



TOWN COUNCIL SPECIAL MEETING MINUTES

Monday, June 13, 2022 in the 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.

ROLL CALL PRESENT: Vice Mayor Lori A. Cockrell
Councilman Gary L. Gillispie
Councilman Zachary Jackson
Councilwoman Amber F. Morris
Councilman Letasha T. Thompson (via remote)

ABSENT: Mayor Chris W. Holloway
Councilman Joseph E. McFadden

APPOINTED STAFF PRESENT: Town Manager Steven W. Hicks
Clerk of Council Tina L. Presley

LEGAL COUNSEL: Deputy Town Attorney George Sonnett

ADDITIONS/DELETIONS TO THE AGENDA (unanimous vote is required)

Vice Mayor Cockrell moved seconded by Councilwoman Thompson to add "Proclamation for Gertrude Eloise Johnson-Newman "Wesie 100th Birthday" to the agenda as #3.

Vote: Yes – Vice Mayor Cockrell, Councilmembers Gillispie, Jackson, Morris, and Thompson (Remote)
No – N/A
Absent – Councilman McFadden
Abstain – N/A

ROLL CALL

FY22 Budget Amendment and Payment for Legal Fees Related to Litigation

Vice Mayor Cockrell moved seconded by Councilman Jackson that Council approve a FY22 Budget Amendment in the amount of \$150,000 to use General Fund Reserves to authorize payment to Virginia Risk Sharing Association (VRSA) for legal fees related to litigation.

Vote: Yes – Vice Mayor Cockrell, Councilmembers Gillispie, Jackson, Morris, and Thompson (Remote)
No – N/A
Absent – Councilman McFadden
Abstain – N/A

ROLL CALL

Proclamation for Gertrude Eloise Johnson-Newman “Wesie” 100th Birthday

Councilman Gillispie moved seconded by Councilwoman Morris that Council approve a proclamation recognizing the 100th birthday of longtime resident Gertrude Eloise Johnson-Newman “Wesie” on Friday, June 17, 2022.

Council wished Ms. Johnson-Newman a Happy Birthday and Vice Mayor Cockrell read the Proclamation.

Vote: Yes – Vice Mayor Cockrell, Councilmembers Gillispie, Jackson, Morris, and Thompson (Remote)

No – N/A

Absent – Councilman McFadden

Abstain – N/A

ROLL CALL

Vice Mayor adjourned the meeting at 6:36pm

Approved by Town Council

Date: 6/27/22



TOWN COUNCIL WORK SESSION MINUTES

Monday, June 13, 2022 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.

Front Royal EDA By-Laws – Town Manager Steven Hicks gave a brief overview of the proposed Front Royal Economic Development Authority's (FREDA) by-laws. Vice Mayor Cockrell questioned a few items to include: 1) Various grammar and formatting revisions throughout the document that was given to the Clerk in advance of the meeting; 2) Articles IV and V the mention of the words "fiscal" and "calendar" are not clear; and 3) Article X.3. mentioning the review of an attorney. Chairman of FREDA Rick Novak and Vice Chairman Mark Tapsak addressed Council noting that they were available for any questions. There was much discussion regarding the use of an attorney noting their fears of conflicts of interest with FREDA and Council using the same [Town] Attorney. Other concerns with the by-laws included: 1) the positions of Secretary and Treasurer were not included in the By-Laws but were included in the Town Code; 2) an attorney was not present at every meeting but should be and 3) funding FREDA projects. Mr. Novak encouraged Council to think positive moving forward and that FREDA would work with Council. Mr. Hicks advised Council that currently there was no major legal issues with FREDA since they are still in the startup phase. There was consensus to schedule a joint meeting with FREDA to further discuss Article X.2. and .3. Mr. Hicks suggested "parking" the by-laws until after the joint meeting to get a better sense of expectations. Council agreed.

