REGULAR
COUNCIL MEETING
November 21, 1994

The regular meeting of the Elkton Town Council was held Monday, November 21, 1994 at 7:30 p.m. in the council chambers with the Mayor Charles E. Dean presiding. The following council members were present:

PRESENT
F. A. Bennett
D. H. Dail
M. B. Fuller
W. E. Printz
R. L. Snow
T. R. Whitfield, III

Ted Costin, Town Manager, Dale Davenport, Attorney, Betty Engle, Asst. Clerk, Gerald Monger, Superintendent, and Warren Pence, Chief of Police were also present.

VISITORS

Casey Billhimer, representing EDRC, asked that the town close portions of Gibbons Avenue and Spotswood Trail to traffic during the Home Town Christmas celebration for horse drawn buggy rides.

Carl and Vicky Dovel were present in regards to obtaining sewer to a lot in Monger subdivision. Councilmen Bennett presented the information regarding this request. He reported that his committee has met, discussed the hookup and recommended allowing the connection.

Mel Kirkendall was present in reference to his request to close the Ore Wash Road.

Wayne Printz spoke as a business person regarding his car wash on Wirt Avenue. He feels that he has been attacked publicly. He stated that he has owned this business for ten years, has been involved in community activities such as sponsoring teams in recreation and has supported the town through revenues to the town in the form of electric, water, sewer and taxes. He feels he deserves some consideration and pointed out that he is proud of his business and the community.

MINUTES

Councilwoman Fuller moved, seconded by Councilman Whitfield and carried to approve the minutes of the Regular Meeting October 24, 1994 as presented.

DEPARTMENT HEAD REPORTS

Chief of Police

Chief Pence presented the police report for the month of October. He called attention to the increased number of tickets issued due to the seat belt and child safety seat law. He pointed out that the overtime for this was covered by grant funds obtained through the Division of Motor Vehicles.

Town Superintendent

Gerald Monger presented a written report to council. He reported that the Valley Heritage did not want to participate in sharing expenses on a new sidewalk until at least spring. Council will need to make a decision as to whether they want to do the job. He requested that Councilman Printz set up a meeting regarding Urban Street funds before January. Mr. Monger reported that according to the figures he got from Joe Shifflett, the cost of the substation was approximately $61,075

. Mr. Monger reported on a subdivision request from Garland Davis. The Planning Commission has approved this request and he would appreciate action being taken tonight. Mr. Monger reported that they will be advertising a Public Hearing this Thursday for Mr. Ditman Flory's zoning change request. The hearing will be set for December 12, 1994 at 7:00 p.m. THe Planning Commission recommended initiating the zoning change to B1.

Treasurer

Norma Leap reported that the treasurer's office will have extended office hours on December 5, 1994 to accomodate the town residents who are unable to pay their tax tickets during the regular office hours. The office will be open that day from 8:00 a.m. to 7:00 p.m.

The only date Mrs. Leap has been able to obtain for the Christmas Party is December 11th., which is a Sunday, at the Elkton Fire Hall Activities Building. She has temporarily confirmed this date, but was told they could not confirm with her until they have a board meeting Tuesday, November 22th. This will not be definite until Wednesday morning.

Mrs. Leap has also checked on dates at Pano's in Harrisonburg. The only date they have left is December 7th. which is a Wednesday night. This is not confirmed so if we plan to go there, we should let them know tomorrow morning.

Mrs. Leap will be moving from her present office on Tuesday, November 22, 1994. Her office will be located in the little office on the second floor which faces the parking lot. Mrs. Engle and Mrs. Waybright will stay where they are presently located.

After some discussion as to the Town Christmas Party, it was decided that since the date of the Fire Department had to be brought before the Board before being confirmed, the fact that time is running out and as there is not a restaurant in town that could accomodate as large a group as the town will have, that we go to Pano's in Harrisonburg.

Councilman Snow moved, seconded by Councilman Printz and carried that due to the above reasons that the party be held at Pano's on Wednesday, December 7, 1994.

Council also decided that this year they would invite all the commissions of the town to the Christmas Party. These people give their time to serve the community in this capacity.

Councilman Snow moved, seconded by Councilman Bennett and carried to approve the Treasurer's report for October as presented.

Town Managers Report

Ted Costin presented a written report to council. He mentioned the rearrangement of the Treasurer's Office space and stated he feels one of the biggest advantages will be privacy for the Treasurer. He briefly explained the application for residents that would like to serve on boards or commissions. He recommended a new purchasing policy for council approval and presented a set of hearing procedures. Mr. Costin reported that he has met with adjacent land owners concerning the Erosion Control Project and they have graciously signed and acknowledged that the town will be pursuing this permit and do not have any objections. It will take from 60 to 90 days to process the application and hopefully when weather permits and the water level is right for work everything will be ready to proceed.

Councilman Snow asked if the County had been contacted regarding help on this project. He was told they had been and the only thing they had committed to so far was not raising the present landfill fee.

Committee Reports

Councilman Bennett reported on the progress on installing new water meters. Out of about 25% of the meters installed 10% are touch and read. The target date to have them on line is 1996. He stated they will get with the water committee, Mr. Costin, Mr. Monger and Mr. Shifflett on the 50% of installed meters before purchasing the software and hardware.

It was stated that meter reading was taking about a week and this would cut it down to about two days. It will also cut down on mistakes and save valuable time. They suggested hiring part time help to free people for other work.

Councilwoman Fuller asked that the Ordinance Committee review the Peddlers License Ordinance.

NEW BUSINESS

Councilman Printz moved, seconded by Councilwoman Fuller and carried to allow Mr. & Mrs. Dovel to tie into the town sewer lines.

