

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on May 28, 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, specifically asking that the McEathron family be kept in mind. 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, that Council approve the Regular Council Meeting minutes of May 13, 2019 as presented.*

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**

William Huck, of 409 E. Main Street, noted his thanks to Council for their continued allowance of Family Fun Day on Main Street. He stated that they never intended any harm to any other business. He also expressed his condolences to the McEathron family as our community heals. Mr. Huck noted his thanks to the Police Department, the Sheriff's Department, the Town Manager's Office and Town Staff. Mr. Huck noted that to honor the Front Royal Police Department for their hard work that they have done to keep the community safe and secure, he presented a plaque to Captain Nicewarner to be placed at the new home at the Police Headquarters for their hard work for Family Fun Day.

Town Manager, Mr. Waltz, noted that the Police Department's Open House would be held on June 8<sup>th</sup> and he invited the community to attend. He then welcomed Felicia Hart to introduce Brad Beach, who worked with the Town to create a new Tourism website for *Discover Front Royal*. Mr. Beach gave a presentation of the new site, showing the expanded features now available.

Vice Mayor Sealock read the following into the record regarding the selection of the Interim Mayor:

**Both the Town Charter and the Code of Virginia state that it is an affirmative duty of Town Council to select an Interim Mayor in the event of the vacancy in the office of Mayor. The Town Charter is in effect the Constitution of the Town, and is granted to the Town by vote of the General Assembly of the Commonwealth of Virginia, and is the**

law of the Town. It is the duty of the Town Council to follow both the Town Charter and the Code of Virginia.

Section 9 of the Charter of the Town of Front Royal, which is in effect the Constitution of the Town, states, and I quote:

“In the event of the death, removal or resignation of the mayor, the council shall choose one of the councilmen or some other qualified voter of the Town of Front Royal who shall serve as mayor until the next succeeding municipal election, at which time a successor shall be elected by the qualified voters of the Town of Front Royal to fill the office of mayor for the remainder of the unexpired term.

Both the Town Charter, and the Code of Virginia, give Town Council 45 days to choose an Interim Mayor. Given all the other pressing matters currently before Town Council currently, this is not much time. If Town Council does not itself fulfill this important task, the Circuit Court of Warren County will itself choose the Interim Mayor, as is required by law. Until an Interim Mayor is chosen, in the event of tie votes on important matters before Town Council, a tie vote means matters before Town Council which require an up or down vote will be defeated. The citizens and taxpayers of the Town of Front Royal deserve better, and deserve to have an Interim Mayor appointed promptly by Town Council as stated by the Town Charter and the Code of Virginia.

Vice Mayor Sealock noted that June 8<sup>th</sup> is the Police Department Open House and a ribbon cutting would be held from 11-3 p.m. He encouraged the children and families of the community to come and he thanked the Town Manager for his work on the matter.

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

**CONSENT AGENDA ITEMS**

- A. COUNCIL APPROVAL - Bid for Tree Trimming Services (Energy Services)
- B. COUNCIL APPROVAL - Bid for Milling and Paving Street

*Councilman Gillispie moved, seconded by Councilman Holloway, 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)

**PUBLIC HEARING – Ordinance to Amend Town Code Section 158-6 Pertaining to Adoption by Reference of State Motor Vehicular Laws** (1<sup>st</sup> Reading)

**Summary:** Council is requested to affirm on its first reading an ordinance to amend Town Code Section 158-6 pertaining to Adoption by Reference of State Motor Vehicular Laws, as presented. The Town must re-adopt Section 158-6 of the Town Code, which legally allows the Town to incorporate all the changes to the State Code traffic laws that have been made during the year.

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

*Councilman Tewalt moved, seconded by Councilman Holloway, that Council approve on its first reading an ordinance to amend Town Code Section 158 -6 pertaining to Adoption by Reference of State Motor Vehicular Laws, as presented*

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

(By Roll Call)

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**COUNCIL APPROVAL – Annual Appropriation Ordinance for FY2019-2020 Budget (2<sup>nd</sup> Reading)**

**Summary: Council is requested to adopt on its second and final reading the Town’s Annual Appropriation Ordinance for the FY2019 - 2020 Budget effective July 1, 2019 through June 30, 2020, as proposed**

*Councilman Gillispie moved, seconded by Councilman Meza that Council adopt on its second and final reading the Town’s Annual Appropriation Ordinance for the FY2019-2020 Budget effective July 1, 2019 through June 30, 2020, as proposed*

Councilman Meza noted that he would like to express his thanks to the Staff for their work on preparing the budget. He stated that it had been an incredibly smooth process for Council, adding that he appreciates the creativity, flexibility, and drive of Town Staff. Mr. Meza expressed his gratitude for their dedication and hard work.

