

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on June 26, 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.

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

ABSENT: Councilman Bébhinn C. Egger
Councilman Eugene R. Tewalt

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

Councilman Sealock moved, seconded by Councilman Connolly moved that Council approve the Regular Council Meeting minutes of June 12, 2017 as presented.

Vote: Yes – Connolly, Meza, Morrison and Sealock
No – N/A
Abstain – N/A
Absent – Egger & Tewalt
(Mayor Tharpe did not vote as there was no tie to require his vote)

RECEIPT OF PETITIONS OR CORRESPONDENCE FROM THE PUBLIC

Donald Cochrane, 11 Richmond Rod, noted that the Town has not had an opportunity to review the report submitted regarding the decibel level at the UPS site, though it had been submitted to Staff. He reported that in some instances the decibels hit 95 at night, though the Town Code allows for only 60 decibels he believed. Mr. Cochrane stated that he looked forward to hearing back from the town and he hoped that they saw fit to revise the Town Code as well.

Joe Waltz, Town Manager, noted that Town Business office would be closed for the July 4th holiday. He added the changes in the holiday refuse schedule as well, adding that there would be no yard waste collection for the week. Mr. Waltz invited the community out for the free movies each Thursday evening at the gazebo.

Jimmy Hannigan, Director of Environmental Services, noted that the crew has finished slurry seal for this year, as well as line painting and crosswalks as well. He noted that they hit all primary roads, except Commerce Avenue, which they are about to pave a large portion of. He stated that the crews are working on the 6th Street railroad crossing and they are going to work on the area in order to improve the crossing/road area. Mr. Hannigan noted the Wastewater Treatment Plant completion date is approaching and all is on schedule.

Mr. Meza asked about the quality of the line painting this year. Mr. Hannigan noted that the contractors are coming back in August in order clean the spots up and he added that they are looking at various times of day to determine if that is better for the quality of the painting.

CONSENT AGENDA

- A. COUNCIL APPROVAL – Bid – Various Grades of Stone
- B. COUNCIL APPROVAL – Bid – Various Grades of Asphalt
- C. COUNCIL APPROVAL – Bid – Various Chemicals for Water & Wastewater Plants
- D. COUNCIL APPROVAL – Bid – Provide & Construct Pavilion
- E. COUNCIL APPROVAL – Bid – Purchase of Tractor with Mower

Councilman Connolly moved, seconded by Councilman Meza, that Council approve the consent agenda as presented.

Vote: Yes – Connolly, Meza, Morrison and Sealock
No – N/A
Abstain – N/A
Absent – Egger & Tewalt
(Mayor Tharpe did not vote as there was no tie to require his vote)

COUNCIL APPROVAL – Budget Amendment for Gazebo Flix

Summary: Council is requested to approve a budget amendment in the amount of \$2,640 from various sponsors for the Gazebo Flix to be held at the Gazebo located at Main and Chester Streets on Thursday evenings from June 8 – August 3, 2017.

Councilman Meza moved, seconded by Councilman Connolly, that Council approve a budget amendment in the amount of \$2,640 from various sponsors for the Gazebo Flix to be held at the Gazebo located a Main and Chester Streets on Thursday evenings from June 8 – August 3, 2017.

Vote: Yes – Connolly, Meza, Morrison and Sealock
No – N/A
Abstain – N/A
Absent – Egger & Tewalt
(Mayor Tharpe did not vote as there was no tie to require his vote)
(By Roll Call)

COUNCIL APPROVAL – Resolution – Signature Authority for VDOT Projects

Summary: Council approved a resolution granting signature authority for all Virginia Department of Transportation (VDOT) Projects in the Town to the Interim Town Manager on March 27, 2017, since the appointment of the Town Manager, the resolution is being revised to reflect the change. Council is requested to approve a revised Resolution granting signature authority for all VDOT projects in Town to the Town Manager on behalf of Town Council, as presented.

Councilman Connolly moved, seconded by Councilman Meza, that Council approve a revised Resolution granting signature authority for all Virginia Department of Transportation (VDOT) projects in the Town to the Town Manager on the Town's behalf, as presented.

