Special
Council Meeting
July 10, 2007

A special meeting of the Elkton Town Council was held in the Elkton Area Community Center on July 10, 2007, with Mayor Wayne E. Printz presiding. The following Council members were present:

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

Town Attorney Lauri Sigler, Acting Town Superintendent/Zoning Administrator Marty Shifflett, EACC Administrator Allison Morris, Treasurer Clairen Sipe and Clerk of Council Denise R. Monger were also present.

Mayor Printz welcomed Town Attorney Lauri Sigler to the meeting.

Application Consideration for Angela Widdowfield

Acting Town Superintendent Mary Shifflett explained to Council that Angela Widdowfield lived on East Prospect Avenue. She would like to subdivide a 75' x 150' section of property to sell. The matter was reviewed by the Planning Commission and approved.

Mayor Dearing questioned when the request was submitted. Mr. Shifflett responded the date was November 9, 2005 at which time the request was denied because the property did not have a 50' road frontage that was needed for approval in that zoning district. He further stated that no zoning permit application had been submitted after the property had been resurveyed. However, at present all documents were in order.

Vice Mayor Dearing moved, seconded by Council member Kite, and carried to consider the application for approval.

Mr. Shifflett stated he had personally been out to the site and had observed the section to be subdivided.

Vice Mayor Dearing stated he did not have an issue supporting approval for the application. However, he would like to have time to go to the site and view the property. Further, he would like to review some type of documentation on these matters before being asked to vote.

Discussion continued regarding the process by which documentation is presented to the Council and/or the Planning Commission regarding real estate matters.

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

Motion carried (6 – 0 voice vote)

Lot Line Subdivision for Angela Widdowfield

Vice Mayor Dearing moved, seconded by Council member Kite, and carried to approve the lot line subdivision for Angela Widdowfield.

Council member Kite stated that Special Meetings should not have issues on the agenda that Council had not had time to review or prepare for voting on.

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

Motion carried (6 – 0 roll call)

Lot Line Revision for Dr. Richard Brown

Mr. Shifflett stated that Dr. Brown had a small portion of one of his stores recorded on another tax map parcel. Therefore, he readjusted his lot lines so that each line runs along each stores edge and all the stores are separate. Mr. Shifflett stated the Planning Commission reviewed the matter and had recommended approval.

Council member O'Neill requested the matter be tabled until Council could review documentation on the matter. He inquired if all zoning issues were in order and if the lot line adjustment created any grandfather clauses. Mr. Shifflett responded all zoning issues were in order and the change created no clauses.

Additional issues discussed were parking, the alley behind the building, and zoning.

Mayor Printz requested Mr. Shifflett and Town Attorney Sigler review the matter and advise Council how to proceed. Mayor Printz tabled the matter until a later date.

Resignation of Deborah Curtis

Vice Mayor Dearing stated he had sent a letter to Miss Curtis. Her sister came into the Town Hall with a letter from Miss Curtis stating that due to health reasons she could no longer perform her duties. He stated he appreciated the fact she had worked for the Town for thirty-seven years. She would be applying for retirement due to her disability.

Vice Mayor Dearing moved, seconded by Council member O'Neill, and carried to accept the resignation of Deborah Curtis.

Mayor Printz stated he had worked with Debbie for seventeen years and had seen her perform great work for the Town. He knew she loved the Town and felt she had been a great employee. He was very proud that Debbie had worked with the Town and wished her all the best in the future. He wanted to thank her publicly for her service.

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

Motion carried (6 – 0 roll call)

Chief Morris Out of Town Training

Vice Mayor Dearing moved, seconded by Council member Sigafoose, and carried to allow Chief Morris to receive out of town training.

Mayor Printz stated in the future Council should be made aware of this type of situation before it takes place. Vice Mayor Dearing concurred.

Council member Sigafoose stated that Council received notification of the out of town training via Council mailboxes.

Council member Isom stated additional discussion should have taken place before the training began.

Discussion continued on the matter.

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

Motion carried (6 – 0 roll call)

Correct Police Clerk's Pay

Vice Mayor Dearing stated at the last Council meeting Mrs. Shifflett's pay was stated incorrectly. Therefore the following motion was presented:

Vice Mayor Dearing moved, seconded by Council member O'Neill, and carried to correct Kim Shifflett's pay to $11.50 per hour.

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

Motion carried (6 – 0 roll call)

Centennial Celebration

Council member O'Neill stated that $15,000.00 was allotted in the budget for the Centennial Celebration. He spoke with Casey Billhimer who requested some funds for advertising and other initial expenses.

Council member O'Neill moved, seconded by Council member Isom, and carried to release $7,500.00 of the $15,000.00 to the Historical Society for use in the 2008 Celebration.

Vice Mayor Dearing stated he does support the Centennial Celebration. He would like for Council to receive some type of financial statement at least once per quarter.

Council member O'Neill stated the remaining $7,500.00 would need to be released by Council on a separate vote. He further stated he would like a report on additional planning for the remainder of funding.

Mayor Printz stated he thought $15,000.00 was a meager investment towards the Centennial Celebration.

Council member O'Neill stated he did not want non-town officials to assign tasks to Town employees. Vice Mayor Dearing agreed stating that the matter had to be controlled.

Vice Mayor Dearing stated he would like to see the celebration take place in Town instead of outside of Town in the park. Council member Isom responded by stating that EDRC had attempted to involve the Town businesses for the July 4th Celebration. However, those attempts were unsuccessful.

