**Regular Council Meeting**
**April 16, 2001**
**7:00 p.m.**

The regular meeting of the Elkton Town Council was held April 16, 2001 at 7:00 p.m. in the council chambers with the Mayor Millard L. Dearing presiding. The roll call was as follows:

PRESENT

B.B. Horne
C. H. Murphy
M. O'Neill
T. Pence
W. E. Printz
L. Sigafoose

Richard Stroemple, Town Manager, Burns Earle, Attorney, Richard Pullen, Chief of Police, Faye Vickers, Treasurer/Clerk were also present.

Mrs. Horne offered the Invocation.

The Pledge of Allegiance was recited.

Mayor Dearing stated effective this Council meeting, the Council will follow 37-7 written in 1908, which is part of the Town code book, it states that Roberts' Rules of Order will be instated. He further stated any issue has to be presented at Committee before going to Council. Each individual will speak one time on each issue. No question or discussion will last longer than fifteen minutes. Mayor Dearing stated effective April 16, 2001; he will remove himself from all committees, with the exception of Public Safety. Mayor Dearing will no longer call committee meetings; each chair will be responsible for scheduling their meetings. The chair must notify the Town Manager of the meeting. Chairperson will set the agenda and time for the meetings. The chairperson will also present to the Town Manager any issues to be placed on the agenda for discussion at the next Council meeting. Mayor Dearing also stated he will no longer participate in the meetings, he will only observe. Council members can attend to observe the meeting, but the Chairperson will determine who will participate in the discussion of issues. Mayor Dearing also stated that each citizen can speak for three minutes, as stated in the charter. After each citizen has spoken, the floor will be closed for public comments, there will be no further comments allowed, unless a Councilperson asked a citizen a direct question.

## CITIZENS COMMENTS

**Bill Acres**- 311 Virginia Ave, Shenandoah, - Mr. Acres requested that his hand out be placed in the official minutes. The document is attached as presented

**Mildred Shifflett** - 112 Spotswood Avenue - Ms. Shifflett reported that on Monday April 9th there was a crowd in front of the old Farm Bureau building, among them was a boy and girl fighting. She stated there were no police officers around, further stated they were probably on Route 33 writing speeding tickets. Ms. Shifflett feels the officers are needed in town to handle the problems that arise. Ms. Shifflett also reported she observed a boy driving on the wrong side of the road, almost colliding with their truck, the boy proceeded through a red light. Ms. Shifflett stated the cemetery looked terrible after it was mowed. She also stated that dogs are being allowed to run loose in the cemetery.

Mayor Dearing acknowledged the problem of dogs running loose. He also stated that posting a sign would probably not correct the problem.

**Hazel Crider**- Elkwood- Ms. Crider spoke about Neighborhood Watch, the group will be having a National Night Out, August 7th on a Tuesday evening. Ms. Crider also requested permission from the Council to close the street from McDonalds to the town building for this event. Ms. Crider commented that with the help of the police department, Neighborhood Watch has been having great presentations. Ms. Crider complimented Officer Conley for the informative programs he has presented. Mrs. Crider extended an invitation to the Mayor, the Council and citizens to attend the Neighborhood Watch meetings held the fourth Tuesday of each month at 7 P.M. Ms. Crider thanked Councilman Sigafoose for the flag and the flowers.

Mayor Dearing asked Councilman Sigafoose to thanks Mrs. Sigafoose for her help with the flowers

**Ruby Davis**- Speaking for Scott Plum on Rockingham St. concerning the dog issue. She stated that they have not heard the dog barking, but there were promises made that the issue would be solved and nothing has been done. Chief Pullen responded to Ms. Davis, that the Police Department did follow up with the Magistrates' office to pursue action, he had also informed her attorney. The Police Department was informed the case was given to the Commonwealth Attorney. Chief Pullen informed Ms. Davis when Officer Dean returned to work on Wednesday, he would follow through with the Commonwealth Attorney to obtain the summons.

**Carroll Campbell -** 334 W. Prospect Ave- Mr. Campbell inquired about the Committee meeting scheduled for Thursday, April 12th which was posted at the last Council meeting. He wanted to know why all of the Council was not in attendance.

