

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on March 24, 2014, 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 Tharpe that Council approve the Regular Council Meeting minutes of March 10, 2014 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 the Town’s Main Street drive-thru would be closed on Saturday and the Town’s website would be down for maintenance;
- Noted that the Energy Services Department begins work along the Commerce/Royal Avenue pedestrian crossing improvements for the next two week period;
- Reminded the citizenry that the Business Forum would be held this coming Thursday and encouraged everyone with interest to attend;
- Commended Mr. Waltz and Staff, and announced that the Attorney General’s office once again recognized the Town as the municipal electric provider with the lowest rates in the Commonwealth of Virginia.

Councilman Tewalt asked about the intersection of 6th Street and Royal Avenue, noting that there had been barricades there for over three months. Mr. Burke explained that there had been truck damage in the area and Town crews are finalizing concrete work there.

Jennifer McDonald, Executive Director of the Economic Development Authority:

- Stated that they continued work on the Afton/Town Hall land swap agreement revisions and will return that to Council soon;
- Noted that the EDA continued to finalize the Avtex redevelopment easements and hoped to have that finalized within the month, with the open house scheduled for September 20th;
- Reported that they continued to work with developers on Main Street for retail and housing sites; and
- Stated that she is working with the Leach Run Parkway site work for housing demolition;

Councilman Tewalt asked about when the property would be released from the EPA. Mrs. McDonald noted that the letter should come in September at the open house. She added that the site is clean, and the letter will be handed over at the event in September.

Councilman Sayre asked about the grant the EDA had discovered which may work for the new police department. Mrs. McDonald stated that the Town did qualify for the grant and the grant representative stated that if no one in the smaller communities applied that the Town's chances then increased greatly. She added that they could obtain up to 15% of the project cost.

Councilman Sayre asked for clarification on the grading point system and the sizes of the communities. Mrs. McDonald noted that the smaller communities obtain higher points, though Front Royal would qualify, though they would score lower points on the scale system. Councilman Tewalt inquired as to whether the information in full had been provided to the Town.

Mayor Darr asked Mrs. McDonald to advise Mr. Torrence of how valuable he was to the Town during the site process, and asked that all the best well wishes be extended to him in his future endeavors.

Councilman Hrbek noted that recently the County had a Corridor report completed, though there were matters that were pertinent that were not included, he noted that:

- Nothing in the report spoke of the Town's cost to install the water system into the Route 340 Corridor;
- There was no mention of the value of the property given by the Town to the County, only the cost of maintaining the property
- The cost to the Town citizens was not noted;
- There was no value to the lost tax revenue due to the competing businesses out in the Corridor (for example in-town L Dee's versus Route 340 Cracker Barrel);
- The inclusion of the BPOL in the report; and
- It notes Samuels Library and the EDA; and the Library is a private organization, and also does not include the recent funding the Town gave to Samuels to assist with operations on Sunday.

Councilman Hrbek stated that the report omitted vital information and was not a complete or accurate representation of the Corridor situation for the Town or the County.

Councilman Sayre stated that he attended the Liaison Meeting recently and it caught him by surprised that County Supervisor Murray brought up consolidation. He noted his hope that the

topic was just talk and suggested they discuss the meals tax idea at the meeting. Mr. Sayre stated that the community had previously voted on consolidation many years ago and the Town residents voted against the measure. He noted that he hoped that both the Town and County would move towards more unity.

Mayor Darr noted that Relay for Life events would soon begin their events throughout the community. He encouraged the citizenry to get involved and participate when possible.

Mayor Darr announced that the new quarter launch and dedication for the Shenandoah National Park quarter would be on Friday, April 4th at Skyline High School. He stated that the quarter portrays a beautiful image of the Parkway, looking over the ridge. He invited members of the Council and public to attend.

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

CONSENT AGENDA ITEMS

- A. COUNCIL APPROVAL – Proclamation – “*Arbor Day*”
- B. COUNCIL APPROVAL – Proclamation – “*National Service Recognition Day*”
- C. COUNCIL APPROVAL - Memorandum of Agreement with County of Warren for Bridge Lighting and Maintenance

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

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

⌘ RESOLUTION: ARBOR DAY ⌘

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called **Arbor Day**, was first observed with the planting of more than a million trees in Nebraska, and **Arbor Day** is now observed throughout the nation and the world; and

WHEREAS, trees reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen, and provide habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal; and,

WHEREAS, Front Royal has been recognized as a Tree City USA by **The National Arbor Day Foundation** and desires to continue its tree-planting practices;

NOW THEREFORE BE IT RESOLVED that I, Timothy W. Darr, Mayor of the Town of Front Royal, do hereby proclaim April 26, 2014 as **ARBOR DAY** in the Town of Front Royal, and urge all citizens to celebrate **Arbor Day** and to support efforts to protect our trees and woodlands; and

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well being of this and future generations.

