Public Hearing
January 17, 2005
Charter Revisions

A Public Hearing to receive comments on the proposed Charter revisions was held on January 17, 2005 in Council Chambers, with Mayor Wayne E. Printz presiding. The following Council members were present:

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

Town Manager Dennis R. Donachy, Chief of Police Richard Pullen, and Clerk of Council Richard Carey were also present.

Lee Dearing, 124 North Street, said all attempts to simplify the Charter had failed because a single document now required three documents to interpret the meaning. Instead of eliminating the "controversy" from the Charter, "additional controversies had been created." Referring to the Minutes of December 28, 2004 where reference was made to a "nutty" Mayor or "out of control Council members," Mr. Dearing stated, "The people elected that nutty Mayor, so they must have wanted a nutty Mayor." From his experience as Mayor, he did not understand how the Mayor or Council could not be involved in the day-to-day operations of the Town. Land development, including a golf course, revision of personnel policies, and several other topics "on the plate" were not as urgent as the "most important thing you are working on," referring to the Charter. He believed Council did not comprehend all the changes and asked the Charter revisions be tabled.

Mayor Printz read the following statement:

Dear Members of Our Community and the Town Council:

I have been in discussion this week with a number of our residents regarding a host of many different issues. We are in a period of many changes that are driven from many directions. Economic development, legal revisions with our Charter, Town Code, Employee Handbook, the hiring of a Town Manager, annexation, protecting our residents while not infringing on the free movement of our citizens, the sale of the Kite property - devoting the proper time to achieve the proper conclusions to these issues and others is sometimes a super-human task.

Before going into the unknown, thereby letting go of what we know, we should be comfortable of our direction. Our citizens deserve no less from us. I learned by reviewing Virginia State Code on the Internet that 10 volumes comprise that Code. I am not naive enough to believe we must know all of this new Charter when referring to State Code, but I do believe we should have a much better idea than we do. The balance of oversight and power needs to be closely scrutinized, specifically in the area of the police department. I think we should study the Charter so as to make a more quality decision for our citizens.

Margaretta Isom, 434 Wirt Avenue, complimented Council on their hard work, but encouraged them to take additional time with this issue.

Hazel Crider, 114 Hillside, appreciated the time Council has devoted to the Charter, but questioned the need to "hurry." She proposed delaying action for a year until the changes were better explained to and understood by the citizens.

Mildred Shifflett, 112 West Spotswood Avenue, asked, "Why bother to have an election to elect a Mayor if you take all the power away from him?"

Council member Pence believed that the candidate in an election who received the most

votes should be Mayor.

Vice Mayor Snow admitted he did not understand all the proposed changes. What was clear to him was the desire to "simplify" the Charter and was agreeable to "taking the time to do that." There are steps that could be taken now and should be taken now; move the election from May to November, boundary line changes, and define the Mayor's role. Speaking of the day-to-day operations, Vice Mayor Snow stated, "It doesn't make sense, if you think about it. You're electing seven people and one of them is called the Mayor. It doesn't make any sense to elect six that have no power and one that has all the power. So what we do is elect six who have the power and one that is the ceremonial head of the Town. That makes sense."

Council member Dean agreed there were some changes that could be made now, but Council could delay action on others. "In order to calm the citizens down," he wanted a burial place for the dead returned to the Charter. He will not support a Charter that does not contain that section, even though State Code makes such a section "obsolete."

Council member McDaniel learned from the work session with Attorney Miller that Elkton must update the Charter to comply with State Code. He named the powers of the Mayor and the Cemetery as the two areas of greatest concern. He was unsure if another work session would further clarify anything for him. "Summing up where I am, I, too, would agree to extract out what it is that makes us uncomfortable and approve what we are comfortable with," stated Council member McDaniel.

Council member Sigafoose recognized so many different opinions and asked for a year's delay to give everyone a chance to come together and make all the changes at one time.

Vice Mayor Snow did not want Council to impose a time limit on themselves. Council should take enough time to feel comfortable with what they send to the General Assembly.

Cathy Murphy, 110 North Stuart Avenue, agreed that the election change, the boundary lines, and a "few other things" were clear-cut and could be forwarded to the Legislature, but concurred with Council member Sigafoose that other revisions should be tabled until the "administrative code" is also revised and available.

Hearing no additional comments, Mayor Printz closed the Public Hearing at 6:32 P.M.

Mayor: _____
Wayne E. Printz, Mayor

Recorder: _____
Richard D. Carey, Clerk