Regular
Council Meeting
December 21, 2009

The regular meeting of the Elkton Town Council was held on December 21, 2009, in the Council Chambers at the Elkton Area Community Center located at 20593 Blue & Gold Drive, Elkton, Virginia. Mayor Bompiani was absent from the meeting. Therefore, Vice Mayor Dearing presided. The following Council members and staff were present:

PRESENT	ABSENT
M. Dearing, Vice Mayor	L. Bompiani, Mayor
M. Isom, Council Member	
H. Armbruster, Council Member	
D. Kite, Council Member	
P. Workman, Council Member	
R. Snow, Council Member	

PRESENT	ABSENT
Reid A. Wodicka, Town Manager	Timmy Turner, Public Works Director
Lauri A. N. Sigler, Town Attorney	
Kevin Whitfield, Chief of Police	
Clairen Sipe, Town Treasurer	
Allison Morris, EACC Administrator	
Diane Johnson, Recreation Director	
Denise R. Monger, Clerk of Council	

Vice Mayor Dearing called the meeting to order and the clerk was asked to call the roll.

Council member Kite gave the Invocation.

All present were asked to join in the Pledge of Allegiance.

CITIZEN COMMENTS

Mildred Shifflett, 112 West Spotswood Avenue, questioned what the Town's intentions were regarding the large amounts of snow that remained. She noted that after a significant snow storm in 1996, large trucks were used to remove snow from the Town. She noted the slippery and dangerous conditions for the citizens, especially the elderly.

MINUTES

Motion to Approve Consent Agenda

Council member Snow moved, seconded by Council member Workman, and carried to approve the consent agenda as presented.

1. November 10, 2009 Special Council Meeting
2. November 10, 2009 Council Work Session
3. November 16, 2009 Regular Council Meeting

YEAS: M. Isom, H. Armbruster, D. Kite, P. Workman, and R. Snow

NAYS: None

VOTE: (5 – 0 roll call) Motion carried

TOWN MANAGER'S REPORT

Mr. Wodicka spoke regarding the following:

- Bids for wastewater treatment plant to be advertised first week of January.
- Thanked Town staff for commitment over the weekend to clear roads.
- 2 new interns to begin working with the Town on January 11, 2010.

TREASURER'S REPORT

Treasurer Sipe reported an ending ledger balance of $93,593.15 for General Government for the month of November 2009. Total designated money was $29,260.41, leaving total available cash of $64,332.74.

Council member Kite moved, seconded by Council member Armbruster, and carried to accept the Treasurer's report as presented.

YEAS: M. Isom, H. Armbruster, D. Kite, P. Workman, and R. Snow

NAYS: None

VOTE: (5 – 0 roll call) Motion carried

COMMUNITY CENTER ADMINISTRATOR'S REPORT

Administrator Morris spoke regarding the following:

- 26 new members in December.

CHIEF OF POLICE REPORT

Chief Whitfield stated the department answered 235 calls for the month. He briefly discussed the process by which the department assisted the U.S. Marshall's office regarding the capture of 3 fugitives in the area.

NEW BUSINESS

Amended Budget

Council member Snow moved, seconded by Council member Workman, and carried that Council approve the amended budget for FY 2009/2010 as presented.

YEAS: M. Isom, H. Armbruster, D. Kite, P. Workman, and R. Snow

NAYS: None

VOTE: (5 – 0 roll call) Motion carried

Appropriation Ordinance – First Reading

Vice Mayor Dearing stated that the above-referenced motion regarding the amended budget for FY 2009/2010 was to serve as a First Reading.

