

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on May 11, 2015, in the Warren County Government Center's Board Meeting Room. Mayor Darr led Council and those attending in the Pledge of Allegiance to the flag and a Moment of Silence. The roll was called at 7:00 p.m.

PRESENT: Mayor Timothy W. Darr
Councilman John P. Connolly
Councilman Bébhinn C. Egger
Councilman Daryl L. Funk
Councilman Bret W. Hrbek
Councilman Eugene R. Tewalt
Vice Mayor Hollis L. Tharpe
Town Attorney Douglas W. Napier
Town Manager Steven M. Burke, P.E.
Clerk of Council Jennifer E. Berry, CMC

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

Councilman Tewalt moved, seconded by Councilman Egger, that Council approve the Regular Council Meeting minutes of April 27, 2015 as presented.

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

RECEIPT OF PETITIONS OR CORRESPONDENCE FROM THE PUBLIC

Aaron Baer, reside 121 W. 1st Street, noted that he has lived there for more than ten years and he was highly in favor of a decrease in the First Street speed limit. He explained that the the ongoing speeding and high traffic had been a concern on the street for some time. Mr. Baer stated that one major blow to their family had taken place when they lost a beloved family pet, a dog, who was struck by a speeding driver. He added that there were many RMA students and other area students, mothers and children, joggers and teenagers walking day and night with reckless drivers on the small, narrow residential street.

Douglas Ichiuji of 125 W. 1st Street, stated that he had been in his home for 14 years and he reiterated his neighbors concerns. He stated that there were many vehicles that speed in the area, with a tremendous increase in traffic in recent years. Mr. Ichiuji noted that there were a number of neighbors that have lost pets, though their main concern is the children in the community. He opined that a reduction in speed would be a benefit and he asked that the Town consider traffic cameras and an increase in Town police presence.

Holland Daniels, of 122 W. 1st Street, noted that the increase of traffic is a vital concern. He asked for a patrol of the speeders in the area. He stated that the SkatePark and Soccerplex had brought more vehicles through the community and he asked about a traffic impact study and how the increased traffic would be dealt with. Mr. Daniels questioned the increased vehicles from the development of the Avtex site and he asked about how the Town would tend to the needs and safety of the citizenry in a professional manner. He noted that the police patrol needs to increase and be responsive for the community.

Alex Ichiuji of 125 W. 1st Street, noted that he saw fast cars go by and wants the fast cars to stop.

Melissa Ichiuji of 125 W. 1st Street, stated that she agreed with the other speakers that voiced their concerns this evening. She noted that she would respectfully implore Council to address the safety needs of the community. Mrs. Ichiuji stated that the demographic has changed in the community and each day the traffic has increased. She opined that it may be inconvenient to deal with the traffic issue, though it would be unfortunate to address matters if a child were to be killed.

Mayor Darr asked Mr. Burke to place the matter on the worksession and he added that the safety issue was certainly not an inconvenience. Councilman Tewalt asked that the Police Chief monitor the area more closely in the meantime. Mayor Darr stated that the Council does take their concerns seriously and they will be looked into.

Timothy Ratigan, 120 W. 6th Street, Apt. 6, noted that he was pleasantly surprised that Councilman Egger researched and gave detailed answers when asked to do so recently by a citizen. Mr. Ratigan stated that Councilman Egger took the questions seriously, and it shows her hard work and dedication. He added that he had asked one question to Councilman Connolly months ago and has yet to receive an answer. Mr. Ratigan thanked Ms. Egger for her diligent work.

Christian Failmezger, 9 S. Commerce Avenue, noted that his project to open the downtown restaurant, Pavemint, had finally been completed. He thanked Mayor Darr for his recent comments and encouragement to the public. Mr. Failmezger noted that the process for planning zoning and permitting had been absolutely wonderful. He explained that the Town Planning & Zoning Office had been incredibly professional and forthcoming, noting that he could call at anytime and obtain answers. Mr. Failmezger specifically thanked Director Jeremy Camp, GIS Technician Daryl Merchant, as well as Robbie Seal and Connie Potter for their cooperation, hard work and professionalism. He stated that the Town Sign Code was incredibly difficult to understand and the Town Staff was very helpful. Mr. Failmezger noted that the restaurant was employing about 19 people at this point, with plans to have about 25 staff.

REPORT OF THE MAYOR, COUNCIL & STAFF

Town Manager Steve Burke:

- Noted that they are about to conduct smoke testing on sanitary sewer lines in the Warren Park area;
- Stated that the Town's drive thru will be closed this coming Saturday for the Wine & Craft Festival; and
- Commented that the Town's offices would be closed on May 25th for Memorial Day and noted the refuse day changes;

In response to Councilman Hrbek, Mr. Burke noted that Mr. Christoffel will be attending the first meeting in June to speak with Council.

