REGULAR TOWN COUNCIL MEETING

August 13, 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 July 23, 2018
5. Receipt of Petitions and/or Correspondence from the Public
6. Reports:
    a. Report of special committees or Town officials and Town Manager
        *** Introduction of New Executive Director of the Warren Heritage Society – Suzanne Obetz**
        *** 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)**
    A. COUNCIL APPROVAL – Donation of Utility Poles to R-MA
    B. COUNCIL APPROVAL – Purchase of Vehicles for Police Department

8. **COUNCIL APPROVAL** – Proclamation for *Front Royal Little League Day*

9. **PUBLIC HEARING** – Add Ordinance 110-34 "Unlawful Crossing of Public Streets" to Town Code – Jaywalking Ordinance *(1st Reading)*

10. **PUBLIC HEARING** – Amend Ordinance 12-5 to "Police Department Fees – Additional Assessment for Electronic Summons in Criminal and Traffic Cases" to Town Code *(1st Reading)*

11. **COUNCIL APPROVAL** – Resolution of Support for the Bureau of Alcohol, Tobacco, Firearms and Explosives National Canine Center to Remain in Front Royal

12. **COUNCIL APPOINTMENTS** – Joint Towing Advisory Board

13. **CLOSED MEETING** – Consultation with Legal Counsel

7A

Town of Front Royal, Virginia
Council Agenda Statement

Item No. 7(A)

Meeting Date: August 13, 2018

Agenda Item: COUNCIL APPROVAL – Donation of Utility Poles to R-MA

Summary: Council is requested to approve the donation of ten (10) 12-foot used utility poles to Randolph-Macon Academy (R-MA) to be used during cadet leadership and team building exercises.

Budget/Funding: None

Attachments: Letter of Request from R-MA and Memo from Director of Energy Services

Meetings: Work Session held August 6, 2018

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 donation of ten (10) 12-foot used utility poles to Randolph-Macon Academy (R-MA) to be used during cadet leadership and team building exercises.**

*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

RANDOLPH-MACON ACADEMY

To: David W. Jenkins
Director, Energy Services
Town of Front Royal

18 July 2018

From: Frank Link
Colonel, USAF, Retired
Commandant

Subj: Request for training props

Dear Mr. Jenkins,

Randolph-Macon Academy is requesting ten (10) 12' to 15' sections of used telephone poles that will be used during our Cadet Leadership and Team Building exercises here at R-MA. Any assistance you can provide in support of our training objectives is greatly appreciated!

If your office can support this request I will direct the Deputy Commandant, Todd Freiwald, to coordinate with your office. He may be reached on his cellular phone at 540-481-1538 or email tfreiwald@rma.edu.

Again, I thank you in advance for any assistance you can provide.

Sincerely,

Frank Link
Commandant

Town of Front Royal
Energy Services
P.O. Box 1560
Front Royal, Virginia 22630-1560
(540) 635-3027 Fax: (540) 635-5497

Memo

To: Joe Waltz, Town Manager

From: David W. Jenkins, Director of Energy Services

Date: **July 19, 2018**

Re: Randolph Macon Academy Request for Training Props

Randolph Macon Academy has submitted a request to the Town of Front Royals Department of Energy Services to donate ten, twelve foot, used utility poles for use during cadet training exercises.

The Energy Services Department saves all used utility poles over the course of the year to be sold at the Town of Front Royal's yearly auction. During the most recent auction, a collection of nearly one hundred used utility poles, of various lengths, was sold for eighty dollars.

David W. Jenkins

Director of Energy Services
Town of Front Royal
PO Box 1560
Front Royal VA 22630
540-635-3027 (office)
540-635-5497 (fax)

7B

Town of Front Royal, Virginia
Council Agenda Statement

Item No. 7(B)

Meeting Date: August 13, 2018

Agenda Item: COUNCIL APPROVAL – Purchase of Vehicles for Police Department

Summary: Council is requested to approve the purchase of three (3) 2019 Ford Interceptor utility vehicles through Haley Ford – South Virginia State Contract for the Patrol Division of the Police Department at a cost of $100,469.76. An additional $27,595.24 is requested for exterior graphics, emergency lighting, weapons mount, utility console, prisoner transport, etc. Total cost for the three vehicles is $128,065.00. The new vehicles will be replacing a 2015 Ford Interceptor with 104,000 miles and two 2016 Ford Interceptors with 101,000 and 92,000 miles each. The older vehicles will be placed in the Town's annual auction.

