



TOWN COUNCIL WORK SESSION

July 24, 2017 @ 6:30pm -- Warren County Government Center

1. CLOSED MEETING – Council Vacancy Interviews Review

Motion to Go Into Closed Meeting

I move that Town Council convene and go into Closed Meeting to discuss, consider and interview prospective candidates for appointment to fill the vacancy on Town Council occasioned by the resignation of former Town Council Member Bebhinn Egger.

Motion to Certify Closed Meeting at its Conclusion *[At the conclusion of the Closed Meeting, immediately re-convene in open meeting and take a roll call vote on the following:]*

I move 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 Act 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.

REGULAR TOWN COUNCIL MEETING

Monday, July 24, 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 July 10, 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 EDA Executive Director Jennifer McDonald**
 - 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 – Budget Amendment for VML Insurance Claim Reimbursement
 - B. COUNCIL APPROVAL – Proclamation for “Warren County, Virginia Fair Week”
 - C. COUNCIL APPROVAL – Balance of Bid for Pavement Marking Materials and Installation
 - D. COUNCIL APPROVAL – Bid for Trailer for Streets Department
 - E. COUNCIL APPROVAL – Bid for Fire Hydrants
8. **PUBLIC HEARING** – Ordinance Amendment Pertaining to Flea Markets (*1st Reading*)
9. **COUNCIL APPOINTMENT** – Councilmember
10. **CLOSED MEETING** – Afton Inn Property and Ongoing UPS Noise Issue

7A



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

Page 1
Item No. 7(A)

Meeting Date: July 24, 2017

Agenda Item: COUNCIL APPROVAL – Budget Amendment for VML Insurance Claim Reimbursement

Summary: Council is requested to approve a budget amendment in the amount of \$69,564.95 for reimbursement to the Virginia Municipal League (VML) for the Town's portion of insurance claims for the January 2017 claims against the Town. VML adjusted and paid these claims on the Town's behalf.

Budget/Funding: None

Attachments: None

Meetings: Closed Meeting held July 17, 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 budget amendment in the amount of \$69,564.95 for reimbursement to the Virginia Municipal League (VML) for the Town's portion of insurance claims for the January 2017 claims against the Town.

*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: JW

7B



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

Page 1
Item No. 7(B)

Meeting Date: July 24, 2017

Agenda Item: COUNCIL APPROVAL – Proclamation – “*Warren County, Virginia Fair Week*”

Summary: Council has received a request to proclaim August 7 – 12, 2017 as *Warren County, Virginia Fair Week* in the Town of Front Royal as presented.

Budget/Funding: None

Attachments: 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 August 7 – 12, 2017 as “*Warren County, Virginia Fair Week*” in the Town of Front Royal 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: JW

Warren County Fair

Proclamation

WHEREAS, the Warren County, Virginia Fair was established in 1957 and is always held the first full week of August;

WHEREAS, the Warren County Fair is nonprofit and a 100% volunteer organization providing safe, family entertainment;

WHEREAS, the Warren County Fair is celebrating their 60th anniversary in 2017 and their tagline is: "60 Years of A Timeless Tradition";

WHEREAS, When the Warren County Fair began there was only one main, 9-pole tent and a few smaller tents, only 7 business exhibits, a small carnival, and the only animals were beef and dairy cattle;

WHEREAS, today the Warren County Fair has a beautiful covered stage that offers folks a wide range of entertainment options and the 4-H livestock exhibits have grown to the point of using two large barns;

WHEREAS, today the Warren County Fair has a wonderful motorsports area where truck and tractor pulls, lawnmower pulls, demolition derby, and Monster Truck shows are held;

WHEREAS, the Warren County Fair has a Wonder Building for the Home Economics exhibits as well as educational and trade show exhibits; and where Warren County Fair has become a place where families come to enjoy good food, visits with friends, enjoy shows and make memories;

NOW THEREFORE BE IT RESOLVED that I, Hollis L. Tharpe, Mayor of the Town of Front Royal, do hereby proclaim August 7-12, 2017 as

Warren County, Virginia Fair Week

and urge all citizens to celebrate the Warren County Fair and to join in with their friends and families as they celebrate their 60th Anniversary, in this, the year of 2017.

