



TOWN COUNCIL WORK SESSION MINUTES

TUESDAY, January 20, 2015 @ 7:00pm

Front Royal Administration Building

1. Residential Sewer Backup Protection Program Applications - *Town Manager*

Summary: The Town has received two applications for residents seeking assistance towards the installation of sewer back flow prevention devices through the Residential Sewer Backup Protection Program. The residence at 339 1/2 Kendrick Lane meets all requirements for participation in the Program. The second residence 425 Hill Street has only two documented sewer backup events. However, both of these events resulted from maintenance activity by the Town on the main that were not caused by the residence. As the Town anticipates needing to conduct future maintenance actions on the main, staff recommends approval of this application.

a. 339 1/2 Kendrick Lane – Catherine Remmers

Mr. Burke noted that the Town would be responsible for 50% of the installation cost up to \$750, and for Kendrick Lane the estimate was \$850, total, so \$425 for the Town. He stated that the property owner would pay the expense and be reimbursed the \$425.

b. 425 Hill Street – Waller Properties LLC

Mr. Burke noted that there were only two documented back-ups, though it was near a restaurant that had grease issues. He stated that the Town has increased their grease trap inspection of the restaurant and he would recommend that they go forward with the program, with the Town's share at \$725.

Councilman Tewalt asked the difference in the price. Burke noted he was unsure. Councilman Tewalt asked if they would pay the property owner or the plumber. Mr. Burke stated that they require receipts from the plumber and then they would reimburse the property owner. Council suggested that they place them on the Consent Agenda as separate items for the next meeting.

2. Solid Waste Management RFP Consultant Evaluations – *Director of Environmental Services*

Summary: The Department of Environmental Services sent out an RFP for Consultants to evaluate the Solid Waste Management's Department. Council is requested to review the information submitted by the Department of Environmental Services. Environmental Services received and reviewed the three submittals and evaluated each candidate.

Staff Recommendations: Staff would like to offer MSW Consultants the project of completing an evaluation of the Solid Waste Division in the amount of \$20,000.

To answer Vice Mayor Tharpe's questions, Mr. Burke noted that they would evaluate the routes, the efficiency of the service pick-ups and whether they should combine collections

Mayor Darr stated that he voted for the study to ensure that the collections were handled correctly. He wanted the study to be one that would also look at the safety measures taken by the Town crew members. Mayor Darr added that he would not be in favor of looking to privatize the refuse collection service at this time.

Councilman Funk arrived at the meeting.

Councilman Tewalt stated that the last study recommended these larger trucks and they ended up being too large for Front Royal and it ended up being more inefficient. He noted that the Town needed to do a review of the routes to be more efficient, and do this in-house – not a company from the outside.

Councilman Funk noted that solid waste as ran at a deficit for some time. Mr. Burke noted that currently costs are covered, however; two trucks would soon need to be replaced and he would like to hear that they would like to go to the rear-load trucks, which they have had success with. Mr. Burke stated that it would examine the Leach Run Parkway area, as well as consider the investment of the \$200,000 trucks which need to be examined. Mr. Funk noted that Mr. Tewalt's comments appeal to him, though he would like the opportunity to read the document received today.

Mayor Darr asked if Council could have time to evaluate the studies in full. Mr. Tewalt stated that an analysis of the routes and the system needs to be done in-house, not by a consultant on the outside. He added that he would not support it initially and he would support it now. Mayor Darr noted that it would return to the next worksession.

3. Placement of PPEA Guidelines in Town Code – *Town Attorney*

Summary: The Public-Private Education Facilities and Infrastructure Act (PPEA) of 2002 grants responsible public entities the authority to create public-private partnerships for the development of a wide range of projects for public use if the public entities determine there is a need for the project and that private involvement may provide the project to the public in a timely or cost-effective fashion. On December 8, 2014, Council approved a Resolution to approve the PPEA of 2002, as amended, Policy Guidelines for Front Royal, Virginia. Council is requested to consider placing the PPEA Policy Guidelines in the Town of Front Royal Municipal Code by adoption of an Ordinance.

Mr. Napier noted that it would be easier to allow third parties to find the information if it was in the Town Code, and he added that it was identical to the earlier adopted guidelines passed in the resolution. Mr. Tewalt clarified that it was already passed via resolution.

