



REGULAR TOWN COUNCIL MEETING
September 24, 2018 @ 7:00pm ---- Warren County Government Center

1. Pledge of Allegiance
2. Moment of Silence
3. Roll Call
4. Approval of the Regular Council Meeting minutes of September 10, 2018
5. Receipt of Petitions and/or Correspondence from the Public
6. Reports:
 - a. Report of special committees or Town officials and Town Manager
 - b. Requests and inquiries of Council members.
 - c. Report of the Mayor
 - d. Proposals for addition/deletion of items to the Agenda.
7. **CONSENT AGENDA ITEMS – (ROLL CALL VOTE REQUIRED) - NONE**
8. **COUNCIL APPROVAL** – Liaison Committee Meeting Items
9. **COUNCIL APPROVAL** – Purchase of Architecture/Engineering Services for Vehicle Maintenance Building

TOWN COUNCIL WORK SESSION

Monday, September 24, 2018 ----- Immediately after Regular Meeting

1. Request to Reconsider Decision Pertaining to Curb/Gutter Waiver at 419/423 Luray Avenue – Susan Wines – *Councilman Gillespie*

2. CLOSED MEETING – Expenditure of Public Funds

Motion to Go Into Closed Meeting

I move that Council go into a Closed Meeting for the following purposes relating to options and the feasibility thereof the Town might or should pursue concerning the future funding of a number of Town of Front Royal projects, including the new Police Department headquarters, the expansion of West Main Street through the former Avtex property, Phase II of Happy Creek Road, sidewalk extensions along West Main Street and Kendrick Lane, and Leach Run Parkway: (a) the discussion of the award of a public contract or contracts involving the expenditure of public funds, and discussion of the terms or scope of such contract or contracts, where discussion in an Open Session would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2- 3711. A. 29. of the Code of Virginia and (b) consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, pursuant to Section 2.2-3711. A. 8. of the Code of Virginia.

Motion to Certify Closed Meeting at its Conclusion [*At the conclusion of the Closed Meeting, immediately reconvene in open meeting and take a roll call vote on the following:*]

I move that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Action as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

8



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

Page 1
Item No. 8

Meeting Date: September 24, 2018

Agenda Item: COUNCIL APPROVAL – Liaison Committee Meeting Items

Summary: Council is requested to approve the addition of no new items to the Liaison Committee Meeting Agenda scheduled for October 18, 2018.

Budget/Funding: None

Attachments: Liaison Committee Meeting Agenda from July 19, 2018

Meetings: Work Session held September 17, 2018

Staff Recommendation: Approval ✓ Denial

Proposed Motion: I move that Council approve the addition of no new items to the Liaison Committee Agenda of October 18, 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*



AGENDA

TOWN/COUNTY LIAISON COMMITTEE MEETING

Warren County Government Center

July 19, 2018

6:00 PM



- **Call to Order – Tony F. Carter, Chairman of the Warren County Board of Supervisors**
 - 1) **IT Federal Main Street Project – Joe Waltz**
 - 2) **Route 522 Corridor Water Upgrade Project – Joe Waltz**
 - 3) **Phase II Happy Creek Road Project Update – Joe Waltz**
 - 4) **Town Building Maintenance Code Enforcement Update – Joe Waltz**
 - 5) **Septage Receiving Facility Issues Update – Joe Waltz**
 - 6) **Development Review Committee – Doug Stanley**
 - 7) **Building Inspections Software – Doug Stanley**
 - 8) **Warren County's In-Town Projects – Doug Stanley**
 - 9) **Joint Towing Board – Joe Waltz / Doug Stanley**
- **Adjournment**

9



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

Page 1
Item No. 9

Meeting Date: September 24, 2018

Agenda Item: COUNCIL APPROVAL – Purchase of Architecture/Engineering Services for Vehicle Maintenance Building

Summary: Council is requested to consider approval of an award to Baughan & Baukhages PLLC in the amount of \$61,000 for the purchase of Architecture and Engineering Services for a Vehicle/Equipment Maintenance Building.

Budget/Funding: Auto Maintenance FY19 budget line item 1203-R47009 “Buildings & Structures”

Attachments: Memo from the Directors of Finance and Public Works and Letter from Baughan & Baukhages, PLLC

Meetings: None

Staff

Recommendation: Approval ✓ Denial

Proposed Motion: I move that Council approve an award to Baughan & Baukhages PLLC in the amount of \$61,000 for the purchase of Architecture and Engineering Services for a Vehicle/Equipment Maintenance Building.

