

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on July 27, 2020, in the Warren County Government Center with the Pledge of Allegiance led by Vice Mayor Sealock and 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
Int 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 Meza moved, seconded by Vice mayor Sealock to approve the Regular Council Meeting Minutes of July 15, 2020 and Work Session Minutes of July 6, 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

Timothy Ratigan, 6079 Stonewall Jackson Highway advised Council that due to the current situation across the nation about defunding the police departments, he grasped the opportunity to express his support for all law enforcement officers. He asked members of Council to display the signs he had made - "Support Your Front Royal Police Department" and "Support your Warren County Sheriff's Office". He also advised of his long-range plans that consists of a rally that would mirror what Front Royal Unites did recently. Mr. Ratigan encouraged Council to support the police department if they were faced with a request to defund.

Paul Gabbert, 1221 Valley View Drive, asked for more than three minutes to speak since he had a lot to say. The Mayor reminded him to hold it to a minimum and that it could not be a 15 – 20 minute speech. Mr. Gabbert voiced his concern over the recent Resolution approved by Council and sent to the Governor regarding Front Royal asserting its competence to determine when to open local businesses and the most recent letter sent to the School Board regarding the high school graduations. He reiterated his concerns about making major changes before a permanent Town Manager was hired that include tourism, lowering tap fees, lawyers hired for the EDA Case and removal of specific employees. He suggested that the Council sit down with the Front Royal/Warren County EDA and work out their problems. **Mayor Tewalt advised Mr. Gabbert**

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that he had one more minute. Mr. Gabbert continued with an accusation to the Council and the Interim Town Manager for covering up a sexual harassment complaint. Point of order was expressed several times by Council, but Mr. Gabbert continued.

Bruce Rappaport, 300 W. Main Street noted that interest rates were currently at “an all-time low” and opined that it would be a great opportunity for the Council to fund the police department. He suggested that the Town should pay the bill for the police department that is due August 1, 2020.

REPORTS

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

Interim Town Manager Tederick advised Council that the portal for the CARES Act is open and is available on the Town’s website. He then read this statement:

I have really struggled with what to say tonight and whether I should or should not make the following comments. I live by several personal motto’s - two of which are: “It’s never wrong to do right”, and “Always speak truth to power”. The quandary I find myself in...is on one hand I feel a strong calling to protect town employees who have been unfairly attacked and the other hand is calling out a current Mayor candidate and owner of a local business and newspaper. So here goes me walking the line... Last week, Mr. McCool who is running for Mayor in November decided to come before Council and make a few comments. He’s starting a new program, “Pot Hole of Day”; *“I came across a couple of these holes and literally thought the whole front end was going to fall off.” “I think the problem lies with we’re putting in water taps around town, one of the biggest areas and some are done by Town crew and some are done by contractors. And I think the issue is no one ever goes back and inspects what was done; the finishing of the road never really completed, either it’s not compacted, or the asphalt is put down and 2 weeks later there’s still a 6” drop in the road where someone has already repaired it.” “I think we need to consider having our Department heads to go back and inspect what’s getting done,” “I really wanted to address and just wanted to call it to your attention and maybe put a little pressure, a friendly reminder, that maybe we need to think about doing this follow up work and making sure that we get our infrastructure in good shape.”*

You see Mr. Mayor and members of council, I was really trying to overlook these comments and frankly just took them to be politicking during campaign season, but that would not be fair to the hard working men and women in the Public Works Department. And let me remind you, these are the same people who worked Christmas Eve into Christmas Day to fix a busted water line and do a quick patch. These are the same people who get called out at all hours, who work after hours, who have endured a very challenging work environment during this Pandemic. What kind of leader or boss would I be if I just let a citizen, especially one who is hoping to lead this Council, come in and paint this picture to our community that the streets are riddled with potholes and quote, no one ever goes back and inspects what was done; the finishing of the road never really completed” So let me provide you with some information: **(Mayor Tewalt interrupted Mr. Tederick reminding him that the public is not allowed to speak over 3 – 4 minutes and asked him to hold it to that as well. Mr. Tederick advised that he was not aware of that policy. Council advised that they were ok with Mr. Tederick continuing – Mr. Tederick continued)** Work Orders placed on the Town Website for road repair. In 2019 – take a guess how many orders – 4. In 2020, granted 7 months only – 2. Call in’s – I would like more people would just call in myself. In 2019 – 4. In 2020 – 3. In House Orders – Robbie Boyer and his two supervisors. In 2019 – 13. In 2020 – 2. I get it, truly – I am a type A personality...one pothole is too many, but a total of 8 notices by citizens in 2019 and 5 in 2020 to me doesn’t sound like the major campaign issue. The

