

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on April 25, 2011, 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 Chris W. Holloway
Councilman Thomas E. Conkey
Councilman Carson C. Lauder, Jr.
Councilman N. Shae Parker
Councilman Thomas H. Sayre
Councilman Hollis L. Tharpe
Interim Town Manager Steven M. Burke, P.E.
Town Attorney Thomas R. Robinett
Clerk of Council Jennifer E. Berry, CMC

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

Councilman Parker moved that Council approve the Regular Council Meeting minutes of April 11, 2011 as presented.

Vote: Yes – Conkey, Holloway, Lauder, Parker, 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

Candie Funk, of 716 Warren Avenue, explained that they rent from a landlord that did not maintain the property adequately. She noted that there were also issues with threats to bodily harm to her and her family. Mayor Darr stated that had spoken with Ms. Funk on the phone as well, and perhaps speaking in depth to Chief Furr and Interim Town Manager about the issues would be appropriate.

REPORT OF THE MAYOR, COUNCIL & STAFF

Mr. Burke:

- Stated that the Criser Road bridge was now open and new asphalt overlay was in place;
- Noted that the turn lane at Jackson Lane would be completed at the end of the week most likely;
- Reported that the inspection of the Prospect Street bridge would be completed tomorrow;
- Stated that the Police Department expresses their thanks to the citizens that were inconvenienced over the weekend when a temporary traffic signal was struck by a vehicle, and traffic was re-routed at said time; and
- Noted that citizens should be aware of enforcement along Happy Creek Road for increased traffic and speed in the neighborhoods, as several complaints had come into the Town Staff.

Councilman Conkey asked about the energy consumption within Town, with specific regard to the street lights. He noted that LED lights were longer lasting, use less energy and were less expensive. Mr. Burke stated that the Town has a test project at Commerce Avenue and John Marshall Highway with LED light fixtures, in order to evaluate the light intensity and the life of said structures. He added that if they prove to be more beneficial to the Town, they would then invest more into the products.

Jennifer McDonald, Executive Director of the Economic Development Authority:

- Stated that FMC continues their work in order to release the industrial portion of the site in June 2011;
- Commented that the EDA had finished the application work on the two grants for the local connector road, adding that they are awaiting the State's designation of the Soccerplex and the SkatePark as a recreational area, before the grant can be submitted to the Town;
- Noted that there were grants available through the USDA for the LED lights, with up to a 50% match of the invested funding.

Councilman Lauder asked about Mr. Robinett's recent communication relating to possibly saving the Town funding for re-advertising of public hearings. He noted that the matter should be on an upcoming worksession for discussion. Mr. Robinett stated that the schedule could be passed, along with an alternate list of meeting dates and if a regular meeting is canceled, the Town's alternate date would already be set in place without the need to re-advertise.

Councilman Conkey stated that the recent Town survey stated that there was a strong response to move the Town's elections to November and he would like the discussion of that effort to be on an upcoming worksession. Mr. Conkey asked that the Town Attorney determine the steps in the process to move forward and report to the Council.

Mayor Darr stated that he attended the Arbor Day event last Saturday. He noted that the Town was designated as a Tree City USA for the 13th consecutive year, and they had also received the Growth Award.

Mayor Darr commended Town Staff for their efforts, particularly Interim Town Manager Mr. Burke, for the work during the flooding event. Mayor Darr thanked the crews for their dedication to providing great service to the Town during such an overwhelming episode.

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

Vice Mayor Holloway moved to add the following to the Consent Agenda:

- Item C) COUNCIL APPROVAL: Proclamation – Pastor Woods & Wife Days; and
- Item D) COUNCIL APPROVAL: Resolution – Emergency Repairs to the Town's Water & Sewer System from Storms of April 16th & 17th.

Councilman Sayre asked that the proclamation be read into the record in full, regarding Pastor Woods. Mayor Darr noted that Mr. Sayre could do so.

Councilman Lauder noted that the resolution for Water Repairs (Item D) required a roll call vote and would need to be listed separate on the agenda. Mr. Robinett noted that he was inclined to agree with Mr. Lauder on the roll call vote.

Vice Mayor Holloway moved to revise his motion to have Item C) COUNCIL APPROVAL: Proclamation – Pastor Woods & Wife Days on the Consent Agenda, and Item D) COUNCIL APPROVAL: Resolution – Emergency Repairs to the Town’s Water & Sewer System from Storms of April 16th & 17th as Item #12 on the regular agenda.

Vote: Yes – Conkey, Holloway, Lauder, Parker, 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)

Councilman Sayre read the proclamation for Pastor Woods into the record.

CONSENT AGENDA

- A. COUNCIL APPROVAL - Proclamation – “Paint the Town Purple Day” – Front Royal-Warren County Relay for Life
- B. COUNCIL APPROVAL - Proclamation – “Virginia Wine & Craft Festival Weekend” – Front Royal-Warren County Chamber of Commerce
- C. COUNCIL APPROVAL: Proclamation – “Pastor Woods & Wife Days” *(added)*

Vice Mayor Holloway moved that Council approve the Consent Agenda as amended.