APPROVED:

Hollis L. Tharpe
Mayor



ATTEST:

Jennifer Berry
Clerk of Council



7C



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

Page 1
Item No. 7(C)

Meeting Date: July 24, 2017

Agenda Item: COUNCIL APPROVAL – Balance of Bid for Pavement Marking Materials and Installation

Summary: Council is requested to approve the balance of a bid from Clatterbuck Pavement Markings for pavement marking materials and installation in the amount of \$34,150. *Note: Council approved the amount of \$65,000 (available funding at the time) at their May 22, 2017 Council meeting so the crosswalk project could move forward.*

Budget/Funding: FY18 Public Works Crosswalks line item as follows:
4102 – 45474 \$20,000.00
4500 – 45474 \$14,150.00

Attachments: Memos from Purchasing Agent and Quotation Tabulation Sheet

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 the balance of a bid from Clatterbuck Pavement Markings for pavement marking materials and installation in the amount of \$34,150.

*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: JW



MEMORANDUM

Date: July 17, 2017
To: Tina Presley, Senior Administrative Assistant
Jennifer Berry, Clerk of Council
From: Cindy Hartman, Purchasing Agent
RE: Agenda Item

During their May 22, 2017 meeting, the Town Council approved funding for Clatterbuck Pavement Markings to provide and install alkyd thermoplastic pavement marking materials. The bid included lines and arrows, with quantities in amounts that are approximate to what we would have installed throughout the year, based on a will call/as needed basis.

Due to funding constraints in the FY17 budget, Council only approved the amount of funding available at that time, \$65,000, so that the crosswalk projects could move forward. At this time, I am requesting the balance of the bid be awarded. Please add this item to the July 24, 2017 Town Council agenda for their action.

Staff recommends the balance of the pavement marking materials and installation bid be awarded to Clatterbuck Pavement Markings in the amount of \$34,150. Funding is available in the FY18 Department of Environmental Services Crosswalks line items as follows:

4102 – 5474 \$20,000.00

4500 – 45474 \$14,150.00

TOWN OF FRONT ROYAL, VIRGINIA

Quotation Tabulation

Item: ALKYD THERMOPLASTIC

Quotation #6

Date: April 24, 2017

Mailed _____

Replied 2

Vendor Quotation			
	PAYNE'S PARKING DESIGNS	CLATTERBUCK PAVEMENT MARKINGS	
QUANTITY	QUOTATION	QUOTATION	QUOTATION
FURNISH AND INSTALL ALKYD THERMOPLASTIC PAVEMENT MARKING MATERIALS:			
5,000 FEET - 12" WHITE LINE	\$23,000.00 (\$4.60/FT)	\$20,000.00 (\$4.00/FT)	
6,000 FEET - 24" WHITE LINE	\$41,400.00 (\$6.90/FT)	\$39,000.00 (\$6.50/FT)	
100 EACH - LEFT TURN ARROW	\$10,500.00 (\$105.00/EA)	\$6,850.00 (\$68.50/EA)	
100 EACH - RIGHT TURN ARROW	\$10,500.00 (\$105.00/EA)	\$6,850.00 (\$68.50/EA)	
100 EACH - STRAIGHT ARROW	\$10,500.00 (\$105.00/EA)	\$6,850.00 (\$68.50/EA)	
100 EACH - LEFT COMBO ARROW	\$14,500.00 (\$145.00/EA)	\$9,800.00 (\$98.00/EA)	
100 EACH - RIGHT COMBO ARROW	\$14,500.00 (\$145.00/EA)	\$9,800.00 (\$98.00/EA)	
OPTIONAL COST FOR ERADICATION OF OLD MARKINGS, AS MAY BE REQUIRED	\$4.40/SF	N/Q	
Discount			
Net Quotation	\$124,900.00	\$99,150.00	
Terms		\$65,000.00	Approved 5/22/17

The above proposals verified to specifications and compliance with terms and conditions.

\$34,150.00

Cathy Hoffman
Purchasing Agent

Witness

Witness

7D



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

Page 1
Item No. 7(D)

Meeting Date: July 24, 2017

Agenda Item: COUNCIL APPROVAL – Bid for Trailer for Streets Department

Summary: Council is requested to approve a bid in the amount of \$11,622.00 to The Trailer Connection for the purchase of a “Better Built” trailer to be used in the Town’s Street Department.

