



REGULAR TOWN COUNCIL MEETING

Monday, January 22, 2018 @ 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 January 8, 2018
5. Receipt of Petitions and/or Correspondence from the Public
6. Reports:
 - a. Report of special committees or Town officials and Town Manager
 *** Report from County Administrator Doug Stanley**
 - 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) NONE
8. **COUNCIL APPROVAL** – Resolution Amendment for Policy re: Voluntary Assessment for Local Improvements
9. **COUNCIL APPROVAL** – Proclamation – Great Kindness Challenge – LFK School
10. **COUNCIL APPROVAL** – Proclamation – Great Kindness Challenge – E. Wilson School
11. **CLOSED MEETING** – Disposition of Publicly Held Property

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

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Item No. 8

Meeting Date: January 22, 2018

Agenda Item: COUNCIL APPROVAL – Resolution Amendment for Policy re: Voluntary Assessment for Local Improvements

Summary: Council is requested to amend the 2004 Resolution pertaining to the *“Policy for Assessment for the Installation of Local Improvements”* to share one half of the total cost per square foot of walkway improved and one half of the total cost per linear foot of curb and gutter improved with the landowner as presented and effective upon approval of the resolution.

Budget/Funding: None

Attachments: Revised Resolution

Meetings: Work Sessions held November 20, 2017 and January 16, 2018

Staff

Recommendation: Approval ✓ Denial _____

ROLL CALL VOTE REQUIRED

Proposed Motion: I move that Council approve the revision of the 2004 Resolution pertaining to the *“Policy for Assessment for the Installation of Local Improvements”* to share one half of the total cost per square foot of walkway improved and one half of the total cost per linear foot of curb and gutter improved, as presented and effective upon passage.

*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

RESOLUTION

POLICY FOR VOLUNTARY ASSESSMENTS FOR THE INSTALLATION OF LOCAL IMPROVEMENTS

WHEREAS, on September 13, 2004, the Town Council adopted a revised "*Policy for Assessment for the Installation of Local Improvements*" setting the rates for voluntary participation at \$3.00 per foot of walkway improvements and \$12.00 per lineal foot of curb and gutter improvements; and,

WHEREAS, the Council wishes to amend this Policy to share one half of the total cost per square foot of walkway improved and one half of the total cost per linear foot of curb and gutter improved with the landowner.

NOW THEREFORE BE IT RESOLVED by the Town of Front Royal, Virginia that the policy contained in the September 13, 2004 Resolution is rescinded effective January 22, 2018 and that the following Policy be approved in its place and be amended as follows:

“POLICY FOR ASSESSMENT FOR THE INSTALLATION OF LOCAL IMPROVEMENTS”

WHEREAS, the Town of Front Royal wishes to provide a process whereby landowners and property owners may enter into agreement with the Town for voluntary assessments to install or construct curbs, gutters and/or sidewalks in areas abutting public streets maintained by the Town; and

WHEREAS, the Town encourages the installation or construction of curbs, gutters and/or sidewalks finding it to benefit the citizens of the Town through improved pedestrian access, improved storm water drainage, and prolonged street life; and

WHEREAS, the voluntary installation or construction of curbs, gutters and/or sidewalks has become more prevalent; and

WHEREAS, the Town Council desires consistency and uniformity in the exercise of the Council's assessment authority; and,

NOW THEREFORE BE IT RESOLVED by the Town Council of the Town of Front Royal, Virginia, that the following policy is adopted pertaining to the voluntary assessment for the installation or construction of certain local improvements: sidewalks, curbs & gutters, by agreement which may be amended or modified from time to time to better serve the needs of the Town of Front Royal. The Town Council having made the above findings, it is ordered that: curbs, gutters and/or sidewalks abutting public streets maintained by the Town be installed or constructed where the abutting landowner/property owner has agreed to voluntary assessment for such improvement at the amount and terms set forth herein, Chapter 48 of the Town Code, §15.2-104 and §15.2-2404 of Title 15.2 Chapter 24 of the Code of Virginia, and such further administrative provisions as the Town Manager may deem necessary to implement the policy expressed therein.

