



TOWN COUNCIL WORK SESSION

Monday, September 18, 2017 @ 7:00pm

Town Hall Conference Room

Mayor Tharpe noted: that considering the letter received from the Economic Development Authority recently, would a member of Council wish to make a motion to amend the agenda to add discussion regarding the Afton Inn Appeal.

Councilman Connolly moved, seconded by Councilman Gillispie that Council amend the regularly scheduled Town Council worksession agenda of Monday, September 18, 2017 be amended to include to hear the appeal the Board of the Architectural Review Decision of September 12, 2017, regarding the application for demolition of the Afton Inn.

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

6. CLOSED MEETING – Contract Discussion

Motion to Go Into Closed Meeting

Councilman Connolly moved, seconded by Councilman Sealock that Council convene and go into Closed Meeting for the purpose of discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms of scope of such contract, where discussion in an Open Session would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711.A.29. of the Code of Virginia.

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

Motion to Certify Closed Meeting at its Conclusion

Councilman Connolly moved, seconded by Councilman Meza 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.

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

6. Afton Inn Demolition/EDA Appeal

Jennifer McDonald noted that the EDA sent a letter for demolition of the EDA, as it was the best method for the developers in order to move the application for MODE Developers forward. Mr. Whitten, EDA Attorney, noted that all procedures have been followed.

Vice Mayor Tewalt asked if needed a public hearing. Mayor Tharpe noted that it did not. Vice Mayor Tewalt noted that it should go onto the regular agenda. Mr. Sealock expressed his agreement.

1. Proposed Amendment to Town Code 142-20 - Banner Poles – *Town Manager*

Summary: The Town offers local (Front Royal/Warren County) non-profit civic, religious and educational organizations or groups the ability to advertise their event(s) free of charge through the display of a banner across N. Royal Avenue or John Marshall Highway. The banner poles on N. Royal Avenue and a Banner Policy have been in existence since before 1987. In 2009 a second location was added on John Marshall Highway with two wires so that two banners could be hung at the same time; and, another wire was added to the N. Royal Avenue location. Therefore, 4 banners can be displayed at the same time. In 2012, Council added **142-20-Town Banner Poles** to the Town Code to codify regulations. Since 2012 Staff has noticed a significant increase in reservations prompting proposed revisions to the regulations to ensure equal opportunity for all organizations and groups to advertise their events. Staff is requesting to revise the Code as presented. The highlights of these revisions include:

- 1) Allowing the Town Manager to designate staff to approve applications to streamline the process
- 2) Removing application information so they may be updated as needed without revising Code
- 3) Adding Town-sponsored events to display priority since the Town currently either sponsors or co-sponsors several community events.
- 4) Keeping the requested display of a banner at one location only. Several organizations have two banners for the same event to hang at both locations during the same timeframe; therefore, taking up space that other organizations could reserve.
- 5) Not moving banners from one location to another without a week lapse. This allows Town Staff to manage their weekly schedules in a more efficient manner.
- 6) Other additions are what has been included on the current application for several years.

Council is requested to consider the proposed amendments to the Town Code as presented.

Council Discussion: Vice Mayor Tewalt noted that it was a free service. He asked about the Town events. Mr. Waltz noted that the Code states that organizations with a past history (Chamber, etc.) have first priority. Councilman Sealock asked if other locations have been looked into, or if other electronic banner/type of signage has been looked into. Mr. Waltz noted that it was expensive to have electronic-type signs.

2. Budget Amendment for Leach Run Parkway - *Director of Finance*

Summary: Council is requested to approve a budget amendment for additional revenue and expense for the Leach Run Parkway Project in the amount of \$586,613.39.

Council is requested to approve the budget amendment as presented to allow the Town to pay the vendors and receive applicable revenue sharing for the project.

Staff Evaluation: In 2015, Council approved a budget amendment in the amount of \$12.3 million for the project that included construction expense associated with Branch Highways. The \$12.3 million did not include expense associated with vendors outside of Branch Highways such as Triad Engineering, Pennoni & Associates, and other expenses. This budget amendment will take all remaining expenses into account and is subject to increase before the actual approval of the budget amendment. The Town will be fully reimbursed for the expense by Warren County/EDA and the Virginia Department of Motor Vehicle Revenue Sharing Program. The expense must be paid by the Town in order to qualify for the revenue sharing program.