Budget/Funding: 3102-47005 Police Patrol – Motor Vehicles - $128,065.00

Attachments: Memos from the Police Department and Purchasing Manager

Meetings: None

Staff Recommendation: Approval ✓ Denial_____

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: **I move that Council approve the purchase of three (3) 2019 Ford Interceptor utility vehicles through Haley Ford – South Virginia State Contract for the Patrol Division of the Police Department at a cost of $128,065.00.**

*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: **August 7, 2018**

To: **Tina Presley, Administrative Assistant**

Jennifer Berry, Clerk of Council

From: **Alisa Scott, Purchasing Manager**

RE: **Request to Add Agenda Item to August 13th, 2018 Regular Meeting**

The Purchasing Division has received a request from the Police Department to purchase three (3) 2019 Ford Interceptor utility vehicles through the Haley Ford – South Virginia State Contract (E194-75223) for the Patrol Division. The new Interceptors will be replacing a 2015 Ford Interceptor with 104,000 miles (at replacement), and two (2) 2016 Ford Interceptor vehicles with 101,000 and 92,000 miles (at replacement). The older vehicles will be pulled from the fleet, to be added to items for the annual Public Auction.

The Haley Ford – South contact is competitively bid by the State of Virginia, authorizing localities to benefit from the substantial cost savings of volume purchasing.

The dollar amount of this purchase requires Town Council approval. The Purchasing Division is asking this addition to the August 13th, 2018 agenda for their action.

Staff recommends the purchase of three (3) 2019 Ford Interceptor Utility vehicles through the Haley Ford – South contract E194-75223 for a total cost of $100,469.76. If this purchase is approved, the total cost for replacing the three (3) utility vehicles will be $128,065.00. This cost includes exterior graphics, emergency lighting, weapons mount, utility console, prisoner transport, etc. Funds are available in the FY19 Police Department budget line item 3102-47005 Police Patrol - Motor Vehicles.

TOWN OF FRONT ROYAL

POLICE DEPARTMENT
23 E. JACKSON STREET
FRONT ROYAL, VIRGINIA 22630-1560

K. L. Magalis
Chief of Police
(540) 635-2111
(540) 635-6160 (Fax)

Date: July 24, 2018

To: Tina Presley

From: Capt. Jason Ryman

Subject: Consent Agenda Items; Vehicle Purchases

Agenda Item: Purchase of Replacement Police Vehicles

Summary: Request is being made for the purchase and replacement of three vehicles to be used within the Patrol Division of the Police Department. Three (3) 2019 Ford Interceptor Utility vehicles would replace a 2015 Ford Interceptor Utility with 104,000 miles (at replacement), and two (2) 2016 Ford Interceptor Utility vehicles with 101,000 and 92,000 miles (at replacement). All three vehicles would be assigned to the Patrol Division.

Council Discussion:

Staff Evaluation:

Budget/Funding: The cost associated with the initial purchase for the three vehicles totals $100,469.76. Funds totaling $128,065.00 exist in the Motor Vehicles budget (Acct. #47005). The remaining funds, totaling $27,595.24, would be utilized to purchase any potential needed equipment for all three vehicles (i.e. emergency lighting, utility console, weapons mount, exterior graphics, etc.). The initial purchase price of each vehicle was obtained from the current Virginia State Contract, which includes the needed options allowed under the contract and delivery.

Legal Evaluation:

Staff Recommendations: Request approval for purchase of three 2019 Ford Interceptor Utility vehicles.

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Town of Front Royal, Virginia
Council Agenda Statement

Meeting Date: August 13, 2018

Agenda Item: COUNCIL APPROVAL – Proclamation for *Front Royal Little League Day*

Summary: Council is requested to approve a Proclamation to celebrate the 2018 season of the Front Royal Little League and proclaim August 13, 2018 as *Front Royal Little League Day* in the Town of Front Royal.

