



TOWN OF FRONT ROYAL, VIRGINIA TOWN COUNCIL MEETING

Monday, September 8, 2014 @ 7:00pm

Warren County Government Center

1. Pledge of Allegiance
 2. Moment of Silence
 3. Roll Call
 4. Approval of the Regular Council Meeting minutes of August 25, 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 – Liaison Committee Meeting Agenda Items
 - B. COUNCIL APPROVAL – Proclamation for Red Ribbon Week
 - C. COUNCIL APPROVAL – Resolution Granting Authority to Town Manager to Enter Into an Agreement with VDOT for Revenue Sharing Project on Fox Drive
 - D. COUNCIL APPROVAL – Acceptance of Donation from Front Royal/Warren County Anti-Litter Council
- *The nature of a consent agenda is such that discussion of individual items does not occur.*
8. **PUBLIC HEARING** – An Ordinance to Renew Town Code Sections 180-185.1 through 180-185.21 Pertaining to the Operation of a Public Passenger Bus Service and Amend Town Code Section 180-185.9 Annual Payment and Operation. *(1st Reading)*
 9. **COUNCIL APPROVAL** – Resolution for Non-Compliant Utility Properties
 10. **COUNCIL APPROVAL** – Authorization for Corridor Letter to EDA



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

Page 1
Item No. 7(A)

Meeting Date: September 8, 2014

Agenda Item: COUNCIL APPROVAL – Liaison Committee Meeting Agenda Items

Summary: Council is requested to approve the attached July 17, 2014 Liaison Agenda items to be included on the September 18, 2014 Liaison Committee Agenda with the following two items to be included: 1) Warrant County Television Monitor Proposal and 2) Discussion to Reinstate Pilot Fees in Rt. 522 Corridor, and one item to be removed J. Discussion of the Property Boundary Adjustment Process.

Budget/Funding: None

Attachments: Liaison Agenda from July 17, 2014 and Estimate for Television Monitors

Meetings: Work Session held September 2, 2014

Staff

Recommendation: Approval ✓ Denial

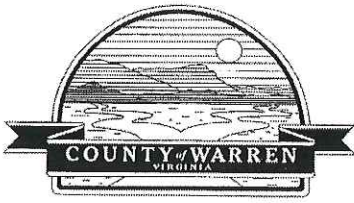
Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve the attached July 17, 2014 Liaison Agenda items to be included on the September 18, 2014 Liaison Committee Agenda with the following two items to be included: 1) Warrant County Television Monitor Proposal and 2) Discussion to Reinstate Pilot Fees in Rt. 522 Corridor, and one item to be removed J. Discussion of the Property Boundary Adjustment Process.

*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



AGENDA

TOWN/COUNTY LIAISON COMMITTEE MEETING

Warren County Government Center

**July 17, 2014
6:00 P. M.**



- A. Call to Order – Dan Murray, Board of Supervisors Chairman**
- B. Discussion – Liaison Meeting Rules/Regulations**
- C. Discussion – Law Enforcement at Skate Park**
- D. Report – Catlett Mountain Landfill Improvements**
- E. Report – Leach Run Parkway Project**
- F. Report – Wastewater Treatment Plant/Septage Receiving Facility**
- G. Report – Route 340/522 Corridor**
- H. Report – Front Royal Limited Partnership**
- I. Report – Proposed Park-n-Ride Location(s)**
- J. Discussion – Property Boundary Adjustment Process**
- K. Report – Building Inspections Software**
- L. Report – Residential Parking and Mail Boxes on 13th Street**
- M. Report – Morgan Ford Bridge Project/Water Loop Project**
- N. Adjournment**

