

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on May 26, 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
Vice Mayor 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 Egger that Council approve the Regular Council Meeting minutes of May 11, 2015 as presented.

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

Sonja Carlborg, of 210 W. 1st Street, noted that National Trails Day was coming up on Saturday June 6th, and she invited Council and the public for the hike and the dedication of the new kiosk which had been installed on site. She stated that they will be dedicating the kiosk at 3 p.m. and holding the BBQ at that time, adding that the event is free and open to the public. Mrs. Carlborg stated that earlier in the day the 4.25 mile hike would be a guided event.

Stan Brooks, Jr., of 541 S. Royal Avenue, noted that the request to approve a building inspection program was again on Council’s agenda and he was supportive of said program. He stated that he was the local business owner and he has had many businesses at times in Town over the years. Mr. Brooks stated that if a business owners that needed a building renovated they must run back and forth between the Town and County and it was cumbersome and time consuming. He voiced that most towns that were the size of Front Royal had a building inspection program and for a small business owner in this community it was difficult to bounce back and forth between the Town and County entities. Mr. Brooks opined that having their own department was an economic development tool to have matters streamlined and would be very beneficial to Front Royal. He asked Council to consider the matter, as it was an essential service and was not a duplication of services.

Kelly Miller, of 322 N. Royal Avenue, and a local business owner, noted that clients of hers had to apply for a building permit, and deal with the Town and the County. She stated that most counties where she does business, she can obtain a building permit in the same day, though that was not the case in Warren County’s Building Office. She encouraged the Council to have matters

to be a one stop shop like many other localities. Ms. Miller noted that the State Code is open to interpretation and the Town can control their destination and matters of building code can vary significantly locality to locality. She stated that many Town buildings are vacant and they need businesses in those buildings, and thriving businesses would be an investment back into the community.

Craig Laird, of 203 E. Main Street, stated that he has served in various roles through the community and was currently President of FRIBA, and has maintained his business for many years on Main Street. He noted that the Town needed to find their identity, attract businesses and not fall short with the SBDC program. Mr. Laird stated that the Town needed the building inspection program and have it soon implemented in order to move the Town forward. He noted that Front Royal should take control of their future rather than the County and he encouraged the Council to vote for the program.

REPORT OF THE MAYOR, COUNCIL & STAFF

Town Manager Steve Burke:

- Noted that the Memorial Day holiday was approaching, and he announced the closure of the Town Offices as well as the rescheduling of refuse/recycling and yard waste days;
- Stated that Water Quality Report is being mailed with utility bills and is also available on the Town's website as well;
- Announced that this month is Hurricane Preparedness week and sales taxes would be waived on the purchase of storm related equipment;
- Reminded citizens and businesses that Town taxes were due June 5th;
- Noted that the Town was hosting the Business Forum this Thursday evening; and
- Stated that this is the last week to participate in the Town's Citizen Survey.

Councilman Tewalt asked about having the Town EDA position on the next worksession.

Councilman Egger noted that they had not heard anything from attorney Carter Glass to convey to him the seriousness of the issue and asked about speaking with Mr. Glass on the matter. Mayor Darr stated that they had reached out to him, and as long as Ms. Egger coordinates with Mr. Napier he saw no issue with their contact.

Councilman Hrbek noted that he spoke to Mr. Napier about a section of Code regarding delinquent taxes, and apparently the section he questioned about had to do with Community Development Authority – which is one suggestion of the Mayor's Committee. Mr. Hrbek noted that Mr. Napier showed him the correct code for when land may be sold for delinquent taxes, though it all tied to the condition of the structure. He added that the building inspector has to condemn the property, or label it a nuisance, or list it as a derelict structure, so once again the Town is relying on Warren County to make a determination. Councilman Hrbek stated that there are buildings with past due taxes and they are in a derelict state, and he would like the matter reviewed during a worksession.

Mayor Darr noted that on Memorial Day weekend he was honored to attend the ceremony led by the Giles B. Cook American Legion and he personally thanked Malcolm Barr and General Hobgood, as well as two veterans, Tommy Strickler and Mr. Phil Funk, who were present for the event.

Mayor Darr stated that Ben’s Eatery held their open and it was successful. He praised those that conducted the Taste of the Town and the Annual Virginia Wine & Craft events also.

