TOWN COUNCIL WORK SESSION
Monday, April 6, 2020 @ 7:00pm
via Webex at frontroyalva.com/meeting

1. Williamsburg Estates Drainage Issues – *Interim Town Manager*

2. Review of Comprehensive Water and Wastewater Utility Cost of Service Fee and Rate Study - Stantec Presentation

3. Sanitary Sewer Closed-Circuit Television (CCTV) Investigations for I & I Abatement – *Dir of Finance*

4. Ordinance Amendments to Chapters 12 and 175 Pertaining to Fees – *Director of Finance*

5. Envision Village Commons Report – *Interim Town Manager*

6. BZA Term Expires May 1 – *Interim Town Manager*

7. DEQ Consent Order Discussion – *Director of Public Works*

8. Open Discussion

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Work Session

Work Session Agenda Form Item # 1

DATE: April 6, 2020

AGENDA ITEM: Williamsburg Estates Drainage Issues

SUMMARY: Roger Keys, President of the Williamsburg Estates Homeowners Association (HOA) has requested to speak before Council regarding drainage issues in his subdivision. In March 2019 numerous calls had been received from residents in and around Williamsburg Estates concerning stormwater runoff from Walker Avenue into the lake of Williamsburg Estates. After review, a letter dated April 3, 2019 was sent to the former HOA President from the Public Works Director noting that the area is private property and it was the responsibility of the HOA to maintain this area. Mr. Keys approached the Town again in early 2020 with a verbal request asking the Town to clean out a storm runoff (ditch) that extends from Linden Street and Walker Avenue into the lake in Williamsburg Estates. After consultation with legal counsel it was noted that the Town was not responsible for the clean out of the ditch due to the ditch running along private property and was not installed by the Town.

Staff proposed costs estimates in 2019 if the work were to be performed by the Town.

Attached: Various letters and maps and pictures.

STAFF RECOMMENDATION: Council takes desired action.

Tina Presley

From: roger <rogerkeys1454@comcast.net>
Sent: Thursday, March 26, 2020 11:26 AM
To: Tina Presley
Subject: Williamsburg Estates drainage issues

I hope that you have received the video of the flooding from Mrs. Revells (1438 Linden) which shows the degree of flooding which the houses on that section of Linden Street are subject to due to the poor flow from the drainage ditch. Also, the house on Walker that is not on the map but is across from 1450 Linden has had their home flooded in the past ($13,000 in damages)and now must have Flood Insurance ($980). Part of the problem is that the ditch which runs from John Marshall to the lake is constantly the source of trash. The houses on John Marshall that are east of old TJ's market are in need of a visit by Public Works to see what is laying around the houses. The worst one is on the end (it has a toilet seat in the front yard) The ditch also has problems where it crosses Walker from Linden. The drain pipe is constantly blocked by trash and the resident is trying to keep it clean but there are often items too big to fit thru the pipe. There are two drain pipes that empty into the ditch next to 1438 Linden. One of them is blocked very little water goes thru it. Another drain is across from 80 Walker and is completely blocked. There is another drain pipe between 91 and 95 Walker that just dumps water into the two houses yard and flows into the lake.
I do not know how long the lake has been in existence but I suspect it was put in back in the 40's or 50's, long before the homes in the area were built. There are several problems which the Town is responsible for under the Dept. of Environmental Quality and a consent decree that the Courts put into place. While the HOA property has no problem as a receptor for the water the years of use/neglect has resulted in the ditch, which was 5' deep in the early 90's is not about 6 inches due to trash and silt which have washed into the waterway. Last year the HOA spent $2800 to install a larger drain pipe but due to silting it needs to be lowered at least another foot or so and we need that ditch to be cleaned out and this will, hopefully allay future flooding. The OA simply does snot have the financial resources to do this work and since it is the Towns liability we feel that the Town should step up and take care of these issues. I suspect that the ditch and the entire lake have been silted at least 3-4 feet over the years. If the Town would clean out the ditch, lower the drain pipe and routinely check the drainages for problems this issue will be resolved and since there is little, if any materials involved, it is just a matter of a backhoe and some manhours. To resolve.

I know that you will let me know about the status of our scheduled meeting and I am going to drop off a few items for you to present to the Council if we are not able to meet face to face.
Thanks for all you efforts.

Sent from Mail for Windows 10

TOWN OF FRONT ROYAL
TOWN MANAGERS OFFICE
102 E. MAIN STREET
PO BOX 1560
FRONT ROYAL, VIRGINIA 22630-1560
(540) 635-8007
(540) 636-7475 (Fax)

MATTHEW A. TEDERICK
Interim Town Manager
tederick@frontroyalva.com

February 10, 2020

Roger Keys – HOA President
1454 Lakeview Drive
Front Royal, Virginia 22630

Re: Williamsburg Estates Drainage Issues

Dear Mr. Keys,

I have received your verbal request asking that the Town clean out a storm runoff (ditch) that extends from Linden Street and Walker Avenue into the lake in Williamsburg Estates. After consultation with legal counsel, the Town is not responsible for the clean out of the ditch. Williamsburg Estates is a private subdivision with an HOA that is responsible for all maintenance within the subdivision; furthermore, the ditch in question runs along private property and was not installed by the Town; therefore, there is no easement nor responsibility for the Town to maintain the drainage ditch.

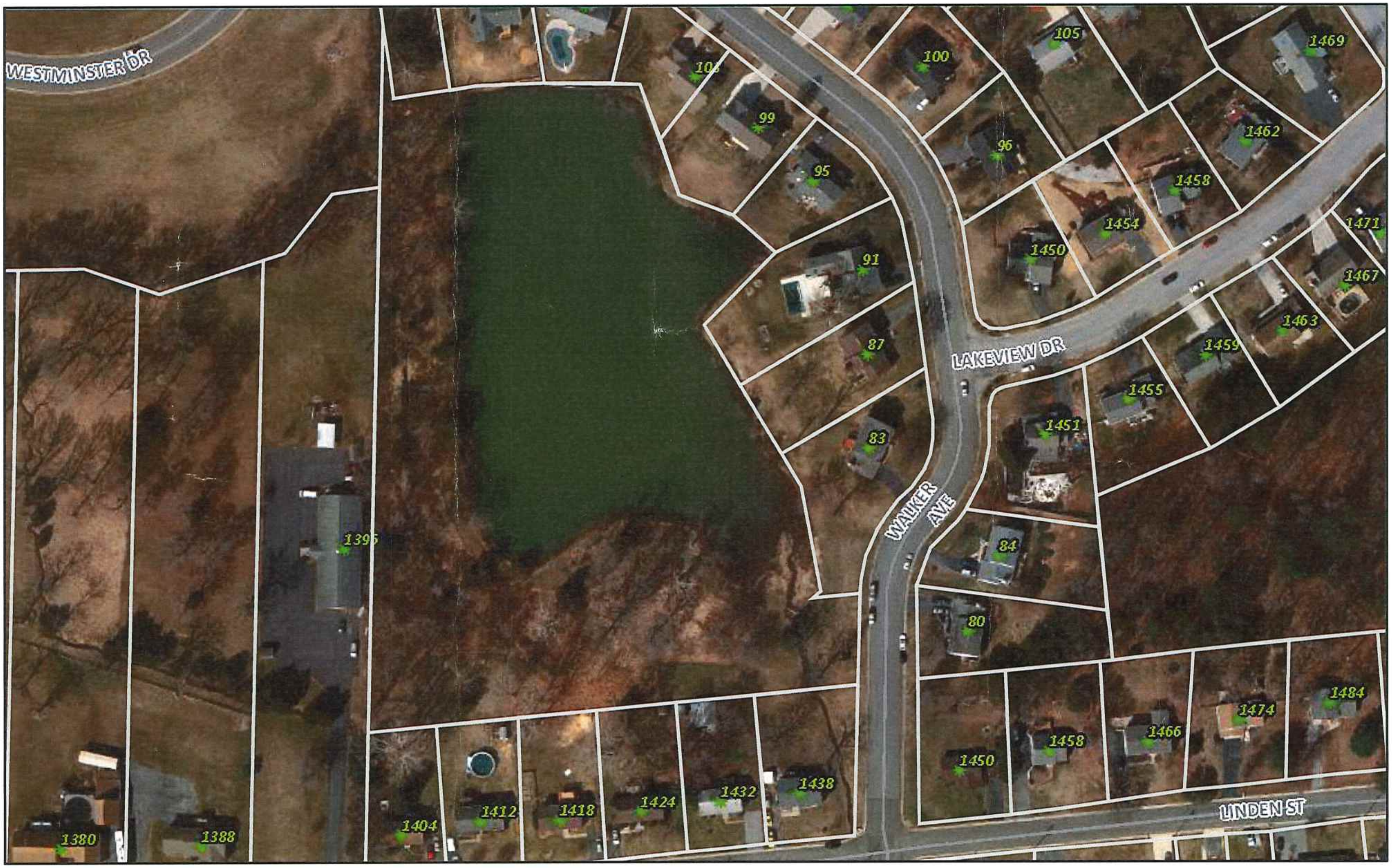
I am willing to allow Town Staff to schedule advisory or training sessions with you and others to assist in the clean out process. If you would like to schedule these sessions please do so at your earliest convenience by calling Public Works Department (540)635-7819, Monday – Friday, 7:00am – 3:30pm.

If you have any further questions, please do not hesitate to contact me.

Sincerely,

Matthew A. Tederick
Interim Town Manager

cc: Director of Public Works Robbie Boyer



January 27, 2020

1:2,257

0 105 210 420 ft

0 30 60 120 m

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

LLC B and B Excavating <quickbooks@notification.intuit.com> 6/26/2019 12:34 PM

Invoice 1494 from B and B Excavating, LLC

To conway.r@comcast.net

B and B Excavating, LLC

Dear Bob Conway,

Here's your invoice! We appreciate your prompt payment.

Thanks for your business!
B and B Excavating, LLC

INVOICE 1494

DUE 06/26/2019

$2,800.00

Pd Check # 1745
6/25/2019

Review and pay

Powered by QuickBooks

B and B Excavating, LLC

P.O. Box 583 Front Royal, VA 22630

540-635-5555 bbexcavating5555@gmail.com

If you receive an email that seems fraudulent, please check with the business owner before paying.

B and B Excavating, LLC
P.O. Box 583
Front Royal, VA 22630
540-635-5555
bbexcavating5555@gmail.com

ESTIMATE

ADDRESS
Bob Conway

ESTIMATE # 1063
DATE 06/12/2019

ACTIVITY	QTY	RATE	AMOUNT
Machine Time,Labor, and Materials Install 20' of 36" double wall plastic culvert at outlet of Lake. re install the 2 -20' of metal corrugated culvert next to it at higher elevation running parallel with 36" plastic culvert. tamp excavated areas. Have necessary outlet protection at culverts outlets. Grade and raise elevation at old spill way to prevent more erosion. Seed and straw all disturbed areas	1	2,800.00	2,800.00

TOTAL **$2,800.00**

Accepted By

Accepted Date

put IN
Quick Books

(htt...w.warrencountyva.net/)

Williamsburg Estates Drainage Costs 2019

Option I

Extend two 42" concrete pipes from Linden St to the lake. Crossing the property of 1438 Linden St, entering onto property of Williamsburg Estates and terminating at water's edge of lake.

Materials

- 600' of 42" Doublewall pipe = $26,580.00
- 2 marmac couplings = $300.00
- 21A stone = $1,000.00
- Topsoil = $1,500.00
- Seed and Straw = $295.00

Total = $29,675.00

Option II

Clean and reshape existing open water way and line banks with Class I rip/rap stone with filter fabric.

