



REGULAR TOWN COUNCIL MEETING

Monday, June 12, 2017 @ 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 May 22, 2017
5. Receipt of Petitions and/or Correspondence from the Public
6. Reports:
 - a. Report of special committees or Town officials and Town Manager.
 - * **Report from County Administrator Doug Stanley**
 - * **Report from Community Development/Tourism Director**
 - b. Requests and inquiries of Council members.
 - c. Report of the Mayor
 - * **Recognition of Service – Councilman Egger**
 - d. Proposals for addition/deletion of items to the Agenda.
7. **CONSENT AGENDA ITEMS – (ROLL CALL VOTE REQUIRED)**
 - A. COUNCIL APPROVAL – Resolution for Encroachment – 116/122 E 8th St – Lockhart
 - B. COUNCIL APPROVAL – Resolution for Encroachment – 821 Commerce Ave – Wilson
 - C. COUNCIL APPROVAL – Resolution for Encroachment – 120/124 E Main – Vibe Properties
 - D. COUNCIL APPROVAL – Resolution for Employee Appreciation Week
8. **COUNCIL APPROVAL** – Ordinance Amendment for Adoption by Reference of the State Motor Vehicular Laws (158-6) (*2nd Reading*)
9. **COUNCIL APPROVAL** – Ordinance Amendment to Chapter 12 - FEES (*2nd Reading*)
10. **COUNCIL APPROVAL** – Ordinance Amendment to Increase Existing Electric Utility Base Rates (70-23) and Power Cost Adjustment Charge (70-23) (*2nd Reading*)
11. **COUNCIL APPROVAL** - FY 2018 Annual Appropriation Ordinance (*2nd Reading*)
12. **COUNCIL APPROVAL** – Roll Town Facility Fund and Downtown Service District Fund into General Fund
13. **COUNCIL APPOINTMENT** – Town Manager

7A



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

Page 1
Item No. 7(A)

Meeting Date: June 12, 2017

Agenda Item: COUNCIL APPROVAL – Resolution for Encroachment - 116/122 E. 8th Street
- Lockhart

Summary: Council is requested to approve a Resolution for an existing encroachment of a portion of Brenda and John Lockhart's property located at 116 and 122 E. 8th Street for a period not to exceed (5) five years, which period may be extended by additional (5) year periods by further Encroachment License executed by the Town Manager in the name of Town Council, as presented.

Budget/Funding: None

Attachments: Resolution

Meetings: Work Session held June 5, 2017

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 for an existing encroachment of a portion of Brenda and John Lockhart's property located at 116 and 122 E. 8th Street for a period not to exceed (5) five years, which period may be extended by additional (5) year periods by further Encroachment License executed by the Town Manager in the name of Town Council, as presented.

*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: _____

RESOLUTION

WHEREAS, Brenda Lockhart and John Lockhart, the owners of improved real property located at 116 and 112 E. 8th Street, Town of Front Royal, County of Warren, Virginia, have requested that the Town Council of the Town of Front Royal, Virginia, renew the authorization of the existing encroachment of a portion of said improvements located on said real property into, on and over the Town's 8th Street and Commerce Avenue rights-of-way; and,

WHEREAS, pursuant to the authority granted the Town by Sections 15.2-2009 through 15.2-2011 of the Code of Virginia, 1950, as amended, Town Council is of the opinion that it is in the public interest to renew the authorization of the existing encroachment into, on and over the Town's 8th Street and Commerce Avenue rights-of-way by a portion of the real property improvements located at 116 and 122 East 8th Street, for a period not to exceed five (5) years, which said authorization period may be extended by additional five (5) year periods by further Encroachment License executed by the Town Manager in the name of the Town Council, all according to the terms and conditions stated in an Encroachment License to be executed by the parties, with plat of survey attached, to the extent as more particularly described therein.

NOW, THEREFORE, BE IT, HEREBY, RESOLVED by the Town Council of the Town of Front Royal, Virginia, that the Town hereby renews the authorization of the existing encroachment into the Town's Commerce Avenue right-of-way by a portion of the real property improvements located at 116 and 122 East 8th Street for a period not to exceed five (5) years, which period may be

extended by additional five (5) year periods by further Encroachment License executed by the Town Manager in the name of the Town Council. This encroachment authorization is conditioned upon the execution and recording of an Encroachment License by said property owner, with plat of survey attached, authorizing said encroachment according to the terms and conditions stated therein and to the extent as more particularly described therein. The Town Manager is hereby authorized to execute an Encroachment License acceptable to Town on behalf of the Town.

THIS RESOLUTION was approved at the Regular Meeting of the Town of Front Royal, Virginia, Town Council conducted on _____, 2017, upon the following recorded vote:

APPROVED:

Hollis L. Tharpe, Mayor

Town Council Members:

John P. Connolly _____

Bébhinn C. Egger _____

Jacob Meza _____

William A. Sealock _____

Eugene R. Tewalt _____

Christopher Morrison _____

Attest:

Jennifer E. Berry, CMC, Clerk of Council

Approved as to form:

Douglas W. Napier,
Town Attorney

Date

7B



Town of Front Royal, Virginia
Council Agenda Statement

_____ **Page** 1
_____ **Item No.** 7(B)

Meeting Date: June 12, 2017

Agenda Item: COUNCIL APPROVAL – Resolution for Encroachment – 821 Commerce Avenue - Wilson

Summary: Council is requested to approve a Resolution for an existing encroachment of a portion of Kimberly Dawn Wilson's property located at 821 Commerce Avenue for a period not to exceed (5) five years, which period may be extended by additional (5) year periods by further Encroachment License executed by the Town Manager in the name of Town Council, as presented.

