



TOWN COUNCIL WORK SESSION

May 16, 2016 @ 7:00pm
Front Royal Administration Building

1. Sewer Connection Fee Payment Plan at 1435 John Marshall Hwy – Figgins - *Town Manager*

Summary: The Town has received a request from the property owner of 1435 John Marshall Highway to connect to the Town's sanitary sewer system due to a failure of their septic system. Due to the location within an area annexed by the Town, the connection fees are based upon those established as of May 20, 1991 which are \$2,800. The property owner requests the Town consider a monthly payment plan be established for the connection fees due his fixed income.

Council is requested to consider the request from the property owner of 1435 John Marshall Highway to establish a monthly payment plan.

Staff Evaluation: The property dedicated an easement for the Town to install the sanitary sewer in 1988. Staff can support the request for a 24 month payment plan for \$116.67 per month.

Staff Recommendations: Staff recommends that Town Council consider approving a payment plan for the sanitary sewer connection fees for 1435 John Marshall Highway.

Town Manager Recommendation: The Town Manager recommends that Town Council consider approving a payment plan for the sanitary sewer connection fees for 1435 John Marshall Highway.

Council Discussion:

Council chose to allow the Town Manager to set the payment plan with Mr. Figgins. Vice Mayor Tharpe noted that perhaps a 2-3 or 4 year plan may suit Mr. Figgins best. Mayor Darr noted that would be between Staff and Mr. Figgins and this would go on the consent agenda.

2. At-Risk Structures Update – *Director of Planning/Zoning*

Summary: The purpose of this agenda item is to provide an update to Town Council on structures in the Town that are at-risk of being public nuisances. Each year Town Staff creates a list of structures that are considered "at-risk". This year there are fifteen (15) structures listed. This includes one structure that was recently approved for demolition and another that is under renovation. Most of the structures are secure and do not qualify as a public nuisances, but are vacant and blighted, and are therefore being monitored. Five (5) structures from the updated 2016 list were referred to the Warren County Building Official on April 27th for an inspection and evaluation. Attached is a copy of the updated 2016 At-Risk Structure List. Pictures are also included for reference.

Staff Evaluation: Any structure determined to be a hazard to the public's safety by the building official should be pursued for enforcement actions based on the Town Code laws pertaining to public nuisances and dangerous structures.

2016 AT-RISK STRUCTURES

ADDRESS	STATUS						
	Vacant	Blighted	Unsecure	Possible Public Nuisance	Action	Demolished	Renovated
1 Depot Ave.	Yes	Yes	Yes, Door Broken	Yes	High Grass May 1 st . Inspections of Collapsed Garage & door. Trash & Debris.	--	--
514 S. Royal Ave.	Yes	Yes	No	No	monitor	--	--
202 E. 6 th St.	Yes	Yes	No	No	monitor	--	--
2 E. Main St. (Afton Inn)	Yes	Yes	No	No	EDA in process of selling and grant seeking.	--	--
102 Prospect St.	Yes	Yes	No	No	Monitor – renovation underway.	--	In Process
305 W. 9 th Street	Yes	Yes	No	No	High Grass May 1 st .	--	--
339/341 Osage Street	Yes	Yes	No	Yes	Inspections of collapsed roof and holes. Fire damage.	--	--
1847 N Royal Ave (VFW)	Yes	Yes	Yes, Partially	Yes	Inspections of partially secure structure & debris. Fire damage.	Demo permit approved	--
1858 N Royal Ave	Yes	Yes	Yes, Partially	Yes	Inspection of partially secure structure & debris. Fire damage.	--	--
528 S. Royal Ave	Yes	Yes	No	No	monitor	--	--
319 Pine Street*	Yes	Yes	No	No	High Grass May 1 st .	--	--
355 Osage Street	Yes	Yes	NO	No	High Grass May 1 st .	--	--
349 Osage Street	Yes	Yes	No	No	monitor	--	--
346 Pine Street*	Yes	Yes	No	No	High Grass May 1 st .	--	--
734 Parkview Drive*	Yes	Yes	No	Yes	High Grass May 1 st . Partially constructed porch.	--	--

* = New Additions to list

Council Discussion:

Council and Mr. Camp spoke about the difficulties the Town had faced in going to our Delegates to change the laws to allow the Town to have more control over the properties upkeep. Mr. Camp noted that they hope to hear back soon on the reports regarding properties marked as a public nuisance. He stated that an unsecure structure, for example, can be declared a public nuisance. To answer Council questions, Mr. Camp stated that based on the current laws the buildings can remain in a deteriorating state for some time.

Councilman Meza asked about the run-down buildings in the City of Winchester and how they take over possession of such buildings. Mr. Camp and Council explained how Towns do not have similar powers as a Town. Mr. Camp stated that a property maintenance code would also assist with such buildings. He added that the Planning Commission had been working diligently on the property maintenance issues. This was an informative matter and no action was taken at this time.

