

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on March 12, 2018, in the Warren County Government Center's Board Meeting Room. Mayor Tharpe led Council and those attending in the Pledge of Allegiance to the flag and a Moment of Silence. The roll was called at 7:00 p.m.

PRESENT: Mayor Hollis L. Tharpe
Councilman Gary L. Gillispie
Councilman Jacob L. Meza
Councilman Christopher S. Morrison
Councilman William A. Sealock
Vice Mayor Eugene R. Tewalt
Town Attorney Douglas W. Napier
Town Manager Joseph E. Waltz
Clerk of Council Jennifer E. Berry, CMC

ABSENT: Councilman John P. Connolly

(The above listed members represent the full body of Council as authorized in the Town Charter.)

Vice Mayor Tewalt moved, seconded by Councilman Meza over that Council approve the Regular Council Meeting minutes of February 12, 2018 as presented.

Vote: Yes – Gillispie, Meza, Morrison, Sealock and Tewalt

No – N/A

Abstain – N/A

Absent – Connolly

(Mayor Tharpe did not vote as there was no tie to require his vote)

(By Roll Call)

RECEIPT OF PETITIONS OR CORRESPONDENCE FROM THE PUBLIC

There were no receipts or correspondence from the public.

Town Manager, Joseph Waltz, noted that the Town will hold a special brush clean up this coming Wednesday due to the recent wind storm.

Leslie Hardesty, Program Coordinator of The Laurel Center, noted the closure of Harmony Place left a huge gap in domestic and sexual violence services in the community. Within a few months, the Phoenix Project came into existence and began providing Domestic Violence services and the Department of Criminal Justice Services approached the Laurel Center and asked the agency to permanently provide Sexual Assault Services in the Front Royal/Warren County jurisdiction, she noted. Ms. Hardesty reported that they provide a 24 hour hotline, individual counseling for teens and adult sexual assault survivors, therapy services for child sexual assault survivors, support groups for teens, adults (male and females), secondary survivors, and nonoffending caregivers. She added that they also provide court advocacy and accompaniment and violence prevention programming in the schools and non traditional settings. Ms. Hardesty stated that since 2014, they have provided hotline services to 532 individuals, 612 nights of shelter to 116 women and children, 363 people received sexual assault services, and 85 survivors were provided court/legal advocacy services.

Mayor Tharpe asked if there were any proposals for additions or deletions to the agenda.

CONSENT AGENDA

A. COUNCIL APPROVAL – Liaison Committee Agenda Items

- 1) IT Federal Main Street Project**
- 2) Route 522 Corridor Water Upgrade Project**
- 3) Phase II Happy Creek Road Project Update**
- 4) Town Building Maintenance Code Enforcement Update**
- 5) Update on Wastewater Treatment Plant**
- 6) Development Review Committee**
- 7) Relocation of VA Inspection Sticker/Motor Vehicle Decals**
- 8) Building Inspections Software**
- 9) Warren County's In-Town Projects**
- 10) Joint Towing Board**

B. COUNCIL APPROVAL – ~~Proclamation “The Laurel Center Sexual Assault Awareness Month”~~
removed for separate discussion and vote

C. COUNCIL APPROVAL – Bid – Fire Hydrants

D. COUNCIL APPROVAL – Bid – R.T.V. Utility Vehicle

Vice Mayor Tewalt moved, seconded by Councilman Sealock, that Council approve the consent agenda as presented.

Vote: Yes – Gillispie, Meza, Morrison, Sealock and Tewalt

No – N/A

Abstain – N/A

Absent – Connolly

(Mayor Tharpe did not vote as there was no tie to require his vote)

(By Roll Call; sans Item B)

PUBLIC HEARING – Fiscal Year 2018 - 2019 Tax Rates *(1st Reading)*

Summary: Council is requested to affirm on its first reading an increase for Fiscal Year 2018-2019 real estate rate from \$0.135 to \$0.145 per \$100 assessed value, which represents an increase of \$0.01 from the current year's rate; the personal property tax rate at \$0.64 per \$100 assessed value, which represents no increase over the current year's rate; and the personal property tax relief rate of 60% of value on the first \$20,000 of assessed value for qualifying vehicles with an assessed value greater than \$1,000; and a personal property tax relief rate of 100% for qualifying vehicles with an assessed value of \$1,000 or less, pursuant to Virginia Code §58.1-3524. Council is further requested to affirm on its first reading an ordinance to amend an ordinance to amend Front Royal Town Code Section 75.44.C. accordingly.

