



TOWN COUNCIL SPECIAL MEETING

Monday, December 7, 2020 @ 7:00pm

Town Hall Conference Room

1. **ROLL CALL** *Mayor Tewalt _____ VM Sealock _____ Cockrell _____ Gillispie _____ Holloway _____ Meza _____ Thompson _____*
2. **PUBLIC HEARING TO RECEIVE PUBLIC COMMENT** for Exemption from the Disconnection Ban included in the Commonwealth of Virginia's Budget Bill and Approve the Information Provided is Accurate
3. **PUBLIC HEARING** – To Take Action on a Loan from United Bank to Refinance A Debt Obligation
4. **PUBLIC HEARING** – To Consider and Take Action on the Disposition of a Mortgage and the Pledge of Certain Property
5. **COUNCIL APPROVAL** – Supplemental Resolution Authorizing and Approving a Loan in the Amount of \$8,483,001.15 and Rescind Previous Resolution and Rescind Previous Resolution
6. **COUNCIL APPROVAL** – Resolution for State of Good Repair Primary Extension Local Paving Program on N. Royal Avenue from N. Commerce Avenue to E. 6th Street
7. **COUNCIL APPROVAL** – FY21 Budget Amendment/Interfund Transfer for Employee Bonuses

TOWN COUNCIL WORK SESSION

immediately following Special Meeting

1. Continued Review of FY21 Revenues & Contingencies – *Finance Director*
2. VESTA Upgrade project Call/Radio Recording Servers – *Chief of Police and Director of IT*
3. HEPTAD Request for One-Year Extension to Submit Development Plan – *Dir of Planning/ CD*
4. Happy Creek Rehabilitation Project Discussion – *Vice Mayor Sealock*
5. Open Discussion
6. CLOSED MEETING – Council and Boards/Commissions Vacancies AND Contract Negotiations

2



Special Council Agenda Statement

Item # 2

Meeting Date: December 7, 2020

PUBLIC HEARING TO RECEIVE PUBLIC COMMENT for exemption from the Disconnection Ban Included in the Commonwealth of Virginia Budget Bill and Approve the Information Provided is Accurate

Summary: Council is requested to receive public comments on the Town of Front Royal's exemption from the disconnection ban included in the Commonwealth of Virginia's Budget Bill and vote to approve the information provided is accurate for the Town of Front Royal utility accounts receivable arrearages exceeding the 1% threshold of the utility's operating revenues.

Budget/Funding: N/A

Meetings: Work Session held November 23, 2020

Proposed Motion: I move that Council approve that the information provided to Town Council is accurate for the Town of Front Royal utility accounts receivable arrearages exceeding the 1% threshold of the utility's operating revenues qualifying for an exemption from the disconnection ban included in the Commonwealth of Virginia's Budget Bill.

Approved By: _____

Moved _____ Seconded _____

VM Seacock _____ Cockrell _____ Gillispie _____ Holloway _____ Meza _____ Thompson _____

Budget Bill - Utility Provisions

Disconnection Ban
All electric, gas, water and wastewater utilities are prohibited from disconnecting service to <u>residential</u> customers for non-payment until 1) 60 days after the Governor's declared state of emergency ends ¹ or 2) the Governor determines that the economy and health conditions have improved enough to discontinue it.
Exemption from disconnection ban
If a utility not subject to regulation by the State Corporation Commission has accounts receivable arrearages that exceed 1% of the utility's annual operating revenues, the utility may obtain relief from the shutoff moratorium by 1) Providing a written analysis stating the facts showing the utility exceeds the 1% threshold to staff of the governing body 2) The utility contemporaneously makes available for public inspection associated workpapers verifying such facts to staff of the governing body 3) The utility's governing body verifies the 1% has been met, provides public notice, takes public comment on, and votes to approve the information is accurate in an open meeting. The utility is thereafter exempt from the ban on residential disconnections.
Notices to customers
Utilities must notify all customers who are at least 30 days in arrears of the utility disconnection moratorium, which may be by bill insert or bill notice.
Within 60 days of enactment, utilities shall notify all customers who are at least 30 days in arrears of the COVID-19 Relief Repayment Plan which may be by bill insert or bill notice. The notice must include eligibility, billing information, applicable financial assistance resources, and contact information where customers may file an initial complaint or Repayment Plan related disputes.
Repayment Plan
Within 60 days of enactment, utilities must offer customers a Repayment Plan for past due accounts.
The Repayment Plan cannot require any new deposits, down payments, fees, late fees, interest charges, or penalties and the plan cannot accrue any fees, interest, or penalties, including prepayment penalties.
The Repayment Plan shall amortize the customer's utility debt over at least 6 months and up to 24 months. The utility is to work with the customer to establish a <u>Repayment Plan that the customer determines is sustainable and affordable for them</u> . The customer may satisfy the Repayment Plan in part or in full at any time.
Any utility that reports to a consumer reporting agency or debt collector regarding a consumer who is on a Repayment Plan shall report the account as "current".
Utilities may require the customer to attest to the utility or to a third party chosen by the utility that the customer has experienced a financial hardship resulting directly or indirectly from the public health emergency or that they have experienced a hardship to pay during the public health emergency.
No utility that has received an order exempting it from the provisions of this clause 7.a. shall disconnect from service a customer who is making timely payments under the Repayment Plan at the time of the order and until such time as a customer ceases to make timely payments under the Repayment Plan. A utility that has received an order exempting it from the provisions of this clause 7.a. shall attempt to establish a Repayment Plan with its customers prior to any disconnection of service.

¹ The Governor has the authority to continue the emergency declaration by re-declaring a state of emergency for as long as he feels it is necessary.

In accordance with the provisions of Item 479.10, paragraph B.5. of this act, utilities shall use any funding allocated from the federal Coronavirus Relief Funds of the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) to provide direct subsidy payments on behalf of customers whose accounts are over 30 days in arrears, provided such use meets eligibility requirements pursuant to United States Department of the Treasury guidance. In applying these funds to customer accounts, utilities shall prioritize providing financial assistance to customers who are over 60 days in arrears prior to using the funds to assist customers with accounts 31 to 60 days in arrears. To the extent possible, utilities shall use available funding to cover one-hundred percent of the customer's arrearage.

In addition to the funds provided in Item 479.10, paragraph B.2. of this act, where applicable, utilities must accept financial assistance from other utility assistance programs funded with federal Coronavirus Relief Funds from the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) for customers who are at least 30 days in arrears. To the extent possible, utilities must direct customers in writing to these resources when establishing a Repayment Plan.

Reporting

Utilities not subject to regulation by the Commission shall submit information on the status of customer accounts to the Commission on Local Government managed by the Department of Housing and Community Development. The report is to include:

- 1) the number and value of accounts that are at least 30 days in arrears;
- 2) the number and value of accounts that are at least 60 days in arrears;
- 3) the number, total value, and average debt of accounts that are participating in the Repayment Plan, or another repayment plan as set forth by the utility;
- 4) the number of accounts removed from the Repayment Plan, or another repayment plan as set forth by the utility, categorized by reason;
- 5) the amount of and average debt still remaining for accounts removed from the Repayment Plan or another repayment plan as set forth by the utility;
- 6) the carrying costs of the debt for accounts participating in a repayment plan and any associated administrative costs incurred;
- 7) the number, total value, and average debt of accounts offset by the funds provided in Item 479.10, paragraph B.2. of this act and local programs using Coronavirus Relief Funds, categorized by days in arrears, customer account type, and Coronavirus Relief Fund type;
- 8) the cumulative level of customer arrearages by locality.

The Commission on Local Government shall provide the Chairs of the House Committees on Labor and Commerce and Appropriations, the Senate Committees on Commerce and Labor and Finance and Appropriations, and the Secretary of Commerce and Trade an aggregated anonymized report by utility containing such compiled information by:

- 1) December 31, 2020 (for the period from March 16, 2020 through December 15, 2020)
- 2) within 90 days of the expiration of the universal prohibition established in clause 7.a. (for the period from December 16, 2020 to the end of the universal prohibition established in clause 7.a.)
- 3) and annually, on or before December 31st, thereafter for the following two years (from the end of the universal prohibition to December 16th of the year the report is due)

Item 479.10

5.a. The appropriation in this item includes \$100,000,000 the first year from the Coronavirus Relief Funds cited in paragraph B.2. above to be used to help provide direct assistance to customers with accounts over 30 days in arrears. In order to be eligible for the funds provided in this paragraph, utilities must be subject to the utility disconnection moratorium established in Item 4-14, clause 7.a. of this act. The State Corporation Commission shall establish an application process in order to distribute funds directly to utilities for the purpose of efficiently providing direct assistance to customers. The Commission shall award funds in a manner that will provide direct assistance to customers with accounts over 60 days in arrears prior to awarding funds to subsidize customer accounts 30 days in arrears. Any federal Coronavirus Relief Funds from the Coronavirus Aid, Relief, and Economic Security (CARES) Act (P.L. 116-136) provided to a phase II utility pursuant to this paragraph shall exclude the forgiveness of jurisdictional customer balances as specified in Item 4-14, clause 7, paragraph j. of this act. The State Corporation Commission shall transfer any dollars necessary to address the arrearages held by customers of utilities outside the jurisdiction of the Commission to the Department of Housing and Community to pass along to these utilities. Notwithstanding § 2.2-4002, Code of Virginia, the provisions contained in this paragraph 5.a. establishing the utility direct assistance program shall not be subject to the Administrative Process Act.

b. Upon receipt of any funds provided in paragraph 5.a., utilities shall create separate COVID-19 Utility Assistance Funds and record direct assistance payments to customers on their books in accordance with applicable accounting standards.

Utilities may not direct any funds provided in paragraph 5.a. to new deposits, down payments, fees, late fees, interest charges, or penalties. Utilities may require the customer to attest to the utility or to a third party chosen by the utility that the customer has experienced a financial hardship resulting directly or indirectly from the public health emergency or that they have experienced a hardship to pay during the public health emergency prior to receiving direct assistance from the utility's COVID-19 Utility Assistance Fund. While utilities may require attestation of such hardship, it may be implied that arrearages accrued over 30 days for customer nonpayment of bills, for which federal relief funds shall be used for direct subsidy payments on behalf of customers pursuant to Item 4-14, paragraph d. of this act., were incurred as a financial hardship created by the pandemic. Utilities shall reflect the direct assistance payment on an eligible customer's monthly bill, after the funds are applied to the customer's account. Utility customers may only receive a direct payment subsidy from the utility's COVID-19 Utility Assistance Fund once.

c. The Director of the Department of Planning and Budget shall distribute funds to the State Corporation Commission within 30 days of the passage of this act. Prior to any distribution from the amounts appropriated in paragraph 5.a. of this item, the Director of the Department of Planning and Budget shall work with the State Corporation Commission and the Department of Housing and Community Development to verify, which utilities that are eligible to receive funds under this appropriation based on the most recently published guidance from the United States Department of the Treasury. For the purposes of this appropriation, utilities include electric companies subject to regulation of the State Corporation Commission, natural gas suppliers subject to the regulation of the Commission, electric and gas municipal utilities, and water suppliers and wastewater service providers, subject to the regulation of Commission or constituting a municipal utility. "Municipal utility" means a utility providing electric, gas, water, or wastewater service that is owned or operated by a city, county, town, authority, or other political subdivision of the Commonwealth.

3



Special Council Agenda Statement

Item # 3

Meeting Date: December 7, 2020

PUBLIC HEARING - To Take Action on a Loan from United Bank to Refinance a Debt Obligation

Council is requested to approve a loan from United Bank, a Virginia banking corporation, to the Town of Front Royal, Virginia, in the maximum and original principal amount of \$8,483,001.15. The proceeds of such loan shall be used to refinance the debt obligation evidenced by that certain Promissory Note dated October 31, 2018 (as amended, modified, extended or renewed), made by the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia, also known as the Economic Development Authority of the Town of Front Royal and the County of Warren, Virginia, payable to the order of United Bank, and to pay certain costs of issuance in connection with the loan, all in accordance with the loan documents reviewed by the Front Royal Town Council.

Proposed Motion:

I move that Town Council approve a loan from United Bank, a Virginia banking corporation, to the Town of Front Royal, Virginia, in the maximum and original principal amount of \$8,483,001.15. The proceeds of such loan shall be used to refinance the debt obligation evidenced by that certain Promissory Note dated October 31, 2018 (as amended, modified, extended or renewed), made by the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia, also known as the Economic Development Authority of the Town of Front Royal and the County of Warren, Virginia, payable to the order of United Bank, and to pay certain costs of issuance in connection with the loan, all in accordance with the loan documents reviewed by the Front Royal Town Council.

Approved By: _____

Moved _____ Seconded _____

VM Sealock _____ Cockrell _____ Gillispie _____ Holloway _____ Meza _____ Thompson _____

4



Special Council Agenda Statement

Item # 4

Meeting Date: December 7, 2020

PUBLIC HEARING - To Consider and Take Action on the Disposition of a Mortgage and the Pledge of Certain Property

Council is requested to approve the disposition, mortgage, and pledge of certain property of the Town of Front Royal, commonly known as the Town of Front Royal Police Department Headquarters, consisting of 5.2399 acres, more or less, Tax Map # 20A 1-3-7, located at 900 Monroe Avenue, Front Royal, VA 22630, as further described in that certain Deed of Trust prepared in connection with a loan from United Bank, a Virginia banking corporation, to the Town of Front Royal, in the original principal amount of \$8,483,001.15.

Proposed Motion:

I move that Town Council approve the disposition, mortgage, and pledge of certain property of the Town of Front Royal, commonly known as the Town of Front Royal Police Department Headquarters, consisting of 5.2399 acres, more or less, Tax Map # 20A 1-3-7, located at 900 Monroe Avenue, Front Royal, VA 22630, as further described in that certain Deed of Trust prepared in connection with a loan from United Bank, a Virginia banking corporation, to the Town of Front Royal, in the original principal amount of \$8,483,001.15.

Approved By: _____

Moved _____ Seconded _____

VM Sealock _____ Cockrell _____ Gillispie _____ Holloway _____ Meza _____ Thompson _____

5



Special Council Agenda Statement

Item # 5

Meeting Date: December 7, 2020

COUNCIL APPROVAL - A SUPPLEMENTAL RESOLUTION OF TOWN COUNCIL AUTHORIZING AND APPROVING A LOAN IN THE ORIGINAL PRINCIPAL AMOUNT OF \$8,483,001.15, MADE BY UNITED BANK, AS LENDER, TO THE TOWN, AS BORROWER, TO REFINANCE THE POLICE DEPARTMENT HEADQUARTERS, AUTHORIZING AND APPROVING THE LOAN DOCUMENTS PREPARED IN CONNECTION WITH THE LOAN; AUTHORIZING AND APPROVING CERTAIN TOWN OFFICIALS TO EXECUTE AND DELIVER THE LOAN DOCUMENTS; AUTHORIZING AND APPROVING THE GRANTING OF A SECURITY INTEREST IN AND LIEN ON CERTAIN PROPERTY OWNED BY THE TOWN; AND AUTHORIZING OTHER NECESSARY ACTIONS IN CONNECTION WITH THE FOREGOING.

