

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on October 28, 2019, in the Warren County Government Center's Board Meeting Room. 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
Councilman Jacob L. Meza
Vice Mayor William A. Sealock
Councilman Eugene R. Tewalt
Councilman Letasha T. Thompson (*telephonically*)
Town Attorney Douglas W. Napier
Town Manager Joseph E. Waltz
Clerk of Council Jennifer E. Berry, MMC

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

Councilman Gillispie moved, seconded by Councilman Holloway that Council approve the Regular Council Meeting minutes of October 15, 2019 as presented.

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

No – N/A

Abstain – N/A

Absent – N/A

(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 developers for Crooked Run West made a presentation for their development without noting the fees and taxes and possible future burdens which would weigh on the community. He stated that such an addition to the community would be a continual fiscal burden to the citizens and these developers would set precedent. Mr. Kushner stated that interim Mayor Tederick believes an anti-growth sentiment exists. He added that Council is telling citizens that they do not know what is good for themselves, which is unfortunate. Mr. Kushner stressed that he does not want a negative fiscal impact on the community and questioned why Council would consider abandoning the current water policy.

Fern Vasquez, of 120 Gloucester Road, presented the following to Council:

After a closed session of the town council meeting on 10/15/19, it was announced that our interim mayor will become the interim town manager until a new one can be appointed by the town council. My concern is that this appointment appears to conflict with the town charter, chapter 4, section 14 which states that no member of the Council of the Town of Front Royal shall be appointed or elected to any office under the jurisdiction of the Council while he is a member of the council or for one year thereafter. Perhaps a compelling argument can be made on each side of the issue of whether Mayor Tederick is actually on the Town Council even though he becomes a voting member to break a tie vote.

I would contend that there is a broader and deeper issue at stake here – and that is one of example and leadership from our local officials. When there is an appearance of a conflict, as in the case of a council member serving in an appointed or elected capacity under the jurisdiction of the Council, the town citizens are looking to the officials they elected to hold to a higher standard of behavior that engenders the trust and confidence of the public. Public trust and confidence seems to be a rare commodity in today's atmosphere in Front Royal. We are looking for healing, not for more of the same.

Janice Hart, of 1120 Ashby Street, noted that she had concerns with the appointment of the Town Manager appointment. She noted that when the current Town Manager, Mr. Waltz, vacates his position and Mr. Tederick is placed as Interim Town Manager there were issues to be examined. Mrs. Hart stated that according to Chapter 6 of the Town Charter, **“No member of the council of the Town of Front Royal shall be appointed or elected to any office under the jurisdiction of the council while he is a member of the council, or for one year thereafter, except that the council may appoint one of the members of the council as town treasurer.”**

Mrs. Hart opined that the incoming interim Town Manager plans to use this as a loophole, adding that the intent of this section was obviously to prevent recent Mayors or Councilmembers from becoming Town Manager. She noted that the entire situation has the wrong appearance. She noted that the Town Manager position has not been advertised and no other individual has had the chance to apply or be interviewed or be considered.

Mrs. Hart noted that everything has been handled behind closed door, with no other candidates being considered from what the public can tell. She stated that in light of recent events, the Town Council should be as transparent as possible. She added that the Town Council is looking and smelling like the EDA and she stressed that the Council should think about what they are doing before they proceed with their actions.

April Roth, of 17 Fore Court, stated that she wanted to bring awareness to her family's hardship issue regarding her recent utility bill. She noted that they are charged for double water and sewer rates and it was not a matter she was made aware of until after they purchased their home. She added that recently they had a \$926.50 bill for utilities, and even though they had four people in her home, and they had watered their lawn – this bill is the size of their mortgage payment. Mrs. Roth noted that they need help, and she wanted to bring awareness to the matter.

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

I do listen to each of you. That revealed some problems, a few to mention tonight.

The October 15 Council meeting had a report or example that 4 houses were built this year for a total in water and sewer connection fees of \$60,000. In fact, 22 houses have been built so far and the income was over \$1 million in connection fees.

