

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on May 22, 2017, in the Warren County Government Center's Board Meeting Room. Mayor Tharpe led Council and those attending in the Pledge of Allegiance to the flag and a Moment of Silence. The roll was called at 7:00 p.m.

The Council met at the Manassas Avenue Solar Field for the Dedication and Ribbon Cutting of the Solar Farm at 6 p.m.

PRESENT: Mayor Hollis L. Tharpe
Councilman John P. Connolly
Councilman Bébhinn C. Egger
Councilman Jacob L. Meza
Councilman Christopher S. Morrison
Councilman William A. Sealock
Councilman Eugene R. Tewalt
Town Attorney Douglas W. Napier
Interim Town Manager Joseph E. Waltz
Clerk of Council Jennifer E. Berry, CMC

(The above listed members represent the full body of Council as authorized in the Town Charter.)

Vice Mayor Tewalt moved, seconded by Councilman Egger moved that Council approve the Regular Council Meeting minutes of May 8, 2017 as presented.

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)

(By Roll Call)

RECEIPT OF PETITIONS OR CORRESPONDENCE FROM THE PUBLIC

There were no receipts or petitions from the public.

Joe Waltz, Interim Town Manager, noted that the Town would be closed in honor of Memorial Day this Monday. He explained the holiday schedule changings for refuse collection. He added that the slurry seal project continues next week and advised residents to be aware of street closings and detours throughout Town.

David Jenkins, Interim Director of Energy Resources, noted that the Manassas Avenue Substation project was about complete. He stated that the control wires would be finished tomorrow and after that the project would be completed.

Mr. Jenkins noted that the Department is about complete on Leach Run Parkway, stating that the traffic lights will begin flashing on June 8th. He reported that the pole inspection program continues, and on May 31st more inspections will take place in Town.

Mr. Jenkins stated that the John Marshall Trail area work begins in the next week or two, with the underwire junction box installation; he added that it should not take a long time to complete the trail project.

Mr. Jenkins stated that the Wastewater Treatment Plant transformer setting will take place soon and Staff has been working with Warren County to order materials for lighting on the two lower SoccerPlex playing fields on Kerfoot Avenue. He stated that soon they would pull fiber to attach to poles to pull to the new Warren County Middle School off Happy Creek Road.

Mr. Jenkins stated that they were also working to lay out the needs of the Criser Road Trail and he noted that they have had 440 MISS Utility tickets, and the meter disconnects numbered 1,048 (times two), with the move in/move outs there were 492.

Mayor Tharpe thanked the Energy Services Department for their ongoing work, noting that there was always a huge volume of work being done throughout Town and he appreciated the work of the crews.

Councilman Tewalt asked about the vehicle charging stations downtown and Mr. Jenkins noted that there were 14 charges just last month and that was a good amount for this locality.

Councilman Meza noted that there were some citizens concerned with the trains blocking the tracks for those who needed to get out of the area and get to the store, work and also those needing to do business and make deliveries. He stated that he realized that the Town did not have control over the issue, though he would like to contact the railroad and see that all is being done.

Councilman Egger stated that the EDA had released a large 2" thick press packet with very few of the questions answered. She asked if this is an acceptable way for the EDA to answer questions, noting that it is important that Council is treated with respect. She noted that in the EDA cover letter it stated that questions should be emailed to Mrs. McDonald and she, Ms. Egger, would be sending further questions to Mrs. McDonald. Ms. Egger stated that the response was lacking the larger picture to say that the Town should not take this matter into account and she noted that the matter that the land was originally to be donated was huge. She added that Council was not given the full information and the questions were still important.

Councilman Connolly stated that there was a level of professionalism of the Council and he was taught that respect is earned. He noted that the Council has access to Mrs. McDonald and he failed to see Ms. Egger's issue and how it is pertinent. He noted that should questions arise, he noted that a Council member can make a trip to the EDA office, rather than bringing the matter up in front of the cameras and shooting off emails. Mr. Connolly stated that this was not a time to soapbox, but rather it is meant to bring forth new business and Ms. Egger's issue is not a new business matter. He added that the time is being used to publicly shame people, and what happened at the last meeting was fairly disgraceful. He added that he was in favor of productive relationships between public bodies and he does not wish to see the agenda of this meeting hijacked.

Councilman Meza noted that he finds Mrs. McDonald to be extremely approachable, he will review the materials provided and he will follow up with McDonald offline.

