

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on August 13, 2018, in the Warren County Government Center’s Board Meeting Room. Mayor Tharpe 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 Hollis L. Tharpe  
Councilman John P. Connolly  
Councilman Gary L. Gillispie  
Councilman Jacob L. Meza  
Councilman Christopher S. Morrison  
Councilman William A. Sealock  
Vice Mayor Eugene R. Tewalt  
Town Attorney Douglas W. Napier  
Town Manager Joseph E. Waltz  
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 Tewalt moved, seconded by Councilman Sealock to approve the Regular Council Meeting minutes of July 23, 2018 as presented.*

Vote: Yes – Connolly, Gillispie, Meza, Morrison, Sealock and Tewalt  
No – N/A  
Abstain – N/A  
Absent – N/A  
(Mayor Tharpe did not vote as there was no tie to require his vote)  
(By Roll Call)

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**RECEIPT OF PETITIONS OR CORRESPONDENCE FROM THE PUBLIC**

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

Town Manager, Joseph Waltz noted road closures for W. Duck Street/Forest Hill Drive; Happy Creek Road from Shenandoah Shores and Loop Road on August 23-24<sup>th</sup> and the Town will hold the last Gazebo Flix tomorrow evening on August 14<sup>th</sup>.

Suzanne Obez, the new executive Director of the Warren Heritage Society, noted that she was thrilled to be in the community and she has learned a lot and she believes they are moving in the right direction. Ms. Obez stated that she has been working with Felicia Hart and with Ms. Hart’s help, she has been working to bring more Front Royal history aspects tied to tourism to the community.

Doug Stanley, Warren County Administrator, gave the following report to Council:

***Comprehensive Plan Update*** – The County has recently contracted with a consultant to conduct a visioning process to kick off the update of the County’s Comprehensive Plan. The Plan was last approved by the Board of Supervisors on July 16, 2013. The County is required to begin the update of the Plan every five years. The update began on July 13, 2018 with a citizen survey. The survey will

be available on the County's website until August 17th and hard copies will be provided at the Government Center or may be mailed if requested. The survey addresses various topics such as land use, education, housing, County services, parks and recreation, transportation, taxes, etc. The Plan provides the framework for how the community wishes to develop over the next 15-20 years. The survey is an excellent opportunity for citizens to become involved in the update of the Plan, which is the County's official guide for future development related decisions.

***Building Inspections*** – Year-to-date, we had a total of 86 new home starts. Of that number, 10 were in Town limits and the remaining 76 outside of Town limits. As a comparison, in 2017 we had a total of 181 new home starts for the year and 87 through June 30th. Based on a projected total of 172 new starts, it represents an annual growth rate in housing stock of 1.03%. As projected, 2018 would be the first year of a decrease in new home starts since 2010.

The growth rate is well below our 2-3% maximum outlined in the Warren County Comprehensive Plan, but is slightly above the .80% average experienced since January 1, 2006.

For FY 2017-2018, the number of total permits was down slightly from 2,410 to 2,274 (5.64%) however, the total number of inspections was up significantly from 10,090 to 11,550 (14.47%).

***Delinquent Taxes*** – On July 24<sup>th</sup> TACS held a sale of 43 delinquent tax properties. The sale was well attended, and 42 properties sold at a total value of \$186,100. Pond Law Group is scheduled to have a sale of about 30 properties this fall.

***Fall Cleanup Day*** – The County's Fall Cleanup and Household Hazardous Waste Collection Day is tentatively scheduled for Saturday, October 27<sup>th</sup>.

***Development Review Committee*** – The Development Review Committee met on July 25, 2018.

The Committee discussed projects in the County including:

- Proposed auto body repair shop on Mountain Road.
- Modification of a conditional use permit for an auto repair garage on Guard Hill Road.
- Proposed Taco Bell in Riverton Commons Shopping Center.
- Proposed Valvoline Quick Lube in Riverton Commons Shopping Center.
- Proposed parking lot expansion/commuter lot beside the existing Exxon in Linden.

