

FINANCE COMMITTEE MEETING @ 6:00PM



TOWN OF FRONT ROYAL, VIRGINIA TOWN COUNCIL MEETING Monday, October 17, 2016 @ 7:00pm Town Hall Conference Room – 2nd Floor

1. Pledge of Allegiance
2. Moment of Silence
3. Roll Call
4. Approval of the Regular Council Meeting minutes of September 26, 2016
5. Receipt of Petitions and/or Correspondence from the Public
6. Reports:
 - a. Report of special committees or Town officials and Town Manager.
 - 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 – Good Shepherd Lutheran Church Sign Encroachment Lease
 - B. COUNCIL APPROVAL – Resolution for 2016 Holiday Home Decorating Contest
 - C. COUNCIL APPROVAL – Tamper Fee Relief for 840 John Marshall Hwy – Puji Properties
 - D. COUNCIL APPROVAL – Budget Calendar for FY2017-2018
 - E. COUNCIL APPROVAL – Bid for Road Salt
8. **COUNCIL AUTHORIZATION** – Proceed with Construction Documents for New Police Dept
9. **COUNCIL RECOMMENDATION** – Board of Zoning Appeals

TOWN COUNCIL WORK SESSION

(immediately following regular meeting)

1. Application for VDOT TAP Grant to fund Criser Road Trail – *Director of Planning/ Zoning*
2. Liaison Committee Meeting Items for November 17 Meeting
3. Council Discussion/Goals *(time permitting)*
4. CLOSED MEETING – Personnel Matters

Motion to Go Into Closed Meeting

I move that Council convene and go into Closed Meeting for the following purposes: the assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of a public body, pursuant to Section 2.2 3711. A. 1., 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 Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

7A



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

Page 1
Item No. 7(A)

Meeting Date: October 17, 2016

Agenda Item: COUNCIL APPROVAL – Lutheran Church Sign Encroachment License

Summary: Council is requested to consider approval of a License Agreement with Good Shepherd Evangelical Lutheran Church located at 18 W 6th Street, for a right-of-way encroachment of their sign installed on 6th Street in front of the church. The sign was originally installed without permits and was not in compliance with Town Code. The License Agreement, if approved, will allow the sign to remain in its current location for five years.

Budget/Funding: None

Attachments: Staff Report and License Agreement

Meetings: Work Session held October 3, 2016

Staff Recommendation: Approval X 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 License Agreement with Good Shepherd Evangelical Lutheran Church, 18 W 6th Street for the right-of-way encroachment of their sign installed on 6th Street in front of the church for a term of five years 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: SB

TOWN OF FRONT ROYAL
DEPARTMENT OF PLANNING & ZONING



STAFF REPORT FOR THE BOARD OF ZONING APPEALS,
update for Town Council's consideration of a ROW Encroachment Lisc.

APPLICATION #:

BZA16-04-187

APPLICANT:

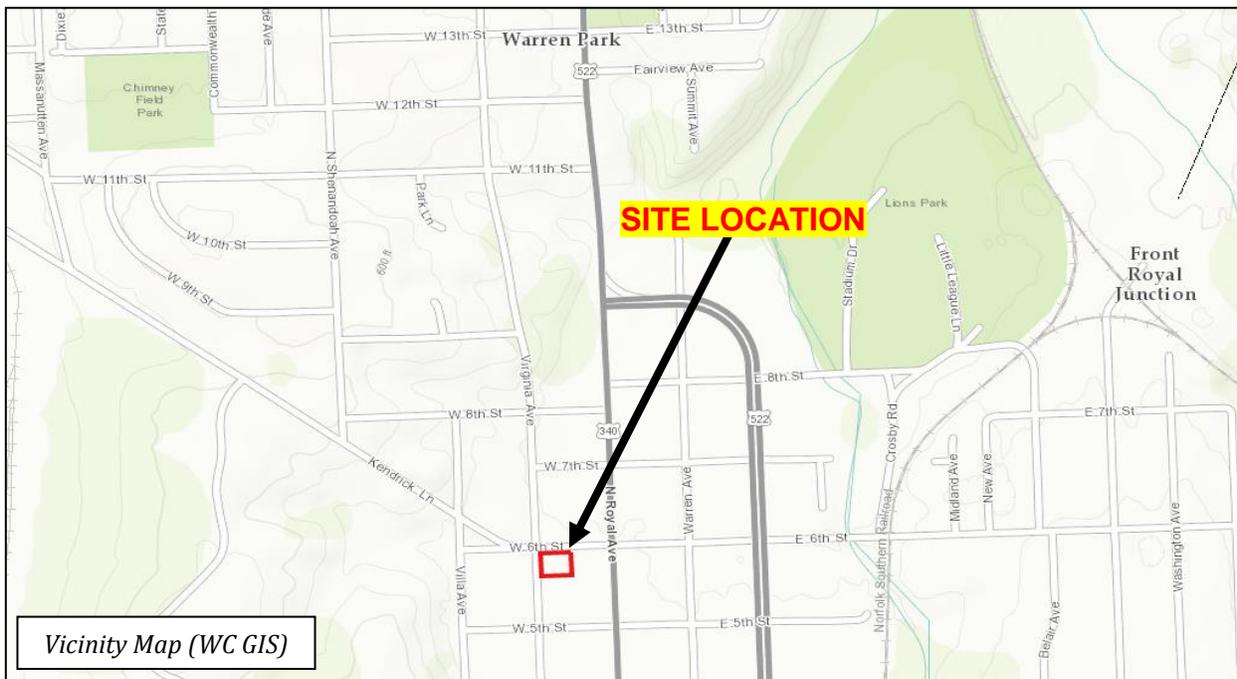
Good Shepherd Evangelical Lutheran Church

APPLICATION SUMMARY:

Good Shepherd Evangelical Lutheran Church has submitted a variance application related to the sign installed along 6th Street in front of the church. The variance application seeks remedy of the sign not complying with the minimum setbacks, maximum number of signs, and maximum percentage amount of changeable copy area. The application is included as **Attachment 1**.

