TOWN OF FRONT ROYAL, VIRGINIA TOWN COUNCIL MEETING
Monday, June 9, 2014
Warren County Government Center

1. Pledge of Allegiance
2. Moment of Silence
3. Roll Call
4. Approval of the Regular Council Meeting minutes of May 27, 2014.
5. Receipt of Petitions and/or Correspondence from the Public
6. Reports:
   a. Report of special committees or Town officials and Town Manager.
   b. Requests and inquiries of Council members.
   c. Report of the Mayor
   d. Proposals for addition/deletion of items to the Agenda.

*7. **CONSENT AGENDA ITEMS – (ROLL CALL VOTE REQUIRED)**
   A. COUNCIL APPROVAL – Resolution – Employee Appreciation Week
   B. COUNCIL APPROVAL – Deed of Easement for Acceptance of Water and Sewer Facilities for Warren County Public Safety Building on Skyline Vista Drive
   C. COUNCIL APPROVAL – Budget Amendment for Acceptance of State Asset Forfeiture Funding

**The nature of a consent agenda is such that discussion of individual items does not occur.*

8. **PUBLIC HEARING** – Ordinance to Amend & Re-enact Code Section Pertaining to Adoption by Reference of State Motor Vehicle Laws *(1st Reading)*

9. **COUNCIL APPROVAL** – Adoption of the Town's Annual Appropriation Ordinance for FY 2014-2015 Budget *(2nd Reading)*

10. **COUNCIL APPROVAL** – Ordinance to Amend & Re-Enact Code Sections to Increase Water and Sewer Rates *(2nd Reading)*

11. **COUNCIL APPROVAL** – Ordinance to Amend & Re-Enact Code Section to Increase Energy Service Fee *(2nd Reading)*

12. **COUNCIL APPROVAL** – Ordinance to Enact Code Section to Establish a Temporary Electric Service Fee *(2nd Reading)*

13. **COUNCIL APPROVAL** – Warren Heritage Society Utility Service Reimbursement

14. **COUNCIL APPROVAL** – Budget Amendment and Acceptance of Bid for Mini Digger Derrick for Energy Services Department

Town of Front Royal, Virginia
Council Agenda Statement

Meeting Date: June 9, 2014

Agenda Item: COUNCIL APPROVAL – Resolution – Employee Appreciation Week

Summary: Council is requested to approve a Resolution recognizing Employee Appreciation Week as June 23 – June 27, 2014 for all Town of Front Royal full-time and part-time employees.

Budget/Funding: None

Attachments: Resolution

Meetings: None

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 a Resolution recognizing Employee Appreciation Week as June 23 – June 27, 2014 for all Town of Front Royal full-time and part-time employees.**

*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: JB

RESOLUTION FOR
EMPLOYEE APPRECIATION WEEK
June 23 – June 27, 2014

WHEREAS, the Town of Front Royal has 170 employees (part-time and full-time); and,

WHEREAS, Town employees are recognized as professionals who accept and meet the daily challenges of providing quality service to our citizens and visitors; and,

WHEREAS, Town employees excel in the workplace and demonstrate dependability, initiative and accountability through their stewardship of Town resources; and,

WHEREAS, the Town Council desires to recognize the service of the Town's employees,

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Front Royal, Virginia hereby express deep and sincere appreciation to the all the employees of the Town of Front Royal for their dedication, service, and vital contributions to the community;

AND BE IT FURTHER RESOLVED that the week of June 23 – June 27, 2014 be designated as "Town of Front Royal Employee Appreciation Week".

APPROVED:

_____

Timothy W. Darr, Mayor

Attest:

_____

Jennifer E. Berry, CMC, Clerk of Council

THIS RESOLUTION was approved at the Regular Meeting of the Town of Front Royal, Virginia, Town Council conducted on _____, 2014 upon the following recorded vote:

Thomas H. Sayre	Yes/No	Bret W. Hrbek	Yes/No
Hollis L. Tharpe	Yes/No	Eugene R. Tewalt	Yes/No
N. Shae Parker	Yes/No	Daryl L. Funk	Yes/No

****

Approved as to Form and Legality:

_____

Douglas W. Napier, Town Attorney

Dated: _____

Town of Front Royal, Virginia
Council Agenda Statement

Meeting Date: June 9, 2014

Agenda Item: COUNCIL APPROVAL – Deed of Easement for Acceptance of Water and Sewer Facilities for the Warren County Public Safety Building located on Skyline Vista Drive

Summary: The Warren County Public Safety Building on Skyline Vista Drive is located outside the corporate limits of the Town, but is served by Town water and sewer utilities. Council is requested to approve a Deed of Easement for acceptance of the collection and transmission of the water and sewer facilities of the Public Safety Building into the Town's utilities systems and to allow the Town reasonable mode of ingress and egress to these systems. Staff has also asked for a one-year guarantee.

Budget/Funding: None

Attachments: Deed of Easement

Meetings: Work Session held June 2, 2014

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 accept the dedication of easements for the water and sewer facilities associated with the Warren County Public Safety Building. I further move that Council accept the water and sewer facilities into the Town's inventory and that the one year guarantee by Warren County for water and sewer infrastructure commence upon acceptance by the Town Council.**

*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: SB

This deed is exempt from the recordation taxes imposed by §58.1-801 and §58.1-803 of the Code of Virginia, 1950, pursuant to §58.1-811.

Prepared by Blair D. Mitchell
County Attorney

Consideration $1.00

T. M. 28-128-I1

THIS DEED OF EASEMENT FOR SEWER UTILITIES is made and entered into this 8th day of January, 2014, by and between the **COUNTY OF WARREN VIRGINIA**, a political subdivision of the Commonwealth of Virginia herein referred to as **"Grantor"**, and the **TOWN OF FRONT ROYAL, VIRGINIA**, a Municipal Corporation, herein referred to as the **"Grantee"**.

W I T N E S S E T H:

THAT FOR AND IN CONSIDERATION of the sum of ONE DOLLAR ($1.00) cash in hand paid by the Grantee to the Grantor, receipt whereof is hereby acknowledged, the Grantor grants and conveys unto the Grantee the following rights in real property situated in the **SOUTH RIVER MAGISTERIAL DISTRICT**, Warren County, Virginia, to-wit:

> The privilege and easement in perpetuity for rights-of-way to construct, lay, maintain, repair, inspect, improve, and operate within the easement strips hereinafter described and referred to, works and systems for the collection and transmission of water, sewage, and/or waste water, over, upon, across, and under the property of the Grantor known and designated as "20.00' and Variable Width Public Utility Easement as Illustrated Hereon and to be Dedicated by a Deed to be Recorded Herewith", as shown on a plat entitled "Plat of Public Utility Easement, South River Precinct, Warren County, Virginia, attached hereto and made a part hereof. The said easement being located on the east side of Skyline Vista Drive (Route 9418) and generally being twenty (20) feet in width as shown on the aforesaid plat.

There is also hereby conveyed an easement of ingress, egress, and access from the Grantor's front property line fronting on Skyline Vista Drive to the above-described easement and sanitary sewer line for the purpose of allowing access to the said line by the Town's employees, agents, and contractors.

It being the same property conveyed unto the Grantor by Deed dated January 28, 2005, from Criser Road, L.L.C., a Virginia limited liability company, recorded as Instrument number 050001052 in the Clerk's Office of the Circuit Court of Warren County, Virginia.

Also known as Warren County Tax Map and Parcel 28-128-I1.

The further terms and conditions of this grant are as follows:

(a) That the Grantee may (but is not required to) trim, cut, remove, and keep clear all trees, limbs, undergrowth, and any and all other obstructions, within the said rights-of-way or easement strips, that may in any manner in Grantee's judgment endanger or interfere with the proper and efficient operation of the works and systems therein or thereon and the Grantee shall have all such other rights and privileges as are reasonably necessary or convenient for the full enjoyment and use of the easements herein granted for the aforesaid purpose.