The Committee also discussed Town projects including:

- The last phase of Happy Creek Knolls Subdivision (Section 4).
- A proposed daycare in Front Royal Business Park.

- Update on Afton Inn. Conceptual plans have been approved and asbestos removal is underway.
- Domino's Pizza is relocating in the old Car Quest building.

The Committee will meet again on August 22, 2018.

**Reassessment** – Wingate Appraisal has completed approximately 21,065 parcels or 83% of all County parcels. They currently have about 700 parcels left in the Browntown area with the rest in the limits of the Town of Front Royal. The Planning Department has developed a map that shows what areas have been completed and which areas Wingate is working in. A link is posted on the County's website and Facebook pages.

**Conservation Easements** – On July 26<sup>th</sup> the County completed placement of easement signs on all of the properties. Thanks to Matt Wendling in the Planning Department for handling this project. A total of 21 signs on 21 separate properties under 16 various easements were posted. The total acreage for properties under County conservation easements is approximately 2,273 acres.

**Tourism Committee** – The Joint Tourism Committee met on August 8<sup>th</sup> and discussed the objectives of their three subcommittees involving wayfinding signage, marketing/branding and a local ambassador program. They also discussed the Civil War Trails Program and received an update from the Town regarding their current tourism projects. The Committee will meet again on September 12<sup>th</sup>.

**VDOT/Smart Scale Applications** – County staff have submitted the following four projects to VDOT for consideration:

1. **Route 55 East Corridor Safety Improvements:** Implement safety enhancements to include EP rumble strips, raised pavement markers, guardrail upgrades, signage upgrades, electronic speed feedback signage, roadside lighting, and fixed object hazard removal along the 3.0 mile corridor between the Town of Front Royal Corporate Limits and Route 79 at Linden.
2. **I-66 Exit 6 Westbound On Ramp Extension:** Extend the existing Route 340/522 southbound on ramp to I-66 westbound to the Crooked Run Boulevard intersection to address capacity, weaving, and safety issues.
3. **Route 340/522 North:** Install roadside lighting along a 1.6 mile long segment of the corridor from the Town of Front Royal Corporate Limits to the Diamond Ridge Drive intersection to address nighttime visibility and safety issues for motorists and pedestrians. The project would also include lighting of the I-66 Exit 6 interchange.
4. **Route 658/Rockland Road:** Eliminate an existing double track at-grade Norfolk Southern Railway crossing adjacent to the Virginia Inland Port by

constructing a new bridge overpass. Rockland Road would be slightly re-aligned and the intersection of Route 705 relocated with turn lanes provided into the adjacent Rockland Park. The project would address numerous train blockages, motorist delays, and life/safety accessibility issues into this section of Warren County.

In addition to the four projects, the Northern Shenandoah Valley Regional Commission submitted two projects: improvements to the Route 79/Route 55 Intersection in Linden and expansion of the Linden Park-n-Ride.

***VDOT/Revenue Sharing Funds*** – At its June 20, 2018 meeting, the Commonwealth Transportation Board approved the following revenue sharing funds for FY 2019 and FY 2020:

1. **Crooked Run Boulevard** - \$4,512,500
2. **Youngs Drive** - \$234,602
3. **Old Oak Phase IV** - \$499,125 (2019)
4. **Route 658 (Rockland Road) Overpass** - \$355,000 (2020)
5. **Old Oak Phase V** - \$507,339 (2020)

### ***Project Updates***

***VDOT/Marlow-Silek Revenue Sharing Project*** – The project is substantially completed. County staff hopes to be able to complete final acceptance of the project this summer and approved final payment to the contractor.

***VDOT/Morgan Ford Bridge*** – The bridge and roadway opened to traffic on January 22<sup>nd</sup> and was substantially completed by June 1, 2018 per the contract. The bridge approaches were damaged during the recent flooding, and temporary repairs have been completed. Additional repairs will be made prior to the scheduling of a ribbon cutting ceremony now planned for late August.