The Town Manager may refuse the request of any landowner to install or construct any particular improvement or agree to an assessment by agreement and refer the matter to Town Council for decision if he determines that the particular installation or construction is not an appropriate use of Town funds or is contrary to the infrastructure needs of the Town.

1. Landowners wishing to voluntarily agree to assessment for the installation or construction of curbs, gutters and sidewalks abutting their property along public streets maintained by the Town, may enter into a written agreement, prepared by the Town Attorney, with the Town of Front Royal for said installation or construction. Any voluntary agreement for the installation of a local improvement shall be subject to any terms of Chapter 48 of the Code of the Town of Front Royal applicable to voluntary agreements. As a part of any agreement, the landowner must pay for the installation or construction of the following improvements at the rate and terms as set out below, where applicable:

- A. For the installation, construction, improvement, replacement, use or enlargement of sidewalks or other walkways by agreement between the Town of Front Royal and the landowner, the assessment to landowners shall not exceed ~~(\$3.00)~~ **one half of the total cost** per square foot of walkway improved.
- B. For the installation, construction, improvement, replacement, use or enlargement of curbs & gutters by agreement between the Town and the property owner, the assessment to landowners shall not exceed ~~(\$12.00)~~ **one half of the total cost** per linear foot of curb and gutter improved.

II. Landowners may pay for the improvements as follows:

- A. The landowner pays the entire amount of voluntary assessment for the improvement, as set out above, at the time when the application is approved, and the agreement ratified and no lien on the abutting property shall be recorded.
- B. The landowner may enter into an agreement, secured by a lien on the abutting property, with the Town allowing for payment in nine (9) equal installments over a period of eight (8) years. The first installment shall be due after substantial completion of the improvement, which date of completion shall be determined by the Director of Public Works having oversight of the improvement, to which he shall certify in writing to the Director of Finance who shall then bill the landowner forthwith. The first installment payment will be due and payable thirty (30) days after the billing date. A lien will be recorded in the land records of the Warren County Courthouse against the affected property immediately after the agreement is ratified. Interest will be charged on the unpaid balance at the rate of a one-year U.S. Treasury Bill from the time the improvement is substantially completed. An administrative fee of \$25.00 will be charged to all landowners applying for improvements by installment payments which shall be paid at the time the application is approved and the agreement ratified, which fee shall be credited to the cost of any amount assessed against the landowner for the improvement and deducted from the amount of the first installment. The landowner may pay the entire amount of the assessment at any time. If the first

installment or any other annual installment is not paid within thirty (30) days after the due date, then the entire unpaid balance shall be declared due and payable and collected in any manner permitted by law.

The Town Manager shall be responsible for implementing this policy and establishing such further procedures or terms for the administration of this policy as he may find appropriate and not in conflict with Federal or State law, the Town Code, or this policy, now or as amended.

This resolution shall be effective upon passage.

APPROVED:

Hollis L. Tharpe, Mayor

Attest:

Jennifer E. Berry, CMC, Clerk of Council

THIS RESOLUTION was approved at the Regular Meeting of the Town of Front Royal, Virginia, Town Council conducted on _____, 2018 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:

Douglas W. Napier, Town Attorney

Dated: _____

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

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Item No. 9

Meeting Date: January 22, 2018

Agenda Item: COUNCIL APPROVAL – Proclamation “*The Great Kindness Challenge Week*” for Leslie Fox Keyser Elementary School

Summary: Council has received a request from Leslie Fox Keyser Elementary School seeking approval of a proclamation proclaiming January 22 – 26, 2018 as “*The Great Kindness Challenge Week*” in the Town of Front Royal, as presented.