John Madera, of the Northern Shenandoah Valley Regional Commission, reported to Council, he:

- Noted that there were three Neighborhood Stabilization Projects being worked on, two were in Stephens City, and one was in Front Royal;
- Stated that Staff continues to track bills which affect transportation issues in the Commonwealth; and

- Commented that the Annual Spring Dinner will be held on May 21, 2015 at LFCC and he invited everyone to attend.

Town of Front Royal's Director of Finance, Kim Gilkey-Breeden:

- Stated that trending for expenses and revenues are on target for where they should be for this point in the year;
- Noted that the Town auditors will return in June and run through September;
- Reported that the Debt Set Off Collection program continues;
- Stated that the public hearing for the FY2016 will be held soon;
- Commented that the Finance Department will continue their cross training;
- Noted that the utility bills will have the summer sewer bill adjustments to reflect a lower rate for the residents that applied for said program; and
- In response to Councilman Hrbek, she explained the budget billing program.

Councilman Funk noted that he was honored to attend the Relay for Life event and present the Paint the Town Proclamation at their Ice Cream Social. He stated that he was also pleased to attend the Samuels Public Library's groundbreaking for their community garden with his daughter, Marie.

Councilman Funk stated that he understood the concerns of the 1st Street residents and he was sorry for those that lost pets. He spoke of the proposed changes of having Kendrick and Kerfoot Avenues connected and he thanked Council for their efforts to address the traffic issues and the residents for voicing their concerns.

Councilman Hrbek spoke about the NEST system and how they partner with utility companies. He asked if the Town could explore the matter to see if Front Royal could partner in such a program.

Mayor Darr noted that he was pleased to welcome the conference members and attend the opening ceremony of the Annual Meeting of the Virginia State Association of Parliamentarians. He explained that it was an excellent crowd, and they had presented him with the latest edition of Robert's Rules of Orders, which he would provide to the Town Office.

Mayor Darr stated that he was happy to participate in the signing of the Building Safety Proclamation, adding that this week is Fire Safety Week and through the month there is a different event highlighted each week.

Mayor Darr recognized the Department of Environmental Services Staff for Awards, noting that the Town had received the 2015 Risk Management Excellence Award and the Vehicle Maintenance Shop, led by Don McPaters, had been recognized as one of "The 100 Best Fleets in America for 2015."

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

CONSENT AGENDA ITEMS

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

A. COUNCIL APPROVAL – Humane Society of Warren County Request for Use of Trolley

- B. COUNCIL APPROVAL – Residential Sewer Backup Protection Program Application for William Kinsey at 809 Happy Creek Road
C. COUNCIL APPROVAL – Water Meter Reduction at 1100 N Royal Avenue for Jeff Grim,
D. COUNCIL APPROVAL – Cancel Liaison Committee Meeting for May 21, 2015
E. COUNCIL APPROVAL – Waiver of Permit Fees Associated with Samuels Public Library Educational Garden for Children
F. COUNCIL APPROVAL – Authorization for Staff to Request Change of HB2 Typology Category

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

COUNCIL APPROVAL – Budget Amendment for Snow Removal Costs

Summary: Council is requested to approve a budget amendment in the amount of \$86,752.95 for FY5 snow removal costs. The FY15 budget listed \$75,000. Expenses surpassed that amount.

Councilman Tewalt moved, seconded by Councilman Egger that Council approve a budget amendment in the amount of \$86,752.95 for FY5 snow removal costs.

Councilman Tewalt noted that he was appreciative of the work done by the crews and he was in support of the budget amendment. Councilman Funk thanked Mr. Tewalt for his proposal to hold off on the matter until all amounts were finalized.

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

There being no further business, the Mayor declared the meeting adjourned at 7:36 p.m.

APPROVED:

Jennifer E. Berry
Clerk of Council



TOWN COUNCIL WORK SESSION MINUTES

Monday, May 11, 2015

Immediately after the Regular Council Meeting
Warren County Government Center

1. Resolution for Valley Health Revenue Refunding Bonds – *Town Manager*

Summary: The Town has request from Valley Health to consider adoption of a resolution of support for their proposed issuance of a revenue refunding bond up to \$132,700,000 to refinance previously issued bonds for improvements to facilities throughout their network. The revenue refunding bond will be issued by the Economic Development Authority of the City of Winchester Council Discussion: Council is requested to consider approval of a resolution to support refinancing the Valley Health debt.

Staff Evaluation: If Council desires to support this resolution, staff will coordinate with the legal representatives for Valley Health to fill in the blanks of the requested resolution.

Staff Recommendations: Staff recommend consideration of the resolution as presented.

Council Discussion:

Mr. Philip Graybeal of Valley Health noted that the downside would be they would remain at the higher interest rate. He explained that IRS dictates that the locality must give approval. Mayor Darr noted that it should go on the next agenda. Councilman Tewalt stated that it should go on the regular agenda.