Materials

- Class I stone = $7,240.00
- Topsoil = $600.00
- Seed and Straw = $195.00

Total = $8,035.00

TOWN OF FRONT ROYAL
Public Works
800 Crosby Rd.
P.O. BOX 1560
FRONT ROYAL, VIRGINIA 22630-1560
www.frontroyalva.com

Robert B. Boyer
Public Works Director
(540) 635-7819
(540) 635-8973(Fax)
rboyer@frontroyalva.com

April 3, 2019

Bob Conway – HOA President
91 Walker Ave
Front Royal, VA 22630

Mr. Conway,

We received a call from a resident in the Williamsburg Estate regarding concerns and issues with drainage problems due to debris and sediment on the Linden St side of Williamsburg Estate. I've attached some pictures of the area that Mr. Keys has concerns about, after reviewing the area Mr. Keys is referring to, we let him know that this area is on private property which the Town does not maintain or conduct repairs on private property. We recommended to Mr. Keys that he contact his HOA board members and express his concerns with them.

If you have any questions or need any further information, please contact me at my office at 540-635-7819.

Thanks,

Robert B. Boyer
Public Works Director
Town of Front Royal

Memo

Town of Front Royal Public Works

TO: **Robert Boyer, Public Works Director**

FROM: **Steve Scheulen, Infrastructure Manager**

CC:

DATE: **3/18/19**

RE: **Williamsburg Estates Drainage Concerns**

Public Works has received numerous calls from residents in and around Williamsburg Estates concerning the stormwater runoff from Walker Ave into the lake of Williamsburg Estates. The area of concern is private property and has been the responsibility of the HOA to maintain and the response from Public Works has always been such.

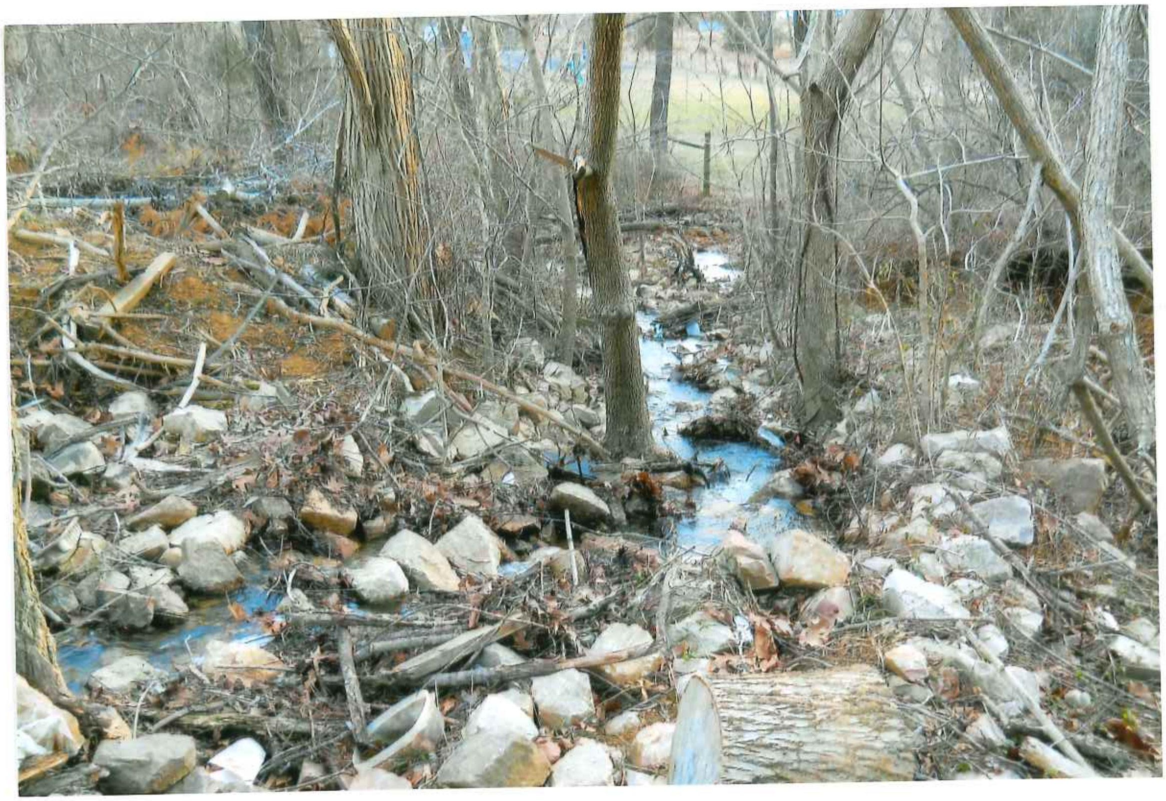
Most recently, a resident and aqaintance of the president for the HOA of Williamsburg Estates reached out to Public Works asking for the Town to step in and help. Stating the HOA is not equipped nor has the funds to excavate the material. It is their feeling the Town should have some involvement since storm water discharges from the Walker Ave area into the lake and has deposited the debris and sediment.

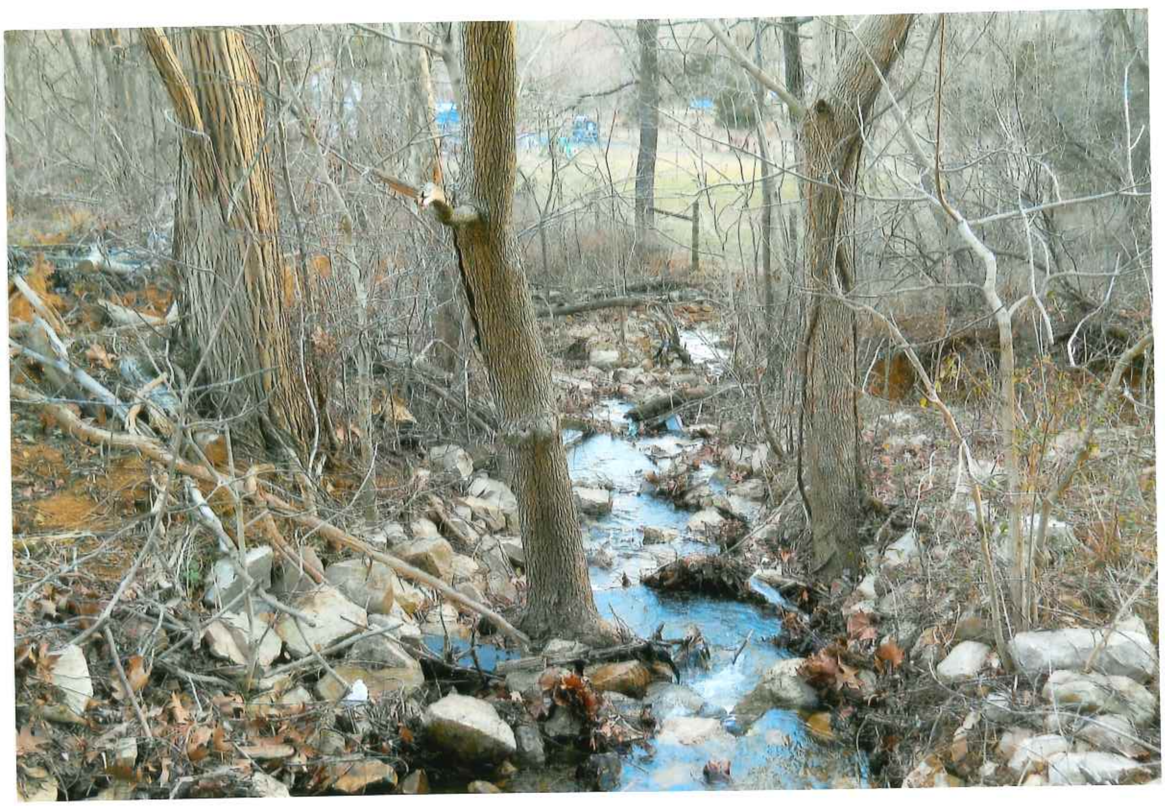
It appears the HOA is not properly maintaining their part to prevent blockages and backup in water flow resulting in potential flooding of residents along Linden St.

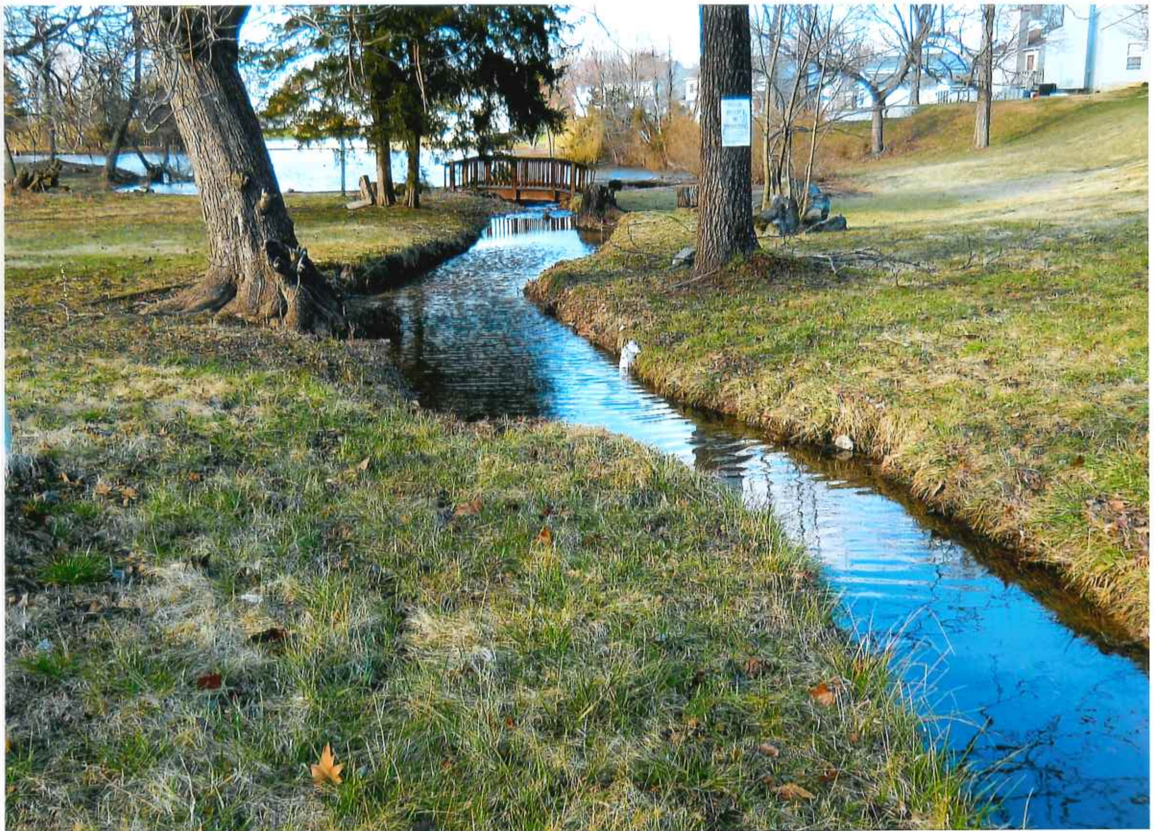
Consideration for the following:

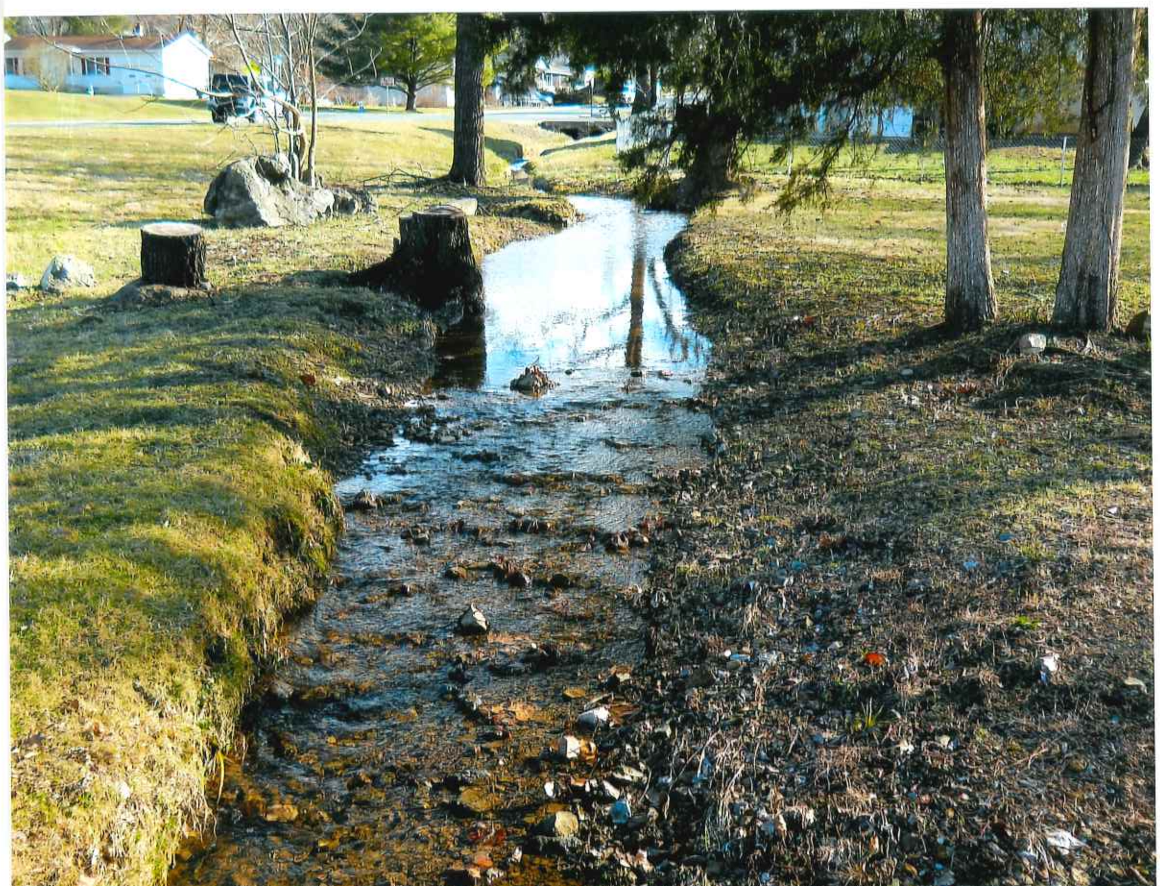
Do we want to take on the maintainance work?

There is a foot bridge belonging to the HOA which is contributing to the collection of debris.









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Work Session

Work Session Agenda Form Item # 2

DATE: April 6, 2020

AGENDA ITEM: Review of Comprehensive Water & Wastewater Utility Cost of Service Fee & Rate Study

SUMMARY: Stantec Consulting Services will present their recommendations based on their findings from the comprehensive water and wastewater utility cost of service and rate study.

BUDGET/FUNDING: Potential impacts to the FY21 Proposed Budget will be reviewed as the Town moves forward with proposed budget discussions and adoption of the FY21 Proposed Budget.

STAFF RECOMMENDATION: Staff recommends for Council to discuss any questions or concerns related to the cost of service fee and rate study with Stantec Consulting Services.

Town of Front Royal, VA

Water and Sewer Rate Study

Town Council Meeting

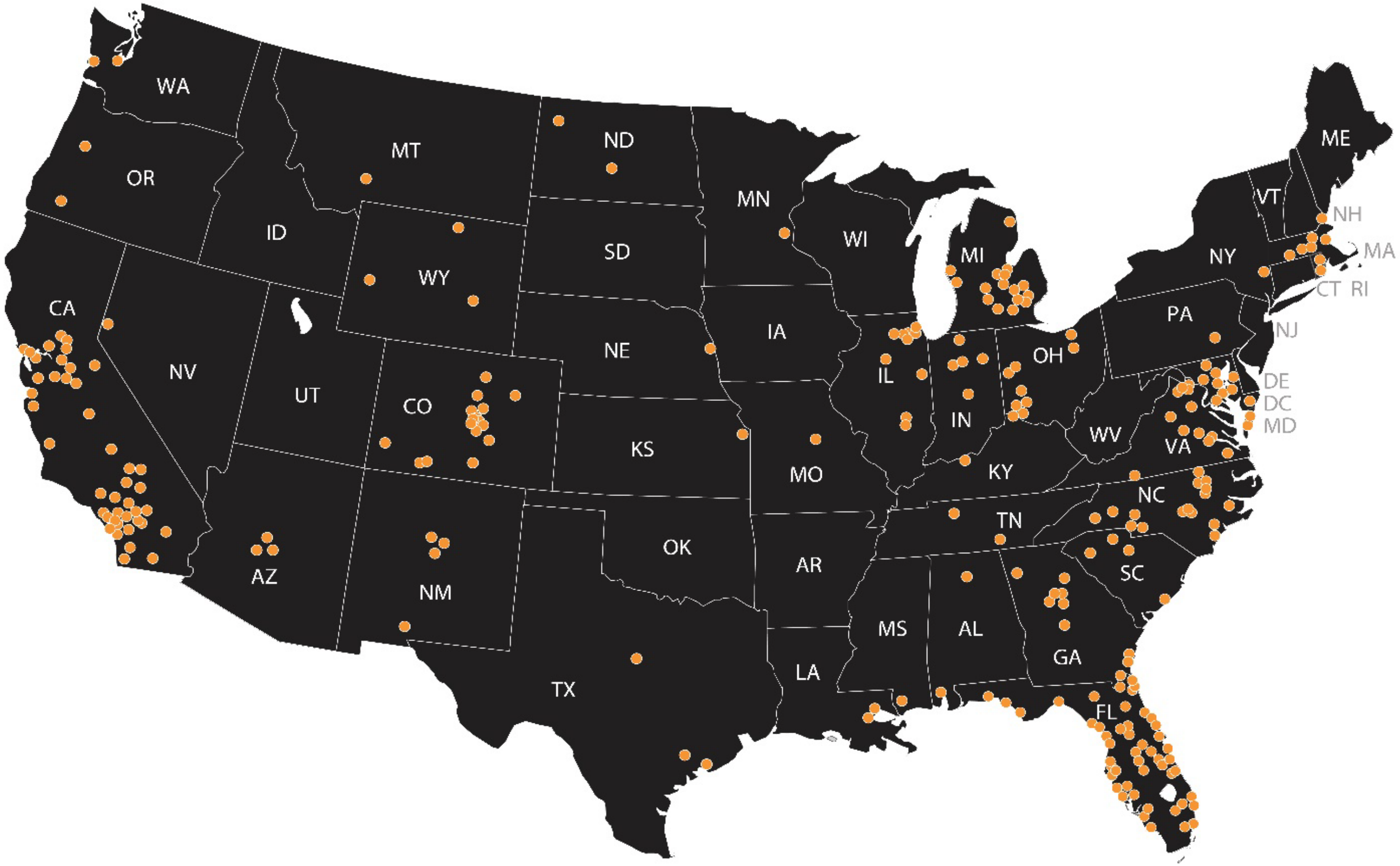
April 6, 2020

Stantec

Agenda

- About Stantec
- Background
- Terminology 101
- Assumptions
- Revenue Sufficiency Analysis
- System Development Charge
- Cost Differential Analysis
- Questions

Stantec Financial Services



>290

Communities we have served, accounting for 20+% of the US population!

300+
Combined years of experience

1.5K+
Studies in the last 10 years

30+
Specialists in utility financial management

>500
Utilities in our benchmarking database

$4B+
Debt supported in past five years

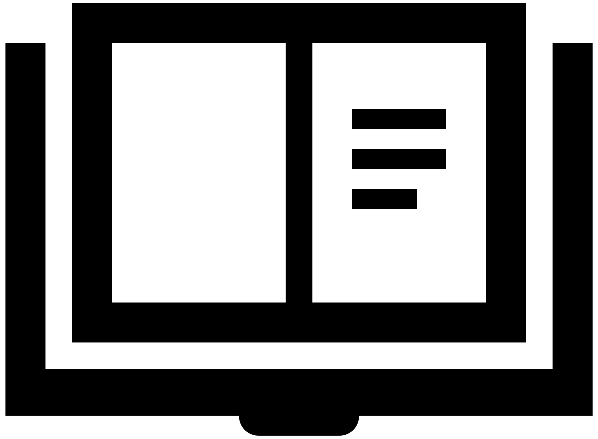
Background

The Town contacted Stantec to perform the following:

- Complete Revenue Sufficiency Analysis to determine required Water and Sewer rate increases.
- Evaluate current Water and Sewer System Development Charges and recommend changes.
- Identify the Allocated Cost Differentials between Inside and Outside Town services to determine appropriate surcharges

Ratemaking Terminology 101

System Development Charge
One-time charge assessed against new development to recover a proportional share of the cost of infrastructure that provide capacity to serve new customers.



Connection Fee
One-time fee to recover the specific costs (labor & materials) of connecting properties to existing water & sewer lines.

Rates
Monthly rates (fixed and/or usage) to recover ongoing operating, maintenance, debt service, and renewal and replacement costs.

Water & Sewer Key Assumptions

9 mos.

Operating reserve target

1.5x

Debt service coverage target

$2.8 M

FY2020 waterline/pavement project cash funding

$1.6 M

FY2021 fast track I & I abatement cash funding

$18.9 M

10-Year Water CIP

$17.6 M

10-Year Sewer CIP

FAMS
Financial Analysis & Management System | By Stantec

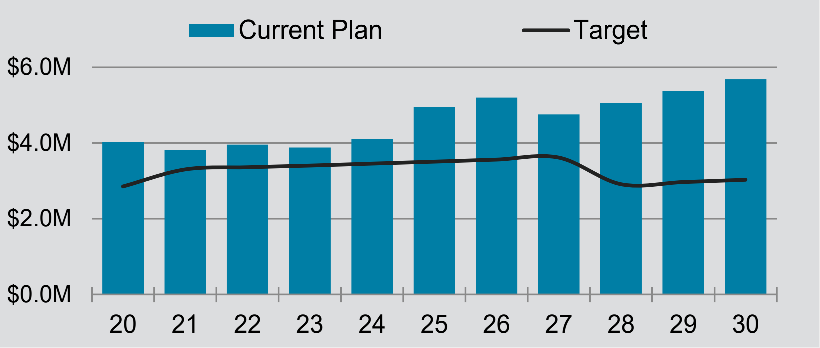
TOWN OF FRONT ROYAL WATER FUND

Stantec

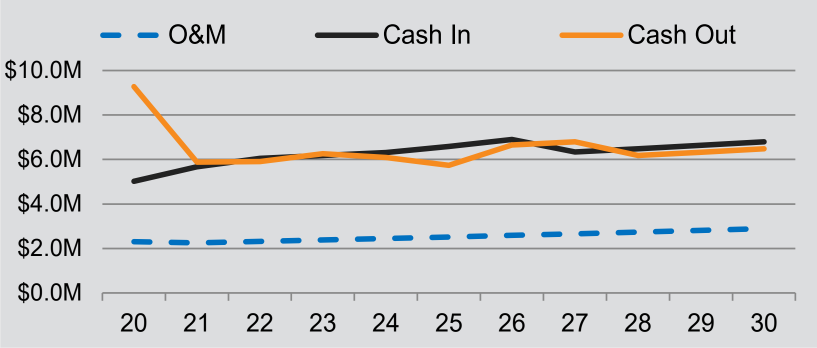
CALC SAVE CTRL LAST OVR

	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2024	FY 2030
Water Rate Plan	0.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	8.29%	21.90%
All-In DSC	2.39	1.85	1.87	1.92	1.95	2.08	2.23	2.27	4.38	4.47	4.56	Paving - Cash	$2,807,925

