



REGULAR TOWN COUNCIL MEETING

August 27, 2018 @ 7:00pm -- Warren County Government Center

1. Pledge of Allegiance
2. Moment of Silence
- 2A. Recognize Temporary Clerk of Council

I move that Town Council appoint and recognize Tina Presley as Clerk of the Front Royal Town Council pro tempore for the meeting of Front Royal Town Council on August 27, 2018 and for such additional and further meetings and times that are a continuation of the August 27, 2018 meeting at her services such as Clerk pro tempore may be needed.

3. Roll Call
4. Approval of the Regular Council Meeting minutes of August 13, 2018
5. Receipt of Petitions and/or Correspondence from the Public
6. Reports:
 - a. Report of special committees or Town officials and Town Manager
 - * Introduction of our newest “Officer” K9 Bosco along with his handler, Master Police Officer Tony Clingerman
 - * Report from Executive Director of NSV Regional Commission Brandon Davis
 - b. Requests and inquiries of Council members.
 - c. Report of the Mayor
 - * Recognition of Employee James “Jimmy” S. Beatty
 - * Recognition of Service on Urban Forestry Advisory Committee (UFAC) Lorraine Hultquist
 - d. Proposals for addition/deletion of items to the Agenda.

7. **CONSENT AGENDA ITEMS** – (ROLL CALL VOTE REQUIRED) - NONE

8. **COUNCIL APPROVAL** – Add Ordinance 110-34 “Unlawful Crossing of Public Streets” to Town Code – Jaywalking Ordinance (2nd Reading)
9. **COUNCIL APPROVAL** – Amend Ordinance 12-5 to “Police Department Fees – Additional Assessment for Electronic Summons in Criminal and Traffic Cases” to Town Code (2nd Reading)
10. **COUNCIL APPROVAL** – Budget Amendment for Additional Revenue from Collection of Assessments for Electronic Summons in Criminal and Traffic Cases
11. **COUNCIL APPROVAL** – Waiver of Curb and Gutter at 419/423 Luray Avenue – Wines
12. **COUNCIL APPOINTMENT** – Urban Forestry Advisory Commission (UFAC)

WORK SESSION – Immediately to Follow Regular Meeting

TOWN/STAFF RELATED ITEMS

1. Continued Discussion of Funding Radio System for Police Department – *Director of Finance*

COUNCIL/MAYOR RELATED ITEMS:

2. Continued Discussion of Property Maintenance

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Town of Front Royal, Virginia Council Agenda Statement

Page 1
Item No. 8

Meeting Date: August 27, 2018

Agenda Item: COUNCIL APPROVAL – Add Ordinance 110-34 “Unlawful Crossing of Public Streets” to Town Code – Jaywalking Ordinance (*2nd Reading*)

Summary: Council is requested to adopt on its second and final reading an Ordinance to amend Town Code by adding Section 110-34, whereby as a matter of public safety to pedestrians and motorists, it shall be lawful for pedestrians to cross public streets, whenever possible, only at intersections, marked crosswalks or at official pedestrian crossing signals; or as directed by a law-enforcement officer also referred to as jaywalking. Council has suggested revising (E) of the proposed ordinance to specify the violations of the ordinance more clearly.

Budget/Funding: None

Attachments: Ordinance with revised (E) pertaining to violations of the ordinance

Meetings: Work Session held July 2, 2018 and Public Hearing held August 13, 2018

Staff

Recommendation: Approval ✓ Denial _____

Proposed Motion: I move that Council adopt on its second and final reading an Ordinance to amend Town Code by adding Section 110-34 “Unlawful Crossing of Public Streets”, as presented.

ROLL CALL VOTE REQUIRED

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance

*To be clear and concise, motions should be made in the positive

Approved By: JW

**AN ORDINANCE TO AMEND AND ENACT FRONT ROYAL TOWN CODE BY
ADDING CHAPTER 110-34 PERTAINING TO UNLAWFUL CROSSING OF PUBLIC
STREETS ALSO REFERRED TO AS JAYWALKING**

WHEREAS, the Town of Front Royal has seen an increase in pedestrian accidents including those that have resulted in a fatality; and,

WHEREAS, a matter of public safety to pedestrians and motorists the Town of Front Royal is enacting an ordinance that it would enforce jaywalking; and,

NOW THEREFORE, BE IT ENACTED, by the Town Council of the Town of Front Royal, Virginia, that Chapter 110 of the Front Royal Town Code is hereby amended and enacted as follows:

110-34 UNLAWFUL CROSSING OF PUBLIC STREETS

- A. "Streets" means the entire width between the boundary lines of every way or place open to the use of the public for purposes of motor vehicular travel in the Town, including the public highways and roadways.
- B. "Crosswalk" means that part of a public street at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the public street measured from the curbs or, in the absence of curbs, from the edges of the traversable public street; or any portion of a public street at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.
- C. As a matter of public safety to pedestrians and motorists, pedestrians lawfully shall cross public streets, wherever possible, only at intersections, marked crosswalks, or at official pedestrian crossing signals; or as directed by a law enforcement officer.
- D. When crossing public streets, it shall be unlawful for pedestrians to carelessly or maliciously interfere with the orderly passage of vehicles.
- E. ~~Violations of this ordinance shall be punished by as a Class 4 Misdemeanor.~~

E. (1) Violations of this ordinance which are inadvertent or not likely to result in serious bodily harm to a pedestrian may be charged on a Town of Front Royal summons and shall be charged punished as a traffic infraction and shall be punished by a fine not to exceed one hundred dollars (\$100.00); (2) Violations of this ordinance which are intentional and likely to result in serious bodily harm to a pedestrian or motorist may be charged on a Commonwealth summons or Commonwealth warrant and shall be punished as a Class 4 Misdemeanor.

This ordinance shall become effective upon passage.

APPROVED:

Hollis L. Tharpe, Mayor

ATTEST:

Jennifer E. Berry, Clerk of Council

THIS ORDINANCE was approved at the Regular Meeting of the Town of Front Royal, Virginia on its second reading, conducted _____ 2018, upon the following recorded vote:

Eugene R. Tewalt	Yes/No	Jacob L. Meza	Yes/No
William A. Sealock	Yes/No	Christopher S. Morrison	Yes/No
John P. Connolly	Yes/No	Gary Gillispie	Yes/No

A public hearing on the above was held on _____, 2018, having been advertised in the Northern Virginia Daily on _____, 2018, and _____, 2018. The Ordinance was enacted at the Regular Meeting of the Town Council held _____ 2018, to become effective immediately.

