Special
Council Meeting
July 13, 2006

A special meeting of the Elkton Town Council was held at the Elkton Firemen's Activity Building on July 13, 2006, with Mayor Wayne E. Printz presiding. The following Council members were present:

PRESENT
M. Dearing
M. Isom
D. Kite
M. O'Neill
S. Sigafoose

ABSENT
T. Pence

Town Attorney Tom Miller, Treasurer Clairen Sipe, Director of Public Works Marty Shifflett, Officer Rodney Hensley, and Clerk of Council Richard Carey were also present.

Mayor Printz stated the purpose of the meeting was:

1. Economic Development Position
2. Electric Connection Fees
3. Promote Sergeant in the Police Department
4. Policy of Paying Delinquent Taxes and Bills Before Issuance of Permits
5. Kids Castle
6. Employee Salaries
7. Zoning Authority for Mayor
8. Meals Tax
9. Estimate for Tree Service

Economic Development Position

Vice Mayor Dearing moved, second by Council member O'Neill, and carried to eliminate the Economic Development position.

YEAS: M. Dearing, M. Isom, D. Kite, M. O'Neill, and S. Sigafoose

Motion carried (5 – 0 roll call)

Vice Mayor Dearing stated the Town budgeted $31,600.00 for the Director's position, as well as $25,000.00 for the Main Street program. Vice Mayor Dearing said, "We expect EDRC, if they receive the money, to perform those duties." A letter will be sent to the Economic Director explaining Council's action.

Electrical Connections

Tabled until additional studies are completed and comparisons are made.

Promotion of Police Department Sergeant

Vice Mayor Dearing moved, second by Council member Kite, and carried to promote Office Rodney Hensley to the position of Sergeant at a pay rate of $29,902.40 retroactive to July 1, 2006.

YEAS: M. Dearing, M. Isom, D. Kite, M. O'Neill, and S. Sigafoose

Motion carried (5 – 0 roll call)

Policy on Delinquent Payments

Vice Mayor Dearing moved, second by Council member Isom, and carried that we implement a policy that makes it a requirement for anyone to receive any service or permits from the Town of Elkton to have paid all their delinquent taxes, either personal, property, real estate, or any delinquent sewer, water, or electric bills prior to receiving any of these services.

Council member O'Neill asked if the motion was "broad enough" for enforcement. Non-payment of the meals taxes by several businesses in Town was a major concern for Council members O'Neill and Kite, who wanted "every tax area covered. Leave no stone unturned." Mayor Printz added if there was any question the permit would not be issued.

YEAS: M. Dearing, M. Isom, D. Kite, M. O'Neill, and S. Sigafoose

Motion carried (5 – 0 roll call)

Kids Castle

It was agreed that the Town had failed to perform a minimum yearly maintenance of the Kids Castle, which Council member Kite referred to as "the setting for the Park." Council member Kite stated that estimates were being sought and everyone was working as fast as possible to reopen the structure. Mayor Printz considered a citizen coalition to make the necessary repairs to reopen the Castle. Considering the major deficiencies described in the professional assessment provided to Mr. Meadows, Council member Kite preferred "skilled hands and labor." Council member O'Neill agreed that the Castle is "salvageable." He believed some of the more "blatant" issues could be overcome by removing certain sections of the Castle, thereby allowing it to be reopened for the remainder of the summer. Repairs could then be scheduled during the off-season. Council member Kite commented the situation is more complex now that an inspector is involved. He will continue to work for a satisfactory solution.

Employee Salaries

Council member O'Neill moved, second by Vice Mayor Dearing, and carried that permanent employees' salaries be adjusted to the pay raise listed as presented, retroactive to July 1, 2006.

Vice Mayor Dearing stated that he and Council member O'Neill questioned the Department Heads regarding the across- the- board 5% pay raise approved by the previous Council. The Department Heads apparently believed across- the- board raises were unacceptable because some employees produced more than 5% and others less. Council members Dearing and O'Neill designed a scale of 2% across- the- board, plus a longevity pay based on years of service added to the base pay, and, in some instances, a merit increase. Vice Mayor Dearing stated we are still within budget.

