SPECIAL
COUNCIL MEETING
June 27, 1994

A special meeting of the Elkton Town Council was held Monday, June 27, 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
R. C. Davis
W. E. Printz
R. L. Snow
T. R. Whitfield III

ABSENT

M. B. Fuller

Norma Leap, Clerk, Gerald Monger, Superintendent and Warren Pence, Chief of Police were also present.

Councilman R. L. Snow moved, seconded by Councilman W. E. Printz to approve on Second Reading the 1993-94 Budget Transfers and Additional Appropriations. A copy is attached to the official minutes. The vote was recorded as follows:

YEAS: F. A. Bennett, R. C. Davis, W. E. Printz, R. L. Snow and T. R. Whitfield III

Councilman R. L. Snow moved, seconded by Councilman W. E. Printz to approve on Second Reading the 1994-95 Budget Appropriations. A copy is attached to the official minutes. The vote was recorded as follows:

YEAS: R. C. Davis, W. E. Printz, R. L. Snow and T. R. Whitfield III

NAYS: F. A. Bennett

Councilman T. R. Whitfield III moved, seconded by Councilman F. A. Bennett to approve on Second Reading the ordinance to amend Section 8-1-1 and Section 8-1-2, Article A, Chapter 1, of Title 8, of the Code of Ordinances dealing with Driving Under the Influence and the ordinance amending Section 7-1-39 dealing with Precious Metals Dealers. A copy of these ordinances are attached to the official minutes. The vote was recorded as follows:

YEAS: F. A. Bennett, R. C. Davis, W. E. Printz, R. L. Snow and T. R. Whitfield III

Councilman R. L. Snow moved, seconded by Councilman F. A. Bennett to set the 1994 Tax Rate at $0.10 per $100.00 of assessed value for Real Estate and $0.46 per $100.00 of assessed value for Personal Property. The vote was recorded as follows:

YEAS: F. A. Bennett, R. C. Davis, W. E. Printz, R. L. Snow and T. R. Whitfield III

Mayor Dean reported the the Public Safety Committee met and discussed the citizens complaints regarding traffic congestion, noise, etc. and the restriction of parking from 11:00 p.m. to 6:00 a.m. on Spotswood Trail.

Councilmen Bennett, Davis and Snow all spoke in favor of restricting parking. They stated they do support the youth of the town but there comes a time when you have to consider the complaints from the other citizens involved. This seems to be the only viable option at this point.

Councilman Printz reported that he discussed this with Attorney Penrod, as Attorney Davenport is out of town, and he stated that when in doubt a special meeting should be held to allow the citizens to have some input. He feels if there is a problem with trash and vandalism then these problems should be addressed. He requested council give him more time to work on a possible compromise with his constituents. He suggested maybe hiring a part time police officer.

Councilman R. L. Snow moved, seconded by Councilman R. C. Davis to enact Chief Pence's proposal to restrict parking in the areas he deems necessary from 11:00 p.m. to 6:00 a.m.

Councilman Whitfield felt the motion to restrict parking would be just a quick fix and does not address the entire problem. He would favor a more comprehensive plan for the entire community which would address the problems resulting from growth. He feels council needs to establish a policy structured to apply to everyone, not just a few.

Chief Pence stated that if the situation improves the signs restricting parking can be removed.

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

YEAS: F. A. Bennett, R. C. Davis and R. L. Snow

NAYS: W. E. Printz and T. R. Whitfield III

Mayor Dean reported that he has no recommendations tonight regarding the three Planning Commission seats which will be open July 1, 1994. He asked that any person having proposals bring them to the next meeting.

Mayor Dean stated that there has been a suggestion that if the town is going to provide water and sewer services west of town on Route 33, they should annex this area. Mr. Monger pointed out that you need your Annexation Study completed before considering annexation.

A special council meeting was set for July 6, 1994 at 7:30 p.m. to appoint three Planning Commission members and to consider a request from the Elkton Fire Company for utilities for their annual carnival.