Councilman Egger noted that she did email Mrs. McDonald so the questions would be a written submittal, and with regard to respect, she noted that pertaining to the deadline issue –

that was the first breach of respect. She noted that she was extremely upset, as they are withholding information.

Mayor Tharpe announced that the Virginia Municipal Clerks Association has appointed the Town's Municipal Clerk, Jennifer Berry, to serve on the State's Executive Board.

Mayor Tharpe asked if there were any proposals for additions or deletions to the agenda.

CONSENT AGENDA

A. COUNCIL APPOINTMENT – Northern Shenandoah Valley Regional Commission (NSVRC) Non-Elected Representative

B. COUNCIL APPROVAL – Budget Amendment to Accept Donation from Anti-Litter Council

C. COUNCIL APPROVAL – Bid – Thermoplastic Pavement Marking

D. COUNCIL APPROVAL - Proclamation "Flag Day"

Vice Mayor Tewalt moved, seconded by Councilman Meza that Council approve the consent agenda as presented.

PROCLAMATION – Flag Day

WHEREAS, the first celebration of the U.S. Flag's birthday was held in 1877 on the 100th anniversary of the Flag Resolution of 1777; and it is believed that the first annual recognition of the flag's birthday dates back to 1885 when school teacher, BJ Cigrand, first organized a group of Wisconsin school children to observe June 14 - the 108th anniversary of the official adoption of The Stars and Stripes as the Flag's Birthday;

WHEREAS, National Flag Day was until, August 3rd, 1949, when an Act of Congress designated June 14th of each year as National Flag Day; and today, Flag Day is celebrated with parades, essay contests, ceremonies, and picnics sponsored by veterans' groups, schools, and groups like the National Flag Day Foundation whose goal is to preserve the traditions, history, pride, and respect that are due the Nation's symbol, Old Glory;

WHEREAS, as a result of a resolution adopted by the Marine Committee of the Second Continental Congress at Philadelphia on June 14, 1777, The resolution read: that "the Stars and Stripes" of the United States be thirteen stripes, alternate red and white; that the union be thirteen stars, white in a blue field representing a new constellation;"

WHEREAS, Flag Day is not just about honoring a particular creative symbol, but more so, it is about taking the time to consider our freedom and the values of our great country;

WHEREAS, the flag of the United States of America is a great symbol to the rest of the world of what the United States represents -- the field of blue for honor, white for purity, and red for the blood that was shed;

NOW THEREFORE BE IT RESOLVED that I, Hollis L. Tharpe, Mayor of the Town of Front Royal, do hereby proclaim Wednesday, June 14, 2017 as

NATIONAL FLAG DAY

in the Town of Front Royal, and urge all citizens to honor Flag Day by flying the Stars and Stripes and keeping in mind the reason it is flown.

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)
(By Roll Call; on the Consent Agenda)

PUBLIC HEARING – Ordinance Amendment for Adoption by Reference of the State Motor Vehicular Laws (1st Reading)

Summary: Council is requested to affirm on its first reading an Ordinance to amend and reenact Front Royal Town Code Section 158-6 pertaining to Adoption by Reference of the State Motor Vehicular Laws, as presented.

Mayor Tharpe opened the public hearing. As no one came forward to speak, the public hearing was closed.

Councilman Connolly moved, seconded by Councilman Egger that Council affirm on its first reading an Ordinance to amend and re-enact Front Royal Town Code Section 158-6 pertaining to Adoption by Reference of the State Motor Vehicular Laws, as presented.

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)
(By Roll Call)

PUBLIC HEARING – An Ordinance Amendment to Chapter 12 FEES (1st Reading)

Summary: Council is requested to affirm on its first reading an Ordinance to amend and reenact Front Royal Town Code Chapter 12-2; 12-5 and 12-6 pertaining to increase and removal of fees as indicated:

- after-hours shut-off calls for water from \$25.00 to \$30.00
- tires without rims, not to exceed 16.5 inches from \$1.50 to \$2.00 per tire
- tires on rim, not to exceed 16.5 inches from \$2.50 to \$4.00 per tire
- tires over 16.5 inches with or without rim from \$3.00 to \$5.00 per tire (Environmental Services Fees);
- removal of Police Department Fees (Minor Accident Report) since there are no fees collected at the Police Department.
- removal of Miscellaneous Fees (update Town Code, Hardcopy) since hard copy updates are no longer being printed

Mayor Tharpe opened the public hearing. As no one came forward to speak, the public hearing was closed.

