



## TOWN COUNCIL WORK SESSION MINUTES

Monday, May 5, 2014 @ 7:00pm  
Front Royal Administration Building

Draft Minutes

### Town/Staff Related Issues:

#### **1. Continued FY14-15 Budget Discussion – Town Manager**

- Warren Heritage Society – Parker asked that they do a resolution not to exceed \$10,000 for the utilities
- Tablets for Council – Councilman Hrbek noted that it was only.04% of the Town's budget; Mayor Darr stated that it would need to be in there for perpetuity, not just this year's budget; Councilman Sayre asked about the money that would be saved; Mr. Burke noted that it would save in the processing time each week as well as the delivery to each member of Council
- One Time Bonus amount to Town Employees: Councilman Hrbek noted that he had difficulty giving raises to the employees when the general public was not receiving a raise
- Police Department Speed Trailer: \$18,000: Councilman Tharpe noted that it would assist with the safety and welfare of the community; he added that it would help greatly as it would maintain statistics for speeding and would not require an officer on site
- Sunday Hours at Samuels Library: \$13,000 request, the Samuels Library representative present stated that they are requesting a 1/3 of the required amount from the Town as they need \$39,000 total; Councilman Funk stated that with the taxes being raised, as well as the amount they gave last year to the Library, he would be unable to support the Library's request. Mr. Tharpe and Mr. Sayre stated that they agreed with Mr. Funk and would not support the request either. Mr. Sayre added that he would have liked to have seen the Sunday hours longer through the year than just the few months. Vice Mayor Parker noted that he would like to support the amount, though with the Town employees not receiving raises, he does see that it would be possible for him to support the Library employees receiving raises. Mayor Darr noted that it does not appear to be something that could be supported at this time by Council.
- Electric Rate Study: Mayor Darr noted that they have the lowest rates in the State and they need to continue to study the market and stay on top of where the Town is in with regard to rates; especially as volatile as the market currently is. Councilmen Tharpe and Funk expressed their agreement. Councilman Sayre asked for clarification regarding the rate study. Mr. Waltz explained how it evaluated the electric rate structures and how the Town would use the data gathered for the Town's rate process.
- Work Study for the Electric Department: Council noted that they were in favor of this request.
- Christmas Wreaths: Mayor Darr suggested that they postpone for a year. Councilman Hrbek noted that as it came out of the Electric budget and he was supportive of replacing the wreaths.
- Electric Department Building: Councilman Tharpe and Mayor Darr expressed their support of the building and Councilman Funk agreed; Mr. Waltz noted that the building may cost about \$750,000 and he hoped to move forward with the plan with Council's support. Mayor Darr noted that the funding needs to be put aside for the buildings that are necessary for the Town, so funding is not needed all at once. Councilman Sayre noted that some structures that the Town owns do need to be sold, rather than having empty buildings sitting throughout the community.
- Automatic Meter Reading, \$20,000: Councilman Funk noted that it was an important project and Councilman Sayre expressed his agreement with the idea as well.

# Draft Minutes

- Fleet Maintenance: It was noted that other shops in the area with A/C units in their structures and the cost does not come out of the General Fund. Mayor Darr suggested putting it as a capital improvements project.
- Rate study: Vice Mayor Parker noted that Council has discussed reinstituting the meals tax in the Corridor and they could be challenged; Councilman Tharpe noted that it could be pulled from Fund Balance should the need arise.

===*Councilman Funk withdrew from discussion due to a conflict of interest*===

Councilman Hrbek noted that the funding should remain, as removing it would be like attending a gunfight without a gun. Mayor Darr asked if the amount was left in the line item would it still have to vote on the matter to proceed. He noted that they would vote on it in the Town Attorney's budget and whether to move into litigation on the matter as well.

Councilman Tharpe stated that he would agree to leave it in the line item as Mr. Hrbek as explained. Councilman Hrbek noted that it was important to have funds set aside to protect the Town, just as a corporation would protect their interests in litigation; it is our responsibility to set aside funds for possible litigation.

Council reviewed the schedule of "Connection Fees of Area Communities". Councilman Tharpe noted that the Town should remain as they are. Councilman Funk stated that he desired to remain where they are as well, as he would like to remain below Woodstock's amount.

Mr. Burke noted that the Public Hearing for the Town's budget would include a few increases in fees, including electric meter inspection from \$25 to \$40 due to the cost of Staff re-inspection. He added that a \$65 fee for temporary residential electric service for those less than 100/amp and for larger homes it would be for whatever the cost incurred.

