



TOWN COUNCIL WORK SESSION

TUESDAY, February 16, 2016 @ 7:00pm

Front Royal Administration Building

1. Update on New Police Headquarters – Moseley Architects

Summary: Moseley Architects has been working with the Police Department to identify the space needs for the new Police Headquarters based upon projected staffing requirements. Moseley will present their findings based upon the 2015, 2030, and 2040 requirements with costs associated with the building requirements for each horizon.

Council is requested to receive input on the associated building cost estimates and provide feedback to identify the appropriate design for Moseley to complete.

Staff Evaluation: Our Police Department has worked with Moseley Architects to identify the anticipated staffing associated with the Police Headquarters.

Budget/Funding: The Finance Director will be available to address fiscal issues.

Legal Evaluation: The Town Attorney will be available to address legal issues.

Staff Recommendations: Staff recommend Council consider the options for construction of the Police Headquarters.

Council Discussion:

Moseley representatives noted that they were here to answer any questions from Council and Stadd and review options and take a note at the project schedule.

PROJECT ESTIMATED CONSTRUCTION COST

	POLICE STATION CONSTRUCTION COST	SUPPORT BUILDING CONSTRUCTION COST	SITEWORK	TOTAL CONSTRUCTION COST	TOTAL PROJECT COST (2016 CONSTRUCTION ONLY)	TOTAL PROJECT COST (2040 BUILD OUT)
OPTION 1 (CURRENT NEED)	\$2,651,210	\$1,015,365	\$750,000	\$4,416,575	\$6,019,075	\$9,263,096
OPTION 2 (2030/2040 NEED)	\$3,484,730	\$1,076,790	\$750,000	\$5,311,520	\$7,336,020	\$8,152,991
OPTION 3 (2040 NEED)	\$3,484,730	\$1,310,400	\$875,000	\$5,670,130	\$7,784,630	\$7,784,630

Summary of Options

_ Option 1

Build current need for Police Station and for the Support Building.

_ Option 2

Build 2040 need for the Police Station and the 2030 Need for the Support Building.

Option 3

Build 2040 need for the Police Station and for the Support Building.

PROJECT SCHEDULE

Activity Duration (calendar days shown, then the Completion Date)

Programming/Conceptual/Schematic Design

- Confirm program Monday, January 25, 2016
- Complete Conceptual Design 46 Friday, March 11, 2016
- Schematic Design to 50% 14 Friday, March 25, 2016
- Schematic Design to 100% complete 14 Friday, April 08, 2016
- Review/Schematic Design Approval 7 Friday, April 15, 2016

Design Development

- Design Development to 50% complete 21 Friday, May 06, 2016
- Meeting with County staff to review 50% DD documents 0 Friday, May 06, 2016
- Design Development to 75% complete 14 Friday, May 20, 2016
- Meeting with County Building Official 0 Friday, May 20, 2016
- Design Development to 100% complete 14 Friday, June 03, 2016
- Review/Design Development Approval 7 Friday, June 10, 2016

Construction Documents

- Construction Documents to 50% complete 21 Friday, July 01, 2016
- Construction Documents to 75% complete 14 Friday, July 15, 2016
- Quality Control Review printing/100% Construction Docs 14 Fri, July 29, 2016
- Complete QC Review/incorporate review comments 14 Friday, August 12, 2016
- Submit Owner Review Set/Building Permit Review Set 0 Fri, Aug 12, 2016

County Review

- Building permit review 14 Friday, August 26, 2016
- Incorporate comments & complete construction docs 7 Friday, Sept 02, 2016
- Resubmit drawings with comment responses 7 Friday, Sept 09, 2016
- Submit construction documents to County reps 0 Friday, Sept 09, 2016

Bidding

- Advertise for bids 9 Sunday, September 18, 2016
- Receive bids 31 Wednesday, October 19, 2016
- Negotiations and Construction Administration
- Award construction contract and initiate construction 30 Fri, Nov 18, 2016
- Substantially complete construction 364 Friday, Nov 17, 2017
- Complete furniture installation & move-in 31 Mon, Dec 18, 2017

Council Discussion:

Council discussed the building roof options, the type of building structure, etc. Councilman Hrbek noted that Council should plan for the long range future and build for the 2040 buildout needs. Mayor Darr asked if this is the first new Town Police Department. Councilman Tewalt noted that it was the first structure ever created specifically designed for their use, yes.

