



REGULAR TOWN COUNCIL MEETING

Monday, May 13, 2019 @ 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 April 22, 2019
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 NSV Regional Commission Executive Director Brandon Davis**
 - b. Requests and inquiries of Council members.
 - c. Report of the Vice Mayor
*** Presentation of Town Scholarship Award (2nd winner in attendance)**
 - d. Proposals for addition/deletion of items to the Agenda.
7. **CONSENT AGENDA ITEMS** – (ROLL CALL VOTE REQUIRED)
 - A. COUNCIL APPROVAL - Proclamation – “*Paint the Town Purple Month*”
 - B. COUNCIL APPROVAL - Proclamation – “*Municipal Clerks Week*”
 - C. COUNCIL APPROVAL - Bid for Thermoplastics Eradication/Application and Street/Curb Prepping and Painting Services
8. **PUBLIC HEARING** – Reconsider Special Use Permit Application for United Parcel Service, Inc (UPS) for Commercial Parking Lot behind 470 S Commerce Avenue
9. **PUBLIC HEARING** – Annual Appropriation Ordinance for FY2019-2020 Budget (*1st Reading*)
10. **COUNCIL APPROVAL** – Resolution Regarding Extension of Due Date for Real Estate and Personal Property Taxes
11. **CLOSED MEETING** – Town Council Vacancy

7A



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

Page 1
Item No. 7(A)

Meeting Date: May 13, 2019

Agenda Item: COUNCIL APPROVAL – Proclamation - *“Paint the Town Purple Month”*

Summary: Council has received a request to proclaim May 2019 as *“Paint the Town Purple Month”* in the Town of Front Royal.

Budget/Funding: None

Attachments: Proclamation

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 a Proclamation proclaiming May 2019 as *“Paint the Town Purple Month”* 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: 



~ Proclamation ~
Paint the Town Purple

WHEREAS, cancer is a group of diseases characterized by uncontrolled growth and spread of abnormal cells which, if not controlled, can result in death; and

WHEREAS, tens of thousands of new cases of cancer are estimated to occur in our State, and approximately 609,640 people are expected to die from cancer this year; and

WHEREAS, the American Cancer Society is a voluntary community-based health organization in Virginia dedicated to eliminating cancer as a major health problem, and

WHEREAS, the Relay for Life is a “Celebration of Life” benefiting the American Cancer Society; and

WHEREAS, the Relay for Life is a community affair held throughout the State of Virginia which presents an opportunity to dust off our camping gear, slip on our walking shoes and network with business associates, family and friends;

NOW THEREFORE, I, William A. Sealock, on behalf of the Town Council of the Town of Front Royal, Virginia, do hereby proclaim May 2019 as:

“Paint the Town Purple Month”

throughout Front Royal and we urge citizens to recognize and participate in the Relay for Life and Paint the Town Purple events held in this community.



SIGNED:

William A. Sealock, Vice Mayor

ATTEST:

Jennifer E. Berry, Clerk of Council

This proclamation was adopted by the Town Council of the Town of Front Royal, Virginia on _____

7B



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

Page 1
Item No. 7(B)

Meeting Date: May 13, 2019

Agenda Item: COUNCIL APPROVAL – Proclamation – *“Municipal Clerks Week”*

Summary: Council has received a request to retroactively proclaim May 5 – May 11, 2019 as *“Municipal Clerks Week”* in the Town of Front Royal.

Budget/Funding: None

Attachments: Proclamation

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 a Proclamation retroactively proclaiming May 5 – May 11, 2019 as *“Municipal Clerks Week”* in the Town of Front Royal.

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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: 

Proclamation

50TH ANNIVERSARY OF MUNICIPAL CLERKS WEEK

May 5 - 11, 2019



Whereas, The Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

Whereas, The Office of the Municipal Clerk is the oldest among public servants, and

Whereas, The Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies & agencies of government at other levels, and

Whereas, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all.

Whereas, The Municipal Clerk serves as the information center on functions of local government and community.

Whereas, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops & the annual meetings of their state, provincial, county and international professional organizations.

Whereas, It is most appropriate that we recognize the accomplishments of the Municipal Clerk.

Now, Therefore, I, William Sealock, Vice Mayor, of Front Royal, do recognize the week of May 5 through May 11, 2019, as Municipal Clerks Week, and further extend appreciation to our Municipal Clerk, Jennifer Berry, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.



Dated this _____ day of _____, 2019



Vice Mayor _____
William A. Sealock

Attest: _____
Douglas W. Napier

7C



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

Page 1
Item No. 7(C)

Meeting Date: May 13, 2019

Agenda Item: COUNCIL APPROVAL – Bid for Thermoplastics Eradication/Application and Street/Curb Prepping and Painting Services

Summary: Council is requested to approve a bid in the amount of \$47,461.00 for thermoplastics eradication and application, and street and curb prepping and painting services to Clatterbuck Pavement Markings.

Budget/Funding: Funding available in Public Works Street Line Paining line item 4500-5473, Crosswalks line item 4500-5474 and Highway Maintenance Crosswalks line item 4102-5474.

Attachments: Memorandums from Purchasing Manager and Infrastructure Manager; and bid tabulation.

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 a bid in the amount of \$47,461.00 for thermoplastics eradication and application, and street and curb prepping and painting services to Clatterbuck Pavement Markings.

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

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Approved By: JW



Town of Front Royal, Virginia

Purchasing, Department of Finance

MEMORANDUM

Date: May 1, 2019
To: Tina Presley, Senior Executive Assistant
Town Manager's Office
From: Alisa Scott, Purchasing Manager
RE: Request to Add Consent Agenda Item

The Purchasing Division responded to a request from the Public Works Department to purchase thermoplastics eradication and application, and street and curb prepping and painting services. I received one bid at the Friday, April 26th, public bid opening invitation. Steve Scheulen, the Infrastructure Manager has reviewed the bid from Clatterbuck and confirms it meets requirements. Staff recommends Town Council award the IFB #10-2019 Thermoplastics Eradication and Application, and Street and Curb Prepping and Painting to Clatterbuck for \$47,461.00.

