



TOWN COUNCIL REGULAR MEETING MINUTES

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on November 23, 2020, in the Warren County Government Center. The Pledge of Allegiance and Moment of Silence were led by Mayor Tewalt. This meeting can be viewed in its entirety by accessing the video of the same date online via the Town's website at www.frontroyalva.com.

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 Letasha T. Thompson
- Interim Town Manager Matthew A. Tederick
- Town Attorney Douglas W. Napier
- Deputy Clerk of Council Mary E. Lynn

ABSENT: Councilman Jacob L. Meza

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

APPROVAL OF MINUTES

Councilman Gillispie moved, seconded by Councilman Holloway, to approve the Regular Council Meeting Minutes of November 9, 2020, as presented.

Vote: Yes – Unanimous (NO ROLL CALL)

RECEIPT OF PETITIONS AND/OR CORRESPONDENCE FROM THE PUBLIC

Ann Arena, 204 East Main Street, expressed her opposition of the continued closure of Main Street to vehicular traffic through the end of the year.

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Samuel Porter, 216 Fletcher Street, reiterated the responsibility of local law enforcement to promote public safety. He noted several social media posts that were made by a Front Royal Police Officer and wondered why a public statement had not yet been made the Town.

Kristin Iden, 407 Washington Avenue, requested a statement from the Front Royal Police Department regarding some "violent, hateful, and unprofessional" social media posts made by one of their officers.

David Means, 201 West First Street, expressed his concern for the riparian buffer located on Happy Creek between South Street and Prospect Street. He noted the lack of permits on site and added the strategy being used was outdated.

Mark Frondorf, 136 Bumgardners Ford Road, Rileyville, Virginia, spoke as a representative for the Shenandoah River Keepers, about his concern for the Happy Creek Project. He added the importance of urban greenspace and suggested the SEP be amended.

Chris Anderson, 1312 Farmview Road, Luray, Virginia, the Page and Warren County Coordinator for the Alliance of the Shenandoah Valley expressed her disapproval of the Happy Creek Bank Stabilization Project plan. She noted her hope that the town would develop a new plan and offered to work with them to solve the issue.

Susan Tschirhart, 327 Skyline Place, Chair of the Front Royal/Warren County Appalachian Trail Community Committee, reminded Council that the portion of Happy Creek in question is the first view of Front Royal for many visitors. She noted that Front Royal is considered the "friendliest trail town," a tree city, a town committed to natural spaces, and that the Happy Creek Project plan, as presented, did not align with that image.

Sonja Carlborg, 210 West First Street, spoke about the Happy Creek Bank Stabilization Project, noting that 161 trees had been cut that should have remained. She explained that the project could not be addressed the same way as the 8th Street project because they were completely different.

David Brotman, 938 Shangri La Road, Bentonville, Virginia, Executive Director of Friends of the North Fork of the Shenandoah River, expressed the need for damage control for the Happy Creek project. He noted that the work started without posting permits or talking to the Urban Forestry Advisory Commission as required by the Town Code.

Melody Hotek, 1879 Catlett Mountain Road, reminded Council that when she had spoken to them two weeks prior about the destruction of Happy Creek, she had been offered a meeting, and it was never set-up. She suggested the Town apply for an extension for their DEQ consent order and develop a plan to replant native trees and shrubs. She added that the local environmental groups and citizens of Front Royal were ready to help.

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Tim Ratigan, 6079 Stonewall Jackson Highway, referenced the Front Royal Police Officer who was under investigation for posts made on social media. He noted the officers right to free speech and warned the Town not to “bring on an unlawful termination lawsuit.”

Rick Novak, 117 East Main Street, thanked Council for their swift action in closing down Main Street at the beginning of the COVID-19 pandemic to help local restaurants through the summer and fall season, but urged Council to reopen the street now that the weather had turned cold.

Bruce Rappaport, 300 West Main Street, stated that there are many “smart people in this community” and that the town should heed what they have to say regarding Happy Creek.

Paul Gabbert, 1221 Valley View Drive, described the state of the Happy Creek Project as disrespectful and devastating. He added his belief that it was a waste of tax-payer dollars.

Kelly Walker, 939 South Marshall Street, stated it was time to reopen Main Street to vehicular traffic on the weekends and asked Council to reconsider their decision to extend the closure.

Sue Laurence, 403 East Main Street, spoke in favor of the continued closure of Main Street. She noted that the street closure was not responsible for any lack of business, COVID-19 was.

Vincent Resch, 377 Shannon Woods Drive, member of the Towns Urban Forestry Advisory Commission (UFAC) and the Front Royal/Warren County Tree Stewards, addressed the Happy Creek Project and the lack of UFAC involvement. He cited Town Code 156-3 and 156-6 which requires removal of trees on town owned property be reviewed by UFAC.