Councilman Egger asked about the square footage that the Police Department currently reside in. Mosely noted that it was between 7,000-8,000 square feet. Council also spoke about whether the structure should be one or two floors and whether the proposed addition would be completed eventually. Mosely noted that the empty space would be dispersed throughout the building so it would not be just a cavernous amount of offices just being heated and cooled unnecessarily.

Councilman Tewalt asked about the difference in cost between designs as presented. Mayor Darr and Councilman Egger voiced support of obtaining more information before proceeding. Mayor Darr noted that the proclamation would be for the 2040 plan and Staff will provide information regarding the annual debt service financials at a later time.

2. Draft Code Amendment – Floodplain Zoning Updates – *Director of Planning*

Summary: The Virginia Department of Conservation & Recreation (DCR) periodically performs compliance reviews of local floodplain regulations. The attached draft amendment to the Town Code reflects changes requested by DCR. Specifically, the changes were submitted by Charles Kline, the Floodplain Coordinator with DCR using the FEMA Region III Ordinance Review Checklist. Although the number of proposed changes are substantial, they do not appear to make any substantial changes to the current regulations. Rather, the proposed changes include such things as the addition of definitions, and the addition of language to help clarify existing regulations and administrative rules. The attached draft amendment was recommended for adoption by the Planning Commission at their last meeting of 2015 and a public hearing was held with no public comments. DCR initially requested that the Town change the minimum distance that a structure must be elevated above the base flood elevation level from 12” to 18”. DCR later confirmed that this was only a recommendation because localities may choose to be more stringent than the minimum FEMA Floodplain regulations. The Planning Commission preferred that the regulations remain at the minimum level (12”) but did include language that recommends to citizens that they elevate structures higher if possible to reduce insurance premiums.

This agenda item is scheduled for a work session review on 02/16/16.

Staff Evaluation: Planning & Zoning Staff will be available at the work session to discuss the draft with Town Council. If Town Council supports the changes, it would be appropriate to schedule the draft for a public hearing followed by a 2nd Reading.

Council Discussion:

Mr. Camp noted that Planning Commission noted that generally most are just housekeeping issues and has no major impact. Councilman Hrbek asked about area flood insurance. Mr. Camp noted that they may not have lower flood insurance, though now it has more of a sliding scale, and the insurance risk is greatly considered. Councilman Tewalt stated that the flood plain had always been an issue and it had always been on ongoing fight. He also asked about the VFW structure. Mr. Camp stated that they can rebuild it though they must abide by the building code.

Mayor Darr noted that it would move forward for a first reading.

3. Draft Code Amendment – Recommended I-2 District Changes – *Director of Planning*

Summary: The proposed Draft Amendment to the Town Code, proposes that *Business Offices, Professional Offices, Technology Businesses, and Schools* be allowed by-right in the I-2 District. These changes would apply to the Happy Creek Industrial Park, the land around the Old Virginia Industrial Park, and the narrow strip of land on Kendrick Lane across from the EDA Offices. The Planning Commission recommended adoption of these changes during their meeting held on January 20, 2016. No citizens spoke at the public hearing.

This agenda item is scheduled for a work session review on 02/16/16. Staff Evaluation: Planning & Zoning Staff will be available at the work session to discuss the draft with Town Council. If Town Council supports the changes, it would be appropriate to schedule the draft for a public hearing followed by a 2nd Reading. Budget/Funding: N/A

Council Discussion:

Mr. Camp stated that it would allow certain uses by-right rather than special use permits on the properties as shown. He noted that the Planning Commission feels that those certain uses should allow those uses without a special permit use. Mr. Camp answered Mr. Tewalt's question about offices in industrial areas, with most members of Council agreeing with the Planning Commission's recommendation. Councilman Tewalt noted that he would like to control what uses are allowed on site in the industrial parts. Councilman Hrbek asked if a food establishment can go in these areas. Mr. Camp noted that a café within an office building could be permitted, though a stand-alone restaurant could not be in place there.

Councilman Tewalt reiterated his point about controlling via special use permit. Councilman Egger noted that limiting to just industrial would have very few businesses on site in the industrial parks.

Mayor Darr noted that it would move onto public hearing.

4. Write Off for Bad Debt – *Director of Finance*

Summary: The Department of Finance presented a policy in October 2012 for adoption that will accommodate the request of the Towns' auditors to remove outstanding accounts to reduce the accounts receivable on the Towns' balance sheet. This is an annual process that formally removes this total from the Towns' ledgers.

