Regular
Council Meeting
July 21, 2003

The regular meeting of the Elkton Town Council was held on Monday, July 21, 2003 in Council Chambers with Mayor Wayne E. Printz presiding. The following Council members were present:

PRESENT
J. T. Dean
C. H. Murphy
T. Pence
L. Sigafoose
R. L. Snow
P. Workman

Attorney J. Burns Earle, Faye Vickers, Treasurer, Richard Pullen, Chief of Police, Todd McCoy, Director of Public Works/Zoning Administrator, and Richard Carey, Clerk of Council, were also present.

Council member Dean offered the Invocation.

The Pledge of Allegiance was recited.

CITIZEN COMMENTS

Frank Meleski, 604 North Stuart Avenue, read the following statement:

7/21/03

One of the definitions of a tax is: A burdensome charge or demand. I believe that using the money that is raised from the sale of our (yours and my) land, for a golf course is a burdensome charge to the people of Elkton, especially when by Councilwoman Murphy's statement last month said that the citizens of Elkton are against spending taxpayers' money for a golf course, by a margin of 3 to 1. It's hard for me to see how any council person can vote for a plan that has so many ifs built in. If you sell so many lots, if the course will cost only 3.5million, and that's a figure that I dispute, if you can get x number of players, and on & on.

Randell keeps saying that no tax money is going to be used, but the plan calls for the use of our money, and it is our money, in a burdensome and reckless way, and will put the Town of Elkton in jeopardy if any of the ifs don't happen.

For the reasons stated above, I implore you to shelve the golf course until you have the money in hand to build it. Go ahead with the sale of the lots, and when you have extra money you can then reconsider it at that time, and we won't have to worry about the ifs of the venture, and most important of all, you will be doing the will of the people whom you represent.

Frank Meleski

Hazel Crider, 114 Hillside, invited all to attend the Neighborhood Watch National Night Out on Tuesday, August 5, 2003 from 7:00 P.M., to 10:00 P.M., at the Town Hall. The rain location will be the Monger Shelter in Stonewall Park.

Mildred Shifflett, 112 West Spotswood Avenue, complained of excessive vehicle speed on Spotswood Avenue.

Mary K. Hutton, 515 Chestnut Avenue, by way of an anecdote, shared the history of one of her former students who failed to achieve the high level of performance to which her innate ability allowed her. Mrs. Hutton then addressed Elkton's Little League disqualification from tournament play due to the managers' inattention to the rules and details. She stated,

"Somewhere adults weren't filling out the proper paper work so that they, in fact, when they got to a game they were advancing in..." that they were in compliance with the rules. She concluded by saying, "What I am interested in knowing is - I am not faulting any particular person, any particular employee, any particular town official who is paid, or any elected official - however, I would like to know where the blame, which is quite sufficient to go around, is really, in fact, in this room? That brings me full circle to exactly what I way saying. If people don't do what they have been elected to do, or what their particular job is at any given time, I would paraphrase President Truman, 'The buck stops here.' If those receiving the buck believe it to be evermore beautiful than Bear Lithia Springs itself, then some of us living today may see the failure of this town."

Caroline Brill, 148 Sweetgum Street, stated that the golf course should continue. To her, a successful golf course would fund a community center. She was also opposed to deleting curbing and guttering.

Lee Dearing, 124 North Street, requested information regarding the Rockingham Street Project and the contract for the purchase of the Wrangler Building. Attorney Earle told Mr. Dearing to submit his requests in writing.

MINUTES

Council member Dean moved, second by Vice Mayor Murphy, and carried to approve the minutes of the Regular Council Meeting on June 16, 2003.

YEAS: J. Dean, C. Murphy, T. Pence, L. Sigafoose, R. Snow, and P. Workman.

Motion carried (6 - 0 voice vote)

Council member Snow moved, second by Vice Mayor Murphy, and carried to approve the minutes of the Special Council Meeting of June 19, 2003.

YEAS: J. Dean, C. Murphy, T. Pence, L. Sigafoose, R. Snow, and P. Workman.

Motion carried (6 - 0 voice vote)

Council member Snow moved, second by Council member Dean, and carried to approve the minutes of the Public Hearing on June 23, 2003.

YEAS: J. Dean, C. Murphy, T. Pence, L. Sigafoose, R. Snow, and P. Workman.

Motion carried (6 - 0 voice vote)

Council member Dean moved, second by Council member Snow, and carried to approve the minutes of the Special Council Meeting of June 30, 2003.

YEAS: J. Dean, C. Murphy, T. Pence, L. Sigafoose, R. Snow, and P. Workman.

Motion carried (6 - 0 voice vote)

DEPARTMENT HEAD REPORTS

Chief of Police

Chief Pullen presented his report. Officer James Morris has been certified as a K-9 handler.

