

REGULAR MONTHLY MEETING OF THE STEPHENS CITY TOWN COUNCIL
Tuesday February 5, 2013
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.

Council member Dilg 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; Brian Henshaw, Town Planner; Chief Charles Bockey, Police Department; Shannon Rothemich, Town Treasurer; Dianne MacMillan, Town Clerk.

Guests: None present

Press: None

AGENDA

On motion by Vice Mayor Fravel, the agenda for February 5, 2013 was adopted.

PUBLIC COMMENTS

The Mayor noted that this was the time for the public to make comments on any items other than the ones on the agenda and asked for questions or comments. There was no response from those present.

MINUTES – Regular Meeting of January 2, 2013

Council member Hollis moved for approval of the minutes of the regular monthly meeting of January 2, 2013 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. Council member Hollis asked the Treasurer if she was feeling good about the rate of collection, and she said she was not. She stated that there was a lot of money owed the town for back taxes. She said she would like to put liens on the properties for the outstanding real estate taxes and would provide a list of those delinquencies to the Finance Committee for consideration. She added that unpaid taxes constitute a lien on the property but she would like to take it one step further by filing a lien for unpaid taxes. The Treasurer’s report was accepted 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. There were none and the report was accepted as presented.

ACTION AGENDA

A. Resolution to Transfer Crooked Lane Extended into State Secondary Road System

The Mayor stated that a resolution for the transfer of Crooked Lane to VDOT was to be considered. Town Manager, Mike Kehoe reported that the Town was making another attempt to turn the extension of Crooked Lane consisting of approximately 1,000 feet over to VDOT which had been an ongoing process. He said the last steps involved stormwater drainage issues and preparation of a quit claim deed for water/sewer lines guaranteeing that VDOT would not have responsibility for them. He said all these requirements are clear and all that was needed was the adoption of the resolution requesting VDOT accept the extension of Crooked Lane. Vice Mayor Fravel asked if VDOT would be responsible for drainage in that area and Mr. Kehoe said they would be responsible within their right of way. The Mayor asked if they would assume responsibility for snow removal in the area and Mr. Kehoe said they would.

Vice Mayor Fravel moved to adopt the resolution to transfer Crooked Lane into the State’s secondary road system (copy attached). 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	

COMMITTEE REPORTS

A. Administrative Committee – Joseph Hollis, Chair

Council member Hollis reported no meeting and no report.

B. Finance Committee – Joseph Hollis, Chair

Council member Hollis reported the Committee did meet and the report was attached. Council member Hollis moved that Frederick County be engaged to do the first and second half billings for the Town’s personal property taxes and to approve the cost of postage to send out delinquent liens notices and notices for real estate and personal property taxes. 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

Mr. Henshaw reported that the Old School Development subcommittee had met and the report was attached. He advised that there was one recommendation which needed action.

Council member Hollis moved that the Town Manager be directed to negotiate with prospective interested parties about using the Old School complex for temporary storage until the Town begins the rehab project in order to increase traffic and activity at the Old School Complex. Mr. Kehoe advised that this activity should minimize some vandalism problems occurring at the Old School. Council member Harter asked if anyone had asked to rent the space and Mr. Kehoe said the Stephens Landing HOA had expressed interest. He said there was a lot of room there that could be used. Vice Mayor Fravel warned about liability issues including not assuming any liability for flooding or other damage. Council member Hollis said the Town should consult with the Town Attorney prior to any storage agreements. 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	

D. Water/Sewer Committee – James Harter, Chair

Council member Harter said the contract with Anderson & Associates had been under consideration for over two months. He moved that this august body approve signing the contract

with Anderson & Associates for a waste water line running on the west edge of town. Vice Mayor Fravel asked about item 2-designing a development plan where it said prepare approximately 50% plans – what was that. Mr. Kehoe explained that the project was to be done in phases and when the plan was completed there would be plans approved for sending out for bid or for seeking money for construction. 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	

E. Personnel Committee – Martha Dilg, Chair

Council member Dilg reported that the Committee did not meet.

