

REGULAR MONTHLY MEETING OF THE STEPHENS CITY TOWN COUNCIL
Tuesday, November 6, 2012
7:30 p.m.

Mayor Joy Shull-Gellner called the meeting to order at 7:30 p.m. and led everyone in the Pledge of Allegiance.

Vice Mayor Fravel offered the invocation.

Roll call showed the following present:

Vice Mayor Linden Fravel, Council member Ronald Bowers, Council member Martha Dilg, Council member James Harter, Council member Joseph Hollis. Absent: Council member Joseph Grayson.

Staff present: Mike Kehoe, Town Manager; David Griffin, Town Attorney; Brian Henshaw, Town Planner, Officer Ron Fox, Police Department; Shannon Rothemich, Town Treasurer; Dianne MacMillan, Town Clerk

Guests: None present

Press: None present

AGENDA

On motion by Vice Mayor Fravel, the Amended Agenda for November 6, 2012 was adopted.

PUBLIC COMMENTS

Mayor Shull-Gellner asked for any comments from the public and there were none.

MINUTES – Regular Meeting of October 2, 2012

Vice Mayor Fravel moved for approval of the minutes of the regular monthly meeting of October 2, 2012 and the motion carried with the following recorded vote:

Recorded Vote:

Vice Mayor Fravel	-	Aye	Nay - None
Council member Bowers	-	Aye	Abstain- None
Council member Dilg	-	Aye	Absent – Council member Grayson
Council member Harter	-	Aye	
Council member Hollis	-	Aye	

TREASURERS REPORT – Shannon Rothemich – Treasurer

The Mayor said that Council had the Treasurer's report and asked for any questions. The Town Treasurer reported that the personal property tax bills were in the process of being printed. She added that unless there were glitches, the bills would be out in time to avoid an extension being needed. The report was accepted for information as presented.

POLICE REPORT – Charles Bockey, Chief

Mayor Shull-Gellner noted that the members had Chief Bockey's police report for information and asked if there were any questions. Office Fox reported that he and the Chief went to a rail collision class – a free class put on by CSX – which was really interesting and informative since rail comes through town. He explained that they were instructed in how to investigate which involved a lot of federal laws and they could now work a rail accident if necessary. He also reported that on October 20th Officer Baber and Frederick County Deputy Mitchell assisted rescue quad personnel at 210 Stephens Run performing CPR on the resident which helped him live a little longer than he would have. There were no questions and the report was accepted for information as presented.

ACTION AGENDA

A. Purchase of Town Equipment – Bobcat loader

The Mayor announced that the Town was considering the purchase of a Bobcat loader for public works. Mr. Kehoe advised that this piece of equipment had been on the CIP for a number of years and this was the year it should be purchased. He said it was much needed since the tractor broke down and there was nothing to scoop or lift with. He added that the Bobcat loader was a very versatile piece of equipment. Mr. Kehoe reported that Winchester Equipment sells the Bobcat locally and they can also sell through the state contract. The proposed price reflected the state contract price. He said he also had a price on a used 2005 Bobcat for \$21900.00. He reported that after talking with the town's contractor, his recommendation was for the 61 hp and he thought the price of \$28,286.00 was good. Mr. Kehoe said the lesser model was less expensive but did not have some of the features of the T61. He added that there were a lot of different accessory that could be used with the Bobcat and as time goes, they could be purchased. He asked that council approve this purchase. He added that he would look for other prices but the town would definitely need something before the winter was over. He said he did not think they could do any better than the state contract price. Mr. Kehoe added that the town had the money to purchase not lease and it was necessary equipment. Council member Hollis recommended that the town purchase a new one because the town would get a lot of work out of it and it would be a waste of time looking for used equipment. Council member Bowers said this was a good piece of equipment because so many attachments were available to go with it.

Council member Joe Hollis moved that the Council approve the purchase of a new Bobcat loader 61 hp S185 model at a cost of \$28,282.00 and the motion passed with the following recorded vote:

Recorded Vote:

Vice Mayor Fravel	-	Aye	Nay - None
Council member Bowers	-	Aye	Abstain- None
Council member Dilg	-	Aye	Absent – Council member Grayson
Council member Harter	-	Aye	
Council member Hollis	-	Aye	

B. Additional Appointment to Old School Development Subcommittee

The Mayor announced that an additional appointment to the subcommittee should be considered and she suggested that Council member Joe Grayson, as Chairman of the Public Works Committee, also serve as Chairman on the subcommittee.

Council member Dilg moved that Council appoint Joseph Grayson to serve on the Old School Development Subcommittee and act as chairman and the motion passed with the following recorded vote:

Recorded Vote:

Vice Mayor Fravel	-	Aye	Nay - None
Council member Bowers	-	Aye	Abstain- None
Council member Dilg	-	Aye	Absent – Council member Grayson
Council member Harter	-	Aye	
Council member Hollis	-	Aye	

C. Business Facilitation Agreements

The Mayor requested that Council consider a business facility agreement. She said that the town should be able to enter into contracts and/or agreements in order to enhance business in the area and designate someone as a contract for businesses.

Council member Harter moved that the Town Manager be granted the power to enter into contracts or agreements within the confines of the Town Budget to facilitate the expansion of existing businesses within the Town and the attraction of new businesses to the Town, with this power to be good for the next six months and for the Town Manager to report his progress and activities to the Committee.

