

**REGULAR MONTHLY MEETING  
OF THE STEPHENS CITY TOWN COUNCIL  
TUESDAY, DECEMBER 6, 2021  
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, Vice-Mayor Fravel, Councilman Bowers, Councilman Fravel, Councilwoman Smith, Councilwoman Stevens, Councilwoman Swygert-Smith

Staff present: Mike Majher, Town Manager; Kelly Thatcher, Town Clerk; Dave Griffin, Town Attorney; Steve Rickards, Town Treasurer; William Copp, Police Chief; Timothy Vaught, Fire Chief; Chris James, Police Officer

Guests: Benjamin & Jim Vogt-Barley Drive, Carla Shirley-Comer Drive, Cynthia Funk-Comer Drive, Billy & Kim Clem-Steele Court

**PUBLIC COMMENT**

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

**MINUTES – REGULAR MEETING OF NOVEMBER 9, 2021**

Vice-Mayor Fravel moved for approval of the minutes of the regular Town Council Meeting for November 9, 2021. The Motion carried with the following VOTE:

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

**TREASURER'S REPORT – Report attached**

Town Treasurer Steve Rickards reported that the town had an outstanding month. He stated that we are coming to the close of the calendar year and that he would be busy preparing tax documents. The first half of the fiscal year has been the best the Town has seen. This is due to all the new construction and the tap fees that go along with it.

**POLICE REPORT – Report attached**

Chief Copp read his report. He reported that the past month has been quite busy. The Department delivered meals to a couple residents for Thanksgiving. They assisted Middletown with there Christmas parade and have attended tree lightings. The Department in conjunction with Capon Valley Bank will be having a Cram the Cruiser Event on December 11th from 9-12. This will be held in the bank parking lot and will benefit Toys for Tots. Chief Copp had received a message that they were in need of toys for girls aged 6-8.

**SCVFD REPORT- Report attached**

Chief Vaught read his report. He informed Council that this has been one of the busiest years the Department has had. He wanted to thank everyone that came out to support them at their annual Breakfast with Santa. There have already been a few Santa runs and they would continue to do the runs for the next couple of

weeks. Chief Vaught wanted to remind citizens to keep their live trees watered and to keep them away from heat.

## **ACTION AGENDA**

### **Public Hearing for Traffic Study Request for Comer Drive**

Mayor Diaz opened the Public Hearing. He asked if there were any comments from the Public. Carla Shirley representing Jim Nichols of Nichols construction addressed Council. She voiced their concerns about the tractor trailer traffic on Comer Drive. The concerns are not about the added tow truck traffic just the tractor trailers. There is not enough room on Comer for the trucks to take the turn. They are going across Nichols' property and an area that is supposed to contain a playground on the other. Children already play in this area and eventually someone could get hurt. The number of trucks that are using this back street is not safe for anyone. There is also concern about the Tractor Trailers staying on the Clem's lot. There have been numerous complaints from Nichols' tenants about the trucks idling at 3 am. Billy Clem then addressed Council. He stated that his family's business has been operating for 77 years and has grown, now employing 25 employees. He stated that when Clem's wanted the back entrance, they had done all the right things. They came to Town Council, they worked with VDOT and had followed the guidelines. They think that the road should be widened and paved. They have tried to put gravel in the area that is most affected. He stated that his drivers are very courteous, and they had not received any complaints. Mayor Diaz thanked them for their comments and let them know that they would pass theirs and the others that we had received on to VDOT.

### **Public Hearing for changes to Chapter 23 of the Town Code**

Mayor Diaz opened the Public Hearing. He asked if there were any comments from the Public. There being none he closed the Public Hearing.

### **Franchise Agreement**

Mayor Diaz stated that we had received one bid that he would be opening now. In summary the bid offers internet service, telephone service, cable service and data transfer service to broadcast within town limits, subject to terms and limitations. This matter will be referred to the Town Attorney for review and compliance and this matter will be delayed until the next meeting to give Staff time review and give recommendations. Vice-Mayor Fravel asked if this nonexclusive. Town Manager Majher stated that was correct and informed Council that it was the only bid and was received late this afternoon.

## **COMMITTEE REPORTS**

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

Meeting: Vice-Mayor Fravel stated that the Town had an outstanding report on our robust balance. He then told Council there were concerns about funding Eagle Scout projects. He explained that part of the whole process is fundraising, and that the Town should not be funding these projects. Vice-Mayor Fravel made the Motion that going forward the Town can help, however that help shall not exceed 15% of the cost for the project. The Motion carried with the following VOTE:

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

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

No Meeting: Councilor Fravel explained that it has been tradition to close the offices between Christmas and New Year's. This year that would mean giving four days of Holiday leave. Councilor Fravel made the Motion

that going forward that this leave should be limited to three days and if employees wanted, they then could take vacation days to then have the week off, with the understanding that there would be someone on call and that would check emails and phone messages. The Motion carried with the following Vote:

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

**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: Jim Vogt expressed his concern about Council deciding to limit the funds they would give for Eagle Scout projects. He stated that the boys were not allowed to fundraise. Benjamin Vogt addressed Council about his project. He had done more research and had reduced the amount it would cost down to \$1005.00. Mayor Diaz gave told Ben that there were organizations and people that would be willing to help to reach his goals. Councilor Swygert-Smith let Ben know she was impressed with the work he has done on his project. She also let him know that there was wealth of knowledge in the room, and all they needed to do was ask.

