The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on June 8, 2020, in the Warren County Government Center with the Pledge of Allegiance and a Moment of Silence led by the Mayor.

ROLL CALL for MAYOR/TOWN COUNCIL

PRESENT: Mayor Eugene R. Tewalt
Vice Mayor William A. Sealock
Councilman Lori A. Cockrell
Councilman Gary L. Gillispie
Councilman Chris W. Holloway
Councilman Jacob L. Meza
Councilman Letasha T. Thompson
Town Attorney Douglas W. Napier
Interim Town Manager Matthew A. Tederick
Clerk of Council Tina L. Presley

(The above represent municipal officers of the Town of Front Royal as stated in Town Charter Section 4)

APPROVAL OF MINUTES

Councilman Gillispie moved, seconded by Councilman Meza to approve the Regular Council Meeting Minutes of May 26, 2020 and Work Session Minutes of May 18, 21 and 27, 2020, as presented

Vote: Yes – Councilmen Sealock, Cockrell, Gillispie, Holloway, Meza and Thompson
No – N/A
Abstain – N/A
Absent – N/A
ROLL CALL

RECEIPT OF PETITIONS AND/OR CORRESPONDENCE FROM THE PUBLIC

Bruce Rappaport, 300 W. Main Street, voiced concerns regarding: 1) the Town forming their own Economic Development Authority (EDA) noting why citizens should pay for two, reminding them the Town and County already have an EDA and encouraged Council to work together with them; 2) the relinquishment of management responsibility of the Town's tourism dollars; 3) weekend street closures that he feels should be the new Town Manager's responsibility; 4) contingency funds reserves; 5) questioned whether the slip lane for Sheetz contained an island.

Linda Allen, 15 Massie Street, voiced concerns regarding the proposed budget: 1) Tourism was cut from the budget and was not replaced; 2) increased revenue in some 2021 budget lines as being fictional.

Alisa Carson – showed pictures and voiced concern over various political leaders attending an inappropriate event at the non-profit Beer Museum owned by David Downes. She asked for a public apology.

Stevie Hubbard – thanked everyone including Mike McCool, David Downes, Chief of Police and Mr. Tederick, for supporting their event over the weekend (Front Royal Unites March/ Protest/Rally). She introduced Samuel Porter, Director of Communications for Front Royal Unites. Mr. Porter advised that *"Front Royal Unites' mission was to eradicate white supremacy believing silence is complicit and justices against minority groups must stop; from the courthouse to the schoolhouse bridges must be built not burned down. We want to insure that regardless of your complexion you are not feared, you feel safe and you get equal footing. Together we are united and together we are Front Royal."* He noted that Friday, June 5, 2020 Front Royal Unites had a March, Protest and Rally that attracted about 1,500 people and was one of the largest demonstrations in the history of Front Royal. He thanked Chief of Police Magalis, the Front Royal Police Department, Interim Town Manager Tederick and Council for their support with hopes to work again with them in the future.

REPORTS

a. Report of special committees or Town Officials and Interim Town Manager

Interim Town Manager Tederick gave out the Star of the Month Award to Officer William Lawson for February/March 2020.

b. Requests and inquiries of Council members

Councilman Thompson advised Council of two events that the Town and County were working on together. The first one was the Joint Tourism Advisory Committee Meeting that was held this week and noted that they are moving forward with a plan. The second one is the Front Royal Unites March on Friday, June 5, 2020.

Councilman Cockrell thanked all of Town Staff who were working from home and now has had to return. She thanked Ms. Hubbard and Mr. Porter for coming tonight and that she too attended the March on June 5 where she thanked Councilman Thompson for speaking at the March.

Councilman Holloway also attend the March. He noted that there were great speakers including Ms. Hubbard's daughter. He advised that it was nice peaceful March and looks forward to future activities.