DeWayne W. Coats and Associates, LLC

P O Box 1443
Front Royal, VA 22630

Estimate

Date	Estimate #
7/7/2014	227

Name / Address
Warren County 220 N. Commerce Ave Front Royal, VA. 22630

		Terms	Due Date	Project
		75% down	8/6/2014	board room display ...
Description	Qty	Rate	Total	
60" Sharp Smart-TV LC60LE650U	2	1,439.99	2,879.98	
2/22 plenum cable	200	0.26005	52.01	
Misc Materials IR Probes	2	29.99	59.98	
Strong™ Contractor Series Universal Articulating Mount With	2	195.59	391.18	
Dual Arms for Large 37-55 in. Display				
Charge for wall mounting 42"-50" Plasma	2	375.00	750.00	
labor for job pulling cable/installation	6	50.00	300.00	
labor for job Crestron programming			0.00	
15-pin HD Male to BNC Female Mini High Resolution Cables 1'	2	46.80	93.60	
Misc Materials	1	200.00	200.00	
Misc Materials: S-VHS to composite adapter	2	8.40	16.80	
Misc Materials: 250' 2/22 shielded cable	1	67.90	67.90	
This is your estimate to complete your installation.		Subtotal	\$4,811.45	
		Sales Tax (5.0%)	\$0.00	
		Total	\$4,811.45	

Phone #	E-mail	Web Site
202-253-0755	dewayne_coats@comcast.net	www.dcaav.com



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

Page 1
Item No. 7(B)

Meeting Date: September 8, 2014

Agenda Item: COUNCIL APPROVAL – Proclamation – *“Red Ribbon Week”*

Summary: Council has received a request from the Blue Ridge Young Marines seeking to proclaim October 23 – October 31, 2014 as *“Red Ribbon Week”* in the Town of Front Royal.

Budget/Funding: None

Attachments: E-Mail from members of the Blue Ridge Young Marines and Proclamation

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 Proclamation proclaiming October 23 – October 31, 2014 as *“Red Ribbon Week”* in the Town of Front Royal.

*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

Tina Presley

From: Jennifer Berry
Sent: Saturday, August 23, 2014 4:40 PM
To: Tina Presley
Subject: FW: Red Ribbon Week Proclamation
Attachments: Red Ribbon Week Proclamation Town of Front Royal.docx

From: Kristine Villatoro [mailto:kvillato5@yahoo.com]
To: Jennifer Berry
Subject: Red Ribbon Week Proclamation

Ms. Berry,

On behalf of the Blue Ridge Young Marines I would like to request that the Town of Front Royal proclaim October 23, 2014-October 31, 2014 Red Ribbon Week. We would also like to know if Mayor Darr would like to attend our October meeting to present the proclamation to us.

The National Family Partnership organized the first Nationwide Red Ribbon Campaign. NFP provides drug awareness by sponsoring the annual National Red Ribbon Celebration. Since its beginning in 1985, the Red Ribbon has touched the lives of millions of people around the world. In response to the murder of DEA Agent Enrique Camarena, angered parents and youth in communities across the country began wearing Red Ribbons as a symbol of their commitment to raise awareness of the killing and destruction cause by drugs in America.

Enrique (Kiki) Camarena was a Drug Enforcement Administration Agent who was tortured and killed in Mexico in 1985. When he decided to join the US Drug Enforcement Administration, his mother tried to talk him out of it. "I'm only one person", he told her, "but I want to make a difference."

On Feb. 7, 1985, the 37-year-old Camarena left his office to meet his wife for lunch. Five men appeared at the agent's side and shoved him in a car. One month later, Camarena's body was found. He had been tortured to death.

In honor of Camarena's memory and his battle against illegal drugs, friends and neighbors began to wear red badges of satin. Parents, sick of the destruction of alcohol and other drugs, had begun forming coalitions. Some of these new coalitions took Camarena as their model and embraced his belief that one person can make a difference. These coalitions also adopted the symbol of Camarena's memory, the red ribbon.

In 1988, NFP sponsored the first National Red Ribbon Celebration. Today, the Red Ribbon serves as a catalyst to mobilize communities to educate youth and encourage participation in drug prevention activities. Since that time, the campaign has reached millions of U.S. children and

families. The National Family Partnership (NFP) and its network of individuals and organizations continue to deliver his message of hope to millions of people every year, through the National Red Ribbon Campaign.

Thank you for your time.

