Regular Council Meeting
June 21, 1999
7:30 p.m.

The regular meeting of the Elkton Town Council was held June 21, 1999 at 7:30 p.m. in the council chambers with the Mayor Millard L. Dearing presiding. The roll call was as follows:

PRESENT

F. A. Bennett
R. C. Davis
C. E. Dean
B. B. Horne
W. E. Printz
R. L. Snow

Gerald Monger, Town Manager, Dale Davenport, Attorney, Robert Marshall, Chief of Police, and Julia Smith, Treasurer/Clerk were also present.

Councilman Bennett offered the Invocation.

The Pledge of Allegiance was recited.

CITIZENS COMMENTS

Mildred Shifflett - Spotswood Avenue - Mrs. Shifflett stated that her daughter-in-law received the first ticket for cruising. Mrs. Shifflett stated that on the night her daughter-in-law received the ticket there was no traffic congestion in the cruising area. Mrs. Shifflett stated that she felt her daughter-in-law received that ticket out of spite for the many times she has spoken up at council meetings and no one likes her. Mrs. Shifflett stated that she understood that the first fine for cruising would be $25.00 the second $50.00 and the third $100.00. Mrs. Shifflett stated that the court house in Harrisonburg reads that the first fine is $50.00. Mrs. Shifflett stated that it is a shame that if you ride through town you have to be in fear of getting a ticket. Mrs. Shifflett stated that she will ride through town where and when she wants to. Mrs. Shifflett stated that seven or eight people were not going to tell her what she could do. Mrs. Shifflett also stated concern over the water/sewer plant being contracted out. Mrs. Shifflett stated that it is ridiculous to palm off the water/sewer to someone else. Mrs. Shifflett stated concern over employees and stated that the employees were probably only making minimum wage.

Hazel Crider - 114 Hillside - Mrs. Crider stated that she came through town the night the first cruising ticket was issued. Mrs. Crider stated that on that Sunday night at 8:00 P.M. traffic was not congested and the cruisers were being orderly. Mrs. Crider stated that the young people of Elkton are drifting away. Mrs. Crider stated that people are afraid to come to Elkton and that something needs to be done about this. Mrs. Crider stated that council needs to start over with the cruising issue and do a study of it. Mrs. Crider stated that the businesses need cruising. Mrs. Crider also stated concern over the water/sewer lease that has been under discussion. Mrs. Crider stated that she felt this was the wrong way to go. Mrs. Crider stated concern about the town furnishing a vehicle and equipment to the contractor. Mrs. Crider asked where the $150,000.00 figure that we will supposedly save was derived from. Mrs. Crider asked that a Public Hearing being held on the

water/sewer lease so the citizens can voice their concerns. Mrs. Crider stated that West Virginia leased out their water/sewer and some people are paying as much as $109.00 per month for service.

Ashley Forish - Ms. Forish stated that she would like to make it known that the Clark Avenue issue is wrong. Ms. Forish stated that it is wrong for the Town Council to spend taxpayers money on a church parking lot. Ms. Forish stated that this paving was not for the good of the community but for the good of the church. Ms. Forish stated that she wanted everyone to know how she feels.

Lucky Sigafoose - Mr. Sigafoose stated this council only has eleven more times to meet and that an election is coming up.

Councilman W. E. Printz moved, seconded by Councilwoman B. B. Horne and carried to approve the minutes of the Public Hearing held May 17, 1999.

YEAS: F. A. Bennett, R. C. Davis, C.E. Dean, B.B. Horne, W. E. Printz and R. L. Snow

The motion was carried (6-0)

Councilwoman W. E. Printz moved, seconded by Councilman R. C. Davis and carried to approve the minutes of the Regular Council meeting held May 17, 1999.

YEAS: F. A. Bennett, R. C. Davis, C.E. Dean, B.B. Horne, W. E. Printz and R. L. Snow

The motion was carried (6-0)

Councilman W. E. Printz moved, seconded by Councilman C. E. Dean and carried to approve the minutes of the Special Meeting held June 7, 1999.

