

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on April 25, 2016, 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 Bret W. Hrbek
Councilman Jacob L. Meza
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 April 11, 2016 as presented.

Vote: Yes – Connolly, Egger, Hrbek, Meza, 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

Keith Menefee, of Down Home Comfort Bakery, thanked Ms. Hart, the Town’s Community Development Director for her recent work towards furthering the work of the downtown businesses. He also voiced his concerns with the Gazebo camera issue and the crime recently reported at the Gazebo. Mr. Menefee noted that one comment online stated that the cameras had been originally placed as a crime deterrent. He opined that the cameras may have helped the recent situation or may have helped catch the criminal sooner, though the Town would never know.

Mr. Menefee stated that liberty is always mentioned when the cameras are spoke of, and he asked how much liberty is taken before people are afraid to come to Main Street because of crime in the area. He asked that Council consider that these are serious crime issues and the cameras should be reconsidered.

Tom Sayre, of 222 E. Main Street, noted the gentleman accused of committing the crime at the Gazebo is on the sex offender registry. He stated that when a child is abducted there is just a small window before they can be recaptured by authorities. Mr. Sayre noted that the cameras are used to see those that want to harm children and assist in crimes, not to pry into the private lives of citizens. He stated that the Town is unaware of what else this individual may have done previously and he asked Council to reconsider the installation of the cameras at the site.

Augustus Lee, of 2 Crestview Drive, noted that 13th and N. Royal Avenue needed a traffic light. He stated that he spoke to the Town Attorney about the intersection. He added that much of the

traffic in the community goes through the area and it is extremely dangerous. Mr. Lee explained that he has to cross two lanes of traffic going north and then a turning lane and two lanes going south, and he added that the justification for a traffic light does not take into consideration of the high number of senior citizens living in Warren Park. Mr. Lee appealed to Council to review the life and death matter occurring at the intersection.

Mayor Darr noted that he would have the Town Manager look into the intersection and follow up with Mr. Lee.

David Means, of 210 W. First Street and member of the Town's Urban Forestry Advisory Commission, stated that he participated in many Town events and boards, and he thanked those that came out for the Arbor Day on Saturday in the pouring rain. He noted that the Town's Arboretum looked fantastic and the entire area had been greatly improved, including the Shenandoah Greenway, especially the painted crosswalks. Mr. Means stated that the Town's horticulture division was enormous and he was grateful for their work. He noted that the Beautification Committee and the Tree Stewards also worked as well to keep Front Royal looking wonderful. He thanked the Town's Energy Services Department for their tree trimming and the Town Council for their support too. Mr. Means added that on the website there were updates on the topping of trees and he voiced support of training of the local tree topping companies.

Chris German, of 15 Washington Avenue, noted that London is one of the most spied on cities in the world, noting that almost anywhere you walk you are being recorded. He stated that cameras only solve crimes, they will not prevent crimes. He stated that cameras will not prevent child molesters for examples. Mr. German explained that Council were to use the rationale of surveying the Gazebo for crime then they should place cameras at playgrounds and other locations throughout Town. He stated that when cameras go up then the crime rate goes up in the areas right outside of the area near the camera's view. He encouraged Council to do their research on the issue of cameras versus whether it made an actual difference in crime rates and safety of the citizenry. Mr. German stressed that it was much more important to have law enforcement present than to have cameras in public locations. He provided Council with his stack of research and Mayor Darr asked that it be distributed to Council.

REPORT OF THE MAYOR, COUNCIL & STAFF

Town Manager Steve Burke noted that:

The Town's Water Treatment Plant was recognized by the Virginia Department of Health with the 2015 Excellence in Waterworks Operation & Performance Award for Excellence in Clarification, Filtration, & Backwash. This award recognizes the commitment and diligence of the staff at the WTP who work 24 hours each day to ensure the Town is provided with safe drinking water.

The Department of Energy Services will work with their contractor to complete the signalization work at Commerce and Stonewall and Commerce and 6th. The Contractor for the Leach Run Parkway will be installing drainage structures for the project on John Marshall Highway beginning Wednesday, April 27th. This work will require one lane to be closed from 9 am to 2 pm for approximately one week to complete the work. Flaggers will be placed to direct traffic. Installation of waterline improvements will also be scheduled in the future that will require additional maintenance of traffic efforts.

The Department of Environmental Services will be replacing the waterline on West 12th Street on Monday, May 2nd. This work will require road closure and intermittent water service disruptions.