Council thanked Mike York of the Harrisonburg Electric Commission and his staff for their help with the substation. Joe Shifflett gave a brief history and update on the upgrading of the substation.

Mayor Dean reported that the Public Safety Committee discussed erecting some type of structure, using telephone poles, on the hill around Memorial Park. This would prohibit parking and slow down any vehicles which may be out of control and heading over the hill into the park.

Mayor Dean recognized Councilman Davis for his service to the town as a council member. He stated he was sorry Councilman Davis was not reelected as he has been an excellent council member and he has enjoyed working with him.

Councilman Bennett stated that Councilman Davis has worked hard and had great success in the area of the electric system. He congratulated him for a job well done.

Councilmen Printz and Snow stated they "ditto" Mayor Dean and Councilman Bennett's remarks.

Councilman Davis stated that it was a priviledge to have served on council and he had enjoyed it.

As there was no further business, the meeting adjourned.

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

RECORDER: Norma R. Leap
Norma R. Leap, Clerk

1993-1994 BUDGET
TRANSFERS AND ADDITIONAL APPROPRIATIONS

General Government

Transfer	2,000.00	from	OFFICE EQUIPMENT	to	MISCELLANEOUS
Transfer	100.00	from	AUTO TAGS	to	PAYROLL TAXES
Transfer	100.00	from	AUTO TAGS	to	RETIREMENT
Transfer	250.00	from	INSURANCE	to	ADVERTISEMENT
Transfer	300.00	from	INSURANCE	to	LEGAL
Transfer	300.00	from	INSURANCE	to	AUDIT

Recreation

Transfer	2,000.00	from	MISCELLANEOUS	to	WAGES
Transfer	1,000.00	from	OFFICE EQUIPMENT	to	WAGES
Transfer	700.00	from	UTILITIES	to	WAGES
Transfer	250.00	from	TELEPHONE	to	AUDIT
Transfer	250.00	from	REPAIRS-EQUIP.	to	LEGAL
Transfer	450.00	from	MEETINGS	to	PAYROLL TAXES & RET.

Public Safety

Transfer	8,000.00	from	P'ROLL TAXES & RET.	to	WAGES
Transfer	75.00	from	P'ROLL TAXES & RET.	to	ADVERTISEMENT
Transfer	400.00	from	P'ROLL TAXES & RET.	to	UTILITIES
Transfer	255.00	from	P'ROLL TAXES & RET.	to	LEGAL
Transfer	250.00	from	P'ROLL TAXES & RET.	to	AUDIT
Transfer	300.00	from	P'ROLL TAXES & RET.	to	TELEPHONE
Transfer	3,000.00	from	CHANGE SERVICE EQ.	to	SUPPLIES & EQUIP.
Transfer	1,500.00	from	UNIFORMS	to	SUPPLIES & EQUIP.
Transfer	1,000.00	from	VEHICLE MAINT.	to	REPAIRS-PROP.
Transfer	1,000.00	from	INSURANCE	to	MISCELLANEOUS

Garbage

Transfer	1,000.00	from	REPAIRS-PROP.	to	SUPPLIES & EQUIP.
Transfer	900.00	from	REPAIRS-PROP.	to	PRIVATE HAULER
Transfer	425.00	from	MEETINGS	to	INSURANCE
Transfer	200.00	from	UTILITIES	to	VEHICLE MAINT.
Transfer	255.00	from	REPAIRS-EQUIP.	to	LEGAL
Transfer	250.00	from	REPAIRS-EQUIP.	to	AUDIT
Transfer	100.00	from	OFFICE EQUIP.	to	P'ROLL TAXES & RET.
Transfer	40.00	from	OFFICE EQUIP.	to	TELEPHONE

Streets

Transfer	900.00	from	WAGES	to	UTILITIES
Transfer	900.00	from	REPAIRS-EQUIP.	to	VEHICLE MAINT.