(b) The granting of the easements hereinafter described neither expressly or impliedly constitutes any payment, nor the waiver of any obligation for the payment, by the Grantor or his successors or assigns, or any cut-in fee or charge, tax, assessment or other charge or obligation whatsoever now due or heretofore due or hereafter to become due and payable to the Grantee or to any person, firm or other corporation whatsoever.

(c) That Grantee will exercise reasonable care to protect Grantor's property from damage or injury occasioned in the enjoyment of the easements and rights herein granted, and to promptly repair the said property or reimburse the Grantor for any property damaged beyond repair.

(d) That if Grantee does cut or fell any brush, undergrowth or trees, or should excavations be carried on pursuant to this easement and any large-sized rocks or boulders are unearthed and are not buried in said excavation, such brush, undergrowth, trees, large-sized rocks and boulders shall, at the expense of Grantee be removed from Grantor's property.

(e) That Grantor shall have no right, title, interest, estate or claim whatsoever in or to any of the lines, pipes, or other equipment and accessories installed by virtue hereof.

Grantor further covenants that it has the right to convey the said easements; that the Grantee shall have quiet and peaceful enjoyment and possession of said easements, and that the Grantor will execute such further assurances of the said grant and easements herein contained as may be requisite.

WITNESS the following signature:

COUNTY OF WARREN, VIRGINIA

By: _____ **(SEAL)**
Daniel J. Murray, Jr., Chairman
Warren County Board of Supervisors

ATTEST:

_____
Douglas P. Stanley
County Administrator

COMMONWEALTH of VIRGINIA
COUNTY OF WARREN, TO-WIT:

I, the Notary Public in and for the Commonwealth of Virginia, at-large, do hereby certify that Daniel J. Murray, Jr., Chairman of the Board of Supervisors, and Douglas P. Stanley, County Administrator, whose names are signed to the foregoing Deed of Easement bearing the date of the 8th day of January, 2014, have this day personally appeared and acknowledged the same before me in my State and in the City/County aforesaid.

Given under my hand this 8th day of January, 2014.

My commission expires: 7-31-2015.

Registration Number 7109443.

_____
NOTARY PUBLIC

PAULA J. BLAMER
NOTARY PUBLIC 7109443
COMMONWEALTH OF VIRGINIA

The foregoing conveyance is hereby accepted by the Town of Front Royal, Virginia, as evidenced by the signature of the undersigned, who is authorized to accept this conveyance on behalf of the Town, as evidenced by a Resolution adopted by the Town Council.

WITNESS the following signature:

TOWN OF FRONT ROYAL, VIRGINIA

BY: _____
Hon. Timothy W. Darr, Mayor

ATTEST:

_____
Jennifer Berry
Clerk of Council

COMMONWEALTH OF VIRGINIA
COUNTY OF WARREN, TO-WIT:

I, _____, a Notary Public in and for the Commonwealth of Virginia At Large, do hereby certify that Timothy W. Darr, Mayor, and Jennifer Berry, Clerk of Council, whose names are signed on behalf of the Town of Front Royal, Virginia, to the foregoing Deed of Easement bearing the date of the ___ day of _____, 20___, have each this day personally appeared and acknowledged the same before me in my State and in the County aforesaid.

Given under my hand this ___ day of _____, 20___.

My commission expires: _____.

Registration Number _____.

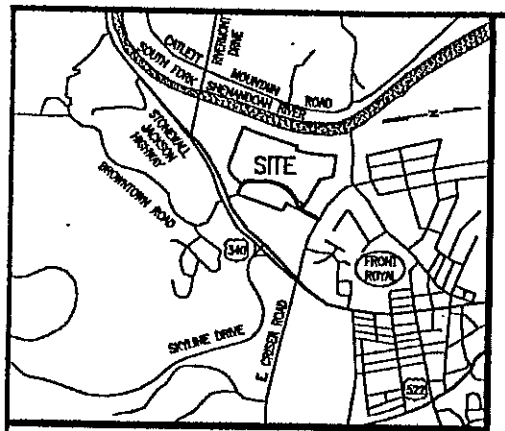
_____
NOTARY PUBLIC

APPROVED AS TO FORM:

_____

Douglas W. Napier, Town Attorney

DATE: ____ / ____ / _____



VICINITY MAP
1" = 2,000'

CURVE TABLE						
CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD DISTANCE	CHORD BEARING
C1	908.000'	210.541'	105.745'	013°17'07"	210.070'	N 09°18'17" E
C2	839.990'	84.558'	42.294'	004°24'12"	84.540'	N 04°51'48" E
C3	839.990'	20.047'	10.024'	001°22'03"	20.047'	S 07°44'56" W
C4	789.990'	46.154'	23.084'	003°20'31"	46.147'	N 07°03'03" E
C5	789.990'	37.441'	18.724'	002°42'56"	37.437'	S 04°01'10" W
C6	958.000'	222.137'	111.589'	013°17'06"	221.640'	S 09°18'17" W

VIRGINIA STATE PLANE COORDINATE SYSTEM NORTH ZONE

WARREN COUNTY SCHOOL BOARD
TAX MAP 28, PARCEL 128I
PIN 5061-84-2100
LR96-4396 SUB LR03-1052
LR05-4399 LR 05-1063
LR 10-2003

STORM MANHOLE
STORM GRATE
CONCRETE DITCH
IRON ROD FOUND
SIGN
FIRE HYDRANT
± 730' TO STONEWALL JACKSON HIGHWAY
SKYLINE VISTA DRIVE (ROUTE 9418)
WATER VALVES
WATER VALVE
S 87°19'45" E (SRC)

20.00' PUBLIC UTILITY EASEMENT AS ILLUSTRATED HEREON AND TO BE DEDICATED BY A DEED TO BE RECORDED HEREWITH.

COUNTY OF WARREN VIRGINIA
TAX MAP 28, PARCEL 128II
LR 05-1052
LR 05-4399
LR 10-2003

20.00' AND VARIABLE WIDTH PUBLIC UTILITY EASEMENT AS ILLUSTRATED HEREON AND TO BE DEDICATED BY A DEED TO BE RECORDED HEREWITH.

NOTES:
1. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT.
2. THIS PLAT IS THE RESULT OF AN ACTUAL FIELD SURVEY PERFORMED BY ANDERSON & ASSOCIATES, INC., DECEMBER 2009, AND FROM DEEDS & PLATS ON RECORD. THIS PLAT DOES NOT REPRESENT A CURRENT LAND BOUNDARY SURVEY.
4. A SMALL PORTION OF THE WARREN COUNTY SCHOOL BOARD PARCEL DOES LIE WITHIN A FEMA 100 YEAR FLOOD HAZARD ZONE AS SHOWN ON FLOOD INSURANCE RATE MAP NUMBERS 51187C0112C AND 51187C0115C.
5. THIS PLAT IS INTENDED TO BE RECORDED WITH A DEED OF EASEMENT, THIS PLAT IS NOT THE LEGAL INSTRUMENT TO CREATE THE EASEMENT.

