



## REGULAR TOWN COUNCIL MEETING

**TUESDAY,** October 10, 2017 @ 7:00pm

Warren County Government Center

1. Pledge of Allegiance
2. Moment of Silence
3. Recognize Temporary Clerk of Council  
*I move that Town Council appoint and recognize Tina Presley as Clerk of the Front Royal Town Council pro tempore for the meeting of Front Royal Town Council on October 10, 2017 and for such additional and further meetings and times that are a continuation of the October 10, 2017 meeting at his/her services such as Clerk pro tempore may be needed.*
4. Roll Call
5. Approval of the Regular Council Meeting minutes of September 25, 2017
6. Receipt of Petitions and/or Correspondence from the Public
7. Reports:
  - a. Report of special committees or Town officials and Town Manager
    - \* Ceremonial Pinning of Several Police Officers – Chief Magalis
    - \* Report from Director of Public Works Jimmy Hannigan
    - \* Report from Director of Planning/Zoning Jeremy Camp
  - b. Requests and inquiries of Council members.
  - c. Report of the Mayor
  - d. Proposals for addition/deletion of items to the Agenda.
8. **CONSENT AGENDA ITEMS** – (ROLL CALL VOTE REQUIRED) - NONE
9. **COUNCIL APPROVAL** – Ordinance Amendment Pertaining to Flea Markets (2<sup>nd</sup> Reading)
10. **COUNCIL APPROVAL** – Revise Previously Approved Resolution of Support and Participation of New Market Tax Credit Program
11. **COUNCIL APPROVAL** - Award Bid for Police Department Construction
12. **COUNCIL APPROVAL** – Bid for Road Salt
13. **CLOSED MEETING** - 1) Potential Development 2) McKay Spring and 3) Vacation of Town Right of Way

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

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Item No. 9

**Meeting Date:** October 10, 2017

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**Agenda Item:** COUNCIL APPROVAL – Ordinance Amendment Pertaining to Flea Markets  
(2<sup>nd</sup> Reading)

**Summary:** Council is requested to adopt on its second and final reading to amend Town Code § 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 and potentially to have a Farmers Market; and, amendment to §98-46.B to change the license tax for flea markets from a per vendor tax of \$10.00 per year, or \$1.00 per day, to a flat license tax of \$500.00 per calendar year to be paid by the proprietor of the flea market, as presented.

**Budget/Funding:** None

**Attachments:** Proposed Ordinance, Letter of Request and Memo from Director of Planning/Zoning

**Meetings:** Work Sessions held March 20, July 3, July 17 and August 21, 2017. Referred to the Planning Commission by Town Council on March 27, 2017. Public Hearing scheduled and then cancelled on July 24, 2017. Public Hearing scheduled on August 14, 2017 but died for lack of a second due to licensing fee being advertised incorrectly. Public Hearing was held on September 25, 2017.

**Staff**

**Recommendation:** Approval ✓ Denial \_\_\_\_\_

**Proposed Motion:** I move that Council adopt on its second and final reading to amend Town Code § 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 to allow flea markets to operate on Fridays with a Special Use Permit, subject to standards and review and potentially to have a Farmers Market. I further move that Council amend Town Code §98-46.B to change the license tax for flea markets from a per vendor tax of \$10.00 per year, or \$1.00 per day, to a flat license tax of \$500.00 per calendar year to be paid by the proprietor of the flea market, 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



**TOWN OF FRONT ROYAL**  
**DEPARTMENT OF PLANNING & ZONING**  
*Memorandum*

To: Joe Waltz, Town Manager

From: Jeremy F. Camp, Planning & Zoning Director

Date: August 9, 2017

Re: Flea market regulations

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Following a public hearing, the Planning Commission recommended adoption of the attached amendments to the Town Code during their meeting on June 21, 2017.

The amendments would allow the existing flea market (or future flea market operators) to apply for a Special Use Permit to operate on Fridays, in addition to Saturdays, Sundays and Holidays, as presently permitted in the Town Code. The draft also includes changes to the performance standards for flea markets.

It was stressed with Andrick's Flea Market that a Special Use Permit application would need to be applied for and approved before any changes to the existing flea market operation on Commerce Avenue. It was also discussed that during the Special Use Permit Application process the flea market would need to comply with the new requirements and performance standards in the Town Code.

No changes are necessary in regards to Farmer's Markets.

The request to amend the flea market regulations was initially requested by Andrick's Flea Market, followed by a referral to the Planning Commission by Town Council.

