

The regular meeting of the Town Council of the Town of Front Royal, Virginia was held on May 29, 2018, in the Warren County Government Center’s Board Meeting Room. Mayor Tharpe asked 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 Hollis L. Tharpe
Councilman John P. Connolly
Councilman Gary L. Gillispie
Councilman Jacob L. Meza
Councilman Christopher S. Morrison
Councilman William A. Sealock
Vice Mayor Eugene R. Tewalt
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.)

Vice Mayor Tewalt moved, seconded by Councilman Sealock to approve the Regular Council Meeting minutes of May 14, 2018 as presented.

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

RECEIPT OF PETITIONS OR CORRESPONDENCE FROM THE PUBLIC

Inna Kolesnik, of 214 E. Main Street, noted that she is a small business owner on downtown Main Street and she and her husband opened the jewelry store in 2002. She explained the concerns with security in the jewelry business and that it had always been an ongoing issue for their business. She stated that she parked behind her store to avoid robbery situations and criminals until a recent issue with Beer Museum owner, David Downes, arose. Ms. Kolesnik stated that she must cross his property to park and he has now restricted the access to their property. She noted that her husband has passed away and she is a single woman running her business alone with a 16-year-old daughter and Mr. Downes is continuing to restrict access to their property. Ms. Kolesnik explained that it is quite a security issue and she noted that there is now a fence being installed and it presents a serious issue for security for her jewelry store, and also an issue in case of a structure fire and limited access for escape. She noted that she has checked the Town Code and the fence was not approved by Board of Architectural Review and it is in the Historic District. She asked for assistance from the Town Council.

Mayor Tharpe asked if the Town Manager and Town Attorney could reach out to Mrs. Kolesnik in order to fully assess her concerns.

Town Manager, Joseph Waltz, announced that the Town would be closing Criser Road Bridge next week and they are adding additional curb and gutter and paving as well on Criser Road. He noted that the Business Forum would be held on June 7th at Town Hall.

Mayor Tharpe asked about signage for the Criser Road Bridge area; Mr. Waltz noted that a sign could be placed to advise the public of the upcoming road closure.

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

CONSENT AGENDA ITEMS – (ROLL CALL VOTE REQUIRED)

- A. COUNCIL APPROVAL – Resolution for “Employee Appreciation Week”
- B. COUNCIL APPROVAL – Proclamation for “Paint the Town Purple Month”
- C. COUNCIL APPROVAL – Fifth Amendment to Lease with Comcast

Vice Mayor Tewalt moved seconded, by Councilman Sealock that Council approve the consent agenda as presented.

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

PUBLIC HEARING – Ordinance to Amend Town Code Sections 158-6 - Adoption by Reference of the State Motor Vehicular Laws (1st Reading)

Summary: Council is requested to affirm on its first reading an Ordinance to amend and re-enact Front Royal Town Code Sections 158-6 pertaining to Adoption by Reference of the State Motor Vehicular Laws, as presented.

Mayor Tharpe opened the public hearing; as no one came forward to speak the public hearing was closed.

Councilman Connolly moved, seconded by Councilman Morrison that Council affirm on its first reading an Ordinance to amend and re-enact Front Royal Town Code Sections 158-6 pertaining to Adoption by Reference of the State Motor Vehicular Laws, as presented.

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

COUNCIL APPROVAL – Utility Donation for Warren Heritage Society

Summary: Council is requested to consider a utility donation to the Warren Heritage Society in the amount of \$15,000 for FY2018-2019.

Vice Mayor Tewalt moved, seconded by Councilman Connolly that Council approve a utility donation in the amount of \$15,000 to the Warren Heritage Society.

Councilman Sealock noted that he had concerns being spent on the 501(3)c organization. He stated that the organization does an exceptional job and they need volunteers and donations. Mr. Sealock stated that the Town is expected to pay \$15,000 for the utilities and there should be grants available for the organization. Mr. Sealock noted that the electricity bills have been waived at times and he understands fully the Warren Heritage Society’s need. Councilman Meza voiced his support of the measure as well, adding that when organizations are given funds, then criteria should be met in order to justify the giving and differentiate requests when they come forward. He added that in the future he would like an application process in place.

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

COUNCIL APPROVAL – Budget Amendment/Bid for Construction of W. Main Street Connector Phase I Project

Summary: Council is requested to approve a budget amendment in the amount of \$650,000 to accept funds from the Economic Development Access Program to be applied towards the construction costs of the West Main Connector Phase I Project and Council is also requested to approve the bid from G.B. Foltz Contracting, Inc. in the amount of \$1,082,975.58 for the construction of the West Main Connector Phase I Project. Council is further requested to approve the use of funds carried forward from previous years to fund Phase I and allow Phase 2 to be funded by the New Market Tax Credit Program.

Budget/Funding: FY18 BUDGET AMENDMENT:

9130-3410209 Special Projects – Reimbursement - \$650,000.00
 9130-47982 Special Projects – Local Connector Road - \$650,000.00

BUDGET/FUNDING:

9130-47982 Special Projects Local Connector Road - \$432,975.58

Councilman Meza moved, seconded by Councilman Sealock that Council approve a budget amendment in the amount of \$650,000.00 to accept funds from the Economic Development Access Program to be applied towards the construction costs of the West Main Connector Phase I Project and that Council also approve the bid from G.B. Foltz Contracting, Inc. in the amount of \$1,082,975.58 for the construction of the West Main Connector Phase I Project. He further moved that funds be carried forward from previous years to completely fund Phase I of the West Main Street Connector Project and allow Phase 2 to be funded by the New Market Tax Credit Program.

Councilman Connolly asked for clarification. Mr. Waltz noted that it was just Phase 1 at this point. Funding Phase 2 at this point was not in the process, per Mr. Wilson, Finance Director.

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

COUNCIL MEETING – Interview of Planning Commission Vacancy

Motion to Go into Closed Meeting

Councilman Sealock moved, seconded by Vice Mayor Tharpe, that Council convene and go into Closed Meeting for discussion and consideration of the assignment, appointment, promotion, or performance of specific appointees or employees of the Town, specific to the Planning Commission, pursuant to Section 2.2-3711. A.1 of the Code of Virginia.

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

Motion to Certify Closed Meeting

Councilman Connolly moved, seconded by Councilman Gillispie 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 Act 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 by roll call and recorded and included in the minutes of the meeting of Town Council.

Vote: Yes – Connolly, Gillispie, Meza, Morrison, Sealock, 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 8:02 p.m.

APPROVED:

 Jennifer E. Berry
 Clerk of Council