LINE TABLE		
LINE	LENGTH	DIRECTION
L1	12.83	N 86°09'46" W
L2	170.35	N 86°36'16" W
L3	20.00	N 21°23'44" E
L4	167.27	S 86°36'16" E
L5	11.21	S 86°09'46" E
L6	1.62	S 86°09'46" E
L7	121.10	N 79°40'02" E
L8	20.00	S 10°19'58" E
L9	106.35	S 79°40'02" W
L10	29.08	S 03°37'20" W
L11	24.89	N 89°02'46" W

30 15 0 30 60 90
SCALE IN FEET

COMMONWEALTH OF VIRGINIA
22 NOV 13
Ty Brady
Lic. No. 2838
LAND SURVEYOR

ANDERSON & ASSOCIATES, INC.
Professional Design Services
www.andassoc.com
100 Arrowne St.
Blacksburg, Va. 24060
540-552-6562

DATE : 22 NOV 13
DESIGNED: —
DRAWN : TB.
CHECKED : NAH
QA / QC : CBK

REVISIONS:

PLAT OF PUBLIC UTILITY EASEMENT
SOUTH RIVER PRECINCT
WARREN COUNTY, VIRGINIA

DOCUMENT NO.
27049-002

SHEET
1 OF 1

Town of Front Royal, Virginia
Council Agenda Statement

Meeting Date: June 9, 2014

Agenda Item: COUNCIL APPROVAL – Budget Amendment to Accept State Asset Forfeiture Funding

Summary: The Town has received notification from the Commonwealth of Virginia that the Front Royal Police Department will receive funding through the Asset Forfeiture Program in the amount of $191,291.00 to be used for purchases for the Police Department. The funding cannot be used to balance the budget or for salaries. Council is requested to approve a Budget Amendment to accept this funding.

Budget/Funding:

1610-3310121 [State Asset Forfeiture]	$191,291.00
1610-47001 [Equipment]	$191,291.00

Attachments: Letter form Commonwealth of Virginia

Meetings: None

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 a Budget Amendment in the amount of $191,291.00 to accept funding from the Commonwealth of Virginia Asset Forfeiture Program to be used for purchases for the Front Royal Police Department.**

*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: JSB

COMMONWEALTH of VIRGINIA

Office of the Attorney General

Mark R. Herring
Attorney General

900 East Main Street
Richmond, Virginia 23219
804-786-2071
FAX 804-786-1991
Virginia Relay Services
800-828-1120
7-1-1

May 14, 2014

Town of Front Royal Finance Department
Attn: Director of Finance, Kim Gilkey-Breeden
102 East Main Street
Front Royal, VA 22630

Re: Asset Forfeiture Transfer

Dear Ms. Gilkey-Breeden,

On behalf of Attorney General Mark Herring, I am pleased to announce that your department has been approved for an asset forfeiture transfer. Enclosed is your check.

These are federal asset forfeiture funds and will be recorded in your annual Federal Equitable Sharing Agreement and Certification form for FY 2014. They will be reported under Table B and in column 2 (Treasury) if you have any expenses.

If you have any questions about reporting or specific uses of the funds you can reference the *Department of the Treasury Guide to Equitable Sharing for Foreign Countries and Federal, State, and Local Law Enforcement Agencies (Guide).*

If you have any additional questions you may contact:

Jackie A. Jackson
Department of the Treasury
Executive Office for Asset Forfeiture
Equitable Sharing
(202) 622-2755
Jackie.Jackson@treasury.gov

Or

Mark Fero
Office of the Attorney General
900 East Main Street
Richmond, Virginia 23219
(804) 786-7257
mfero@oag.state.va.us

Congratulations on the approval of your request.

Sincerely,

Linda L. Bryant

Linda L. Bryant
Deputy Attorney General
Public Safety and Enforcement Division
Office of the Attorney General of Virginia

Town of Front Royal, Virginia
Council Agenda Statement

Page 1
Item No. 8

Meeting Date: June 9, 2014

Agenda Item: PUBLIC HEARING – Ordinance to Amend & Re-Enact Code Section Pertaining to Adoption by Reference of State Motor Vehicular Laws *(1st Reading)*

Summary: Council is requested to affirm on its first reading an Ordinance to amend and re-enact Front Royal Town Code Section 158-6 of the Town Code pertaining to adoption by reference of the State Motor Vehicular Laws as presented.

Budget/Funding: None

Attachments: Proposed Ordinance

Meetings: Work Sessions held March 31; April 7; April 21; May 5, 2014.

Staff Recommendation: Approval ✓ Denial_____

Proposed Motion: **I move that Council affirm on its first reading an Ordinance to amend and re-enact Front Royal Town Code Section 158-6 of the Town Code pertaining to adoption by reference of the State Motor Vehicular Laws as presented.**

ROLL CALL VOTE REQUIRED

*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: JB

AN ORDINANCE TO AMEND SECTION 158-6 OF THE FRONT ROYAL TOWN CODE PERTAINING TO ADOPTION BY REFERENCE OF THE STATE MOTOR VEHICULAR LAWS

BE IT ENACTED by the Town Council of the Town of Front Royal, Virginia, that Section 158-6 of the Front Royal Town Code is hereby amended and enacted as follows:

Pursuant to the authority of Section 46.2-1313, Code of Virginia, 1950, as amended, all of the provisions and requirements of the laws of the State as of July 1, 2014, contained in Title 46.2, Code of Virginia, 1950, as amended, and Article 2 of Chapter 7 of Title 18.2, Code of Virginia, 1950, as amended, except those provisions and requirements the violation of which constitutes a felony and except those provisions and requirements which, by their very nature, can have no application to or within the Town, are adopted and incorporated by reference and made applicable within the Town. References to "highways of the state" contained in such provisions and requirements hereby adopted shall be deemed to refer to the highways and other public ways within the Town. Such provisions and requirements are hereby adopted, mutatis mutandis, and made part of this chapter as fully as those set forth at length herein; and it shall be unlawful for any person within the Town to violate or fail, neglect or refuse to comply with any provision of Title 46.2, Code of Virginia, and Article 2 of Chapter 7 of Title 18.2, Code of Virginia, which is adopted by this section, provided that in no event shall the penalty imposed for the violation of any provision or requirement adopted exceed the penalty imposed for a similar offense under Title 46.2, Code of Virginia, and Article 2 of Chapter 7 of Title 18.2, Code of Virginia.

For purposes of § 4-4 (E) of the Town Code, this Ordinance is deemed routine, and is effective on **July 1, 2014.**

APPROVED:

_____
Timothy W. Darr, Mayor

ATTEST:

_____
Jennifer E. Berry, Clerk of Council

THIS ORDINANCE was approved at the Regular Meeting of the Town of Front Royal, Virginia on its second reading, conducted _____2014, upon the following recorded vote:

Thomas H. Sayre	Yes/No	Bret W. Hrbek	Yes/No
Hollis L. Tharpe	Yes/No	Eugene R. Tewalt	Yes/No
N. Shae Parker	Yes/No	Daryl L. Funk	Yes/No

A public hearing on the above was held on _____,2014 having been advertised in the Northern Virginia Daily on _____,2014 and _____,2014. The Ordinance was enacted at the Regular Meeting of the Town Council held _____2014.

