

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on July 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.  
Interim Town Attorney George M. Sonnett  
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 July 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)

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Mayor Darr presented certificates of appreciation to the Front Royal-Warren County Tree Stewards, specifically Chairman Sandy Wilson, for their outstanding contribution to the community and their dedication to furthering the aesthetics of the Town.

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

Harry Reed, of 1303 Madison Avenue, noted that Attorney David Silek had recently submitted a letter to The Warren Sentinel regarding the suit that he, Mr. Silek, had filed against the Town. He stated that the lawsuit against the Town was rightfully dismissed as it was frivolous and without merit. Mr. Reed noted that the forum within the newspaper had allowed Mr. Silek to continue with his streak of elitism. He stated that there was a basic economic rule – expenditures cannot exceed income. Mr. Reed stated that the present Council was filled with good people working hard, without recognition. He opined that the country needs tort reform and added that lawyers were the only real beneficiaries of such lawsuits.

Daryl Funk, of 428 Kerfoot Avenue, thanked Council for allowing him to speak at last week’s worksession. He stated that he was aware that Council heard and understood his concerns and added that he looked forward to working with the Mayor, Council and Staff on the road concerns.

Homer Funk, of 424 Kerfoot Avenue, told the history of the Kerfoot Avenue road expansion, including an option for removing twenty homes years earlier, which was not feasible. He noted that no options presented previously had been feasible. Mr. Funk stated that the road may seem

like an ideal thoroughfare in the 200 block of Kerfoot, though at the 300-500 block portion, the road is not ideal at all. He noted that there were concerns all the way down to the River Drive intersection, including the concern with having the 500 block of Kerfoot off kilter by about 5%. Mr. Funk stated that in said area, parking was nearly impossible. He described his concerns with loading grandchildren into parked vehicles at his home in the hazardous traffic conditions and asked Council to be mindful for the best interest of the citizenry.

**REPORT OF THE MAYOR, COUNCIL & STAFF**

Mr. Burke:

- Stated that the paving of the parking spaces along Jackson Street were finalized, and the striping of the spaces would be complete soon;
- Announced that Tuesday, August 2<sup>nd</sup>, would be the Police Department's National Night Out on Main Street at the gazebo area;
- Reported that the Community Love BBQ Block Party would be held near Osage and Laurel on Saturday July 30<sup>th</sup> and encouraged everyone to attend;
- Stated that on Thursday, July 28<sup>th</sup>, the Department of Energy Services would hold a planned outage beginning at 3 a.m. in the John Marshall Highway for about one hour;
- And he stated that the Town extends thoughts and prayers to the family of Plant Operator John Hall who passed away over the weekend.

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

First I would like to again express my thanks to the Town Council for its support of the County's 175<sup>th</sup> Anniversary Celebration including the Dancin' in the Streets event and Warren County Day this past Saturday. I want to personally thank the Mayor for bringing out his Ford Bronco to the Car Show and Steve Burke for his help with the children's activities, although I suspect his wife did not give him a choice.

Highlights of major activities and other developments:

***Building Inspections*** – Building permit activity for new homes remains extremely slow as a reflection of the sluggish economy. The total for the year to-date is 23 new home starts which is equal to the number of starts for the first six months of 2010. Of this total, only 3 were within the limits of the Town of Front Royal. For FY2010-2011, the number of total permits was up slightly from 1,793 to 1,827 while total inspections were down slightly from 7,936 to 7,264.

***Eastham Trail/Phase I*** – The Board approved the low bid at the meeting on June 21<sup>st</sup> for Pettit Paving of Stanley, Virginia. Pettit has started mobilization to the site to begin work.

***Eastham Trail/Phase II*** – Landscape architect has staked out Phase II of the trail and has started work on the design documents.

***Rockland Park/Carson Trail*** – Work on the Carson Trail to connect from the Front Royal Golf Course to Rockland Park (former Fishnet Project) is completed. A ribbon cutting ceremony has been set for 5:30 on July 28<sup>th</sup> at the start of the trail next to the Front Royal Golf Club boat landing.

***Airport Hangar Building*** – Work has been substantially completed on the 8-unit T-Hangar building at the Front Royal-Warren County Airport as of July 1<sup>st</sup>. The contractor has been working on the punch list since the week of July 5<sup>th</sup>. At this time we have deposits on all 8 hangars with 3 aircraft moved into the hangar.

