

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on October 15, 2019, in the [Warren County Community Center](#). Mayor Tederick 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 Matthew A. Tederick
Councilman Gary L. Gillispie
Councilman Chris W. Holloway
Vice Mayor William A. Sealock
Councilman Eugene R. Tewalt
Councilman Letasha T. Thompson
Asst. Town Attorney George M. Sonnett
Town Attorney Douglas W. Napier
Clerk of Council Jennifer E. Berry, MMC

ABSENT: Councilman Jacob L. Meza
Town Manager Joseph E. Waltz

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

Councilman Gillispie moved, seconded by Councilman Tewalt, that Council approve the Regular Council Meeting minutes of September 23, 2019 as presented.

Vote: Yes – Gillispie, Holloway, Sealock, Tewalt and Thompson
No – N/A
Abstain – N/A
Absent – Meza
(Mayor Tederick did not vote as there was no tie to require his vote)

RECEIPT OF PETITIONS OR CORRESPONDENCE FROM THE PUBLIC

Gary Kushner, of 1106 Fetchett Road, noted that the Council should consider rescheduling in the future so the County and Town meetings do not overlap. He stated that at a worksession five weeks ago, the Town Manager Waltz noted that results of the rate study would be available in January. He noted that the Town would face a possible loss of about \$200,000 if the Town passed the tap fees as presented, and they have no plans to make up the difference. Mr. Kushner stated that just a few developers would benefit and the sole factor for pushing the tap fee matter forward is that the tenure of the Interim Mayor would soon be expiring and he wants to break a tie.

Mr. Kushner noted that the Council needed all the facts on an issue, it would be very premature to move forward on the tap fee changes and it would be prudent to postpone or table the item and when more information is available it could be discussed.

Kenneth Dameron, of 715 Stockton Road, noted that he is a retired CPA, and it has been just over 100 days since the fiscal year ended. He stated that the Town was very fortunate to have Finance Director, Mr. Wilson, on Staff; however, the Town citizens do not wish to provide water to Crooked Run West and Council should tell the developer that so they will know. Mr. Dameron noted that it was a mistake to send commercial to the Corridor area, and that

development helped the County but now the Town is in competition with the County Corridor businesses, which hurts in-town businesses significantly.

Mr. Dameron noted that no one wants a redundant water line, and if the redundant line is in the Dominion Power Plant contract, then perhaps the Town Attorney can negotiate the Town's way out of the contract. He stated that the citizens do not want more taxes either.

Paul Gabbert, of Valley View Drive, noted that he was appalled that the childish actions during the tap fee discussion at the last regular Council meeting. He noted that there were Council members calling out to Town employees sitting in the back of room, there was laughing and smirking from Council, and Councilman Holloway yelled out to another builder regarding tap fees. Mr. Gabbert opined that the conduct was very appalling.

Councilman Holloway noted that Mr. Gabbert had the events of the evening mixed up.

Stan Brooks, of 1221 Valley View Drive, stated that the Town was in desperate times when Avtex closed, and there were many CEDAC contributors that did what they could to make things happen for the community. Mr. Brooks noted that while he believes he understands Mayor Tederick's intent, he had to address the ongoing use of the term "slush fund," noting that Mr. Tederick may not be aware that the term implies that something illegal or some type of bribery took place. Mr. Brooks stated that repeated comments have meaning if they are repeated often enough in society.

Mr. Brooks noted that Joe Waltz is a good Town Manager and he hopes the slush fund comment is not directed to Mr. Waltz. He further stated that there is no slush fund for the Town, nor is anything illegal taking place. Mr. Brooks stated that the Town is hurting. He noted that to make such statements was to throw gas on an existing fire. He encouraged everyone involved to keep comments civil.

Mr. Brooks stated that many ask where Front Royal/Warren County is headed. He noted that the community is lost and he wished that he had answers, we need thorough complete investigations and practices and purchases at the County and maybe the Town too. Mr. Brooks stated that he is hopeful and that he loves the Town of Front Royal. He asked if Mayor Tederick loved the Town. Mr. Brooks stated that he loved the people of Front Royal and it was our home.