'93-'94 Budget Transfers, etc.
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Streets-Highway Maintenance

Transfer	12,000.00	from	WAGES	to	SUPPLIES
Transfer	1,900.00	from	REPAIRS-PROP.	to	SUPPLIES
Transfer	1,000.00	from	P'ROLL TAXES & RET.	to	SUPPLIES
Transfer	650.00	from	MEETINGS	to	SUPPLIES
Transfer	300.00	from	UTILITIES	to	SUPPLIES
Transfer	500.00	from	AUDIT	to	SUPPLIES
Transfer	500.00	from	OFFICE EQUIP.	to	SUPPLIES
Transfer	700.00	from	NEW VEHICLE	to	SUPPLIES

ADDITIONAL APPROPRIATION OF $10,242.00

1,050.00 to SUPPLIES
50.00 to ADS
150.00 to INSURANCE
200.00 to LEGAL
4,000.00 to MISCELLANEOUS
4,792.00 to CAPITAL ITEMS

Electric

Transfer	6,000.00	from	REPAIRS-EQUIP.	to	WAGES
Transfer	500.00	from	OFFICE EQUIP.	to	WAGES
Transfer	50.00	from	INSURANCE	to	ADVERTISEMENT
Transfer	100.00	from	SUPPLIES	to	MEETINGS
Transfer	255.00	from	SUPPLIES	to	LEGAL
Transfer	250.00	from	SUPPLIES	to	AUDIT
Transfer	900.00	from	SUPPLIES	to	MISCELLANEOUS
Transfer	900.00	from	SUPPLIES	to	P'ROLL TAXES & RET.
Transfer	50,000.00	from	POWER PURCHASED	to	CAPITAL

Water

Transfer	1,900.00	from	REPAIRS-PROP.	to	WAGES
Transfer	1,000.00	from	MISCELLANEOUS	to	WAGES
Transfer	600.00	from	MEETINGS	to	WAGES
Transfer	900.00	from	UTILITIES	to	INSURANCE
Transfer	50.00	from	UTILITIES	to	ADVERTISEMENT
Transfer	255.00	from	REPAIRS-EQUIP.	to	LEGAL
Transfer	250.00	from	REPAIRS-EQUIP.	to	AUDIT
Transfer	400.00	from	REPAIRS-EQUIP.	to	P'ROLL TAXES & RET.
Transfer	500.00	from	OFFICE EQUIP.	to	SUPPLIES
Transfer	700.00	from	NEW VEHICLE	to	SUPPLIES

ADDITIONAL APPROPRIATION OF $6,925.00

5,800.00 to SUPPLIES
1,125.00 to CAPITAL ITEMS

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Sewer

Transfer	3,300.00	from	SUPPLIES	to	INSURANCE
Transfer	1,500.00	from	UTILITIES	to	REPAIRS-PROP.
Transfer	1,700.00	from	REPAIRS-EQUIP.	to	CAPITAL ITEMS
Transfer	200.00	from	MISCELLANEOUS	to	WAGES
Transfer	50.00	from	MISCELLANEOUS	to	ADVERTISEMENT
Transfer	255.00	from	MISCELLANEOUS	to	LEGAL
Transfer	250.00	from	MISCELLANEOUS	to	AUDIT

