Regular Council Meeting
July 19, 1999
7:30 p.m.

The regular meeting of the Elkton Town Council was held July 19, 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, Kenneth Flick, Director of Public Works and Julia Smith, Treasurer/Clerk were also present.

Councilman Bennett offered the Invocation.

The Pledge of Allegiance was recited.

CITIZENS COMMENTS

Bill Holt - 508 Park Street - Mr. Holt stated that he has been in town more than 26 years. Mr. Holt commented that the first 15 years or so Elkton was a pariah. Mr. Holt stated that he remembers how embarrassing it was to go out of Elkton and talk to people and have them talk about what a bad place Elkton was. Mr. Holt stated then Main Street came along. Mr. Holt stated that everything good that happened can't be credited to Main Street but, a lot was accomplished because of it. Mr. Holt stated that the Main Street staff helped get the $300,000.00 ISTEA grant. Mr. Holt stated that after Main Street started people from other towns commented on how Elkton was starting to do good things. Mr. Holt stated that we are now back where we started from and are going downhill. Mr. Holt stated that he can't understand why the town council, private groups and Main Street can't be partners. Mr. Holt stated that the council has the responsibility to inform people of what is going on. Mr. Holt stated that he hopes the council will do what is good for Elkton and get rid of bad government.

Tim Haden - Mr. Haden stated that he and his wife are deeply concerned with the closing of EDRC in August. Mr. Haden stated that since EDRC meals tax and real estate taxes have increased McDonalds coming in and improvements to property. Mr. Haden suggested that Rockingham County increase their donation to EDRC as well. Mr. Haden asked that council reconsider their commitment to EDRC.

Lucky Sigafoose - Mr. Sigafoose presented council members with pictures he had taken of trees that the town destroyed when tree trimming was done. Mr. Sigafoose stated that the town should have professionals come in to trim trees. Mr. Sigafoose stated that the property the town purchased on Mt. Paran road needed to be cleaned up and that the property was snake infested..

Skip Stover - Mr. Stover stated that he had a water bill problem due to a leak. Mr. Stover stated that he received a letter from council stating that the matter was closed and that all procedures on the towns part were followed. Mr. Stover stated that he does not agree with the council's decision and would like to see this problem straightened out.

Mayor Dearing stated that he spoke with Kenny Flick and Gerald Monger on this issue. Mayor Dearing stated that Mr. Stover took ten months to repair his leak and that the town can't take responsibility for that. Mayor Dearing stated that the town offers a one time adjustment to customers with leaks and Mr. Stover was given an adjustment for one month. Mayor Dearing stated that he felt comfortable with the councils decision.

Hazel Crider - 114 Hillside - Ms. Crider stated that the Neighborhood Watch will be holding a National Night Out on Tuesday, August 3, at 7:00 P.M. until 10:00 P.M.. Ms. Crider stated that the Lam Brothers will be performing and refreshments will be served. Ms. Crider stated that the Neighborhood Watch would like the support of the Mayor and Council.

Mildred Shifflett - Ms. Shifflett stated that the town in going backwards. Ms. Shifflett stated that something is wrong when on a Saturday evening there is nobody in town, the town is completely dead. Ms. Shifflett stated that she rode all over town Saturday trying to find some form of life. Ms. Shifflett stated that we have run people away. Ms. Shifflett stated that Elkton has a bad reputation and she doesn't like to tell people she is from here. Ms. Shifflett stated that we need to get back to a family type of town where people help one another. Ms. Shifflett stated that we need to do something to get young people back in town.

Mr. Fedderhall - Mr. Fedderhall stated that six months ago he spoke out against the cruising ordinance. Mr. Fedderhall stated that he sees no one out anymore and that the council needs to start dealing with the real issues.

Wayne Printz - Mr. Printz stated that Saturday night there were road blocks set up coming into town. Mr. Printz asked "Where are we going?" Mr. Printz stated that his business died this weekend. Mr. Printz stated that council needs to get out here and talk to friends and neighbors. Mr. Printz stated that he was offended Saturday night when he had to go through the road block Mr. Printz stated that Autumn Days and EDRC functions are going to go away because the council is running people out of town. Mr. Printz stated that we need to build the town back up to what it was. Mr. Printz stated that we need to get the community together, talk to people and improve the lives of the citizens.

EDRC - ANNUAL REPORT

Marsha Deavers presented the annual report for EDRC. (Copy attached)

EDRC - FINAL REPORT

Connie Weyrick gave the final report on EDRC. Ms. Weyrick stated that EDRC will be closing its office the end of August 1999. Ms. Weyrick stated that in the interim three projects will be completed. The first project being the Summer Evenings, second the Map Brochure, and third the Walking Tour of Historic Elkton. Ms. Weyrick stated the EDRC was proud of their accomplishments.

Mayor Dearing stated that the budget process was started in February. Mayor Dearing stated that in reference to EDRC the town could choose not to do any capital projects or they could donate money. Mayor Dearing stated that if we did both we would have to raise taxes. Mayor Dearing stated that he did not believe in taking tax money to give it away. Mayor Dearing stated that when the budget was done a decision was made and we only had $18,000.00 to give.

