



REGULAR TOWN COUNCIL MEETING

Monday, February 22, 2021 @ 7:00pm in Warren County Government Center

Due to Executive Order #72 (Amended 1/27/21) and Order of Public Health Emergency Nine, Common Senses Surge Restrictions, Certain Temporary Restrictions due to COVID-19, from Governor Northam there is limited seating

1. MOMENT OF SILENCE
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL Mayor Holloway __ Vice Mayor Cockrell __ Gillispie __ Lloyd __ McFadden __ Meza __ Thompson __

4. APPROVAL OF MINUTES for Work Session of February 4 and February 8, 2021 as presented.

Moved _____ Second _____ Vice Mayor Cockrell __ Gillispie __ Lloyd __ McFadden __ Meza __ Thompson __

5. RECEIPT OF PETITIONS and/or CORRESPONDENCE FROM THE PUBLIC

Public speakers/Council Members must use the same civility, decorum, orderly behavior, relevancy of comments to the subject at hand, and appropriate language in addressing Town Council as they would use in addressing a Judge in a Court of Law. No profanity, vulgar, or sexist language, or irrelevant commentary, is allowed. (*Robert's Rules, §43, pp. 379-382; Steinburg v. Chesterfield Cty. Planning Com'n. 527, F. 3d (4th Cir.) 2008; Eichenlaub v. Township of Indiana, 385 F. 3d 274 (3d Cir. 2004).*) -see page 2-

6. REPORTS

- a. Report of Special Committees or Town Officials and Town Manager
- b. Requests and inquiries of Councilmembers.
- c. Report of the Mayor

7. PROPOSALS FOR ADDITION/DELETION OF ITEMS

8. APPROVAL OF CONSENT AGENDA ITEMS

- A. Approval – Amendment to Liaison Committee Mission Statement and Policies
- B. Approval – Budget Amendment for Pedestrian Crossing Signal at Warren Memorial Hospital
- C. Approval – Joint Towing Advisory Board Appointment

Moved _____ Second _____ Vice Mayor Cockrell __ Gillispie __ Lloyd __ McFadden __ Meza __ Thompson __

9. **PUBLIC HEARING** – Solicit Input from the Public to Authorize the Passage of an Ordinance for the Sale of the Town's Portion of McKay Springs Property near the Intersection of Reliance Road and Winchester Road and Accept Bids for the Property

10. **APPROVAL** – Ordinance Amendment to Town Code Chapter 4-1, 4-4 and 4-19 (2nd Reading)

11. **APPROVAL** – Order of Business for Regular Meeting Agendas

12. **APPOINTMENT** – Planning Commission

13. **APPOINTMENT** – Board of Architectural Review

WORK SESSION

Immediately following regular meeting

1. **CLOSED MEETING** – Acquisition of Real Property

TOWN COUNCIL AND PUBLIC PRESENTATION DECORUM REQUIREMENTS

During all portions of a Regular Town Council Meeting, including its Public Presentations portion, the following requirements of decorum by both public speakers and Town Council Members must be followed. These are the requirements: Town Code, *Robert's Rules of Order* (incorporated into Town Code), and Federal Court Decisions interpreting First Amendment Constitutional Law on Free Speech.

1. The Mayor, as the presiding officer of Town Council, shall enforce the rules of procedure, preserve order and decorum, and appoint all Committees. (*Town Code 4-8*)
2. Every member of the Council shall address the presiding officer before speaking, confine himself to the question before the body and avoid all personal or indecorous language. (*Town Code 4-12*)
3. Public speakers and Council Members must use the same civility, decorum, orderly behavior, relevancy of comments to the subject at hand, and appropriate language in addressing Town Council as they would use in addressing a Judge in a Court of Law. No profanity, vulgar, or sexist language, or irrelevant commentary, is allowed. (*Robert's Rules, §43, pp. 379-382; Steinburg v. Chesterfield Cty. Planning Com'n. 527, F. 3d (4th Cir.) 2008; Eichenlaub v. Township of Indiana, 385 F. 3d 274 (3d Cir. 2004.)*)
4. There can be no personal attacks. A speaker can condemn the nature or likely consequences of a proposed measure in strong terms, but under no circumstances can he attack or question the personalities or the motives of another member. The measure, but not the man, is the subject of debate. (*Same Authority as above*)
5. A speaker may not speak to any matter that is the subject of a public hearing during that same Regular Meeting. (*Robert's Rules, § 43, pp. 379-382*)
6. A speaker who violates 2., 3., 4., or 5. Above should be promptly asked to stop speaking in that fashion by the Mayor. If such speaker does not promptly so stop, the Mayor should ask the Sergeant at Arms (Police Officer) to remove such speaker, forcibly if necessary, and even charged with a misdemeanor crime. Federal court decisions have established that public policy in maintaining civility and decorum during the public comment sessions of its public meetings, both to ensure the efficient conduct of the people's business and to maximize citizen participation in the discussion, override the speaker's First Amendment rights of free speech. Governmental bodies may enforce policies against personal attacks in furtherance of a legitimate governmental purpose to preserve order and decorum in meetings, so long as they do not use the personal attack policy as a pretext to squelch a particular substantive viewpoint. (*Robert's Rules, § 43, pp. 379-382; Steinburg v. Chesterfield Cty. Planning Com'n. 527, F. 3d (4th Cir.) 2008; Eichenlaub v. Township of Indiana, 385 F. 3d 274 (3d Cir. 2004.)*)

Town Attorney July 2020



TOWN COUNCIL WORK SESSION MINUTES

Tuesday, February 4th, 2021 at 7:00 PM

Town Hall Conference Room

The following minutes are a summary of items on the agenda. This meeting may be viewed in its entirety by accessing the video of the same date online via the Town's website at www.frontroyalva.com.

Closed Meeting – Disposition of Publicly Held Property, Consultation with Legal Counsel, Actual Litigation, Personnel Matters

Councilman Gillispie moved, seconded by Vice Mayor Cockrell, that Town Council go into Closed Meeting pursuant to Va. Code Sections 2.2- 3711., in the following subsections indicated of that Code Section, to discuss the following matters:

(1) The disposition of publicly held real property, specifically the Afton Inn property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. (A.3., A.8.)

(2) Consultation with legal counsel employed or retained by a public body regarding specific legal matters; and the possible taxation of certain portions of hospital real and personal properties located in the Town of Front Royal; pursuant to Va. Code § 58.1-3606. A. 5. of the Code of Virginia.(A.8.)

(3) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual litigation, specifically, a lawsuit brought by a former Town staff member against the Town, where such consultation or briefing in Open Meeting would adversely affect the negotiating or litigating posture of the public body.(A.7.)

(4) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual litigation, specifically, a lawsuit brought by the Town against the Warren County EDA and Jennifer McDonald, as well as a bankruptcy petition filed by Jennifer McDonald in an attempt to divest herself of debts she owes the Town. (A. 7.)

(5) the purpose of assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific, public officers, appointees or employees of a public body, pursuant to Section 2.2.3711.A.1. of the Code of Virginia

Vote: Yes – Councilmen Cockrell, Gillispie, Lloyd & Thompson

No – N/A

Abstain – N/A

Absent – Councilmen McFadden and Meza

ROLL CALL

Vice Mayor Cockrell moved, seconded by Councilman Gillispie 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 Act 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.

Vote: Yes – Mayor Holloway, Councilmen Cockrell, Gillispie, Lloyd & Thompson

No – N/A

Abstain – N/A

Absent – Councilmen McFadden and Meza

ROLL CALL

Fiscal Year 2021-2022 Proposed Budget Presentation – Town Manager Steven Hicks, Finance Director BJ Wilson, and Purchasing Manager Alisa Scott, presented Council with a PowerPoint that highlighted the top goals for the town and how the FY22 budget would support those goals. The goals focused on economic development & marketing, infrastructure, appearance, communication, and the Town's employees. Additionally, they noted that together with Town Staff they were able to realize a \$1.5 million reduction in the overall FY22 budget.

FY21 Budget Amendment/Intra Fund for Purchase of Refuse Truck – Finance Director Wilson explained the immediate need for an additional refuse truck. He stated that citizens were spending more time at home due to COVID-19 and the current refuse fleet was reaching maximum capacity. Council all agreed to add the Refuse Truck purchase to their consent agenda.

Matrix for the Change in Meeting Times – Mr. Hicks provided council with a matrix that included agenda item due dates and publication dates. He explained that due to the decrease in monthly Council meetings, his goal was to provide Councilmembers with more time to review agendas and ask questions prior to their Work Sessions and Regular Meetings.

