



TOWN COUNCIL SPECIAL MEETING MINUTES

Monday, June 27, 2022

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 Zachary Jackson
 Councilman Joseph E. McFadden
 Councilwoman Amber F. Morris
 Councilman Letasha T. Thompson
 ABSENT: Mayor Chris W. Holloway
 Councilman Gary L. Gillispie
 APPOINTED STAFF PRESENT: Town Manager Steven W. Hicks
 Clerk of Council Tina L. Presley

CLOSED MEETING

Vice Mayor Cockrell moved seconded by Councilman McFadden that Town Council convene and go into Closed Meeting for the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, specific to Joint Tourism Committee Appointments, pursuant to §2.2-3711. A.1 of the Code of Virginia.

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

No – N/A

Absent – Councilman Gillispie

Abstain – N/A

ROLL CALL

Vice Mayor Cockrell moved seconded by Councilman McFadden 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 Jackson, McFadden, Morris, and Thompson

No – N/A

Absent – Councilman Gillispie

Abstain – N/A

ROLL CALL

Vice Mayor adjourned the meeting at 6:50pm.

Approved by Town Council
 Date: 7/25/22



TOWN COUNCIL REGULAR MEETING MINUTES

June 27, 2022 @ 7:00PM in the Warren County Government Center

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.

Moment of Silence

Pledge of Allegiance was led by Councilman Jackson

ROLL CALL PRESENT: Vice Mayor Lori A. Cockrell
Councilman Zachary Jackson
Councilman Joseph E. McFadden
Councilwoman Amber F. Morris
Councilwoman Letasha T. Thompson

ABSENT: Mayor Chris W. Holloway
Councilman Gary L. Gillispie

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

APPROVAL OF MINUTES – Councilwoman Morris moved, seconded by Councilman McFadden that Council approve the minutes of the following meetings of Town Council as presented: Regular Meeting of May 23rd, Special Meeting of June 13th, Work Session of June 13th, and Joint FREDA/Council Special Work Session of June 22nd, 2022, as presented.

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

No – N/A

Absent – Councilman Gillispie

Abstain – N/A

ROLL CALL

ADDITION/DELETION OF ITEMS FROM THE AGENDA – Councilwoman Thompson moved seconded by Councilwoman Morris to add appointment of the Joint Tourism Board to the agenda under Business Items as #11B.

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

No – N/A

Absent – Councilman Gillispie

Abstain – N/A

ROLL CALL

RECOGNITIONS/AWARDS/REPORTS—

The recognitions of Freddie Jenkins and Officers Suess and Martin would be rescheduled. Council recognized Dwayne Mauck for his 19 years of service with the Town. Director of Public Works Robbie Boyer gave Council the following Public Works Infrastructure Update:

Public Works Infrastructure Update June 27, 2022

Curb & Gutter Installation Project – Installing 9,000' of CG6 Curb & Gutter and CG9 driveway aprons where needed on 10 streets as part of the paving plan.

Paving Projects July 18th

N. Royal Ave – Between W. 14th St and N. Commerce Ave

E. 6th St Between N. Commerce Ave and N. Royal Ave

N. Commerce Ave – Turn Lane Extension

Carter St – Between Beeden Lane and Ryder Benson Lane

Forrest Hill Dr – Between W. Duck St and W. Strasburg Rd

W. 16th St – Between W. 15th St to Dead-end

Virginia Ave – Between W. 14th St and W. 15th St

W. 15th St – Between N. Shenandoah Ave and W. 15th St

610B and 612 W. 11th St Storm Drain Upgrade – Once easement are approved and signed Public Works will start installing the 120' of 36" HDPE left. Two to three weeks for completion weather depending.

Waterline Upgrade Projects – Braxton Rd and Manassas Ave - Waterline upgrades, this will replace 2,700' of existing transit water main with 6" class 52 ductile iron pipe. These went out to bid on June 27, 2022, and bids are due back on Thursday, July 28, 2022.