YEAS: F. A. Bennett, R. C. Davis, C.E. Dean, B.B. Horne, W. E. Printz and R. L. Snow

The motion was carried (6-0)

DEPARTMENT HEAD REPORTS

Chief of Police

Chief Marshall offered to answer questions on his monthly report.
Councilman Printz asked what the cost is for cruising violations. Chief Marshall responded that the fines are $50.00 for the first offense, $75.00 for the second offense and $100.00 any following offenses.
Mayor Dearing stated that we have an ordinance on the book that requires residents to maintain their yards. Mayor Dearing stated that the ordinance needs to be rewritten. Mayor Dearing stated that the ordinance reads that a resident must mow only once during the months of May through August. Mayor Dearing asked that this be addressed at the next committee meeting.
Councilman Printz asked about the inspection of vacant property. Mr. Monger stated that there is no ordinance that covers this at this time. Mayor Dearing stated that this also needs to be addressed.

Director of Public Works

Mr. Flick was not present for this meeting. Mayor Dearing stated that Terrace Avenue was sleeved and the line was full of glass. Mayor Dearing stated that we should buy cameras where we can look at the lines. Mayor Dearing stated that now we have to pay Harrisonburg to do this for us now. Councilman Printz stated that in reference to Clark Avenue project he could not agree with everything Ms. Forish stated in her public comment. Councilman Printz stated that Clark Avenue was done to settle some issues with drainage and sewer problems. Councilman Printz stated that due to some engineering mistakes the cost was increased. Councilman Printz stated that we should not pay the bill until everything is resolved. Mr. Monger asked that we wait until the bill comes in to address this. Councilman Printz stated that we should hold the bill and not pay until we are satisfied. Mayor Dearing stated that engineering errors caused our cost to increase. Mr. Monger stated that we should talk to the engineers and find out why the plans were done the way they were done. Councilman Printz asked if everyone was in agreement to hold the bill and not pay until the town is satisfied. All council members were in agreement to hold the bill.

Mayor Dearing stated that the manhole on North Street needs to be fixed. Mayor Dearing stated that on the Clark Avenue project there is still some landscaping work to be done.

Treasurer

Councilwoman B. B. Horne moved, seconded by Councilman W. E. Printz and carried to approve the May 1999 Finance Report as presented.

YEAS: F. A. Bennett, R . C. Davis, C. E. Dean, B. B. Horne, W. E. Printz, and R. L. Snow

Motion carried (6-0)

Mayor Dearing stated that repo has remained at $504,000.00. Mayor Dearing stated that more projects have been done this year than ever. Mayor Dearing stated that he will be doing an article to go in the Valley Banner to show what the town has done this year. Mayor Dearing stated that we are going to put money into repo at the end of the fiscal year.

Town Manager

Mr. Monger offered to answer questions on his monthly report.

COMMITTEE REPORTS

Electric

Councilman Davis stated that there was nothing at this time. Mayor Dearing asked that a letter be done to acknowledge Avery Whitfield and Claud Dean for the work done on the Clark Avenue project. Mayor Dearing stated that this is the best crew he has ever seen when it comes to doing what has to be done.

Finance

Councilwoman Horne stated that there was nothing at this time.

Personnel

Councilman Dean stated that he has nothing at this time.

Public Health & Safety

Mayor Dearing stated that we need to look at the ordinances mentioned earlier about mowing and vacant buildings. Mayor Dearing stated that we need to hold people accountable for their property.

Streets and Sidewalks

Councilman Printz stated that he has nothing at this time.

Water and Sewer

Councilman Bennett stated that he has nothing at this time.

Cemetery

Mayor Dearing stated that there was nothing for the cemetery at this time. Mayor Dearing stated that at this time one of the roads at the cemetery is being paved. Mr. Meadows has done a lot of hard work and it looks very nice and presentable.

Recreation

Councilman Snow stated that they are working on a couple of projects. Councilman Snow stated that the county league all stars games will be played here in August. Councilman Snow stated that they are working on increasing the bleachers at the field. Councilman Snow reported that the shelter at Riverside Park has been started. Mayor Dearing stated that Mr. Lynn Meadows is working hard and has had divertees working on Saturdays. Mayor Dearing asked that people stop by and see the work these divertees have done at our park.

OLD BUSINESS

SECOND READING ON APPROPRIATIONS

Councilwoman B. B. Horne moved, second by W. E. Printz and carried to approve the second reading of the Appropriations.