GENERAL INFORMATION:

Site Address	18 W. 6 th Street (listed as 16 W. 6 th Street)		
Zoning District	R-3 (Residential) District		
Overlay Districts	Historic Area – NO	Floodplain – NO	Entrance Corridor – NO
Tax Identification	20A5 718, lots 14 -18		
Location	The southeast corner of the intersection of Virginia Avenue and W. 6 th Street, facing W. 6 th Street.		
Existing Use	Church		



Vicinity Map (WC GIS)

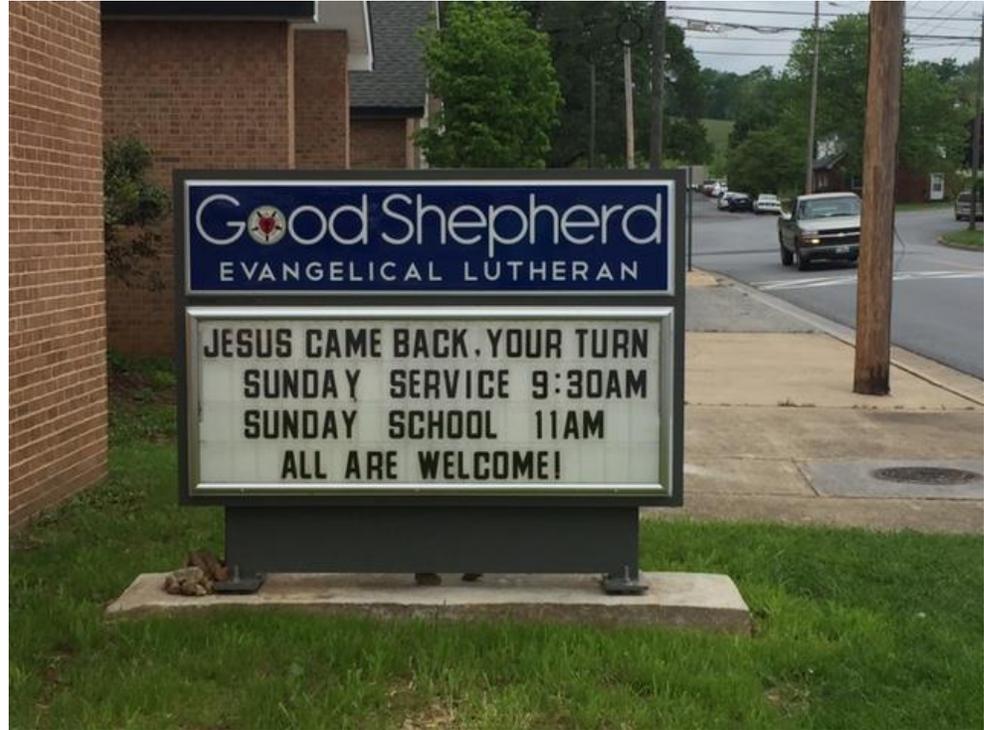
ILLUSTRATIONS



ADDITIONAL INFORMATION:

Background & Summary

The church installed the subject sign without a permit. A picture of the subject sign is shown below. It is classified as an Institutional Sign. It is also classified as a Ground Mounted Sign and a Changeable Copy Sign.



The Code Enforcement Officer for the Town observed the sign after it was constructed and informed the church that they needed to apply for a sign permit. Upon review of the sign by the Zoning Administrator, the location and details of the sign were determined to NOT comply with the Town Code requirements for new signage. In addition, the Town Surveyor's determination was that the sign is partially encroaching within the public right-of-way.

The sign permit was denied, as submitted, and the church has followed with this application for a variance. The church proposes to move the sign further back from the street so that it is placed outside of the public right-of-way. If approved, this variance application would address the nonconforming elements of the sign in regards to the Town's Zoning Ordinance. Below is a listing of the Town Code sections of the Zoning Ordinance that the sign is not in compliance with:

- 1) **175-106.B.1.a[1]** – requires a minimum setback for signs in residential zoning districts of 10 feet from the public right-of-way. Town Code 175-106.B.1.a[1] states the following:

“Minimum Setback: Ten (10) feet from all public rights-of-way unless further restricted by provisions of this section.”

- 2) **175-106.B.1.b[4]** – allows Institutional Signs in residential zoning districts, but as stipulated under **175-106.A.5.c.**, if the institutional sign is also a Changeable Copy Sign it must meet certain requirements, including a maximum area of 50% of the total sign area as a changeable copy area. Town Code 175-106.A.5.c, which is a list of prohibited signs in the Town, states the following:

“Changeable Copy Signs, except for approved institutional bulletin boards and gas station fuel price signs as permitted by this ordinance, and where such signs are incorporated as an element within another permanent sign, provided that the changeable copy area does not exceed twenty (20) square feet or fifty percent (50%) of the total sign area, whichever is less.”

- 3) **175-106.B.1.b[4]** – limits the number of signs to one (1) when an institutional sign is used in residential districts. Town Code 175-106.B.1.b[4] states the following:

“Institutional Signs and Bulletin Boards: One (1) ground-mounted or wall sign per use, not to exceed twenty-four (24) square feet in area and eight (8) feet in height for ground-mounted signs or ten (10) feet in height for wall-mounted signs. The Town Council may, by special permit, approve an increase in size to thirty-two (32) square feet. In addition to the signs otherwise allowed by this section, any educational institution located on not less than fifty (50) contiguous acres and with road frontage on not fewer than four (4) public streets may have up to four (4) ground-mounted identification signs, facing outwards from the grounds of the institution, each not to exceed seventy-five (75) square feet in area and eight (8) feet in height. Two (2) of such signs may have a second face, on the side facing into the institution.”

Town Code

Town Code **175-139.B** authorizes the Board of Zoning Appeals with the ability to issue variances, as stipulated below:

“To authorize, upon appeal in specific cases, such variance from the terms of the chapter as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions will result in unnecessary hardship, provided that the spirit of the chapter shall be observed and substantial justice done, as follows:

1. When a property owner can show that his property was acquired in good faith and where, by reason of the exceptional narrowness, shallowness, size or shape of a specific piece of property at the time of the effective date of the chapter, or where, by reason of exceptional topographic conditions or other extraordinary situation or condition of the piece of property, or of the condition, situation, or development of property immediately adjacent thereto, the strict application of the terms of the chapter would effectively prohibit or unreasonably restrict the use of the property, or where the Board is satisfied, upon the evidence heard by it, that the granting of such variance will alleviate a clearly demonstrable hardship, as distinguished from a special privilege or convenience sought by the applicant, provided that all variances shall be in harmony with the intended spirit and purpose of the chapter.

*Virginia
Code*

2. No such variance shall be authorized by the Board, unless it finds:
 - a. That the strict application of the chapter would produce undue hardship.
 - b. That such hardship is not shared generally by other properties in the same zoning district and the same vicinity.
 - c. That the authorization of such variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance.
3. No such variance shall be authorized except after notice and hearing as required by Section 15. 2-2204 of the Code of Virginia as amended.
4. No variance shall be authorized unless the Board finds that the condition or situation of the property concerned or the intended use of the property is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the chapter.
5. In authorizing a variance, the Board may impose such conditions regarding the location, character and other features of the proposed structure or use as it may deem necessary in the public interest and may require a guaranty or bond to insure that the conditions imposed are being and will continue to be complied with.
6. In the event that a variance is not granted, the same variance application, or a variance application that is substantially the same, may not be submitted to the Board for consideration for a period of one (1) year from the date on which the variance request was denied.