Approved as to form and legality:

Douglas W. Napier, Town Attorney

Date: ____/____/____

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Town of Front Royal, Virginia Council Agenda Statement

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Item No. 9

Meeting Date: August 27, 2018

Agenda Item: COUNCIL APPROVAL – Amend Ordinance 12-5 to “Police Department Fees – Additional Assessment for Electronic Summons in Criminal and Traffic Cases”
(2nd Reading)

Summary: Council is requested to adopt on its second and final reading an Ordinance to amend Town Code by adding “Police Department Fees – Additional Assessment for Electronic Summons in Criminal and Traffic Cases” to Chapter 12-5 (*currently reserved*), the sum of \$5.00 as part of the costs in each criminal or traffic case in the District or Circuit Courts of Warren County, Virginia, in which the defendant is charged with and convicted of a violation of any statute or ordinance that arose within the Town of Front Royal, as presented. The assessment shall be used by the Police Department solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system.

Budget/Funding: None

Attachments: Ordinance and excerpt of minutes of July 2, 2018

Meetings: Work Session held July 2, 2018 and Public Hearing held August 13, 2018

Staff

Recommendation: Approval ✓ Denial _____

Proposed Motion: I move that Council adopt on its second and final reading an Ordinance to amend Town Code by adding “Police Department Fees – Additional Assessment for Electronic Summons in Criminal and Traffic Cases” to Chapter 12-5, as presented.

ROLL CALL VOTE REQUIRED

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance

*To be clear and concise, motions should be made in the positive

Approved By: JW

**AN ORDINANCE TO AMEND AND ENACT FRONT ROYAL TOWN CODE
CHAPTER 12-5 PERTAINING TO POLICE DEPARTMENT FEES**

WHEREAS, a new Virginia statute was enacted (§17.1-279.1) that provides that any local government may assess an additional sum not in excess of \$5.00 as part of the costs in each criminal or traffic case in which the defendant is charged with a violation in the locality; and,

WHEREAS, the Front Roy Police Department wishes to collect an additional \$5.00 as allowed by law, to be used solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system; and,

NOW THEREFORE, BE IT ENACTED, by the Town Council of the Town of Front Royal, Virginia, that Chapter 12 of the Front Royal Town Code is hereby amended and enacted as follows:

12-5 POLICE DEPARTMENT FEES

Effective July 1, 2018, and thereafter, there is hereby imposed, in addition to any other fees prescribed by law, the sum of five dollars (\$5.00) as part of the costs in each criminal or traffic case in the District or Circuit Courts of Warren County, Virginia, in which the defendant is charged with and convicted of a violation of any statute or ordinance, the violation of which arose within the Town of Front Royal, Virginia. The clerk of court in which the action is filed shall collect the assessment and remit it to the Town of Front Royal, Virginia Finance Director. The Town Finance Director, subject to appropriation by Town Council, shall disburse such funds in accordance with Virginia Code § 17.1-279.1. The assessment shall be used the Front Royal Police Department solely to fund software, hardware, and associated equipment costs for the implementation and maintenance of an electronic summons system.

This ordinance shall become effective July 1, 2018

APPROVED:

Hollis L. Tharpe, Mayor

ATTEST:

Jennifer E. Berry, Clerk of Council

THIS ORDINANCE was approved at the Regular Meeting of the Town of Front Royal, Virginia on its second reading, conducted _____2018, upon the following recorded vote:

Eugene R. Tewalt Yes/No

Jacob L. Meza Yes/No

William A. Sealock Yes/No

Christopher S. Morrison Yes/No

John P. Connolly Yes/No

Gary Gillispie Yes/No

A public hearing on the above was held on _____, 2018, having been advertised in the Northern Virginia Daily on _____, 2018, and _____, 2018. The Ordinance was enacted at the Regular Meeting of the Town Council held _____2018, to become effective immediately.

Approved as to form and legality:

Douglas W. Napier, Town Attorney

Date: ____/____/____

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**Town of Front Royal, Virginia
Council Agenda Statement**

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Item No. 10

Meeting Date: August 27, 2018

Agenda Item: COUNCIL APPROVAL – Budget Amendment for Additional Revenue from Collection of Assessment for Electronic Summons in Criminal and Traffic Cases to Town Code

Summary: Due to the approval of an ordinance to add additional assessments for electronic summons in criminal and traffic case to the Town Code, Council is requested to approve a budget amendment to add \$4,000 to the FY19 budget related to these additional fees.

Budget/Funding: 1000-3140102 General Fund Revenue – Fines E-Summons - \$4,000
1204-47051 Information Technology – Electronic Summons - \$4,000

Attachments: Memo from Director of Finance

Meetings: None

Staff

Recommendation: Approval ✓ Denial

Proposed Motion: I move that Council approve a Budget Amendment in the amount of \$4,000 to accept the additional assessments for electronic summons in criminal and traffic cases.

ROLL CALL VOTE REQUIRED

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance

*To be clear and concise, motions should be made in the positive

Approved By: JW



MEMORANDUM

Date: August 20, 2018
To: Tina Presley, Senior Administrative Assistant
Jennifer Berry, Clerk of Council
From: B.J. Wilson, Director of Finance
RE: Agenda Item - Budget Amendment

The Police Department would like to request Town Council to approve a budget amendment to add \$4,000 to the FY19 budget related to the additional assessment for electronic summons in criminal and traffic cases.

