

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on November 9, 2015, 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  
Councilman John P. Connolly  
Councilman Bébhinn C. Egger  
Councilman Daryl L. Funk  
Councilman Bret W. Hrbek  
Councilman Eugene R. Tewalt  
Vice Mayor Hollis L. Tharpe  
Town Attorney Douglas W. Napier  
Town Manager Steven M. Burke, P.E.  
Clerk of Council Jennifer E. Berry, CMC

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

*Councilman Tewalt moved, seconded by Councilman Egger that Council approve the Regular Council Meeting minutes of October 26, 2015 as presented.*

Vote: Yes – Connolly, Egger, Funk, Hrbek, 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)

**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:

- Announced that the Browntown Road area water service would be disrupted during 9 a.m. - 2 p.m. tomorrow, November 10<sup>th</sup> and should they have concerns, residents should contact the Department of Environmental Services at 540 635-7819;
- Reminded Council and area citizens that the Town Offices would be closed for Veteran’s Day on Wednesday, and he noted the changed trash collection schedule for the week and invited all area residents and visitors to the Veteran’s Day Service on the Courthouse lawn;
- Noted that the “If I Were Mayor” Essay Contest for entries were due to VML by December 1<sup>st</sup>, adding that full information was available on the Town’s website;
- Stated that for high school area Seniors, two \$500 scholarships would be offered and more information was available on the Town’s website;
- Announced that the vehicle charging station on Main Street experienced usage over the weekend with several vehicles;
- Noted that the Town’s restroom would be closed at Eastham Park for the winter, though a portable one would be in place during the cold months;

Mr. Burke explained the Tree replacement program information to Council, as requested by Councilman Egger:

With the completion of the tree replacement project on Main Street, Councilman Egger requested that a history of the project be presented so that our residents better understand how the project came about. In the 1980's, the Town completed a revitalization project on Main Street that included the installation of 35 Bradford Pear trees. The trees grew taller than had been anticipated and the trees were topped by a contractor in the early 1990's which compromised the integrity of the trees. Over the next ten years, the trees regrew. During this time, complaints arose regarding the tree height, safety, and the mess from the tree fruit. In addition, the tree roots resulted in damage to the surrounding sidewalks that resulted in some injuries to visitors.

In the early 2000's, the Town contracted with the Virginia Tech Community Design Assistance Center to work with the Urban Forestry Advisory Committee to develop a plan to update the streetscape along Main Street. The plan was completed in 2003 that included a phased removal plan for the trees that would replace the trees with a variety of trees that would offer an appealing streetscape of varied scale. The phased approach was selected to provide a variety in the age of trees so that future improvements would not require replacement of aged trees all at once. Having a variety of tree species would also prevent a blight or tree illness decimating the tree canopy on Main Street. The selected species of trees are not anticipated to exceed thirty feet in height when fully developed.

The process involved UFAC, Main Street Merchants, and Town residents. The members of UFAC who oversaw the development of the plan included Mike Kenyon, Joan Brubaker, Lori Blanton, Louise LaBarca, Tom Laordakis, Harold Fischer, and Dan Lenz.

Kim Gilkey-Breeden, Finance Director for the Town:

- Reported that monthly reports were submitted to the Town Manager last week;
- Stated that revenue trends were more than anticipated slightly and Staff will continue to monitor them closely;
- Noted that Staff had a worksession with the Finance Committee, with suggestions from the auditor and a final document will be submitted to GFOA afterwards;
- Remarked that budget preparation work has begun; and
- Noted that they resubmitted to the debt set off program and the Town has received a lot of "hits" and hopefully they will receive more payments in response.

Councilman Tewalt asked about Leach Run Parkway. Mr. Burke explained that the contract had been executed and they had also submitted the necessary change orders and Thursday they will complete a pre-construction meeting soon. He added that a ground breaking will be scheduled for November for the parkway.

Councilman Hrbek asked about a maintenance code for rental properties for review and recommendation back to Council.