***Public Safety Building*** – Work continues on the project as weather permits. The interior HVAC duct work is at approximately 70% and should be completed within the next week to 10 days. The fire protection sprinkler system is at about 50% completion and should be finished within the same time period. Metal stud installation is approximately 50% complete. All interior masonry walls were completed and the mason continues to focus on laying the exterior brick which is currently at about 50% completion. The roofer continues to make good progress. The entire “blue skin” membrane will be installed by the end of the week, which means the structure is “dried in”. Finish metal for the roof started being delivered last week.

***RSW Regional Jail*** – Work continues on the design of the facility. We are still on track to advertise and bid the project in spring 2012. At the Liaison Committee meeting last week we had a good discussion with the Town representatives on the reuse of rainwater for laundry operations at the facility. We appreciate the Town’s willingness to work with us on the issue. At this point we are conducting research on similar facilities in the Commonwealth and will be reporting back to the Town hopefully in the next month.

***15<sup>th</sup> Street Middle School*** – The County is putting out to bid the replacement of the roof for the facility. This is the first step in the eventual re-use of the building as a human services building. Our architect is also meeting with the proposed tenants of the building to reconfirm their projected 20-year space needs for the facility.

Jennifer McDonald, Executive Director of the EDA, reported the following to Council:

- FMC has met their timeline for the industrial portion of the Royal Phoenix Site and once the report is given to the Environmental Protection Agency (EPA), they will review the findings and perhaps by 2012 the site will be released;

- The Kendrick/Kerfoot Connector Road work continues, as FMC has sent EPA the grids and they are awaiting EPA's letter of no interest;
- The EDA continues their work with Craig Laird on the area's telecommuting center on Main Street. She stated their hopes to develop it fully into a small Business Incubator, which has been successful in Danville. Ms. McDonald noted that they would be visiting Danville's incubator site in the coming week and reminded Council that the EDA had received a \$5,000 grant for the Town's incubator location;
- Stated that the Northern Shenandoah Valley Regional Commission (NSVRC) would most likely move into their site at Royal Phoenix at the end of August;
- The EDA was establishing a group from the area shopping centers to foster their ideas for business in the community; and
- Reported that Joe's Steakhouse continues the renovation at the old Dean's Steakhouse location.

Mayor Darr stated that Council was looking forward to meeting with the EDA soon. Ms. McDonald noted that there was an EDA meeting tomorrow for Board Members to discuss the upcoming interaction with the Town Council.

Councilman Conkey echoed the thoughts regarding the Tree Stewards, adding that the Police Department has the VIPs, and there were many area flower clubs in the community as well, and they provide such a value to the community. He noted that it was those volunteers that set the Town apart from other municipalities and he extended his thanks to those groups that give so much to the community with their time and efforts.

Councilman Sayre noted that there were many great volunteer opportunities within the community, such as the Tree Stewards.

Councilman Sayre stated that at the recent Warren County Day they witnessed a truly fantastic mule, and a great trainer. Mr. Sayre added that the event was nice, even though it was very warm.

Councilman Sayre stated that he and Interim Town Attorney Sonnet had discussed signatures on a petition, and apparently they were allowed to obtain signatures on the petition. Mr. Sonnet noted what the State Code outlines. He stated that the circulation and signing of petitions was allowed and there were no points that suggest in anyway that Council would have any conflict of interest to either sign or circulate a petition.

Councilman Sayre asked if the Kendrick/Kerfoot Connector Road would be something that the Town Council would be voting on. Mr. Burke stated that once further details were developed, and the clearance from the EPA was obtained, the matter would come before Council.

Ms. McDonald stated that FMC has sent the grids at this point, and they were awaiting the EPA to review the reports and determine whether they could move forward. She noted that they could delist the property in about two months or so, though the road would most likely not be open for about one year or so.

Councilman Sayre stated that he would like Council to discuss the pros and cons of a permanent versus a temporary road for the Connector Road.

Councilman Parker congratulated Warren County on their 175<sup>th</sup> Anniversary events. He noted that the Staff would be organizing matters for the Town celebration soon and he would like to see plans in place for the Town’s anniversary year.

Mayor Darr noted that Alan Wimer and Prudence Mathews did an outstanding job with their efforts for the 175<sup>th</sup> Anniversary events.