⌘ **RESOLUTION: National Service Recognition Day** ⌘

WHEREAS, service to others is a hallmark of the American character, and central to how we meet our challenges; and

WHEREAS, the nation's Mayors are increasingly turning to national service and volunteerism as a cost-effective strategy to meet town needs; and

WHEREAS, participants address the most pressing challenges facing our cities and nation, from educating students for jobs of the 21st century and supporting veterans and military families to providing health services and helping communities recover from natural disasters; and

WHEREAS, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and

WHEREAS national service participants serve in more than 60,000 locations across the country, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our town's economic and social well-being; and

WHEREAS, national service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and

WHEREAS, national service participants demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

WHEREAS, the Corporation for National and Community Service shares a priority with mayors nationwide to engage citizens, improve lives, and strengthen communities; and is joining with the National League of Cities, City of Service, and mayors across the country to recognize the impact of service on the Mayors Day of Recognition for National Service on April 1, 2014.

THEREFORE, BE IT RESOLVED that Mayor Timothy W. Darr and the Town Council of the Town of Front Royal do hereby proclaim April 1, 2014, as National

Service Recognition Day, and encourage residents to recognize the positive impact of national service in our town and thank those who serve; and to find ways to give back to their communities.

PUBLIC HEARING – An Ordinance to adopt a Voluntary Settlement Agreement to Relocate a Portion of the Boundary Line owned by Front Royal Limited Partnership (1st Reading)

Summary: Council is requested to consider approval of an Ordinance to adopt a Voluntary Settlement Agreement (“VSA”) to relocate a portion of the Boundary Line between the Town of Front Royal and the County of Warren to include within the Town parcels owned by Front Royal Limited Partnership (FRLP), between Happy Creek Road and Interstate 66, west of the Happy Creek Technology Park.

Mayor Darr opened the public hearing. As no one came forward to speak, the public hearing was closed.

Councilman Hrbek moved, seconded by Councilman Funk, that Council affirm on its first reading an Ordinance to adopt a Voluntary Settlement Agreement (“VSA”) to relocate a portion of the Boundary Line between the Town of Front Royal and the County of Warren to include within the Town parcels owned by Front Royal Limited Partnership (FRLP), between Happy Creek Road and Interstate 66, west of the Happy Creek Technology Park, as presented.

Councilman Sayre asked if he should make any disclosure on the issue. Mr. Napier noted that he was unaware of any conflict of interest.

In response to questions from Councilman Hrbek, Mr. Napier noted that he was comfortable with the language as presented and he recommends that Council moves forward with the item at this time.

Vice Mayor Parker noted that he was not prepared to vote in the affirmative at this point as there were different views regarding the document, noting that he may have some questions on the issue.

Vice Mayor Parker moved to postpone the matter until the April 14th worksession.

Councilman Tewalt asked how many questions he may have on the matter. Mr. Parker indicated that he may have 4-5 questions on the topic.

Vice Mayor Parker withdrew his motion to postpone.

Councilman Tewalt asked about the document moving forward to the three judge panel and it only containing measures relating to the Town and County, without the inclusion of FRLP. He noted that he had concern that if the property were sold, then would the ties then be bound to the new property owner.

Mr. Napier explained that the Town, County and FRLP are urging the court to approve the matter with all three parties and that is the request of the Town. He stressed that is what the

Town feels is necessary, adding that he did not see where the court can approve it without FRLP.

Councilman Tewalt asked if the documents are binding to FRLP if Mr. Vazzana sells the property. Mr. Napier opined that he could not sell the property without being a signatory to the title. Mr. Tewalt confirmed that it would be binding on Mr. Vazzana. Mr. Tewalt noted that FRLP had made proffers to the County, and questioned if the Town was getting into a bad situation. Mr. Napier stated according to Mr. Tewalt’s explanation, then he would suggest that the Town not approve the documents unless it was a three party agreement.

