

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on January 12, 2015, in the Warren County Government Center's Board Meeting Room. Mayor Darr 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 Timothy W. Darr
Councilman John P. Connolly
Councilman Bébhinn C. Egger
Councilman Daryl L. Funk
Councilman Bret W. Hrbek
Councilman Eugene R. Tewalt
Councilman Hollis L. Tharpe
Town Attorney Douglas W. Napier
Town Manager Steven M. Burke, P.E.
Clerk of Council Jennifer E. Berry, CMC

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

Councilman Tewalt moved, seconded by Councilman Funk that Council approve the Regular Council Meeting minutes of December 8, 2014 as presented.

Councilman Tewalt moved, seconded by Councilman Tharpe, to amend to remove the three sentences per Mr. Sayre's request.

Councilman Tewalt stated that Thomas Sayre had contacted him and asked that since Mr. Parker did not read three lines of the his statement aloud, that those three lines be stricken from the minutes. Councilman Hrbek noted that previously, many written statements have been submitted into the record, even if they did not read every word aloud. He added that the minutes are not verbatim and he personally had read statements and then submitted a statement to the Clerk. Councilman Hrbek noted that the Town had set a precedent by always accepting it into the record, with all due with respect to Councilman Tewalt's motion, perhaps the request was out of order.

Councilman Funk asked what the three sentences were. Mrs. Berry noted that on the spot she could not tell specifically what was read and what was submitted for the record. She explained that at the meeting, Mr. Parker submitted it to her, noting that it was "for the record," adding that it was a similar process of receiving items into the record and placing them into the minutes as had been followed previously.

Councilman Tewalt noted that if Council feels it is out of order, then he would withdraw the motion. Councilman Tharpe withdrew his second.

Councilman Egger asked if she and Councilman Connolly should still vote on the minutes as they were not part of Council during the last meeting. Mayor Darr noted that they are part of the Council as this time, and their vote should be counted.

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

RECEIPT OF PETITIONS OR CORRESPONDENCE FROM THE PUBLIC

Tim Ratigan, of 1476 Canterbury Road, noted that Benjamin Franklin noticed an image of a sun and asked if the sun was a rising or setting sun. Mr. Ratigan stated that he was asking if America's days ahead of us or behind us. Mr. Ratigan noted that the citizens in Town are excited to have new and fresh faces and he looks forward to attending regular meetings and worksessions this coming year. He stated that Council should remember that they work for the citizens and he wished them good luck.

Jim Rogers, of 371 W. 10th Street, stated that he wished to congratulate the new members of Council and those that retained their Council seat. He noted that he had been told that Mayor Darr was running for Mayor unopposed because he was good at what he. Mr. Rogers congratulated Mayor Darr for his Front Royal work, adding that he thinks that he is doing a very good job of leading the Town. Mr. Rogers stated that he sees that Mayor Darr has Front Royal's best interest at heart and believes the Council and Town is in good hands. Mr. Rogers stated that he appreciates what the Council is doing and he wishes them a very prosperous new year.

REPORT OF THE MAYOR, COUNCIL & STAFF

Town Manager Steve Burke:

- Noted that the Town would observe Martin Luther King, Jr. Day, and he noted the refuse and recycling day changes and rescheduling;
- Stated that AMP is offering their annual scholarship, and the Town's website has information for those who would like to apply;
- Noted that the contractor continues work on West 17th Street for water line installation;
- Reminded citizens that the Town was installing their new tree pits at the corner of Chester and Main Street
- Severe cold weather has called load issues for electricity and water, and he asked that residents notify the Town as soon as possible; and
- He thanked everyone for participating in the Holiday Lights Contest, adding that they would continue with the contest next year as well.

Martha Shickle, Executive Director, of the Northern Shenandoah Valley Regional Director:

- Noted that they are working with an AmeriCorps Volunteer tracking client data regarding homelessness and work towards grant funding;
- Stated that they were working with homeowners with accessibility issues, blight abatement, and the development of rental development in Warren County, including a market assessment;
- Reported that they were expecting to apply for a grant for best management practices for Chesapeake Bay requirement data;
- Stated that all projects that communities that will be apply for will go through a screening process and the criteria are currently being reviewed by VDOT and the Commonwealth Transportation Board, she added that they have been obtaining data from VML/VACO and other groups as well, and localities will be allowed to choose from four different weights in order to distribute their points along their projects; and

- Stated that urban development areas will be obtaining a better definition in order to eliminate some of the confusion the communities are experiencing.

