

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on November 10, 2014, 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 Hollis L. Tharpe
Town Manager Steven M. Burke, P.E.
Town Attorney Douglas W. Napier
Clerk of Council Jennifer E. Berry, CMC

ABSENT: Councilman Eugene R. Tewalt

(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 January 13, 2014 as presented.

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

RECEIPT OF PETITIONS OR CORRESPONDENCE FROM THE PUBLIC

Timothy Ratigan, of 1476 Canterbury Road, asked if Council had any feedback on the matter he brought to them at a recent Council meeting. He noted that he considered it a serious matter to have a governing body accused of violating specific laws and he would like to have the issue solved before the new Council takes their seat. Mayor Darr asked that Mr. Ratigan speak with the Town Attorney regarding the matter.

REPORT OF THE MAYOR, COUNCIL & STAFF

Town Manager Steve Burke:

- Noted that Veterans Day would be observed on Tuesday November 11th and he identified the refuse & recycling changes for the week;
- Announced that the Town would have Happy Creek Road closed in some portions for the water line replacement project;
- Reminded the public that the Town Council and Planning Commission would hold meetings on Wednesday, November 19th regarding the Avtex rezoning; and
- Noted that the business survey was on the Town's website and the Town's Facebook page and he invited the public and members of the business community to enter their ideas into the survey.

Councilman Sayre asked about the water line on Happy Creek Road. Mr. Burke noted that it was from Bel Air Avenue to where Happy Creek veers left and then heads south.

Councilman Hrbek noted that recently he spoke about the Town's water usage. He stated that Staff had clarified that the issue had been codified and that the exact policy in Chapter 134-1, C, 1, which states:

Any request for water and/or sewer services must be made in writing to the Town accompanied by a joint request from the property owner and the County for the property to be boundary adjusted into the Town's corporate limits or justification to simply provide utility extension. Such request must be made prior to a rezoning or any other action by the County.

Councilman Hrbek stated that it was a reminder that this pertains to businesses outside of the agreement for the Corridor. He noted that the Town could not entertain any type of water request unless the boundary adjustment takes place. Mr. Hrbek stated that it was a reminder to the Council and a refresher to him, that the boundary adjustment requests should come to the Town.

Councilman Funk noted that he attended the opening of Horizon Realty recently and it is always great to see another new business in Front Royal.

Councilman Funk stated that it was the Marine Corps birthday, and he had the opportunity to attend a Corps event with some other members of Council and he wished all Marines, including Councilman Tharpe a happy birthday. He added that tomorrow would be Veterans Day tomorrow and he wished Mr. Tharpe, as well as his father, a Happy Veterans Day. Mr. Funk stated that it would also be the 4th birthday of his daughter, Marie.

Mayor Darr thanked everyone for their continued support that came out and voted in the recent Town elections and he welcomed the incoming Council-Elect. He wished a farewell to Vice Mayor Parker and Councilman Sayre.

Mayor Darr reminded the public of the Veterans Day event tomorrow downtown and invited everyone to attend.

Mayor Darr stated that a Council Worksession would be held in the caucus room after tonight's regular meeting.

John Madera, of the Northern Shenandoah Valley Regional Commission:

- Presented the Six-Year Improvement Program Regional Priority Projects list which had been submitted to VDOT on October 16th;
- Stated that the transportation plan would be changed in the coming years; and
- Noted that the Commission would hold regular meeting on November 20th and they would be discussing funding requests and the work program.

Kim Gilkey Breeden, Town Finance Director:

- Stated that the Town audit had been completed and the rough draft had been reviewed in house;
- Noted that the auditors will be requesting a meeting with the Finance Committee to review the report in detail;
- Reported that the annual write offs will be coming forward and the number will most likely be less than \$150,000; and

- Noted that the FY16 budget calendar has begun, and the CIP requests have been submitted and will go to Council in January.

Councilman Sayre asked about the refuse division fund. Mrs. Breeden noted that the fund deficit was narrowing slightly. Mayor Darr noted that Council goals would most likely come to Finance sometime in late January.

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

CONSENT AGENDA ITEMS

- A. COUNCIL APPROVAL – VDOT Project Administration Agreement for Front Royal Pedestrian Improvements Funds
- B. COUNCIL APPROVAL – Budget Amendment for Warren Coalition Grant
- C. COUNCIL APPROVAL – Budget Amendment for DMV Animal Friendly License Plates Funds

Vice Mayor Parker moved, seconded by Councilman Tharpe that Council approve the Consent Agenda as presented.

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

PUBLIC HEARING FOR PUBLIC INPUT – MAP-21 Grant Application for Westminster Drive Sidewalk

Summary: Council is requested to receive public input on a proposed public improvement project that is associated with a grant application submitted for MAP-21 Transportation Alternatives Program administered by the Virginia Department of Transportation (VDOT). The project is the Westminster Drive Sidewalk that involves adding a sidewalk along Westminster Drive from its intersection with John Marshall Highway (Rt. 55) and the first entrance to the Warren County High School.