Tom Dombrowski, 79 Blue Jay Court, stated his belief that the citizens of Front Royal were not properly notified of the work happening at Happy Creek. He added that the proposed design was something he “would have seen in the 1970’s” and would “destroy the entire ecological value of the stream.”

REPORTS

a. Report of Special Committees of Town Officials and Interim Town Manager - Interim Town Manager Tederick commended all the speakers for their helpful comments. He reiterated the timeline of the Happy Creek Project, noting the Town had retained the services of an engineer to put together the plan. He expressed his understanding that there were high emotions and sensitivity regarding the project. He added that the Town had a DEQ consent order requiring the work be completed by December 31, 2020.

Mr. Tederick also stated that Main Street was scheduled to be closed Wednesday afternoon through Monday morning and Town Offices would be closed Thursday and Friday for the Thanksgiving holiday.

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Mr. Tederick noted that it would likely be his last Council Meeting as Interim Town Manager. He stated that he was happy to have worked with a great and dedicated staff. He then outlined many town projects and objectives that were accomplished under his management.

b. Requests and inquiries of Council Members

Councilman Gillispie addressed the closure of Main Street and stated that Council wholeheartedly wanted to help local businesses. He asked Interim Town Manager Tederick if they could discuss it at a Work Session. He also mentioned the concerns about a Town Police Officer's Social Media posts and explained that Council could not officially comment while the investigation was still active. Councilman Gillispie then invited all those who spoke about the Happy Creek Project to meet him on site to discuss their concerns.

Councilman Thompson suggested a committee be formed that included all the environmental groups that had representatives present, along with the Urban Forestry Advisory Commission to remedy the Happy Creek Project. She noted that the Northern Virginia Daily was now a 'pay-only site' which could explain why the community was unaware of the project. She also explained that she had contacted the Town Manager immediately after finding out about the Social Media posts that were made by a Town Officer and had requested a press release from the Front Royal Police Department at that time.

Vice Mayor Sealock mentioned his attendance at an event that was organized to "Save Happy Creek" the previous weekend. He noted that the project was overdue, and the creek banks had not been cleaned up or addressed for 13 years. He recommended Town Staff try to obtain an extension on the consent order and use the knowledge of the resident experts moving forward.

Councilman Cockrell requested the Town gather contact information for all downtown business owners so they could be surveyed about street closures in the future. She also mentioned how much she had learned about Happy Creek from all the emails and speakers. She noted the goal of the consent order, which was to reduce flooding.

Councilman Holloway agreed with Councilman Gillispie's suggestions to further discuss the Main Street closure during a Work Session. He suggested inviting business owners to come participate in the conversation.

c. Report of Mayor – Mayor Tewalt thanked everyone for coming and stated how "good it was to hear from citizens." He agreed that the Happy Creek Project plan should be revisited.

d. Proposals for addition/deletion of items to the Agenda - NONE

COUNCIL APPROVAL OF CONSENT AGENDA ITEMS – NONE

COUNCIL APPROVAL – Rezoning Application by EDA for Rezoning Approximately 62.7 Acres from R-1 to I-2 Adjacent to Happy Creek Technology Park

Councilman Cockrell moved, seconded by Councilman Thompson, that Council approve on its second and final reading the request from the Industrial Development Authority of the Town of Front Royal and the County of Warren, also referred to as the Front Royal/Warren County Economic Development Authority (EDA), to rezone approximately 62.7 acres [Tax Map 20A221-1 and 20A22-1B] adjacent and connecting to Happy Creek Technology Park to improve site status from Tier 1 to Tier 2 of the Virginia Business Ready Sites Program and possible future expansion of the adjacent Happy Creek Technology Park. She further moved that the rezoning approval include the four (4) proffers as indicated in the Proffer Statement.

Vote: Yes – Councilmen Sealock, Cockrell, Gillispie, Holloway & Thompson

No – N/A

Abstain – N/A

Absent – Councilman Meza

ROLL CALL

COUNCIL APPROVAL – FY21 Budget Amendment for Insurance Reimbursement

Councilman Gillispie moved, seconded by Councilman Cockrell, that Council approve a FY21 Budget Amendment in the amount of \$31,732.15 to receive funds from Virginia Risk Sharing Association to reimburse the Town of Front Royal for expense incurred due to a water break on Route 522 N near Fairgrounds Road.

Vote: Yes – Councilmen Sealock, Cockrell, Gillispie, Holloway & Thompson

No – N/A

Abstain – N/A

Absent – Councilman Meza

ROLL CALL

CLOSED MEETING

Councilman Gillispie moved, seconded by Councilman Holloway, that Town Council go into Closed Meeting for the discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, salaries, or resignation of specific public officers, appointees, or employees of the public body, pursuant to Section 2.2-3711. A. 1. of the Code of Virginia.