Robinhood Lane PRV Vault- The precast vault has been ordered on April 26, 2022, and is still another 12 to 14 weeks out for delivery (Mid to Late September)

John Marshall Hwy Waterline Improvements – Public Works is currently working on the bid information for the waterline upgrade between Leach Run Parkway and Colonial Drive to upgrade 635' of 8" water main between two sections of 12" water main. The plans are 60% completed.

Redundant Waterline Project – Pre-bid meeting will be held on July 19, 2022, and the Bid submission deadline will be August 24, 2022.

I&I Abatement Project – The next phase of the I&I project will be 22,440' of CIPP lining on pipe size between 8" to 24". This project is scheduled to be bid out in late August 2022.

PUBLIC HEARINGSSpecial Use Permit to Allow Short-Term Rental at 108 Virginia Avenue – Bridget Scanlan

Vice Mayor Cockrell opened the public hearing.

Viviano Rodriguez, 102 W. 1st Street, cited the following reasons that Council should not approve the permit: Planning Commission denied the permit with safety as one of the concerns; 3-way intersection at 1st Street and Virginia Avenue with 1st Street being narrow and no sidewalks; owner's primary residence is in Alexandria, VA; owner has been operating as an Airbnb illegally for one year; per several articles he previously sent to Council showed the correlation between Airbnbs and crime; and, approval of the permit would set a precedent as this would be the first Airbnb in Front Royal. Mr. Rodriguez showed various pictures depicting the narrowness of 1st Street and the parking of cars on that street. He reiterated that the Planning Commission recommended denial and asked Council to do the same.

Louis Massett, 123 Academy Drive, noted that he was an educator at Randolph Macon Academy and understands that parents want security for their children. He voiced concern over the transient nature of short-term rentals and referred to two articles he gave to the Clerk to share with Council.

John Pennell, 19252 Fort Valley Road, Strasburg, VA voiced concern that there was no one responsible for what goes on at the property noting that having no landlord onsite created a *"recipe for disaster"*. He encouraged Council to listen to their own Planning Commission.

Holland Daniels, 122 W. 1st Street, noted that he has lived in the neighborhood since 1984 and reminded Council of the traffic issues in 2016 on 1st Street as well as the intersection spoken about earlier. He explained that the owner of the property rented the property May – October last year and removed it from Airbnb when it was realized a permit was needed. He noted that he has witnessed renters using the driveway and carport for parking. Mr. Daniels assured Council that the owner would address any issues that would arise and that he was available anytime for neighbors to contact and he would in turn get in touch with the owner. He suggested that the Planning Commission be required to give a reason for denial on issues before them. He concluded that the Council could contact him anytime about any concerns they may have with the permit request or the neighborhood.

Steve Young, 315 Salem Avenue, urged Council to uphold the Planning Commission's recommendation to deny the permit. He advised that he moved from Alexandria, VA two years ago because of the quality of neighborhoods and believes short-term rentals would jeopardize that quality. He referred to the memo he sent to Council earlier asking them to deny the permit.

Michael Williams, 1405 Jefferson Avenue, questioned the many acts of crime reported in the past year at this site or at any Airbnb located in Front Royal and Warren County. He encouraged Council to get these facts to make a fair decision. He noted that since there were few quality accommodations in Town limits property owners are using their homes for small business opportunities. Mr. Williams explained that the Town needed the tourism dollars from the short-term rentals. He suggested that Council consider allowing the Board of Zoning Appeals to approve all short-term rentals.

Jeanne Staff, 101 Virginia Avenue, noted that she lived across the street from this property and that the owner was there approximately 60-65% of the time. She advised that the owner had put a tremendous amount of improvement into the residence since it was her second home. She advised Council that Airbnb site has been in existence since 2008 and individuals have been using it in Front Royal. She opined that the short-term rentals were an opportunity for new people to come in and enjoy Front Royal. She encouraged Council to approve the permit.