Mayor Darr announced that the Mayor's Economic Committee report was submitted recently and he noted that the list was many of the items that the Town was currently pursuing and reviewing for implementation. He thanked the committee for their ongoing efforts, noting that the list would soon be reviewed by the full Council.

Mayor Darr thanked Mary Cook who was coordinating with Mountain Laurel Montessori School. Ms. Cook brought photos of the Kindness Tree showing the children’s work. She noted that she was a Montessori parent, working with the child artists and various venues regarding installation art. Ms. Cook noted that the children built on the theme of 25 Acts of Kindness made up of the bullying words of “sticks and stones” and rather turned those words into a positive with their creation. She explained how it truly showed the matter was one of working against bullying with a strong level of compassion for all.

Gage Draper, student of Mountain Laurel Montessori Junior School, shared the message of how the Kindness Tree project worked and how the students turned the sticks and stones words around to confront and redirect bullying.

Mayor Darr thanked Ms. Cook and the students for their great work and for sharing the project with Council.

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 Egger that Council approve the Consent Agenda as presented.

- A. COUNCIL APPROVAL- Employee Handbook Revisions
- B. COUNCIL APPROVAL - Request for Reimbursement for Removal of Trees on E. Main St
- C. COUNCIL APPROVAL - Reclassification of Part-Time Code Enforcement Officer to Full-Time Deputy Zoning Administrator Position
- D. COUNCIL REFER TO PLANNING COMMISSION - Chapter 66 "Dogs and Other Animals"

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)

PUBLIC HEARING - An Ordinance to Amend Town Code Sections 134-22.1 and 134-22.4 to Decrease Rates for Sanitary Sewer Service *(1" Reading)*

Summary: Council is requested to affirm on its first reading an Ordinance to amend Town Code Sections 134-22.1 (A) "Sanitary Sewer Service Rates and 134-22.4 (A) "Sewer Service Rates - Commercial and Industrial Laundries" to

decrease rates for sewer service 6.5%, contingent upon approval of the FY2015-2016 Budget. Rates would be incorporated on bills after July 1, 2015.

Mayor Darr opened the public hearing.

Rick Novak, of 117 E. Main Street, noted that he was in favor of the reduction and added that his rates had increased significantly over the years. He stated that any effort to reduce rates would be appreciated by area businesses.

Mayor Darr closed the public hearing.

Councilman Funk moved, seconded by Councilman Connolly that Council affirm on its first reading an Ordinance to amend Town Code Sections 134-22.1(A) "Sanitary Sewer Service Rates and 134-22.4(A) "Sewer Service Rates – Commercial and Industrial Laundries" to decrease rates for sewer service 6.5% effective July 1, 2015 and contingent upon approval of the FY 2015-2016 Budget.

Councilman Funk noted that it was nice to decrease the rates at times and it was good to spread some relief to the community. Councilman Tewalt noted that it was primarily due to the rates they obtained for the funding they obtained for their Wastewater Treatment Plant. Councilman Egger commended the Staff for their work on the rates and the project.

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)

PUBLIC HEARING - Ordinance to Amend Town Code Chapter 12 "Fees" *(1st Reading)*

SUMMARY: Council is requested to affirm on its first reading an Ordinance to amend Town Code Chapter 12 "Fees" as follows:

12-2 "Environmental Service Fees" to modify the fee for Excavation for Sewer Clean Out Installation from \$350 per installation to \$150 per hour and to modify the deposit fee for Temporary Hydrant Meter Deposit for meters greater than 5/ 8" in size from \$1,500 to \$2,350, effective July 1, 2015.

12-4 "Planning and Zoning Fees" to modify the location for Planning Fees from Section 148-58 to 148-1100, effective upon final adoption of Chapter 148.

12-5 "Police Department Fees" to remove the fee for Accident Reports and identify the Section as "RESERVED" effective July 1, 2015.

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

Councilman Hrbek moved, seconded by Vice Mayor Tharpe, that Council affirm on its first reading an Ordinance to amend Town Code Sections 12-2 "Environmental Service Fees" by increasing the fee for Excavation for Sewer

Clean Out Installation from \$350 per installation to \$150 per hour and to increase the deposit fee for Temporary Hydrant Meter Deposit for meters greater than 5/8" in size from \$1,500 to \$2,350; 12-4 "Planning and Zoning Fees" by modifying the location for Planning Fees from Section 148-58 to 148-1100; and 12-5 "Police Department Fees" by removing the fee for Accident Reports and identifying the Section as "RESERVED". He further moved that Council affirm that Town Code Sections 12-2 and 12-5 be effective July 1, 2015 and Town Code Section 12-4 be effective upon final adoption of Chapter 148.

