



TOWN COUNCIL WORK SESSION

Monday, February 6, 2017 @ 7:00pm
Town Hall Conference Room

1. Community Development Block Grant (CDBG) Update – *Director of Planning/Zoning; Community Development Director; Community Members*

Summary: A presentation will be provided at the Town Council Work Session on February 6th on the status of the CDBG Downtown Revitalization Project. The purpose of the presentation is two-fold: 1) to inform new Town Council members of the background and specifics of the project, and 2) to provide all Town Council members with an update of activities and upcoming meetings that are scheduled. The presentation will be provided by Town Staff, as well as a couple members of the Project Management Team. Below is a summary of the presentation outline, that will be supplemented with a PowerPoint and additional information at the meeting.

General Project Details. How the CDBG project was initiated; what the CDBG project is; who is involved; and what its purpose is.

Specific Project Components. Review of the numerous components of the project, including the draft Façade Improvement Program, Branding, Downtown Parking Study, Recommended Downtown Improvements (short and long-term), Business Recruitment and Retention policies, and Wayfinding Signage.

The Budget. Review of the draft budget for the project, including discussion of recommended funding from the Town.

Upcoming Dates. Discussion of upcoming important dates, including, but not limited to, public hearings with Town Council on 2/27 and 3/13, and submission of an implementation grant due by 3/29.

Staff Evaluation: Town Staff will provide a presentation at the scheduled work session, and members of the Project Management Team will also be at the meeting to participate in the presentation.

Budget/Funding: A budget has been drafted and will be included in the presentation. The budget identifies proposed total project costs for 2-year plan, and future phases. It will also identify what new funding is requested by the Town, and what other in-kind matches are requested from existing staff/budget resources.

Jeremy Camp, Planning & Zoning Director, introduced the committee, and they presented the following presentation to Council:

Community Development Block Grant Program (CDBG)

CDBG Program Overview

- Federally Funded by U.S. Department of Housing and Urban Development
- Administered by Virginia Department of Housing and Community Development

- Provides funding to units of local government to address community development needs: housing, infrastructure and economic revitalization – we applied on behalf of economic revitalization