Approved as to form and legality:_____

Douglas W. Napier, Town Attorney Date: ____/____/_____

Town of Front Royal, Virginia
Council Agenda Statement

Meeting Date: June 9, 2014

Agenda Item: COUNCIL APPROVAL – Adoption of the ANNUAL APPROPRIATION ORDINANCE FOR FY 2014-2015 PROPOSED BUDGET *(2nd Reading)*

Summary: Council is requested to adopt on it second and final reading the Town's Annual Appropriation Ordinance for fiscal year 2014-2015 proposed budget with the following amendments as approved at the May 27, 2014 Town Council Meeting:

1) Dedicate $50,000 of the $114,035 dedicated toward reimbursement of the phone system upgrade repayment in 1204-47007 (page 49-50) towards funding of various career development paths for positions in the General Fund similar to those established for the Police Officers through the Master Police Officer Program. The funding for establishing the various position levels shall require council approval following presentation of new position levels of staff. The $50,000 funding will be transferred to 9203-42015 (Reserve for Employee Compensation);

2) Include $15,500 in 3104-41001 to establish the Senior Dispatch Program to establish a career development path for the Police Dispatchers as presented to Council in a Work Session held on May 5, 2014. To transfer $4,500 from 2201-47001 (laptop for Town Attorney – page 52) to fund this Program and to transfer $1,000 from 1205-46007 (Excess Arts Grant Request in Tourism – page 54) to fund this Program, and, to transfer $10,000 from 1203-47009 (Fleet Building AC Installation – page 83) to fund this Program;

3) Transfer $9,000 from 1000-3510110 (General Fund Reserve) to 3104-41001 (Regular Salaries) to fund the reclassification of the Chief Dispatcher Position to a Pay Grade 24, commensurate with the current responsibilities and duties as discussed at the May 5, 2014 Work Session;

4) Transfer $8,585 from 3107-47001 (Drug Task Force Machinery & Equipment – page 66) to 3103-47001 (Police Investigations Machinery & Equipment – page 64) to fund the acquisition of new Cellphone Forensic Software for the Police Department;

5) Establish 1203-47001 (Fleet Management Machinery & Equipment– page 83) as a two-year funded project with $10,000 in FY14-15 and direct staff to include $10,000 in the FY15-16 Budget; and, to include this multi-year project in the Capital Improvements Program as a two-year project. **Air Conditioning System**

If approved, as amended, the Annual Appropriation Ordinance for fiscal year 2014-2015 Proposed Budget would be effective July 1, 2014 through June 30, 2015.

Budget/Funding: None

Attachments: Proposed Budget Ordinance

Meetings: Work Sessions held February 3; March 31; April 7; April 21; May 5, 2014.
Public Hearing held May 27, 2014

Staff Recommendation: Approval ✓ Denial_____

Proposed Motion: **I move that Council adopt on its second and final reading the Town's Annual Appropriation Ordinance for fiscal year 2014-2015 Proposed Budget as amended and approved at the May 27, 2014 Council Meeting.**

ROLL CALL VOTE REQUIRED

*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: SB

APPROPRIATION ORDINANCE

ANNUAL APPROPRIATION ORDINANCE

FOR THE

TOWN OF FRONT ROYAL, VIRGINIA

FOR THE FISCAL YEAR ENDING JUNE 30, 2015
AN ORDINANCE MAKING APPROPRIATIONS OF SUMS OF MONEY FOR ALL NECESSARY EXPENDITURES OF THE TOWN OF FRONT ROYAL, VIRGINIA FOR THE FISCAL YEAR ENDING JUNE 30, 2015 TO PRESCRIBE THE PROVISOS, TERMS, CONDITIONS, AND PROVISIONS WITH RESPECT TO THE TERMS OF APPROPRIATION AND THEIR PAYMENT, AND TO REPEAL ALL ORDINANCES WHOLLY IN CONFLICT WITH THIS ORDINANCE, AND ALL PARTS OF ALL ORDINANCES INCONSISTENT WITH THIS ORDINANCE TO THE EXTENT OF SUCH INCONSISTENCY.

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF FRONT ROYAL, VIRGINIA:

SECTION I

That the following sums of money are hereby appropriated for the general governmental purposes herein specified for the fiscal year ending June 30, 2015

GENERAL FUND EXPENDITURES

General Government	1,060,620
Financial Administration	839,970
Legal	404,425
Law Enforcement Services	4,146,145
General Property Maintenance	1,017,240
Planning and Zoning Administration	442,075
Risk Management/Insurance	605,650
Economic Development	8,515
Information Technology	886,870
Transfers/Contingency Reserve	456,175
TOTAL GENERAL FUND EXPENDITURES	**$9,867,685**

STREET FUND EXPENDITURES

Public Works	373,885
State Highway Maintenance	1,617,800
TOTAL STREET FUND EXPENDITURES	**$1,991,685**

ECONOMIC DEVELOPMENT FUND & SPECIAL PROJECTS

Debt Service	125,740
Community Development Projects	379,840
Asset Forfeiture	12,000
TOTAL ECONOMIC DEVELOPMENT/SPECIAL PROJECTS	**$517,580**

and the following sums of money are hereby appropriated for the enterprise operations specified for the year ending June 30, 2015:

DEPARTMENT OF ENERGY EXPENDITURES

Operations	2,524,780
Purchase of Bulk Electricity	12,650,000
Transfer to General Fund	1,471,000
TOTAL ELECTRIC FUND EXPENDITURES	**$16,645,780**

WATER FUND EXPENDITURES

Administrative	116,460
Water Plant Operation s	1,682,045
Maintenance of Lines	1,041,965
Meter Reading	104,560
Debt Service	1,150,000
Transfer/Contingency Reserve	663,355
TOTAL WATER FUND EXPENDITURES	**$4,758,385**

SEWER FUND EXPENDITURES

Administrative	118,985
Sewer Plant Operations	2,198,550
Maintenance of Lines	865,670
Debt Service	750,000
Transfers/Contingency Reserve	750,000
TOTAL SEWER FUND EXPENDITURES	**$4,683,205**

SOLID WASTE EXPENDITURES

Operations	929,570
Transfers/Contingency Reserve	67,230
TOTAL SOLID WASTE EXPENDITURES	**$996,800**

TOTAL ALL FUNDS EXPENDITURES	**$39,461,120**

REVENUES
TO BE PROVIDED AS FOLLOWS

GENERAL FUND

Real Estate Property Tax ($.0725 Per $100 assessed valuation)	970,000
Public Service Property Tax & Tax Penalties	45,500
Personal Property Tax ($.64 per $100 assessed valuation)	567,000
Other Local Taxes	4,337,000
Permits and Fees	30,000
Fines and Forfeitures	195,000
Revenue from Use of Money and Property	90,250
Public Rights-of-Way Use Fee(ROW)	10,000
Intergovernmental Funding	613,850
Interfund Transfers:	
Electric	1,471,000
Water	663,355
Sewer	750,000
Solid Waste	67,230
Miscellaneous	57,500
TOTAL GENERAL FUND REVENUE	**$9,867,685**

STREET FUND

State Highway Maintenance Funds	1,700,000
Revenue from Use of Money and Property	9,000
Improvement Assessments	2,000
Transfers from General Fund	280,685
TOTAL STREET FUND REVENUE	**$1,991,685**

ECONOMIC DEVELOPMENT & SPECIAL PROJECTS

Economic Development Debt Service ($.0175 per $100 assessed valuation)	125,740
Asset Forfeiture	12,000
Community Development ($.0400 per $100 assessed valuation)	379,840
TOTAL ECONOMIC DEVELOPMENT/SPECIAL PROJECTS	**$517,580**

DEPARTMENT OF ENERGY

Revenue from Use of Money and Property	70,000
Connection Fees	75,000
Internal Loan Repayment	150,000
Sale of Services	16,294,880
Miscellaneous	55,900
TOTAL DEPARTMENT OF ENERGY REVENUE	**$16,645,780**

WATER FUND

Revenue from Use of Money and Property	50,000
Antenna Rentals	70,000
Sale of Services	4,558,385
Connection Fees	75,000
Miscellaneous	5,000
TOTAL WATER FUND REVENUE	**$4,758,385**

SEWER FUND

Revenue from Use of Money and Property	46,000
Sale of Service	4,442,205
Connection Fees	150,000
Miscellaneous	45,000
TOTAL SEWER FUND REVENUE	**$4,683,205**

SOLID WASTE FUND

Revenue from Use of Money and Property	15,000
Sale of Services	968,800
Sale of Materials ~ Recyclables	13,000
TOTAL REFUSE FUND REVENUE	**$996,800**

TOTAL ALL FUNDS REVENUES **$39,461,120**

SECTION II

All moneys appropriated as shown by the items contained in Section I are appropriated upon the provisos, terms, conditions and provisions hereinafter set forth in connection with said items and those set forth in this section.