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)

PUBLIC HEARING – Ordinance to Amend Town Code 75-44 (C) Pertaining to Machinery and Tools Tax and Mobile Home Tax *(1st Reading)*

SUMMARY: Council is requested to affirm on its first reading and Ordinance to Amend Town Code Section 75-44(C) to identify the rate for Machinery and Tools Tax and for tax on Mobile Homes, effective upon passage. The Town Code currently does not identify these taxes specifically.

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

Councilman Egger moved, seconded by Vice Mayor Tharpe, that Council affirm on its first reading an Ordinance to Amend Town Code Section 75-44(C) to identify the rate for Machinery and Tools Tax and for tax on Mobile Homes, effective upon passage.

Councilman Funk noted that this item was to basically formalize the matter into the Code, as it was not listed there at this time. Mr. Burke confirmed that was accurate.

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)

PUBLIC HEARING – Ordinance to Amend Town Code 75-52 Pertaining to Front Royal Enterprise Zone *(1st Reading)*

SUMMARY: Council is requested to affirm on its first reading an Ordinance to Amend Town Code Section 75-52(C) to remove the reference to the Front Royal Enterprise Zone that was deactivated in 2002 by the Commonwealth of Virginia, effective upon passage.

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

Councilman Connolly moved, seconded by Councilman Egger, that Council affirm on its first reading an Ordinance to Amend Town Code Section 75-52(C) to remove the reference to the Front Royal Enterprise Zone that was deactivated in 2002 by the Commonwealth of Virginia, effective upon passage.

Councilman Funk pointed out the typo regarding the code section (from 75-44 to the correct 75-52). Councilman Connolly and Ms. Egger accepted the friendly amendment.

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)

PUBLIC HEARING – Annual Appropriation Ordinance for FY2015-2016 Proposed Budget *(1st Reading)*

SUMMARY: Council is requested to affirm on its first reading the Annual Appropriation Ordinance for FY2015-2016 Proposed Budget effective July 1, 2015 -June 30, 2016, as presented.

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

Councilman Tewalt moved, seconded by Vice Mayor Tharpe, that Council affirm on its first reading the Annual Appropriation Ordinance for FY2015-2016 Proposed Budget effective July 1, 2015- June 30, 2016, as presented.

Councilman Hrbek moved, seconded by Vice Mayor Tharpe, that Council remove the establishment of the Assistant Town Manager position From the FY 15-16 Budget; To remove the \$10,000 (1214-41001) Finance Administration; To add \$5,000 to Salaries Regular Town Attorney (2201-41001); And to add \$5,000 to Council Expenses (1101-45507).

Councilman Hrbek noted that his proposed amendment seemed to be the consensus of Council during worksession budget discussions.

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)

Councilman Egger moved, seconded by Councilman Hrbek, that Council remove the \$12,000 Asset Forfeiture amount and also the Asset Forfeiture Expense line item in (1610-47001)Machinery & Equipment \$6,000; and (1610-47003) Communications Equipment \$6,000.

Councilman Egger noted that she has issue with asset forfeiture funding and suggested that the Town stop collecting asset forfeiture money. She stated that from a constitutional standpoint, the individuals were at times, presumed guilty before they have even had a chance to go to court. Councilman Egger stated that it few in the face of being assumed innocent until proved guilty

Councilman Tewalt asked if the funding was left, what will take place. He inquired if it would go to another community or go back to the federal government. Mr. Burke noted that if it is removed from the Town budget than whatever is submitted to the Town, would revert to the state or federal coffers.

Councilman Connolly stated that he appreciates the the concerns of Ms. Egger, and he would be amenable to reviewing how the process works and how the asset forfeiture program operates, though he thinks that this amendment will not affect how the program as a whole is impacted.

Councilman Egger noted that Mr. Connolly was correct, though it was a step in the right direction.

Mr. Hrbek thanked Ms. Egger for bringing it to the Town's attention.