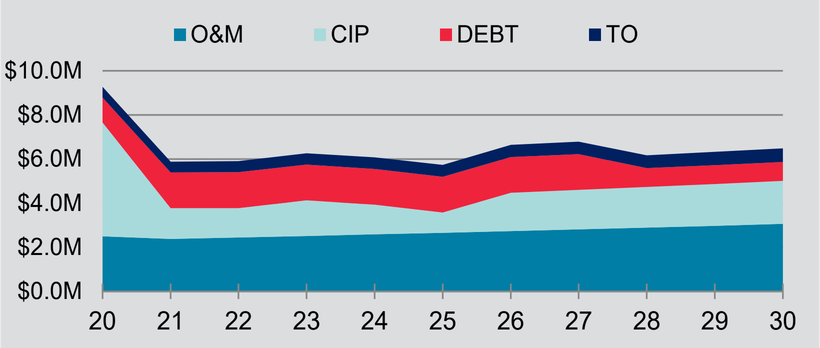
Operating Fund



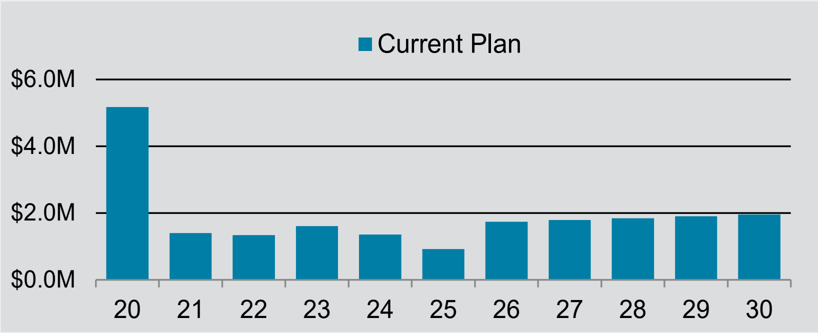
Revenues vs. Expenses



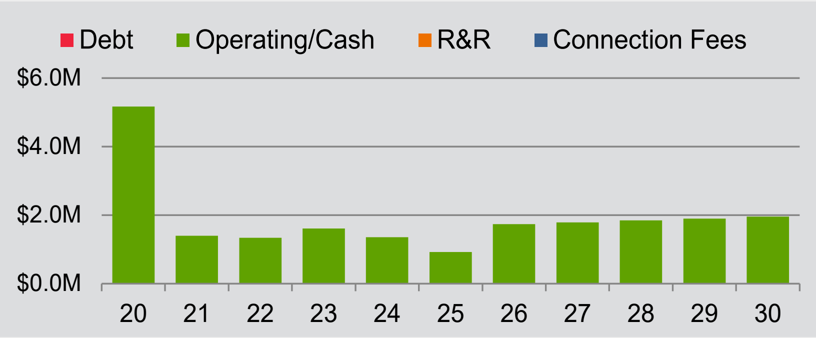
Expenses by Type



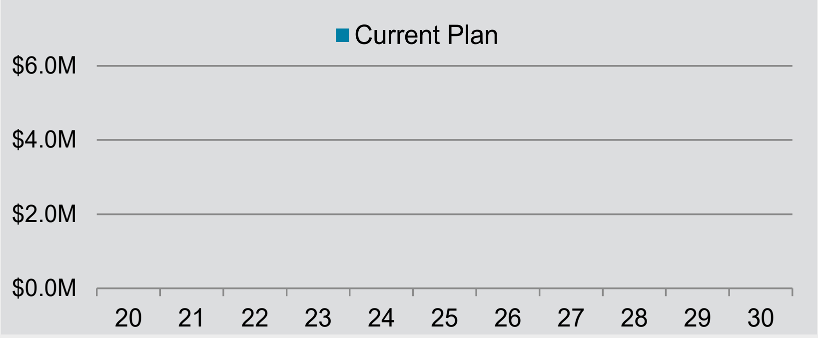
CIP Spending



CIP Funding



Borrowing



Water Assumptions: 100% cash fund the water line upgrades associated with paving project in FY 2020

TOWN OF FRONT ROYAL SEWER FUND

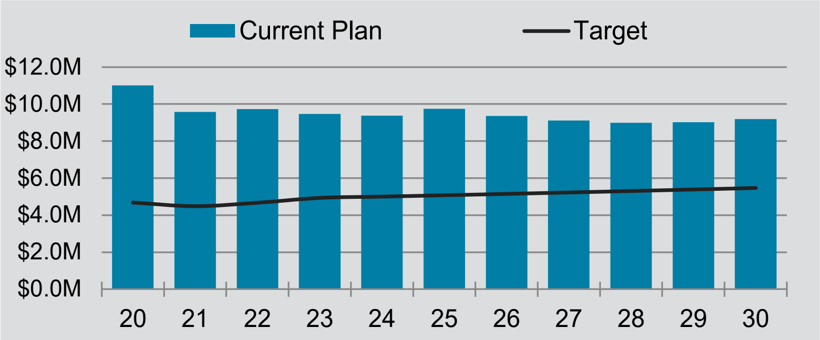
FAMS
Financial Analysis & Management System | By Stantec

Stantec

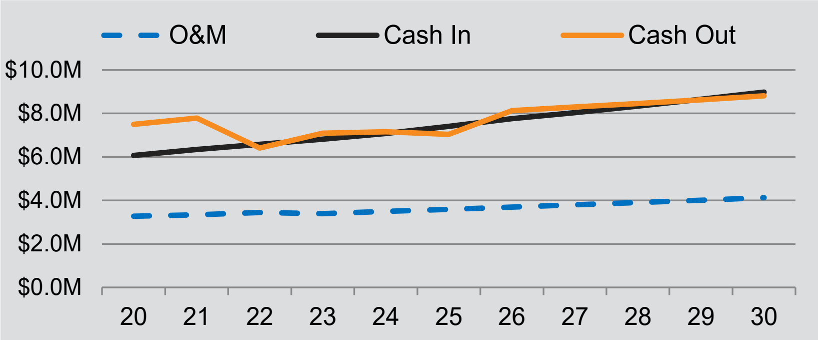
CALC | SAVE | CTRL | LAST | OVR

	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2024	FY 2030
Sewer Rate Plan	0.00%	3.50%	3.50%	3.50%	3.50%	3.50%	3.50%	3.50%	3.50%	3.50%	3.50%	14.84%	41.19%
All-In DSC	1.26	1.52	1.50	1.44	1.50	1.60	1.71	1.78	1.86	1.95	2.04	I/I Cash Fund	$1,600,000

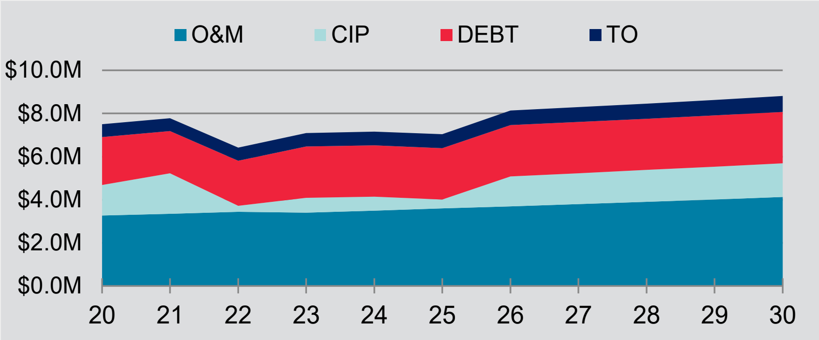
Operating Fund



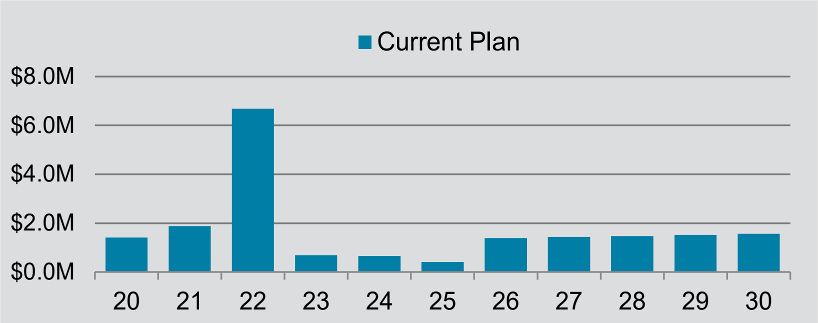
Revenues vs. Expenses



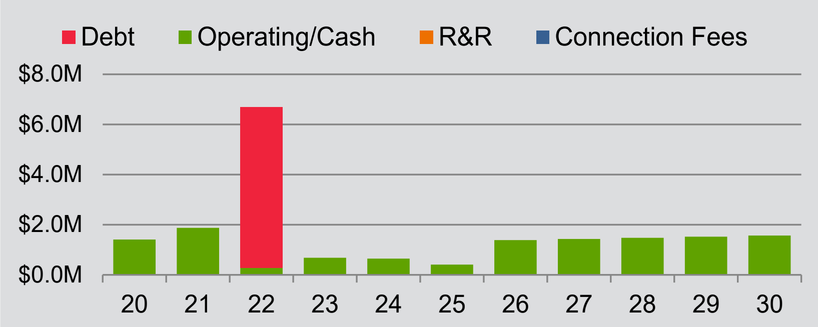
Expenses by Type



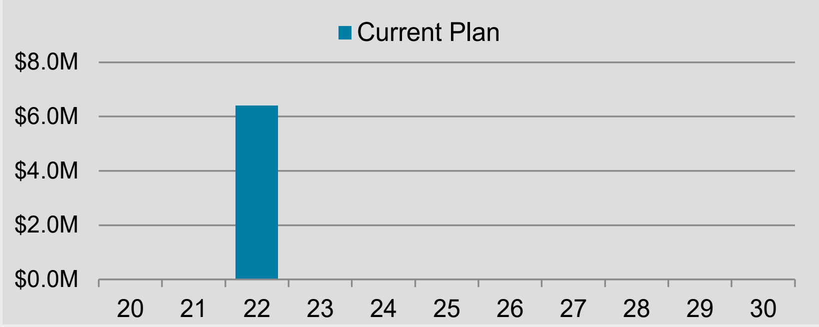
CIP Spending



CIP Funding



Borrowing

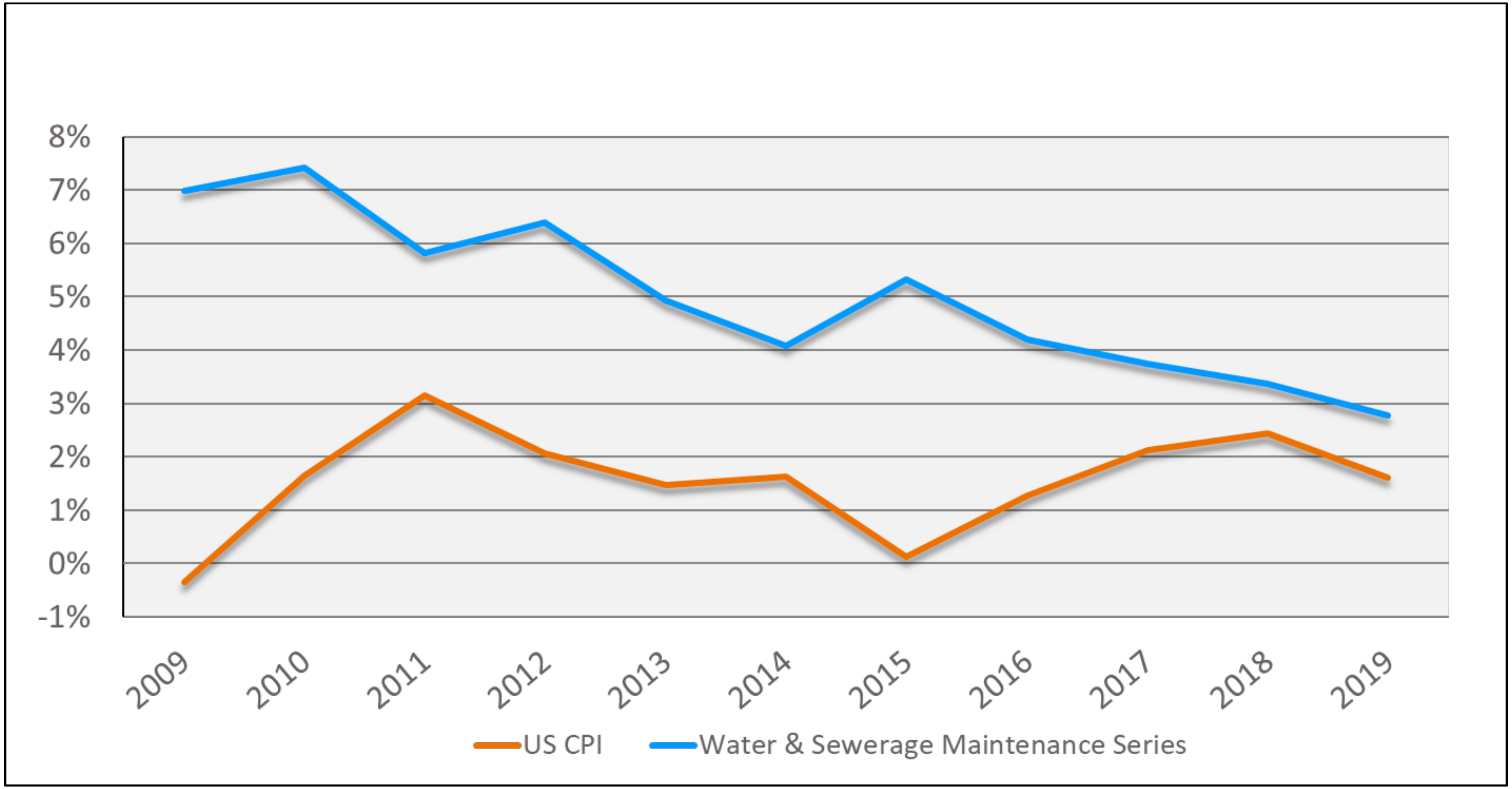


Sewer Assumptions: FY 2021 cash fund $1.6 million of fast tracked I/I Abatement project in FY 2021, low interest loan for $6.4 million of I/I Abatement project in FY 2022