YM Cpl. James Villatoro

YM Clpl. Lincoln Day

YM Pfc. Sam Geffert

YM Pfc. Russell W. Reeder V

YM Pvt. Kari Reeder

YM Pvt. Austin Hickman

YM Pvt. Ricky Holmes

YM Rec. Cole Hickman

YM Rec. Jason Hickman

Red Ribbon Week Proclamation

Whereas, cities across America have been plagued by the numerous problems associated with alcohol, tobacco, and other drug use; and

Whereas, there is hope in winning the War on Drugs, and the hope lies in the hard work and determination of our communities to create a drug free environment; and

Whereas, local leaders, in government and in the community, know that the support of the people in the neighborhoods is the most effective tool they can have in their efforts to reduce use of alcohol, tobacco, and other drugs by Texans; and

Whereas, success will not occur overnight, our patience and continued commitment to drug education and prevention are imperative; and

Whereas, the red ribbon was chosen as a symbol commemorating the work of Enrique "Kiki" Camarena, a Drug Enforcement Administration agent, who was murdered in the line of duty and has come to represent the belief that one person CAN make a difference; and

Whereas, the Red Ribbon Campaign was established by Congress in 1988 to promote this belief and encourage a drug-free lifestyle and involvement in drug prevention efforts; and;

Whereas, October 23 - 31, 2014 , has been designated National Red Ribbon Week calling on all Americans to show their support for a drug-free state by wearing a red ribbon and participating in drug-free activities during that week:

Now, Therefore. Be It Resolved that I, **Timothy W. Darr Mayor of Front Royal, Virginia** do hereby proclaim October 23 - 31, 2014, as Red Ribbon Week in the state of Virginia and encourage all citizens, businesses, public and private agencies, media, religious and educational institutions to wear and display red ribbons and participate in drug-free activities throughout that week, joining the rest of the state in promoting the Red Ribbon Celebration and a drug-free America.



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

Page 1
Item No. 7(C)

Meeting Date: September 8, 2014

Agenda Item: COUNCIL APPROVAL – Resolution Granting Authority to Town Manager to Enter Into an Agreement with VDOT for Revenue Sharing Project on Fox Drive

Summary: Council is requested to approve a Resolution granting authority to the Town Manager to enter into an agreement with the Virginia Department of Transportation (VDOT) Revenue Sharing Project for Fox Drive. Council approved the VDOT Revenue Sharing Project for Fox Drive on December 2, 2013; however, in order for VDOT to sign the agreement they have requested a Resolution approved by Council granting authority to the Town Manager to enter into the agreement on the Town's behalf.

Budget/Funding: None

Attachments: Resolution and e-mail from VDOT

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 granting authority to the Town Manager to enter into an agreement with the Virginia Department of Transportation (VDOT) Revenue Sharing Project for Fox Drive.

*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
**Granting Authority to Town Manager to Enter an Agreement with VDOT for
Revenue Sharing Project on Fox Drive**

WHEREAS, Town Council approved the Virginia Department of Transportation (VDOT) Revenue Sharing Project that included the paving of Fox Drive from Old Belmont Road to the Cul-de-Sac in FY15 in the amount of \$260,000.00 with \$130,000.00 to be reimbursed by VDOT after completion of the project; and

WHEREAS, VDOT has requested a Resolution by Town Council granting authority to the Town Manager to enter in the Revenue Sharing Agreement on the Town's behalf.; and,

NOW, THEREFORE, IT BE RESOLVED by the Town Council of the Town of Front Royal to grant authority to the Town Manager to enter into an agreement with the Virginia Department of Virginia to Revenue Sharing Project on Fox Drive on the Town's behalf.

APPROVED:

Timothy W. Darr, Mayor

ATTEST:

Jennifer E. Berry, Clerk of Council

THIS RESOLUTION was approved at the Regular Meeting of the Town of Front Royal, Virginia on its first 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

Approved as to form and legality:

Douglas W. Napier, Town Attorney

Date: ____/____/____

From: <Damron>, "Steven (VDOT)" <Steven.Damron@VDOT.Virginia.gov>
Date: Thursday, August 28, 2014 at 9:22 AM
To: Steve Burke <sburke@frontroyalva.com>
Cc: Terry Lewis <tlewis@frontroyalva.com>, Monica Dodson <mdodson@frontroyalva.com>, "Branscome, Michael (VDOT)" <Michael.Branscome@VDOT.Virginia.gov>
Subject: Signature Authority

Steve,

In order for VDOT to sign the programmatic agreement for revenue sharing projects which includes Fox Drive for this year, we will need a copy of your signature authority to enter into agreements on the Town's behalf. This is usually done by a council resolution granting authority to the Town Manager. Some Town's give blanket authority to the Town Manager and others do it on a case by case basis.