DISBURSEMENTS

GENERAL GOVERNMENT

	1993-1994	1994-1995	CHANGES
WAGES	17,400	21,750	
ADS	250	400	
AUTO TAGS	750	750	
MEETINGS	1,000	1,000	
UTILITIES	1,600	1,600	
INSURANCE	2,900	2,517	
LEGAL	1,500	1,800	
AUDIT	1,150	1,350	
MISCELLANEOUS	5,000	6,000	
REPAIRS-EQUIPMENT	1,000	1,200	
REPAIRS-PROPERTY	2,000	2,000	
SUPPLIES & EQUIPMENT	3,350	3,000	
TELEPHONE	400	400	
OFFICE EQUIPMENT	2,000	2,000	
PAYROLL TAXES	1,300	1,696	
RETIREMENT	650	1,011	
SINKING FUND	1,200	1,200	
ORDINANCES	10,000	10,000	
ZONING & PLANNING EXP.	2,000	2,000	
ANNEXATION STUDY			
COMPREHENSIVE PLAN	4,000	4,000	
EXPANSION-COMPUTER SYS.	6,800	2,500	
EAUS	2,000	2,000	
HISTORICAL SOCIETY	5,000	5,000	
EDRC	25,000	25,000	
LIBRARY	500	500	
TOTAL	98,750	100,674	
		1.948%	

DISBURSEMENTS

RECREATION

	1993-1994	1994-1995	CHANGES
WAGES	26,400	32,850	
ADS	350	100	
MEETINGS	1,000	1,000	
UTILITIES	5,500	4,500	
INSURANCE	5,000	5,117	
LEGAL	1,500	1,800	
AUDIT	1,150	1,350	
MISCELLANEOUS	5,000	3,000	
REPAIRS-EQUIPMENT	1,200	1,250	
REPAIRS-PROPERTY	11,000	3,000	
SUP.,EQUIP.,PROGRAMS	24,000	24,000	
TELEPHONE	1,100	900	
OFFICE EQUIPMENT	1,000	500	
PAYROLL TAXES	2,000	2,571	
RETIREMENT	1,050	1,486	
VEHICLE MAINTENANCE	150	150	
NEW VEHICLE	1,700	1,700	
PARK UPKEEP			
TOTAL	89,100	85,274	
		- 4.2941%	

DISBURSEMENTS

PUBLIC SAFETY

	1993-1994	1994-1995	CHANGES
WAGES	167,500	182,711	
ADS	150	175	
MEETINGS	1,000	1,000	
UTILITIES	8,200	8,200	
INSURANCE	32,000	31,817	
LEGAL	1,500	1,800	
AUDIT	1,150	1,350	
MISCELLANEOUS	4,000	5,000	
REPAIRS-EQUIPMENT	3,000	3,000	
REPAIRS-PROPERTY	2,000	2,000	
SUPPLIES & EQUIPMENT	4,500	4,500	
TELEPHONE	2,200	2,400	
OFFICE EQUIPMENT	500	500	
PAYROLL TAXES	13,500	14,096	
RETIREMENT	17,150	8,211	
JAIL FEES	400	400	
VEHICLE MAINTENANCE	6,000	4,500	
UNIFORMS	2,500	2,500	
NEW VEHICLE			
FIRE COMPANY GASOLINE	1,500	1,500	
RESCUE SQUAD GASOLINE	1,500	1,500	
CHANGES SERVICE EQUIP.	3,000		
TOTAL	273,250	277,160	
		1.431%	

DISBURSEMENTS

STREETS-HIGHWAY MAINT.

	1993-1994	1994-1995	CHANGES
WAGES	66,700	58,250	
ADS	50	50	
MEETINGS	1,000	1,000	
UTILITIES	800	600	
INSURANCE	9,000	9,467	
LEGAL	1,500	1,800	
AUDIT	1,150	1,350	
MISCELLANEOUS	14,000	16,000	
REPAIRS-EQUIPMENT	2,800	2,500	
REPAIRS-PROPERTY	2,000	2,000	
SUPPLIES & EQUIPMENT	36,180	38,106	
TELEPHONE	450	500	
OFFICE EQUIPMENT	500	500	
PAYROLL TAXES	5,300	4,596	
RETIREMENT	2,700	2,861	
NEW VEHICLE	1,700	6,250	
TOTAL	145,830	145,830	
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DISBURSEMENTS