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

(By Roll Call)

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**COUNCIL APPROVAL – Final Sale of 179 Square Foot Parcel located to the Rear and Adjacent to 120 and 124 E Main Street**

**Summary: At the April 22, 2019 Regular Meeting, Council held a public hearing to receive comments and concerns from the public pertaining to the possible sale of the Town’s real estate of approximately 179 square feet with improvements (being a loading dock, including steps and a roof), on and over the Town’s Peyton Street Parking Lot located to the rear and adjacent to 120 and 124 E Main Street. After the public hearing had concluded Council approved a Resolution authorizing the sale of specified Town real estate per the Town Charter and the Town Code by bidding with the final sale of the property occurring at tonight’s Council meeting.**

The Invitation to Bid was advertised twice in the local newspaper with a May 16, 2019 deadline. Council held a work session on May 20, 2019 to discuss the bids received.

Note: Council approved a Resolution for an Encroachment License for Vibe Properties, LLC for 120 and 124 E. Main Street on June 12, 2017. This resolution will be rescinded if the property is sold.

*Councilman Meza moved, seconded by Councilman Thompson, that Council approve an ordinance accepting the bid of \$500 from Vibe Properties, as presented. He further moved that Council rescind the 2017 Resolution for Vibe Properties, LLC Encroachment License.*

Councilman Meza noted that this is a super small parcel of land, from inches to a few feet, around the loading dock of the Front Royal Brewery and this sale removes any ambiguity and keeps the whole property intact as recorded on the deed.

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

(By Roll Call)

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**COUNCIL APPROVAL – Interim Mayor**

*Councilman Thompson moved that Council appoint Al Larson as Interim Mayor for the Town of Front Royal, said term to expire December 31, 2019.*

**Motion died for lack of a second.**

*Councilman Gillispie moved, seconded by Councilman Holloway, that Council appoint Matthew Tederick as Interim Mayor for the Town of Front Royal, said term to expire December 31, 2019.*

*Councilman Tewalt moved, seconded by Councilman Thompson, to amend the motion to ask the Circuit Court to appoint an Interim Mayor.*

Councilman Tewalt noted that Council should ask the Circuit Court to appoint someone as Mayor that the Council can agree with and can work with, rather than Council arguing among themselves about who should be appointed.

Councilman Meza stated that if the vote for Mr. Tederick fails then it goes to the Circuit Court; Mr. Napier noted that was correct. Mr. Meza further clarified that the term would expire December 31, 2019.

Councilman Thompson stated she was fine with the circuit court option. She noted that the community seems to prefer a new name and face and that was important.

Vote: Yes – Tewalt and Thompson  
No – Gillispie, Holloway, Meza and Sealock  
Abstain – N/A  
Absent – N/A  
(By Roll Call; on Motion to send to Circuit Court)

**MOTION FAILED**  
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Councilman Meza noted that he has served on Council for three years and making sure there is a designated Mayor to serve for the community and form an agenda each week, and conduct meetings on behalf of Council with past Board experience is important. He stated that the Town Council had solicited individuals to serve and had been advised that Council members would lose their seat on Council if they step into the Mayorship role. Mr. Meza added that he appreciates Councilman Sealock filling the Interim Mayor role and it was now important to choose someone with experience that can fill that role for six months. He noted that he also appreciates the spirited debate of Council on the matter.

Vote: Yes – Gillispie, Holloway, Meza, Sealock  
No – Thompson and Tewart  
Abstain – N/A  
Absent – N/A  
(By Roll Call; for Tederick as Interim Mayor)

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There being no further business, the Mayor declared the meeting adjourned at 7:38 p.m.

APPROVED:

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Jennifer E. Berry  
Clerk of Council