Mr. Brooks noted that recently he spoke with potential small business owners on Main Street who were looking at a downtown building, and they were asking about the Town and the area. He noted that when asked he had to be honest about the current state of the community. Mr. Brooks explained that members of the group said the Town is a great place to live, there were beautiful mountains, etc.

Mr. Brooks stated that it was time to turn over new leadership, top to bottom. He noted that leaders of the community would have had to be blind 18 months ago to not know nothing was wrong; he stressed that they should have gone to the County Board of Supervisors then.

Mr. Brooks stated that a whole group of leaders should step forward and rebuild from the ashes because this is a great place to live.

David Vazzana, of Front Royal Limited Partnership, stated that honesty in government is important. He gave examples of when he felt Council went into Closed Session in September 2015 and they were not following proper procedures. He noted that the Town had received a FRLP proffer amendment, and previously the Town Council discussed making gifts for the east/west connector road. Mr. Vazzana stated that at the meeting regarding the \$10 million EDA loan approval, the Town broke seven laws from what his research shows.

Mr. Vazzana discussed his concerns related to gifts to private developers, noting that it bothers him that it was clear that the Town Staff did a lot of research regarding gifts. He added that loans are not to be made for private developers. Mr. Vazzana stated that Council should trust the information they are given, adding that the EDA matters would not have happened without the initial Town \$10 million loan.

Bill Barnett, consultant with FRLP, expressed concern with sprinklers not being installed along the downtown buildings. He noted that there is a cost to consider for the water meters and there needs to be a way to cover the cost. Mr. Barnett stated that the downtown buildings are so close and they need to make it cost efficient for installation of the sprinklers and meter vaults. Mayor Tederick asked Town Manager Waltz to place the matter on an upcoming worksession.

Councilman Gillispie noted that there was discussion at VML regarding recycling and he and Councilman Tewalt learned that a number of new processing facilities were coming online that may assist with the Town's issues. He stated that many municipalities were facing concerns and he requested a conference call with the Republic recycling representatives.

Councilman Thompson noted that VML discussion was held on water regulations that are coming down for localities. She stated that the Town should think of the regulations that will be assessed on the Town and those expenses as they consider the tap fees and the funds that have been set aside.

Mayor Tederick stated that he was very pleased with Council feedback from the VML Conference. He added that he appreciates the comments from the citizens present, adding that he had used slush fund as a general term, and in no way meant it as an illegal term, though he will speak of unrestricted fund balance from this point forward.

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

Councilman Thompson moved, seconded by Councilman Tewalt, to remove the tap fee item from the agenda.

Councilman Thompson noted that waiting until January to make a decision on tap fees was not a long time to wait to make a financial decision of such importance for the Town. She stated that the Town needed the funds that are set aside for the repairs and additions to the Town's water and sewer system. Mrs. Thompson expressed hope that the Town Council could hold their tap fee vote off until after the cost of service study. She voiced hope that the Town would

not need to raise water rates raised due to the loss estimate of \$200,000 if they lowered the tap fees.

Councilman Tewalt stated that the public should let the Council know if they were for or against the matter and hearing them this evening was important. He noted that many believe there is a huge amount of surplus funding, though when the Town is spending \$3 million a year at least in I&I funding, then \$12 million does not last very long. Mr. Tewalt stated that he would hope that those present could state their feelings on the matter.

Councilman Thompson noted she did not wish to remove the tap fee item from the agenda to silence members of the public, but rather she would prefer to hear from those present that came to speak, and vote at a later time after the cost of service study.

Councilman Gillispie noted that he would vote to keep it on the agenda in order to allow those present to come forward with their public comments. He noted that he would have a further motion in order to move the item back to worksession.

Councilman Sealock noted that he would like to hear from the public as well, he added that he would vote to keep it on the agenda.

