



TOWN COUNCIL WORK SESSION MINUTESE

Monday, January 5, 2015 @ 7:00pm
Front Royal Administration Building

1. Closed Meeting – Urban Forestry Advisory Commission Interview

Motions to Go Into Closed Meeting

Councilman Tewalt moved, seconded by Councilman Tharpe that Council convene and go into Closed Meeting for the purpose of assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of a public body, specific to Urban Forestry Advisory Commission Interview, pursuant to Section 2.2 3711. A. 1. of the Code of Virginia.

Vote: Yes – Connolly, Egger, Funk, Hrbek, Tewalt, Tharpe
No – N/A
Abstain – N/A
Absent – N/A
(Mayor Darr did not vote, As there was no tie)

Motion to Certify Closed Meeting at its Conclusion

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

Vote: Yes – Connolly, Darr, Egger, Funk, Hrbek, Tewalt, Tharpe
No – N/A
Abstain – N/A
Absent – N/A
(BY ROLL CALL)

2. Capital Improvement Projects (CIP) – Director of Finance

Councilman Hrbek noted that he was pleased to see the parking garage was still listed. He asked that the Williams Street connection be listed as well before the Swan area is built out.

Mayor Darr asked that the McKay Water Treat Package Plant be added. Council asked that the loop be added to the CIP as well. Mr. Burke noted that the Criser Road bridge design is listed in this year. Councilman Egger asked that the South Street Streetscape be added to the CIP. Councilman Tharpe agreed. Mrs. Breeden asked that should any additional items be thought of, then Council could email her or the Town Manager.

Mr. Burke stated that the CIP is important because the Town can receive proffers for the items if they are listed in the CIP. Councilman Tewalt noted that the Electric Department Headquarters should be listed. Mr. Burke stated that he would add the item.

3. Budget Amendment Relating to Bond Closing and Grant Proceeds for Expansion of Waste Water Treatment Plant – *Director of Finance*

Summary: Budget amendment to relate to Bond Closing and Grant proceeds received for the expansion of the Wastewater Treatment Plant in the amount of \$51,045,089. Council needs to amend the FY15 budget to include bond proceeds and grant proceeds for the WWTP expansion project. The Town went to closing on December 17, 2014 for the funding of this project.

Staff Evaluation: Staff, along with GHD staffing spent numerous months preparing for the advancement of the project to the point of closing on bond sales. The Town was able to close on a 20 year loan with a 0% interest rate, saving the cost of this project millions of dollars.

Grant proceeds \$11,667,489 (9801-3310001)

Bond proceeds \$39,377,600 (9801-3510111)

WWTP expansion \$51,045,089 (9801-7015)

In answer to Councilman Tewalt's question, Mrs. Breeden clarified that that the budget will be a carry over and the adopted budget will not show \$91 million. Mr. Burke stated that most likely noted that it will most likely require a public hearing.

4. Memorandum of Understanding for Utility Service – Warren Memorial Hospital – *Town Attorney*

Summary: Council is asked to approve the accompanying Memorandum of Understanding Regarding Town Utility Service ("MOU") with Warren Memorial Hospital ("Hospital") to facilitate the conveyance of right-of-way for Leach Run Parkway by the Hospital to the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia ("EDA"). The recitals contained in the MOU provide a detailed explanation of the basis for the MOU. Essentially, the Hospital seeks assurances from the Town that the Town will provide access to electric and sewer service within one (1) year of site plan approval, while acknowledging the necessity of complying with the Town's planning and zoning process. The Hospital has executed the MOU. The Hospital has also executed a Deed of Dedication of Right-of-Way with Possibility of Reverter from the Hospital to the EDA (copy attached), delivery of which is conditioned upon approval of the MOU by Council. Council is also asked to authorize the Town Manager to execute the MOU on behalf of the Town.

Councilman Hrbek asked if it was all in the Town's electric service area. Mr. Burke stated that it was not, though they would be going forward to make that change. Council discussed minor changes regarding the right of ways to determine whether they would move forward with above ground or underground.

5. Resolution Pertaining to 2015 Legislative Agenda – *Town Manager*

Summary: Town Council has been invited to participate in VML's Legislative Day in Richmond on January 28th. The resolution identifies issues that the Town would like to communicate to our representatives as they consider legislative initiatives in the General Assembly.

The resolution to be considered includes:

- 1) The Town supports legislative amendments to VA Code to give the Town the same powers as cities and counties regarding dilapidated buildings;
- 2) The Town supports restoration of full 599 funding to localities;
- 3) The Town opposes proposed reduction of the taxing authority of localities including BPOL tax unless a permanent stormwater treatment facilities as mandated by Federal and State legislation, regulation and policies;
- 4) The Town asks that the General Assembly provide adequate funding for water quality improvement to localities for water treatment plants, and stormwater treatment facilities as mandated by federal and state legislation, regulation and policies;
- 5) The Town opposes any bill that reduces or eliminates local land use authority by localities;
- 6) The Town supports revenue sharing programs between localities and the Commonwealth.

