

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on May 13, 2019, in the Warren County Government Center’s Board Meeting Room. Vice Mayor Sealock 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: 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
Town Attorney Douglas W. Napier
Town Manager Joseph E. Waltz
Clerk of Council Jennifer E. Berry, CMC

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

Councilman Gillispie moved, seconded by Councilman Tewalt, approve the Regular Council Meeting minutes of April 22, 2019.

Ms. Berry noted that there was an adjustment under the attendance list to the last set of minutes which she would correct, and also insert the word “moved” next to one of Mr. Tewalt’s motions.

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

(By Roll Call)

RECEIPT OF PETITIONS OR CORRESPONDENCE FROM THE PUBLIC

Keith Menefee, of Downhome Comfort Bakery, thanked the Town for the gazebo forum on Main Street. He stated that his concern was the twelve hours that the Main Street was closed recently. He noted that having the street closed for such a long time period concerned him, and he added that having the entire street closed so long was not necessary for Family Fun Day. Mr. Menefee stated that the Town has functions around the gazebo area for many functions and Main Street is not closed, for example the Brews & Blue event held annually. He reiterated his concern the negative effect the downtown area can have and the livelihood of others can suffer when one business shuts down the street for the day. Mr. Menefee stated that a parade is a good thing, though this event has instead become antique muscle cars idling and revving their engines and the fumes came into his business. He asked Council to spend time on Main Street and hear the concerns of the other vendors, noting that the upcoming Wine & Craft Festival is positive with crafters that are the full length of Main Street.

Town Manager, Mr. Waltz, noted that the Police Department would soon hold their open house. He also stated that he appreciated the comments from Mr. Menefee regarding the downtown events and he would look into the matter.

Executive Director Brandon Davis, of the Northern Shenandoah Valley Regional Commission, stated that the DC Commuter Bus is doing very well, with increased ridership each month. He stated that NSVRC is happy that it is a reliable and affordable service and also that a free ride week coming up in July for first time riders.

Councilmen Thompson presented a Town scholarship to recipient Kaitlyn Jacobs, and wished her continued success with her education on behalf of the Town Council.

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

CONSENT AGENDA ITEMS

- A. COUNCIL APPROVAL - Proclamation – *“Paint the Town Purple Month”*
- B. COUNCIL APPROVAL - Proclamation – *“Municipal Clerks Week”*
- C. COUNCIL APPROVAL - Bid for Thermoplastics Eradication/ Application and Street/Curb Prepping and Painting Services

Councilman Gillispie moved, seconded by Councilman Tewalt 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

(By Roll Call)

 Vice Mayor Tewalt asked Ms. Berry to read the two consent agenda proclamations into the record.

PUBLIC HEARING – Reconsider a Special Use Permit Application for United Parcel Service, Inc. (UPS) for Commercial Parking Lot behind 470 S Commerce Avenue

Summary: Council is requested to reconsider the approval of a Special Use Permit Application submitted by United Parcel Service, Inc. (UPS), on behalf of the property owners, Puja Properties, LLC, for establishment of a Commercial Parking Lot located behind 470 S Commerce Avenue. The Planning Commission has approved the application contingent upon nine (9) conditions as stated in the Staff Report.

Vice Mayor Sealock opened the public hearing.

David Downes, of 160 Old Browntown Road, noted that he has not been paid in anyway by though he wished to note that UPS is a positive long standing business in the community and he was proud to know their employees. He added that UPS is one of the good companies in the area with a job with a good wage. He noted that he had no stake in the issue personally, though he appreciated what it was like to try to comply with Town regulations and to modify and make variances. Mr. Downes asked that Council make the adjustment, noting that this is a fluid

community and no one can predict our needs 20-30 down the road. He asked Council to support this business.

Mr. Downes added that he would be buying more baked goods from Mr. Menefee, and he apologized that he was one of the motorcyclists that revved his engine.

Beth Sitton, of 6 Portsmouth Road, thanked the Town for their response to the buffer area for UPS, adding that she greatly appreciates them working with the residents and adequately addressing their concerns. Ms. Sitton thanked Mr. Waltz for the landscaping of the area, and she thanked Mr. Camp as well for his continued work throughout the process. She asked that Council continue the small portion of fencing and landscaping in order to finalize the section of land.

As no one else came forward to speak, the public hearing was closed.

Councilman Thompson seconded by Councilman Meza, that Council approve a Special Use Permit Application submitted by United Parcel Service, Inc. (UPS), on behalf of the property owners, Puja Properties, LLC, for establishment of a Commercial Parking Lot located behind 470 S Commerce Avenue, contingent upon the nine (9) conditions presented in the Staff Report.

