



TOWN COUNCIL REGULAR MEETING MINUTES

June 28, 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 Thompson

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

APPOINTED STAFF PRESENT: Town Manager Steven W. Hicks (Remote by Phone)
Town Attorney Douglas W. Napier
Clerk of Council Tina L. Presley

APPROVAL OF MINUTES – Councilman Gillispie moved, seconded by Vice Mayor Cockrell that Council approve the Work Session/Special Meeting minutes of April 12th, Regular Meeting minutes of May 24th, Special Meeting minutes of June 1st and Work Session minutes of June 14th, 2021, as presented.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

ADDITION/DELETION OF ITEMS FROM THE AGENDA – None

RECOGNITIONS/AWARDS/REPORTS –

Warren County Department of Social Services Director John Martz presented Council a handout related to his presentation "Warren Department of Social Services – Serving the Citizens of Warren County Yesterday, Today and Tomorrow". Council briefly discussed the data before, during and after the Pandemic in 2020. Mr. Martz expressed the need for foster families.

Carrie Barnhart, Chairman of the Warren County/Front Royal Joint Tourism Committee, introduced Bethanie DeRose, Senior Vice President of Strategic Advisory & Asset Management for JLL/Hotels & Hospitality Group who updated Council with a presentation "Discover Front Royal". Ms DeRose confirmed that anyone could apply for a position on the new Destination Marketing Organization (DMO) Board of Directors and the Town was currently advertising for two of the five positions. Councilman Lloyd expressed his desire to be part of the process since he had a few ideas.

PUBLIC COMMENTS (COMMENTS NOT RELATED TO PUBLIC HEARINGS) - None

PUBLIC HEARINGS

- A. An Ordinance Amendment to the Town Code 12-3 (Finance Fees) to Remove Credit Card Fees from any Payments Due to the Town if Tendered by Either Credit Card or Debit Card and Approval of a FY2022 Budget Amendment

Mayor Holloway opened the public hearing. There were no speakers and public hearing was closed.

Councilman Meza moved, seconded by Councilman Thompson to take this item to a work session.

Councilman Meza advised that he asked that this item be taken back to a work session because he is in favor of using a credit card to pay utility bills but not tax bills. He explained the difference between general fund and enterprise funds and how to efficiently collect payments. He noted that the Town lacked a system to assist with the separation. Most of Council agreed with taking this item back to a work session. Councilman Gillispie noted that the \$140,000 would be absorbed eventually.

Vote: Yes – Councilmen, Lloyd, McFadden (Remote), Meza and Thompson

No – Vice Mayor Cockrell and Councilman Gillispie

Absent – N/A

Abstain – N/A

ROLL CALL

- B. To Received Public Comments and Concerns Pertaining to the Proposed Policy and Procedures for Special Event Permits

Mayor Holloway opened the public hearing. The following speakers spoke:

Annie Guttierrez, owner of Jig and Jive Dance Studio on Main Street, residing at 168 W. Strasburg Road, Front Royal, asked that Council consider a more community-friendly process with less exorbitant requirements for special events. She opined that the matrix was excessive and not practical for community gatherings and geared more toward larger events. She proposed a three-tier system that would benefit both tourism and community events instead of a matrix. The tier system included Tier I – Tourism events, Tier II – Community events, Tier III - Organizations/Small Businesses events.

Bryon Biggs, 424 W. 15th Street, Front Royal, noted that while he was not a sponsor of an event he has participated in many events and urged Council to encourage events not to limit events. He noted that the matrix was too subjective and there was no way to compare success as businesses come in all shapes and sizes. He encouraged Council to consider Mrs. Guttierrez's tier system proposal.

John Lundberg, 203 Peach Tree Court, Front Royal, suggested that Council write a joint written public vision between the Town and County and implement it, noting that goals cannot be set without a vision. He encouraged Council to not rush through a vote and to endorse Mrs. Guttierrez's tier system plan.

Laura Biggs, 424 W. 15th Street, Front Royal, questioned the real reason for discussing this item since she has ever seen anything negative happening in the Gazebo area since it is a gathering place for the community. She questioned who was benefiting from a complicated method of getting a permit. She encouraged Council to stay out of the way of those who were doing good things for the community and to make their job easier. She encouraged Council to consider Mrs. Guttierrez's tier system plan and not to move so fast.