Mayor Darr noted that Warren County has approved the agreements. Mr. Napier confirmed that they had, adding that the Town and County attorneys had long discussions and a consensus was to have Town/County/FRLP submit both versions, though the three party agreement was the preferred way to move forward. Mr. Napier added that the Commission on Local Government suggested the two party agreement, though obviously the Town and County attorneys disagree with that suggestion immensely.

Councilman Funk requested a worksession at 6 p.m. on March 31st.

Councilman Sayre asked why they suggested the two party agreement. Mr. Napier noted that there was a statute reference that does not take into account the property owner.

Councilman Sayre asked if delaying the matter would be an issue; Mr. Napier noted that it would not be, as there was no drop dead date.

Vice Mayor Parker moved, seconded by Councilman Tewalt, to postpone until the worksession of April 14th.

Councilman Tewalt suggested contacting the Commission to find out where they stand on the three party agreement. Mr. Napier stated that it was not feasible to contact the Commission for such a request without beginning the process over, though he can obtain all the correspondence and forward that to Council.

Councilman Hrbek asked about allowing the three party agreement that the County passed to continue on in the process; Mr. Napier stated that they most likely could do so.

Vote: Yes – Funk, Hrbek, Parker, Sayre, Tewalt and Tharpe
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; Postpone Until April 14th)

Mayor Darr stated that they needed to null the motion to postpone until April 14th worksession, because it was read as an amendment, rather than a separate motion. He suggested for a motion to postpone at this point.

Vice Mayor Parker moved, seconded by Councilman Hrbek, to suspend the rules on the matter.

Vote: Yes – Funk, Hrbek, Parker, Sayre, Tewalt and Tharpe

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)

Vice Mayor Parker moved, seconded by Councilman Tewalt, to postpone the FRLP matter until April 14th.

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

PUBLIC HEARING – An Ordinance to Amend Chapter 80 of the Town Code Pertaining to Fireworks *(1st Reading)*

Summary: Council is requested to consider an Ordinance to amend Chapter 80 of the Town Code pertaining to fireworks. The most important provisions of the proposed amendments are clarifying what are prohibited fireworks; and requiring that permits for storage or display of fireworks within the Town limits be obtained from the Warren County Fire Marshall instead of Town Council.

Mayor Darr opened the public hearing. As no one came forward to speak, the public hearing was closed.

Councilman Tewalt moved, seconded by Vice Mayor Parker that Council affirm on its first reading of an Ordinance to amend Chapter 80 of the Town Code pertaining to fireworks, as presented.

Councilman Funk moved, seconded by Councilman Sayre, to add the words “, but not limited to,” in section 80-1 PROHIBITIONS after the words “VAC 27-95 to include” and to strike the word “misdemeanors” and insert the words “a class III misdemeanor.”

Councilman Funk noted that his amendments were the culmination of Council’s discussion from the previous worksession and will work with both Town or State Code.

Councilman Sayre stated that it was one area where the Town and County were working together in unity.

Vote: Yes – Funk, Hrbek, Parker, Sayre, Tewalt and Tharpe
 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 the Amendment)

Vote: Yes – Funk, Hrbek, Parker, Sayre, Tewalt and Tharpe
 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)

PUBLIC HEARING – Resolution for the Issuance of Bonds to Finance an Expansion/Upgrade of the Water Treatment Plant and Refinance a Portion of an Existing Loan on the Project Completed 2012

Summary: An application has been made for the Town to participate in the spring 2014 funding pool through the Virginia Resource Authority (VRA) to assist with funding for the mandated upgrades required for the Water Treatment Plant and to refinance a portion of an existing loan on the project completed in 2012. Council is requested to approve a Resolution Authorizing the Issuance and Sale of General Obligation Water System and Refunding Bonds to Finance an Expansion and Upgrade of the Water Treatment Plant and Refinance a Portion of an Existing Loan on the Project Completed in 2012, in the principal amount not to exceed \$3,250,000.00; and, to authorize staff to complete all necessary documentation pertaining to the issuance and sale of the bonds.

Mayor Darr opened the public hearing. As no one came forward to speak, the public hearing was closed.

Vice Mayor Parker moved, seconded by Councilman Tewalt, that Council approve a Resolution Authorizing the Issuance and Sale of General Obligation Water System and Refunding Bonds to Finance an Expansion and Upgrade of the Water Treatment Plant and Refinance a Portion of an Existing Loan on the Project Completed in 2012, in the principal amount not to exceed \$3,250,000.00. He further moved that Council authorize staff to complete all necessary documentation pertaining to the issuance and sale of the bonds.