The FY2019 budget amendment will involve line items:

1000-3140102 General Fund Revenue –Fines E-Summons - \$4,000.00

1204-47051 Information Technology – Electronic Summons - \$4,000.00

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Town of Front Royal, Virginia Council Agenda Statement

Page 1
Item No. 11

Meeting Date: August 27, 2018

Agenda Item: COUNCIL APPROVAL – Waiver of Curb and Gutter at 419/423 Luray Avenue
– Susan Wines

Summary: Council has received a request from Susan Wines to waive curb and gutter at 419/423 Luray Avenue. Ms. Wines owns both lots on Luray Avenue with a single-family house under construction on each lot. Curb and gutter is required per Town Code 148-850.C. The Town Engineer can waive the requirement when there are no more than two dwellings and when curb and gutter is not present within 200 feet of the property. Curb and gutter are located across the street and is within 200 feet of the property; therefore, curb and gutter can only be waived by Town Council.

Budget/Funding: None

Attachments: Letter from Ms Wines and Town Code Section 158-850.C.

Meetings: Work Session held August 20, 2018

Staff

Recommendation: Approval ✓ Denial

Proposed Motion: I move that Council approve the waiver of curb and gutter at 419/423 Luray Avenue as requested (Vote yes to approve the waiver and no to deny the waiver)

ROLL CALL VOTE REQUIRED

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance

*To be clear and concise, motions should be made in the positive

Approved By: JW

Mark, Susan and Jessica Wines
16 East 17th Street
Front Royal, VA 22630
540-635-6703

Member of the Front Royal Town Council
102 E. Main Street
Front Royal, VA 22630

August 3, 2018

Members of Council,

We the undersigned are the owners of 419 Luray Avenue and 423 Luray Avenue, Front Royal, Virginia. We are requesting a waiver for the installation of curb and gutter for the following reasons:

- Town Code requires curb and gutter be installed for new construction if within 200 feet of existing curb and guttering. There is currently no curb and gutter from the top of Luray Avenue to Kerfoot Avenue on our side of the street. It is estimated the nearest curb and gutter on our side of the street is approximately 2,000 feet in one direction and 500 feet to the stop sign at Kerfoot;

- As property owners we were required by the Town Planner to obtain an engineered site plan because of the grade of property which included water runoff calculations per the Commonwealth of Virginia in order to eliminate additional water or erosion onto Luray Avenue.

According to the Warren County Building Inspector's Office, neither other builder nor property owner in Warren County has been required to spend the amount of money we spent in order to obtain this customized, specially engineered site plan which cost thousands of dollars. Additionally, as one can imagine this special engineered site plan came with an abundance of additional site work and surveys which in turn has cost us thousands of dollars. Due to the high level of detail in the engineered site plan, the excavation company was required by law to follow the plans precisely, which in turn again cost us many thousands of dollars. According the Engineered Site Plan we contribute 1% additional water run off on each property. The Engineer had us install "dry ponds" (one per each residence) to be constructed to handle the water run off from each roof to be dispersed into an under-ground dry pond (each dry pond cost over \$3,000).

Due to the massive amount of additional site work, the engineer did not design nor require culverts under our driveway nor curb and

guttering.

- According to a letter from Robert Brown, Town Engineer, he states the following, "In regard to the issue of installing curb and gutter along your property frontage, I can see no significant benefit or detriment, from an engineering standpoint." Our position is that if there is no benefit or detriment to installing curb and gutter, we should not have to incur the massive expense at this time above and beyond what we have already spent in order to ensure the least amount of water runoff.
- The Town Code's Water and Sewer Tap Fee was in excess of \$16,000 per property and we found out that the "hookup" is not an actual "hookup" but simply an access charge. We were told by the Utilities Department that the Town of Front used to actually "hookup" the property's plumbing to the Town's water system but stopped this practice approximately one year ago. Therefore, we were required to hire a plumber to conduct the physical "hookup" at an additional cost of \$4,000 per house. (As a side note, I would encourage council to consider clarifying and changing the ordinance to reflect this new policy.)
- Finally but not least. The culvert at the bottom road level of our properties as mentioned in the letter from Mr. Brown, that he assesses was created by water runoff was actually created from erosion from the undeveloped land slope and not water runoff from Luray ave. We have had record rainfall this year and our contractor and my husband went to the properties on every occasion to make sure any run off from the driveways were promptly cleaned up. Both they and I can attest in detail that there is no water that runs down the hill on our side of the street. The water runoff diverts at the top of Luray ave. and has created erosion in the road itself and is directed toward the other side of the street entirely. Therefore when it rains there is an eight inch trench of water that aggressively streams toward Criser rd and runs across the street. This is a hazard to the public right of way. For this very reason Jeremy Camp requested Va water runoff calculations be done and any measures put in place to avoid this direct stream of water crossing the adjoining roads. If curb and gutter is installed on our side of the street, this could and probably will very well add to the runoff problem as it did across the street. It would be beneficial for curb and gutter to actually have gutter to carry access water underground.

As stated, we are not builders who build dozens of homes per year or developers who develop acres of land. We are hard working people born and raised in Warren County and we wouldn't dream of living any other

place. We and our daughter wanted to build here, in our home town, to allow her to be close to her family. We are not pointing fingers at anyone but are only trying to explain the hardship we have endured just to build two quality houses, one for my daughter and one for our retirement. We understand and appreciate the law and the Town Code. We have abided by the Town Code and based upon what we have been told, we have gone well above what anyone else has been required in order to build our lovely homes. Considering the above stated reasons, we respectfully request a waiver so that we will not have to spend additional money putting curb and gutter and being the only two properties on our side of the street with curb and gutter especially considering there is no benefit as stated by our Engineer and the Town of Front Royal Engineer.

Sincerely,

Mark Wines

Susan Wines

Jessica Wines

for inspection and use. All monuments must be set before any site or street improvements are accepted by the Town.

148-850
C. Curb and Gutter.

1. Curbs and gutter shall be required for the purpose of drainage and safety and delineation and protection of the pavement edge. Curbs and gutters and all driveway entrances shall meet the design standards found within the Construction Standards and Specifications Manual.
2. Curbs and gutters shall be installed by the applicant along both sides of all new streets. For all subdivisions involving the creation of an additional lot and for all new development projects, curb and gutter sections shall be required along the frontage of all existing public streets. This requirement may be waived upon approval by Town Council in residential areas where the majority of surrounding developed properties do not have curb and gutter, where the character of the area is relatively low-density, after consideration of the traffic impact created by the subdivision and the total lots on a given street, drainage considerations and other environmental design parameters. The Town Engineer may waive curb & gutter for development projects comprising of no more than two (2) dwelling units in residential areas along existing streets where curb & gutter is not currently present within 200 feet of the property.