Amanda Horn, 151 Freezeland Court, Linden, reminded Council of the Christmas Market she organized in three weeks in December 2020. She advised that there were 27 vendors who wanted to be in Front Royal and were amazed that the entire street was closed. She noted that while there were a lot of restaurants on Main Street, they were small but with street closures they could expand. She explained that while downtown has a lot of what people are asking for, they are missing it because they are driving through instead of walking through. She expressed passion about large and small events because they benefit restaurants and vendors. She noted that she liked the street closures as it becomes a gathering spot. She encouraged Council to take time to consider Front Royal's environment as a sit-down community.

William Huck, 409 E. Main Street, Front Royal, advised Council that he had his first event six years ago and after year one customers and tourists asked for more. He noted that the Town Code has been changed six times in the last six years for events on Main Street. He advised that he stepped up to the plate when support was needed for any business so that the community could grow stronger together. He voiced urgency that something needs to be done to grow together.

Kelly Walker, owner of a business at 105 E. Main Street, resides at 939 S. Marshall Street, Front Royal, noted that she understood that Council was trying to come up with a process for deciding what is worthy of closing the street or area in downtown to have small and large events. She advised that her business is located at the other end of Main Street and nobody walks down that far when the street is closed for an event. She voiced concern about out-of-town traffic turning into Main Street [from Royal Avenue] and don't know where to go because the event they are looking for is on the other end of Main Street. She encouraged Council to determine a compromise to have small events and large events that warrant closing the area(s) that are being held based on their attendance. She opined that she did not like closing Main Street on a regular basis unless it was for large events that bring in enough people to close it down for an all-day event. She urged Council to determine justification for event closures.

Mayor Holloway closed the public hearing and opened it up to Council.

Councilman Gillispie advised that the Town was working on a comprehensive plan. He also advised that Council received a lot of complaints regarding special events and staff has been striving to come up with a plan that was fair for everyone. He noted that this item would be taken back to a work session for further discussion.

Vice Mayor Cockrell reminded Council that staff began seeking community input for special event procedures in early 2020 by holding [three] public meetings and the matrix idea was borne out of those meetings. She noted that staff was trying to find a way to put everyone's thoughts together and use the

space in the best possible way. She continued that it would be taken back to a work session to discuss further.

Councilman Thompson thanked Mrs. Guttierrez for her potential solution and clarified that the Town Code had been revised six times in six years because there are several business owners that come before Council every time special events are discussed and are against closure of Main Street. She noted that special events have been a constant struggle and voiced pride in staff for working hard on the matrix. She voiced confidence that Council will find something that works for the community and tourism.

Councilman Lloyd thanked everyone for their comments and encouraged everyone to allow the discussion to play out since Council is taking the feedback and changing what was originally written.

Councilman Thompson thanked Amanda Horn for putting together the Christmas Market and to Michelle Matthaie for the Hope Arising Festival.

Councilman Meza reiterated that the Town is trying to determine a process and noted that the Gazebo Area is a gathering place not an event center. He advised that the Town is not trying to make money off the events; however, there are fees associated with events depending on the size. He noted that staff receives dozens of applications and spend their time deciding who goes where. He advised that Council was not putting up barriers to suffocate the community and not have fun on Main Street.

Vice Mayor Cockrell questioned the Code of Conduct and clarified that it was not part of the policy. She voiced concern about the sleeping hours on the Code of Conduct and asked to discuss further at the work session.

Mayor Holloway thanked everyone for coming out tonight to voice their concerns, noting that this item will be placed on the July 12th Work Session.

No action was taken.

REPORTS

- a. Report of Town Manager – No Report
- b. Report of Councilmembers –

Councilman Lloyd gave an overview of the Medical Freedom Ordinance he is proposing that would apply to all businesses in the Town of Front Royal. He read Sections (8th, 9th, 25th) from the Town Charter that he opined gives the Town authority to pass such ordinance. Mr. Lloyd continue by reading several comments from concerned citizens regarding their medical freedom. He asked that Council raise the medical principle about informed consent out of the realm of medical ethics into the realm of law.

Councilman Thompson responded to Councilman Lloyd by encouraging citizens to know their rights and meet with their employer[s] if they feel they are being violated. She referred to the Equal Employment Opportunity Commission (EEOC) noting various reasons the vaccine can be refused. She further noted that the Ordinance would not protect individuals if they were let go by their employer. She encouraged everyone to visit the EEOC website and know their rights.