Vote: Yes – N/A

No – Gillispie, Sealock, Tewalt and Thompson

Abstain – Holloway

Absent – Meza

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

Motion to Remove tap fees from the agenda

7. CONSENT AGENDA ITEMS – (ROLL CALL VOTE REQUIRED)

A. COUNCIL APPROVAL: Purchase of Forklift for Wastewater Treatment Plant

B. COUNCIL APPROVAL: Lease Agreement for Parking Spaces - RPS Composites: 211 4th St

C. COUNCIL APPROVAL: FY20 Budget Amendment for VDOT Primary Extension
Funding for N. Shenandoah Avenue from W. 18th Street to W. 14th Street

D. COUNCIL APPROVAL: Proclamation for World Polio Day

E. COUNCIL APPROVAL: Bid for Pump Control Valve at Water Plant

Councilman Gillispie moved, seconded by Councilman Sealock that Council approve the consent agenda as presented.

Vote: Yes – Gillispie, Holloway, Sealock, Tewalt and Thompson

No – N/A

Abstain – N/A

Absent – Meza

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

BY ROLL CALL

**PUBLIC HEARING – An Ordinance to Amend Chapter 134 Pertaining to
Water and Sewer Connection Fees and Installation** *(1st Reading)*

Summary: Council is requested to affirm on its first reading an ordinance to amend and reenact Town Code Sections 134-22, 134-22.3, 134-30 and 134-32 pertaining to connection fees and installation for ¾-inch and 1-inch water and sewer service for in-town and out-of-town residential premises, as presented.

**Budget/Funding: 9601-3161703 Water Connection Fees
9801-3161703 Sewer Connection Fees**

Mayor Tederick opened the public hearing.

Linda Allen, of 15 Massie Street, presented the following to Council:

The proposal to reduce water and sewer connection fees for new construction was presented with extreme clarity by the Mayor who has thought for years, he said, that the fees are too high, therefore, need to be reduced by \$5,000. This proposal was enthusiastically elaborated by a Council member who made two points: 1) his status as a builder allows him to speak of a proposal that benefits him personally; and 2) for years, he has been bothered by the feeling that the fee is too high.

The bases for the proposal are clearly personally agendas rather than based upon the reality of accepted accounting principles and/or consultant research to assist in setting appropriate fees. Personal agendas open the door to lawsuits and expensive losses for practices that can be adjudged arbitrary and capricious.

If the proposal were accepted by Town Council and somehow used as the new fee schedule, we could see up to \$270,000 loss of funds from the water and wastewater budgets. That is a significant amount of money and it must be replaced if we are to cover operating costs of the two businesses, have required reserves, funds for debt service, funds for operating costs plus 3 months extra funds, and account for inflation (calculated here as 3.5%).

These are not all of the factors that must be covered. IN addition, we would need evidence about the current social, business, and economic conditions to determine the need or not for adjusting the fee schedule.

The most difficult part of taking a large amount of money out of the two businesses without having an approved plan to bring the balances back up is that all the taxpayers with water and/or sewer accounts are likely to have an increase in about \$4.00 in their monthly bill, in other words, a hidden tax is created that all the account holders would have to pay. From the point of view of the account holder, it is a hidden tax. From the builder's viewpoint, it is pure profit or call is a charitable contribution to the builder's profit margin.

You also have available within the town resources, three studies from 2008, 2012, and 2015 by a consultant that would be informative on the kinds of funds the businesses need to have and the kinds of questions that are posed to assess the situation with respect to modifying the fees. I hope that you will check on these before the final vote on this proposal.

Then, I hope you will vote against the proposed rate reduction.

Kenneth Dameron, of 715 Stockton Road, noted that the Town is working with old data. He stated that the Town had \$1.5 million showing in the water fund and it drove the amount up in \$2.5 million in 2018. He stated that there is \$12 million set aside, which is adequate for the

reserve funds for the Town. Mr. Dameron suggested lowering the sewer rates for existing rates and lowering the water taps only \$2,500 instead of the amounts as presented by Council.

