

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on October 28, 2013, in the Warren County Government Center's Board Meeting Room. Mayor Darr and Boy Scout Troop #4 led Council and those attending in the Pledge of Allegiance to the flag and a Moment of Silence. The roll was called at 7:00 p.m.

PRESENT: Mayor Timothy W. Darr
Vice Mayor N. Shae Parker
Councilman Daryl L. Funk
Councilman Bret W. Hrbek
Councilman Thomas H. Sayre
Councilman Eugene R. Tewalt
Councilman Hollis L. Tharpe
Town Manager Steven M. Burke, P.E.
Town Attorney Douglas W. Napier
Clerk of Council Jennifer E. Berry, CMC

(The above listed members represent the full body of Council as authorized in the Town Charter.)

Vice Mayor Parker moved, seconded by Councilman Tharpe that Council approve the Regular Council Meeting minutes of October 21, 2013 as presented.

Vote: Yes – Funk, Parker, Tewalt, Tharpe and Sayre
No – N/A
Abstain – Hrbek
Absent – N/A
(Mayor Darr did not vote as there was no tie to require his vote)

RECEIPT OF PETITIONS OR CORRESPONDENCE FROM THE PUBLIC

There were no receipts of petitions or correspondence from the public.

REPORT OF THE MAYOR, COUNCIL & STAFF

Town Manager Steve Burke:

- Stated that citizens and Town Staff worked on developing a visioning statement during the Envision Workshop held recently. He thanked the citizens that came out to participate and he encouraged others to continue to visit the website to submit their ideas;
- Reminded Council and the public about the public hearing for the Front Royal Limited Partnership Settlement Agreement on the 18th of November at the Warren County Government Center;
- Noted that Business Forum would be held on the 30th of October;
- Stated that the Halloween observance hours were 6:30-9:00 p.m. and he encouraged motorists to drive safely during that time especially watching for children in the street; and
- Veteran's Day would be observed on Monday, November 11th.

Jennifer McDonald, Executive Director of the Economic Development Authority:

- Noted that they were continuing their work on the property covenants, and they hoped to hold an Open House in May of 2014;

- Stated that they would like to hear back from the stakeholders about the purchase of the parking lot area as soon as possible;
- Noted that they are working with three fast food establishments, a pharmacy, a gas station, a bakery, a medical office, a property management company and two retail shops looking at space on Main Street;
- Announced that two larger buildings on Main Street were being looked at for purchase;
- Stated that they attended Tradefest where four entrepreneurs competed for a great marketing package; and
- Noted that there were upcoming Brown Bag lunches scheduled.

Councilman Sayre welcomed Boy Scout Troop 4 to the meeting this evening.

Councilman Sayre noted that there were businesses struggling on Main Street and he asked Council to consider a similar design as Old Town Winchester.

Mayor Darr noted that the Envision Workshop was very well attended and he thanked those that contributed. He noted that he was encouraged by the participation by the citizens.

Mayor Darr stated that the privately organized Zombie Walk was well put together and he estimated that there were at least 300 present at the great event.

Mayor Darr recognized Eagle Scouts in Troop 4, including:

- **Zachary Louis Naccash**
- **Philip H. Sayre**
- **James R. McCloskey**

Mayor Darr stated that it was great to see so many of our young people attending the government meeting this evening. He noted that he was encouraged by their activities within the community and he was pleased to take time to recognize their efforts. Mayor Darr stated that it was an honor to be an Eagle Scout and their accomplishments were something to be greatly proud.

Mayor Darr asked if there were any other proposals for additions or deletions to the agenda.

CONSENT AGENDA ITEMS

- A. COUNCIL APPROVAL – Third and Final Five-Year Renewal of Tower Site Lease Agreement – Shenandoah Personal Communications (Shentel)
- B. COUNCIL APPROVAL – Bid – Paving and Milling Various Streets
- C. COUNCIL APPROVAL – Waiver of Christmas Tree License Tax for Boy Scout Troop 52
- D. COUNCIL APPROVAL – Waiver of Curb and Gutter for Reconstruction of 437 Overlook Drive

Councilman Sayre moved, seconded by Councilman Tharpe, that Council approve the Consent Agenda as presented.