Budget/Funding: None

Attachments: Proclamation

Meetings: None

Staff Recommendation: Approval ✓ Denial_____

Proposed Motion: **I move that Council approve a Proclamation to celebrate the 2018 Season of the Front Royal Little League and proclaim August 13, 2018 as *Front Royal Little League Day* in the Town of Front Royal.**

*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

Front Royal Little League

Celebrating the 2018 Advancement to the State Tournament

WHEREAS, in 1952 Front Royal Little League received their Charter and in 1953, Front Royal Little League had a team advance to the World Series in Williamsport, Pennsylvania;

WHEREAS, Little League Baseball and Softball is the world's largest organized youth sports program, with millions of players and more than one million adult volunteers in every U.S. state and more than 80 other countries;

WHEREAS, During Little Leagues nearly 80 years of existence, the League has seen more than 40 million honored graduates, including political leaders, professional athletes, award-winning artists, and a variety of other influential members of society;

WHEREAS, Each year, millions of people follow the hard work, dedication, and sportsmanship that Little Leaguers display at the seven baseball and softball World Series events, the premier tournaments in youth sports;

WHEREAS, the All-Stars begins with the District 3 tournament that is comprised of 12 teams and in 2018 the Front Royal Little League went 4-1, defeating Grottoes to the District 3 Championships and advance to the Virginia State Little League Tournament;

WHEREAS, the State Tournament is comprised of 16 Virginia Teams competing for a chance to advance to the Regional Tournament and although the 2018 Front Royal team did not advance to Regionals, their hometown is immensely proud of their work and dedication that they were one of 16 teams in the State of Virginia to make it to the State Tournament!

NOW, THEREFORE, the Mayor & Town Council of the Town of Front Royal, hereby proclaim and celebrate the 2018 Season of the Front Royal Little League and congratulate the Boys, their Coaches, Families & Supporters on an outstanding season and declare August 13th, 2018 Front Royal Little League Day in their honor.

Signed:

Attest:

Hollis L. Tharpe, Mayor
Front Royal, Virginia

Jennifer E. Berry
Clerk of Council, MMC

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Town of Front Royal, Virginia
Council Agenda Statement

Meeting Date: August 13, 2018

Agenda Item: PUBLIC HEARING – Add Ordinance 110-34 "Unlawful Crossing of Public Streets" to Town Code – Jaywalking Ordinance *(1st Reading)*

Summary: Council is requested to affirm on its first reading an Ordinance to amend Town Code by adding Section 110-34, whereby as a matter of public safety to pedestrians and motorists, it shall be lawful for pedestrians to cross public streets, whenever possible, only at intersections, marked crosswalks or at official pedestrian crossing signals; or as directed by a law-enforcement officer also referred to as jaywalking.

Budget/Funding: None

Attachments: Ordinance and minutes of July 2, 2018

Meetings: Work Session held July 2, 2018

Staff Recommendation: Approval ✓ Denial_____

Proposed Motion: **I move that Council affirm on its first reading an Ordinance to amend Town Code by adding Section 110-34 "Unlawful Crossing of Public Streets", 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

AN ORDINANCE TO AMEND AND ENACT FRONT ROYAL TOWN CODE BY ADDING CHAPTER 110-34 PERTAINING TO UNLAWFUL CROSSING OF PUBLIC STREETS ALSO REFERRED TO AS JAYWALKING

WHEREAS, the Town of Front Royal has seen an increase in pedestrian accidents including those that have resulted in a fatality; and,

WHEREAS, a matter of public safety to pedestrians and motorists the Town of Front Royal is enacting an ordinance that it would enforce jaywalking; and,

NOW THEREFORE, BE IT ENACTED, by the Town Council of the Town of Front Royal, Virginia, that Chapter 110 of the Front Royal Town Code is hereby amended and enacted as follows:

110-34 UNLAWFUL CROSSING OF PUBLIC STREETS

A. "Streets" means the entire width between the boundary lines of every way or place open to the use of the public for purposes of motor vehicular travel in the Town, including the public highways and roadways.