### ***Project Updates***

***Ressie Jeffries Elementary School – Roof/Addition/Parking Lot Project/Playground Project*** – WCPS is held a formal ribbon cutting for all of the improvements on August 7<sup>th</sup>.

***Health and Human Services Complex*** – The Board of Supervisors, at its meeting on April 3<sup>rd</sup>, awarded a contract to Juniper Construction for improvements to portions of the building to accommodate the Registrar's Office and the Brighter Futures alternative school program. The contractor began work the week of June 4<sup>th</sup>. The current schedule has the school portion complete by October 1<sup>st</sup> and the Registrar by November 1<sup>st</sup>.

***Warren County Transfer Station*** – The Warren County Transfer Station will be closed for replacement of the tipping floor September 12<sup>th</sup> through 16<sup>th</sup>.

Commercial Haulers, including the Town of Front Royal, are able to direct haul loads to Battle Creek Landfill September 12<sup>th</sup> through 15<sup>th</sup>. County staff have been in touch with Mr. Boyer to consider adjusting Town pick-up route schedules or to haul directly to Battle Creek Landfill.

The County is planning to re-open the Tipping Floor on Monday, September 17<sup>th</sup> for normal operations. The County convenience site will be open and available to the general public for trash drop-off. We apologize for any inconvenience however the new concrete floor will need a few days to cure to get up to minimum strength prior to resumption of loading activities.

**Commercial Projects** – Work continues on the following projects:

- Marriott/TownePlace Suites – Winter 2018 Completion

County is currently reviewing site plans for:

- Taco Bell – Riverton Commons
- Burger King – Linden
- Valvoline – Riverton Commons

Project	Ad/Bid Date	Cost	Estimated Completion Date	Status
FRWC Airport Obstruction Removal	Summer 2016	\$804,000	Summer 2018	Substantially Complete _ Punch List
Ressie Jeffries Renovations	Fall 2016	\$5,405,885	Spring 2018	Completed
Rockland Park Athletic Fields	N/A	\$300,000-\$400,000	Summer 2018	Under Construction
Thompson Kiss-and-Ride Shelter	N/A	\$15-20,000	Summer 2018	August Construction
Rockland Park Bathhouse Renovation	N/A	\$75,000-\$100,000	Fall 2018	Plans submitted to Building Inspections
WCSO/WCFR – Radio System Upgrade	N/A	\$1,509,022	Summer 2018	Installation

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

**CONSENT AGENDA ITEMS – (ROLL CALL VOTE REQUIRED)**

- A. COUNCIL APPROVAL – Donation of Utility Poles to R-MA

B. COUNCIL APPROVAL – Purchase of Vehicles for Police Department

*Councilman Gillispie moved seconded, by Councilman Morrison that Council approve the consent agenda as presented.*

Vote: Yes – Connolly, Gillispie, Meza, Morrison, Sealock and Tewalt  
No – N/A  
Abstain – N/A  
Absent – N/A  
(Mayor Tharpe did not vote as there was no tie to require his vote)  
(By Roll Call)

**COUNCIL APPROVAL – Proclamation for *Front Royal Little League Day***  
**Summary: Council is requested to approve a Proclamation to celebrate the 2018 season of the Front Royal Little League and proclaim August 13, 2018 as *Front Royal Little League Day* in the Town of Front Royal**

*Vice Mayor Tewalt moved, seconded by Councilman Gillispie that Council approve a Proclamation to celebrate the 2018 Season of the Front Royal Little League and proclaim August 13, 2018 as Front Royal Little League Day in the Town of Front Royal.*

Vice Mayor Tewalt congratulated the team, which included his grandson he noted. Mayor Tharpe and Vice Mayor Tewalt presented certificates and pins to each member of the team and a plaque to the head of the Little League division.

