

While the Clerk of Council attended the meeting of January 27, 2020, she was unavailable to transcribe and present the minutes for Council's approval tonight. To document the actions of Council information below only reflect those items that were approved, their motions and the vote.

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on January 27, 2020, in the Warren County Government Center's Board Meeting Room. Mayor Tewalt 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.

According to the recorded video tape taken contemporaneously at the meeting the following Mayor and Town Council members were present in person at the meeting for a recorded roll call called by the Clerk of Town Council, Jennifer E. Berry at the start of the meeting.

- PRESENT:**
- Mayor Eugene R. Tewalt
 - Councilman Lori A. Cockrell
 - Councilman Gary L. Gillispie
 - Councilman Chris W. Holloway
 - Vice Mayor William A. Sealock
 - Councilman Letasha T. Thompson
 - Town Attorney Douglas W. Napier
 - Interim Town Manager Matthew A. Tederick
 - Clerk of Council Jennifer E. Berry, MMC

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

The Regular Council Meeting minutes of January 13, 2020 were approved as presented

Vote: Yes - Unanimous

CONSENT AGENDA ITEMS

A. COUNCIL APPROVAL – Waiver of Zoning Permit Fee for Churches Participating in the Front Royal Thermal Shelter Program

Approved the waiver of the \$10.00 Zoning Permit Fee for all churches who participate in the Front Royal Thermal Shelter Program. I further move that Council direct staff to refund those churches who may have already paid the \$10.00 Zoning Permit Fee to participate in the Front Royal Thermal Shelter Program.

B. COUNCIL APPROVAL – Waiver of Water and Sewer Connection Fees for Duplex at Corner of Brown Avenue and Cherrydale Avenue – Habitat for Humanity

Approved that Council direct Staff to execute an agreement with the property owner(s) to place a lien on the property in the amount of \$15,068.00 for one water and sewer connection fee as there is one pre-existing water and sewer connection in place for the duplex build proposed at the corner of Brown Avenue and Cherrydale Avenue by Habitat for Humanity.

C. COUNCIL APPROVAL – Acceptance of Funds to Complete Improvements to Intersection of W. 17th Street and N. Shenandoah Avenue for Sheetz Project

Accepted the Developer's Cash Escrow Agreement between Sheetz, Inc. and the Town of Front Royal in the amount of \$23,322 for the Town to complete the W. 17th Street and Shenandoah Avenue Intersection

Improvements, by adding a slip-lane and to acquire 479 square feet of right-of-way from the adjacent bank property within two years.

D. COUNCIL APPROVAL – Approved the purchase of Neptune R9001 E-Coder Radio Read Water Meters from Core & Main in the amount of \$176,200.50.

Approved the purchase of Neptune R9001 E-Coder Radio Read Water Meters from Core & Main in the amount of \$176,200.50.

The consent agenda was approved as presented Vote: Yes - Unanimous

COUNCIL APPROVAL – Amend. to Employee Handbook – Inclement Weather Policy

Summary: The Town’s current Inclement Weather Policy does not support safety considerations for staff and penalizes staff who cannot come to work during extreme weather conditions. Council is requested approve an amendment to The Employee Handbook to reflect changes in the Inclement Weather Policy.

Approved an amendment to the Inclement Weather Policy to be included in the Employee Handbook as presented.

Vote: Yes - Unanimous

Inclement Weather Policy

XV. Inclement Weather

~~During inclement weather conditions all municipal offices remain open to serve the citizens of Front Royal, and employees are expected to report to work. In situations of extreme weather conditions, Department Directors shall determine the staffing levels required to meet citizen/ customer needs and may allow liberal leave usage so that employees who are concerned about their travel safety may use appropriate accrued leave. In these cases, supervisory approval for leave usage is required.~~

POLICY

It is the policy of Town of Front Royal to remain open during most periods of inclement weather. However, where extraordinary circumstances warrant, the Town Manager or his designee may authorize the closure or delay of Town offices and facilities. Employees should monitor the local radio, Town’s website and designated social media sites for announcements, or contact their supervisor about any questions in reference to reporting to work during adverse weather or emergency conditions. The policy and procedures below outline the responsibilities of essential and non-essential employees during inclement weather.

DEFINITIONS

Tier 1 Employees – Employees whose job functions require that he/she report to work, regardless of environmental factors, to provide essential services to the public, or provide direct leadership or support. These are departments that typically operate on a 24-hour a day rotating schedule or play a critical role in maintaining the safety and services to the Town.

Tier 2 Employees – Employees whose job functions are not considered critical for maintaining the safety and services to the Town who are not required to report to work during an inclement weather event.

PROCEDURES Operating Status:

OPEN

Town offices are OPEN – Employees who report to work will receive their normal pay for the day. If an employee elects not to report to work when facilities are open, the employee will be required to use his or her available leave.

Regardless of whether the facility is open or closed, it is each employee's decision as to whether it is safe to report to work during inclement weather. Employees must advise their manager or supervisor as soon as possible if they are unable to report to work due to inclement weather.

CLOSURE OR DELAYED OPENING

Tier 1 Employees – The Town has an important obligation to its citizens and community. Tier 1 Employees (as pre-determined by the department head, department manager, or Town Manager) must report to work. Tier 1 Employees who do not report to work as scheduled during inclement weather conditions will not be paid (Unauthorized Leave Without Pay), nor granted the use of accumulated leave for time missed from work and may be subject to disciplinary action. In the event of reasonable tardiness, the department head may request approval from the Town Manager to allow the use of accumulated leave for hours not worked.