Virginia Code § 15.2-2309.2 states the following in regards to Variances and the BZA:

“Notwithstanding any other provision of law, general or special, to grant upon appeal or original application in specific cases a variance as defined in § 15.2-2201, provided that the burden of proof shall be on the applicant for a variance to prove by a preponderance of the evidence that his application meets the standard for a variance as defined in § 15.2-2201 and the criteria set out in this section.

Notwithstanding any other provision of law, general or special, a variance shall be granted if the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and (i) the property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance; (ii) the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area; (iii) the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance; (iv) the granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and (v) the relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A 4 of § 15.2-2286 at the time of the filing of the variance application.

No variance shall be considered except after notice and hearing as required by § 15.2-2204. However, when giving any required notice to the owners, their agents or

	<p>the occupants of abutting property and property immediately across the street or road from the property affected, the board may give such notice by first-class mail rather than by registered or certified mail.</p> <p>In granting a variance, the board may impose such conditions regarding the location, character, and other features of the proposed structure or use as it may deem necessary in the public interest and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with. Notwithstanding any other provision of law, general or special, the property upon which a property owner has been granted a variance shall be treated as conforming for all purposes under state law and local ordinance; however, the structure permitted by the variance may not be expanded unless the expansion is within an area of the site or part of the structure for which no variance is required under the ordinance. Where the expansion is proposed within an area of the site or part of the structure for which a variance is required, the approval of an additional variance shall be required.”</p>
<p><i>Applicant’s Reasons for a Variance</i></p>	<p>Attached with this Staff Report is a copy of the Applicant’s submittal, including the standard application form and accompanying documentation to explain the applicant’s reasons for the variance application.</p>

STAFF COMMENTS:

Based on Virginia Code § 15.2-2309(2), that went into effect on July 1, 2015, the BZA *must grant a variance* if the evidence shows that the strict application of the terms of the zoning ordinance would “unreasonably restrict the utilization of the property or that granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance”, and the following:

- (i) the property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;
- (ii) the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;
- (iii) the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;
- (iv) the granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property; and
- (v) the relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A4 of §15.2-2286 at the time of the filing of the variance application.” *Virginia Code § 15.2-2309(2)*.

The applicant needs to demonstrate at the public hearing, to the satisfaction of the BZA, that the above criteria are met with the application. Staff recommends that the BZA review each criteria on its individual merits and make a finding of fact to support its decision.

UPDATE:

The Board of Zoning Appeals, at the June 21, 2016 meeting, voted unanimously to approve the applicant's variance application with three conditions. This included a condition to reduce the changeable message area of the sign and removal of the other church sign on the property. It also included relocation of the new sign out of the right-of-way unless Town Council grants an encroachment license. The church has since addressed the changeable copy area and removal of the old church sign stipulations.

The church has submitted a request to Town Council to consider a right-of-way encroachment license. This is scheduled for consideration by Town Council on October 3, 2016.

The BZA Staff report information is provided for information purposes only.

The Town Attorney has drafted a right-of-way encroachment license that would be valid for 5 years if approved by Town Council.

L I C E N S E A G R E E M E N T

THIS LICENSE AGREEMENT, is made and entered into this 17 day of October, 2016, by and between the **TOWN OF FRONT ROYAL, VIRGINIA**, a municipal corporation, hereinafter referred to as the "Town", and **GOOD SHEPARD EVANGELICAL LUTHERAN CHURCH**, hereinafter collectively referred to as the "Church".

WHEREAS, a portion of an existing sign (the "Sign") of the Church encroaches upon the dedicated right-of-way of 6th Street (the "Property"), near the southeast corner of the Church property at the intersection of Virginia Avenue and West 6th Street, facing the southern side of West 6th Street; and

WHEREAS, because the Sign does not comply with the zoning ordinance in the allowed minimum setbacks, the maximum number of signs permitted on a property, or the maximum percentage amount of changeable copy area, the Church applied for and the Front Royal Board of Zoning Appeals has granted the Church a variance related to the Sign, so as to permit the Sign, even though contingent upon the Church moving the Sign out of the Town's public right-of way on the Property, unless however the Church obtains this License Agreement for the Church's use of the Property from the Town Council.

WHEREAS, the Town of Front Royal, Virginia, is willing to authorize the said encroachment of the Sign upon the Property on the public

right-of-way way described **SUBJECT** to the following terms and conditions.

That for and in consideration of the sum of **ONE DOLLAR (\$1.00) per annum**, paid by the Church to the Town , the parties do hereby agree as follows:

1. PREMISES - The Town agrees to lease to the Church so much of its Property on the public right-of-way for the Sign, approximately eighteen inches (18”) in width from west to east, along West 6th Street, parallel to the north side of the Church and to the south side of West 6th Street, and parallel to and adjacent to the concrete base of the Sign, for the term of this License Agreement.

2. TERM OF LICENSE - The term of the License is for a period of **Five (5)** years, commencing on the **17th day of October, 2016**, and ending on the **17th day of October, 2021**.

3. PAYMENT OF LICENSE FEE - Church shall pay to the Town an annual license fee payment of **One Dollar (\$1.00)**. The license fee payment shall be paid in advance beginning on the 1st day of _____, 2016 and on an annual basis thereafter for the term of this License and any extensions hereunder.

5. RELEASE AND HOLD HARMLESS – The Church hereby agrees to hold the Town, its officers, employees, agents, and invitees harmless from any liability pertaining to Church, Church’s members, guests, invites, employees, agents, officers, and contractors use and/or occupancy of the Property. Church agrees to execute the “EASEMENT-HOLD HARMLESS LETTER TOWN OF FRONT ROYAL, VIRGINIA DEPARTMENT OF PLANNING & ZONING” document, attached hereto and made a part of this License Agreement as Exhibit “A”.

6. **USE OF PREMISES** – Church shall not assign this License Agreement or sublicense the Property. Church shall not permit or allow any dangerous practice or hazardous condition to occur on the Property, shall not violate any State, Federal, or local law concerning the use of the Property, or permit any illegal activity to occur thereon. Church shall not create or allow any nuisance to be or remain upon the Property, except as set forth herein.

