



TOWN COUNCIL WORK SESSION MINUTES

Monday, May 4, 2015 @ 7:00pm
Front Royal Administration Building

1. Continued Discussion of Chapter 148 Draft Code Amendments – *Director of Planning/Zoning*

Summary: At the March 16, 2015 Town Council Work Session, Town Council met and discussed citizen input received as part of the public hearing associated with Chapter 148 of the Town Code. During the work session Town Council primarily discussed road widths, although there are other comments that were provided, and are noted in the attachments with recommendations. The same attachments included at the March 16th Work Session are included with this coverage.

An additional option that Town Staff would recommend for consideration is a requirement/allowance for narrower intersection street widths. This would allow for pedestrian crossing areas to be shorter and safer, and would have a minimal impact on street maintenance and emergency vehicle access concerns. Below is example language and illustrations.

Residential intersections street widths shall be reduced to twenty-seven feet (15' receiving lane and 12' through lane) with bulb-outs for sidewalk ramps to enhance pedestrian safety. In addition, bulb-outs for mid-block crossings will be required at a minimum of every eight hundred (800) feet to coincide with the dedication of a ten foot ROW for public pedestrian walkways connecting adjacent streets or other public and private areas

Council Discussion: Council discussed the Town coming under urban design and the need to come under VDOT standards for streets. Mayor Darr stated that having the numbers for roads is important for the Code changes in order to be clear and concise.

Councilman Funk noted that variances can be applied for though at times they are difficult to be obtained and can be lengthy for applicants. Mr. Funk clarified that parking is required on both sides of the street. He asked if parking for one side of the street could be requested, with a smaller road width. Councilman Tewalt stated that streets carrying school buses must be at least 36' minimum for VDOT funding, period. Mr. Burke stated that it would be preferred to update the Code with what is presented and then consider one sided or no parking as suggested by Mr. Funk at a later time, once it was reviewed by the Planning Commission.

Councilman Egger asked why there would be lanes wider than VDOT standards in some cases. Mr. Burke stated that once travel lanes were in place, then you take into consideration other factors, the larger streets were necessary in some cases. Councilman Hrbek asked about the PND that the Council passed. Mr. Burke noted that the Town passed the PND ordinance, though some developers have expressed concerns. Mr. Hrbek noted that there are outlets within the ordinance that allow flexibility though.

Mr. Burke asked Council to not only consider school buses but also firetrucks and emergency vehicles that need to traverse the neighborhoods. Councilman Egger pointed out that there have been roads in Town built too wide in some instances where we have had to go back to fix the issue by installing other improvements to the area. Mr. Camp stated that the 32' wide streets that were removed could be reconsidered for reinsertion into the Town Code. Ms Egger asked for the 29' road allowance in certain circumstances to be possible where applicable.

Mr. Burke noted that should a developer approach the Town with an approval from VDOT for their specific road width in hand, then perhaps the Town could accept said width. Mayor Darr stated that he was uncertain if he was comfortable with that proposal. Mayor Darr noted that definitive standards were important. Council considered all aspects of the road width changes and whether to take into account the VDOT standards into the Code. They stated concerns with various issues with narrow roads, parking, the emergency vehicle concerns, and issues with safety for the citizenry. Mr. Camp suggested Council move forward and return at a later time if need be.

148 DISCUSSION REGARDING CENTER LINE GRADE

Mayor Darr noted that he forwarded an email from the EDA voicing that they were not in favor of the change. Councilman Tharpe stated that those that spoke at the meeting noted they were against the change as it was too excessive. Mr. Camp noted that there were currently no elevation requirements. Councilman Hrbek stated that there were homes on Windsor Court that he believed that would no longer be able to be built apparently, if this change went through; Mayor Darr stated that was correct.

Councilman Egger stated that half the lots in Town would be unbuildable. Vice Mayor Tharpe stated that he agreed with Ms. Egger, though he understood Mr. Tewalt, he voiced concern with this massive change and that the lots should be left as they are.

Councilman Egger noted that should a person build a home they should not have extra requirements placed upon them as to where the house is placed on the lot. Mr. Tewalt noted that developers build homes in a hole and then water runs and the owner is stuck with the issues. Council stated that it would go forward and be debated at a regular meeting.

2. Discussion of House Bill 2 & the Town's Proposed Typology Category – *Director of Planning/Zoning*

Summary: House Bill 2 (HB2) was signed by the Governor in April of 2014 and is effective as of July 1, 2014. It requires the development of a prioritization process and directs the Commonwealth Transportation Board (CTB) to develop and use a scoring process. House Bill 1887 was approved in February of 2015 in association with HB2. It specifies new funding allocation approaches and funding programs under consideration by the CTB applicable to the provisions of HB2. Two programs applicable to HB2 that are defined and assigned an allocation formula in HB1887 include the High-Priority Projects Program and Construction District Grant Program. Both of these pools of money will use the scoring process developed under HB2.