Budget/Funding: None

Attachments: Proclamation

Meetings: None

Staff

Recommendation: Approval ✓ Denial _____

Proposed Motion: I move that Council approve a proclamation proclaiming January 22 – 26, 2018 as “*The Great Kindness Challenge Week*” in the Town of Front Royal for Leslie Fox Keyser Elementary School, 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

PROCLAMATION



WHEREAS, The Great Kindness Challenge was created and launched in 2011 by Kids for Peace, a global nonprofit based in Carlsbad, California; and

WHEREAS, The Great Kindness Challenge was piloted with three Carlsbad public schools and has now expanded to all 50 states with over 5 million students participating; and

WHEREAS, The Great Kindness Challenge is one week dedicated to students performing as many kind deeds as possible, using a provided checklist; and

WHEREAS, *Leslie Fox Keyser Elementary School* proudly demonstrates their commitment to improved school climate and increased student engagement by participating in The Great Kindness Challenge; and

WHEREAS, Leslie Fox Keyser Elementary School is honored to unite all students in the spirit of kindness and respect;

NOW, THEREFORE, I, Hollis L. Tharpe, serving as Mayor of Front Royal, VA, do hereby proclaim January 22-26, 2018 as **The Great Kindness Challenge Week** where **KINDNESS MATTERS** in Front Royal and beyond!

APPROVED:

ATTEST:

Hollis L. Tharpe
Honorable Mayor

Jennifer E. Berry
Clerk of Council

*This proclamation was adopted by the Town Council
of the Town of Front Royal, Virginia on January 22, 2018.*

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

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Item No. 10

Meeting Date: January 22, 2018

Agenda Item: COUNCIL APPROVAL – Proclamation “*The Great Kindness Challenge Week*” for E. Wilson Elementary School.

Summary: Council has received a request from E. Wilson Morrison Elementary School seeking approval of a proclamation proclaiming January 22 – 26, 2018 as “*The Great Kindness Challenge Week*” in the Town of Front Royal, as presented.

Budget/Funding: None

Attachments: Proclamation

Meetings: None

Staff

Recommendation: Approval ✓ Denial _____

Proposed Motion: I move that Council approve a proclamation proclaiming January 22 – 26, 2018 as “*The Great Kindness Challenge Week*” in the Town of Front Royal for E. Wilson Morrison Elementary School, 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

PROCLAMATION



WHEREAS, The Great Kindness Challenge was created and launched in 2011 by Kids for Peace, a global nonprofit based in Carlsbad, California; and

WHEREAS, The Great Kindness Challenge was piloted with three Carlsbad public schools and has now expanded to all 50 states with over 5 million students participating; and

WHEREAS, The Great Kindness Challenge is one week dedicated to students performing as many kind deeds as possible, using a provided checklist; and

WHEREAS, *E. Wilson Morrison Elementary School* proudly demonstrates their commitment to improved school climate and increased student engagement by participating in The Great Kindness Challenge; and

WHEREAS, E. Wilson Morrison Elementary School is honored to unite all students in the spirit of kindness and respect;

NOW, THEREFORE, I, Hollis L. Tharpe, serving as Mayor of Front Royal, VA, do hereby proclaim January 22-26, 2018 as **The Great Kindness Challenge Week** where **KINDNESS MATTERS** in Front Royal and beyond!

APPROVED:

ATTEST:

Hollis L. Tharpe
Honorable Mayor

Jennifer E. Berry
Clerk of Council

*This proclamation was adopted by the Town Council
of the Town of Front Royal, Virginia on January 22, 2018.*

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

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Item No. 11

Meeting Date: January 22, 2018

Agenda Item: CLOSED MEETING – Disposition of Publicly Held Property

Summary: Council is requested to go into a closed meeting for the purpose of discussion or consideration of the disposition of publicly held real property, specifically two Town alleys which are public rights of way, located between Ay View Drive to the west, and South Royal Avenue to the east and south, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code Section 2.2- 3711. A.3.

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 purpose of discussion or consideration of the disposition of publicly held real property, specifically two Town alleys which are public rights of way, located between Ay View Drive to the west, and South Royal Avenue to the east and south, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code Section 2.2- 3711. A.3.

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 Action 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.

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proposed motions are offered by Staff for guidance

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

Approved By: JW