YEAS: F. A. Bennett, R. C. Davis, C. E. Dean, B. B. Horne, W. E. Printz and R. L. Snow

Motion carried (6-0)

SECOND READING OF THE RE-APPROPRIATIONS AND TRANSFERS

Councilwoman B. B. Horne moved, second by W. E. Printz and carried to approve the second reading of the Re-appropriations and transfers.

YEAS: F. A. Bennett, R. C. Davis, C. E. Dean, B. B. Horne, W. E. Printz and R. L. Snow

Motion carried (6-0)

NEW BUSINESS

VML AMENDMENT TO DELETE PARAGRAPH 11

Councilman C. E. Dean moved; second by R. L. Snow and carried to approve the deletion of paragraph 11 from the VML insurance agreement.

YEAS: F. A. Bennett, R. C. Davis, C. E. Dean, B. B. Horne, W. E. Printz and R. L. Snow

Motion carried (6-0)

POSSIBLE RESOLUTION VRS UNREDUCED RETIREMENT

Councilman C. E. Dean moved, second by F. A. Bennett carried to not pass the resolution and to permit town employees the 50/30 unreduced retirement option.

YEAS: F. A. Bennett, R. C. Davis, C. E. Dean, B. B. Horne, W. E. Printz and R. L. Snow

Motion carried (6-0)

POSSIBLE RESOLUTION VRS PURCHASE OF PRIOR SERVICE CREDIT

Councilman C. E. Dean moved, second by B. B. Horne and carried to adopt the resolution to purchase prior year's credit.

YEAS: F. A. Bennett, R. C. Davis, C. E. Dean, B. B. Horne, W. E. Printz and R. L. Snow

Motion carried (6-0)

LITTER GRANT

Councilman C. E. Dean moved, second by W. E. Printz and carried to approve the litter grant and to let Rockingham County administer the grant.

YEAS: F. A. Bennett, R. C. Davis, C. E. Dean, B. B. Horne, W. E. Printz and R. L. Snow

Motion carried (6-0)

Mayor Dearing reported that we have been instructed by VDOT to either cut down the town Christmas tree or either trim it. Mayor Dearing stated that if we try to shape the tree up it will not look like a Christmas tree. Mayor Dearing stated that Mrs. Berry has offered to donate a tree from her front yard and Mrs. Smith has offered her tree if the town will move it. Mayor Dearing stated

that VDOT has stated that tree is causing a traffic hazard. Mayor Dearing stated that he has spoken with the Women's Club since they decorate the tree at Christmas. Mayor Dearing reported that the Women's Club is in agreement as long as another tree is planted to replace the one taken down. Councilman Printz stated that if VDOT was concerned with traffic hazards why don't they help us with Rockingham and 340. Councilman Printz was not in agreement to cut down the tree and suggested that it goes to a committee. Councilman Printz reported that the caboose also needs some work done on it.

Mayor Dearing set committee meetings as follow:

July 13, 1999 at 6:00 P.M. Electric, water/sewer and streets/sidewalks

July 15, 1999 at 6:00 P.M. Public Safety, finance and personnel

Mayor Dearing stated that on June 29, 1999 at 7:00 P.M. there will be a Town Hall meeting. Mayor Dearing stated that he is holding this meeting for citizens to come and voice their concerns on cruising, golf course, rec. center etc. Mayor Dearing stated he would be asking for citizens recommendations.

Mayor Dearing stated that an Annexation Committee meeting needs to be set. Mr. Davenport stated that he needs to meet with the county first.

Executive Session

Councilwoman B. B. Horne moved, seconded by Councilman W. E. Printz and carried that council go into Executive Session for the purpose of discussion of the performance of a police officer and another town employee.

YEAS: F. A. Bennett, R. C. Davis, C. E. Dean, B. B. Horne, W. E. Printz, R. L. Snow

Motion carried (6-0)

Councilwoman B. B. Horne moved to go from Executive Session back into Regular Session and that each member, to the best of his knowledge, certifies that only public business matters lawfully exempted from an open meeting requirement under Chapter 21 of Title 2.1 of the Code of Virginia were heard, discussed or considered. The motion was duly seconded.

YEAS: F. A. Bennett, R. C. Davis, C. E. Dean, B. B. Horne, W. E. Printz, R. L. Snow

As there was no further business the meeting was adjourned.

MAYOR: M Lee Dearing
M. Lee Dearing, Mayor

RECORDER: Julia M. Smith
Julia M. Smith, Clerk