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: September 15, 2018
To: Tina Presley, Administrative Assistant
Jennifer Berry, Clerk of Council
From: B. J. Wilson; Director of Finance
RE: Agenda Item

On Wednesday, May 30, 2018, I held an opening for request for proposals for Architectural/Engineering Services for the Auto Maintenance Department. I received five (5) responses to this RFP). The Auto Maintenance Department reviewed and evaluated the responses; then interviewed their top choices. The Auto Maintenance Department then selected Baughan & Baukhages PLLC as the best suited to perform the services. Baughan & Baukhages PLLC submitted a value of \$61,000 after entering into competitive negotiations. Due to the dollar amount, I will need Town Council approval to place this order. Please add this item to the September 24, 2018 Council agenda for their action.

Staff recommends the award for the purchase of Architecture and Engineering Services for the Vehicle/Equipment Maintenance Building be made to Baughan & Baukhages PLLC for a total purchase cost of \$61,000.00.

Funding for this purchase is available in the Auto Maintenance FY19 budget line item 1203-R47009 "Buildings & Structures" in the amount of \$61,000.00.



**Town of Front Royal
Public Works**

MEMORANDUM

TO: BJ Wilson, Finance Director
Joe Waltz, Town Manager

FROM: Robert B Boyer, Public Works Director

DATE: September 14, 2018

SUBJECT: Recommendation for Architectural Services

B.J.,

We have reviewed the proposal that Mr. Baughan sent us regarding the Town's Auto Maintenance Shop. The proposal shows a fixed cost of \$61,000.00 for the Architectural Services and we feel, based on the talks we've had with other firms that this is a fair price and the firm has done a good job on past projects with the Town. We would like to move forward with them to keep the project moving.

If you have any questions or need any further information, please contact me at 540-692-4789.

Thank You.

BAUGHAN & BAUKHAGES, PLLC

LOWELL B. BAUGHAN, NCARB, AIA

FREDERICK E. BAUKHAGES, IV
(RETIRED MAY 2011)

One Cave Street Post Office Box 151
Luray, Virginia 22835
Tel 540-743-6493 • Fax 540-743-9587
baugbauk@embarqmail.com

September 10, 2018

Mr. B. J Wilson, Director of Finance
Town of Front Royal
P. O. Box 1560
Front Royal, Virginia 22630
Via Email: bwilson@frontroyalva.com

Re: Front Royal Vehicle Maintenance Building
800 Crosby Road, Front Royal, Virginia

Dear Mr. Wilson:

This will confirm the understanding reached at our telephone conference last week with Robert Boyer, Public Services Manager, at which time our firm was requested to submit a Proposal for the above project.

This Proposal is based on the design of a one story vehicle maintenance building of approximately 8000 square feet on the ground to be located between two existing structures, each to have an access opening into the new structure. The project includes structural, mechanical (including heating, cooling and automotive exhaust systems), plumbing, civil and electrical engineering services.

We propose to design the new structure to be built in multiple phases coordinated to provide the least amount of interruption to your vehicle maintenance operations. Close cooperation between your forces and the selected general contractor will be an important part of this effort.

In addition, we will develop measured drawings of the existing structure as required to coordinate the new structure with the existing building and we will provide site survey information including topographical survey and utility locations in the area of new construction.

In our judgment, the Probable Construction Cost of the work covered by this agreement, if it were to be put out to bids from general contractors, is \$678,000.00. Since we have no control over the cost of labor and materials, current market conditions or competitive

bidding, we cannot guarantee the accuracy of this judgment. The agreement is subject to re-negotiation if the scope of the project is changed.

We propose to complete the project on the following basis:

FIXED FEE FOR BASIC SERVICES:

A Fixed Fee (Stipulated Sum) for Basic Architectural Services in the amount of \$61,000.00.

REIMBURSABLE EXPENSES:

1. Reproduction of documents
2. Long Distance telephone calls
3. Travel expenses
4. Miscellaneous costs, if any, as itemized
5. Supplementary services, not included in Basic Services, and as approved by the Owner at rates to be established

PRIMARY PAYMENT:

A primary payment of \$3000.00, payable upon the execution of the Agreement, is the minimum payment under the agreement and shall be credited to the first phase of the work.