Councilman Funk noted that he was in favor of 2-6, as they just sent a letter regarding #1 and would like to remove that. Councilman Connolly agreed, noting that they had just sent that request regarding item #1. Councilmen Tewalt and Egger expressed their agreement.

Council chose to add this to the Consent Agenda on the next meeting, with items 2-6 only.

6. Various Council Appointments

Summary: Below is a list of various Committees that require Council attention. All terms expired December 31, 2014. Approval of all appointments will be placed on the January 12, 2015 Regular Council Agenda.

- Vice Mayor - Once appointed, term will end December 31, 2016.
- Northern Shenandoah Valley Regional Commission (NSVRC) Alternate Representative – an alternate must be an elected representative, said term to expire when elected representative's term expires
- Library Board – ex-officio member, said term to expire when council member's term expires
- Audit/Finance Committee – the committee is composed of the Mayor, two council members, the Finance Director, the Town Manager and the Town's Auditor. Terms for the two council members is one year, ending December 31, 2015.

Council chose:

Ms. Egger – Library ex-officio member

Mr. Connolly – NSVRC, alternate representative

Messrs. Tewalt & Hrbek – Audit/Finance Committee

7. Consider Conducting Liaison Committee Meetings During the Day

County is considering holding meetings during the days, Council noted that they were unavailable to attend during the day. Council is not interested in meeting during the day.

8. Liaison Committee Meeting Items for January 15 Meeting

Councilman Tewalt – January representative for the Town and they will be meeting at the Main Street Administration Building.

Council noted that for the upcoming agenda:

- Catlett Mountain can stay for an update
- Remove monitor item from Liaison Agenda
- 13th Street mailbox issue
- Development Review Committee Update
- McKay Spring Property Update

9. FY16 Budget Goals

Summary: As part of the development of the FY15-16, Council is requested to develop a list of goals for the development of the budget. Suggested goals could include: No change in services delivered; Maintain commitment to capital infrastructure investment; Provide competitive salaries for various Town positions; Maintain or Accelerate debt repayment; Promote economic growth; Promote safe, connected neighborhoods; Promote investment in existing commercial properties; Reduce blighted properties; Increase civic engagement; Maintain current tax rates; Promote consistent delivery of Town services; Promote open, ethical and responsive attitude to our residents; Operate our government in a fiscally and managerially responsible and prudent manner; Make Front Royal a desirable place to live, work, visit, recreate, and raise a family; Promote a healthy and diverse business; or Pursue revitalization projects.

- Have a raise for employees – COUNCIL voiced support of this
- Possibly shared position with NSVRC for tourism – Funk suggested adding to a work session
- McKay Springs Package Plant
- Water & Sewer Rates
- Tourism Needs

10. Council Discussion/Goals

- Mr. Hrbek stated that someone sent an email about not allowing photos to be taken from the boat landings, though the perhaps it is in the County
- Mr. Tewalt inquired if the Town tend to all needs or Mr. Boisseau regarding the new trail.

11. CLOSED MEETING – Investment of Public Funds; Consultation with Legal Counsel; Expenditure of Public Funds

MOTION TO GO INTO CLOSED MEETING:

Councilman Connolly moved, seconded by Councilman Tharpe that Town Council go into Closed Meeting pursuant to Virginia Code Sections 2.2-3711.A. 6., 7., and 29., for the following purposes in connection with a potential proposed voluntary economic growth-sharing agreement or agreement(s) with the Board of Supervisors of Warren County to consider the following:

Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected.

AND-

Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.

AND-

Discussion of the award of a public contract involving the expenditure of public funds, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.

Vote: Yes – Connolly, Egger, Funk, Hrbek, Tewalt, Tharpe
 No – N/A
 Abstain – N/A
 Absent – N/A
 (Mayor Darr did not vote, As there was no tie)

Motion to Certify Closed Meeting at its Conclusion

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

Vote: Yes – Connolly, Darr, Egger, Funk, Hrbek, Tewalt, Tharpe
 No – N/A
 Abstain – N/A
 Absent – N/A
 (BY ROLL CALL)

Present: Mayor Darr, Councilman Hrbek, Councilman Funk, Councilman Tharpe, Councilman Egger, Councilman Connolly, Councilman Tewalt, Town Manager Burke, Town Attorney Napier, Chief of Police Shiflett, Director of Finance Breeden, Director of Planning Camp, Clerk of Council Berry, IT Director Jones, and members of press.