Councilman Funk stated that with the scope of the document, he asked if Mr. Napier has had enough time to review the matter. Mr. Napier noted that he was unsure that he had anything else left to do with the item. In response to Councilman Tewalt's questions, Mr. Napier stated that he has taken the master guideline and the State Code and worked in guidelines from around the Commonwealth and made it best for the Town of Front Royal.

Councilman Tewalt noted that he wanted to ensure there were no loopholes. Mr. Napier stated that he feels comfortable as it is written, as he has used his best effort and judgment on the matter and it is now ready for a public hearing.

4. Construction of Local Connector Road – EDA – *Town Manager*

Summary: The Town has received the attached request from the EDA to design and construct a two lane extension of Main Street through the Avtex property to Kendrick Lane to facilitate future development of the property. Council is requested to consider the request to extend Main Street through the Avtex property.

Staff Evaluation: The Town has dedicated 1/3 of a \$0.02 of Real Estate Tax revenue (approximately \$75,000 per year - \$295,000 accumulated) towards construction of the Local Connector Road. Staff would recommend pursuing this project as Development Project under the Fair Funding Formula with Warren County.

Mayor Darr asked about whether there was a plat or sketch. Mr. Burke noted that he will ensure that Council will receive an updated plat. He stated that the EDA would like the Town to pursue an estimated cost. Mayor Darr stated that he would think contacting the County would be the next step. Mr. Burke noted

Councilman Funk asked for a traffic safety study for the area. Council discussed which items they would be addressing the matter with the County. Councilman Tewalt noted that the Fair Funding Formula should certainly be applied. Mayor Darr stated that he is surprised that the EDA did not contact the County directly, and perhaps they have.

Mr. Burke would contact EDA and the County.

5. Business Partnership Incentive – *Town Manager*

Summary: As a means of encouraging patronage of local businesses, staff would propose that Town Council consider offering a 5% discount on purchases made at the Visitor's Center when the buyer presents a receipt from a town business for a purchase made at the visitor's Center when the buyer presents a receipt from a town business for a purchase made the same day as their visit to the Visitor's Center and could be displayed at a local business. i.e.: A "Shop Local" discount for customers at the Visitor's Center.

Council noted that they would support placing it on the Consent Agenda for the next meeting.

6. One Way Traffic on Main Street – *Economic Committee*

Vice Mayor Tharpe asked if the Planning Commission should review the document first. Councilman Tewalt asked the number of parking spaces that would be gained; it was noted that it would be 6 or 7 spaces.

Mayor Darr stated that the Economic Committee feels it is very important, though the Council should perhaps contact every business on Main Street and gather their opinion on the subject, as their livelihood depends on Main Street. He asked Mr. Burke to reach out to each Main Street business to identify their opinion. Mayor Darr noted that Jackson Street efforts would have to be viewed as well.

Mayor Darr stated that if 25 businesses out of 30 did not wish to have the street one way, for example, then Council should let the matter go, in his opinion.

Councilman Tewalt noted that there were many items that needed to be finalized first, before we pile more on the Planning Commission to complete. Mr. Burke noted that the Planning Commission

stated that they have completed several items per Council's requests and an updated list can be provided to Council.

In response to Council's questions, Mr. Burke stated that POPA and FRIBA were not specific to the downtown area, though they do still meet occasionally, and he added that Downtown Front Royal (DFR) does still meet as well.

Councilman Connolly asked about the economic benefits which may be coming out of the one way street project. Mayor Darr stated that he could not speak for the Committee. Mayor Darr noted that their ideas are just that – ideas; and they are solely recommendations only. He reiterated that changing Main Street would be the decision of the Town Council after much consideration and input from the community.

7. Discuss Partnering with the NSVRC to Establish a Shared Tourism Marketing/Community Development Position – *Councilman Funk*

Mr. Burke stated that it may assist the Town that could identify marketing opportunities and general community development opportunities. They have developed a position description and shared that with Ms. Shickle of NSVRC and it is similar to what the Commission is seeking. He noted that an individual may be able to fill those qualifications which may be able to fill a marketing and event planning/type position.