MONTHLY PAYMENTS:

Payments for Basic Architectural Services shall be made in monthly partial payments based on the Architect's estimate of time and expense incurred to date in comparison to those required to complete his full Basic Services. As an aid to making this Estimate, the following should be considered the percentage fee earned upon completion of respective phase:

	<u>Phase</u>	<u>Total</u>
1. Schematic Design	15%	15%
2. Design Development	20%	35%
3. Completion of Construction Documents	40%	75%
4. Receipt of Bids	5%	80%
5. Contract Administration	20%	100%

OWNERSHIP OF DOCUMENTS:

The Drawings and Specifications, as instruments of service, are the property of the Architect whether the project for which they are made is completed or not.

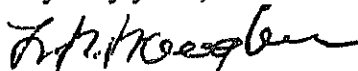
They are not to be used on other projects except by prior agreement in writing. The Owner will be furnished copies of the documents for record and maintenance purposes.

If the compensation basis is acceptable, we will prepare an agreement between Owner and Architect reflecting this arrangement for your review which will include both the Town's contract requirements and the American Institute of Architects contract conditions required by our professional liability insurer. The following will be added to the AIA document, "The provisions of the Town of Front Royal, Virginia, Contract for Services dated xxxx, which is attached to this Agreement, shall apply where not in conflict with this Agreement". A sample copy of AIA Document B104, Standard Abbreviated Form of Agreement Between Owner and Architect which outlines our services is attached for your information.

We appreciate the opportunity of working with you on this project. I will be in Front Royal tomorrow, September 12th, for a Skyline Caverns Board meeting at 11 AM and will make myself available anytime after 1:30 PM if you wish to meet regarding this proposal. If so, please call my cell, 540-742-8221, in the morning prior to 10:15 AM so that I can arrange to take my own car. I usually travel with others to the meeting.

If tomorrow is not convenient, I will be happy to arrange to come to Front Royal another time.

Very truly yours,



L. B. Baughan, NCARB, AIA

cc: Robert B. Boyer, Public Services Manager
rboyer@frontroyalva.com

ACCEPTANCE OF PROPOSAL

Signed: _____

Title: _____

Date: _____

WORK SESSION

1



Work Session Agenda Form

Item # 1

DATE: September 24, 2018

AGENDA ITEM: Request to Reconsider Decision Pertaining to Curb/Gutter Waiver at 419/423 Luray Avenue – Susan Wines

SUMMARY: Councilman Gillespie has requested that Council discuss the recent decision made by Council regarding the curb and gutter waiver at 419/423 Luray Avenue – Susan Wines, August 27, 2018

Attached are minutes of August 27, 2018 with motion highlighted

BUDGET/FUNDING: None

STAFF RECOMMENDATION: Council takes desired action.

Work Session

EXCERPT FROM AUGUST 27, 2017 REGULAR MEETING

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.

Councilman Gillispie moved, seconded by Councilman Connolly that Council approve the waiver of curb and gutter at 419 & 423 Luray Avenue as requested for a period of five (5) years following the completion of construction with respect to each one of the homes on each lot, or upon the offer of sale of each home to another party, other than the current owners; he further moved, that the current owners execute a written contract and recordable form suitable to the Town Attorney suitable to the terms hereof to the Town with respect to each lot and home as a condition of this waiver, otherwise this waiver could be null and void.

Vice Mayor Tewalt noted that he was not in favor of the waiver as it was not following the Town ordinance. He added that even with the proposed motion, if it is not recorded at the courthouse, it has no bearing on the matter. Mr. Tewalt stressed that it include a lien against the properties as well to require payment for the curb and gutter.

Vice Mayor Tewalt moved, seconded by Councilman Sealock, to amend the motion to include the filing of a lien at the courthouse (rather than a “recordable contract”) on both lots for the installation of the curb & gutter.

Vote: Yes –Morrison, Sealock, and Tewalt
No – Connolly, Gillispie, and Meza,
Abstain – N/A
Absent – N/A
Yes – Mayor Tharpe, to break the tie
(By Roll Call; On the **Amendment to include the Lien**)

Council and the Town Attorney discussed the matter briefly, surmising that a recorded contract would in essence be “a lien” on the property.

Vote: Yes – Connolly, Gillispie, and Meza
No – Morrison, Sealock, and Tewalt
Abstain – N/A
Absent – N/A
Yes – Mayor Tharpe, to break the tie
(By Roll Call; on **Motion As Amended to now include the Lien**)