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

No – N/A

Abstain – N/A

Absent – N/A

(By Roll Call)

PUBLIC HEARING – Annual Appropriation Ordinance for FY2019-2020

Budget *(1st Reading)*

Summary: Council is requested to affirm on its first reading the Town's Annual Appropriation Ordinance for the FY2019-2020 Budget effective July 1, 2019 through June 30, 2020, as proposed.

Vice Mayor Sealock opened the public hearing.

BJ Wilson, Town Finance Director, noted that the amounts included on the agenda item requesting Town Council's approval for the FY20 budget differs from the original proposed budget by \$67,500. He stated that the original proposed budget included a real estate tax rate of 14 cents per \$100 and the real estate tax rate approved by Town Council was \$0.135 per \$100, which is half a cent per \$100 lower than the proposed amount and equates to a reduction of \$67,500 from the original FY20 proposed budget and is reflected in the amounts to be approved.

Mr. Wilson stated that the FY20 budget ordinance that is being requested to be approved allocates \$425,500 toward the debt service on the Police Department and Staff will return to Town Council to request approval of a budget amendment for any differences in the amount budgeted versus the actual amount for debt service on the police department. He noted that

Staff is hopeful that the Town will be able to apply for the VRA pooled financing in August 2019 and return to Town Council thereafter with a requested budget amendment.

As no one else came forward to speak, the public hearing was closed.

Councilman Tewalt moved, seconded by Councilman Holloway, that Council affirm on its first reading the Town's Annual Appropriation Ordinance for the FY2019-2020 Budget effective July 1, 2019 through June 30, 2020, as proposed.

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

(By Roll Call)

COUNCIL APPROVAL - Resolution Regarding Extension of the Due Date for Real Estate and Personal Property Tax

Summary: The Town Code declares that on and after January 1, 2010, tax payments for real estate and personal property shall become due and payable on a semi-annual basis, with one-half of the annual assessment due on or before June 5th of each year. Warren County set their tax rate on May 7, 2019; therefore, creating the necessity to move the due date.

Council is requested to approve a resolution to extend the 2019 due date for the Town of Front Royal Real Estate and Personal Property Taxes from June 5 to June 21, 2019, as presented.

Councilman Gillispie moved, seconded by Councilman Thompson that Council approve a Resolution to extend the 2019 due date for the Town of Front Royal Real Estate and Personal Property Taxes from June 5, 2019 to June 21, 2019, as presented.

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

(By Roll Call)

**RESOLUTION
REGARDING THE EXTENSION OF DUE DATE FOR
REAL ESTATE & PERSONAL PROPERTY TAXES**

WHEREAS, the Town of Front Royal Municipal Code Section 75-44 (B) declares that on and after January 1, 2010, tax payments for real estate and personal property shall become due and payable to the Town of Front Royal on a semiannual basis, with one-half of the annual assessment of such taxes due on or before June 5th of each year after January 1, 2010,

WHEREAS, the Town of Front Royal Municipal Code Section 160-5 declares after June 5,2010, the phrase "license year" as used in Section 160-10 of this Code shall mean the period from June 5th of each year to June 5th of the following year.

WHEREAS, the Town intends to extend the 2019 due date for Real Estate Taxes, Personal Property Taxes, and license year from June 5th, 2019 to June 21, 2019; and,

NOW THEREFORE, BE IT HEREBY RESOLVED by the Town Council of the Town of Front Royal, Virginia, that Town Council approves this resolution regarding the extension of the due date for 2019 Real Estate Taxes, Personal Property Taxes, and license year to June 21, 2019, as presented.

CLOSED MEETING – Town Council Vacancy

Motion to Go Into Closed Meeting

Councilman Gillispie moved, seconded by Councilman Tewalt, that Council go into a Closed Meeting for a) the possible appointment of a specific public appointee of Town Council, namely, a citizen of Front Royal or a sitting Town Council Member, to fill the seat vacated by the resignation of former Mayor Hollis L. Tharpe, pursuant to Section 2.2 3711. A. 1. of the Code of Virginia; b) the possible appointment of a specific public appointee of Town Council, namely, a citizen of Front Royal, to fill a seat vacated by the possible appointment of a Town Council Member, should a sitting Member of Town Council be appointed to fill the seat of Interim Mayor, due to the resignation of former Mayor Hollis L. Tharpe, pursuant to Section 2.2 3711. A. 1. of the Code of Virginia; and, c) for the purpose of consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, specifically, the law regarding filling vacancies on positions of the governing body of the Town, pursuant to Section 2.2-3711. A. 8. of the Code of Virginia.

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

(By Roll Call)

Motion to Certify Closed Meeting at its Conclusion

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

(By Roll Call)

There being no further business, the Mayor declared the meeting adjourned at 7:59 p.m.

APPROVED:

Jennifer E. Berry
Clerk of Council