Mayor Dearing informed Mr. Campbell the railroad issue was not under any committee. Mayor Dearing also stated he was not required to attend any meeting. Mayor Dearing stated the information collected at the meeting by Councilman Printz would be brought back to Council for discussion.

**B.W. Gooden** - 302 Morgan Ave.- Mr. Gooden addressed the Council, as an apartment owner, with his concerns about flat fees being added to each apartment. Mr. Gooden presented costs of connections to apartments in comparison to connections to a house. Mr. Gooden asked for more consideration of the facts before raising rates.

Mayor Dearing asked if any other citizen would like to speak, if not the public portion of the session would be closed.

**Minutes**

**Councilwoman C. Murphy moved, seconded by Councilman M. O'Neill and carried to approve the minutes of the Special Town Council Meeting held April 3, 2001.**

**YEAS: C. Murphy, M. O'Neill, T. Pence, W. Printz, B. Horne and L. Sigafoose.**

**The motion was carried (6-0)**

**Councilman W. Printz moved, seconded by Councilman T. Pence and carried to approve the minutes of the Regular Town Council Meeting held March 19, 2001.**

**YEAS: C. Murphy, M. O'Neill, T. Pence, W. Printz, B. Horne and L. Sigafoose.**

**The motion was carried (6-0)**

**Councilwoman C. Murphy moved, seconded by Councilman T. Pence and carried to approve the minutes of the Regular Town Council Meeting held April 10, 2001.**

**YEAS: C. Murphy, M. O'Neill, T. Pence, W. Printz, B. Horne and L. Sigafoose .**

**The motion was carried (6-0)**

**DEPARTMENT HEAD REPORTS**

**Chief of Police**

Mayor Dearing inquired of Chief Pullen about on going investigations. Chief Pullen responded that two recent investigations and several on going investigations are in progress.

**Director of Public Works**

Mayor Dearing reported that major improvement will be taking place on sidewalks. W. Printz will be meeting with the Town Manager on Tuesday, to discuss roads to be paved before June 30, 2001. Mayor requested estimates on projects already approved in budget for repairs.

**Treasurer**

**Councilwoman B. Horne moved, second by C. Murphy to approve the March, 2001 finance report as presented.**

**YEAS: C. Murphy, T. Pence, W. Printz, B. Horne, M. O'Neill and L. Sigafoose.**

**The motion was carried (6-0)**

**Town Manager**

Richard Stroemple stated he could not get a report ready because his computer had not been working for three weeks. Mr. Stroemple stated he was enjoying his job, and it was quite a challenge. Mr. Stroemple listed his priorities, he would like Town Council to offer comments on what their priorities for him would be. When he came on board he had this in his plate, the budget, annexation, fees charged by the city such as building permits, zoning and public works personnel to hire, and the Mary Kite property. Mr. Stroemple stated he had established a maintenance program for town vehicles. Electric department placed a light on Spotswood Avenue across from the Town Hall. Mr. Stroemple is establishing chain of command within the Police Department and resolving personnel issues. Only one officer will be in the Police station at a time. Maintenance schedules are in place on each vehicle. A ride along policy is being developed, the Town Manager suggest a qualified citizen patrol could be realized through a Neighborhood Watch. The Town Manger had discussed with Wayne Printz, the triangle plaza with the red and yellow blinking lights, of possibly placing yield sign there. Mr. Stroemple stated the current building permit application needs to be amended to reflect if property is in flood plain.

**COMMITTEE REPORTS**

**Electric**

Councilman Sigafoose had no report at this time
Mayor Dearing reported that the pole at Lawson's Garage would be done this weekend.

**Finance**

Councilwoman Horne reported the budget was still in the works. Ms. Horne questioned Mr. Stroemple for a time frame for budget completion. Mr. Stroemple would schedule a meeting as soon as the Treasurers' offices gets caught up, to set a plan for completion by next week.

Mayor Dearing stated he was giving the copies of the contract with Norfolk and Southern railroad to B. Horne and W. Printz and he would no longer be involved in that issue, the finance committee will handle this issue with the Town Council.

**Personnel**

Councilwoman Murphy had no report at this time.