STREETS

	1993-1994	1994-1995	CHANGES
WAGES	5,616	4,800	
UTILITIES	10,000	8,700	
INSURANCE	925	850	
AUDIT	325		
MISCELLANEOUS	1,000	500	
REPAIRS-EQUIPMENT	1,000	500	
SUPPLIES & EQUIPMENT	1,500	1,000	
PAYROLL TAXES	415	375	
RETIREMENT	250	215	
VEHICLE MAINTENANCE	1,050	2,500	
NEW VEHICLE			
TOTAL	22,081	19,440	
		-11.96%	

DISBURSEMENTS

GARBAGE

	1993-1994	1994-1995	CHANGES
WAGES	26,350	30,750	
ADS	100	100	
MEETINGS	1,000	1,000	
UTILITIES	800	600	
INSURANCE	5,400	6,137	
LEGAL	1,500	1,800	
AUDIT	1,150	1,350	
MISCELLANEOUS	2,500	2,500	
REPAIRS-EQUIPMENT	1,600	1,500	
REPAIRS-PROPERTY	2,000	2,000	
SUPPLIES & EQUIPMENT	3,000	3,000	
TELEPHONE	450	450	
OFFICE EQUIPMENT	500	500	
PAYROLL TAXES	2,000	2,349	
RETIREMENT	1,050	1,391	
VEHICLE MAINTENANCE	250	400	
PRIVATE HAULER	81,500	82,500	
NEW VEHICLE	1,700	6,250	
TOTAL	132,850	144,577	
		8.827%	

DISBURSEMENTS

ELECTRIC

	1993-1994	1994-1995	CHANGES
WAGES	53,700	65,495	
ADS	50	50	
MEETINGS	1,000	1,000	
INSURANCE	14,025	14,317	
LEGAL	1,500	1,800	
AUDIT	1,150	1,350	
MISCELLANEOUS	2,500	2,500	
REPAIRS-EQUIPMENT	8,000	3,000	
REPAIRS-PROPERTY	2,000	2,000	
SUPPLIES & EQUIPMENT	40,000	40,000	
TELEPHONE	500	500	
OFFICE EQUIPMENT	500	500	
PAYROLL TAXES	4,300	5,096	
RETIREMENT	2,125	2,937	
VEHICLE MAINTENANCE	4,000	2,500	
POWER PURCHASED	865,000	865,000	
TECHNICAL SERVICES	5,000	5,000	
SINKING FUND	6,000	6,000	
NEW VEHICLE	1,700	1,700	
TOTAL	1,013,050	1,020,745	
		.7596%	

DISBURSEMENTS

WATER

	1993-1994	1994-1995	CHANGES
WAGES	52,650	61,100	
ADS	50	50	
MEETINGS	1,000	1,000	
UTILITIES	12,000	10,500	
INSURANCE	14,700	15,917	
LEGAL	1,500	1,800	
AUDIT	1,150	1,350	
MISCELLANEOUS	5,000	5,000	
REPAIRS-EQUIPMENT	3,000	3,000	
REPAIRS-PROPERTY	2,000	2,000	
SUPPLIES & EQUIPMENT	20,000	20,000	
TELEPHONE	500	500	
OFFICE EQUIPMENT	500	500	
PAYROLL TAXES	4,500	5,221	
RETIREMENT	1,862	2,741	
VEHICLE MAINTENANCE	2,000	2,400	
SINKING FUND	6,000	6,000	
NEW VEHICLE	1,700	6,250	
ROYALTIES	1,500	1,500	
PROF SER.		500	
TOTAL	131,612	147,329	
		11.942%	

DISBURSEMENTS

SEWER

	1993-1994	1994-1995	CHANGES
WAGES	70,200	77,750	
ADS	50	50	
MEETINGS	1,000	1,000	
UTILITIES	18,500	18,500	
INSURANCE	14,700	17,317	
LEGAL	1,500	1,800	
AUDIT	1,150	1,350	
MISCELLANEOUS	3,000	3,000	
REPAIRS-EQUIPMENT	9,500	6,000	
REPAIRS-PROPERTY	2,000	2,000	
SUPPLIES & EQUIPMENT	20,000	20,000	
TELEPHONE	800	800	
OFFICE EQUIPMENT	500	500	
PAYROLL TAXES	6,250	6,296	
RETIREMENT	2,537	3,411	
VEHICLE MAINTENANCE	2,000	2,500	
TECHNICAL SERVICES	500	500	
SINKING FUND	6,260	6,260	
NEW VEHICLE	1,700	6,250	
FMHA LOAN	17,676	17,676	
TOTAL	179,823	192,960	
		7.3055%	

