

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on November 12, 2013, in the Warren County Government Center’s Board Meeting Room. Mayor Darr led Council and those attending in the Pledge of Allegiance to the flag and a Moment of Silence. The roll was called at 7:00 p.m.

- PRESENT:**
- Mayor Timothy W. Darr
 - Vice Mayor N. Shae Parker
 - Councilman Daryl L. Funk
 - Councilman Bret W. Hrbek
 - Councilman Thomas H. Sayre
 - Councilman Eugene R. Tewalt
 - Councilman Hollis L. Tharpe
 - Town Manager Steven M. Burke, P.E.
 - Town Attorney Douglas W. Napier
 - Clerk of Council Jennifer E. Berry, CMC

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

Vice Mayor Parker moved, seconded by Councilman Tewalt, that Council approve the Regular Council Meeting minutes of October 28, 2013 as presented.

- Vote: Yes – Funk, Hrbek, Parker, Tewalt, Tharpe and Sayre
 No – N/A
 Abstain – N/A
 Absent – N/A
 (Mayor Darr did not vote as there was no tie to require his vote)

RECEIPT OF PETITIONS OR CORRESPONDENCE FROM THE PUBLIC

There were no receipts of petitions or correspondence from the public.

REPORT OF THE MAYOR, COUNCIL & STAFF

Town Manager Steve Burke:

- Stated that next Monday a worksession would not be held, though he reminded Council and the public about the public hearing for the Front Royal Limited Partnership Settlement Agreement on the 18th of November at the Warren County Government Center;
- Noted that leaves will be collected on Wednesdays if they are bagged and the bags are left untied. He noted that the Town will not collect piles of leaves;
- Reminded the public that the Founders Day events will be held November 16th beginning at 11 a.m. including music and comments from former Mayors; he noted that they will work to develop an agenda/schedule for the day.

John Madera, the Principal Planner for the Northern Shenandoah Valley Regional Commission, noted that Executive Director, Martha Shickle was unable to attend, though he reported the following:

- That they assisted the Town’s Planning Office with the VDOT paperwork for push button signal heads for several intersections;

- Noted that the Staunton meeting for the annual update of the Transportation Six Year Improvement Plan went well; and
- Announced that their Holiday Dinner was being held and Council was invited to attend; he noted that official invitations would be forth coming.

Kim Gilkey-Breeden, Director of Finance:

- Stated that the Town's annual audit was complete and a rough draft was being reviewed at this time;
- Noted that the auditors would like to meet with the Town's Finance & Audit Committee soon;
- Announced that they are a quarter through the fiscal year and departmental spending and expenses are being monitored;
- Explained that Staff has received instructions to begin their 2015 budget requests to expedite the budget process for Council;
- Stated that the Town's Department of Human Resources has been asked to provide a Salary/Benefits survey which is due by December 1st to Finance; and
- Announced that the Town may be in a position to make application for refinancing for the new Public Safety Building for the Police Department, the Water & Wastewater Plant upgrades and our other debt.

Councilman Sayre mentioned that things were different years ago, though it seems that now society seems to treat veterans quite well. He reminisced about his uncle and his time flying in Vietnam and his uncle's experience when he returned to the United States. Mr. Sayre stated that his hope that veterans are always remembered for their service.

Councilman Hrbek noted that he would like Council to consider a motion directing Staff to research a Town Building Inspector position. He stated that proposing a building inspector for 2015 position and funding it through permits through the General Fund and where needed was his

Councilman Hrbek also noted that during the next month he would like to have Council discuss reclassifying the Tourism Director as the Town's Community Development position with an increase in pay to that position, with the main industry of tourism as the focus.

Mayor Darr noted that the matters could be placed on a worksession agenda for discussion and he asked that Councilman Hrbek could discuss his intent in full with Mr. Burke to give more direction to Staff to prepare for the meeting.

Mayor Darr noted that the NAACP recently held their Freedom Fund Banquet. He stated that he, Councilman Tharpe, Councilmen Sayre and Chief Shiflett were pleased to attend and Tony Tringale received the Citizen of the Year Award from the NAACP organization. Mayor Darr noted that the event was very well done and well attended.

Mayor Darr stated that Veteran's Day Ceremony held at the Courthouse and there were many good speakers and it was well organized by the Giles B. Cook American Legion

Mayor Darr gave thanks to the local business for the gifts and free meals that they gave to our community veterans in honor of Veteran's Day.

Mayor Darr stated that on Thursday the Salvation Army Kettle Kick Off would be held and it generally began the holiday season for the community.

Mayor Darr announced that the Founders Day event would be held on Saturday at 11 a.m. with several former Mayors in attendance providing history and knowledge of the Town. He stated that there would be events throughout the day downtown planned for the community.

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

Vice Mayor Parker moved, seconded by Councilman Tharpe, that Council add to the agenda an item for the Council to accept the offer of the Town of Round Hill to sell to the Town of Front Royal the rotary fan sludge press.

Vote: Yes – Funk, Hrbek, Parker, Tewalt, Tharpe and Sayre
No – N/A
Abstain – N/As
Absent – N/A
(Mayor Darr did not vote as there was no tie to require his vote)

CONSENT AGENDA ITEMS

- A. COUNCIL APPROVAL – Liaison Committee Agenda Items
- B. COUNCIL APPROVAL – Bid for Curb and Gutter Installation, Driveway Aprons and Handicap Ramp Installations

Councilman Sayre moved, seconded by Councilman Tharpe that Council approve the Consent Agenda as presented.