Councilman Meza noted that he was glad to have Council back together in open meetings. He clarified that there was $225,000 in budget for Tourism. He voiced concern over the pictures that were shown from Ms. Carson earlier and noted that there were some events downtown last weekend that he deemed inappropriate and therefore does not support them.

c. Report of the Mayor – Mayor Tewalt agreed that he was glad to see Council back together again. He explained about Ms. Carson's concerns earlier. He advised that he was asked to attend a ribbon cutting on Friday at the Beer Museum. He continued that he did not drink beer, but he did receive a tour and cut the ribbon taking about 45 minutes. He noted that he did not know where the pictures came from. He apologized to those he may have offended.

d. Proposals for addition/deletion of items to the Agenda – None

<u>CONSENT AGENDA ITEMS</u> –

COUNCIL APPROVAL – Bid – Various Grades of Stone
Council approved and awarded a bid of various grades of stones to Hanson Aggregates of Front Royal in various amounts per ton to be used in the streets, water and sewer maintenance departments for fiscal year 2021.

COUNCIL APPROVAL – Bid – Various Grades of Asphalt
Council approved and awarded a bid to Stuart M. Perry for various grades of asphalt per ton: base-$65.00; intermediate $65.00 and finish $69.00, to be used for general street patching and surfacing of the streets in the VDOT maintenance system for fiscal year 2021

COUNCIL APPROVAL – Bid for Various Treatment Chemicals for Water/Wastewater Plants
Council approved and awarded bids to Summit Chemical Specialty Products, Inc Flemington; George S. Coyne Chemical Company, Inc. Croydon, PA and UNIVAR Solutions, Inc Morrisville, PA for various chemicals to be used at the Water Treatment and Wastewater Treatment Plants for fiscal year 2021.

COUNCIL APPROINTMENT – Non-Elected Representative to NSVRC – Brock
Council appointed <u>Christopher G. Brock, Acting Planning/Zoning Director,</u> as the non-elected representative to serve a three-year term on the Northern Shenandoah Valley Regional Commission (NSVRC), said term to expire June 30, 2023.

COUNCIL APPROVAL – Resolution – Repayment of Wastewater Treatment Plant Bond
Council approved a Resolution to allow the Town to repay the amount of $1,776,596.21 to Wells Fargo Bank for Series 2010 A, B, & C Bonds that were obtained to finance the engineering and architectural design of the Town's Wastewater Treatment Plant Expansion.

COUNCIL APPROVAL – Authorize the Town Manager to Close Streets
Given the need and/or desirability for social distancing as a result of the on-going COVID-19 pandemic, and given restrictions placed on businesses by Executive Orders of the Governor of Virginia severely impacting local commerce notwithstanding the easing of some business restrictions pursuant to Executive Order 65 effective 12:00 a.m. June 5, 2020 ("Phase Two"), pursuant to the provisions of Town Charter Sections 3, 15, and 18, and Town Code 4-34, 142-6, and Chapter 72, Town Council authorized the Town Manager to regulate, allow and authorize the closure of such parts of the Town of Front Royal's streets, alleys and rights-of-way to vehicular traffic so as to facilitate the use of such closures and adjoining side streets and the adjacent sidewalks as applicable for outdoor commerce during such dates and times as the Town Manager may deem appropriate and reasonable until such time as the Governor of Virginia lifts all such relevant business restrictions pursuant to Executive Order.

Councilman Holloway moved seconded by Councilman Meza to approve the Consent Agenda as presented.

<u>COUNCIL APPROVAL</u> – Ordinance Amendment to Town Code Section 158-6 Pertaining to Adoption by Reference of the State Motor Vehicular Laws *(2nd Reading)*

Clerk of Council Presley read the summary: *Council is requested to adopt on its second and final reading and ordinance to amend and re-enact Town code Section 158-6 pertaining by Reference of the State Motor Vehicular Laws, as presented. The Town must re-adopt Section 158-6 of the Town Code, which legally allows the Town to incorporate all the changes to the State code traffic laws that have been made during the year.*

Councilman Cockrell moved seconded by Councilman Holloway that Council adopt on its second and final reading and ordinance to amend and re-enact Town code Section 158-6 pertaining by Reference of the State Motor Vehicular Laws, as presented.