TOTAL ALL DEPARTMENTS	2,086,346	2,133,989 2.2836%	

AN ORDINANCE AMENDING SECTION 7-1-39

Section 7-1-39 of the Code of Ordinances of the Town of Elkton, Virginia is hereby amended to read as follows:

7-1-39 Precious Metals Dealers. All of the provisions and requirements of the laws of the state contained in Chapter 41 of Title 54.1 of the Code of Virginia as in force and effect on July 1, 1994, except those provisions which by their nature can have no effect or application to the Town, if any, are hereby adopted and incorporated in this Chapter by reference and made applicable within the Town, as fully as though set forth at length herein, except as provided herein. An initial permit issued hereunder be valid for the remainder of the calendar year of issuance, without proration of the application fee, and any renewed permit shall be valid for the calendar year of issuance. (Ord. of August 21, 1989; Amended by Ord. of June 27, 1994).

Enacted this 27th day of June, 1994.

Charles Dean

Charles Dean, Mayor

Attest:

Norma R. Lipp

Clerk

Ordinance to Amend Section 8-1-1 and Section 8-1-2, Article A, Chapter 1, of Title 8, of the Code of Ordinances of the Town of Elkton, Virginia

BE IT RESOLVED that Section 8-1-1, Article A, Chapter 1, of Title 8, of the Code of Ordinances of the Town of Elkton, Virginia is amended to read as follows:

Pursuant to the authority of Section 46.2-1313 of the Code of Virginia, as amended, all of the provisions and requirements of the laws of the state contained in Title 46.2 and Article 2 of Chapter 7 of Title 18.2 of the Code of Virginia, as in force and effect on July 1, 1994, except those provisions and requirements the violation of which constitutes a felony, and except those provisions and requirements which by their very nature can have no application to or within the town, are hereby adopted and incorporated in this chapter by reference and made applicable within the town. References to "highways of the state" contained in such provisions and requirements hereby adopted shall be deemed to refer to streets, highways and other public ways within the town. Such provisions and requirements are hereby adopted, mutatis mutandis, and made a part of this chapter as fully as though set forth at length herein, and it shall be unlawful for any person, within the town, to violate or fail, neglect or refuse to comply with any provision of Title 46.2 or of Article 2 of Chapter 7 of Title 18.2 of the Code of Virginia which is adopted by this section; provided, that in no event shall the penalty imposed for the violation of any provision or requirement hereby adopted exceed the penalty imposed for a similar offense under Title 46.2 or under Article 2 of Chapter 7 of Title 18.2 of the Code of Virginia. To the extent that any provisions of Title 8 of the Elkton Town Code may be inconsistent with the provisions and requirements of Title 46.2 or of Article 2 of Chapter 7 of Title 18.2 of the Code of Virginia hereby adopted, the Title 8 provisions are superseded. (Ord. of Nov. 8, 1976; Amended by Ord. of June 27, 1994)

BE IT FURTHER RESOLVED that Section 8-1-2, Article A, Chapter 1, of Title 8, of the Code of Ordinances of the Town of Elkton, Virginia is hereby amended to read as follows:

Words and terms used and contained in this Chapter shall be as defined in the Code of Virginia, Section 46.2-100. (Code 1966, Sec. 17-1; Amended by Ord. of June 27, 1994)

Enacted this 27th day of June, 1994.

Charles Dean

Charles Dean, Mayor

Attest:

Norma R. Leap

Clerk