

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on July 8, 2013, in the Warren County Government Center's Board Meeting Room. Mayor Darr 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
Town Manager Steven M. Burke, P.E.
Town Attorney Douglas W. Napier
Clerk of Council Jennifer E. Berry, CMC

ABSENT: Councilman Hollis L. Tharpe

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

Vice Mayor Parker moved, seconded by Councilman Tewalt, that Council approve the Regular Council Meeting minutes of June 24, 2013 as presented.

Vote: Yes – Funk, Hrbek, Parker, Tewalt and Sayre
No – N/A
Abstain – N/A
Absent – Tharpe
(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 or petitions or correspondence from the public.

REPORT OF THE MAYOR, COUNCIL & STAFF

Mr. Burke:

- Thanked and showed appreciation for the coordinated efforts of the Warren County Sheriff's Office, the Front Royal Police Department and the Warren County Fire & Rescue Teams for their work earlier in the day on the reported gas leak at the shopping center;
- Reminded Council and the public that Fireman's Carnival begins this week and asked everyone to be on alert for children in the area;
- Noted that effective July 1st the rates for utilities and solid waste would increase; and
- Announced that summer sewer rates were in effect which would balance out the rate increases for about three months and reminded citizens to contact the Finance Office before filling pools as it would prevent them from being charged for the sewer amount on their account.

Martha Shickle, Executive Director of the Northern Shenandoah Valley Regional Commission:

- Stated that they just began their fiscal year;

- Noted that they submitted the recycling rate report and the region has once again hit the target for the state wide goal for recycling; she thanked the Town for their ongoing efforts;
- Commented that they are kicking off their Rural Transportation Program and Mr. Camp will be assisting in the review of projects in the Front Royal area; and
- Stated that they continue to work with Warren County on the Storm Water Management Program as well.

Councilman Sayre asked about the program for the rehabilitation of homes in the area. Ms. Shickle stated that they purchased renovated and sold about 14 homes in the region, with perhaps four homes in Front Royal. She noted that they are awaiting for more information on the project to identify other properties in the area perhaps. Mr. Sayre stated that the housing market has bottomed out and has started to go back up again.

Mrs. Breeden, Director of Finance:

- Stated that they began their fiscal year;
- Noted that the auditors have begun their field work, and will continue for seven days in the month of July, with an additional two weeks in August;
- Commented that the report will be submitted in final form in November;
- Stated that the monthly report will be sent to Council this week;
- Noted that the Town was 10% higher in revenue projections, with just one division (solid waste) below projections;
- Added that the budget was done well, with the Directors managing their funds very wisely based on the money they were receiving to work with;
- Stated that the drive thru feedback continues and their department continues to enhance their service to the public; and
- Noted that the budget process will begin in October.

Vice Mayor Parker stated that he just attended the Samuels Public Library meeting where the grant from the Town was discussed. He noted that Chairman Fox had indicated that hopefully the County Supervisors would like to continue the funding possibly for the Sunday hours next year. Mr. Parker noted that the Library Board wished to express to the Town Council their appreciation for the support of the grant and noted that it had been their desire to be open on Sundays since they moved to the new facility. He added that they would be able to open on Sundays beginning in January, though they would like to be able to do so sooner, though the funding would only support it for a certain time period.

Vice Mayor Parker noted that as the Mayor was out of town, he was pleased to attend the Appalachian Trail event for the Veterans of War, as did Chairman Fox and others, and it was nice to see the Town and the County supporting the Appalachian Trail Community.

Councilman Hrbek stated that he appreciated Vice Mayor Parker's comments on the library. He noted that he wished that he had the memo from Warren County before him prior to the vote on the \$20,000 grant. He read from the memo, which noted that Warren County allots \$22.16 per capita for the library, which is the largest per capita spending by any area jurisdictions—almost by double. Mr. Hrbek added that Frederick County, which is twice the size of Warren, allots \$10 per capita; and they have multiple facilities. He noted that he wished that they had

that information prior to the grant vote for the Sunday hours. Councilman Hrbek added that Page County was at \$8; Clarke \$13; Shenandoah was at \$15/per capita respectively.

Councilman Hrbek asked that a future worksession have discussion related to developing some tourism zones to provide incentives for businesses that wish to locate within gateways of our community, such as John Marshall Highway, Remount, and Royal Avenue, at both ends. He noted that perhaps it would be modeled after some of the incentives and zones that we already have; and he would ask that he could continue his work with the Town Attorney on the matter.