Vote: Yes – Conkey, Holloway, Lauder, Parker, 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)

☞ **PROCLAMATION: Paint The Town Purple** ☞

Paint the Town Purple

WHEREAS, cancer is a group of diseases characterized by uncontrolled growth and spread of abnormal cells which, if not controlled, can result in death; and

WHEREAS, tens of thousands of new cases of cancer are estimated to occur in our State, and approximately 13,900 people are expected to die from cancer this year; and

WHEREAS, the American Cancer Society is a voluntary community based health organization in Virginia dedicated to eliminating cancer as a major health problem, and

WHEREAS, the Relay for Life is a “Celebration of Life” benefiting the American Cancer Society; and

WHEREAS, the Relay for Life is a community affair held throughout the State of Virginia which presents an opportunity to dust off our camping gear, slip on our walking shoes and network with business associates, family and friends;

NOW THEREFORE, I Timothy W. Darr, on behalf of the Town Council of the Town of Front Royal, Virginia, do hereby proclaim Friday, May 6, 2011 as **Paint the Town Purple Day** throughout Front Royal and we urge citizens to recognize and participate in the Relay for Life and Paint the Town Purple events held in this community.

☞ PROCLAMATION: VA Wine & Craft Festival Weekend ☞

Virginia Wine & Craft Festival Weekend

WHEREAS, the Front Royal-Warren County Chamber of Commerce is an integral part of the positive image we seek to project concerning the Town of Front Royal; and

WHEREAS, the Front Royal-Warren County Chamber of Commerce is sponsoring the 25th Annual Virginia Wine & Craft Festival on May 20 and May 21, 2011; and

WHEREAS, the Wine & Craft Festival is a way of demonstrating collectively all the positive features of the Town of Front Royal; and

WHEREAS, there will be displays, performances, and crafts on the streets of our Town;

NOW, THEREFORE, the Mayor and Town Council of the Town of Front Royal, hereby proclaim Friday, May 20 and Saturday, May 21, 2011 as **VIRGINIA WINE AND CRAFT FESTIVAL WEEKEND** in the Town of Front Royal, Virginia.

☞ PROCLAMATION ☞

Pastor Alfred Woods & First Lady Woods Days

WHEREAS, the Mount Vernon Baptist Church is preparing to celebrate the 20th anniversary of Pastor Alfred Woods and his wife Sister Bertie M. Woods; and

WHEREAS, many in the Front Royal/Warren County community know Reverend Woods as a pastor in this community; and,

WHEREAS, many in the Front Royal/Warren County community know Reverend Woods as a pastor in this community – serving all, regardless of denomination, race, color, economic or social status; and,

WHEREAS, he helps the homeless by assisting in finding shelter and the hungry with a church food bank, distribution of donated goodies throughout the neighborhoods, and supporting and promoting the Tuesday's Table Feeding Program; and,

WHEREAS, he serves this community on the Salvation Army Board, the Ministerial Association, and the Police Citizens Advisory Committee to name a few; and,

WHEREAS, his wife, Sister Bertie M. Woods is by his side praying and supporting his pastoral endeavors;

NOW, THEREFORE, the Mayor and Town Council of the Town of Front Royal, hereby proclaim Saturday, April 30, 2011 and May 1, 2011 as **"Pastor Alfred Woods and First Lady Woods Days"** in the Town of Front Royal, Virginia. We encourage all the community to give him thanks for the unselfish service he has provided and continues to provide to the Town and community.

COUNCIL APPROVAL – Acceptance of a Contribution for the Placement of a Tree in Bowman Park

Vice Mayor Holloway moved that Council that Council accept a contribution from the Front Royal/Warren County Tree Stewards in the amount of \$150.00 for a tree to be placed in Bowman Park located on Luray Avenue.

Vote: Yes – Conkey, Holloway, Lauder, Parker, Sayre 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 – Closing Streets for Virginia Wine/Craft Festival

Councilman Tharpe moved that Council approve the closing of various streets for the Virginia Wine/Craft Festival Weekend to be held Friday, May 20 and Saturday, May 21, 2011, as requested.

*The weekend to be held Friday, May 20 and Saturday, May 21, 2011, specifics noted here:

Friday, May 20 Event: Close adjacent areas to the Village Commons for gates to be set up at Main/Blue Ridge; Main/Chester and Laura Virginia Hale/Chester, beginning at 3:00pm until 10:00pm. The event is 6:00pm – 10:00pm.

Saturday, May 21 Event: Close Main Street from Blue Ridge Avenue to South Royal Avenue; Laura Virginia Hale and Chester Street to 2nd Street, beginning at 12:00am midnight until 6:00pm. The event is 10:00am – 6:00pm.