Under the proposed scoring process of HB2, road projects will be evaluated based on the following factor areas: 1. Congestion mitigation, 2. Economic Development, 3. Accessibility, 4. Safety, 5. Environmental Quality, and 6. Land Use Coordination

(only for areas with over 200K population). The weight of each factor area is being assigned differently for different areas of the State. This particular methodology was developed with idea that different areas of the Commonwealth have different values as to the prioritization of each factor areas. A table and map of the different areas and categories is attached. The Town of Front Royal is located within Category B.

HB2 was discussed at the most recent meeting of the NSVRC. At the meeting, a representative of VDOT (Terry Short) was of the opinion that it may be beneficial for jurisdictions to change their typology to Category C or Category D. The primary reason for this was explained to be that the Town would likely not score well in Congestion Mitigation, which receives a heavy weight in Category B.

Staff Evaluation: Some localities have decided, or are considering to, request that they are included within a different category. The purpose of discussion with Town Council is to determine if it is in the Town's best interest to stay in the assigned category or request a category change. Any such recommendations should be made by [May 22nd](#). The NSVRC is in the process of trying to coordinating a regional response.

Council Discussion:

Council noted that moving to category C as suggested by Mr. Camp would be preferred. Councilman Funk stated that he agreed with Mr. Camp, noting that it shifts the emphasis to safety.

3. Humane Society's Request for Trolley Use – *Town Manager*

Summary: The Humane Society of Warren County has requested that the Town contribute the rental rate for use of the VRT Royal Trolley from 8am until 4 pm on Saturday, August 8th for their "Waggin for Dragons" boat race fundraiser. Historically, VRT has charge approximately \$75 per hour for use of the Trolley for special events. VRT has been requested to confirm their current charge. The total estimate amount for the donation request is \$600.00. The Trolley would transport participants and spectators from the Lowe's area of the Riverton Commons parking lot to the event at the Front Royal Country Club. Council is requested to consider the request to fund the Humane Society of Warren County.

Staff Evaluation: The Humane Society of Warren County does provide a service to the citizens of Front Royal and assists the Police Department with stray animals.

Budget/Funding: Funding for this request was not included in the FY14-15 Budget; funding was come from the Unreserved Fund Balance in General Fund. The Finance Director will be available to address fiscal issues.

Mayor Darr noted that his wife was a member of the Humane Society Board and he would not vote on the matter at any time.

Councilman Hrbek suggested using the funding for the trolley use through the Tourism Budget and he suggested that the Town be listed as a sponsor for the donation. The Director of the Humane Society noted that they expect about 16 boats, which was double the number of boats from last year.

Members of Council voiced support of the item on the Consent Agenda.

4. Meter Service Adjustment Request - 1100 N Royal Avenue – Jeff Grim – *Town Manager*

Summary: The Town has received a request from Jeff Grim whose wife is operating a retail flooring store at 1100 North Royal Avenue. As the building was previously a laundromat, the building is served by a 2” water meter with the internal piping matching the 2” size of the meter. Large meters are assessed a monthly fee to offset the additional cost that the Town incurs maintaining and replacing later meters that experience high volume use. The business owner has requested that the Town replace the current 2” meter with a 3/4” meter to relieve that owner from the monthly meter fee with a 3/4” meter.

Council is requested to consider authorizing the replacement of the 2” meter

Staff Evaluation: Town policy requires that the water meter size match the size of the waterline servicing the property. Town Council has previously authorized deviation from this policy for situations where the current use of a property no longer requires the high volume of water.

Staff recommends that Town Council consider authorizing the installation of a 3/4” meter at 1100 North Royal Avenue until such time that the site resumes significant water consumption.

Councilman Tewalt asked if the 2” meter would be left. Mr. Burke stated that a 3/4” meter would be installed. Mayor Darr noted that it would also be on the Consent Agenda.

5. Sewer Backup Protection Program - 809 Happy Creek Road – William Kinsey – *Town Manager*

Council noted that they meet all of the requirements and they would be supportive of the application. Mr. Tewalt asked if Staff tells the crew members not to run the snake through the line. Mr. Burke noted that they are told about the limits on the lines and the lateral. Mayor Darr noted that it would go on the Consent Agenda as well.