Council member Snow brought the Chief Pullen's attention that vehicles on Spotswood

Trail were impeding the flow of traffic by stopping to let vehicles exit at the laundry mat. This practice has vehicles backed up, with some having to stop on the railroad tracks.

Director of Public Works/Zoning Administrator

Mr. McCoy presented his report.

Council member Pence spoke of the unattractive areas in Town.

Council member Sigafoose asked why the "No Loitering" signs had not been posted. Mr. McCoy stated the signs arrived last Thursday and the project is on the list of things to be done.

Treasurer's Report

Mrs. Vickers reported a General Government ledger balance for June 2003 of $334,477.82 with cash available of $315,414.87. The Bond Account had an ending balance of $177,295.41 for the same period.

Council member Snow moved, second by Council member Workman, and carried to approve the Treasurer's report.

YEAS: J. Dean, C. Murphy, T. Pence, L. Sigafoose, R. Snow, and P. Workman.

Motion carried (6 - 0 voice vote)

COMMITTEE REPORTS

Electric

There are pole lights out at Spotswood and Lee and another in the alley behind Family Dollar.

Finance

No report.

Personnel

Vice Mayor Murphy deferred to New Business.

Public Health, Public Safety, and Ordinances

The attorneys are still studying a strong blight ordinance.

Council member Dean reported that the Department of Motor Vehicles advised him that all vehicles on a car dealership lot must have a current inspection sticker. DMV will also withdraw a dealership license after the Zoning Administrator issues a failure to comply letter and the dealership does not take corrective action.

Streets and Sidewalks

Deferred to Old Business.

Water and Sewer

No report.

Recreation

No report.

Planning Commission

No report.

Cemetery

Some drainage problems at the Cemetery need to be addressed and corrected.

Park Authority

Vice Mayor Murphy reported that the Conference Committee met and discussed three options:

1. Accept the Park Authority's first proposal as presented or with conditions or changes;
2. Sell the property outright;
3. Secure a private investor to develop the property.

Vice Mayor Murphy stated the Conference Committee's desire to have a recommendation before Council in the next two months.

OLD BUSINESS

Amend Elkton Code to Delete Curb and Gutter

The amendment was again tabled pending an ordinance from the Town Attorneys containing enabling legislation, which includes proffers. Under conditional zoning, as defined by state law, proffers - offers negotiated which do not appear in the master plan - allow a local government to request concessions from a developer which the governing body considers desirable. Attorney Earle cautioned Council if they arbitrarily reject a plan that conforms to current zoning and the developer challenges that decision, then "you have a potential problem." Attorney Earle suggested adopting state law which allows for proffers, and strengthen Town Code whereby Elkton would have legal rights if a developer ignores negotiated proffers.

NEW BUSINESS

REPO CD

Council member Snow moved, second by Council member Dean, and carried to rollover $75,000.00 to a five year step-up CD in the REPO account.

YEAS: J. Dean, C. Murphy, T. Pence, L. Sigafoose, R. Snow, and P. Workman.

Motion carried (6 - 0 roll call)

Utility Abatements

Council member Snow moved, second by Council member Sigafoose, and carried to abate two utility accounts, one totalling $370.18 and the other totalling $76.80.

YEAS: J. Dean, C. Murphy, T. Pence, L. Sigafoose, R. Snow, and P. Workman.

Motion carried (6 - 0 roll call)

Job Description - Clerk II

Vice Mayor Murphy moved, second by Council member Workman, and carried to approve the draft job description, with the addition that the successful applicant may be requested to attend and prepare the minutes of the Planning Commission.

YEAS: J. Dean, C. Murphy, L. Sigafoose, R. Snow, and P. Workman

NAYS: T. Pence

Motion carried (5 - 1 voice vote)

Vice Mayor Murphy moved, second by Council member Dean, and carried to go into closed session under Virginia Code 2.2-3711 to discuss personnel issues.

YEAS: J. Dean, C. Murphy, T. Pence, L. Sigafoose, R. Snow, and P. Workman.

Motion carried (6 - 0 roll call)

Vice Mayor Murphy moved to go from closed session back into regular session and that each member, to the best of his or her knowledge, certified that only public business matters lawfully exempted from an open meeting requirement under Chapter 21 of Title 2.1 of the Code of Virginia were heard, discussed, or considered. Council member Dean duly seconded the motion.

YEAS: J. Dean, C. Murphy, T. Pence, L. Sigafoose, R. Snow, and P. Workman.

Motion carried (6 - 0 roll call)

As there was no further business, the meeting adjourned.

Mayor: Wayne E. Printz
Wayne E. Printz, Mayor

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