Manuel Vicente, 170 Elsie Drive, asked if it was appropriate to read someone else's statement by not stating name and address and then read his. Deputy Town Attorney Sonnett advised that it was fine as long as the speaker stayed within the three minutes. Mr. Vicente read the statement from someone else first. In summary it stated that approving the permit would open the flood gates changing the nature of Front Royal and the potential of armies of transients jamming into overflowing houses, fleets of cars blocking streets and filling parking lots, loud all night parties with disorderly drunks and drug users, amounts of trash strewn around, decrease in safety and property values and unhappy residents. Mr. Vicente continued with his statement by opining that he didn't feel this particular permit would lead to these things just mentioned but that they could potentially. He appreciated the family-friendly laid-back atmosphere of Front Royal, noting that allowing commercial in residential areas would lead to an increase in crime, safety issues and

an unhealthy environment for children. He noted it did not make sense to issue a permit to someone who has been doing it illegally for a year. He urged Council to deny the permit based on the sound recommendation of the Planning Commission.

Silvia Maresca, 140 Fontana Road, voiced opposition of the permit noting that allowing short-term rentals in residential neighborhoods reduces permanent housing options. She opined that short-term rentals would be more beneficial in areas near hotels or remote vacation spots. She urged Council to safeguard quality housing options in Front Royal by denying the permit.

Jeffrey “Jake” Burns, 603 Cardwal Drive, referred to short-term rentals as “one-room hotels”. He urged Council to consider parents concerns of small children in residential neighborhoods before approving short-term permits in those neighborhoods, making it their goal to keep the children safe.

Steve Cherry, 212 W. Main Street, concurred with the other speakers. He encouraged Council to go with the recommendation of the Planning Commission.

Julian Ehiem, 712 W. 13th Street, advised that he just moved to Front Royal and appreciated learning about his neighbors. He voiced concern about safety and trusting your neighbors. He encouraged Council to go with the Planning Commission’s recommendation.

Nan Hathaway, 107 Virginia Avenue, advised that she purchased her home in 1989 and was located across the street from the property. She briefed Council on the previous owners of the houses in the neighborhood including the property in question. She explained that the neighborhood was originally R-1 (single family housing) but was changed to R-3 (high density housing) to allow older homes to be converted into apartment buildings where the owners lived elsewhere. She urged Council to not compound the issue by allowing short-term rentals and vote no to the permit.

Tom Sayre, 835 N. Shenandoah Shores Road, advised that there were a lot of people wanting to move to Front Royal and Warren County but there was a shortage of houses available.

Vincent Maresca (*signed up but was accidentally left off*), 140 Fontana Road, voiced opposition to the permit. He opined that allowing short-term rentals in an R-3 zone sets a bad precedent and alters Front Royal’s small-town image. He stated that multiple studies had been done on the correlation of Airbnbs and neighborhood crime noting that science and data prove that short-term rentals decrease social fabric of a community. He expressed that Front Royal should be kept as a tight-knit community for generations to come.

Doug Ichiuji, 125 W. 1st Street, voiced support of the permit. He stated that he has lived in the neighborhood for 20 years and has not seen any traffic safety issues. He reminded Council that tonight was about a specific permit not the Town Code Short-Term Rental Ordinance. He questioned whether apartment owners in the neighborhood vetted their renters like those who rent on Airbnb. He advised that the owner would be moving to Front Royal permanently upon retirement and urged Council to approve the permit.

Bridget Scanlan, owner of 108 Virginia Avenue, advised that she purchased the property in 2018 as her intended retirement home but was currently using it as a vacation home. She explained that her plan was to rent the property from late spring through autumn since having less flow in the home was much easier to manage. She explained that she has a five or potentially seven-night minimum reducing turnover. She advised that she met directly with (13) neighbors on Virginia Avenue and 1st Street and received support of

her plan for the home and each signed a petition in favor of her plan. She explained the entrance (driveway) and carport were located at the back of the house with enough room for four cars. She noted that there were house rules and a lot of restrictions in place; and it was important to her to vet people and find the right tenants for her home. She gave a petition of neighbors in support of the permit to the Clerk.