7. **ALTERATIONS OR IMPROVEMENTS** - Any alterations, additions, or improvements to the Property shall not be permitted without the written consent of the Town, except as set forth herein. Any permitted alterations, additions, or improvements to the Property shall be performed at the sole expense of the Church by reputable workmen and contractors approved by the Town. All alterations, additions, or improvements to the Property shall be and remain the sole property of the Town, except as permitted in writing by the Town.

8. **MAINTENANCE** – The Church shall maintain the Property in a safe condition of good repair. The Church shall surrender the Property to the Town at the conclusion of the License Agreement free and clear of the Sign and the encroachment. The Church accepts the Property "as is", "where is". It is specifically understood that the Town has no obligation to the Church to make any repairs, improvements, or replacements whatsoever to the Property during the period of the License Agreement. The Town does not warrant or guarantee as to the suitability of the Property for any particular purposes.

9. **TERMINATION** - This License Agreement may be terminated by either party for any reason six (6) months from the date of mailing or hand delivery a written

notice of termination to the other party. For the purposes of this License Agreement, all notices shall be made in writing and shall be delivered by first class mail or hand delivered to the parties at the addresses stated herein, to-wit:

**TOWN OF FRONT ROYAL
C/O Front Royal Town Manager
102 East Main Street
Front Royal, Virginia 22630**

**GOOD SHEPARD EVAGELICAL LUTHERAN CHURCH
C/O
16 West 16th Street
Front Royal, Virginia 22630**

In the event of termination by the Town prior to the scheduled expiration of the License Agreement, the Church shall be given a reasonable time to remove its Sign and supporting infrastructure from the Property, not to exceed six (6) months. In the event that public necessity requires an immediate recovery of the Property by the Town, and the Church is unable to immediately remove its Sign and supporting infrastructure from the Property, the Town may remove the Sign and supporting infrastructure for the Church, without liability therefor.

Except as provided herein, any fixtures or personal property which remains upon the Property upon termination or expiration of the License Agreement shall become the sole property of the Town at the sole option of the Town.

10. AUTHORITY- All parties and signatories hereto affirmatively represent that by signing this License Agreement and all Exhibits hereto, that they have all necessary and appropriate authority of their representative organizations to do so and legally bind their organizations hereto.

10. INTERPRETATION - The interpretation of the provisions of this License Agreement shall be in accordance with the laws of the State of Virginia.

13. MODIFICATION AND EXTENSIONS - Modification of the terms and conditions of this License Agreement and extensions or renewals of this License Agreement shall not be permitted, unless agreed to in writing and executed with the same formality as this Agreement.

GIVEN under our hands this ____ day of _____, 2016

TOWN OF FRONT ROYAL, VIRGINIA (SEAL)

BY: _____
Steven M. Burke, P.E., Town Manager

GOOD SHEPARD EVAGELICAL LUTHERAN CHURCH (SEAL)

BY: _____
NAME

APPROVED AS TO FORM:

Douglas W. Napier, Town Attorney

7B



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

Page 1
Item No. 7(B)

Meeting Date: October 17, 2016

Agenda Item: COUNCIL APPROVAL – Resolution - 2016 Holiday Home Decorating Contest

Summary: Council is requested to approve a resolution to establish the 2016 Holiday Home Decorating Contest as presented.

Budget/Funding: Funds from Electric, Water and Sewer Fund Reserves

Attachments: Resolution

Meetings: Work Session held October 3, 2016

Staff

Recommendation: Approval X 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 Resolution establishing the 2016 Holiday Home Decorating Contest 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: SB



Town of Front Royal, Virginia



**RESOLUTION ESTABLISHING
THE 2016 HOLIDAY HOME DECORATING CONTEST**

WHEREAS, the Town of Front Royal encourages our residents to promote local tourism through the decoration of their homes for the 2016 holiday season; and,

WHEREAS, the Town of Front Royal desires to encourage friendly competition amongst our residents in their decoration efforts;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Front Royal, Virginia hereby establish the 2016 Holiday Home Decorating Contest sponsored by the Town on our Facebook page with awards to the top three votes receiving homes being \$100 credit towards their electric bill for the first place home, \$50 credit towards their electric bill for the second place home, and \$25 credit towards their electric bill for the third place home. Funding for this contest will come from our Electric Fund.

Adopted this 17 day of October, 2016

APPROVED

Timothy W. Darr, Mayor

Attest:

Jennifer E. Berry, CMC, Clerk of Council

THIS RESOLUTION was approved at the Regular Meeting of the Town of Front Royal, Virginia

Town Council on _____ 2016, upon the following recorded vote:

Bébhinn C. Egger	Yes/No	Bret W. Hrbek	Yes/No
Hollis L. Tharpe	Yes/No	Eugene R. Tewalt	Yes/No
John P. Connolly	Yes/No	Jacob L. Meza	Yes/No

Approved as to Form and Legality

Douglas W. Napier, Esq., Town Attorney

Date: _____

7C



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

Page 1
Item No. 7(C)

Meeting Date: October 17, 2016

Agenda Item: COUNCIL APPROVAL – Tamper Fee Relief for 840 John Marshall Highway – Puji Properties

Summary: On August 1, 2016, a tenant at 840 John Marshall Highway contacted the Department of Environmental Services to turn of water service to the building due to a water leak that required repair. Town staff advised the tenant that that the Town would need to be contacted to restore water service. Upon re-inspection of the meter on August 2nd, staff discovered that the service has been turned out without contacting the Town and a Tampering Fee was assessed. The property owner, Puja Properties, LLC, paid the fee and is requesting relief from Town Council as they had no knowledge of the situation.

Budget/Funding: 9401/9601-3161904 - Electric/Water Penalties

Attachments: Letter from Puji Properties

Meetings: Work Session held October 3, 2016

Staff Recommendation: Approval X 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 relief sought by Puja Properties, LLC for the Tampering Fee assessed on the property at 840 John Marshall Highway. I further move that Council authorize staff to repay the property owner the amount of \$1,023.75.

*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: SB

PUJA PRPERTIES LLC

**PO BOX 418
Fairfax, VA 22038
1.703.946.9700**

August 3, 2016

Dear Front Royal Town Manager,

We respectfully request to reverse the water meter tempering fee of \$1,000 (please see attached receipt) charged to us for the building located at 840 John Marshall highway in Front Royal, VA for the following reasons.