Mayor Tharpe opened the public hearing.

Joe Andrews, of 735 Megeath Farm Lane, noted that Council was involved in frivolous spending. He noted that one item in the budget, the RTV, is a great idea but the Town is

overspending on the purchase and can easily purchase the same item for less. He opined that there were extensive crosswalk installations which were pricey and the huge cost of the new Police Department. Mr. Andrews commented that the Council just gave away the Town Hall and then the Leach Run Parkway was built at a super high cost. He noted that the Council now wants a stand by generator and it proposed to pay too much for that item as well. Mr. Andrews pleaded with Council to sharpen their pencils on spending and do not go forward with the tax increase.

As no one else came forward to speak, the public hearing was closed.

Councilman Sealock moved, seconded by Vice Mayor Tewalt that Council affirm on its first reading an increase for Fiscal Year 2018-2019 real estate rate from \$0.135 to \$0.145 per \$100 assessed value, which represents an increase of \$0.01 from the current year's rate; the personal property tax rate at \$0.64 per \$100 assessed value, which represents no increase over the current year's rate; and the personal property tax relief rate of 60% of value on the first \$20,000 of assessed value for qualifying vehicles with an assessed value greater than \$1,000; and a personal property tax relief rate of 100% for qualifying vehicles with an assessed value of \$1,000 or less, pursuant to Virginia Code §58.1-3524. Council is further requested to affirm on its first reading an ordinance to amend Front Royal Town Code Section 75.44.C. accordingly.

Councilman Meza clarified that in 2017 the Town Council voted on the 10 million Police Department project and then Council voted on part for a half cent which would add about \$55,000 annually to the budget to cover the additional revenues. He noted that would cover interest only on the debt service, and it would be \$700,000-800,000 to the Town. Mr. Meza stated that the Town is not intending to raise taxes this evening to cover the entire \$700,000-800,000, but rather just the interest on the project, and the rest the Town has carved out of the budget. He reiterated that the Town is carving out other ways to raise funds without increasing taxes, adding that the proposal is a smart preparation and it is for one of the largest projects that the Town has undertaken.

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

Councilman Meza noted that he would need more understanding before moving forward. Councilman Gillispie noted that the Town sold the former Police Department for \$275,000 and he does not see the need for the tax increase this year. He added that there were funds available above and beyond the reserve amounts and he did not see the need for a tax increase at this time.

Vice Mayor Tewalt stated that he voted against the proposed Police Department adding that the Town does not need such an elaborate Police Department. He noted that the Town is spending money and Council needs to cover those expenses. Mr. Tewalt reiterated that the Town is asking for interest only for the Police Department expenses, and the Town can not continue to pull money out of the reserve fund. He added that if the Town is going to have projects such as Leach Run Parkway, then the Town must pay for it. In order to pay for such projects, it comes

from the taxes, Mr. Tewalt reiterated. He stated that the Town cannot continue to move forward and wait until the funds are needed for projects, they needed to prepare. Vice Mayor Tewalt added that Council should also not vote for projects they cannot support with taxes.

Councilman Morrison stated that the County is going to assess properties this year and he resides next to two blighted properties, yet the blight has not been addressed, though his assessment went up \$30,000. He noted that those assessments will generate revenue without raising taxes. Mr. Morrison added that tax payers should not be the first in line to pay for the increase to cover the Police Department.

Councilman Sealock noted that the Town should do a legitimate planning in advance before doing projects. He stated that one cent is reasonable and the Town has kicked the can for the Police Department down the road for over 20 years and it is time for the men and women of the Police Department to be in a suitable structure. Mr. Sealock noted that one cent will not break anyone and it is legitimate planning and is in support of our law enforcement officers.

Councilman Meza stated that if \$1.5 million is taken from reserve than there is still a shortfall. He noted that Council discussed facing this issue two years ago and now it needs to be addressed. He added that there may be an increase from assessments, perhaps, but there are numerous projects in need of funding and the debt services on major projects will not be able to be covered with small assessment increases, as Mr. Morrison suggested.

Councilman Meza and Mr. Napier discussed adding a sunset clause for the one cent to the Police Department and Mr. Napier noted that could be a proposed motion as suggested by Mr. Meza.