Open Discussion – Councilman Gillispie referenced the 'Drug Prevention Committee' that he is a part of, explaining their plan to focus on education. He noted that Warren County was exploring the possibility of hiring a part-time grant writer specifically to help their cause. He also added his belief that Council should draft and send a resolution to the State opposing the recent change in legislation regarding Marijuana. Councilman Lloyd wondered if there was a need for a full-time grant writer, not just for drug prevention, but other grant opportunities as well.

Vice Mayor Cockrell stated that she had been approached by several citizens wondering if the Gazebo area could be used to host a safe, outdoor Prom. Mr. Hicks stated that he thought it was a "great idea" and asked if the school system could provide him with some tentative dates.

Mr. Hicks also proposed that the Town begin offering twenty-four hours of funeral leave to employees as well as 8 hours of volunteer time. Council all agreed.

Mayor adjourned the work session at 9:57 P.M.

PRESENT: Mayor Holloway, Vice Mayor Cockrell, Councilmen Gillispie, Lloyd, and Thompson, Town Manager Steven Hicks, Town Attorney Doug Napier, Deputy Clerk of Council Mary Ellen Lynn, Finance Director BJ Wilson, Purchasing Manager Alisa Scott.

ABSENT: Councilmen McFadden and Meza

Approved by Town Council

Date: -----



TOWN COUNCIL REGULAR MEETING MINUTES

February 8, 2021 @ 7:00PM in Warren County Government Center

The following minutes are a summary of items on the agenda. This meeting may be viewed in its entirety by accessing the video of the same date online via the Town's website at www.frontroyalva.com.

Moment of Silence

Pledge of Allegiance was led by Councilman McFadden

ROLL CALL PRESENT: Mayor Chris W. Holloway
Vice Mayor Lori A. Cockrell
Councilman Gary L. Gillispie
Councilman E. Scott Lloyd
Councilman Joseph E. McFadden
Councilman Jacob L. Meza
Councilman Letasha T. Thompson

APPOINTED STAFF PRESENT: Town Manager Steven W. Hicks
Town Attorney Douglas W. Napier
Clerk of Council Tina L. Presley

APPROVAL OF MINUTES – Vice Mayor Cockrell moved seconded by Councilman Meza that Council approve the Work Session Minutes of January 19, 2021 and Regular Council Meeting minutes of January 25, 2021 as presented.

Vote: Yes –Unanimous

RECEIPT OF PETITIONS AND/OR CORRESPONDENCE FROM THE PUBLIC

(comments may be heard in their entirety on the Town's website by accessing video of the same date)

Cornelia Banks, 117 E. 16th Street, wife of former Mayor George E. Banks introduced Gene Kilby and turned her remaining time over to Mr. Kilby.

Gene Kilby, 836 Shenandoah Shores Road, voiced his concern over Council considering naming or renaming a street after Donald Trump. He opined that while it would be unusual it would further divide the community and objected to the consideration. He voiced many concerns of the Trump administration. He suggested that if Council were to consider naming or renaming a street such as Commerce Avenue it should be after a major contributor of the community and mentioned that that Mr. George E. Banks was the first African American to serve on Council and to serve as Mayor in Front Royal. He gave the Council a history of the service of Mr. Banks and when and how he became an activist to serve on the Town Council and in the

community. He voiced concern that the community was going backward instead of forward. He encouraged Council to keep George Banks on their minds as they consider naming or renaming a major street and reminded them that as councilmembers and leaders of the community, they have the responsibility to bring the community together.

Debra Siksay, 118 W Stonewall Drive, suggested that if Council were going to spend taxpayers' dollars they should consider naming a street after a citizen who has made a difference in the community, noting that there was no better choice than George Banks to begin the process.

Suetta Freeman, 74 Michelle Road, described Mr. Bank's character as being responsible, honest, passionate, and level-headed since she worked very close with him on various community projects. She encouraged Council to consider Mr. Banks when renaming Commerce Avenue.

Stevie Hubbard, 1169 Elm Street, encouraged Council to not rename a major road after Donald Trump, but suggested instead for them to consider those who have paid dearly for the community including those during the segregation/desegregation years. She opined that the suggestion of naming a street after Donald Trump was offensive and suggested that naming a street after Mr. Banks would be an amazing first step.

Bruce Rapport, 300 W Main Street, reminded Council that Mr. Trump had never "stepped foot" in Front Royal and that Mr. Banks was an upstanding citizen and a better choice. He raised the concern of increasing water and sewer rates in the next two years by \$3.50 per month. Town Manager Hicks clarified that it was \$1.50 increase per month now and \$2.00 increase per month in 2023. Mr. Rapport also suggested that commercial rates should be considered to help alleviate the "pain" on the taxpayers. He voiced concern over Council reducing their regular meetings from twice a month to once a month and asked that Council be focused on the needs of the people. He voiced concern over the talk of illicit drugs and its connection to marijuana. He encouraged Council to appoint someone from the Town to work with the current Front Royal/Warren County Economic Development Authority. He asked how he could get help from the community to refurbish the Elks Club.

Town Manager Hicks clarified and corrected previous information to Mr. Rapport and the public that the increase in water and sewer rates for residential bills would be \$3.00 over a two-year period and noted that this was a 5-year water plan from the consultants.

A.D. Carter III, Front Royal, advised Council of the history of his service in the Vietnam War and his life in general especially when he moved to Front Royal. He acknowledged George Banks by calling him a "dynamite Mayor who lived it". He encouraged togetherness and advised that he would be praying for the Town, the Council and the citizens herein, voicing hope that we would grow like a family.

Tom Sayre, 835 Shenandoah Shores Road, advised Council that in addition to George Banks and other courageous acts of African Americans in Warren County there was another one and read an excerpt about Servant of God Augustine Holton 1854-1897 an African American Saint.

Noel Williams, Front Royal, encouraged Council not to name any streets after Donald J. Trump, but only after people in Town who contributed to the community.

Reverend Al Woods, 1616 Edgemont Avenue, reminded Council of "IN GOD WE TRUST" that was written on the wall above them and the flags placed by them were symbols that give meaning and purpose that

should be instilled in all of them, as well as virtues we should all abide by. He encouraged Council to move forward in Christian love and do for all God's children.

REPORTS

a. Report of Special Committee of Town Officials and Town Manager

Town Manager Hicks thanked the Police Department, Public Works Department, Fleet Management and Water/Wastewater Crews for always being ready to keep the roads clear. He also noted that the Town Business Offices will be closed on President's Day February 15th and Council's Work Session will be held Tuesday, February 16, 2021.

REPORT - CHAIRMAN OF FRONT ROYAL/WARREN COUNTY ECONOMIC DEVELOPMENT AUTHORITY (EDA)

Clerk of Council Presley passed out a hand-out to Council and Town Staff from Jeff Browne, Chairman of the Front Royal/Warren County EDA. Mr. Browne gave a history of the EDA, that included the scandal that surrounds the EDA. He advised Council of serious measures in place so that the past would not happen again that included 1) the County insisting on third party bookkeeping and check writing; 2) adopting a series of policies that included transparency and accountability; 3) EDA Staff taking care of economic development and the County taking care of lawsuits and other issues 4) cooperating fully in the criminal cases to bring the guilty to justice and 5) working hard in the civil proceedings to recover assets.

Mr. Browne talked briefly about the EDA's staff Executive Director Doug Parsons and Office Manager Gretchen Henderson. He gave an overview of the various projects the EDA is currently working on 1) refinancing their bank loans for lower interest rates; 2) bringing small business loans back; 3) working with the Town on the amount of interest owed on the police station loan; 4) finishing the accounting process for Leach Run Parkway; 5) working on 2018 and 2019 audits; 6) working on adopting a strategic plan to help local businesses grow and attract businesses in manufacturing of logistics and technology; 7) working to refinance loans; 8) working on plans to sell EDA-owned properties in the Town and the County; 8) starting to work with owners of commercial properties to market their properties; and 9) hoping to coordinate with the Town and County on strategic goals to get the kinds of business we want here.

Mr. Browne gave Council an overview of results: 1) hosted a Commercial Real Estate Open House where commercial realtors toured Town, County and EDA properties in the Town's trolley that resulted in selling of Stokes Mart and Main Street apartments as well as County property; 2) a drone manufacturer (Silent Falcon) based at the County airport; 3) selling property to Hardees on a jointly owned property with the Town and County known as McKay Springs; 4) purchase of Afton Inn is anticipated to close next week; and 5) current agreement with a manufacturing medical company to purchase a building on Baugh Drive.