## **2. Wildlife Management Year End Report by Suburban White Tail**

Whit Wagner with Suburban Whitetail Management

SUMMARY PRESENTED:

Hunting Dates March 2012 & 2013 and 2013 & 2014 Combined Seasons

Total Hunts: 1,369 hunts for a total of 4,026.9 hours

Deer Seen: 5,601

Total Sum of Deer Hit: 333

Total Sum of Deer Recovered: 311 for a 94% recovery rate

Arrows Lost: 10

Arrows Recovery Rate: 97%

Deer Donated to Charity: 192 of 311 for a donation rate of 62%

Deer type Taken:

244 does

67 bucks

Does to buck ratio of 73% to 27%

Only 18 antlered deer is 94% to 6% (bucks)

Other Animals Harvested:

7 groundhogs

1 fox

1 bear

1 raccoon

0 coyotes

Point of Interest:

2012-2013: 722 hunts and saw 3,814 deer, which is 5.28 deer seen per hunt

2013-2014: 636 hunts and saw 1,779 deer which is 2.8 deer seen per hunt

Chief Shifflet asked about the bear population. Mr. ===== asked about obtaining a bear “pop” which is

Mayor Darr asked if they had seen any with wasting disease, no they had not

The deer are much healthier this year than they were last year

Mayor Darr, Council thanked them for their efforts

## **3. Chief Dispatcher Re-classification – Police Chief**

**Summary:** This request is being made to upgrade this pay scale to accurately reflect the responsibility of this position.

**Staff Evaluation:** This reclassification is needed because of the increased responsibility of the position

**Budget/Funding:** Requested in the FY 2014-2015 proposed budget

Chief Shiflett asked that the request was a for a management grade reclassification  
Councilman Funk asked if this will this hurt our opportunity to integrate with the Sheriff's Department, Chief Shiflett noted that it would not.

Councilman Tharpe expressed his agreement with the Chief's proposal; as did Councilman Hrbek.  
Mayor Darr noted that 80% of his workload comes from a dispatcher and his communication depends greatly on those individuals. He stated that Council would be foolish to not support this proposal.

4. **Dispatcher Step Program** – *Police Chief*

**Summary:** This request is being made to upgrade this pay scale to accurately reflect the responsibility of this position.

**Staff Evaluation:** This reclassification is needed because of the increased responsibility of the position

**Budget/Funding:** Requested in the FY 2014-2015 proposed budget

**Council Discussion:** Mayor Darr stated that originally the MPO was discussed that the Dispatcher Program was brought forward with that item and Council asked that the Police Department bring the matter back to Council, and that time is now.

Council discussed the step process and how the programs could be implemented into other departments. They expressed their support of the step program.

5. **Planning Commission Ordinance Amendment Recommendations** - *Planning/Zoning*

- a. Chapter 156 – Urban Forestry
- b. Chapter 175 – Zoning
- c. Chapter 148 – Subdivision & Land Development

**Summary:** During their meeting on March 19, 2014, the Town of Front Royal Planning Commission recommended adoption of several ordinance amendments to the Town Code. Specifically, the recommended ordinance amendments include comprehensive changes to Chapter 148 (Subdivision & Land Development), Chapter 156 (Urban Forestry), and Chapter 175 (Zoning).

The Planning Commission has been working on the update to Chapter 148 for many years. This update includes a complete restructuring and significant changes, as compared with the current code. The proposed changes to Chapters 156 and 175 are less dramatic, primarily including changes to improve how they interact with Chapter 148.

A Powerpoint slideshow will be presented during the Town Council Work Session. It summarizes the proposed ordinance amendments by identifying the significant changes.

The proposed ordinance amendments include 363 pages. A digital copy is presently posted on the town website at <http://www.frontroyalva.com/draft-ordinances.html>. Upon request, Staff would be glad to provide Town Council members with a copy of the ordinance amendments in a format of their preference, including a paper copy or digital copy, either by email, on a thumbdrive, or on a CD/DVD. Additional Work Sessions may be necessary at future Town Council Work Sessions.

**Staff Evaluation:** The Planning Director will be at the upcoming Town Council work session to answer questions that Town Council may have. As required by the Town Code, a 1st and 2nd Reading is required prior to adoption.

**Planning Commission Recommendations:** The Planning Commission recommended adoption of the proposed ordinance amendments during their March 19, 2014 meeting.

**Staff Recommendations:** Staff recommends that Town Council hold a public hearing to consider adoption of the proposed ordinance amendments.

#### **Council Discussion:**

Mr. Camp answered questions from Council, noting that there are tree credits, stating that they have improved bonding matters to ensure that the public is not left holding the bill. He noted that the timeframe for placing the buffers help to ensure that the landscaping that is planted is still thriving for a while after the project is completed.

Mr. Camp noted that the subdivision ordinance changes are easily understood based on the feedback they have heard from the community. One change they have, he explained, are the changes relating to special exceptions. He stated that these would allow for Council to review individual applications for specific allowances on certain matters. Mr. Camp reviewed the street widths under the current code and the changes under the low “er” impact street designs and how it falls under the VDOT Maintenance Plan. He noted that they would now be exceeding the VDOT requirements.

Mr. Camp reviewed the spots that could be available for the parking of compact cars in parking lots. Councilman Hrbek stated that he had issue with the spots that are just sitting there unused. Mr. Camp and Mr. Burke stated that they were options for developers, the spots were not a requirement.

