

TOWN COUNCIL WORK SESSION MINUTES

Monday, January 7, 2013 @ 7:00pm
Town Hall Conference Room

- 1. Discuss Water Conservation Efforts at R-MA (No Backup) – *Robert Helms of R-MA***
Mr. Helms noted that

2. Update of Several Code Enforcement Cases – *Director of Planning/Zoning*

Summary: Attached is a memorandum from the Department of Legal Services and the Department of Planning & Zoning regarding the status of several code enforcement cases that Town Council recently requested an update on.

The cases listed in the attached memo will be discussed with Town Council during the January 7, 2013 Town Council Meeting.

Staff Recommendations: The Town Attorney and Director of Planning & Zoning will be available at the work session for questions. Both the Town Attorney and Director of Planning & Zoning recommend that enforcement action be taken to the extent permitted by law for the listed properties until compliance is achieved.

Council Discussion:

3. Masonic Temple Sign Donation – *Town Manager*

Summary: The Town has received a request from the Unity Temple at 438 Skyline Vista Drive to donate to the Temple the sign that was formerly located at the intersection of Skyline Vista Drive and Criser Road that reads, “Masonic Temple” to add to their historical records. The Town replaced the sign with a Skyline Vista Drive street sign after construction of the high school and Public Safety Building. The town typically recycles signs of this nature.

The replacement value of a typical street sign is less than \$100.

Council Discussion:

4. Renewal of Front Royal’s Fussell Florist Lease Agreement for Parking Spaces – *Town Attorney*

Summary: Lessee has previously leased from Town a parcel of land owned by the Town which is adjacent to 2nd Street and the Florist, and which consists an area (as shown on a sketch plat) sufficient for approximately 22 parking spaces, for use as a parking lot by the Florist due to a lack of on-site parking. Lessee wishes to enter into

another five (5) year lease with the Town. The current lease agreement expires on February 23, 2013, and provides for nominal annual rent of \$12.

Town Council is asked to consider approving a new lease agreement with Front Royal's Fussell Florist.

Legal Evaluation: The Town Attorney will be available for legal questions.

Town Manager Recommendation: The Town Manager recommends approval of the new lease agreement with Front Royal's Fussell Florist at the current rent.

Council Discussion:

5. Continued Discussion for Funding for Water System Model and Preliminary Engineering Services for Northern Loop Study – *Town Manager*

Council Discussion:

6. Continued Discussion of Narrow Band Radio Project – *Director of Environmental Services*

Summary: Council inquired of the selling of the old radios, separating the bid and any fines by the FCC for non-compliance by December 31, 2012. The Town will award the bid by low bid per line item. None of the awards will be over \$25,000, so they will NOT require Council approval. The Town will not be fined for anything, as long as we are in the process of the upgrade. If any employee would use the current radio system, we would stand a chance of being fined, if someone turned us in. However, Don McPaters has pulled the microphones so that the radios cannot be used.

Employees will have to rely on their cell phones until we get the new radios installed. Council is requested to consider the additional information provided and the bids received to upgrade vehicle and portable radios

Staff Evaluation: Staff reviewed Council's questions and offers the following information, in regards to the old radios; they would be put for auction to the public in the Town's yearly sale. The bids received for the upgrade can be separated to the Town's discretion and the Town will not be fined by the FCC due to the upgrade process having been started

Budget/Funding: Funding for this project is included in the FY12-13 Budget

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

Staff Recommendations: Staff shall proceed with individual awards for radio equipment

Town Manager Recommendation: The Town Manager recommends proceeding with individual awards for radio equipment

Council Discussion:

7. Amendment of Water Tank Site Lease Agreement – Second Renewal – Shenandoah Personal Communications Company (Shentel) – *Town Attorney*

Summary: Shenandoah Personal Communications Company, dba Shentel, currently under lease with the Town for use of the Town's Fairgrounds Road water tank and "floor space", through October 31, 2014, for wireless communications facility, proposes to relocate/upgrade/expand its use of the water tank and floor space by converting/adding three (3) "RFS", three (3) "Powerwave" and one (1) microwave dish antennae (using four (4) tank mounts), along with new Hybriflex and CAT 5 cabling. Shentel is offering additional annual rent of \$3,600.00, payable monthly, as consideration.

Town Council is asked to consider approving an amendment to the current Shentel water tank lease.

Staff Evaluation: None. An independent engineering consultant has performed a structural/design evaluation of Shentel's "Structural Modification Design" proposal and concludes that it represents acceptable tank loadings, conditioned upon accompanying design, installation, and maintenance recommendations.

Town Manager Recommendation: The Town Manager recommends approval of the amendment to the Shentel Water Tank Site Lease Agreement-Second Renewal, providing for an expansion of Shentel's use of the water tank and floor space, conditioned upon Shentel's acceptance of the recommendations of the independent engineering consultant, and upon a reasonable increase in rent.

Council Discussion:

8. Master Police Officer and Senior Dispatcher Program – *Town Manager/Chief of Police*

Council Discussion:

9. Waive Brian Crawford remaining curb & gutter assessment at 8 E. 17th Street, as well as reimburse him for his 2012 payment – *Mayor Darr*

Council Discussion:

10. Town re-enact 50/50 split cost for curb & gutter installations – *Mayor Darr*

Council Discussion:

11. Policy Manual – *Mayor Darr*

12. Council Discussion/Goals (*time permitting*)

13. CLOSED MEETING – 1) Prospective Business and Investment of Public Funds
2) Personnel Matter (Evaluation of Town Manager)

Motion to Go Into Closed Meeting

===== moved, seconded by =====, that Council convene and go into Closed Meeting for the purpose of 1) discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community, pursuant to Section 2.2-3711.A.5 of the code of Virginia; and, for 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; and 2) for the purpose of 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

Vote: Yes – Funk, Hrbek, Parker, Tharpe, Tewalt and Sayre

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

===== moved, seconded by Councilman =====, that Council certify 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 during 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, Funk, Hrbek, Parker, Tharpe, Tewalt and Sayre

No – N/A

Abstain – N/A

Absent – N/A

(By Roll Call)

Present: Mayor Timothy W. Darr, Vice Mayor N. Shae Parker, Councilman Thomas H. Sayre, Councilman Eugene R. Tewalt, Councilman Bret W. Hrbek, Councilman Daryl L. Funk, Councilman Hollis L. Tharpe, Town Manager Steven M. Burke, PE, Town Attorney Douglas Napier, =====

Clerk of Council Jennifer E. Berry, CMC, members of the media and members of the public.

Jennifer E. Berry
Clerk of Council