The October 21, 2019 package for Town Council contains a letter dated October 28, 2019, marked draft and signed by **Matthew Tederick, Interim Town Manager**. Why is Mr. Tederick occupying two positions simultaneously? What accountability standards are used by Town Council?

Mr. Tederick said he would not run for Mayor in November because he had a full-time job and wanted to get back to it. Council chose Mr. Tederick anyway to become Interim Town Manager which is also a full-time position with a six-figure salary.

How will you be able to document that Mr. Tederick is full time in this Interim position?

How can you justify not advertising for the position of Interim Town Manager? The talent that is in the community or that comes to this community is outstanding. For example, the Interim EDA Director who was highly regarded, brought extensive positive experience to the position, and was able to create a more orderly process/procedures.

There is also a Navy veteran who has 20 years as a City Manager, then more years in cities other than Winchester. This person is now a professor teaching students to become Town Managers. How am I or other citizens supposed to know when the Interim Mayor is believable if he says one thing and does another since he is getting two full-time jobs when he said he wanted the one he had.

Our issues with our wastewater plant would seem to mitigate against any large development being approved until there is at least a temporary means to prevent storm water absorbed by our clay pipes thus combined with wastes 'over shooting the plant' sending storm runoff and wastes into the river.

Number 4 revives the discussion of water and sewer connection fees. The Minutes show that three times Mr. Waltz cited that a cost of service study as helpful. The Interim Mayor made no response to that; in fact, he breezed by that. Some of the current Council itself has forgotten that we do have a water agreement with the county and it came up for discussion when the Marriott Hotel was being built. The whimsical approach to reducing connection fees fails to take into account that these non-profit businesses are required to maintain certain funds and must pay bills such as debt service.

I wonder if we need Rules of Engagement. For example, statements by Council can be depended upon; individual responsibility and willingness to be accountable will be practiced; Minutes will be absolutely accurate to the conversations that occur on Council; evidence and possibly cost/benefit studies will be used to justify decisions. Will we be able to trust you to work for the best interests of the town and a cooperative attitude toward helping the county yet the ensure that the town will not be jeopardized financially because of political party, private, or county interests?

At the request of Mayor Tederick, Ms. Berry read a public notice reminding the citizens to be mindful of the incoming "leaf peeper" traffic, take alternate routes and have patience through the next couple of weekends through November. She asked the community to remember how valuable the visitors were to the Town and be welcoming to our guests.

Mr. Waltz stated that the Town has finished the 14th Street paving and he thanked the community for their ongoing patience. He announced that the Town would observe Halloween from 6:30 p.m. to 9 p.m. and Main Street would hold their Hometown Halloween event as well. Mr. Waltz noted that should any business wish to participate, please contact Felicia Hart at the Town Hall.

Councilman Gillispie noted that there has been no better Town Manager and he thanked Mr. Waltz for his service. He stated that he had received a near perfect evaluation from Council and the rumors were untrue, as Mr. Waltz was not being forced out and not being asked to resign. Mr. Gillispie explained that he was taken aback when he discovered the amount of work Mrs. Waltz does, adding that he has no complaints about the leadership of Mr. Waltz. Councilman Gillispie also thanked Mayor Tederick for stepping up to serve the community, noting that Council had begged him to serve and was pleased with how issues are being resolved throughout Town.

Councilman Meza noted that they were well said words regarding Mr. Waltz and Interim Mayor Tederick. He asked that the resident that spoke regarding the issue with the water and sewer bill, please speak with the Town's Director of Finance after the meeting.

Councilman Meza stated that it was hard to be quiet when there is such a lack of trust presented from the public. He noted that he certainly understands the lack of trust though very few people have the full story, adding that Council was one of the first to put a stop to the EDA embezzlement by contacting the Virginia State Police last year. He reminded the public that Councilmembers are citizens too and they are also County residents. Mr. Meza stated that he ran for election because he believes in the community and he had hoped to bring fresh eyes to matters before the Town.