Summary: The Town has been successful in negotiating and obtaining favorable terms to a loan from United Bank to refinance an outstanding EDA loan on the new Police Department headquarters. The principal amount is \$8,483,001.15. The interest rate will be a fixed rate of 1.87% per annum, with the assumption that the rate qualifies for Bank Qualified Tax-Exempt (BQTE) financing. The Loan shall be repaid over 10 years in equal monthly installments of principal and interest in the amount of \$30,806.23 (Annual Payments of \$369,674.79), based upon a 30-year amortization (assuming the fixed rate of 1.87% per annum), with the remaining unpaid balance due in full at the end of that 10-year period. This loan will be to refinance the debt obligation evidenced by that certain Promissory Note dated October 31, 2018 (as amended, modified, extended or renewed), made by the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia, payable to the order of United Bank, made in connection with certain real property consisting of approximately 5.24 acres located at Monroe Avenue and Kendrick Lane, Front Royal, Virginia, owned by the Town (the "Property"), of a Town police department building/facility to be operated by the Town for its Police Department operations, parking and other related amenities. The Loan shall be secured by a satisfactory first priority lien and security interest, created pursuant to a Deed of Trust, to be placed on Property for purposes other than the real estate's value (Abundance of Caution) together with a satisfactory assignment of all contracts, accounts, agreements, rents, and leases relating to the Property as well as a satisfactory first priority security interest in and on any furniture, fixtures, equipment or other personal property integral to the operation of the Property. An appraisal will not be required.

Town Council authorizes the Mayor, the Vice-Mayor, the Town Manager, the Town Attorney, and the Clerk and/or the Deputy Clerk of Town Council to execute, deliver, and perform the necessary loan documents, as, when and where appropriate.

Budget/Funding: See above.

Meetings: At Town Council's October 19, 2020 Meeting, Council approved a FY21 Budget Amendment, an Interfund Budget Transfer and awarded financing construction of the Police Department in the amount of \$8,483,001.15. This followed a number of earlier Council Work Sessions, Closed Meetings, and Meetings on this matter.

Motion on page 2

Approved By: 

Moved _____ Seconded _____

VM Sealock _____ Cockrell _____ Gillispie _____ Holloway _____ Meza _____ Thompson _____

Proposed Motion: I move that Town Council approve the attached Supplemental Resolution AUTHORIZING AND APPROVING A LOAN IN THE ORIGINAL PRINCIPAL AMOUNT OF \$8,483,001.15, MADE BY UNITED BANK, AS LENDER, TO THE TOWN, AS BORROWER, TO REFINANCE THE POLICE DEPARTMENT HEADQUARTERS, AUTHORIZING AND APPROVING THE LOAN DOCUMENTS PREPARED IN CONNECTION WITH THE LOAN; AUTHORIZING AND APPROVING CERTAIN TOWN OFFICIALS TO EXECUTE AND DELIVER THE LOAN DOCUMENTS; AUTHORIZING AND APPROVING THE GRANTING OF A SECURITY INTEREST IN AND LIEN ON CERTAIN PROPERTY OWNED BY THE TOWN; AND AUTHORIZING OTHER NECESSARY ACTIONS IN CONNECTION WITH THE FOREGOING AND THE APPROVED RESOLUTION DATED OCTOBER 26, 2020 BE HEREBY RESCINDED.

Approved By: _____



Moved _____ Seconded _____

VM Seacock _____ Cockrell _____ Gillispie _____ Holloway _____ Meza _____ Thompson _____

A SUPPLEMENTAL RESOLUTION (THIS “RESOLUTION”) OF THE TOWN OF FRONT ROYAL, VIRGINIA (THE “TOWN”), AUTHORIZING AND APPROVING A LOAN IN THE ORIGINAL PRINCIPAL AMOUNT OF \$8,483,001.15, MADE BY UNITED BANK, AS LENDER, TO THE TOWN, AS BORROWER; AUTHORIZING AND APPROVING THE LOAN DOCUMENTS PREPARED IN CONNECTION WITH THE LOAN; AUTHORIZING AND APPROVING CERTAIN TOWN OFFICIALS TO EXECUTE AND DELIVER THE LOAN DOCUMENTS; AUTHORIZING AND APPROVING THE GRANTING OF A SECURITY INTEREST IN AND LIEN ON CERTAIN PROPERTY OWNED BY THE TOWN; AND AUTHORIZING OTHER NECESSARY ACTIONS IN CONNECTION WITH THE FOREGOING.

WHEREAS, the Town of Front Royal, Virginia (the “Town”) has requested that United Bank, a Virginia banking corporation (“Lender”), make a loan to the Town in the original principal amount of \$8,483,001.15 (the “Loan”) to refinance the debt obligation evidenced by that certain Promissory Note dated October 31, 2018 (as amended, modified, extended or renewed), made by the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia, payable to the order of Lender; and

WHEREAS, in connection with the Loan, the Town Council has reviewed substantially final forms of the documents prepared in connection with the Loan, including without limitation, (i) a Loan Agreement by and between the Town and Lender (the “Loan Agreement”), (ii) a Promissory Note in the original principal amount of \$8,483,001.15, made by the Town payable to the order of Lender (the “Note”), (iii) a Deed of Trust, Assignment of Leases, Rents, and Profits, Security Agreement, and Fixture Filing to be executed by the Town, granting and conveying unto the Trustees (as defined therein) with the power of sale, in trust for the benefit of Lender, together with its successors and assigns, certain property of the Town, as further described therein (the “Deed of Trust”), and (iv) such other agreements, certificates, filings, instruments and other documents made in connection with the Loan (collectively, the “Loan Documents”); and

WHEREAS, Lender is willing to make the Loan to Borrower, upon the terms and subject to the conditions contained in the Loan Agreement, the Note, the Deed of Trust and the other Loan Documents; and

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED BY THE TOWN OF FRONT ROYAL, VIRGINIA, THAT:

1. On December 7, 2020, the Loan and the transactions contemplated by the Loan Documents, were authorized and approved by the Town, at duly noticed public hearing and meeting of the Town Council, all held in accordance with the Charter of the Town of Front Royal, as amended, the Constitution of Virginia, the Code of Virginia and all other applicable laws and regulations.

2. The Loan, and each of Loan Documents, including, without limitation, the forms of the Loan Agreement, the Note, the Deed of Trust, and each of the transactions, terms and conditions contemplated thereby, are hereby authorized and approved in all respects.

3. The Mayor of the Town, the Vice Mayor of the Town and the Town Manager (each, an "Authorized Signatory"), shall be authorized to enter into the Loan Documents; and any Authorized Signatory, shall be, and hereby is, authorized and directed to execute, deliver and perform, in the name and on behalf of the Town, the Loan Documents, in substantially the form thereof presented to such Authorized Signatory, with such changes therein as shall be approved by such Authorized Signatory executing the Loan Documents, such approval to be evidenced conclusively, but not exclusively, by such execution and delivery.

4. Any Authorized Signatory, on behalf of the Town, is hereby authorized to grant and convey unto the Trustees (as such term is defined in the Deed of Trust) with the power of sale, in trust for the benefit of Lender, together with its successors and assigns, all of the Town's right, title, and interest in and to the Secured Property (as such term is defined in the Deed of Trust) as security for the Loan, pursuant to the terms and conditions of the Deed of Trust.

5. Any Authorized Signatory shall be, and hereby is, authorized and directed in the name and on behalf of the Town, at any time and from time to time, to take or cause to be taken any and all actions, to prepare, execute, deliver and file any and all documents, agreements, instruments and certificates and to take any and all steps (including the payment of all expenses) deemed by such Authorized Signatory necessary or desirable to carry out the transactions contemplated by the foregoing resolutions (such determination to be conclusively, but not exclusively, evidenced by the taking of such actions or the execution of such documents or instruments by such Authorized Signatory).

6. The actions taken by any Authorized Signatory and any person or persons designated and authorized to act by such Authorized Signatory, which acts would have been authorized by the foregoing resolutions except that such acts were taken prior to the adoption of such resolutions, shall be and hereby are severally ratified, confirmed, approved and adopted as the official acts of the Town.

7. If any section, paragraph, clause or provision of this Resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining provisions of this Resolution.

8. This Resolution shall take effect immediately upon its adoption.

[Signature page follows this page.]

Approved, adopted and entered on this 7th day of December, 2020.

TOWN OF FRONT ROYAL

By: _____
Name: _____
Title: _____

CERTIFICATION

The undersigned, Clerk of Council for the Town of Front Royal, does hereby certify that the foregoing Resolution was duly adopted by the Town Council of the Town of Front Royal at a meeting duly held, pursuant to proper notice thereof, on December 7, 2020, a quorum being present and acting throughout, and which Resolution has not been modified, amended or revoked and is a true, correct and complete copy thereof as of this 7th day of December, 2020.

By: _____
Clerk of Council

6



Special Council Agenda Statement

Item # 6

Meeting Date: December 7, 2020

COUNCIL APPROVAL – Resolution for State of Good Repair Primary Extension Local Paving Program on N Royal Avenue from N Commerce Avenue to E. 6th Street

Council is requested to approve a Resolution of Support for submission of the Virginia Department of Transportation (VDOT) State of Good Repair and Primary Extension Paving Program application for the mill and overlay of N. Royal Avenue from N. Commerce Avenue to E. 6th Street at a total project cost of \$117,448 and if accepted VDOT will reimburse the Town 100% of the costs, as presented. The Resolution is required to be submitted with the application that is due on December 11, 2020.

Budget/Funding: N/A

Meetings: None

Proposed Motion: I move that Council approve a Resolution of Support for submission of the Virginia Department of Transportation (VDOT) State of Good Repair and Primary Extension Paving Program application for the mill and overlay of N. Royal Avenue from N. Commerce Avenue to E. 6th Street at a total project cost of \$117,448 and if accepted VDOT will reimburse the Town 100% of the costs, as presented.

Approved By: _____

Moved _____ Seconded _____

VM Seacock _____ Cockrell _____ Gillispie _____ Holloway _____ Meza _____ Thompson _____

RESOLUTION OF SUPPORT

**Submission of
VDOT'S STATE OF GOOD REPAIR/PRIMARY EXTENSION PAVING PROGRAM
Application for the
Mill and Overlay on N. Royal Avenue from N. Commerce Avenue to E. 6th Street**

WHEREAS, based on a legislative change effective July 1, 2014, Section 33.2-358 provides that primary extensions maintained by municipalities can receive a portion of the reconstruction and paving allocations previously only distributed to interstate and primary roads with a combined condition index of less than 60 through the Virginia Department of Transportation (VDOT) State of Good Repair/Primary Extension Paving Program; and,

WHEREAS, Town Staff has applied for the FY2022 funding for the mill and overlay of N. Royal Avenue from N Commerce Avenue to E. 6th Street through VDOT's State of Good Repair/Primary Extension Paving Program at a total project cost of \$117,448 and if accepted VDOT will reimburse the Town 100% of the costs; and,

WHEREAS, as part of the application process VDOT has asked for a Resolution from Town Council to approve the submission; and,

NOW THEREFORE BE IT RESOVED, that the Front Royal Town Council approves the submission of an application for the VDOT'S STATE OF GOOD REPAIR/PRIMARY EXTENSION PAVING PROGRAM at 100% funding for mill and overlay of N. Royal Avenue from N Commerce Avenue to E. 6th Street.

APPROVED:

Eugene R. Tewalt Mayor

Attest:

Tina L. Presley Clerk of Council

THIS RESOLUTION was approved at the Regular Meeting of the Town of Front Royal, Virginia, Town Council conducted on December 7, 2020 upon the following recorded vote:

William A. Sealock	<u>Yes/No</u>	Gary L. Gillispie	<u>Yes/No</u>
Eugene R. Tewalt	<u>Yes/No</u>	Jacob L. Meza	<u>Yes/No</u>
Chris W. Holloway	<u>Yes/No</u>	Letasha T. Thompson	<u>Yes/No</u>

Approved as to Form and Legality:

Douglas W. Napier, Town Attorney

Dated: _____

Memo



Town of Front Royal Public Works

TO: Tina Presley, Clerk of Council/ Sr. Executive Assistant
FROM: Steve Scheulen, Infrastructure Manager
CC:
DATE: 12/2/2020
RE: SGR primary extension project resolution

Public Works is requesting a resolution of support to submit with application through VDOT's Local State of Good Repair/Primary Extension Paving Program for FY2022 funding. The project submission consists of a mill and overlay of North Royal Avenue from North Commerce Avenue to East 6th Street at a total cost of \$117,448.00.

The SGR primary extension program is a 100% reimbursement. The project corresponds with our FY2022 CIP.



Special Council Agenda Statement

Item #7

Meeting Date: December 7, 2020

COUNCIL APPROVAL – FY21 Budget Amendment/Interfund Transfer for Employee Bonuses

Council is requested to approve a FY21 Budget Amendment in the amount of \$171,415 and an Interfund Budget Transfer totaling \$77,280.00 to allocate funds to allow a one-time bonus in the amount of \$1,100.00 to be given to employees to show appreciation for their hard work, efforts, dedication, and support during the COVID-19 health pandemic.