6. Continued Discussion of a Budget Amendment for Snow Removal Costs – *Finance Director*

Summary: Council began the discussion of a budget amendment for snow removal costs for FY15 at their work session on March 2, 2015. Staff was asked to return to a work session when the snow events ended for the season. Below is a list of expenses:

[4500-5478](#)

Snow Removal

Budget FY15 75,000.00

EXPENSES

Mid Atlantic Salt (149,458.95) salt for road treatment

Clatterbuck and Son (10,975.00) clearing of parking lots

Univar USA (1,117.85) supplies for snow removal

Quality Inn (201.15) staff to stay in Town

(86,752.95)

Staff Recommendations: Staff recommends a budget amendment in the amount of \$86,752.95 to cover the remainder of FY15.

Council Discussion:

Mayor Darr asked that it go on the Regular Agenda.

7. Ordinance to Amend 158-6 - Adoption by Reference of State Motor Vehicular Laws – *Town Attorney*

Summary: Va. Code § 46.2-1313 states that “ordinances enacted by local authorities pursuant to this chapter may incorporate appropriate provisions of ... [the State Code pertaining to motor vehicle laws]. ...Nothing contained in this title shall require the re-adoption of ordinances heretofore validly adopted. Local authorities may adopt ordinances incorporating by reference the appropriate provisions of state law before the effective date of such state law; provided that such local ordinances do not become effective before the effective date of the state law. The provisions of this section are declaratory of existing law.”

This has several benefits to localities; it allows localities to write traffic tickets on local summons, and retain the fines generated therefrom, thus helping pay for local law enforcement, keeping localities safer; it helps localities not have to constantly amend its local code of ordinances pertaining to traffic laws to keep in conformity with minor tweaks in the State Code pertaining to traffic laws; and it helps keep local codes of ordinances shorter.

Council is requested to re-adopt Town Code Section 158-6, which incorporates the State code traffic laws by reference.

Staff Evaluation: An opinion of the Attorney General, 81-82 Va. AG, 272 held “local governing bodies may adopt statutes by reference and may also adopt statutory amendments by reference, provided the amendments to them are adopted subsequent to the statutory amendments.” This means that annually, the Town must readopt Section 158-6 of the Town Code, which legally allows the Town to incorporate all the changes to the State Code traffic laws that have been made during the year.

Council Discussion:

Mr. Napier stated that it was a housekeeping measure done annually by the Town. Mr. Burke stated that this required a public hearing.

8. Liaison Committee Meeting Items for May 21

Mayor Darr suggested that the Liaison Meeting be cancelled for May as they were meeting the week prior with the County and EDA; Council agreed.

9. Council Discussion/Goals

Councilman Hrbek asked that the School Board receive a letter from the Town Council regarding the Town vote based on the “lines” of the new middle school that were spoke of in the paper. Mayor

Darr stated that there were definite concerns from the article in the paper and perhaps the School Board should consider the Town's concerns.

Mr. Burke and Mr. Napier updated Council on the Comcast contract with the Town.

Mayor Darr stated that he was approached by a member of Samuels Library regarding their new Children's Garden and they are requesting that the Planning fees be waived. He asked if the matter could be placed on the Consent Agenda for the fee waiver.

Mr. Burke noted that the mailbox issue on 13th Street would be returning to a worksession soon. Mr. Tharpe noted that he asked that it return to worksession. Mayor Darr noted that the problems on site are in full bloom this time of year.

10. Closed Meeting – 1) Personnel Matter and 2) Public Contract Pertaining to Possible Acquisition of Land and Investment of Public Funds

Motion to Go Into Closed Meeting

Councilman Connolly moved, seconded by Councilman Egger that Council convene and go into Closed Meeting for the purpose of 1) 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; and, 2) the discussion of the award of a public contract involving the expenditure of public funds, pertaining to the possible acquisition of land for a public parking lot, improvements, and other land which would enhance the Town's downtown recreational opportunities for the public, 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 and the discussion or consideration of the investment of public funds where competition or bargaining is involved, pertaining to the possible acquisition of land for a public parking lot, improvements, and other land which would enhance the Town's downtown recreational opportunities for the public, 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.

Vote: Yes – Connolly, Egger, Funk, Hrbek, Tewalt 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)

Motion to Certify Closed Meeting at its Conclusion

Councilman Connolly moved, seconded by Councilman Egger 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 – Darr, Connolly, Egger, Funk, Hrbek, Tewalt and Tharpe

No – N/A

Abstain – N/A

Absent – N/A

(By Roll Call)

Present: Mayor Darr, Vice Mayor Tharpe, Councilman Connolly, Councilman Egger, Councilman Funk, Councilman Hrbek, Councilman Tewalt, Finance Director Breeden, Town Attorney Napier, Clerk of Council Berry, Chief of Police Shiflett, Planning & Zoning Director Camp, members of the media and members of the public.