Council member Snow moved on a First Reading of the Amendment to the Annual Appropriation Ordinance as follows:

**AMENDMENT TO THE ANNUAL APPROPRIATION ORDINANCE
OF THE TOWN OF ELKTON, VIRGINIA
FOR THE FISCAL YEAR
BEGINNING JULY 1, 2009 AND ENDING JUNE 30, 2010,
APPROPRIATING FUNDS FOR PUBLIC PURPOSES FOR SAID FISCAL YEAR;**

that such conflict exists. However, all ordinances not in conflict with this ordinance shall continue in effect, specifically; all ordinances of the Town of Elkton, Virginia relating to taxes,

NAYS: None

VOTE: (5 – 0 roll call) Motion carried

Ordinance Amendments to the Elkton Town Code for Section 110-610; 110-611 and 110-613 for Permitted Uses – First Reading

Council member Isom moved on a First Reading as follows:

Amendment to the Elkton Town Code
As approved by the Planning Commission December 3, 2009
First Reading December 21, 2009

110-610. Downtown Business District B-1

§110-611. General Business District B-2

§110-613. Light Industrial M-1

The following is to be added as a Permitted Use in the above-referenced sections:

B. Permitted uses.

(___) Single-family detached dwelling, provided that the single-family detached dwelling is existing and otherwise conforms with all other requirements in Chapter 110 as of the date of the adoption of this ordinance and there shall be no more than one single-family detached dwelling per lot.

Ordinance Amendment to the Elkton Town Code for Section 110-606 to add Permitted Use – First Reading

Council member Isom moved on a First Reading as follows:

Amendment to the Elkton Town Code
As approved by the Planning Commission December 3, 2009
First Reading December 21, 2009

§110-606. Residential District R-4

The following is to be added as a Permitted Use under subsection B:

(___) Single-family attached dwellings, provided that no more than two dwelling units shall be permitted in each single-family attached dwelling.

Ordinance Amendment to the Elkton Town Code for Section 110-910 for Lot Line Revisions and Vacations – First Reading

Council member Isom moved on a First Reading as follows:

Amendments to the Elkton Town Code
Amending Section 910 to Chapter 110, Land Development,
Article IX, Subdivision Regulations
As approved by the Planning Commission June 2, 2009
First Reading December 21, 2009

§ 110-910 Lot Line Revisions and Vacations

A. A lot line on an existing parcel may be revised or vacated if the revision or vacation will not be in conflict with any provisions of this chapter.

B. **Vacations.** The property owner or proprietor of a tract of land in Elkton shall file a plat meeting the requirements of § 910-908. ~~The Planning Commission shall review the proposed revision and make recommendations to Town Council. Council consideration will follow the process outlined in § 110-909.~~ The Zoning Administrator shall review requests for lot line vacations for compliance with this chapter and shall approve the plat if he/she finds all to be in compliance with provisions of this chapter.

C. **Revisions.** The property owner or proprietor of a tract of land in Elkton shall file a plat meeting the requirements of § 910-908. The Planning Commission shall review the proposed revision and make recommendations to Town Council. Council consideration will follow the process outlined in § 110-909.

Park Authority and Industrial Development Authority

Council member Snow stated that Council had decided to re-activate the Elkton Park Authority and the Elkton Industrial Development Authority. He noted that new members would be appointed to both authorities. He noted the purpose of both authorities would be to create revenue for the Town from the Kite property.

COMMITTEES

Electric

No report.

Finance

Mr. Wodicka spoke of "optimal efficiency" regarding operations for the generator. Council member Snow added that the generator was saving the Town on average $15,000.00 per month. It was noted that weather conditions were also a factor in figuring the averages.

Personnel

No report.

Public Health, Safety, Ordinances

Council member Armbruster stated that the committee would be reviewing the proposed noise ordinance.

Streets and Sidewalks

Council member Workman stated that the Public Works Department was in the process of creating a work list for streets and sidewalks.

Water & Sewer

No report.

Economic & Community Development

Council member Workman stated a report would be forthcoming from students at JMU that would advise of "action items" the Town could review and adopt.

Mr. Wodicka briefly spoke regarding a major I & I leak found downtown recently.

Community Center

No report.

Recreation

It was determined that 230 boys had signed up for basketball.

Diane Johnson, on behalf of the Recreation Commission, thanked Council member Kite for the dinner he hosted for them.