Daryl Stout, PO Box 1489, noted that she wears a hat as real estate agent and her husband is a builder. She stated that it is rude of Council to go behind closed doors regarding the matters. She noted that builders have put the funds into the system and now the Council should handle things accordingly. Mrs. Stout stated that growth equals more houses and the reserve goes up because builders grow. She noted that at \$200,000, very few homes can be purchased. She noted that commercial industry brings growth to the town, and the community finally has restaurants for example and they need responsible growth.

Councilman Thompson clarified that the Town meetings are wide open and the Council would not discuss any matter in closed session unless necessary, and tap fees would not be one of them. She noted that their meetings are open unless it was a personnel or legal concern. Mrs. Thompson reminded the public that the Town does not have close door meetings on matters unless absolutely necessary.

Chris Ramsey, of 400 Fulton Lane, noted that as a builder they pay nothing for the tap fees, so it would not matter if it was \$5,000 or \$10,000. He stated that it would not make a difference in the amounts, and he added that the earlier matter regarding sprinklers brought forward by Mr. Barnett is viable and should be dealt with. Mr. Ramsey opined that fairness matters, and what is good for one is good for another. He noted that as a developer, he is required to put in all water and sewer taps, curb and gutter, and other infrastructure. He stated that there are many incomplete lots throughout Town, where the Town makes those installations, not the developer, and that is unfair.

Mr. Ramsey stated that the Town should take into consideration, if they choose to make the taps themselves, that there are times that rock is hit, and when that happens, the cost of the tap installation is three times the normal cost of installation.

Melanie Salins, of 95 Murrays Drive, requested that the Town slow down before they make a rush decision. She noted that the study is not available until January yet we are pushing it through which is concerning. Mrs. Salins stated that it should not move forward without the full and proper information, and she would hope that the community has learned a lesson about not doing research on certain decisions and would slow down. She asked that the Council vote be delayed until the matter is fully researched. She added that she was happy that Councilman Holloway abstained with his vote, and that she was proud of him.

Mrs. Salins noted that even the appearance of a conflict of interest should be considered, especially during this time in the community where we are all sensitive and when citizens are so distrustful. She added that the community would heal when the trust is regained and she thanked Mr. Holloway for his abstention.

Paul Gabbert, Valley View Drive, noted that the one bright spot in the Town was Clerk of Council Berry, stating that she was always pleasant and professional. Mr. Gabbert stated that the cost of tap fees has never stopped anyone from moving in. He stated that Mayor Tederick

noted in the paper that reduced tap fees would bring in more residents, though Mr. Gabbert stated that more residential homes would require more schools, more law enforcement, more equipment, more personnel for fire and rescue, and would raise our taxes.

Mr. Gabbert stated that there were millions in the Town fund though it was was not a lot of money, as it was needed. He noted that Mr. Tederick wants more residential, but that is not what the community wants.

Fern Vasquez, of 120 Gloucester Road, noted that on September 23, the Town stated that tap fees should not reduce as the infrastructure increases in the community. She asked if the tap fees are reduced, who would it assist. She noted that it may help the developers but it may be at the expense of the Town. She asked if the answers presented are that simple or should the Town look further. Ms. Vasquez noted that the Town could be looking at a slice of the budget and not the whole budget. She reminded Council that the citizens were watching to ensure matters were properly handled.

Bill Barnett, of 1115 Buck Mountain Road, noted that builders work on a profit margin just as other merchants do, and it is not a matter of putting money in the builder's pocket, but rather hopefully passing that savings onto the buyer. He stated that most of his life tap fees in this town were less than \$500 and the idea that the investment of the infrastructure will be put on the new construction needs to be examined, as it needs to be spread out over everyone, including existing users. Mr. Barnett noted that the growth rate has been kept low, and some growth should be considered, though not rapid growth. He explained that the reality is that in 1993-1994 the Town knew they needed infrastructure and people do not want to move their companies to where they do not have good schools and libraries.

Mr. Barnett stated that leaders of the community need to live in our community; he noted that they should live in Front Royal, rather than Middleburg. He stated that they would give in the community in which they reside, for example the United Way. He noted that keeping that in mind will improve our community.