Mayor Darr noted that he and Councilman Sayre rode in the Town Trolley for the recent Fireman’s Parade and the driver did an outstanding job. He stated that he was pleased to participate in the dunking booth for the Dog Park Fundraiser at the Warren County Government Center as well. Mayor Darr reported that the Town held their Cardinals night recently as well. He thanked those working on the Town’s Festivals and Events Committee to assist with setting new guidelines for the community.

Mayor Darr noted that he would be serving tea at McAllister’s Deli for the Humane Society on July 28<sup>th</sup>, and he invited everyone in to attend the charity event.

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

**CONSENT AGENDA:**

- A. COUNCIL APPROVAL – Closure of Parking Lot for Christkindlmarkt – Maggie & Steve Sill
- B. COUNCIL APPROVAL – Closure of Portion of Streets for Brew and Blues Festival – Front Royal-Warren County Chamber of Commerce
- C. COUNCIL APPROVAL – Sole Source Purchase of UPS Systems for Traffic Signals – Energy Resource Department
- D. COUNCIL APPROVAL – Purchase of Vehicles for Police Department

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)

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**COUNCIL APPOINTMENT: Board of Architectural Review (BAR)**

*Councilman Parker moved that Council appoint Angela Toler to the Board of Architectural Review (BAR), to fill an unexpired term ending November 13, 2011.*

Mayor Darr noted the Board was just one way where citizens assist with Town government functions. He commended those who serve for their tireless efforts.

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)

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**COUNCIL APPROVAL: Salary Increase of the Interim Town Attorney**

*Vice Mayor Holloway moved that Council approve the increase of the salary of the Interim Town Attorney with funds currently contained in the Town Attorney's Budget Line Item 2201-41001 "Salaries".*

*Councilman Sayre moved to amend the motion that the Town allot up to \$1,000 more per month to the position instead.*

Vote: Yes – Sayre  
No – Conkey, Holloway, Lauder, Parker and Tharpe  
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 \$1,000 more/month)  
(MOTION FAILED)

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*Councilman Sayre moved to amend the motion that the Town allot up to \$2,000 more per month to the position instead.*

Councilman Sayre noted that at \$2,000 more per month, it would be \$24,000 more per year from the position's current pay amount.

Vice Mayor Holloway noted that Mr. Sonnett would be doing double duty in essence. He added that while Mr. Sayre may desire to save money, however; he had, at times, spoke of doubling Council's salary.

Councilman Tharpe noted that the increase for the position was only for a short time during the interim until a permanent Town Attorney was hired.

Councilman Sayre pointed out that if the amendment failed, the original motion stood to allot \$3,000 more per month.

Councilman Conkey voiced his agreement with Mr. Holloway, adding that Mr. Sonnett would have to do both the Town Attorney and the assistant Town Attorney job duties during the time and the amount was appropriate as discussed.

Councilman Lauder agreed, noting that he was very comfortable with the amount discussed earlier by Council. He stated that Mr. Sonnett will be working twice as hard.

Vote: Yes – Sayre  
No – Conkey, Holloway, Lauder, Parker and Tharpe  
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 \$2,000 more/month)  
(MOTION FAILED)

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Councilman Sayre noted that he would be voting against the amount as presented.

Councilman Parker stated that the number does not include benefits. Councilman Holloway stated that Mr. Sonnett would be doing Mr. Robinett’s job as well as his own, and the Town would be getting a bargain regardless. He added that it was only for a short time period and once a replacement is made, Mr. Sonnett will revert back to his prior position and pay.

Vote: Yes – Conkey, Holloway, Lauder, Parker and Tharpe  
No – Sayre  
Abstain – N/A  
Absent – N/A  
(Mayor Darr did not vote as there was no tie to require his vote)  
(On Motion to amend for \$3,000 more/month)  
(MOTION CARRIED)

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**CLOSED MEETING: Prospective Candidates for the Town Manager Position**

*Councilman Sayre moved that Council convene a Closed Meeting to discuss prospective candidates for the Town Manager’s position, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia, 1950 as amended.*

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)

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*Vice Mayor Holloway moved that Council certify that to the best of each Council member’s knowledge as recognized by each Council member’s affirmative vote, that only public business matters as were identified in the motion by which the preceding closed meeting was convened; were heard, discussed or considered during the closed meeting of the Council; and that the vote of each individual member be taken by roll call and recorded and included in the minutes of this meeting.*

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)

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There being no further business, the Mayor declared the meeting adjourned at 9:13 p.m.

APPROVED:

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Jennifer E. Berry  
Clerk of Council