Councilman Dail moved, seconded by Councilwoman Fuller that council accept the Planning Commission's recommendation that would approve the application for a subdivision for the property of Garland Davis. The vote was recorded as follows:

YEAS: F. A. Bennett, D. H. Dail, M. B. Fuller, W. E. Printz, R. L. Snow and T. R. Whitfield III

Mayor Dean announced that there would be a brief pause in the meeting for visitors to leave if they wished to do so.

Councilman Printz moved, seconded by Councilman Snow and carried to block off Spotswood Trail and Gibbons Avenue on December 1, 1994 for the Home Town Christmas festivities. This will be under the supervision of Chief Pence.

Councilman Bennett suggested that residents and businesses involved be notified of these street closings.

Councilman Printz moved, seconded by Councilwoman Fuller and carried that the town accept the Personnel Committee's recommendation to provide a 3% increase to current and future retirees.

Councilwoman Fuller moved, seconded by Councilman Printz and carried to pay $242.04 of the expenses for Mrs. Leap to attend a Regional Clerks Meeting in Cape May, N.J. Mrs. Leap is President of the Virginia Clerks Association.

Ted Costin and Chief Pence reported on the COPS Grant. These grants are for localities under fifty thousand persons. The grant is specifically for the hiring of an officer. Chief Pence anticipates other grants becoming available for overtime for certain community projects. The grant for an officer covers three years.

Councilman Snow asked if the town was expected to pick up this officer after the three year period. Chief Pence stated he would think so.

Councilwoman Fuller moved, seconded by Councilman Bennett and carried to pursue the COPS Grant.

Councilwoman Fuller moved, seconded by Councilman Printz and carried to go into Executive Session to discuss the assignment of Mr. Monger, Mr. Shifflett and Mr. Pence.

Councilwoman Fuller moved, seconded by Councilman Printz to ament the motion to include actual litigation. The vote was recorded as follows:

YEAS: F. A. Bennett, D. H. Dail, M. B. Fuller, W. E. Printz, R. L. Snow and T. R. Whitfield III

Councilwoman Fuller moved that council go back into Regular Session and that each member to the best of his knowledge, certify that only public business matters lawfully exempted from open meeting requirements under Chapter 2.1 of the Code of Virginia were discussed or considered. The vote was recorded as follows:

YEAS: F. A. Bennett, D. H. Dail, M. B. Fuller, W. E. Printz, R. L. Snow and T. R. Whitfield III

Councilwoman Fuller moved, seconded by Councilman Whitfield and carried that council approve changing the job description of Mr. Pence from Recreation Coordinator to Director of Parks and Recreation as submitted by the Town Manager.

Councilwoman Fuller moved, seconded by Councilman Whitfield that council approve the job description submitted by the Town Manger with respect to the Town Superintendent and accept that recommendation.

Councilman Bennett asked that this be tabled until they have had time to make some modifications or changes.

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

YEAS: D. H. Dail, M. B. Fuller, W. E. Printz and T. R. Whitfield III

NAYS: F. A. Bennett and R. L. Snow

Councilwoman Fuller moved, seconded by Councilman Whitfield that council appoint Joe Shifflett Director of Public Works and Zoning Administrator and accept the job description of the aforesaid as submitted to council by the Town Manager.

Councilman Bennett asked council to defer action until council has had a chance to review it in its entirety and come back with any changes.

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

YEAS: D. H. Dail, M. B. Fuller, W. E. Printz and T. R. Whitfield III

NAYS: F. A. Bennett and R. L. Snow

Councilwoman Fuller moved, seconded by Councilman Whitfield that council set the salary of the Director of Public Works at $25,000. per year and the Director of Parks and Recreation at $15,225. per year.

Councilman Bennett asked council to defer this motion until they could all consider the facts and come back at another time.

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

YEAS: D. H. Dail, M. B. Fuller, W. E. Printz and T. R. Whitfield III

NAYS: F. A. Bennett and R. L. Snow

Councilwoman Fuller moved, seconded by Councilman Whitfield that council approve the creation of the position of an Assistant Lineman and council direct the Town Manager to work on the job description and get back with council.

Councilman Bennett moved, seconded by Councilman Snow to defer this until they have time to discuss and investigate this further. He feels there are other alternatives they can come up with.

Councilman Printz asked if this person could be a trainee or possibly someone who could come up through the ranks of the town. He would like for the town to consider this possibility.

A vote was taken to table this position and recorded as follows:

YEAS: F. A. Bennett and R. L. Snow

NAYS: D. H. Dail, M. B. Fuller, W. E. Printz and T. R. Whitfield III

The vote to create an Assistant Lineman position was taken and recorded as follows:

YEAS: D. H. Dail, M. B. Fuller, W. E. Printz and T. R. Whitfield III

NAY: F. A. Bennett and R. L. Snow

There will be a Personnel Committee Meeting at 6:00 p.m. Monday, November 28, 1994.

Councilwoman Fuller asked if someone could contact the Daily News Record regarding publishing upcoming meetings.

Councilman Printz asked if there was an ordinance on the Police Chief living in town. He was told there is no such ordinance.

Ted Costin announced he has purchased a home on Rockingham Street, and will be moving very soon.

Mayor Dean announced that some people from EDRC and the Town have been attending meetings on the ISTEA grants. They are pursuing some of the possibilities of obtaining and using the money. Mr. Monger and Mr. Costin would be the ones to work on these grants.

Councilman Printz moved, seconded by Councilwoman Fuller and carried that the town apply for these grants.

As there was no further business, the meeting adjourned.

MAYOR: Charles E. Dean
Charles E. Dean, Mayor

RECORDER: Betty H. Engle
Betty H. Engle, Asst. Clerk