

TOWN OF ELKTON
ELKTON TOWN COUNCIL MEETING
May 15, 2023
6:00 p.m.

A Town Council meeting was held on Monday, May 15, 2023 at 6:00 p.m. at the Elkton Area Community Center, located at 20593 Blue and Gold Drive, Elkton, Virginia, with Mayor Joshua J. Gooden presiding.

Present: Mayor Joshua J. Gooden, Vice-Mayor Rick Workman, Council Member Jan Hensley, Council Member Virginia Fulginiti, Council Member Louis Heidel, Council Member Rachel Michael, and Council Aaron Napotnik.

Also Present: Town Manager Greg Lunsford, Town Attorney Nathan Miller, Chief of Police Dave Harris, Public Works Director Gaither Hurt, Community Development Director Delores Hammer, Treasurer Donna Curry, and Deputy Clerk of Council Kim Shifflett.

REGULAR COUNCIL MEETING

Mayor Gooden called the meeting to order and the Deputy Clerk was asked to call the roll.

Council Member Fulginiti gave the Invocation. All present were asked to join in the Pledge of Allegiance.

ADOPTION OF AGENDA

Council member Michael moved, seconded by Vice-Mayor Workman, and carried to adopt the Agenda as presented.

YEAS: J. Hensley, V. Fulginiti, R. Workman, R. Michael, A. Napotnik, and L. Heidel

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

PRESENTATIONS

National Police Week Proclamation

Council Member Heidel moved, seconded by Council member Fulginiti and carried to adopt the Proclamation for National Police Week 2023, which would be observed from May 9-20.

YEAS: J. Hensley, V. Fulginiti, R. Workman, R. Michael, A. Napotnik, and L. Heidel

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Chief Harris introduced Sergeant Mike King, Corporal Ryan Insana, Officer Chuck Roberts, Officer Justin Kyle, and Officer Alan Johnson.

National Public Works Week Proclamation

Vice-Mayor Workman moved, seconded by Council member Hensley and carried to approve the National Public Works Week Proclamation, which would be observed May 21–27.

YEAS: J. Hensley, V. Fulginiti, R. Workman, R. Michael, A. Napotnik, and L. Heidel

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Mr. Hurt introduced Bill Bailey, Lelan Siler, Shannon Hammer, Ryan Lam, Jeffrey Breeden, Kevin Breeden, Lisa Breeden, and Gary Shifflett.

Elkton Progressive Improvement Committee (EPIC)

The Elkton Progressive Improvement Committee President Billie Jo Dofflemyer presented Council with a pledge of \$75,000 for the construction of the Downtown Marketplace and Farmers Market. Ms. Dofflemyer noted the original group started back in 1987 to enhance the Town with community events and projects. The current organization took over in 2017 with no funds. The group had supported the Town over the past six years with events such as the Autumn Days Festival, Christmas Home and Church Tour, Greater Elkton Golf Tournament, EPIC Beer and Wine Festival, and Cruise-ins. She stated that all funds go back into the community through scholarships and community projects.

PUBLIC COMMENT

Roxanna Gooden, 509 Tannery Lane, Apt. B, Elkton, spoke regarding the pavilion, police department, and community center.

Wayne Printz, 336 W. Washington Avenue, Elkton, spoke regarding the minutes, Countryside Market, and budget.

CONSENT AGENDA

Council member Fulginiti moved, seconded by Council member Heidel, and carried to approve the Consent Agenda as presented.

YEAS: J. Hensley, V. Fulginiti, R. Workman, R. Michael, A. Napotnik, and L. Heidel

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

STAFF REPORTS

Town Manager – Greg Lunsford

Mr. Lunsford spoke regarding the budget and noted a public hearing would be held on June 5 for the budget and utility increases. He noted the completion of the wastewater treatment plant would be in June. Mayor Gooden and members of staff attended a meeting to discuss a new gas station near the Dollar General Store and high school. The architecture bids were received for the new police station. Mrs. Hammer included a building permit graph for the last four years in the packet. He recognized Treasurer Donna Curry and Sergeant Mike King for being awarded a \$153,000 grant for the police department.

Town Attorney – Nathan H. Miller

Mr. Miller reported that the proposed boundary line adjustment was sent to the County to hold their public hearing on May 24. If approved, the agreement would be submitted to the Rockingham County Circuit Court. He noted there was a revision to the property line for the new County EMS near the school. The Town was awaiting execution of the agreement with Clayton Homes regarding the sale of lots on Mt. Pleasant Road.