Vote: Yes – Connolly, Gillispie, Meza, Morrison, Sealock and Tewalt  
No – N/A  
Abstain – N/A  
Absent – N/A  
(Mayor Tharpe did not vote as there was no tie to require his vote)  
(By Roll Call)

**PROCLAMATION**  
**FRONT ROYAL LITTLE LEAGUE SEASON - 2018**

WHEREAS, in 1952 Front Royal Little League received their Charter and in 1953, Front Royal Little League had a team advance to the World Series in Williamsport, Pennsylvania;

WHEREAS, Little League Baseball and Softball is the world’s largest organized youth sports program, with millions of players and more than one million adult volunteers in every U.S. state and more than 80 other countries;

WHEREAS, During Little Leagues nearly 80 years of existence, the League has seen more than 40 million honored graduates, including political leaders, professional athletes, award winning artists, and a variety of other influential members of society;

WHEREAS, Each year, millions of people follow the hard work, dedication, and sportsmanship that Little Leaguers display at the seven baseball and softball World Series events, the premier

tournaments in youth sports;

WHEREAS, the All-Stars begins with the District 3 tournament that is comprised of 12 teams and in 2018 the Front Royal Little League went 4-1, defeating Grottoes to the District 3 Championships and advance to the Virginia State Little League Tournament;

WHEREAS, the State Tournament is comprised of 16 Virginia Teams competing for a chance to advance to the Regional Tournament and although the 2018 Front Royal team did not advance to Regionals, their hometown is immensely proud of their work and dedication that they were one of 16 teams in the State of Virginia to make it to the State Tournament!

NOW, THEREFORE, the Mayor & Town Council of the Town of Front Royal, hereby proclaim and celebrate the 2018 Season of the Front Royal Little League and congratulate the Boys, their Coaches, Families & Supporters on an outstanding season and declare August 13<sup>th</sup>, 2018 Front Royal Little League Day in their honor.

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**PUBLIC HEARING – Add Ordinance 110-34 “Unlawful Crossing of Public Streets” to Town Code – Jaywalking Ordinance** *(1<sup>st</sup> Reading)*

**Summary: Council is requested to affirm on its first reading an Ordinance to amend Town Code by adding Section 110-34, whereby as a matter of public safety to pedestrians and motorists, it shall be lawful for pedestrians to cross public streets, whenever possible, only at intersections, marked crosswalks or at official pedestrian crossing signals; or as directed by a law-enforcement officer also referred to as jaywalking**

*Councilman Connolly moved, seconded by Councilman Sealock that move that Council affirm on its first reading an Ordinance to amend Town Code by adding Section 110-34 “Unlawful Crossing of Public Streets”, as presented.*

Councilman Connolly stated that this ordinance was intended to address some very unsafe motor vehicle practices and Council is attempting to correct matters of concern in the community.

Noel Williams, of 419 Criser Road, a cyclist spoke about a crossing on South Street where the crossing light is not working correctly. She asked Council is repair the light in order to have the pedestrians and cyclists in the community cross safely and within the law.

Mr. Connolly noted that it was a matter of State Code and they were adopting it into the Town Ordinance.

- Vote: Yes – Connolly, Gillispie, Meza, Morrison, Sealock and Tewart
  - No – N/A
  - Abstain – N/A
  - Absent – N/A
  - (Mayor Tharpe did not vote as there was no tie to require his vote)
  - (By Roll Call)
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**PUBLIC HEARING – Amend Ordinance 12-5 to “Police Department Fees – Additional Assessment for Electronic Summons in Criminal and Traffic Cases”**

*(1st Reading)*

**Summary:** Council is requested to affirm on its first reading an Ordinance to amend Town Code by adding “Police Department Fees – Additional Assessment for Electronic Summons in Criminal and Traffic Cases” to Chapter 12-5 (*currently reserved*), the sum of \$5.00 as part of the costs in each criminal or traffic case in the District or Circuit Courts of Warren County, Virginia, in which the defendant is charged with and convicted of a violation of any statute or ordinance that arose within the Town of Front Royal. The assessment shall be used by the Police Department solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system.