YEAS: M. Dearing, M. Isom, D. Kite, M. O'Neill, and S. Sigafoose

Motion carried (5 – 0 roll call)

Zoning Authority for the Mayor

Council member O'Neill moved, second by Vice Mayor Dearing, and carried that the Mayor be granted official authority as the Zoning Administrator for the Town of Elkton pursuant to his role as acting Town Manager.

YEAS: M. Dearing, M. Isom, D. Kite, M. O'Neill, and S. Sigafoose

Motion carried (5 – 0 roll call)

Meals Tax

Vice Mayor Dearing stated we have six businesses which are in default of meals tax payments. According to the Charter, it is the Treasurer's responsibility to collect those monies and Council must unconditionally support the Treasurer in her efforts.

Vice Mayor Dearing moved, second by Council member O'Neill, and carried that Rick write these businesses giving them ten days to come in and show the proper accountability of their meals taxes or we take action to close these businesses down.

YEAS: M. Dearing, M. Isom, D. Kite, M. O'Neill, and S. Sigafoose

Motion carried (5 – 0 roll call)

Estimate on Tree Service

Parasitic ivy is destroying the 350 year old Burr Oak which stands stately and majestically in the front lawn of the Municipal Building. Although sensitive to the life of the tree, Council was very reluctant to deliver the death blow. Members have dealt with citizens' ire before regarding the Town's trees and they were more than willing to avoid that condemnation again – anyway possible. A Blue Ridge arborist submitted an estimate to remove the ivy and the project would be completed in stages, perhaps taking as long as two years. Treasurer Sipe submitted other conditions, such as the tennis courts, the sidewalk, and the road, are killing the tree, in addition to the ivy. Vice Mayor Dearing suggested that someone from Virginia Tech, and others, look at the tree and make recommendations.

An Overview

Mayor Printz stated it will be painful at times for Council but the Town must be cleaned up. Dealing with friends and family who do not comply with the ordinances will not be pleasant. However, if Council acts fairly, and the residents truly care about the aesthetic appearance of the Town, then there should be no backlash for Council enforcing the ordinances.

Vice Mayor Dearing then addressed the Crawford structure on Wirt Avenue. He stated Attorney Tom Miller concluded the structure met the requirements as a trailer, thereby in violation of Town Code. The stipulations from the Planning Commission, as stated in their minutes, were also reviewed. Mr. Crawford will receive a letter in which he will be given X amount of days to remove the trailer on Wirt Avenue. The Crawford trailer on Washington Avenue should also be removed.

Council member Kite suggested a face-to-face with the non-complying residents and explain to them what they had to do and why this was being done. Mayor Printz concurred, as did Vice Mayor Dearing but, he wanted Town staff "educated" about permits. A case in point was two auto dealerships that he referred to as "junkyards." Using fence construction as an example, Vice Mayor Dearing stated an inspection should follow the erection of the fence to make sure it was acceptable.

As for issuing permits, Council member O'Neill wanted to make certain the Treasurer's Office would determine if there were outstanding issues. Vice Mayor Dearing stated that brought to the surface another problem. We have in Town various businesses in the names of different members in the same family. The permit will be

issued to the owner of record after the Treasurer has determined that all accounts are current.

After discussion of the wording of the previous Policy on Delinquent Payments, Council rescinded that action to amend the motion.

Council member O'Neill moved, second by Vice Mayor Dearing, and carried that we implement a policy that makes it a requirement for any person or parties to receive any service or permits from the Town of Elkton to have paid all their delinquent taxes, either personal, property, real estate, meals tax, or any delinquent sewer, water, or electric bills prior to receiving any of these services.

YEAS: M. Dearing, M. Isom, D. Kite, M. O'Neill, and S. Sigafoose

Motion carried (5 – 0 roll call)

As there was no further business, Vice Mayor Dearing moved, second by Council member O'Neill, and carried to adjourn.

YEAS: M. Dearing, M. Isom, D. Kite, M. O'Neill, and S. Sigafoose

Motion carried (5 – 0 voice vote)

Mayor: _____
Wayne E. Printz, Mayor

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