3. Pole Inspection, Treatment, Restoration Service Program – *Director of Energy Services*

Summary: Staff has been working over the past year to establish a pole inspection, treatment and restoration services program. The main purpose of the program is to reveal danger poles and poles which are in early stages of decay so that corrective action can be taken to prolong the service life of the pole. The program will be structured as a four year cycle with approximately 800 poles inspected, treated or

restored on a yearly basis with a re-inspection cycle of 8 years thereafter to maintain reliability and cost.

Staff Evaluation: Staff developed specifications and issued an RFP in November of 2015 to firms/contractors to perform the pole inspection services. The Town of Front Royal received 4 responses which staff evaluated on company qualifications, inspection procedures, data reporting and cost. Staff then selected the two top firms and interviewed further on capabilities and providing the services the Town was requesting.

The greatest economic benefit from regular inspection is in locating the decaying poles and treating to extend pole life, thereby saving the cost of emergency replacement. With the costs of replacing poles rising, the economics of extending the service life of poles are more favorable.

Budget/Funding: Currently funded in FY15-16 budget - expense line 9401- 3003 & proposed in FY16-17 budget.

Staff Recommendations: Staff recommends award of contract with Lee Inspection & Consulting Services to perform the yearly pole inspection, treatment and restoration services for the Town of Front Royal.

Pole Inspection, Treatment & Restoration Services Program

PURPOSE: To reveal danger poles and poles which are in the early stage of decay so that corrective action can be taken to prolong the service life of the pole

- Safety – public, property and employee safety
- Reliability – continuous uninterrupted service
- Environmental – reduces number of trees to be harvested along with ground disturbance
- Financial – Cost effectiveness of maintenance versus pole replacement

- . Town owns 2,800 poles
- . 4 year program
- . Inspect 700 poles a year
- . 8 year cycle

Poles less than 10 years

- Above ground visual inspection including pole sounding

Poles older than 10 years

- Above ground visual inspection including pole sounding
- Below-ground inspection and treatment if necessary

Above ground

- Damages from insects, woodpeckers, vehicles and etc.
- Visible signs of rot
- Equipment damage
- Sounding of pole

Below Ground

- Probe and drill to assess pole condition and strength
- Treatment if necessary

POLE INSPECTION SUMMARY:

RFP

- Staff issued an RFP in November 2015
- Received 4 responses from qualified firms
- Evaluated bids and interviewed the top two firms
- Staff recommends contract with Lee Inspection & Consulting Services

Funding

- Currently budgeted in FY15-16 and in the proposed FY16-17 year (\$24,500 year)

Next Step

- Council approval of contract with Lee Inspection & Consulting Services to provide such services

Council Discussion:

Councilman Tewalt asked about the pole inspections recently in his area. Mr. Waltz stated that was the telephone pole inspections through Century Link, and he added that 2001 was the last Town electric pole inspections.

Councilman Meza asked about the faulty poles; Mr. Waltz noted that the poles would be replaced by Town Staff. Mr. Meza also asked about why the Town lineman would not do the inspections. Mr. Waltz noted that looking at the number of poles versus the cost per pole, he was unsure if it was cost beneficial to have Town lineman do the work. He added that they would also need to be fully trained before doing said inspections as well.

Mayor Darr noted that the contract approval could go onto the consent agenda.

4. Main Street Lighting Program Update – Town Manager

Summary: The Town has evaluated the locations that have indicated their intent to participate in the Main Street Lighting Program with our structural engineer. Staff will have his evaluation and project mapping available for Council's review at the Work Session.

Council Discussion:

Councilman Hrbek asked about the mast arm height. Mr. Burke noted that he would check. Councilman Egger asked about the light poles on Commerce Avenue. Mr. Waltz and Mr. Burke stated that the Commerce Avenue poles were not high enough, nor would they hold the extra weight.

Councilman Tewalt noted that he would like the project on hold until a further letter from Mr. Hotek on the matter. Mayor Darr noted that the overall solution would be to replace the lights of Main Street and place a pole for the lights above.

5. Replace Cameras at the Gazebo – *Councilman Tewalt*

Councilman Egger requested that the Town hold a public hearing on the cameras at the Gazebo. Mr. Tewalt noted that every Monday night for weeks people have spoken and the Town has received a petition with over 100 signatures. He stated that Council has discussed the matter repeatedly for months and other than Ms. Egger the comments have been in favor of placing the cameras back at the Gazebo.

Councilman Connolly asked about the reconsideration of an issue that has been previously voted on this year. Mr. Napier noted that the issue was whether to remove the cameras, and placing cameras back at the Gazebo is a new issue.