The Mayor said this action was prompted by a property adjoining the Sheetz property which had been vacant and was being used by squatters. Sheetz would like to expand its facility onto this property and if the town wanted to keep the business, the Mayor felt it was up to the town to facilitate this expansion of business any way possible. She added that the town would not enter into any agreements to purchase nor put up any money, but would simply be supporting any business in a similar situation. Mr. Kehoe added that specifically, the property in question was derelict and had been considered for condemnation. He added that whatever the town could

do to promote economic development in this area was better than the abandoned building there now. The motion on the floor passed with the following recorded vote:

Recorded Vote:

Vice Mayor Fravel	-	Aye	Nay – Council member Harter
Council member Bowers	-	Aye	Abstain- None
Council member Dilg	-	Aye	Absent – Council member Grayson
Council member Hollis	-	Aye	

COMMITTEE REPORTS

A. Administrative Committee – Joseph Hollis, Chair

No meeting was held but one needed to be schedule to review the Taxicab Chapter of the Town Code.

B. Finance Committee – Joseph Hollis, Chair

Council member Hollis reported that the audit was ongoing. He said the only action item from the committee was regarding approved financial institutions for the Town. He said that the Newtown Heritage Festival had a checking account at Virginia Savings Bank which was now named Citi National Bank. He moved that Citi National Bank be designated as an approved financial institution for the Town of Stephens City. The motion passed with the following recorded vote:

Recorded Vote:

Vice Mayor Fravel	-	Aye	Nay - None
Council member Bowers	-	Aye	Abstain- None
Council member Dilg	-	Aye	Absent – Council member Grayson
Council member Harter	-	Aye	
Council member Hollis	-	Aye	

C. Public Works Committee – Joseph Grayson, Chair

No report from last month but a meeting would be held this month

D. Water/Sewer Committee – James Harter, Chair

Nothing to add to the submitted report.

E. Personnel Committee – Martha Dilg, Chair

No meeting was held.

F. Public Safety Committee – Ronald Bowers, Chair

Council member Bowers reported that the Committee met with the president of the Stephens Landing Homeowners Association with reference to some parking changes they wanted. He said they discussed, agreed, disagreed and compromised. They agreed to the

recommendations in his report. Council member Hollis asked if the recommendations were satisfactory for the HOA and Council member Bowers said they were.

Council member Bowers moved that the following actions be taken in the Stephens Landing Subdivision: 1) extend the “no parking zone” on the first block of Grove Street to both sides of the street and 2) place “no parking” signs on one side of Half Penny Court and Shoebuckle Court. The motion passed with the following recorded vote:

Recorded Vote:

Vice Mayor Fravel	-	Aye	Nay - None
Council member Bowers	-	Aye	Abstain- None
Council member Dilg	-	Aye	Absent – Council member Grayson
Council member Harter	-	Aye	
Council member Hollis	-	Aye	

G. Parks & Recreation Commission – Ronald Bowers, Chair

No meeting – no report.

PLANNER’S REPORT – Brian Henshaw, Town Planner

Mr. Henshaw reported he had nothing to add to the report as submitted. He said he would be waiting until the Old School Development Subcommittee met to get a better understanding of what was planned before beginning to draft an RFP. Council member Hollis asked when the subcommittee would be meeting and Mr. Kehoe said they would be meeting with the Public Works Committee. Council member Hollis opined that the sooner the town acts, the better.

TOWN MANAGERS REPORT – Mike Kehoe, Town Manager

1. Mr. Kehoe reported that the town had the keys to the old school buildings, the electricity account was in the town’s name and the buildings were insured under VML
2. He advised that the town maintenance crew checked the school after the storm and a few slate roof tiles had blown off resulting in some leaking and this would be repaired very soon. He added that one basement sub-drain was clogged up but had been opened.
3. Mr. Kehoe advised that there was minimal storm damage in the town as a result of the recent storm but the Barley Drive area had been without electricity overnight.
4. He also reported that leaf collection had begun and would continue on Monday’s throughout the month of November; longer if necessary.
5. Mr. Kehoe reported that the town offices would be closed for Veterans Day and the Thanksgiving holiday.
6. He explained that the town had three days of intensive field work from the audit team and they should be working on the report now.
7. Mr. Kehoe advised that there was a law suit pending against the town from a person who was riding a bicycle at night and hit a cable resulting in injuries. He said this was being handled by VML. He said although this accident took place on private property, every

public entity was being brought into the suit including the Town, Frederick County and the State

8. He said that it was not too early to think about the annual Christmas celebration and if everybody liked what was done last year, it would be tried again this year. All were in agreement.

COUNCIL COMMENTS/CALENDAR

The Mayor congratulated the three members of Council on the election. A meeting of the Administrative Committee was set to precede the Finance Committee at 4PM on November 28th. The Old School Development Subcommittee was scheduled to meet with the Public Works Committee on the 21st subject to agreement of Council member Grayson who chairs both committees. The members of the Subcommittee not on Council would be notified. Mr. Henshaw advised that the Planning Commission usually combined the meetings in November and December into one meeting in December, usually in the second week. The time would be set after agreement of the members.

There being no further business, Council member Harter moved to adjourn at 8:00 p.m. and the motion carried.

Joy B. Shull-Gellner, Mayor

Dianne L. MacMillan, CMC, Town Clerk