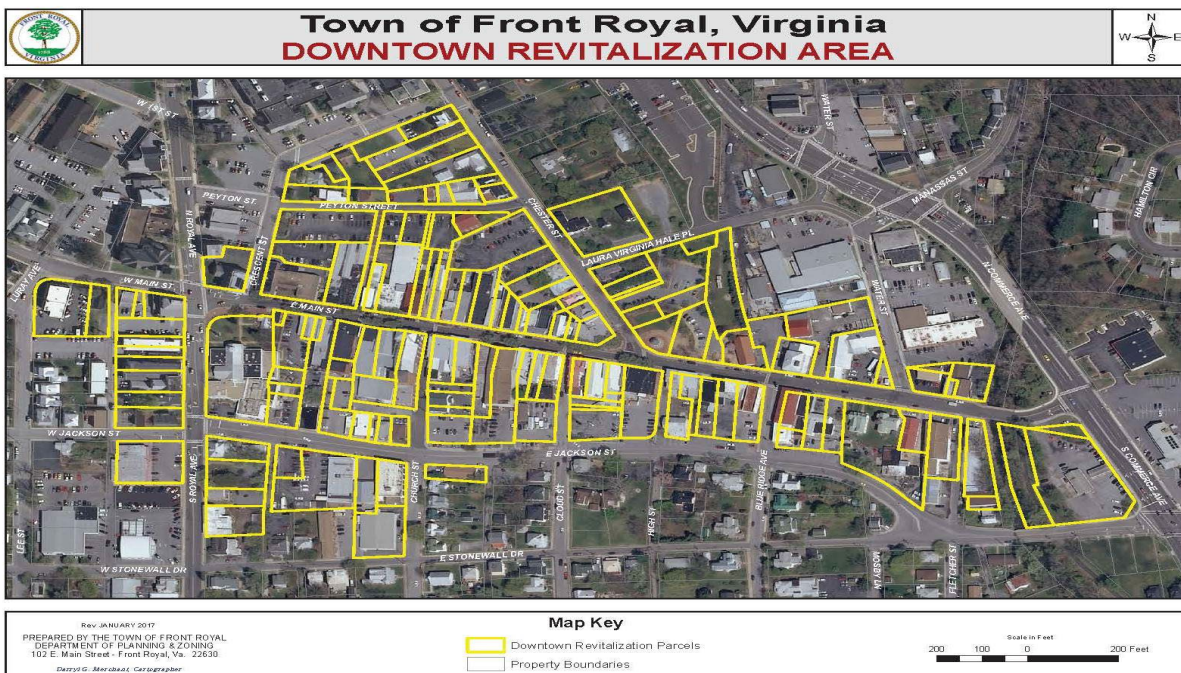
Community Improvement Grant

What (and why) we are applying

- We are applying for a **Business District Revitalization Grant**
- This grant assists localities in identifying opportunities to improve the economic and physical conditions within a commercial center
- National Objective is to prevent or eliminate blight in communities with at least a 25 percent level of physical blight or at least a 50% vacancy rate

It's a 3-part process:

- Part 1 – **The Planning Grant** (which is what we are completing now) – allows for much smaller funds and is used to identify and prioritize our community needs and develop an overall game plan that clearly articulates strategies for addressing those needs – including sustainability.
- Part 2 - **The Implementation Grant** (or **Community Improvement Grant** – Gives us the funds to actually implement the strategies we've identified (above).
- Part 3 – State review and approval. Sit down contract review with State. Execute Implementation Plan. Start receiving (requested) grant monies.
- Purpose - to aid communities in implementing projects which will most directly address their community development needs
- Up to \$700,000 to \$1,000,000 depending on the project
- Is a competitive grant application
- Final Application submission is due March 29, 2017

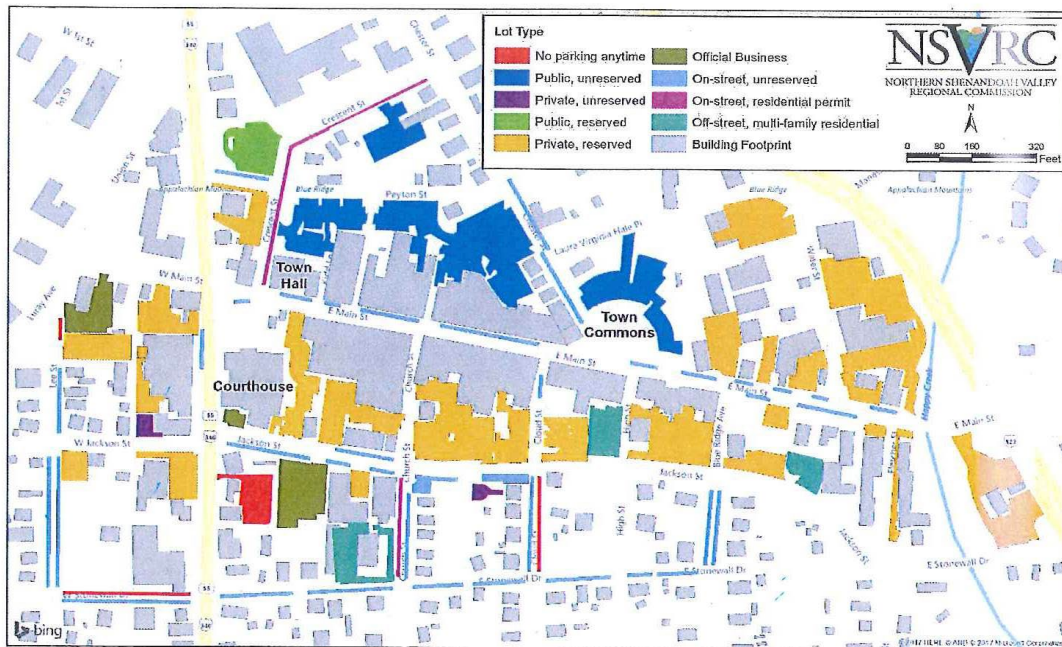


Part 1 - Planning Grant: Business District Revitalization

- Product: **Revitalization Plan** to identify physical and economic improvement strategies
- Branding
- Business Recruitment and Retention
- Façade Improvements
- Parking Analysis
- Streetscape Improvements

What we've accomplished thus far!