Councilman Funk stated that they are looking to partner with the Town and would pattern after what they are doing with Strasburg with a Planning position. He noted that they would market Front Royal with the Town and a regional concept through NSVRC. Mr. Funk stated that they are coming to this area, though they are not staying in one particular Town, though if the Town is partnering with them, then perhaps Front Royal would have an "in" and would benefit from such a partnership.

Councilman Tewalt asked about considering the issue under Tourism, as it is Marketing. He noted that it should list strictly under marketing, rather than a separate under Tourism, not a separate marketing department.

Councilman Egger asked about the amount of financing available. Mr. Burke stated that they have about \$170,000 placed aside. She voiced support of the program as presented. Mayor Darr expressed support of the plan as suggested, noting that getting Ms. Shickle to give more information to the Town Council. Councilman Tewalt stated that he supported getting more information in order to move forward on it.

Mayor Darr asked that Mr. Burke have Ms. Shickle bring Council some information on the matter.

8. Council Discussion/Goals

Councilman Egger noted that she would like improvements to Jackson Street to the Town's CIP. She noted that Council could possibly have the Planning Commission review possible improvements to South Street and then have Council review the matter. She spoke of safety and traffic/pedestrian safety.

Councilman Tewalt noted that he was pleased to hear that Riverton Substation was online. He asked that his thanks be extended to Mr. Waltz and the Energy Resources Crew.

9. CLOSED MEETING – Investment of Public Funds; Consultation with Legal Counsel; Expenditure of Public Funds; Award of Public Contract; Consideration of Appraisals and Cost Estimates; Records Relating to Negotiation of Award; Engineering and Architectural Drawings

MOTION TO GO INTO CLOSED MEETING:

Councilman Connolly moved, seconded by Vice Mayor Tharpe that Council convene and go into Closed Meeting for the following purposes

A. Discussion of a potential voluntary proposed economic growth-sharing agreement or agreement(s) with the Board of Supervisors of Warren County to consider the following:

1.) I move that Council convene and go into Closed Meeting for the purpose of discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected, pursuant to Section 2.2-3711. A. 6. of the Code of Virginia.

2.) I move that Council convene and go into Closed Meeting for the purpose of consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, pursuant to Section 2.2-3711. A. 7. of the Code of Virginia.

B. The consideration of a proposal or proposals related to the financing and construction of the proposed Police Department headquarters under the Public-Private Education Facilities and Infrastructure Act:

1.) The discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected, pursuant to Section 2.2-3711. A. 6. of the Code of Virginia.

2.) Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, pursuant to Section 2.2-3711. A. 7. of the Code of Virginia.

3.) The discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an Open Session would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2- 3711. A. 29. of the Code of Virginia.

4.) The consideration of appraisals and cost estimates of real property subject to a proposed purchase, sale or lease, prior to the completion of such purchase, sale or lease, pursuant to Va. Code Section 2.2-3705.1 .

5.) Records relating to the negotiation and award of a specific contract where competition or bargaining is involved and where the release of such records would adversely affect the bargaining position or negotiating strategy of the public body pursuant to Va. Code Section 2.2-3711. 12.

6.) Engineering and architectural drawings, operational, procedural, tactical planning or training manuals, or staff meeting minutes or other records, the disclosure of which would reveal surveillance techniques, personnel deployments, alarm or security systems or technologies, or operational and transportation plans or protocols, to the extent such disclosure would jeopardize the security of any governmental facility, building or structure or the safety of persons using such facility, building or structure, pursuant to Va. Code Section 2.2-3705.2.2.

Vote: Yes – Connolly, Egger, Funk, Tewalt and Tharpe

No – N/A

Abstain – N/A

Absent – Hrbek

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

Motion to Certify Closed Meeting at its Conclusion

Councilman Connolly moved, seconded by Vice Mayor Tharpe 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: Yes – Connolly, Egger, Funk, Tewalt and Tharpe

No – N/A

Abstain – N/A

Absent – Hrbek

(By Roll Call)

Present: Mayor Darr, Vice Mayor Tharpe, Councilman Funk, Councilman Egger, Councilman Tewalt and Councilman Connolly, Burke, Breeden, Napier, Berry, Shiflett, Hannigan, Camp, Nicewarner, Hite, members of press and the Staff.

Absent: Councilman Hrbek