Town Council is requested to approve the staff-recommended award prior to purchase. Attached to this memo is the approval memo from Steve Scheulen, the bid tabulation and the contractor's bid response form. Please add this action item to the May 13th, 2019 Town Council Agenda.

Funding for this request is available in the Public Works' Streets Line Painting line item 4500-5473, Crosswalks line item 4500-5474, and Highway Maintenance Crosswalks line item 4102-5474.

Department of Purchasing
102 E Main Street
Front Royal, VA 22630
Website: www.frontroyalva.com
Phone 540-636-6889

Memo



Town of Front Royal Public Works

TO: Alisa Scott, Manager of Purchasing
FROM: Steve Scheulen, Infrastructure Manager
CC: BJ Wilson, Director of Finance
DATE: 4/30/19
RE: Thermoplastic, Curb and Line Painting

Public Works would like to move forward with awarding the Thermoplastic, Curb and Line Painting Bid to Clatterbuck Pavement Markings. Rick Clatterbuck's company has worked with the Town for a number of years with no issues.

Funding for the bid amount will come from 4500-5473 Line Painting, 4500-5474 and 4102-5474 Crosswalks.

We are confident in Clatterbuck's abilities and expertise to perform the requested work and meet the Town's needs.



TOWN OF FRONT ROYAL, VIRGINIA

Bid Tabulation

Item: IFB - #06-2019 THERMOPLASTICS, LINE & CURB PAINING

Bid Date: APRIL 26, 2019

**CLATTERBUCK PAVEMENT
MARKINGS INC.
CLEVELAND, VA**

The below table is generated from the initial, raw information collected.
No award decision has been made.

BID ITEM	UOM	QUANTITY	UNIT PRICE	EXTENDED PRICE
12" WHITE LINE	LINEAR FOOT	1,800	\$4.10	\$7,380.00
24" WHITE LINE	LINEAR FOOT	1,600	\$6.00	\$9,600.00
4" WHITE LINE	LINEAR FOOT	1,500	\$1.30	\$1,950.00
STANDARD LEFT TURN ARROW	EACH	10	\$75.00	\$750.00
STANDARD RIGHT TURN ARROW	EACH	10	\$75.00	\$750.00
STANDARD STRAIGHT ARROW	EACH	5	\$75.00	\$375.00
STANDARD LEFT COMBO ARROW	EACH	2	\$110.00	\$220.00
STANDARD RIGHT COMBO ARROW	EACH	2	\$110.00	\$220.00
ERADICATION OF OLD MARKINGS AS NEEDED	SQUARE FOOT	—	\$5.00	—
4" WHITE LINE PAINTING	LINEAR FOOT	90,000	\$0.10	\$9,000.00
6" WHITE LINE PAINTING	LINEAR FOOT	5,000	\$0.14	\$700.00
4" YELLOW LINE PAINTING	LINEAR FOOT	165,000	\$0.10	\$16,500.00
SCRAPING, SCALING, AND ANY ADDITIONAL PREP WORK NEEDED PRIOR TO PAINTING	LINEAR FOOT	—		—
YELLOW CURB	LINEAR FOOT	20	\$0.80	\$16.00
SCRAPING, SCALING, AND ANY ADDITIONAL PREP WORK NEEDED (INCLUDES CLEAN-UP, REMOVAL OF VEGITATION, PROTECTION FOR SPLATTER AND/OR OVERSPRAY)	LINEAR FOOT	—	—	—
			\$47,461.00	

BID FORM – THIS PAGE MUST BE COMPLETED

Invitation to Bid No. 06-2019

Bids due prior to 2:00 P.M. Local Time Prevailing, APRIL 26TH, 2019

SUBMIT PAGES 26 THROUGH 32 AS YOUR BID RESPONSE

MY BID TO PROVIDE ALL THE ITEMS DESCRIBED IN THIS BID INVITATION IS AS FOLLOWS:

THERMOPLASTICS ERADICATION AND APPLICATION

Description	UOM	Quantity	x	Unit Price=	Extended Price
12" WHITE LINE	LINEAR FOOT	1800		4.10 LF	7,380.00
24" WHITE LINE	LINEAR FOOT	1600		6.25 LF	10,000.00
4" WHITE LINE	LINEAR FOOT	1500		1.30 LF	1,950.00
STANDARD LEFT TURN ARROW	EACH	10		75.ea	750.00
STANDARD RIGHT TURN ARROW	EACH	10		75.ea	750.00
STANDARD STRAIGHT ARROW	EACH	5		75.ea	375.00
STANDARD LEFT COMBO ARROW	EACH	2		110. ea	220.00
STANDARD RIGHT COMBO ARROW	EACH	2		110. ea	220.00
ERADICATION OF OLD MARKINGS AS NEEDED	LINEAR FOOT	—		5.00 SF	—

LINE PREP AND PAINTING

Description	UOM	Quantity	x	Unit Price=	Extended Price
4" WHITE LINES	LINEAR FOOT	90,000		.10 LF	9,000.00
6" WHITE LINES	LINEAR FOOT	5,000		.14 LF	700.00
4" YELLOW LINES	LINEAR FOOT	165,000		.10 LF	16,500.00
SCAPING, SCALING, AND ANY ADDITIONAL PREP WORK NEEDED PRIOR TO PAINTING	LINEAR FOOT	—		—	—

BID FORM – THIS PAGE MUST BE COMPLETED

CURB PREP AND PAINTING

<u>Description</u>	<u>UOM</u>	<u>Quantity</u>	<u>x</u>	<u>Unit Price=</u>	<u>Extended Price</u>
YELLOW CURB	LINEAR FOOT	20,000		1.80	16,000.00
SCAPING, SCALING, AND ANY ADDITIONAL PREP WORK NEEDED (INCLUDES CLEAN-UP, REMOVAL OF VEGETATION, PROTECTION FOR SPLATTER AND/OR OVERSPRAY)	LINEAR FOOT	—		—	—

Receipt of Addenda listed below is acknowledged and the bid incorporates all requirements of these Addenda:

No. ___ Date _____ No. ___ Date _____ No. ___ Date _____

In compliance with this Bid Invitation and subject to all conditions, the undersigned offers and agrees, if this bid is accepted within 60 calendar days from the date of opening, to furnish any and all the items upon which the prices are quoted, at the price set opposite each item, delivered at the points as specified and as scheduled.