Councilman Meza stated that he is not concerned that he will not be re-elected and it was his hope that more people would run for available seats. He noted that the Town Council is constantly being disrespected. He stated that the Town Manager has done a phenomenal job and Mr. Waltz has moved the Town in a fantastic direction. He noted that it was a blow to hear that he was leaving.

Councilman Meza noted that if the public had attended the goal setting meeting they would have heard the issues Council is working towards, adding that Mayor Tederick has brought items forward in way that is exciting and many things have been accomplished. He noted that he is looking forward to the future and Council now has to keep the momentum going and place someone in the permanent position. He noted that Mr. Tederick has been asked to stay on in a month to month capacity while we advertise for a permanent Town Manager.

Councilman Meza stated that Council should not be constantly judged as crooks in the community while they serve the Town. He added that Council is being as transparent as possible and everything is being shared about the decisions they are making.

Councilman Tewalt noted that he hated to see Mr. Waltz leaving and he thanked him for his service to the Town.

Councilman Holloway thanked Mr. Waltz for his work for the Town, noting that he is by far the most energetic Town Manager he had worked with. Mr. Holloway added that Mr. Waltz would be sadly missed.

Councilman Thompson thanked Mr. Waltz for his service, stating that she appreciated his availability and responsiveness to Council, adding that he has been super valuable to the Town.

Mr. Tederick asked Mr. Napier if Council violated Town Code by appointing a Mayor to the Town Manager position as pointed out by some members of the public. Mr. Napier stated that Mr. Tederick, as Mayor, is not a member of Town Council. Mayor Tederick also pointed out that he was appointed as Mayor, not elected as Mayor and the community needs to realize that the Council did not do anything illegal or inappropriate.

Mayor Tederick and Council presented a resolution to AireServ of the Shenandoah Valley for their dedication to the community and their support of local employment.

Mayor Tederick and Council presented a plaque to Town Manager Waltz for his dedication years of service to the Town.

Mayor Tederick stated that he never imagined he would run for office in this capacity and he did not wish to serve as Interim Town Manager, though he had been asked. Mr. Tederick noted that he had been asked for improved communication and direction from Council and he was proud to say that Council is operating at an optimal level. He noted that the Town Code has been updated to allow all members of Council to add items to the agenda. He gave a summary of EDA issues, noting that the Town filed proceedings to secure assets to gather the Town's money back in that suit.

Mayor Tederick stated that he had a goal to get the Afton Inn project moving again, though he had failed in that venture, and he hoped for action to be taken on that corner of town. He noted that another goal was to address the old Town Hall, as it is deteriorating, though unfortunately he noted that he was unable to get matters moving on the structure.

Mayor Tederick stated that he was pleased that the Council had been advised by the Town's auditor on how the budget works. He noted that Council goals were identified and Town Staff can be held accountable for those items, with goal dates. He stated that Joint Town and County meetings began, though they needed to stop once the EDA legal matters began. He noted that he had a high level of respect for Council, adding that they take meticulous notes during meetings and many have historical knowledge. Mr. Tederick stated that it is a great pleasure to serve with them.

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

CONSENT AGENDA ITEMS – (ROLL CALL VOTE REQUIRED)

- A. COUNCIL APPROVAL: Recognition of Service for AireServ of the Shenandoah Valley
- B. COUNCIL APPROVAL: Letter of Support requesting funding from the State for Stormwater Local Assistance Fund (SLAF)
- C. COUNCIL APPROVAL: Budget Amendment to Accept Funds for Civil War Trail Program
- D. COUNCIL APPROVAL: Bid for Road Salt
- E. COUNCIL APPROVAL: Re-appointment to BAR - Toler

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

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

No – N/A

Abstain – N/A

Absent – N/A

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

BY ROLL CALL

COUNCIL TO RECEIVE PUBLIC INPUT for Special Events and Parking in the Downtown Area

Summary: Council is requested to receive comments and concerns from citizens and business owners regarding special events and parking in the downtown area.

Jean Plaugher, of 407 E. Main Street, noted that the Town events should not be stopped, though Council should examine what is taking up the parking lots at times. She stated that she has been in business for 22 years and the parking issues have become problematic. Ms. Plaugher stated that there were too many activities in the gazebo area and they are taking up the parking spaces and our visitors cannot find parking locations.

