



TOWN COUNCIL SPECIAL WORK SESSION MINUTES

Wednesday, February 2, 2022, at 6:30pm in the Police Department Community Meeting Room

The following minutes are a summary of items on the agenda. This meeting was not videotaped.

FY22 Budget Amendment to Accept Funds from Virginia Risk Sharing Association (VRSA) – Finance Director BJ Wilson advised Council that the Town would be receiving funds from the Town’s insurance carrier for a police car that was damaged in an accident. Council agreed to add the budget amendment to the February 28th regular agenda to accept the funds.

Draft Freedom of Information Act (FOIA) Policy – Clerk of Council Tina Presley gave a brief overview of the revisions to the Town’s current FOIA Policy. Council suggested minor changes and once revised agreed to add to the February 28th regular agenda for approval.

Discover Front Royal FY23 Budget and Joint Tourism MOA 501(c)(6) – Town Manager Steven Hicks introduced virtually Bethanie DeRose, Senior Vice President of Strategic Advisory and Asset Management for JLL/Hotels & Hospitality Group. Ms. DeRose went through a presentation that was previously handed out to Council. There were various questions pertaining to the Income Statement included in Council’s packet including but not limited to operating expenses, payroll expenses, advertising, events/sponsorships, and part-time labor at the Visitors Center. Ms. DeRose explained that some of the numbers were tied to the original proposal and are vital to the organization. It was noted that they were still looking for a Tourism Director but could not move forward without becoming a nonprofit. Discussion ensued about various events and how action is tracked. Ms. DeRose explained tracking was through clicks on Facebook, Instagram, Google, etc. to a link back to a page that can be seen what action has been taken. Council was reminded that this was a collaborative effort with the County of Warren.

At this point Ms DeRose hung up and Council discussed the Draft Memorandum of Agreement (MOA) of the Board of Supervisors (BOS) and the Town of Front Royal for the Front Royal-Warren County Joint Tourism. Council was reminded of the Joint Tourism Committee Meeting where creating a 501(c)(6) was the way to go. There was much discussion and many concerns related to but not limited to the wording of the MOA: 1) not having a cap on the funds; 2) the wording “subject to funding” was not written in the agreement; 3) losing “Discover Front Royal” branding; 4) elected officials as non-voting members;

Mr. Wilson explained that Towns does not have to earmark lodging tax to Tourism; however, counties must earmark a percentage. He noted that currently the taxes go into the general fund. Interim Town Attorney Jim Cornwell explained his concerns: 1) who is creating the 501 (c)(6)? 2) Who is on the board? 3) the idea of elected officials not being non-voting members; 4) forming the corporation needs to be specified; 5) by-laws should be attached to the MOA and 6) the County Attorney had not reviewed the MOA. Council agreed that the Interim Town Attorney and the County Attorney work together to find answer to their legal questions; and, to put a cap on the funding.

At this point, Mr. Wilson gave an overview of the Tourism Budget.

Concerns/Questions continued regarding the MOA pertaining to 1) leasing the Visitors Center; 2) transfer of all assets if the 501 (c)(6) is created including the name "Discover Front Royal"; and 3) amount of inventory currently in storage. Council concluded by asking Mr. Cornwell to meet with the County Attorney on clarity of the 501 (c)(6), and to place on the February 15th work session for further discussion.

Fiscal Year 2022-2023 Proposed Budget Presentation – Mr. Hicks and Mr. Wilson gave an overview of the proposed 2022-2023 Budget. There were questions about whether the trolley should be under Tourism.

Advertisement of the 2022 Real Estate and Personal Property Tax Rate – Mr. Wilson advised that the current tax rate was 0.13 for Personal Property and 0.64 for Real Estate and asked to allow staff to advertise at these rates. Council agreed. He explained that it will be in March since he was still waiting on some information from the County.