Councilman Egger noted that this past week she attended the Appalachian Trail Communities Summit and noted that there were actually 39 Appalachian Trail Communities. She explained that

this was a very special designation, and Front Royal had a special connection with these trail communities. She asked Council and the public to keep in mind that the Town is blessed to be where we are, with both the draw of the river and the Shenandoah National Park. Ms. Egger noted that they discussed that the area landscape is threatened by incompatible development and Front Royal actually has one of the most active groups. She added that some other discussion related to how the Town can capitalize on those that do day hikes or section hikes of the trail, and she noted that many come to Front Royal for different needs. Councilman Egger pointed out that she would like our community to be the most helpful to those visiting to the community. She explained the “Every Kid in A Park” program, noting that everyone in the family can get free admission to the park. She reminded Council that there would be an influx of trail comers once the new Robert Redford movie comes out in theaters.

Councilman Egger thanked those involved in the Main Street tree replacement program and Mr. Burke for the information.

Councilman Egger noted that recently she was walking in town and she made eye contact with a driver as she crossed the street at a crosswalk and the driver did not slow down or yield as she crossed. She reminded drivers that Virginia State Law requires that drivers stop for walkers crossing the street. She noted that she has also met many courteous drivers as she walked the streets of Front Royal.

Mayor Darr thanked the Town Staff and all those involved in handling the Hometown Halloween event, noting that it was quite successful.

Mayor Darr noted that he and other Councilmen were thankful to attend the Above the Influence event once again this year.

Mayor Darr thanked the staff of the Be-You-tiful Salon for having him at their recent ribbon cutting and open house for their grand opening. He wished them great success.

Mayor Darr echoed the comments of Mr. Burke and invited everyone in the community to attend the Main Street event at the Courthouse for Veteran’s Day.

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

*Vice Mayor Tharpe moved, seconded by Councilman Connolly that Council add item number 12 to the agenda to consider an item to extend the loan period for the EDA.*

Vote: Yes – Connolly, Egger, Funk, Hrbek, 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)

**CONSENT AGENDA**

- A. COUNCIL APPROVAL – Liaison Committee Meeting Items
- ~~B. COUNCIL APPROVAL – Waiver of License Fee for Christmas Tree Vendor – Boy Scouts~~
- C. COUNCIL APPROVAL – Bid for Waterline Upgrade Along W. 15<sup>th</sup> Street

D. COUNCIL APPROVAL – Bid for Storm Drain Improvements at 1602 Commonwealth Drive

*Councilman Tewalt moved, seconded by Councilman Egger that Council adopt the Consent Agenda as presented.*

Vote: Yes – Connolly, Egger, Funk, Hrbek, 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; sans Item #B)

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**COUNCIL APPROVAL: Waiver of License Fee for Christmas Tree Vendor: Boy Scouts**  
**Summary: Council has received a request from Pamela Thompson, Troop Committee Member for Boy Scout Troop 52, seeking a waiver of the \$100 license tax associated with the selling of Christmas trees during the 2015 holiday season as permitted by Front Royal Town Code Section 98-61(A)(5(b)).**

*Councilman Connolly moved, seconded by Councilman Funk, that Council approve a waiver of the \$100 license tax associated with the selling of Christmas trees during the 2015 holiday season as permitted by Front Royal Town Code Section 98-61(A)(5(b)).*

Vice Mayor Tharpe noted that he has supported this request for the Boy Scouts for many years and he would like to see it increased for perhaps five or ten years.

*Vice Mayor Tharpe moved, seconded by Councilman Funk, that Council increase the waiver for five or ten years in order to have the item not return annually.*

Mr. Napier suggested that it be limited for five years. Messrs. Tharpe and Funk agreed to five years.