Paragraph One

I. To provide for the current and other expenditures of the Town of Front Royal, Virginia; for the fiscal year beginning July 1, 2014 and ending June 30, 2015 the tax rates have been set at:

A) Upon all real estate the rate shall be set at $0.13 for each $100.00 of assessed valuation.

B) Upon all personal property and machinery and tools the rate shall remain set at $0.64 for each $100.00 of assessed valuation. Except, that personal property described in Town of Front Royal Code §75-49(B), that has been specifically accepted for special classification by the designated official, shall remain at $0.32 for each $100.00 of assessed valuation for such volunteer fire or rescue members' single vehicle used to respond to calls or perform other official duties.

II. Assessed valuation of property shall be determined and certified to the Town of Front Royal by the Commissioner of the Revenue of Warren County, and the State Corporation Commission on Public Service Corporation Property. All taxes 1st installment shall be due and payable on or before June 5, 2014 and second installment due on or before December 5, 2014 For taxes not paid on or before due

date for each installment a penalty of ten percent of the tax due will be added to the tax due. Interest at the annual rate of ten percent of the tax due will be added after December 31, 2014 on all unpaid taxes.

III. Proration of Personal Property Tax.

A. Tax levied and prorated on monthly basis. Tangible personal property tax shall be levied and collected on motor vehicles, trailers, and boats which have acquired a situs within the Town after January 1 of any tax year for the remaining portion of the tax year. When any person acquires a motor vehicle, trailer or boat with situs in the Town after January 1 and situs remains in the Town after such acquisition, the tax shall be assessed against the new owner for the remainder of the tax year. Such tax shall be prorated on a monthly basis. For purposes of proration, a period of more than one-half of a month shall be counted as a full month and a period of less than one-half of a month shall not be counted.

B. Relief or refund. When any motor vehicle, trailer, or boat loses its situs within the Town after January 1 or after the day on which it acquires a situs within the Town (hereafter "situs day"), the tax shall be relieved, prorated on a monthly basis, and the appropriate amount of tax refunded if such tax has already been paid, upon application by the owner to the Commissioner of the Revenue and notice to the Commonwealth of Virginia Department of Motor Vehicles (if applicable); provided however that no refund shall be made if the motor vehicle, trailer, or boat acquires a situs within the Commonwealth in a non-prorating locality.

C. Relief, refund or credit on sale. When any person sells or otherwise transfers title to a motor vehicle, trailer, or boat with a situs in the Town after January 1 or situs day, the tax shall be relieved, prorated on a monthly basis, upon application by the owner to the Commissioner of the Revenue and notice to the Commonwealth of Virginia Department of Motor Vehicles (if applicable), and the appropriate amount of tax already paid refunded or credited by the Treasurer, at the option of the taxpayer, against the tax due on any motor vehicle, trailer, or boat owned by the taxpayer during the same tax year.

D. Time Limitation for refund; minimum refund. Any refund required shall be made within thirty (30) days of the date such tax is relieved. No refund of less than five dollars ($5.00) shall be issued to a taxpayer, unless specifically requested by the taxpayer.

E. Conditions for certain tax credits. Any person who moves from a non-prorating locality to the Town in a single tax year shall be entitled to a property tax credit in the Town if (i) the person was liable for personal property taxes on a motor vehicle, trailer, or boat and has paid those taxes to a non-prorating locality; and (ii) the owner replaces for any reason the original vehicle, trailer or boat upon which taxes are due to the non-prorating locality for the same tax year. The Town shall provide a credit against the total tax due on the replacement vehicle, trailer, or boat in an amount equal to the tax paid to the non-prorating locality for the period of time commencing with the disposition of the original vehicle, trailer, or boat and continuing through the close of the tax year in which the owner incurred tax liability to the non-prorating locality for the original vehicle, trailer or boat.

F. Exemptions of property for which tax has been paid to another jurisdiction. Tangible personal property which was legally assessed by another jurisdiction in the Commonwealth and on which the tax has been paid is exempt from taxation under this section for the tax year or portion thereof during which such property was legally assessed by other jurisdiction and taxes were paid to that jurisdiction and not refunded in whole or in part.

G. Filing of returns. Filing procedures shall be in compliance with the Warren County Code.

H. Billing for less than full year. Notwithstanding any other date for billings and payment of personal property taxes, the Town may bill all personal property taxes assessed for a portion of the tax year on or after December 15 of each year.

I. Due date of taxes. The taxes shall be due not less than thirty (30) days after the date of the tax bill or due date on the tax bill, whichever is later.

J. Time limit for applications. Any taxpayer entitled to a refund or credit must make application therefore to the Director of Finance no later than three (3) years from the last day of the tax year during which the motor vehicle, trailer or boat lost situs, was sold or had its title transferred.

Paragraph Two

Subject to the qualifications contained in this ordinance all appropriations made out of the General Fund, Street Fund, Economic Development Fund, Special Projects Fund, Service District Fund, Special Revenue Fund, Electric Fund, Water Fund, Sewer Fund, and Refuse Fund are declared to be maximum, conditional and proportionate appropriations, the purpose being to make the appropriations payable in full in the amount named, if necessary, and then only in the event the aggregate revenues collected and available during the fiscal year for which the appropriations are made are sufficient to pay all the appropriations in full. Otherwise the said appropriations shall be deemed to be payable in such proportions as the total sum of all realized revenue of the General Fund, Street Fund, Debt Service Fund, Special Projects Fund, Service District Fund, Special Revenue Fund, Electric Fund, Water Fund, Sewer Fund, and Refuse Fund is to the total amount of revenues estimated to be available in the said fiscal year by the Town Council.

Paragraph Three

All balances of the appropriations payable out of the General Fund, Street Fund, Debt Service Fund, Special Projects Fund, Service District Fund, Special Revenue Fund, Electric Fund, Water Fund, Sewer Fund, and Refuse Fund of the Town Treasury unencumbered at the close of business on the thirtieth day of June, 2014, except as otherwise provided for, are hereby declared to be lapsed into the Town Treasury. Such unencumbered balances shall be used for the payment of the appropriations that may be made in the appropriation ordinance for the fiscal year beginning July 1, 2014. However, nothing in this paragraph shall be construed to be applicable to unencumbered balances remaining to the credit of any Sinking Fund, or any funds created by the setting up of special revenues, but such balances shall be used in financing the proposed expenditures of these funds for the fiscal year beginning July 1, 2014.

Paragraph Four

The director or administrative officer in charge of a department shall have the authority to transfer moneys between line items and categories within the budgeted appropriations of such department. No department receiving appropriations under the provisions of this ordinance shall exceed the total amount of its appropriation except with the prior consent and approval of the Town Council or the Town Manager. Where the Town Manager is the administrative officer in charge of a department, no prior consent or approval shall be required for such department to exceed its appropriation. The Town Manager may transfer moneys within any Fund to provide for such expenditure in excess of a department's budgeted appropriation. No Fund receiving appropriations under the provisions of this ordinance shall exceed the total amount of its appropriation except with the prior consent and approval of

the Town Council who may then authorize by resolution the transfer of moneys between the Funds. If any such department or fund shall exceed the amount of its appropriation without such consent and approval, the director or administrative officer, in the discretion of the Town Council, may be deemed guilty of neglect of official duty and may be subject to removal therefore.

Paragraph Five

Nothing in this section shall be construed as authorizing any reduction to be made in the amounts appropriated in this ordinance for the payment of interest, bonds, or contributions to any Sinking Fund on the bonded debt of the Town Government.