- Façade
- Hired Frazier Associates as designer for façade improvements
 - ✦ This required numerous community-wide meetings of property owners, bankers, and current renters of properties
 - ✦ Required Frazier Associates to educate community property owners on what they can/can't do (2 public meetings were held)
 - ✦ Required one-on-one meetings with two chosen property owners to show examples
 - ✦ Required numerous direct mailings, one-on-one conversations and education of property owners
- We have 33 property owners who have signed a letter of intent
- Lenders MOU – Buy-in from area banks to potentially provide lending services to property owners needing additional funds – but more importantly – understand how the program works
- Letters of Support *(from organizations, governments, etc. citing their public support of the Town applying for (and receiving) the grant monies.)*
- Updating the Public with Information *(via social media, radio shows and newspaper articles and will include information on Town's website.)*
- Working with all the Town Departments *(so that they all understand what the grant means not only to the Town, but to their departments – especially regarding future budgets and management.)*
- Branding
 - Hired Darwin to develop a new Brand for the community
 - This required several community-wide meetings
 - Required Darwin to find out “who we currently are” and educate community
 - Required numerous one-on-one meetings with community stakeholders
 - Have had 3 public meetings during this process, and
 - Numerous committee meetings
 - Logo should be finalized by end of this week
 - *Use of this new brand will be implemented in the next phase of this grant request. This will require a strategic plan itself as to how/when to implement.*
- Business Recruitment and Retention
 - ✦ Parking analysis performed by the Northern Shenandoah Valley Regional Commission
 - ✦ Business Recruitment and Retention Strategies developed by Shenandoah University students – survey has been completed with over 500 submitted. Results are being evaluated now with presentation to us later this week



Improvements We Are Asking For

- Downtown Improvements (*who do we want to be as a Main Street and what do we have to do to attract, bring, and keep people downtown longer*)
 - ✦ Bathroom and Water Fountain/Bottle Filling Station/Pet Bowl
 - ✦ Entrance Features and Wayfinding Signage
 - ✦ 5 Downtown Lighted Directory Boards w/Room for Calendar
 - ✦ Multi-purpose Open Air Gathering Space
 - ✦ Jackson Street Parking Lot / Alley Analysis (Phase 1 – design)
 - ✦ Improving the visibility of 5 Cross Walks along Main Street
 - ✦ Banners and re-branding of brochure racks/trash cans
 - ✦ Streetscape & Streetlights (Phase 1 – design)

Planning Grant – Now What Town Council?

- This plan has been a year-long community-wide effort that *does* requires local government buy-in (locality support of funds and staff before submitting to state).
- Requires an understanding of the total commitment, overall timeline and how this effects our budget.
- The Revitalization Plan requires Council approval (of entire plan and budget) prior to being sent to State.

CDBG Grant Timeline

- Council Application Approval by 3/13/2017
 - February 15 – Planning Commission
 - February 27 - First Public Hearing
 - March 13 - Second Public Hearing
- State Review and approval by late 2017
- Signing State contract late 2017
- **Town's Budget timeline – Allocating funds for 2018**
- Internal design/approval of **two-year implementation** –
 - Immediately upon receiving grant approval

Budget Breakdown

ADMINISTRATION

Execution of DHCD Contract	10,000.00	8,400.00	1,600.00
Execution of Project Contracts (33 participants)	12,400.00	12,400.00	0.00
Execution of Project Contract (Public Improvements)	4,000.00	4,000.00	0.00
Contract Monitoring (Mtg & Financial Tracking for 24 Mos)	24,000.00	24,000.00	0.00
Construction Completion (33 participants)	12,400.00	12,400.00	0.00
Construction Completion (Public Improvements)	4,000.00	4,000.00	0.00
Achievement of Benefits (Monthly Reporting) (24 Mos @ \$75 each)	1,800.00	1,800.00	0.00
Achievement of Benefits (Annual Reporting) (2 @ \$400 each)	800.00	800.00	0.00
Satisfactory Compliance Reviews (2 @ 2,000 each)	4,000.00	4,000.00	0.00
Administrative Project Closeout	2,000.00	2,000.00	0.00
Labor Compliance	6,000.00	6,000.00	0.00
Workshops	1,500.00	0.00	1,500.00
Advertising	1,500.00	0.00	1,500.00
Legal	1,400.00	0.00	1,400.00
Deed of Trust Recordations (33 participants)	1,550.00	0.00	1,550.00
SUBTOTAL	87,350.00	79,800.00	7,550.00
ADMINISTRATION TOTAL	87,350.00	79,800.00	7,550.00