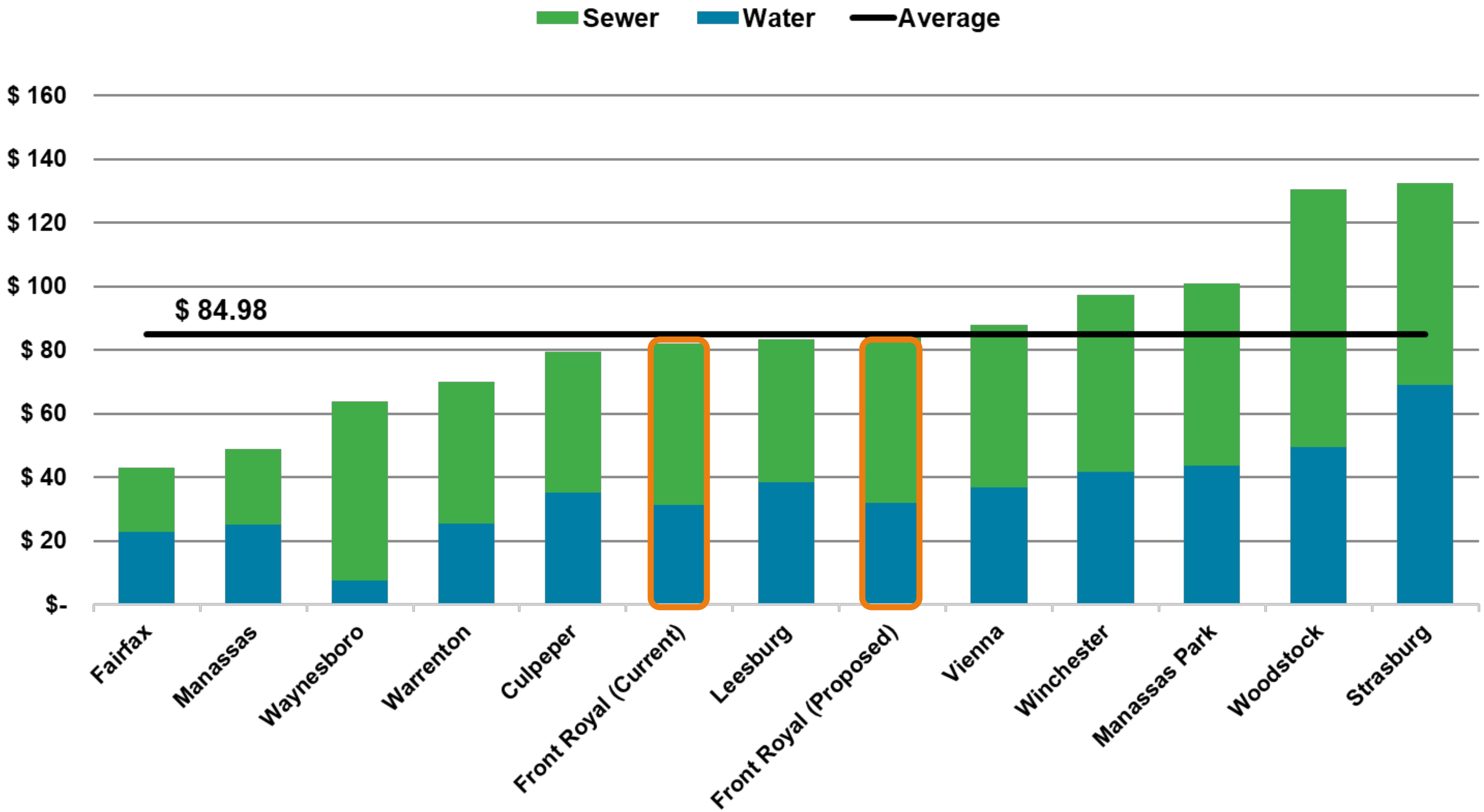
Typical Residential Customer Monthly Bill Impacts
3/4" Meter, 5,500 gallons

	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
WATER	$31.18	$31.82	$32.45	$33.11	$33.77	$34.43
$ Change	N/A	$0.64	$0.63	$0.66	$0.66	$0.66
% Change	N/A	2.0%	2.0%	2.0%	2.0%	2.0%
SEWER	$50.95	$52.74	$54.58	$56.49	$58.47	$60.52
$ Change	N/A	$1.79	$1.84	$1.91	$1.98	$2.05
% Change	N/A	3.5%	3.5%	3.5%	3.5%	3.5%
TOTAL	**$82.15**	**$84.56**	**$87.03**	**$89.60**	**$92.24**	**$94.95**
$ Change	**N/A**	**$2.43**	**$2.47**	**$2.57**	**$2.64**	**$2.71**
% Change	**N/A**	**2.9%**	**2.9%**	**2.9%**	**2.9%**	**2.9%**

Overall CPI vs. Water/Sewer CPI



Typical Residential Customer Monthly Bill Survey
3/4" Meter, 5,500 gallons



System Development Charges & Connection Fees

Overview & Observations

- System development charges (SDCs) are levied against new growth in the service area in order to defray the cost of system expansion and have “growth pay for growth”
- The Town currently assesses the system development charge based up upon either the meter size serving the connection or the number of water closets or fixture units behind the meter

Recommendations

- Update the SDCs to reflect the cost of the system infrastructure in current dollars
- Simplify the fee structure to only consider meter size when pricing capacity
    - Most common industry practice
- Update connection fees (currently tap fees) to reflect actual costs

System Development Charge

Water

- Capital costs with asset life greater than 10 years
  - Supply/Treatment
  - Transmission / Distribution
- System asset value nets out outstanding principal on related debt

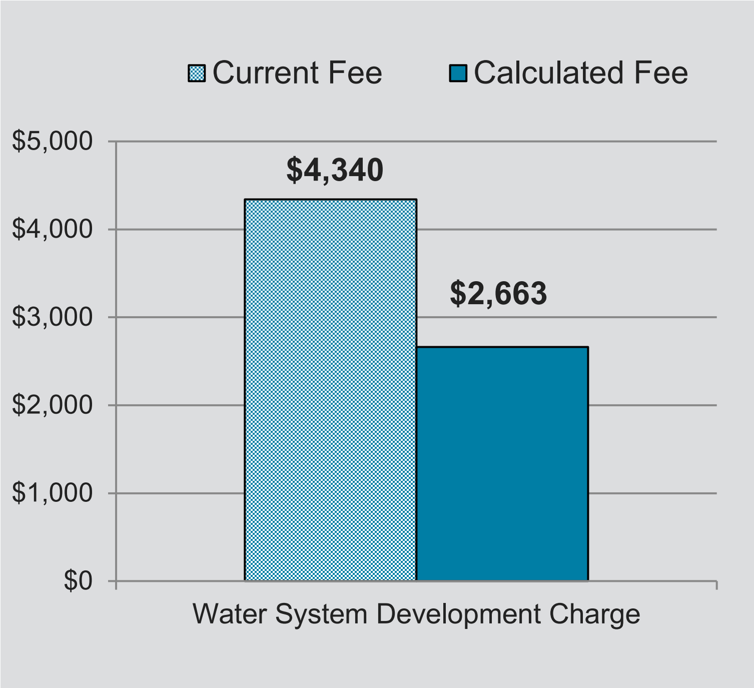
Sewer

- Capital costs with asset life greater than 10 years
  - Treatment
  - Collection
- System asset value nets out outstanding principal on related debt