Budget/Funding: Public Works Highway Maintenance Dept FY budget line item 4500-R47005

Attachments: Memos from Purchasing Agent and Manager of Vehicle Equipment Maintenance, and Quotation Tabulation Sheet

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 bid in the amount of \$11,622.00 to The Trailer Connection for the purchase of a “Better Built” trailer to be used in the Town’s Street Department.

*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: JW



MEMORANDUM

Date: July 17, 2017
To: Tina Presley, Senior Administrative Assistant
Jennifer Berry, Clerk of Council
From: Cindy Hartman, Purchasing Agent
RE: Trailer

On Wednesday, April 19, 2017, I received bids for the purchase of a trailer with a 24,000 pound payload capacity. This trailer will be used by the Town's Street Department. Don McPaters, Vehicle/Equipment Manager, reviewed each of the quotations to compare the quoted machines with the Town's specifications. I have attached his memo. As the trailer is considered "rolling stock", this purchase will require Town Council approval before moving forward. Please add this item to the July 24, 2017 agenda for their action.

Staff recommends the award for the purchase of a "Better Built" trailer be made to The Trailer Connection at a cost of \$11,622.00.

Funding for this purchase is available in the Department of Environmental Services Highway Maintenance Department FY18 budget line item 4500-R47005.



MEMORANDUM

TO: Cindy Hartman, Purchasing Agent

FROM: Donald B McPaters, Manager of Vehicle Equipment Maint. 

SUBJECT: Purchase of the Street Department 24,000 payload Trailer

DATE: April 27, 2017

I have received the six bids received for the 24,000lb payload trailer. The lowest bid meet sour specifications at a price of \$11,622.00. The vender is Trailer Connection from Rocky Virginia.

TOWN OF FRONT ROYAL, VIRGINIA

Quotation Tabulation

Item: TRAILER

Quotation #8

Date:

Replied 6

Vendor Quotation						
	THE TRAILER CONNECTION	BLUE RIDGE TRAILER	CRIM'S TRAILER SALES	LAWRENCE TRAILER	JAMES RIVER EQUIPMENT	ALL AMERICAN TRAILER CONNECTION
QUANTITY	QUOTATION	QUOTATION	QUOTATION	QUOTATION	QUOTATION	QUOTATION
TRAILER - STREET CREW 24,000# PAYLOAD CAPACITY PER TOWN OF FRONT ROYAL SPECIFICATIONS	\$11,622.00 BETTER BUILT	\$12,100.00 (NO MODEL NAMED)	\$12,800.00 (NO MODEL NAMED)	\$14,696.00 TOWMASTER	\$15,950.00 EAGER BEAVER	\$15,960.00 PINTLE EQUIPMENT TRANSPORT
Discount						
Net Quotation						
Terms						

The above proposals verified to specifications and compliance with terms and conditions.

Witness

Witness



Purchasing Agent

7E



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

Page 1
Item No. 7(E)

Meeting Date: July 24, 2017

Agenda Item: COUNCIL APPROVAL – Bid for Fire Hydrants

Summary: Council is requested to approve a bid from HD Supply Waterworks (Panhandle Pipe) in the amount of \$27,866.30 for the purchase of seven (7) 3-1/2" bury and seven (7) 4' bury fire hydrants

Budget/Funding: Public Works Water Line Maintenance Dept FY18 budget line item 9602-47530 "Capital Inventory"

Attachments: Memos from Purchasing Agent and Quotation Tabulation Sheet and email from Ferguson Waterworks

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 bid from HD Supply Waterworks (Panhandle Pipe) in the amount of \$27,866.30 for the purchase of seven (7) 3-1/2" bury and seven (7) 4' bury fire hydrants.

*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: JW



MEMORANDUM

Date: July 18, 2017
To: Tina Presley, Senior Administrative Assistant
Jennifer Berry, Clerk of Council
From: Cindy Hartman, Purchasing Agent
RE: Trailer

On Thursday, July 13, 2017, I opened bids for fire hydrants. Out of the 7 vendors directly solicited, I received only 2 responses (see attached tabulation). Robert Boyer, Public Services Manager for the Department of Environmental Services, spoke with the vendor who submitted the lowest quotation. The vendor informed Robert that the quoted hydrants did not meet our specifications. Due to the dollar amount of the other quotation, this purchase will require Town Council approval before moving forward. Please add this item to the July 24, 2017 agenda for their action.