Stan Brooks, 50 Rocky Knob Lane, noted that Mr. Barnett represents the largest developer in the community, somewhere from 50-2,000 homes. He stated that if there were 500 homes in 1-2 years, there is as much \$45 million at stake. In 2011, the Town saw the potential for large developments and the study of 2011 shows that the Town needs to pay for the infrastructure. He noted that \$50 million does not even touch the I&I issue. He stated that they could let future growth pay for it: with tap fees or raise water and sewer rates.

David Means, of 210 W. 1st Street, stated that when he was 16 he learned to tap water mains in Illinois. He noted that later in life he learned to install infrastructure, adding that soils in this county and ductile iron pops and things shift in the ground, which causes issues. Mr. Means stated that Council should look at Royal Avenue going south, the entire roadway has issues and it is very expensive to keep up with the Town infrastructure. He noted that downspouts hooking into the mains years ago is not the way to go now, and the \$12 million is not much money when you examine the issues the Town system faces. Mr. Means stated that the tap fees were designed to help the system.

Amanda Slate, of 3762 Browntown Road, noted that there were good things about Front Royal that many did not consider, such as the low electric rates, which are lower than the those in Warren County, and lower than those in Frederick County. She noted that taxes are lower than others on average in Virginia, and she explained why communities were reassessed how they were. Mrs. Slate noted that builders are about the property rights and the citizens pay a certain amount to tap on to the Town system. She noted that it was not about the builder. She inquired as to whether the money was going into a savings account and noted her concern with paying more to tap on for a Habitat for Humanity House, which makes it more difficult to provide affordable housing.

David Vazzana, of FRLP, noted that the Town had a rate study and tap fee study in January 2011. He stated that the consultants recommended lowering water rates and raising the sewer rates, then afterwards in June 2011, the tap fees were increased. Mr. Vazzana expressed that it was illegal for the Town to do this. He noted that the connection fee study is separate from the Town rate study and they cannot use that study to increase the tap fees. He stated that the Council needs to make the right decisions and the Town Manager at the time made the recommendation, though Councilman Tewalt pushed back on the matter in 2013. Mr. Vazzana stated that the Town had no defense and they were not arbitrary fees.

Mr. Vazzana stated that this was an enterprise fund and there were State and Federal laws that dictate what the Town is allowed to charge; and the study shows what is allowed to be charged. He added that the Town Council opens themselves up if they arbitrarily charge a fee. Mr. Vazzana stated that the models were not correct used by Burton & Associates, though the raised tap fees back in the 2011 timeframe significantly affected his project with FRLP.

Orville Tanner, 19 Ben Mar Drive, noted that he kept hearing about new construction with water connections in the area. He stated that since the Town removed the dam, his property has been low on water, and he presented a bottle with discolored water showing. He noted that by taking out the dam, it lowered the well and many area wells have gone dry at times. Mr. Tanner expressed hope that water could be run out to Strasburg Road. He noted that he had been in the area for 25 years and he would like to talk to the Town.

Mayor Tederick asked Mr. Tanner to please leave his information with Ms. Berry.

As no one else came forward to speak, Mayor Tederick closed the public hearing.

Councilman Gillispie seconded by Councilman Thompson that the proposed tap fee ordinance be moved to the next worksession for further study.

Councilman Gillispie noted that the matter should go back to worksession. He stated that there is a lot of public resentment and the Council needs to have a hard look at the tap fees. He noted that one matter that he is opposed to is the time and material needed for taps and he would like that fully addressed.

Councilman Thompson thanked the citizens for speaking, and she apologized if anyone felt she was trying to stop their comments, as that was not her intent.