Deeds of Easement for Existing and New Stormwater Infrastructure Located Between 610B and 612 W. 11th Street and IDA-Owned Property Located at Kendrick Lane and Monroe Avenue – Mr. Hicks gave an overview of the requested approval of the Deeds of Easement. There was no discussion and Council agreed to move this item to the June 27th Consent Agenda for formal approval.

American Municipal Power (AMP) Power Purchase Portfolio – Interim Director of Energy Services Mary Ellen Lynn introduced Erin Shealy of GDS Associates, Inc Engineers & Consultants and Paul Beckhusen of AMP via remote. She gave a brief presentation pertaining to the American Municipal Power (AMP) power purchase portfolio that included: who is AMP?, why Front Royal is a member?, a list of members, AMP's services, Front Royal's energy supply load growth and recommendations to move forward that included 1) passing the power block purchase resolution for 2025-2028, 2) during 2023-2024 purchase remaining needs of 15% on the open market OR 3) move forward with blended pricing approach for the 2023 timeframe. Mrs. Lynn expressed the volatility of the market with the strategy to defer a large hit and spread costs out in 2023 and 2024 and level out in 2025. She noted that the Town was in a good position since all their "eggs" were not in one basket like some other localities. Councilman Gillispie questioned the timeline and Ms. Shealy advised that within the next 30 – 45 days they would be seeking an approval from Council to move forward. Mr. Hicks recommended Council follow GDS's recommendation. Mrs. Lynn noted that currently the rate is \$44.00 per MWh until the end of December 2022 and beginning January 2023 the rate could go as high as \$125.00 per MWh. Council agreed to move forward with GDS's recommendation. Mrs. Lynn would be revising the resolution and bringing before Council when it was completed.

Items Slated for Public Hearing on June 27th –

A. Special Use Permit for Short-Term Rentals – Director of Planning Lauren Kopishke gave Council a brief overview of the following two special use permits for short-term rentals (108 Virginia Avenue submitted by Bridget Scanlan and 201 E. Main Street submitted by Hike Properties LLC) slated for separate public hearings with the Planning Commission on June 15th and the Council on June 27th. She noted that staff had no issues with either application. Mrs. Cockrell voiced concern that one of the applicants did not live in the area. Councilwoman Thompson noted that the applicant on Virginia Avenue has been operating as an Airbnb for a year and is coming into compliance.

B. Proposed Ordinance Amendment to Chapter 175 for Data Centers – Ms. Kopishke gave a brief overview of the proposed ordinance amendment and that it was slated for a public hearing with the Planning Commission on June 15th and the Council on June 27th. Vice Mayor Cockrell noted some formatting issues with the ordinance.

C. FY22 Budget Amendment & Budget Transfer for Additional Revenue for Paving Projects – Mr. Hicks advised Council that the budget amendment and transfer from General Fund to Street Fund were to allow the project of paving the Town streets to begin. Finance Director BJ Wilson noted that a public hearing on the amendment and transfer was scheduled for June 27th due to the amount exceeding 1% of the budget. Council confirmed that the streets with the infrastructure already completed would be prioritized and paved first.

D. Resolution Pertaining to Redundant Waterline for Route 522 North Corridor – Assistant Town Manager Kathy Leidich introduced Stephen Steele of CHA Consulting, Inc. They both gave Council a brief overview of the proposed redundant waterline for the Rt. 522 Corridor and the public hearing on a Public Necessity Resolution that included possible condemnation of three properties was slated for June 27th. Mr. Steele assured Council that every effort is made and will continue to be made to get approval for the easements before June 27th. He advised Council that the easement process is explained to the property owners including the condemnation process and that he himself walked the property with the owner(s). Mr. Sonnett noted that this was a step in the process and doesn't mean it will end up in court. Councilman Gillispie noted that he would not be at the June 27th meeting however he gave his support.