Staff Evaluation: The Finance department has compiled the attached report that provides detailed information to remove bad debt 7 years or older. The total dollar value is \$225,318.29 [to be removed from enterprise and general fund] liability accounts. This value includes 6 miscellaneous billings and 419 utility accounts. All recourses of trying to collect these amounts has been completed.

Budget/Funding: No funding is needed, a journal entry will affect balance sheet only.

Council Discussion:

At Mayor Darr's request, Mrs. Breeden gave the history of the program in order to update the new Councilmembers to update them on the formal policy on how the process works. Councilman Meza asked about Mrs. Breeden thanked Sharon Pendleton for her dedication and expertise to the Finance Office. She noted the cross reference options that the Staff goes through in order to double check all aspects of account checking.

Mayor Darr noted that it would go to the regular agenda, rather than consent.

5. Discussion of Report of UFAC Evaluation and Response to Code Violation of Damaging Tree Topping on Public Property at 34 W. 12th Street – *Town Attorney*

Summary: On December 8, 2015, the Town of Front Royal's Horticulturalist, Anne Rose, called David B. Means, professional Consulting Arborist with the Town's Urban Forestry Advisory Committee, to evaluate severe tree topping of Norway Maple trees located on the Town's public right of way at 34 12th Street. The Town had received a Work Order from the resident who had topped the trees and requested the Town remove the pile of cut branches staged on the public right of way along Virginia Avenue at the West edge of his property. Mr. Mean's evaluation of the topped trees indicated that, in his professional opinion, the trees were so improperly cut, and so severely damaged, that the trees represent a future hazard and must be removed. It appears that the topping and damage to the trees, which are Town owned public property, are a violation of Town Code Section 156-4. A copy of the full report of the "Urban Forestry Advisory Committee's Evaluation and Response to Code Violation to Code Violation Chapter 156-Urban Forestry, Section 156-4, Planting, Maintenance, and Protection of Trees on Public Property", prepared by Mr. Means for the Town, dated 1/13/2016, is attached, including a copy of Town Code Section 156-5. Also attached is a copy of an aerial mapping of 34 West 12th, the site in question. A letter, attached, was sent by the Town Attorney to the resident at 34 West 12 Street, copying the resident of all this information and informing the resident that this matter will be on the Town Council's Work Session Agenda, for discussion by Town Council.

Council is requested to consider the above report and consider what action, if any, it wishes to pursue, including following any of the recommendations contained in the report of the Urban Forestry Advisory Committee and/or any legal remedies, if appropriate.

Staff Evaluation: Staff requests that Council consider the recommendations of the Urban Forestry Advisory Committee and whether or not any legal remedies ought to be considered.

Budget/Funding: Council is requested to direct staff to determine the cost of removal of the pruned branches, removal of the four damaged trees, grinding the stumps and removal of the grindings, restore the stump holes with topsoil and grass cover, and when the time is appropriate, plant new trees. Council is also requested to bring this matter back before Council when staff has done so.

Legal Evaluation: The Town Attorney concurs with all of the above

TOWN ATTORNEY LETTER TO:

Harry D. Deavers, Jr.
34 W. 12th Street
Front Royal, VA 22630

February 10, 2016

Re: Town Council Consideration of Tree Topping on Public Right of Way
Town Council Work Session on February 16, 2016, beginning at 7 P.M.
Town Council Chambers, Second Floor, Town Administration Building

Dear Mr. Deavers,

Town Council will consider the matter of your causing the topping of four Town-owned

Norway Maple trees on the Town's public right of way at 34 West 12 Street, near its intersection with Virginia Avenue. The trees were topped improperly and so severely, and so permanently damaged, that in the opinion of the Town's professional consultant, David B. Means, with the Town-appointed Urban Forestry Advisory Committee, that they should be removed at public expense, and consideration given to restoration of the area including replanting of new trees, again at public expense. A copy of the full report of the "Urban Forestry Advisory Committee's Evaluation and Response to Code Violation to Code Violation Chapter 156-Urban Forestry, Section 156-4, Planting, Maintenance, and Protection of Trees on Public Property", prepared by Mr. Means for the Town, dated 1/13/2016, is attached, including a copy of Town Code Section 156-5. Also attached is a copy of an aerial mapping of 34 West 12\ the site in question. Also included in the report is a copy of Town Code Section 156-4, found on page 18 of the report. I direct your attention in particular to paragraphs B.4. and C. of that Town Code Section.