Mr. Browne advised that the EDA is not bankrupt, noting that by law and Virginia State Code they cannot go bankrupt nor can the EDA be dissolved until all debts are paid in full. He explained that the EDA is technically insolvent which means it cannot pay all of its bills without the support of the County and thanked the County Board of Supervisors for stepping up to help them. Mr. Brown clarified that the EDA is not too busy fighting lawsuits to promote economic development. He explained that the EDA made a deliberate decision to keep staff to focus on economic development issues. He advised that the EDA Board has members with skills in finance, construction, marketing and management.

He assured Council that the EDA could help the Town acquire property for economic development under the same extent as a functioning Town EDA. He advised Council that towns do not require an EDA to borrow money since they can borrow under a general obligation bond up to 10% of the assessed value of town real

estate and by passing a resolution after a public hearing. Towns can also borrow on its moral obligation for revenue bonds by making annual appropriations which does not count against the 10% real estate limit. He explained that counties are more restricted since they can borrow funds by going through a referendum, accept funding for schools, borrow with revenue bonds, short-term borrowing or go through the EDA using the annual appropriation with the county's moral obligation. In conclusion Mr. Browne noted that the EDA cannot undo the past but can learn from the mistakes and make sure there are policies and procedures in place to prevent tragedy from happening again. He encouraged that the Council and the EDA learn to work together better and communicate better.

Councilman Thompson questioned the (15) properties that were listed on the handout and whether the EDA would make any profit if they were sold. Mr. Browne advised that all the monies would go toward paying off the mortgages.

Councilman Gillispie thanked Mr. Browne for attending and voiced concern that the citizens were just made aware of the nine-million-dollar confession of judgement from First Bank. Mr. Browne agreed that everything sold or leased by the EDA would go to First Bank to pay off the nine million dollars owed. Mr. Gillispie opined that the confession of judgement leaves the EDA powerless since the EDA cannot buy property for the Town or County unless the bank allows it. He stated that the EDA cannot obtain any type of financing without the County. Mr. Gillispie questioned the plan for the EDA going forward. Mr. Browne advised that the EDA continues to sell properties to reduce the debt and continue to bring economic development. Mr. Browne confirmed that the last audit of the EDA was 2017 and they were close to completing 2018.

Councilman McFadden questioned the financial process when all three parties (Town/County/EDA) sold property. Mr. Browne explained that the Town and County would each get their share and the EDA's share would go to the bank. Mr. McFadden further questioned the Afton Inn proceeds. Mr. Browne gave the history of the Afton Inn, that included the validity or invalidity of the Memorandum of Agreement (MOA) and construction project of nearly \$500,000. Mr. McFadden asked that Mr. Browne pass along information regarding why the MOA was approved after signing the agreement he had spoken about and not before.

Mayor Holloway confirmed that the EDA was aware of the MOA and it was valid. Mr. Browne advised that the EDA did not pass a resolution. Mr. Holloway questioned that If the bank agreed would the EDA be agreeable to share the proceeds from the Afton Inn with the Town. Mr. Browne reminded Council that the Town Attorney approached the bank without EDA's permission and asked that question and the answer was no. Mr. Browne advised that the EDA has no problem with the Town getting any of the proceeds from Afton Inn but should be based on what the laws says it should be. Mr. Holloway reminded Mr. Browne that the Town gave up two buildings and voiced concern over the \$500,000 already spent on the rehabilitation of the building. He noted that Town citizens deserve something out of this. Mr. Browne reminded Council that the Town would be getting a beautiful building.

Councilman Cockrell acknowledged that the Town citizens are also County citizens and are all victims of the past. She questioned where to go from here referring to the nine-million-dollar judgement and the value of the (15) properties listed on the handout. Mr. Browne advised that they have some rental properties but not enough to cover the principle on nine million dollars and to sell as much property as they can to reduce the overall debt as well as being mindful to help economic development.

Councilman Gillispie questioned that if the County paid for the EDA Staff, how does the EDA Board of Directors ensure that there is no conflict of interests between the EDA Staff and the County. Mr. Browne advised that there were a lot of EDAs that are part of a local government entity since they are no different than a Town or County department. Councilman McFadden confirmed that the Town does not pay for any EDA services.

Councilman Meza thanked Mr. Browne for attending and addressing Council and agreed that the EDA has a good Board and executive director. Mr. Meza questioned what the difference was between the EDA borrowing on a moral obligation (through county or town) and what the EDA would have done five years ago. Mr. Browne advised that the moral obligation was not based on anything related to EDA only the entity. (Town or County) He noted that the police department and IT Federal loans are moral obligation loans noting there was not enough collateral to cover the loan. Councilman Meza opined that in the last few years we were shifting to moral obligation loans as a way to purchase property assuming that the collateral was enough. Mr. Browne could not speak to what happened five years ago but there was a big emphasis on getting a variety of different loans and the most recent ones have had a moral obligation attached to them. Mr. Meza confirmed with Mr. Browne that the moral obligation is essentially the same as the Town and County acting as guarantors and if you default on the loan you are not going to get a loan again.

Councilman Meza question whether part of the EDA's strategic goals on refinancing all their properties was a way to refinance because the County is now essentially the moral obligation guarantor of the loans. Mr. Browne advised that most of the loans being refinanced are ones that have collateral. Mr. Meza stated that the EDA is not bankrupt its insolvent but thanks to the County the EDA is able to continue operating. Mr. Meza questioned that because the EDA moved under the County it is now picked up by the taxpayers to continue operating. Mr. Browne advised that the EDA was semi-independent. He clarified that the EDA was not a profit-making entity like a department of a governing body and therefore is not a County department. He reiterated that the EDA staff are paid by the County. Councilman Meza questioned how the County helped the EDA during its insolvency. Mr. Browne reiterated that they are paying many of the bills comparing it to when the Town used to pay a monthly sum into EDA's operating expenses. Councilman Meza again thanked Mr. Browne for attending the meeting and expressed the continuance of talking with the EDA. Mr. Browne stated that more communication was a way to get through some issues.

Mayor called a 10-minute recess.

b. Requests and Inquiries of Council Members

Councilman Thompson thanked everyone who attended tonight's meeting and that they were heard by Council that no one wanted a street named after Donald Trump. She agreed that the Town needed more unity and to concentrate on local heroes for naming new streets. She thanked Mr. Kilby for his history lesson.

Councilman Gillispie remembered his history with George Banks in that he gave him a high five with a smile on his face and working with him at the polls. He considered him as friend who was honorable, humble and had great integrity.

Vice Mayor Cockrell thanked Town Staff who worked on the streets Super Bowl Sunday. She remembered Mr. Banks serving on council and after retiring from UPS he was her children's school bus driver. She thanked everyone for attending and helping to remember George Banks.

Councilman Lloyd thanked everyone for attending tonight's meeting. He explained that it was his suggestion to rename a street during a work session's open discussion and was not aware of the internet coverage and how that might be perceived. He stated that it was not his most important project only a thought to receive feedback. He mentioned that there were a few streets in Town named after presidents which was really the category the suggestion came from. Mr. Lloyd noted that the feedback tonight may be a better idea and voiced appreciation for everyone's sincerity. He advised that his contact information was available online and he would be happy to sit down and talk about it.

Councilman Meza voiced his appreciation to Mr. Kilby for his positive and well-constructed criticism by suggesting an alternative, noting he should be a model for all citizens who disagree with council.

c. Report of the Mayor – Mayor Holloway expressed his enjoyment of listening to all the speakers. He concurred with Councilman Meza regarding Mr. Kilby. He noted that while the discussion regarding renaming a street to Donald Trump was on the February 16, 2021 agenda, he did not agree with it. He thanked staff for their hard work during the storm and for what is yet to come.

Mayor Holloway appointed Councilmen Meza and McFadden To the Audit and Finance Committee
Mayor Holloway appointed Councilmen Gillispie and Thompson to the Town Scholarship Committee

PROPOSALS FOR ADDITION/DELETION OF ITEMS –

Councilman Gillispie moved seconded by Vice Mayor Cockrell to add three items to the closed meeting.

Vote: Yes – Vice Mayor Cockrell, Councilmen Gillispie, Lloyd, McFadden, Meza and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

CONSENT AGENDA ITEMS

A. Budget Amendment/Intra -Fund Transfer for Purchase of Refuse Truck

Council approved a budget amendment and intra-fund transfer in the amount of \$181,204.00 and further moved to award the amount of \$181,204.00 to Richmond Machinery for the purchase of a new refuse truck that will replace a truck in the existing fleet.

B. Initiating Resolution for Zoning Text Amendments, Apartments, C-2 Districts

Council adoptd a Resolution to formally initiate proposed text amendments to the use regulations of the Front Royal Zoning Ordinance, C-2 Downtown Business District, pertaining to the permitting of apartments and multi-family dwellings, as presented.