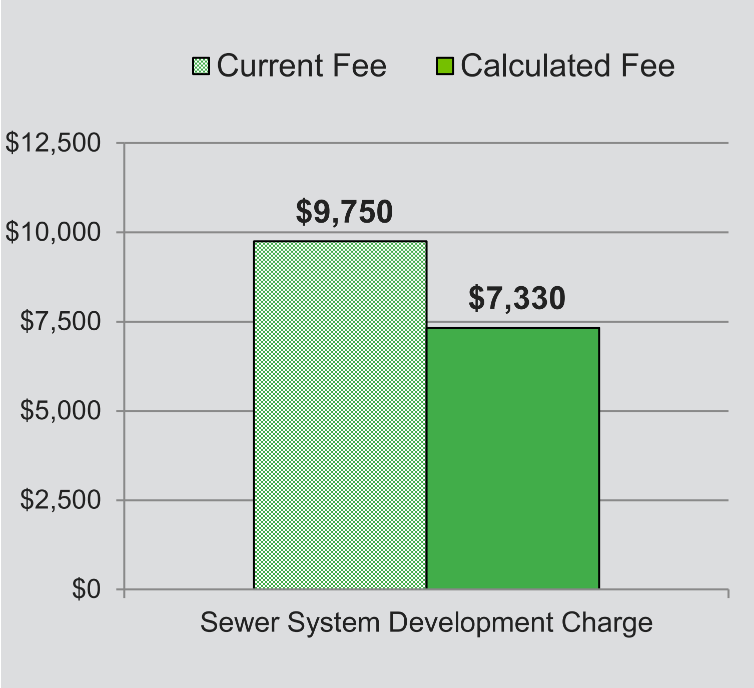
Growth Pays for Growth

System Development Charges per ERU*

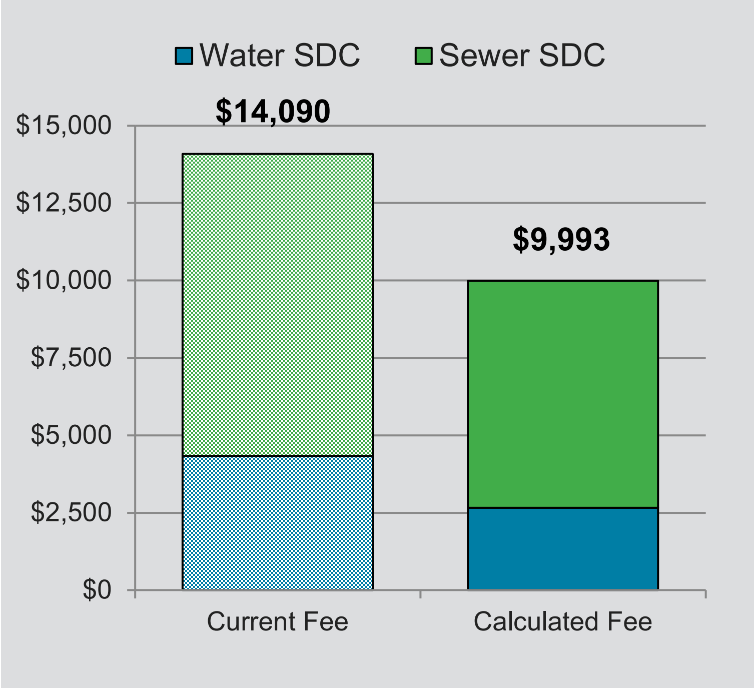
Water



Sewer



Total



*Equivalent Residential Unit = 3/4” meter

System Development Charges Schedule

Water

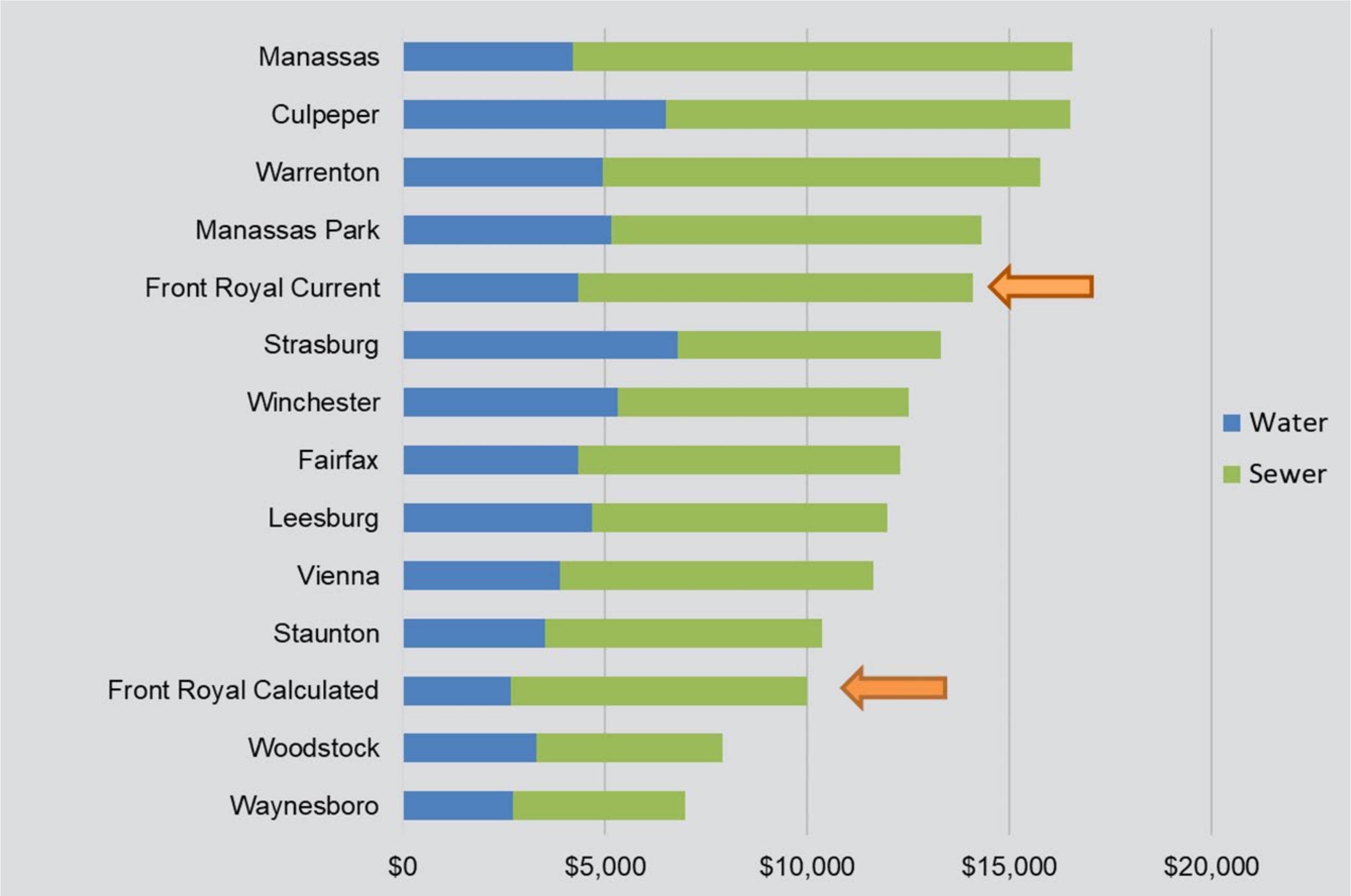
Meter Size	Current System Development Charge*	Calculated System Development Charge**	$ Difference
3/4"	$ 4,340	$ 2,663	$ (1,677)
1"	$ 8,816	$ 4,438	$ (4,378)
1.5"	$ 20,100	$ 8,877	$ (11,223)
2"	$ 31,154	$ 14,203	$ (16,951)
3"	$ 60,634	$ 31,068	$ (29,566)
4"	$ 93,798	$ 53,260	$ (40,538)
6"	$ 185,922	$ 119,835	$ (66,087)
8"	$ 296,469	$ 248,547	$ (47,922)
10"	$ 425,442	$ 372,820	$ (52,622)
12"	$ 554,415	$ 470,463	$ (83,952)

Sewer

Meter Size	Current System Development Charge*	Calculated System Development Charge**	$ Difference
3/4"	$ 9,750	$ 7,330	$ (2,420)
1"	$ 21,938	$ 12,217	$ (9,721)
1.5"	$ 50,700	$ 24,433	$ (26,267)
2"	$ 79,950	$ 39,093	$ (40,857)
3"	$ 157,950	$ 85,517	$ (72,433)
4"	$ 245,700	$ 146,600	$ (99,100)
6"	$ 489,450	$ 329,850	$ (159,600)
8"	$ 781,950	$ 684,133	$ (97,817)
10"	$ 1,123,200	$ 1,026,200	$ (97,000)
12"	$ 1,464,450	$ 1,294,967	$ (169,483)

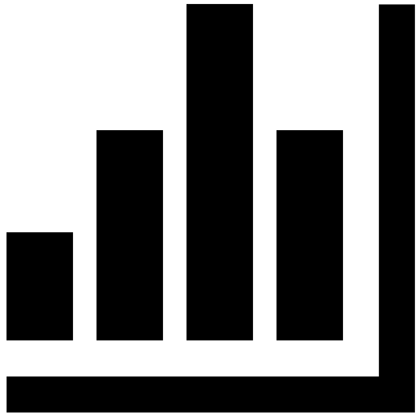
* Some non single-family residential property types are charged based on unit or water closets
** Connection fees will be charged separately based on actual costs

System Development Charge Comparison



Inside/Outside Town Cost Differential Analysis

- Used generally accepted industry approach – Cash Needs Basis
- Identified the allocated cost differentials between Inside and Outside Town services to determine appropriate surcharges
- Allocation factors based off:
  - number of accounts
  - water and sewer flows
  - debt
  - CIP
  - assets
  - miles of pipe



Inside/Outside Town Cost Differential

- Current Surcharge of 100%

- Results in calculated Outside Town Surcharges of:
  - Water – 121.6%
  - Sewer – 97.5%
  - Combined Weighted – 108.2%

- Current overall level of surcharges are supported by the Analysis – No change recommended

- Analysis is a snapshot in time and allocations will fluctuate to a degree annually as costs and user characteristics change

Recommendations

Rate Increases

- Water: 2.0% annually
- Sewer: 3.5% annually
- FY 2021 typical monthly bill increase: $2.43 or 2.9%

System Development Charge

	Current	Calculated	Difference
Water	$ 4,340	$ 2,663	($ 1,677)
Sewer	$ 9,750	$ 7,330	($ 2,420)
Total	$ 14,090	$ 9,993	($ 4,097)

Connection Fee

- Not included in system development charge
- Based on actual costs (labor & materials)

Inside/Outside Cost Differential

- No change to existing surcharges required

?

Andrew Burnham
Vice President
(813) 204-3331
Andrew.Burnham@Stantec.com

David Hyder
Senior Principal
(202) 585-6391
David.Hyder@Stantec.com

Additional Questions/Discussion

3

Work Session

Work Session Agenda Form Item # 3

DATE: 4/6/20

AGENDA ITEM: Sanitary Sewer Closed-Circuit Television (CCTV) Investigations for I&I Abatement

SUMMARY:
This request for Council to review is based on the CCTV investigative work on most of the Town's remaining clay and concrete sewers. The deliverable for this project is video that CHA Consulting will review and rank the infiltration and inflow potential.

Urgency is given to this request based on the timeliness in hiring the recommended contractor to complete the work and satisfy the requirements of the Town's responsibilities in Inflow & Infiltration Abatement under the Consent Order.

Provided for review are the recommendation letters from CHA Consulting, Inc., Robbie Boyer, Public Works Director, and Alisa Scott, Purchasing Manager. CHA Consulting will assist the Town during the actual CCTV work to administer the contract.

CHA Consulting and Staff recommend awarding the SS CCTV Bid to Hydrostructures, LLC in the amount of $990,674 for the successful completion of FR-1,5,6,7 (Phase 1) and FR-3,8,9 (Alternate A: Phase 2).

Sewer fund balance reserves could be used for the project and would be eligible for reimbursement if the Town were to obtain financing to advance I&I. Council would need to hold a public hearing and approve a budget amendment to allocate funds from reserves for the project. As of June 30, 2019 the Town's s unrestricted sewer fund balance exceeding 3-month reserves was $10,120,565.

BUDGET/FUNDING:

9801-3510110 – Waste Water Treatment Appropriated Funds Forward $990,674.00

STAFF RECOMMENDATION: Staff has reviewed the use of sewer fund reserves with Stantec Consulting during the cost of service study and the use of sewer fund balance was incorporated into Stantec's modeling system to ensure adequate reserve levels could be maintained for the sewer fund based on rate recommendations. In an effort to comply with DEQ's consent order & move forward with correcting the Town's inflow and infiltration abatement, staff recommends for Council to approve as presented.

Town of Front Royal, Virginia

Purchasing, Department of Finance

MEMORANDUM

Date: March 30, 2020

To: Tina Presley, Senior Executive Assistant

From: Alisa Scott, Purchasing Manager

RE: Request to add item to Town Council Agenda

The Purchasing Department was asked to solicit competitive sealed bids for Closed-Circuit Television (CCTV) investigation of approximately 147,956 linear feed of 12-inch and small sanitary sewer, approximately 54,633 linear feet of sanitary sewer larger than 12-inch, and approximately 1,452 laterals.

This solicitation and bids support the work that needs to be done prior to the construction phase for the Inflow & Infiltration Abatement outlined in the Town's Consent Order. As such, FR-1,5,6,7 (Phase 1) and FR-3,8,9 (Alternate A: Phase 2) are suggested by CHA Consulting, to be completed as soon as possible.

Staff recommends Council move forward with awarding Hydrostructures, LLC $990,674.00 for the successful completion of SS CCTV investigations in Phase 1 and Alternate A: Phase 2. Please add this recommendation to Council's next Worksession agenda.

Funding for this service is available in the sewer fund reserves and will be made available after budget amendment from to 9801-3510110 – Waste Water Treatment Appropriated Funds Forward $990,674.00.

Purchasing, Department of Finance
102 E Main Street
Front Royal, VA 22630
Website: www.frontroyalva.com
Phone 540-636-6889

Memo

Town of Front Royal Public Works

TO: Alisa Scott, Purchasing Manager

FROM: Robert Boyer, Public Works Director

DATE: March 30, 2020

RE: Recommendation for CCTV investigation contract

We have reviewed the bid tabulation and information the CHA Consulting has sent over for the CCTV investigation contract. After reviewing this we would recommend moving forward with the second lowest bidder Hydro Structures, LLC since the lower bidder Utility Services Group, Inc didn't meet the bid specs for this project.

We are recommending moving forward with the base bid at a cost of $431,333.00 and the Alternate bid A at the cost of $559,341.00 which brings the total project cost to $990,674.00. This will allow us to complete the investigative work in seven different basin areas. DEQ has reviewed this project and said that it would qualify for the DEQ loan requirements.

If you have any questions or need any further information just let me know.

March 26, 2020

Mr. Robert B. Boyer
Director of Public Works
Town of Front Royal
P.O. Box 1560
Front Royal, VA 22630

Re: Award Recommendation – Town of Front Royal – 2020 Sanitary Sewer CCTV Investigation (IFB #04-2020); CHA Project No. 031133

Dear Robbie:

On Thursday, March 19, 2020, the Town received bids for the 2020 Sanitary Sewer CCTV Investigation contract. This contract includes closed-circuit television (CCTV) investigation of approximately 147,956 linear feet of 12-inch and smaller sanitary sewer, approximately 54,633 linear feet of sanitary sewer larger than 12-inch, and approximately 1,452 laterals.