Betty Showers, of 202 E. 2nd Street, noted that the Mother's Day parade weekend caused issues for her flower shop. She explained that the parade route blocked off her parking area for an extended time period and her drivers could not get in or out for deliveries. She added that customers could also not enter the parking lot of her business; she asked Council to change the route for the parade so her customers and drivers could get in and out of the flower shop.

Ginny Leser, of 216 E. Main Street, noted that her travel agency on Main Street has very few issues to address. She explained that the ongoing issue that continually rises is the matter regarding Wednesday afternoon protests between the political rivalries. Ms. Leser stated that the political shouts from the pawn shop corner to the gazebo and the crowd can be loud and hateful, with some shoving their signs into the faces of those passing by. She noted that visitors to the community have to walk around the mob of people and she asked Council to address the concern. Ms. Leser stated that the protests could take place at the courthouse not at the retail area. Ms. Leser thanked Mr. Waltz for his service to the town.

Councilman Gillispie noted that as it is a public area and unfortunately they will not move, though the Town has tried. Councilman Holloway asked if the Town could designate areas to the protestors. Mr. Napier stated that it would be difficult to have the Town do so, adding that the Supreme Court has deemed it as the quintessential Town Square though he can look into the matter.

Kerry and Tim Barnhart, of 120-124 E. and 205 Main Street, stated that they are property owners of the Front Royal Brewing Company and other sites downtown, and they purchased those buildings because they were an underutilized asset in the community. Mr. Barnhart stated that the downtown special events are key ways to create vibrance and life on Main Street, noting that their tenants clearly benefit on special event days and there were more people than normal in the area when such activities are held. Mr. Barnhart stated that parking will always be an issue, though it is not insurmountable. He noted that signage is a huge help and can assist matters greatly.

Mr. Barnhart encouraged Council to consider a long term, comprehensive plan for downtown events. He suggested the Town determine and establish guidelines for types of events they would like to see and invite groups to submit proposals and make a business case for holding said events. Mr. Barnhart noted that the proposed events should clearly meet the Town's criteria for types of events that are in the Town's event portfolio. He stated that festive events for the downtown area serve the needs of everyone.

Tom Mattiello, of 111 McLendon Drive, President of Helltown Cruisers stated that he had been pleased to help with the C&C Family Fun Day. He noted that people come from all over and so many really love the Town. Mr. Mattiello stated that he enjoys bringing people to the community and showing them our shops and our downtown.

William Huck, 409 E. Main Street, thanked Mr. Waltz for his service to the Town. He noted that the Family Fun Day is Mother's Day weekend and he heard so many state that they had "not been to Main Street in years" though the Fun Day event brought them back downtown. Mr. Huck stated that the blocked entrance concern should be addressed to assist the floral shop. He noted that he hosts and co-sponsors the Cruise Ins downtown and it brings thousands of dollars to the downtown area. He added that many say that there are too many downtown events and we shut down the street down for too much activity. Mr. Huck stated that he loved the area and bringing people to Front Royal.

Kelly Walker, of 105 E. Main Street, noted that she previously was the Chamber of Commerce President and it was against policy to close the entire of the street unless it was for a non-profit event. She stated that closing the entirety of Main Street should benefit a huge number of people not just one interest or business. Ms. Walker noted that closing Main Street two times a month does not benefit everyone and hurts some businesses in a great way. She added that compromises should be discussed regarding the Main Street closings. She expressed her dismay at the loud demonstrations from the gazebo area. Ms. Walker noted that freedom of speech is one thing, though there were other places where they can demonstrate, rather than the heart of the Town where people are shopping and visiting. She thanked Mr. Waltz for his years of service to Front Royal.

Roger Keys, of 1451 Lakeview Drive, thanked Mr. Waltz for his service to the community. He noted that he conducted business last week and he went to the gazebo parking last week and most of it was blocked off for an event and he could not find a parking spot. He stated that at night time, or weekends is one thing, for special occasions, but normal business hours they should have the parking spaces open for regular citizens trying to shop downtown. Mr. Keys added that the Afton Inn should come down and the Town should make that area into another parking area.