BUDGET/FUNDING:

Budget Amendment

1000-3510110	General Fund Appropriated Funds Forward	\$ 171,415.00
1102-41001	Clerk of Council Salaries	\$ 190.00
1102-42001	Clerk of Council FICA	\$ 15.00
1201-41001	Town Manager Salaries	\$ 1,910.00
1201-42001	Town Manager FICA	\$ 145.00
1202-41001	Human Resource Salaries	\$ 2,000.00
1202-42001	Human Resource FICA	\$ 155.00
1203-41001	Fleet Management Salaries	\$ 4,300.00
1203-42001	Fleet Management FICA	\$ 330.00
1204-41001	I/T Salaries	\$ 2,000.00
1204-42001	I/T FICA	\$ 155.00
1214-41001	Finance Administration Salaries	\$ 2,000.00
1214-42001	Finance Administration FICA	\$ 155.00
1215-41001	Finance Customer Service Salaries	\$ 7,000.00
1215-42001	Finance Customer Service FICA	\$ 535.00
1222-41001	Purchasing Salaries	\$ 2,000.00
1222-42001	Purchasing FICA	\$ 155.00
2201-41001	Town Attorney Salaries	\$ 3,000.00
2201-42001	Town Attorney FICA	\$ 230.00
3101-41001	Police Administration Salaries	\$ 5,000.00
3101-42001	Police Administration FICA	\$ 380.00
3102-41001	Police Patrol Salaries	\$ 26,000.00
3102-42001	Police Patrol FICA	\$ 1,990.00
3103-41001	Police Investigations Salaries	\$ 5,000.00
3103-42001	Police Investigations FICA	\$ 380.00
3104-41001	Police Services Salaries	\$ 12,000.00
3104-42001	Police Services FICA	\$ 920.00
3107-41001	Police Task Force Salaries	\$ 3,000.00
3107-42001	Police Task Force FICA	\$ 380.00
4302-41001	General Properties Salaries	\$ 3,250.00
4302-42001	General Properties FICA	\$ 250.00
4305-41001	Horticulture Salaries	\$ 3,650.00
4305-42001	Horticulture FICA	\$ 280.00
8101-41001	Planning & Zoning Salaries	\$ 5,000.00
8101-42001	Planning & Zoning FICA	\$ 380.00
9790-49006	General Fund Transfer to Street Fund	\$ 13,620.00
9790-49016	General Fund Transfer to Electric Fund	\$ 17,655.00

9790-49017	General Fund Transfer to Water Fund	\$ 16,525.00
9790-49018	General Fund Transfer to Sewer Fund	\$ 17,065.00
9790-49019	General Fund Transfer to Refuse Fund	\$ 12,415.00

Interfund Transfer

4500-3240407	Street Fund Transfer From General Fund	\$ 13,620.00
4102-41001	Highway Maintenance Salaries	\$ 1,550.00
4102-42001	Highway Maintenance FICA	\$ 120.00
4500-41001	VDOT Highway Maintenance Salaries	\$ 10,400.00
4500-42001	VDOT Highway Maintenance FICA	\$ 795.00
4107-41001	Inspections Salaries	\$ 700.00
4107-42001	Inspections FICA	\$ 55.00

9401-3240407	Electric Fund Transfer From General Fund	\$ 17,655.00
9401-41001	Electric Salaries	\$ 14,900.00
9401-42001	Electric FICA	\$ 1,140.00
9417-41001	Electric Meter Reading Salaries	\$ 1,500.00
9417-42001	Electric Meter Reading FICA	\$ 115.00

9601-3240407	Water Fund Transfer From General Fund	16,525.00
9501-41001	Water Admin Salaries	\$ 1,100.00
9501-42001	Water Admin FICA	85.00
9601-41001	WTP Salaries	\$ 9,500.00
9601-42001	WTP FICA	\$ 725.00
9602-41001	Water Line Crew Salaries	\$ 3,250.00
9602-42001	Water Line Crew FICA	\$ 250.00
9617-41001	Water Meter Reading Salaries	\$ 1,500.00
9617-42001	Water Meter Reading FICA	\$ 115.00

9801-3240407	Sewer Fund Transfer From General Fund	\$ 17,065.00
9502-41001	Sewer Admin Salaries	\$ 850.00
9502-42001	Sewer Admin FICA	\$ 65.00
9801-41001	WWTP Salaries	\$ 11,750.00
9801-42001	WWTP FICA	\$ 900.00
9802-41001	Sewer Line Crew Salaries	\$ 3,250.00
9802-42001	Sewer Line Crew FICA	\$ 250.00

4203-3240407	Refuse Fund Transfer From General Fund	\$ 12,415.00
4203-41001	Refuse Salaries	\$ 11,450.00
4203-42001	Refuse FICA	\$ 965.00

Proposed Motion: I move that Council approve a FY21 Budget Amendment in the amount of \$171,415 and a FY21 Interfund Budget Transfer totaling \$77,280.00 to allocate funds to allow a one-time bonus in the amount of \$1,100.00 to be given to employees to show appreciation for their hard work, efforts, dedication, and support during the COVID-19 health pandemic.

Approved By: _____

Moved _____ Seconded _____

VM Sealock _____ Cockrell _____ Gillispie _____ Holloway _____ Meza _____ Thompson _____

WORK SESSION



Work Session Agenda Form

Item # 1

DATE: 12/7/20

AGENDA ITEM: Review of FY21 Revenues & Contingencies

SUMMARY: Town Council approved a FY21 budget transfer/amendment upon adopting the FY21 budget, which provides contingency funds for the general fund, street fund, water fund, sewer fund, and solid waste fund due to the COVID-19 pandemic. Council requested staff to periodically review revenues and contingency amounts during work sessions to address accordingly.

Staff is providing Town Council with updated information related to key revenues as of November 30, 2020.

The Town is currently moving forward with processes necessary to have the ability to resume disconnection of utility accounts for non-payment.

BUDGET/FUNDING: See attachment for key revenue status update.

STAFF RECOMMENDATION: Staff recommends for council to allow the release of \$347,761 from contingency to move forward with employee raises related to the final year of the compensation study implementation & merit raises.

Work Session

KEY REVENUE & CONTINGENCY REVIEW

as of November 30, 2020

General		FY21 Budgeted Amount	Year to Date Receipts	Budget Expired	Above/Below Expired FY21 Budget
	Sales Tax - Warren County	\$ 1,084,340.00	\$ 513,847.11	\$ 451,085.44	\$ 62,761.67
	Lodging Tax	\$ 316,000.00	\$ 110,577.25	\$ 131,456.00	\$ (20,878.75)
	Meals Tax	\$ 1,994,000.00	\$ 834,658.35	\$ 829,504.00	\$ 5,154.35
	PILOT - Utility Bills	\$ 530,480.00	\$ 250,613.76	\$ 220,679.68	\$ 29,934.08
	Fines & Forfeitures	\$ 202,000.00	\$ 58,972.55	\$ 84,032.00	\$ (25,059.45)
	Rental Vehicle Tax	\$ 99,000.00	\$ 30,820.76	\$ 41,184.00	\$ (10,363.24)
	Communication Tax	\$ 135,890.00	\$ 55,898.64	\$ 56,530.24	\$ (631.60)
	599 Funding Police Dept (Received Quarterly)	\$ 376,295.00	\$ 94,074.00	\$ 94,074.00	\$ -
				Subtotal	\$ 40,917.06
	General Fund Contingency Less Difference in Revenues				\$ 1,316,821.00
	G/F Difference After Contingency				\$ 1,357,738.06
Police Department Attrition Position					\$ (27,957.50)
General Fund Difference After Deductions					\$ 1,329,780.56

Streets		FY21 Budgeted Amount	Year to Date Receipts	Budget Expired	Above/Below FY21 Budget
	Street Construction & Maintenance (V-DOT)	\$ 1,971,380.00	\$ 492,608.20	\$ 492,845.00	\$ (947.20)
	Street Fund Contingency				\$ 204,145.00
	Street Fund Difference Contingency				\$ 204,145.00
Street Difference After Deductions					\$ 204,145.00

Electric		FY21 Budgeted Amount	Year to Date Receipts	Budget Expired	Above/Below Expired FY21 Budget
	Electric Sales	\$ 19,154,800.00	\$ 7,696,052.43	\$ 7,968,396.80	\$ (272,344.37)
	Electric Fund Contingency				\$ 674,979.00
	Electric Fund Contingency Plus Revenue Difference				\$ 402,634.63
Electric Difference After Deductions					\$ 402,634.63

Water		FY21 Budgeted Amount	Year to Date Receipts	Budget Expired	Above/Below Expired FY21 Budget
	Water Sales	\$ 5,064,250.00	\$ 2,224,247.36	\$ 2,106,728.00	\$ 117,519.36
	Water Connections	\$ 160,000.00	\$ 155,488.00	\$ 66,560.00	\$ 88,928.00
				Subtotal	\$ 206,447.36
	Water Contingency				\$ 458,325.00
	Water Contingency Plus Revenue Difference				\$ 664,772.36
Water Difference After Deductions					\$ 664,772.36

Sewer		FY21 Budgeted Amount	Year to Date Receipts	Budget Expired	Above/Below Expired FY21 Budget
	Sewer Sales	\$ 6,057,430.00	\$ 2,406,932.69	\$ 2,519,890.88	\$ (112,958.19)
	Sewer Connections	\$ 332,140.00	\$ 424,512.00	\$ 138,170.24	\$ 286,341.76
				Subtotal	\$ 173,383.57
	Sewer Contingency				\$ 359,525.00
	Sewer Contingency Plus Revenue Difference				\$ 532,908.57
Sewer Difference After Deductions					\$ 532,908.57

Solid Waste		FY21 Budgeted Amount	Year to Date Receipts	Budget Expired	Above/Below Expired FY21 Budget
	Solid Waste Sales	\$ 1,020,935.00	\$ 430,380.49	\$ 424,708.96	\$ 5,671.53
	Tipping Fees Collected from Utility Billing	\$ 26,000.00	\$ 7,540.00	\$ 10,816.00	\$ (3,276.00)
				Subtotal	\$ 2,395.53
	Solid Waste Contingency				\$ 38,465.00
	Solid Waste Contingency Less Revenue Difference				\$ 40,860.53
Solid Waste Difference After Deduction					\$ 40,860.53

OVERALL DIFFERENCE AFTER DEDUCTIONS	\$ 3,175,101.65
--	------------------------

DELINQUENT UTILITY ACCOUNTS

Number of Delinquent Active Utilty Accounts May 2020	2,022
Number of Delinquent Active Utilty Accounts June 2020	1,151
Number of Delinquent Active Utilty Accounts July 2020	899
Number of Delinquent Active Utilty Accounts August 2020	856
Number of Delinquent Active Utilty Accounts Sept 2020	936
Number of Delinquent Active Utilty Accounts Oct 2020	822
Number of Delinquent Active Utilty Accounts Nov 2020	1,083

May 2020 Delinquent Utilty Account \$	\$841,441.54
June 2020 Delinquent Utilty Account \$	\$658,438.88
July 2020 Delinquent Utilty Account \$	\$581,514.60
August 2020 Delinquent Utilty Account \$	\$513,404.35
September 2020 Delinquent Utilty Account \$	\$464,688.73
October 2020 Delinquent Utilty Account \$	\$513,527.86
November 2020 Delinquent Utilty Account \$	\$576,594.27

2



Work Session Agenda Statement

Item # 2

Meeting Date: December 7, 2020

Agenda Item: VESTA Upgrade Project Call/Radio Recording Services

Summary: Council is requested to approve a FY21 Budget Amendment in the amount of \$36,227.33 to allocate funds from the General Fund Reserve Funds to purchase Call\Radio Recording Servers and to approve the purchase of Call\Radio Recording Servers from Black Box in the amount of \$36,227.33. See memo from the IT Director.

Budget/Funding:

Budget Amendment

1000-3510110	General Fund Appropriated Funds Forward	\$36,227.33
3104-47003	Police Services – Communication Equipment	\$36,227.33

Staff Recommendation: to move forward to December 14th meeting agenda for final approval



TOWN OF FRONT ROYAL
DEPARTMENT OF INFORMATION TECHNOLOGY
TOWN HALL
102 E. MAIN STREET
FRONT ROYAL, VIRGINIA 22630-1560
(540) 631-3600
WWW.FRONTROYALVA.COM

TODD C. JONES
Director
tjones@frontroyalva.com

MEMORANDUM

TO: Matt Tederick, Interim Town Manager

FROM: Todd C. Jones, Director of Information Technology

DATE: 11/20/20

RE: Police Department VESTA Upgrade Project Call\Radio Recording Servers

Matt,

As we have discussed, due to the secondary PSAP/Vesta upgrade project and the potential failure of the existing servers, new call and radio recording equipment is necessary.

Currently, we use two servers. One for call recording and one for radio recording. They were installed with the new phone system in May 2014. The existing servers are basic recorders that have no connection to the Police Department dispatching systems and no ability to incorporate ANI/ALI metadata. (Caller ID, GPS data etc.) Both servers have analog interfaces. Both servers have had significant SQL database failures. While the recordings are accessible by staff, the SQL errors are an indication that the servers are failing. Both servers have been in the IT CIP for replacement at a cost estimated to be \$20,000 each.

With the Police Department initiative to become a secondary PSAP for Warren County and the associated installation of upcoming VESTA equipment we have found that the existing servers will no longer suffice.

The VESTA equipment upgrade requires a digital connection to the call recording system. This would be in addition to the call recording of the existing administrative phone system. The existing servers do not have a digital interface capability. While the Vesta equipment could be modified for analog recording, doing so would hamper workflow and prevent necessary metadata from being utilized for a PSAP location.



TOWN OF FRONT ROYAL
DEPARTMENT OF INFORMATION TECHNOLOGY
TOWN HALL
102 E. MAIN STREET
FRONT ROYAL, VIRGINIA 22630-1560
(540) 631-3600
WWW.FRONTROYALVA.COM

TODD C. JONES
Director
tjones@frontroyalva.com

The proposed solution, at a cost of \$36,227.33, will replace both recording servers to one server. The new server is made by a company that specializes in recording systems for law enforcement dispatch centers. It has both digital and analog interfaces. The new server integrates directly with the Police Departments dispatching software. The new server will be able to read, retain and transmit the appropriate metadata necessary for various platforms. The new server is scalable as the Police Department moves forward in the PSAP initiative. The new server will be installed by a company that is certified to work within PSAP locations.

With the signs of failure on the existing server, the enhanced integration with dispatch software, the need for a digital interface and the budget coming in at \$4000 less than the proposed CIP, it is my recommendation that the Town move forward with the installation of the new call\radio recording server.

Please let me know if you have any questions.

-Todd

3



Work Session Agenda Statement

Item # 3

Meeting Date: December 7, 2020

Agenda Item: HEPTAD Request for One-Year Extension to Submit Development Plan

Council is requested to consider approval of a request from HEPTAD, LLC to extend their deadline to submit a development plan. Town Code requires that a development plan be submitted within one (1) year of approval of the Master Land Use Plan. The Town Code also allows the deadline to be extended by Town Council. Council has approved a one-year extension every year since 2016. In regard to the attached letter from Mr. Silek, the 2019 extension was approved by Town Council as one of three consent items and therefore the attached agenda sheet shows what the motion was that was approved. The motion was for a one-year extension until December 3, 2020.

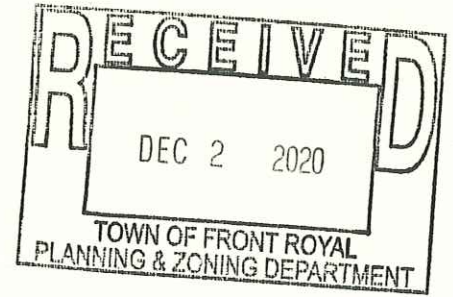
HEPTAD, LLC is the owner of the proposed development referred to as Swan Estates. It was conditionally rezoned to the PND District in 2012.

Budget/Funding: None

Staff Recommendation: Since this request is beyond the expiration date, staff defers to Council

JOSEPH F. SILEK, JR., P.C.

43 CHESTER STREET
POST OFFICE BOX 602
FRONT ROYAL, VIRGINIA 22630
TELEPHONE: (540) 635-9415
FACSIMILE: (540) 635-9421
E-MAIL: JSILEK@SILEKPC.COM



December 2, 2020

Timothy Wilson, Director
Department of Community Development & Planning
Town of Front Royal
102 East Main Street
Front Royal, Virginia 22630

Re: Heptad, LLC – Renewed Request for Extension

DELIVERED BY HAND DELIVERY

Dear Mr. Wilson:

Please be advised that I represent Heptad, LLC. Last year, the Town Council granted Heptad's request for an extension of the requirement to file a Development Plan pursuant to Town Code §175-37.18. At that time, it was my understanding that, unlike prior years, this extension approved by the Town Council was for a longer period. Unfortunately, for the 2019 extension, I did not receive a letter from the Town confirming the extension or its terms. Nevertheless, it has recently come to my attention that such extension may have been only for one (1) year. I would respectfully ask that you check Town Council records from November or December of 2019 to confirm my understanding that the extension was for longer than one (1) year and, if so, to confirm when that extension would expire. If the extension was for only one (1) year, please treat this letter as a request for an additional one-year extension.