Councilman Egger noted that it was on the agenda and it was discussed repeatedly and if a public hearing was held more people would come forward to speak their opinion.

Councilman Connolly we are in habit of holding hearings without actually taking action. Mayor Darr noted that the matter has gone on for an extended amount of time. Councilman Tewalt stated that he did not wish to see the matter of the losing member of an issue bringing it forward within a year. Councilman Meza stated that if it clarified matters he would be pleased to bring it forward. Councilman Tewalt stated that he did not wish to spend hours at any meeting. Ms. Egger added that Council should hear everyone out on the issue.

6. Continued Discussion on FY16-17 Budget

Mayor Darr noted that a member of Council will be out and he asked for the vote to be postponed by one meeting. Council agreed to that change.

Councilman Tewalt stated that many items can be cut from the budget. He noted that he presented a list of over a million dollars and he encouraged Council support for that list. Mr. Tewalt noted that he would like \$1 bonus for employees for one year, but not have the amount as a sustainable increase.

Councilman Meza asked about the consensus for employee COLA. Councilman Egger voiced support of the \$1 bonus rather than making it \$1 COLA at this time, as suggested by Mr. Tewalt. Mayor Darr noted that all matters will be amended line by line as shown.

Councilman Egger noted that DES requested equipment for \$1,500 per week to rent the mini-excavator. She asked the amount of times it was used. Mr. Hannigan stated that it was used a few dozen times in two years. Staff clarified that it was \$110,000 to purchase the equipment and would use the equipment almost daily if the mini-excavator was owned by the Town.

Councilman Egger asked about the reduction of overtime listed in the Police Department. Mr. Burke explained the adjustment. In response to Council questions, Mr. Burke noted that most overtime it went towards holiday pay. Ms. Egger asked for a separate line item for holiday overtime pay. Mr. Meza asked about the expectation of percentage of overtime. Mr. Burke stated that they have minimum requirements for the officers to remain trained at certain levels. He noted that there should not be a reduction in the training level, and the training level will not reduce. Mr. Meza noted that they definitely needed the training, though he questioned whether the officers were being over worked with 60 hour weeks and whether that was something that needed to continue that way.

Councilman Hrbek asked if full-time is defined at 2,000 hours per year, than he questioned if they needed another person and he suggested if another person is necessary in the Police Department. Staff, the Police Officers, and Council discussed incident response, the numbers of officers necessary for the Department.

Councilman Connolly noted that Council has crossed the line with the level of detail they have requested of Police Department. He noted that the Council should not be micromanaging the Police Department, though at the same time he shares Council's concern with the large amount of overtime.

Councilman Meza noted that he was large supporter of the Police Department and they were digging into every division during the budget cycle, for example they just spoke of the mini-excavator in DES. Councilman Connolly noted that the number of officers on a call is not a question that Council should ask and such a question is inappropriate. Councilman Egger noted her reasons for comparing the data for Front Royal versus other localities in order to make an informed decision.

Mayor Darr explained that data that has been requested that has not been requested in the past, and that meant that Council was doing their job. He noted that statistical data was important and necessary for Council to make budgetary decisions. Councilman Egger noted that the increase was 11% and she needed back-up data to vote on the request.

Councilman Egger asked for an explanation regarding case load in the investigation division. Captain Ryman noted that the cases that are ongoing that have been turned over to the courts are not listed on the data given to Council. Councilman Egger asked that next year's data include the full data.

Council chose to instruct Staff to evaluate the Town's health insurance program to identify opportunities to reduce costs and to add this to an upcoming agenda as soon as possible, separate from the budget discussion.

7. Council Discussion/Goals

Councilman Tewalt asked about the refuse report, the delinquent taxes report and the update on the new Police Headquarters.

8. Closed Meeting – Disposition of Real Property; Performance; Consultation with Legal Counsel

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: 1) Discussion or consideration of the disposition of publicly held real property, specifically, a portion of a Town Right-of-Way (18' Alley) near 501 S. Royal Avenue, pursuant to Virginia Code Section 2.2-3711. A.3., where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; 2) The performance 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 3) Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, regarding matters (1) and (2) above, pursuant to Section 2.2-3711. A. 7. of the Code of Virginia.

Vote: Yes – Connolly, Egger, Hrbek, Meza, 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 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 Act 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, Egger, Hrbek, Meza, 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 Meza, Councilman Hrbek, Councilman Tewalt, Interim Finance Director Wilson, Town Attorney Napier, Clerk of Council Berry, Chief of Police Shiflett, IT Director Jones, Planning & Zoning Director Camp, Energy Service Director Waltz, Environmental Services Director Hannigan, Captain Ryman, Zoning Officer Brock, members of the media and members of the public.