Mayor at the last meeting mentioned a major hole on Stonewall Dr and it was bad. The contractor put a tap in and the asphalt crew got delayed and the gravel sank. Our Public Works department notified the contractor and he put more gravel nearly immediately. We're not Baltimore or Chicago. If we see or hear of a problem, we get on it and fix it. We at the staff level want as many eyes as possible looking for things to improve upon. We have really made a significant effort to focus on the little things around Town and achieve Excellence in Everything. **(Mayor Tewalt again interrupted Mr. Tederick and advised him "that is enough" while Council wanted Mr. Tederick to continue. Mayor Tewalt reiterated that if the Interim Town Manager was allowed 15 minutes then the public should be allowed 15 minutes. Mr. Tederick reiterated that he has never been on a time limit and noted that the data he had was compelling data; however, the Mayor suggested that he give the data to the Council in writing. Upon encouragement of Council, Mr. Tederick continued with his report.)** Another point that needs to be made is this. Members of Council – through your leadership, the Town has embarked upon a historic infrastructure program to repair the failing sewer lines. This problem has been known for over a decade and the can continually got kicked down the road. Violation after violation. Dumping raw sewage into the river and the can continually got kicked down the road. The Town had plenty of money to fix or at least begin to fix the I&I problem, but former Councils just kicked the can. But under your leadership, we now have a \$3.6M contract for I&I Abatement. We have 4 different contractors currently working throughout town doing sewer pipe/manhole rehabilitation and surface restoration and asphalt repair. After the work is completed, we have a CHA Engineer inspect the job and one of two town supervisors inspect. As a last resort, before any contractors get paid, their work gets signed off on – like a final punch list if you will. But that's not enough. Soon we will be embarking on an \$8M phase with four different general contractors and roughly 12 sub-contractors. We are getting it done – you are getting it done. Least I remind you that the Town was fined by DEQ b/c of all the can kicking of the past. But to be clear, it's going to get a little worse before it gets a whole lot better.

Mr. Mayor, Members of Council – in the near term – some of our roads are going to be rough, are going to get cut to in order to fix various problems - I am sure of that. But we are on it and doing the very, very best we can to get them to our high standard sooner rather than later. That I promise all of you. For example, Mr. Mayor and members of Council – how do you like the job that was completed on Steel, High View and Scott streets – excellent workmanship I believe – that's the kind of result the Public Works Director and I expect – even got a complement from Mr. Tewalt. Another thing to mention – we have had an unprecedented workload put on our Streets Department. We are currently short 4 employees and frankly, the high amount COVID unemployment checks are not helping. But even short staffed, these hard-working workers fill in for the Wastewater Treatment plant and Horticulture to mow.

So, here's the bottom line as far as I'm concerned. I just can't allow and I'm, not going to allow any candidate for any office to step on the backs of any of our hard working employees just to try and make some political hay, not going to happen under my watch. No one is harder on your Department Heads than me – I have proven that I'm not afraid to make the tough decisions to better our Town. If our employees do a great job, I pat them on the back or provide a certificate of excellence...if they don't do a good job, I quickly let them know what we expect – that's how it's done. If there's poor workmanship in our Town under my watch – it's on me and me alone. I take full responsibility and address the matter privately with my team. To all of you and the citizens – if see a problem, by all means, please contact us my phone number is 635-8007 – we are eager to improve our community for all. Hopefully, I've walked the line Members of Council – that ends my report.