**Public Health & Safety**

Mayor Dearing stated that on Monday April 16, 2001, new decals are due to be placed on vehicles. The Police department will enforce this with citations to violators. Mayor Dearing also stated that Riverside Park is not being opened or closed on schedule. C. Murphy stated she had received calls of complaints that the park was not being opened until late morning, and not being closed on time, this is causing problems. C. Murphy further stated the citizens requests the lights be left on for safety issues. The Police Department is now responsible for opening and closing the park. Mayor Dearing stated May 19, 2001 would be set-aside for a yard sale for the Town of Elkton. Mayor Dearing also stated that the Town provides a service to pick up large items by calling 298-1330, the item will be picked up free of charge. Fines will be put in place for anyone throwing out bulk items. L. Sigafoose inquired about the junk ordinance. Mayor Dearing replied the Chief of Police would be taking care of the junk ordinance when the Council decides what is junk

**Streets and Sidewalks**

Councilman Printz stated the most important item he has is the streetlights on Stuart. He has met with the state several times, trying to get the lights back as they were. The state has the power to say yes or no on this issue. Warren Street would be fixed with Council approval as well as the street in front of The Movie House. Councilman Printz reported other projects under consideration. The Eddie Cave property needs improvements. Mr. Cave is willing to work with us on this project. The Town owns one side the State owns

one side and Mr. Cave owns the middle, everything has to meet with every ones approval. Councilman Printz further stated, the alley behind the car wash is actually a water flow area that needs to be worked on. He also stated the paving at the railroad needs to be fixed. The Rockingham St project is still in the works, tentatively he will speak with the state and try to get it moved and will be discussed in committee. A new sidewalk was put in front of Ciros'; a few things need to be fixed. Councilman Printz will develop a full comprehensive plan on sidewalks again. Downtown parking is also an issue, but if the Warren St. project is completed, approximately fifteen new parking places will be created. Mayor Dearing stated that VDOT should be held responsible for fixing the problems at areas that belong to them. The Town should not use our manpower or money to fix these problems.

**Water and Sewer**

Councilman O'Neill had nothing to report at this time.

**Recreation**

Councilman Pence had nothing to report at this time.

**Planning Commission**

Councilman O'Neill reported that the Planning Commission did not meet.

**OLD BUSINESS**

Mayor Dearing stated the old Council had budgeted $4000 to do a model water study, put everything in a computer. Blackwell has estimated $3750 for the study. The Mayor will proceed with this contract.
Mayor Dearing also stated Rockingham County wants Elkton to annex Chicken Hill. Elkton would consider the annexation only if the County will fund the engineer study of the water and sewer system to come up a cost for the annexation. The study would cost $10,000; Rockingham would fund one half if the Town Council under Economic Development would fund the other half. The Town is not interested in taking that section unless there is funding. Mayor Dearing stated he would like annexation to happen by July 1, 2001. Mayor Dearing asked Councilwoman Horne to take this back to committee.

**NEW BUSINESS**

**WATER AND SEWER**

**Councilman M. O'Neill moved, second Councilwoman C. Murphy carried to approve, effective July 1, 2001, the monthly base residential fees for water and sewer service to apartments be charged for each apartment unit and billed to the owner of the apartment in lieu of the per meter fee currently in effect.**

**YEAS: L. Sigafoose, M. O'Neill, B. Horne, C. Murphy, T. Pence.**

**NEAS: W. Printz**

**Motion carried (5-1)**

**PERSONNEL**

**Councilwoman C. Murphy moved, second T. Pence carried to amend Public Works foreman pay grade from pay grade 11 to pay grade 10.**

**YEAS: M. O'Neill, B. Horne, C. Murphy, W. Printz, T. Pence.**

**NEAS: L. Sigafoose**

**Motion carried (5-1)**

**Councilman C. Murphy moved, second W. Printz carried to amend pay grade of Zoning and Planning Administrator from 12 to pay grade 11.**

**YEAS: L. Sigafoose, M. O'Neill, B. Horne, C. Murphy, W. Printz, T. Pence.**

**Motion carried (6-0)**

**Councilwoman C. Murphy moved, second Councilwoman B. Horne carried to approve Personnel Policy 7 –Smoking Regulations as presented, making the Town building a non- smoking facility.**
**Motion and second were withdrawn for modifications.**