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

Councilman Hrbek noted that the cost of running the Town of Front Royal was \$13 million, though essentially the Town's budget was \$44 million,, due to the four independent enterprises (water, sewer, electric and solid waste) and it is an impressive undertaking and great that the Town can keep their taxes and expenditures so low. Councilman Hrbek explained that he was previously under the impression that the Town should privatize many of their enterprises, though now he understands that the Town's General Fund is only \$13 million and he feels quite differently. He noted that the Town is serving their users and citizens best by providing the enterprise services.

*Councilman Connolly moved, seconded by Councilman Funk, that Council:
Reduce line 1101-43004 from \$96,900 to \$56,900 (Shared NSVRC position)
Reduce line 1101-43002 from \$20,000 to \$0 (Community Development position) and
\$19,700 to \$2,500 (Town website/ Software Contractor).*

Councilman Connolly stated that he was deeply skeptical of the need for these items and he had been reviewing the budget for many weeks. He noted that there was a critical difference between the Town and a business and stated that this money belonging to the citizens. Mr. Connolly noted that when the Council had little idea of how the funds would be spent, then the funds deserved to be returned to the public. He stated that the employees deserved an increase, and so did the citizens. Councilman Connolly stated that if the measure passed then the money would return to

the General Fund and his intent was to eventually explore all options to attempt to reduce taxes if possible.

Mr. Burke noted that the Community Development amount was for the Main Street designation and that the funding was set up within that line item.

Councilman Hrbek stated that he would respectfully oppose the amendment. He stated that the Town had been placing Community Development funding aside for some time and the applicants Council reviewed were not appropriate the first run through. Mr. Hrbek stated that he government should not be essentially a skeleton, but rather promoting and growing the business community of Front Royal to make the Town viable to live, work and play. He noted that they were not the Federal Government and they did not have a large amount of excess or fat to trim. Mr. Hrbek stated that he deferred to the technical staff for the upgrade of the website and the bids would be reviewed in order to determine the specifics.

Councilman Funk thanked Mr. Connolly and Ms. Egger for their amendments offered. He noted that he has always voted against tax increases before Council and he has been working with the NSVRC for the regional tourism program and the Town could team with them for the part time expense in order to bring Front Royal to the center of tourism in this area. Mr. Funk voiced support of the tourism position presented in the budget.

Councilman Egger clarified that the Community Development line item funding was for the Virginia Main Street program; Mr. Burke noted that it was, as well as the SBDC involvement. Ms. Egger stated that if the Town did not have the funding in the budget than it could not move forward.

Councilman Connolly noted that they were not fiscally irresponsible, though they could give back to the tax payers when funding was not being used.

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

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; FINAL BUDGET VOTE, Motion Carried)

COUNCIL APPROVAL – Continued Discussion to Establish a Building Inspection Program

SUMMARY: On February 9, 2015 Council moved to postpone a Resolution to Establish a Building Inspections Program for the Town of Front Royal until their March 23, 2015 Council Meeting. On February 23, 2015 Council approved a Resolution to extend the date to reconvene discussion of a Town Building Inspection Program from March 23, 2015 to April 13, 2015. On March 30, 2015, Council approved the extension of the date to reconvene discussion of a Town Building Inspection Program from April 13, 2015 to May 26, 2015.

Councilman Tewalt moved, seconded by Councilman Egger, that Council postpone the matter until the first Council meeting of October 2015.

Councilman Tewalt noted that there would not be enough votes at this time most likely, so he would rather postpone at this time to allow Council to review the matter in full.

Councilman Egger noted that she was grateful for Mr. Tewalt's motion and she would like some time to make more phone calls in order to make a better decision on the issue.

Councilman Connolly noted that he was concerned as they have delayed the building inspector matter for four months, and he added that at this time Council was simply waiting for enough votes to move forward.

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

COUNCIL APPROVAL – First Reading of An Ordinance Amendment to Chapter 148

SUMMARY: Council held a Public Hearing on an Ordinance Amendment to Chapter 148 on February 23, 2015. Council voted to postpone discussion until the regular meeting of Council on April 13, 2015. On April 13, 2015 Council voted to postpone taking action on the first reading from April 13, 2015 to May 26, 2015. Therefore Council is requested to affirm on its first reading an Ordinance to amend and completely update Chapter 148 of the Town Code, "Subdivision and Land Development" Ordinance, which governs the development of land and subdivision of land in the Town of Front Royal, as mandated by the Commonwealth of Virginia under Virginia Code §15.2-2240, and as recommended by the Town of Front Royal Planning Commission. Council is requested to continue the affirmation of the first reading of Ordinance Amendments to Chapter 148 as presented.

