

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on October 23, 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 Gary L. Gillispie
Councilman Jacob L. Meza
Councilman William A. Sealock
Vice Mayor Eugene R. Tewalt
Town Attorney Douglas W. Napier
Town Manager Joseph E. Waltz
Clerk of Council Jennifer E. Berry, CMC

ABSENT: Councilman Christopher S. Morrison

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

Vice Mayor Tewalt moved, seconded by Councilman Connolly moved that Council approve the Regular Council Meeting minutes of October 10, 2017 as presented.

Vote: Yes – Connolly, Gillispie, Meza, Sealock and Tewalt
No – N/A
Abstain – N/A
Absent – Morrison
(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

Ed Irre, 705 Woodlawn Avenue, noted that he was concerned with the large number of cats in the community. He explained that the concerns he has with the cats is that they are an invasive species and the cats disturb him greatly because the cats carry diseases and it can cause extreme health issue. Mr. Irre stated that the CDC has explained that the disease is a leading cause of death and he stated that the cats should be better controlled and the feeding of the cats

Mayor Tharpe stated that the cat issue had been reviewed previously and he would be dropping by to speak to Mr. Irre at his home.

A.D. Carter III, of 230 W. 8th Street, explained that the Police Chief selection was a fine choice and the NAACP was extremely proud of Mr. Magalis and Mr. Carter invited all of Council to the "Blessings of the Badge."

Town Manager, Joseph Waltz, explained that the water conservation measures had all been lifted. Mr. Waltz stated that the leaf collection program had begun and the Town would collect the bagged leaves at the curb each week, unless it is a holiday week.

Mr. Waltz stated that Halloween Trick-or-Treating would be observed on October 31st and parents are encouraged to attend with their children. He also invited the public to the Hometown Halloween event on Main Street beginning at 6 p.m.

The report from the Northern Shenandoah Valley Regional Commission was given by Mr. Brandon Davis, Executive Director. Mr. Davis noted that they work to provide assistance to the area municipalities in the region. He stated that the Lord Fairfax Soil and Water Conservation District notified NSVRC about a grant opportunity regarding the DuPont settlement in Waynesboro and the NSVRC is applying for the grant. He explained that they are applying for funding which may go towards the Avtex Conservation Riverfront Trail (a 2-mile trail) and they also submitted for a Morgan Ford Kayak Site. He added that Warren County made the submittal and should the award be made, they would let Mr. Stanley make the announcement.

Mayor Tharpe announced that the Town will officially break ground on the Town's new Police Department on November 1 at 2 p.m.

CONSENT AGENDA

A. COUNCIL APPROVAL – Bid for Purchase of Computer and Monitors – IT Department

B. COUNCIL APPROVAL – Town Manager Contract/Vacation Time

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

Vote: Yes – Connolly, Gillispie, Meza, Sealock and Tewalt

No – N/A

Abstain – N/A

Absent – Morrison

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

(By Roll Call)

PUBLIC HEARING – Ordinance Amendment to Town Code Chapter 142-20

Pertaining to Town Banner Poles *(1st Reading)*

Summary: Council is requested to affirm on its first reading an ordinance to amend and reenact Front Royal Town Code Section 142-20 pertaining to the application process for and the display of banners promoting civic events on Town Banner Poles, as presented.

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

Councilman Tewalt moved, seconded by Councilman Connolly that Council affirm on its first reading an ordinance to amend and re-enact Front Royal Town Code Section 142-20 pertaining to the application process for and the display of banners promoting civic events on Town Banner Poles, as presented.

Councilman Connolly noted that the Town Manager came to Council with these changes for the two banner sites on Royal Avenue and John Marshall Highway. He stated that this would streamline the process and assist Town Staff. He added that he was pleased that the non-profit

groups and educational organizations would continue to avail themselves of this display opportunity and the Town could provide the best possible service with the banners.

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

Clerk of Council Berry noted that Council shall return to “Additions or Deletions of Items to the Agenda.” She explained that there were two Closed Session items to include on the agenda, should Council be inclined to do so, based on the email received from the Town Attorney on Friday. Mr. Napier noted that was correct.

