



## TOWN COUNCIL WORK SESSION MINUTES

Tuesday, January 19<sup>th</sup>, 2021 at 7:00 PM

Town Hall Conference Room

The following minutes are a summary of items on the agenda. This meeting may be viewed in its entirety by accessing the video of the same date online via the Town's website at [www.frontroyalva.com](http://www.frontroyalva.com).

**Overview of the Process When a Freedom of Information (FOIA) Request is Received** – Town Attorney, Doug Napier, cited the Virginia State Code regarding the Freedom of Information Act (FOIA) and reviewed the steps Town Staff must take when responding to FOIA requests. He explained that not all FOIA requests are free and the town will charge when it requires staff time that equals greater than \$250.00. He also noted that, in the first 19 days of calendar year 2021, the town had received 91 FOIA Requests.

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### ADDITION OF ITEM TO THE AGENDA

*Councilman Gillispie moved, seconded by Vice Mayor Cockrell, to add Agenda Item "Resolution to Amend Stipends for Boards/Commissions."*

Vote: Yes – Councilmen Cockrell, Gillispie, Lloyd, McFadden, Meza & Thompson

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

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**Review of FY21 Revenues & Contingencies** – Finance Director, BJ Wilson, gave council an update on town revenues. He proposed a recommendation to release \$187,365.00 of contingencies from the street fund due to two payments received from VDOT. He also noted that the number of delinquent utility accounts had lowered significantly due to Social Services Fuel Assistance Program.

Councilman Meza asked if utility rate increases would need to be considered in the event of a 'suffering enterprise funds.' Mr. Wilson explained that a 2% water rate increase had already been delayed for one year due to the pandemic and was scheduled to go into effect on July 1<sup>st</sup>, 2021. Mr. Hicks mentioned the additional option of using funds from the unassigned fund balance, however, that they should refrain from doing so as much as possible.

Mr. Hicks informed council that he would be presenting his budget recommendations during their next scheduled Work Session.

**Zoning Ordinance – Apartment Use and Development Regulations** – Planning and Community Development Director, Tim Wilson, presented Council with a recommendation to change the ordinance regarding apartment building development in the historic district. The change would allow Council to review the use of an apartment building greater than 6 units on a case-by-case basis. Council all agreed to change the wording to “apartment building greater than 8 units,” and move forward with the ordinance change.

**Resolution to Amend Stipends for Boards/Commissions** – Per the recommendation of Town Manager Hicks, the stipends for Town Boards and Commissions were adjusted to align with Warren County. Additionally, stipends would only be given per meeting attended, rather than per month. Council all agreed to add the stipend amendments as presented to their consent agenda.

**Continued Discussion for Ordinance Amendment to Chapter 4-19 – Order of Business for Regular Council Meetings** – Mayor Holloway suggested Council adjust their meeting schedule to allow one work session and one regular meeting per month. He added his wish to allot 30 minutes prior to each regular meeting for correspondence from the public. Councilman Gillispie also proposed Council conduct the Moment of Silence prior to the Pledge of Allegiance.

Vice Mayor Cockrell noted several conversations she had with citizens regarding their discomfort with being required to publicly state their address during Council Meetings. Town Attorney, Doug Napier, recommended citizens be asked to state only the town or county within which they reside. Councilman Thompson added that, due to fewer meetings per month, the Town Code should be adjusted to eliminate the need for two official readings.

**Open Discussion** – Councilman Lloyd presented Council with his three goals regarding the future of the Town, one of which involved the renaming of a street located within Town limits. Mr. Hicks stated that he would like to get a better understanding of the required process for street name changes. Councilman Gillispie expressed his reservations, mentioning the associated costs for the citizens and businesses located on the street.

Mayor Holloway requested Town Staff explore the possibility of opening its own Building Inspections Office. Councilman Gillispie expressed his support and requested he be included in the process.

Mayor Holloway also suggested the Town offer a water & sewer lateral repair program for town residents. He proposed the Town complete the work and allow homeowners to add a payment plan to their utility bills in exchange for a lien on their home.

Mayor adjourned this portion of the work session at 8:52 P.M. and Council went into closed session.

#### **Closed Meeting – Consultation with Legal Counsel and Litigation**

*Vice Mayor Cockrell moved, seconded by Councilman Gillispie, that Town Council go into Closed Meeting for the following purposes:*

*(1) Regarding a letter of intent as to Town-owned property, pursuant to Sections 2.2-3811. A.3 and A.5 of the Code of Virginia, the discussion of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body; and concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.*

*(2) Pursuant to Sections 2.2-3711. A. 7 and A. 8 of the Code of Virginia, regarding the Afton Inn, the Town's lawsuit against the Economic Development Authority and Jennifer McDonald, Jennifer McDonald's Bankruptcy, consultation with legal counsel and briefings by staff members or consultants pertaining to actual litigation, where such consultation or briefing in Open Meeting would adversely affect the negotiating or litigating posture of the public body; 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*

Vote: Yes – Councilmen Cockrell, Gillispie, Lloyd, McFadden, Meza & Thompson

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

*Councilman Gillispie moved, seconded by Councilman Meza, that the Mayor and Council certify that to the best of each member's knowledge, as recognized by each Mayor and 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 the Mayor and Council, and that the vote of each individual member of the Mayor and Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.*

Vote: Yes – Mayor Holloway, Councilmen Cockrell, Gillispie, Lloyd, McFadden, Meza & Thompson

No – N/A

Abstain – N/A

Absent – N/A

ROLL CALL

PRESENT: Mayor Holloway, Vice Mayor Cockrell, Councilmen Gillispie, Lloyd, McFadden, Meza, and Thompson, Town Manager Steven Hicks, Town Attorney Doug Napier, Deputy Clerk of Council Mary Ellen Lynn, Finance Director BJ Wilson, Planning and Community Development Director, Information Technology Director Todd Jones, members of the public and press.

Approved by Town Council

Date: 2/8/21