Staff recommends the award for the purchase of (7) 3-1/2' bury and (7) 4' bury fire hydrants be made to HD Supply Waterworks (Panhandle Pipe) for a total cost of \$27,866.30.

Funding for this purchase is available in the Department of Environmental Services Water Line Maintenance Department FY18 budget line item 9602-R47530 "Capital Inventory". This funding was carried forward from the FY17 budget.

From: <Brandon.Mathews@Ferguson.com>

Date: July 18, 2017 at 9:37:27 AM EDT

To: <rboyer@frontroyalva.com>

Subject: Re: Fire Hydrants

Robbie,

This was quoted as standard mechanical joint shoe with restraint included.

Sorry for any confusion but I had thought you wanted me too submit something as alternate for any lead time issues with the Alpha and to keep it competitive for everyone. Again sorry if I misunderstood.

Brandon Mathews
Ferguson Waterworks
540-538-2881

Quotation Tabulation

Quotation #21

Mailed :

Replied 2

PANHANDLE PIPE	FERGUSON ENTERPRISES		
QUOTATION	QUOTATION	QUOTATION	QUOTATION
\$13,773.55	\$11,618.74		
\$14,092.75	\$11,890.06		
\$27,866.30	\$23,508.80		

Autha H. Hymen
Purchasing Agent

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Town of Front Royal, Virginia Council Agenda Statement

Page 1
Item No. 8

Meeting Date: July 24, 2017

Agenda Item: COUNCIL APPROVAL – Ordinance Amendment Pertaining to Flea Markets
(1st Reading)

Summary: Council is requested to affirm on its first reading ordinance amendments to Town Code Sections 98-46; 175-3, 175-10.10; 175-44; 175-53.7.A.3; 175-63.C.3; 175-70.I.3 and 175-10.4.A that would allow flea markets to operate on Fridays with a Special Use permit, subject to standards and review, as presented. *Note: Council referred this request to the Planning Commission for further consideration and a recommendation on March 27, 2017.*

Budget/Funding: None

Attachments: Proposed Ordinance, Letter of Request and Letter from land owner

Meetings: Work Sessions held March 20 and July 3, 2017. Referred to the Planning Commission by Town Council on March 27, 2017.

Staff Recommendation: Approval ✓ Denial

Proposed Motion: I move that Council affirm on its first reading ordinance amendments to Town Code Sections 98-46; 175-3, 175-10.10; 175-44; 175-53.7.A.3; 175-63.C.3; 175-70.I.3 and 175-10.4.A that would allow flea markets to operate on Fridays with a Special Use permit, subject to standards and review, 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: JW

DRAFT AMENDMENT

"FLEA MARKET REGULATIONS"

This draft amendment to the Town Code was initiated by referral of Town Council, after a request was submitted by Andrick's Flea Market to allow Friday operation of the Flea Market and establishment of a Farmer's Market as part of the Flea Market.

START -----

TOWN MUNICIPAL CODE, CHAPTER 98: BUSINESS, PROFESSIONAL, AND OCCUPATIONAL LICENSING

98-46 FLEA MARKETS

A. As used in this section, the following terms shall have the meanings indicated:

FLEA MARKET - An assembly of vendors, selling new or used goods in the open air or within temporary structures, who display and sell their wares on the lands of another for a consideration.

B. Every vendor who is engaged in the sale or display of goods at a flea market shall be required to purchase a license and display the license in a prominent place visible to the public. For every license to sell or display antiques or used or second-hand goods at a flea market, there shall be paid a license tax of ten dollars (\$10.) per year or one dollar (\$1.) per day. Every vendor of new goods at the flea market shall be deemed a peddler or itinerant merchant and shall pay such license tax as is applicable to peddlers or itinerant merchants under the provisions of Section 98-61. ~~Such license taxes shall not be prorated.~~ Upon application to and approval by the Town Council, no license shall be required of a nonprofit organization that sells or displays goods at a flea market so long as the proceeds of sale are retained by the nonprofit organization and not shared with other persons, businesses or organizations. The following regulations shall govern the conduct of flea markets:

1. Goods and wares may be left on premises on Friday and Saturday nights only and on Sunday night if Monday is a holiday.
2. A night watchman may be allowed on weekends.
3. No overnight trailers are allowed.
4. The owner or lessee of the premises shall keep the flea market grounds clean and free of refuse and shall provide trash containers in sufficient numbers to serve the customers and vendors on the flea market site.
5. The owner or lessee of the premises shall rent no space to any flea market vendor, except those representing nonprofit organizations, unless the vendor first produces a valid and current license issued by the Town of Front Royal or a daily license permit for the sale and display of goods at a flea market.