Vote: Yes – Connolly, Egger, Funk, Hrbek, 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 Amendment)

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Vote: Yes – Connolly, Egger, Funk, Hrbek, 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 Motion as Amended)

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**PUBLIC HEARING – Special Use Permit for 102 W Prospect Street – Martin McMahon**

**Summary: Council is requested to approve a Special Use Permit Application submitted by Martin McMahon (Cornerstone Construction of Front Royal, Inc.) for the proposed conversion of the single-family dwelling at 102 W Prospect Street into a multi-family dwelling building with three (3) dwelling units (two 1-bedroom units and one 2-bedroom unit). Town Code Section 175-30 authorizes the proposed use if a Special Use Permit is approved by the Town. The property is zoned within the R-3 (Residential) District and the Front Royal Historical District. The property is identified by Tax Map 20A7-7-B, Lot 17. The Planning Commission recommended approval of this application during their meeting held on September 16, 2015. The Planning Commission’s recommendation includes six (6) conditions that are included in the attached Staff Report. The BAR recommended approval of the associated renovation work during a special meeting held on September 1, 2015. (SUP #15-08-263)**

Mayor Darr opened the public hearing.

Andrea White, of 227 Lee Street, noted that the residents of Lee Street were very excited about the renovation. She added that they are also concerned about parking in front of Prospect Street and about the intersection and the ability to have vehicles. Mrs. White requested that Staff post a No Parking sign in front of the residence, and she expressed concern with snow removal and concerns during the school traffic as well, especially with regard to school buses.

Mr. Martin McMahon, of 125 W. 4<sup>th</sup> Fourth Street and the applicant, noted that they have been working to alleviate parking concerns and they have chosen to make off street parking for all of the tenants. He noted that he has taken the parking concerns into consideration. To answer Mr. Tewalt’s questions, he stated that two parking spaces would be in front of the building and the rest would be in the rear yard of the building.

As no one else came forward Mayor Darr closed the public hearing.

*Councilman Egger moved, seconded by Councilman Tewalt that Council approve a Special Use Permit submitted by Martin McMahon (Cornerstone Construction of Front Royal, Inc.) for the proposed conversion of the single-family dwelling at 102 W Prospect Street into a multi-family dwelling building with three (3) dwelling units (two 1-bedroom units and one 2-bedroom unit) with the six (6) conditions recommended by the Front Royal Planning Commission as presented in the Staff Report. (SUP #15-08-263-Tax Map 20A7-7-B, Lot 17), she further moved that **the required parking will not include parking on W. Prospect Street**.*

Councilman Funk asked if the parking could be entirely off site. Mr. McMahon explained stated that he could do so.

Vote: Yes – Connolly, Egger, Funk, Hrbek, 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 the Amendment)

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Vote: Yes – Connolly, Egger, Funk, Hrbek, 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 Motion as Amended re: Parking)

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**PUBLIC HEARING – Ordinance to Amend Town Code Chapters 175 and 66 and Enact 175-110.5 Pertaining to Urban Agriculture (1st Reading)**

**Summary:** Council is requested to affirm on its first reading an ordinance to amend Town Code Chapter §175-3 Zoning-Definitions; Chapter §66-12 Dogs and Other Animals-Definitions; §66-13 Dogs and Other Animals-Prohibitions; §66-14 Dogs and Other Animals-Exemptions pertaining to Urban Agriculture; and, to enact §175-110.5 Zoning-Performance Standards for Urban Agriculture. The draft amendments require a zoning permit for the keeping of livestock and management plan that must be endorsed by the Virginia Cooperative Extension Office or other qualified expert, nonprofit organization or government entity.

Residents of single-family, duplex and two-family homes could obtain a permit to keep up to six (6) hens, honeybee hives and rabbits. Other residential uses, such as townhouses and apartments would not be allowed to keep animals except if approved by Town Council with a Special Use Permit or proffer. The draft amendment would only allow larger lots (1 acre +) to keep animals such as cows, goats, roosters, sheep and other types of livestock and only with a Special Use Permit approved by Town Council. The draft amendment only allows zoning permits for the keeping of livestock for one year at a time.

Mayor Darr opened the public hearing.

Susan Anderson, of 109 Salem Avenue, noted that she would like to keep chickens in the area. She added that they did not know that they were not allowed to have the chickens when they obtained the animals. Mrs. Anderson noted that her children have really enjoyed the care and keeping of the animals and it has become a family event they look forward to. She stated that she has enclosed the chickens fully and they have kept them very clean and the chickens do not bother the neighbors. Mrs. Anderson noted that they clean the waste every morning and she is very particular about the cleanliness and maintaining the coop.