The Town received four bids as summarized below. A detailed bid tabulation is also enclosed.

Bidder Name	Total Base Bid
UTILITY SERVICES GROUP, INC.	$1,533,890.55
HYDROSTRUCTURES, LLC	$1,714,793.00
TRI-STATE UTILITIES, LLC	$2,236,098.35
MOBILE DREDGING AND VIDEO PIPE, INC.	$7,817,479.00

While Utility Services Group, Inc. was the apparent low Bidder, their bid contained unit price qualifications that rendered their bid non-responsive. Therefore, Hydrostructures, LLC was the lowest responsive and responsible Bidder for the contract.

Hydrostructures, LLC specializes in CCTV inspection services. They have completed similar projects for several Virginia municipalities. Additionally, CHA has had favorable experiences with Hydrostructures, LLC on past projects. Based upon our knowledge of the Bid and Hydrostructures's credentials, CHA recommends award of the 2020 Sanitary Sewer CCTV Investigation contract to Hydrostructures, LLC.

Considering the sanitary sewer system evaluations outlined in the Town's Consent Order, the CCTV investigations in sanitary sewer basins FR-1,5,6,7 (Phase 1) and FR-3,8,9 (Alternate A: Phase 2) should be completed as soon as possible. With this in mind, CHA recommends awarding the 2020 Sanitary Sewer CCTV Investigation contract to Hydrostructures, LLC in the amount of $990,674.00.

We appreciate the opportunity to work with the Town on this project. If you should have any question with respect to this recommendation, please do not hesitate to contact me.

Sincerely,

Douglas B. Hudgins, P.E.
Vice President

DBH\ees
Enclosure

BID TABULATION SUMMARY
Owner: Town of Front Royal
Project: 2020 Sanitary Sewer CCTV Investigation (IFB #04-2020)
Bid Date: Thursday, March 19, 2020 2:00 PM
CHA Project Number: 031133

BIDDER				UTILITY SERVICES GROUP, INC.		HYDROSTRUCTURES, LLC		TRI-STATE UTILITIES, LLC		MOBILE DREDGING & VIDEO PIPE, INC.	
Item	Description	Unit	Est Qty	Unit Price	Extended Total Price	Unit Price	Extended Total Price	Unit Price	Extended Total Price	Unit Price	Extended Total Price
	Phase 1 - Basins 1,5,6,7										
1	Bonds, Mobilization, and Insurance	LS	1	$15,500.00	$15,500.00	$10,000.00	$10,000.00	$17,000.00	$17,000.00	$140,000.00	$140,000.00
2	CCTV Inspection with Light Cleaning, <= 12" DIA	LF	53,801	$2.50	$134,502.50	$3.00	$161,403.00	$3.20	$172,163.20	$9.00	$484,209.00
3	CCTV Inspection with Light Cleaning, > 12" DIA	LF	1,285	$2.70	$3,469.50	$5.00	$6,425.00	$9.25	$11,886.25	$12.00	$15,420.00
4	Root Removal and/or Heavy Cleaning	HR	275	$375.00	$103,125.00	$350.00	$96,250.00	$408.00	$112,200.00	$500.00	$137,500.00
5	Remove Protruding Lateral	EA	28	$300.00	$8,400.00	$250.00	$7,000.00	$300.00	$8,400.00	$650.00	$18,200.00
6	Preliminary Assessment of Lateral	EA	371	$75.00	$27,825.00	$225.00	$83,475.00	$225.00	$83,475.00	$850.00	$315,350.00
7	CCTV Inspection of Lateral	LF	7,420	$5.00	$37,100.00	$9.00	$66,780.00	$7.25	$53,795.00	$80.00	$593,600.00
	Subtotal				$329,922.00		$431,333.00		$458,919.45		$1,704,279.00
	Alternate A: Phase 2 – Basins 3,8,9										
1A	Bonds, Mobilization, and Insurance	LS	1	$23,000.00	$23,000.00	$10,000.00	$10,000.00	$19,100.00	$19,100.00	$199,000.00	$199,000.00
2A	CCTV Inspection with Light Cleaning, <= 12" DIA	LF	46,972	$3.90	$183,190.80	$3.00	$140,916.00	$3.20	$150,310.40	$9.00	$422,748.00
3A	CCTV Inspection with Light Cleaning, > 12" DIA	LF	10,411	$4.25	$44,246.75	$5.00	$52,055.00	$25.75	$268,083.25	$13.00	$135,343.00
4A	Root Removal and/or Heavy Cleaning	HR	287	$535.00	$153,545.00	$350.00	$100,450.00	$395.00	$113,365.00	$500.00	$143,500.00
5A	Remove Protruding Lateral	EA	29	$300.00	$8,700.00	$250.00	$7,250.00	$285.00	$8,265.00	$650.00	$18,850.00
6A	Preliminary Assessment of Lateral	EA	614	$75.00	$46,050.00	$225.00	$138,150.00	$225.00	$138,150.00	$900.00	$552,600.00
7A	CCTV Inspection of Lateral	LF	12,280	$5.00	$61,400.00	$9.00	$110,520.00	$6.90	$84,732.00	$85.00	$1,043,800.00
	Subtotal				$520,132.55		$559,341.00		$782,005.65		$2,515,841.00
	Alternate B: Phase 2 – Basins 2,4, Unmetered										
1B	Bonds, Mobilization, and Insurance	LS	1	$27,500.00	$27,500.00	$10,000.00	$10,000.00	$30,000.00	$30,000.00	$295,000.00	$295,000.00
2B	CCTV Inspection with Light Cleaning, <= 12" DIA	LF	47,183	$2.50	$117,957.50	$3.00	$141,549.00	$3.20	$150,985.60	$13.00	$613,379.00
3B	CCTV Inspection with Light Cleaning, > 12" DIA	LF	42,937	$5.50	$236,153.50	$5.00	$214,685.00	$10.45	$448,691.65	$25.00	$1,073,425.00
4B	Root Removal and/or Heavy Cleaning	HR	450	$460.00	$207,000.00	$350.00	$157,500.00	$408.00	$183,600.00	$500.00	$225,000.00
5B	Remove Protruding Lateral	EA	45	$300.00	$13,500.00	$250.00	$11,250.00	$275.00	$12,375.00	$650.00	$29,250.00
6B	Preliminary Assessment of Lateral	EA	467	$75.00	$35,025.00	$225.00	$105,075.00	$225.00	$105,075.00	$975.00	$455,325.00
7B	CCTV Inspection of Lateral	LF	9,340	$5.00	$46,700.00	$9.00	$84,060.00	$6.90	$64,446.00	$97.00	$905,980.00
	Subtotal				$683,836.00		$724,119.00		$995,173.25		$3,597,359.00
Total Base Bid				$1,533,890.55**		$1,714,793.00		$2,236,098.35		$7,817,479.00	

* Denotes a correction of an arithmetic error present in the Bid Form; the correct sum shall govern per Article 1.15-A.3 of the Instructions to Bidders.
** Denotes non-responsive bid

Apparent Low Bidder: UTILITY SERVICES GROUP, INC.

Prepared By: Earl Smith, P.E. - CHA Consulting, Inc.

4

Work Session Agenda Form Item # 4

DATE: April 6, 2020

Work Session

AGENDA ITEM: Ordinance Amendment to Town Code Chapters 12 & 175-137 Pertaining to Fees

SUMMARY: Council is requested to approve ordinance amendments to Town Code Chapter 12 (FEES) and 175-137 (FEES, CHARGES, EXPENSES). The highlights of these revisions include:

Chapter 12: Removal of $15.00 fee for Construction Specifications
Changing the fee for disposal per tire to $5.00 regardless of size or on rim
Removal of $100.00 fee for hardcopy of Town Code
Removal of $100 fee for Town Right of Way Vacation Application

Chapter 175-137 Removal of $10.00 fee for Business License Zoning Clearance

BUDGET/FUNDING: Minimal revenue reduction due to removal of fees

STAFF RECOMMENDATION: Staff recommends amendments, as presented.

Chapter 12

FEES

Sections:

Adopted by the Town Council of the Town of Front Royal 4-25-83 as *"Checks, Fraudulent"- "Fees for Returned Checks"* by Ord. No. 2-83. Amendments to "FEES" by Resolutions 1-26-04 and 9-13-04. Added New Section 12-5 "Police Department Fees" 6-25-12 and 6-27-16. Removed 12-5 "Police Department Fees" 6-8-15 and 6-12-17. Other amendments noted where applicable.

12-1 ENERGY SERVICES FEES

Electric Meter Inspections (two within 12 mo.)	No Charge
Electric Meter Inspection (third and subsequent within 12 months)	$50.00 per inspection
Installation of Pole for Dusk-to-Dawn Light	$150.00
Temporary Electrical Service not to exceed 100 amperes in capacity and requiring one service drop	$65.00
Temporary Electrical Service for larger residential and commercial services	See Chapter 70-23(F) in Town Code
Underground Utility Inspection	$50.00 per inspection

(Ord. No. 6-08 Codified Electric Fees 6-23-08-Effective Upon Passage)
(Amended Title to Energy Services 6-25-12-Effective 7-1-12)
(Amended/Added Temp Electric Info 6-9-14-Effective 7-1-14)

12-2 PUBLIC WORKS FEES

After hours shut-off calls (water)	$30.00
~~Construction Specifications~~	~~$15.00~~
Data Log Obtained from a Water Meter within 12 months	$25.00 for the 3rd and subsequent
Excavation for Sewer Clean Out Installation	$150.00 per hour
Freon Removal (white goods commercial or residential)	$15.00
Grease Trap Inspection (3rd and all subsequent)	$50.00 per inspection
On-Call Refuse Collection	Can be found in §85-3(E) of the Town Code
Recreational Vehicle Septic Tank Dump	$17.50 each
Right-of-Way Utilization Fee	$25.00 plus bond and insurance

Septic Tank Waste	$50.00 per 1,000 gallons
Temporary Hydrant Meter Deposit (agreement for reading of water must be signed)	$400.00 5/8" and smaller $2,350 greater than 5/8"
Tires ~~without Rim, not to exceed 16.5 inches~~	$~~2~~5.00 per
~~Tires on Rim, not to exceed 16.5 inches~~	~~$4.00 per tire~~
~~Tires over 16.5 inches with or without Rim~~	~~$5.00 per tire~~
Water Meter Test (2nd or subsequent test)	$25.00 each
White Goods Disposal, Commercial	$15.00 per item plus $15.00 per Freon item
White Goods Disposal, Residential	No Charge plus $15.00 per Freon item
Yard Waste Disposal, Commercial, Lg. Truck	$50.00
Yard Waste Disposal, Commercial, Pickup Tk	$25.00
Yard Waste Disposal, Residential (Town OR County Decal Required)	No Charge

12-3 FINANCE FEES

A. FEE FOR RETURNED CHECK: If any check or other means of payment tendered to the Town in the course of its duties is not paid by the financial institution on which it is drawn, because of insufficient funds in the account of the drawer, no account is in the name of the drawer, or the account of the drawer is closed, and the check or other means of payment is returned to the Town unpaid, the amount thereof shall be charged to the person on whose account it was received, and his liability and that of his sureties shall be as if he had never offered any such payment. A penalty of $35.00 or the amount of any costs, whichever is greater, shall be added to such amount, and said penalty shall be in addition to any other penalty provided by law.

There is hereby added to any amount due to the Town a fee of 2.35% when payment of such amount is tendered by either credit card or debit card or any other means of payment by which the Town incurs a charge.

B. ADDITIONAL FINANCE FEES:

Penalty on Utility Bill after Original Due Date	2%
Late Fee on Utility Bill after 2nd Due Date	$10.00
Reconnection Fee (non-payment)	$20.00/1st; $30.00/2nd; $40.00/3rd; $50.00 for all other times
Work Order Fee	$5.00
Tampering with Electric or Water Meter Fee	$1,000.00
Copies	$0.15 per page

(Added "B" & Added Tier Reconnection & Tampering Fees 6-25-12-Effective 7-1-12)

12-4 PLANNING AND ZONING FEES

Can be found in §148-1100 and §175-137 of the Front Royal Town Code.