Budget/Funding: None

Attachments: Resolution

Meetings: Work Session held June 5, 2017

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 for an existing encroachment of a portion of Kimberly Dawn Wilson's property located at 821 Commerce Avenue for a period not to exceed (5) five years, which period may be extended by additional (5) year periods by further Encroachment License executed by the Town Manager in the name of Town Council, as presented.

*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: _____

RESOLUTION

WHEREAS, Kimberly Dawn Wilson, the owner of improved real property located at 821 N. Commerce Avenue, Town of Front Royal, County of Warren, Virginia, Warren County Tax Map # 20A5 635 14A, has requested that the Town Council of the Town of Front Royal, Virginia, renew the authorization of the existing encroachment of a portion of said improvements located on said real property into, on and over the Town's Commerce Avenue right-of-way; and,

WHEREAS, pursuant to the authority granted the Town by Sections 15.2-2009 through 15.2-2011 of the Code of Virginia, 1950, as amended, Town Council is of the opinion that it is in the public interest to renew the authorization of the existing encroachment into, on and over the Town's Commerce Avenue right-of-way by a portion of the real property improvements located at 821 N. Commerce Avenue, for a period not to exceed five (5) years, which said authorization period may be extended by additional five (5) year periods by further Encroachment License executed by the Town Manager in the name of the Town Council, all according to the terms and conditions stated in an Encroachment License to be executed by the parties, with plat of survey attached, to the extent as more particularly described therein.

NOW, THEREFORE, BE IT, HEREBY, RESOLVED by the Town Council of the Town of Front Royal, Virginia, that the Town hereby renews the authorization of the existing encroachment into the Town's Commerce Avenue right-of-way by a portion of the real property improvements located at 821 N. Commerce Avenue for a period not to exceed five (5) years, which period may be

extended by additional five (5) year periods by further Encroachment License executed by the Town Manager in the name of the Town Council. This encroachment authorization is conditioned upon the execution and recording of an Encroachment License by said property owner, with plat of survey attached, authorizing said encroachment according to the terms and conditions stated therein and to the extent as more particularly described therein. The Town Manager is hereby authorized to execute an Encroachment License acceptable to Town on behalf of the Town.

THIS RESOLUTION was approved at the Regular Meeting of the Town of Front Royal, Virginia, Town Council conducted on _____, 2017, upon the following recorded vote:

APPROVED:

Hollis L. Tharpe, Mayor

Town Council Members:

John P. Connolly _____

Bébhinn C. Egger _____

Jacob Meza _____

William A. Sealock _____

Eugene R. Tewalt _____

Christopher Morrison _____

Attest:

Jennifer E. Berry, CMC, Clerk of Council

Approved as to form:

Douglas W. Napier,
Town Attorney

Date

7C



Town of Front Royal, Virginia
Council Agenda Statement

_____ **Page** 1
_____ **Item No.** 7(C)

Meeting Date: June 12, 2017

Agenda Item: COUNCIL APPROVAL – Resolution for Encroachment – 120 – 124 E. Main Street – Vibe Properties

Summary: Council is requested to approve a Resolution for an existing encroachment of a portion of Vibe Properties located at 120-124 E Main Street (Barnhart Building) specifically, a loading dock, including steps and a roof, onto, on and over the Town's Peyton Street Parking Lot, for a period not to exceed (5) five years, which period may be extended by additional (5) year periods by further Encroachment License executed by the Town Manager in the name of Town Council, as presented.

Budget/Funding: None

Attachments: Resolution

Meetings: Work Session held June 5, 2017

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 is requested to approve a Resolution for an existing encroachment of a portion of Vibe Properties located at 120-124 E Main Street (Barnhart Building) specifically, a loading dock, including steps and a roof, onto, on and over the Town's Peyton Street Parking Lot, for a period not to exceed (5) five years, which period may be extended by additional (5) year periods by further Encroachment License executed by the Town Manager in the name of Town Council, as presented.