Vice Mayor Parker asked that Item A (Liaison Agenda Items) be removed for separate vote and discussion.

Vote: Yes – Funk, Hrbek, Parker, Tewalt, Tharpe and Sayre
No – N/A
Abstain – N/A
Absent – N/A
(Mayor Darr did not vote as there was no tie to require his vote)
(By Roll Call; On Consent Agenda Item B)

COUNCIL APPROVAL – Liaison Committee Agenda Items – Nov 21st

Vice Mayor Parker moved, seconded by Councilman Tewalt, to approve the Liaison Agenda with the following items for the November 12th agenda:

1. Catlett Mountain Landfill Improvements
2. Building Inspections Software – EnerGov
3. Leach Run Parkway Project
4. Wastewater Treatment Plant/Septage Receiving Facility
5. South Fork Bridge Lighting – Agreement for Installation/Maintenance
6. Blue Ridge Shadows Proffer Amendment Request
7. Comcast Channel 16
8. Route 340/522 Corridor

- 9. FRLP
- 10. Proposed Park-n-Ride Location
- 11. Riverton Substation (Warren County Plan Review Update)
- 12. Property Boundary Adjustment Process
- 13. Betty West/Assisted Living Facility

Vice Mayor Parker noted that he removed it from the Consent Agenda in order to correct the date to November 12th.

In response to Councilman Sayre’s question, Mr. Burke stated that there was a recent power outage and the Town Crews provided power from other Town substations in the area.

Vice Mayor Parker stated that the date was actually the 21st, not the 12th.

Vice Mayor Parker moved, seconded by Councilman Sayre to correct the date to November 21st, 2013.

Vote: Yes – Funk, Hrbek, Parker, Tewalt, Tharpe and Sayre
 No – N/A
 Abstain – N/As
 Absent – N/A
 (Mayor Darr did not vote as there was no tie to require his vote)
 (Liaison Items; Agenda date of Nov 21st)

COUNCIL APPROVAL – Request to Remove Lien from Hillidge Street Property

Summary: **The Town has received a request from Alan Fox on behalf of his mother, Lillian Sealock Fox, to release an outstanding lien on her property located at 125 Hillidge Street associated with the assessment for curb and gutter and sidewalk installation in 2008 in the amount of \$1,058.49. Council is requested to consider the release of the lien.**

Councilman Funk moved, seconded by Councilman Hrbek that Council approve the release of a lien in the amount of \$1,058.49 for Lillian Sealock Fox for a 2008 assessment for curb and gutter and sidewalk installed on her property at 125 Hillidge Street.

Councilman Funk stated that it was an involuntary assessment and he was not in favor of assessing land owners for improvements to their property which they did not request. Councilman Hrbek echoed the comments of Councilman Funk. He added that if the Town believes that these improvements are needed then the Town needs to pay for it, not the individual property owners.

Vice Mayor Parker noted that if they granted that the release of the liens one by one, he could not support the matter, though he would consider a group release if it was a lien forgiveness for everyone.

Councilman Sayre noted that Warren County should have compensated the Mrs. Fox for the amount of the lien on this particular property in the sale of the parcel to the County.

Councilman Hrbek moved, seconded by Vice Mayor Parker, to write off the lien debt for everyone from the previous curb and gutter program.

Councilman Tewalt noted that he would need financial information before voting on such a proposal. Mayor Darr stated that at the last worksession the release estimate was about \$70,000, though Staff had not done the complete research.

Councilman Hrbek stated that there were arguments that some had paid in advance and they would not be granted a refund, and his answer would be that Councils and policies change over time.

Mayor Darr noted that it was up to Council if they would like to support removing the lien debt entirely for everyone regarding the curb and gutter.

Councilman Hrbek removed his amendment at this time. Vice Mayor Parker removed his second.

Mr. Burke was asked to place it on a worksession agenda after the first of the year.

Vote: Yes – Funk and Hrbek
No – Parker, Tewalt, Tharpe and Sayre
Abstain – N/A
Absent – N/A
(Mayor Darr did not vote as there was no tie to require his vote)
(By Roll Call)

COUNCIL APPROVAL – Request to Accept the Offer of Round Hill Rotary Fan Sludge Press for \$260,000

Vice Mayor Parker moved, seconded by Councilman Sayre, that Town Council accept the offer of the Town of Round Hill to sell to the Town of Front Royal the rotary fan sludge press of the Town of Round Hill, discussed by Town Council at its October 21, 2013 work session, for the purchase price of Two Hundred Sixty Thousand Dollars (\$260,000.00). He further move that the Town Manager and Town Attorney be authorized to execute the Agreement and Bill of Sale prepared by Maureen K. Gilmore, Round Hill Town Attorney, in connection with the sale of said equipment, and any other documentation deemed necessary and appropriate by the Town Manager and Town Attorney, in order to accomplish the transfer of title and payment of purchase money in connection therewith.

Councilman Funk asked about selecting a neutral venue for disputes on any matter.

Councilman Sayre moved to amend the motion Courts of Warren County, Virginia should there be a dispute. Motion died for the lack of a second.

Vote: Yes – Funk, Hrbek, Parker, Tewalt, Tharpe and Sayre
No – N/A
Abstain – N/A
Absent – N/A
(Mayor Darr did not vote as there was no tie to require his vote)
(By Roll Call)

There being no further business, the Mayor declared the meeting adjourned at 7:32 p.m.

APPROVED:

Jennifer E. Berry
Clerk of Council