TOWN MUNICIPAL CODE,

CHAPTER 175:

ZONING

175-3 DEFINITIONS

DOMESTIC PRODUCTS – Processed, cooked, dried or preserved foodstuffs and other agricultural products meant for human consumption, to include, but not limited to, jellies, pickles, herbs, smoked meats, baked goods, candies, canned foods, and other prepared edibles.

MANUFACTURED BUILDING – A building that is manufactured, typically in a factory, and is built in accordance with the United States Department of Housing and Urban Development Code, Manufactured Home Construction and Safety Standards, or other similar federal standards; and does not meet all local or state building code standards. Modular and pre-fabricated buildings that are manufactured and constructed in accordance with all local and state building code standards shall not be considered manufactured buildings.

MANUFACTURED HOME – A residential dwelling built in a factory in accordance with the United States Department of Housing and Urban Development code and, the federal Manufactured Home Construction and Safety Standards, or other similar federal standards; and does not meet all local or state building code standards. ~~A mobile home or home built from one (1) or more modular units are not considered manufactured homes.~~ Modular and pre-fabricated buildings that are manufactured and constructed in accordance with all local and state building code standards shall not be considered manufactured buildings.

FARM PRODUCTS – Ice, wood, charcoal, meats, milk, butter, eggs, poultry, game, vegetables, fruits or other family supplies of a perishable nature or farm products grown or produced by them and not purchased by them for sale.

FLEA MARKET - An assembly of vendors, selling new or used goods in the open air or within temporary structures, which display and sell their wares on the lands of another for a consideration.

FARMERS' MARKET – A collection of two (2) or more vendors, selling farm or domestic products, garden produce, or nursery products, ornamental or otherwise, which have been grown or produced by the vendor offering the same for sale, in an open-air setting or with temporary or partially enclosed structures.

175-10.10 STANDARDS (A-1)

- B. **Farmers' Markets and** Flea Markets. Where flea markets are permitted by approval of a special use permit, the following standards shall be complied with, in addition to any conditions placed on the special use permit, and Section 98-46 of the Town Code.
1. Adequate water and sanitary facilities shall be provided if found necessary based on the size, frequency and duration of the market.
 2. A minimum fifty (50) foot setback shall be maintained from all property lines, excluding structures and uses in existence prior to July 1, 2001.

3. No adverse effect on adjoining properties, including but not limited to excessive or untimely noise or lighting, overflow parking, or visual problems potentially affecting property values or marketability, is found.
4. No manufactured buildings shall be permitted.
5. All tables, facilities and structures shall be maintained in a well-kept and attractive manner.
6. ~~All temporary structures or facilities, including but not limited to canopy frames, except as provided in sub-section B.5. above, table extensions and display shelving, shall be removed during the hours that the market is not in operation.~~ Unless otherwise approved as part of a special use permit, all temporary structures or facilities shall be removed during the days that the market is not in operation.
7. Operation of ~~the market~~ a Flea Market shall be confined to Friday, Saturday, Sunday, and Holidays, unless other dates are specifically approved by the Town Council in conjunction with the Special Permit. The hours of operation shall be posted on the property.
8. ~~Open air markets shall only be conducted during the months of April through October. During the period from November 15 to March 15,~~ If a Flea Market or Farmers' Market elects to close during part of the year, or is required to close during part of the year by a condition of a special use permit, all tables and other temporary fixtures shall be removed within two (2) weeks of such closure. Such fixtures may be stored on the site, provided they are located within a completely enclosed building or otherwise screened from public view.
9. All Flea Markets and Farmers' Markets shall be swept clean, hosed down and/or picked clean daily. No food products or debris shall be permitted to remain upon the site overnight. All food products sold at the market must be displayed under sanitary conditions and sold in compliance with all requirements of the Virginia Department of Health or Virginia Department of Agriculture and Consumer Services.
10. Any expansion, including, but not limited to, new construction, an increase in the days of operation, or other significant changes to the use of the property, shall only be authorized with a special use permit.
11. Landscaping shall be provided where feasible and desirable for purposes of improvement aesthetics, screening, shade and the natural environment.
12. Fencing may be required for purposes of improvement aesthetics, screening or public safety.
13. The sale of live animals is prohibited.