B. "Crosswalk" means that part of a public street at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the public street measured from the curbs or, in the absence of curbs, from the edges of the traversable public street; or any portion of a public street at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

C. As a matter of public safety to pedestrians and motorists, pedestrians lawfully shall cross public streets, wherever possible, only at intersections, marked crosswalks, or at official pedestrian crossing signals; or as directed by a law-enforcement officer.

D. When crossing public streets, it shall be unlawful for pedestrians to carelessly or maliciously interfere with the orderly passage of vehicles.

E. Violations of this ordinance shall be punished by as a Class 4 Misdemeanor.

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 _____2018, 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 _____, 2018, having been advertised in the Northern Virginia Daily on _____, 2018, and _____, 2018. The Ordinance was enacted at the Regular Meeting of the Town Council held _____2018, to become effective immediately.

Approved as to form and legality:

_____
Douglas W. Napier, Town Attorney

Date: ____/____/_____

EXCERPT of July 2, 2018 Work Session Minutes

2. Consideration of Adoption of Ordinance Prohibiting Jaywalking – *Town Attorney*
SUMMARY: State Code provides, in pertinent part, as follows: Va. Code § 46.2-923. *How and where pedestrians to cross highways. — When crossing highways* [which includes any public street], *pedestrians… shall cross, wherever possible, only at intersections or marked crosswalks…. Where intersections contain no marked crosswalks, pedestrians shall not be guilty of negligence as a matter of law for crossing at any such intersection or between intersections when crossing by the most direct route.*
The governing body of any town or city or the governing body of a county authorized by law to regulate traffic may by ordinance permit pedestrians to cross an intersection diagonally when all traffic entering the intersection has been halted by lights, other traffic control devices, or by a law-enforcement officer.

Because the Town has incorporated the State traffic code by reference, jaywalking is technically prohibited without a Town ordinance in place. However, because of the second paragraph of Va. Code § 46.2-923, allowing pedestrians to cross intersections diagonally when all traffic has been halted, requires an ordinance; and because it would probably be wise to have a Town ordinance on the books to give people additional notice that the Town will enforce jaywalking violations as a safety measure, both the Police Chief and I support having an explicit anti-jaywalking ordinance in the Town Code.

BUDGET/FUNDING: None, unless there are streets in Town where the Town feels it desirable in the public interest to put up signage reminding the public that it must use crosswalks or intersections in order to cross the street.

STAFF RECOMMENDATION: Staff recommends adoption of an ordinance prohibiting jaywalking as set forth in Va. Code § 46.2- 923.

Council Discussion:
Vice Mayor Tewalt expressed concern with increased work on the Police Department. Councilman Sealock stated that something needed to be done to address issues of safety and the Chief has pushed for some type of jaywalking ordinance. He noted that it is an education process and information would be provided. Mayor Tharpe stated that if the Police used the tool it could assist with informing the public with attempting to save a life. Council expressed interest in moving forward.

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Town of Front Royal, Virginia
Council Agenda Statement

Meeting Date: August 13, 2018

Agenda Item: PUBLIC HEARING – Amend Ordinance 12-5 to "Police Department Fees – Additional Assessment for Electronic Summons in Criminal and Traffic Cases" *(1st Reading)*

Summary: Council is requested to affirm on its first reading an Ordinance to amend Town Code by adding "Police Department Fees – Additional Assessment for Electronic Summons in Criminal and Traffic Cases" to Chapter 12-5 *(currently reserved),* the sum of $5.00 as part of the costs in each criminal or traffic case in the District or Circuit Courts of Warren County, Virginia, in which the defendant is charged with and convicted of a violation of any statute or ordinance that arose within the Town of Front Royal. The assessment shall be used by the Police Department solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system.