C. FY21 Budget Amendment for Bear Proofing Refuse Containers

Council approved a FY21 budget amendment in the amount of \$2,500.00 to receive funds from the Virginia Department of Wildlife Resource to be used for bear proofing refuse containers and further moved that Council authorize the Town Manager execute the agreement on behalf of the Town.

D. Bid for Various Types of Concrete

Council approved a bid for various types of concrete from Rockingham Redi-Mix in various amounts as presented in the attached memo from the Purchasing Manager.

E. FY21 Budget Amendment Donation from Norfolk Southern Foundation

Council approved a budget amendment in the amount of \$2,000 to receive funds from the Norfolk Southern Foundation's Local Discretion Grant Program to be used for community goodwill, diversity, and safety awareness.

Councilman Meza moved seconded by Councilman Thompson that Council approve the consent agenda as presented.

Vote: Yes – Vice Mayor Cockrell, Councilmen Gillispie, Lloyd, McFadden, Meza and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

PUBLIC HEARING – Ordinance Amendment to Town Code Chapter 4-1, 4-4, and 4-19 (1st Reading)

No one spoke and the public hearing was closed.

Councilman Thompson moved seconded by Councilman Meza that Council affirm on its first reading an ordinance to amend Chapter 4-1, 4-4 and 4-19 as presented. (original motion)

Councilman Lloyd advised that he still favored two readings of ordinances, noting that it gives the public time to understand the process of drafting an ordinance. Mayor Holloway and Councilman Meza both clarified that ordinances are always discussed at a work session, but the second reading that requires a vote will be eliminated. Councilman Lloyd favored the reality of the second reading as it gives the public extra time to hear the exact language.

Councilmen Lloyd moved seconded by Councilman McFadden to amend the motion to remove 4-4 but keep all the other amendments. (motion to amend original motion)

Councilman Thompson explained that if the second reading is removed the ordinance would not be approved for approximately two months due to the meetings only being held once a month. She reminded Council that the ordinances are sent out to the public with edits ahead of time giving them time to read it and make their public comments. She stated that reading through it twice is redundant and slows down things considerably.

Councilman McFadden questioned whether anything would be changed to ensure that citizens would have an opportunity to read the ordinance in advance, since we are shortening the process. Town Manager Hicks explained that nothing will change advertising it only removes redundancy, and Staff supported the amendment for the sake of efficiency and helping items to move forward. He suggested deferring items back to a work session if there are concerns before a vote.

Vote on Motion to Amend Original Motion:

Yes – Councilmen Lloyd and McFadden

No – Vice Mayor Cockrell, Councilmen Gillispie, Meza and Thompson

Absent – N/A

Abstain – N/A

ROLL CALL

Vote on Original Motion:

Yes – Vice Mayor Cockrell, Councilmen Gillispie, Lloyd, Meza and Thompson

No – McFadden

Absent – N/A

Abstain – N/A

ROLL CALL

APPROVAL – COVID-19 Municipal Utility Relief Program Amended Agreement with Warren County

Councilman McFadden moved seconded by Councilman Meza that Council approve an amended agreement with COVID-19 Municipal Utility Relief Program with the County of Warren, extending the agreement to December 31, 2021 and further moved that Council authorize the Mayor to sign the amended agreement.

Vote: Yes – Vice Mayor Cockrell, Councilmen Gillispie, Lloyd, McFadden, Meza and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

APPROVAL – Memorandum of Agreement (MOA) and Budget Amendment for Wayfinding Signs Procurement with Warren County Approval

Councilman Gillispie moved seconded by Councilman Thompson that Council approve and authorize the Mayor to execute the Wayfinding Signs Memorandum of Agreement (MOA) with Warren County that authorizes the Town Manager to approve the award for wayfinding signs on behalf of Council and further moved that Council approve a budget amendment in the amount of \$104,000.00 to receive funds from Warren County for the procurement of Warren County signs.

Vote: Yes – Vice Mayor Cockrell, Councilmen Gillispie, Lloyd, McFadden, Meza and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

CLOSED MEETING – Personnel and Consultation with Legal Counsel

Councilman Gillispie moved seconded by Councilman Thompson that Town Council go into Closed Meeting pursuant to Sections 2.2-3711. A. 1., A.3., A.7 and A. 8. of the Code of Virginia, respectively, to discuss the following:

- (1) The discussion, consideration, or interviews of the assignment, appointment, performance, or resignation of specific appointees of Town Council, specifically to Boards and Commissions
- (2) Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, more specifically, disputed ownership of real property located on Hill Street in the Town of Front Royal in which the Town has a legal interest.

- (3) The disposition of publicly held real property, specifically the Afton Inn property, where discussion in an open meeting would adversely affect the bargaining position or negotiation strategy of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel (A.3., A.B)
- (4) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual litigation, specifically, a lawsuit against the Town where such consultation of briefings in open meeting would adversely affect the negotiating or litigating posture of the public body (A.7.)
- (5) The purpose of assignment, appointment, promotion, performance, demotion, salaries, discipline, or resignation of a specific public officers, appointees, or employees of a public body pursuant to Sections 2.2-3711. A. 1 of the Code of Virginia.

Vote: Yes – Vice Mayor Cockrell, Councilmen Gillispie, Lloyd, McFadden, Meza and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Councilman Cockrell moved seconded by Councilman Gillispie 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 Act 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.

VOTE: Unanimous

COUNCIL CAME BACK IN OPEN SESSION

Councilman Cockrell moved seconded by Councilman Gillispie that Council direct that Town Staff advertise for public hearing the Hill Street property for sale that the Town owns, and to carry out the intent of the 1975 Hill Street Project. The public hearing to be heard the next applicable date.

VOTE: Unanimous

Approved by Town Council

Date: _____



Council Agenda Statement

Item # 8A

Meeting Date: February 22, 2021

Agenda Item: Amendment to Liaison Committee Mission Statement and Policies

Summary: The Liaison Committee met on January 21, 2021. One of the items discussed was to amend the Mission Statement and Policies. The amendments highlighted are attached. Council is requested to approve the Liaison Committee Mission Statement and Policies as presented.

Note: Per policy the Town Council and Board of Supervisors shall each adopt the amendments by majority vote

Budget/Funding: None

Meetings: Work Session February 16, 2021

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approved the amendments to the Liaison Committee Mission Statement and Policies as presented, contingent upon the approval by the Warren County Board of Supervisors.

Approved By: SWA

Moved _____ Seconded _____

Cockrell _____ Gillispie _____ Lloyd _____ McFadden _____ Meza _____ Thompson _____



FRONTROYAL – WARREN COUNTY
Liaison Committee Mission Statement and Policies
~~March 2020~~ **March 2021**

PURPOSE OF THE LIAISON COMMITTEE

The purpose of the Front Royal-Warren County Liaison Committee is to offer a venue whereby the leadership of the Town of Front Royal and the County of Warren can discuss issues of mutual interest and inform each other of positions taken and decisions made by each public body that may affect both localities. The Committee is NOT designed to be an environment where decisions are made, but one where issues are discussed, and Board and Council members take them back to their respective bodies for further discussion and recommendation.

MEMBERSHIP

The Liaison Committee shall include the Mayor of the Town of Front Royal, the Chairman of the Warren County Board of Supervisors, the Front Royal Town Manager, the Warren County Administrator, one **(1)** Front Royal Town Council member and one (1) Warren County Board of Supervisors member. The latter two (2) members shall rotate between its various members **1)** ~~alphabetically~~ from meeting to meeting.

MEETING SCHEDULE

Meetings shall be held on the third Thursday every quarter at 6:00 p.m. unless otherwise agreed upon by the Town and County. The meetings shall be rotated every six months between the Town and County. Wherever the meetings are held, the host shall be responsible for the preparation of the agenda **and will** provide a person who will take formal minutes of the meeting.

MEETING AGENDA

- Meetings of the Liaison Committee shall at all times be subject to the terms of the Virginia Freedom of Information Act.
- Meeting agendas shall be provided by the Town Manager and County Administrator upon consultation with the Mayor and Board Chairman respectively.
- **2)** Any request to place an item on the agenda shall be made by 1:00 p.m. on ~~the first~~ Tuesday ~~of the month~~ **the week** prior to the ~~month before~~ the Liaison meeting.
- All requests to place an item on the agenda must be accompanied by a written summary of the request which can be placed in the agenda packet.
- **3)** The agendas shall be distributed ~~on the Friday~~ **by the host on Monday or Tuesday**

prior to the Liaison Committee meeting. ~~to be held on the following Thursday.~~

- 4) In order for an item to be formally discussed on the Liaison agenda, it must be first **agreed upon** by ~~a majority vote of~~ the Town Council or Board of Supervisors. **The Liaison Committee may amend a meeting agenda by agreement.**

MEETING POLICY and PROCEDURES

- The Mayor of the Town shall be Chairman of the Committee when the meetings are hosted by the Town, and the Chairman of the Board of Supervisors shall be Chairman of the Committee when the meeting is hosted by the County.
- The Chairman shall make procedural or parliamentary decisions which may be overruled by a majority vote of the Committee.
- The Town and/or County may invite any of their staff personnel, including attorneys, to attend meetings that either feels would be helpful for the issues and items scheduled to be addressed.
- This mission statement and policies shall be adopted by a majority of the Board of Supervisors and the Town Council. They may be amended by a majority vote of the Town Council and Board of Supervisors.

