

Minutes: City Council Special Meeting
March 28, 2016
5:30 PM

The Elkton City Council met in special session on Monday, March 28, 2016 with Mayor Jackie Boyd Weathers presiding.

City Council members present: Doug Gibson; David Haley; Eugene Jefferson; Danny Laster; Frank McReynolds; and, David Powell.

Others present: City Clerk/Treasurer Laura Brock; Terry Frogue, Utility/Streets Superintendent and Zoning Administrator; Jeff Traughber, City Attorney; and, Ashley Weatherholt, Assistant City Clerk.

Mayor Weathers called the meeting to order at 5:30 pm. Because it was a special called meeting, only items on the agenda could be discussed.

AGENDA

1. 2nd Reading Ordinance 2016-02 – Rezoning Property Located on B. White Road and Foggy Road
2. Recommendation from Planning Commission to Rezone 2 Industrial Drive
3. 1st Reading Ordinance 2016-03 – Rezoning 2 Industrial Drive
4. Pedestrian Signs
5. Riverbend Subdivision

Clerk Brock read second reading of Ordinance 2016-02, “REZONING PROPERTY LOCATED ON B WHITE ROAD AND FOGGY ROAD.” Mr. Jefferson motioned to adopt after second reading, seconded by Mr. Laster and carried unanimously by show of hands.

Terry Frogue reported to the council the Planning Commission received a request to operate a church in the building located at 2 Industrial Drive, formerly occupied by Trace Industries. A church is not a permitted or conditionally permitted use in an industrial zone and therefore could not operate in this building. According to the property owners, the building has been sitting empty and not really large enough for industrial use. The Planning Commission did not want to allow churches to be a permitted or conditionally permitted use in an industrial zone; therefore they initiated the process to rezone the property to R-1 residential. A church is a conditionally permitted use in an R-1 zone and would have to go before the Board of Adjustment for a Conditional Use Permit. Therefore, the Planning Commission submitted a recommendation to the City Council to rezone the property located at 2 Industrial Drive from I-1 Light Industrial to R-1 Single-Family Residential. After discussion, Mayor Weathers called for a motion. There was no motion made and the council decided they would like to table further discussion until the next meeting. Therefore, first reading of an ordinance, if necessary, will also be postponed until the next meeting.

Mayor Weathers presented a proposal to purchase “Stop for Pedestrians Within Crosswalks” signs to place on Public Square. These signs can be either mobile or installed permanently. Mayor Weathers will work with Michael Keith Daniel, State Highway Department, on the proper location to place the signs. Mr. Gibson motioned to purchase three of the signs proposed. Motion seconded by Mr. Powell and carried unanimously.

Mr. Frogue reported that the Planning Commission allowed Mr. Arland Overholt to continue work on a house in Riverbend Subdivision after submitting most of the items they requested in order to release the stop work order they issued. They requested Mr. Overholt continue to work on the retention basin to the satisfaction of the city council, since the city will be taking over the retention basin property once it is completed. Frogue reported the design engineer, DDI Engineering, reviewed the basin and stated it needs

more dirt work in order to operate as designed for the entire planned subdivision of about 47 houses. Frogue reported the city council voted back in May 2009 that a chain length fence be installed around the property, but it was not included in the agreement the city, Mr. Overholt and Mr. Laster entered into for the development. The cost of a 6' chain length fence about 1,000' long is about \$13,000. It was also reported Mr. Overholt does not have a zoning permit for the house he is currently working on, even though the Planning Commission asked him to get the permit before starting work on the house. City Attorney Jeff Traugher suggested not issuing the permit until the retention basin is completed. It was the consensus that the city needs to install the fence around the property for safety concerns and there was much discussion on where to place the fence. Frogue requested the council come up with a compliance schedule to complete the basin. Mr. Frogue stated the retention basin dirt work could be completed in about three days' work. Once the dirt work is complete, the property will need to be sewn with grass and now is the best time to do that in order to get a solid stand of grass. After discussion, Mr. Gibson motioned to issue a stop work order to Mr. Overholt and that Terry Frogue should not issue a zoning permit until the retention basin is completed. Motion seconded by Mr. Haley and carried unanimously.

As there were no other items of business, Mr. Laster motioned to adjourn, seconded by Mr. Jefferson and carried unanimously. Meeting adjourned at approximately 6:07 pm.

Jackie Boyd Weathers, Mayor

Laura M. Brock, City Clerk/Treasurer