



TOWN COUNCIL WORK SESSION MINUTES
Tuesday, November 8th, 2021, at 7:00 PM
Town Hall Conference Room

Mayor Holloway congratulated and welcomed newly elected Councilwoman Amber Morris.

FY22 Budget Amendments

FY22 Budget Amendment for Virginia Department of Forestry Grant – Council all agreed to add the Amendment to the consent agenda for their next regular meeting.

FY22 Budget Amendment and Interfund Transfer for Bonuses – Finance Director BJ Wilson, proposed a \$1,500 bonus be awarded to all Town employees as recognition for their hard work and support during the COVID-19 Pandemic. Town Manager Hicks added that the current year had been especially difficult for staff due to a high number of job vacancies.

Mayor Holloway recommended the bonus be increased to \$2,000 per employee. Councilman Thompson noted the large percentage that is subject to federal withholding on supplemental income such as bonuses. Councilman McFadden recommended the bonus be rounded up to account for federal withholding and ensure each employee takes home \$2,000 after taxes.

FY22 Budget Amendment to Accept Local Law Enforcement Block Grant – Council all agreed to add the amendment to the consent agenda for their next regular meeting.

Proposed Ordinance Amendments to Town Code that Require a Public Hearing

Chapter 4 Pertaining to Filing Disclosures – Clerk of Council Tina Presley, presented suggested changes to Chapter 4 that would align directly with the requirements for Economic Interest and Real Estate Disclosures as written in the State Code of Virginia. Changes included removing individuals such as the Finance Director, Town Attorney, Clerk of Council and Board of Architectural Review (BAR) Members, adding members of the Front Royal Economic Development Authority (FREDA), and adding the required training for local elected officials.

Councilman Thompson suggested removing the members of the BAR, but keeping the Finance Director, Town Attorney and Clerk of Council to maintain transparency. Council all agreed

Short-Term Rental and Text Amendment – Planning and Zoning Director Lauren Kopishke, identified recommended text amendments that would permit Short-Term Rentals by Special Use Permit within all zones of the town. Ms. Kopishke noted that she used Warren County's ordinance as a starting point and simplified it as much as possible. She gave the example that the Town would only conduct inspections on a complaint basis, where the county ordinance requires

them annually. She added that all applicants would be required to submit a management plan to include safety management. Councilman McFadden stated that Warren County appeared to still have some struggles with Short Term Rentals and hoped the Town could learn from those mistakes.

Town Manager Hicks pointed out that the ordinance would serve as a guide but ultimately Special Use Permits for Short Terms Rentals would come before Council for final approval or denial. Mayor Holloway suggested that a checklist be included as part of the application process.

Staff/Citizen Items

Request for Waiver of License Tax to Sell Christmas Trees – Boy Scout Troop 52 – Councilman Thompson asked if Council could permanently waive the license tax for them. Town Manager Hicks suggested approving the waiver for a five-year time frame instead. Council all agreed to add the five-year waiver to the consent agenda for their next regular meeting.

Request for One – Year Extension to Submit Development Plan – HEPTAD – Planning and Zoning Director Kopishke explained that this request was part of an annual extension. She noted that the landowners were currently in the process of selling and that the interested parties would be required to submit significant development plan changes, so she saw no harm in extending the current plan for another year. Council all agreed to add the extension to the consent agenda for their next regular meeting.

**Town Attorney, Doug Napier, sent an e-mail prior to the Work Session recusing himself from this matter.*

Contract Modification Attachment D Professional Engineering Services Between Owner and Engineer for Services Related To Sanitary Sewer Inflow And Infiltration Abatement Proposed CCTV Subcontract Services During December 2020 - April 2022 Contract Period – Council all agreed to add the contract modification to the consent agenda for their next regular meeting.

Proposal for Centrifuge Conversion Preliminary Engineering Report – WWTP Plant – Council all agreed to add the proposal to the consent agenda for their next regular meeting.