Please forward on a copy of your signature authority if this has been done in the past, and if not please add this item to your council's agenda and forward a copy to me once it has been approved.

If you have any questions or need any additional information just let me know.

Thanks,



Steven K. Damron

Programming Specialist Senior
Staunton District - PIM Section
811 Commerce Rd.
Staunton, VA 24401-9029
Ph # (540)-332-7389
Fax # (540)-332-9266
email: Steven.Damron@VDOT.Virginia.gov



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

Page 1
Item No. 7(D)

Meeting Date: September 8, 2014

Agenda Item: COUNCIL APPROVAL – Acceptance of Donation from Front Royal/Warren County Anti-Litter Council

Summary: Council is requested to accept a donation from the Front Royal/Warren County Anti-Litter Council in the amount of \$1,000.00 to purchase garbage and recycling cans and pet waste containers for the Happy Creek Trail.

Budget/Funding: 1000-3189902 Private donations [revenue]
1205-7912 HC Trail Phase I [Expense]

Attachments: None

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 accept a donation from the Front Royal/Warren County Anti-Litter Council in the amount of \$1,000.00 to purchase garbage and recycling cans and pet waste containers for the Happy Creek Trail.

*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**

Page 1
Item No. 8

Meeting Date: September 8, 2014

Agenda Item: PUBLIC HEARING – An Ordinance to Renew Town Code Sections 180-185.1 through 180-185.21 Pertaining to the Operation of a Public Passenger Bus Service and Amend Town Code Section 180-185.9 “Annual Payment and Operation (1st Reading)

Summary: Council is requested to affirm on its first reading an Ordinance to Renew Town Code Sections 180-185.1 through 180-185.21 Pertaining to the Operation of a Public Passenger Bus Service and Amend Town Code Section 180-185.9 “Annual Payment and Operation. If approved the Franchise for Passenger Bus Service in the Town of Front Royal will be extended for a period of five years beginning October 1, 2014 and ending September 30, 2019.

Budget/Funding: None

Attachments: Proposed Ordinance and e-mail from Virginia Regional Transit

Meetings: Work Session held June 16 and August 4, 2014

Staff

Recommendation: Approval ✓ Denial

Proposed Motion: I move that Council affirm on its first reading an Ordinance to Renew Town Code Sections 180-185.1 through 180-185.21 Pertaining to the Operation of a Public Passenger Bus Service and Amend Town Code Section 180-185.9 “Annual Payment and Operation for a period of five years beginning October 1, 2014 and ending September 30, 2019.

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

**ORDINANCE TO RENEW TOWN CODE SECTIONS 180-185.1 THROUGH 180-185.21
PUBLIC PASSENGER BUS SERVICE AND AMEND TOWN CODE SECTION 180-
185.9 ANNUAL PAYMENT AND OPERATION**

WHEREAS, the Virginia Regional Transport ("VRT"), also known as the Front Royal Area Transit ("FRAT") or the "Royal Trolley", provides affordable transportation through bus passenger service in the Town; and,

WHEREAS, the Town granted a five year franchise to VRT originally effective July 1, 2004, which was renewed for an additional five year term effective October 1, 2009. Council is requested to consider renewal of the franchise for an additional five year term and amend Section 180-185.9 Annual Payment and Operation; and,

NOW, THEREFORE, BE IT ENACTED by the Town Council of the Town of Front Royal, Virginia that Town Code Sections 180-185.1 through 180-185.21 Public Passenger Bus Service of the Front Royal Town Code are hereby renewed/amended as follows:

PUBLIC PASSENGER BUS SERVICE

180-185.1 FRANCHISE GRANTED

The Virginia Regional Transit, hereinafter known as "VRT", its lessees, successors and assigns, for the term and subject to the conditions and limitations hereinafter stated, is hereby granted a Franchise to occupy and use the streets, roads, avenues, alleys and other public places of the Town of Front Royal, Virginia, and to designate, maintain and use adjacent sidewalks for the operation of public passenger bus transportation services to the people of Front Royal utilizing the FTA 5311 Rural Transit Program (Section 5311 of the Federal Surface Transportation Efficiency Act).