Town Council will discuss this matter at its Work session on February 16, 2016, at the above stated location and time. You are invited to appear to hear Town Council's discussion. Typically, Town Council's Work Sessions are a time for discussion between Members of Town Council and Town staff and consultants. It is entirely up to Town Council whether or not Town Council will invite participation from the public, including you, on any matter. However, because of the possibility of future action by Town Council on this matter, you are invited to attend.

Council Discussion:

Mr. Means noted that this individual tree topper has done this type of topping before, at least four times.

Councilman Tewalt noted that Mr. Deavers has planted these trees, and has trimmed them prior. Councilman Tewalt stated that the property owner should be contacted personally, rather than receive a letter from an attorney. Mr. Tewalt stated that the trees should be allowed to grow out again and see what happens from this point forward.

Mayor Darr stated that the lack of communication is on the part of the Town, not the part of UFAC. Councilman Egger asked if the trees were going to be replaced, what time would be the best to do so. Mr. Means noted that before April when it becomes too warm.

6. Continued Discussion of FY16-17 Town Tax Rate – Town Manager

Summary: The Town Property Tax Rates are currently as follows:

Real Estate Property Tax \$0.13 per \$100 Assessed Value
 Personal Property Tax \$0.64 per \$100 Assessed Value
 Machinery & Tools Tax \$0.64 per \$100 Assessed Value
 Emergency Services Property Tax \$0.32 per \$100 Assessed Value
 Mobile Home Property Tax \$0.13 per \$100 Assessed Value
 Leach Run Parkway Dedicated Funding - \$ 0.0167 of RE Tax (\$187,500)
 Police Department Headquarter - \$ 0.0167 of RE Tax (\$187,500)
 Main Street Extension - \$ 0.0067 of RE Tax (\$75,000)

Council is requested to continue discussion so that the FY16-17 tax rates can be advertised.
Staff Evaluation: The following Major CIP General Fund projects with estimated construction costs and annual debt service are provided for consideration:

Project	Estimate (Town Share)	Est Annual Debt Service	Est Date of Debt
Police Headquarters	\$5,550,000	\$500,000	2018
Leach Run Parkway	\$17,000,000	\$400,000	2016

	(\$3,400,000)		
Happy Creek Road	\$4,000,000	\$225,000	2018
Phase II	(\$2,683,406)		
Sidewalk/Trail Program	\$750,000	\$100,000	2016
Main Street Extension	\$1,750,000	n/a	2016
	(\$250,000)		

Town Manager Recommendation: The Town Manager recommends advertisement of FY16-17 tax rates at the current levels. Council can authorized advertisement at an increased level, and reduce the rate following the Public Hearing.

Council Discussion:

Mayor Darr asked if Council should advertise at a higher amount and then lower the rate at the meeting, should they choose to, in order to maintain their flexibility. Councilman Hrbek asked about Leach's Run, Police Department and Main Street, and asked if those items "sunset" – noting that those items debt would end, that tax amount would reduce. Mr. Hrbek stated that they could raise the tax rate for the Police Department and then have it end when that debt would

Councilman Tewalt suggested raising the rate by one penny for the Police Department, rather than five pennies at one time. Councilman Hrbek asked about placing more of an explanation in the advertisement for the taxes. Mayor Darr voiced his agreement with Councilman Tewalt, as did Vice Mayor Tharpe. Council chose to advertise at 14 cents.

7. Battle of Front Royal Event – Town Manager

Summary: The Town is working with the Warren Heritage Society to conduct the first Battle of Front Royal day on Saturday, May 7th. The event will include encampments at the Warren County Courthouse by Confederate re-enactors and the Heritage Society by Union re-enactors. The reenactors will engage in the battle through Main Street and Chester Street. We estimate that approximately 100 re-enactors will participate in the event. In addition, the Heritage Society is planning to have additional participants in period dress that will describe the Civil War from perspective of women, slaves, and farmers. Staff is also coordinating with Randolph Macon Academy to have their cannon provide back ground realism.

Council is requested to discuss the event and consider providing funding that was not budgeted.

Staff Evaluation: Staff would propose to offer a \$20 token to be redeemed by Town restaurants so that the re-enactors can eat during the event. Staff estimates that \$2,500 should be sufficient for this recognition for their participation. Our current budget will provide for advertisement.