D. Sidewalks.

1. Sidewalks shall be installed by the applicant along both sides of all new streets. For subdivisions involving the creation of an additional lot and for all new development projects, sidewalk sections shall be required along the frontage of all existing public streets. This requirement may be waived on vote of the Town Council in residential areas under the following conditions: where the character of the area is relatively low-density, after consideration of the traffic impact created by the subdivision and the total lots on a given street, drainage considerations and other environmental design parameters. The Town Engineer may waive sidewalks for development projects comprising of no more than two (2) dwelling units in residential areas along existing streets where sidewalks are not currently present within 1000 feet of the property.
2. The minimum design standards for sidewalks shall be at least six (6) feet in width when abutting the curb, and a minimum of five (5) feet when offset from the curb. For the latter, the land located between the sidewalk and the curb shall comply with the Construction Standards and Specifications.
3. Sidewalks shall normally be parallel to the street. Nonparallel sidewalks and/or walkways may be approved by the Town in order to preserve topographical or natural features and to provide visual interest.
4. Where pedestrian walkway systems have been approved as an alternative to sidewalks, the walkways may be located away from streets, linking groups of dwelling units with other groups of dwelling units and/or facilities such as parking areas, recreational areas and

Notes:

1. Boundary and topography provided by Brogan Land Surveying, PLC and is based upon a current field survey.
2. This plot is subject to easements and restrictions of record.
3. No title report furnished.
4. Riprap shall be EC-1, Type A, 6" Min. dia.



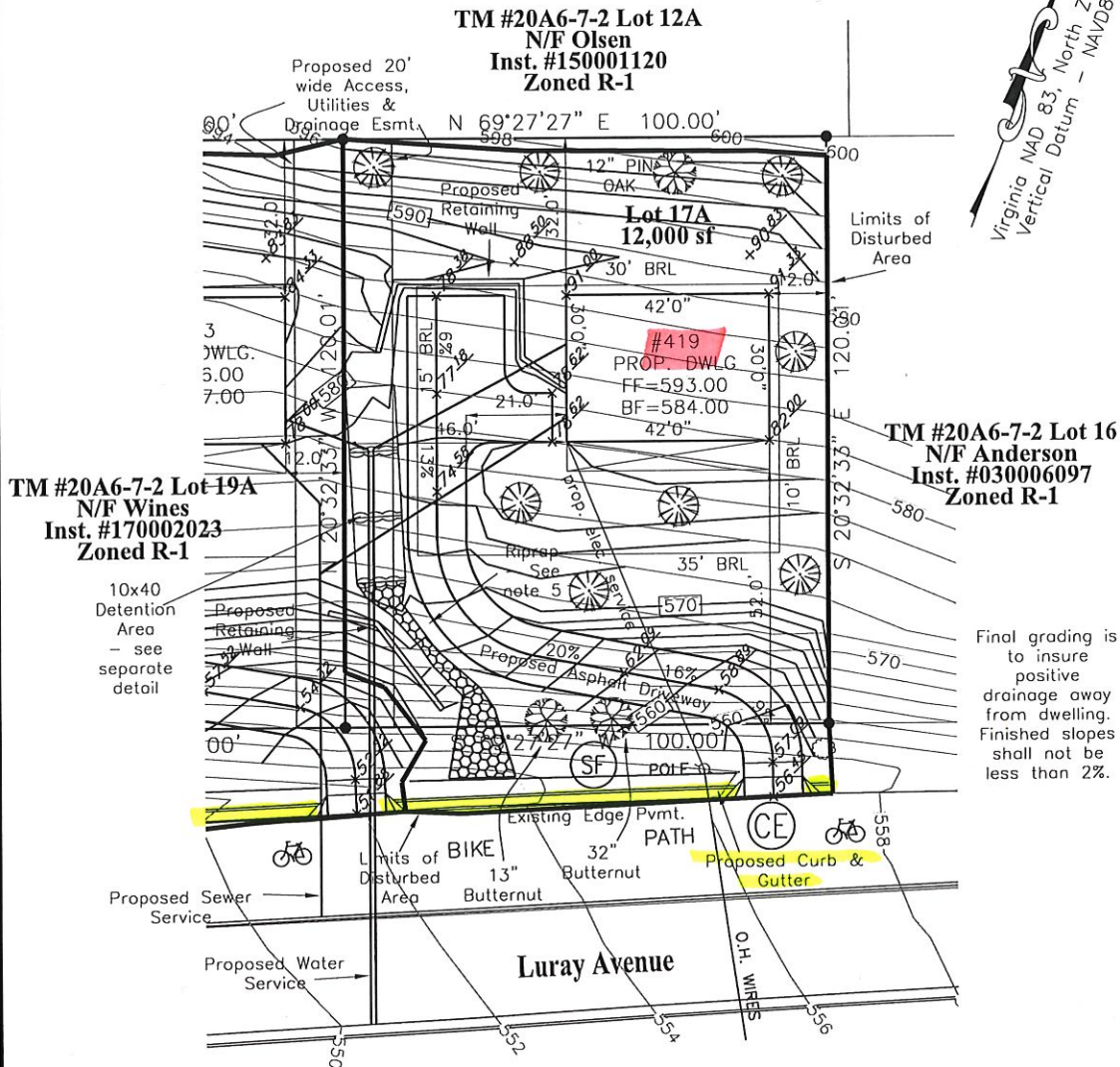
Canopy coverage - required plantings: 3 Sugar Maple, 2 Pin Oak, 3 Tulip Poplar; existing - (1) 12" Pin Oak
Street trees - existing: 13" & 32" Butternut



SILT FENCE (STD & SPEC. 3.05)



CONSTRUCTION ENTRANCE (STD. & SPEC. 3.02)



House Location Survey Lot 17A

Block 2, Viscose City

Fork District, Town of Front Royal, Warren County, Virginia
Scale: 1" = 30' Date: June 23, 2017

Present Owner:

Mark A. Wines & Susan L. Wines

TM #20A6-7-2-17A

Project SWNS1701



PREPARED BY:
PENNONI ASSOCIATES INC.