Paragraph Six

None of the moneys mentioned in this ordinance in connection with the General Fund, Street Fund, Economic Development Fund, Special Projects Fund, Service District Fund, Special Revenue Fund, Electric Fund, Water Fund, Sewer Fund, and Refuse Fund shall be expended for any purpose other than those for which they are appropriated except as provided in Paragraph Four. It shall be the duty of the Director of Finance to see that this provision is strictly observed and to report to the Town Manager any irregularities.

Paragraph Seven

Allowances out of any of the appropriations made in this ordinance by any or all of the Town departments, bureaus, or agencies to any of their officers and employees for expenses on account of the use of such officers and employees of their personal automobiles in the discharge of their official duties shall not exceed the standard mileage rate as determined by the IRS (56 cents per mile as of January 1, 2014).

Paragraph Eight

All traveling expense accounts shall be submitted on forms and according to regulations prescribed or approved by the Town Manager.

Paragraph Nine

All moneys from the sale of general government real estate or other property shall be set aside in a separate account of the General Fund and subject to expenditure only through appropriate action of the Council. Except, where the Council shall have specified that the moneys from the sale of an item or a class of property shall be paid into a specified account of a Town department.

Paragraph Ten

All moneys collected by any department, bureau, agency or individual of the Town Government shall be paid into the Town Treasury not later than the day immediately following the day of collection.

Paragraph Eleven

The Fund budgets in Section I as included in the general budget are hereby adopted and made the official budget document of the Town of Front Royal. It is expressly provided that the restrictions with respect to the expenditure of the moneys appropriated shall apply only to the lump sum amounts for the classes of expenditures, of Funds, which have been included in this ordinance.

Paragraph Twelve

All ordinances and parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

THIS ORDINANCE SHALL BECOME EFFECTIVE JULY 1, 2014.

APPROVED:

_____
Timothy Darr, MAYOR

ATTEST:

_____Jennifer Berry, TOWN CLERK

THIS ORDINANCE was approved at the Regular Meeting of the Town of Front Royal, Virginia on its second reading, conducted _____2014, upon the following recorded vote:

Thomas H. Sayre	Yes/No	Bret W. Hrbek	Yes/No
Hollis L. Tharpe	Yes/No	Eugene R. Tewalt	Yes/No
N. Shae Parker	Yes/No	Daryl L. Funk	Yes/No

A public hearing on the above was held on _____,2014, having been advertised in the Northern Virginia Daily on _____ and _____, 2014.

Approved as to form and legality:

_____
Douglas W. Napier, Town Attorney Date: ____/____/____

Town of Front Royal, Virginia
Council Agenda Statement

Meeting Date: June 9, 2014

Agenda Item: COUNCIL APPROVAL – Ordinance to Amend & Re-Enact Code Section to Increase Water and Sewer Rates *(2nd Reading)*

Summary: Council is requested to adopt on its second and final reading an Ordinance to amend and re-enact Front Royal Town Code Sections 134-22; 134-22.4; 134-30; 134-31.1 and 134-31.2 to increase rates and large meter fees for both sanitary sewer service and water service. Water rates are proposed to increase 6.5% and sewer rates are proposed to increase 10%. Once approved, increases would be incorporated on utility bills after July 1, 2014 as presented.

Budget/Funding: None

Attachments: Proposed Ordinance

Meetings: Work Sessions held March 31; April 7; April 21; May 5, 2014.
Public Hearing held May 27, 2014

Staff Recommendation: Approval ✓ Denial_____

Proposed Motion: **I move that Council adopt on its second and final reading an Ordinance to amend and re-enact Front Royal Town Code Sections 134-22; 134-22.4; 134-30; 134-31.1 and 134-31.2 to increase rates and large meter fees for both sanitary sewer service and water service as presented.**

ROLL CALL VOTE REQUIRED

*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: _____

AN ORDINANCE TO AMEND AND RE-ENACT FRONT ROYAL TOWN CODE SECTIONS 134-22.1 (A)(B), 134-22.4(A), 134-30(B)(I), 134-31.1(A)(B), AND 134-31.2(A) SO THAT RATES AND LARGE METER FEES FOR BOTH SANITARY SEWER SERVICE AND WATER SERVICE ARE INCREASED

WHEREAS, the Town of Front Royal is mandated to upgrade the Town of Front Royal's water treatment process to further reduce disinfection by-product issues within the water system; and,

WHEREAS, the Town of Front Royal is mandated to upgrade the Town of Front Royal's wastewater treatment process to reduce nutrient loading discharged to the Chesapeake Bay; and,

NOW THEREFORE, BE IT ENACTED by the Town Council of the Town of Front Royal, Virginia that Sections 134-22.1, 134-22.4, 134-30, 134-31.1 and 134-31.2 of the Front Royal Town Code is hereby amended and re-enacted as follows:

134-22.1 SANITARY SEWER SERVICE RATES

The monthly base rates for sanitary sewer service usage shall be as follows:

A. Base rate, up to three thousand (3,000) gallons per month: **seventeen** ~~fifteen~~ dollars and **thirty** ~~seventy-two~~ cents **($17.30)** ~~($15.72)~~

B. All sanitary sewer service usage exceeding three thousand (3,000) gallons per month: **fourteen** ~~thirteen~~ dollars and **eighty-eight** ~~fifty-three~~ cents ($14.88) ~~($13.53)~~ per month, for each one thousand (1,000) gallons thereafter.

C. No change

134-22.2 – No Change
134-22.3 – No Change

134-22.4 SEWER SERVICE RATES-COMMERCIAL AND INDUSTRIAL LAUNDRIES

A. In-Town Laundries: The monthly rates for sewer service usage by licensed commercial or industrial laundries located within the corporate limits of the Town of Front Royal shall be as follows:

1. All sanitary sewer service usage for the first one hundred thousand (100,000) gallons: **fifteen** ~~fourteen~~ dollars and **ninety-six** ~~fifty-one~~ cents **($15.96)** ~~($14.51)~~ per one thousand (1,000) gallons.

2. All sanitary sewer usage from one hundred thousand one (100,001) gallons to five hundred thousand (500,000) gallons: **fourteen** ~~thirteen~~ dollars and **fifty-one** ~~nineteen~~ cents **($14.51)** ~~($13.19)~~ per one thousand (1,000) gallons.

3. All sanitary sewer service usage above five hundred thousand (500,000) gallons: **thirteen** ~~twelve~~ dollars and **seventy-eight** ~~fifty-three~~ cents **($13.78)** ~~($12.53)~~ per thousand (1,000) gallons.

B. No change

134-22.5 through 134.29 – No Change

PROVISIONS APPLICABLE PARTICULARLY TO WATER

134-30 CONNECTION CHARGE ESTABLISHED

A. No Change

B. The connection charge for water service exclusively used for fire-suppression systems will be based on the line size, according to the following fee schedule:

1. Three-inch line or smaller: two thousand one hundred twenty-four dollars ($2,124.00), plus thirty-**nine** ~~seven~~ dollars and **sixty-seven** ~~twenty-five~~ cents **($39.67)** ~~($37.25)~~ per month.

2. Four-inch line: four thousand two hundred forty-eight dollars ($4,248.00), plus seventy-**nine** ~~four~~ dollars and **thirty-two** ~~forty-eight~~ cents **($79.32)** ~~($74.48)~~ per month.

3. Six-inch line: eight thousand four hundred ninety-five dollars ($8,495.00), plus one hundred **sixty-one** ~~fifty-one~~ dollars and **forty-nine** ~~sixty-three~~ cents **($161.49)** ~~($151.63)~~ per month.

4. Eight-inch line: twelve thousand seven hundred forty-three dollars ($12,743.00), plus two hundred **forty** ~~twenty-six~~ dollars and **eighty** ~~eleven~~ cents **($240.80)** ~~($226.11)~~ per month.

5. Ten-inch line: sixteen thousand nine hundred ninety-one dollars ($16,991.00), plus three hundred **twenty** dollars and **fourteen** ~~sixty~~ cents **($320.14)** ~~($300.60)~~ per month.