Nicholas Anderson, of 109 Salem Avenue, stated that he really enjoyed the chickens that he and his six siblings liked having them. He noted that the play area is now the coop and it has been a good thing for their family.

Eric Anderson, of 109 Salem Avenue, stated that he does not see wastewater running off from the chickens. He noted that he would hate to see the chickens not allowed, and he would want all families afforded this opportunity.

Mike McCool, of 125 W. 8<sup>th</sup> Street, stated that he was against many animals throughout the Town. He noted that in quantity chickens have a very strong odor. Mr. McCool stated that everyone would not be as clean as the Anderson family. He added that there were issues with bear and deer in Town and this would cause more problems, as well as more cost to the Zoning Office to enforce the matter.

Jessica Jansen, of 316 Cypress Street, noted that she was in favor of the proposed ordinance, and it was a great opportunity to allow the average citizen a right to own chickens. She stated that as a mother of three, it was an educational issue and a freedom issue, and it can be well done, and clean on a small scale with allowing just six chickens. She thanked the Town Council for considering this, adding that it was a way to maintain a vibrant Town life.

Bill Sealock, 1041 Wine Street, noted that he was raised on a turkey farm, and having a bear on your porch at 3 a.m. is a concern, while he does see the point of the family. He stated that a coop that is built well by one family is great, while another chicken owner is not going to care for their chicken coops as well.

Ann Jensen, 322 Brown Avenue, noted that she moved from Strasburg and that town had a rule of “two complaints means that you are done” and the rules applied to all that had chickens. She suggested a similar rule to Front Royal. Mrs. Jensen stated that once they obtained chickens the ticks in their yard were eliminated and Lyme Disease is a major concern of so many families. She added that the opportunity for families with the chickens is amazing and the supports the ordinance.

Anthony DeAndrea, of 328 Oak Ridge, noted that he was a neighbor of the Anderson chicken family, and outlawing the chickens entirely would not be necessary. He stated that he would like to maintain the country atmosphere with the chickens.

Julia Butler, of 1310 Imboden Drive, noted that the Andersons maintain their chickens well and she had seen very small quarters with chickens, goats and cows and it can be done. Ms. Butler explained that if the Town is not going to allow chickens because it will draw deer and bear, then they should also ban bird feeders, bird houses, and gardens that have fruit, because the bear and deer are arriving into the community for those items as well.

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

*Councilman Egger moved, seconded by Councilman Hrbek that Council affirm on its first reading an ordinance to amend Town Code Chapter §175-3 Zoning-Definitions; Chapter §66-12 Dogs and Other Animals-Definitions; §66-13 Dogs and Other Animals-Prohibitions; §66-14 Dogs and Other Animals-Exemptions pertaining to Urban Agriculture; and, to enact §175-110.5 Zoning-Performance Standards for Urban Agriculture, as presented.*

Councilman Tewalt noted that this ordinance upset him greatly, as the Town forefathers wrote in previous ordinances to not have country animals in the Town limits. He stated that there is another 15,000 other citizens to consider, not just the Anderson family that came out to speak tonight. Mr. Tewalt noted that the waste treatment system that was approved for \$54 million in Town treats wastewater and now the Council is considering allowing animals that actually make the waste that the Town is trying to treat. He added that the Town is trying to kill the deer and we have issues with bear in the community and chickens will make that worse.

Councilman Tewalt noted that citizens are building \$600,000 homes and then their neighbor could have a chicken coop that is poorly maintained. He noted that he was strongly against even considering such a change in the Town Code. Mr. Tewalt added that there are others that

feel as he does and he thought they would have been present to speak this evening at the meeting.

*Councilman Funk moved, seconded by Councilman Hrbek, that Council strike Section 175-110.5(F) and re-insert:*

*Section 66-14(B) "This Article shall not apply to livestock or fowl on any operation farm or one (1) acre in size or more located within the town limits; AND make the highlighted section shown on the ordinance it's "own" section:*

*"C" Animals authorized as Urban Agriculture under Chapter 175 shall be exempt of the restrictions of this Article.*

Councilman Funk explained that the current ordinance was designed with the intent to expand the allowance, rather than to limit it.