Budget/Funding: 4500-3410206 Highway Maintenance Reimbursements - \$586,613.39
4500-47957 Highway Maintenance Leach Run Parkway - \$586,613.39

Council Discussion: Mr. Wilson explained that it was mainly the engineering services. Mayor Tharpe noted that it would go forward to the agenda.

3. Review of Curb/Gutter Assessment – *Vice Mayor Tewalt*

Summary: Vice Mayor Tewalt has requested that Council review the Curb and Gutter Assessment Policy. Research was conducted by Staff and included in the worksession packet.

Council Discussion: Vice Mayor Tewalt explained the history of the curb and gutter assessment program. He noted that previously the ordinance was eliminated and he would like the assessment reinstated. Vice Mayor Tewalt noted that the Town previously charged half of what the cost was to the resident; with the resident doing a lien, they made payments, or they paid it in full from the beginning.

Councilman Sealock noted that most property owners come in and request a waiver and the erosion and water issues then fall to the Town when the improvements are not made. Mr. Sealock stated that the Council should not allow waivers for curb and gutter installation for new homes.

Councilman Connolly asked about curb and gutter and how much longer the asphalt lasts when the curb and gutter is installed. Mr. Tewalt stated that it can help add 5-8 years to the paving job. He noted that when streets are paved, and there are 3-5 homes that need curb and gutter, then those property owners needed to be approached and encouraged to be placed on the assessment list.

Mr. Waltz noted that pricing and more information needed to be pulled together to and then it would return to Council during worksession.

4. Discussion of Possible Use of Funds Collected from Sale of Former Police Dept – *Mayor*

Summary: Mayor Tharpe asked that Council discuss the possible uses of the funds collected from the recent sale of the former Police Department. Cost estimates for sidewalks and lights for Progress Drive is included in the packet.

Cost Estimate for Sidewalks and Lights - Progress Drive						
Category	Items	Quantity	Estimated Cost	Actual Cost	Total Estimated	Total Actual
Curb & Gutter		1,940	\$30.00		\$58,200.00	\$0.00
Sidewalk	Survey	1	\$2,000.00		\$2,000.00	\$0.00
	Concrete	3524	\$33.00		\$116,292.00	\$0.00
	Handicap ramps	4	\$1,000.00		\$4,000.00	\$0.00
Lights	Light poles	13	\$2,000.00		\$26,000.00	\$0.00
	Wire and misc. material	1	\$4,000.00		\$4,000.00	\$0.00
Total			\$9,063.00	\$0.00	\$210,492.00	\$0.00

Cost estimate for sidewalks on both sides of Progress Drive, sidewalks completed by contractor and the installation of light poles will be done in-house.	Subtotal	\$210,492.00	\$0.00
	Unexpected Costs - Add 15%	\$31,573.80	\$0.00
	Total	\$242,065.80	\$0.00

5/4/17 Rev 1

Council Discussion: Mayor Tharpe noted that Progress Drive would benefit from the installation from the improvements. Vice Mayor Tewalt stated that this goes against the last conversation of the curb and gutter issue.

Councilman Connolly stated that he had repeatedly heard requests from others requesting help in that area. He noted that they have agreed to better that area and this is the entryway to the future area. Councilman Gillispie expressed his agreement with Mr. Connolly for the installation.

Councilman Sealock expressed his agreement with Mr. Tewalt and was not in favor of the improvements. Mr. Meza noted his agreement with Messrs. Tewalt and Sealock noting that there were other large projects that needed to be reviewed and the money could be better used perhaps. He added that it was disheartening that there were emails coming in campaigning for the sidewalk installation before the check was even received relating to the sale. Council discussed the future improvements of Progress Drive and the options available. Mayor Tharpe noted that perhaps they could discuss it in another month.

5. Council Discussion/Goals

- None -

PRESENT: Mayor Tharpe, Vice Mayor Tewalt, Councilman Connolly, Councilman Gillispie, Councilman Meza, Councilman Sealock, Town Manager Waltz, Town Attorney Napier, Clerk of Council Berry, Director of Planning Camp, Director of Finance Wilson, Director of Energy Services Jenkins, Police Captain Ryman, Director of Environmental Services Hannigan, Finance Director Wilson, Human Resources Director Bush, members of the public and members of the press.

ABSENT: Councilman Morrison