Sewer repairs are scheduled for Tuesday and Wednesday, May 3&4 on Woodside Avenue. This work will require road closure.

The Battle of Front Royal will occur Saturday, May 7th in Downtown Front Royal. Reenactors will have living history camps at the Warren County Courthouse and the Warren Heritage Society from 10 am to 4 pm. The Battle reenactment will occur at 1 pm on Main Street and progress down Chester Street. Musical entertainment will be provided by Ms. Egger's violin & fiddle students and by the Tuscarora Brass Band. The Fraternal Order of Police will be conducting their annual carnival at the carnival site near Bing Crosby Stadium beginning Monday, May 2nd through Saturday, May 7th.

Northern Shenandoah Valley Regional Director, Brandon Davis, noted that he had been with the Commission for about two months. He explained that NSVRC is here to serve Winchester and five counties and exists to work on common goals those localities have. Mr. Davis noted that the Commission is actually owned by the member localities and they guide the organization. He said Front Royal is being helped by the Business District Revitalization. He noted that the draft branding RFP would be going out soon with that program. Mr. Davis stated that the NSVRC would be going forward with their fourth Civic Engagement Forum soon, and they have divided into focus groups to develop goals and strategies. He added that a draft Economic Plan would be developed sometime in May.

Jennifer McDonald, Executive Director of the Economic Development Authority, stated that they continue to work on Main Street Connector Road. She noted that IT Federal begins their geotechnical work this week and the rumor that the company has backed out of the Royal Phoenix site is absolutely false. She noted that the EDA continue prospect work with commercial and industrial contacts. Mrs. McDonald explained that the Development Review Committee would meet again in late May, and the Workforce Housing and Indoor Firing Range continues as well. She thanked Mr. Burke and the Police Department for the job shadowing event. Mrs. McDonald stated that there is a lumber company at Inland Port and that is most likely the lumber trucks that some in the community have recently asked about.

County Administrator, Doug Stanley, presented the following report to Council:

FY 2016-2017 Budget – The Board adopted budget Tuesday. Budget Highlights

- * Increase in total budget from \$98,173,217 to \$101,705,777 (\$3,532,560 – 3.60%)
- * Budget balanced with an increase of \$0.025 in the Real Estate Tax and Mobile Home Tax rates from rate of \$0.595 to \$0.62 per \$100 of assessed value Significant Funding Changes:

- * Cost of the Route 340/522 Corridor Payment to the Town - \$236,831
- * Additional Funding for RSW Regional Jail - \$750,000 (\$404,459 \$0.01 RE tax increase)
- * Additional Funding for opening 2nd Middle School- \$404,524 (\$0.01 RE tax increase)
- * \$492,618 in funding for Leach Run Parkway (\$267,670 increase)
- * Additional funding for Samuels Public Library (\$35,322 – 3.92%)
- * Warren County Humane Society – (\$22,500 – 8.1%)

* \$683,215 in additional local appropriation to school system for operating School Budget Includes:

- * A 3% salary increase for all full-time contracted employees (\$1,133,506)
- * The addition of the 10th grade at Mountain Vista Governor's School (\$32,847)
- * A 19.7% increase in health insurance costs (\$608,493)
- * An increase in substitute costs to reflect the five year average cost and an anticipated 8% higher fill rate (\$52,584)

Community Development

Development Review Committee – The Development Review Committee met on March 23rd. The Committee discussed projects in the County including: a proposed building addition to the Toray facility, two proposed gunsmith businesses, two new short-term tourist rentals, and updates on ongoing projects in the Route 340/522 Corridor. The Committee also discussed Town projects including: a site plan for a proposed solar farm, a new retail building on South Street, a Beer Museum on Chester Street, a potential brewpub on Main Street, and the Element restaurant on Main Street. The committee will meet again on April 27th.

EnerGov Software – Both the County and Town staff continue working on User Acceptance Testing. We are at the point where all sides will be coming together to get through the final steps to have the program smoothly work through the entire process and ensure that we have addressed all scenarios. The training that Town and County staff have undergone has provided great ownership over the future of the software. Staff anticipates that field testing will start this week. Onsite collaboration is scheduled for May 16th and it is hoped that our User Acceptance Training and Go-Live date will be shortly after this. Everyone is working diligently towards the finish line.