Councilman Egger moved, seconded by Councilman Connolly that Council affirm on its first reading an ordinance to amend Chapter 148 of the Front Royal Town Code, including Option 2 in regards to Section 148-820.D.6. "Street Widths", and Option 3 in regards to Section 148-820.0. "House Elevation Above Street Grade", as Presented.

Councilman Tewalt noted that he would vote against the matter. He explained that there were already matters with parking throughout the Town. Mr. Tewalt voiced that smaller road widths would cause increased issues. He added that he would like the Town to have the homes two feet above the street grade.

Councilman Egger explained that she supported the amendment as presented. She noted that the future of the country was the presented change and wider streets were not sustainable. Ms. Egger stated that the widths presented were to preserve Front Royal with a look of historic homes with more narrow streets. She added that her motion as presented was more sustainable and better for the overall neighborhoods through the Town.

Mayor Darr voiced concern with safety vehicles along the narrower streets.

- Vote: Yes – Connolly, Egger and Funk
 - No – Hrbek, Tewalt and Tharpe
 - Abstain – N/A
 - Absent – N/A
 - No – MAYOR DARR to break the tie
- (By Roll Call; Motion Failed)

Councilman Egger moved that Council affirm on its first reading an ordinance to amend Chapter 148 of the Front Royal Town Code, including Option 2 in regards to Section 148-820.D.6. "Street Widths", and Option 2 in regards to Section 148-820.0. "House Elevation Above Street Grade", as presented.

Motion failed for lack of a second.

Councilman Connolly moved, seconded by Vice Mayor Tharpe, that Council affirm on its first reading an ordinance to amend Chapter 148 of the Front Royal Town Code, including Option 3 in regards to Section 148-820.D.6. "Street Widths", and Option 3 in regards to Section 148-820.0. "House Elevation Above Street Grade", as presented.

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

Councilman Tewalt moved that Council affirm on its first reading an ordinance to amend Chapter 148 of the Front Royal Town Code, including Option 3 in regards to Section 148-820.D.6. "Street Widths", and Option in regards to Section 148-820.0. "House Elevation Above Street Grade", as presented.

Motion failed for lack of a second.

Vice Mayor Tharpe moved, seconded by Councilman Funk, that Council affirm on its first reading an ordinance to amend Chapter 148 of the Front Royal Town Code, including Option 1 in regards to Section 148-820.D.6. "Street Widths", and Option 3 in regards to Section 148-820.0. "House Elevation Above Street Grade", as presented.

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

CLOSED MEETING: Investment of Public Funds; Consultation with Legal Counsel; Award of Public Contract

Motion to Go Into Closed Session

Councilman Connolly moved, seconded by Councilman Funk, that Council convene and 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(s) with the Board of Supervisors of Warren County to consider the following: 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, 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 Discussion of the aware of public contract involving the expenditure of public funds, and discussion of the terms of scope of such contract, where discussion in an open session would adversely affect the bargaining position of negotiation 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)
(By Roll Call)

Councilman Connolly moved seconded by Councilman Funk, 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 conveyed 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)

Councilman Connolly moved, seconded by Vice Mayor Tharpe, that Town Council authorized the Town Manager to send a revised letter and MOA to Warren County regarding the resolution for the Route 522 Corridor funding that stipulates Warren County provide to the Town the equivalent of 33% of the Meals Tax collected by the County and the equivalent of 15% of the Lodging Tax collected by the County. The MOA shall exclude the Crooked Run West parcels, and the Town shall reconsider the resumption of the collection of Meals and Lodging taxes as part of the PILOT Agreement at their July 27th meeting.

~~Councilman Hrbek noted that he liked the Crooked Run inclusion as it was a sense of an olive branch.~~

Councilman Hrbek noted that he liked that this was one last olive branch to Warren County. He added that it excluded the Crooked Run property.

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)

There being no further business, the Mayor declared the meeting adjourned at 8:44 p.m.

APPROVED:

Jennifer E. Berry
Clerk of Council