Chief of Police – David Harris

Chief Harris spoke regarding a Police Athletic League he was hoping to start which would work with children ages 6-12. He would like to use the community center, basketball courts, and Shenandoah Bowling Alley as possible locations for the league. He was reviewing a wellness program for the department.

Public Works Director – Gaither Hurt

Mr. Hurt reported no additional business.

Economic & Community Development Director – Delores Hammer

Mrs. Hammer reported no additional business. Vice-Mayor Workman noted the VFW American Legion group would be picking up flags in the Cemetery on June 6.

Treasurer – Donna Curry

Treasurer Curry distributed copies of the treasurer's report which was not in the packet due to a bank statements arriving late.

COMMITTEE REPORTS

Policy/Personnel Committee: Chairperson Hensley reported no additional business.

Parks and Recreation Committee: Chairperson Fulginiti reported no additional business.

Public Utilities: Chairperson Workman reported that the pavilion project was moving forward.

Public Health & Safety Committee: Chairperson Heidel reported that on May 19, hot dogs and chips would be available from 11am-1pm at Stonewall Park. He thanked Treasurer Curry and Sergeant King for their efforts in securing the grant for the police department which would be a big help to the Town. He noted that Delegate Tony Wilks would be attending on Friday.

Finance Committee: Chairperson Michael thanked Treasurer Curry and her staff.

Special Projects and Economic Development Committee: Chairperson Napotnik noted that Mrs. Hammer would be meeting on June 7, with Gil Coleman of Cole Engineers regarding a pre-application for the pavilion.

UNFINISHED BUSINESS

Final Review of FY24 Budget

Mr. Lunsford stated that the budget was being presented for a fifth time. He noted an increase in water and sewer rates, electric rates, and fees. He thanked Treasurer Curry, all Department Heads, Finance Committee, and Council for their hard work. There were several key items in the budget that would be addressed such as: aging infrastructure, significant debt accumulated over past twenty years while keeping expenses to our residents at a minimum, a need to address staffing for the wastewater plant which would double in size, and the need for an additional police officer.

Mr. Lunsford stated that the FY24 budget consisted of \$7,994,670 which increased 6.9% compared to last year's budget. He noted the significant debt the Town needed to pay off in the next twenty years. The Town's utility rates were kept artificially low for the past two decades, and because of that, there were no contingency funds to address repairs and replacement of water, sewer, and electric infrastructure.

Mr. Lunsford stated that the drinking water project could cost \$8 million. The Town hoped to receive funds for half of the cost using grants. He noted that project would put the Town's debt at \$20 million. The proposed budget included a 16% increase in water rates, 8% increase in sewer rates, as well as a small flat rate increase for electric. He noted the following recommendations: Water hauler rates increase from \$7 to \$8 per thousand gallons and bulk pick-up fee increase from \$30 to \$55 per load. A public hearing was scheduled for June 5th for budget and utility rate increases.

Architect Proposal for New Police Station

Council member Hensley moved, seconded by Council member Fulginiti, and carried to approve the architect proposal from Lineage Architects, P.C. for \$39,320.

YEAS: J. Hensley, V. Fulginiti, R. Workman, R. Michael, A. Napotnik, and L. Heidel

NAYS: None

VOTE: (6 – 0 roll call) Motion carried

NEW BUSINESS

Planning Commissioner Dan Talbot spoke regarding the recommended ordinance amendments to Chapter 110 Land Development. He noted that B-1 zoning allowed short-term rentals. He stated that a pause on short-term rentals would give the commission time to review the code. The amendment would allow the desire to create a specified tourism district that would be from 1st Street to across South Stuart to 33 and from B Street to Route 33. The changes would enhance Town participation for events. The proposed changes would restrict the remaining area of Town to ten short-term rentals and fifteen in the tourism district. He noted that there were currently nine short-term rentals in Town. No property owner could have more than two short-term rentals outside of the tourism district.

Recommendation by the Elkton Planning Commission to hold a joint public hearing with the Elkton Town Council to receive comments on an ordinance amending Chapter 110 Land Development §110-603, § 110-604, § 110-605, § 110-606, § 110-715

Council member Hensley moved, seconded by Vice-Mayor Workman, and carried to approve a joint public hearing with the Elkton Town Council for June 5, 2023.