Councilman Meza moved, seconded by Councilman Sealock, that Council affirm on its first reading an increase for Fiscal Year 2018-2019 real estate rate from \$0.135 to \$0.145 per \$100 assessed value, which represents an increase of \$0.01 from the current year's rate; the personal property tax rate at \$0.64 per \$100 assessed value, which represents no increase over the current year's rate; and the personal property tax relief rate of 60% of value on the first \$20,000 of assessed value for qualifying vehicles with an assessed value greater than \$1,000; and a personal property tax relief rate of 100% for qualifying vehicles with an assessed value of \$1,000 or less, pursuant to Virginia Code §58.1-3524. Council is further requested to affirm on its first reading an ordinance to amend Front Royal Town Code Section 75.44.C. accordingly; furthermore he requested that the one cent be dedicated to the Police Department and the one cent would sunset at the conclusion of the debt service.

Vote: Yes – Meza, Sealock and Tewalt

No – Gillispie and Morrison

Abstain – N/A

Absent – Connolly

(Mayor Tharpe did not vote as there was no tie to require his vote)

(By Roll Call; MOTION FAILED, four votes needed)

COUNCIL APPROVAL – Revised Resolution Granting Authority to Town Manager to Enter an Agreement with VDOT for Revenue Sharing Project for Criser Road Bridge Replacement

Summary: Council approved a Resolution on October 27, 2014 that granted authority to the Town Manager to enter an Agreement with the Virginia Department of

Transportation (VDOT) for a Revenue Sharing Project for Criser Road Bridge Replacement. Due to policy changes since that time VDOT is requesting a new resolution that includes the addition of two statements. Council is requested to approve the revised Resolution as presented.

Vice Mayor Tewalt moved, seconded by Councilman Sealock, that Council approve a revision to the October 27, 2014 Resolution Granting Authority to Town Manager to Enter an Agreement with VDOT for Revenue Sharing Project for Criser Road Bridge Replacement, as presented.

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

RESOLUTION

Granting Authority to Town Manager to Enter an Agreement with VDOT for Revenue Sharing Project for Criser Road Bridge Replacement

WHEREAS, Town Council approved the Virginia Department of Transportation (VDOT) Revenue Sharing Project that includes the Criser Road Bridge Replacement with a bike path and sidewalk access in FY16 in the estimated amount of \$450,000.00 with \$225,000.00 to be reimbursed by VDOT after completion of the project; and,

WHEREAS, VDOT has requested a Resolution by Town Council granting authority to the Town Manger to enter in the Revenue Sharing Agreement on the Town's behalf; and,

WHEREAS, by the Town Council of the Town of Front Royal grants authority to the Town Manager to enter into an agreement with the Virginia Department of Transportation Revenue Sharing Project on the Criser Road Bridge Replacement on the Town's behalf.

NOW THEREFORE BE IT RESOLVED, that the Town Council of the Town of Front Royal hereby commits to fund its local share of the construction phase of the project under agreement with the Virginia Department of Transportation in accordance with the project financial documents.

BE IT FURTHER RESOLVED, that the Front Royal Town Manager is authorized to execute all agreements and/or addendums for any approved projects with the Virginia Department of Transportation.

COUNCIL APPROVAL – Budget Transfer for Generator for Town Hall

Summary: Council is requested to approve a budget transfer in the amount of \$90,000 for the purchase of a 60-kw backup generator and uninterruptible power supply (UPS) combination for the Town Hall located at 102 E. Main Street

Budget/Funding: 9790-49999 – General Fund Contingencies <\$90,000.00>

4302-47009 – General Properties Building & Structures \$90,000.00

Budget/Funding: None, as this is only the application process and numbers will be included in the FY2017-2018 Budget if approved as such.

Vice Mayor Tewalt moved, seconded by Councilman Sealock, that Council approve a budget transfer in the amount of \$90,000 for the purchase of a 60-kw backup generator and UPS combination for the Town Hall located at 102 E. Main Street.

Councilman Meza asked for clarification as to the importance of the generator at Town Hall. Mr. Waltz stated that the issue arose a few weeks ago during an outage, and this generator would provide the power supply for the non-emergency lines for the Police Department and lines into Town police vehicles for example. Mr. Meza stated that backup and continuity is vital and it is important to our facilities and is a proactive approach to protect our Town and remain in minimum contact for Emergency Services during natural disasters for citizens.

Vote: Yes – Gillispie, Meza, Sealock and Tewalt

No – Morrison

Abstain – N/A

Absent – Connolly

(Mayor Tharpe did not vote as there was no tie to require his vote)

(By Roll Call)

There being no further business, the Mayor declared the meeting adjourned at 7:39 p.m.

APPROVED:

Jennifer E. Berry
Clerk of Council