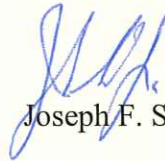
As justification for the request, I am pleased to report that recently Heptad has entered into a contract for the purchase of the Heptad property. Under the terms of that contract, closing is expected to take place in late August 2021. Obviously, it is in the best interests of both the Town and my client that this transaction close.

I respectfully request that this matter be placed on the earliest regular meeting of the Town Council. I also ask that you copy me with any Town communications, notices, or meeting agendas referencing this request.

Timothy Wilson, Director
December 2, 2020
Page Two (2)

Thank you in advance for your assistance, and please contact me with any additional questions.

Very Truly Yours,

A handwritten signature in blue ink, appearing to read "J. Silek, Jr.", is positioned above the printed name.

Joseph F. Silek, Jr.

Cc: Heptad, LLC

Swan Estates

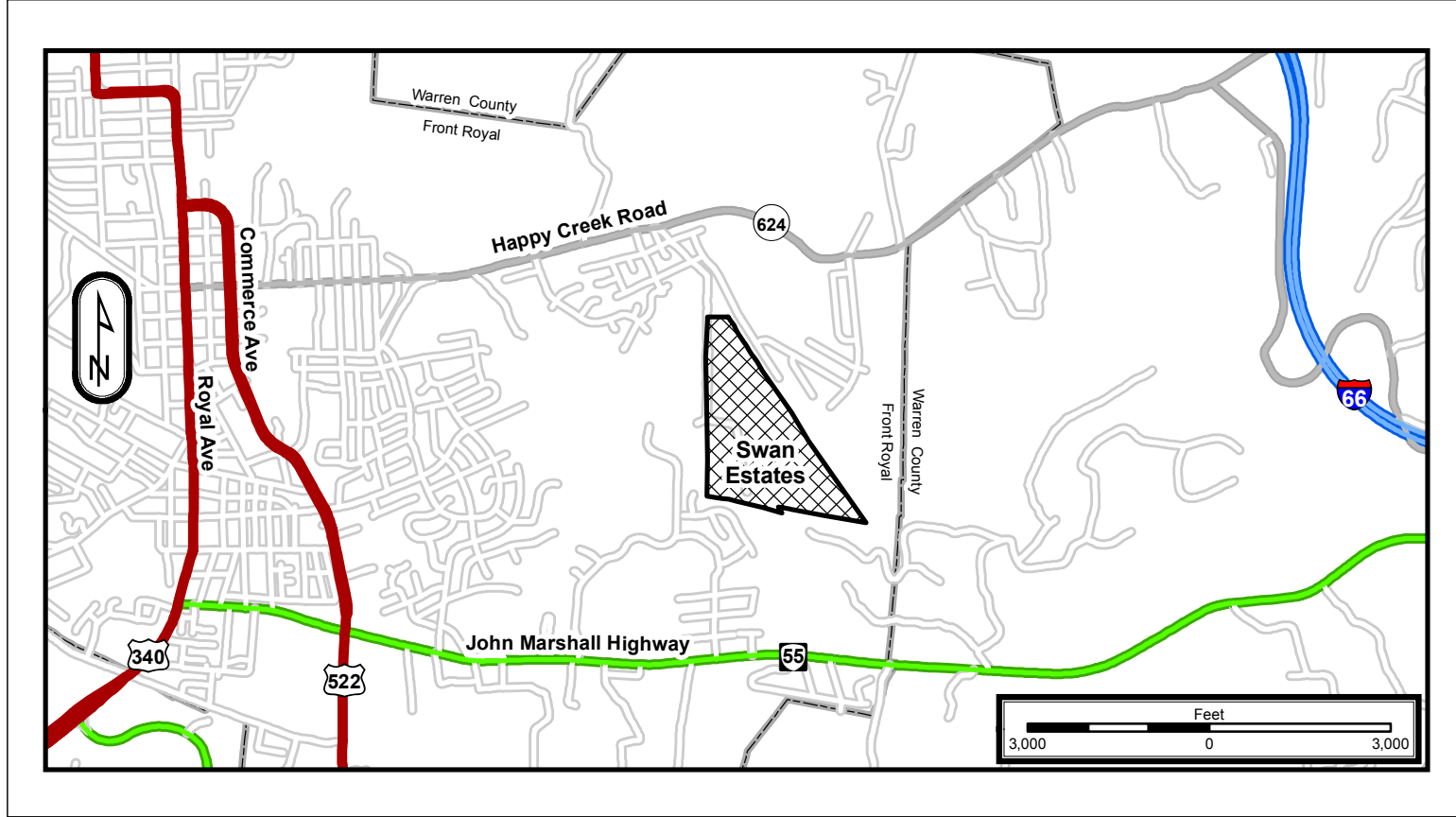
By

Heptad LLC

March 4,2011

Master Land Use Plan

A Planned Neighborhood Development



Vicinity Map

Project Information

General Information
Tax Map* 20-A21-2-1 and 20-A20-2-11, instrument 030007026
Total Area: 98+/- Acres
Current Zoning: (R-S) Suburban Residential

Open Space Information;
Total Area in Open Space: 43.74 Acres (44.6%)
Open Space comprised of Conservation Land: 34.84 Acres
Open Space comprised of Recreation Land: 8.9 Acres

Developable Area Information:
Total developable area: 54.26 Acres (55.4%)
Area in Single Family Dwelling Category: 11.87 Acres
Area in Townhouse Category: 12.59 Acres
Area in Multi-Family Category: 20.6 Acres
Area in Commercial Category: 9.2 Acres
Proposed Single Family Units: 37-54 +/- (minimum size lots of 3,000 sq. ft)
Proposed Townhouse Units:112 +/-
Proposed Multi Family Units: 252-336 +/-

Summary
Total Number of Units: 450*
Average Density: 4.09-5.12 units per acre +/-
Percentage of Land in open Space : 44.6%

* maximum allowable amount and will be result of any combination of unit types as determined by final design

Sheet Index

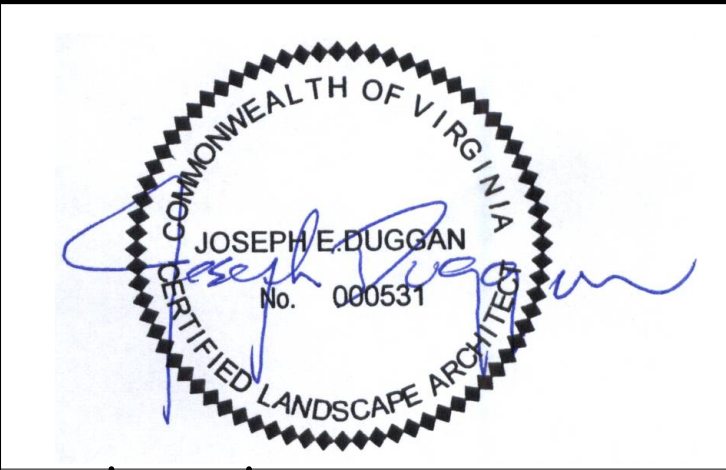
- 1. Cover Sheet
- 2.General Location Plan
- 3. Boundary Survey
- 4.Slope Analysis
- 5.Topography Map
- 6.Trip Distribution and Road Classification
- 7.Floodplan and Wetland Delineation
- 8.Leach Run Parkway Layout
- 9.Function Use Plan-Land Bay Layout

Swan Estates

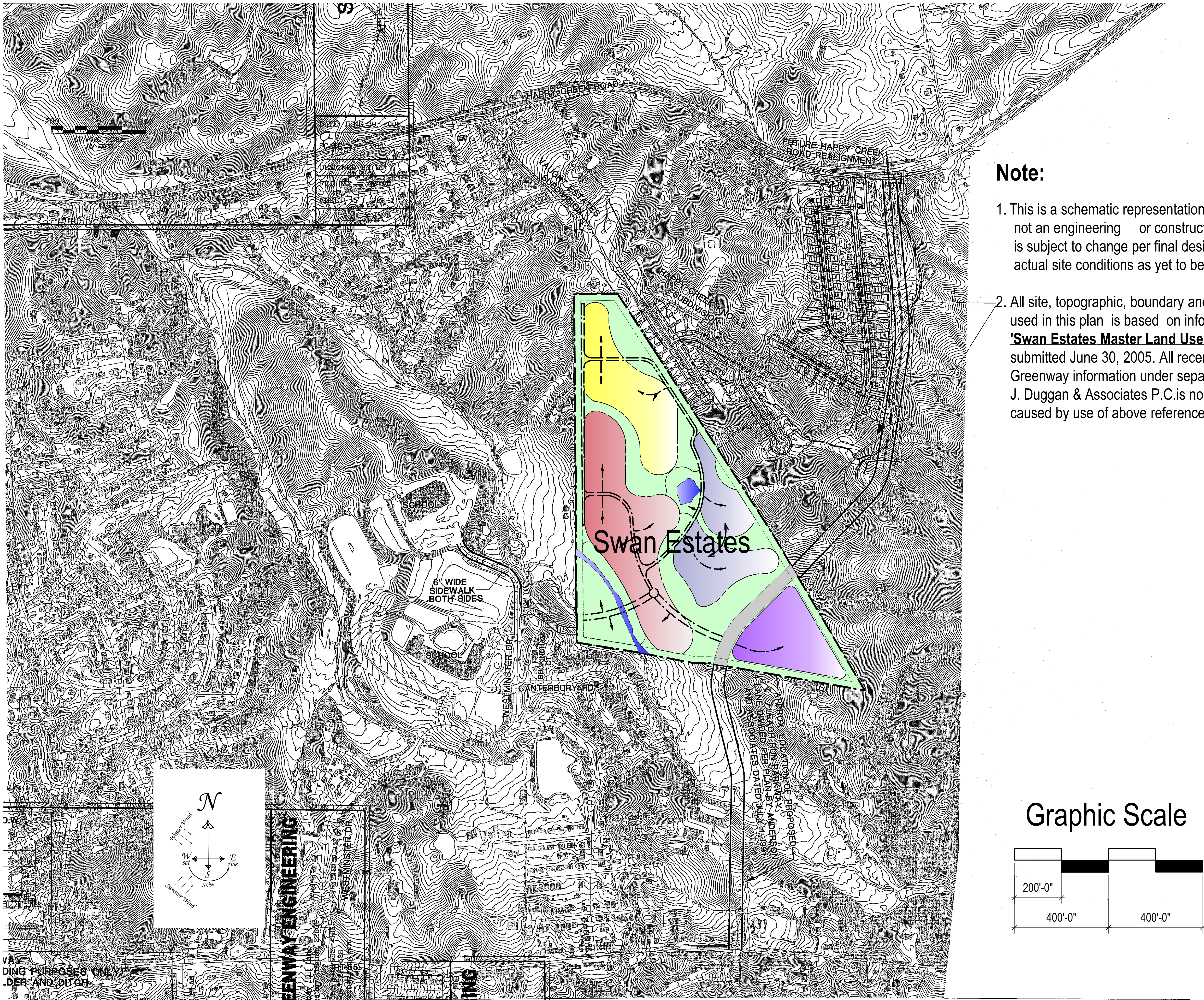
Master Land Use Plan

Happy Creek Magisterial District

Front Royal, Virginia



No.	Date	Revisions
Design Firm  J. Duggan & Associates Landscape Architecture 151 Windy Hill Lane, Winchester, VA 22602 (540)974-2475 www.jdugganandassociates.com		
Consultant		
Project Title Master Land Use Plan		
Drawing Title Cover Sheet		
Project Manager J Duggan RLA		
Drawn By TM/JD		Scale as shown
Reviewed By JD		Drawing No. 1 of 9 Total Sheets
Date 3-4-2011		
CAD File		



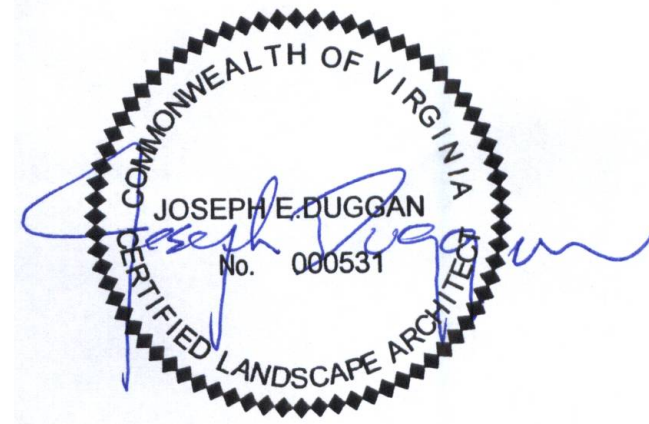
Note:

- 1. This is a schematic representation of proposed land uses, not an engineering or construction document..Plan as shown is subject to change per final design, engineering constraints and actual site conditions as yet to be determined.
- 2. All site, topographic, boundary and other relevant site information used in this plan is based on information contained in the plan titled '**Swan Estates Master Land Use Plan**' by Greenway Engineering submitted June 30, 2005. All recent traffic information done provided by Greenway information under separate agreement with Heptad LLC. J. Duggan & Associates P.C.is not responsible for any errors/omissions caused by use of above referenced information.

