

REGULAR MONTHLY MEETING OF THE STEPHENS CITY TOWN COUNCIL
Tuesday, January 4, 2011
7:30 p.m.

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

Council member Hollis offered the invocation.

Roll call showed the following present:

Vice Mayor Linden A. Fravel, Jr., Councilmember Bowers, Council member Martha Dilg, Council member Joseph Grayson, Council member James Harter and Council member Joseph Hollis

Staff present: Mike Kehoe, Town Manager; Brian Henshaw, Town Planner/Asst. Town Manager; David Griffin, Town Attorney; Charles Bockey, Chief of Police; Kim Uttenweiler, Town Treasurer; Dianne MacMillan, Town Clerk

Guests/Citizens: Evan Wyatt, Greenway Engineering

AGENDA

On motion by Council member Dilg the Agenda for January 4, 2011 was adopted as presented by consensus.

PUBLIC COMMENTS

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

PUBLIC HEARINGS

Proposed West Wynd Subdivision Proffer Amendments

Mayor Shull opened the Public Hearing to receive comments on the West Wynd Subdivision proffer amendments. Town Planner Brian Henshaw stated that the amendments were to create a revised phasing plan for the subdivision and the western bypass as well as remove items on the proffer statement which were already completed. He added that the Planning Commission recommended approval of the amendments at its 2010 November meeting.

Evan Wyatt, Greenway Engineering, representative of West Wynd addressed Council with a request for approval of the changes to the proffer statement which would primarily address the phasing program and construction of the western bypass road. He listed the items that had been satisfied and have been removed from the proffer. Mr. Wyatt reminded those present that the West Wynd plan had received approval for the 248 residential lots, the

subdivision design plan, the western bypass road design plan (approved by VDOT) and final platting. He said they now needed a phasing plan that would allow for development using existing town road system and said that before getting into the next phase, the first two lanes of the bypass road to Fairfax would be built. He said the original proffer indicated that the bypass to the northern property line would be completed by the 200th permit and this had not changed. He stated that the proffer included three triggers that would guarantee the completion of the four lane bypass even if the project was not completed. He also indicated that bonding would be in place for any road construction before the first permit is pulled. Mr. Wyatt added that the equipping of the dedicated public park would be completed by the 90th permit or before.

Mr. Wyatt stated that he also wanted to go on record as addressing concerns expressed during previous discussions because of the residential neighborhoods adjoining the property. He said there would be a certified land disturber responsible for all permits and compliance. Construction traffic would not use Crooked Lane to access the site. He said there would be blasting activity near karst geology and a geo tech engineer would develop an “area of influence.” This person would conduct a blasting survey for notification of residents in that area. He stated that the geo tech would request permission to go onto property for inventory to gauge existing conditions. He added that during blasting there would be notices given and a seismograph would be located in the area to take readings. Mr. Wyatt advised that the blasting survey provides a level of protection for the property owner and the developer. He said there would be a plan on file with the town engineer stating how they would handle karst geology in case they encounter any. He also stated that the developer would make sure that residents surrounding the site would be notified that Greenway Engineering would be the point of contact in case of concerns.

Mayor Shull called for questions or comments from Council or the public on the proposed West Wynd Subdivision proffer amendment. There were none and the Public Hearing was closed at 7:43 p.m.

Proposed Leases of Town Property on Passage Road

Mayor Shull opened the Public Hearing on leasing of town property. Town Manager, Mike Kehoe reported that the town currently leases three parcels of land. 1) Amerigas on West Fairfax was current but would need to be renegotiated; 2) a lease on 43 acres adjacent to the quarry had expired and Mr. Carbaugh had leased the property for farming for the past 10 or 12 years. He advised that Mr. Carbaugh was current on payments but the lease had expired. 3) a 10 acre site adjacent to the railroad tracks was leased by Hard Rock Crushing for rock crushing and the lease had expired with the lessee defaulting. Mr. Kehoe said someone had expressed interest in leasing this site also to use for rock crushing. Vice Mayor Fravel asked if there was crushed rock still on the property and Mr. Kehoe said it was gone and only old equipment remained on the property.

Mayor Shull called for questions or comments from council or the public. There were none and the Public Hearing was closed at 7:45 p.m.

MINUTES – December 7, 2010 Regular Meeting

Council member Harter moved for approval of the minutes of December 7, 2010 and the motion carried with the following vote:

Recorded Vote:

Vice Mayor Fravel	-	Aye	Nay - None
Council member Bowers	-	Aye	Abstain - None
Council member Dilg	-	Aye	
Council member Grayson	-	Aye	
Council member Harter	-	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 being none, the Treasurer’s report was accepted as presented.