On 8-1-2016, a tenant requested the town of Front Royal to turn off the water and the water was turned off at the meter (the tenant had accidentally broken the water pipe in their unit and water was continuously pouring out). We, the company owner(s) located in Fairfax, Virginia, called a professional plumbing company (who is not our regular plumbing company) to fix the emergency issue. The issue was fixed/repaired at the building. We, the owner(s), again are located in Fairfax, VA and thus were not in Front Royal at the time the water valve was turned back on after said repair. From our understanding, either the plumbing company or one of effected tenants in the building opened the water valve at the meter. As we have learned now for the first time, that town was to be notified for turning this water valve at the water meter for preventing damage to the water meter. Thus,

- 1) We believe it is unreasonable to charge the owner of the building, who was not present in Front Royal when the water valve was turned on resulting in \$1,000 fine.
- 2) There was/is no intent to steal water by anyone by "bypassing" the water meter. Water was/is still going through the meter. The bills for this water meter have always been paid on time and never delayed.
- 3) We have notified the plumbing company and the tenants of consequences touching the meter and/or water valve resulting in tempering fee and possible loss of their profession license.

After your kind consideration, in the event the above mention charge is not reversed, we request you give us a personal interview/meeting time to explain the above issues. Thank you for your time.

Sincerely,

Vip Patel

TOWN OF FRONT ROYAL

102 E MAIN ST

FRONT ROYAL VA 22630

540-635-7799

Terminal ID: 01494241 4049

8/2/16 8:28 AM

VISA - MANUAL

ACCT #: *****1791

CREDIT SALE

UID: 621511651195 REF #: 7909

BATCH #: 272 AUTH #: 86754D

AMOUNT \$1023.75

APPROVED

CUSTOMER COPY

TOWN OF FRONT ROYAL, VA

RECVD BY: MARY ELLEN 4 01001319857

PAYOR: PATEL, VIP

TODAY'S DATE: 08/02/16

REGISTER DATE: 08/02/16 TIME: 08:33

DESCRIPTION AMOUNT

CUST ID:07-655101-02

UTILITY PAYMENTS \$1,000.00

CUST ID: 1.000 \$0.25

CREDIT CARD FEES \$23.75

TOTAL DUE: \$1,023.75

TENDERED: \$1,023.75

CHANGE: \$.00

TELEPHONE -: \$1,023.75

REF NUM:

7D



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

Page 1
Item No. 7(D)

Meeting Date: October 17, 2016

Agenda Item: COUNCIL APPROVAL – Budget Calendar

Summary: Council is requested to approve the FY2017-2018 Budget Calendar as presented.

Budget/Funding: None

Attachments: Budget Calendar

Meetings: None

**Staff
Recommendation:** Approval X 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 FY2017-2018 Budget Calendar 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: SB

Fiscal Year 2017-2018 Budget Calendar

Oct 2016	Department 5-Year CIP (Capital Improvement Plan) Requests
Oct 2016	Finance Dept Distributes FY17-18 Budget Forms to Departments
Nov 7, 2016	Department CIP Requests due to Finance
Nov 15, 2016	Department Budget Requests with Justifications to Finance
Dec 2016	Department Budget Request Meetings with Town Manager
Dec 14, 2016	Department Mid-Year FY16-17 Budget Transfers due to Finance
Jan 17, 2017	Preliminary FY17-18 Budget Discussion - Council Expectations
Feb 6, 2017	Tax Rate Confirmation by Town Council
Feb 27, 2017	Public Hearing - Real Estate & Personal Property Tax Rates
Mar 6, 2017	FY17-18 Budget Discussion
Mar 13, 2017	Approval of Tax Rates
Apr 1, 2017	Town Manager's Recommended FY17-18 Budget to Town Council
Apr 3, 2017	Town Manager's presentation of FY17-18 Budget to Town Council
Apr 10, 2017	Town Manager's presentation of FY17-18 Budget to Citizens
Apr 17 & May 1, 2017	Town Council FY17-18 Budget Review
May 22, 2017	Public Hearing FY17-18 Budget & Appropriation Ordinance
June 5, 2017	Budget Work Session if Necessary
June 12, 2017	Approval of FY17-18 Budget & Appropriation Ordinance

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

Page 1
Item No. 7(E)

Meeting Date: October 17, 2016

Agenda Item: COUNCIL APPROVAL – Bid for Road Salt

Summary: Council is requested to approve a bid for De-Icing Road Salt for the 2016-2017 winter season through April 30, 2017 from Cargill, Inc. at a cost of \$74.38 per ton at an estimated quantity of up to 2500 tons.

Budget/Funding: FY17 Highway Maintenance budget line item 4500-45478 “Snow Removal”

Attachments: Memorandum from Purchasing Agent and Quotation Tabulation Sheet

Meetings: None

Staff Recommendation: Approval X 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 the Town Council approve a bid for De-Icing Road Salt for the 2016-2017 winter season through April 30, 2017 from Cargill, Inc. at a cost of \$74.38 per ton at an estimated quantity of up to 2500 tons.

*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: SB



MEMORANDUM

Date: September 30, 2016
To: Tina Presley, Senior Administrative Assistant
Jennifer Berry, Clerk of Council
From: Cindy Hartman, Purchasing Agent
RE: Agenda Item

A handwritten signature in purple ink, appearing to be "CJ", is written to the right of the "From:" line.

On Thursday, September 29, 2016, I held a bid opening to set firm pricing for the purchase of road salt during the upcoming winter season through April 30, 2017. Out of 11 vendors directly solicited, I received seven (7) responses, with two (2) submitting "No Quote" (see attached tabulation sheet). The lowest quotation was submitted by Cargill, Inc., at a cost of \$74.38 per ton. This is \$3.51 less than our cost of salt per ton during last year's winter season.

As we have no means of forecasting the quantity of salt we will use during a winter season, the request is for an estimated quantity of up to 2500 tons. Due to the dollar amount the Town historically spends for this commodity, the award will need Town Council approval. Please add this to the October 17, 2016 agenda, for their action.

Staff recommends the award for deicing road salt for the 2016-2017 winter season be made to Cargill, Inc. at a cost of \$74.38 per ton. Funding to purchase this commodity is in the FY17 Highway Maintenance budget line item 4500-45478 "Snow Removal".