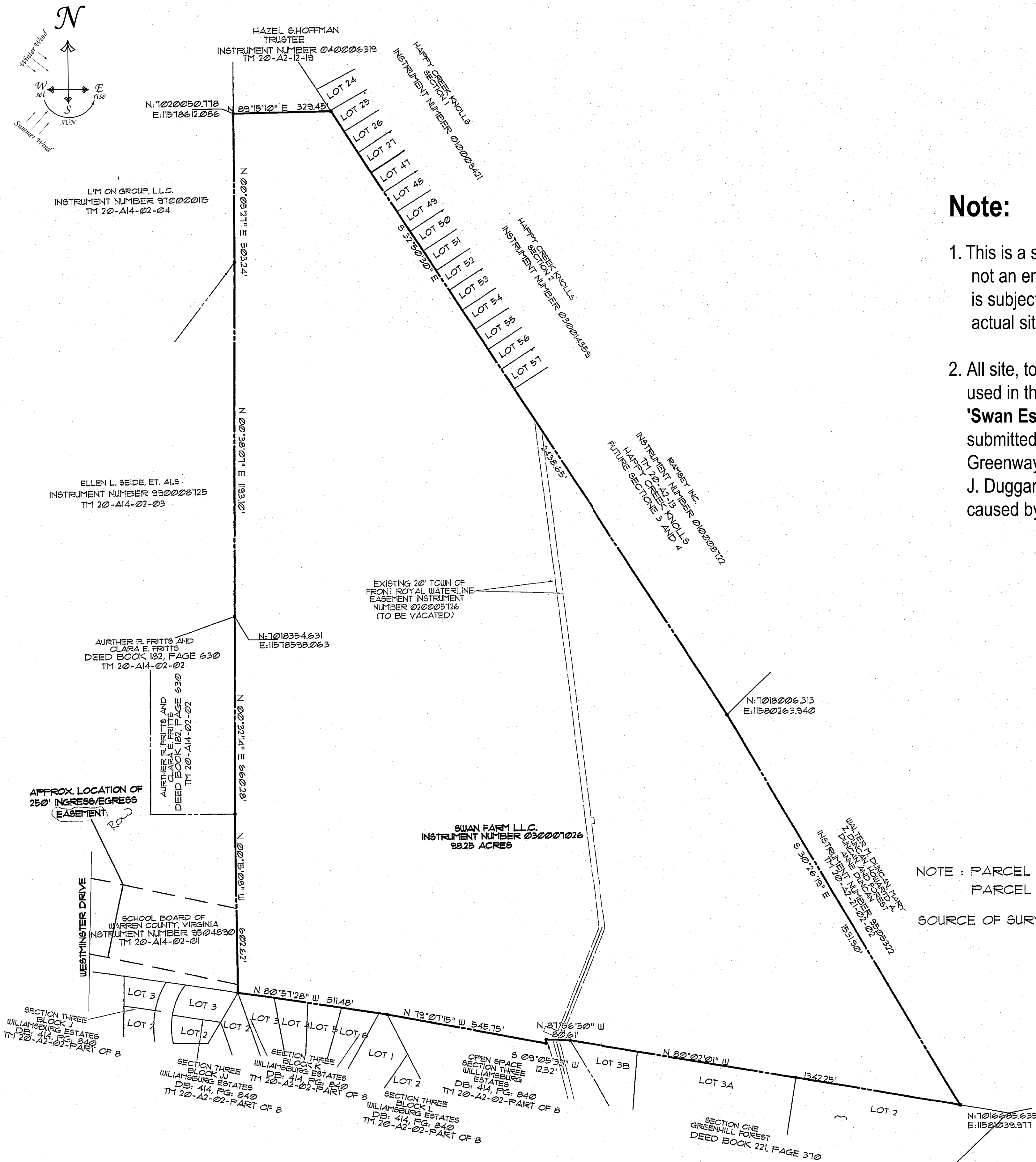
Swan Estates

Master Land Use Plan

Happy Creek Magisterial District
Front Royal, Virginia



No.	Date	Revisions
Design Firm		
J. Duggan & Associates Landscape Architecture 151 Windy Hill Lane, Winchester, VA 22602 (540)974-2475 www.jdugganandassociates.com		
Consultant		
Project Title		
Master Land Use Plan		
Drawing Title		
Generalized Location Plan		
Project Manager		
J Duggan RLA		
Drawn By	Scale	
TM/JD	as shown	
Reviewed By	Drawing No.	
JD		
Date		
3-4-2011		
CAD File		
	2	9
	Total Sheets	



Note:

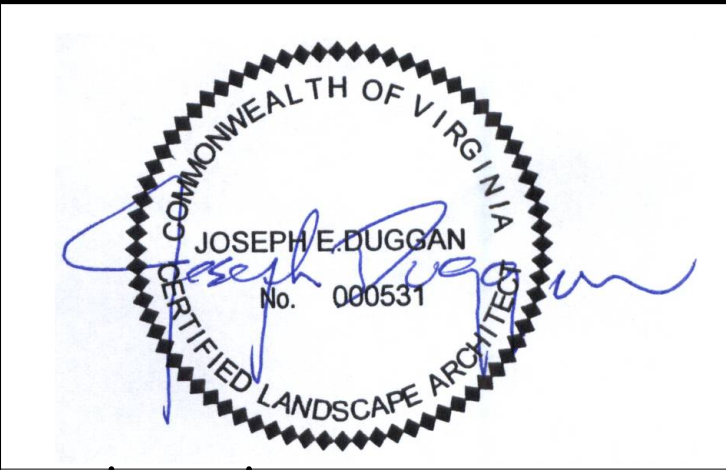
- 1. This is a schematic representation of proposed land uses, not an engineering or construction document..Plan as shown is subject to change per final design, engineering constraints and actual site conditions as yet to be determined.
- 2. All site, topographic, boundary and other relevant site information used in this plan is based on information contained in the plan titled **'Swan Estates Master Land Use Plan'** by Greenway Engineering submitted June 30, 2005. All recent traffic information done provided by Greenway information under separate agreement with Heptad LLC. J. Duggan & Associates P.C.is not responsible for any errors/omissions caused by use of above referenced information.

NOTE : PARCEL ONE 97.13 ACRES SHOWN ON THIS DRAWING.
PARCEL TWO .52ACRES IS NOT SHOWN ON THIS DRAWING.
SOURCE OF SURVEY : BOWMAN CONSULTING GROUP DATED MARCH 28, 2005.

Swan Estates

Master Land Use Plan

Happy Creek Magisterial District
Front Royal, Virginia



--	--	--

No.	Date	Revisions
Design Firm J. Duggan & Associates Landscape Architecture 151 Windy Hill Lane, Winchester, VA 22602 (540)974-2475 www.jdugganandassociates.com		
Consultant		
Project Title Master Land Use Plan		
Drawing Title Boundary Survey		
Project Manager J Duggan RLA		
Drawn By JD		Scale as shown
Reviewed By JD		Drawing No. 3 of 9 Total Sheets
Date 3-4-2011		
CAD File		



Note:

1. This is a schematic representation of proposed land uses, not an engineering or construction document..Plan as shown is subject to change per final design, engineering constraints and actual site conditions as yet to be determined.
2. All site, topographic, boundary and other relevant site information used in this plan is based on information contained in the plan titled '**Swan Estates Master Land Use Plan**' by Greenway Engineering submitted June 30, 2005. All recent traffic information done provided by Greenway information under separate agreement with Heptad LLC. J. Duggan & Associates P.C.is not responsible for any errors/omissions caused by use of above referenced information.

LEGEND

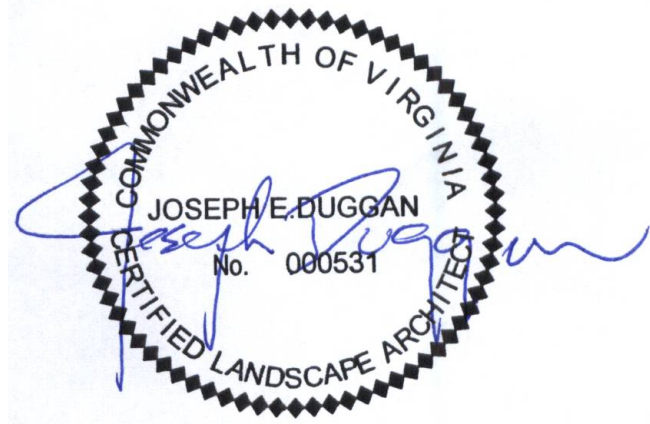
- < 15.00 % SLOPES
- 15.00 to 40.00 % SLOPES
- > 40.00 % SLOPES



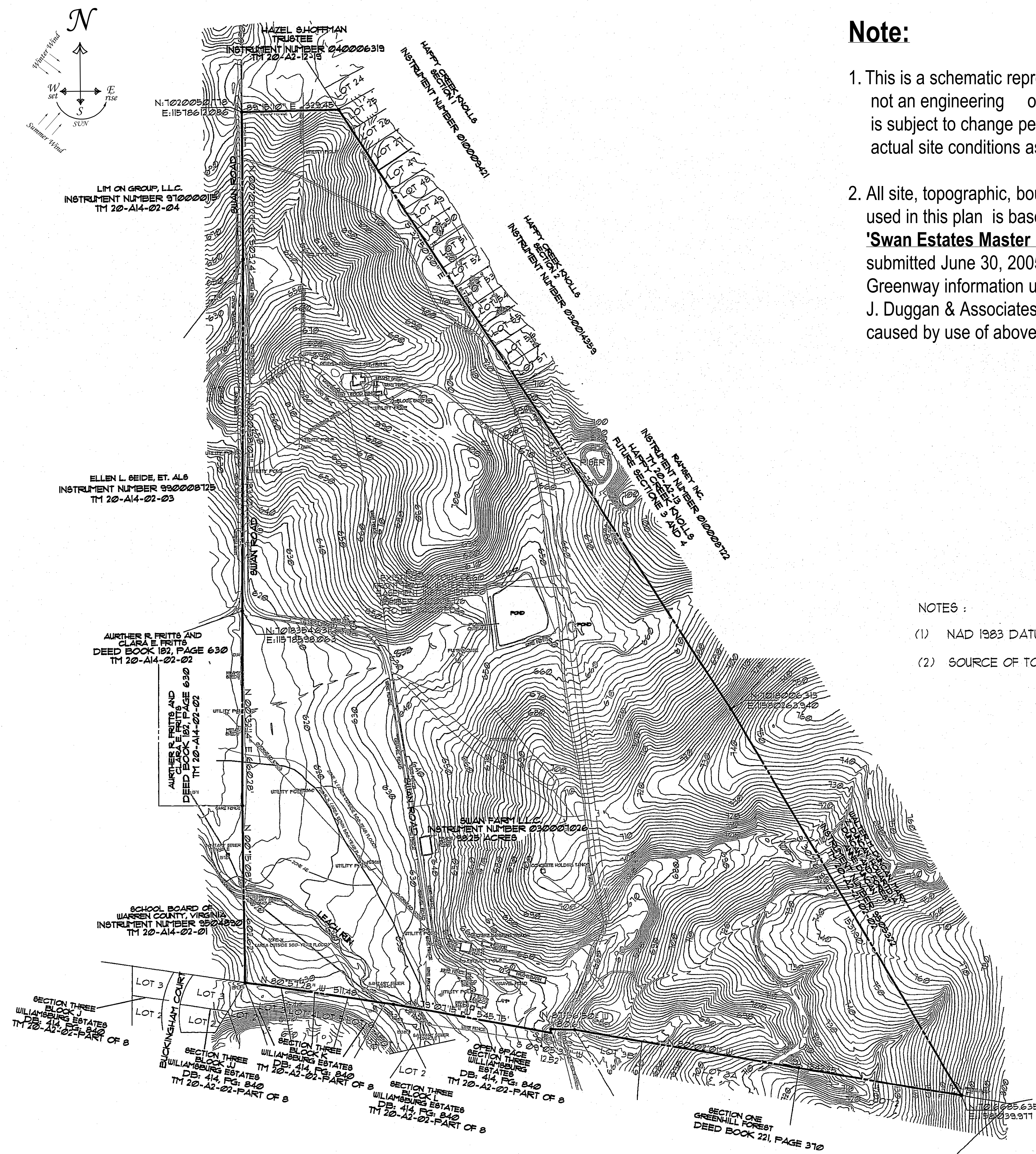
Swan Estates

Master Land Use Plan

Happy Creek Magisterial District
Front Royal, Virginia



No.	Date	Revisions
Design Firm		
 J. Duggan & Associates Landscape Architecture 151 Windy Hill Lane, Winchester, VA 22602 (540)974-2475 www.jdugganandassociates.com		
Consultant		
Project Title Master Land Use Plan		
Drawing Title Slope Analysis		
Project Manager J Duggan RLA		
Drawn By JD	Scale as shown	
Reviewed By JD	Drawing No. 4 of 9 Total Sheets	
Date 3-4-2011		
CAD File		



Note:

1. This is a schematic representation of proposed land uses, not an engineering or construction document..Plan as shown is subject to change per final design, engineering constraints and actual site conditions as yet to be determined.
2. All site, topographic, boundary and other relevant site information used in this plan is based on information contained in the plan titled **'Swan Estates Master Land Use Plan'** by Greenway Engineering submitted June 30, 2005. All recent traffic information done provided by Greenway information under separate agreement with Heptad LLC. J. Duggan & Associates P.C.is not responsible for any errors/omissions caused by use of above referenced information.

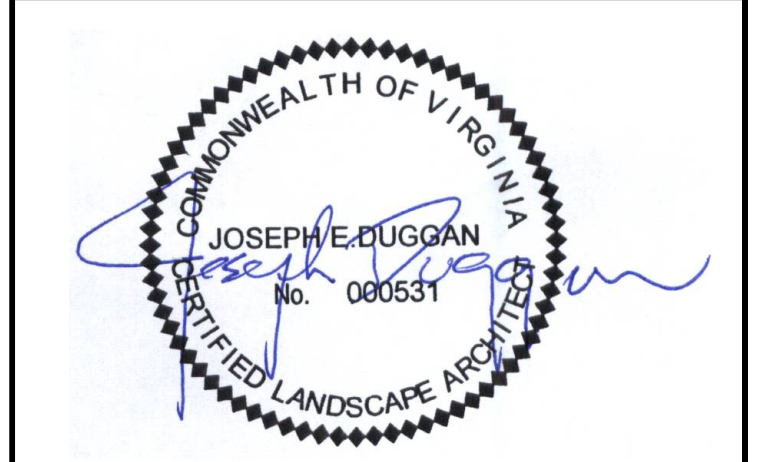
NOTES :

- (1) NAD 1983 DATUM , 2' CONTOUR INTERVAL
- (2) SOURCE OF TOPOGRAPHY BOWMAN CONSULTING GROUP DATED DEC. 21, 2004.

