



TOWN COUNCIL WORK SESSION

Monday, August 17, 2015 @ 7:00pm

Front Royal Administration Building

1. Deer Management Presentation – Virginia Game and Inland Fisheries

Nelson Lafon, Deer Project Coordinator, introduced many representatives of with the Virginia Department of Game & Inland Fisheries, and presented the following report to Council:

Transition in Deer Management: From Permit Hunting to Urban Archery Season

Deer Population Control Program (DPOP)

- Reviewed/modified 2012
- Permit for specific area
- Antlerless deer only
- Public lands (e.g., parks)
- Max: Sept – March
- Hunting; fair chase conditions
- Permit from DGIF to Police Department
- PD sub-permits to SWMNV
- Deer harvested since 2011
 - 2011 = 26 (just March)
 - 2012 = 160
 - 2013 = 125
 - 2014 = 103
- Population reduced; SWMNV proficient

WHY CHANGE?

- Integrity/consistency of VDGIF programs
 - DPOP is for public lands
 - Other programs available for private lands
- Fairness, equal opportunity
 - Some landowners want to hunt their own land
 - Area hunters may not wish to join SWMNV
- Upshot: there is a remedy that hurts no one

Council Discussion:

Councilman Tewalt noted that last evening he had two deer in his yard and he was very much in favor of having the program continue. Councilman Funk noted that he was also in favor of the matter. Vice Mayor Tharpe noted that the deer wasting issue as well as tick infestation matter, the program needed to continue. He also voiced support of program's support of feeding the families with the deer meat. Mr. Lafon stated that hunters would contact them to come onboard and go through the urban archer process.

Mayor Darr asked the steps needed to begin the process. Mr. Lafon stated that the Town would express their indication to participate and how they could assist with ordinances and partnering with the Town. Mayor Darr noted that working with the Police Chief and the Town Attorney would be beneficial. Mr. Burke stated that it would return as a worksession item and then a public hearing would be scheduled. Mayor Darr noted that a letter for the Consent Agenda to express the Town's intent to participate in the program for 2016.

Suburban Whitetail Management of Northern Virginia representative noted that they were in support of the transition, though they would hope that in the meantime they could continue some sort of a program for this year in order to maintain the deer levels so they would not rise.

2. Recommendation on (VCC) Donation of (EV) DC Fast Charger – *Director of Energy Services*

Summary: Staff had been evaluating EV chargers for possible use in the Gazebo area when we became aware of a program offered through Virginia Clean Cities (VCC) to offer localities an EV charger at no cost. In partnership with ChargeUp, VCC is pursuing host sites in Virginia for the installation of EV chargers to address transportation needs for the exponential growth in electric vehicles. Staff has discussed details of the program at the July 6th and August 3rd worksessions.

Staff Evaluation: Staff has gathered all additional information from VCC to answer the questions/concerns from the July 6th and August 3rd work sessions. Additional details will be provided at the work session.

Staff Recommendations: There is a growing demand for fast and convenient charging infrastructure near retail and cultural destinations for electric vehicles. Staff will provide recommendation to proceed with VCC or seek other alternatives.

Mr. Waltz presented the following to Council, noting that the project is in partnership with ChargeUp, VCC, who is providing charger equipment at no cost:

Locality is Responsible for the Following:

- All installation costs (\$1,000.00)
- Vendor payment software (\$600.00)
- Operation and maintenance of equipment

- Unit price - \$28,000
- Life cycle is 7 – 10 years
- 1 Year Warranty
- Parts list – Not provided
- Warranty supplement of \$4,000
- Greenlots Sky Software Included in fee (4 years)
- 24/7 owner and user support
- Proactive fault monitoring and alarm notifications

Pricing Structure			
	Hourly	kWh	Session
DCFC Charger	\$8.88	\$0.29	\$7.71
% of sites	85%	7%	8%

RVA/Charlottesville (Private – Hotels)

- \$6 hr. (\$5 min)

Staunton (Private/Public)

- \$12 hr. (\$2 min)

Next Steps:

- Approval of Notice to proceed
- Acceptance of Charger along with Warranty supplement
- Approval of contract with Greenlots Software

Council Discussion:

Council asked about where the equipment would be installed at the downtown area; Mr. Waltz noted that they would not be tearing up the aggregate concrete area that Councilman Tewalt was concerned with. Mr. Waltz noted that this item comes in under the Town's insurance policy.