Mayor Darr opened the public hearing. As no one came forward to speak, the public hearing was closed.

Councilman Sayre noted that Westminster Drive was quite dangerous, and walking along the road could cause quite a few hazards. He added that the sidewalk was very much needed in the area

Vice Mayor Parker noted that many schools have this exact problem. He added that Leslie Fox Keyser Elementary and other schools also need sidewalk installations as well.

PUBLIC HEARING FOR PUBLIC INPUT – MAP-21 Grant Application for Criser Road Trail

Summary: Council is requested to receive public input on a proposed public improvement project that is associated with a grant application submitted for MAP-21 Transportation Alternatives Program administered by the Virginia Department of Transportation (VDOT). The project is to extend Happy Creek Trail from its southern terminus along Criser Road until its intersection with Rt. 340 near the Dickey Ridge Trail that leads to the Appalachian Trail.

Councilman Sayre noted that Council would obviously be in favor of the matter and the public would be very pleased with this installation.

Vice Mayor Parker noted that should it go forward then perhaps it could be used in lieu of sidewalks near Ressie Jeffries Elementary School.

COUNCIL APPROVAL – An Ordinance to Amend Section 75-44 (A) of the Town Code Pertaining to Mailing of Delinquent Real Estate and Personal Property Taxes (2nd Reading)

Summary: Council is requested to adopt on its second and final reading an Ordinance to amend Section 75-44 (A) of the Town Code pertaining to mailing of delinquent real estate and personal property taxes as presented. If approved the delinquent notice mailed after the first half of real estate and personal property taxed due on June 5th of each year would be eliminated.

Vice Mayor Parker moved, seconded by Councilman Tharpe that Council adopt on its second and final reading an Ordinance to amend Section 75-44 (A) of the Town Code pertaining to mailing of delinquent real estate and personal property taxes as presented.

Councilman Sayre noted that bills would still go out, just not a delinquent notice. Mayor Darr noted that was correct

Vote: Yes – Funk, Hrbek, Parker, Sayre and Tharpe
No – N/A
Abstain – N/A
Absent – Tewalt
(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 7:22 p.m.

APPROVED:

Jennifer E. Berry
Clerk of Council



TOWN COUNCIL WORK SESSION MINUTES

Monday, November 10, 2014
Immediately after the Regular Meeting
Warren County Government Center

1. Request to Waive Curb, Gutter, Driveway Apron for Habitat for Humanity House on Cannon St – Director of Planning/ Zoning

Mr. Camp noted that it was a reasonable request and installation may actually create a stormwater issue if they were required to install the curb and gutter.

In response to Tharpe's question, there is some curb and gutter down the street, though it was not near the property

In response to Parker's question, Burke noted that the Town has the right to determine if the waiver could process through

Darr noted that it was the last vacant lot on the street

Funk stated that it had been waived previously, and placing the curb and gutter may actually cause a stormwater issue, than he was leaning towards the waiver

Parker noted that he did not want to set a precedent to process the waiver

He asked about a possible assessment

Burke noted that the Town could do a similar matter where it would be installed if it was sold to another party

Council voiced support of the matter

2. Economic Development and Tourism Ideas – Town Manager

Staff proposes that the Town take more of a forward role in promoting more residence focused events, such as Winchester does for their downtown community

Not appointed by Council, but rather by the Town Manager – a Tourism Committee
Events that could be pursued

Parker – can the TM create a Committee

Napier - Nothing prohibits him, though perhaps the blessing of Council for the creation of the committee and the more active role in local events, which will include a financial commitment, Mr Burke noted

Hrbek voiced support of Mr. Burke's proposals

He noted that the TM should hire someone for that position to support economic development

Funk noted that he would prefer the basic approach without hiring someone

Darr noted that Council should not be involved in the process

He suggested that Mr. Burke bring back the program when it is complete, as it is currently about 75% near the finish line

Darr noted that if it needs to be more in-depth and more robust as Mr. Hrbek suggested, than Mr. burke needs to bring more information to Council with the details

Hrbek stated that in Blacksburg there is a great downtown directional sign program and a Farmer's Market setup with great wooden displays.

3. Purchase TV Monitors for Board Room at Government Center – Town Manager

Council discussed how it would be helpful during PowerPoint and other presentations that display on the left side of the room

Parker asked why it was on 50/50 split rather than the Fair Funding Formula
He expressed concern with how it was divided

4. Council Discussion/Goals

Councilman Hrbek noted that he had paid for the bill that had been mentioned by another member of Council in the nvdaily.com.

5. CLOSED MEETING – Acquisition of Real Property and Investment of Public Funds

Motion to Go Into Closed Meeting

Vice Mayor Parker moved, seconded by Councilman Tharpe that Council convene and go into Closed Meeting for the following purposes:

- 1) 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.*
- 2) 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 Tharpe

No – N/A

Abstain – N/A

Absent – Tewalt

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

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

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 Act 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 Tharpe
No – N/A
Abstain – N/A
Absent – Tewalt

(By Roll Call)