YEAS: J. Hensley, V. Fulginiti, R. Workman, R. Michael, A. Napotnik, and L. Heidel

NAYS: None

VOTE: (6 – 0 voice call) Motion carried

Recommendation by the Elkton Planning Commission to hold a joint public hearing with the Elkton Town Council to receive comments on an ordinance amending Chapter 110 Land Development §110-610 Downtown Business B-1 and § 110-715 (B)

Council member Fulginiti moved, seconded by Council member Heidel, and carried to approve a joint public hearing with the Elkton Town Council for June 5, 2023.

YEAS: J. Hensley, V. Fulginiti, R. Workman, R. Michael, A. Napotnik, and L. Heidel

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Recommendation by the Elkton Planning Commission to approve a request from Christopher and Wendy Hensley to subdivide a lot located on E. Prospect Avenue, a portion of tax map number 131 A-L46A on plat by Randall K. Newman, dated April 10, 2023

Council member Hensley moved, seconded by Council member Michael, and carried to approve the subdivision of a lot located on E. Prospect Avenue with the removal of a single wide mobile home.

YEAS: J. Hensley, V. Fulginiti, R. Workman, R. Michael, A. Napotnik, and L. Heidel

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Recommendation by the Elkton Planning Commission to hold a joint public hearing with the Elkton Town Council to receive comments on an ordinance amending Chapter 110 Land Development §110-706 Signs

Planning Commissioner Dan Talbot stated the original map for downtown restricts signs to 20 sq. ft. and also included the housing down to 1st street. When the map was drawn it was mostly businesses located there, but now the area was mostly residential property past Shenandoah Avenue. The purpose of the sign ordinance was due to the closeness of buildings to one another which did not apply to that location and seemed unreasonable. The amendment would allow free standing signs to be 7 ft. instead of 10 ft. which was a better match with the VDOT code. The recommendation would still be 16 ft. if the sign was over a street or driveway.

Vice-Mayor Workman moved, seconded by Council member Heidel, and carried to approve a joint public hearing with the Elkton Town Council scheduled for June 5, 2023.

YEAS: J. Hensley, V. Fulginiti, R. Workman, R. Michael, A. Napotnik, and L. Heidel

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

MAYORS BUSINESS

Mayor Gooden attended an event with the 5th grade at Elkton Elementary School. They stated how much they appreciated the police officers visit. He noted the County fire station would break ground on July 1 and the expectation was about eleven months for completion which would free up some Town owned building space.

CLOSED SESSION

Vice-Mayor Workman moved, seconded by Council member Michael, and carried that council go from Regular Session in to Closed Session pursuant to the following:

- a. Pursuant to Virginia Code § 2.2-3711.A.7 for, "Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter."
- b. Pursuant to Virginia Code § 2.2-3711.A.1 for, "Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body."

YEAS: J. Hensley, V. Fulginiti, R. Workman, R. Michael, A. Napotnik, and L. Heidel

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

OPEN SESSION/MOTION TO CERTIFY CLOSED MEETING

Vice-Mayor Workman moved, seconded Council member Michael, that Council go from Closed Session back into Regular Session and Council certify pursuant to Virginia Code § 2.2-3712(D), that to the best of each member's knowledge, as recognized by each Council member's knowledge, as recognized by each Council member's affirmative vote, that only such business matters lawfully exempted from Open Meeting requirements under Virginia Code § 2.2-3711, as were identified in the motion by which the Closed Meeting was convened were heard, discussed, or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of the Town Council.

YEAS: J. Hensley, V. Fulginiti, R. Workman, R. Michael, A. Napotnik, and L. Heidel

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

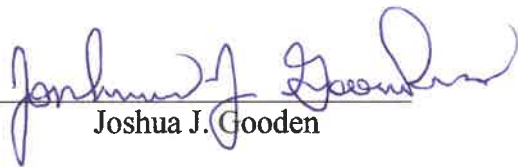
Motion to Adjourn


Vice-Mayor Workman moved, seconded by Council member Napotnik, and carried to adjourn the meeting.

YEAS: J. Hensley, V. Fulginiti, R. Workman, R. Michael, A. Napotnik, and L. Heidel

NAYS: None

VOTE: (6 – 0 voice vote) Motion carried

Mayor: 
Joshua J. Gooden

Recorder: 
Denise R. Monger, Clerk