Mr. Tewalt asked about obtaining a usage report for the locations currently in place. Mr. Waltz stated that he would attempt to do so, he added that some were in place that were private. Councilman Hrbek noted that he was comfortable even if the usage was low, Mayor Darr stated that the usage would be low at first. Councilman Tewalt voiced support of waiting until the second meeting of September. Mr. Waltz noted that they would like it installed by the end of September. Councilman Hrbek stated that having it installed for upcoming major festivals to showcase such a feature would be his preference. Vice Mayor Tharpe stated that to showcase a car could be beneficial as Mr. Hrbek suggested. Mayor Darr noted that it could move forward and Mr. Waltz could obtain the information requested in the mean time.

3. Purchase of a Vehicle Storage Building for Energy Services Facility – Dir of Energy Services

Summary: Staff has been working over the past three years to consolidate and improve the Energy Services facilities. The final component is the vehicle storage building to properly store and protect all live-line electrical equipment. The prefabricated storage building is 80 feet wide and 120 feet long equipped with twelve garage doors.

Staff Evaluation: Staff has issued several RFP's for the building over the past several months due to the lack of interest from vendors. The Town of Front Royal has received two (2) bids from vendors qualified to complete the work.

Budget/Funding: Funding for the project was encumbered in the FY 13-14 and in the current budget year.

Staff Recommendations: Staff recommends approval of contract with Pioneer Pole Buildings for the construction of the vehicle storage building located at 1100 Manassas Extended for the cost of \$193,846. Staff also recommends a budget amendment to move forward the funds encumber from the previous budget years for the storage building of \$93,000.

Mr. Waltz presented the following to Council:

- Size: 80'x 120'
- 12 – 14x16 garage doors
- 2 – Entry doors
- 4 – Windows



Options:

- Gutters & Downspouts
- Ridge Vent
- RFP was issued in June
- 2 responses from qualified firms
- Lowest bidder – Pioneer Pole Building

Recommendation:

- Approval of contract with Pioneer Pole Building
- Contract Amount \$ 193,846
- Main Building \$ 190,074
- Guttering \$ 3,172
- Ridge Vent \$ 600
- Funding
- Encumber funds (FY13-14) \$ 93,000.00
- FY15-16 Budget \$ 100,846.00

Next Steps:

- Advance Item to Council meeting on August 24
- Approval of budget amendment for the encumber funds
- Approval of contract with Pioneer Pole Building

Council Discussion:

To answer Council's questions, Mr. Waltz stated that it was a building on a concrete base completed by the Town. He noted that it would hopefully be occupied by spring and they could relocate completely out by June 30, 2016. Councilman Tewalt stated that the Town would then have another building to place on the market for sale.

Mayor Darr noted that this item should go on the regular agenda for formal vote, rather than consent.

4. Power of Partnership Alliance (POPA) Request to Release Funds – Town Manager

Summary: At the January 22, 2013 Council Work Session, Ken Thurman of Power of Partnership Alliance (POPA) requested that Council consider matching funds to apply for a Virginia Tourism Corporation (VTC) Marketing Leverage Program Grant. At the January 28, 2013 Regular Council Meeting approved a budget transfer in the amount of \$3,800 from the Community Development Position (1101-3002 to 1205-3018 Tourism Promotion) contingent upon authorization by Tourism. Mr. Thurman is requesting that Council release the \$3,800 previously allocated for POPA.

Letter from POPA:

Power Of Partnerships Alliance (POPA)

The Power of Partnerships Alliance is requesting release of the funds previously allocated for POPA in support of our mission to promote the tourism and hospitality industry in Front Royal. We have collected over \$10,000 to date in fees, grants, and donations and are continuing to pursue additional matching funds.