Planning Commission

Council member Isom stated that the regular Planning Commission meeting would be canceled and rescheduled to take place after the Joint Public Hearing on January 12, 2010.

Cemetery

No report.

Advisory

Council member Kite read the following recommendations, suggestions and comments for consideration by the Town Council:

1. If it is raining or snowing, especially at night, and you attempt to turn from Route 33 going east onto Old Route 33 going east, it is very difficult to see exactly where to turn. We suggest the State be requested to place reflectors on posts to help in knowing where to turn.

2. We recognize the Council will never be able to satisfy some disgruntled citizens. And although the situation has improved, we suggest efforts be made to keep bad publicity out of the public domain as much as possible.

3. Stonewall Park is one of our Town's greatest assets. As such, we feel it should be better maintained.

4. We recommend that any person or persons apprehended in the act of vandalism be prosecuted to the full-extent of the law.

UNFINISHED BUSINESS

No unfinished business.

TOWN ATTORNEY/REPORT/ACTION NEEDED

Town Attorney Sigler stated that a public hearing would be held on January 12, 2010 regarding the zoning amendments and rezoning.

MAYOR'S BUSINESS

Mayor Bompiani was absent from the meeting.

Vice Mayor Dearing wished everyone a Merry Christmas and Happy Holidays.

A brief discussion took place regarding the Town honoring the upcoming holidays in January. It was determined that the Town offices would not be closed on the holidays in January and the regular Council meeting would be held as scheduled on January 18, 2010.

As there was no additional business, **Council member Kite moved, seconded by Council member Workman and carried to adjourn the meeting.**

YEAS: M. Isom, H. Armbruster, D. Kite, P. Workman, and R.

NAYS: None

VOTE: (5 – 0 roll call) Motion carried

Mayor: Larry A. Bompiani
Larry A. Bompiani

Recorder: Denise R. Monger
Denise R. Monger, Clerk

APPENDIX A

AGENDA
ELKTON TOWN COUNCIL
December 21, 2009

- ❑ **ROLL CALL**
- ❑ **INVOCATION**
- ❑ **CITIZEN COMMENTS, QUESTIONS, REQUESTS, AND PRESENTATIONS**
- ❑ **CONSENT AGENDA**
- ❑ **TOWN MANAGER'S REPORT**
- ❑ **TREASURER'S REPORT**
- ❑ **COMMUNITY CENTER ADMINISTRATOR'S REPORT**
- ❑ **CHIEF OF POLICE'S REPORT**
- ❑ **NEW BUSINESS**
  1. Amended Budget
  2. Redivision of 18,688 Square Feet for William M. Dean, Jr. and Jackie R. Dean
  3. Division of Lot 2, Block 7 of the Plat for Charles W. and Catherine B. Harnsberger Lands
  4. Appoint Police Officer
  5. Adopt Lease of Real Property Between the Town of Elkton and Valley Program for Aging Services
  6. Ordinance Amendments to the Elkton Town Code for Section 110-610; 110-611 and 110-613 for Permitted Uses – First Reading
  7. Ordinance Amendment to the Elkton Town Code for Section 110-606 to add Permitted Use – First Reading
  8. Ordinance Amendment to the Elkton Town Code for Section 110-910 for Lot Line Revisions and Vacations – First Reading
  9. Park Authority and Industrial Development Authority
- ❑ **COMMITTEE REPORTS**
  - Electric
  - Finance
  - Personnel
  - Public Health, Public Safety, Ordinances
  - Streets and Sidewalks
  - Water and Sewer
  - Economic & Community Development
  - Community Center
  - Recreation
  - Planning Commission
  - Cemetery
  - Advisory
- ❑ **UNFINISHED BUSINESS**
- ❑ **TOWN ATTORNEYS/REPORT/ACTION NEEDED**
- ❑ **MAYOR'S BUSINESS**
- ❑ **CLOSED SESSION**
- ❑ **ADJOURNMENT**