Vote: Yes – Connolly, Egger, Funk, Hrbek, 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 Motion to Amend)

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Councilman Hrbek noted that he appreciates that the Planning Commission reviewed this matter. He stated that he did not know that chickens were already present in Town with some families, nor did he think there would be a rush of chickens to be placed in various homes throughout town. Mr. Hrbek added that with the one year limit on the permits, if there is a large issue with the chickens and rabbits, then the Town can remove the program. Councilman Hrbek noted that this type of ordinance is exactly the sort of allowance needed to attract millennials to the community. He stated that this is the trend of other communities and is another opportunity to do urban agricultural in Front Royal. Mr. Hrbek explained that this is what we need for sustainability for area families and even in right outside of downtown Alexandria there was a goat in the community next the Metro, and animals in the city is not unusual.

Councilman Hrbek stated that while at VML there was a chicken coop in the middle of downtown Richmond at the home of the Governor of the Commonwealth of Virginia in downtown Richmond. He noted that it was public record that his home was in the \$400,000 range and having a chicken coop in a that price range would not be a detriment in his opinion.

Councilman Connolly noted that the Andersons do a great job with their chicken coop, and perhaps others would or would not do such a good job. He added that others would be under the permit and no one would be able to keep their permit if the coop was not enclosed and well maintained. Mr. Connolly stated that this was a wonderful opportunity that allows sustainability and economic independence.

Councilman Egger stated that the ordinance states a management plan for noise, waste, and other measures. She noted that individuals must and maintain their coop and measures will be in place to ensure with compliance. Councilman Egger stated that some benefits to having the

chickens are that they eat bugs, especially ticks, you can feed them your table scraps, the eggs are generally healthier, and having the chickens is a way to support a more humane option for obtaining the eggs. Ms. Egger noted that some in Front Royal cannot purchase an expensive home but they can supply some of their food with owning their own chickens. She stated that having children race to see who can collect the eggs is how things should be – children should race to go outside and play. Councilman Egger listed other localities that allow chickens in their town/city limits: Austin, Seattle, Ann Arbor, Los Angeles, Chicago, Knoxville, Cedar Rapids, and in Virginia: Culpeper, Lynchburg, Reston, Alexandria, Herndon, Virginia Beach, and Glen Allen. She opined that allowing these animals in Front Royal is a great way to move forward.

Councilman Funk noted that he was concerned with the lot size at first; however, he was willing to look at this as a pilot program. He stated that they were required to be in coops and maintain their sites in order to be part of the program.

Councilman Tewalt stated that just because other localities are venturing into chickens does not mean that the Town has to follow through with this ordinance. He noted that he would like to look out for the general public and the taxpayers that are in this community.

Vice Mayor Tharpe noted that he does understand that it is a one year pilot and the Town will see what happens in one year.

Mayor Darr asked that he would like to see more information about methods of enforcement. He noted that that information would be vital to assist Council in making their final vote before the next meeting.

- Vote: Yes – Connolly, Egger, Funk, Hrbek and Tharpe
- No – Tewalt
- 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 to Amend Town Code Chapter 170  
“Weeds and Debris” (2nd Reading)**

**Summary: Council is requested to adopt on its second and final reading and Ordinance to amend Chapter 170 “Weeds and Debris”. If approved the proposed modifications will improve the Town’s ability to effectively enforce regulations governing high grass and trash removal in a timely manner. On October 13, 2015, Council affirmed the first reading for ordinance to amend Chapter 170 with the following amendment: “The owner of property located within the Town shall, when the Town Manager, acting as agent for the Town Council, determines that trash, garbage, litter, debris and/or other substances exist on the property, which might endanger the health or safety of other residents of the Town, after ten (10) days’ notice, remove therefrom any and all such trash, garbage, refuse, litter, debris and other substances in a manner authorized by law. Any such owner failing to comply with the notice shall be subject to a civil penalty of fifty dollars (\$50) for the first such violation or violations arising from the same set of operative facts, and a civil penalty of one hundred dollars (\$100) for subsequent violations**

not arising from the same set of operative facts occurring within twelve (12) months of the first violation. Each business day during which the same violation is found to have existed shall constitute a separate offense. In no event shall a series of violations arising from the same set of operative facts result in civil penalties exceeding three thousand dollars (\$3,000) in a twelve (12) month period."