Report of Mayor – Mayor Holloway questioned whether it was legal for the Town to pass a Medical Freedom Ordinance applied for all Town business. Town Attorney Napier advised that it was beyond authority of the Town.

CONSENT AGENDA ITEMS

A. Bid – Various Grades of Stone for FY22

Council approved a bid from Hanson Aggregates for fixed pricing on various types of stone for streets and water/sewer maintenance for FY22 in the amount of \$88,258.54.

B. Bid – Various Grades of Asphalt for FY22

Council approved a bid from Stuart M. Perry for various grades of asphalt for general street patching and surfacing of the streets in the amounts of per ton: base \$65.00, intermediate \$65.00 and finish \$69.00.

C. Bid – Two (2) Self-Loading Cable Reel Trailers for Energy Services Department

Council approved a bid from Sauber Manufacturing Company in the amount of \$35,548.00 for two (2) self-loading cable reel trailers to be used in the Energy Services Department.

D. Resolution of Support for the Acquisition and Conversion of Out-of-Service Railroad Right-of-Way to a Trail for Alternate Transportation and Recreation

Council approved a Resolution of Support proposed by the Shenandoah Valley Rail Trail Exploratory Partnership for the acquisition and conversion of out-of-service railroad right-of-way to a trail for alternative transportation and recreation, as presented.

E. Reappointment to the Planning Commission to Joshua Ingram

Council reappointed Joshua Ingram to the Planning Commission to a four-year term ending August 31, 2025.

F. Write-Off for Bad Debt

Council approved the removal of 5 years or older of outstanding accounts receivable (bad debts) totaling \$41,474.18 (123 utility accounts) on the Town's ledger for the remainder of fiscal year 2020-2021.

G. Resolution re: Medical Freedom for Town Employees

Council approved a Resolution regarding Medical Freedom for the employees of the Town of Front Royal, as presented.

Vice Mayor Cockrell moved, seconded by Councilman Thompson, that Council approve the Consent Agenda Items as presented.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

BUSINESS ITEMS –

A. FY21 Budget Amendment and Intra-Fund Budget Transfer for Paving Projects

Councilman Meza moved seconded by Vice Mayor Cockrell that Council approve a FY21 Budget Amendment and Intra Fund Transfer in the amount of \$487,220.00 to use funds previously set aside for potential General Fund Revenue short falls and allow the funds to be used to advance the Town's paving plan.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

B. Resolution for Town Employees Appreciation Week

Councilman Thompson moved seconded by Vice Mayor Cockrell that Council approve a resolution recognizing July 17 – July 23, 2021 as the Town of Front Royal Employee Appreciation Week, as presented.

Vote: Yes – Vice Mayor Cockrell, Councilmen Gillispie, Lloyd, McFadden (Remote), Meza and Thompson
No – N/A
Absent – N/A
Abstain – N/A

ROLL CALL

This portion of the meeting ended at 8:54 P.M.

CLOSED MEETING – Vice Mayor Cockrell moved, seconded by Councilman Gillispie *that Town Council go into Closed Meeting pursuant to Section 2.2-3711, of the Code of Virginia for the following purposes:*

(1) (A) The discussion or consideration of the disposition of publicly held real property, specially the Town's property adjacent to State Route 606 that was gifted the Town for a future I-66 Interchange by Walter and Mary Duncan, pursuant to Subsection A.3., where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; and with respect to the same subject, (B) consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, pursuant to Subsection A. 8. of the Code of Virginia.

(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, specifically, discussion of the Town of Front Royal possibly becoming the City of Front Royal and the effect if it did, pursuant to Subsection A. 8. of the Code of Virginia.

Vote: Yes – Vice Mayor Cockrell, Councilmen Gillispie, Lloyd, McFadden (Remote), Meza and Thompson
No – N/A
Absent – N/A
Abstain – N/A

ROLL CALL

MOTION TO CERTIFY CLOSED MEETING AT ITS CONCLUSION – *Councilman McFadden 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 – Vice Mayor Cockrell, Councilmen Gillispie, Lloyd, McFadden (Remote), Meza and Thompson
No – N/A
Absent – N/A
Abstain – N/A

ROLL CALL

Approved by Town Council

Date: 7/26/21