*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: _____

RESOLUTION

WHEREAS, Vibe Properties, LLC, a Virginia Limited Liability Company (“Vibe Properties”), the owner of improved real property located at 120 and 124 E. Main Street, Town of Front Royal, County of Warren, Virginia, has requested that the Town Council of the Town of Front Royal, Virginia, authorize of a proposed encroachment of a portion of said improvements located on Vibe Properties’ real property, specifically, a loading dock, including steps and a roof, onto, on and over the Town’s Peyton Street Parking Lot; and,

WHEREAS, pursuant to the authority granted the Town by Sections 15.2-2009 through 15.2-2011 of the Code of Virginia, 1950, as amended, Town Council is of the opinion that it is in the public interest to authorize said proposed encroachment of a portion of said improvements located on Vibe Properties’ real property, specifically, a loading dock, including steps and a roof, onto, on and over the Town’s Peyton Street Parking Lot, for a period not to exceed five (5) years, which said authorization period may be extended by additional five (5) year periods by further Encroachment License executed by the Town Manager in the name of the Town Council, all according to the terms and conditions stated in an Encroachment License to be executed by the parties, with plat of survey attached, to the extent as more particularly described therein, it being intended that said encroachment would be substantially the same as described as shown on that certain drawing plat titled “120-124 E. MAIN ST. ZONING DIMENSIONAL DRAWING TOWN OF FRONT ROYAL, VIRGINIA TM# 20A8-4 PARCEL 29”, dated 4-27-17, by John C. Lewis, Professional Engineer, Painter-Lewis, P.L.C..

NOW, THEREFORE, BE IT, HEREBY, RESOLVED by the Town Council of the Town of Front Royal, Virginia, that the Town Council hereby authorizes the proposed encroachment of a portion of said improvements located on Vibe Properties' real property, specifically, a loading dock, including steps and a roof, onto, on and over the Town's Peyton Street Parking Lot, for a period not to exceed five (5) years, which said authorization period may be extended by additional five (5) year periods by further Encroachment License executed by the Town Manager in the name of the Town Council, all according to the terms and conditions stated in an Encroachment License to be executed by the parties, with plat of survey attached, to the extent as more particularly described therein, it being intended that said encroachment would be substantially the same as described as shown on that certain drawing plat titled "120-124 E. MAIN ST. ZONING DIMENSIONAL DRAWING TOWN OF FRONT ROYAL, VIRGINIA TM# 20A8-4 PARCEL 29", dated 4-27-17, by John C. Lewis, Professional Engineer, Painter-Lewis, P.L.C..

This encroachment authorization is conditioned upon the execution and recording of an Encroachment License by Vibe Properties, with plat of survey attached, authorizing said proposed encroachment according to the terms and conditions stated therein and to the extent as more particularly described therein. The Mayor is hereby authorized to execute an Encroachment License acceptable to Town on behalf of the Town.

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[[SIGNATURES NEXT PAGE FOLLOWING]]

THIS RESOLUTION was approved at the Regular Meeting of the Town of Front Royal, Virginia, Town Council conducted on _____, 2017, upon the following recorded vote:

APPROVED:

Hollis L. Tharpe, Mayor

Town Council Members:

John P. Connolly _____

Jacob Meza _____

Eugene R. Tewalt _____

Bébhinn C. Egger _____

William A. Sealock _____

Christopher Morrison _____

Attest:

Jennifer E. Berry, CMC, Clerk of Council

Approved as to form:

Douglas W. Napier,
Town Attorney

Date

7D



Town of Front Royal, Virginia
Council Agenda Statement

_____ **Page** 1
_____ **Item No.** 7(D)

Meeting Date: June 12, 2017

Agenda Item: COUNCIL APPROVAL – Resolution for *Employee Appreciation Week*

Summary: Council is requested to approve a Resolution recognizing *Employee Appreciation Week* as July 10 – 15, 2017 for all Town of Front Royal full-time and part-time employees as presented.

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 July 10 – 15, 2017 for all Town of Front Royal full-time and part-time employees as presented.

*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: _____



Town of Front Royal, Virginia



RESOLUTION FOR
EMPLOYEE APPRECIATION WEEK
July 10 – 15, 2017

WHEREAS, the Town of Front Royal has 175 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 July 10 – 15, 2017 be designated as “*Town of Front Royal Employee Appreciation Week*”.

APPROVED:

Hollis L. Tharpe, 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 _____, 2017 upon the following recorded vote:

William A. Sealock	<u>Yes/No</u>	Bébhinn C. Egger	<u>Yes/No</u>
Eugene R. Tewalt	<u>Yes/No</u>	Jacob L. Meza	<u>Yes/No</u>
John P. Connolly	<u>Yes/No</u>	Christopher S. Morrison	<u>Yes/No</u>

Approved as to Form and Legality:

Douglas W. Napier, Town Attorney

Dated: _____

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

Page 1
Item No. 8

Meeting Date: June 12, 2017

Agenda Item: COUNCIL APPROVAL – Ordinance Amendment for Adoption by Reference of the State Motor Vehicular Laws (*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 Section 158-6 pertaining to Adoption by Reference of the State Motor Vehicular Laws, as presented.

Budget/Funding: None

Attachments: Ordinance

Meetings: Work Session held May 1, 2017

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 158-6 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: _____

**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, 2017**, 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, 2017**.

APPROVED:

Hollis L. Tharpe, 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 _____ 2017, upon the following recorded vote:

Eugene R. Tewalt	Yes/No	Jacob L. Meza	Yes/No
Bébhinn C. Egger	Yes/No	William A. Sealock	Yes/No
John P. Connolly	Yes/No	Christopher S. Morrison	Yes/No

A public hearing on the above was held on _____, 2017, having been advertised in the Northern Virginia Daily on _____, 2016, and _____, 2017. The Ordinance was enacted at the Regular Meeting of the Town Council held _____ 2017, to become effective immediately.