Open Discussion/Town Manager Updates – Mayor Holloway read the following statement *"Because it was beyond Council's control that the regularly scheduled monthly work session for February falls on Valentine's Day this year, a day which, while not an official holiday, is an important day each year for celebrating relationships with our loved ones, I ask Council's consent to reschedule the work session from February 14 to February 15 at 7:00pm"*.

Councilman Gillispie asked for an update on the clearing the sidewalk of snow/ice. Mr. Hicks advised that Assistant Town Manager Kathleen Leidich is working on a Town Code Amendment that will come before Council in approximately two or three months. He explained that for this year the clearing of sidewalks was not communicated well and a break in the weather has aided in the clearing. He hoped that sidewalks on snow emergency routes targeting ADA compliant ramps will be the focus on enforcing the new ordinance. It was suggested to place notices on utility bills to remind citizens to clear sidewalks. There was also the possibility of contacting the removal of snow from sidewalks in the future.

Mayor Holloway questioned whether dispatchers could playback videos at the pavilion. Major Kevin Nicewarner noted that dispatchers have a LIVE monitor but not the ability to playback, however the IT Department does.

Mr. Hicks advised that himself and several members of Council would be attending 2022 Local Government Day in Richmond tomorrow. He also noted that there is one BZA application. Council agreed to allow Mr. Hicks to interview the applicant and place on the February 28th agenda if he agreed they should be placed on the BZA. Mr. Hicks also advised Council that the Town may be able to join with another locality for the Local Board of Building Code Appeals and once he has determined that they can he will advise Council. Mr. Hicks notified Council that he has registered for Building Code Official training.

Mayor Holloway questioned the costs for a Town Building Inspector. Mr. Hicks explained the process of fees which led into discussion about the fees in the Town's Building Department.

Mr. Cornwell asked that there be a posting on the Town's website regarding everyone who is attending Government Day tomorrow.

It was noted that the work session will be held on Tuesday, February 15th at 7:00pm in Town Hall.

This portion of the meeting ended at 9:45pm.

CLOSED MEETING

Vice Mayor Cocrkell moved, seconded by Councilman Thompson that Town Council convene and go into Closed Meeting for the following purposes:

- 1) to consider a potential amended proposed voluntary economic growth-sharing agreement with the Board of Supervisors of Warren County or potential future annexation issues regarding the area in the vicinity of Route 522 North of the Town of Front Royal, pursuant to the following: a. The 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 Town would be adversely affected, under Va. Code Section 2.2-3711. A. 6 and b. Consultation with legal counsel employed or retained by Town Council regarding specific legal matters requiring the provision of legal advice by such counsel, under Va. Code Section 2.2-3711. A.8 and with respect to 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, to consider the Town's legal position and strategy with respect to potential legal issues concerning Town water and sewer service development fees (connection or tap) fees and related expenses, pursuant to Va. Code Section 2.2-3711. A. 8. of the Code of Virginia, as well as discussion concerning, pursuant to Section 2.2-3711. A. 5. of the Code of Virginia; and,
- 2) for the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, discipling or resignation of specific public officers, appointees or employees of any public body specific to the performance of the Town Manager including Executive Director of the Front Royal Economic Development Authority and the position of the Town Attorney, pursuant to Virginia Code Section 2.2-3711.A.1 of the Code of Virginia.

Vote: Yes – Vice Mayor Cockrell, Councilmembers Gillispie, Lloyd, McFadden, Morris and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Councilman Gillispie moved seconded by Councilwoman Morris 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 be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

Vote: Yes – Vice Mayor Cockrell, Councilmembers Gillispie, Lloyd, McFadden, Morris and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

PRESENT: Mayor Holloway, Vice Mayor Cockrell, Councilmembers Gillispie, Lloyd, McFadden, Morris and Thompson, Town Manager Steven Hicks, Interim Town Attorney Jim Cornwell, Assistant Town Manager Kathleen Leidich, Finance Director BJ Wilson, Public Works Director Robbie Boyer, Major Kevin Nicewarner, Clerk of Council Tina Presley, and members of the press.

Approved by Town Council

Date: 2/28/22