The Bidder certifies that he has not combined, conspired or agreed to intentionally rig, alter or otherwise manipulate, or to cause to be rigged, altered or otherwise manipulated this Bid for the purpose of allocating purchases or sales to or among persons, raising or otherwise fixing the prices of the goods or services, or excluding other persons from dealing with The Town of Front Royal.

A minimum of 30 days after receipt of an approved invoice by the Town shall be allowed for payment. Discounts for prompt payment **will not** be considered in the evaluation of bids. However, any offered discount will become part of the award and will be taken if payment is made within the discount period offered in the bid. In connection with any discount offered for prompt payment, time shall be computed from the date of the invoice. For the purpose of earning the discount, payment shall be considered to have been made on the date that appears on the payment check.

PROMPT PAYMENT TERMS: _____

(PLEASE NOTE: COD TERMS ARE NOT ACCEPTABLE)

Tammy Clatterbuck

PRINTED NAME OF AUTHORIZED PERSON SUBMITTING BID

Tammy Clatterbuck

SIGNATURE

Tammy Clatterbuck 3280 Cleveland Rd. Cleveland, Va.

LEGAL NAME AND MAILING ADDRESS OF BIDDER

24225

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Town of Front Royal, Virginia Council Agenda Statement

Page 1
Item No. 8

Meeting Date: May 13, 2019

Agenda Item: PUBLIC HEARING – Reconsider a Special Use Permit Application for United Parcel Service, Inc. (UPS) for Commercial Parking Lot behind 470 S Commerce Avenue

Summary: Council is requested to reconsider the approval of a Special Use Permit Application submitted by United Parcel Service, Inc. (UPS), on behalf of the property owners, Puja Properties, LLC, for establishment of a Commercial Parking Lot located behind 470 S Commerce Avenue. The Planning Commission has approved the application contingent upon nine (9) conditions as stated in the Staff Report.

Budget/Funding: None

Attachments: Staff Report and Application.

Meetings: Approval to Refer re-consideration to Planning Commission was held February 25, 2019. Work Sessions held February 19 and April 15, 2019

Staff Recommendation: Approval ✓ Denial _____

Proposed Motion: I move that Council approve a Special Use Permit Application submitted by United Parcel Service, Inc. (UPS), on behalf of the property owners, Puja Properties, LLC, for establishment of a Commercial Parking Lot located behind 470 S Commerce Avenue, contingent upon the nine (9) conditions presented in the Staff Report.

*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



STAFF REPORT FOR THE NOVEMBER 28, 2018 PLANNING COMMISSION MEETING

Updated for Town Council Work Session 2/13/19

Updated for Planning Commission Referral of Change 3/20/19

Updated for Town Council Work Session 4/15/19

APPLICATION #:

FRSPU-000991-2018

APPLICANT:

United Parcel Services, Inc. (Charles Hawk)

SUMMARY OF REQUEST:

A request to establish a commercial parking lot for overflow parking for the UPS Distribution Center at 912 John Marshall Highway.

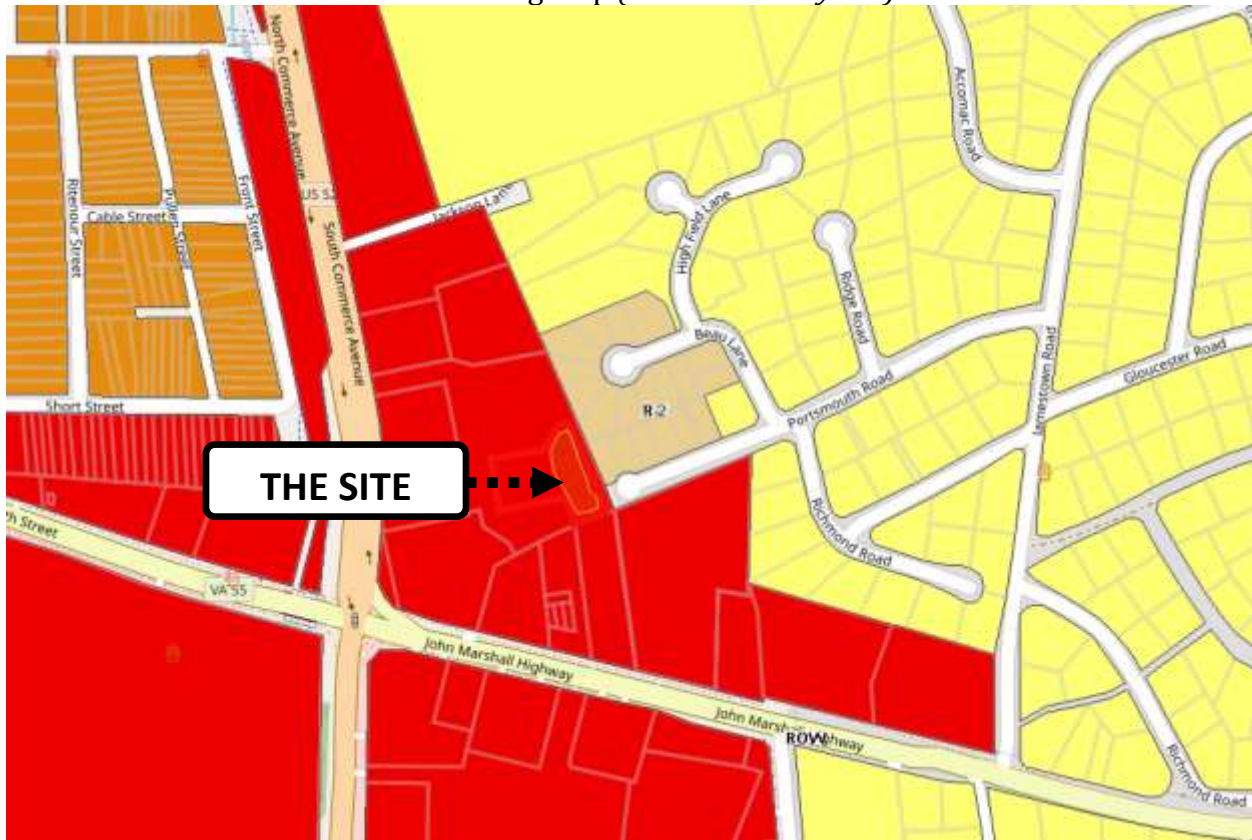
GENERAL INFORMATION:

<i>Site Addresses</i>	470 S Commerce Avenue
<i>Property Owner(s)</i>	Puja Properties LLC
<i>Existing Zoning</i>	C-1 (Community Business) District
<i>Proposed Use</i>	Commercial Parking Lot for Overflow Parking of UPS Distribution Center
<i>Tax Identification</i>	20A101 4D2
<i>Location</i>	The subject property is located in the rear parking area of 470 S. Commerce Ave, situated to the northwest of the existing UPS Distribution Center, behind the existing business park, and to the west of the end of Portsmouth Road.

Vicinity Map (Warren County GIS)



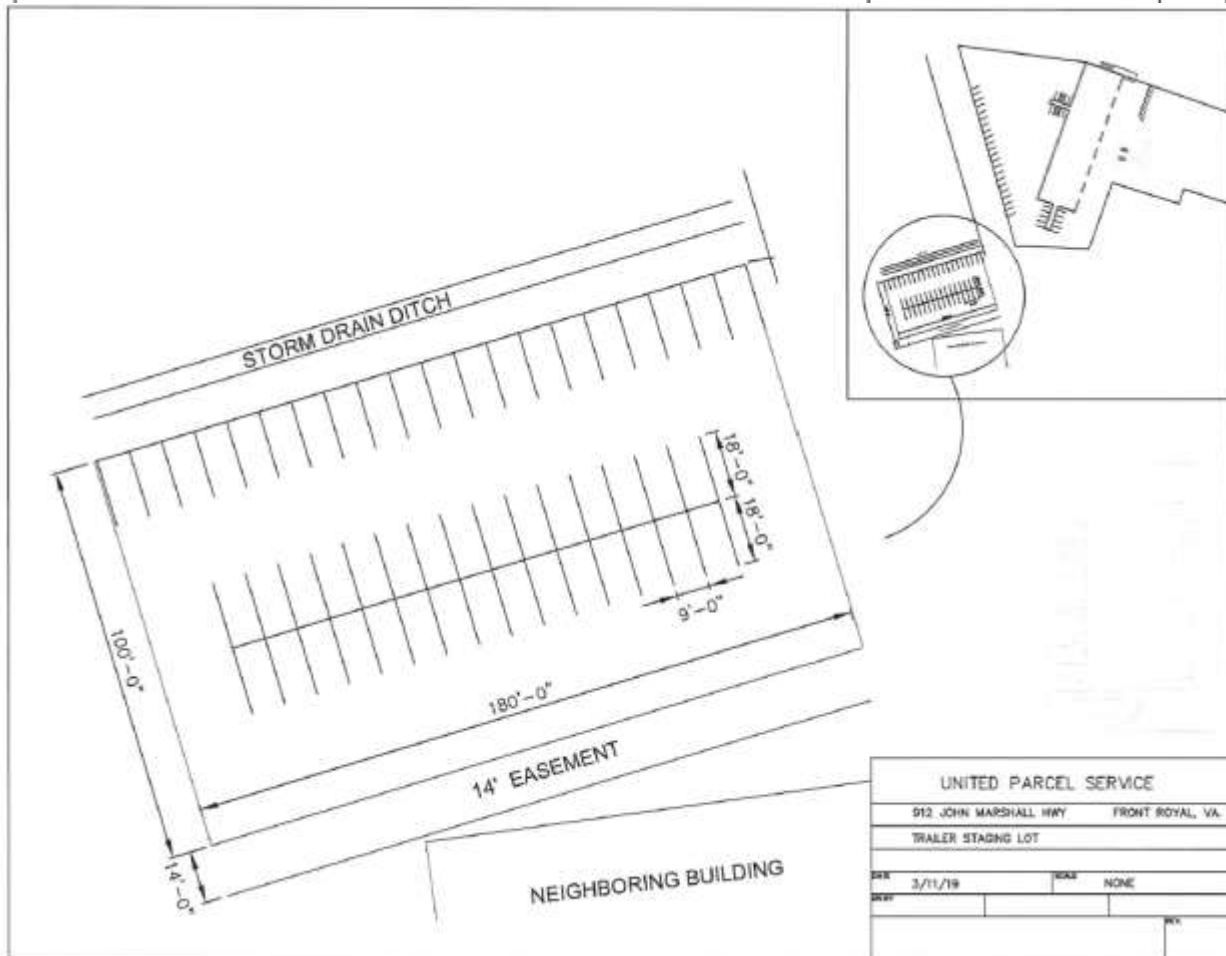
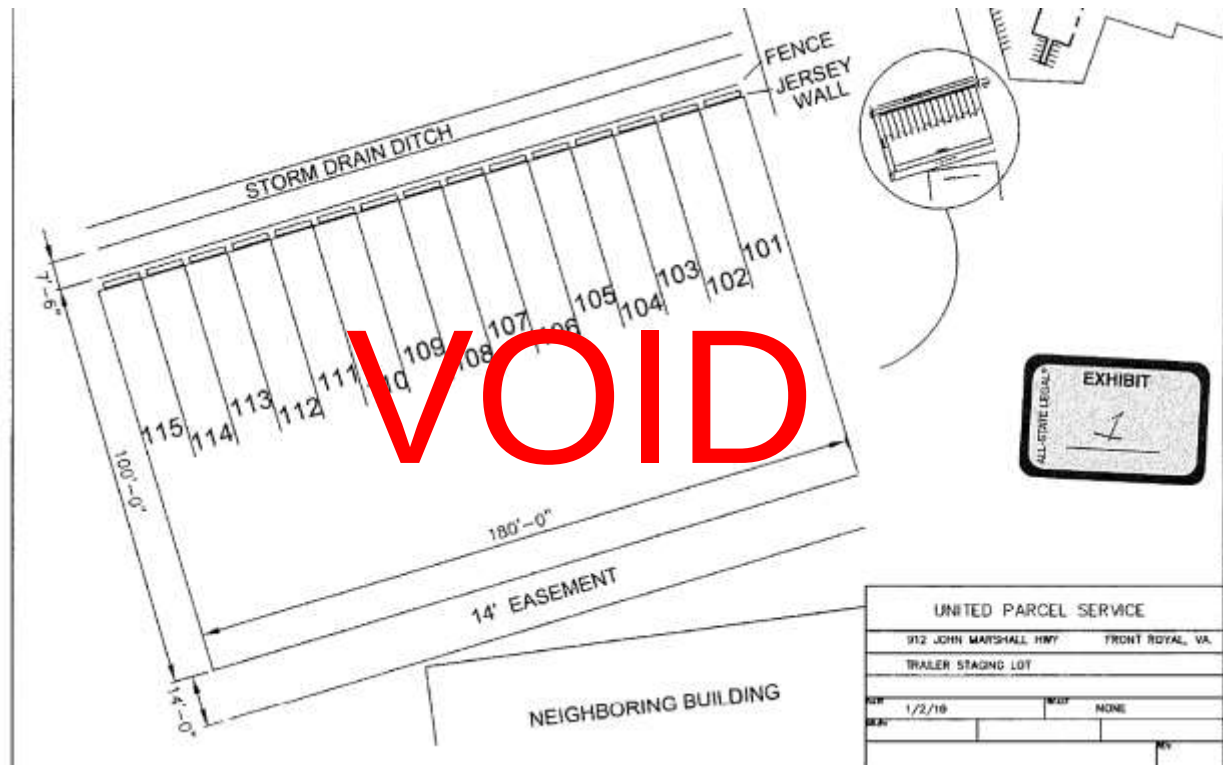
Town Zoning Map (Warren County GIS)