Councilman Tewalt stated that when the Town receives their Town audit it listed the estimate of \$300 million to replace the Town infrastructure, and he voiced that the number is not even

high enough. He noted that the cost of installing the taps has not been taken into consideration, only the \$270,000 the Town will lose in the tap fees. Mr. Tewalt noted that the taps are not inexpensive, some are 15-18 feet deep at times. He stated that by his estimate, making 20 taps annually, it would be an additional \$410,000 a year, which is a low estimate he believes. Councilman Tewalt stated that he spoke to the Town Manager and the Town is receiving their DEQ report in January, and the Town is already mandated for about \$3 million annually. He noted that many believe \$12 million is so much, though at \$3 million a year, it does not last long.

Councilman Tewalt noted that concerning 14th Street, the Town spent \$1 million on that project alone, and that does not include the asphalt work. Mr. Tewalt stated that I&I is the major Town problem, with sewer laterals being the largest problem of the issue. He noted that there are thousands of homes that need assistance with I&I issues and the Town is also mandated by federal law to take pharmaceuticals out of the sewer system and that will take millions of dollars. Councilman Tewalt stated that the sewer plant renovation and the day to day operation for water and sewer lines is a huge, ongoing expense. He noted that with \$12 million removed, then the water and sewer rates would increase.

Councilman Tewalt stated that builders should pay the tap fees, as they are tapping into the Town's system, he added that the tap fees do keep the Town operational costs down. He noted that he does not understand why Council would even consider lowering the tap fees, adding that it was either a pay now or pay later issue, as the fees were utilized to pay for the system. Councilman Tewalt stated that the tap fee topic needed to return to worksession for a full discussion, noting that the Town system is in terrible condition.

Councilman Holloway thanked everyone for coming out to speak to Council this evening. He noted that the area builders were getting gouged with tap fees and the home buyers were also paying those costs, as it is passed on to the homeowner. Mr. Holloway stated that the Town got out of doing the tap installations and it is not right. He noted that the Town outsources too much, stating that they do not stripe their crosswalks for example and he questioned if the Town was saving money with outsourcing. Councilman Holloway asked what the Town was hiring employees for if so much was outsourced. He voiced his preference of having matters brought back in-house. He noted that the tap fee matter could return to worksession and Staff can obtain a study, though he stressed that the Town needs to do more work in-house.

Vice Mayor Sealock noted that the Town is required to have three months reserve on hand and there is \$12 million in the funds. He stated that Council should be looking at answers to many questions before going forward. He noted that there were many costs to put in for sewer and water lines if completed by Staff.

Councilman Holloway noted that Council did not know about the available \$12 million amount. Finance Director Mr. Wilson corrected Councilman Holloway, noting that the \$12 million has been discussed repeatedly with Council during budget time.

Mayor Tederick noted that no one is perfect. He clarified that he was not affiliated in anyway with Crooked Run West development, Mr. Vazzana and Front Royal Limited Partnership, or the Chris Ramsey developments. He stated that he was not going to run for Obenshain's seat. Mr. Tederick noted that when he was elected years ago to the Board of Supervisors, the

development in Corridor came about during that time and the Town and County were criticized for the growth that was brought into the community.

Mayor Tederick noted that he believed the Town had \$12 million in unrestricted funds, though actually they have \$24 million once the three-month reserve and other funds are included. He stated that he is requesting a fair rate, as there have only been four taps this year and rapid growth is not coming. He noted that government will never have enough of the public's money and so many people have exaggerated the numbers this evening. Mayor Tederick noted that developers pay proffers and water and sewer plant improvements are funded by proper debt financing.

Mayor Tederick stated that he was glad the matter is returning to worksession though he would be pleased to have reduced tap fees this evening. Mr. Tederick noted that Mr. Vazzana had a large parcel of property boundary adjusted into the Town in 2014 and he was tossed around by the Town government. He added that builders and small businesses should be treated fairly and the high tap fees were put in place to prevent developers from building in the Town.

Mayor Tederick noted that workforce housing is on the Town Council's list of priorities and tap fees at \$30,000 does not line up with a workforce housing goal; he expressed concern with gouging and abusing the community.