Approved as to form and legality:

Douglas W. Napier, Town Attorney

Date: ____/____/____

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Town of Front Royal, Virginia Council Agenda Statement

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Item No. 9

Meeting Date: June 12, 2017

Agenda Item: COUNCIL APPROVAL – Ordinance Amendment to Chapter 12 FEES(2nd Read)

Summary: Council is requested to adopt on its second and final reading an Ordinance to amend and re-enact Front Royal Town Code Chapter 12-2; 12-5 and 12-6 pertaining to increase and removal of fees as indicated:

- after-hours shut-off calls for water from \$25.00 to \$30.00
- tires without rims, not to exceed 16.5 inches from \$1.50 to \$2.00 per tire
- tires on rim, not to exceed 16.5 inches from \$2.50 to \$4.00 per tire
- tires over 16.5 inches with or without rim from \$3.00 to \$5.00 per tire (Environmental Services Fees);
- removal of Police Department Fees (Minor Accident Report) since there are no fees collected at the Police Department.
- removal of Miscellaneous Fees (update Town Code, Hardcopy) since hard copy updates are no longer being printed

Budget/Funding: None

Attachments: Ordinance

Meetings: Work Session held May 1, 2017

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 Chapter 12-2; 12-5 and 12-6 pertaining to increase and removal of fees, 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
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 May 1, 2017; 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:

12-2 ENVIRONMENTAL SERVICES FEES

After hours shut-off calls (water)	\$25.00 \$30.00
Construction Specifications	\$15.00
Excavation for Sewer Clean Out Installation	\$150.00 per hour
Freon Removal (white goods commercial or residential)	\$15.00
Grease Trap Inspection (3 rd and all subsequent)	\$50.00 per inspection
On-Call Refuse Collection	Can be found in §85-3(E) of the Town Code
Recreational Vehicle Septic Tank Dump	\$17.50 each
Right-of-Way Utilization Fee	\$25.00 plus bond and insurance
Septic Tank Waste	\$50.00 per 1,000 gallons
Temporary Hydrant Meter Deposit (agreement for reading of water must be signed)	\$400.00 5/8" and smaller \$2,350.00 greater than 5/8"
Tires without Rim, not to exceed 16.5 inches	\$1.50 \$2.00 per tire
Tires on Rim, not to exceed 16.5 inches	\$2.50 \$4.00 per tire
Tires over 16.5 inches with or without Rim	\$3.00 \$5.00 per tire
Water Meter Test (2 nd or subsequent test)	\$25.00 each
White Goods Disposal, Commercial	\$15.00 per item plus \$15.00 per Freon item
White Goods Disposal, Residential	No Charge plus \$15.00 per Freon item
Yard Waste Disposal, Commercial, Lg. Truck	\$50.00
Yard Waste Disposal, Commercial, Pickup Tk	\$25.00
Yard Waste Disposal, Residential (Town Decal)	No Charge

~~12-5 POLICE DEPARTMENT FEES RESERVED~~

Minor Accident Reports	\$5.00
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~~Minor Accident Reports shall be accidents where damage is \$1,500.00 or less and no personal injury is involved. Minor Accident Reports shall be five (5) pages or less. Any additional pages shall incur a cost of \$0.15 per page. Accident Reports that are not minor shall be obtained from the Commonwealth of Virginia Department of Motor Vehicles.~~

12-6 MISCELLANEOUS FEES

Town Code, hardcopy	\$100.00
Update Town Code, hardcopy	\$40.00 per year
Town Right-of-Way Vacation Application	\$100.00

Freedom of Information Act (FOIA) requests for available information shall be submitted to the appropriate department that maintains the records sought for processing. Any request for records or documents from the Town is considered a FOIA request. All FOIA requests shall be communicated by the Department of the Town Manager and Town Attorney. FOIA regulations allow the Town to assess a reasonable charge for the costs to access, search, duplicate, and supply the requested materials if they exist. The Town shall not assess fees if staff time is less than thirty (30) minutes and ten pages of 8 ½ x 11 paper. An individual requesting materials through a FOIA request will be notified as soon as practicably possible. The Town shall conform to all FOIA regulations established by the Commonwealth of Virginia to ensure access to all available Town documents.

This ordinance shall become effective July 1, 2017.

APPROVED:

Hollis L. Tharpe, Mayor

ATTEST:

Jennifer E. Berry, Clerk of Council

William A. Sealock Yes/No

Bébhinn C. Egger Yes/No

Eugene R. Tewalt Yes/No

Jacob L. Meza Yes/No

John P. Connolly Yes/No

Christopher S. Morrison Yes/No

A public hearing on the above was held on _____, 2017 having been advertised in the Northern Virginia Daily on _____, 2017 and _____, 2017. The Ordinance was enacted at the Regular Meeting of the Town Council held _____ 2017.

Approved as to form and legality:

Douglas W. Napier, Town Attorney

Date: ____/____/____

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Town of Front Royal, Virginia Council Agenda Statement

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Item No. 10

Meeting Date: June 12, 2017

Agenda Item: COUNCIL APPROVAL – Ordinance Amendment to Increase Existing Electric Utility Base Rates (70-23) and Power Cost Adjustment Charge (70-23) (*2nd Reading*)

Summary: Council is requested to adopt on its second and final reading an ordinance to amend and re-enact Front Royal Town Coe Section 70-23 (A) and (B) to increase existing electric utility base rates for residential and commercial customers; and to amend and re-enact 70-23 (C) power cost adjustment (PCA) charges, as presented.