**AN ORDINANCE TO AMEND FRONT ROYAL TOWN CODE §98-46 and §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.PERTAINING TO FLEA MARKETS OPENING ON FRIDAYS & LICENSE FEES**

**WHEREAS**, Town Council referred to the Planning Commission in March 2017 the request for Flea Markets to be open on Fridays; and,

**WHEREAS**, Town Council requested that Town Staff review the licensing fees for Flea Markets in June 2017; and,

**NOW THEREFORE, BE IT ENACTED**, by the Town Council of the Town of Front Royal, Virginia, that §98-46 and §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. of the Front Royal Town Code are hereby amended as follows:

**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~~ **The proprietor of any** flea market shall be required to purchase a license and display the license in a prominent place visible to the public. For ~~every~~ **such** ~~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~~ **\$250.00 per calendar year**. 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. 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.

## 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

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 |
| William A. Sealock | Yes/No | Christopher S. Morrison | Yes/No |
| John P. Connolly   | Yes/No | Gary Gillispie          | Yes/No |

A public hearing on the above was held on \_\_\_\_\_, 2017, having been advertised in the Northern Virginia Daily on \_\_\_\_\_ and \_\_\_\_\_, 2017.

\_\_\_\_\_  
Approved as to form and legality:

\_\_\_\_\_  
Douglas W. Napier, Town Attorney

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_



Thalhimer  
Thalhimer Center  
11100 West Broad Street  
Glen Allen, Virginia 23060  
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George C. Stuckey  
Senior Vice President  
Tel 1 804 697 3404  
george.stuckey@thalhimer.com

June 5, 2017

Hollis L. Tharpe, Mayor  
Town of Front Royal  
Administration Building, 2<sup>nd</sup> 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

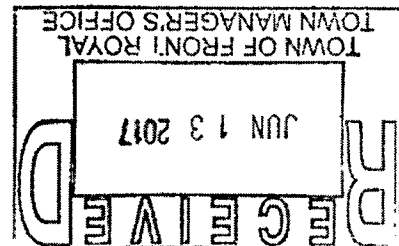
Sincerely,

George C. Stuckey  
Agent for Boisseau Family

GCS.dsr

c Richard W. Boisseau, III  
Linda Shade

J:\USER\georg2017\correspondence\Tharpe 06 05 177.doc



Linda Amrich - Shade

3/2/17

Amrich'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 Amrich - Shade

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

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Item No.   10  

**Meeting Date:** October 10, 2017

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**Agenda Item:** COUNCIL APPROVAL – Revise Previously Approved Resolution of Support and Participation of New Market Tax Credit Program

**Summary:** Council approved a resolution on August 8, 2016 to participate in the New Market Tax Credit Program which allowed \$9,000,000 for the construction of the new Police Department. The Economic Development Authority (EDA) can allow up to \$12,000,000. Council is requested to approve the revision of the previously approved Resolution of Support and Participation of New Market Tax Credit Program to reflect \$11,000,000, as presented.

**Budget/Funding:** None

**Attachments:** Revised Resolution

**Meetings:** Work Session held September 25, 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 the revision of the previously approved Resolution of Support and Participation of New Market Tax Credit Program to reflect \$11,000,000, 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



Town of Front Royal, Virginia



**REVISED**  
**RESOLUTION OF**  
**SUPPORT AND PARTICIPATION**  
**NEW MARKET TAX CREDIT PROGRAM**

**WHEREAS**, the Town of Front Royal has several major capital improvement projects that are necessary to promote the future of our Town, the redevelopment of the former Avtex Site, and enhance the economic vitality of Front Royal that include the design and construction of the 1) Police Headquarters; 2) Leach Run Parkway; 3) extension of West Main Street through the Avtex property; 4) Phase II of Happy Creek Road; and 5) sidewalk extensions along West Main Street and Kendrick Lane; and,

**WHEREAS**, the Town has worked with the Economic Development Authority (EDA) to identify funding options to advance these projects; and,

**WHEREAS**, the EDA has developed a creative financing program with People, Inc. that allows communities to complete these projects; and,

**WHEREAS**, the Town and County of Warren will work with the EDA to fund numerous capital projects in our community through the New Market Tax Credit Program;

