

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on August 22, 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 Carson C. Lauder, Jr.
Councilman N. Shae Parker
Councilman Thomas H. Sayre
Councilman Hollis L. Tharpe
Town Manager Steven M. Burke, P.E.
Interim Town Attorney George M. Sonnett
Clerk of Council Jennifer E. Berry, CMC

ABSENT: Councilman Thomas E. Conkey

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

Councilman Sayre moved that Council approve the Regular Council Meeting minutes of August 8, 2011 as presented.

Vote: Yes – Holloway, Lauder and Tharpe
No – N/A
Abstain – Parker and Sayre
Absent – Conkey
(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

Mr. Burke:

- Stated that smoke testing on the infrastructure lines was continuing in the Warren Park area. He asked the citizenry to notify the office (Telephone: 636-6338) if they noticed any smoke near their home from the lines; and
- Announced that the Energy Services Department would be upgrading the video detection services in a number of locations around the community.

Mayor Darr asked that the citizens be aware and cautious during the following week as the schools began to re-open throughout the area.

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

CONSENT AGENDA:

- A. COUNCIL APPROVAL – Liaison Committee Agenda Items:
 1. Rt. 522 Corridor Update
 2. Discussion re: Tourism, Bus, Library Funding, etc.
 3. Video Equipment Upgrade
 4. Recycling of Water at Regional Jail
 5. Animal Control - Bears

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

Vote: Yes – Holloway, Lauder, Parker, Tharpe and Sayre
No – N/A
Abstain – N/A
Absent – Conkey
(Mayor Darr did not vote as there was no tie to require his vote)

PUBLIC HEARING – Special Use Permit for One-Stop Automotive at 348-B Commerce Avenue

Mayor Darr opened the public hearing.

Bob Spiker, the property owner leasing space to the applicant, noted that he was available to answer questions from Council, should they have any. He stated that his family owned the day care next to the applicant’s site and looked into the EPA requirements for the paint booth. Mr. Spiker added that Mr. Martin had agreed to try a water based paint, rather than the current paint being used at the time. He added that they had OSHA in to view and sample at the establishment and Apple Dumpling Daycare has no concerns with the applicant’s facility next door.

Vice Mayor Holloway moved that Council approve a Special Use Permit with a Site Plan for One-Stop Automotive located at 348-B Commerce Avenue to legally establish an auto repair and paint shop in a C-1 Commercial Zone, contingent upon the recommended conditions shown in the attachment. He further moved that Council approve the site plan, as recommended by the Planning Commission upon the applicant addressing the remaining staff comments, including submission of the required application and application fee and correcting the Owner’s Certificate.

Councilman Lauder noted that all matters for the application had been reviewed and addressed by Staff and the Planning Commission. He asked if Mr. Burke had any concerns with the special use permit as presented. Mr. Burke stated that regardless of the proposed paint which may be used, the conditions would stand as noted within the staff report.

Councilman Sayre asked if there would be any additional fencing on site. Mr. Spiker stated that there would be additional fencing on the site and the fencing around the back would be upgraded to ensure the site was in proper order relating to screening.

Councilman Parker asked if Apple Dumpling Daycare had checked into their license requirements to ensure that they would have no adverse effects from having the auto care/paint facility next to their site. Mr. Spike explained that he had asked the daycare’s inspector if there were any specifics relating to the topic and the inspector did not contact them with any requirements on the matter.

Mr. Camp explained that he contacted Social Services and there were no impacts relating to the daycare next to the paint facility.

CONDITIONS FOR #SUP11-03-253

1. This special use permit is valid only for the following uses on the portion of the property currently being used by the applicant (One Stop Automotive).
 - A. Automobile garages, involving major repair of motor vehicles; and

- B. Motor vehicle painting and body work.
2. Special Use Permit 08-02-234, as approved July 14, 2008, and amended November 8, 2010, shall remain valid and independent from this special use permit.
 3. In addition to all other rules and regulations of the Town of Front Royal, including but not limited to Section 175-110.3, the following performance standards are required:
 - A. The parking lot shall be paved.
 - B. Where practical, interior and perimeter parking area landscaping shall be added, parking and loading spaces shall be delineated with striping, and handicap parking shall be installed.
 - C. Either an oil/grease separator shall be installed on the sanitary sewer lateral, or signage shall be posted beside all sink drains within the building with language acceptable to the Town Manager.
 - D. A Cross connection device shall be installed on the water service line, and a central backflow device or individual devices at each spigot shall be installed.
 4. Prior to commencement of either use listed under condition #1, the applicant shall submit a final site plan, which shall be approved by Town Staff upon verification that all requirements of this special use permit are adequately addressed.
 5. All required site improvements, as shall be identified on the final site plan, shall be constructed prior to commencement of the uses listed under condition #1; except that, the applicant may provide a development guarantee, such as a bond, letter of credit or cash escrow, for all, or a portion of, the site improvements, except for 3.D. shown above. If a development guarantee is provided, all work shall be completed no later than twelve (12) months from the date of approval of this special use permit.
 6. Town Council, or other designated representative, may inspect the property at any time to ensure compliance with local regulations, including, but not limited to, the conditions placed on this special use permit.
 7. Upon inspection of the property, if it is found that the property is not in compliance with local regulations, including but not limited to, the conditions of this special use permit, the Town may revoke this special use permit after notice to the applicant and public hearing.

Vote: Yes – Holloway, Lauder, Parker, Tharpe and Sayre

No – N/A

Abstain – N/A

Absent – Conkey

(Mayor Darr did not vote as there was no tie to require his vote)

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

- The renovations to the Royal Phoenix Space E site for Northern Shenandoah Valley Regional Commission continued, with plans for the offices to take over the site the second week of September;
- The EDA continued their work on the Industrial Revitalization Grant with Jeremy Camp and Steve Burke and they hoped to locate a property in the Town of Front Royal which would qualify for said grant;
- The EDA had been working on a small technology company for a location at Main Street site, she added that they could be opening in the next 30-45 days downtown;
- The close work with FMC, EPA and EDA Staff continued for the release of the Avtex property to ensure the hasty release of the property on site at Royal Phoenix;
- Staff continues working on the Local Connector Road matter; and
- The EDA was continuing their work on the acquisitions for the Leach Run Parkway.

CLOSED MEETING 1) Prospective Candidates for the Town Attorney’s Position and 2) Acquisition of Real Property

Vice Mayor Holloway moved that Council convene a Closed Meeting to discuss 1) prospective candidates for the Town Attorney’s position, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia, 1950 as amended; and 2) Acquisition of Real Property for a public purpose where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711 (A)(3) of the Code of Virginia, 1950 as amended.

Vote: Yes – Holloway, Lauder, Parker, Sayre and Tharpe
No – N/A
Abstain – N/A
Absent – Conkey
(Mayor Darr did not vote as there was no tie to require his vote)

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 – Holloway, Lauder, Parker, Sayre and Tharpe
No – N/A
Abstain – N/A
Absent – Conkey
(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 8:15 p.m.

APPROVED:

Jennifer E. Berry, Clerk of Council