Budget/Funding: None

Attachments: Ordinance and excerpt of minutes of July 2, 2018

Meetings: Work Session held July 2, 2018

Staff Recommendation: Approval ✓ Denial_____

Proposed Motion: **I move that Council affirm on its first reading an Ordinance to amend Town Code by adding "Police Department Fees – Additional Assessment for Electronic Summons in Criminal and Traffic Cases" to Chapter 12-5, 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: JLS

AN ORDINANCE TO AMEND AND ENACT FRONT ROYAL TOWN CODE CHAPTER 12-5 PERTAINING TO POLICE DEPARTMENT FEES

WHEREAS, a new Virginia statute was enacted (§17.1-279.1) that provides that any local government may assess an additional sum not in excess of $5.00 as part of the costs in each criminal or traffic case in which the defendant is charged with a violation in the locality; and,

WHEREAS, the Front Roya Police Department wishes to collect an additional $5.00 as allowed by law, to be used solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system; and,

NOW THEREFORE, BE IT ENACTED, by the Town Council of the Town of Front Royal, Virginia, that Chapter 12 of the Front Royal Town Code is hereby amended and enacted as follows:

12-5 POLICE DEPARTMENT FEES

Effective July 1, 2018, and thereafter, there is hereby imposed, in addition to any other fees prescribed by law, the sum of five dollars ($5.00) as part of the costs in each criminal or traffic case in the District or Circuit Courts of Warren County, Virginia, in which the defendant is charged with and convicted of a violation of any statute or ordinance, the violation of which arose within the Town of Front Royal, Virginia. The clerk of court in which the action is filed shall collect the assessment and remit it to the Town of Front Royal, Virginia Finance Director. The Town Finance Director, subject to appropriation by Town Council, shall disburse such funds in accordance with Virginia Code § 17.1-279.1. The assessment shall be used the Front Royal Police Department solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system.

This ordinance shall become effective July 1, 2018

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 _____2018, 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 _____, 2018, having been advertised in the Northern Virginia Daily on _____, 2018, and _____, 2018. The Ordinance was enacted at the Regular Meeting of the Town Council held _____2018, to become effective immediately.

Approved as to form and legality:

_____
Douglas W. Napier, Town Attorney

Date: ____/____/_____

EXCERPT of July 2, 2018 Work Session Minutes

3. Additional Assessment for Electronic Summons in Criminal/Traffic Cases – *Town Attorney*

SUMMARY: Recently, a new Virginia statute was enacted, Va. Code § 17.1-279.1, which provides that any local government may assess an additional sum not in excess of five dollars ($5.00) as part of the costs in each criminal or traffic case in the district or circuit courts located where such cases are brought in which the defendant is charged with a violation of any statute or ordinance, which violation in the case of towns arose within the town. The imposition of such assessment shall be by ordinance of the governing body, which may provide for different sums in circuit courts and district courts. The assessment shall be collected by the clerk of the court in which the action is filed, remitted to the treasurer of the appropriate county, city, or town, and held by such treasurer subject to disbursements by the governing body to a local law-enforcement agency solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system. The imposition of a town assessment shall replace any county fee that would otherwise apply. This would be new money and would help modernize the Police Department's electronic summons system. Because almost all Town criminal and traffic summons are initially filed in the General District Court, with all summons fees paid there, and cases heard only if appealed by the defendant to the Circuit Court if the defendant has been convicted in the General District Court, there is no need to assess differing fees for the District Courts than the Circuit Courts.

BUDGET/FUNDING: Passage of this ordinance will result in a positive flow of money to the benefit of the Police Department.

STAFF RECOMMENDATION: Staff, including the Police Chief, recommends adoption of this ordinance.

Council Discussion: As Staff presented no negative drawbacks, Council voiced support of moving forward.

11

Town of Front Royal, Virginia
Council Agenda Statement

Meeting Date: August 13, 2018

Agenda Item: COUNCIL APPROVAL – Resolution of Support for the Bureau of Alcohol, Tobacco, Firearms and Explosives National Canine Center to Remain in Front Royal

Summary: The Committee on the Judiciary held an Oversight Hearing of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Canine Center on July 16, 2018 regarding the potential relocation of the Center from Front Royal to Huntsville, Alabama. The loss of the facility would have a significant negative impact on canine performance and liability as well as the local economy such as the meals, lodging tourism and service industries in the Town and County. Therefore, Council is requested to approve a Resolution of Support for the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Canine Center to remain in Front Royal. Upon approval the Council requests the Clerk of Council to send a copy of the approved resolution to Congressman Robert Goodlatte, Chairman of the House of Representatives Judiciary Committee and the Front Royal-Warren County Chamber of Commerce.