Commercial Project Updates:

- * Aldi set to open April 28th
- * Toray submitted building permit for 55,352 SF expansion for manufacturing area and 7,735 for office space
- * Marriott has submitted a revised site plan for the hotel on Country Club Road
- * 34 bed expansion at Hidden Springs Nursing Home

FY 2016-2017 Capital Improvement Plan – The Planning Commission held a public hearing on the proposed FY 2016-2017 Capital Improvement Plan at its meeting on March 9, 2016 and forwarded the plan to the Board for approval. The Board is scheduled to hold a public hearing on May 17th. A copy of the draft plan is available for review on the County website under resources.

County Project Updates

2nd Middle School –With the recent warm/dry weather the contractor is making good progress. The project is approximately 18% complete with 99% of the building footers having been poured, 50% of the slab poured, all masonry foundations are installed and the underground plumbing is 70% complete. The school should be open for the 2017-2018 school year.

VDOT/Morgan Ford Project – VDOT contractor closed the bridge on April 25th. The project is to be completed by June 1, 2018.

VDOT/Route 340/522 Traffic Signal – VDOT has completed installation of a traffic signal at the Route 340/522 park-n-ride.

VDOT/Oregon Hollow Road – VDOT staff are currently installing new pipe for the upgrade of Oregon Hollow Road from the end of current paving out to Khyber Pass Road. The project will be completed by July 1st.

VDOT/Myers Drive Recreational Access Project – VDOT staff are currently installing new pipe for the upgrade of Myers Drive/Farms Riverview Road to the new boat landing. The project will be completed by July 1st.

Eastham Trail/Phase III– Kickin’ Asphalt is working on the project and has completed installation of the sidewalk along Route 340. Over the next several weeks they will be replacing the guardrail and installing the pedestrian crossing signals at Criser Road and Skyline Vista Drive. It is anticipated that the project will be completed by May 15, 2016.

In response to the public comments related to the Gazebo cameras, Councilman Egger noted that it was important to realize that the cameras were not up for very long. She explained that there was no decrease in crime and there was no change in the rate of crime at the gazebo, nor did the cameras assist with the solving of any crime. Councilman Egger noted that the cameras were placed without Council’s permission and the cameras were not located anywhere else. She noted that she understood the fears of some citizens, and though an incident occurred last week, the Police Department caught that individual and the crime could have happened anywhere in Town. She reminded the community that the Town's crime rate was low and Front Royal had a very dependable Police Department.

Councilman Hrbek thanked the gentleman for speaking about N. Royal Avenue lane safety issue. He asked that the safety issue be looked into to address the land locked area properly. Councilman Hrbek also asked that perhaps the Town could facilitate some type of walking area along Criser Road.

Councilman Tewalt noted that he would like the security cameras at the Gazebo placed on a worksession for discussion.

Mayor Darr noted that recently locals were honored with well deserved awards, including Kym Crump being named as the Blue Ridge Arts Council Citizen of the Year and Rick Novak as the Boy Scout Citizen of the Year.

Mayor Darr stated that Front Royal Rotary recently held their Annual Gala which raised funds for two important organizations, Blue Ridge Opportunities and The Phoenix Project. He commended those that worked towards the success of the fundraiser, noting that it was very successful.

Mayor Darr noted that he had the privilege of participating in Arbor Day and they planted a tree to celebrate. He thanked UFAC and every Town board that works on the Town's tree canopy.

Mayor Darr he would not be pursuing a fourth term as Mayor. He noted that he was just tired and there was no other issue.

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

CONSENT AGENDA

- A. COUNCIL APPROVAL – Resolution Supporting Local Hiring
- B. COUNCIL APPROVAL – Proclamation “*National Small Business Week*”
- C. COUNCIL APPROVAL – Proclamation “*Children’s Mental Health Awareness Day*”
- D. COUNCIL APPROVAL – Proclamation “*Arbor Day*”
- E. COUNCIL APPROVAL – Bid for Auditing Services

Councilman Tewalt moved, seconded by Vice Mayor Tharpe that Council adopt the Consent Agenda as presented.