In response to Councilman Hrbek’s question, Ms. Shickle noted that she would touch base with the local United Way regarding the homelessness project and research. Mayor Darr noted that the Town was very excited about working towards some of the

Councilman Tewalt noted that he spoke with Mark Berg regarding some of the issues the Town is facing, specifically the dilapidated building issues and Mr. Berg seemed surprised by the Town’s inability to handle the matter. He stated that he also spoke about the BPOL matter, adding that many in the General Assembly are proposing to eliminate the BPOL, which would certainly be a detriment to Front Royal. Councilman Tewalt stated that he spoke with Mr. Berg regarding the 599 Funding that assists the Police Department as well. He noted that Mr. Berg mentioned that gas tax measures and how it may go to the

Councilman Hrbek stated that Virginia Living magazine is running a "Best Of" survey at a moment and he encouraged the citizenry to log onto their website and nominate area “bests” as Front Royal certainly had top contenders in many categories.

Councilman Egger thanked everyone that had voted and welcomed her onto Council. She noted that she was honored to be able to serve the public and thanked them for allowing her be their representative.

Mayor Darr welcomed Council members Egger and Connolly.

Mayor Darr noted that the crews did very well during the recent snow event and he thanked them immensely for their dedication to keeping the streets clear and the electric on for the community.

Jacob Schwartz presented a photo to the Town of a stunning shot of downtown Main Street. He noted that once it was taken and uploaded, it became very popular on the internet. Mayor Darr noted that it was fabulous to see such a nice young energetic person sharing such a work of art with Front Royal.

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

CONSENT AGENDA ITEMS

Councilman Tewalt moved, seconded by Councilman Tharpe that Council approve the Consent Agenda as presented.

- A. COUNCIL APPROVAL – Memorandum of Understanding for Utility Service – Warren Memorial Hospital
- B. COUNCIL APPROVAL – Resolution of 2015 Legislative Agenda
- C. COUNCIL APPROVAL – Liaison Committee Meeting Items to add for January 15:
 - 1) Update from the Development Review Committee and
 - 2) Update on McKay Property; and,to remove “*Installation of Monitors in Board Room*” item.

Vote: Yes – Connolly, Egger, Funk, Hrbek, Tewalt and Tharpe
No – N/A

Abstain – N/A
Absent – N/A
(Mayor Darr did not vote as there was no tie to require his vote)
(By Roll Call)

COUNCIL APPOINTMENT – Vice Mayor

Councilman Connolly moved, seconded by Councilman Funk, that Council appoint Councilman Tharpe as Vice Mayor for the Town of Front Royal to a (2) two-year term, said term to expire December 31, 2016.

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

COUNCIL APPOINTMENTS TO VARIOUS COMMITTEES – Northern Shenandoah Valley Regional Commission Alternate Representative; Library Board; Audit/Finance Committee

Councilman Tewalt moved, seconded by Vice Mayor Tharpe that Council appoint:

- *Councilman John Connolly as the Northern Shenandoah Valley Regional Commission (NSVRC) Alternate Representative, said term expires December 31, 2018;*
- *Councilman Bébhinn Egger to the Library Board as an ex-officio member, said term expires December 31, 2018;*
- *Councilman Bret Hrbek and Councilman Eugene Tewalt to the Audit/Finance Committee, said both terms expire December 31, 2015.*

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

COUNCIL APPOINTMENT – Urban Forestry Advisory Committee (UFAC)

Vice Mayor Tharpe moved, seconded by Councilman Funk, that Council appoint Sarah M. Wills to the Urban Forestry Advisory Commission (UFAC) to fill an un-expired term, said terms to expire December 20, 2017.

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

CLOSED MEETING - Investment of Public Funds; Consultation with Legal Counsel; Expenditure of Public Funds

*Councilman Connolly moved, seconded by Councilman Funk, that Town Council go into Closed Meeting pursuant to Virginia Code Sections 2.2-3711.A. 6., 7., and 29., for the following purposes in connection with a potential proposed voluntary economic growth-sharing agreement or agreement(s) with the Board of Supervisors of Warren County to consider the following: 1) 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; **AND**, 2) Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel; **AND**, 3) Discussion of the award of a public contract involving the expenditure of public funds, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body.*

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

Councilman Connolly moved, seconded by Vice Mayor Tharpe, 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 Action 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, Darr, Egger, Funk, Hrbek, Tewalt and Tharpe
No – N/A
Abstain – N/A
Absent – N/A

(By Roll Call)

There being no further business, the Mayor declared the meeting adjourned at 8:26 p.m.

APPROVED:

Jennifer E. Berry
Clerk of Council