MANAGER and ADMINISTRATOR REPORTS

Quarterly, at a regular meeting of the Front Royal Town Council, the Warren County Administrator shall give an oral report of the County to the Council, and regular meeting of the Warren County Board of Supervisors, the Front Royal Town Manager shall give an oral report of the Town to the Board. This will not be a question and answer period.

Approved by the Warren County Board of Supervisors September 7, 2010

Approved by the Front Royal Town Council September 13, 2010

Approved by the Front Royal Town Council March 9, 2020

Approved by the Warren County Board of Supervisors March 17, 2020

Approved by the Front Royal Town Council February, 22, 2021



Council Agenda Statement

Item # 8B

Meeting Date: February 22, 2021

Agenda Item: Budget Amendment for Pedestrian Crossing Signal at Warren Memorial Hospital

Summary: Council is requested to approve a budget amendment in the amount of \$4,753.26 to be reimbursed by Valley Health for the installation of a Pedestrian Crossing Signal in front of Warren Memorial Hospital at the intersection of 10th Street and Shenandoah Avenue. Once installed the signal will become property of the Town and the Town will be responsible for maintenance and upkeep of the crossing signal.

Budget/Funding:

9401-3410209 Dept of Energy Resources Reimbursement

9401-47025 Dept of Energy Resources Crosswalks

Meetings: Work Session held February 16, 2021

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve a budget amendment in the amount of \$4,753.26 to be reimbursed by Valley Health for the installation of a Pedestrian Crossing Signal in front of Warren Memorial Hospital at the intersection of 10th Street and Shenandoah Avenue. I further move that once installed the signal will become property of the Town and responsible for its maintenance and upkeep.

Approved By: Swat

Moved _____ Seconded _____

Cockrell _____ Gillispie _____ Lloyd _____ McFadden _____ Meza _____ Thompson _____



Council Agenda Statement

Item # 8C

Meeting Date: February 22, 2021

Agenda Item: Joint Towing Advisory Board Appointment

Summary: Council is requested to appoint Captain Jason Ryman to the Joint Towing Advisory Board to replace Sgt. Bryan Courtney to an unexpired term expiring June 25, 2022.

Budget/Funding: None

Meetings: Work Session held February 16, 2021

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council appoint Captain Jason Ryman to the Joint Towing Advisory Board to replace Sgt. Bryan Courtney to an unexpired term expiring June 25, 2022.

Approved By: SWH

Moved _____ Seconded _____

Cockrell _____ Gillispie _____ Lloyd _____ McFadden _____ Meza _____ Thompson _____



Council Agenda Statement

Item # 9

Meeting Date: February 22, 2021

Agenda Item: PUBLIC HEARING – Solicit Input from the Public to Authorize the Sale of the Town's Portion of McKay Springs Property near the Intersection of Reliance Road and Winchester Road and Accept a Bid for the Property

Summary: Council is requested to solicit input to authorize the passage of an ordinance for the sale of the Town's portion of McKay Springs. The property is jointly owned by the Town of Front Royal, County of Warren and the Front Royal/Warren County Economic Development Authority. The property to be sold is approximately 1.4253 acres and is located near the intersection of Reliance Road and Winchester Road. Council is further requested to accept or reject bids for the McKay Spring Property.

Note: On January 25, 2021 Council approved the authorization of a public hearing regarding the sale of McKay Springs property and the process of bids to be received. They also approved that night a Letter of Intent for the property.

Budget/Funding: None

Meetings: Work Session held January 19, 2021 and Regular Meeting held January 25, 2021

Proposed Motion: I move that Council approve the sale including an ordinance of the Town's portion of McKay Spring described as approximately 1.423 acres and located near the intersection of Reliance Road and Winchester Road to _____ in the total amount of _____

Approved By: SWH

Moved _____ Seconded _____

Cockrell _____ Gillispie _____ Lloyd _____ McFadden _____ Meza _____ Thompson _____

ORDINANCE

WHEREAS, the Town Council of the Town of Front Royal (the Town of Front Royal, Virginia, a municipal corporation, hereinafter, the “Town”) has received a bid from _____ (“Grantee”) in the amount of _____ Dollars (\$_____.00) seeking a conveyance in fee simple of the Town’s unimproved real estate, with all rights appertaining thereto, being a portion of the Town’s McKay Springs property located at or near the intersection of Reliance Road (Va. State Route 627), and Winchester Road (U.S. Route 340/522 North), and more particularly described as being **Tax Map 12A-113-1** ADJUSTED AREA:14253 ACRES, and shown on a plat of survey (the “Plat”) Titled “BOUNDARY LINE ADJUSTMENT AND CONSOLIDATION OF THE LANDS OF THE INDUSTRIAL DEVELOPMENT OF THE TOWN OF FRONT ROYAL AND THE COUNTY OF WARREN, VIRGINIA [TAX MAP 12A-115-15,12-26D] AND THE LANDS OF THE TOWN OF FRONT ROYAL, VIRGINIA [TAX MAP 12-69] NORTH RIVER MAGISTERIAL DISTRICT WARREN COUNTY, VIRGINIA”, said property so described herein being the “Property”, surveyed and drawn by Marsh & Legge Land Surveyors, P.L.C., Date 04/20/2020, said Plat made a part of this Ordinance and incorporated by reference herein.

WHEREAS, Town Council on January 25, 2021 adopted a Motion in the nature of a Resolution to set the terms of the sale of the Property, according to the requirements contained in Town Code Section 1-22 A. 2., and has this date, February 22, 2021, conducted a fully advertised Public Hearing as to whether or not the conveyance of the Property is in the best interests of the Town.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Town Council of the Town of Front Royal, Virginia, in accordance with Va. Code § 15.2-2100, *et seq.*, and in accordance with Town Code Section 1-22 that the conveyance of the Property to _____, Grantee with Special Warranty of Title, is hereby authorized as the best bid according to the terms and conditions set forth in the Resolution of Town Council previously described;

AND BE IT FURTHER ORDAINED that the _____[title of Town official] and the Town Attorney are hereby designated and authorized to execute a Deed with Special

Warranty of Title for the Property to _____, Grantee, on behalf of Town Council.

THIS ORDINANCE was approved at the Regular Meeting of the Town of Front Royal, Virginia, Town Council conducted on February 22, 2021, upon the following recorded vote to become effective immediately.

APPROVED:

Chris W. Holloway, Mayor

Town Council Members:

Lori Athey Cockrell	<u>Yes/No</u>	Joseph E. McFadden	<u>Yes/No</u>
Gary L. Gillispie	<u>Yes/No</u>	Jacob L. Meza	<u>Yes/No</u>
E. Scott Lloyd	<u>Yes/No</u>	Letasha T. Thompson	<u>Yes/No</u>

ATTEST:

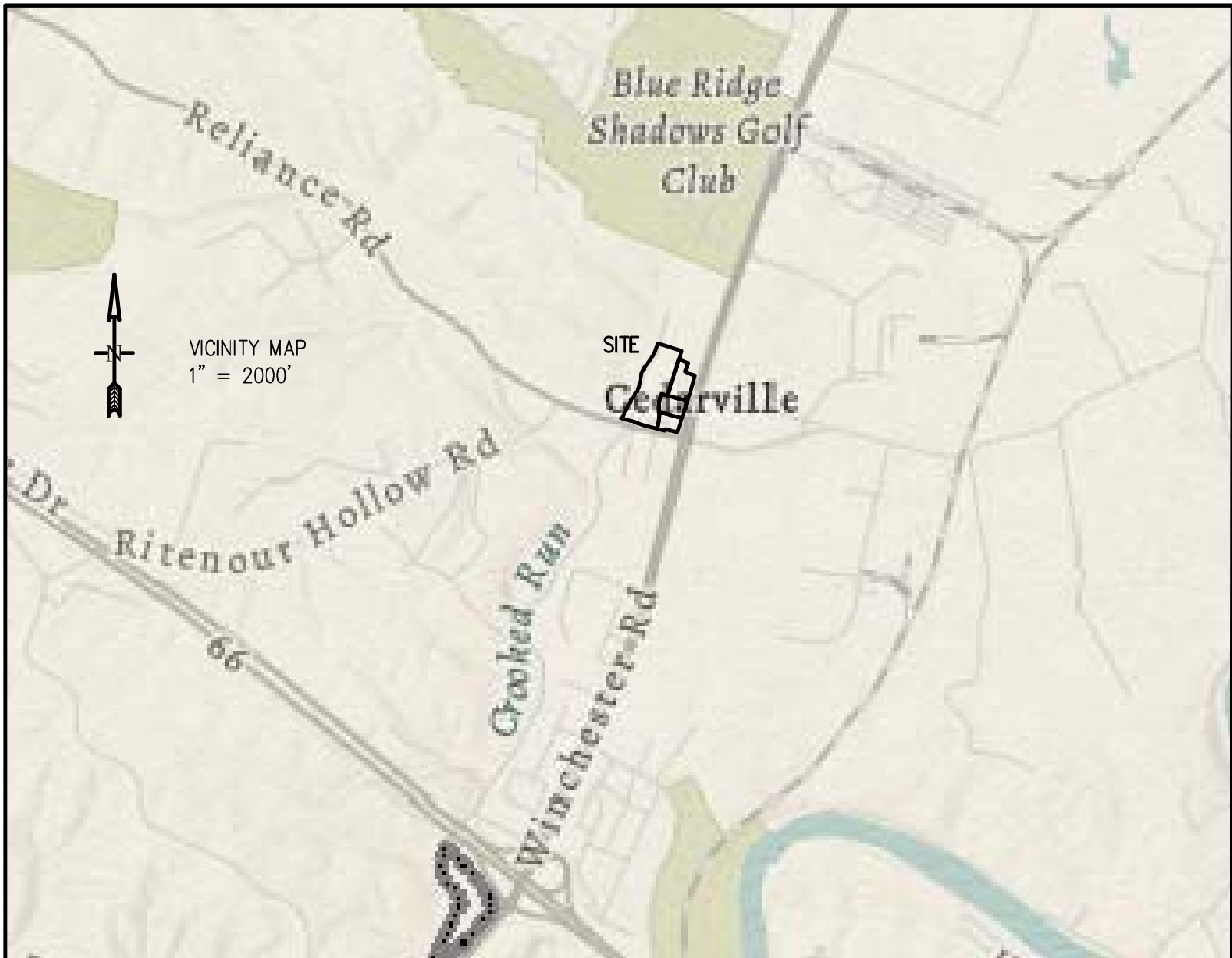
Tina Presley, Clerk of Town Council

A public hearing on the above was held on February 22, 2021, having been advertised in the Northern Virginia Daily on February 6 and 13, 2021, and Warren Sentinel on February 18, 2021.

Approved as to form and legality:

Douglas W. Napier, Town Attorney

Date: _____, 2021



OWNER'S CERTIFICATE

THE ABOVE AND FOREGOING BOUNDARY LINE ADJUSTMENT AND CONSOLIDATION, AS APPEARS ON THE ACCOMPANYING PLAT, IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS, PROPRIETORS, AND TRUSTEES, IF ANY.

FOR THE INDUSTRIAL DEVELOPMENT OF THE TOWN OF FRONT ROYAL AND THE COUNTY OF WARREN, VIRGINIA

FOR THE TOWN OF FRONT ROYAL, VIRGINIA

FOR THE COUNTY OF WARREN, VIRGINIA

COUNTY OF WARREN APPROVAL

APPROVED PURSUANT TO VIRGINIA STATE CODE SECTION 15.2-2272.

COUNTY ADMINISTRATOR

COUNTY OF WARREN APPROVAL

REVIEWED AND CERTIFIED AS EXEMPT FROM THE WARREN COUNTY SUBDIVISION ORDINANCE UNDER SECTION 155-3 B (1)(a) ALLOWING BOUNDARY ADJUSTMENTS AND MAY BE COMMITTED TO RECORD.

PLANNING DIRECTOR

TOWN OF FRONT ROYAL APPROVALS

REVIEWED AND APPROVED BY THE TOWN PLANNING COMMISSION

PLANNING DIRECTOR
APPROVED BY THE TOWN COUNCIL OF THE TOWN OF FRONT ROYAL

MAYOR

CLERK

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 55°28'25" W	17.30'
L2	S 14°07'16" W	20.68'
L3	N 13°54'39" E	45.33'
L4	N 02°28'36" W	12.71'
L5	N 02°28'36" W	58.41'
L6	N 69°02'42" W	51.96'
L7	N 70°19'11" W	9.68'
L8	N 77°47'37" W	24.05'

WATER SOURCE
EASEMENT LINE TABLE

LINE	BEARING	DISTANCE
E1	N 74°27'58" W	169.95'
E2	S 15°32'02" W	115.58'
E3	S 74°27'58" E	165.41'
E4	N 17°46'51" E	115.67'

CURVE TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	600.00'	171.61'	171.03'	N 05°43'01" E	16°23'15"
C2	400.00'	192.16'	190.32'	N 11°17'09" E	27°31'31"
C3	400.00'	57.57'	57.52'	N 29°10'19" E	8°14'48"

AREA SUMMARY

ORIGINAL TAX MAP 12A-113-1 THROUGH 14 ... 2.056 ACRES
ORIGINAL TAX MAP 12A-115-15 0.950 ACRES
ORIGINAL TAX MAP 12-26D 9.030 ACRES
ORIGINAL TAX MAP 12-69 3.419 ACRES
RIGHT OF WAYS 0.847 ACRES