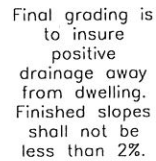


117 East Piccadilly Street
Winchester, VA 22601
T 540.667.2139
F 540.665.0493

1. Boundary and topography provided by Brogan Land Surveying, PLC and is based upon a current field survey.
2. This plat is subject to easements and restrictions of record.
3. No title report furnished.
4. Riprap shall be EC-1, Type A, 6" Min. dia.



CONSTRUCTION ENTRANCE (STD. & SPEC. 3.02)



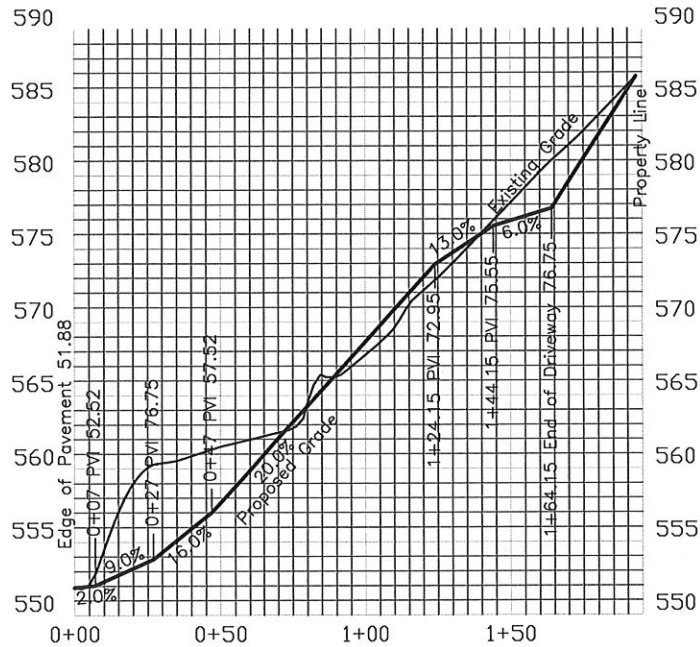
Project SWNS1701



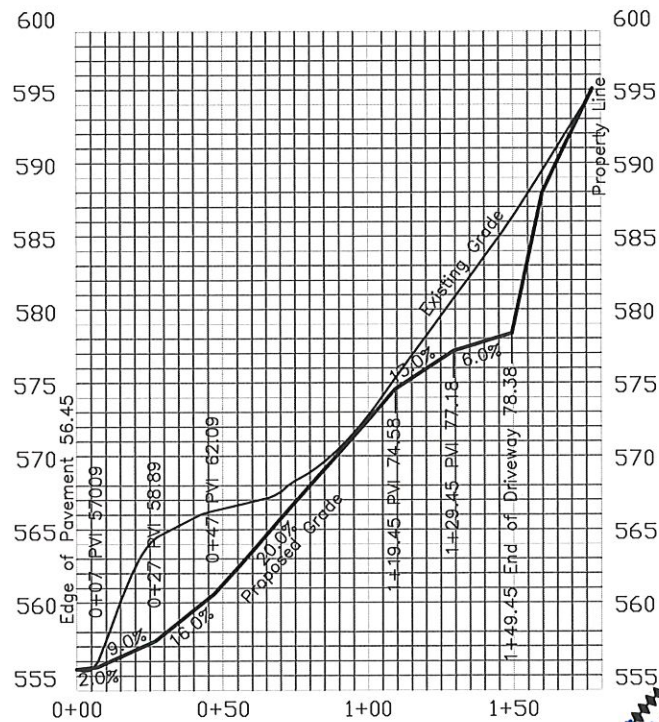
PREPARED BY:

Pennoni

117 East Piccadilly Street
Winchester, VA 22601
T 540.667.2139
F 540.665.0493



Lot 19A
Driveway Profile
 1"=50 H : 1"=5' V

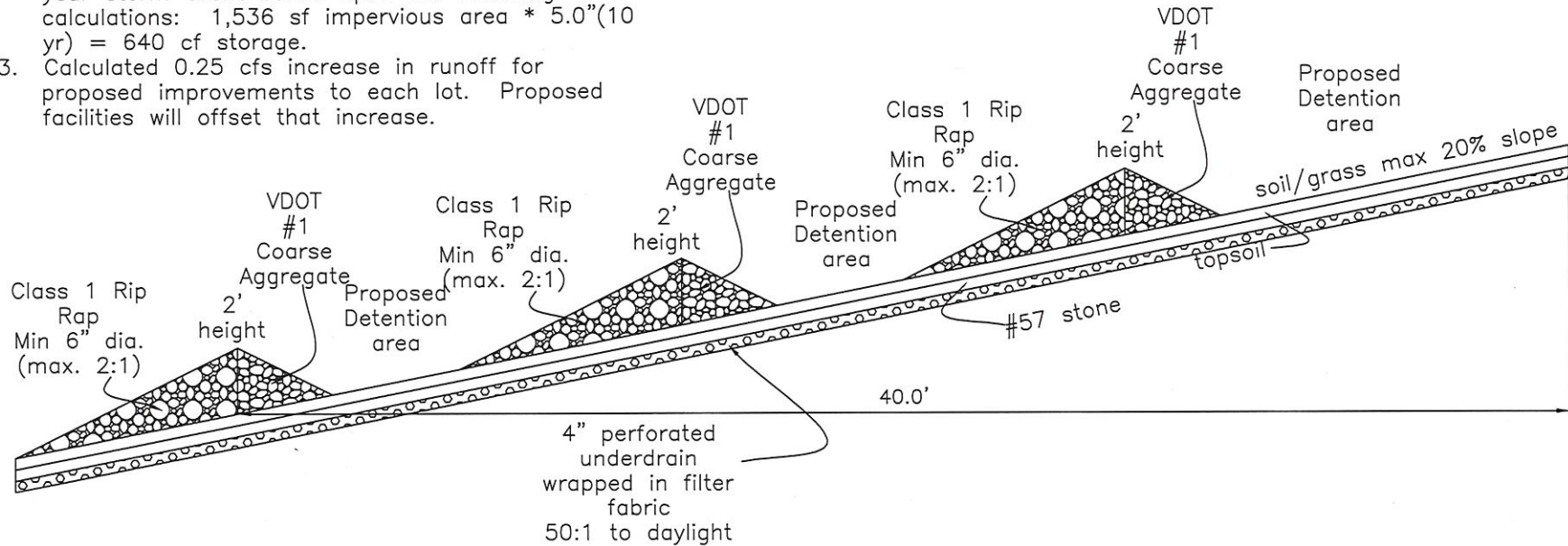


Lot 17A
Driveway Profile
 1"=50 H : 1"=5' V



Notes:

1. Proposed detention facility is designed as 10'x40' trapezoidal with 2:1 side slopes. Roof drains and portion of driveway are to be directed to the facility.
2. Facility is designed to store runoff from the 10 year storm event based upon the following calculations: 1,536 sf impervious area * 5.0"(10 yr) = 640 cf of storage.
3. Calculated 0.25 cfs increase in runoff for proposed improvements to each lot. Proposed facilities will offset that increase.



Detail of Proposed Roof Drain/Pavement Detention Area Lots 17A & 19A, Block 2, Viscose City

Town of Front Royal, Warren County, Virginia

Scale: 1" = 5'

Date: July 5, 2017

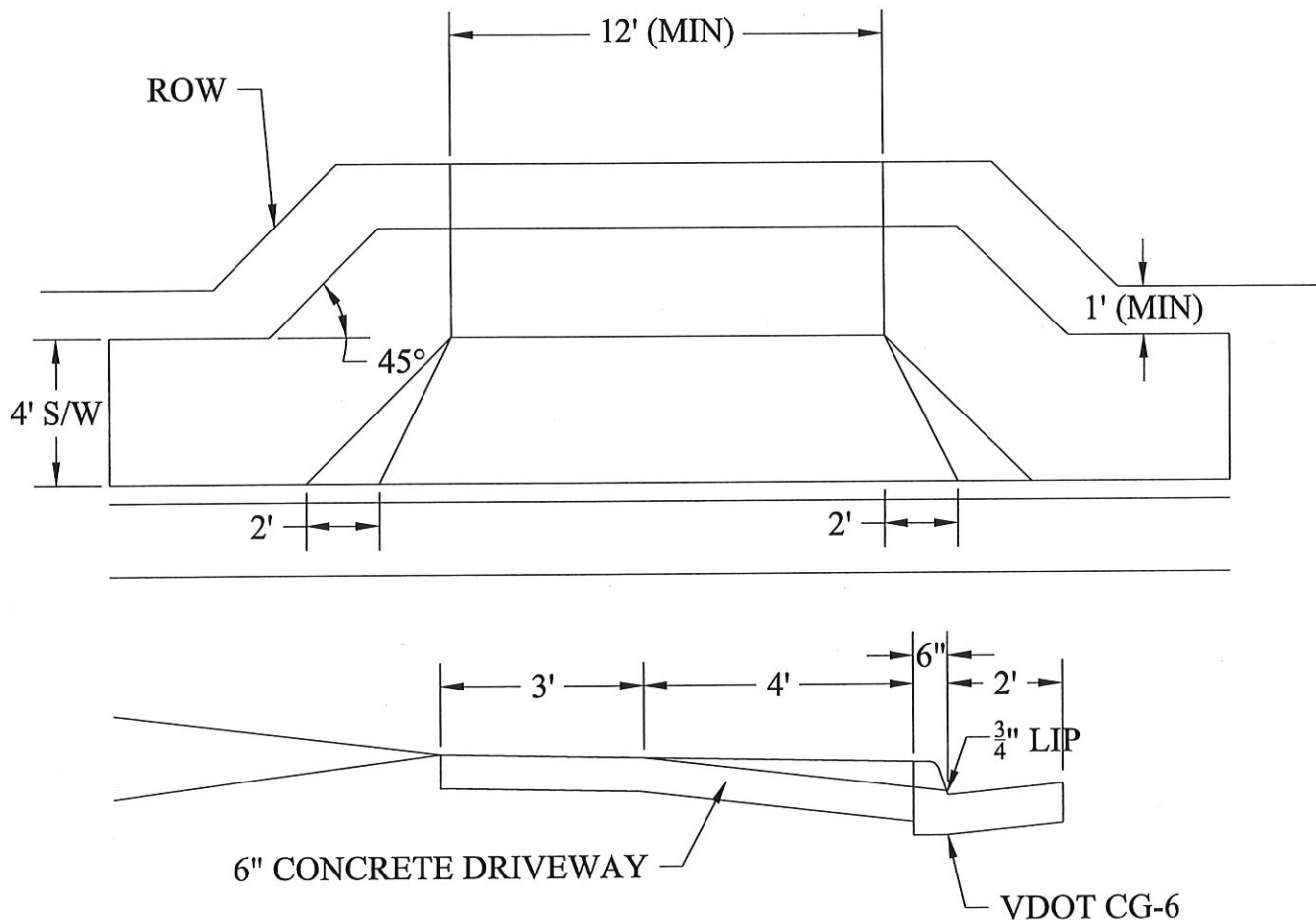
Project SWNS
1701



PREPARED BY:
PENNONI ASSOCIATES INC.