Staff Recommendations: Staff recommend Council consider providing funding to recognize the participants in the Battle of Front Royal event.

Town Manager Recommendation: The Town Manager recommends Council consider providing funding to recognize the participants in the Battle of Front Royal event.

Council Discussion:

Mr. Burke noted that the 23rd is the Wine & Craft is event and that is why that event date was not chosen. Mayor Darr asked about additional expenses. Mr. Burke noted that tourism would be coordinating with specific Civil War advertising, Councilman Tewalt asked for local advertising as much as possible. Mayor Darr noted that they would place the matter on the Consent Agenda.

8. Citizens Academy – *Town Manager*

Summary: The Town is developing a Citizens Academy to be conducted in early Summer that will offer 25 to 30 citizens an opportunity to learn about the services provided but the Town. The Academy would be two hours in duration and be conducted one evening each week for about six weeks. Each Department would participate and provide a summary of the services that they provide. In addition, we would seek input from the participants about their ideas on how we can further improve service delivery. If successful, staff anticipate the Academy being an annual event.

Council is requested to consider establishing a Citizens Academy for our residents. Council is also requested to determine if Council would like to participate in one evening's presentation.

Staff Evaluation: Staff anticipate expense for the event would be limited to \$500, which would be funded through the existing FY15-16 budget items.

Staff Recommendations: Staff recommend Council consider establishing a Citizens Academy for Town residents.

Council Residents:

Mayor Darr and Council chose to place it on the consent agenda.

9. Proclamation to support using local labor forces for construction projects – *Mayor Darr*

RESOLUTION SUPPORTING USE OF LOCAL LABOR ON MAJOR CONSTRUCTION PROJECTS

WHEREAS, the several large construction projects have been started or completed in and around the Town of Front Royal that include construction of the Dominion Power Plant, the RSW Regional Jail, the South Fork Bridge replacement, the Leach Run Parkway, and the new middle school; and,

WHEREAS, the Town anticipates several more large projects to begin in the near future including development of the Avtex property and developments around the Leach Run Parkway corridor; and,

WHEREAS, the Town Council desires to encourage the use of local workers such as electricians, pipe fitters, and heavy equipment operators on these jobs so that the majority of the benefit from these projects helps our local residents;

NOW, THEREFORE BE IT RESOLVED by the Mayor and Council of the Town of Front Royal, Virginia hereby requests that those responsible for construction of major projects in and around the

Town of Front Royal employ local workers whenever possible for construction of these local projects; and,

BE IT FURTHER RESOLVED that the Mayor and Council of the Town of Front Royal, Virginia hereby request that Town staff identify any and all opportunities to encourage and utilize local workers on Town funded projects available to the Town through the procurement regulations.

Adopted this 22nd day of February 2016

Council Discussion:

Mayor Darr noted that he would like a resolution to support and encourage incoming businesses and industries of the Town of Front Royal and Warren County. He asked if the EDA would also take a look at the resolution and get on board with the resolution as well. Mayor Darr suggested placing the matter on the EDA agenda.

Councilman Meza asked if the Town had something that would allow the company “bragging rights” so to speak when they used local workers. Mayor Darr noted that they needed to stick up for the local workers. Councilman Egger noted that some companies may ignore it, but others may take it more serious and she felt it was a good idea which she would support.

10. Council Retreat Overview

Council noted that the day went well and they were pleased with the outcome.

11. Council Discussion/Goals

Councilman Hrbek noted that Warrenton allows participation via telephone for Council meetings.

Councilman Tewalt asked about comfortableness of the trolley. Mr. Burke noted that they are getting a new trolley and it will have typical bus seats. Councilman Connolly noted that the trolley look kept that look of the iconic hometown look.

12. CLOSED MEETING – Community Development Director Discussion

Motion to Go Into Closed Meeting

Pursuant to Va. Code Section 2.2-3711. A.1. of the Freedom of Information Act, Councilman Connolly moved, seconded by Councilman Hrbek that Town Council go into closed meeting to discuss, consider, and interview prospective candidates for appointment to the position of Community Development Director of the Town of Front Royal.

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 Town 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, 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, Finance Director Breeden, Town Attorney Napier, Clerk of Council Berry, Chief of Police Shiflett, Planning & Zoning Director Camp, Financial Analyst Wilson, Police Captain Hite, members of the media and members of the public.