Mr. Camp noted the options for waivers for the Planning Director for small administrative issues. Mayor Darr stated that

#### **6. Continued Discussion on Ordinance Amendments to Town Election Precincts**

Move onto public hearing

#### **7. Blue Ridge Arts Council’s Electric Donation Request for Gazebo Gatherings** – *Town Manager*

**Summary:** The Blue Ridge Arts Council has requested that the Town consider a donation of \$225.00 towards the electric fee required for their ten Gazebo Gathering

Concert events. Council had not approved a similar request last year. Council is requested to consider the request for donation.

**Staff Evaluation:** Funding for the requested donation is not included in either the FY13-14 or the proposed FY14-15 Budget. **!!**

**Budget/Funding:** Funding for the requested donation is not included in either the FY13-14 or the proposed FY14-15 Budget. The Finance Director will be available to address fiscal issues.

**Staff Recommendations:** Staff recommends that Council consider the request for a donation of \$225.00 from BRAC.

Council discussed whether to do this for BRAC and not for other organizations. Councilman Hrbek noted that he was not in favor of supporting the request. Council was not in favor of said request.

8. **Wastewater Treatment Plant WQIF Grant Award** – *Town Manager*

Council expressed strong support for immediate processing of the grant paperwork.

9. **Liaison Committee Meeting Items for May 15 Liaison Committee Meeting of May**  
**Summary:** Council is requested to add items to the Liaison Committee Meeting Agenda scheduled for May 15, 2014. Items will be voted on at the regularly scheduled meeting on May 12, 2014. The list of items from the March Liaison Committee meeting, the Liaison Committee Mission Statement/Policies and Memorandum from County Administrator Doug Stanley have been provided to Council for their review.

Add:

- 13<sup>th</sup> Street issues on the Park Area/mail boxes & parking

Remove:

- Comp Plan
- Bridge Lighting
- Riverton Substation

10. **Amendment to Code Section 167-2 to Allow Hunting of Groundhogs in Town Limits**  
*Councilman Sayre*

Sayre noted that he has been speaking with Mr. Napier on this issue to see if Council would allow groundhog hunting in the Town limits

Napier explained the proposed ordinance, as it is similar to the City of Fredericksburg

Sayre stated that there are groundhog issues throughout Town

Parker expressed concern with

WhiteTail management can handle the problem with no cost to the Town and no change to the ordinances

No pellet guns are allowed, no slingshots are allowed, so

Hrbek noted that public hearing should be allowed on the matter, he was unsure how he felt on the matter

Funk stated that he was unsure how the legal ramifications would play out on the issue

Tharpe noted that hunting in the Town with firearms concerned him

An accident with a dog or cat can easily happen

Though he could certainly support the right to have a public hearing

Council noted that rather than hold a public hearing perhaps invite comment

Sayre stated that if they did not have support then there was no need to go forward.

#### **11. Council Discussion/Goals**

Funk noted that perhaps Council could use the money to create a merit system for other departments similar to the step system for the MPO Program and the Dispatchers

Parker - Staff prepared the budget, they did not include a bonus, then Staff is upset with Council for not giving Staff a raise

Tharpe – give them the bonus, it is \$114,000 available, give it to them

Hrbek – put it back in the budget, in General Fund

Tharpe – most of Town people have not received a pay increase, no. But these people belong to this community and we should not hinder these people just because others did not receive a raise

Parker – we are asking the citizens for \$275,000 and we are giving the employees \$114,000 in raises – it is not fair, times are tight

**12. CLOSED MEETING** – 1) Disposition of Real Property, 2) Consultation with Legal Counsel regarding specific legal matters, 3) Consultation with Legal Counsel pertaining to actual or probable litigation, and 4) ~~Personnel Matter~~

#### **Motions to Go Into Closed Meeting**

*Vice Mayor Parker moved, seconded by Councilman Hrbek, that Council convene and go into Closed Meeting 1 for the purpose of discussion or consideration of the disposition of publicly held real property, specifically, the former Town Hall property, 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; 2) pursuant to Virginia Code § 2.2-3711.7 for the purpose of consultation with legal counsel employed or retained by a public body regarding specific legal matters, specifically, possible acquisition of the Afton Inn property and the possible disposition of the former Town Hall Property, requiring the provision of legal advice by such counsel; 3) for the purpose of consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, specifically LYMA, LC v. Town of Front Royal, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, "probable litigation" meaning litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party, pursuant to Section 2.2-3711 (A) (7) of the Code of Virginia. and 4) for the purpose of assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of a public body, pursuant to Section 2.2-3711 A. 1. of the Code of Virginia.*

VOTE INSERT HERE  
VOTE INSERT HERE  
VOTE INSERT HERE

**Motion to Certify Closed Meeting at its Conclusion**

*Vice Mayor Parker moved, seconded by Councilman Funk, 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 Action 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 be taken by roll call and recorded and included in the minutes of the meeting of Town Council.*

VOTE INSERT HERE  
VOTE INSERT HERE  
VOTE INSERT HERE

TEWALT ABSENT

Present: Darr, Parker, Hrbek, Tharpe, Sayre, Funk, Burke, Napier, Breeden, Shiflett, Waltz, Camp, Berry