6. Twelve-inch line: twenty-one thousand two hundred forty dollars ($21,240.00), plus three hundred **ninety-nine** ~~seventy-five~~ dollars and **forty-eight** ~~ten~~ **($399.48)** ~~($375.10)~~ per month.

C. No change
D. No change
E. No change
F. No Change
G. No change
H. No Change

I. There will be an additional monthly charge for each water meter exceeding one (1) inch in size according to the following fee schedule:

1. One-and-one-fourth inch meter: **seventeen** ~~sixteen~~ dollars and **thirty-five** ~~twenty-nine~~ cents **($17.35)** ~~($16.29)~~ per month.

2. One-and-one-half inch meter: **twenty-three** ~~twenty-one~~ dollars and **twenty-eight** ~~eighty-five seventy~~ cents **($23.28)** ~~($21.85)~~ per month.

3. Two-inch meter: fifty-**five** ~~one~~ dollars and **thirty-one** ~~ninety-four~~ cents **($55.31)** ~~($51.94)~~ per month.

4. Three-inch meter: two hundred **ninety** ~~seventy-two~~ dollars and **seventeen** ~~forty-six~~ cents **($290.17)** ~~($272.46)~~ per month.

5. Four-inch meter: three-hundred **seventy-seven** ~~fifty-nine~~ dollars and twenty-**two** cents **($377.22)** ~~($354.20)~~ per month.

6. Six-inch meter: five hundred **eighty** ~~forty-four~~ dollars and **thirty-three** ~~ninety-one~~ cents **($580.33)** ~~($544.91)~~ per month.

J. No change
K. No change
L. No change

134-31 No Change

134-31.1 WATER SERVICE RATES
The monthly rates for water service usage shall be as follows:

A. Base rate, up to three thousand (3,000) gallons per month: nine dollars and **ninety-two** ~~thirty-one~~ cents **($9.92)** ~~($9.31)~~ per month.

B. All water service usage exceeding three thousand (3,000) gallons per month: **eight** ~~seven~~ dollars and **fifty-one** ~~ninety-nine~~ cents **($8.51)** ~~($7.99)~~ per month, for each one thousand (1,000) gallons thereafter.

C. No change

134-31.2 WATER SERVICE RATES-COMMERCIAL AND INDUSTRIAL LAUNDRIES

A. In-Town Laundries: The monthly rates for water service usage by licensed commercial or industrial laundries located within the corporate limits of the Town of Front Royal shall be as follows:

1. The first one hundred thousand (100,000) gallons: **nine** ~~eight~~ dollars and **fourteen** ~~fifty-eight~~ cents **($9.14)** ~~($8.58)~~ per one thousand (1,000) gallons.

2. One hundred thousand one (100,001) gallons to five hundred thousand (500,000) gallons: **eight** ~~seven~~ dollars and **thirty** ~~seventy-nine~~ cents **($8.30)** ~~($7.79)~~ per one thousand (1,000) gallons.

3. Above five hundred thousand one (500,001) gallons: seven dollars and **eighty-nine** ~~forty-one~~ cents **($7.89)** ~~($7.41)~~ per one thousand (1,000) gallons.

This ordinance shall become effective July 1, 2014.

APPROVED:

_____
Timothy W. Darr, Mayor

ATTEST:

_____
Jennifer E. Berry, Clerk of Council

THIS ORDINANCE was approved at the Regular Meeting of the Town of Front Royal, Virginia on its second reading, conducted _____2013, upon the following recorded vote:

Thomas H. Sayre	Yes/No	Bret W. Hrbek	Yes/No
Hollis L. Tharpe	Yes/No	Eugene R. Tewalt	Yes/No
N. Shae Parker	Yes/No	Daryl L. Funk	Yes/No

A public hearing on the above was held on _____,2014 having been advertised in the Northern Virginia Daily on _____,2014 and _____,2014.

Approved as to form and legality:

_____
Douglas W. Napier, Town Attorney Date: ____/____/____

Town of Front Royal, Virginia
Council Agenda Statement

Meeting Date: June 9, 2014

Agenda Item: COUNCIL APPROVAL – Ordinance to Amend & Re-Enact Code Section to Increase Energy Service Fee *(2nd Reading)*

Summary: Council is requested to adopt and its second and final reading an Ordinance to amend and re-enact Front Royal Town Code Section 12-1 Energy Services Fees to increase the fee for the second and additional electric meter inspections from $25.00 to $40.00; and establish a temporary electric service fee for less than 100 ampere service at $65.00 as presented. Increase in fees would be effective July 1, 2014.

At their May 27, 2014 Council Meeting, Council approved an amendment to increase the fee for the ~~second~~ **third** and additional electric meter inspections from $25.00 to ~~$40.00~~ **$50.00**. The attached Ordinance will reflect the amendment once Council approves the Ordinance on the 2nd Reading.

Budget/Funding: None

Attachments: Proposed Ordinance

Meetings: Work Session held February 18, 2014. Public Hearing held May 27, 2014

Staff Recommendation: Approval ✓ Denial_____

Proposed Motion: **I move that Council adopt on its second and final reading an Ordinance to amend and re-enact Front Royal Town Code Section 12-1 Energy Services Fees as amended and approved at the May 27, 2014 Council Meeting.**

ROLL CALL VOTE REQUIRED

*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: SB

AN ORDINANCE TO AMEND AND RE-ENACT FRONT ROYAL TOWN CODE CHAPTER 12-1 PERTAINING TO FEES

WHEREAS, after Town Staff reviewed various fees in the Town Code, they presented their revision to Town Council during a Work Session held February 18, 2014; and,

NOW THEREFORE, BE IT ENACTED, by the Town Council of the Town of Front Royal, Virginia, that Chapter 12 of the Front Royal Town Code is hereby amended and re-enacted as follows:

12-1 ENERGY SERVICES FEES

Electric Meter Inspections (1st within 12 mo.)	No Charge
Electric Meter Inspection (after 12 months)	~~$25.00~~ **$40.00** per inspection
Installation of Pole for Dusk-to-Dawn Light	$150.00
Temporary Electrical Service not to exceed 100 amperes in capacity and requiring one service drop	**$65.00**
Temporary Electrical Service for larger residential and commercial services	**See Chapter 70-23(F) in Town Code**
Underground Utility Inspection	$50.00 per inspection

This ordinance shall become effective July 1, 2014.

APPROVED:

_____
Timothy W. Darr, Mayor

ATTEST:

_____
Jennifer E. Berry, Clerk of Council

THIS ORDINANCE was approved at the Regular Meeting of the Town of Front Royal, Virginia on its second reading, conducted _____2014, upon the following recorded vote:

Thomas H. Sayre	Yes/No	Bret W. Hrbek	Yes/No
Hollis L. Tharpe	Yes/No	Eugene R. Tewalt	Yes/No
N. Shae Parker	Yes/No	Daryl L. Funk	Yes/No

A public hearing on the above was held on _____,2014 having been advertised in the Northern Virginia Daily on _____,2014 and _____,2014. The Ordinance was enacted at the Regular Meeting of the Town Council held _____2014.

Approved as to form and legality:_____

Douglas W. Napier, Town Attorney Date: ____/____/_____

Town of Front Royal, Virginia
Council Agenda Statement

Meeting Date: June 9, 2014

Agenda Item: COUNCIL APPROVAL – Ordinance to Enact Code Section to Establish Temporary Electric Service *(2nd Reading)*

Summary: Council is requested to adopt on its second and final reading an Ordinance to enact Front Royal Town Code Section 70-23.F ELECTRIC CHARGES to establish a temporary electric service fee for residential greater than 100 ampere service and for commercial service to incurred costs as presented.