Items Slated for the Consent Agenda on June 27th – Mr. Wilson gave Council a brief overview on items A-F

A. Bid for Various Grades of Stone for FY23 – No discussion

B. Bid for Various Grades of Asphalt for FY23 – No discussion

C. FY22-23 Budget Amendment Sponsors for Gazebo Movies – No discussion

D. Thermoplastic Pavement Markings – still reviewing and working with the contractor. Council voiced their displeasure of the areas of Town that were started and not finished. Director of Public Works Robbie Boyer advised Council that those areas would be fixed no matter the outcome of the talks with the contractor. It was noted that this item may not be ready for the June 27th Council Agenda for approval.

E. Electrical Engineering Services for Energy Services – waiting on final numbers

F. Environmental Engineering Services for Public Works Department – waiting on final numbers

G. Supervisory Control and Data Acquisition (SCADA) Change Order For Water Treatment Plant – coming back to Council for additional monies. Mr. Hicks noted that this was a Council initiative.

H. FY2021-2022 Write Off for Bad Debt – write offs are completed annually

I. Deed of Easement from Front Royal Self Storage, LLC for waterline easement for facilities serving commercial property located in the 522 Corridor, Warren County Tax Map Parcel 12-56C. – Mr. Sonnett gave a brief overview of the deed of easement that is needed for the waterline.

J. Request of T-Mobile Northeast LLC to Amend its Lease to Expand Leased Floor Space to Update Antennae Facilities Located on the Water Tank, and to Extend the Lease Term – Mr. Sonnett advised that upon approval T-Mobile would receive more space on the ground, antennae change out and rental increase.

Council agreed to place all items on the June 27th Consent Agenda for formal approval.

Update on Joint Towing Advisory Board – Chief Magalis gave an update on the Joint Towing Advisory Board and that the appointments listed are slated to be approved on June 27th. It was noted that the citizen appointment was Warren County Deputy Clerk of the Board Emily Ciarrocchi who essentially takes the minutes for the Board.

Designation of Councilmember and Town Staff to Discover Front Royal Board – Council agreed to add Special Events Coordinator Elizabeth Lewis and Councilwoman Thompson to the Discover Front Royal Board as non-voting members. This would be placed on the June 27th Regular Council meeting for approval.

Open Discussion –

Council directed staff to advertise for the upcoming vacant position on the Planning Commission due to the expiration of the term of Douglas Jones on August 31, 2022.

Mr. Hicks noted that Employee Appreciation Day was July 21st. A resolution would be placed on the June 27th Regular Council meeting for formal approval.

Councilman Gillispie asked that a flagpole be placed at the Gazebo Area and to purchase a better sound system that could be used for ceremonies such as Memorial Day and Veterans Day. He was specifically concerned about the loud traffic noise during the ceremonies making the speakers hard to hear.

Mr. Hicks advised Council that he would be bringing before them at a later time the flexibility of the Town to receive donations.

CLOSED MEETING

Councilwoman Morris moved seconded by Councilman Gillispie that Council convene and go into Closed Meeting for the following: 1) discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, specific to the Town Attorney Position, pursuant to §2.2-3711. A.1 of the Code of Virginia.

Vote: Yes – Vice Mayor Cockrell, Councilmembers, Gillispie, Jackson, Morris, and Thompson (Remote)

No – N/A

Absent – Councilman McFadden

Abstain – N/A

ROLL CALL

Councilman Jackson 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, Jackson and Morris

No – N/A

Absent – Councilmembers McFadden and Thompson (left meeting early)

Abstain – N/A

ROLL CALL

Adjourn

PRESENT: Vice Mayor Cockrell, Councilmembers Gillispie, Jackson, Morris and Thompson, Town Manager Steven Hicks, Deputy Town Attorney George Sonnett, Clerk of Council Tina Presley, Finance Director BJ Wilson, Assistant Town Manager Kathy Leidich, Interim Director of Energy Services Mary Ellen Lynn, Director of Fleet Maintenance Don McPaters, Director of Public Works Robbie Boyer, Chief Magalis, Director of Planning Lauren Kopishke, Manager of IT Grant Autry and members of the public and press.

ABSENT: Mayor Holloway and Councilman McFadden

Approved by Town Council

Date: 6/27/22-----