Vote: Yes – Unanimous (NO ROLL CALL)

Councilman Gillispie moved, seconded by Councilman Holloway, 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

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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.

Vote: Yes – Councilmen Sealock, Cockrell, Gillispie, Holloway & Thompson

No – N/A

Abstain – N/A

Absent – Councilman Meza

ROLL CALL

Mayor Tewalt reopened the Regular Town Council Meeting.

Councilman Holloway moved, seconded by Councilman Gillispie, that Town Council execute an employment agreement hiring Steven Hicks as Front Royal Town Manager effective December 7, 2020. He further moved that the existing Town Manager, Matt Tederick, provide appropriate on-site and on-call assistance to Mr. Hicks to familiarize him with his new job duties and responsibilities.

Vice Mayor Sealock stated that Council had sorted through 80 Town Manager applicants. He explained that while it had taken some time, he believed they had found a top-notch candidate with detailed and relevant experience.

Councilman Gillispie thanked the citizens and his fellow Council members for their patience during the hiring process. He noted the importance of making sure they found the “right one” for the community and especially the town’s employees.

Councilman Cockrell expressed her excitement to work with Mr. Hicks. She explained that finding the right person for the job was Council’s biggest decision of the year.

Councilman Thompson noted that since Mr. Hicks had experience in all different departments, he would be well respected by the town’s department heads.

Vote: Yes – Councilmen Sealock, Cockrell, Gillispie, Holloway & Thompson

No – N/A

Abstain – N/A

Absent – Councilman Meza

ROLL CALL

Police Chief Magalis thanked Council for giving him and his department time to properly investigate a recent personnel issue regarding posts that were made on social media. He noted the need to consider all sides of the constitution, to follow procedures as outlined in the State

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Code, and to follow Human Resource and Employment Laws. He then presented them with a public statement regarding their investigation.

Interim Town Manager Tederick added that all Town Employees ultimately work for him, and with respect to this particular issue, he had failed Council, the public and the community. He explained that social media presents a big challenge, and he planned to conduct formal training with all members of Town Staff.

Mayor Tewalt adjourned the Regular Meeting at 9:39 PM and Council began their Work Session.

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APPROVED:


Eugene R. Tewalt, Mayor

ATTEST:


Tina L. Presley Clerk of Council
Minutes Written by Mary Ellen Lynn Deputy Clerk of Council

Councilman Coccarelli moved, seconded by Councilman Meza approved the Regular Council Meeting minutes of November 23, 2020 on December 14, 2020.

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TOWN COUNCIL WORK SESSION MINUTES

Tuesday, November 23, 2020 at 7:00 P.M. in Warren County Government Center

1. **Commonwealth of Virginia Disconnection Ban** – Finance Director, BJ Wilson, presented Council with an overview of the budget bill that was recently passed by the Governor of Virginia that prohibited the disconnection of utilities for all Virginia residents. He outlined the exemption process including the detailed reporting his department would have to complete, and the payment plans the town would be required to offer those with delinquent utility accounts. Council agreed to move forward with obtaining the exemption.
2. **Continued Closure of Main Street** – Councilman Gillispie reiterated the intention of the Main Street closure was to help local businesses. He voiced his concern for the citizens who claimed, during their regular meeting, that the closure was hurting them. Councilman Thompson wondered if some street parking could be used as outdoor seating space for restaurants. Councilman Holloway suggested allowing businesses to use the sidewalks. Interim Town Manager Tederick added that cold weather would present a challenge for businesses to set up outside.

Council requested Mr. Tederick determine whether there were any special even permits for the coming weekend. If there were none, they advised him to keep the street open to vehicular traffic effective immediately.

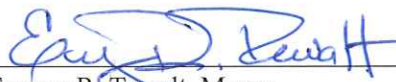
Mayor Tewalt adjourned the work session at 10:06 PM.

PRESENT: Mayor Tewalt, Vice Mayor Sealock, Councilman Cockrell, Councilman Gillispie, Councilman Holloway, Councilman Thompson, Interim Town Manager Tederick, Town Attorney Napier, Finance Director Wilson (via telephone), Public Works Director Boyer, Planning and Community Development Director Wilson, Deputy Clerk of Council Lynn, and members of the public and press.

ABSENT: Councilman Meza

Signatures on next page

APPROVED:


Eugene R. Tewalt, Mayor

ATTEST:


Tina L. Presley Clerk of Council

Minutes Written by Mary Ellen Lynn Deputy Clerk of Council

Councilman Cockrell moved, seconded by Councilman Meza approved the Work Session minutes of November 23, 2020 on December 14, 2020.

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