Further discussion continued regarding funding for economic development for the Town and participation in the Main Street Program.

Council member Kite reminded Council of the agreement with the Historical Society regarding the Centennial Celebration which was matching funds. It is his understanding the $7,500.00 from the Town would be used for advertising. He would like to be informed what the $7,500.00 in matching funds from the Historical Society would provide for the celebration.

Council member Isom inquired if funds left over from the celebration would be given back to the Town of Elkton or given back to individual organizations.

Council member O'Neill stated he considered the funding towards EDRC as part of an investment to the success of the Centennial Celebration.

Council member Isom stated that Mr. Workman types all of the minutes from the Centennial meetings. She stated those documents could be distributed to Council for updates.

Council member Sigafoose suggested the Centennial Committee approach Coors and Merck for donations. Vice Mayor Dearing urged those persons in charge of asking for donations to do so quickly as most companies are processing budgets for the upcoming year.

Council member Isom stated the next Centennial Celebration meeting is July 19, 2007.

Mayor Printz thanked Council and Council member Isom for the wonderful July 4th Celebration. He thanked the Rescue Squad, Mike Powell and the Jr. Order for their hard work also.

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

Motion carried (6 – 0 roll call)

Council member O'Neill stated he would prefer all checks be written to the Historical Society and deposited. After further discussion, **Council member O'Neill withdrew his Motion and Council member Isom withdrew her second and the following Motion was presented:**

Council member O'Neill moved, seconded by Council member Isom, and carried to release $7,500.00 of the $15,000.00 to the Historical Society for use in the 2008 Celebration and to allow the Treasurer to write checks to the Jubilee Committee in c/o Historical Society.

Mayor Printz asked Treasurer Sipe and Town Attorney Sigler to review the matter.

Council member Pence inquired if any additional funds would be made available for the Centennial Committee if requested. Council member O'Neill stated that none were budgeted.

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

Motion carried (6 – 0 roll call)

Terminate Town Consultant Contract

After a brief discussion it was determined that the Town Consultant's contract would be terminated.

Council member O'Neill moved, seconded by Vice Mayor Dearing, and carried that the contract with the Town Consultant be terminated according to the terms specified in the contract and such notice be provided as required.

Vice Mayor Dearing stated the Town Consultant was to brief Council on projects. He inquired of Mr. Shifflett if some type of final documentation would be given to Council regarding the status of certain projects. Mr. Shifflett stated the consultant was working on those documents.

Vice Mayor Dearing stated Council should be in possession of documents that the consultant was working on in case they want to review or proceed on any of those matters in the future.

Council member O'Neill asked Council to direct Mr. Shifflett to obtain a report from the Town Consultant on the status of all outstanding issues and/or recommendations and present said report to Council at a future date. Vice Mayor Dearing stated a reasonable time for the documentation to be made available should be by the next Council Meeting.

Vice Mayor Dearing stated he would like all parties to leave on good terms.

Council member O'Neill stated the analysis of the Town's operations had concluded and recommendations had been made. He stated that Council would like to review the results of the analysis.

Council member Kite added that the Town Consultant performed all tasks he had requested and did a terrific job. He thanked Mr. Davis for his work.

Council member O'Neill stated that Mr. Davis was responsible for creating the idea of plaques being placed at the cemetery. He stated this was just one of the positive contributions he made that had been very successful.

Town Attorney Sigler stated the only additional issue that should be added to the correspondence that will be sent to Mr. Davis would be an effective date.

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

Motion carried (6 – 0 roll call)

Vice Mayor Dearing clarified his vote by reading Section 6 of the agreement.

Mr. Davis presented the following for inclusion in the official record:

To: Mayor and Council member, Town of Elkton
From: Roy Davis, Operations Consultant to Town of Elkton
Re: termination of contractual agreement by the Town Council

Since I was advised by Councilman O'Neill on June 15, 2007, that my consulting agreement with the Town of Elkton is to be terminated on June 30, 2007, I would respectfully request that this letter be entered into the minutes the next time the Council is convened for the purpose of conducting business.

Let me say first that it has been a privilege and a pleasure to have had this opportunity to serve our Town in this unique capacity. I trust that these past six months have been a benefit to the officials, managers and employees of the town as well as the citizens. I feel many efforts have been productive and many programs begun that would be of benefit if continued. I further feel that many investigations and projects under my direction were only partially completed and I feel that perhaps in leaving these unfinished I might have in some manner short-changed the people of our town, and for that I apologize. This not withstanding, I respect the wishes of the council and will consider my office officially vacated as of midnight today.

In order to officially end our agreement, I have been advised that we have a couple of items that need to be addressed in order for the terms of that document to be in compliance and properly executed.

Section 6 of the agreement states that a written notice must be delivered by the canceling party and that such notice must stipulate the effective date of such termination.

Section 8 indicates that council action was required to effect this agreement and I believe it reasonable to conclude that like action would have been required to end it. I

assume that this has already taken place since I have been given verbal notice that the "decision has been made." I just need to make sure that this action is clearly stated in the minutes of the meeting in which it occurred.

Please consider my request as expeditiously as is convenient for you. I await conclusion of this matter and receipt of the proper paperwork so I can get on to other offers of employment hat I am entertaining.

Respectfully,

Roy Davis

06.30.07

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

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

Motion carried (6 – 0 voice vote)

Mayor: _____
Wayne E. Printz

Recorder: _____
Denise R. Monger, Clerk