FAÇADE IMPROVEMENTS

Architect/ Engineer/ Design	35,000.00	35,000.00	0.00
Inspection	0.00	0.00	0.00
Construction/Improvements (33 participants)	700,000.00	350,000.00	350,000.00
SUBTOTAL	735,000.00	385,000.00	350,000.00
FAÇADE IMPROVEMENT PROGRAM TOTAL	735,000.00	385,000.00	350,000.00

PHYSICAL IMPROVEMENTS

Public Restroom & Drinking Fountain - Located in Gazebo Area			
Engineering and Inspections	12,500.00	12,500.00	0.00
Labor	38,500.00	37,500.00	1,000.00
Material	75,000.00	75,000.00	0.00
Maintenance/Sustainability	5,000.00	0.00	5,000.00
Permitting	20,180.00	0.00	20,180.00
SUBTOTAL	151,180.00	125,000.00	26,180.00
Multi-Purpose Open Air Gathering Space - Located in Gazebo Area			
Engineering and Inspections	25,000.00	25,000.00	0.00
Labor	75,000.00	37,500.00	37,500.00
Material	150,000.00	75,000.00	75,000.00
Maintenance/Sustainability	1,000.00	0.00	1,000.00
Permitting	1,000.00	0.00	1,000.00
SUBTOTAL	252,000.00	137,500.00	114,500.00
Streetscape Improvement Planning & Design - E. Main Street sidewalk and streetlight upgrades (plan)			
Engineering and Inspections	30,000.00	25,000.00	5,000.00
Labor (crosswalks, trash cans, benches - refurbish)	5,100.00	0.00	5,100.00
Material (crosswalks, trash cans, benches - refurbish)	3,400.00	0.00	3,400.00
Permitting	0.00	0.00	0.00
SUBTOTAL	38,500.00	25,000.00	13,500.00
Parking & Alley Improvements - Jackson Street Parking and Side Street/Alley Enhancements (plan), and murals			
Engineering and Inspections	50,000.00	40,000.00	10,000.00
Labor	2,100.00	0.00	2,100.00
Murals	3,000.00	0.00	3,000.00
Material	1,400.00	0.00	1,400.00
SUBTOTAL	56,500.00	40,000.00	16,500.00
Royal Shenandoah Greenway - Criser Road Trail Link			
Engineering and Inspections	40,000.00	0.00	40,000.00
Labor	120,000.00	0.00	120,000.00
Material	230,000.00	0.00	230,000.00
Permitting	10,000.00	0.00	10,000.00
SUBTOTAL	400,000.00	0.00	400,000.00
PUBLIC IMPROVEMENTS TOTAL	898,180.00	327,500.00	570,680.00

SIGNAGE - Wayfinding, Directional, Entrance Features, and Banners.

Engineering/ Design and Inspections	25,000.00	18,500.00	6,500.00
Labor	15,000.00	0.00	15,000.00
Material	149,500.00	137,500.00	12,000.00
Permitting	1,000.00	0.00	1,000.00
SUBTOTAL	190,500.00	156,000.00	34,500.00
SIGNAGE TOTAL	190,500.00	156,000.00	34,500.00

BRANDING & MARKETING

Social Media & Digital Advertisements	15,000.00	15,000.00	0.00
Marketing Documents & Brochures	6,500.00	0.00	10,500.00
Website Strategy	10,500.00	0.00	10,500.00
Refurbish Brochure Racks	2,200.00	0.00	2,200.00
Visitor Center Update	16,700.00	16,700.00	0.00
Branded Campaigns	20,000.00	20,000.00	0.00
SUBTOTAL	70,900.00	51,700.00	23,200.00
BRANDING AND MARKETING TOTAL	70,900.00	51,700.00	23,200.00