TOWN OF FRONT ROYAL, VIRGINIA

Quotation Tabulation

Item: ROAD SALT _____

Quotation #31 _____

Date: September 29, 2016 _____

Mailed: 11 _____

Replied 7 _____

COMPASS MINERALS - N/Q
AMERICAN ROCK SALT - N/Q

	CARGILL	MORTON SALT	MID-ATLANTIC	EASTERN SALT COMPANY	THE HARVEY SALT COMPANY
	NORTH OLMSTEAD OHIO	CHICAGO ILLINOIS	NARBERTH PENN.	LOWELL MA	BALTIMORE MD
QUANTITY	QUOTATION	QUOTATION	QUOTATION	QUOTATION	QUOTATION
FIRM DELIVERED PRICE THROUGH APRIL 30, 2017.					
ROAD SALT - PER TON	\$74.38	\$88.45	\$84.90	\$78.00	\$80.62
ESTIMATED TONNAGE UP TO 2500 TONS					
TOTAL QUOTATION					

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

Witness



Purchasing Agent

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

Page 1
Item No. 8

Meeting Date: October 17, 2016

Agenda Item: COUNCIL AUTHORIZATION – Proceed with Construction Documents for New Police Headquarters

Summary: Moseley Architects presented the results of their final design effort for the new Police Headquarters to be built at the northwest corner of Monroe Avenue and Kendrick Lane. The current construction cost estimate for the buildings is \$7,037,210. Depending upon the review of the site plan by the Department of Environmental Quality (DEQ), bidding of the project should occur in February 2017. Council is requested to authorize the designer to proceed with developing the construction documents for bidding. A review of the current construction cost estimate will be presented to Town Council prior to bidding the project.

Budget/Funding: None

Attachments: None

Meetings: Work Session held October 3, 2016

Staff Recommendation: Approval X Denial

Proposed Motion: I move the Council authorize the Town Manager to provide notice to Moseley Architects to complete the construction documents for the new Police Headquarters.

*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: SB

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

Page 1
Item No. 9

Meeting Date: October 17, 2016

Agenda Item: COUNCIL RECOMMENDATION – Board of Zoning Appeals (BZA)

Summary: Council is requested to consider a recommendation to the Judge of the Warren County Circuit Court for an appointment to the Front Royal Board of Zoning Appeals (BZA) to fill an unexpired term ending May 1, 2018.

Budget/Funding: None

Attachments: None

Meetings: None

Staff Recommendation: Approval Denial

Proposed Motion: I move that Council recommend Ronald V. Flores to the Judge of the Warren County Circuit Court for appointment to the Front Royal Board of Zoning Appeals (BZA) to fill an unexpired term ending May 1, 2018.

*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: SB

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Town of Front Royal, Virginia Work Session Agenda Form

Date: October 17, 2016

Agenda Item: Application for VDOT TAP Grant Application to fund Criser Road Trail
Director of Planning & Zoning

Summary:

Criser Road trail is a planned trail that would link the southern terminus of Happy Creek Trail with Dickey Ridge Trail and Eastham Park Trail near the intersection of Rt. 340/Criser Road. Criser Road Trail is the final trail segment of the Royal Shenandoah Greenway Trail that was adopted by the Town, as well as the Commonwealth of Virginia. It is also part of the Town's Capital Improvement Plan.

The grant is an 80/20 matching program with the Town's match primarily from in-kind labor. The project cost is under review by the Department of Environmental Services, but was previously estimated to be approximately 200K. The trail would be constructed within existing public-right-of-way to keep costs down and to minimize impacts. Shenandoah National Park has been consulted with and a letter of support was provided by Warren County Parks and Recreation. The NSVRC is schedule to pass a resolution of support at their meeting in October.

A public information meeting and resolution from Town Council is an application requirement.

Council Discussion: This agenda item is scheduled for a work session review at this time. A public information meeting is scheduled for October 24th.

Staff Evaluation: Town Staff recommends that Town Council pass the attached draft resolution (VDOT Template) and hold the required public information meeting.

Budget/Funding: A line item to receive VDOT TAP Grant Application funds for the project would be appropriate if the grant is awarded.

Legal Evaluation: The Town Attorney will be available at the work session for questions.

Town Manager: The Town Manager will be available at the work session for questions.

Council Recommendation:

Additional Work Session Regular Meeting No Action
Consensus Poll on Action: ___(Aye) ___(Nay)

Work Session





Transportation Alternatives Set-Aside Sample Resolution

Whereas, in accordance with the Commonwealth Transportation Board construction allocation procedures, it is necessary that a resolution be received from the sponsoring jurisdiction or agency requesting the Virginia Department of Transportation establish a Transportation Alternatives Set-Aside project to be administered by the Town of Front Royal.

Now, Therefore, Be It Resolved, that the Town of Front Royal, requests the Commonwealth Transportation Board to establish a project for Criser Road Trail.

Be It Further Resolved, that Town of Front Royal hereby commits to provide a minimum 20 percent matching contribution for this project and any additional funds necessary to complete the project,

Be It Further Resolved, that the Town of Front Royal hereby agrees to enter into a project administration agreement with the Virginia Department of Transportation and provide the necessary oversight to ensure the project is developed in accordance with all state and federal requirements for design, right of way acquisition, and construction of a federally funded transportation project,

Be It Further Resolved, that the Town of Front Royal will be responsible for maintenance and operating costs of any improvement / facility constructed with Transportation Alternatives Set-Aside funds unless other arrangements have been made with the Department,

Be It Further Resolved, that if the Town of Front Royal subsequently elects to cancel this project the Town of Front Royal hereby agrees to reimburse the Virginia Department of Transportation for the total amount of costs expended by the Department through the date the Department is notified of such cancellation. The Town of Front Royal also agrees to repay any funds previously reimbursed that are later deemed ineligible by the Federal Highway Administration.

Be It Further Resolved, that the Town Council of the Town of Front Royal hereby grants authority for the Town Manager to execute project agreements for any approved Transportation Alternatives Set-aside projects for Fiscal Year 2018.