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Town of Front Royal, Virginia hereby authorize and support the Economic Development Authority in moving forward with the New Market Tax Credit Program by obtaining loan funds from First Bank and Trust to finance the following Town projects: 1) Police Headquarters on Kendrick Lane - ~~\$9,000,000.00~~ **\$11,000,000.00**; 2) Leach Run Parkway - \$10,000,000; 3) Extension of West Main Street through the Avtex Property - \$2,500,000; 4) Phase II of Happy Creek Road - \$2,500,000; and 5) extensions of sidewalks along West Main Street and Kendrick Lane - \$350,000; and,

**BE IT FURTHER RESOLVED** that the Mayor and Council of the Town of Front Royal, Virginia hereby support the funding of the debt service of the EDA's capital expense budget whereby the Town will fund one hundred percent (100%) of the EDA's debt service through an annual appropriation and expenditure from the Town's adopted budget associated with the 1) Police Headquarters on Kendrick Lane; 2) Phase II of Happy Creek Road; and 3) extension of sidewalks along West Main Street and Kendrick Lane; and,

**BE IT FURTHER RESOLVED** that the Mayor and Council of the Town of Front Royal, Virginia hereby support the purchase through the Council's continued funding of the debt service of the EDA's capital expense budget according to the terms of the Town-County Fair Funding Formula whereby the Town currently funds approximately 1/3 (34%) of the EDA debt service through an annual appropriation and expenditure from the Town's adopted budget associated with 1) Leach Run Parkway and 2) West Main Street Extension.

Adopted this 10<sup>th</sup> day of October, 2017.

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> | Gary L. Gillispie       | <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:

|                                           |              |
|-------------------------------------------|--------------|
| _____<br>Douglas W. Napier, Town Attorney | Dated: _____ |
|-------------------------------------------|--------------|

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

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Item No.   11  

**Meeting Date:** October 10, 2017

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**Agenda Item:** COUNCIL APPROVAL – Bid for Police Department Construction

**Summary:** Council is requested to approve the bid from Dustin Construction in the amount of \$7,736,001.00 for construction of the new Police Department Headquarters

**Budget/Funding:** Through the New Market Tax Credit Program

**Attachments:** Memorandum/Quotation Tabulation from Purchasing Agent and Information from Moseley Architect

**Meetings:** Work Session held September 25, 2017.

**Staff**

**Recommendation:** Approval   ✓   Denial           

**Proposed Motion:** I move that Council approve the bid from Dustin Construction in the amount of \$7,736,001.00 for construction of the new Police Department Headquarters

**ROLL CALL VOTE REQUIRED**

\*Note: Motions are the formal & final proposal of Council,  
proposed motions are offered by Staff for guidance

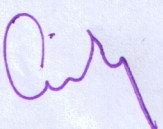
\*To be clear and concise, motions should be made in the positive

Approved By:   JW



## MEMORANDUM

**Date:** October 2, 2017  
**To:** Tina Presley, Senior Administrative Assistant  
Jennifer Berry, Clerk of Council  
**From:** Cindy Hartman, Purchasing Agent  
**RE:** Agenda Item



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On Thursday, September 7, 2017, I held a bid opening for the construction of the new Police Department Headquarters. I received four (4) responses (see attached tabulation sheet). Due to the dollar amount, the award of this project requires Town Council approval. Please add this item to the October 10, 2017 Council agenda for their action.

The funding for this project will be through the New Market Tax Credit Program. Therefore, this award is contingent upon the approval of the previous agenda item for the revision to that program.

Therefore, if the New Market Tax Credit Program is approved by Council:

Moseley Designs (Architects), and JTS Construction (Clerk of the Works) recommend the construction of the Police Department Headquarters bid award be made to Dustin Construction, Ijamsville, MD, in the amount of \$7,736,001.00.

If the New Market Tax Credit Program is not approved, or tabled by Council, this award shall be disregarded.