180-185.2 PURPOSE OF THE FRANCHISE

The purpose of the Franchise is to permit VRT the right and privilege of operating a public passenger bus transportation service consisting of one or more passenger buses or mini-buses, wheelchair lift equipped and ADA compliant, driven by VRT-employed drivers with commercial driver's licenses, within the Town of Front Royal, and such portions of Warren County as the Town, the County, and VRT shall mutually agree, subject to the conditions and agreements as hereafter set forth.

180-185.3 TERM OF FRANCHISE

The term of the Franchise shall be for a period of five (5) years and three (3) months from the effective date of this Ordinance.

180-185.4 BUSES

For the purpose of providing public passenger bus service, VRT is authorized to operate buses capable of seating a minimum of thirteen (13) and a maximum of thirty-five (35) passengers along one or more routes to be determined by the Town following route surveys made by VRT. The buses shall be equipped with wheelchair lifts and shall be compliant with the Americans with Disabilities Act. The buses may bear such decorations, logos or insignias as shall be prescribed by Town Council. VRT shall perform such routine and appropriate maintenance of its bus(es) as shall

be necessary to ensure uninterrupted, safe and effective service of this Franchise. VRT shall further employ drivers who have been appropriately trained and licensed for the operation of public passenger-buses, who have been familiar with the Town of Front Royal and the route(s) established therein, who have been submitted to a criminal background investigation, initial drug screening, and who are subject to periodic random drug testing pursuant to Federal regulations.

180-185.5 REPAIRS

VRT shall promptly repair or replace any sidewalk, street, or other property of the Town which may be damaged or displaced by VRT in the operation of its public bus system. In the event that VRT fails or refuses to repair any damage to the property of the Town of Front Royal upon ten (10) days written notice to VRT, the Town may then undertake to repair or replace any damaged or displaced Town property, and the expense of such repairs or replacement shall be paid to the Town by VRT, and may be recovered in any manner prescribed by law, including application of the performance bond imposed hereunder.

180-185.6 INDEMNIFICATION

VRT agrees and bonds itself, by the acceptance of this Ordinance, to indemnify, keep and hold the Town of Front Royal free and harmless from liability on account of injury to persons or property growing out of the negligence of VRT, or its employees, or agents in the operation of its public bus service. Nothing herein, however, shall be construed to render VRT liable for the negligence of the Town of Front Royal, its agents or employees, or the negligence of other persons or entities.

180-185.7 MAINTENANCE

The rights and privileges set forth herein are granted to VRT upon the expressed condition and understanding that VRT will maintain its vehicles located within the Town of Front Royal in good and safe repair and order at all times during the terms of this Franchise Agreement.

180-185.8 INSPECTIONS

The Town of Front Royal, its employees or agents, shall have the right at any time to make inspections, upon reasonable notice, of VRT's buses or any part thereof.

180-185.9 ANNUAL PAYMENT AND OPERATION

VRT's operation under this Franchise Agreement shall be subject to an annual payment to the Town of Front Royal of ONE DOLLAR (\$1.00). The cost of operation of the Franchise shall be borne as follows:

A. Beginning on or about (October 1, ~~2009~~ **2014** and ending September 30, ~~2014~~ **2019**), sixty-eight percent (68%) of the hourly costs of the operation, as invoiced from VRT to the Town, shall be paid to VRT by Federal and State contributions under the FTA 5311 Program. Thirty-two percent (32%) of the hourly costs shall be paid to the VRT by the Town of Front Royal from such general funds as may be required to total the thirty-two percent (32%) local match.

B. VRT shall purchase one or more buses for the operation of the Franchise. VRT shall bear eighty-five percent (85%) of the cost to purchase, equip and decorate the bus(es) and the Town shall contribute to VRT fifteen percent (15%) of the cost.