Adopted this 24th day of October, 2016

Front Royal, Virginia

By: _____

Attest: _____

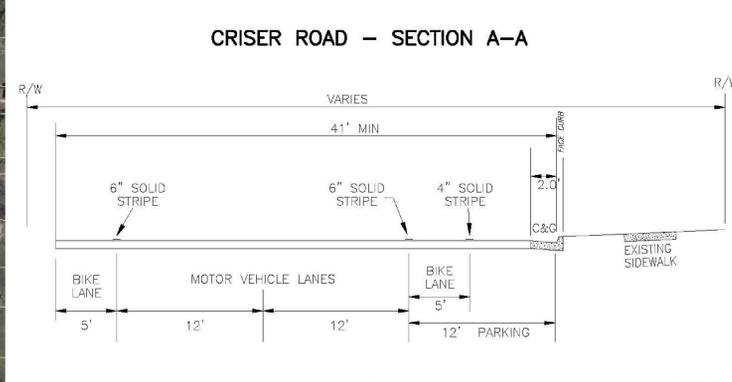
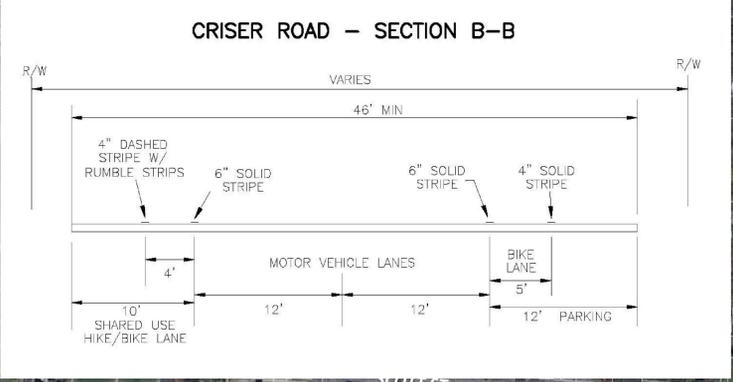
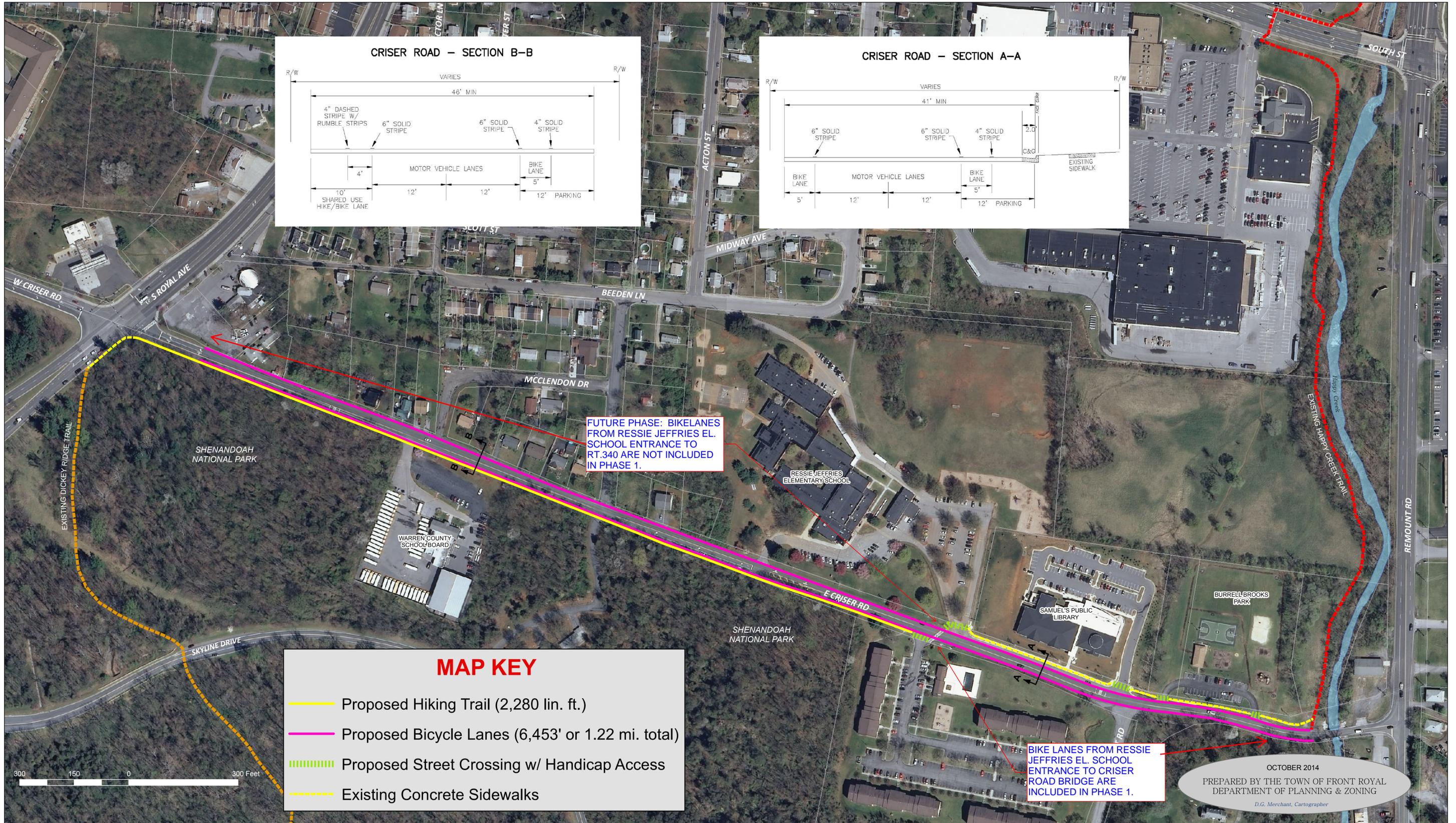


CRISER ROAD - Hike & Bike Trail

Town of Front Royal, Virginia



PART OF THE
Royal Shenandoah Greenway

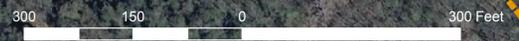


FUTURE PHASE: BIKE LANES FROM RESSIE JEFFRIES EL. SCHOOL ENTRANCE TO RT.340 ARE NOT INCLUDED IN PHASE 1.

BIKE LANES FROM RESSIE JEFFRIES EL. SCHOOL ENTRANCE TO CRISER ROAD BRIDGE ARE INCLUDED IN PHASE 1.

MAP KEY

- Proposed Hiking Trail (2,280 lin. ft.)
- Proposed Bicycle Lanes (6,453' or 1.22 mi. total)
- Proposed Street Crossing w/ Handicap Access
- Existing Concrete Sidewalks



OCTOBER 2014
PREPARED BY THE TOWN OF FRONT ROYAL
DEPARTMENT OF PLANNING & ZONING
D.G. Merchant, Cartographer

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Town of Front Royal, Virginia Work Session Agenda Form

Date: October 17, 2016

Agenda Item: Liaison Committee Meeting Items for November 17, 2016

Summary: The next Liaison Committee Meeting is scheduled for November 17, 2016. At the September 19, 2016 Work Session, Council asked that the utility contribution request for the Warren Heritage Society be added for discussion at the next Liaison Committee Meeting for Warren County participation. Also items regarding 1) Town Commercial Waste Tipping Fee Structure and 2) Current Town of Front Royal Transportation Priorities are to be removed. The County of Warren has requested that the discussion of combining Town and County law enforcement and fire and rescue dispatch operations into the Public Safety Building. The last meeting agenda is attached.

