



TOWN COUNCIL WORK SESSION MINUTES

Monday, June 2, 2014 @ 7:00 pm
Front Royal Administration Building

1. I & I Update from Prism

David Reaves, of Prism, noted that the Royal Village area had been completed. He stated that lining would begin in July. He stated one thing that most misunderstand is that when the lining is installed that it bonded to the pipe – which is not true. Mr. Reaves explained that flow can be reduced extensively with lining main lines and laterals. He stated that that finding clean outs is important, as is locating roots in the lines and treating those areas. He explained to Council how they use a water tight seal adhesive for the pipes and how the linings are inserted, inverted and then filled with steam which hardens the linings. Mr. Reaves presented examples for Council to see and feel.

Mr. Reaves described how important it was to line the laterals as well in order to seal as many entrance areas as possible. He added that lining technology does not stop water, but rather assists with I&I issues. Council asked questions about the age of the pipes, the lining process, roots in the laterals and whether it was water or sewer lines with the Prism lining system during this process. Mr. Reaves noted this project was for the Town's sewer lines.

3. Water Policy Ordinance Amendments – *Town Manager*

a. Fire Department Water Usage

Mr. Burke explained that they were working at times with the Fire Department in order to coordinate during times of non-emergency use in need of water (school field days). He noted that in the future they could determine ways to accommodate ways to consider metering and purchasing large amounts of water if need be. Mr. Burke stated that the small amounts of water would be the need for the proposed Code change in this instance.

Mayor Darr asked about water being gathered in an area where the Town is benefited, such as where the water is sitting and could become stagnate. He noted that at times the flow of water needs to be moved in some areas and perhaps it could be coordinated to be gathered in said areas. Mr. Burke stated that Mr. Mayor was correct.

Councilman Funk stated that the sentence regarding “shall” could be adjusted to “could” since the option for charging for the water is optional at this time. Mr. Burke asked that the wording could remain, as they do not necessarily charge for the water, though they do meter to quantify the amount of water used. He stated that the Water Plant tracked and accounted for the water used by the Town.

Mayor Darr proposed that the matter be coordinated between the Town Manager and the Fire Chief and/or their designees. He noted that the Chief would not have the Chief wash parking lots unless it was for a good purpose. Chief Mabie stated that he did not object to any metering of the water as listed in the agreement as provided by the Town Manager. He added that the Town Manager has never billed the Fire Department for the water used.

b. Meter Access by Plumbers

Mayor Darr stated that he had been approached by members of the Building Association and they were concerned with the process. The plumber contacts the Police Department, they contact the person on-call, then they come out and shut the water off in the home, though during that time another foot could be filling up in someone's home; and *that* could be a great issue with a building. Mayor Darr noted that they would still have to phone for the Town personnel to ensure they come on site and it would have to be an emergency for certain.

Mr. Burke explained the liability concerns with returning the lid and so forth regarding the meter. Mayor Darr stressed that if they did not have an actual emergency then they would be under the meter tampering ordinance.

Councilman Funk asked about the wording "authorized agent of the Town" and how the terminology could affect the Town legally. Mr. Napier stated that he would look into that wording.

4. Budget Amendment for State Asset Forfeiture Funding – *Director of Finance*

Summary: The Town has received notification from the Commonwealth of Virginia that the Police Department will receive funding through the asset Forfeiture program. These funds have been received in the amount of \$191,291 to be used for purchases through the Police Department following Asset Forfeiture regulations, these funds cannot be used to balance the budget or for salaries.

Finance recommends the approval of the budget amendment and will proceed with processing a purchase order, this will allow future purchases from this account not to need an additional budget amendment.

Council Discussion: Mrs. Breeden noted that normally the Town receives much smaller amounts and this is the largest amount she has ever seen. She stated that it would still be monitored, as there are rules and regulations on how the funding is spent. Councilman Tewalt asked if the money can be spent on vehicles; Mrs. Breeden noted that they can, though Council must approve all the purchases.

5. Deed of Easement for Utilities for Public Safety Building – *Town Attorney*

Summary: The County of Warren built its Public Safety Building ("PBS") on Skyline Vista Drive, which is located outside the corporate limits of the Town. Because the PBS is served by Town water and sewer utilities, there needs to be in place a deed of easement for the collection and transmission of these items from the County's property into the Town's utilities systems, and to allow the Town reasonable mode of ingress and egress to these systems on the County's property in order to access them. These easements are shown on the enclosed plat marked "PLAT OF PUBLIC UTILITY EASEMENT, SOUTH RIVER DISTRICT, WARREN COUNTY, VIRGINIA", drawn by Anderson & Associates, Inc.

Council is requested to consider approving this Deed of Easement so as to increase the area of the Town's drainage and sanitary sewer easement, to better serve this area.

Staff Evaluation: Approving this Deed of Easement appears to benefit both the Town and Warren County in appropriately serving the PBS, the staff of who,

especially the Fire Department, also serve the residents of the Town. Staff notes that Skyline High School, located across the street from the PBS on Skyline Vista Drive, is also already served by Town water and sewer utilities.

