Special
Council Meeting
November 7, 2007

A Special Meeting of the Elkton Town Council was held in the Elkton Area Community Center, located at 20593 Blue and Gold Drive, Elkton, Virginia on November 7, 2007 at 6:45 p.m., with Mayor Wayne E. Printz presiding. The following Council members were present:

PRESENT
M. Dearing
M. Isom
D. Kite
M. O'Neill
T. Pence

ABSENT
S. Sigafoose

Town Attorney Sigler, Town Superintendent/Zoning Administrator Marty Shifflett, and Clerk of Council Denise R. Monger were also present.

Daniel Talbot, Planning Commission Chair, stated the commission had met and recommended the following:

1. Nancy Fries: 5 – 0 unanimous vote in favor of permit.
2. Fence Ordinance: tabled.
3. Sign Ordinance: 4 – 1 vote – approved as written.

Motion to Approve Special Exception Permit to Nancy Fries

Vice Mayor Dearing moved, seconded by Council member O'Neill, and carried to approve Nancy Fries' Special Exception Permit as presented.

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

NAYS: D. Kite

VOTE: (4 – 1 roll call) Motion carried

Mayor Printz thanked Ms. Fries for her patience that evening.

Motion to Approve Sign Ordinance

Vice Mayor Dearing moved, seconded by Council member Isom, and carried to approve the sign ordinance as presented.

Second Reading
Amendment to the Elkton Town Code
November 7, 2007

Chapter 110
LAND DEVELOPMENT
Article VII
Use Regulations

Section 110-706 D. Signs as permitted uses. The following signs are permitted uses in the following districts:

(3) Business Districts. Within any business district, the following signs are permitted:

(d) An electronic message board sign may be attached to either a Class A or Class B freestanding sign. An electronic message board sign so attached shall not exceed six feet in length or 12 square feet in sign area. Sign area of the attached electronic message board shall be included for purposes of computing sign area of the Class A or Class B freestanding sign. **Any electronic message board sign must meet the requirements contained in Section 110-706 F (3) below.**

Section 110-706 F. Signs prohibited in all districts. The following signs are prohibited in all districts.

(3) ~~Any sign which contains flashing or intermittent illumination.~~
Any sign which displays scrolling text, flashing or intermittent lights, or other lights of changing degrees of intensity, brightness or color, except a sign indicating time or temperature, which changes alteration on not less than a five-second cycle.

In all other respects not herein amended the Code of the Town of Elkton, Virginia shall remain unchanged and in full force and effect.

BE IT ORDAINED BY THE TOWN COUNCIL OF ELKTON, AS FOLLOWS:

Section 110-706D(3)(d) and Section 706F(3) 118-2 of the Code of the Town of Elkton are hereby amended in accordance with the attached provisions.

BE IT FURTHER ORDAINED that this ordinance is enacted and shall be effective from the 7th day of November, 2007.

ADOPTED AND APPROVED this 7th day of November, 2007.

_____
Wayne E. Printz
Mayor, Town of Elkton

Attest:

_____
Denise R. Monger
Clerk of the Council

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

NAYS: None

VOTE: (5 – 0 roll call) Motion carried

Motion to Approve Meals Tax Increase

Council member O'Neill moved, seconded by Vice Mayor Dearing, and carried to approve the meals tax increase to 6% amending the Code, Chapter 148-40 to have set meals tax at 6% effective December 1, 2007.

Carla Pence, representing Roosters Restaurant, Elkton, stated she opposed the meals tax increase. She noted other business owners did not support the increase due to economic conditions. Further, she noted that most restaurants were up for sale.

Amendment to the Elkton Town Code
November 7, 2007

Chapter 148
TAXATION
Article V
Meals Tax

Section 148-40. Levy and rate.
In addition to all other taxes of every kind, now or hereafter imposed on meals, there is hereby imposed and levied on each and every meal sold by restaurants and caterers within the town, as defined herein, a tax equivalent to ~~4~~ 6 % of the total amount paid for such meals.

This ordinance shall become effective on December 1, 2007.

YEAS: M. Dearing, and M. O'Neill

NAYS: T. Pence, D. Kite, and M. Isom

VOTE: (2 – 3 roll call) Motion did not carry

Benny King Real Estate

Town Superintendent Shifflett stated that Mr. King had requested a water connection for a lot on Mt. Hermon Road.

Benny King, Elkton, stated he would open the ditch and run a line under Dick Myers. The approximate cost to the Town would be $1,850.00. Further discussions took place regarding three additional connections that would be possible after the new line was installed.

Vice Mayor Dearing queried if the Town could offer funds to install a larger line for future connections.

Mr. King noted that there would be 650 ft. of line run to the residence in need of the connection. And he would run 1 inch poly-vinyl for cost-effective measures.

Mr. Shifflett noted if Council approved the connection, he would recommend a two inch line. He added that if additional developments were to take place in that area, installation of fire hydrants would be an issue.

Mr. King noted the area was designated for growth according to the Rockingham County Comprehensive Plan. He wanted to work with the Town in order to provide the opportunity for additional connection fees. He offered to dig the lines with his machines and have his employees install the lines. His suggestion was to run water and sewer lines. Mr. Shifflett stated the Town would have to provide an 8' sewer line for the project and every 450 feet a manhole would need to be installed.

Council member O'Neill noted the water and sewer line, according to code, would need to be installed by the developer. He would support some type of assistance for the project; however he noted the obligations the Town currently had. He noted the Town did not have the capital to invest in a project that might provide revenue in the future.

Vice Mayor Dearing noted he would support the Town paying the difference of a 2' line instead of a 1' line to accommodate the three residences should they pursue connections. Council member O'Neill concurred.

Mr. King offered to provide statistics for Council at the next committee meeting.

Vice Mayor Dearing requested Town Superintendent Shifflett provide Council with a "fact sheet" regarding his recommendation.

Mayor Printz spoke regarding certain issues in need of discussion with the Fire Department.

Council member Kite stated there were issues regarding the Kite House that needed to be addressed. He would have a proposal forthcoming at the next committee meeting.

Motion to Adjourn

As there was no additional business, **Council member O'Neill moved, seconded by Vice Mayor Dearing, and carried to adjourn the meeting.**

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

NAYS: None

VOTE: (5 – 0 voice vote) Motion carried

Mayor: _____
Wayne E. Printz

Recorder: _____
Denise R. Monger, Clerk