Budget/Funding: None

Attachments: Ordinance

Meetings: Work Session held May 1, 2017

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 Coe Section 70-23 (A) and (B) to increase existing electric utility base rates for residential and commercial customers; and to amend and re-enact 70-23 (C) power cost adjustment (PCA) charges, 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 FRONT ROYAL TOWN CODE §70-23 (A) AND (B) TO INCREASE EXISTING ELECTRIC UTILITY BASE RATES FOR RESIDENTIAL AND COMMERCIAL CUSTOMERS; AND TO AMEND §70-23 (C) POWER COST ADJUSTMENT (PCA) CHARGE

WHEREAS, Section 15.2-2109 of the Code of Virginia (1950), as amended, and Section 18(17) of the Town Charter authorize the Town to own and operate an electric utility, including the periodic setting and establishment of electric rates; and,

WHEREAS, the Town does not generate its own electric power, but purchases it from electric generating companies, transmitted through one or more regional transmission entities, as provided for under electric power deregulation laws; and,

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Front Royal, Virginia, pursuant to Section 15.2-2109 of the Code of Virginia (1950), as amended, and Section 18(17) of the Charter of the Town of Front Royal, that Section 70-23 of the Front Royal Town Code is hereby amended as follows:

70-23 ELECTRIC CHARGES

A. The base rates for electric service for residential customers shall be as follows, effective for the electric meters read on or after July 1, 2007, and continuing as stated herein:

1. Effective from July 1, 2007, ~~2017~~ facilities charge per billing cycle, as established by the Town: ~~six dollars and twenty-four cents (\$6.24)~~ **seven dollars and zero cents (\$7.00).**
2. Effective from July 1, 2007, charges for all kilowatt hours per billing cycle, as established by the Town: \$0.0849 per kilowatt hour.

B. The base rates for electric service for commercial customers shall be as follows, effective for the electric meters read on or after July 1, ~~2007~~ **2017**, and continuing as stated herein:

1. Effective from July 1, 2007, ~~2017~~ facilities charge per billing cycle, as established by the Town: ~~six dollars and forty cents (\$6.40)~~ **seven dollars and sixteen cents (\$7.16).**
2. Effective from July 1, 2007, charges for the first 700 kilowatt hours per billing cycle, as established by the Town: \$0.1151 per kilowatt hour.
3. Effective from July 1, 2007, charges for all kilowatt hours over 700 per billing cycle, as established by the Town: \$0.0756 per kilowatt hour.

When a commercial customer requires capacity over 7.5 kilowatts, the first energy block shall be increased by 53 kilowatt hours for each 1/2 kilowatt required in excess of 7.5 kilowatts. The second energy block shall then include all kilowatt hours in excess of the first energy block as adjusted for such additional energy.

C. Effective ~~November 1, 2008~~ **July 1, 2017**, all customers billed on the rates described in subsections A and B, above, shall, in addition to the rates therein described, be subject to a Power Cost Adjustment (PCA) charge. The **maximum Power Cost Adjustment** amount charged for each kilowatt hour of energy sold by the Town may be ~~increased~~ **adjusted** according to the following formula:

$$\text{Max (PCA)} = C - (B \times P \times S)$$

C = The estimated cost of **delivered purchased** power in dollars ~~to be purchased~~ by the Town for the twelve-month period.

~~P = The estimated total kilowatt hours to be purchased by the Town for the twelve-month period.~~

S = The estimated total kilowatt hours to be sold by the Town for the twelve-month period.

B = The average cost of ~~wholesale~~ **delivered purchased** power per kilowatt hour purchased by the Town which is recovered in the Town's retail rate schedules, ~~currently \$0.06651.~~

The **maximum** Power Cost Adjustment (PCA) will be computed according to the above formula for a twelve-month period beginning July 1st of each year, **but the Town may choose to charge less than the maximum PCA calculated by this formula.** Should it appear at any time during the twelve-month period that continued use of the PCA then in effect for the remainder of the twelve-month period will result in a substantial under/**over** recovery of the **delivered** cost of power purchased by the Town ~~at wholesale~~, then the town may modify the PCA **(up or down)**, especially ~~factor B,~~ above, to recover the applicable power cost more accurately. ~~The PCA will not be less than zero.~~

This ordinance shall become effective July 1, 2017.

APPROVED:

Hollis L. Tharpe, 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 _____ 2017, upon the following recorded vote:

Eugene R. Tewalt	Yes/No	Jacob L. Meza	Yes/No
Bébhinn C. Egger	Yes/No	William A. Sealock	Yes/No
John P. Connolly	Yes/No	Christopher S. Morrison	Yes/No

A public hearing on the above was held on _____, 2017, having been advertised in the Northern Virginia Daily on _____, 2016, and _____, 2017. The Ordinance was enacted at the Regular Meeting of the Town Council held _____ 2017, to become effective immediately.

