

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on November 14, 2016, in the Warren County Government Center's Board Meeting Room. Vice Mayor Tharpe 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: Councilman John P. Connolly
Councilman Bébhinn C. Egger
Councilman Bret W. Hrbek
Councilman Jacob L. Meza
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

ABSENT: Mayor Timothy W. Darr

(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 October 24, 2016 as presented.

Vote: Yes – Connolly, Egger, Hrbek, Meza, Tewalt and Tharpe
No – N/A
Abstain – N/A
Absent – Darr

(By Roll Call)

RECEIPT OF PETITIONS OR CORRESPONDENCE FROM THE PUBLIC

Stan Brooks, Jr., 118 W. Stonewall Drive, noted that he would like to speak regarding Royal Lane apartments and he was not available the night of the public hearing. He stated that he had never seen the EDA build such a housing structure and perhaps if there was such a demand why was there not a developer constructing the site. Mr. Brooks stated that such a large amount of renters in the community why would the Town wish to add to the percentage. He noted that the site would be a magnet to those that do not live in the community. He stated that those that do not live in the community would attempt to live in the apartments. Mr. Brooks noted that the time, energy and effort and those that would be managing the site and the EDA could use their resources in a better way and perhaps they could reconsider the project.

Charles Jackson, area resident, noted that the proposed apartment site brought up traffic concerns for him. He stated that he walked the area and he asked where the traffic would be diverted to, as the traffic was difficult to exit the site currently especially with the day care at the property. Mr. Jackson noted that the concern was the safety of the additional apartments and the traffic that would be added to the roadway. He asked about the desire for low income housing and the problems associated with the

Sharon Jackson, 70 Royal Lane, noted that she attended prior meetings and met with Jennifer McDonald with the EDA, stating their issues with the congestion in the neighborhood and traffic concerns. She stated that their property values could decrease and she expressed her safety

concerns with the entrance location with the workforce with the one-entry access point of Royal Lane. Mrs. Jackson stated that the issues with crime also concern residents in the community.

Clarence Tanks, of 62 Royal Lane, stated that the apartment building proposed concerned him. He noted that the drivers drove way too fast at various times of the day. Mr. Tanks questioned what a right of way consisted of and he asked for clarification from Council. He expressed concerns with trees on the property on the right of way and not receiving an appropriate Town response regarding the tree. Mr. Tanks asked what could be done with the drivers that drag race on Royal Lane.

Teresa Norman, of 62 Royal Lane, stated that the traffic in the area was a great concern to her. She noted that there was a large amount of children playing in the neighborhood.

Councilman Tewalt noted that these will not be subsidized low income apartments, these will be regular apartments for those in teaching and other professions. He reiterated that these will not be low income housing similar to the other apartments on Royal Lane.

Jeremy Camp stated that the rebranding will be holding another event soon, adding that the last event had about 70 people in attendance. He noted that each meeting was an important step in the process and eventually the brand will be revealed.

REPORT OF THE MAYOR, COUNCIL & STAFF

Councilman Tewalt noted that the Commerce Avenue project had turned out quite well.

Joe Waltz, the Town's Energy Services Department Director, presented the quarterly report to Council, noting that the Cost of Service study was being completed and Staff would come to Council with the study in January/February. He gave an update on the AMI initiative work, and explained that the first phase of the pole inspection program was complete. Mr. Waltz stated that there was only a 3% failure rate with the Town's poles.

Mr. Waltz stated that he was pleased to announce that the Town's solar project permits were all received and the project meetings were going forward. In response to Councilman Tewalt's questions, the Town's block power purchase was fully secure until 2020, and the Town was looking out to buying blocks up to 2026.

Councilman Hrbek thanked Mr. Burke, noting that it had been a pleasure to work with him over the last 10 or so years and pleased he was not moving away from the Town.

Councilman Hrbek noted that he would like the Greg Koons tap fee issue on an upcoming worksession

Councilman Egger thank Mr. Burke for his work on behalf of the Town and she congratulated the local election winners.

Councilman Egger reviewed a recent Middletown newspaper article; adding that she was taken aback by some of the Northern Virginia Daily comments stating that they randomly voted for local candidates. She added that residents voting for candidates randomly should be discussed by Council.

Councilman Egger opined that Congressman Goodlatte should sign something noting that ITFederal should reassure the Town that they are a legitimate company and the Visa program questions need to be answered. She noted that many in town are unsettled by the accusations and she would like this placed on a worksession for discussion.

Vice Mayor Tharpe wished Mr. Burke well on his endeavors in his new employment, adding that he would be missed by many.

Vice Mayor Tharpe asked if there were any proposals for additions or deletions to the agenda.

CONSENT AGENDA

- A. COUNCIL APPROVAL – Budget Amendment for Animal Friendly License Plate Funds
- B. COUNCIL APPROVAL – Bid – Electrical Materials for Manassas Avenue Substation
- C. COUNCIL APPROVAL – Budget Amendment for CDBG Revitalization Grant Monies

Councilman Tewalt moved, seconded by Councilman Egger that Council adopt the Consent Agenda as presented.