We have made great strides in promoting the town and the county with the first ever "Irish Spring Fest" held last March attended by well over 1,000 people, our fan chart which has been seen by over one million people and growing, and most recently the placement of event rack cards in support of area festivals as they occur (Irish Spring Festival, Wine & Craft Festival, Virginia Air Show, Festival of Leaves, and the Christmas Market) at the state visitors centers (Manassas and Clear Brook). The funds provided by the Town of Front Royal and Warren County combined with our collections and donations to date will allow us to continue and complete the work we have previously outlined (web applications, mobile applications, YouTube videos, area itineraries, events, and other promotional materials). Plus help us in staging the second annual Irish Spring Festival in March 2016. We would like to thank the Town Council in advance for their support of our all-volunteer organization.

Ken Thurman

Council Discussion:

Mr. Burke noted that it would have to be pulled from Fund Reserve. Councilman Tewalt asked what the funding would be used for. Mr. Thurman noted that the funds would be used for the next Irish Spring Festival, rack cards in State visitor's center, videos to promote the local area, the fan chart, and their work with Chamber and FRIBA. Mr. Thurman stated that they have located a very worthwhile videographer and they will also be using a mobile app. He noted that they were also putting together itineraries that will assist with visitors planning their day. Councilman Tewalt noted that if they were enhancing the tourism in Front Royal he was for the project.

Council voiced support of placing the matter on the consent agenda.

5. Discussion of Mary Shady Lane Railroad Crossing – Town Manager

Summary: The Town has received a request from Eva Challis to assist with the reclassification of Mary's Shady Lane as a public road so that a request can be made to Norfolk & Southern Corporation to change the crossing classification from private to public. While the crossing and a portion of the road are located within the Town limits, the road is currently a private road, not maintained by the Town. The road does not meet the Town's standards to be accepted into our maintenance

inventory. In addition, no Town residents are served by the road. Council is requested to consider the situation concerning Mary's Shady Lane.

Staff Evaluation: The road does not meet current standards to be accepted into the Town's inventory. Should the road be upgraded by the residents served by Mary's Shady Lane, the Town could consider accepting into our inventory. The cost to install the required cross arms for a public crossing would also be borne by the residents as this crossing would not serve any Town citizens. The road and crossing are planned to be vacated when development of the Vazanna property occurs. The Town will share any information about future rail maintenance efforts through public notices as we are advised by Norfolk & Southern.

Staff Recommendations: Staff recommend that the affected property owners consider upgrading the portion of the road in the Town limits to be considered for acceptance by the Town into our maintenance inventory. The residents should contact Warren County to determine if any grants are available to assist in upgrading the road and rail crossing.

Council Discussion:

Ms. Challis noted that it was a pre-bid public road. Councilman Tewalt stated that there must be a 50 foot dedicated right of way. Ms. Challis read from notes from former Town Attorney Mitchell, noting that Happy Creek Industrial Park is served by Mary's Shady Lane. Councilman Hrbek asked about an easement in the area. Ms. Challis noted that there were various easement in the area; Staff noted that it was not a Town maintained road. Ms. Challis stated that should the Town deny it as a public railroad crossing, then she would be going to Congressman Goodlatte.

Mr. Burke reiterated that it was not a Town road, and there is not a Town railroad crossing obviously. He added that the railroad owns the crossing and all related railroad equipment and the Town does not own the land. Mr. Burke stated that cross arms alone are about \$250,000. Vice Mayor Tharpe asked what the Town could do to assist. Mr. Burke noted that the Town had some relationship with Norfolk and Southern and could attempt to influence N/S regarding the crossing, though prior efforts had been futile.

Mr. Burke stated that residents would like some idea of when work is being scheduled, but even when it is scheduled and notice is given, N/S did not follow through with their timeframes, which caused great distress. Town Attorney Napier agreed with Mr. Burke, adding that the law is intentionally vague, which protects the railroad.

Mayor Darr and Council agreed that all that is possible needed to be done to ensure residents are notified prior to work and road closures. Councilman Tewalt asked the Town could write a proclamation in support of the matter. Mayor Darr noted that perhaps a resolution would be practical to state the Town's intent to assist with proper residential notification, though the effort may fall on deaf ears.