14. The sale of new merchandise or serving of food, other than farm and domestic products, shall only be authorized if the vendor obtains an itinerant merchant or peddler license, in accordance with the Town Code regulations for such uses.
15. Farmers' Markets and Flea Markets on public property shall be classified as a public event.

175-44 PERFORMANCE STANDARDS (C-1)

F. Farmers' Markets & Flea Markets: Where farmer's markets are permitted under the provisions of this Chapter, the following standards shall be required:

1. Adequate water and sanitary facilities shall be provided if found necessary based on the size, frequency and duration of the market.
2. A minimum twenty-five (25) foot setback shall be maintained from all property lines, excluding structures and uses in existence prior to July 1, 2001.
3. No adverse effect on adjoining properties, including but not limited to excessive or untimely noise or lighting, overflow parking, or visual problems potentially affecting property values or marketability, is found.
4. All tables, facilities and structures shall be maintained in a well-kept and attractive manner.
5. ~~Any building and metal canopy frame associated with and attached or semi-detached from such building used for the storage or sale of goods and materials and as the market operator's office shall be constructed on a permanent foundation and meet appropriate building code regulations; provide that any such building and metal canopy frame in existence prior to July 1, 2001, shall not be required to be on a permanent foundation or meet building code regulations except as additions and enlargement are made thereon. No trailers or mobile home units shall be permitted.~~ No manufactured buildings shall be permitted.
6. ~~All temporary structures or facilities, including but not limited to canopy frames except as provided in sub-section (e) 5 above, table extensions and display shelving, shall be removed during the hours that the market is not in operation. Unless otherwise approved as part of a special use permit, all temporary structures or facilities shall be removed during the days that the market is not in operation.~~
7. Operation of the market a Flea Market shall be confined to Friday, Saturday, Sunday, and Holidays, unless other dates are specifically approved by the Town Council in conjunction with the Special Permit. The hours of operation shall be posted on the property.
8. ~~Open air markets shall only be conducted during the months of April through October. During the period from November 15 to March 15,~~ If a Flea Market or Farmers' Market elects to close during part of the year, or is required to close during part of the year by a condition of a special use permit, all tables and other temporary

fixtures shall be removed within two (2) weeks of such closure. Such fixtures may be stored on the site, provided they are located within a completely enclosed building or otherwise screened from public view, in accordance with Section 175-44(A). ~~The provisions of this sub-section (h), shall not be applicable to any flea market in existence and operation as of July 1, 2001.~~

9. All Flea Markets and Farmers' Markets shall be swept clean, hosed down and/or picked clean daily. No food products or debris shall be permitted to remain upon the site overnight. All food products sold at the market must be displayed under sanitary conditions and sold in compliance with all requirements of the Virginia Department of Health or Virginia Department of Agriculture and Consumer Services.
10. Any expansion, including, but not limited to, new construction, an increase in the days of operation, or other significant changes to the use of the property, shall only be authorized with a special use permit.
11. Landscaping shall be provided where feasible and desirable for purposes of improvement aesthetics, screening, shade and the natural environment.
12. Fencing may be required for purposes of improvement aesthetics, screening or public safety.
13. The sale of live animals is prohibited.
14. The sale of new merchandise or serving of food, other than farm and domestic products, shall only be authorized if the vendor obtains an itinerant merchant or peddler license, in accordance with the Town Code regulations for such uses.
15. Farmers' Markets and Flea Markets on public property shall be classified as a public event.

175-53.7.A.3

~~h. Flea markets, subject to any conditions issued with special use permit, performance standards of the underlying zoning district, and requirements of Section 98-46 of the Town Code.~~

175-63.C.3

~~g. Flea markets, subject to any conditions issued with special use permit, performance standards of the underlying zoning district, and requirements of Section 98-46 of the Town Code.~~

175-70.I.3

~~h. Flea markets, subject to any conditions issued with special use permit, performance standards of the underlying zoning district, and requirements of Section 98-46 of the Town Code.~~

175-10.4.A.