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b. Requests and inquiries of Council members

Councilman Thompson understood that the Mayor was trying to be fair to Mr. Gabbert. **Mayor Tewalt explained that he was trying to be fair to the general public not just Mr. Gabbert.** She voiced appreciation for the statistics for 2019 and 2020 and the employees completing the work on Stonewall Drive.

Councilman Gillispie thanked Council for the infrastructure repairs that were currently happening and to remember who the ones who “kicked the cans down the road”.

Councilman Meza voiced his disappointment to the Mayor for ignoring points of order from Council when Mr. Gabbert took a “potshot” at Council and left. He noted that Mr. Tederick was giving some constructive statistics for the community. He voiced his confusion on why this happened. Mr. Meza also noted that Mr. Gabbert mentioned some things that the Council has done in the last year as derogatory, but he sees them as accomplishments.

Councilman Holloway agreed with Councilman Meza and noted that he was not surprised at the Mayor’s conduct.

c. Report of the Mayor – Mayor Tewalt advised that he had no problem with people speaking but believes the opportunity to speak has been taken advantage of. He noted that the Town has a good staff, but Mr. Tederick’s report was lengthy. Mr. Tewalt voiced concern that the Council was not working together and felt like everyone was against him, noting he was trying to do a good job. He spoke in favor of the current infrastructure improvements to the Town. Mr. Tewalt asked the Council to not criticize him for limiting speaking time because what is good for the public should be good for Council and Staff. He suggested that if there was going to be a lengthy report from staff for the Mayor and Council, to send them an email or prepare a hard copy for them. Mr. Tewalt asked for respect from Council instead of reprimanding and ridiculing him. He reminded Council that if they would have listened to him regarding the loan for the police department, the Town would not be in the predicament they are currently in by spending a lot of taxpayers’ money. He concluded that if he were to get elected to Council in November, he would do his best as he has done the last 15 years.

d. Proposals for addition/deletion of items to the Agenda – N/A

CONSENT AGENDA ITEMS –

COUNCIL APPROVAL – Bid for Milling & Epoxy Application for Stonewall Drive Bridge
Council approved a bid from Burleigh Construction in the amount of \$214,369.00 for the milling and epoxy application for the Stonewall Drive Bridge

COUNCIL APPROVAL – Bid for Chemicals for Water and Wastewater Treatment Plants
Council approved and awarded bids from Chemrite Incorporated, Water Solutions Unlimited, Shannon Chemical Corporation, Suffolk Sales a& Service Corporation,

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Brenntag Mid-South, Inc., Somerville Acquisition Co Inc., and Univar Solutions, Inc., for various chemicals to be used at the Water and Wastewater Treatment Plants for FY2021.

Councilman Gillispie moved, seconded by Councilman Thompson to approve the Consent Agenda as presented.

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

ROLL CALL

COUNCIL APPROVAL – Front Royal Independent Business Alliance (FRIBA) LOVE Letter Sign

Clerk of Council Presley read the summary: FRIBA, who has been working on a “LOVE Letters Project” over the past year to create a positive message to enrich and uplift our community with a positive focus which will additionally aid in our community’s tourism efforts, has requested that the Front Royal Town Council authorize an encroachment of FRIBA’S mobile LOVE Letters Sign (the “Sign”) upon and over the grassy area of the Town’s real property and public-right-of-way located at the southern corner of the intersection of East Main Street and South Commerce Avenue, the area within said Town property containing 1,500 square feet, more or less (the “Property”), when said Sign is not on display in other areas and when said Property is not in use for other purposes by the Town and the Sign would be incompatible with the Town’s other use (s). One requirement of Virginia’s LOVE works program is to have a permanent spot to display the LOVE letters when our portable set is not loaned out, It must be visible to passersby, and also must have a safe area near parking, so the public can get out and take photos with the letters. The grassy area at the corner of East Main Street and Commerce Avenue meets these requirements. FRIBA has already obtained a temporary sign permit from the Town Manager’s office. The Code of Virginia, Va. Code § 15.2-1800 require the sale or lease of public land in Virginia to require a public hearing following advertisement in a local newspaper. Article 7, Section 9, of the Virginia Constitution allows leases of public lands for a period not in excess of five (5) years to not require public bidding,

Councilman Thompson moved, seconded by Councilman Thompson that Council approve the permanent placement of the LOVE letters at the Town-owned 1,500 square foot corner of Main Street and Commerce Avenue contingent upon a signed Agreement with FRIBA.