Budget/Funding: None

Attachments: Proposed Ordinance

Meetings: Work Session held February 18, 2014. Public Hearing held May 27, 2014

Staff Recommendation: Approval ✓ Denial_____

Proposed Motion: **I move that Council adopt on its second and final reading an Ordinance to enact Front Royal Town Code Section 70-23.F ELECTRIC CHARGES to establish a temporary electric service fee for residential greater than 100 ampere service and for commercial service to incurred costs as presented.**

ROLL CALL VOTE REQUIRED

*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: SRB

AN ORDINANCE TO ENACT FRONT ROYAL TOWN CODE CHAPTER 70-23(F) PERTAINING TO ESTABLISHMENT OF TEMPORARY ELECTRICAL SERVICE

WHEREAS, after Town Staff review it was determined that the Town Code did not address the establishment of temporary electrical service. This determination was presented to Town Council during a Work Session held February 18, 2014; and,

NOW THEREFORE, BE IT ENACTED, by the Town Council of the Town of Front Royal, Virginia, that Chapter 70-23(F) of the Front Royal Town Code is hereby enacted as follows:

ELECTRIC RATE CHARGES

70-23 ELECTRIC CHARGES

F. 1. For residential temporary electrical service not to exceed 100 amperes in capacity and requiring one service drop existing distribution facilities will be charged a fee (Chapter 12)

2. For larger residential and commercial temporary services, the charge will be at the customers' expense. The Town will perform the installation and bill the customer for the actual costs of such installation, including labor, vehicle usage and materials used, less the value of any salvageable materials recovered during the removal process of the temporary service.

This ordinance shall become effective July 1, 2014.

APPROVED:

_____
Timothy W. Darr, Mayor

ATTEST:

_____
Jennifer E. Berry, Clerk of Council

THIS ORDINANCE was approved at the Regular Meeting of the Town of Front Royal, Virginia on its second reading, conducted _____2014, upon the following recorded vote:

Thomas H. Sayre	Yes/No	Bret W. Hrbek	Yes/No
Hollis L. Tharpe	Yes/No	Eugene R. Tewalt	Yes/No
N. Shae Parker	Yes/No	Daryl L. Funk	Yes/No

A public hearing on the above was held on _____,2014 having been advertised in the Northern Virginia Daily on _____,2014 and _____,2014. The Ordinance was enacted at the Regular Meeting of the Town Council held _____2014.

Approved as to form and legality:

_____

Douglas W. Napier, Town Attorney Date: ____/____/_____

Town of Front Royal, Virginia
Council Agenda Statement

Meeting Date: June 9, 2014

Agenda Item: COUNCIL APPROVAL – Warren Heritage Society Utility Service Reimbursement

Summary: Vice Mayor Parker requests that Council consider a reimbursement of the expense of utility services at 101 Chester Street for the Warren Heritage Society for FY 2014-2015 in an amount not to exceed $10,000.

Budget/Funding: None

Attachments: None

Meetings: Work Session held May 5, 2014. Placed on May 27, 2014 Regular Council Meeting and was moved to tonight's meeting.

Staff Recommendation: Approval ✓ Denial_____

Proposed Motion: **In accordance with the authority granted local governments by Virginia Code Section 15.2-953, I move that Council make a donation of $10,000 in money from General Fund Reserve [1000-3510110] to be used toward payment of the utility bills beginning July 1, 2014 of the Warren Heritage Society, Inc., a Virginia nonprofit organization in the Town of Front Royal that is engaged in commemorating historical events, located at 101 Chester Street.**

ROLL CALL VOTE REQUIRED

*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: SB

Town of Front Royal, Virginia
Council Agenda Statement

Meeting Date: June 9, 2014

Agenda Item: COUNCIL APPROVAL – Budget Amendment and Acceptance of a Bid to purchase a Mini Digger Derrick for Energy Services Department

Summary: Request for Proposals (RFP) was requested from the Energy Services Department for the purchase of a mini digger derrick that was approved in the capital budget of FY2013-2014 for $115,000.00. Two bids were received with the lowest bid from Altec Industries in the amount of $139,592.00. A truck bed was purchased earlier to replace a damaged one in the amount of $5,621.00 thus reducing the amount in this line item. Council is requested to consider approval of a budget amendment in the amount of $30,213.00 to purchase the mini digger derrick from Altec Industries in the total amount of $139,592.00.

Budget/Funding: Partial funding ($109,379) is available in Energy Services FY14 Budget Line Item 47005 [Vehicles]
Balance of funding ($30,213) is from Energy Services FY14 Fund Reserve Account 9401-3510110.

Attachments: Memorandum from Director of Energy Services and Memorandum/Quotation Tabulation from Purchasing Agent

Meetings: Work Session held May 19, 2014

Staff Recommendation: Approval ✓ Denial_____

Proposed Motion: **I move that Council approve a budget amendment to the FY13-14 Budget in the amount of $30,213. I further move to accept the bid from Altec Industries in the amount of $139,592.00 to purchase a mini digger derrick for the Energy Services Department.**

ROLL CALL VOTE REQUIRED

*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 positiv

Approved By: SB

Town of Front Royal
Energy Services
P.O. Box 1560
Front Royal, Virginia 22630-1560
(540) 635-3027 Fax: (540) 635-5497

Memo

To: Cindy Hartman, Purchasing Manager

From: Joseph Waltz, Director of Energy Services

Date: June 2, 2014

Re: Recommendation to council on the purchase of a Mini Digger/Derrick vehicle

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Staff has evaluated the two bids that were received on May 8, 2014 for the mini digger/derrick vehicle for the Energy Services Department. After a through review of bids, we are recommending approval for the Mini Digger/Derrick from Altec Industries for $139,592.00.

If you have any questions, please feel free to call me.

TOWN OF FRONT ROYAL
DEPARTMENT OF FINANCE
PURCHASING DIVISION
102 E. MAIN STREET
P.O. BOX 1560
FRONT ROYAL, VIRGINIA 22630-1560

CYNTHIA A. HARTMAN, CPPB
Purchasing Agent
(540) 636-6889
(540) 636-7473 fax
email: cahartman@frontroyalva.com

MEMORANDUM

Date: June 2, 2014

To: Tina Presley, Administrative Assistant
Jennifer Berry, Clerk of Council

From: Cindy Hartman, Purchasing Agent

RE: Agenda Item

On Thursday, May 8, 2014, I held a bid opening for the purchase of a new law mini digger/derrick for use by the Department of Energy Services. Out of the eleven (11) direct solicitations mailed out, I received two (2) responses (see attached tabulation sheet). Due to the dollar amount, I will need Town Council approval before proceeding with the purchase. Please add this item to the June 9, 2014 Council agenda for their action.

Staff recommends the award for the mini digger derrick be made to Altec Industries in the amount of $139,592.00.

Partial funding for the project is available in the Energy Services FY14 budget line item 47005, $109,379.00. The balance of funding, $30,213.00 is to be pulled from the Energy Services fund reserve account 9401-3510110.

RECEIVED
JUN 2 - 2014

TOWN OF FRONT ROYAL, VIRGINIA

Quotation Tabulation

Item: MINI DIGGER/DERRICK Quotation #10

Date: MAY 8, 2014 Mailed: 11 Replied 2

	Vendor Quotation				
	ALTEC INDUSTRIES	MAP ENTERPRISES			
QUANTITY	QUOTATION	QUOTATION	QUOTATION	QUOTATION	QUOTATION
MINI DIGGER/DERRICK ELECTRIC DEPT.	$139,592.00 ALTEC DB37	$174,579.00 SDP MODEL EZ55M			
TOTAL QUOTATION					

The above proposals verified to specifications and compliance with terms and conditions.

Witness

Witness

PURCHASING AGENT