**Councilman W. Printz moved, second M. O'Neill carried to approve May 1, 2001 to May 31, 2001, clean up month.**

**YEAS: L. Sigafoose, M. O'Neill, B. Horne, C. Murphy, W. Printz, T. Pence.**

**Motion carried (6-0)**

**Councilman M. O'Neill moved, second W. Printz carried to approve to modify the Vapor light charge to be assessed monthly instead of annually.**

**YEAS: L. Sigafoose, M. O'Neill, B. Horne, C. Murphy, W. Printz, T. Pence.**

**Motion carried (6-0)**

**Councilman L. Sigafoose moved, second T. Pence carried to approve the closing of Rockingham St. for the Neighborhood Watch National Night Out on August 7, 2001.**

**YEAS: L. Sigafoose, M. O'Neill, B. Horne, C. Murphy, W. Printz, T. Pence.**

**Motion carried (6-0)**

Burns Earl, Attorney elaborated on several issues the town asked him to look into.

Mr. Earl stated Elkton had questions concerning money obtained from forfeited drug assets. Mr. Earl stated Chapter 22 of the Code of Virginia is the forfeited drug cases, has a procedure to be followed. Elkton would have to follow these procedures.

Mr. Earl said he was asked if the Town of Elkton was required to advertise positions to promote employees. Mr. Earl stated there is nothing in the State of Virginia requiring the Town to advertise a position that is to be filled with an existing employee, however, Article 3 section 3.1 of the Town Employee Handbook, states the Town Manager is required to advertise the vacancies for a period of two weeks.

Mr. Earl was asked to look at the Adelphia contract. According to paragraph 21 of the contract, if the citizens and the Town feel Adelphia was not maintaining its' provisions of the contract, the Town of Elkton must give written notice to Adephia. Adelphia then has sixty days to correct these infractions.
Councilman Printz stated that the Adelphia contract is not an exclusive contract.
Mayor Dearing stated he would contact Adelphia to arrange a meeting.

**RECREATION**

Councilman T. Pence questioned the amount of money sent to the Recreation Department, by Rockingham County.
Councilman T. Pence also questioned where $1000 of paint was used. He also questioned painting the Little League fences.
Mayor Dearing stated the list reflects donations received by the Recreation Department.

Councilman M. O'Neill asked Mr. Earl who was handling the Code Book publication. Mr. Earls' office is overseeing the Code Book. He will check on the progress.

Councilman W. Printz asked Mr. Earl if the radio tower in the middle of Town could be moved. Councilman W. Printz also stated he doesn't think the tower should be that close to the Elementary School. Councilman W. Printz questioned if the Town could charge for revenue being generated through the tower.

Mayor Dearing stated the Advisor Committee submitted recommendations that are in the packets. The committee requested help from the Police Department to get buses out on Stuart Ave.
Mayor Dearing asked the Town Manager and Chief of Police to follow up on putting a phone on the outside of the Town building that will ring directly into the County of Rockingham.
Mayor Dearing stated the policy on inverted speed bumps will be changed; the Town is equipped and will be fixing the speed bumps.

Mayor Dearing also stated the Police Department will be enforcing the two hour parking down town.
Mayor Dearing stated there is a recommendation for getting a handbook published for citizens. Mayor Dearing is trying to find businesses and citizens that may help pay for publishing a handbook.
Mayor Dearing would also like for the Council to consider the Ms. Kite property. Mayor Dearing will give the contract to Finance to bring back to committee.
Mayor Dearing also stated he would like to renovate the Conrad Store building, the first building in the Town of Elkton, he further stated the Town needs to save that building. Mayor Dearing asked the Council to consider making an offer on the building. Councilman W. Printz stated he would speak with Mrs. Miller about the possibility of donating the property.

As there was no further business the meeting was adjourned.

**MAYOR:** M Lee D
**M. Lee Dearing, Mayor**

**RECORDER:** Faye H. Vickers
**Faye H. Vickers, Clerk**