Budget Breakdown – Total

BUDGET LINE ITEM	TOTAL BUDGET	STATE BUDGET (CDBG)	TOWN BUDGET
TOTAL	1,985,930.00	1,000,000.00	985,930.00

- 87% of Town budget portion is from in-kind labor, existing budget funds, or other sources
- **Total New Funds Requested = \$130,000**
- **Total Value = \$1.9 million**

Council Discussion:

In response to Council, the committee stated that:

- There were about 90 property owners, with 30-some possibly interested;
- The Town seal remains, the logo they adopt would just be used to brand/identify the Town and bring in visitor's;
- The gathering area would be a small building and a drinking fountain, a canopy structure, to be used for the Farmer's Market, and the exact location was undecided at this time;
- Does include sidewalk improvements on East Main Streets, possibly natural sand, brick pavers and concrete mix, etc.,
- This project would not include funds to replace the light poles;
- The first phase includes alley and parking improvements;
- Includes refuse can refurbishment and bench replacement;
- Includes artistic murals in the downtown area;
- Does include finalizing a portion of the Royal Shenandoah Greenway;
- Includes \$12,000 for signage, two entrance features, 30-some seasonal banners and directional and wayfinding signs;
- Requesting 1.9 million through the State, and the Town portion would be \$985,000, though 87% is in-kind labor and existing budget funds/other sources, TOTAL new funds would be \$130,000
- Council asked if they were being asked to place funds in the budget for the project; Staff noted that stating that Council is appropriating funds already would be a huge bonus when applying for the grant;
- Council discussed placing aside 1/3 of the funds for the next three years perhaps, or even more;
- Council discussed using the New Market Tax Credit funding as well; Council asked about where the upcoming budget stood in anticipation in order to kick-start the project.

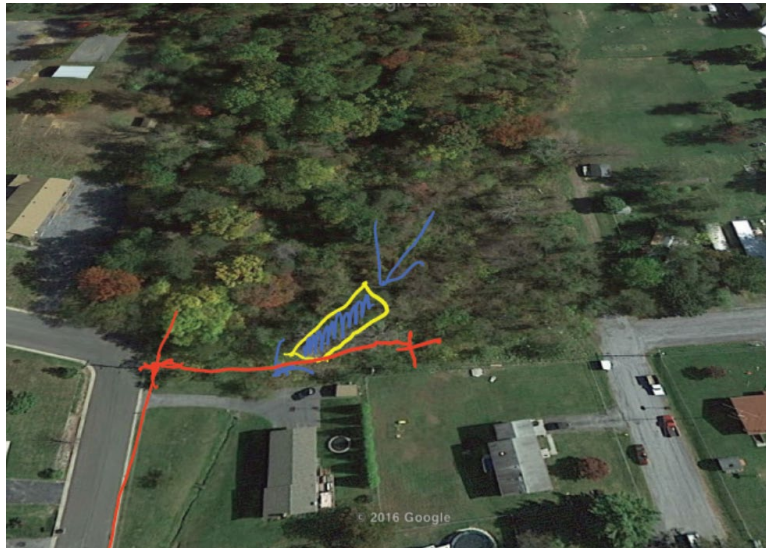
2. Lake Avenue Extension Update – *Director of Environmental Services*

Summary: At the September 6, 2016 Work Session Council advised staff to investigate the costs and utility locations associated with extending Lake Avenue. Staff will be presenting their findings at tonight's work session.

Memo to the Town Manager from Jimmy Hannigan, Dept. of Environmental Services:

To construct 600' x 42' roadway including drainage, curb, sidewalk, and bike path. Work is to be 300' widen street to 42' to install sidewalk, curb, bike path, and drainage. 300' of the roadway to be installed would include clearing, grubbing, fill removal, stone replacement, asphalt placement, curb, sidewalk, bike path signage, painted lines, and

install box culvert (size needs to be determined).
Roadway would have 8" 21's, 3" base material, 2 each 2" sm 12.5 asphalt.
This work has been estimated at \$440,000.00



Council Discussion:

Mr. Hannigan noted that the Town would need to place a box culvert would need to get DEQ involved with permitting. He stated that \$440,000 would be the minimal amount it would cost. Councilman Tewalt noted that there were much more higher priorities for the Town to handle than such a project and he was not in favor of the matter at this time. He stated that there were also no funds available.