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

*Councilman Sealock moved, seconded by Councilman Gillispie move that Council affirm on its first reading an Ordinance to amend Town Code by adding “Police Department Fees – Additional Assessment for Electronic Summons in Criminal and Traffic Cases” to Chapter 12-5, as presented.*

Mr. Napier stated that the \$5 charge was set by Virginia State statute and comes through the Court system.

Vote: Yes – Connolly, Gillispie, Meza, Morrison, Sealock and Tewart  
 No – N/A  
 Abstain – N/A  
 Absent – N/A  
 (Mayor Tharpe did not vote as there was no tie to require his vote)  
 (By Roll Call)

**COUNCIL APPROVAL – Resolution of Support for the Bureau of Alcohol, Tobacco, Firearms and Explosives National Canine Center to Remain in Front Royal**

**Summary:** The Committee on the Judiciary held an Oversight Hearing of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Canine Center on July 16, 2018 regarding the potential relocation of the Center from Front Royal to Huntsville, Alabama. The loss of the facility would have a significant negative impact on canine performance and liability as well as the local economy such as the meals, lodging tourism and service industries in the Town and County. Therefore, Council is requested to approve a Resolution of Support for the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Canine Center to remain in Front Royal. Upon approval the Council requests the Clerk of Council to send a copy of the approved resolution to Congressman Robert Goodlatte, Chairman of the House of Representatives Judiciary Committee and the Front Royal-Warren County Chamber of Commerce.

*Note: The County of Warren passed a similar resolution on July 17, 2018.*

*Councilman Meza moved, seconded by Councilman Connolly that Council approve a Resolution of Support for the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) National Canine Center to remain in Front Royal. He further moved that the Clerk of Council send a copy of the approved resolution to Congressman Robert Goodlatte, Chairman of the House of Representatives Judiciary Committee and the Front Royal-Warren County Chamber of Commerce.*

Vote: Yes – Connolly, Gillispie, Meza, Morrison, Sealock and Tewalt  
No – N/A  
Abstain – N/A  
Absent – N/A  
(Mayor Tharpe did not vote as there was no tie to require his vote)  
(By Roll Call)

**SUPPORT FOR THE BUREAU OF ALCOHOL, TOBACCO,  
FIREARMS & EXPLOSIVES NATIONAL CANINE  
CENTER TO REMAIN IN FRONT ROYAL, VIRGINIA**

WHEREAS, the National Canine Center of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) located in Front Royal, Virginia was opened in 1990 and currently employs approximately thirty (30) individuals; and

WHEREAS, over the past twenty-three (23) years, the ATF National Canine Center has trained approximately 1,200 canines for 102 Law Enforcement agencies in the United States and for 22 international partners, providing a critical service in support of the safety and security of our nation; and

WHEREAS, since its arrival in Warren County, the ATF National Canine Center has been a tremendous economic engine for the Front Royal-Warren County community, directly impacting local restaurant and lodging facilities and providing additional business for local service-related businesses including, but not limited to, car dealers, veterinarians, and building supply stores; and

WHEREAS, the Committee on the Judiciary held an Oversight Hearing of the ATF National Canine Center on July 16, 2018 regarding the potential relocation of the National Canine Division (NCD) from its current location in Front Royal, Virginia to the National Center for Explosives Training and Research (NCETR) at Redstone Arsenal in Huntsville, Alabama; and

WHEREAS, after completing a preliminary feasibility study in addition to commissioning an independent environmental evaluation of the proposed NCETR kennel site by AECOM Technical Services, Inc., the results of which found exorbitant costs in relocating the facility as well as a clear potential to negatively affect the dogs due to explosives residue soil contaminants and ongoing blasting activities at the nearby Corkern Range, ATF stated in a memorandum to the Committee on the Judiciary, “moving the NCD from Front Royal, VA to the NCETR campus in Huntsville, AL, would significantly diminish and perhaps, irreparably damage the canine program and its mission to protect the public and violent crime” and further concluded, “the Huntsville location is exactly the wrong place to house and train explosives-detecting canines”; and

WHEREAS, the ATF National Canine Center has a demonstrated impact on the local tax base of the Town of Front Royal and the County of Warren, and the loss of the facility would have a significant negative impact on the local economy.