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

Meeting: Vice-Mayor Fravel referred to the report regarding the proposed changes to the Plans for Phase II of Stephens Landing. He stated that while they were much improved, they still needed some work. Mike Majher stated that these are not the official plans just the concept plans. It was recommended that one of the things that will need to be addressed in the plans is mailboxes. It is though that community mailboxes be considered.

Motion was made by Vice-Mayor Fravel and unanimously passed that the Council schedule a public hearing and consider passing an amendment to the Town zoning Code which would add a new section to address solar energy generation uses in all Town zoning districts. The public hearing was scheduled for the next regularly scheduled council meeting on January 3<sup>rd</sup>.

Motion was made by Vice-Mayor Fravel and unanimously passed that the Planning Commission recommends the Council schedule a public hearing and consider passing an amendment to the Town zoning Code which would bar and ban the use of or acceptance of Transfer Development Rights in any Town zoning district as well as a bar to any utility grade windmill power generation and to make clear these are not acceptable within the Town limits. The public hearing was scheduled for the next regularly scheduled council meeting on January 3<sup>rd</sup>.

Vice-Mayor Fravel made the Motion to amend the Town's Capital Improvement Fund (CIP) for an additional \$2,500,000.00 to complete the renovation and habitation of the main school building for Town office and public space, and \$2,000,000.00 for renovation, expansion and completion of the accessory buildings for use by the Town departments, specifically including the Police Department and the Public Works Department. Within this portion of the CIP, it is to include the engineering, design and implementation of the

adjoining floodplain area into a walking park with a fishing pond. These expenditures recommended within the next five years. The Motion carried with the following VOTE:

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

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

Meeting: Mayor Diaz stated that things are moving and grooving for 2022.

#### **APPROVAL OF COMMITTEE MINUTES AND REPORTS**

Councilor Bowers made a Motion to approve the committee minutes. The minutes were approved with the following VOTE:

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

#### **TOWN MANAGERS REPORT**

Town Manager Mike Majher reported:

1. Taxes are due and water/sewer bills also.
2. Leaf pick up will continue another week.
3. The Fire Dept. held a delicious breakfast with Santa.
4. Cram the Cruiser will be on Saturday from 9-12.
5. The tree lighting was last night, and Camp of Faith Church once again stepped up and did a great job. Santa and the Fire Department joined in the celebration. Cookies and hot cocoa were served.
6. The new Bobcat arrived today.
7. This year's litter grant is \$500.00 more than it has been in the past years.
8. The NSVRC staff has been working on a transit study for a possible bus stop in town that would go to LFCC.
9. There are changes being made to the Smart Scale. The process has changed to add a land use metric. Points will be considered on how it impacts nonwork related traffic. Since most of the Town has sidewalks, we are mostly considered nonwork related traffic. This will be of some benefit when we submit applications.
10. We will have Christmas tree pickup for the first two Mondays of January.
11. An approval from Council on the recommendation from Planning Commission on the uses for the Old School complex.

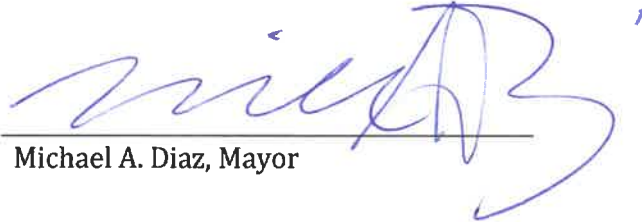
Vice-Mayor Fravel made the Motion for approval to the additional steps in converting the old school property into a municipal Town complex, along with the proposed uses of the accessory buildings. This includes spaces for Police department, Water and Sewer, and Parks and Recreation. The Motion carried with the following VOTE:

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

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

Mayor Diaz asked if there were any comments from Council. Vice-Mayor Fravel stated that he had just watched the traffic cam that is placed on his building. He thinks it is a good addition and very entertaining. Mayor Diaz stated that since everyone was agreed that we should move to one work session a month to replace Committee meeting that our first one would be held on January 18<sup>th</sup> at 6:00.

There being no further business, Vice-Mayor Fravel made a motion to adjourn at 6:55 pm and the motion carried unanimously.



Michael A. Diaz, Mayor



Kelly Thatcher, Town Clerk