Approved as to form and legality:

Douglas W. Napier, Town Attorney

Date: ____/____/____

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Town of Front Royal, Virginia Council Agenda Statement

Page 1
Item No. 11

Meeting Date: June 12, 2017

Agenda Item: COUNCIL APPROVAL – FY 2018 Annual Appropriation Ordinance (*2nd Reading*)

Summary: Council is requested to adopt on its second and final reading the adoption of the Town's Annual Appropriation Ordinances for FY2017-2018 Budget that will include reallocating the \$100,000 associated with repayment of the internal loan for the Criser Road Trail Project be set aside for construction of the new Police Department (as shown below). The Town's FY2017-2018 Annual Appropriation Ordinance is effective July 1, 2017 – June 30, 2018.

Note: Budget Amendment to reallocate the \$400,000 that was previously approved by Town Council on November 28, 2016, to eliminate the necessity for repayment of the \$400,000 internal loan by the Street Fund to the General Fund and to use General Fund Balance to fund the Criser Road Trail Project was approved at the May 8, 2017 Council Meeting.

Budget/Funding: to reallocate monies for Criser Road Trail

1000-3310111	Internal Loan – Criser Rod Trail	<\$100,000>
9790-49009	General Fund Transfer to Street Fund -	<\$100,000>
4500-3240407	Street Fund Transfer from General Fund -	<\$100,000>
4102-47959	Street Fund Repayment of Internal Loan	<\$100,000>
1000-3510110	Appropriated Funds Forward	\$100,000
99790-49015	General Fund Transfer to Comm Dev -	\$100,000
130-3510105	Community Development Transfer from G/F -	\$100,000
9130-47013	Community Development Police Dept -	\$100,000

Attachments: Appropriation Ordinance

Meetings: Work Sessions held March 6, March 20, April 3, April 17 and May 1, 2017

Staff

Recommendation: Approval_____ Denial_____

Proposed Motion: I move that Council adopt on its second and final reading the Town's Annual Appropriation Ordinances for FY2017-2018 Budget, effective July 1, 2017 through June 30, 2018. I further move that Council reallocate the \$100,000 of funds associated with repayment of the internal loan for the Criser Road Trail Project in the FY2017-2018 Proposed Budget be set aside for construction of the new Police 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 positive

Approved By: _____



Town of Front Royal, Virginia



ANNUAL APPROPRIATION ORDINANCE

AN ORDINANCE ESTABLISHING THE BUDGET FOR THE TOWN OF FRONT ROYAL, VIRGINIA FOR THE FISCAL YEAR BEGINNING JULY 1, 2017 AND ENDING JUNE 30, 2018 APPROPRIATING FUNDS FOR PUBLIC PURPOSES FOR SUCH FISCAL YEAR; CONFIRMING AND CONTINUING ALL ORDINANCES OF THE TOWN OF FRONT ROYAL, VIRGINIA RELATING TO TAXES, LICENSES, FEES, SERVICE CHARGES, COSTS AND OTHER CHARGES AND ALL ORDINANCES RELATING TO THE TIME OF PAYMENT THEREOF AND COLLECTION THEREOF, EXCEPT AS HEREIN SPECIFICALLY MODIFIED

BE IT ORDAINED by the Council of the Town of Front Royal, Virginia as follows:

BUDGET EXPENDITURES

The following budget incorporated by reference, totaling **\$45,893,820** for the Town of Front Royal, Virginia for the fiscal year beginning July 1, 2017 and ending June 30, 2018 is hereby proposed, proposed, and adopted:

(See Attached BUDGET SUMMARY and Town Manager's FY2017-2018 Budget for details, incorporated by reference)

BUDGET REVENUES

Public revenues of the Town of Front Royal, Virginia are hereby appropriated for public purposes for the fiscal year beginning July 1, 2017 and ending June 30, 2018, as set forth in the appropriate Section of such budget.

TAX RATES

The tax rate for all real estate and for all real property and improvements located within the Town of Front Royal subject to tax established by Town Council in Town Code Chapter 75-44.

PERSONAL PROPERTY TAX RELIEF & PRORATION

When any motor vehicle, trailer, or boat is sold and removed from the Town limits after January 1, the tax shall be relieved through proration 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 Commission of the Revenue and notice has been provided to the Commonwealth of Virginia Department of Motor Vehicles; however, no refund shall be made if the motor vehicle, trailer, or boat is moved within the Commonwealth to a non-prorating locality. Requests for relief refunds must be made no later than three (3) years from the last day of the tax year during which the motor vehicle, trailer, or boat was sold, had its title transferred, or was removed from the Town limits. No refund of less than five dollars (\$5.00) shall be issued. If a motor vehicle, trailer, or boat is acquired or moved into the Town limits after January 1, the tax shall be assessed 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. All requests for relief or proration shall be filed in compliance with the Warren County Code.

RATES & FEES

The licenses, fees, services charges, costs, and other charges established by Town Council in the Town Code and as identified in the budget to generate the revenues for the Town are hereby confirmed and appropriated for public purposes.