Vote: Yes – Connolly, Egger, Hrbek, Meza, Tewalt and Tharpe
No – N/A
Abstain – N/A
Absent – Darr

(By Roll Call)

COUNCIL APPROVAL – Ordinance Confirming Sale of Town-Owned Real Estate - 24 W Main Street

Summary: Council is requested to approve an ordinance confirming the sale of the Town's improved real estate located at 24 W. Main Street. At the October 24, 2016 Council meeting, Council received public input pertaining to the possible sale of the Town's improved real estate located at 24 W. Main Street and approved a resolution authorizing the sale. Councilman Hrbek noted that this was to celebrate, recognize and remember the freedoms that the individuals in America have. He read the first part of the resolution into the record, adding that it was an important act for Council to recognize the first amendment rights to criticize and critique our government and to speak out on behalf of those who are oppressed.

Councilman Connolly moved, seconded by Councilman Egger that Council approve an Ordinance confirming the sale of the Town's-owned real estate located at 24 W. Main Street to Gerald W. Welcome, Jr. in the amount of \$275,000.

Councilman Tewalt noted that he is pleased to see this moving forward and hopefully the tax base can continue to move. He welcomed them to Front Royal and wished them well.

Councilman Hrbek recused himself from this item.

Councilman Egger asked about the items in the building. Mr. Burke noted that the removal of the items is being coordinated and will be completed before the property transfer.

Vote: Yes – Connolly, Egger, Meza, Tewalt and Tharpe

No – N/A

Abstain – Hrbek

Absent – Darr

(By Roll Call)

COUNCIL APPROVAL – Special Use Permit – Royal Lane Apartments (2nd Reading)

Summary: Council is requested to adopt on its second and final reading a Special Use Permit Application submitted by Pennoni Associates, Inc. for a project proposed by the Economic Development Authority (EDA), for the development of three (3) 12-unit apartment buildings, consisting of a total of 36 apartment units, at the end of Royal Lane. The apartments are intended to be used for workforce housing in the community. The application includes a Special Exception Request to authorize the extension of Royal Lane beyond 800 feet, as may be authorized by Town Council in accordance with Town Code 148-211. The request also includes acceptance of a portion of right-of-way for Royal Lane as well as acceptance of a right-of-way reservation to allow for the possible future extension of Royal Lane. The Planning Commission recommended nine conditions as presented in the Staff Report.

Councilman Hrbek moved, seconded by Councilman Connolly that move that Council adopt on its second and final reading a Special Use Permit Application that includes a Special Exception Request, acceptance of right-of-way and right-of-way reservation as presented, for a project proposed by the Economic Development Authority (EDA), for the development of three (3) 12-unit apartment buildings with a total of 36 apartment units, at the end of Royal Lane, to be used for workforce housing in the community. He further moved that Council approve the Special Use Permit Application contingent upon the Planning Commission's recommended nine conditions as presented.

Councilman Egger asked if the property was being donated. Mr. Camp noted that was correct. Ms. Egger noted that the property records stated that the website for the land records states otherwise. Mrs. McDonald stated that the funding listed was never money held by the EDA and the property owner receives a tax credit that the property owner receives.

Councilman Tewalt asked that the Police Department works with the Town Manager regarding the speeding issues in the area to address the concerns of the citizens.

Councilman Hrbek expressed concerns with the dead end of Royal Lane and noted his hope that the road could eventually could be opened at the other end. He stated that the extension of the road could be examined and extended to Remount Road.

Councilman Egger stated that she had issue with voting for the matter. She noted that more structures on Royal Lane was not advisable and she had great pause with the rental housing in Front Royal. Ms. Egger stated that the stipulations would not state that the professionals would be local.

Councilman Meza asked about the VDOT traffic requirements for a dead end straight and whether this road has passed this requirement. Mr. Burke stated that the site has met the requirement and a stop light at the street was not required at the end of Royal Lane.

Councilman Connolly stated that he would like to have it move forward and having a project for such housing was important. He voiced concern as to whether Council had done their due diligence. He expressed hope in opening the road to Remount Road, and noted that the community needed this workforce housing.

Vote: Yes – Connolly, Hrbek, Meza, Tewalt and Tharpe
No – Egger
Abstain – N/A
Absent – Darr

(By Roll Call)

COUNCIL APPOINTMENT – Interim Town Manager

Councilman Connolly moved, seconded by Councilman Egger that Council appoint Joseph E. Waltz at Interim Town Manager beginning November 14, 2016 at an annual salary of \$122,616.00 (\$58.95/hour).

Councilman Connolly thanked Mr. Burke and noted that he was appreciative for his many years of service.

Vote: Yes – Connolly, Egger, Hrbek, Meza, Tewalt and Tharpe
No – N/A
Abstain – N/A
Absent – Darr

(By Roll Call)

There being no further business, the Mayor declared the meeting adjourned at ---- p.m.

APPROVED:

Jennifer E. Berry
Clerk of Council