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

**RESOLUTION SUPPORTING LOCAL HIRING
FOR CONSTRUCTION PROJECTS**

WHEREAS, the Town of Front Royal seeks to increase access to local economic opportunities to our residents with experience and licensing in construction trades; & **WHEREAS**, the Town of Front Royal and the Economic Development Authority have been successful in pursuing new businesses to locate within our community; & **WHEREAS**, many Town residents commute outside of our community to work in the construction industry; and, **WHEREAS**, the Town of Front Royal funds and contracts for construction projects of municipal infrastructure; and, **WHEREAS**, the Town of Front Royal is a strong supporter of construction trades especially those offered through the Warren County Public Schools; and, **WHEREAS**, the hiring of local residents trained in construction work benefits not only the individual project but also benefits our community as a whole; and, **WHEREAS**, the Town of Front Royal, Virginia supports the hiring of local tradesman and artisans for construction projects within our community; **NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Town of Front Royal, Virginia, hereby support the hiring of local tradesman and artisans for construction projects bid by the Town of Front Royal; and, **BE IT FURTHER RESOLVED** that the Mayor and Council of the Town of Front Royal, Virginia hereby encourage the hiring of local tradesman and artisans for local construction projects within the Town of Front Royal.

COUNCIL APPROVAL – Fiscal Year 2016-2017 Tax Rates *(2nd Reading)*

Summary: Council is requested to adopt on its second and final reading the Fiscal Year 2016-2017 real estate tax rate at \$0.13 per \$100 assessed value and personal property tax rate at \$0.64 per \$100 assessed value, which represents no increase over the current year’s rate.

Councilman Connolly moved, seconded by Vice Mayor Tharpe that Council adopt on its second and final reading that the Fiscal Year 2016-2017 real estate tax rate remain the same at \$0.13 per \$100 assessed value, and the personal property tax rate remain the same at \$0.64 per \$100 assessed value.

Connolly noted that he had researched all he could on the Police Department building and he opined that it would be wrong to gather the money at this time when the Town would be

continuing to grow and other projects may be coming off the books. He stated that Town Staff is correct to recommend no tax increase and he would vote for the matter.

Vote: Yes – Connolly, Egger, Hrbek, Meza, 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 – Budget Amendment for Additional Funding for the Completion of the New Energy Services Facility

Summary: Council is requested to approve a budget amendment in the amount of \$90,000 to complete construction of the new Energy Services vehicle storage building that was approved by Council on August 24, 2015. After staff evaluation, an accounting reference was recently identified that should be modified to the designation to recover the funds in the FY2016-2017 Budget.

Councilman Hrbek moved, seconded by Vice Mayor Tharpe moved that Council approve a budget amendment in the amount of \$90,000 to complete construction of the new Energy Services vehicle storage building facility that was approved by Council on August 24, 2015 and to correct an accounting line item designation reference in the proposed FY2016-2017 Budget to recover these funds and restore the Electric Fund Balance.

Vote: Yes – Connolly, Egger, Hrbek, Meza, 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 – Budget Amendment to Purchase Bucket Truck

Summary: The Department of Energy Services is seeking to purchase a new bucket truck using funds from the Electric Fund Balance totaling \$137,433.00. Repayment of the fund balance will be made over the course of six years with payments of \$22,905.50. Council is requested to approve a budget amendment in the amount of \$137,433.00 and approve the repayment of the fund balance over the course of six years with payments of \$22,905.50.

Councilman Connolly moved, seconded by Vice Mayor Tharpe that Council approve a budget amendment in the amount of \$137,433 and approve the repayment of the fund balance over the course of six years with payments of \$22,905.50, to purchase a new bucket truck for the Energy Services Department.

Councilman Hrbek noted that the Town was in charge of the utility funds, one was the Energy Services Division, and those funds had been collected and were now being spent for appropriate enterprise fund needs.

Vote: Yes – Connolly, Egger, Hrbek, Meza, 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 – Budget Amendment for Community Development
Director Budget**

Summary: Council is requested to consider approval of a budget amendment for the Community Development Director’s budget in the amount of \$1,050 for training, memberships and miscellaneous, as presented.

Councilman Tewalt moved, seconded by Councilman Connolly that Council moved that Council approve a Budget Amendment in the amount of \$1,050.00 to be added to the Community Development Directors Budget.

Vote: Yes – Connolly, Egger, Hrbek, Meza, 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 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 a five-year term ending May 1, 2021.

Councilman Tewalt moved, seconded by Councilman Connolly that Council recommend Wayne L. Shipman to the Judge of the Warren County Circuit Court for re-appointment to the Front Royal Board of Zoning Appeals (BZA) to fill a five-year term ending May 1, 2021.

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

There being no further business, the Mayor declared the meeting adjourned at 8:01 p.m.

APPROVED:

Jennifer E. Berry
Clerk of Council