# TOWN OF FRONT ROYAL, VIRGINIA

## Quotation Tabulation

Item: POLICE DEPARTMENT HEADQUARTERS CONSTRUCTION

Quotation #24

Date: September 7, 2017

Replied 4

| Vendor Quotation                                                      |                                                                            |                                                         |                                              |                                                |
|-----------------------------------------------------------------------|----------------------------------------------------------------------------|---------------------------------------------------------|----------------------------------------------|------------------------------------------------|
|                                                                       | LANTZ<br>CONSTRUCTION<br>COMPANY<br>OF<br>WINCHESTER<br><br>WINCHESTER, VA | HOWARD<br>SHOCKEY &<br>SONS, INC.<br><br>WINCHESTER, VA | DUSTIN<br>CONSTRUCTION<br><br>IJAMSVILLE, MD | KELLER<br>BROTHERS, INC.<br><br>MOUNT AIRY, MD |
| QUANTITY                                                              | QUOTATION                                                                  | QUOTATION                                               | QUOTATION                                    | QUOTATION                                      |
| CONSTRUCTION FOR THE NEW<br>POLICE DEPARTMENT<br>HEADQUARTERS         |                                                                            |                                                         |                                              |                                                |
| BASE BID                                                              | \$7,775,000.00                                                             | \$7,840,000.00                                          | \$7,701,251.00                               | \$8,215,000.00                                 |
| <u>UNIT PRICE ALLOWANCES:</u>                                         |                                                                            |                                                         |                                              |                                                |
| 500 CU.YD. - ADDITIONAL<br>EARTHWORK TO IMPORT AND<br>PLACE FILL      | \$12,500.00<br>(\$25.00/CY)                                                | \$15,818.00<br>(\$31.64/CY)                             | \$15,000.00<br>(\$30.00/CY)                  | \$27,500.00<br>(\$55.00/CY)                    |
| 500 CU.YD. - REMOVAL AND<br>OFF-SITE DISPOSAL OF<br>UNCLASSIFIED SOIL | \$11,000.00<br>(\$22.00/CY)                                                | \$11,600.00<br>(\$23.20/CY)                             | \$17,500.00<br>(\$35.00/CY)                  | \$15,000.00<br>(\$30.00/CY)                    |
| 50 CY - ADDITIONAL SELECT<br>BACKFILL                                 | \$1,500.00<br>(\$30.00/CY)                                                 | \$1,584.00<br>(\$31.60/CY)                              | \$2,250.00<br>(\$45.00/CY)                   | \$4,750.00<br>(\$95.00/CY)                     |
|                                                                       |                                                                            |                                                         |                                              |                                                |
| TOTAL QUOTATION                                                       | \$7,800,000.00                                                             | \$7,869,002.00                                          | \$7,736,001.00                               | \$8,262,250.00                                 |
|                                                                       |                                                                            |                                                         |                                              |                                                |

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

\_\_\_\_\_  
Purchasing Agent

**TOWN OF FRONT ROYAL  
NEW POLICE HEADQUARTERS  
CONSTRUCTION BUDGET ESTIMATE**

**CONSTRUCT 2040 NEEDS**

**September 14, 2017**

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**CONSTRUCTION COSTS**

|                                   |             |           |                    |
|-----------------------------------|-------------|-----------|--------------------|
| New Police Headquarters           | 15,751 SF @ | \$280     | \$4,402,854        |
| Support Building                  | 7,208 SF @  | \$256     | \$1,843,750        |
| Site work                         | 3.4 AC @    | \$438,058 | \$1,489,397        |
| <b>Construction Cost Subtotal</b> |             |           | <b>\$7,736,001</b> |

**OTHER COSTS**

|                                            |                    |
|--------------------------------------------|--------------------|
| Furniture Allowance                        | \$470,628          |
| Geotechnical Study                         | \$10,102           |
| Base Mapping Survey/Easement Plats         | \$6,500            |
| Architectural/Engineering Services         | \$654,000          |
| Testing and Inspections Allowance          | \$78,000           |
| Data/IT Infrastructure/Telephone Allowance | \$160,000          |
| Fiber Line Extension/Connection Fees       | \$47,100           |
| Moving Expenses Allowance                  | \$20,000           |
| Emergency Communications Consoles (3)      | \$75,000           |
| Property Acquisition Allowance             | Not included       |
| Permitting Fees                            | Not included       |
| Utility Connection Fees                    | Not included       |
| Legal Expenses                             | Not included       |
| Financing Expenses                         | Not included       |
| <b>Other Costs Subtotal</b>                | <b>\$1,521,330</b> |

**Project Cost Subtotal** **\$9,257,331**

Project Budget Contingency (10% of Construction Cost) \$780,000

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**TOTAL** **\$10,037,331**

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**TOWN OF FRONT ROYAL  
NEW POLICE HEADQUARTERS  
VALUE ENGINEERING BUDGET ESTIMATE**