Councilwoman B. B. Horne moved, seconded by Councilman W. E. Printz and carried to approve the minutes of the Regular Council meeting held June 21, 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 why road blocks were set up over the weekend. Chief Marshall stated they were set up to check for DUI, revoked license, etc. Councilman Printz stated that council should give guidance on when to do road blocks. Councilman Printz stated that the recent road block caused traffic congestion. Councilman Printz stated that he was stopped twice and he resents it.

Director of Public Works

Mr. Flick offered to answer questions on his report.
Mr. Flick stated that there is a contract to clean up the property on Mt. Paran Road. Mayor Dearing asked Mr. Flick for an update on the Washington Street drain project. Mr. Flick stated that this information was in his report. Mr. Flick stated that this week something would be started there. Mr. Flick stated that Mr. Monger is looking at grades for this project. Mr. Flick stated that the project would be started this week. Mayor Dearing stated that one year ago this drain was blocked and here again a year later it is blocked again. Mr. Flick stated that there is money in the budget for this project and the pipe is in stock. Councilman Snow stated that he thought part of the problem was debris getting into the line and what are we doing to prevent that. Mr. Flick stated that the grating on there now needs to be secured so they can't be taken off.

Treasurer

Councilman W. E. Printz moved, seconded by Councilman R. L. Snow and carried to approve the June 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)

Town Manager

Mr. Monger offered to answer questions on his monthly report.
Mr. Monger reported that we have advertised for bids on the ISTEA project for electric. Mr. Monger also presented a recording of events for ISTEA.
Councilman Printz noted that Mr. Monger has just returned from a serious operation and welcomed him back.

COMMITTEE REPORTS

Electric

Councilman Davis stated that there was nothing at this time.

Finance

Councilwoman Horne stated that there was nothing at this time.

Mayor Dearing noted that there will be $18,000.00 that will not be spent due to EDRC closing.

Personnel

Councilman Dean stated that he has nothing at this time.

Public Health & Safety

Mayor Dearing stated that we need to look at the grass mowing ordinances.

Streets and Sidewalks

Councilman Printz stated that he would like to see the Christmas tree trimmed.

Councilman Printz stated that an excellent job was done on Wirt Avenue on water drainage.

Water and Sewer

Councilman Bennett stated that we have replaced the motor at the spring and water levels are up at this time. Councilman Bennett stated that at this time we will not be addressing the Weston contract.

Cemetery

Mayor Dearing stated that there was nothing for the cemetery at this time. Mayor Dearing stated that the paving of the road at the cemetery is complete.

Recreation

Councilman Snow stated that a new gymnastics program began July 1 for ages 2 - 18.

NEW BUSINESS

CHRISTMAS TREE

Councilman W. E. Printz moved to have the tree cut back.

Motion failed due to lack of second.

Councilman C. E. Dean moved; second by R. C. Davis and carried to approve the cutting of the Christmas Tree and replacing the tree with a nice specimen.

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

NAYS: W. E. Printz

Motion carried (5-1)

Set Council Meeting Place, Date and Time

Councilwoman B. B. Horne moved, seconded by Councilman R. C. Davis and carried to set the regular Town Council meeting on the third Monday of each month at 7:30 P.M. in the Council Chambers in the Municipal Building.

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

Motion carried (6-0)

Setting of Rates - Tax Resolution

Councilwoman B. B. Horne moved, seconded by Councilman W. E. Printz and carried to approve the following Tax Resolution:

WHEREAS, the town of Elkton's 1999-2000 Budget does not include any tax rate increases, and

WHEREAS, Section 2-3-11 of the Elkton Town code declares that council shall annually fix the tax rates on all real and personal property, household property excluded, properly subject to taxation within and by the town.

NOW THEREFORE BE IT RESOLVED, that the Elkton Town Council sets the tax rates for the year 1999 at $.10 per $100.00 of assessed value for Real Estate and $.46 per $100.00 of assessed value for Personal Property.

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

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

Motion carried (6-0)

Section 8-1-1 and 8-1-2

Councilwoman Horne stated that Section 8-1-1 and 8-1-2 must be adopted annually in order to receive penalties and fines arising from convictions for violations of these laws within the corporate limits of the Town of Elkton.

Councilwoman B. B. Horne moved, seconded by R. L. Snow and carried to adopt Section 8-1-1 and 8-1-2. (Attached)

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

Motion carried (6-0)

Councilman F. A. Bennett moved, seconded by R. L. Snow and carried to have the Attorney General or his staff or an independent to give clarification as to the power of the Mayor as written in the Town Charter.

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

NAYS: **B. B. Horne**

Motion carried (5-1)

There was much discussion and debate over the motion and the council decided that the committee would decide whether the Attorney General or an independent would be approached for clarification.

Councilman Printz stated concern over the increased train traffic in town. Councilman Printz stated that he has received numerous complaints and would like to know if the town can address this issue.

Mayor Dearing set committee dates as follow:

Aug. 3, 1999 at 6:00 P.M. **Electric, water/sewer and streets/sidewalks**

Aug. 5, 1999 at 6:00 P.M. **Finance, personnel and public safety**

Closed Session

Councilwoman B. B. Horne moved, seconded by Councilman W. E. Printz and carried that council go into Closed Session for the purpose of discussion of possible litigation

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 Closed 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