Councilman Connolly stated that it seems as though it would be around \$500,000 perhaps. He asked if it was in the floodplain, Councilman Tewalt noted that it was. Councilman Tewalt stated that the Town Surveyor should begin to do some design work for the project.

Mayor Tharpe noted that the Town Manager should bring it back to the Council back around July 2016. Councilman Connolly asked that the item be added to the Council Retreat list for discussion next month; Mayor Tharpe noted that was possible.

3. Slurry Seal of Secondary Roads Plan – Director of Environmental Services

Summary: Council has asked staff for a plan to slurry seal secondary roads. Staff has completed this task with information to be provided at the work session.

Memo to the Town Manager from Jimmy Hannigan, Dept. of Environmental Services:

Slurry is an aggregate emulsion mix in which materials are loaded and missed on a truck which then applied to the street surface in one shot. There is nothing more added or rolling after applied. The product is water based and comes out wet. There is normally a 1 hour waiting period before traffic is allowed. Temperature can affect the wait time. There is some possible prep work including sweeping and pothole repairs or significant failing areas. There is normally some cleanup afterwards of excess aggregate after traffic runs on it.

Cost is based on the square yards of surface applied. The cost is less for larger footage amounts. 50,000 square yards is recommended as a good starting point and most cost effective. The price per square yard at 50,000 square yards would be in the range of \$2.15-\$2.60 per square yard. Based on the higher price range, 50,000 square yards would cost \$130,000.

Examples:

25' pavement width = 3.6 miles' coverage

30' pavement width = 2.8 miles' coverage

40' pavement width = 2.1 miles' coverage

All of Stonewall Drive is 1.04 miles and average 40' in pavement width. Cindy will work on RFP for bids if approved by Council.

Council Discussion:

Councilman Tewalt stated that the secondary roads have not been touched for some time. He noted that the slurry seal (type C) would be saved from major repair later. Mr. Wilson noted that \$300,000 could be taken out, as there was \$1.8 million in the fund at this time, in response to Mr. Tewalt's question. Mr. Tewalt stated that Kendrick Lane was in terrible shape. He noted that the Town should take the County's meals and lodging amount plus more funding and move forward with the street repairs, as poor looking streets make the entire Town look bad.

Councilman Connolly asked about slurry seal versus other options. Mr. Hannigan noted that slurry seal would not assist with large cracks. Councilman Tewalt stated that the streets needed pre-prepped in order to make a difference. He suggested doing the slurry seal, then paving over it eventually.

Mr. Hannigan noted that the slurry seal would assist for 5-6 years at times, if it is done correctly. He stated that paving was not the right choice for secondary roads, he added that eventually the Town would choose to pave Kendrick Lane. Councilman Tewalt and Mr. Hannigan agreed that if a street is not heavily used, then a good slurry seal could last 10-15 years, though heavily traveled roads would last only 5-6 years.

Councilman Meza asked if Mr. Waltz was recommending the chart as proposed by Mr. Hannigan. Mr. Waltz stated that he supported the roads as proposed by Mr. Hannigan. Mr. Connolly asked about whether Council should be looking at such a large budget item for annual slurry seal/paving in order to maintain the Town roads. Mr. Tewalt noted that the Town budget did contain high amounts, though it was eaten up for large road projects, such as last year's John Marshall Highway (\$400-500k).

Mr. Waltz stated that the Council needed to reaffirm the Town's paving plan.

Mayor Tharpe noted that it would go on Monday's agenda for approval with the numbers provided from Mr. Wilson of the Finance Department.

4. Continued Discussion of Compensation and Classification Study – Town Manager

Summary: The town received three proposals for the compensation and classification study and provided a review of response to Council at the December 5, 2016 and January 17, 2017 work session. Town Council directed the Town Manager to engage Paypoint HR to evaluate their bid and explore opportunities to accelerate study.

Staff Evaluation: Staff met with Paypoint HR to discuss their full proposal of services to include scope of work, methodology flow of process and project timeline.