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 reported to Council that in response to a request by a citizen, he contacted VDOT about installation of a stop sign at the intersection of Mulberry St. and Locust which was reported as a dangerous intersection. He advised that VDOT did a study and notified him that it was not deemed a dangerous intersection and denied installation of a stop sign. There being nothing further, the police report was accepted as presented.

ACTION AGENDA

A. Acceptance of West Wynd Subdivision Proffer Amendments

Mayor Shull stated that the West Wynd Proffer Amendments had received no comments during Public Hearing. Council member Hollis moved to approve the West Wynd proffer amendments (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	
Council member Grayson	-	Aye	
Council member Harter	-	Aye	
Council member Hollis	-	Aye	

B. Council Authorized Town Manager to Negotiate Leases on Town Properties

Council member Bowers moved that Town Council authorize the Town Manager to advertise leases and to negotiate terms for leases on town property. 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	
Council member Grayson	-	Aye	
Council member Harter	-	Aye	
Council member Hollis	-	Aye	

COMMITTEE REPORTS

A. Finance Committee – Joseph Hollis, Chair

Council member Hollis reported that the Committee met and after recommendation from personnel committee and discussion at the Finance Committee meeting the committee recommended a bonus for the employees. Council member Hollis moved that the employees be awarded bonuses of 3% of each town employee’s base pay effective Jan 1 of 2011. He added that it had been quite a while since employees had a raise of any kind and rather than adjust salaries, it was decided that a bonus would be better. 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	
Council member Grayson	-	Aye	
Council member Harter	-	Aye	
Council member Hollis	-	Aye	

B. Public Works Committee – Joseph Grayson, Chair

The Chairman reported that the committee did not meet.

C. Water/Sewer Committee – Jim Harter, Chair

The Chairman advised nothing to report.

D. Personnel Committee – Martha Dilg, Chair

Chairman Dilg reported that the committee met and determined that the Town should allow Martin Luther King and Lee Jackson holiday to be flex holidays so that there could be more flexible hours for the Town Manager and staff to take holiday time and have the office staffed. She reported that the committee also discussed merit pay versus bonuses and recommended bonuses. She also reported that the committee reviewed job descriptions and

would have recommendations for updates later. She said as indicated by Council member Hollis, Chairman of the Finance Committee, there would be no COLA this year.

E. Public Safety Committee – Ronald Bowers, Chair

Council member Bowers nothing to report.

F. Parks and Recreation Commission – Ronald Bowers, Chair

Council member Bowers reported that a concept for the proposed war memorial was before the members. He said this was to be erected at the Newtown Commons. He said that the committee had over the past few months reviewed several ideas and decided on this concept. The memorial plate would go in the center and the medallions for the service branches would be around that. He said what did not show on the drawing was a footer consisting of a flag pole and two small benches. He said the committee was looking for cost estimates and would then look at funding. Council member Hollis asked if there was a site chosen at the park and Mr. Kehoe indicated that there was a site about 25 to 30 feet north of the kiosk. Council member Bowers said the committee looked at several different areas and proposed this site to avoid other utilities. Council member Hollis asked if it would not block the stage. Mr. Kehoe said it would not and would be located in an unobtrusive site but accessible and visible from the street.

PLANNER’S REPORT – Brian Henshaw

Mr. Henshaw had nothing to add to the Planner’s report as submitted and there were no questions from Council.

TOWN MANAGERS REPORT – Mike Kehoe, Town Manager

1. Mr. Kehoe reported that the repair work on the broken pipe railings was underway and the stone work was completed. He said the insurance company had paid the Town.
2. He reported that Lantz Construction had not completed the restoration work on the windows in the old school because of weather considerations.
3. Mr. Kehoe reported only one frozen meter so far. He said December was a very cold month so the Town had been very fortunate in that respect.
4. He advised that he was working with Frederick County about a system for addressing the properties in the annexation area and also for some new street names on the west side of town. He noted that the concrete company currently has a Marlboro Road address and wanted their own road.
5. Mr. Kehoe advised that the Town was still trying to turn Stephens Landing streets and Crooked Lane over to VDOT.

COUNCIL COMMENTS/CALENDAR

Mayor Shull asked for any changes to the calendar. Council member Bowers asked that Parks and Recreation Committee be moved to 5 pm on Monday, January 24th. Water/Sewer Committee and Public Works Committee should be at 5:30 and 6:00 pm on Thursday, February 17th. Council member Dilg asked to keep the Personnel Committee on the second Tuesday of the month at 6 pm permanently.

There being no further business, Vice Mayor Fravel moved to adjourn at 7:50 p.m. and the motion carried.

Joy B Shull, Mayor

Dianne L. MacMillan, CMC, Town Clerk