Special
Council Meeting
September 12, 2006

A Special Meeting of the Elkton Town Council was held in Council Chambers on September 12, 2006 with Mayor Wayne E. Printz presiding. The following Council members were present:

PRESENT
M. Dearing
M. Isom
D. Kite (arrived at 6:17 P.M.)
M. O'Neill
T. Pence

ABSENT
S. Sigafoose (excused)

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

The purpose of the meeting was to discuss the relocation of Debbie's County Café to 423 West Spotswood Trail.

Council made it clear it was not their goal to penalize Debbie Hammer to deny her desire to relocate her business. Council members Dearing, Isom, and O'Neill referred to a policy adopted by Council at their July 13, 2006 meeting which, in part, stated that no permit would be issued to anyone who owed the Town money. Vice Mayor Dearing added that Ms. Hammer would have to satisfy other conditions as required by the County of Rockingham. It would be a simple matter for the Town to change the location from manufacturing use to restaurant use. Once the taxes were paid, the area was cleaned up, and all else complied with Code, the zoning permit would be issued to Ms. Hammer.

Vice Mayor Dearing was willing to authorize the signing of the permit tonight if (1) the front and back of the adjoining building were cleared and cleaned up so as to be suitable for parking, and (2) all taxes on both properties were paid. Ms. Hammer stated the building adjoining the proposed restaurant site could be used for storage, but her main interest in the second building was use for customer parking.

Vice Mayor Dearing moved, second by Council member O'Neill, and carried to issue Debbie a zoning permit with two (2) stipulations: (1) All cars on both lots will be removed by 30 September 2006; (2) Taxes on both properties will be paid by 30 September 2006.

Mayor Printz stated the permit would actually be issued to the owner of the property, Joyce Crawford. Ms. Hammer agreed to properly grade the parking areas.

YEAS: M. Dearing, M. Isom, D. Kite, M. O'Neill, and T. Pence

Motion carried (5 – 0 roll call)

Closed Session

Council member O'Neill moved, second by Council member Kite, and carried to go into closed session under Virginia Code 2.2-3711 to discuss litigation.

YEAS: M. Dearing, M. Isom, D. Kite, M. O'Neill, and T. Pence

Motion carried (5 – 0 roll call)

Council member O'Neill 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 2.2 of the Code of Virginia were heard, discussed, or considered. Council member Kite duly seconded the motion.

YEAS: M. Dearing, M. Isom, D. Kite, M. O'Neill, and T. Pence

Motion carried (5 – 0 roll call)

As there was no further business, the meeting was adjourned at 8:45 P.M.

Mayor: _____
Wayne E. Printz

Recorder: _____
Richard D. Carey, Clerk