117 East Piccadilly Street
Winchester, VA 22601
T 540.667.2139
F 540.665.0493



NOTES:

1. LOCATION OF DRIVEWAY SHALL BE PER PLAN UNLESS OTHERWISE APPROVED BY THE DIRECTOR OF PUBLIC WORKS.
2. CONCRETE DRIVEWAY APRONS AND SIDEWALK CROSSING SHALL BE CONSTRUCTED OF CEMENT CONCRETE PAVEMENT (3000 PSI) (NATURAL SAND), 6" THICK REINFORCED WITH 6"X6" #10/#10 WELDED WIRE FABRIC (2" MINIMUM COVER FROM THE BOTTOM).
3. REMOVE TREE ROOTS WITHIN 10" OF PROPOSED GRADE.
4. LOT GRADING PLANS MUST PROVIDE FOR ADEQUATE VEHICULAR CLEARANCE FOR DRIVEWAY APPROACH, DEPARTURE, AND BREAKOVER TRANSITIONS. **DRIVEWAY PROFILES ARE REQUIRED WHERE STEEP GRADES PREVAIL.**

TOWN OF FRONT ROYAL STANDARD CONSTRUCTION DETAILS

RESIDENTIAL DRIVEWAY CONSTRUCTION

RC-5

DATE: MAY 2004

REVISION:

TOWN CODE 148-850.C

C. Curb and Gutter.

1. Curbs and gutter shall be required for the purpose of drainage and safety and delineation and protection of the pavement edge. Curbs and gutters and all driveway entrances shall meet the design standards found within the Construction Standards and Specifications Manual.
2. Curbs and gutters shall be installed by the applicant along both sides of all new streets. For all subdivisions involving the creation of an additional lot and for all new development projects, curb and gutter sections shall be required along the frontage of all existing public streets. This requirement may be waived upon approval by Town Council in residential areas where the majority of surrounding developed properties do not have curb and gutter, where the character of the area is relatively low-density, after consideration of the traffic impact created by the subdivision and the total lots on a given street, drainage considerations and other environmental design parameters. The Town Engineer may waive curb & gutter for development projects comprising of no more than two (2) dwelling units in residential areas along existing streets where curb & gutter is not currently present within 200 feet of the property.

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**Town of Front Royal, Virginia
Council Agenda Statement**

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Item No. 12

Meeting Date: August 27, 2018

Agenda Item: COUNCIL APPOINTMENT – Urban Forestry Advisory Commission (UFAC)

Summary: Council is requested to appoint a member to the Urban Forestry Advisory Committee to an unexpired term ending December 20, 2018 due to a resignation.

Budget/Funding: None

Attachments: None

Meetings: Work Session held August 20, 2018

Staff

Recommendation: Approval ✓ Denial _____

Proposed Motion: I move that Council appoint _____ to the Urban Forestry Advisory Committee (UFAC) to an unexpired term ending December 20, 2018.

*Note: Motions are the formal & final proposal of Council,
proposed motions are offered by Staff for guidance

*To be clear and concise, motions should be made in the positive

Approved By: JW

WORK SESSION

1



Work Session Agenda Form

Item # 1

DATE: 8/27/18

AGENDA ITEM: Additional Discussion for Financing Radio System for Police Department

SUMMARY: The Town will need to make an entry to close out FY2018 that will heavily impact the Governmental Fund Balance due to GASB 75 (Governmental Accounting Standards Board Pronouncement 75). The impact to the Governmental Fund Balance will decrease the surplus fund balance by approximately \$1.2 million.

GASB 75 relates to post employment benefits other than pensions. An actuarial report is required to be updated at a minimum of every 3-4 years. The Town was required to obtain an updated report for 2018. Milliman Inc performed an updated evaluation for the Town and the final report was recently provided to the Town. The report indicates that the OPEB (Other Post-Employment Benefits) Liability will need to increase approximately \$1.2 million for fiscal year 2018.

The Town began accruing money in fiscal year 2014 to help fulfill the obligations of GASB75, but the money accrued does not fully cover the Town's OPEB liability based on the recent evaluation.

In 2015 the Town changed the post employment benefits offered to employees due to this GASB pronouncement. The Town's OPEB Liability should decrease moving forward due to changes made by the Town in 2015 with relation to normal employee turnover.

After the Town makes entries for the OPEB Liability the Governmental Fund Surplus Balance will decrease to approximately \$200,000-\$300,000 above the 3-month reserve levels; which should be taken into account when deciding the funding options for a new radio system.

The Town has been provided pricing of \$545,000.00 for the purchase of new radio equipment for the Police Department and needs to determine how to finance/pay for the radio system. This amount does not include annual maintenance fees that will be incorporated into annual budget.

Motorola has proposed the following terms/rates:

- 4 Years @ 4.52% - approximately \$151,986.39 annually (\$62,946 interest expense)
- 5 Years @ 4.57% - approximately \$124,388.70 annually (\$76,944 interest expense)
- 7 Years @ 4.86% - approximately \$ 93,709.49 annually (\$110,966 interest expense)

VML Vaco has quoted the following terms/rates

- 5 Years @ 3.00% - approximately \$119,277.60 annually (\$51,388 interest expense)
- 7 Years @ 3.30% - approximately \$ 88,639.10 annually (\$75,474 interest expense)
- 10 Years @ 3.55% - approximately \$65,820.56 annually (\$113,205 interest expense)

Borrowing from General Fund Balance

- 5 Years with no interest - \$109,000.00 annually
- 7 Years with no interest - \$77,857.14 annually
- 10 Year with no interest - \$54,500.00 annually

Work Session

Including with New Market Tax Credit Program

Interest Only @ 1.5% for 7 years = \$57,225

Annual payments for 20-30 years ranging from \$19,000-\$32,000 depending on terms/rates to pay principal balance of \$381,500.00.

Use Funds from General Fund Balance without repaying

No annual payment

BUDGET/FUNDING:

The adopted FY19 budget \$50,000 incorporated to be used for the purchase of radio equipment. Future budgets may need to incorporate additional funding.

STAFF RECOMMENDATION:

Staff recommends to pursue a 10 year financing option with VML Vaco and annually appropriate money accordingly.

IV. Optional Group Life Insurance

- A. All full-time employees are eligible to purchase optional group term life insurance for themselves, their spouse and their children.
- B. The employee is responsible for 100% of the cost of the optional life insurance.
- C. Employees may purchase coverage in amounts of 1, 2, 3, or 4 times their annual salary. The amount of coverage available to spouses and children depends on the amount of coverage selected by the employee.