Tier 2 Employees – Tier 2 Employees will be paid in accordance with their regular work schedule for the time that offices are mandated to be closed. Personal leave balances are not charged during a mandated closure or delay. Department heads, department managers and the Town Manager should anticipate inclement weather and prepare all Tier 2 Employees to work from home if possible and practical. Work may consist of training (book, online, video) or customary daily activities should job descriptions allow.

IMPORTANT

Employees on vacation, sick, or personal leave, or otherwise not scheduled to work during the affected period of time are not eligible to be paid under this policy.

Non-Exempt Employees: Late arrivals must use accumulated leave for missed time during an open status. If an employee requests early departure, they are required to use personal leave for the remainder of their normal scheduled work hours, even if offices are later closed by the Town Manager.

In the event that non-exempt employees are required to remain at work, or report to work after closure, they may be compensated at their regular rate of pay or receive compensatory time for the time worked beyond the designation. Time absent from work due to inclement weather is not counted as hours worked when computing weekly overtime.

There being no further business, Council adjourned the meeting.

Respectfully Submitted by Tina Presley, Sr. Executive Assistant

Approved by Council February 10, 2020



TOWN COUNCIL WORK SESSION
Monday, January 27, 2020
Immediately following the Regular Meeting
of Town Council at 7 p.m.
Warren County Government Center

1. **Proposed Spot Blight Ordinance** – *Director of Planning/Zoning/Town Attorney*

SUMMARY: Using the successful model found in the Loudoun County Code being used in Loudoun County and the Town of Leesburg, the Planning Director and Town Attorney have drafted a proposed Spot Blight Abatement Ordinance for the Town of Front Royal, proposed Town Code section 9-303, enclosed. This Ordinance provides for the abatement of blighted properties which threaten the public's health, safety, and/or welfare. The procedure is straight forward. (1) Upon receipt of a complaint that any structure is spot blight, (2) the Town Manager or his designee is authorized to inspect the structure, and (3) make a preliminary determination that the structure is blighted. If so, (4) the Town Manager sends a written notice by certified mail to the owner of record of the structure giving the owner 30 days to respond with an acceptable written spot abatement plan to address the problem within a reasonable time. (5) If the owner does not so respond, the Town Manager shall request Town Council to prepare an ordinance declaring that the blighted structure constitutes a nuisance. If Town Council agrees that the Town Manager shall prepare a proposed ordinance and proposed Town spot abatement plan, (8) the Town Manager shall send the owner a written statutory notice of the proposed ordinance, public hearing, and the Town's proposed spot blight abatement plan. (9) If Town Council makes a legislative finding, after a public hearing, that the property is indeed blighted, Town Council passes the ordinance declaring the property to be blighted and approves the Town spot blight abatement plan and directs it be implemented. (10) The costs the Town incurs in abating the spot blight becomes a lien on the property and is enforceable against the property just as are tax liens.

BUDGET/FUNDING: Unknown at this time. There may well be some costs in hiring expert witnesses, such as structural engineers, if cases go to court; however, compared to other approaches considered to tackle derelict and blighted structures, this appears to be the most reasonable fiscal approach, at least initially.

STAFF RECOMMENDATION: Staff recommends this approach, at least on a trial basis, especially since it has been used successfully in the Town of Leesburg and in Loudoun County, and especially since the costs to implement to the Town appear to be the most reasonable, at least initially. It also appears to be a reasonable approach to consider from a staffing consideration.

COUNCIL DISCUSSION: Mr. Camp stated that they have reviewed some options regarding the process for blight abatement. He noted that they had included an exemption for farm and historic buildings, line 85-88. Mr. Gillispie noted he would prefer to leave them exempted. Council voiced their support of the matter as presented.

Mayor Tewalt and Council voiced support of advertising as noted.

2. CLOSED MEETING - Consultation with Legal Counsel, Investment of Public Funds, Personnel

Motion to Go Into Closed Meeting

Councilman Cockrell moved, seconded by Councilman Holloway, that Town Council convene and go into Closed Meeting Council convene and go into Closed Meeting for the following purposes:

(1) An update on the status of the Town’s lawsuit against the EDA, for 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) An update on the status and possible disposition of the Afton Inn property:

(A) Regarding 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. 8. of the Code of Virginia.

(B) Also discussion or consideration of the acquisition of real property, specifically the Afton Inn property for a public purpose, 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 Town.

(C) Also 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.

(3) Discussion and consideration of assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body, pursuant to Section 2.2-3711. A. 1. of the Code of Virginia.

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

No – N/A

Abstain – N/A

Absent – N/A

(Mayor Tewalt did not vote as there no tie requiring his vote)

Motion to Certify Closed Meeting at its Conclusion

Councilman Cockrell moved, seconded by Councilman Thompson, 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 – Cockrell, Gillispie, Holloway, Meza, Sealock, Tewalt, and Thompson

No – N/A

Abstain – N/A

Absent – N/A

BY ROLL CALL

PRESENT: Mayor Tewalt, Councilman Meza, Councilman Thompson, Councilman Gillispie, Vice Mayor Sealock, Councilman Holloway, Councilman Cockrell, Interim Town Manager Tederick, Town Attorney Napier, Clerk of Council Berry, Director of Finance Wilson, members of the public and members of the press.

Submitted by: Jennifer Berry, Clerk of Council