There were not comments from Council.

Vote: Yes – Councilmen Sealock, Cockrell, Gillispie, Holloway, Meza and Thompson
No – N/A
Abstain – N/A
Absent – N/A
ROLL CALL

<u>COUNCIIL APPROVAL</u> – Ordinance Amendment to Town Code Chapter 12 and Chapter 175-137 Regarding Fees *(2nd Reading)*

Clerk of Council Presley was not asked to read the summary.

Councilman Gillispie moved seconded by Councilman Meza that Council adopt on its second and final reading an ordinance to amend the Town Code Chapter 12 (FEES) and Chapter 175-137 (FEES, CHARGES AND EXPENSES) as presented.

There were not comments from Council.

Vote: Yes – Councilmen Sealock, Cockrell, Gillispie, Holloway, Meza and Thompson
No – N/A
Abstain – N/A
Absent – N/A
ROLL CALL

<u>COUNCIIL APPROVAL</u> – Ordinance Amendment to Town Code Chapter 134 Pertaining to Water and Sewer Rates *(2nd Reading)*

Clerk of Council Presley was not asked to read the summary.

Councilman Meza moved seconded by Councilman Holloway that Council adopt on its second and final reading an ordinance amendment to Town Code Chapter 134 pertaining

to the increase of sewer service rates <u>and</u> the decrease of system development charges for both sanitary sewer service and water service, as presented.

Vote: Yes – Councilmen Sealock, Cockrell, Gillispie, Holloway, Meza and Thompson
No – N/A
Abstain – N/A
Absent – N/A
ROLL CALL

<u>COUNCIL APPROVAL</u> – FY20-21 Annual Appropriation Ordinance *(2nd Reading)*

Clerk of Council Presley was not asked to read the summary.

Councilman Meza moved seconded by Councilman Gillispie that Council adopt on its second and final reading the Town's Annual Appropriation Ordinance for the FY2020-2021 Budget effective July 1, 2020 through June 30, 2021, as proposed.

There were not comments from Council.

Vote: Yes – Councilmen Sealock, Cockrell, Gillispie, Holloway, and Meza
No – Councilman Thompson
Abstain – N/A
Absent – N/A
ROLL CALL

<u>COUNCIL APPROVAL</u> – <u>FY21 Budget Transfer for Contingency Reserves</u>

Clerk of Council Presley read the summary: *Council is requested is approve budget transfers for the FY21 budget to establish contingency funds for potential revenue shortfalls due to the COVID-19 pandemic. Transfers include reduction of medical insurance expenses, establish of HRA line items, removal of merit increases, removal of third year compensation study pay increases, and reduction of various departmental line items. Contingency funds established from these transfers represent approximately 6% of the total FY21 budget and are as follows:*

	Contingency Amount
General/Streets/Special Funds	**$ 1,316,821.00**
Street Fund	**$ 204,145.00**
Electric Fund	**$ 674,979.00**
Water Fund	**$ 458,325.00**
Sewer Fund	**$ 359,525.00**
Refuse Fund	**$ 38,465.00**
TOTAL	**$ 3,052,260.00**

Mayor Initial ERf

Councilman Holloway moved, seconded by Meza that Council approve the FY21 budget transfers, as presented.

Councilman Cockrell confirmed that the contingencies could be added back in if there were no shortfalls in revenue. Councilman Meza noted that Town Staff did a "great job" and that everything was done with no sacrifice of our employees. Councilman Thompson clarified that there were meetings with all the department heads, and they understood the situation.