Vote: Yes – Funk, Hrbek, Parker, Tewalt, Tharpe and Sayre
No – N/A
Abstain – N/As

Absent – N/A

(Mayor Darr did not vote as there was no tie to require his vote)

(By Roll Call)

COUNCIL APPROVAL – Budget Amendment to Purchase Rotary Fan Press

Summary: **The Wastewater Treatment Plant is completing the necessary ENR upgrade and will need to purchase an additional rotary fan press due to the increase of solids production that will occur from the nutrient removal processes. The Town of Round Hill will be selling theirs and is the same type of dewatering device that the plant has been utilizing for the last (7) years. Council is requested to approve a Budget Amendment in the amount of \$280,000.00 to purchase a rotary fan press from the Town of Round Hill.**

Councilman Tewalt moved, seconded by Vice Mayor Parker, that Council approve a Budget Amendment in the amount of \$280,000 to purchase a rotary fan press from the Town of Round Hill for the necessary ENR upgrade to the Wastewater Treatment Plant.

Councilman Sayre noted that it was a large apparatus used at the plant and another locality no longer needed it. He explained that it will be refurbished and used by the Town and will allow the Town to save about \$100,000.

Vote: Yes – Funk, Hrbek, Parker, Tewalt, Tharpe and Sayre

No – N/A

Abstain – N/A

Absent – N/A

(Mayor Darr did not vote as there was no tie to require his vote)

(By Roll Call)

COUNCIL APPROVAL – Amendment to Employee Handbook re: Solid Waste CDL Requirements

Summary: **Council is requested to consider amending the Town of Front Royal Employee Handbook to recommend CDL's for non-driving Solid Waste Employees and relieve the requirement for staff employed prior to March 11, 2013 as shown:**

The following amendment is proposed for Chapter 2 - Employment, Section VIII - Driving Policy, Part D - Commercial Drivers License:

Certain positions shall be required to obtain and maintain a commercial drivers license as a requirement for employment. Non-administrative positions in the Departments of Energy Services and Environmental Services shall be required to possess a commercial drivers license with exception of staff associated with plant operations and non-driving staff in Solid Waste Management. ~~not associated with plant operations, and nonadministrative positions in Energy Services shall be required to possess a commercial drivers license.~~ Employees hired prior to March 11, 2013 shall not be required to obtain commercial drivers licenses, but are strongly encouraged to obtain said license to further their career development with the Town. The Town shall reimburse employees

for their first application for the commercial drivers license and for renewal expenses.

Vice Mayor Parker moved, seconded by Councilman Tharpe, that Council amend the Town of Front Royal Employee Handbook to recommend CDL's for non-driving Solid Waste Employees and relieve the requirement for staff employed prior to March 11, 2013.

Vote: Yes – Funk, Hrbek, Parker, Tewalt, Tharpe and Sayre
No – N/A
Abstain – N/A
Absent – N/A
(Mayor Darr did not vote as there was no tie to require his vote)

COUNCIL APPROVAL – Revise Resolution Pertaining to Voluntary Settlement Agreement of Front Royal Limited Partnership

Summary: On August 12, 2013, Council adopted a Resolution to approve a Voluntary Settlement Agreement for the Annexation into the Town of approximately 604.76 acres of land belonging to Front Royal Limited Partnership, and to refer the Agreement to the Commission on Local Government for Review. The Commission on Local Government is requesting that the Resolution include the e-mail address of the contact person of the locality. Due to this request Council is requested to approve a revision to the formerly approved Resolution by adding this contact information.

Councilman Tewalt moved, seconded by Councilman Tharpe, that Council approve to revise the August 12, 2013 Resolution pertaining to the Voluntary Settlement Agreement for Annexation of land belonging to Front Royal Limited Partnership by adding the requested contact information from the Commission on Local Government.

Councilman Sayre was advised by Town Attorney Napier that a disclosure was not necessary at this time.

Councilman Tewalt noted that it was just an email address addition; Mr. Napier noted that was accurate.