Councilman Connolly moved seconded by Vice Mayor Tewalt, that Council add Items 2 and 3 to the Closed Session: 2) Employee Residency Requirements and, 3) Corridor Meal and Lodging Taxes.

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

COUNCIL APPROVAL – Resolution for the Blue Ridge Heritage Project

Summary: Chairman of the Front Royal/Warren County Chapter of the Blue Ridge Heritage Project, Darryl Merchant is seeking permission from the Town Council to locate a memorial on town-owned property located on the north side of Criser Road between the Burrell Brooks Park and Happy Creek. The memorial is to acknowledge and honor those individuals who were displaced when the Commonwealth of Virginia used eminent domain to acquire their land to create the Shenandoah National Park. Council is requested to approve a Resolution agreeing to contributing town-owned property for the memorial as well as contributing to the maintenance and repair of improvements once construction is completed by the Blue Ridge Heritage Project.

Vice Mayor Tewalt seconded by Councilman Sealock that Council approve a Resolution for the Blue Ridge Heritage Project as presented.

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

A RESOLUTION TO APPROVE THE FRONT ROYAL-WARREN COUNTY BLUE

RIDGE HERITAGE PROJECT PROPOSED MEMORIAL SITE

WHEREAS, one of the visions of the Blue Ridge Heritage Project is to develop a monument site containing a memorial in each of the eight counties where land was acquired for the Shenandoah National Park, namely, Albemarle, Augusta, Greene, Madison, Page, Rappahannock, Rockingham, and Warren Counties; and

WHEREAS, another of the visions of the Blue Ridge Heritage Project, through its monuments and memorials, is to educate visitors about the lifestyles, crafts, music, and traditions, to reflect each county's particular culture in its community; and

WHEREAS, the Town of Front Royal desires to participate in the Blue Ridge Heritage Project, by contributing a site of Town-owned real property along and near the southern terminus of the Town's Happy Creek Trail, near the north side of Criser Road, between the Warren County-owned Burrell Brooks Park to the West and Happy Creek to the East, ultimately to be approximately 22 feet long by 16 feet wide of all-weather surface, containing benches, plus a paved pathway leading to this area, plus a flagpole, together with a stone chimney approximately five feet wide by nine feet tall, with a memorial historical plaque on one end, together with an information kiosk on the other end, with the Town agreeing to contribute to the maintenance and repair of the improvements thus described once said improvements have been constructed, completed and paid for by contributions from fund raising sources of the Blue Ridge Heritage Project ; and

WHEREAS, the Blue Ridge Heritage Project is a 501 © (3) non-profit organization for federal tax purposes.

This Resolution shall be effective immediately upon enactment.

Motion to Go Into Closed Meeting

*Councilman Connolly moved, seconded by Councilman Meza, that Council convene and go into Closed Meeting for the purposes of **1)** 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, the former Town Hall, pursuant to Section 2.2-3711. A. 7. of the Code of Virginia; **2)** to discuss the assignment, appointment, or performance of specific public officers or employees of Town Council, specifically, the residency requirements of specific Town Department Head or Heads, and whether those requirements should be waived or modified, for good and acceptable cause, on a case by case basis, under Town Code Section 4-53. E., pursuant to Section 2.2-3711.A.1 of the Code of Virginia; and, **3)** to discuss food and beverage ("meals") taxes and lodging tax issues in the Route 522 Corridor, under the following provisions of the Freedom of Information Act: (a) The 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 governmental unit would be adversely affected, pursuant to Section 2.2-3711. A. 6. of the Code of Virginia and (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 Section 2.2-3711. A. 7. of the Code of Virginia.*

Vote: Yes – Connolly, Gillispie, Meza, Sealock and Tewalt
No – N/A

Abstain – N/A
Absent – Morrison
(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, Gillispie, Meza, Sealock, Tewalt and Tharpe
No – N/A
Abstain – N/A
Absent – Morrison
(By Roll Call)

There being no further business, the Mayor declared the meeting adjourned at 8:36 p.m.

APPROVED:

Jennifer E. Berry
Clerk of Council