Note: The County of Warren passed a similar resolution on July 17, 2018.

Budget/Funding: None

Attachments: Resolution

Meetings: None

Staff Recommendation: Approval ✓ Denial_____

Proposed Motion: **I move that Council approve a Resolution of Support for the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Canine Center to remain in Front Royal. I further move that the Clerk of Council send a copy of the approved resolution to Congressman Robert Goodlatte, Chairman of the House of Representatives Judiciary Committee and the Front Royal-Warren County Chamber of Commerce.**

*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: JWS

Support for the Bureau of Alcohol, Tobacco, Firearms & Explosives National Canine Center to Remain in Front Royal, Virginia

WHEREAS, the National Canine Center of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) located in Front Royal, Virginia was opened in 1990 and currently employs approximately thirty (30) individuals; and

WHEREAS, over the past twenty-three (23) years, the ATF National Canine Center has trained approximately 1,200 canines for 102 Law Enforcement agencies in the United States and for 22 international partners, providing a critical service in support of the safety and security of our nation; and

WHEREAS, since its arrival in Warren County, the ATF National Canine Center has been a tremendous economic engine for the Front Royal-Warren County community, directly impacting local restaurant and lodging facilities and providing additional business for local service-related businesses including, but not limited to, car dealers, veterinarians, and building supply stores; and

WHEREAS, the Committee on the Judiciary held an Oversight Hearing of the ATF National Canine Center on July 16, 2018 regarding the potential relocation of the National Canine Division (NCD) from its current location in Front Royal, Virginia to the National Center for Explosives Training and Research (NCETR) at Redstone Arsenal in Huntsville, Alabama; and

WHEREAS, after completing a preliminary feasibility study in addition to commissioning an independent environmental evaluation of the proposed NCETR kennel site by AECOM Technical Services, Inc., the results of which found exorbitant costs in relocating the facility as well as a clear potential to negatively affect the dogs due to explosives residue soil contaminants and ongoing blasting activities at the nearby Corkern Range, ATF stated in a memorandum to the Committee on the Judiciary, "moving the NCD from Front Royal, VA to the NCETR campus in Huntsville, AL, would significantly diminish and perhaps, irreparably damage the canine program and its mission to protect the public and violent crime" and further concluded, "the Huntsville location is exactly the wrong place to house and train explosives-detecting canines"; and

WHEREAS, the ATF National Canine Center has a demonstrated impact on the local tax base of the Town of Front Royal and the County of Warren, and the loss of the facility would have a significant negative impact on the local economy.

NOW, THEREFORE, BE IT RESOLVED, the Town Council of the Town of Front Royal concurs with the conclusion of the Bureau of Alcohol, Tobacco, Firearms and Explosives regarding the relocation of the National Canine Division from Front Royal, Virginia to Huntsville, Alabama in as much as the relocation would negatively impact canine performance and reliability; and

BE IT FURTHER RESOLVED, this Council recognizes the significant negative impact the relocation would have on the meals, lodging, tourism, and service industries in the Town of Front Royal and the County of Warren stemming from the loss of the ATF facility, its Agents and their families, and the training partners who are trained at the facility; and

BE IT FINALLY RESOLVED, that a copy of this resolution will be forwarded to Congressman Robert Goodlatte, Chairman of the House of Representatives Judiciary Committee, and to the Front Royal-Warren County Chamber of Commerce.