Aerial (Warren County GIS)



Proposed Site Layout and Fencing (.....see update)





INFORMATION ON THE APPLICATION:

Project Summary

This application is a request to obtain approval for a commercial parking lot for use by the UPS Distribution Center as an overflow parking lot. Commercial parking lots require a Special Use Permit (SUP) in the C-1 Zoning District. *Note: A use is a commercial parking lot when the parking is a stand-alone use, in comparison to accessory parking for permitted uses on the same lot.*

UPS leases the property from the property owner, Puja Properties LLC, and has been doing so for a long time – allegedly since the late 1980s. This application is a response of Town Staff notifying UPS that they were in violation of the Town Code by using the property for truck parking because they have no prior approval and the Town Code requires a Special Use Permit for both commercial parking lots and distribution centers in the C-1 Zoning District. A use can not be grandfathered unless it was originally legal when established.

Special Use Permits in General

The Town is authorized to require a special use permit for certain uses within any zoning district under Virginia Code §15.2-2286. Some specific uses are granted protection from regulation from localities by the Virginia Code, including agriculture uses, small scale conversion of biomass to alternative fuel, certain residential uses, private tents, farm wineries, assisted living facilities, and group homes. These exempted uses are not applicable with this application.

***Original
Application
Review***

The issuance of a special use permit is subject to such conditions as are deemed necessary by the Front Royal Town Council after recommendations of the Front Royal Planning Commission. Prior to an action by Town Council or a recommendation by the Planning Commission, a public hearing is required for special use permits.

Town Code 175-136 requires that Special Use Permits meet the following requirements: (i) is not detrimental to the overall health, safety, and general welfare of the public, (ii) does not conflict with the Comprehensive Plan, (iii) is substantially compatible with surrounding land uses, and (iv) complies with laws of the Commonwealth of Virginia."

The Planning Commission originally reviewed the UPS SUP during their November 28, 2019 Planning Commission meeting, but action was postponed at the request of the applicant. UPS revised their proposal to include a residential style fence as a buffer between the tractor trailer parking area and the residential subdivision to the north and east. During their January 19, 2019 meeting, the Planning Commission voted to NOT recommend approval of this Special Use Permit Application. This decision was reached after consideration of input from the public and the revised plan submitted by UPS. While other concerns were noted, the primary unresolved issue was related to noise, and particularly noise during late night hours.

On February 13, 2019, prior to the Town Council Work Session following the Planning Commission's hearing, UPS met with Town Staff and the Mayor and presented major changes to their application. The most significant proposed change included the removal of tractor trucks and trailers from the property.

During the February 19, 2019 Town Council Meeting, Town Council referred the application back to the Planning Commission to provide comments on the change.

UPDATE!

The Planning Commission held a public hearing on March 20, 2019. After receiving public input, the Planning Commission discussed the need for a fence after the change that restricts tractor trailers. The Planning Commission did not believe a fence was necessary with the restriction of tractor trucks and trailers. In response to public input, the Applicant offered to not park the delivery trucks adjacent to the residential subdivision, which was agreed upon by the Planning Commission. A motion was unanimously passed that recommended approval of the Special Use Permit with the following nine (9) conditions:

1. This special use permit is only valid for the purpose of authorizing a commercial parking lot in the rear of 470 S Commerce Avenue.
2. Town Council, or other designated representative, may inspect the property at any reasonable time to ensure compliance with local regulations, including, but not limited to, the conditions placed on this special use permit.
3. Upon inspection of the property, if it is found that the property is not in

compliance with local regulations, including but not limited to, the conditions of this special use permit, the Town may revoke this special use permit after notice to the applicant and public hearing.

EDITORIAL NOTE: Conditions 1-3 are typical conditions used for most Special Use Permit Applications.

4. Tractor trucks, also referred to as semi-trailer trucks, and their trailers/semi-trailers, shall be prohibited on the parking lot, except when loading or unloading for short periods of time in association with the uses within the building of 470 S Commerce Avenue.

EDITORIAL NOTE: The exception noted in the last part of condition #4 does not apply to the applicant's proposed use. It only applies to existing uses within the business park building (example: Dollar General).