AUTHORIZATION

The Town Manager is hereby authorized to pursue revenue collection and expenditure of public funds in pursuit of fulfilling the budget as conforming to the adopted Town Council Fiscal Policies and Procurement Manual. The Town Manager is further authorized to withhold or postpone the expenditure of any funds appropriated by and in this Ordinance when it appears to the Town Manager that it would be in the best interest of the Town for such expenditure to be withheld; but, this provision shall not in any way limit or restrict the right of the Council of the Town of Front Royal, Virginia, in its sole discretion to the fullest extent permitted by law, to direct immediate disbursement of any appropriated funds when the Council of the Town of Front Royal, Virginia, is of the opinion that the funds should be expended regardless of the position or action of the Town Manager. The Town Manager is authorized to transfer monies between line items and categories within the budgeted appropriations.

CONFLICT

Any Ordinance in conflict with this Ordinance is hereby repealed to the extent and only to the extent that such conflict exists. However, all Ordinances not in conflict with this Ordinance shall continue in effect, including specifically all Ordinances of the Town of Front Royal, Virginia relating to taxes, licenses, fees, service charges, costs and payment, and collection thereof continuing in effect except as herein specifically modified.

CONTINUITY

If any part of this Ordinance is found to be invalid by competent authority, the remaining portions of this Ordinance shall continue in effect to the fullest extent permitted by law.

EFFECTIVE DATE

This Ordinance shall become effective July 1, 2017.

Adopted this ____ day of June, 2017

APPROVED:

Hollis L Tharpe

Attest:

Jennifer E. Berry, CMC, Clerk of Council

THIS ANNUAL APPROPRIATION ORDINANCE was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council on _____ 2017, upon the following recorded vote:

Eugene R. Tewalt	Yes/No	Christopher Morrison	Yes/No
William Sealock	Yes/No	John P. Connolly	Yes/No
Bébhinn C. Egger	Yes/No	Jacob L. Meza	Yes/No

Approved as to Form and Legality:

Douglas W. Napier, Esq., Town Attorney

Date: _____

The above Ordinance was published in the *Northern Virginia Daily* on _____ with approval on the first reading at a regular meeting of the Town Council held on _____, and to be formally approved on the second and final reading at the regular meeting of the Town Council on _____.

**TOWN OF FRONT ROYAL, VIRGINIA
BUDGET SUMMARY FOR FISCAL YEAR ENDING JUNE 30, 2018**

GENERAL FUND EXPENDITURES

General Government	\$950,095
Financial Administration	\$872,800
Legal Services	\$368,330
Public Safety	\$4,855,790
General Property Maintenance	\$1,098,230
Planning & Zoning Administration - Including Boards & Commissions	\$516,910
Risk Management & Insurances	\$878,465
Economic Development	\$8,865
Information Technology	\$599,040
Transfers & Contingency Reserves	\$747,780
TOTAL GENERAL FUND EXPENDITURES	\$10,896,305

STREET FUND EXPENDITURES

Environmental Services & Inspections	\$474,790
State Highway Maintenance System	\$2,106,940
TOTAL STREET FUND EXPENDITURES	\$2,581,730

ECONOMIC DEVELOPMENT & DESIGNATED FUNDS EXPENDITURES

Debt Obligation - Economic Development	\$141,400
Community Development Projects	\$479,995
Asset Forfeitures - Public Safety	\$12,000
TOTAL ECONOMIC & DESIGNATED FUND EXPENDITURES	\$633,395

ELECTRIC FUND EXPENDITURES

Operations	\$2,523,550
Purchase of Electricity	\$15,053,900
Transfer to General Fund and/or Contingency Fund	\$1,950,000
Debt Service	\$207,000
TOTAL ELECTRIC FUND EXPENDITURES	\$19,734,450

WATER FUND EXPENDITURES

Administration	\$130,705
Water Plant Operations	\$1,629,900

Line Maintenance Operations	\$1,400,510
Meter Reading	\$369,365
Debt Service	\$1,065,990
Transfer to General Fund and/or Contingency Fund	\$509,000
TOTAL WATER FUND EXPENDITURES	\$5,105,470

SEWER FUND EXPENDITURES

Administration	\$127,425
Wastewater Plant Operations	\$2,343,915
Line Maintenance Operations	\$1,467,660
Debt Service	\$1,344,025
Transfer to General Fund and/or Contingency Fund	\$587,000
TOTAL SEWER FUND EXPENDITURES	\$5,870,025

SOLID WASTE FUND EXPENDITURES

Operations	\$943,445
Transfer to General Fund and/or Contingency Fund	\$129,000
TOTAL SOLID WASTE FUND EXPENDITURES	\$1,072,445

TOTAL ALL FUND EXPENDITURES	\$45,893,820
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GENERAL FUND REVENUE

Real Estate Property Tax	\$956,025
Public Service Property Tax & Tax Penalties	\$53,470
Personal Property Tax	\$555,795
Other Local Taxes	\$5,132,450
Permits & Fees	\$28,000
Fines & Forfeitures	\$186,000
Use of Money & Property	\$56,560
Public Right-of-Ways Use Fees	\$1,100
Intergovernmental	\$592,355
Internal Loan	\$100,000
Interfund Transfers	
Electric Fund	\$1,950,000
Water Fund	\$509,000