Vote: Yes – Funk, Hrbek, Parker, Tewalt, Tharpe and Sayre
No – N/A
Abstain – N/A
Absent – N/A
(Mayor Darr did not vote as there was no tie to require his vote)
(By Roll Call)

There being no further business, the Mayor declared the meeting adjourned at 7:17 p.m.

APPROVED:

Jennifer E. Berry
Clerk of Council



TOWN COUNCIL WORK SESSION MINUTES

Monday, October 28, 2013
to follow Regular Council Meeting
Warren County Government Center

1. Septage Receiving Agreement – *Town Manager*

Burke noted that County will bear the cost of receiving the septage and will give notice to the County if we need to shut down the station if necessary

Napier asked about the renewal phase; Burke noted that the Town would most likely never be cancelled, it must contain a clause in it to allow an “out” according to contract law, so it would not be perpetual

Funk stated that if there was something better that Napier had he could suggest it to County Attorney Mitchell

In response to Council questions:

Burke noted that they would regulate up to 285,000 tanks

Currently the tank is too small and it fills too quickly

We charge a fee for the septage receiving and the notation is listed and we will review the cost of treatment annually and adjust the cost accordingly

We can put in language to address capacity issues

2. Bridge Lighting Agreement – *Town Manager*

Sayre – asked about solar lights; may not be possible; will check into possibilities, have had issues with that according to other localities

Tewalt – asked about has been awarded according to Steve

Hrbek asked – Burke noted that they will match the lights

Tewalt asked that they not be the amber lights

3. Continued Discussion of Police Motor Patrol – *Director of Finance*

Burke noted that there was currently not any funding available, and if Council feels it is necessary then

Tewalt asked: Shiflett stated that the current motorcycle was down and was in need of repairs

Revenues are down; certainly could use it

Tewalt asked? Town maintenance Shop able to make these repairs??

Shiflett - Some of the repairs they can do it – some they can not

Tewalt – if we buy it, then we need to do a maintenance contract in the future

Parker – exhaust all grant options; NO Grant options for a motorcycle; per Breeden

Allocate these funds now, or do this in March; Shiflett – we can do this in the spring, yes

Breeden – cannot sign the contract unless the funds are allocated

Hrbek – what do other towns our size have?

Shiflett – warrenton does, Winchester and Strasburg do have bikes

Darr – have had a boon to our General Fund and he would support the purchase;

Shiflett noted that the motorcycle would come in handy when the bridge was being built

Council - Move onto regular agenda

4. Liaison Committee Meeting Items for November 21 Meeting

Items from September 19th shown here:

- Catlett Mountain Landfill
- Building Inspections Software
- Leach Run Parkway
- Wastewater Treatment Plant/Septage Receiving Facility
- South Fork Bridge Lighting
- Blue Ridge Shadows
- Channel 16
- Route 340/522 Corridor
- Front Royal Limited Partnership
- Riverton Substation
- Proposed Park-n-Ride Location

Council discussed properties along Leach Run Parkway boundary adjustment near the middle school, making changes to the Channel 16 broadcasting, and a portion of the Green Hill Forest that needs to be put back into the County.

Councilman Hrbek asked about beginning a conversation with the County about how land is brought into the Town and having a set criteria. Mayor Darr expressed his agreement with Mr. Hrbek. Mr. Burke noted that it could be set as a separate boundary item adjustment.

5. Council Discussion/Goals

Tewalt noted that benches along the trail area; Boisseau noted that he had no problem with benches along the trail; and he would like brought forward regarding pictures of benches
He stated that he spoke to the individual that requested the bench and they would like the bench
Trex materials discussed to hopefully deter graffiti

Tewalt – any loss of revenue due to government shutdown?

Breeden – not significant, some minor issues, town has worked with them

6. CLOSED MEETING – Disposition of Publicly held Real Property specific to former Town Hall Property

Motion to go Into Closed Meeting

Vice Mayor Parker moved, seconded by Councilman Parker that Council convene and go into Closed Meeting for the discussion or consideration of the disposition of publicly held real property, specifically, the former Town Hall property, where discussion in an Open Meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 A. 3. of the Code of Virginia

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Motion to Certify Closed Meeting at its Conclusion

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

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All Council present
Burke, Breeden, Napier, Berry,
Camp, Shiflett, Jones