Discussion on project timeline was also discussed with relation to the budget cycle. Unfortunately, we were unable to separate the scope of services to achieve results for this budget cycle.

Budget/Funding: Currently funded in FY16-17 budget - \$24,000; RFP proposal - \$25,750
Legal Evaluation: Town Attorney will be available.

Staff Recommendations: Staff recommends moving forward with Paypoint HR to perform the Compensation and Classification Study as requested in the RFP.

Town Manager Recommendation: The compensation and classification study is a key component in the strategic management philosophy to help the Town recruit and retain quality employees. Therefore, I recommend moving the contract for approval at the next Council meeting, February 13, 2017.

Mr. Waltz presented the following presentation to Council:

RFP #36 – Compensation and Classification Study

PAYPOINT HR

Our Competitive Advantages

Service Ability – We have worked with a variety of organizations. Our smallest client had (7) employees and our largest with up to 18,000 employees. A typical client has 50 to 2500 employees.

Experience – Our team members each have several decades of experience in HR, Compensation & Classification. Each member has their own specialty area within Human Resources.

Compliance – We adhere to industry best practices when conducting surveys and generating deliverables. We stay plugged in to the ever changing employment regulations.

Data – Using NASA/Big Data Analysis Techniques we find trends that “standard” analyses cannot.

Workload – Our team is dedicated to your project. We assign a project lead and have staff able to be deployed when needed.

Technology – Position Vantage Point (PVP), our proprietary cloud based software allows for more convenient and timely job analysis.

Scope of Work

A. **Job Analysis** – Consider duties, responsibilities, education requirements, and other relevant factors.

B. **New/Revised Job Descriptions** – Update compliant job descriptions for existing and recommended job titles.

A. **Market Survey and Analysis of Findings**

- Determine Positions to Benchmark: Front Royal has (161) Full-time and (16) part-time employees.

- Determine Full List of Comparators including:

Warren County, Town of Strasburg, Shenandoah County, City of Winchester, Town of Leesburg, Town of Luray, Page County, Town of Culpeper, Town of Warrenton, Town of Woodstock, Dominion Power, Rappahannock Electric Cooperative, and Fauquier Water Authority.

A. **Development of a Recommended Pay Scale**

B. **Recommendations for Future Adjustments**

Project Timeline

Milestones

- To begin the study
- Front Royal's decision for study to get underway & contract ratification
- Paypoint HR's ability to begin the project
 - Key drivers for conducting the study
- Budgeting cycle
- Town Council Approval
- Implementation

Approach to Classification

- Collect initial data
- Kick-off meeting
- Establish baselines and client data file
- Gain understanding of current system
- Develop initial outline of internal equity areas of improvement
- Review/analyze position evaluation factors
- Make initial recommendations & review with project team
- Review with staff and conduct informal appeals
- Write draft report
- Review draft report for feedback and make any changes
- Create Interim Report

Approach to Compensation

- Identify market salary benchmark positions
- Determination of benchmark classifications
- Determine comparator agencies
- Determine data to be collected
- Data collection process
- Analysis and review of findings
- Draft findings and review with project team
- Alignment of internal and external prevailing rates comparison
- Draft recommendations
- Show fiscal impact of recommendations
- Preparation of draft summaries, final reports and deliverables
- Compliance review
- Get feedback and make any adjustments
- Final presentation
- Post project support

Analysis

Traditional Methods

- Ranking – Positions ranked based on perceived importance by organization
- Point Factor (Hay) –merit of positions graded based on common set of knowledge, skills, and abilities
- Factor Comparison – benchmark positions evaluated and compared against external market value

Compensable Factor System (Paypoint HR)

- Engage and empower employees w/ managers using

PVP Point Factor Method

- Consider the internal equity/ranking of positions
- Compare salaries against the external market

Council Discussion:

- When requests for raises comes in, is the Town competitive, they will be able to tell whether the Town is competitive;
- It would say “this position” does/does not line up to other employees within the organization;
- If the position is not comparable, then the Town can create a plan to pay positions appropriately;

- Stop having the comparison to other localities for an argument for raises;
- Find out if the employees have an equitable pay for the job that they are doing;
- Council is hopefully going to have a clean slate, no one is being underpaid, the matrix is set with the consultant data, and the Human Resources Department and the Town Manager would have it for review annually, not Council each budget cycle;
- Methodology Flow Chart is exactly what is desired by some members of Council;
- Several members of Council noted that the HR Director and the Town Manager needed to meet with the consultant, not the members of Council; one member voiced doing the study in house with the HR Department;
- \$25,000 would provide up to date job descriptions and data for an updated payscale, etc.;
- Council chose to vote on the matter at the next regular Council meeting.