Vote: Yes – Connolly, Meza, Morrison and Sealock
No – N/A
Abstain – N/A
Absent – Egger & Tewalt
(Mayor Tharpe did not vote as there was no tie to require his vote)
(By Roll Call)

VDOT RESOLUTION

TOWN MANAGER SIGNATURE AUTHORITY FOR VDOT

WHEREAS, Town Council approves various Virginia Department of Transportation (VDOT) Projects; and

WHEREAS, VDOT requests a Resolution by Town Council granting signature authority to the Town Manager to execute agreements on various projects on the Town's behalf; and,

NOW, THEREFORE, IT BE RESOLVED by the Town Council of the Town of Front Royal to grant signature authority to the Town Manager for various VDOT projects on the Town's behalf.

CLOSED MEETING

Councilman Connolly moved, seconded by Councilman Meza that Town Council go into closed meeting to discuss and consider the performance and salary of the Town Manager as contained in his employment contract, pursuant to Section 2.2-3711. A.1 of the Code of Virginia; and for the purpose of 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, issues concerning appointments to Town Council and whether other matters will be required to be taken by Town Council as a result of that, pursuant to Section 2.2-3711. A. 7. of the Code of Virginia; and for the following purposes, in relation to the Afton Inn property:

- (1) Discussion or consideration of the disposition of publicly held real property, pursuant to Section 2.2-3711. A.3., where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.*
- (2) Discussion concerning a prospective business where no previous announcement has been made of the business' interest in locating or expanding its facilities in the community, pursuant to Section 2.2-3711. A. 5. of the Code of Virginia.*
- (3) 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 Section 2.2-3711. A. 7. of the Code of Virginia.*

Vote: Yes – Connolly, Meza, Morrison and Sealock
No – N/A
Abstain – N/A
Absent – Egger & Tewalt
(Mayor Tharpe did not vote as there was no tie to require his vote)
(By Roll Call)

After brief discussion with the Town Attorney, Mayor Tharpe reconvened the meeting in open session.

Councilman Connolly moved to suspend the rules, seconded by Councilman Meza.

Vote: Yes – Connolly, Meza, Morrison and Sealock
No – N/A
Abstain – N/A
Absent – Egger & Tewalt
(Mayor Tharpe did not vote as there was no tie to require his vote)
(By Roll Call)

Councilman Connolly moved, seconded by Councilman Meza, to revise the meeting agenda to include the Closed Session items, Afton Inn and Consultation with Legal Counsel, as noted.

Vote: Yes – Connolly, Meza, Morrison and Sealock
No – N/A
Abstain – N/A
Absent – Egger & Tewalt
(Mayor Tharpe did not vote as there was no tie to require his vote)
(By Roll Call)

Councilman Connolly moved, seconded by Councilman Sealock, that Town Council go into closed meeting to discuss and consider the performance and salary of the Town Manager as contained in his employment contract, pursuant to Section 2.2-3711.A.1 of the Code of Virginia; and for the purpose of 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, issues concerning appointments to Town Council and whether other matters will be required to be taken by Town Council as a result of that, pursuant to Section 2.2-3711. A. 7. of the Code of Virginia; and for the following purposes, in relation to the Afton Inn property:

- (1) Discussion or consideration of the disposition of publicly held real property, pursuant to Section 2.2-3711. A.3., where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.*
- (2) Discussion concerning a prospective business where no previous announcement has been made of the business' interest in locating or expanding its facilities in the community, pursuant to Section 2.2-3711. A. 5. of the Code of Virginia.*
- (3) 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 Section 2.2-3711. A. 7. of the Code of Virginia.*

Vote: Yes – Connolly, Meza, Morrison and Sealock
No – N/A
Abstain – N/A
Absent – Egger & Tewalt
(Mayor Tharpe did not vote as there was no tie to require his vote)

(By Roll Call)

Motion to Certify Closed Meeting at its Conclusion

Councilman Connolly moved, seconded by Councilman Meza, 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, Meza, Morrison and Sealock

No – N/A

Abstain – N/A

Absent – Egger & Tewalt

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

(By Roll Call; On Motion to Certify)

There being no further business, the Mayor declared the meeting adjourned at 8:21 p.m.

APPROVED:

Jennifer E. Berry
Clerk of Council