**CONSTRUCT 2040 NEEDS**

**September 14, 2017**

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**CONSTRUCTION COSTS**

|                                   |             |           |                    |
|-----------------------------------|-------------|-----------|--------------------|
| New Police Headquarters           | 15,751 SF @ | \$280     | \$4,402,854        |
| Support Building                  | 7,208 SF @  | \$256     | \$1,843,750        |
| Site work                         | 3.4 AC @    | \$438,058 | \$1,489,397        |
| <b>Construction Cost Subtotal</b> |             |           | <b>\$7,736,001</b> |

**OTHER COSTS**

|                                            |                    |
|--------------------------------------------|--------------------|
| Furniture Allowance                        | \$470,628          |
| Geotechnical Study                         | \$10,102           |
| Base Mapping Survey/Easement Plats         | \$6,500            |
| Architectural/Engineering Services         | \$654,000          |
| Testing and Inspections Allowance          | \$78,000           |
| Data/IT Infrastructure/Telephone Allowance | \$160,000          |
| Fiber Line Extension/Connection Fees       | \$47,100           |
| Moving Expenses Allowance                  | \$20,000           |
| Emergency Communications Equipment Cost    | \$75,000           |
| <b>Other Costs Subtotal</b>                | <b>\$1,521,330</b> |

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**Project Cost Subtotal** **\$9,257,331**

**VE Items**

|                             |                   |
|-----------------------------|-------------------|
| Furniture Allowance         | -\$48,000         |
| Perimeter Wall to Fencing   | -\$340,000        |
| Eliminate Generator         | -\$190,000        |
| <b>Other Costs Subtotal</b> | <b>-\$578,000</b> |

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**Project Cost Subtotal** **\$8,679,331**

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Project Budget Contingency (10% of Construction Cost) \$780,000

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**TOTAL** **\$9,459,331**

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### Estimated Expense & Revenues Associated with Buidling of Police Department Headquarters