C. VRT shall replace its bus(es) used under this Franchise upon the later of three (3) years of service or 150,000 miles traveled. Each party shall bear the same proportion of the cost of replacement as is prescribed for the initial bus purchase in Subsection (B) above.

D. In the event that VRT fails to receive funds for the cost operation of the Franchise in accordance with the payment schedule set forth above, and then VRT shall have the right to terminate the operation of the Franchise upon thirty (30) days prior written notice to the Town.

180-185.10 PASSENGER FARES

VRT drivers shall collect from each passenger a fare to be set and determined by the Town Council by resolution. In setting fares, the Town Council may establish separate rates for adults, senior citizens, persons with physical disabilities, students and children. Town Council may provide for the advance purchase of tickets or tokens to be used for the payment of fares by passengers.

180-185.11 SCHEDULES

VRT's bus(es) shall operate on such schedules(s) as shall be established and adopted by the Town Manager or his designee, pursuant to route surveys completed by VRT or by demand or both.

180-185.12 ROUTES AND STOPS

VRT's bus(es) shall operate on such route(s) and regularly make such scheduled stops at locations established by the Town Manager or his designee, pursuant to route surveys completed by VRT or by demand or both. VRT shall be responsible for the marking of regular bus stops by appropriate signage containing route name or number and schedule for stop, as shall be appropriate.

180-185.13 COMPLIANCE WITH LAWS

VRT and its drivers shall comply with all state and local traffic, registration, licensing and inspection laws, including, but not limited to, Sections 46.2-107, 46.2-694 and 46.2-695 of the Code of Virginia (1950), as amended.

180-185.14 INSURANCE

VRT, as a condition of Franchise approval, shall obtain and maintain throughout the term of the Franchise a General Liability insurance policy in the amount of not less than TEN MILLION DOLLARS (\$10,000,000.00) from an insurance provider approved to do business within the Commonwealth of Virginia, and shall name the Town of Front Royal as an additional insured party.

180-185.15 BOND

VRT, as a condition of Franchise approval, shall execute a bond in the amount of ONE THOUSAND DOLLARS (\$1,000.00) with security acceptable to the Town of Front Royal to ensure VRT's satisfactory performance of its obligation under this Franchise.

180-185.16 GOVERNING LAW

In any controversy or dispute concerning the terms of the Franchise, the laws of the State of Virginia shall apply.

180-185.17 SEVERABILITY

In the event that any section, subsection, sentence, clause, phrase or a portion of the Franchise Ordinance is for any reasons held to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and will be severed from all other portions without affecting the validity of the remainder.

180-185.18 EQUAL OPPORTUNITY REQUIRED

VRT shall not refuse to hire, or employ, nor bar, nor discharge from employment, nor discriminate against any person, because of sex, race, creed, religion, age or national origin.

180-185.19 SUCCESSORS OR ASSIGNEES

The rights, privileges and obligations hereby granted to VRT may not be assigned without express written consent of the Town Council.

All rights and privileges hereby granted to VRT may be exercised by any successor or assignee of VRT, but said successor or assignee shall be subject to the provisions, obligations, stipulations and requirements hereby prescribed. The Town reserves the right to increase the required performance bond imposed hereunder for any successor or assignee.

180-185.20 FRANCHISE RIGHTS

The Town of Front Royal grants to VRT an exclusive Franchise for the operation of a public passenger bus service and for no other purpose.

180-185.21 REMEDIES

A. The sole remedy for any violation of this Franchise shall be limited to the following. Upon the occurrence of any uncured default in the obligations of the Franchise, Town shall have the right:

1. To compel the Franchisee by mandamus or injunction to cure and correct any violation or default of the terms and obligations of the Franchise;
2. To suspend or revoke the Franchise. Upon such revocation, the Franchise shall be automatically deemed null and void and have no force or effect, and Franchisee shall remove its equipment from Town as and when requested by Town.