The Assistant Town Attorney suggests the following additional amendment: 170-3 B. Any owner aggrieved by the decision of the Town Manager, under paragraph A above, may appeal the herein described notice within ten (10) days of the date of its receipt, in which case, all efforts to cause said grass, weeds, or foreign growth to be cut by the Town shall cease until the appeal has been decided by Town Council.

*Councilman Egger moved, seconded by Councilman Hrbek that Council adopt on its second and final reading an Ordinance to amend Chapter 170 "Weeds and Debris" with the amendment approved by Town council on October 13, 2015 and the additional amendment by Assistant Town Attorney as presented.*

Mr. Napier noted that the property owner is responsible for the maintaining of the property, in response to Councilman Tewalt's question. He added that ultimately the owner of the property is responsible. Mr. Tewalt expressed concern with the matter as presented, as the grass is down to 10 inches, and now there would be chickens, and more Town employees would eventually be required. He reiterated that more employees would be necessary. He stated that he would not be able to support the matter as presented.

Councilman Connolly expressed concern with the penalties, adding that for some the fees could be unintended, especially those in a short sale situation. He noted that he was not convinced the fees shown were appropriate.

Vote: Yes – Egger and Hrbek  
No – Connolly, Funk, Tewalt and Tharpe  
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 – FY2015-2016 Budget Amendment for Unpaid Balances on Purchase Orders and a Short Term Loan to EDA (2nd Reading)**

Summary: Council is requested to approve and adopt on its second and final reading a FY2015-2016 Budget Amendment in the amount of \$62,550,789.15 to carry forward to the FY16 budget cycle, unpaid balances on purchase orders not completed at the end of June 2015 for fiscal year 2015 in the amount of \$52,550.789.15 and a short term loan to the Economic Development Authority (EDA) for IT Federal Project in the amount of \$10,000,000.00.

**Budget/Funding:**  
General Fund \$ 468,329.88  
General Fund [EDA] \$10,000.000.00  
Special Projects 761,808.30

**Electric Fund 512,321.93**  
**Sewer Fund 47,565,738.34**  
**Water Fund 2,677,761.50**  
**Solid Waste Fund 20,000.00**  
**Street Fund 544,829.20**  
**TOTAL \$62,550,789.15**

*Councilman Tewalt moved, seconded by Councilman Egger that Council approve and adopt on its second and final reading a FY2015-2016 Budget Amendment in the amount of \$62,550,789.15 to carry forward to the FY16 budget cycle, unpaid balances on purchase orders not completed at the end of June 2015 for fiscal year 2015 in the amount of 52,550.789.15 and a short term loan to the Economic Development Authority (EDA) for IT Federal Project in the amount of \$10,000,000.*

Vote: Yes – Connolly, Egger, Funk, Hrbek, 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 – EDA Loan Extension**

**Summary: Council is requested to approve an extension on the loan period for the EDA’s bridge loan associated with the development of Lot 6 at the Avtex Site. The executed loan documentation allows an extension by mutual agreement of the parties. The EDA has indicated that the closing of the loan has been delayed and should be completed by November 15th.**

*Councilman Connolly moved, seconded by Councilman Funk that Town Council approve an extension of the loan to the EDA until November 15th and authorize the Town Manager and Town Attorney to execute all documents to extend this loan.*

Councilman Connolly stated that it was basically a delay in the closing only. He noted that it was very exciting for the project to begin.

Vote: Yes – Connolly, Egger, Funk, Hrbek, 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)

There being no further business, the Mayor declared the meeting adjourned at 8:29 p.m.

APPROVED:

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 Jennifer E. Berry  
 Clerk of Council