NOW, THEREFORE, BE IT RESOLVED, the Town Council of the Town of Front Royal concurs with the conclusion of the Bureau of Alcohol, Tobacco, Firearms and Explosives regarding the relocation of the National Canine Division from Front Royal, Virginia to Huntsville, Alabama in as much as the relocation would negatively impact canine performance and reliability; and

BE IT FURTHER RESOLVED, this Council recognizes the significant negative impact the relocation would have on the meals, lodging, tourism, and service industries in the Town of Front Royal and the County of Warren stemming from the loss of the ATF facility, its Agents and their families, and the training partners who are trained at the facility; and

BE IT FINALLY RESOLVED, that a copy of this resolution will be forwarded to Congressman Robert Goodlatte, Chairman of the House of Representatives Judiciary Committee, and to the Front Royal-Warren County Chamber of Commerce.

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**COUNCIL APPOINTMENTS – Joint Towing Advisory Board**

**Summary: Council approved an ordinance (*Chapter 158-54 – 158-69*) on November 27, 2017 that enacted “Law Enforcement Requested Towing” that initiated the appointment of a Joint Towing Advisory Board. The By-Laws for the Board were approved by the Board of Supervisors (BOS) on February 20, 2018 and Council on March 26, 2018. Per the by-laws Council and BOS are requested to appoint three (3) representatives from the towing and recovery business, three (3) law enforcement members and one citizen member to the Joint Towing Advisory Board to 4-year terms ending June 25, 2022 (*By-laws Article 2*). Council is requested to appoint these seven representatives/members tonight. One towing representatives will be approved contingent upon passing a background check.**

*Note: Warren County Board of Supervisors appointed members to this Board at their August 7, 2018 meeting.*

*Councilman Connolly moved, seconded by Vice Mayor Tewalt that Council appoint three Towing and Recovery Business Representatives Gloria Knott; Louis C. “Peanut” Tharpe and Alan Crawford, contingent upon approved background check; three Law Enforcement members Lieutenant William Smoot, Warren County Sheriff’s Office, Sergeant Bryan Courtney, Front Royal Police Department and Sergeant J.E. Smith, Virginia State Police; and one Citizen Member Emily Mounce to four-year terms ending June 25, 2022 to the Joint Towing Advisory Board.*

Vote: Yes – Connolly, Gillispie, Meza, Morrison, Sealock and Tewalt  
No – N/A  
Abstain – N/A  
Absent – N/A  
(Mayor Tharpe did not vote as there was no tie to require his vote)  
(By Roll Call)

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**CLOSED MEETING – Consultation with Legal Counsel**

**Motion to Go into Closed Meeting**

*Councilman Meza moved, seconded by Councilman Connolly that Council convene and go into Closed Meeting for the purpose of consultation with legal counsel employed or retained by a public body regarding specific legal matters, specifically, legal mechanisms relating to handling debt service related to prior and current budget years, requiring the provision of legal advice by such counsel, pursuant to Section 2.2-3711. A. 8. of the Code of Virginia.*

Vote: Yes – Connolly, Gillispie, Meza, Morrison, Sealock and Tewalt  
No – N/A  
Abstain – N/A  
Absent – N/A  
(Mayor Tharpe did not vote as there was no tie to require his vote)  
(By Roll Call)

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**Motion to Certify Closed Meeting**

*Councilman Connolly moved, seconded by Councilman Gillispie, that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council by roll call and recorded and included in the minutes of the meeting of Town Council.*

Vote: Yes – Connolly, Gillispie, Meza, Morrison, Sealock, Tewalt and Tharpe  
No – N/A  
Abstain – N/A  
Absent – N/A  
(By Roll Call)

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There being no further business, the Mayor declared the meeting adjourned 8:46 p.m.

APPROVED:

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Jennifer E. Berry  
Clerk of Council