COMMERCIAL:

Flea Markets and Farmers' Markets, subject to the standards of Section 175-10.10.B

-----END

This ordinance shall become effective upon passage.

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 _____, 2017, and _____, 2017. The Ordinance was enacted at the Regular Meeting of the Town Council held _____ 2017, to become effective upon passage.

Approved as to form and legality:

Douglas W. Napier, Town Attorney

Date: ____/____/____

Linda Andrich - Shade

3/2/17

Andrich's front Royal Flea Market

would like to bring before
Council for Special use permit
for farm use market.

Zoning change for Friday operation.

Linda Andrich - Shade



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george.stuckey@thalhimer.com

June 5, 2017

Hollis L. Tharpe, Mayor
Town of Front Royal
Administration Building, 2nd Floor
102 E Main Street
Front Royal, VA 22630

Dear Mayor Tharpe,

This letter is to let you know that the Boisseau Family, who are the fee owners of the land where the flea market is located on Commerce, is very much in favor of the flea market having the opportunity to include Friday openings for their typical weekend. There are a number of conditions that determine when the flea market can be open, weather being one of them, so having Friday will be helpful and should bring more tourists into the Town of Front Royal.

Thank you and the Town Council for considering this. We look forward to hearing that the Town Council has passed this to go into effect

If you have any questions of the Landlord, please don't hesitate to contact me

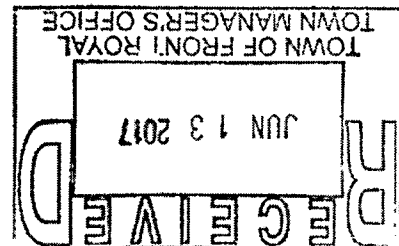
Sincerely,

George C. Stuckey
Agent for Boisseau Family

GCS.dsr

c Richard W. Boisseau, III
Linda Shade

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Town of Front Royal, Virginia Council Agenda Statement

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Item No. 9

Meeting Date: July 24, 2017

Agenda Item: COUNCIL APPOINTMENT – Councilmember

Summary: Council is requested to appoint a Councilmember to fill the unexpired term of former Councilman Bebhinn Egger, who resigned June 30, 2017. Said term for the appointed councilmember is December 31, 2018.

Budget/Funding: None

Attachments: None

Meetings: Several Closed Meetings

Staff Recommendation: Approval ✓ Denial _____

Proposed Motion: I move that Council appoint _____ as a member of Town Council to fill an unexpired term, said term to expire December 31, 2018.

*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: JW

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

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Item No. 10

Meeting Date: July 24, 2017

Agenda Item: CLOSED MEETING – Afton Inn Property and Ongoing UPS Noise Issue

Summary: Council is requested to go into Closed Meeting for the following purposes in relation to the Afton Inn Property and Ongoing UPS Noise Issue: **1)** Discussion or consideration of the disposition of publicly held real property, pursuant to Section 2.2- 3711. A.3., where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; **2)** Discussion concerning a prospective business where no previous announcement has been made of the business' interest in locating or expanding its facilities in the community, pursuant to Section 2.2-3711. A. 5. of the Code of Virginia; and **3)** Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, pursuant to Section 2.2-3711. A. 7. of the Code of Virginia.

Budget/Funding: None

Attachments: None

Meetings: None

Staff Recommendation: Approval ✓ Denial

Proposed Motion:

Motion to Go Into Closed Meeting

I move that Town Council go into closed meeting for the following purposes, in relation to the Afton Inn Property and Ongoing UPS Noise Issue: **1)** Discussion or consideration of the disposition of publicly held real property, pursuant to Section 2.2- 3711. A.3., where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; **2)** Discussion concerning a prospective business where no previous announcement has been made of the business' interest in locating or expanding its facilities in the community, pursuant to Section 2.2-3711. A. 5. of the Code of Virginia; and, **3)** Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, pursuant to Section 2.2-3711. A. 7. of the Code of Virginia.

Motion to Certify Closed Meeting at its Conclusion *[At the conclusion of the Closed Meeting, immediately re-convene in open meeting and take a roll call vote on the following:]*

I move 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 Act 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.

*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: JW