Town Manager Recommendation: The Town Manager concurs with recommending that approval of this Deed of Easement is appropriate.

Council Discussion: Mr. Napier stated that it was a routine matter. He noted that the County needs to give the easement in order to serve the Police Department.

2. Continued Discussion of Ordinance Amendments – *Director of Planning/Zoning*

Summary: 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 several 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.

Planning & Zoning Staff presented a PowerPoint Summary of the draft amendments at the May 5th Town Council Work Session. At that meeting, it was discussed that at least one additional work session would be held to further discuss the proposed amendments and address questions of Town Council.

The proposed ordinances amendments include 363 pages. A digital copy is presently posted on the town website at <http://www.frontroyalva.com/draft-ordinances.html>. Town Staff previously provided a digital copy of the amendment for Town Council members. Upon request, Staff would be glad to provide Town Council members with an additional copy of the amendments in any format of their preference.

This is the second work session held on the agenda topic. As required by the Town Code, a 1st and 2nd Reading at a formal Council Meeting is required prior to adoption.

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

a. Chapter 156 – Urban Forestry

Councilman Funk asked for a MSWord version of the document. Mr. Camp explained that they were considering screens, buffers, tree plantings, street trees, and parking lot landscapes. He stated that they revised the purpose and intent and established uniform standards with specific references. He added that they also noted that appeal was through the Town Council for special exceptions. In response to Mr. Tharpe's question, Mr. Camp noted that parking lot and crosswalk striping wear and tear is not specified, though it could be added. To answer Mr. Funk's question, Mr. Camp stated that regarding memorial trees on public property; it was more of an inventory of specific trees before it

was removed or replanted. He noted that it was to document where specific trees are located, though it was not a requirement that would prevent the trees from being cut down.

b. Chapter 175 – Zoning

c. Chapter 148 – Subdivision & Land Development

To answer Mr. Tewalt's questions, Mr. Camp stated that street width is a minimum of 40 feet of roadway in the subdivision ordinance, depending on the average daily trips. Mr. Tewalt expressed concern with narrow streets in Planned Neighborhood Developments in other communities, as it affects traveling conditions. Mr. Camp stated that the developers wish for narrower streets, though for maintenance conditions it was impractical for most purposes. Council discussed road widths throughout town.

Mr. Burke noted that it would return to another worksession. He suggested a joint meeting with the Planning Commission. Mayor Darr and Council voiced support of the joint meeting.

6. Update on Derelict Buildings from Town Attorney – Councilman Sayre

Mr. Napier stated that unless it is a danger to the public health or safety the Town cannot get rid of the building, though the County can through their Building Inspector. Councilman Tharpe asked about the house at the corner of 6th and Commerce Avenue. Councilman Hrbek asked about a house that is a drug den and whether it was a health matter or public nuisance; Mr. Napier stated that it was difficult, though it could be done.

Councilman Hrbek asked if cities had the ability to tear down derelict structures. Mr. Napier stated that the law was similar for towns and cities. Mr. Hrbek asked if towns and cities had similar powers. Mr. Hrbek noted that should the County Supervisors had the ability to assist in the matter then perhaps we should direct citizens to them. Mr. Tewalt suggested that legislators be contacted if they could assist with changing bills to the municipalities favor. Councilman Hrbek suggested that the matter be discussed at the next Liaison Meeting with the County. Councilman Funk asked what the Town was asking for before we contacted the County.

Mayor Darr asked about what is the Town's authority through the property maintenance code and what is the difference between the County and State. He asked if there is a blighted structure in Town, then it needs to be addressed. Mayor Darr stated that there would be a cost one way or another to resolve the issues. Mr. Burke stated that the County has not adopted the property maintenance code either.

7. Commerce Avenue Trail Removal – Councilman Sayre

Councilman Sayre noted that he was advocating that the area of curb along Commerce Avenue needed to be removed. Councilman Tewalt asked the Chief of Police and he tended to agree. Councilman Hrbek asked for the difference between a sidewalk and the curbing there. Mr. Tewalt noted that there may not be any difference though it was a safety issue in his opinion.

Mr. Burke stated that Urban Forestry confirmed that it could be removed. He noted the options for removal and pavement area to prevent pedestrians from entering the old trail area. Mayor Darr asked if the trail area could be circular and perhaps place a bench in order to allow a seating area by the creek.

Mr. Burke noted the options for the asphalt area. Council discussed whether to remove it, the cost of employee time, the safety issues, and the fact that so many enjoy the area to walk as a cut through, and the concern with the aesthetics of the corner.

8. Council Discussion/Goals

Councilman Tewalt asked about the corner of Culligan at Remount Road. Mr. Burke stated that they would be looking into the site as it was one of the Town's entry points into the Town.

PRESENT: Mayor Darr, Councilman Funk, Councilman Sayre, Councilman Tewalt, Councilman Hrbek (arrived at 7:15), Town Manager Burke, Town Attorney Napier, Finance Director Breeden, Planning Director Camp, Energy Services Director Hannigan, Energy Services Supervisor Boyer, Chief of Police Shiflett, Clerk of Council Berry, members of the press and members of the public.

ABSENT: Vice Mayor Parker