Councilman Sayre inquired if interest would be charged; Mr. Burke noted that interest would be charged.

Councilman Tewalt stated that he would vote for the bond, as the Town would be receiving a lower interest rate. He added that he was tired of voting for systems requirements due to mandates to the Town’s plants.

Vote: Yes – Funk, Hrbek, Parker, Sayre, Tewalt and Tharpe

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)

COUNCIL APPROVAL – Ordinance Amendment for Height and Setbacks for Wireless Telecommunication Towers (2nd Reading)

Summary: Council is requested to adopt on the second and final reading an amendment to the Town Code that would modify Sections 175-103

and 175-110.4. The proposed changes would modify the definition of Wireless Telephone Towers and include a provision that would allow Town Council to reduce the required setback under certain engineering specifications.

Councilman Tewalt moved, seconded by Councilman Tharpe, that Council adopt on its second and final reading an amendment to the Town Code that would modify Sections 175-103 and 175-110.4 pertaining to height and setbacks for wireless telecommunication towers as presented.

Vote: Yes – Funk, Hrbek, Parker, Sayre, Tewalt and Tharpe
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)

COUNCIL APPROVAL – Ordinance Amendment for Finished Side of Fences (2nd Reading)

Summary: Council is requested to adopt on its second and final reading an amendment to the Town Code that would modify Section 175-102. The proposed changes would require new fences to be constructed to face neighboring residential properties and public streets with the finished side.

Vice Mayor Parker moved, seconded by Councilman Tharpe that Council adopt on its second and final reading an amendment to the Town Code that would modify Section 175-102 pertaining to the “finished” side of fences as presented.

Vote: Yes – Funk, Hrbek, Parker, Sayre, Tewalt and Tharpe
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)

COUNCIL APPROVAL – Ordinance Amendment to Set Real Estate and Personal Property Taxes for FY14-15 (2nd Reading)

Summary: Council is requested to adopt on its second and final reading an amendment to the Town Code 75-44 (C) as presented to set the Town Real Estate Tax Rate at \$.13 per \$100 assessed value, which represents an increase of \$.02 over the current year’s rate; the Personal Property Tax Rate at \$.64 per \$100 assessed value, which represents no increase over the current year’s rates. The increase in the real estate tax rate will be used for the new Police Department Headquarters and the construction of the Leach Run Parkway. If approved the new rate would go into effect upon passage (this was amended from July 1, 2014 as shown in the

previously). At the public hearing on March 10th, Council voted to “include a sunset clause that one once the Police Department and the Leach Run service debt is met, that the Town would revert back to the original tax rate”. This clause has been incorporated into the ordinance for consideration.

Vice Mayor Parker moved, seconded by Councilman Tewalt that Council adopt on its second and final reading an amendment to the Town Code 75-44 (C) as presented to set the Real Estate Tax Rate at \$.13 per \$100 assessed value which represents an increase of \$.02 over the current year’s rate to be used for the new Police Department Headquarters and the construction of Leach Run Parkway; and, the personal property tax rate at \$.64 per \$100 assessed value, which represents no increase over the current year’s rate for Fiscal Year 2014-2015, effective upon passage.

Councilman Tewalt asked if the sunset clause needed to be specific in the motion. Mr. Napier stated that it could be in the motion or Council could read it into the record, though it does not actually need to be in the motion specifically, because it is in the ordinance.

Councilman Hrbek asked if the two cents would drop automatically. Mr. Napier stated that a future Council would actually have to act to remove the two cents.

Councilman Tharpe suggested spelling it out clearer for that Council. Mr. Napier noted that this Council could not bind a future Council, and legally this is the best they can do to ensure the sunset clause and state their intentions.

Councilman Sayre asked spoke of the projected fund balance of over \$2 million. He noted that it then dropped to \$1.9 million and then another drop listed the amount at \$900,000. Mr. Sayre stated that even with the most conservative view, each \$100,000 represents that Council could do a balanced budget and a bond payment for the amounts noted. He added that recently, the Dominion sales tax added about \$600,000 in FY2013 for the Town. Mr. Sayre stated that the State of Virginia would pay about part for Leach Run Parkway, and Warren County would be paying about 67%, with the Town paying less than \$2.4 million. He noted that the EDA is saying that the Town could obtain up to 15% of the Parkway amount, if they were awarded the grant funding.