5. Loading or unloading of trucks on the parking lot is prohibited.
6. Inoperative or junk vehicles are prohibited.
7. The parking area shall be maintained in good condition at all times and each parking space shall be striped in accordance with Town Code specifications.
8. A travel lane shall be maintained through the parking lot at all times.
9. Delivery trucks shall be restricted from parking in the parking spaces that abut the storm drain ditch. These are the spaces closest to the homes within Beau Ridge Subdivision, located east of the proposed UPS parking lot.



TOWN OF FRONT ROYAL

DEPARTMENT OF PLANNING & ZONING
102 EAST MAIN STREET
P.O. BOX 1560
FRONT ROYAL, VA 22630

Main: 540.635.4236

Fax: 540.631.2727

Internet: www.frontroyalva.com

FRSPU-000991-2018
~~SIT FR56B~~

SPECIAL USE PERMIT REQUEST

APPLICANT

United Parcel Service, Inc.
NAME Charles Hawk PHONE 804-743-8413

ADDRESS 9601 Coach Rd. Richmond, VA 23237

E-MAIL chawk@ups.com

PROPERTY DESCRIPTION

PROPERTY ADDRESS 912 John Marshall Hwy, Front Royal, VA 22630

TAX MAP # 20A101 SECTION 5A BLOCK _____ LOT _____

SUBDIVISION NAME _____ ACREAGE N/A

REQUEST

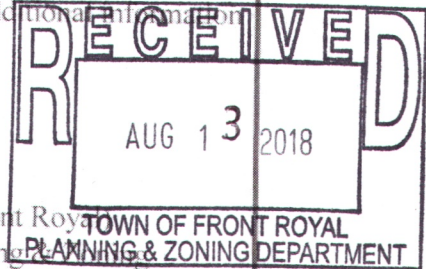
ZONING DISTRICT C-1

PROPOSED USE OF PROPERTY Commercial/Industrial

SPECIFIC SPECIAL USE PERMIT REQUEST Parking

ATTACHMENTS --The following must be submitted with the application. Additional information may be required depending on the nature of the request.

1. Survey/Plat of property showing all **existing** improvements.
(10 copies if larger than 11" X 17")
2. Site Plan Application
3. Application Fee of \$400.00 (Checks payable to the Town of Front Royal)
4. Additional information as required by the Department of Planning & Zoning



CERTIFICATION

I certify that the information provided with this application is correct to the best of my knowledge and should the special use permit be granted, the project will comply with the conditions imposed upon it and will be implemented only as approved by Town Council.

Signature [Signature] Date 8-8-2018

By submitting this application, the applicant grants permission to Town officials and employees to enter upon the property, which is the subject of this application, during reasonable hours and for purposes related to the application process.

Receipt # 912568 \$400 Date Paid 8-13-18

Check # 22869

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Town of Front Royal, Virginia Council Agenda Statement

Page 1
Item No. 9

Meeting Date: May 13, 2019

Agenda Item: PUBLIC HEARING – Annual Appropriation Ordinance for FY2019-2020 Budget (*1st Reading*)

Summary: Council is requested to affirm on its first reading the Town's Annual Appropriation Ordinance for the FY2019-2020 Budget effective July 1, 2019 through June 30, 2020, as proposed.

Budget/Funding: None

Attachments: Ordinance

Meetings: Various work sessions

Staff Recommendation: Approval ✓ Denial

Proposed Motion: I move that Council affirm on its first reading the Town's Annual Appropriation Ordinance for the FY2019-2020 Budget effective July 1, 2019 through June 30, 2020, as proposed.

*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: 



Town of Front Royal, Virginia



ANNUAL APPROPRIATION ORDINANCE

AN ORDINANCE ESTABLISHING THE BUDGET FOR THE TOWN OF FRONT ROYAL, VIRGINIA FOR THE FISCAL YEAR BEGINNING JULY 1, 2019 AND ENDING JUNE 30, 2020 APPROPRIATING FUNDS FOR PUBLIC PURPOSES FOR SUCH FISCAL YEAR; CONFIRMING AND CONTINUING ALL ORDINANCES OF THE TOWN OF FRONT ROYAL, VIRGINIA RELATING TO TAXES, LICENSES, FEES, SERVICE CHARGES, COSTS AND OTHER CHARGES AND ALL ORDINANCES RELATING TO THE TIME OF PAYMENT THEREOF AND COLLECTION THEREOF, EXCEPT AS HEREIN SPECIFICALLY MODIFIED

BE IT ORDAINED by the Council of the Town of Front Royal, Virginia as follows:

BUDGET EXPENDITURES

The following budget incorporated by reference, totaling **\$47,538,060** for the Town of Front Royal, Virginia for the fiscal year beginning July 1, 2019 and ending June 30, 2020 is hereby proposed, proposed, and adopted:

(See Attached **BUDGET SUMMARY** and **Town Manager's FY2019-2020 Budget** for details, incorporated by reference)

BUDGET REVENUES

Public revenues of the Town of Front Royal, Virginia are hereby appropriated for public purposes for the fiscal year beginning July 1, 2019 and ending June 30, 2020, as set forth in the appropriate Section of such budget.

TAX RATES

The tax rate for all real estate and for all real property and improvements located within the Town of Front Royal subject to tax established by Town Council in Town Code Chapter 75-44.

PERSONAL PROPERTY TAX RELIEF & PRORATION

When any motor vehicle, trailer, or boat is sold and removed from the Town limits after January 1, the tax shall be relieved through proration on a monthly basis, and the appropriate amount of tax refunded if such tax has already been paid, upon application by the owner to the Commission of the Revenue and notice has been provided to the Commonwealth of Virginia Department of Motor Vehicles; however, no refund shall be made if the motor vehicle, trailer, or boat is moved within the Commonwealth to a non-prorating locality. Requests for relief refunds must be made no later than three (3) years from the last day of the tax year during which the motor vehicle, trailer, or boat was sold, had its title transferred, or was removed from the Town limits. No refund of less than five dollars (\$5.00) shall be issued. If a motor vehicle, trailer, or boat is acquired or moved into the Town limits after January 1, the tax shall be assessed for the remainder of the tax year. Such tax

shall be prorated on a monthly basis. For purposes of proration, a period of more than one-half of a month shall be counted as a full month and a period of less than one-half of a month shall not be counted. All requests for relief or proration shall be filed in compliance with the Warren County Code.

