

REGULAR MONTHLY MEETING OF THE STEPHENS CITY TOWN COUNCIL
Tuesday, September 6, 2011
7:30 p.m.

Mayor Joy Shull called the Town Council to order at 7:32 p.m.

Mayor Shull led the Pledge of Allegiance.

Council member Dilg offered the invocation.

Roll call showed the following Council members present:

Vice Mayor Linden A. Fravel, Jr., Councilperson Martha Dilg, Councilperson Joseph Grayson, Councilperson Ron Bowers, Councilperson Joseph Hollis
Councilperson James Harter was absent.

Staff present: David Griffin, Town Attorney; Charles Bockey, Police Chief; Kim Uttenweiler, Town Treasurer and Acting Town Clerk; Brian Henshaw, Town Planner/ Assistant Town Manager. Michael Kehoe, Town Manager was absent.

The Acting Clerk called the roll.

AGENDA

On motion by Vice Mayor Fravel the Agenda for September 6, 2011, was amended to move item 14, the Closed Session to position number 9. In addition, on item number 6 should read, “ Regular Monthly Meeting of August 2, 2011.”

With these changes the Agenda was adopted by a majority consensus.

PUBLIC COMMENTS

Mayor Shull opened the floor for public comments on any topic not on the agenda. There were none.

PUBLIC HEARING

A. Regional Water Supply Plan

Martha Shickle, Executive Director of the Northern Shenandoah Valley Regional Commission, presented the draft of the Regional Water Supply Plan, and provided a brief history of the project and those involved.

There were no public comments regarding this issue.

B. Stephens City Drought Ordinance

David Griffin presented the draft of the Stephens City Drought Ordinance, giving a brief history of the intent behind the ordinance and legislative history of similar measures.

There were no public comments regarding this issue.

MINUTES – August 2, 2011 Regular Meeting

Councilperson Hollis moved for approval of the minutes of August 2, 2011 as corrected and the motion carried with the following vote:

Recorded Vote:

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

TREASURERS REPORT – Kim Uttenweiler

Mayor Shull announced that the members had the Treasurer’s report for information and asked if there were any questions. There were none and the report was accepted.

POLICE REPORT – Charles Bockey, Chief

Mayor Shull announced that the members had Chief Bockey’s police report for information and asked if there were any questions.

Chief Bockey informed Council that all member of the department had qualified during a recent firearms testing. Councilperson Harter had accompanied the department on this qualification.

The police department’s call volume had increased. There had been three burglaries, and one attempt, in town. The perpetrator had been apprehended and was in the Adult Detention Center pending the posting of a \$300,000 bond.

The rise in traffic accidents and related incidents were discussed. The increase for the incidents were due to a number of reasons: Increased traffic on the road due to the opening of schools and the pickup/drop off schedule of the school buses; a fatality on I-81 had increased the burden of traffic on the secondary road system through the town; a traffic incident involving our

local fire station's apparatus; an incident involving a pedestrian walking into a motor vehicle. There had been a number of multi-car incidents in the past month, which necessitated having the County handle the overflow when our department had been dispatched to other calls in the same time period. There was also a motion picture being filmed at the Redwood Motel, which lead to more police involvement. Chief Bockey reported that just prior to the Council meeting he and Officer Fox had worked a DUI accident located at the local travel agency.

The Council and Chief Bockey observed that the planned Stephens City By-Pass should alleviate some of the congestion which contributes to the high traffic accident rate.

CLOSED SESSION

At 7:54 pm, Councilperson Hollis made a motion that, pursuant to Section 2.2-3711.A7 of the Code of Virginia 1950, as amended for the purpose of consultation with legal counsel and briefings by staff members pertaining to actual or pending litigation between the Town of Stephens City and the County of Frederick where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the Public Body.

Recorded Vote:

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

The Council came out of Closed Session at 8:58 pm, and the Public and Press were re-admitted to the Council Chambers, with a certification read by Councilperson Hollis

Recorded Vote:

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

Councilperson Hollis made a motion that a Special Meeting for September 13, 2011, at 5:30 pm for the purpose of acting on amended proffers.

The motion passed with consensus.

Councilperson Grayson, due to having just completed international travel, excused himself and left the council meeting.

ACTION AGENDA:

A. First Reading

The Acting Town Clerk gave a First Reading of the “Ordinance to Amend Chapter 22, By the Addition of Article V., Drought and Water Supply Situations.”