B. In the event that the Town believes that grounds for suspension or revocation exist or have existed the Town may notify the Franchisee in writing set forth the nature and facts of such non-compliance. If within thirty (30) days following such written notification that the Franchisee has not furnished reasonably satisfactory evidence that corrective action has been taken or is being actively and expeditiously pursued, or that the alleged violations did not occur, or that the alleged violations were beyond the Franchisee's control, the Town shall publish a notice setting forth the time, place, and general purpose of a public hearing to consider suspension or revocation of the Franchise notice of such hearing at least ten (10) days prior to such public hearing. The Franchisee and any interested person shall be entitled to be heard at such hearing. Upon a finding by the Town Council of uncorrected defaults in the terms and obligations under this Franchise, the Council shall have the option to suspend or revoke the Franchise.

This ordinance shall become effective October 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: ____/____/____

Tina Presley

From: Greg McGowan <greg@vatransit.org>
Sent: Friday, July 25, 2014 2:22 PM
To: Doug Napier
Cc: 'Mark McGregor'; 'Mary Gayle Holden '; 'Kathy Finniff'; 'Darrel Feasel'; 'Bruce Simms'; 'Carol Menking'
Subject: Royal Trolley Franchise Continuation

Greetings Mr. Napier,

In response to your inquiry regarding the franchise agreement with VRT we have secured both Federal and State matching funds to continue this service as of October 1st, 2014.

If Council approves the budget we would definitely want to continue our long term agreement with the Town of Front Royal.

If you need any additional information or would like for me to attend the meeting and give a brief presentation I would be happy to do so.

Regards,

Greg McGowan



Greg McGowan, CCTM/CSSM

Virginia Regional Transit

West Central Region \ VaRides

Transit Manager

1099 Brandy Knoll Court

Culpeper, VA 22701

Office 540-825-2456 Ext 3101

FAX 540-825-6563

Cell 571-217-3136

www.vatransit.org

Our Mission

As a multifaceted organization, Virginia Regional Transit provides access to affordable transportation through passenger service, transit system management and other transit related services.



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

Page 1
Item No. 9

Meeting Date: September 8, 2014

Agenda Item: COUNCIL APPROVAL – Resolution for Non-Compliant Utility Properties

Summary: Following discussion, in a previous meeting, of a duplex that was served by only one water and sewer service and does not comply with current Town Code requirements, Council requested a list of potential non-compliant properties with similar utility service. Council is requested to consider approval of a Resolution for the non-compliant utility service residences in the Town of Front Royal, as presented.

Budget/Funding: None

Attachments: Resolution

Meetings: Work Session held September 2, 2014.

Staff Recommendation: Approval ✓ Denial

Proposed Motion: I move that Council approve a Resolution for non-compliant utility service residences in the Town of Front Royal, 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



Town of Front Royal, Virginia



RESOLUTION FOR NON-COMPLIANT UTILITY SERVICE RESIDENCES

WHEREAS, a number of residential properties were constructed with both independent residences are served by a single water meter and sewer lateral prior to 1985, specifically 409 Virginia Avenue, 411 Virginia Avenue, 339 Osage Street, 341 Osage Street, 1406 John Marshall Avenue, 1408 John Marshall Avenue, 1410 John Marshall Avenue, and the mobile homes located at 1508 John Marshall Highway, 2 Lake Avenue, 6 Lake Avenue, 10 Lake Avenue, 18 Lake Avenue, 22 Lake Avenue, 26 Lake Avenue, and 30 Lake Avenue; and,

WHEREAS, Town Code Chapter 134-1 adopted in 1985 requires an independent connection for each residential property; and,

WHEREAS, the owners of the properties may not be aware that they utility service for their residences do not comply with the Town Code; and,

WHEREAS, the installation of separate water meters and sewer laterals at these properties is necessary to ensure continued service to the residences while allowing the Town to administer utility payment collections;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Front Royal:

- 1) Town Council directs Town staff provide notice to the suspected non-compliant properties to alert them to the possible non-compliant condition and to alert them to the proposed program for compliance.
- 2) Town Council directs staff to develop notification to all known properties serviced by a single water meter not complying with Town Code with said notice to be filed in the appropriate land records that the water service connection to the property does not comply with Town Code, and that the Town will not establish utility service at the property in the new owner's or tenant's name until the utility service has been brought into compliance with Town Code once a sale of property transaction has been completed (property ownership transfer to heirs from the death of owner shall not mandate this process). For a period of three years from the date of the notice, the Town will work with the affected property owners to bring the property into compliance with water or sewer connection fees being at the rate effective in 1985, which is \$1,450 for residential water service and \$1,350 for residential sewer service. The Town will offer the same resolution to those property owners that notify the Town of single water service that were not notified of this program until July 1, 2017.
- 3) Town Council also directs staff that water service to those properties served notices will be shutoff only in emergency situations, as discontinuation of service to one property will affect two properties.