Council Discussion: Council takes desired action

Staff Evaluation: None

Budget/Funding: None

Legal Evaluation: Town Attorney will be available for questions or concerns

Staff Recommendations: None

Town Manager Recommendation: Town Manager will be available for questions

Council Recommendation:

Additional Work Session Regular Meeting No Action

Consensus Poll on Action: ___(Aye) ___(Nay)

Work Session



AGENDA
TOWN/COUNTY LIAISON
COMMITTEE MEETING
Warren County Government Center



September 15, 2016
6:00 PM

- A. Call to Order – Linda Glavis, Board of Supervisors Chair**
- B. Approval of Minutes – July 21, 2016**
- C. Leach Run Parkway – Doug Stanley**
- D. Wastewater Treatment Plant/Septage Receiving Facility – Steve Burke**
- E. Building Inspections Software – Doug Stanley**
- F. Development Review Committee – Doug Stanley**
- G. McKay Property Update/ Acquisition of Trailer Park – Jennifer McDonald**
- H. Warren County's in-Town Projects – Doug Stanley**
- I. Avtex Property – Main Street Extension – Steve Burke**
- J. Town Commercial Waste Tipping Fee Structure – Steve Burke**
- K. Chris Ramsey Boundary Adjustment Request Adjournment – Doug Stanley**
- L. Current Town of Front Royal Transportation Priorities – Steve Burke**
- M. Consideration of Joint Towing Board – Doug Stanley**
- N. Adjournment**

COUNTY OF WARREN



County Administrator's Office
Warren County Government Center
220 North Commerce Avenue, Suite 100
Front Royal, Virginia 22630

Phone: (540) 636-4600

FAX: (540) 636-6066

Email: dstanley@warrencountyva.net

Douglas P. Stanley
County Administrator

October 5, 2016

BOARD OF SUPERVISORS

CHAIR
Linda P. Glavis
South River
District

VICE-CHAIR
Archie A. Fox
Fork
District

Tony F. Carter
Happy Creek
District

Daniel J. Murray, Jr.
North River
District

Thomas H. Sayre
Shenandoah
District

Mr. Steve Burke, Town Manager
Town of Front Royal
P.O. Box 1560
Front Royal, Virginia 22630

RE: *Liaison Committee Agenda Items*

Dear Steve:

At its meeting on Tuesday, October 4 the Warren County Board of Supervisors requested that the following items be included for discussion at an upcoming Liaison Committee meeting:

- ▶ Discussion of combining Town and County law enforcement and fire and rescue dispatch operations into the Public Safety Building.

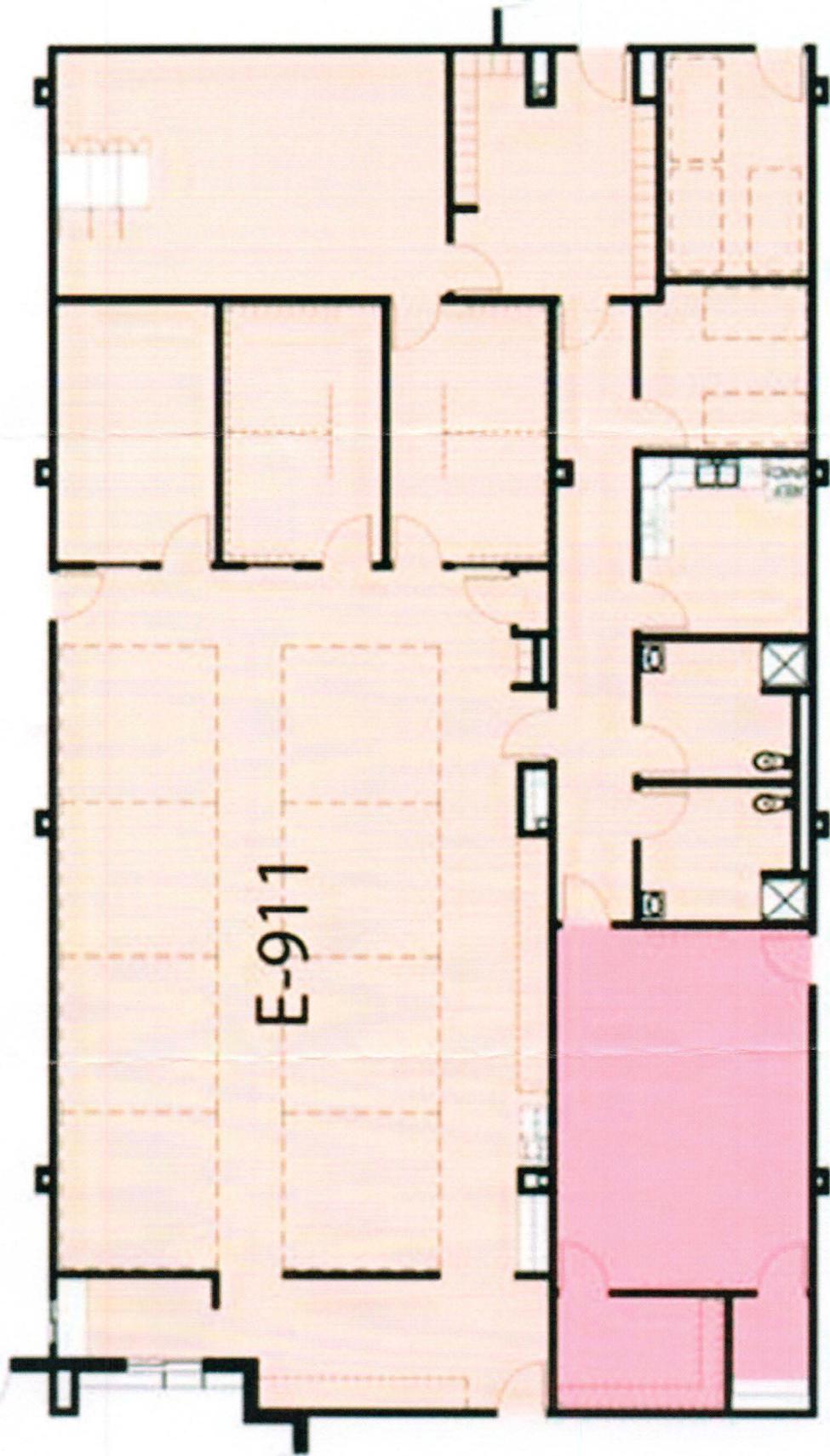
Sincerely,

Douglas P. Stanley, AICP ICMA-CM
County Administrator

DPS
Attachment

cc: Daniel McEathron, Sheriff
Richard Mabie, Fire Chief





E-911

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