Vote: Yes – Gillispie, Sealock, Tewalt and Thompson

No – N/A

Abstain – Holloway

Absent – Meza

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

On Motion to Send tap fees to worksession

PUBLIC HEARING – An Ordinance to Adopt and Re-enact Section 180-181 to Grant a Franchise Agreement for Cable Television to Comcast of California / Maryland/Pennsylvania/Virginia/West Virginia, LLC *(1st Reading)*

Summary: Council is requested to affirm on its first reading an ordinance to adopt and reenact Section 180-181 of the Town Code to grant a Franchise Agreement for Cable Television to Comcast of California/Maryland/ Pennsylvania/ Virginia / West Virginia, LLC as presented.

Budget/Funding: 1000-3120401 – General Fund Franchise Tax

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

Councilman Tewalt moved, seconded by Councilman Holloway, that Council that Council affirm on its first reading an ordinance to adopt and re-enact Section 180-181 of the Town Code to grant a Franchise Agreement for Cable Television to Comcast of California/Maryland/ Pennsylvania/Virginia / West Virginia, LLC as presented.

Vote: Yes – Gillispie, Holloway, Sealock, Tewalt and Thompson

No – N/A

Abstain – N/A
Absent – Meza
(Mayor Tederick did not vote as there was no tie to require his vote)

PUBLIC HEARING – An Ordinance to Adopt and Re-enact Section 180-182 to Grant a Franchise Agreement for Cable Television to Shenandoah Cable Television, LLC *(1st Reading)*

Summary: Council is requested to affirm on its first reading an ordinance to adopt and enact Section 180-182 of the Town code to Grant a Franchise Agreement for Cable Television to Shenandoah Cable Television, Inc., as presented.

Budget/Funding: 1000-3120401 – General Fund Franchise Tax

Mayor Tederick opened the public hearing. As no one else came forward to speak, Mayor Tederick closed the public hearing.

Councilman Thompson moved, seconded by Councilman Holloway, that Council affirm on its first reading an ordinance to adopt and enact Section 180-182 of the Town code to Grant a Franchise Agreement for Cable Television to Shenandoah Cable Television, Inc., as presented.

Vote: Yes – Gillispie, Holloway, Sealock, Tewalt, and Thompson
No – N/A
Abstain – N/A
Absent – Meza
(Mayor Tederick did not vote as there was no tie to require his vote)

CLOSED MEETING – Personnel Matter

Councilman Holloway moved, seconded by Councilman Thompson, that Council convene and go into Closed Meeting for discussion and consideration of performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of Town Council, pursuant to Section 2.2-3711. A. 1. of the Code of Virginia.

Vote: Yes – Gillispie, Holloway, Sealock, Tewalt and Thompson
No – N/A
Abstain – N/A
Absent – Meza
(Mayor Tederick did not vote as there was no tie to require his vote)

Motion to Certify Closed Meeting at its Conclusion *Councilman Holloway moved, seconded by Councilman Thompson 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 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 – Gillispie, Holloway, Sealock, Tederick, Tewalt and Thompson

No – N/A
Abstain – N/A
Absent – Meza

BY ROLL CALL

Councilman Sealock moved, seconded by Councilman Holloway, that Council appoint Matthew Tederick as Interim Town Manager upon his resignation as Interim Mayor and after the last day of employment of the Town Manager, Joseph Waltz; the anticipated effective date is the term of November 9th and the appointment of the permanent Town Manager.

Mayor Tederick thanked Council for their confidence in him and noted that the Town Staff would move to aggressively place a permanent Town Manager.

Vote: Yes – Gillispie, Holloway, Sealock and Thompson
No – Tewalt
Abstain – N/A
Absent – Meza
(Mayor Tederick did not vote as there was no tie to require his vote)

Councilman Thompson moved, seconded by Councilman Holloway that Council adjourn the meeting.

Vote: Yes – Gillispie, Holloway, Sealock, Tewalt and Thompson
No – N/A
Abstain – N/A
Absent – Meza
(Mayor Tederick did not vote as there was no tie to require his vote)

There being no further business, the Mayor declared the meeting adjourned at 9:57 p.m.

APPROVED:

Jennifer E. Berry
Clerk of Council