Sewer Fund	\$587,000
Solid Waste Fund	\$109,000
Miscellaneous Receipts	\$79,550
TOTAL GENERAL FUND REVENUE	\$10,896,305

STREET FUND REVENUE

State Highway Maintenance Funds	\$1,939,200
Use of Money & Property	\$21,500
Street, Curb, & Gutter Assessments	\$23,250
Transfer from General Fund	\$597,780
TOTAL STREET FUND REVENUE	\$2,581,730

ECONOMIC DEVELOPMENT & DESIGNATED FUNDS REVENUE

Real Estate Property Tax - Economic Development	\$141,400
Asset Forfeiture & Grant Funding	\$12,000
Real Estate Property Tax - Community Development	\$479,995
TOTAL ECONOMIC & DESIGNATED FUNDS REVENUE	\$633,395

ELECTRIC FUND REVENUE

Use of Money & Property	\$111,800
Connection Fees	\$100,000
Internal Loan	\$150,000
Sale of Services	\$19,331,890
Miscellaneous Receipts	\$40,760
TOTAL ELECTRIC FUND REVENUE	\$19,734,450

WATER FUND REVENUE

Use of Money & Property	\$42,000
Antenna Rentals	\$101,335
Sale of Services	\$4,635,250
Connection Fees	\$290,000
Internal Loan	\$34,885
Miscellaneous Receipts	\$2,000
TOTAL WATER FUND REVENUE	\$5,105,470

SEWER FUND REVENUE

Use of Money & Property	\$42,000
Sale of Services	\$5,147,955

Connection Fees	\$613,920
Miscellaneous Receipts	\$66,150
TOTAL SEWER FUND REVENUE	\$5,870,025

SOLID WASTE FUND REVENUE

Use of Money & Property	\$17,000
Sale of Services	\$1,053,445
Miscellaneous Receipts	\$2,000
TOTAL SOLID WASTE FUND REVENUE	\$1,072,445

TOTAL ALL FUND REVENUES	\$45,893,820
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RATES & FEES IN SUPPORT OF THE FY 17-18 BUDGET

REAL ESTATE PROPERTY TAX	\$0.135 per \$100
PERSONAL PROPERTY TAX	\$0.64 per \$100
MEAL TAX	4%
LODGING TAX	6%
AUTOMOBILE LICENSE FEE	\$25.00
RES ELEC FACILITY CHARGE	\$7.00
RES ELEC USAGE RATE	\$0.8490 per kWh
WATER BASE RATE (3,000 GAL)	\$9.92
WATER ADDL 1,000 GAL RATE	\$8.51
SEWER BASE RATE (3,000 GAL)	\$16.17
SEWER ADDL 1,000 GAL RATE	\$13.91
SOLID WASTE RES 32 GAL CAN	\$12.00 per month
SOLID WASTE RES 96 GAL CAN	\$14.10 per month
SOLID WASTE RES PRIV ENTRY	\$5.00 per month
SOLID WASTE COMM 96 GAL CAN	\$26.00 per month
SOLID WASTE DUMPSTER (1x week)	\$215.00 per month
SOLID WASTE DUMPSTER (2x week)	\$300.00 per month
SW COMM DUMPSTER TIP FEE	\$58.00 per haul

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Town of Front Royal, Virginia Council Agenda Statement

Page 1
Item No. 12

Meeting Date: June 12, 2017

Agenda Item: COUNCIL APPROVAL – Roll Town Facility Fund and Downtown Service District Fund into General Fund

Summary: The Town's accounting books have two governmental funds (Town Facility Fund and Downtown Service District Fund) that are no longer used. The Town Facility Fund was last used when property at 15 N Royal Avenue was constructed and the Downtown Service District was last used in 2005. Since the funds are still considered active the funds must be included in various reports including the Comprehensive Annual Financial Report (CAFR). Rolling these funds into the General Fund would reduce reporting and cleanup unused accounting records. Council is requested to roll the Town Facility Fund in the amount of \$388.26 and the Downtown Service District in the amount of <\$1,511.99> into General Fund Balance.

Budget/Funding: 0001-2100 General Fund Balance Fund Balance Unreserved <\$1,124>
0001070-2100 Downtown Service District Fund Balance Unreserved - \$1,511.99
0001950-2100 Town Facility Fund Balance Unreserved -<\$388.26>

Attachments: None

Meetings: None

Staff

Recommendation: Approval_____ Denial_____

Proposed Motion: I move that Town Council approve rolling the Town Facility Fund in the amount of \$388.26 and the Downtown Service District in the amount of <\$1,511.99> into General Fund Balance to reduce reporting and cleanup unused accounting records.

*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: _____

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Meeting Date: June 12, 2017

Agenda Item: COUNCIL APPOINTMENT – Town Manager

Summary: Council is requested to appoint _____ as Interim Town Manager beginning June 12, 2017 at an annual salary of _____.

Budget/Funding: Line Item - 1201-41001 (Salaries)

Attachments: None

Meetings: None

Staff Recommendation: Approval_____ Denial_____

Proposed Motion: I move that Council appoint _____ as Interim Town Manager beginning June 12, 2017 at an annual salary of _____.

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: _____