Councilman Parker asked about the timeframe of closing the street at 10 p.m., reopening the streets for two hours, and then closing the streets again at midnight. Mr. Burke explained that in order for the Town to approve the permit, they cannot exceed a certain time limit. He noted that he was unsure if there would be strict enforcement regarding the timeframes for closure of the streets at such an hour.

Councilman Parker moved to amend the motion to have the streets closed on Friday at 3 p.m. and shut down at 11:59 p.m.

Vote: Yes – Conkey, Holloway, Lauder, Parker, Sayre 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 to 11:59 p.m.)

Vote: Yes – Conkey, Holloway, Lauder, Parker, Sayre 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 Amended Motion)

COUNCIL APPROVAL – Resolution for FY2011-2012 VDOT Revenue Sharing

Councilman Parker moved that Council approve a Resolution that grants authority to the Interim Town Manager, Steven M. Burke, to submit an application for an allocation of funds for the installation of pedestrian traffic signals, ramps and crosswalks at the intersection of Royal Avenue and Main Street (\$17,500.00) and the intersection of John Marshall Highway and Commerce Avenue (\$18,000) up to \$35,500.00 through the VDOT Revenue Sharing Program and execute project administration agreements for said approved revenue sharing projects.

Vote: Yes – Conkey, Holloway, Lauder, Parker, Sayre 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: VDOT REVENUE SHARING ⌘
Resolution Regarding
FY11-12 VDOT Revenue Sharing

WHEREAS, the Town of Front Royal Town Council desires to submit an application for an allocation of funds of up to \$35,500 through the Virginia Department of Transportation Fiscal Year 2011-2012 Revenue Sharing Program; and,

WHEREAS, \$17,500 of these funds are requested to fund the installation of pedestrian traffic signals, ramps, and crosswalks at the intersection of Royal Avenue (Rt 340) and Main Street; and,

WHEREAS, \$18,000 of these funds are requested to fund the installation of pedestrian traffic signals, ramps, and crosswalks at the intersection of Commerce Avenue (Rt 522) and John Marshall Highway (Rt 55); and,

NOW, THEREFORE, BE IT RESOLVED THAT: The Town of Front Royal Town Council hereby supports this application for an allocation of \$35,500 through the Virginia Department of Transportation Revenue Sharing Program.

BE IT FURTHER RESOLVED THAT: The Town of Front Royal Town Council hereby grants authority for the Interim Town Manager to execute project administration agreements for any approved revenue sharing projects.

COUNCIL RECOMMENDATION – Board of Zoning Appeals (BZA)

Vice Mayor Holloway moved that Council recommend Wayne Shipman to the Judge of the Warren County Circuit Court for appointment to the Front Royal Board of Zoning Appeals (BZA) to fill an expired term ending May 1, 2016.

Vote: Yes – Conkey, Holloway, Lauder, Parker, Sayre 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)

COUNCIL APPROVAL: Resolution for Emergency Repairs to the Town’s Water & Sewer Systems from April 16 & 17 Storm Event

Vice Mayor Holloway moved that Council approve the resolution to allow the procurement of design and installation services necessary to make the replacement of Town water lines; said lines were severely damaged by the April 16th and 17th flooding events.

Vote: Yes – Conkey, Holloway, Lauder, Parker, Sayre 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)

**⌘ RESOLUTION: Emergency Water System Repairs ⌘
Resolution Regarding Emergency Repairs To The Town’s Water And Sewer System
Resulting From Flooding During A Storm On April 16 And 17, 2011**

WHEREAS, the Town Council of the Town of Front Royal is fully aware of a great deal of flood damage, as well as other damage, sustained by the Town resulting from an extraordinarily heavy rain storm on April 16 and 17, 2011; and,

WHEREAS, Town water lines in the vicinity of Happy Creek were so severely damaged that they are, in essence, beyond repair and beyond replacement by Town workforces, and they will have to be replaced by outside contractors as soon as possible to restore normal service to certain Town water customers; and,

WHEREAS, the Town Council finds, as a matter of fact, that such conditions do constitute an “emergency”, and that extraordinary procurement measures, as authorized by the Virginia Public Procurement Act, are required to deal effectively with the situation.

NOW, THEREFORE, BE IT, HEREBY, RESOLVED that, pursuant to the authority granted the Town Council under that portion of the Virginia Public Procurement Act known as Section 2.2-4303 (F) of the Virginia Code, the procurement of design and installation services necessary to immediately make the replacement described above is hereby declared to be an emergency procurement;

AND, BE IT, FURTHER, RESOLVED that the said Council hereby authorizes and directs the Interim Town Manager, the acting Deputy Director of Environmental Services, the Purchasing Agent, the Town Attorney and the Mayor, or any appropriate combination thereof, to utilize any legally authorized means to procure the necessary design and construction/installation services to accomplish the necessary repairs to the Town’s water and sewer system, and to sign, on behalf of the Town, any and all necessary documents to achieve this objective without further consultation with Council.

There being no further business, the Mayor declared the meeting adjourned at 7:27 p.m.

APPROVED:

Jennifer E. Berry

Clerk of Council