5. Continued Discussion of Health Insurance Consulting Services – *Director of Human Resources*

Summary: The Town received five proposals for the health insurance consulting services. The review committee completed the initial review of the responses and provided an overview to Council at the December 5, 2016 work session. Staff was directed to complete review and provide recommendation at a future work session.

Staff Evaluation: Staff continues to review and plans to provide recommendation at work session for further discussion with Council.

Council Discussion:

- The Town is paying \$1.8 million annually for employee health insurance;
- Council noted that the program is not sustainable from The Local Choice;
- Council discussed the Health Savings Account programs;
- Ms. Bush recommended that Council hear from the programs and the costs available in order to make decisions, including a selection of plans under The Local Choice;
- Councilman Meza noted that the intent was to evaluate the Town's insurance as it was not sustainable; he stated the intent was to remain even keel or shift the ownership to employees to choose different plans; He noted that he was not necessarily saying that they should switch insurance companies.
- Council asked if they left Local Choice would they not be able to re-enter?
- Mr. Waltz suggested the options be gathered for The Local Choice and have closure on the RFP;
- Council noted that perhaps it could be that insurance costs are going to rise each year and it may just be something that the Town has to deal with it; some members voiced that the program just was not sustainable and suggested better options;
- Council noted that reviewing different options on health insurance in the coming budget cycle may be the best choice, while maintaining their current company;

6. Town Manager Update

- February 13th Meeting is very short, will have worksession
- February 21st Burton will be here
- March 6th costs for new Police Department will be discussed
- Council discussed meetings to begin at 6 p.m

7. Continued Discussion of Town Manager Hiring Process

Mr. Waltz noted that the Town will be using the Springsted firm, using Option 1 for the Town Manager hiring process. Ms. Bush stated that she has the final job description. Mr. Tewalt noted that

he was not in favor of Springsted. Mayor Tharpe stated that it would be on Monday's agenda for regular vote.

8. Council Discussion/Goals

- none -

9. CLOSED MEETING – Consultation with Legal Council

Motion to Go Into Closed Meeting

Councilman Connolly moved, seconded by Councilman Egger that Council convene and go into Closed Meeting for the purpose of 1) consultation with legal counsel and briefings by staff members or consultants pertaining to actual litigation, potential lawsuit settlement receipt options to which the Town is a party and would be a beneficiary if settlement is accepted, where such consultation or briefing in Open Meeting would adversely affect the negotiating or litigating posture of the public body; "probable litigation" meaning litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party; pursuant to Section 2.2-3711. A. 7. of the Code of Virginia; and 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, potential legal claims being filed against the Town by third parties, pursuant to Section 2.2-3711. A. 7. of the Code of Virginia.

Vote: Yes – Connolly, Egger, Meza, Morrison, Sealock and Tewalt

No – N/A

Abstain – N/A

Absent – N/A

(Mayor Tharpe did not vote as there was no tie to require his vote)

Motion to Certify Closed Meeting at its Conclusion

Councilman Connolly moved, seconded by Councilman Egger 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 – Connolly, Egger, Meza, Morrison, Sealock, Tewalt and Tharpe

No – N/A

Abstain – N/A

Absent – N/A

(By Roll Call)

PRESENT: Mayor Tharpe, Councilman Connolly, Councilman Egger, Councilman Tewalt, Councilman Morrison, Councilman Meza, Councilman Sealock, Interim Town Manager Waltz, Town Attorney Napier, Clerk of Council Berry, Director of Planning Camp, Director of Finance Wilson, Police Captain Nicewarner, Director of Environmental Services Hannigan, Director of Human Resources Bush, Director of Risk Management Scholtz, Director of IT, Community Development Director Hart, members of the public and members of the press.