Vote: Yes – Councilmen Sealock, Cockrell, Gillispie, Holloway, Meza and Thompson
No – N/A
Abstain – N/A
Absent – N/A
ROLL CALL

<u>COUNCIL APPROVAL</u> – FY20 Budget Amendment and Award Bid for Manhole Frame and Cover Replacements

Clerk of Council Presley read the summary: *Council is requested to approve a FY20 budget amendment in the amount of $439,732.00 and award a bid to Bushong Contracting Corporation for 2020 FR-5,6, & 7 Basin Manhole Frame & Cover Replacements in the amount of $439,732.00. This project will assist the Town toward compliance related to the DEQ Consent Order for I&I Abatement. Sewer Fund reserves will be used for the project at this time, but the Town will have the ability to recover funds from a future loan if deemed beneficial for the Town.*

Councilman Gillispie moved seconded by Councilman Cockrell that Council approve a FY20 budget amendment in the amount of $439,732.00 and award a bid to Bushong Contracting Corporation for 2020 FR-5,6, & 7 Basin Manhole Frame & Cover Replacements in the amount of $439,732.00.

Vote: Yes – Councilmen Sealock, Cockrell, Gillispie, Holloway, Meza and Thompson
No – N/A
Abstain – N/A
Absent – N/A
ROLL CALL

Interim Town Manager gave his comments regarding <u>Consent Agenda Item 7F – Authorize the Town Manager to Close Streets</u>. He thanked William Huck of Family Fun Day Inc. for his help with Downtown Rebound and stepping up to help a fellow businessman. He advised that he would be bringing a Resolution of Appreciation for Mr. Huck in the near future. Councilman Gillispie also thanked Mr. Huck and noted he was a "tremendous asset to the community". Councilman Holloway noted that the only complaints he had received pertaining to Downtown Rebound was: 1) lots of skateboarders and bicyclists; 2) some didn't realize the stores were open along with the restaurants and, 3) signs direct traffic to Downtown Area.

Councilman Thompson advised that in relation to Ms. Carson's allegations earlier in the meeting, the ribbon cutting was Friday night and the bikini-girls event was on Saturday.

The Mayor adjourned the meeting at 7:43pm
Council then went into their work session scheduled for the evening.
Ratified Resolutions and Ordinances are filed in the Clerk of Council's Office

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APPROVED:

Eugene R. Tewalt

Eugene R. Tewalt, Mayor

ATTEST:

Tina L. Presley

Tina L. Presley Clerk of Council

Councilman Meza *moved, seconded by* Thompson *approved the Regular Council Meeting minutes of June 8, 2020 on June 22, 2020.*

TOWN COUNCIL WORK SESSION

Immediately following Regular Meeting

1. **Continued Discussion of Chamber of Commerce Request for Funding–** Interim Town Manager Tederick advised Council that since the date of the letter from the Chamber of Commerce, the Town and County received the CARES ACT funding information. The Town and County have agreed to pay $30,000 each to the Chamber of Commerce from the CARES ACT. Councilman Cockrell mentioned that there was a request for funding from the Front Royal Independent Business Alliance (FRIBA). Mr. Tederick advised that their request would be dealt with in a different way. Mayor Tewalt questioned when more information on the CARES ACT would be available and if a public hearing was necessary to accept the funds. Mr. Tederick advised that work will begin on the process in the morning and a public hearing was required for the budget amendment to accept the funds. He noted that the funds would come in increments per requisitions that would be reviewed by a Committee. Mayor Tewalt confirmed that there would be $40,000 allowed for an audit. Council agreed to continue with the process for the CARES ACT funding and to bring before Council in a public hearing to approve a budget amendment for the funding when ready.