RATES & FEES

The licenses, fees, services charges, costs, and other charges established by Town Council in the Town Code and as identified in the budget to generate the revenues for the Town are hereby confirmed and appropriated for public purposes.

AUTHORIZATION

The Town Manager is hereby authorized to pursue revenue collection and expenditure of public funds in pursuit of fulfilling the budget as conforming to the adopted Town Council Fiscal Policies and Procurement Manual. The Town Manager is further authorized to withhold or postpone the expenditure of any funds appropriated by and in this Ordinance when it appears to the Town Manager that it would be in the best interest of the Town for such expenditure to be withheld; but, this provision shall not in any way limit or restrict the right of the Council of the Town of Front Royal, Virginia, in its sole discretion to the fullest extent permitted by law, to direct immediate disbursement of any appropriated funds when the Council of the Town of Front Royal, Virginia, is of the opinion that the funds should be expended regardless of the position or action of the Town Manager. The Town Manager is authorized to transfer monies between line items and categories within the budgeted appropriations.

CONFLICT

Any Ordinance in conflict with this Ordinance is hereby repealed to the extent and only to the extent that such conflict exists. However, all Ordinances not in conflict with this Ordinance shall continue in effect, including specifically all Ordinances of the Town of Front Royal, Virginia relating to taxes, licenses, fees, service charges, costs and payment, and collection thereof continuing in effect except as herein specifically modified.

CONTINUITY

If any part of this Ordinance is found to be invalid by competent authority, the remaining portions of this Ordinance shall continue in effect to the fullest extent permitted by law.

EFFECTIVE DATE

This Ordinance shall become effective July 1, 2019.

Adopted this _____ this day of June, 2019

APPROVED:

William A. Sealock, Vice 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 _____ 2019, upon the following recorded vote:

Eugene R. Tewalt	Yes/No	Jacob L. Meza	Yes/No
William A. Sealock	Yes/No	Chris W. Holloway	Yes/No
Letasha Thompson	Yes/No	Gary Gillispie	Yes/No

A public hearing on the above was held on _____, 2019, having been advertised in the Northern Virginia Daily on _____, 2019, and _____, 2019. The Ordinance was enacted at the Regular Meeting of the Town Council held _____ 2019, to become effective immediately.

Approved as to form and legality:

Douglas W. Napier, Town Attorney

Date: ____/____/____

APPROPRIATION ORDINANCE
ANNUAL APPROPRIATION ORDINANCE
OF THE
TOWN OF FRONT ROYAL, VIRGINIA

FOR THE FISCAL YEAR ENDING JUNE 30, 2020
AN ORDINANCE MAKING APPROPRIATIONS OF SUMS OF MONEY FOR ALL
NECESSARY EXPENDITURES OF THE TOWN OF FRONT ROYAL, VIRGINIA FOR THE
FISCAL YEAR ENDING JUNE 30, 2020 TO PRESCRIBE THE PROVISOS, TERMS,
CONDITIONS, AND PROVISIONS WITH RESPECT TO THE TERMS OF
APPROPRIATION AND THEIR PAYMENTS, AND TO REPEAL ALL ORDINANCES
WHOLLY IN CONFLICT WITH THIS ORDINANCE, AND ALL PARTS OF ALL
ORDINANCES INCONSISTENT WITH THIS ORDINANCE TO THE EXTENT OF SUCH
INCONSISTENCY.

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF FRONT ROYAL, VIRGINIA:

SECTION I

That the following sums of money are hereby appropriated for the general government purposes herein specified for the fiscal year ending June 30, 2020

GENERAL FUND EXPENDITURES

General Government	1,030,065
Financial Administration	910,780
Legal	369,205
Law Enforcement Services	5,264,960
General Property Maintenance	1,224,650
Planning & Zoning Administration	522,035
Risk Management/Insurance	874,630
Economic Development	9,265
Information Technology	670,260
Transfers/Contingency Reserve	397,570
TOTAL GENERAL FUND EXPENDITURES	11,273,420

STREET FUND EXPENDITURES

Public Works	419,740
State Highway Maintenance System	1,892,980
TOTAL STREET FUND EXPENDITURES	2,312,720

ECONOMIC DEVELOPMENT FUNDS

Principal on Debt	141,400
TOTAL DEBT SERVICE FUND EXPENDITURES	141,400

SPECIAL REVENUE FUND

Community Development Projects	663,050
Asset Forfeiture	12,000
TOTAL SPECIAL REVENUE FUND EXPENDITURES	675,050

and the following sums of money are hereby appropriated for the enterprise operations specified for the year ending for the year ending June 30, 2020.

ELECTRIC FUND EXPENDITURES

Operations	2,935,855
Purchase of Bulk Electricity	15,160,675
Transfer to General Fund	1,955,000
TOTAL ELECTRIC FUND EXPENDITURES	20,051,530

WATER FUND EXPENDITURES

Administrative Office	137,975
Water Plant Operations	1,772,010
Maintenance of Lines	1,284,655
Meter Reading	553,580
Debt Service	1,062,260
Contingency & Transfers to Other Funds	490,000
TOTAL WATER FUND EXPENDITURES	5,300,480

SEWER FUND EXPENDITURES

Administrative Office	134,025
Wastewater Treatment Plant Operations	2,797,625
Maintenance of Lines	929,230
Debt Service	2,243,080
Contingency and Transfers to Other Funds	590,000
TOTAL SEWER FUND EXPENDITURES	6,693,960

REFUSE FUND EXPENDITURES

Operations	994,500
Contingency and Transfer to General Fund	95,000
TOTAL REFUSE FUND EXPENDITURES	1,089,500

TOTAL ALL FUNDS EXPENDITURES	47,538,060
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REVENUES