6. "Roadmap for Success" of Aytex Site – Councilman Connolly

Councilman Connolly noted that it would be in the Town's best interest to put together timeline for when we would provide the services to the EDA in order to make the Town's intent clear to dispel any unsurety that may be stalling development. He expressed hope that it would be proactive

towards finalizing the area and added that providing water to the site, and the size of pipe for sewer lines and traffic studies would be his hope.

Mayor Darr noted that it was important and the EDA and Mrs. McDonald could provide information that could benefit with moving matters forward. Councilman Funk voiced his support of Mr. Connolly's plan.

To answer Mr. Tewalt's question, Mrs. McDonald noted that the entire parcel has been fully rezoned. Mr. Burke stated that traffic impact studies would be completed. Mayor Darr stated that a formal letter could be sent to the EDA Board regarding Mr. Connolly's idea and plan.

7. Discussion of Small Business Development Center (SBDC) Contract – Mayor Darr

Mayor Darr noted that matters related to the disconnect of SBDC were reviewed at their meeting Friday. He stated that the SBDC would be providing a detailed list of programs, and an agenda would be sent monthly. Mayor Darr stated that SBDC would be present for business owners in the Town's Administrative Building and they would nurture the incoming Community Development individuals. Mayor Darr expressed his support of the upcoming renewal of their contract.

Mr. Burke stated that there was a scope of services which could be selected by FRIBA and the Chamber. Mayor Darr noted that they did take ownership of the issues that had taken place and it seems as though this next year could be positive. Councilman Funk noted that perhaps it should go on the regular agenda.

8. Council Discussion/Goals

Mayor Darr noted that he met with the FRIBA and Chamber representatives and Craig Laird stated that they had developed a Community Development Director job description and letter signed by the EDA, FRIBA, the Chamber of Commerce, County Planning Director, and the Mayor's Economic Committee and he asked Council to move forward with the matter.

Niki Findley Foster noted that she and Mr. Burke had discussed the Virginia Main Street Program and the Town needed to make certain that the application was complete. She added that they needed ongoing community development within Front Royal for outreach into Town. Mrs. Foster stated that they had also discussed salary range.

Mayor Darr asked Council to review the documents and send any questions to either Mr. Burke or directly to him, the Mayor. He noted that before the winter season, the Town needed to move forward with the matter in his opinion. Mayor Darr explained that at the next worksession they needed to discuss this position and charge forward, as the position was vital and good for the Town and the community. He noted that having everyone on the same page and everyone working together was exciting and the Council needed to support their work.

Mayor Darr thanked everyone for their work and he voiced his enthusiasm for the economic growth to come for the community. Council thanked all parties involved for their efforts.

9. Closed Meeting – 1) Acquisition of Real Property, Investment of Public Funds and 2) Consultation with Legal Counsel; Award of Public Contract; Investment of Public Funds

Motion to Go Into Closed Meeting

*Councilman Connolly moved, seconded by Councilman Funk that Council convene and go into Closed Meeting for the following purposes 1) the discussion or consideration of the acquisition of real property, real property for a public water source, 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; and, 2) the discussion or consideration of the investment of public funds, consideration of purchase of real property for a public water source, 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; **AND**, for the following purposes related to a proposal by Congressman Bob Goodlatte and the Economic Development Authority concerning the development of IT Federal in the former Avtex site: 1) 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; 2) 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; and, 3) 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.*

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

No – N/A

Abstain – N/A

Absent – Egger

(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 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: Yes – Connolly, Darr, Funk, Hrbek, Tewalt and Tharpe

No – N/A

Abstain – N/A

Absent – Egger

(By Roll Call)

Present: Mayor Darr, Vice Mayor Tharpe, Councilman Connolly, Councilman Tewalt, Councilman Funk, Councilman Hrbek, Finance Director Breeden, Town Attorney Napier, Clerk of Council Berry, Chief of Police Shiflett, Energy Service Director Waltz, members of the media and members of the public.

Absent: Councilman Egger