

**REGULAR MONTHLY MEETING  
OF THE STEPHENS CITY TOWN COUNCIL  
TUESDAY, DECEMBER 5, 2023  
6:00 PM**

Mayor Diaz called the meeting to order at 6:00 pm and led the Pledge of Allegiance.

Mayor Diaz asked that we observe a moment of silence.

Roll was called with the following members present:

Mayor Diaz, Councilman Fravel, Councilwoman Smith, Councilwoman Swygert-Smith

Staff present:

Mike Majher, Town Manager; Kelly Thatcher, Town Clerk; Steve Rickards, Town Treasurer; Dave Griffin, Town Attorney; Bill Copp, Police Chief; Timothy Vaught, Fire Chief; Chris James, Police Sergeant; Cody Arbogast, Police Officer

Guests:

Cormac Dodd, Winchester Star

**PUBLIC COMMENT**

Mayor Diaz asked if anyone from the public had Comments. There were none.

**MINUTES – Regular Meeting of November 14, 2023**

Councilwoman Swygert-Smith moved for approval of the minutes of the Regular Town Council Meeting of November 14, 2023. The Motion carried with the following VOTE:

L. Fravel-Absent  
Smith-Aye  
Swygert-Smith-Aye

P. Fravel-Aye  
Stevens- Aye

**TREASURER’S REPORT – Report attached**

Town Treasurer Steve Rickards informed council that it had been a very strong month. Sales tax for the month was the highest on record. Meals tax has gone up with the addition of the two new businesses. Late notices have gone out and shut offs will be next Wednesday. Taxes are coming in and we are looking at a 98-99% collection rate. At the conference salary surveys were discussed and many of the other towns are interested in participating in this.

**POLICE REPORT – Report attached**

Chief Copp asked if there were any questions about the report. The Christmas season has started out with a bang with the town tree lighting Friday night, the cram the cruiser and Santa breakfast Saturday, and the Stephens Landing tree lighting and Santa visit Sunday. TED has been activated and can be seen in different locations throughout town. We are working on getting a mannequin to put in it so it seems more realistic.

**SCVFD REPORT- Report attached**

Chief Vaught read his report. Santa has started his ride arounds and a schedule will be posted on Facebook. The week before Christmas committee members will be traveling to Wisconsin to do the

final inspection of the new apparatus. The delivery should be the first of the year if all goes well in the inspection. There will be a pushing in ceremony scheduled after arrival.

### **ACTION AGENDA**

#### **1<sup>st</sup> & 2<sup>nd</sup> Reading for Ordinance to Amend Chapter 17**

Mayor Diaz asked the Clerk to do the first reading, by Title only, for the Ordinance to amend Chapter 17. The Clerk read, "An Ordinance to Amend Chapter 17 of the Town Code, Streets, Sidewalks and Public Places by the Addition of Section 17-15 to Govern an Application for Vacation of Roadways, Alleys and Public Rights of way within the Town of Stephens City." Councilwoman Swygert-Smith made the Motion to approve the First Reading. The Motion carried with the following VOTE:

L. Fravel-Absent	P. Fravel-Aye
Smith-Aye	Stevens- Aye
Swygert-Smith-Aye	

Mayor Diaz asked Clerk to do the second reading, by Title only, for the Ordinance to amend Chapter 17. The Clerk read, "An Ordinance to Amend Chapter 17 of the Town Code, Streets, Sidewalks and Public Places by the Addition of Section 17-15 to Govern an Application for Vacation of Roadways, Alleys and Public Rights of way within the Town of Stephens City." Councilwoman Smith made the Motion to approve the second reading. The Motion carried with the following VOTE:

L. Fravel-Absent	P. Fravel-Aye
Smith-Aye	Stevens- Aye
Swygert-Smith-Aye	

#### **1<sup>st</sup> & 2<sup>nd</sup> Reading for Ordinance to Amend Chapter 23**

Mayor Diaz asked the Clerk to do the first reading, by title only, for the Ordinance to Amend Chapter 23. The Clerk read, "An Ordinance to Amend the Requirements for an appeal to the Board of Zoning Appeals to Require the Appellant to Agree that the BZA and those Involved in the Appeal, as well as the Public, may enter onto the Property During any Site Visit Scheduled by the BZA." Councilwoman Swygert-Smith made the Motion to approve the first reading. The Motion carried with the following VOTE:

L. Fravel-Absent	P. Fravel-Aye
Smith-Aye	Stevens- Aye
Swygert-Smith-Aye	

Mayor Diaz asked the Clerk to do the second reading, by title only, for the Ordinance to Amend Chapter 23. The Clerk read, "An Ordinance to Amend the Requirements for an appeal to the Board of Zoning Appeals to Require the Appellant to Agree that the BZA and those Involved in the Appeal, as well as the Public, may enter onto the Property During any Site Visit Scheduled by the BZA." Councilwoman Swygert-Smith made the Motion to approve the second reading. The Motion carried with the following VOTE:

