Public Hearing
July 18, 2005

A public hearing was held on July 18, 2005 in Council Chambers. Mayor Printz stated the purpose of the public hearing was to receive comments on the purchase of the Taylor property. The following Council members were present:

PRESENT
J. Dean
C. McDaniel
T. Pence
S. Sigafoose
R. Snow

ABSENT
P. Workman

Town Attorney J. Burns Earle, III, Town Manager Dennis R. Donachy, Director of Public Works Marty Shifflett, Treasurer Clairen Sipe, Chief of Police Richard Pullen, and Clerk of Council Richard Carey were also present.

Cathy Murphy, 110 North Stuart Avenue, had the following comments and questions:

1. Is tonight's vote to purchase or obtain a first option for the Taylor property?

Mayor Printz answered the request was to purchase the property. Council will have the right to vote a first option if that is their pleasure.

2. Will this purchase result in an exchange of Kite property for Wrangler property? (Angler development).

The reply was, "Yes."

3. Does the Angler contract guarantee that if the Town purchases the Taylor property Angler will exchange for the property the Town wants at the Wrangler building?

Mayor Printz replied, "When all the legal things are out there, guarantee is a real tough word." However, there is language in the contact "regarding this issue and that is the agreement that would be had if we took that property. If we bought that property, there would be an exchange."

4. Section 3B states the owner will receive $5,000.00 for each building lot that is sold. If the property is transferred to Angler, who will pay Mr. Taylor?

Mayor Printz said currently the contract is between Mr. Taylor and the Town of Elkton, thereby putting that payment with the Town. As Council will meet with angler representatives in closed session later tonight, Mayor Printz suggested terms could change.

5. Is this purchase budgeted in the 05-06 budget? If not, how will it be paid?

Mayor Printz answered, "No, it is not and I don't know what fund it would come from."

"If not, how can you vote it tonight without two readings on appropriations?" According to Ms. Murphy, that would require another public hearing on budget appropriations.

Mr. Donachy stated, "It doesn't have to be two public hearings, it just has to have two readings. This constitutes the public hearing on this matter."

Ms. Murphy challenged that statement by saying, "This public hearing is to purchase Town property. This public hearing has nothing to do, it is not advertised to do with reappropriation of the budget."

6. Why is it not possible for Angler to buy the Taylor property and deduct it from the sale of the Kite property? Further, if Angler, for whatever reason should decline the Kite property purchase, then the Taylor purchase should not proceed.

Paying more than $1,500.00 an acre for property in a flood plane was "ridiculous," according to Caroline Brill of Elkwood. She totally objected to the purchase.

Lee Dearing, 124 North Street, observed that the Town is eighteen days into the 05-06 budget and $150,000.00 was not allocated for the Taylor purchase. He failed to understand the "master plan" because "you are scaring the hell out of the citizens who have an income of $20,000.00 a year." Mr. Dearing calculated if the Angler deal was finalized the money was already gone to pay debt. More to his liking was for Council to table the Taylor purchase and pursue a first option for the property.

Mayor Printz responded that Council "is acting on a proposal." Council could agree to favor a first option, depending on finances. Hopefully, more will be know and the picture will be clearer following tonight's discussion with Angler.

For clarification, Mr. Donachy reminded everyone that the First Reading for the purchase occurred on June 14, 2005. "Since it was part of the contract, so we thought, Council thought, we could bring it up and vote to purchase the property. At that meeting it was brought up that we hadn't had a public hearing. So, this actually is the Second Reading on the Taylor property."

Mary Hutton, 515 Chestnut, stated she was "one of those citizens who was totally in the dark." She did not even know where this property was located. She added that just because someone offered to sell, the Town was not obligated to buy.

Madelyn Dixon, 214 Ashby Avenue, believed Angler should "deal with the Taylors."

Hazel Crider, Elkwood, asked the terms of sale. Mayor Printz stated a purchase price of $150,000.00, plus $5,000.00 for each building lot sold, and whatever it would cost for water and sewer. She wanted to know why there was no public hearing before the First Reading. Aware of the Town's financial situation, she asked why Anger should not buy the Taylor acreage. She said, "This public hearing is a joke." Either follow procedure, or not at all, was her opinion. This was not a well-planned move by Council.

As the comments ended, Mayor Printz closed the public hearing at 7:00 P.M.

Mayor:_____
Wayne E. Printz, Mayor

Recorder: Richard D. Carey
Richard D. Carey, Clerk