V. Retirement

- A. All full-time Town employees are enrolled in the Virginia Retirement System (VRS) based on the date of hire. If hired on the first day of the month, coverage begins that month. If hired after the first day of the month, coverage begins the following month.
- B. The Town and employee are currently to share contributions for participation in VRS.
- C. VRS is a State retirement system and all rules and regulations regarding contributions and retirement benefits are made by the State legislature. The Town, as a member employer, must comply with all regulations as set forth by the legislature.
- D. An employee may request a refund from VRS of a portion of retirement contributions upon termination from employment in accordance with VRS regulations.
- E. Effective July 1, 2007, the Town adopted full retirement benefits at age 50 with 30 years' service. Uniformed public safety employees (police) are eligible to retire with full benefits at age 50 with a minimum of 25 years of service. Employees hired after July 1, 2010 will be following the VRS "90" rule, "Plan 2". Most Employees hired on or after January 1, 2014, and current employees who elected to opt into the Plan during a special election window from January through April 30, 2014, will be covered by the VRS Hybrid Retirement Program, which combines the features of a defined benefit plan and a defined contribution plan. Details are available through Human Resources.
- F. Retirement benefits are based on three factors: years of service, the average of the highest consecutive 36 months of compensation if hired before July 1, 2010 or 60 months for "Plan 2" employees hired after July 1, 2010, and age at the time of retirement. Details concerning the Virginia Retirement System are covered in the Handbook for VRS Members, available in the Human Resources Department.
- G. The Town reserves the right to participate in another retirement system should it deem appropriate.
- H. Health and Dental Coverage During Retirement:
 - 1. Employees hired before July 1, 2015, who retire directly from the Town (i.e., leave service and immediately begin to receive a retirement benefit from VRS) continue to participate in the group health and dental plans as dictated below. The Town shall contribute one (1%) percent for each year of employment with the Town up to a maximum of twenty-five (25%) percent of the monthly premium for each year or portion of a year.
 - 2. Employees who terminate from Town service and defer retirement are not eligible to continue to participate in the Town's group health plan. Deferred retirement occurs when the employee who

terminates service does not elect or is ineligible for an immediate retirement benefit from VRS.

- a. Retirees, their spouses, and dependent children, who retired on or prior to June 30, 1989, are eligible to participate in the Town's group health insurance program supplement plan after age 65. Retirees and dependents may choose to continue their coverage in the Town's group health insurance program until such individual(s) attain(s) sixty-five years of age, at the insurer's customary premium rate schedule. Spouses of retirees who are not yet sixty-five years of age may choose to continue their coverage in the Town's group health insurance program until he or she reach age sixty-five. All retirees, spouses, and dependents are responsible for premium contributions as approved and directed by Council.
- b. Job Related Disability Retirement: An employee who qualifies for disability retirement under the Virginia Retirement System is subject to the requirements outlined above in Section 3, to determine eligibility for medical and dental plan participation and Town contributions.
3. Employees eligible to participate in the Town's group health and dental plans into retirement, may also continue to cover their eligible dependents if those dependents were included on the employee's coverage for the five (5) years preceding retirement.

VI. Deferred Compensation

- A. The Deferred Compensation Program is an individual income investment plan authorized by Section 457 of the Internal Revenue Code, which can be used as a supplement to retirement plans and Social Security. The Town currently allocates resources to coordinate the Deferred Compensation Program and may provide an incentive to participants, through matching funds.
- B. Eligibility:
 1. Employees holding Full-Time and Part-Time positions are eligible to participate in the Deferred Compensation Program effective with the date of hire once they have completed the initial employment period or after one year of service whichever comes first.
 2. Employees in positions authorized through grant funding are eligible to participate in the Deferred Compensation Program but may receive matching funds only when the grant includes sufficient resources to wholly fund such payments and the Town authorizes matching payments.
 3. Employees holding temporary positions may not participate in the Program.
- C. As a part of an overall benefits program, the Human Resources Department coordinates the Deferred Compensation Program. The Program is directly administered by the employee-selected provider. Participant contributions are deducted on a pre-tax basis. Program participants have numerous investment choices from which to choose. All contributions remain with the provider until the funds are withdrawn in accordance with provider's guidelines upon separation from employment, retirement or death.
- D. Program Guidelines:
 1. Individual voluntary contributions to the employee's Deferred Compensation account shall be made by the employee through payroll deductions. Contributions must be at least \$5.00 per pay period and may not exceed the maximum allowed by law.

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Work Session Agenda Form

DATE: August 27, 2018

Item # 2

AGENDA ITEM: Continued Discussion of Property Maintenance

SUMMARY: Staff has prepared various Property Maintenance Enforcement Options for Council to review in the attached document.

BUDGET/FUNDING: N/A

STAFF RECOMMENDATION: Council takes desired action

Work Session

PROPERTY MAINTENANCE ENFORCEMENT OPTIONS

OPTIONS		PROS/CONS	ESIMATED STAFFING
A	<u>OPTION A:</u> No change.	N/A	N/A
B	<u>OPTION B:</u> Adopt Sections 104, 105 and 106 of the Property Maintenance Code Only. <i>Example: Town of Culpeper</i>	PROS: Additional legal path for enforcing unsafe structures. CONS: Does not expand powers beyond unsafe structures which can already be enforced by the public nuisance code.	.5 - 1 Requires Code Official.
C	<u>OPTION C:</u> Adopt the Property Maintenance Code in full without a Rental Inspection Program. <i>Example: Town of Strasburg (not enforced)</i>	PROS: Addresses all structures in the Town. Addresses maintenance issues. Can be enforced on a complaint basis or proactive enforcement. CONS: Legal costs from challenges from landlords.	1 – 1.5 Requires Code Official.
D	<u>OPTION D:</u> Adopt the Property Maintenance Code in full with a Rental Inspection Program . <i>Example: Planning Commission Draft</i>	PROS: Addresses property maintenance town-wide and addresses the condition of rental units inside of the designated Rental Inspection District. CONS: Moderate cost from higher staffing level need. Size of Rental Inspection District controls staffing level to some extent. Legal costs from challenges from landlords.	1.5 – 2 Requires Code Official.
E	<u>OPTION E:</u> Adopt the Property Maintenance Code in full with a Rental Inspection Program and a Building Inspections Department . <i>Example: City of Winchester, VA</i>	PROS: Addresses property maintenance town-wide and addresses the condition of rental units inside of the designated Rental Inspection District. Permit fees from building permits generate more income. Better communication link and control between property maintenance violations and building permits. All services in-house. CONS: Higher cost from higher staffing level need. Legal costs from challenges from landlords. Redundant services argument.	3 + outsourcing Requires Code Official.