Councilman Hrbek, on behalf of the Front Royal Rotary Club, presented a sign to Mayor Darr. Mayor Darr noted that the Town would be certain to coordinate the sign placement so the signs would serve the Town well in both parts.

Councilman Sayre mentioned that when the Town voted to add the \$20,000 for the library's Sunday hours, he had desired that the hours begin on Sunday in September and run through June and he was quite disappointed that it would begin in January.

Councilman Sayre stated that the Finance Department had so much traffic in the drive thru that going down Main Street had vehicles stopping pedestrian flow, and it was great to have so many people using the drive thru.

Councilman Sayre noted that he met with TJ at the Royal Phoenix site at the water intake area that Mr. Swiger had been concerned about and they discussed making it an observation tower site. He added that perhaps it could be a place for tourists to observe wildlife and the pond on site could be renamed, with a "Name that Pond" contest.

Mayor Darr thanked Vice Mayor Parker for filling in while he was out of town recently.

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

CONSENT AGENDA ITEMS

- A. COUNCIL APPROVAL – Liaison Committee Meeting Agenda Items
- B. COUNCIL APPROVAL - Proclamation for "Christkindlmarkt Front Royal Day" and Permission to Decorate Town Property
- C. COUNCIL APPROVAL – Audit Contract/GASB 34 Reporting
- D. COUNCIL APPROVAL – Bid for Various Grades of Asphalt

Councilman Tewalt moved, seconded by Councilman Hrbek, that Council approve the Consent Agenda as presented.

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

COUNCIL APPROVAL – An Ordinance to Repeal Town Code Section 158-40 Pertaining to the Towing Advisory Board (2nd Reading)

Summary: Council is requested to adopt on its second and final reading an Ordinance to repeal Town Code Section 158-40 pertaining to the Towing Advisory Board. If approved, Section 158-40, “Establishment of Towing Advisory Board”, will be repealed in its entirety.

Councilman Tewalt moved, seconded by Councilman Hrbek, to adopt on its second and final reading an Ordinance to repeal Town Code Section 158-40 pertaining to the Towing Advisory Board in its entirety as presented.

Councilman Funk asked for an update regarding the towing contacts. Mr. Burke noted that they have assembled a list and would be setting a meeting date to discuss matters with them.

Councilman Sayre asked about the rotation list. Chief Shiflett noted that their policy is similar to the Sheriff's Office required that they must be insured, their taxes be paid, their property is open to the public from 9-5 on Fridays, 9-12 on Saturdays, and their impound lot is fenced in. Councilman Sayre asked if it included “fair” rates; Chief Shiflett noted that it required that their rates be comparable to other towers in the Town. He added that their fees would also not begin for storage until after 24 hours on the lot.

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

AN ORDINANCE TO REPEAL SECTION 158-40 OF THE FRONT ROYAL TOWN CODE PERTAINING TO THE TOWING ADVISORY BOARD

BE IT ENACTED, by the Town Council of the Town of Front Royal, Virginia, that § 158-40 of the Front Royal Town Code, pertaining to the Towing Advisory Board, is hereby ***repealed***.

This ordinance shall be effective upon enactment.

COUNCIL APPROVAL – Resolution to Participate for a Loan for Design of Leach Run Parkway

Summary: Council is requested to consider approval of a Resolution to participate for a loan for Design of Leach Run Parkway with the County of Warren and the Economic Development Authority

Vice Mayor Parker moved, seconded by Councilman Tewalt, that Council approve a Resolution to participate for a loan for Design of Leach Run Parkway with the County of Warren and the Economic Development Authority.

Councilman Hrbek clarified that the Town is only responsible for their own Parkway percentage, nothing more involving the County. Mr. Burke noted that was correct.

Councilman Sayre asked if he needed to give a disclosure at this point. Mr. Napier stated that at this time he did not.

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

CLOSED MEETING – Consultation with Legal Counsel

Vice Mayor Parker moved, seconded by Councilman Hrbek, that Council convene and go into Closed Meeting for: (1) the purpose of discussion or consideration of the acquisition of real property for a public purpose, 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; and (2) for the purpose of discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected, pursuant to Section 2.2-3711. A. 6. of the Code of Virginia.

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

TO CERTIFY:

Vice Mayor Parker moved, seconded by Councilman Tewalt, 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.

Vote: Yes – Darr, Funk, Hrbek, Parker, Sayre and Tewalt
No – N/A
Abstain – N/A
Absent – Tharpe
(By Roll Call)

There being no further business, the Mayor declared the meeting adjourned at 8:52 p.m.

APPROVED:

Jennifer E. Berry
Clerk of Council