Vice Mayor Tewalt moved, seconded by Councilman Egger that Council affirm on its first reading an Ordinance to amend and re-enact Front Royal Town Code Chapter 12-2; 12-5 and 12-6 pertaining to increase and removal of fees, as presented.

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)
(By Roll Call)

PUBLIC HEARING – Ordinance Amendment to Increase Existing Electric Utility Base Rates (70-23) and Power Cost Adjustment Charge (70-23) (1st Reading)
Summary: Council is requested to affirm on its first reading an ordinance to amend and reenact Front Royal Town Code Section 70-23 (A) and (B) to increase existing electric utility base rates for residential and commercial customers; and to amend and re-enact 70-23 (C) power cost adjustment (PCA) charges, as presented.

Mayor Tharpe opened the public hearing. As no one came forward to speak, the public hearing was closed.

Councilman Connolly moved, seconded by Councilman Egger that Council affirm on its first reading an ordinance to amend and re-enact Front Royal Town Code Section 70-23 (A) and (B) to increase existing electric utility base rates for residential and commercial customers; and to amend and re-enact 70-23 (C) power cost adjustment (PCA) charges, as presented.

Councilman Connolly thanked Mr. Waltz for his dedication thus far in keeping the electric rates this low all these years for the Town of Front Royal. He added that many municipalities are facing the higher transmission charges, not just Front Royal.

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)
(By Roll Call)

COUNCIL APPROVAL – FY 2018 Annual Appropriation Ordinance (1st Reading)
Summary: Council is requested to affirm on its first reading the adoption of the Town's Annual Appropriation Ordinances for FY2017-2018 Budget that will include reallocating the \$100,000 associated with repayment of the internal loan for the Criser Road Trail Project be set aside for construction of the new Police Department (as shown below). The Town's FY2017-2018 Annual Appropriation Ordinance is effective July 1, 2017 – June 30, 2018.

Note: Budget Amendment to reallocate the \$400,000 that was previously approved by Town Council on November 28, 2016, to eliminate the necessity for repayment of the \$400,000 internal loan by the Street Fund to the General Fund and to use General Fund Balance to fund the Criser Road Trail Project was approved at the May 8, 2017 Council Meeting.

Budget/Funding: to reallocate monies for Criser Road Trail
1000-3310111 Internal Loan – Criser Rod Trail <\$100,000>
9790-49009 General Fund Transfer to Street Fund - <\$100,000>
4500-3240407 Street Fund Transfer from General Fund - <\$100,000>
4102-47959 Street Fund Repayment of Internal Loan <\$100,000>
1000-3510110 Appropriated Funds Forward \$100,000
99790-49015 General Fund Transfer to Comm Dev - \$100,000
130-3510105 Community Development Transfer from G/F - \$100,000
9130-47013 Community Development Police Dept - \$100,000

Mayor Tharpe opened the public hearing. As no one came forward to speak, the public hearing was closed.

Councilman Connolly moved, seconded by Councilman Egger that Council affirm on its first reading the Town's Annual Appropriation Ordinances for FY2017-2018 Budget, effective July 1, 2017 through June 30, 2018. He further moved that Council reallocate the \$100,000 of funds associated with repayment of the internal loan for the Criser Road Trail Project in the FY2017-2018 Proposed Budget be set aside for construction of the new Police Department.

Councilman Egger noted that there were many dedicated hours from our Staff, specifically Mr. Waltz and Mr. Wilson and she thanked them for their work to bring forth such a well put together budget for the community. Councilman Connolly thanked Staff as well, noting that their dedication had been very thorough and much appreciated. Mayor Tharpe agreed, adding that this had been the smoothest budget presentation his entire time serving on Council.

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)
(By Roll Call)

CLOSED MEETING – Personnel Matter

Motion to Go Into Closed Meeting

Pursuant to Va. Code Section 2.2-3711. A .1. of the Freedom of Information Act, Councilman Connolly moved, seconded by Councilman Egger that Town Council go into closed meeting to discuss, consider, or interview prospective candidates for appointment to and employment as the position of the office of Town Manager of the Town of Front Royal.

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

COUNCIL MEETING MINUTES

May 22, 2017

Councilman Connolly moved, seconded by Councilman Tewalt moved that Town 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 Action 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 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)

There being no further business, the Mayor declared the meeting adjourned at 8:22 p.m.

APPROVED:

Jennifer E. Berry
Clerk of Council