F. Public Safety Committee – Ronald Bowers, Chair

Council member Bowers reported that some time ago Line of Duty coverage for volunteer fireman was discussed and the Committee recommended that the Town pay 50% of the premium since the fireman participate in protecting the Town of Stephens City. It was agreed that the Town would pay 50% or up to \$1500.00. He said the coverage would be split with Frederick County. Council member Bowers moved that the Council specifically approve up to \$1500 for Line of Duty coverage. Mr. Kehoe added that it was in the budget. 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

Council member Bowers said a copy of minutes of the meeting was included in the packets. He added that there would be a meeting on Monday evening of the Veterans Memorial committee.

Vice Mayor Fravel moved that Town Council approved the committee meeting minutes and reports for information. The motion passed unanimously.

PLANNER’S REPORT – Brian Henshaw, Town Planner

Mr. Henshaw reported that the annual reports for the Planning Commission and the Historic Preservation Commission had been included in the agenda packet for information purposes and no action was required.

He advised that the new street signs are up and the Town was getting positive feedback from the public. He said the most asked question was when the signs would be put up elsewhere in Town. He reminded those present that the signs were done through a CLG grant and was a project for the historic district. He added that the Town would be closing the grant out soon.

Mr. Henshaw reported that Jason Nauman, a member of the Planning Commission and president of the Stephens Landing Homeowners Association gave him a Certificate of Appreciation to present to the Town Council and the Police Department. He presented the certificate of appreciation “for continued support to the Stephens Landing Community” to the Mayor and Chief Bockey.

Vice Mayor Butch asked the status of the north main street enhancement project and asked if the Town was over budget. Mr. Henshaw said the town was not over budget and LPDA has always tried to stay within approved amounts. He advised that VDOT has now required a different waiver than originally requested concerning a buffer for utilities involving more engineering with no guarantee of approval. He added the town would now anticipate additional bills which would be addressed later. He said it was the Town’s goal is to start formal construction which will have to be phased. Council member Hollis asked what the first phase would be and Mr. Henshaw answered that drainage was the most important phase. Vice Mayor Fravel asked is the Town should be applying for another grant. Mr. Henshaw said there would need to be an approved plan ready for the first phase of construction in order to be considered for another grant.

The Mayor thanked Mr. Henshaw for heading the street sign project and commented that the signs really were attractive and a big improvement. Mr. Henshaw said he appreciated the recognition but the Council should also thank the Historic Preservation Commission for trying to be more than a body judging shutters and trying to become a more proactive committee. Mr. Kehoe also thanked the public works staff for doing the labor during the cold months.

TOWN MANAGERS REPORT – Mike Kehoe, Town Manager

1. Mr. Kehoe reported that the fire hydrant damaged in an automobile accident has been replaced and is activated. He said the cost of replacement was turned over to the driver’s insurance company which has balked at reimbursement noting the depreciation on the hydrant. He added that this may have to be turned over to the Town Attorney for collection.
2. Mr. Kehoe advised that the electricity at the Old School has been checked out and can be left on to keep lights and the sump pump activated.
3. He said that the Newtown Heritage Festival would like to utilize one or two of the building at the Old School Complex for festival activities this year. He added that VDOT would also like to see some semblance of a transportation museum there and the Town

could work with the Stone House Foundation to provide something that speaks to transportation. These activities would be for the spring.

4. Mr. Kehoe reported that the Town had been approached by Frederick County Department of Inspections to adopt a maintenance code so they can enforce some problems with structures in Town. He said the County has adopted this code but the Town has not. This used to apply to rental properties only but now can be used for all properties.
5. He advised the Council that the budget process would begin in February.
6. Mr. Kehoe reported that it had come to his attention that the Stephens Landing HOA had been paying the bill for street lights in that section of Stephens City. He said the streets are dedicated to the Town (but not to VDOT) and all other street lights in Town are paid for by the Town. He said he did not know how this situation happened. He said the Town can't pay for some street lights in town and not others – it must be across the board. He advised that this will be reviewed by the Public Works Committee.

COUNCIL COMMENTS/CALENDAR

There were no changes requested and the Mayor stated that the calendar would stand as set unless the members were advised otherwise.

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

Joy B. Shull-Gellner, Mayor

Dianne L. MacMillan, CMC, Town Clerk