There was no discussion by Council.

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

ROLL CALL

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COUNCIL APPROVAL – Agreement with the Chamber of Commerce for the Economic Recovery Assistance Administration & Distribution

Clerk of Council Presley read the summary: Council is requested to approve an agreement with the Chamber of Commerce that the Chamber of Commerce will comply with management and distribution of the CARES Act Funds the Chamber of Commerce receives from the Town in the amount of \$1,176,558.00.

Councilman Meza moved, seconded by Councilman Gillispie that Council approve an agreement with the Chamber of Commerce that the Chamber of Commerce will comply with management and distribution of the CARES Act Funds the Chamber of Commerce receives from the Town in the amount of \$1,176,558.00.

Councilman Cockrell reminded Council that Council paid \$4,000 toward the purchase of LOVE letters and that this placement tonight would be no additional cost to the Town. She also confirmed that if the Town would need the property for any reason the letters would have to be moved. The Town Attorney confirmed that FRIBA would be responsible for mowing the property.

Vote: Yes – Councilmen Sealock, Cockrell, Gillispie, Holloway Meza and Thompson

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

COUNCIL APPROVAL – FY21 Budget Amendment for Donation of Scholarship Money and Donation of Water Bottle Filler Fountain Money

Clerk of Council Presley read the summary: A donor who prefers to be known as Frank, would like to donate \$2,000.00 to the Town to be used toward Town scholarships. A donor, the Front Royal Warren County Anti-Litter Council, would like to donate \$1,140.00 to be used toward the purchase of a water bottle filler fountain located at Town Hall. Council is requested to approve a budget amendment in the amount of \$2,000 to the FY21 budget to accept the funds to be used toward Town scholarships. Council is also requested to approve a budget amendment in the amount of \$1,140 to the FY21 budget to accept the funds to be used toward Town scholarships and a water bottle filler fountain.

Council Cockrell moved, seconded by Councilman Thompson that Council approve a budget amendment in the amount of \$2,000 to the FY21 budget to accept the funds used toward Town Scholarships. I further move that Council approve a budget amendment in the amount of \$1,140 to the FY21 budget to accept the funds to be used toward the purchase of a water bottle filler fountain for Town Hall.

Councilmen Meza, Cockrell, Gillispie and Thompson voiced their appreciation for the generous donations. Interim Town Manager clarified that the scholarship donation is in addition to what Council has budgeted in the Contingencies.

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

ROLL CALL

Mayor declared this portion of the meeting adjourned at 7:45pm and that there would be no action after the closed meeting.

CLOSED MEETING – Personnel and Consultation with Legal Counsel Regarding Pending Litigation

Councilman Cockrell moved, seconded by Councilman Thompson that Town Council go into Closed Meeting 1. to discuss and consider the assignment, appointment, promotion, performance and salaries of specific public officers, appointees, or employees of the Town, pursuant to Section 2.2-3711. A. 1. of the Code of Virginia and 2. Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation with EDA, where such consultation or briefing in Open Meeting would adversely affect the negotiating or litigating posture of Town Council; "probable litigation" meaning litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party; pursuant to Section 2.2-3711. A. 7. of the Code of Virginia.

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

ROLL CALL

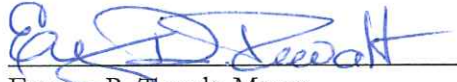
Councilman Cockrell moved, seconded by Councilman Meza that the Mayor and Council certify that to the best of each member's knowledge, as recognized by each Mayor and Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia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

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

ROLL CALL

APPROVED:


Eugene R. Tewalt, Mayor

ATTEST


Tina L. Presley Clerk of Council

Councilman Gillispie moved, seconded by ^{Councilman} meza approved the Regular Council Meeting
minutes of July 27, 2020 on August 10, 2020.

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