Adopted this, xxth day of October, 2014

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	<u>Yes/No</u>	Bret W. Hrbek	<u>Yes/No</u>
Hollis L. Tharpe	<u>Yes/No</u>	Eugene R. Tewalt	<u>Yes/No</u>
N. Shae Parker	<u>Yes/No</u>	Daryl L. Funk	<u>Yes/No</u>

Approved as to Form and Legality:

Douglas W. Napier, Town Attorney

Dated: _____



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

Page 1
Item No. 10

Meeting Date: September 8, 2014

Agenda Item: COUNCIL APPROVAL – Authorization for Corridor Letter to EDA

Summary: Council is requested to authorize the Town Manager to send the attached letter to the Economic Development Authority (EDA) Executive Director to provide notice of the Town's desire to restore collection of meals and lodging taxes as part of the Corridor PILOT program that was ceased by Resolution of the Town Council on March 8, 2010. The authorization to transmit the letter is not intended to rescind the March 8, 2010 resolution, rather to initiate conversation with the EDA and Corridor Business to obtain input about its restoration in January 2015.

Budget/Funding: None

Attachments: Letter

Meetings: Work Session held September 2, 2014

Staff

Recommendation: Approval ✓ Denial

Proposed Motion: I move that Council authorize the Town Manager to send the attached letter to the Economic Development Authority (EDA) Executive Director to initiate discussion about the possible restoration of collection of meals and lodging taxes as part of the Corridor PILOT Program and to invite the EDA Director to attend the September 18 Liaison Committee Meeting.

*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: JP



TOWN OF FRONT ROYAL
OFFICE OF THE TOWN MANAGER
ADMINISTRATION BUILDING
P.O. BOX 1560
FRONT ROYAL, VIRGINIA 22630-1560

STEVEN M. BURKE, PE
Town Manager
(540) 635-8007
(540) 636-7475 (Fax)
sburke@frontroyalva.com

September 17, 2014

Ms. Jennifer McDonald
Front Royal/Warren County Economic Development Authority
PO Box 445
400-D Kendrick Lane
Front Royal VA 22630

RE: Rt 522 Corridor PILOT Agreements

Dear Ms. McDonald:

As you are aware the Town has been working to identify options to recover the revenue lost following the Town's decision to cease collection of meals and lodging taxes as part of the Rt 522 Corridor PILOT agreements. Unfortunately, we have not been able to realize an appropriate alternative. In addition, the Town's commercial base has suffered from development in the Rt 522 Corridor.

As the Town has not identified a sustainable method to recover this lost revenue, the Town of Front Royal will consider resuming the collection of meals and lodging taxes as part of the PILOT fees beginning January 1, 2015.

The Town will be notifying each of the businesses whose agreement specifically cites collection of these taxes in the PILOT agreement of this decision, and the Town will conduct a Public Information Meeting to discuss this issue.

We understand that this decision will not affect some of the businesses in the Corridor that are operating under an older version of the PILOT agreement. Unfortunately, we have limited opportunity to resolve this disparity amongst the Corridor businesses.

The Town intends to use the fund collected from meals and lodging tax portion of the PILOT fees to fund incentive programs to attract and retain businesses in the Town.

The Town of Front Royal is providing this notice to you and your Board so that the EDA can assist in communicating this decision to the businesses in the Corridor and can assist in identifying any issues about its implementation. We would like to meet with business the week of September 29th, and the Town will conduct a Public Information Meeting on Thursday, October 16.

Should you, your Board, or any Corridor business have a question about the resumption of collection of meals and lodging taxes as part of the PILOT agreement, please feel free to contact me at (540) 635-8007.

Sincerely,

Steve Burke, PE
Town Manager