Signed: Attest:

_____ _____

Hollis L. Tharpe
Honorable Mayor

Jennifer E. Berry, MMC
Clerk of Council

Town of Front Royal, Virginia
Adopted this 13th Day of August, 2018

12

Town of Front Royal, Virginia
Council Agenda Statement

Item No. 12

Meeting Date: August 13, 2018

Agenda Item: COUNCIL APPOINTMENTS – Joint Towing Advisory Board

Summary: Council approved an ordinance *(Chapter 158-54 – 158-69)* on November 27, 2017 that enacted "Law Enforcement Requested Towing" that initiated the appointment of a Joint Towing Advisory Board. The By-Laws for the Board were approved by the Board of Supervisors (BOS) on February 20, 2018 and Council on March 26, 2018. Per the by-laws Council and BOS are requested to appoint three (3) representatives from the towing and recovery business, three (3) law enforcement members and one citizen member to the Joint Towing Advisory Board to 4-year terms ending June 25, 2022 *(By-laws Article 2)*. Council is requested to appoint these seven representatives/members tonight. One towing representatives will be approved contingent upon passing a background check.

Note: Warren County Board of Supervisors appointed members to this Board at their August 7, 2018 meeting.

Budget/Funding: None

Attachments: By-Laws

Meetings: Public Hearing on Ordinance November 27, 2017; By-laws approved March 26, 2018; Work Session held June 18, 2018 on appointments

Staff Recommendation: Approval ✓ Denial_____

Proposed Motion: **I move that Council appoint three Towing and Recovery Business Representatives Gloria Knott; Louis C. "Peanut" Tharpe and Alan Crawford, contingent upon approved background check; three Law Enforcement members Lieutenant William Smoot, Warren County Sheriff's Office, Sergeant Bryan Courtney, Front Royal Police Department and Sergeant J.E. Smith, Virginia State Police; and one Citizen Member Emily Mounce to four-year terms ending June 25, 2022 to the Joint Towing Advisory Board**

*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: JLW

BY-LAWS OF THE
FRONT ROYAL-WARREN COUNTY JOINT TOWING BOARD

ARTICLE 1 – PURPOSE OF COMMITTEE

1-1 The Front Royal-Warren County Joint Towing Board ("the Committee") is hereby created to ensure proper storage, availability and service by persons and firms authorized to provide towing services at the request of the Warren County Sheriff's Office (hereinafter the "Sheriff's Office"), the Front Royal Police Department (hereinafter the "Police Department"), Virginia State Police (hereinafter "State Police") and other law enforcement personnel.

ARTICLE 2 – SELECTION OF MEMBERS

2-1 The Committee shall consist of seven (7) members to be appointed jointly by the Front Royal Town Council and the Warren County Board of Supervisors. The Committee shall include the following members:

2-1-1 Three (3) members shall be law enforcement officers, including a representative from the Sheriff's Office, the Police Department, and State Police.

2-1-2 Three (3) members shall be representatives of towing and recovery businesses.

2-1-3 One (1) member shall be a citizen of the Town of Front Royal or the County of Warren.

2-2 Each member shall serve a four (4) year term and shall be appointed jointly by the Front Royal Town Council and the Warren County Board of Supervisors.

ARTICLE 3 – SELECTION OF OFFICERS

3-1 Officers of the Committee shall consist of a Chairman, Vice-Chairman, and Secretary.

3-2 The officers of the Committee shall be appointed for a one (1) year term, with no individual holding an office for more than two (2) consecutive terms without a one (1) year lapse between terms.

3-3 Nomination of officers shall be made from the floor at the beginning of the first meeting of the year for the ensuing year. Election of officers shall follow immediately. A candidate receiving a majority vote of the members shall be declared elected. The Warren County Sheriff or his designee shall oversee the nomination and election of officers.

3-4 Vacancies in office shall be filled at the next Committee meeting according to the procedures in this article.

3-4 Vacancies in office shall be filled at the next Committee meeting according to the procedures in this article.

ARTICLE 4 – DUTIES OF OFFICERS

4-1 The Chairman shall:

4-1-1 Develop an agenda and preside at meetings.
4-1-2 Report annually to the Board of Supervisors and the Town Council.
4-1-3 Rule on procedural questions (subject to reversal by a majority vote of the members present).
4-1-4 Certify official documents involving the authority of the Committee.
4-1-5 Certify minutes as true and correct copies.
4-1-6 Carry out other duties as assigned by the Committee.