Vice Mayor made a motion to accept the First Reading. Motion was approved by consensus.

B. Amended Proffers Statements

The Amended Proffers Statement Action was postponed until September 13, 2011, Special Meeting.

C. Proposal for SERCAP Grant Project by Anderson & Associates

Brian Henshaw presented a brief history of the project and the progress to date. Anderson & Associates had identified the grant potential. We did receive the grant. Anderson has submitted the proposal to do the work for feasibility of providing sewer service along Fairfax Street, west of the CSX railroad. He recommended that we enter into the contract with Anderson.

There being no comments, Vice Mayor Fravel made the motion to accept the proposal. The motion carried by consensus.

COMMITTEE REPORTS

A. Administrative Committee – Joseph Hollis, Chair

No meeting was held.

B. Finance Committee – Joseph Hollis, Chair

No meeting was held.

C. Public Works Committee – Joseph Grayson, Chair

No meeting was held.

D. Water/Sewer Committee – Mayor Shull for James Harter, Chair

Meet, and action already discussed.

E. Personnel Committee – Martha Dilg, Chair

No meeting was held.

F. Public Safety Committee – Ronald Bowers, Chair

No meeting.

G. Parks and Recreation Committee – Ronald Bowers, Chair

The Parks and Recreation Committee met on July 29, 2011. The minutes of the meeting are included in the package. Councilperson Bowers outlined the war memorial work in progress and the fund raising in connection of this project. A turn-key estimate of \$29,000 has been submitted to the Committee. There is a form available in the packet. Councilperson Bowers made a motion to accept the form, the motion was passed by consensus.

PLANNER'S REPORT – Brian Henshaw

Mayor Shull noted that the planner's report was included in the packet. Mr. Henshaw had the following additions to his written report:

The Planning Commission met on Tuesday, August 30, 2011 at 7:30pm. The Commission had a relatively minimal action agenda but did take action on the proposed proffer amendments submitted to them on June 7, 2011 at the joint Planning Commission and Town Council meeting. The Planning moved to recommend to the Town Council that they DENY the proposed amended proffers made by 300N, LLC and BHL Investment, LLC as presented at the public hearing June 7, 2011 on the parcels known as the Davis and Russell properties. These amendments would violate the joint land use agreement we have with Frederick County and would damage the regional and County's long range transportation plans and are not in the region's best interests.

TOWN MANAGERS REPORT – Presented by Brain Henshaw

The Yard Crawl was another huge success, and has and continues to be an ever growing event. Other than traffic jams, everything about the event ran smoothly and was believed a lot of individuals did very well on the day. Due to interest, the Town opened and rented out two different sites, the Newtown Commons and the Old School and had to turn some interested parties away or refer them to other local organizations.

Sherando Spirit Week is the week of September 11- 17, 2011. Mayor Shull was at the game on Friday, September 2 to announce and proclaim Sherando Spirit Week. The parade and carnival will be on Thursday, September 15, 2011 at 6 pm with Fireworks to follow. The Homecoming game is on Friday night, September 16 2011.

Regarding the rag situation, Mayor Shull and Mike met with the Sanitation Authority on September 18 2011 to discuss the continued problem with the rags. The FCSA has agreed to work with the Town to track down the problem areas and source of the rags. The Town has aggressively started to pinpoint the location of the issues. We are narrowing down the location with the strategic location of screens and with our Town Engineers help. We have also included a very direct article in the Town's Newsletter and it will be posted on the Town's Website as well. We have continued working with the press to get the word out about the seriousness of the situation.

As you may have noticed Main Street was paved within the last month. Currently our edge lines and crosswalks have not replaced. The crosswalks are scheduled to be replaced and have been marked. Brian has worked with the subcontractor (Roadmark Inc.) to come back and stripe the

edge lines throughout Main Street. The Town was able to salvage the “snow-plowable markers” that were in the crosswalks by working with Stuart Perry Paving, we will have to put these back down at our expense.

COUNCIL COMMENTS/CALENDAR

There were no comments.

Changes to the Calendar were: A Special Meeting of the Town Council was set for September 13, 2011, at 5:30 pm; and moving all the meetings scheduled for September 15, 2011, to September 22, 2011 due to the Sherando Parade being a possible conflict.

There being no further business, Vice Mayor Fravel moved to adjourn at 9:11 p.m. and the motion carried.

Joy B Shull, Mayor

Kim S. Uttenweiler , Acting Town Clerk