



TOWN COUNCIL WORK SESSION MINUTES

Monday, June 14, 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 by accessing the video of the same date online via the Town's website at www.frontroyalva.com.

Closed Meeting – Personnel

Vice Mayor Cockrell moved, seconded by Meza, that Town Council go into Closed Meeting pursuant to Section 2.2-3711, of the Code of Virginia for the following purposes: The purpose of assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of a public body, under subsection A. 1.

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

No – N/A

Abstain – N/A

Absent – Councilman McFadden

ROLL CALL

Councilman McFadden entered the Closed Meeting shortly after roll call.

Councilman Meza 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, Vice Mayor Cockrell, Councilmen Gillispie, Lloyd, McFadden, Meza, Thompson

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

Mayor took a five-minute recess.

Rail to Trail Presentation and Resolution to Support the Acquisition and Conversion of Out-of-Service Railroad Right-of-Way to a Trail for Alternative Transportation and Recreation – Don Hindman Project Director of the Shenandoah Rail Trail Exploratory Partnership briefed Council virtually on his PowerPoint presentation that Council followed along by using their own copy. There were many questions regarding costs. Mr. Hindman advised that there would be more information on that in the near future noting that the Feasibility Study would be out November 1, 2021 and grants are anticipated. Councilman McFadden questioned what policies would be in effect regarding maintenance and law enforcement. Mr. Hindman noted that each municipality would have their own Memorandum of Agreement (MOA) that would include those items. Councilman Lloyd questioned the material of the trail (gravel or paved) and what were the majority of users. Mr. Hindman noted most areas are paved in the towns but finely-pressed gravel in between the towns and the majority of users were walkers. Town Manager Hicks advised that if Council was in support of the Resolution it would be placed on the June 28th agenda for approval. Council agreed on supporting the resolution and also agreed that Mrs. Cockrell would serve on the Committee and Mr. Hicks would be the alternate. It was noted that more information may be found on visiting their website <https://shenandoahalliance.org/project/shenandoah-rail-trail-partnership/>.

Proposed Policy and Procedures to Hold Special Events on Town Property – Purchasing Manager, Alisa Scott presented to Council the proposed Policy and Procedures that included a matrix. Councilman McFadden voiced concern that some data may be missing when collecting hotel stay information since there is Airbnb and those staying with relatives to consider. Mrs. Scott advised that the hotels are proposed to hand out packets to those attending an event and she anticipates Warren County's help as well. Councilman Lloyd questioned the importance of the Certificate of Liability Insurance. Mrs. Scott advised that it was very important and briefly explained about how organizers have access to the Virginia Risk Sharing Association's program called TULIP (Tenant User Liability Insurance Program). Councilman Meza suggested making the costs a flat fee. After much discussion Council agreed to \$250.00 non-refundable reservation fee. Mr. Hicks advised that there are two public meetings scheduled on 1) Thursday, June 17th at the Pavilion and 2) Monday, June 21st at Town Hall for those interested in learning about the changes to the Special Event Permit process and suggested that Council wait until after those meetings to learn if there were any more suggestions to the Policy and Procedures.

Continue Discussion on Ordinance Amendment to Remove Credit Card Fees (12-3) – Finance Director BJ Wilson reminded Council that since the Public Hearing regarding Credit Card Fees was removed from the May 24th Agenda, Council asked that it be placed on a work session for further discussion. Councilman Thompson advised that the pros outweighed the cons to remove the fees. Councilman McFadden noted that citizens advised him that they were concerned about the unknown variables. Councilman Meza explained why he removed the items on May 24th 1) he was not for paying taxes with a credit card and 2) it was an unfair narrative to let people know they would have to pay more on their bills if the fees were removed. He continued explaining the different ways why it was the cost of doing business. Councilman Lloyd noted that updating the Town's software could be evaluated and also see what cost savings there would be to do so. Mrs. Thompson advised that she had noticed that more people are using debit cards not credit cards.

Mr. Wilson clarified that by passing this amendment does not raise fees for any enterprise fund and explained the reasons for the surplus in these accounts. After much discussion, Mayor Holloway advised that there would be a public hearing scheduled for June 28th and that Council could listen to the public's feedback and either take action or postpone to another meeting.

Update on the Former Town Hall Building – Town Attorney Doug Napier gave Council a brief update of the former Town Hall and the building located behind it. He referred to the Land Exchange Agreement and Restrictive Covenants approved in 2014 that states that the buildings shall be kept in a “good state of repair”. He noted that without going inside there is no way to know if it is being maintained and they have the right to go inside. Councilman McFadden questioned what Council wanted to do with the building if it were purchased. He was advised of the historical value as well as other possible uses such as a Drug Court. Council agreed to have Mr. Napier to move forward on getting an appraiser and getting inside the building.

Upcoming Legalization of Marijuana (Cannibas) – Town Attorney Doug Napier gave a brief update on what is currently going on with legalizing marijuana and what will be changing July 1st. He continued that more laws will be going into effect in 2023/2024. There was much discussion on the confusion/clarity, benefits, medical marijuana, local zoning laws, referendum regarding the collection of retail tax, retail sale, etc.

Proposed Ordinance Pertaining to Medical Freedom in the Town of Front Royal – Councilman Lloyd briefed Council on his proposed Medical Freedom Ordinance that included two options (COVID-19 Specific for Town Employees and Town-Wide) and recommended the town-wide option. Councilman Meza questioned whether the Town could tell other business that they cannot mandate the COVID-19 vaccine for their employees. Town Attorney Napier asked for more time to research the proposed ordinance thoroughly to advise Council on their action properly, especially as it relates to “police power”. Mrs. Thompson read an excerpt from the Equal Employment Opportunity Commission (EEOC) and voiced concern over redundancy. After much continued discussion, Council agreed to move forward on adding a Resolution to the June 28th Council agenda for Town Employees and to be placed in the Employee Handbook if approved, but there was no consensus on the Town-Wide Ordinance.

Open Discussion - Councilman Gillispie gave Council an update on the Drug Task Committee and a proposed Drug Court in the area. He noted that there has been much progress in family court as well. He explained how the program with the Drug Court was intensive, but very rewarding for the participants when completed. The Committee was currently looking at putting funds together and mentioned how the former Town Hall would be a building that could be used for Drug Court. Councilman Thompson noted that she knew someone that graduated from Drug Court.

Closed Meeting - Personnel

Councilman Meza moved seconded by Vice Mayor Cockrell that Town Council go into Closed Meeting pursuant to Section 2.2-3711, of the Code of Virginia for the following purposes: The purpose of assignment,

appointment, promotion, performance, demotion, salaries, discipling or resignation of specific public officers, appointees, or employees of a public body, under subsection A. 1.

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

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

Councilman Meza moved, seconded by Vice Mayor Cockrell 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, Vice Mayor Cockrell, Councilmen Gillispie, Lloyd, McFadden, Meza, Thompson

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

PRESENT: Mayor Holloway, Vice Mayor Cockrell, Councilmen Gillispie, Lloyd, McFadden, Meza and Thompson, Town Manager Steven Hicks, Town Attorney Doug Napier, Clerk of Council Tina Presley, Finance Director BJ Wilson, Purchasing Manager Alisa Scott, Information Technology Director Todd Jones, Chief of Police Kahle Magalis, members of the public and press.

Approved by Town Council

Date: 6/28/21