2. **Local Economic Recovery Plan –** Mr. Tederick explained that there are businesses that have been hit hard during the Pandemic. He recommended a third party to administer the funds, noting that this could be accomplished by using the Chamber of Commerce or the newly formed Town EDA. An allocation sheet was passed out to Council that shows the number of businesses able to be served by additional assistance. Mr. Tederick and Finance Director Wilson advised that they are working on the application process. Mr. Tederick reiterated that he was looking to Council on who the third party would be to administer the funds. Council agreed to allow the Chamber to administer the funds as long as they had the personnel. Niki Foster and Ray Bramble Chairman and President of the Chamber of Commerce respectfully, advised that currently that there is only one employee working [Niki] and one employee was furloughed, but they did have a 15-member Board. Mr. Bramble advised that he would be happy to run the program but would need direction. Ms. Foster advised that she meets with her accountant, Mike Noble, every Friday. Staff will move forward to meet with the Chamber of Commerce.

3. **17th Street and Shenandoah Avenue Slip-Lane for Sheetz Project –** Director of Public Works explained how the slip-lane would be installed. Town Attorney Napier advised that right-of-way would need to acquired from the adjacent bank and that transaction was moving along. Mr. Tederick suggested installing a NO LEFT TURN sign instead of the slip-lane due to the high volume of traffic. Councilman Holloway reminded Council that Sheetz is expected to open next month and questioned whether the slip-lane would be completed. Mr. Tederick advised that the right-of-way has not been acquired. Council noted that they would like to see the slip-lane completed before the opening of Sheetz. Councilman Cockrell advised that after speaking with citizens who live on 17th Street she realized that they prefer the option to turn left when it is clear and there are times of the day that the traffic is not as heavy. Mayor Tewalt suggested considering the NO LEFT TURN sign after the slip-lane is built. Mr. Tederick advised that staff would move forward on installation of the slip-line.

Mayor Initial GBT

4. **Blighted Buildings on Non-Conforming Lots –** Mr. Tederick read the summary: *A potential problem can arise when a blighted building is in such poor condition that it must be torn down rather than simply fixed up, and it is on a non-conforming lot as to area, size, setbacks, etc. Town Code allows for buildings on non-conforming lots to be rebuilt in most sections of Town; however, are not allowed in some districts. Councilmen Holloway, Cockrell and Staff believe there is an opportunity to incentivize redevelopment of blighted buildings in all districts of Town. Since the revisions to the Town Code are in the Zoning Ordinance, Council is required to refer the recommendation(s) to the Planning Commission for their recommendation, in a formal meeting.* Mr. Tederick continued that Staff is looking at ways to maximize blighted building lots and give the property owners a little more flexibility to rebuild. Acting Director of Planning/Zoning Brock noted that it would give property owners an incentive to rebuild – "taking a negative and making it positive". Mr. Tederick drew attention to the six examples in Council's packet. Council agreed to refer this item to the Planning Commission at the next regular meeting.

5. **Review of FY20 Revenues –**
Mr. Wilson reminded Council that the FY20 Revenues is something they wanted to review with Staff on a monthly basis. Councilman Thompson noted that she was glad the Town waited for more information with regard to the Joint Tourism Committee and what they wee trying to do. Councilman Cockrell question utility accounts. Mr. Wilson advised that all utility accounts will have a notification on their bills that penalties/interest/shut-offs will resume on July 1, 2020.

6. Open Discussion - None

Mayor adjourned the work session at 8:45 P.M.

PRESENT: Mayor Tewalt, Vice Mayor Sealock, Councilman Cockrell, Councilman Gillispie, Councilman Holloway, Councilman Meza, Councilman Thompson, Interim Town Manager Tederick, Town Attorney Napier, Clerk of Council Presley, Director of Finance Wilson, Public Works Director Boyer and Acting Director of Planning/Zoning Brock and members of the public and press

APPROVED:

Eugene R. Tewalt

Eugene R. Tewalt, Mayor

ATTEST:

Tina L. Presley

Tina L. Presley Clerk of Council

Councilman Meza *moved, seconded by Councilman* Thompson *approved the Work Session Meeting minutes of June 8, 2020 on June 22, 2020.*

Mayor Initial ERT