Council Items

Liaison Committee Meeting Items for December 2nd Meeting – Councilman Thompson requested the use of the practice field at the Health and Human Services Building be added to the agenda again, noting her wish to make sports more accessible to children. Councilman Lloyd asked if a discussion about dog parks in Town could also be added. Mayor Holloway noted Councilman Gillispie's wish to discuss the impact that switching the water supply in the corridor from the Town of Front Royal to Frederick County Water Authority would have on Town citizens.

Review of Draft FY22-27 Capital Improvement Plan (CIP) – Finance Director presented Council with a Draft of the Town's CIP items to review prior to going to the Planning Commission.

Open Discussion

Mayor Holloway asked if the Council Retreat scheduled for December 14th & 15th could be consolidated into one evening. Councilman Thompson suggested making the second day tentative. Mr. Hicks explained that due to the need to make reservations, they would need to go ahead and decide.

Mr. Hicks suggested that since there was only one Agenda Item for the December 6th Work Session, that it be combined with the December 13th Regular Meeting. Council all agreed.

Mr. Hicks described a request he had received to waive the fee for a construction barrier mural to be placed in front of the Afton Inn building. Council all agreed.

Mayor Holloway explained that there was a possibility that the Federal Government would require employers to mandate the COVID-19 vaccination, causing the Town to have to rescind the Medical Freedom Resolution for Town employees that was passed by Council earlier in the year. The Mayor stated that should the legislation pass, he would refuse to sign a rescindment.

Councilman Lloyd asked for an update on the number of chickens allowed within Town limits. Mr. Hicks stated that Town Staff was still conducting their research.

Mayor Holloway adjourned the work session at 8:08 P.M. and after a brief intermission Council began their Closed Meeting.

Closed Meeting - Consultation with Legal Counsel, Expenditure of Public Funds, Boards/Commissions and Personnel

Councilman McFadden moved, seconded by Councilman Thompson, that Council convene and go into Closed Meeting pursuant to Section 2.2-3711. of the Code of Virginia, as follows:

(1) With respect to a joint endeavor with organizations located in the Town to consider provision of health care services:

(a) discussion or consideration of the investment of public funds in, where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected, in accordance with Subsection A. 6.; AND

(b) the discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an Open Meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Subsection A. 29.

(2) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual litigation, being litigation concerning manufacturers and distributors of opioid products where such consultation or briefing in Open Meeting would adversely affect the negotiating or litigating posture of Town Council, in accordance with Subsection A. 7.

(3) With respect to a commercial/industrial enterprise outside located the Town's corporate limits which the Town has been requested to furnish public utilities to in the future.:

(a) discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the government; AND

(b) the discussion of the award of a public contract involving the expenditure of public funds, and discussion of the terms or scope of such contract, where discussion in an Open Meeting would adversely affect the bargaining position or negotiating strategy of Town Council, in accordance with Subsection A. 29.

(4) Consultation with legal counsel employed or retained by Town Council regarding specific legal matters requiring the provision of legal advice by such counsel, concerning an existing agreement the Town is already a party to which has become problematic, and the Town wishes to consider its legal options, in accordance with Subsection A. 8.

(5) Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body, including the Front Royal Economic Development Authority, the Environmental Sustainability Advisory Committee and the Front Royal Board of Zoning Appeals, in accordance w/ Subsection A. 1.

Vote: Yes – Councilmembers Cockrell, Gillispie, Lloyd, McFadden, Morris & Thompson

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

Vice Mayor Cockrell moved, seconded by Councilman McFadden, 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, Councilmembers Cockrell, Gillispie, Lloyd, McFadden, Morris & Thompson

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

PRESENT: Mayor Holloway, Vice Mayor Cockrell, Councilmembers Gillispie (remote - via telephone), Lloyd, McFadden, Morris & Thompson, Town Manager Steven Hicks, Town Attorney (remote - via telephone), Finance Director BJ Wilson, Director of Planning and Zoning Lauren Kopishke, Clerk of Council Tina Presley, and Deputy Clerk of Council Mary Ellen Lynn.

Approved by Town Council

Date: 12/13/21