costs may be only part of that amount.

Councilman Printz stated that EDRC provides economic development to the downtown businesses. He suggested that the EDRC donation be a line item in the budget. Councilman Printz expressed his support and asked that council consider making a $25,000.00 donation to EDRC.

Councilman Kite stated that he does not support funding EDRC by donating taxpayers dollars. He feels that EDRC needs to establish fund-raising activities. He stated that donations tend to be a continual process.

Set Special Meeting Date

A Special Council Meeting is scheduled for June 23, 1998 at 7:00 p.m. in the council chambers.

VML Insurance - No Fault Property Damage Coverage

Mr. Monger stated that this policy will cover incidents such as windshield breakage and sewer backups. He stated that the annual premium will be $1,400.00.

Councilman M. L. Dearing moved, seconded by Councilman R. C. Davis and carried to receive the VML Insurance No Fault Property Damage Coverage at an annual premium of $1,400.00

YEAS: F. A. Bennett, R. C. Davis, M. L. Dearing, D. E. Kite, W. E. Printz

NEW BUSINESS

Utility Disconnection Procedure - First Reading

Councilman Davis stated that this revised policy is so that utility reconnections could only be done during normal working hours, Monday thru Friday, 8:00 a.m. - 5:00 p.m.

Councilman R. C. Davis moved, seconded by Councilman F. A. Bennett and carried to allow utility reconnections only during normal working hours, Monday thru Friday, 8:00 a.m. - 5:00 p.m., effective July 1, 1998.

YEAS: F. A. Bennett, R. C. Davis, M. L. Dearing, D. E. Kite, W. E. Printz

1997-98 Budget Appropriations and Transfers - First Reading

Councilman W. E. Printz moved, seconded by Councilman D. E. Kite to accept first reading of the 1997-98 Budget Appropriations and Transfers as presented.

YEAS: F. A. Bennett, R. C. Davis, M. L. Dearing, D. E. Kite, W. E. Printz

Board of Zoning Appeals - Alternate Member

Councilman F. A. Bennett moved, seconded by Councilman W. E. Printz and carried to adopt Section 804 of the Board of Zoning Appeals, allowing an alternate member be appointed.

YEAS: F. A. Bennett, R. C. Davis, M. L. Dearing, D. E. Kite, W. E. Printz

Lot Line Vacation Procedure

Councilman W. E. Printz moved, seconded by Councilman M. L. Dearing and carried to amend the Lot Line Vacation Procedure allowing the Zoning Administrator the authority to grant Lot Line Vacation Requests.

YEAS: F. A. Bennett, R. C. Davis, M. L. Dearing, D. E. Kite, W. E. Printz

Special Exception Request - Auction House on Water Street - Mr. Darrell Shifflett

Mr. Flick stated that the Planning Commission recommended approving this request with the following stipulations:

1. Items may not be stored outside for more than fourteen (14) consecutive days.
2. Auctions may not be held past 9:00 p.m. on any day of the week.

Councilman D. E. Kite moved, seconded by Councilman F. A. Bennett and carried to grant the Special Exception Request by Mr. Darrell Shifflett for an Auction House on Water Street with the following stipulations:

1. **No items will be left outside, until the day of the auction**
2. **Auctions may not be held past 9:00 p.m. on any day of the week**
3. **Chief of Police will monitor and regulate parking**

YEAS: F. A. Bennett, R. C. Davis, M. L. Dearing, D. E. Kite,

NAYS: W. E. Printz

Transfer of Police Dispatching to Rockingham County Sheriff's Department

Councilman M. L. Dearing moved, seconded by Councilman F. A. Bennett and carried to transfer police dispatching to Rockingham County Sheriff's Department.

YEAS: F. A. Bennett, R. C. Davis, M. L. Dearing, D. E. Kite, W. E. Printz

Recognitions

Councilman Printz recognized and remembered Mr. Vernon Shifflett for his contributions and service to the community. He expressed his condolences and sympathy to Mr. Shifflett's family. Mayor Dean commented that Mr. Shifflett was a lifelong resident of the town and will be missed.

Councilman Printz recognized Mayor Dean for his efforts and service to the town. He commented that Mayor Dean had shown much compassion and concern for the town. Councilman Printz said that he had always supported and encouraged other council members.

Parallel Parking on Clark Avenue

Councilman Printz requested that the parallel parking signs be taken down on Clark Avenue.

Councilman W. E. Printz moved, seconded by Councilman M. L. Dearing and carried to remove the three parking signs on Clark Avenue and place one sign in the center of the street stating that parallel parking only from the corner.

YEAS: F. A. Bennett, R. C. Davis, M. L. Dearing, D. E. Kite, W. E. Printz

Key Policy at Activity Building

Councilman Printz stated that the key policy should be consistent and fair to all organizations.

It was decided that the Recreation Representative discuss the key policy with the Recreation Commission and inform council of their recommendation.

Councilman Davis asked if the Neighborhood Watch Program has become self-insured or incorporated. He also asked if the Neighborhood Watch Program patrols or if they only sponsor teen programs. Mr. Sigafoose responded that the Neighborhood Watch Program has sixteen captains and patrols on a regular basis. Ms. Crider responded that the teen programs are designed to remove the kids from the streets.

Councilman Dearing feels it is the town's responsibility to provide a facility for a teen center.

Complaints

Ms. Shifflett stated that she was upset over the drug deal that occurred on the street in front of her home. She stated that the drug dealer had a gun. She feels that proper action should be taken against the town officer on duty who refused to respond.

Councilman Dearing stated that citizens have a right to file a complaint. He said that the Chief was not at liberty to disclose the disciplinary action taken.

Chief Marshall stated that the original complaint never mentioned that the individual had a weapon.

Set Special Council Meeting

Councilman Bennett and Councilman Davis asked that a Special Council Meeting be set on July 1, 1998 at 7:00 p.m. to assign committee appointments.

It was duly decided that a Special Council Meeting is scheduled for July 1, 1998 at 7:00 p.m.

Council Appointment

Councilman Dearing asked Mr. Davenport if a Mayor can be appointed to fill a council seat. Mr. Davenport stated that the current Mayor's power does not continue after June 30. He stated that the newly elected Mayor should take office by July 1. Mr. Davenport responded that he could investigate this further, but it may be very expensive.

Councilman Davis feels that it was not necessary to have Mr. Davenport further review this concern.

Adjournment

As there was no further business, the meeting adjourned.

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

RECORDED: _____
Nancy A. Sours, Clerk