|                           | NEW MARKET TAX CREDIT PROGRAM                            |                                                                     | Full Debt Service<br>on \$11 Million<br>(3.25% for 20 Years) | R/E TAX REVENUE ALLOCATED TO POLICE DEPT HQ |                                      |                                                   |
|---------------------------|----------------------------------------------------------|---------------------------------------------------------------------|--------------------------------------------------------------|---------------------------------------------|--------------------------------------|---------------------------------------------------|
|                           | Interest Only<br>Paid on \$11 Million<br>Minimum 7 Years | \$7.7 Million Loan<br>(70% of \$11 Million)<br>(3.25% for 20 Years) |                                                              | R/E Tax Rate<br>Per \$100                   | Possible<br>R/E Tax<br>Rate Increase | Estimated<br>Police Dept HQ<br>R/E Tax Allocation |
| FY2018                    | \$165,000                                                |                                                                     | \$119,600                                                    | \$ 0.135                                    |                                      | \$ 242,500                                        |
| FY2019                    | \$165,000                                                |                                                                     | \$750,675                                                    | \$ 0.140                                    | \$ 0.005                             | \$ 292,500                                        |
| FY2020                    | \$165,000                                                |                                                                     | \$750,675                                                    | \$ 0.145                                    | \$ 0.005                             | \$ 342,500                                        |
| FY2021                    | \$165,000                                                |                                                                     | \$750,675                                                    | \$ 0.150                                    | \$ 0.005                             | \$ 392,500                                        |
| FY2022                    | \$165,000                                                |                                                                     | \$750,675                                                    | \$ 0.155                                    | \$ 0.005                             | \$ 442,500                                        |
| FY2023                    | \$165,000                                                |                                                                     | \$750,675                                                    | \$ 0.160                                    | \$ 0.005                             | \$ 492,500                                        |
| FY2024                    | \$165,000                                                |                                                                     | \$750,675                                                    | \$ 0.163                                    | \$ 0.003                             | \$ 522,500                                        |
| FY2025                    | \$165,000                                                |                                                                     | \$750,675                                                    | \$ 0.163                                    | \$ -                                 | \$ 522,500                                        |
| FY2026                    | \$165,000                                                | \$525,950                                                           | \$750,675                                                    | \$ 0.163                                    | \$ -                                 | \$ 522,500                                        |
| FY2027                    |                                                          | \$525,950                                                           | \$750,675                                                    | \$ 0.163                                    | \$ -                                 | \$ 522,500                                        |
| FY2028                    |                                                          | \$525,950                                                           | \$750,675                                                    | \$ 0.163                                    | \$ -                                 | \$ 522,500                                        |
| FY2029                    |                                                          | \$525,950                                                           | \$750,675                                                    | \$ 0.163                                    | \$ -                                 | \$ 522,500                                        |
| FY2030                    |                                                          | \$525,950                                                           | \$750,675                                                    | \$ 0.163                                    | \$ -                                 | \$ 522,500                                        |
| FY2031                    |                                                          | \$525,950                                                           | \$750,675                                                    | \$ 0.163                                    | \$ -                                 | \$ 522,500                                        |
| FY2032                    |                                                          | \$525,950                                                           | \$750,675                                                    | \$ 0.163                                    | \$ -                                 | \$ 522,500                                        |
| FY2033                    |                                                          | \$525,950                                                           | \$750,675                                                    | \$ 0.163                                    | \$ -                                 | \$ 522,500                                        |
| FY2034                    |                                                          | \$525,950                                                           | \$750,675                                                    | \$ 0.163                                    | \$ -                                 | \$ 522,500                                        |
| FY2035                    |                                                          | \$525,950                                                           | \$750,675                                                    | \$ 0.163                                    | \$ -                                 | \$ 522,500                                        |
| FY2036                    |                                                          | \$525,950                                                           | \$750,675                                                    | \$ 0.163                                    | \$ -                                 | \$ 522,500                                        |
| FY2037                    |                                                          | \$525,950                                                           | \$750,675                                                    | \$ 0.163                                    | \$ -                                 | \$ 522,500                                        |
| FY2038                    |                                                          | \$525,950                                                           | \$750,675                                                    | \$ 0.163                                    | \$ -                                 | \$ 522,500                                        |
| FY2039                    |                                                          | \$525,950                                                           |                                                              | \$ 0.163                                    | \$ -                                 | \$ 522,500                                        |
| FY2040                    |                                                          | \$525,950                                                           |                                                              | \$ 0.163                                    | \$ -                                 | \$ 522,500                                        |
| FY2041                    |                                                          | \$525,950                                                           |                                                              | \$ 0.163                                    | \$ -                                 | \$ 522,500                                        |
| FY2042                    |                                                          | \$525,950                                                           |                                                              | \$ 0.163                                    | \$ -                                 | \$ 522,500                                        |
| FY2043                    |                                                          | \$525,950                                                           |                                                              | \$ 0.163                                    | \$ -                                 | \$ 522,500                                        |
| FY2044                    |                                                          | \$525,950                                                           |                                                              | \$ 0.163                                    | \$ -                                 | \$ 522,500                                        |
| FY2045                    |                                                          | \$525,950                                                           |                                                              | \$ 0.163                                    | \$ -                                 | \$ 522,500                                        |
| SUBTOTAL                  | \$1,485,000                                              | \$10,519,000                                                        | \$15,133,100                                                 | \$ 0.163                                    | \$ -                                 | \$ 522,500                                        |
| TOTAL INTEREST & DEBT EXP |                                                          | \$12,004,000                                                        |                                                              |                                             |                                      |                                                   |

\*All figures are based on current estimated expenses, revenues, & assessments all of which are subject to change  
9/19/2017

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

Page   1    
Item No.   12  

**Meeting Date:** October 10, 2017

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**Agenda Item:** COUNCIL APPROVAL – Bid for Road Salt

**Summary:** Council is requested to approve a bid for the purchase of deicing road salt during the upcoming winter season through April 30, 2018 to Cargill, Inc. at a cost of \$72.41 per ton.

**Budget/Funding:** FY18 Public Works Department Highway Maintenance Budget Line item 4500-45478 "Snow Removal"

**Attachments:** Memorandum/Tabulation Sheet from Purchasing Agent

**Meetings:** None

**Staff  
Recommendation:** Approval   ✓   Denial           

**Proposed Motion:** I move that Council approve a bid for the purchase of deicing road salt during the upcoming winter season through April 30, 2018 to Cargill, Inc. at a cost of \$72.41 per ton.