L. Fravel-Absent	P. Fravel-Aye
Smith-Aye	Stevens- Aye
Swygert-Smith-Aye	

**1<sup>st</sup> & 2<sup>nd</sup> Reading for Ordinance to Amend Chapter 19**

Mayor Diaz asked the Clerk to do the first reading, by title only, for the Ordinance to Amend Chapter 19. The Clerk read, " An Ordinance to Amend Article IV of Chapter 19 Regarding Operations of Transient Overnight Accommodations within Town Limits to Add Regulations of Both Owners and Agents for Operations in Residential Style Dwellings as Well as Expand Penalties and Charges for Violations." Councilwoman Swygert-Smith made the Motion to approve the first reading. Town Attorney Dave Griffin explained that there should be amendments to help regulate Airbnbs. Councilman Fravel stated that he felt that it was too stringent and was not ready to make a decision. It was stated that this amendment should go back to the Ordinance Committee to review. The mayor then asked Council to vote on the Motion put forward by Councilwoman Swygert-Smith. The Motion failed with the following Roll Call Vote:

L. Fravel-Absent	P. Fravel-Nay
Smith-Nay	Stevens- Nay
Swygert-Smith-Nay	

**1<sup>st</sup> & 2<sup>nd</sup> Reading for Ordinance to Amend Chapter 2**

Ayor Diaz asked the Clerk to do the first reading, by title only, for the Ordinance to Amend Chapter 2. The Clerk stated that she had talked to the Vice-Mayor earlier in the day and he had requested that this be tabled, being the Chair of the finance committee, he feels he should be present for this vote. Councilwoman Swygert-Smith made the Motion to table the reading until the Vice-Mayor could be present. The Motion carried with the following VOTE:

L. Fravel-Absent	P. Fravel-Aye
Smith-Aye	Stevens- Aye
Swygert-Smith-Aye	

**Nomination to Reappoint Elizabeth Mulvanity to BZA**

Councilwoman Stevens made the Motion to reappoint Elizabeth Mulvanity to BZA. The Motion passed with the following VOTE:

L. Fravel-Absent	P. Fravel-Aye
Smith-Aye	Stevens- Aye
Swygert-Smith-Aye	

**Nomination to Appoint Thomas Righter to BZA**

Councilwoman Swygert-Smith made the Motion to nominate Thomas Righter to BZA. The Motion carried with the following VOTE:

L. Fravel-Absent	P. Fravel-Aye
Smith-Aye	Stevens- Aye
Swygert-Smith-Aye	

**Schedule Public Hearings for Ordinance to Amend Budget**

Town Manager Mike Majher informed Council that a public hearing needed to be scheduled to amend the budget. It was decided that the public hearing would be held at the regular meeting in January.

### **Closing half days over the Holidays**

Mayor Diaz proposed to Council that the Town Office close at noon December 26<sup>th</sup> -29<sup>th</sup>. This will allow employees to use some of their leave if they choose to do so. It will also give employees uninterrupted work time. Councilwoman Stevens made the Motion to close the office to the public at noon from December 26<sup>th</sup> to December 29, 2023. The Motion passed with the following VOTE:

L. Fravel-Absent	P. Fravel-Aye
Smith-Aye	Stevens- Aye
Swygert-Smith-Aye	

### **COMMITTEE REPORTS**

#### **A. Finance Committee - Linden A. Fravel, Chair**

No Meeting: No Comments

#### **B. Personnel Committee - Pete Fravel, Chair**

Meeting: No Comments

#### **C. Public Safety Committee - Ron Bowers, Chair**

No Meeting: No Comments

#### **D. Public Works Committee - Mariah Smith, Chair**

No Meeting: No Comments

#### **E. Ordinance and Governments Committee - Regina Swygert-Smith, Chair**

No Meeting: No Comments

#### **F. Parks and Recreation Commission - Tina Stevens, Chair**

No Meeting: No Comments

#### **G. Planning Commission - Linden A. Fravel Jr. Chair**

Meeting: Mike Majher stated that the Commission had given the okay to work on updating the ordinances on land use. They also had a chance to look at the plans submitted for townhouses on Comer Drive.

#### **H. Newtown Heritage Festival Committee**

Meeting: Mike Majher informed council that long time committee members Donna Steward and Earl Lutrell had resigned. He also let council know that the fireworks company will give a 50 shell bonus if they get paid in advance. Councilman Fravel made the Motion to pay the full amount in advance to the fireworks company. The Motion passed unanimously .

### **TOWN MANAGERS REPORT**

Town Manager Mike Majher reported:

1. Noelle Majher is celebrating her 6<sup>th</sup> birthday today.
2. Breakfast with Santa was excellent. He thanked the fire company for that and for the help with the tree lighting.

3. Thank you to Kelly and Caillee for all of their hard work digitizing years of read files.
4. Steve Rickards has been working hard with the auditors.
5. Thank you to the Methodist Church and staff for making the tree lighting a good event
6. Cram the Cruiser was a success. Chief Copp said they collected 303 toys and \$143.
7. Leaf pickup will be extended until December 18<sup>th</sup>.
8. Site plans for Comer Drive have been submitted.
9. Real Estate taxes are due as are Utility bills.
10. Many of the old meters have been replaced.

#### **CLERK'S REPORT**

Town Clerk Thatcher informed Council that we are once again having a house decorating contest. Judging will take place on December 20<sup>th</sup>. Christmas trees will be picked up by staff on January 8<sup>th</sup> and January 15<sup>th</sup>.

#### **COUNCIL COMMENTS/CALENDAR**

Mayor Diaz asked if there were any other comments or changes to the calendar. There were none.

There being no further business, Councilman Fravel made a motion to adjourn at 7:00 pm and the motion was carried unanimously.

---

Michael A. Diaz, Mayor

---

Kelly Thatcher, Town Clerk