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.

12-6 MISCELLANEOUS FEES

~~Town Code, hardcopy~~	~~$100.00~~
~~Town Right-of-Way Vacation Application~~	~~$100.00~~

Freedom of Information Act (FOIA) requests for available information shall be submitted to the appropriate department that maintains the records sought for processing. Any request for records or documents from the Town is considered a FOIA request. All FOIA requests shall be communicated by the Department of the Town Manager and Town Attorney. FOIA regulations allow the Town to assess a reasonable charge for the costs to access, search, duplicate, and supply the requested materials if they exist. The Town shall not assess fees if staff time is less than thirty (30) minutes and ten pages of 8 ½ x 11 paper. An individual requesting materials through a FOIA request will be notified as soon as practicably possible. The Town shall conform to all FOIA regulations established by the Commonwealth of Virginia to ensure access to all available Town documents.

(Ord. No. 6-08 Codified Fees 6-23-08-Effective Upon Passage)
(Added FOIA Information 6-25-12-Effective Upon Passage)
(Amended FOIA Information 1-28-13-Effective Upon Passage)
(Removed "Update Town Code, hardcopy 6-12-17-Effective 7-1-17)

175-137 FEES, CHARGES AND EXPENSES

A. The Town Council hereby establishes the following schedule of fees, charges, and expenses for zoning permits, certificates of use, special permits, variances, appeals, amendments and other matters pertaining to this chapter.

For processing an Administrative Variance - $100.00
For processing a Board of Architectural Review request –
- Administrative Review: $50.00
- Board of Architectural Review: $100.00
- Demolition of Historically Significant Structure: $200.00
For processing a Board of Zoning Appeals application - $400.00
~~For Business License Zoning Clearance - $10.00~~
For issuing a Certificate of Compliance - $25.00
For processing an application to amend the Comprehensive Plan - $400.00
For processing an amendment to the Zoning Ordinance - $400.00
For processing a Rezoning application –
- 1 acre or less: $500.00
- Over 1 acre: $500.00 + $100.00 per acre over 1st acre
- Downzoning: $400.00
Proffer amendment or Concept Plan/Master Land Use Plan Revision - $400.00
For processing an application for a Sign Permit –
- Permanent: $50.00
- Permanent (Entrance Corridor): $75.00
- Temporary: $25.00
- Relocation of previously approved sign: no charge for review
Requested Re-advertisement - $200.00 per meeting
For processing an application for a Special Use Permit - $400.00
For a Zoning Permit, Commercial Accessories/Additions - $100.00
For a Zoning Permit, Residential Accessories/Additions - $25.00
For a Zoning Permit, Multi-Family Residential Dwelling - $50.00 per unit
For a Zoning Permit, New Commercial - $100.00
For a Zoning Permit, New Single-Family Residential Dwelling - $75.00 For a Zoning Permit, Portable Storage Container (Residential or Commercial) - $25.00 each
For a Zoning Permit, Fences (for all uses) - $25.00
Construction or Land Disturbance Activity without a Permit – double zoning permit regular fee
Requested Copies –
- Letter Paper Size: $0.15 per sheet (b&w) or $2.00 per sheet (color)
- Legal Paper Size: $0.50 per sheet (b&w) or $2.50 per sheet (color)
- 11” x 17” Paper Size: $0.75 per sheet (b&w) or $3.50 per sheet (color)
- Bond Paper for over 11” x 17” Sizes: $0.50 per s.f. (b&w) or $3.00 per s.f. (color)
- Copy of Zoning Ordinance: $15.00
- Copy of the Comprehensive Plan (each): $20.00

5

Work Session Agenda Form Item # 5

DATE: April 6, 2020

Work Session

AGENDA ITEM: Envision Village Commons Report

SUMMARY: Three meetings were scheduled with Business and Property Owners in the Downtown Area to find appropriate policies and procedures for using the Downtown Village Commons Area including the streets and parking lot that surround it. The meetings were held on January 16, January 30 and February 13, 2020. Mr. Charles "Chips" Lickson was hired as the Facilitator for these meetings. His Final Report is attached for Council.

BUDGET/FUNDING: None

STAFF RECOMMENDATION: To continue to review Mr. Lickson's Final Report and write up a Policy and Procedures for organizations and individuals who use the Downtown Village Commons Area and to have the Policy and Procedures reviewed by Town Council is a future work session along with any revisions to the Town Code that may be necessary to implement such policies and procedures. Ultimately any changes to Town Code would require a public hearing.

VILLAGE COMMONS REPORT

Presented by: Charles "Chips" Lickson, JD, Ph.D.
Professional Facilitator
February 25, 2020

BACKGROUND

The Town of Front Royal embarked upon an initiative by which business or property owners and citizens both in the downtown historic district and elsewhere in the Town could share their thoughts, concerns and ideas as they relate to events, parking and street closure in the historic district of the Town of Front Royal. After planning meetings with the Interim Town Manager and Senior Executive Assistant, three professionally moderated meetings were held in the Warren County Community Center: January 16th, January 30th and February 13th. All three public meetings were very well attended. Participants (stakeholders) were able to express their concerns and ideas in a thoughtful well managed environment.

The following information is the result of these meetings and my unbiased observations and suggestions:

CRITERION AND MEASUREMENT FOR SUCCESS

- Given three event categories, we (Town Manager's office and me) collected useful input from citizens for development of: (a) criteria, (b) measures and (c) processes for Main Street and Village Commons event application(s) and potential approvals.
    - Event Categories**:**
        1) Tourism (e.g., Festival of Leaves): Events that draw large numbers of visitors from outside the Town and County and serve to introduce visitors to Front Royal and all the Town has to offer.
        2) Community Development (e.g., Christmas Parade): Events that draw large numbers of Town and County residents and help create and maintain a sense of community.
        3) Individual / Group / Business Specific (e.g., Weddings, Political Rallies, Club Events, Religious services or meetings, etc.): Events that draw people that have narrow interests or affiliations.
    - **Recommendation**: Attendees decided to establish measurable criteria by which applications should be evaluated:
        1) Attendance
        2) Revenue
        3) Equitable Distribution of Vendors
        4) Qualitative Feedback
        5) Costs to the Town
        6) History of the Event
- **Measurement:** In the meetings, attendees did not establish measures to determine if the event successfully met the criteria (e.g., actual attendance methodology, the percent of visitors who attended the event, the increase in sales experienced by local businesses, ratings of the event experience by visitors, etc...). A need for such measures was acknowledged. It is recommended the Town establish the means to measure the success of the criterion.

<u>APPLICATION</u> *<u>(contingent upon applicants meeting the criteria)</u>*

- Town staff generated a report, attached hereto, which shows that the Town of Front Royal, utilizing its internal resources, spent approximately $21,000 in 2019 for Major Events.
  - Attendees of these facilitated meetings determined that the cost to the Town should be split 50/50 with the applicant
  - **Recommendation:** It is recommended that the Town pass along 50% of the cost for events which is to be paid prior to application approval. Additionally, in an effort to not cause undue financial burden to reoccurring events, it is suggested that the fee be incremental for 2-4 years. For example, if 50% of the cost to the Town is $1,000, year one the fee could be $250, year two $500, year three $750 and year four $1,000 (in essence the applicant would not pay the full 50% of the cost until year 4 and beyond).
- Applicants should prepare and present a proposed budget, as well as a report out on financial results following the event, including projected and actual ticket sales if applicable.
- There shall be no restrictions to close the Village Commons Parking Lot and/or other facilities for an event.
- The Town should consider applications for events at any time *(rolling application process).*
- Events that occurred the previous year shall receive preferential treatment in determining if the same event should be approved in subsequent years. However, a rare, large unique event may take precedence over an established event.
- There could be an unlimited number of events an organization can have in a given year.
- First time organizers would exercise best efforts to estimate proposed attendance.

<u>CLOSURES</u> *<u>(contingent upon applicants meeting the established criteria)</u>*

- Main Street and other facilities may be closed all day for an event, including set up and take down.
- Main Street closure(s) should not exceed twice per month provided the event is large in scale and warrants Main Street closure. Large scale was debated and generally agreed that events with 5,000 projected attendees or more would warrant the closure of Main Street.
- The Town shall permit the full closure of the Village Commons including the parking lot no more than twice a month as well. Closure of Village Commons should be for events between 750 to 1,500 attendees.
- There shall be no limit, for the Town to permit the partial closure of the Village Commons including the parking lot.

<u>ADDITIONAL "TAKE-AWAYS"</u>

- If an event is under-attended, Town leadership or event organizer should make the determination to re-open Main Street that day as soon as practical.
- It is preferred to use the Village Commons area as an incubator location for trial festivals, as opposed to closing Main Street on the speculation of attendance for a new event.
- After-action Report for all events should be conducted.
- Sidewalks should never be blocked and be open at all times for pedestrians.
- All events are public events to enter gated areas in order for citizens to go to businesses. (Note – OK to sell tickets for wine glass, provided entry to the event itself is free).
- Utilization of Drone capabilities may be useful in order to obtain screen shots segmented for attendance counts if feasible.
- A fee scale could be established based upon the length of event.

- When Main Street is closed, vendors should only be set up on one side of Main Street in order for the passage of emergency vehicles. Additionally, sides of the street should be rotated year after year.
- Town Manager or his designee should have the ability to move the location of the event if not well attended and open the streets/parking lots.
- Length of event to close Village Commons parking lot will sometimes not generate 750 people.
- Uniform treatment for all applicants – all applicants must be treated fairly and equally.
- Town Manager needs to have and maintain discretion and final authority for events and closures.

6

Work Session

Work Session Agenda Form Item # 6

DATE: April 6, 2020

AGENDA ITEM: BZA Term Expires

SUMMARY: John Hensley's term on the Board of Zoning Appeals (BZA) expires May 1, 2020. He has asked that Council reconsider him for recommendation to the Judge of the Warren County Circuit Court for re-appointment to the BZA for a five-year term, said term would expire May 1, 2025.

Note: The Judge of the Warren County Circuit Court appoints members to the BZA. Town Council only makes recommendations.

BUDGET/FUNDING: None

STAFF RECOMMENDATION: Staff approves of the recommendation to the Judge for re-appointment.

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Work Session Agenda Form

Item # 7

DATE: April 6, 2020

AGENDA ITEM: DEQ Consent Order draft review

SUMMARY:

The Consent Order is a formal agreement between the Town of Front Royal and the Virginia Department of Environmental Quality (DEQ) to implement specific actions to correct issues that have resulted in violations of the VPDES permit issues to the Town's Wastewater Treatment Plant that have occurred over the past year. These Violations were due largely to very high flows through the WWTP during heavy rain events when storm water and ground water leaks into the sewage collection system. These high flows resulted in the discharge of suspended solids to the Shenandoah River in amounts greater than allowed by the VPDES permit.

As a result of these violations, DEQ and Town staff met to discuss actions the Town can take to reduce the high flows to the WWTP and reduce or eliminate the permit violations. These are documented on the Consent Order also includes a civil charge. DEQ agreed to allow the Town to perform a supplemental Environmental Project in lieu of paying the full civil penalty to the Treasurer of Virginia. The SEP proposed by the Town is a Streambank and channel restoration project in Happy Creek between E. Prospect St and South St.

BUDGET/FUNDING:

9801-43002 – Wastewater Treatment Plant Professional Services

Civil penalty of $3,915.00 is payable to the Treasurer of Virginia and the rest applied to the SEP.

STAFF RECOMMENDATION:

We recommend moving forward with the new Consent Order approval, once the Consent Order is in place this will protect the Town from further fines and help keep the EPA from getting involved as well. The Harrisonburg DEQ office has been able to reduce the original fine from $104,000.00 down to $38,615.00 and with allowing the Town to perform the Supplemental Environmental Project that brings the civil fine cost down to $3,915.00

Work Session