Swan Estates

Master Land Use Plan

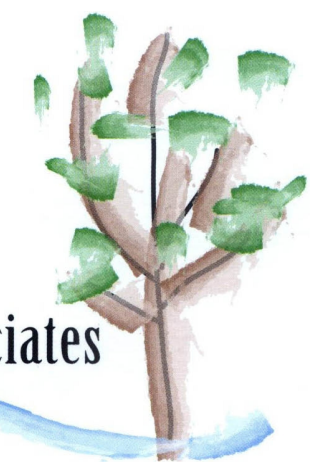
Happy Creek Magisterial District
Front Royal, Virginia



--	--	--

No.	Date	Revisions
-----	------	-----------

Design Firm



J. Duggan & Associates
Landscape Architecture

151 Windy Hill Lane, Winchester, VA 22602
(540)974-2475 www.jdugganandassociates.com

Consultant

Project Title
Master Land Use Plan

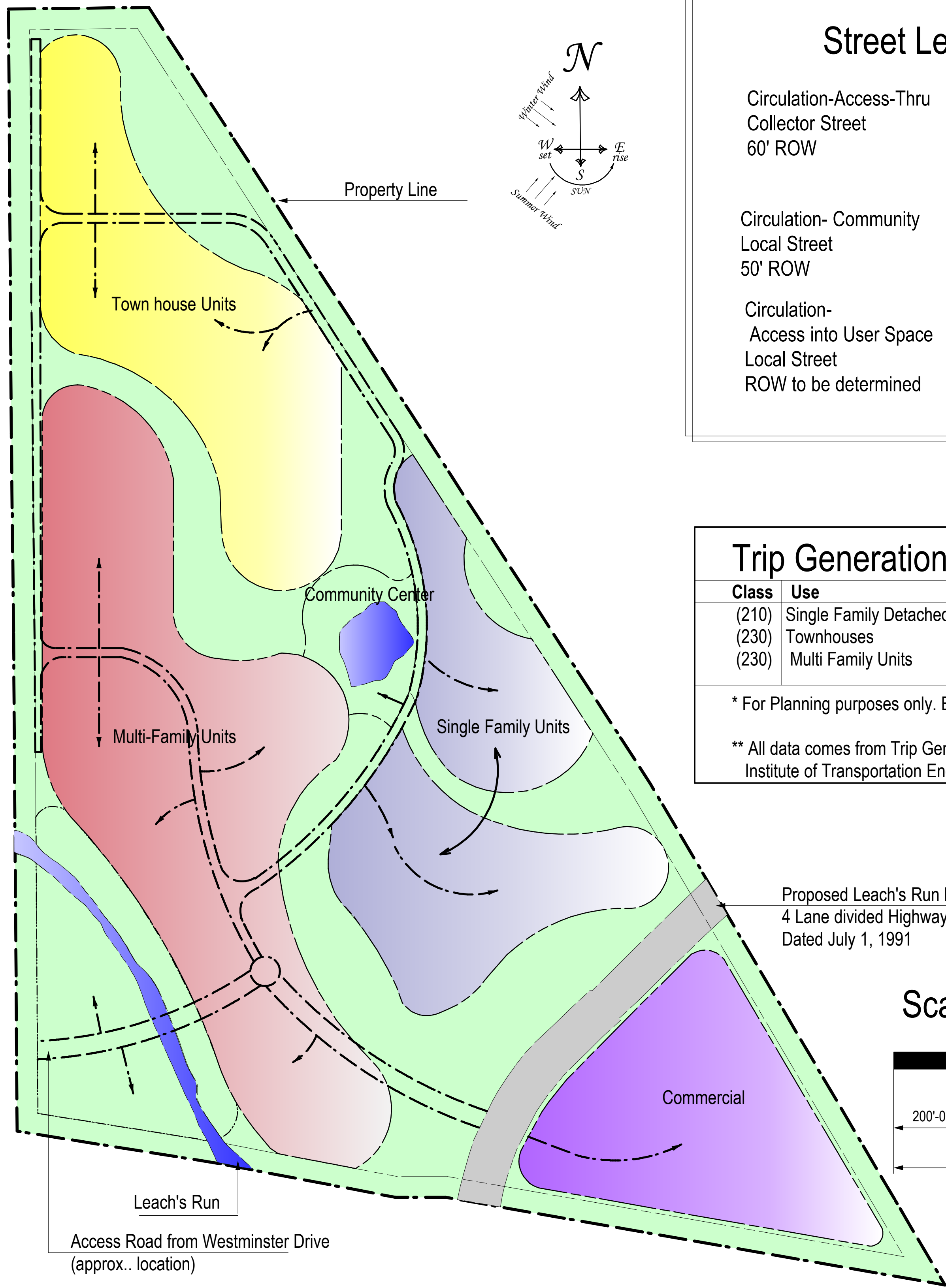
Drawing Title
Topography Map

Project Manager
J Duggan RLA

Drawn By	Scale
JD	as shown

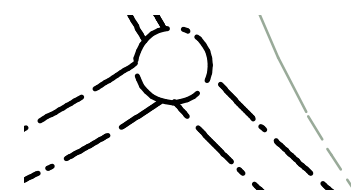
Reviewed By	Drawing No.
JD	

Date	5 of 9 Total Sheets
3-4-2011	
CAD File	

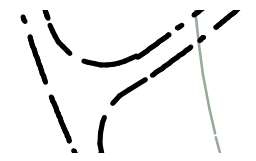


Street Legend

Circulation-Access-Thru
Collector Street
60' ROW



Circulation- Community
Local Street
50' ROW



Circulation-
Access into User Space
Local Street
ROW to be determined



Trip Generation Data

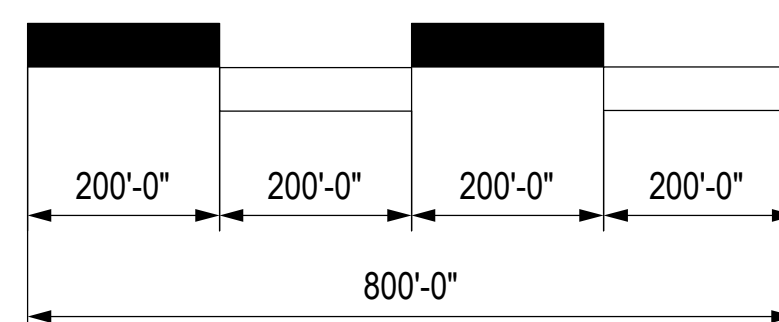
Class	Use	Units*	Trip Rate**	VPD
(210)	Single Family Detached	54	9.57 Trips per day	516.78 VPD
(230)	Townhouses	112	5.86 Trips per day	656.32 VPD
(230)	Multi Family Units	284	5.86 Trips per day	1664.24 VPD

* For Planning purposes only. Estimate number subject to change.

** All data comes from Trip Generation Manual (7th Edition) published by:
Institute of Transportation Engineers, publication date 2003

Proposed Leach's Run Parkway (approx location)
4 Lane divided Highway per plans by Anderson and Associates
Dated July 1, 1991

Scale



Circulation Plan

Note:

1. This is a schematic representation of proposed land uses, not an engineering or construction document..Plan as shown is subject to change per final design, engineering constraints and actual site conditions as yet to be determined.
2. All recent traffic information provided by Greenway information under separate agreement with Heptad LLC. J. Duggan & Associates P.C. is not responsible for any errors/omissions caused by use of above referenced information.

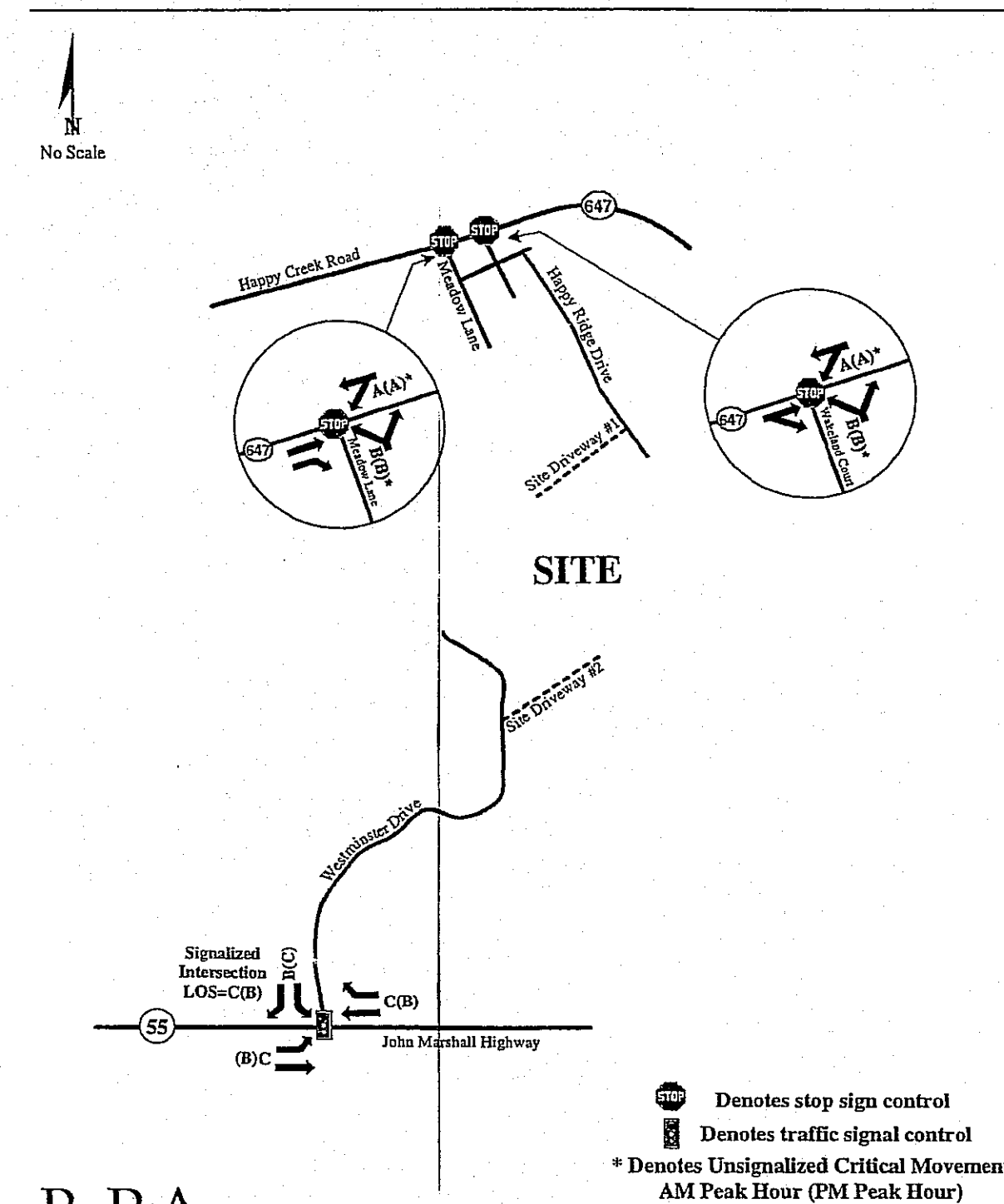
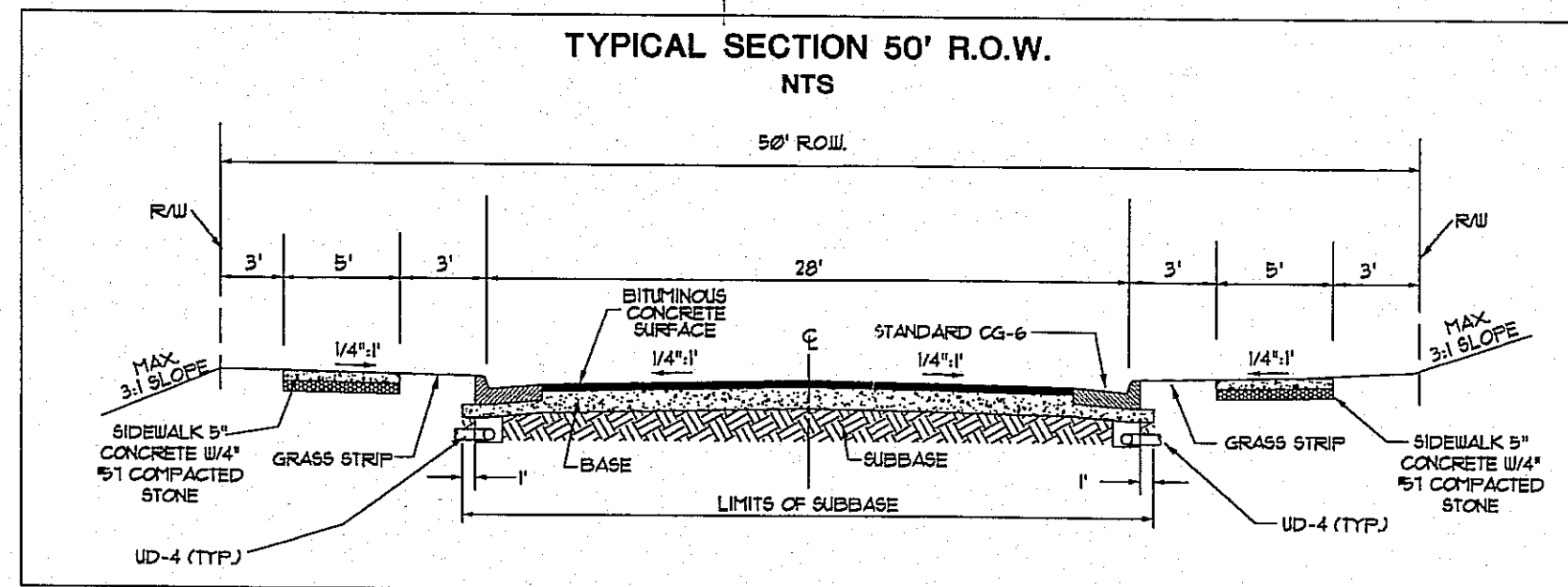
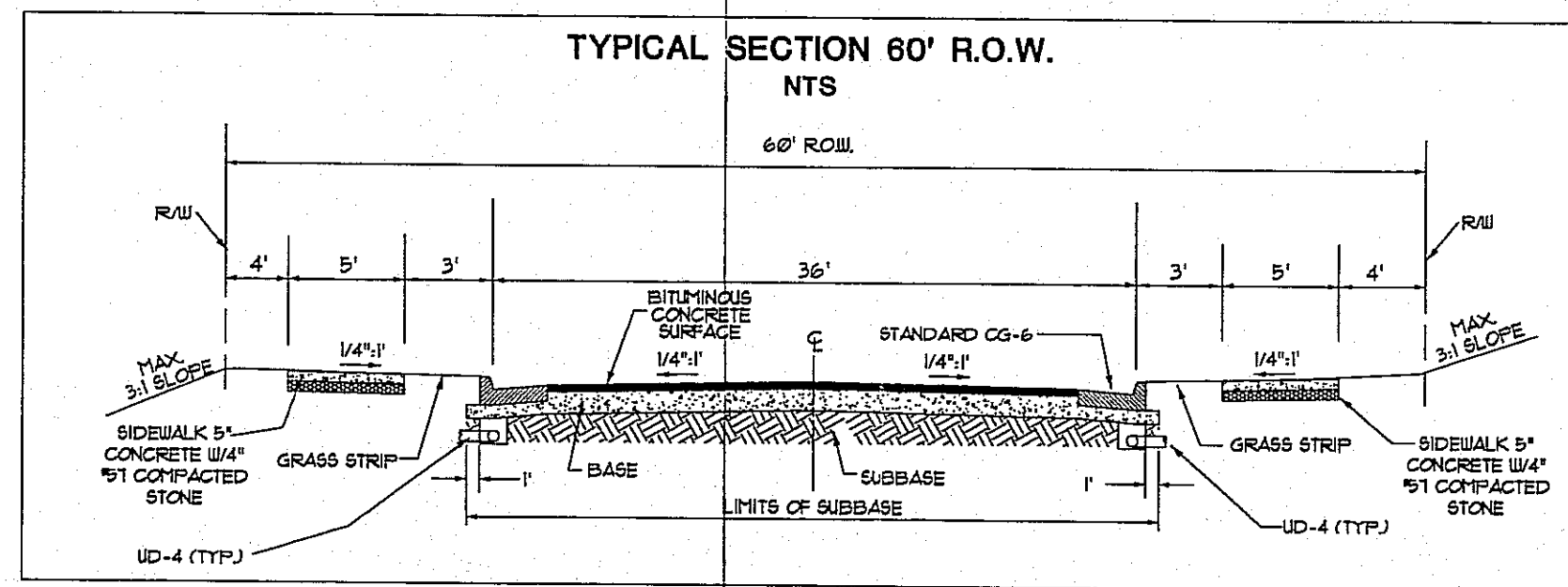
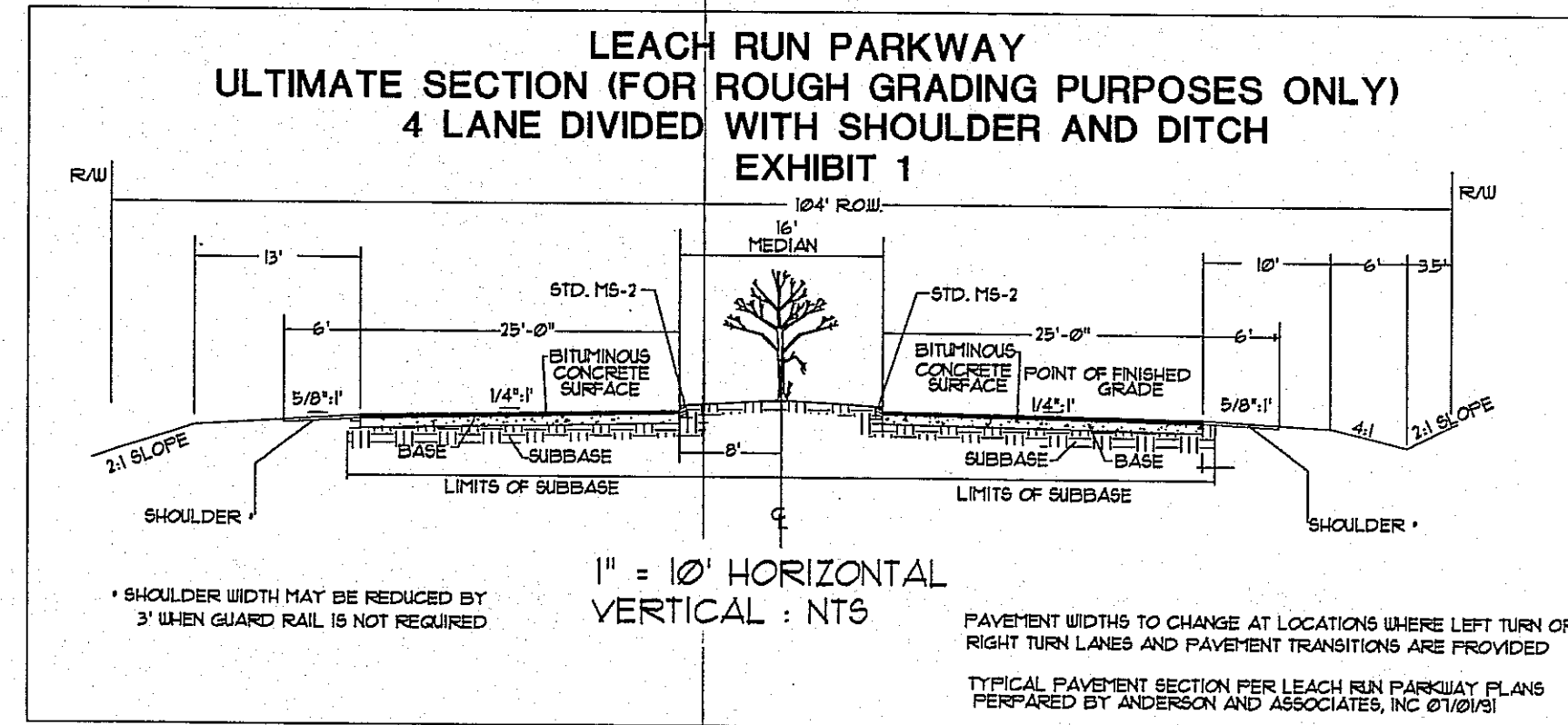
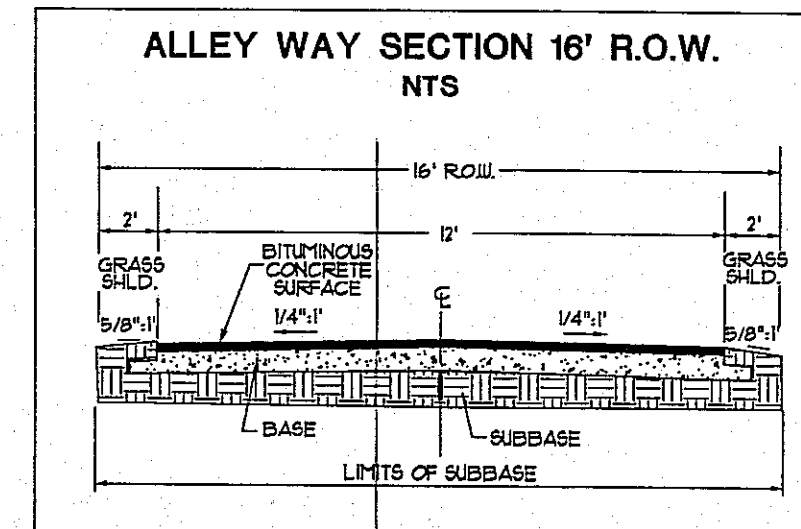