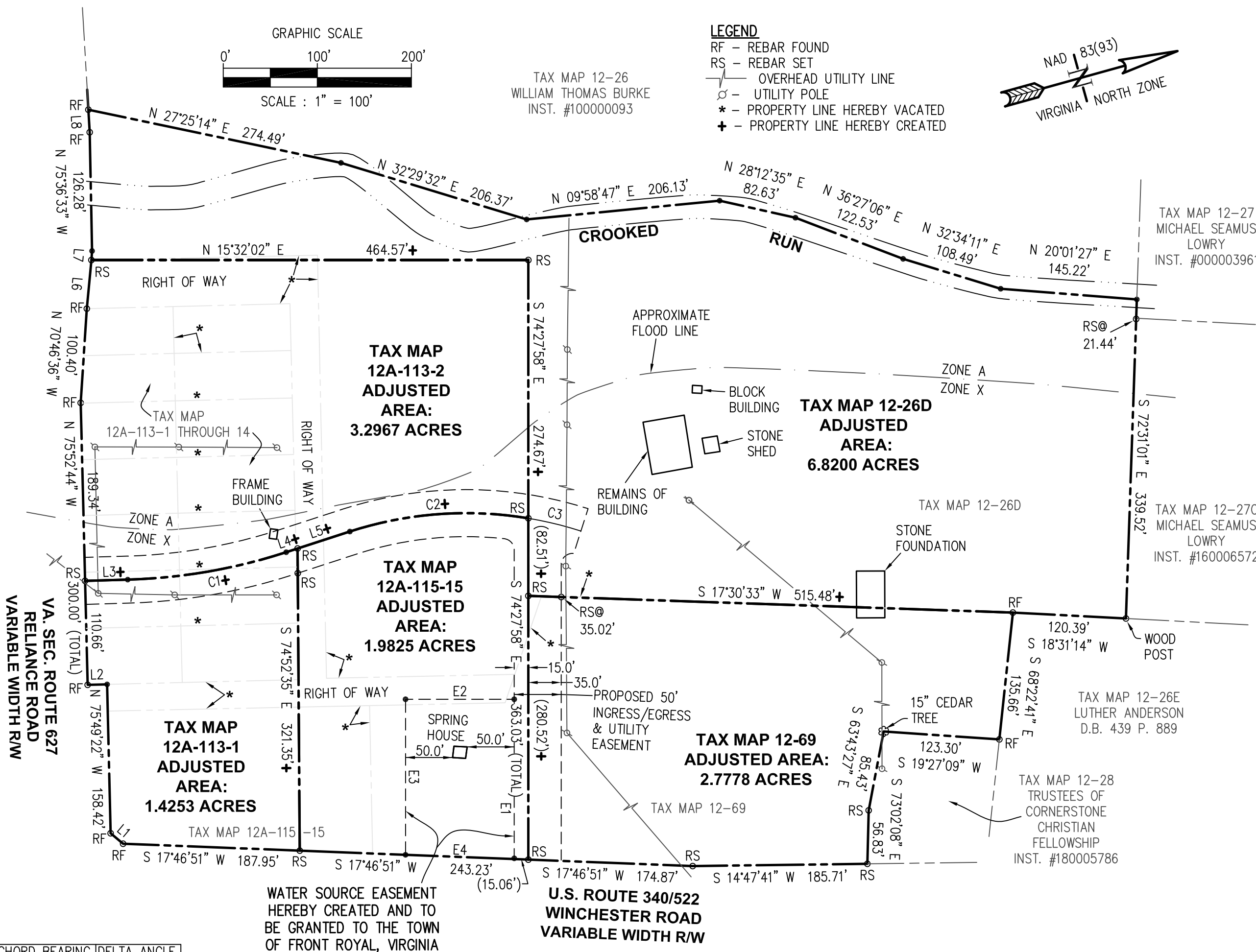
TOTAL ORIGINAL AREA 16.302 ACRES

ADJUSTED TAX MAP 12A-113-1 1.425 ACRES
ADJUSTED TAX MAP 12A-113-2 3.297 ACRES
ADJUSTED TAX MAP 12A-113-3 THROUGH 14 ... VACATED
ADJUSTED TAX MAP 12A-115-15 1.982 ACRES
ADJUSTED TAX MAP 12-26D 6.820 ACRES
ADJUSTED TAX MAP 12-69 2.778 ACRES
RIGHT OF WAYS VACATED

TOTAL ADJUSTED AREA 16.302 ACRES

NOTES

1. NO TITLE REPORT FURNISHED; THEREFORE, EASEMENTS OR ENCUMBRANCES AFFECTING THE PROPERTY REPRESENTED BY THIS SURVEY MAY EXIST THAT ARE NOT SHOWN ON THIS PLAT.
2. THE LOCATIONS OF UNDERGROUND UTILITIES OR OTHER SUBSURFACE IMPROVEMENTS, IF ANY, WERE NOT ASCERTAINED; THEREFORE, ARE NOT SHOWN.
3. THE BOUNDARY INFORMATION SHOWN ON THIS PLAT IS BASED ON PLAT DATED 10 MARCH 2010 BY KIRK W. NORTON, L.S., RECORDED IN SLIDE 257-B AND PLAT DATED 20 JANUARY 2016 BY L.C. HIMELRIGHT, L.S. RECORDED WITH INSTRUMENT #160003334 AND VERIFIED ALONG WITH THE LOCATIONS OF PHYSICAL IMPROVEMENTS BY A FIELD RUN SURVEY COMPLETED UNDER MY SUPERVISION ON 31 MARCH 2020.
4. ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NO. 51187C0110C, DATED 3 JUNE 2008, A PORTION OF THE LANDS SHOWN ON THIS PLAT ARE WITHIN AN AREA DESIGNATED AS ZONE A, WHICH IS A SPECIAL FLOOD HAZARD AREA. FLOOD LINE SHOWN HEREON IS APPROXIMATE AND WAS SCALED FROM AFOREMENTIONED MAP.

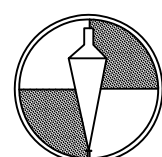


SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE LAND CONTAINED IN THIS BOUNDARY LINE ADJUSTMENT AND CONSOLIDATION ARE THE LANDS CONVEYED TO THE INDUSTRIAL DEVELOPMENT OF THE TOWN OF FRONT ROYAL AND THE COUNTY OF WARREN, VIRGINIA [TAX MAP 12A-113-1 THROUGH 14] BY DEED DATED 7 JULY 2016, RECORDED AS INSTRUMENT #160003334; THE LANDS CONVEYED THE TOWN OF FRONT ROYAL, VIRGINIA AND THE COUNTY OF WARREN, VIRGINIA [TAX MAP 12A-115-15 & 12-26D] BY DEED DATED 21 MARCH 2012, RECORDED AS INSTRUMENT #120002714 AND THE LAND CONVEYED TO THE TOWN OF FRONT ROYAL, VIRGINIA [TAX MAP 12-69] BY DEED DATED 14 MARCH 2012, RECORDED AS INSTRUMENT #120002713.

BOUNDARY LINE ADJUSTMENT AND CONSOLIDATION
OF THE LANDS OF THE INDUSTRIAL DEVELOPMENT OF THE TOWN OF FRONT ROYAL AND THE COUNTY OF WARREN, VIRGINIA [TAX MAP 12A-113-1 THOUGH 14]
THE LANDS OF THE TOWN OF FRONT ROYAL, VIRGINIA AND THE COUNTY OF WARREN, VIRGINIA
TAX MAP 12A-115-15, 12-26D]
AND THE LANDS OF THE TOWN OF FRONT ROYAL, VIRGINIA [TAX MAP 12-69]
NORTH RIVER MAGISTERIAL DISTRICT
WARREN COUNTY, VIRGINIA

DATE:
04/20/2020
DWG NAME:
10939-BLA
DRAWN BY: JTG
SHEET 1 OF 1



Marsh & Legge Land Surveyors, P.L.C.

560 NORTH LOUDOUN STREET ~ WINCHESTER, VIRGINIA 22601
PHONE (540) 667-0468 ~ FAX (540) 667-0469 ~ EMAIL office@marshandlegge.com
www.marshandlegge.com





Council Agenda Statement

Item # 10

Meeting Date: February 22, 2021

Agenda Item: APPROVAL – Ordinance Amendment to Town Code Chapter 4-1, 4-4 and 4-19 (*2nd Reading*)

Summary: Council is requested to adopt on its second and final reading an ordinance to amend Town Code Chapter 4-1, 4-4 and 4-19. Upon approval Council will have two meetings per month (one work session and one regular meeting), ordinances will require only one reading instead of two and the Order of Business will allow a quorum of Council to decide the Order of Business for Regular Meetings during their first meeting in January for the upcoming year and for the year 2021 to begin in March and end in December.

Budget/Funding: None

Meetings: Work Sessions held January 4 and January 19, 2021; Public Hearing held February 8, 2021

Proposed Motion: I move that Council adopt on its second and final reading an ordinance to amend Town Code Chapter 4-1, 4-4 and 4-19, as presented.

Approved By: 

Moved _____ Seconded _____

Cockrell _____ Gillispie _____ Lloyd _____ McFadden _____ Meza _____ Thompson _____

**ORDINANCE TO AMEND FRONT ROYAL TOWN CODE CHAPTER 4 PERTAINING
TO CHAPTER 4-1 TIME OF MEETINGS, CHAPTER 4-4 READING AND
PUBLICATION OF ORDINANCES AND CHAPTER 4-19 ORDER OF BUSINESS**

WHEREAS, the Front Royal Town Council is requesting to amend Sections of Town Code Chapter 4 Administration of Government that pertains to the time of Council meetings, reading of ordinances and order of business; and,

WHEREAS, if approved Town Council will have one Regular Meeting per month and one Work Session per month; Ordinances will require only one reading and the order of business will allow a quorum of Council to decide the order of business during their first regular meeting in January for the upcoming year:

WHEREAS, upon approval Town Council may decide the order of business during their next regular meeting in March 2021 for the year 2021 and future Councils will decide the order of business during their regular meeting in January for the upcoming year; and,

NOW THEREFORE, BE IT ENACTED, by the Town Council of the Town of Front Royal, Virginia that Chapter 4 of the Front Royal Town Code hereby be amended as follows:

4-1 TIME OF MEETINGS

A. The Council shall hold **one** ~~its~~ regular meetings in the Warren County Government Center on the ~~second and~~ fourth Mondays of each month at 7:00 p.m.; provided however, ~~that there shall be only one (1) such~~ **the** regular meeting in the month of December of each year, ~~and it~~ shall be on the second Monday of that month, held as the same time and in the same place.

B. In the event that a regular Town Council meeting shall fall on a date designated as a Town holiday, then the regular Council meeting shall be held on the following day (Tuesday) at 7:00 p.m. with location being in the Warren County Government Center or Town Hall whichever is available.

C. In the event that a regular Town Council meeting cannot be conducted at the regular time or location due to circumstances beyond the Town's control, the alternative meeting date shall be the following Monday at 7:00 p.m. in the Warren County Government Center or Town Hall whichever is available.

D. The Council shall hold one work session in the Town Hall on the second Monday of each month at 7:00 P.M.; provided the work session in the month of December of each year shall be on the first Monday of that month, held as the same time and in the same place. In the event that a work session cannot be held due to circumstance beyond the Town's control the Council has the option to cancel the work session or reschedule the work session to another date and time.

4-4 READING/PUBLICATION OF ORDINANCES & EMERGENCY ORDINANCES

A. The Clerk of Council shall, upon receipt of ordinances requiring a public hearing, cause such publication as legally prescribed. The public hearing shall be scheduled for the first available meeting after the completion of the publication requirements.