Mayor Tederick asked for the downtown area, Main Street topics and the closing of Main Street to be on the second worksession in November

COUNCIL APPROVAL – 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 (2nd Reading)

Summary: Council is requested to adopt on its second and final 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.

Councilman Holloway moved, seconded by Councilman Meza, that Council adopt on its second and final 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, Meza, Sealock, Tewalt and Thompson
No – N/A
Abstain – N/A
Absent – N/A
(Mayor Tederick did not vote as there was no tie to require his vote)
BY ROLL CALL

COUNCIL APPROVAL – An Ordinance to Adopt and Re-enact Section 180-182 to Grant a Franchise Agreement for Cable Television to Shenandoah Cable Television, LLC *(2nd Reading)*

Summary: Council is requested to adopt on its second and final 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.

Councilman Tewalt moved, seconded by Councilman Holloway that Council adopt on its second and final 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.

Councilman Gillispie thanked Comcast for their numerous years of service and welcomed Shentel to the community.

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

COUNCIL APPROVAL – Subdivision Plan, Final Plats and Agreement for Happy Creek Knolls Section 4 – Chris Ramsey

Summary: Council is requested to approve a Subdivision Plan (Major), Final Plats and a Bond & Maintenance Agreement (required by Town Code) for 33 single-family detached residential building lots within the R-1 Zoning District, titled as Happy Creek Knolls, Section 4, located at the end of Ewell Street and the end of Happy Ridge Drive and an open space lot with a stormwater management pond and pump station. The Front Royal Planning Commission recommends approval.

Councilman Meza moved, seconded by Councilman Holloway, that Council approve a Subdivision Plan, Final Plats and a Bond & Maintenance Agreement for 33 single-family detached residential building lots within the R-1 Zoning District, titled as Happy Creek Knolls, Section 4, located at the end of Ewell Street and the end of Happy Ridge Drive and an open space lot with a stormwater management pond and ~~pump station~~.

With a friendly amendment from both Councilmen, the pump station words were removed.

Councilman Meza thanked Mr. Ramsey for his work, adding that it would be a nice addition to the area.

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

COUNCIL APPROVAL – Budget Amendment for Fairground Water Tank Rehabilitation Project

Summary: Council is requested to approve a budget amendment in the amount of \$532,625 to utilize funds from the water fund balance reserve to allow for completion of the Fairground Road Water Tank Rehabilitation.

CHA Consulting - \$146,500.00
Utility Services Inc - \$887,700.00
Total Project Cost - \$1,034,200.00

Budget/Funding: 9601-3510110-Water Treatment Plant – Appropriated Funds Forward - \$532,625 9601-47009-Water Treatment Plant – Building & Structures - \$532,625

Councilman Gillispie moved, seconded by Councilman Meza, that Council approve a budget amendment in the amount of \$532,625 to utilize funds from the water fund balance reserve to allow for completion of the Fairground Road Water Tank Rehabilitation.

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

BY ROLL CALL

COUNCIL APPROVAL – Fairground Water Tank Rehabilitation Project Administration and Inspection

Summary: Council is requested to approve the award of \$105,000 to CHA Consulting for the interior (\$40,000) and exterior (\$65,000) administration and inspection of the Fairground Road Water Tank Rehabilitation Project.

Council approved \$41,500 to CHA Consulting on February 25, 2019 for Phase I of this project and \$105,000 is needed to complete the project for a total cost to CHA Consulting of \$146,500.

Budget/Funding: Water Treatment Plant budget line 9601-R47009 – Water Treatment Plant Building & Structures

Councilman Holloway moved, seconded by Councilman Meza, that Council approve the award of \$105,000 to CHA Consulting for the interior (\$40,000) and exterior (\$65,000) administration and inspection of the Fairground Road Water Tank Rehabilitation Project.