TO BE PROVIDED AS FOLLOWS

GENERAL FUND

Real Estate Property Tax	998,775
Public Service Property Tax & Tax Penalties	60,500
Personal Property Tax	585,000
Other Local Taxes	5,420,120
Permits and Fees	34,000
Fines and Forfeitures	267,000
Revenue from Use of Money and Property	57,045
Public Rights-of-Way Use Fee	1,100
Intergovernmental	635,830
Interfund Transfers:	
Electric Fund	1,955,000
Water Fund	490,000
Sewer Fund	590,000
Refuse Fund	95,000
Miscellaneous Receipts	84,050
TOTAL GENERAL FUND REVENUE	11,273,420

STREET FUND

State Highway Maintenance Funds	2,020,650
Revenue from Use of Money and Property	21,500
Street , Curb, & Gutter Assessments	23,000
Transfers from General Fund	247,570
TOTAL STREET FUND REVENUE	2,312,720

ECONOMIC DEVELOPMENT FUND

Real Estate Property Tax	141,400
TOTAL DEBT SERVICE FUND REVENUE	141,400

SPECIAL REVENUE FUND

Asset Forfeiture Grant Funding	12,000
Community Development	663,050
TOTAL SPECIAL REVENUE FUND	675,050

ELECTRIC FUND

Revenue from Use of Money & Property	114,000
Connection Fees	75,000
Internal Loan	150,000
Sale of Service	19,677,530
Miscellaneous Receipts	35,000
TOTAL ELECTRIC FUND REVENUE	20,051,530

WATER FUND

Revenue from Use of Money and Property	46,000
Antenna Rentals	100,480
Sale of Service and Commodities	4,851,215
Connection Fees	267,900
Internal Loan	34,885
Miscellaneous Receipts	-
TOTAL WATER FUND REVENUE	5,300,480

SEWER FUND

Revenue from Use of Money and Property	55,000
Sale of Service and Commodities	5,884,960
Connection Fees	625,000
Miscellaneous Receipts	129,000
TOTAL SEWER FUND REVENUE	6,693,960

REFUSE FUND

Revenue from Use of Money and Property	32,000
Sale of Services/Bags/Other	1,055,500
Sale of Recyclable Materials	2,000
TOTAL REFUSE FUNDS REVENUES	1,089,500

TOTAL ALL FUNDS REVENUES	47,538,060
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Town of Front Royal, Virginia Council Agenda Statement

Item # 10

Meeting Date: May 13, 2019

Agenda Item: COUNCIL APPROVAL - Resolution Regarding Extension of the Due Date for Real Estate and Personal Property Tax

Summary: The Town Code declares that on and after January 1, 2010, tax payments for real estate and personal property shall become due and payable on a semi-annual basis, with one-half of the annual assessment due on or before June 5th of each year. Warren County set their tax rate on May 7, 2019; therefore, creating the necessity to move the due date.

Council is requested to approve a resolution to extend the 2019 due date for the Town of Front Royal Real Estate and Personal Property Taxes from June 5 to June 21, 2019, as presented.

Budget/Funding: None

Meetings: Work Session held April 15, 2019

Staff Recommendation: Approval ☒ Denial ☐

Proposed Motion: I move that Council approve a Resolution to extend the 2019 due date for the Town of Front Royal Real Estate and Personal Property Taxes from June 5, 2019 to June 21, 2019, 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

RESOLUTION

Regarding the extension of due date for real estate & personal property taxes

WHEREAS, the Town of Front Royal Municipal Code Section 75-44 (B) declares that on and after January 1, 2010, tax payments for real estate and personal property shall become due and payable to the Town of Front Royal on a semiannual basis, with one-half of the annual assessment of such taxes due on or before June 5th of each year after January 1, 2010,

WHEREAS, the Town of Front Royal Municipal Code Section 160-5 declares after June 5, 2010, the phrase "license year" as used in Section 160-10 of this Code shall mean the period from June 5th of each year to June 5th of the following year.

WHEREAS, the Town intends to extend the 2019 due date for Real Estate Taxes, Personal Property Taxes, and license year from June 5th, 2019 to June 21, 2019; and,

NOW THEREFORE, BE IT HEREBY RESOLVED by the Town Council of the Town of Front Royal, Virginia, that Town Council approves this resolution regarding the extension of the due date for 2019 Real Estate Taxes, Personal Property Taxes, and license year to June 21, 2019, as presented.

APPROVED:

William A. Sealock, Vice Mayor

Attest:

Jennifer E. Berry, MMC, Clerk of Council

THIS RESOLUTION was approved at the Regular Meeting of the Town of Front Royal, Virginia, Town Council conducted on _____, 2019 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>
Chris Holloway	<u>Yes/No</u>	Letasha T. Thompson	<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

Page 1
Item No. 11

Meeting Date: May 13, 2019

Agenda Item: CLOSED MEETING – Town Council Vacancy

Summary: Council is to go into a Closed Meeting for **a)** the possible appointment of a specific public appointee of Town Council, namely, a citizen of Front Royal or a sitting Town Council Member, to fill the seat vacated by the resignation of former Mayor Hollis L. Tharpe, pursuant to Section 2.2 3711. A. 1. of the Code of Virginia; **b)** the possible appointment of a specific public appointee of Town Council, namely, a citizen of Front Royal, to fill a seat vacated by the possible appointment of a Town Council Member, should a sitting Member of Town Council be appointed to fill the seat of Interim Mayor, due to the resignation of former Mayor Hollis L. Tharpe, pursuant to Section 2.2 3711. A. 1. of the Code of Virginia; and, **c)** for the purpose of consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically, the law regarding filling vacancies on positions of the governing body of the Town, 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 go into a Closed Meeting for **a)** the possible appointment of a specific public appointee of Town Council, namely, a citizen of Front Royal or a sitting Town Council Member, to fill the seat vacated by the resignation of former Mayor Hollis L. Tharpe, pursuant to Section 2.2 3711. A. 1. of the Code of Virginia; **b)** the possible appointment of a specific public appointee of Town Council, namely, a citizen of Front Royal, to fill a seat vacated by the possible appointment of a Town Council Member, should a sitting Member of Town Council be appointed to fill the seat of Interim Mayor, due to the resignation of former Mayor Hollis L. Tharpe, pursuant to Section 2.2 3711. A. 1. of the Code of Virginia; and, **c)** for the purpose of consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically, the law regarding filling vacancies on positions of the governing body of the Town, 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