Figure 9 2008 Buildout Lane Geometry and Levels of Service

Swan Estates Master Land Use Plan

Happy Creek Magisterial District
Front Royal, Virginia



No.	Date	Revisions
-----	------	-----------

Design Firm

J. Duggan & Associates
Landscape Architecture

151 Windy Hill Lane, Winchester, VA 22602
(540)974-2475 www.jdugganandassociates.com

Consultant

Project Title

Master Land Use Plan

Drawing Title

Trip Distribution and
Road Classification Plan

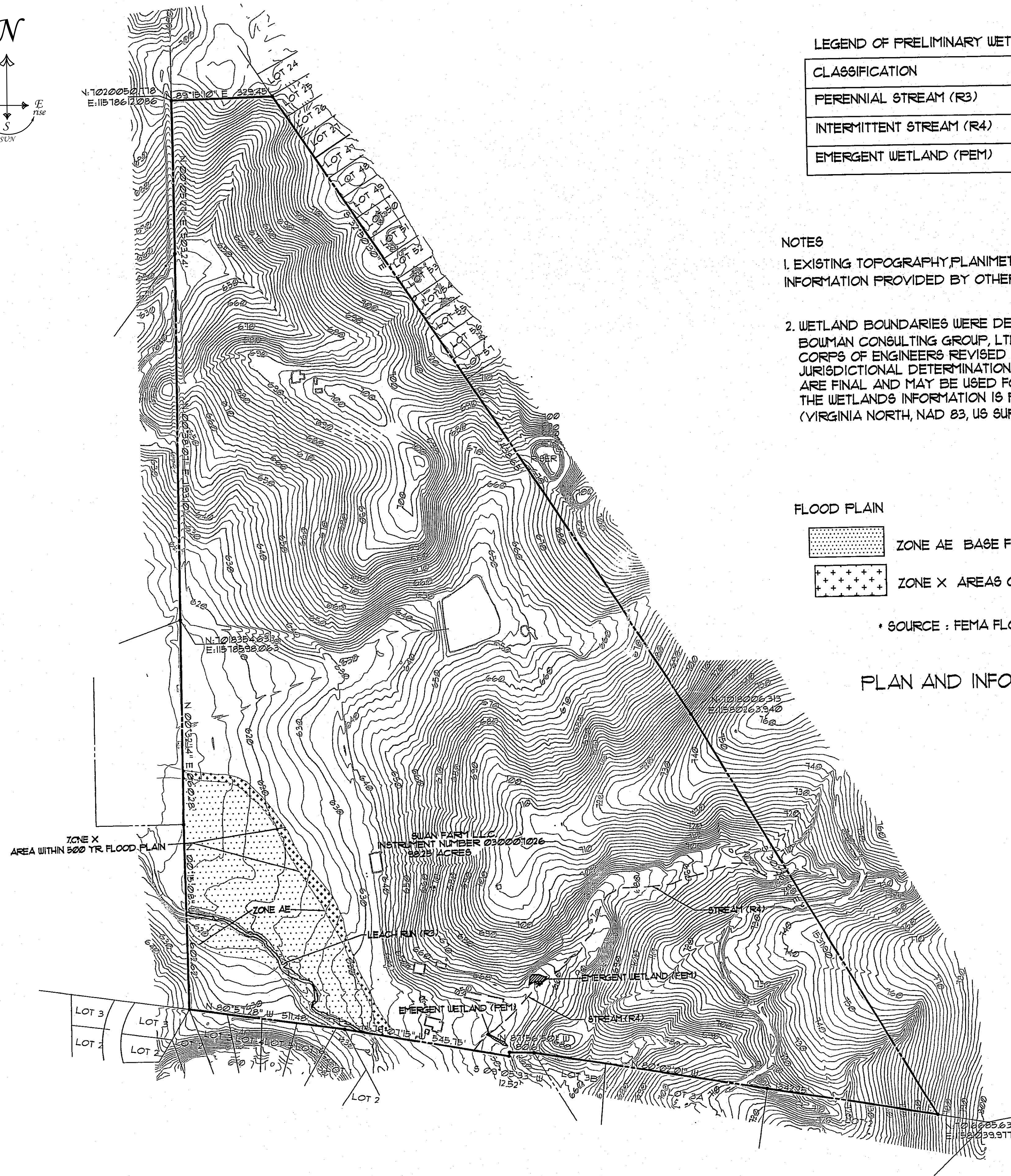
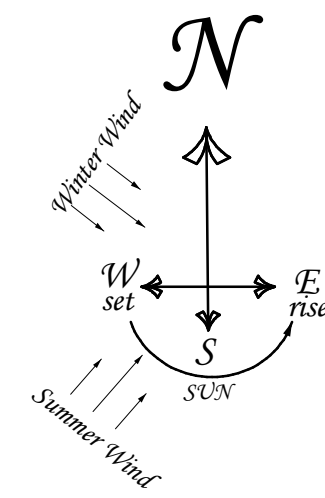
Project Manager
J Duggan RLA

Drawn By
JD Scale
as shown

Reviewed By
JD Drawing No.

Date
3-4-2011

CAD File
6 of 9
Total Sheets



LEGEND OF PRELIMINARY WETLANDS

CLASSIFICATION
PERENNIAL STREAM (R3)
INTERMITTENT STREAM (R4)
EMERGENT WETLAND (FEM)

NOTES

- EXISTING TOPOGRAPHY, PLANIMETRIC AND BOUNDARY INFORMATION PROVIDED BY OTHERS.
- WETLAND BOUNDARIES WERE DELINEATED AND GPS SURVEYED BY BOWMAN CONSULTING GROUP, LTD. IN APRIL 2005. THE U.S. ARMY CORPS OF ENGINEERS REVISED THE WETLAND BOUNDARIES DURING A JURISDICTIONAL DETERMINATION DATED JUNE 15, 2005. THESE BOUNDARIES ARE FINAL AND MAY BE USED FOR PLANNING OR ENGINEERING PURPOSES. THE WETLANDS INFORMATION IS PROVIDED AT STATE PLANE COORDINATES (VIRGINIA NORTH, NAD 83, US SURVEY FEET).

FLOOD FLAIN

	ZONE AE BASE FLOOD ELEVATION DETERMINED
	ZONE X AREAS OF 500 YEAR FLOOD

* SOURCE : FEMA FLOOD MAP # 510161-0003-B TOWN OF FRONT ROYAL DATED JULY 15, 1988.

PLAN AND INFORMATION SHOWN PER BOWMAN CONSULTING GROUP.

Note:

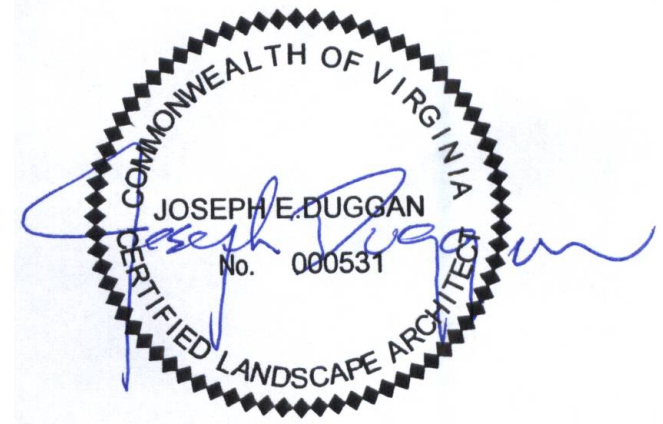
- This is a schematic representation of proposed land uses, not an engineering or construction document..Plan as shown is subject to change per final design, engineering constraints and actual site conditions as yet to be determined.
- All site, topographic, boundary and other relevant site information used in this plan is based on information contained in the plan titled '**Swan Estates Master Land Use Plan**' by Greenway Engineering submitted June 30, 2005. All recent traffic information done provided by Greenway information under separate agreement with Heptad LLC. J. Duggan & Associates P.C.is not responsible for any errors/omissions caused by use of above referenced information.