4-2 The Vice-Chairman shall:

4-2-1 Assume the full powers of the Chairman in the absence or inability of the Chairman to act upon and oversee the Plan of Work.

4-3 The Secretary shall:

4-3-1 Record attendance at all meetings.
4-3-2 Record the minutes of the Committee meetings.
4-3-3 Notify members of all meetings.
4-3-4 Maintain a file of all official Committee records and reports.
4-3-5 Certify maps, records, and reports of the Committee.
4-3-6 Give notice and be responsible for publishing public notices of all Committee public hearings and public meetings.
4-3-7 Attend to the correspondence necessary for the execution of the duties and functions of the Committee.

ARTICLE 5 – SUBCOMMITTEES

5-1 The Committee may appoint any subcommittees or advisory groups as necessary for the conduct of its work. The Chairman of the Committee shall be an ex-officio member of all such subcommittees or groups.

ARTICLE 6 – MEETINGS

6-1 The Committee shall meet on a quarterly basis on the first Wednesday of January, April, July and October or any other day determined by majority vote of the Committee. Whenever the regular scheduled meeting falls on a legal holiday, the regular meeting shall be held on the following day. Notice of time and place of regular meetings shall be emailed by the Secretary to the Committee and interested parties at least fourteen (14) days in advance of each meeting.

6-2 Special meetings may be called by the Chairman or on request of three (3) members of the Committee by emailed notice at least seven (7) days in advance of the date of such special meeting. Emergency meetings may be convened by the Chairman with a 24-hour telephone notice attempt to reach all members.

6-3 All meetings of the Committee shall be open to the public, except as provided for in the Virginia Freedom of Information Act.

6-4 If any member has three (3) unexcused absences in a calendar year, the member shall be removed from the Committee and another representative shall be appointed jointly by the Board of Supervisors and Town Council to fill the unexpired term of office.

ARTICLE 7 – VOTING

7-1 A majority of the members shall constitute a quorum.

7-2 No action of the Committee shall be valid unless authorized by a majority vote of those present and voting.

ARTICLE 8 – COMPLAINTS

8-1 In the event that a complaint is lodged by a member of the Committee against a towing operator or law enforcement personnel, such member shall be excused from the hearing on the complaint.

ARTICLE 9 – ORDER OF BUSINESS

9-1 The order of business for a regular meeting shall be:

9-1-1 Call to Order
9-1-2 Roll Call
9-1-3 Adoption of Agenda
9-1-4 Approval of Minutes
9-1-5 Committee Matters
9-1-6 Adjournment

9-2 Parliamentary procedure in all Committee meetings shall be governed by Robert's Rules of Order.

9-3 The Committee shall keep minutes of each meeting, and these minutes shall become a public record. The Chairman shall sign all minutes, and they shall be kept in the official minute book.

ARTICLE 10 – AMENDMENTS

10-1 These By-laws may be amended by a majority vote of both the Warren County Board of Supervisors and Front Royal Town Council with thirty (30) days' notice to each governing body.

Adopted by the Warren County Board of Supervisors: February 20th, 2018

Adopted by the Front Royal Town Council: March 26th, 2018

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Town of Front Royal, Virginia
Council Agenda Statement

Meeting Date: August 13, 2018

Agenda Item: CLOSED MEETING – Consultation with Legal Counsel

Summary: Council is requested to go into Closed Meeting for the purpose of consultation with legal counsel employed or retained by a public body regarding specific legal matters, specifically, legal mechanisms relating to handling debt service related to prior and current budget years, requiring the provision of legal advice by such counsel, pursuant to Section 2.2-3711. A. 8. of the Code of Virginia.

Budget/Funding: None

Attachments: None

Meetings: None

Staff Recommendation: Approval ✓ Denial ____

Motion to Go Into Closed Meeting
I move that Council convene and go into Closed Meeting for the purpose of consultation with legal counsel employed or retained by a public body regarding specific legal matters, specifically, legal mechanisms relating to handling debt service related to prior and current budget years, requiring the provision of legal advice by such counsel, pursuant to Section 2.2-3711. A. 8. of the Code of Virginia.

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

I move that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information 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

*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

CLOSED MEETING