Councilman Sayre listed EDA bond amounts that would be paid in full soon and gave other examples of ways to save with the budget. He opined that should some members of Council wish for a larger budget with higher taxes which were not necessary then he could not stop them.

Councilman Hrbek noted that Mr. Sayre was suggesting that the Council take out a bond for the Police Department and Leach Run Parkway, though they would need funding to pay those amounts back. Councilman Sayre stated that the funding was already in the budget. Mr. Hrbek noted those amounts were reserve funding, not surplus.

Councilman Sayre stated that the first amount he quoted had over \$2 million in surplus; total expected surplus. Mrs. Breeden stated that amount was adjusted down to \$800,000 due to VRS requirements. She added that the amount from Dominion was a one time amount and it will not be there annually.

Councilman Hrbek asked about the extra salt the Town recently purchases. Mrs. Breeden stated that it came from fund balance. Councilman Tewalt stated purchases from recent months for items from fund balance, such as telephone service and some for computers, \$100,000 for snow removal, \$150,000 for trails; totaling \$450,000 this year alone. He noted that \$900,000 is not a whole lot when you are running an entire town. He asked Council to stop and watch what we are spending, and to stop taking it from the General Fund before it is depleted.

Councilman Sayre asked about why the amount listed in the CAFR went from \$2 million to \$900,000. Mrs. Breeden stated that she would assume he was referring to the General Fund. She explained that the amount adjusts due to expenses and if Mr. Sayre followed the report back for several years, he would see that they spent over one million dollars since 2013. She added that as Mr. Tewalt just explained that the Town has spent almost \$500,000 recently.

Councilman Funk called for the question; seconded by Councilman Hrbek.

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

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

COUNCIL APPROVAL – Resolution for Technology Zone Qualification – Mirandum Pictures

Summary: Mirandum Pictures located at 214 Jackson Street has been determined by the Board of Directors of the Industrial Development Authority to meet the definition of Technology Business as defined in Section 75-59 of the Town’s Technology Zone Ordinance and Section 162-2 of the County’s Technology Zone Ordinance, as a “Video Production, Software Design and Development, and Content Developers”. Council is requested to approve a Resolution that grants the BPOL License Credit in detail.

Councilman Hrbek moved, seconded by Vice Mayor Parker, that Council approve a Resolution for a Technology Zone Qualification that grants a Business, Professional, Occupation License (BPOL) Credit for Mirandum Pictures, as presented.

Councilman Funk asked if Council held a worksession on the item. Mr. Burke noted that they had not, though they can defer and hold one if needed. He added that all qualifications were met and the matter had been reviewed by Staff.

Vote: Yes – Funk, Hrbek, Parker, Sayre, Tewalt and Tharpe
 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)

COUNCIL APPROVAL – Energov/Tyler Technologies, Inc. as a Sole Source Provider for the Purchase of Building Permits Software

Summary: On December 9, 2013 Council approved a budget amendment to jointly purchase Planning and Building Inspection Software from EnerGov (currently Tyler Technologies, Inc.) with the County of Warren. When Council authorized the contract, the County had used a cooperative procurement with Prince William County Request for Proposals, as permitted by State Code. Prince William County’s cooperative procurement authorization expired October 2013, so the Town was unable to take advantage of the cooperative method as was the County. After consideration, it was determined that a sole source could be used. Council is requested to identify Tyler Technologies, Inc. (formerly EnerGov) as sole source provider for the purchase for Building Permit Software and to authorize Staff to complete all necessary documentation to complete the purchase.

Councilman Hrbek moved, seconded by Councilman Tewalt, that Council identify Tyler Technologies, Inc. (formerly EnerGov) as sole source provider for the purchase of Building Permit Software. He further moved that Council authorize Staff to complete all necessary documentation to complete the purchase.

Councilman Sayre noted that this would not increase or decrease the cost and would allow the Town to cooperate with the provider and the County more smoothly.

Councilman Tewalt stated that he would be voting against the item, as it was the type of General Fund reduction item he was just speaking of.

Vote: Yes – Funk, Hrbek, Sayre and Tewalt
 No – Parker & Tewalt
 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 8:26 p.m.

APPROVED:

 Jennifer E. Berry
 Clerk of Council