2. Employee Handbook – Annual Leave Accrual and Retiree Benefits – *Town Manager*

Summary: As part of the FY2015-2016 Budget consideration, Council is requested to consider the following two amendments to the Town's Employee Handbook to become effective July 1, 2015:

Sec 4. Benefits - V. Retirement H. Health and Dental Coverage During Retirement:

1. Employees hired before July 1, 2015 *The Town currently allows retirees*, who retire directly from the Town (i.e., leave service and immediately begin to receive a retirement benefit from VRS) to continue to participate in the group health and dental plans as dictated below *in Section 3*. The Town shall contribute one (1%) percent for each year of employment with the Town up to a maximum of twenty-five (25%) percent of the monthly premium for each year or portion of a year. **5. Paid Time Off & Other Absences - II. Full-Time Paid Time Off Benefits**

A. Annual Leave: Annual leave is paid time off from work for vacation, recreation, or other personal purposes. **1. Leave Accrual:** Eligible employees accrue annual leave each pay period when they are employed and in a paid status. Employees shall be credited one (1) year for every four years (4) employed with the Town in a part-time position and/or years served in the

U.S. Military on active duty. Full-time employees accrue annual leave at the following rates:

- a. 0-3 years - Three (3.0) hours per pay period
- b. 4-10 years - Four (4.0) hours per pay period
- c. 11-19 years - Five (5.0) hours per pay period
- d. 20 years and above - Six (6.0) hours per period

Council is requested to consider the proposed amendments to the Town's Employee Handbook.

Staff Evaluation: The first amendment provides a credit to service for those working part-time with the Town or working full-time in the Armed Services. The proposed change will allow the Town to better reward these two areas of service. The second amendment was recommended by our auditor in their most recent presentation to the Finance Committee to reduce future fiscal encumbrances of the Town. The second amendment also defines in the Handbook the benefit that current employees receive. Historically, it had only been identified in the Budget.

Council Discussion: Mayor Darr asked the quantity of employees that would be affected. Mr. Burke stated there was little financial impact and this would not be a public hearing. He noted that it would be on an upcoming agenda rather than part of the consent agenda, per Council request.

3. Letter of School District Concerns to Warren County School Board – *Town Manager*

Summary: Councilman Hrbek requested that staff draft a letter to be considered by Council voicing concerns about the possible change in school district to be served by the future middle school to be constructed along Leach Run Parkway due to the potential impact on the surrounding road network servicing the school. Council is review the draft letter and provide suggestions prior to its transmission.

Staff Evaluation: The draft letter attempts to state that the design of the proposed middle school included a traffic study that served to identify potential impact on the surrounding road networks. Any change to the area served by the middle school could result in significant traffic impact that was not addressed in the approval of the proposed middle school.

DRAFT LETTER:

RE: Future Middle School Traffic Impact

Dear Ms McInnis:

Following review of a recent newspaper article concerning the potential change in the student population served by the future middle school to be constructed along the Leach Run Parkway, the Town Council has requested that I alert you to the Town's concerns about traffic impact that was not considered in the review and approval of the site plan for the future middle school.

The traffic study submitted as part of the Town's review of the middle school project included traffic generated based upon the current student population served by the Warren County High School.

Any change to the population served by the future middle school could significantly change the traffic patterns throughout the Town. In addition, these changes could require improvements to the area road network that were not considered in the approval process for the middle school.

The Town requests that the Warren County School Board complete traffic impact studies and ascertain the necessary road improvements necessary to mitigate traffic impacts prior to consideration of changing the student population served by the future middle school.

The Town of Front Royal looks forward to working with Warren County Public Schools towards the completion of the Leach Run Parkway and middle school as originally proposed.

Council Discussion:

Councilman Hrbek noted that the traffic study was done with the current Warren County/Skyline divide and that would completely change the type of traffic expected. He stated that it would have a major impact on Town roads and congestion. Councilman Tewalt noted that their rezoning was requested with one direction, and now it had changed. Councilman Funk stated that he thought it should be kept at the Town Manager level at this point, rather than the letter coming from the Town Council as a whole; members of Council agreed with Mr. Funk that the letter should come from Mr. Burke.

Mayor Darr noted that the Town will be gaining more traffic town-wide and those changes impact in various ways, including higher threats of safety issues.

4. Council Discussion/Goals

Councilman Connolly asked that Council add the CLOSED to the agenda concerning a prospective business or industry; Councilman Hrbek was not supportive of the addition, and the item was not added.

Present: Mayor Darr, Vice Mayor Tharpe, Councilman Connolly, Councilman Egger, Councilman Funk, Councilman Hrbek, Councilman Tewalt, Finance Director Breeden, Town Attorney Napier, Clerk of Council Berry, IT Director Jones, members of the media and members of the public.