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

BY ROLL CALL

COUNCIL APPROVAL – Fairground Water Tank Rehabilitation Project

Summary: Town Council is requested to approve the award of \$887,700 to Utility Service Company Inc for the Fairgrounds Road Water Tank Rehabilitation Project. This will allow for total completion of the rehabilitation project and eliminate having the project completed in phases.

Councilman Holloway moved, seconded by Councilman Meza, that Council approve the award of \$887,700.00 to Utility Service Company Inc for the Fairgrounds Road Water Tank Rehabilitation Project.

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

BY ROLL CALL

COUNCIL APPROVAL – Formal Request to the Warren County Board of Supervisors for a Corporate Boundary Line Adjustment of 3853 Guard Hill Road Chris Ramsey/Ramsey Inc.

Summary: Council has received a formal request from Chris Ramsey/Ramsey, Inc. for a Town/County Corporate Boundary Line Adjustment of 20.2206 acres to facilitate the construction of approximately 150 rental apartments to be located at 3853 Guard Hill Road. Council is requested to direct the Town Manager to send a letter of formal request on behalf of the Town Council, for a Town of Front Royal/Warren County Corporate Boundary Line Adjustment of 20.2206 acres to facilitate Mr. Ramsey request as presented.

Councilman Holloway moved, seconded by Councilman Meza, that Council direct the Town Manager to send a letter of formal request on behalf of the Town Council, for a Town of Front Royal/Warren County Corporate Boundary Line Adjustment of 20.2206 acres to facilitate Mr. Ramsey's request as presented.

Councilman Tewalt stated that this request has been denied by the County previously. Councilman Holloway stated that this Council did not review or deny the request. Councilman Meza noted that the request was made from Mr. Ramsey and the utilities are right there at the property. He added that it seems to serve no purpose to not bring them into the Town and allow the connection.

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

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

CLOSED MEETING – EDA Lawsuit, Personnel and Disposition of Town Property
Motion to Go Into Closed Meeting

Councilman Meza moved, seconded by Councilman Holloway, that Town Council convene and go into Closed Meeting for 1) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in Open Meeting would adversely affect the negotiating or litigating posture of the public body; pursuant to Section 2.2-3711. A. 7. of the Code of Virginia; 2) 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 and 3) to discuss the disposition of publicly held real property, specifically, the sale or vacation of a Town right of way, being the entire approximately twelve foot five inch alley between 303 and 311 Brown Avenue in the Town of Front Royal, VA, as shown on a plat prepared by Joseph G. Brogan, Sr., C.L.S., dated March 25, 1987, a copy of which is on file in the office of the Town Manager of the Town of Front Royal, Virginia, pursuant to Section 2.2-3711.A.3., where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of Town Council.

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

Councilman Meza moved, seconded by Councilman Holloway, 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, Meza, Sealock, Tederick, Tewalt and Thompson
No – N/A
Abstain – N/A
Absent – N/A

BY ROLL CALL

Mayor Tederick turned the gavel over to Vice Mayor Sealock.

Councilman Holloway moved, seconded by Councilman Meza, that Council accept the retainer agreement for the legal services of the law firm of Dimiani & Dimiani, PC, with respect to the Town's lawsuit against the Economic Development Authority.

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

No – Tewalt
Abstain – N/A
Absent – N/A

BY ROLL CALL

INTERIM TOWN MANAGER MOTION CONTRACT

Councilman Meza moved, seconded by Councilman Holloway, to accept the agreement of that Town Council accept the Agreement for Services of the Interim Town Manager the day after the resignation of Joseph Waltz.

Mr. Napier clarified and Council agreed to include the text related to the day after Mr. Waltz's resignation.

Vote: Yes – Gillispie, Holloway, Meza, Sealock and Thompson
No – Tewalt
Abstain – N/A
Absent – N/A

BY ROLL CALL

Councilman Gillispie moved, seconded by Councilman Meza, that Council adjourn the meeting.

Vote: Yes – Gillispie, Holloway, Meza, Sealock, Tewalt and Thompson
No – N/A
Abstain – N/A
Absent – N/A
(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 9:41 p.m.

APPROVED:

Jennifer E. Berry
Clerk of Council