B. Ordinances, ~~except routine or emergency measures,~~ shall be adopted at the first reading. ~~read at two (2) separate meetings of the Council and may be enacted at the second reading.~~ Ordinances may be read by title only and not verbatim.

~~C. Ordinances which receive an affirmative vote following the first reading shall be read at a separate meeting of Council. The affirmative vote following the first reading shall be a non-binding vote.~~

~~D.~~ **C.** Ordinances which fail to pass during the first reading of Council, shall fail at that time and shall not be placed on a subsequent meeting agenda for twelve months unless one of the following occurs: (1) there is a change in the membership of Council, (2) one councilmember who initially voted against the ordinance concurs with its placement on the agenda, (3) an ordinance that was defeated for the lack of a second is again placed on the agenda with the concurrence of any councilman who did not make the initial motion for approval.

~~E. Ordinances which Council has deemed are of a routine or emergency nature may be adopted at the first reading provided upon the concurrence of four (4) members of the Town Council, who vote to waive the second reading requirement and pass the item on its first and final reading.~~

~~F.~~ **D.** Emergency ordinances shall take effect immediately upon their passage. An emergency ordinance is an ordinance passed by the Council for the immediate preservation of the public peace, property, health, welfare, safety or morals. No ordinance granting, enlarging or affecting any franchise or amending or repealing any ordinance fixing any property tax rate or assessment shall be an emergency ordinance. Ordinances pertaining to the appropriating of money or levying taxes or licenses, or reconsideration of matters at special meetings shall be considered as provided in Town Charter Section 13.

4-19 ORDER OF BUSINESS; PLACEMENT/APPROVAL OF ITEMS ON AGENDAS

A. ORDER OF BUSINESS

~~1. At every regular meeting of the Council, the order of business shall be as follows:~~

~~Pledge of Allegiance~~

~~Moment of Silence~~

~~Roll Call~~

~~Approval of the Minutes of previous meetings~~

~~Receipt of Petitions and/or correspondence from the public~~

~~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.~~
~~Consent Agenda Items.~~
~~Items for Approval.~~
~~Closed Meeting items (if applicable)~~

- 1. At the first regular meeting of Town Council, Town Council, by majority vote of a quorum of all members of Council, shall decide upon the order of business for all regular meetings of Town Council for that upcoming calendar year. The order of business shall be reduced to writing and certified by the Mayor and Clerk of Town Council.**
2. The order of business shall not be departed from except by the consent of two-thirds (2/3) of the members of the Council present and voting.
3. Items which appear under the heading “Consent Agenda items” are intended to be routine business items which are not subject to individual debate or discussion, but are, instead, voted on as a group. However, at the time the presiding officer announces that the Consent Agenda portion of the order of business has been reached, any member of Council may request that any individual items or items may be removed from the Consent Agenda, and such item or items shall, thereafter, become the first item or items considered under the “Items for Approval” portion of the order of business.
4. At every work session meeting of the Council, the order of business shall be determined by the Mayor, or in his absence, the Vice Mayor.

This ordinance shall become effective upon passage.

APPROVED:

Chris W. Holloway Mayor

ATTEST:

Tina L. Presley, Clerk of Council

THIS ORDINANCE was approved at the Regular Meeting of the Town of Front Royal, Virginia conducted _____ 2021, upon the following recorded vote:

Lori A. Cockrell	___ Yes ___ No	Jacob L. Meza	___ Yes ___ No
Gary L. Gillispie	___ Yes ___ No	Letasha T. Thompson	___ Yes ___ No
E. Scott Lloyd	___ Yes ___ No	Joseph E. McFadden	___ Yes ___ No

A public hearing on the above was held on _____, having been advertised in the Northern Virginia Daily on January 23 and 30, 2021.

Approved as to form and legality:

Douglas W. Napier, Town Attorney

Date: ____/____/____



Council Agenda Statement

Item # 11

Meeting Date: February 22, 2021

Agenda Item: Approval – Order of Business for Regular Meeting Agendas

Summary: Council is requested to approve the attached Order of Business for Regular Meeting Agendas per ordinance Town Code Ordinance Amendment to Chapter 4-19 for the remaining calendar year March 2021 – December 2021 as presented.

Budget/Funding: None

Meetings: Work Sessions held January 4 and January 19, 2021; Public Hearing held February 8, 2021

Proposed Motion: I move that Council approve the attached Order of Business for Regular Meeting Agendas per Town Code Ordinance Amendment to Chapter 4-19 for the remaining calendar year March 2021 – December 2021 as presented.

Approved By: SWH

Moved _____ Seconded _____

Cockrell _____ Gillispie _____ Lloyd _____ McFadden _____ Meza _____ Thompson _____



PUBLIC COMMENT MEETING

Date/6:30 PM – 7:30PM in Warren County Government Center

Members of the public may address Town Council from 6:30pm to 7:00pm on items other than public hearings. This portion of the meeting will not be live but will be recorded and posted to the Town's website. The Town Council will begin their regular meeting at 7:00pm as stated in the Town Code.

Note: Public speakers/Council Members must use the same civility, decorum, orderly behavior, relevancy of comments to the subject at hand, and appropriate language in addressing Town Council as they would use in addressing a Judge in a Court of Law. No profanity, vulgar, or sexist language, or irrelevant commentary, is allowed. (Robert's Rules, §43, pp. 379-382; Steinburg v. Chesterfield Cty. Planning Com'n. 527, F. 3d (4th Cir.) 2008); Eichenlaub v. Township of Indiana, 385 F. 3d 274 (3d Cir. 2004.).

6:30PM - Call Meeting to Order

Clerk will call names who have signed up individually.

7:00 PM - Adjourn Public Comment Meeting

REGULAR TOWN COUNCIL MEETING

Date/7:00PM in Warren County Government Center

1. MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE
2. ROLL CALL
3. APPROVAL OF MINUTES
4. RECOGNITIONS, PRESENTATIONS, REPORTS FROM OUTSIDE AGENCIES
5. REPORTS
 - a. Town Manager
 - b. Councilmembers.
 - c. Mayor
6. ADDITIONS AND/OR DELETIONS OF ITEMS TO THE CONSENT AGENDA
7. APPROVAL OF CONSENT AGENDA ITEMS
8. ADDITIONS AND/OR DELETIONS OF ITEMS TO THE REGULAR AGENDA
9. PUBLIC HEARINGS
10. APPROVALS
11. CLOSED MEETINGS



Council Agenda Statement

Item # 12

Meeting Date: February 22, 2021

Agenda Item: APPOINTMENT - Planning Commission

Summary: Council is requested to appoint a member to the Planning Commission to an unexpired term ending August 31, 2021 to fill the vacancy left by Councilman McFadden.

Budget/Funding: None

Meetings: Work Session held February 16, 2021

Proposed Motion: I move that Council appoint _____ to the Planning Commission to an unexpired term ending August 31, 2021.

Approved By: SWH

Moved _____ Seconded _____

Cockrell _____ Gillispie _____ Lloyd _____ McFadden _____ Meza _____ Thompson _____



Council Agenda Statement

Item # 13

Meeting Date: February 22, 2021

Agenda Item: APPOINTMENT – Board of Architectural Review (BAR)

Summary: Council is requested to appoint a member to the Board of Architectural Review (BAR) to a four-year term ending November 13, 2024.

Budget/Funding: None

Meetings: Work Session held February 16, 2021

Proposed Motion: I move that Council appoint _____ to the Board of Architectural Review, said term to expire November 13, 2024.

Approved By: Switt

Moved _____ Seconded _____

Cockrell _____ Gillispie _____ Lloyd _____ McFadden _____ Meza _____ Thompson _____

WORK SESSION



Work Session Agenda Statement

Item # 1

Meeting Date: February 22, 2021

Agenda Item: CLOSED MEETING – Acquisition of Real Property; Investment of Public Funds; Consultation with Legal Counsel

Motion to Go Into Closed Meeting

I move that Town Council go into Closed Meeting to discuss matters related to the redundant water line in the Route 522 North Corridor area for the following reasons under the Code of Virginia: (1) Discussion or consideration of the acquisition of real property for a public purpose, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of Town Council pursuant to Section 2.2-3711. A.3.; (2) discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of Town Council would be adversely affected, pursuant to Section 2.2-3711. A. 6.; and (3) consultation with legal counsel employed or retained by Town Council regarding specific legal matters requiring the provision of legal advice by such counsel, pursuant to Section 2.2-3711. A. 8.

Motion to Certify Closed Meeting at its Conclusion *(re-convene in open meeting)*

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 Act 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.