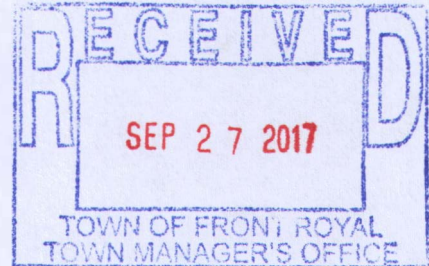
**ROLL CALL VOTE REQUIRED**

\*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



## MEMORANDUM



**Date:** September 27, 2017  
**To:** Tina Presley, Senior Administrative Assistant  
Jennifer Berry, Clerk of Council  
**From:** Cindy Hartman, Purchasing Agent  
**RE:** Agenda Item

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On Tuesday, September 26, 2017, I held a bid opening to set firm pricing for the purchase of road salt during the upcoming winter season through April 30, 2018. I received four (4) responses, with one (1) of those being a "No Quote" (see attached tabulation sheet). The lowest quotation was submitted by Cargill, Inc., at a cost of \$72.41 per ton. This is \$1.97 less than our cost per ton during last year's winter season, from this same company. We purchased approximately 490 tons of salt last year for a total expenditure of \$36,479.69.

As we have no means of forecasting the quantity of salt we will use during a winter season, the request is for an estimated quantity of up to 2500 tons. Due to the dollar amount the Town historically spends for this commodity, the award will need Town Council approval. Please add this to the October 10, 2017 agenda, for their action.

Staff recommends the award for deicing road salt for the 2017-2018 winter season be made to Cargill, Inc. at a cost of \$72.41 per ton. Funding to purchase this commodity is in the FY18 Department of Environmental Services Highway Maintenance budget line item 4500-45478 "Snow Removal".

**TOWN OF FRONT ROYAL, VIRGINIA**

**Quotation Tabulation**

**Item: ROAD SALT**

**Quotation #26**

**Date: September 26, 2017**

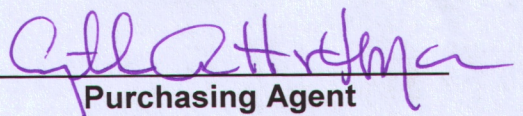
**Replied 4**

**COMPASS MINERALS - N/Q**

|                                                         | <b>CARGILL</b>                     | <b>MORTON<br/>SALT</b>      | <b>EASTERN<br/>SALT</b> |
|---------------------------------------------------------|------------------------------------|-----------------------------|-------------------------|
|                                                         | <b>NORTH<br/>OLMSTEAD<br/>OHIO</b> | <b>CHICAGO<br/>ILLINOIS</b> | <b>LOWELL,<br/>MASS</b> |
| <b>QUANTITY</b>                                         | <b>QUOTATION</b>                   | <b>QUOTATION</b>            | <b>QUOTATION</b>        |
| <b>FIRM DELIVERED PRICE THROUGH<br/>APRIL 30, 2017.</b> |                                    |                             |                         |
| <b>ROAD SALT - PER TON</b>                              | <b>\$72.41</b>                     | <b>\$90.35</b>              | <b>\$75.00</b>          |
| <b>ESTIMATED TONNAGE UP TO<br/>2500 TONS</b>            |                                    |                             |                         |
|                                                         |                                    |                             |                         |
| <b>TOTAL QUOTATION</b>                                  |                                    |                             |                         |

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

\_\_\_\_\_  
**Witness**

  
\_\_\_\_\_  
**Purchasing Agent**

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

Page 1  
Item No. 13

**Meeting Date:** October 10, 2017

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**Agenda Item:** CLOSED MEETING – 1) Potential Development 2) McKay Spring and 3) Vacation of Town Right of Way

**Summary:** Council is requested to go into Closed Meeting for 1) Potential Development Near Intersection of Shenandoah Avenue; 2) Disposition of Publicly Held Property Namely McKay Spring and 3) Disposition of Publicly Held Property Namely Vacation of Town Right of Way

**Budget/Funding:** None

**Attachments:** None

**Meetings:** None

**Staff Recommendation:** Approval ☒ Denial ☐

**Proposed Motion:**

**Motion to Go Into Closed Meeting**

I move that Council convene and go into Closed Meeting for the following purposes: **(1)** Discussion and consideration of a potential public-private partnership under the provisions of The Public-Private Education Facilities and Infrastructure Act of 2002, related to potential development at or near the intersection of Shenandoah Avenue and the new bridge at the south end of the South Fork of the Shenandoah River, under the following specific provisions of the Freedom of Information Act: (A) Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected, pursuant to Section 2.2-3711. A. 6. of the Code of Virginia; and (B) 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; **(2)** The disposition of publicly held real property, specifically, the McKay Springs 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; and, **(3)** The disposition of publicly held real property, specifically, the sale or vacation of Town right of way, approximately 100 feet by 25 feet in size, located near 208 West Duck Street, to Jerry Bell, Jr., 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.

**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