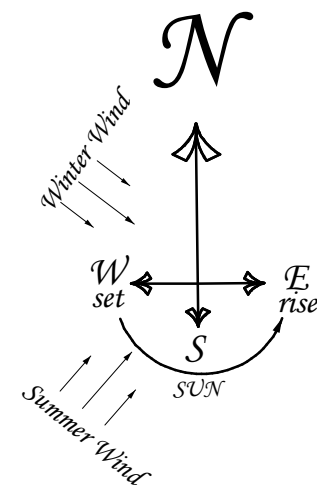
Swan Estates

Master Land Use Plan

Happy Creek Magisterial District
Front Royal, Virginia

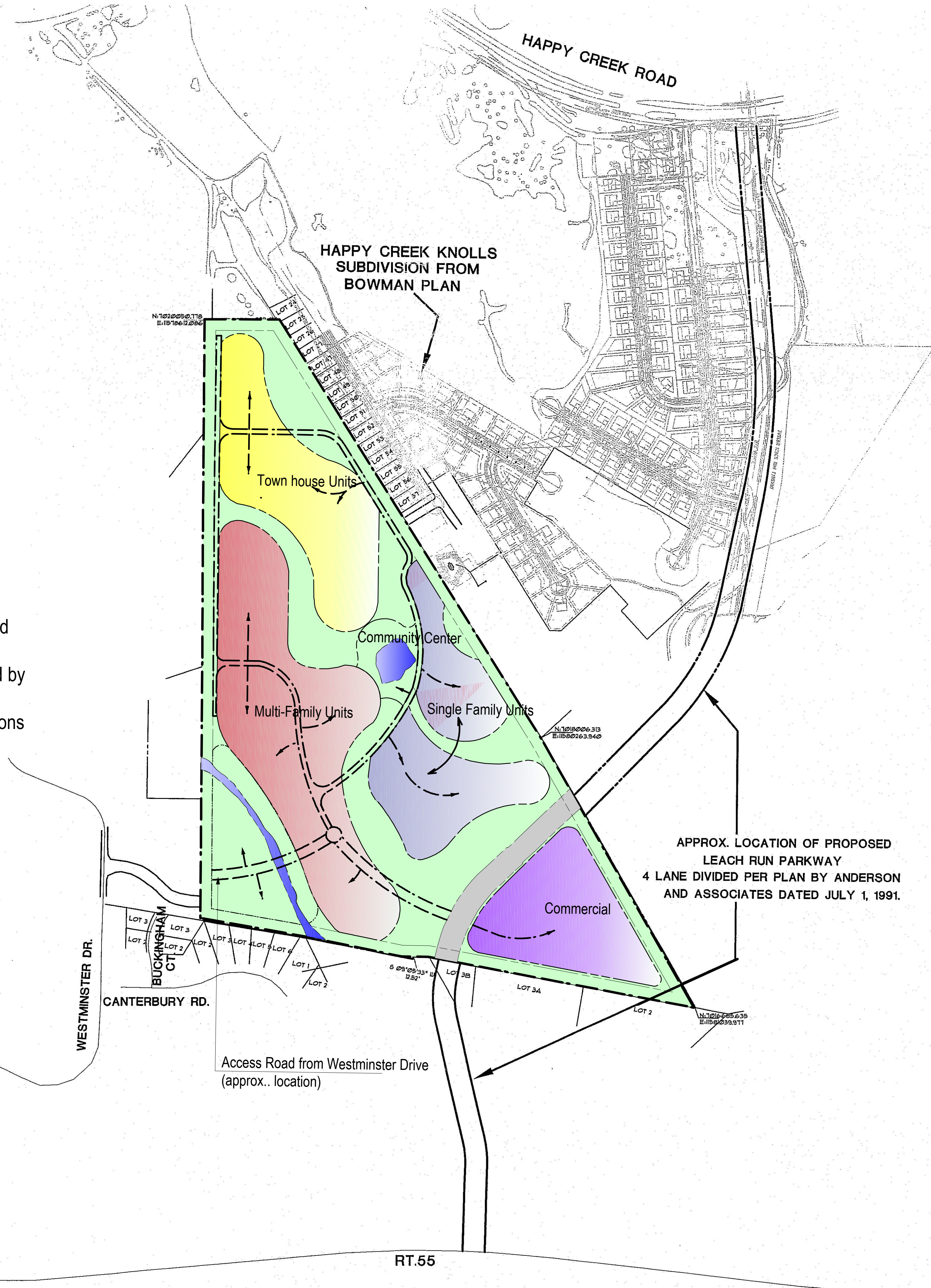
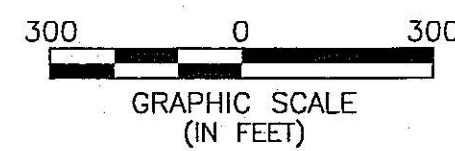


No.	Date	Revisions
Design Firm		
 J. Duggan & Associates Landscape Architecture 151 Windy Hill Lane, Winchester, VA 22602 (540) 974-2475 www.jdugganandassociates.com		
Consultant		
Project Title		
Master Land Use Plan		
Drawing Title		
Floodplain and Wetland Delineation		
Project Manager		
J Duggan RLA		
Drawn By	Scale	
JD	as shown	
Reviewed By	Drawing No.	
JD		
Date		
3-4-2011		
CAD File		
	7 of 9	
	Total Sheets	



Note:

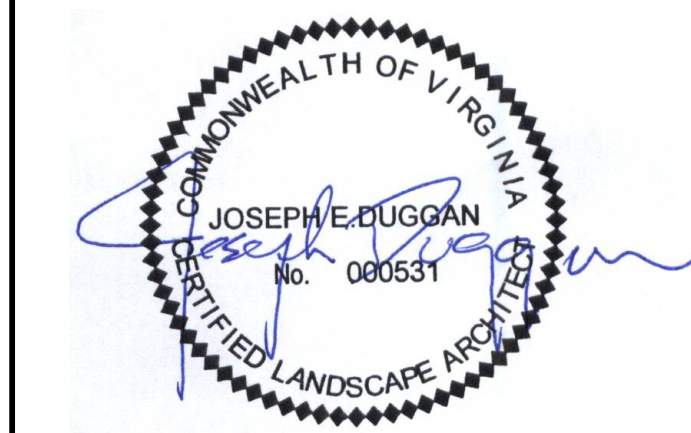
1. This is a schematic representation of proposed land uses, not an engineering or construction document..Plan as shown is subject to change per final design, engineering constraints and actual site conditions as yet to be determined.
2. All site, topographic, boundary and other relevant site information used in this plan is based on information contained in the plan titled '**Swan Estates Master Land Use Plan**' by Greenway Engineering submitted June 30, 2005. All recent traffic information done provided by Greenway information under separate agreement with Heptad LLC. J. Duggan & Associates P.C.is not responsible for any errors/omissions caused by use of above referenced information.



Swan Estates

Master Land Use Plan

Happy Creek Magisterial District
Front Royal, Virginia



No.	Date	Revisions

Design Firm

J. Duggan & Associates
Landscape Architecture

151 Windy Hill Lane, Winchester, VA 22602
(540)974-2475 www.jdugganandassociates.com

Consultant

Project Title

Master Land Use Plan

Drawing Title

Leach Run Parkway Layout

Project Manager

J Duggan RLA

Drawn By
JD

Scale
as shown

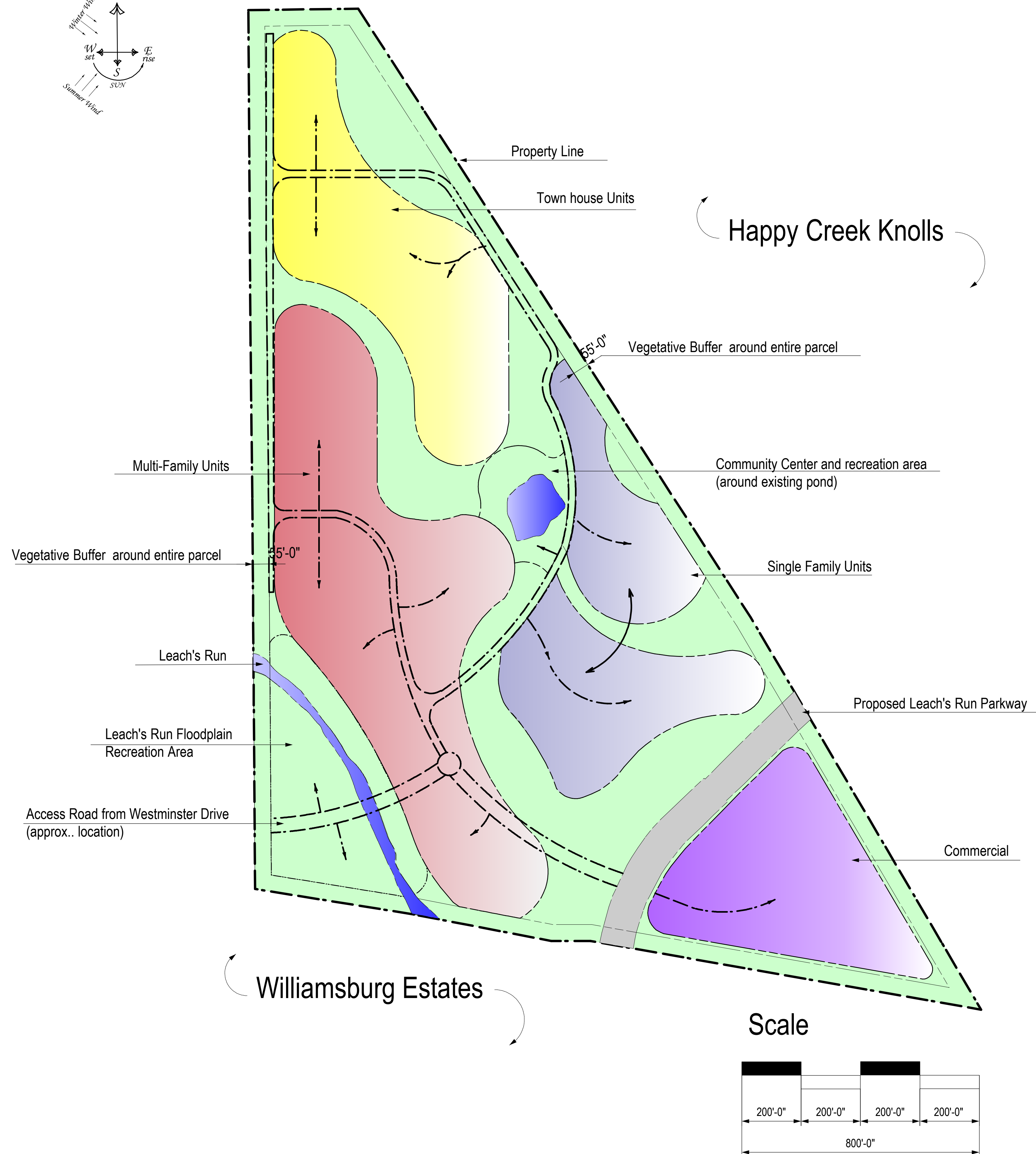
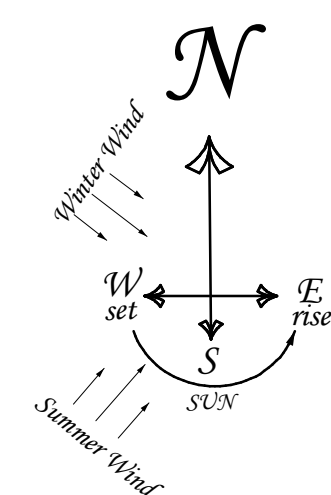
Reviewed By
JD

Drawing No.

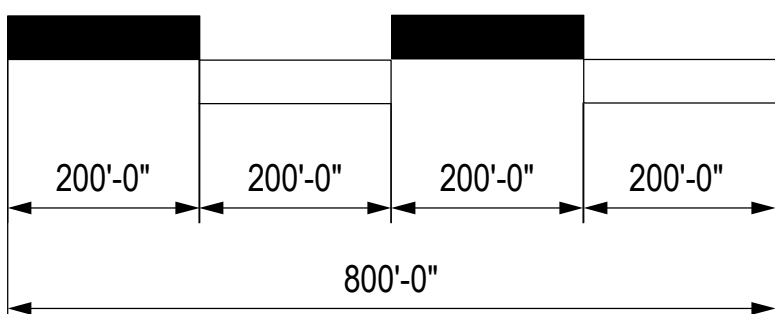
Date
3-4-2011

CAD File

8 of 9
Total Sheets



Scale



Legend

- Open Space
- Residential Use Single-Family
- Residential Use Town Houses
- Residential Use Multi-Family
- Commercial Use
- Open Space-Water
- Circulation-Access-Thru
- Circulation- Community
- Circulation- Access into User Space

Note:

- This is a schematic representation of proposed land uses, not an engineering or construction document..Plan as shown is subject to change per final design, engineering constraints and actual site conditions as yet to be determined.
- All site, topographic, boundary and other relevant site information used in this plan is based on information contained in the plan titled '**Swan Estates Master Land Use Plan**' by Greenway Engineering submitted June 30, 2005. All recent traffic information done provided by Greenway information under separate agreement with Heptad LLC. J. Duggan & Associates P.C.is not responsible for any errors/omissions caused by use of above referenced information.

Swan Estates
Master Land Use Plan
Happy Creek Magisterial District
Front Royal, Virginia



--	--	--

No.	Date	Revisions
-----	------	-----------

Design Firm

J. Duggan & Associates
Landscape Architecture

151 Windy Hill Lane, Winchester, VA 22602
(540)974-2475 www.jdugganandassociates.com

Consultant

Project Title
Master Land Use Plan

Drawing Title
Functional Use Plan-
Land Bay Layout

Project Manager
J Duggan RLA

Drawn By JD	Scale as shown
-----------------------	--------------------------

Reviewed By JD	Drawing No.
Date 3-4-2011	
CAD File	

9 of 9
Total Sheets

175-37.18 DEVELOPMENT REVIEW (PND)

Within one year of approval of a Master Land Use Plan for development of a Planned Neighborhood, prior to the approval of building permits, the applicant shall prepare and submit for review and approval an engineered Development Plan, along with the fee as established in the approved schedule of fees. The applicant may petition the Town Council for an extension of time for submission of a development plan, provided such extension is requested at least 20 days prior to the expiration of the one-year period. The Town Council may grant an extension upon demonstration of good cause for up to one year.



**Town of Front Royal, Virginia
Council Agenda Statement**

Page 1
Item No. 8(B)

Meeting Date: November 25, 2019

Agenda Item: COUNCIL APPROVAL – HEPTAD Request for One-Year Extension to Submit Development Plan

Summary: Council is requested to consider approval of a request from HEPTAD, LLC to extend their deadline to submit a development plan. Town Code requires that a development plan be submitted within one (1) year of approval of the Master Land Use Plan. The Town Code also allows the deadline to be extended by Town Council. Council has approved a one-year extension every year since 2016.

HEPTAD, LLC is the owner of the proposed development referred to as Swan Estates. It was conditionally rezoned to the PND District in 2012.

Budget/Funding: None

Attachments: Letter from Lawson & Silek P.L.C., Draft Master Land Use, and Code Section for Extension

Meetings: Work Session held November 18, 2019

Staff Recommendation: Approval _____ Denial _____

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve the request from HEPTAD, LLC for a one-year extension to submit their required development plan for property referred to as Swan Estates (HEPTAD) until December 3, 2020.

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance
*To be clear and concise, motions should be made in the positive

Approved By: MT

4



Work Session Agenda Statement

Item # 4

Meeting Date: December 7, 2020

Agenda Item: Happy Creek Restoration Project Discussion

Summary: Vice Mayor Sealock has requested that Council continue the discussion of the Happy Creek Restoration Project

Budget/Funding: N/A

Staff Recommendation: N/A

6



Council Agenda Statement

Item # 5

Meeting Date: December 7, 2020

CLOSE MEETING – Council and Boards/Commission Vacancies and Consultation with Legal Counsel

Motions to Go Into Closed Meeting

I move that Council go into Closed Meeting 1) for the purpose of assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific, public officers, appointees or employees of a public body, pursuant to Section 2.2-3711.A.1. of the Code of Virginia and 2) for the purpose of consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically, regarding a potential award to an appropriate entity under the provisions of Virginia Code Section 15.2-953, pursuant to Section 2.2-3711. A. 8. of the Code of Virginia.

Motion to Certify Closed Meeting at its Conclusion *[At the conclusion of the Closed Meeting, immediately reconvene in open meeting and take a roll call vote on the following:]*

I move that the Mayor and Council certify that to the best of each member's knowledge, as recognized by each Mayor and Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by the Mayor and Council, and that the vote of each individual member of the Mayor and Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

Approved By: _____

Moved _____ Seconded _____

VM Sealock _____ Cockrell _____ Gillispie _____ Holloway _____ Meza _____ Thompson _____