Vice Mayor Cockrell closed the public hearing

Councilwoman Thompson moved seconded by Councilman McFadden that Council approve a Special Use Permit to allow a short-term rental at 108 Virginia Avenue owned by Bridget Scanlan.

Vice Mayor Cockrell asked Director of Planning Lauren Kopishke to explain about the parking, residential zones, and short-term rental ordinance provisions. Ms. Kopishke confirmed that the short-term rental ordinance took approximately three months to complete with public hearings at both Planning Commission and Council meetings where there were no speakers. She continued that the Planning Commission recommended denial of this permit at their public hearing held on June 15th. On June 16th she and the Chief of Police walked the property and found nothing dangerous with the traffic situation and that the driveway and carport on the property could accommodate approximately four cars. On June 3rd the applicant was in compliance with all the provisions of the zoning ordinance and that the concerns stated tonight are mitigated within that ordinance. She reminded Council that special use permits are issued as long as certain criteria is met. She explained that R-1 was single family low density and R-3 was higher density.

Councilman McFadden questioned whether there were any reasons for denial of the permit from the Planning Commission. Ms. Kopishke opined that due to those who spoke at the public hearing there was concern that it was not proper use of a residential area.

Since Darryl Merchant, Chairman of the Planning Commission, was in the audience he was asked to come forward and answer a few questions. Mr. Merchant explained that the Planning Commission denied the permit after considering the public comments and the owner was not onsite. He reminded Council that the Planning Commission had offered an alternative amendment to the short-term rental ordinance allowing only home-shared/owner-occupied events in residential zones. He continued that parking, safety and traffic concerns were referred to staff for further research. It was confirmed that the ordinance that was approved by Council did not require the owner to be onsite.

Councilman McFadden questioned the ratio of rentals vs owner-occupied housing in Front Royal. Ms. Kopishke advised that per the current Comprehensive Plan process the data was 51% vs 49% respectively. With that information Mr. McFadden noted that Front Royal is already a "renter community". He explained that he has experience with being a renter, a landlord, a property owner and has stayed in short-term rentals and is aware of the issues that arise from each one. He voiced support of short-term rentals, especially since Warren County already has them and tourists were coming to the area with nowhere to stay. He continued that Front Royal was trying to grow tourism in a way that was sustainable and that requires some kind of "hoteling". He advised that the owner had opened the dialogue with neighbors which is a step forward in the right direction.

Vice Mayor Cockrell asked Captain Ryman to come forward and brief Council on any safety issues in this area. Captain Ryman advised that it was a relatively quiet neighborhood with no calls for services or accidents in approximately six or seven years.

Vice Mayor Cockrell asked Director of Public Works Robbie Boyer to come forward and brief Council on the street design narrowness and/or traffic pattern of the neighborhood. Mr. Boyer confirmed the narrowness of 1st Street and a traffic count on this street was completed a few years ago and after the removal of a “cut through” from Virginia Avenue to W. Main Street traffic was reduced.

Councilwoman Thompson advised that she watched the recent Planning Commission meeting, performed her own research, and read all articles from Mr. Rodriguez. She explained that all the articles referenced one study between 2011-2018 in Boston and was focused on a lot of Airbnbs in one neighborhood (specifically condos) where neighborhood watches were lost. After further research, Mrs. Thompson advised that within a quarter mile radius of the property there were no less than seven sex offenders and stated that there was always someone around who does not have a child’s best interest. She advised that the property had plenty of parking, was not a nuisance property, the owner spends some time at the property, rents only two of the four bedrooms, and officers are not seeing accidents or issues in the neighborhood. Mrs. Thompson voiced concern about a property in the neighborhood operating as a school where background checks may not be performed. She advised that the Planning Commission’s recommendation to deny had no facts or figures to back up their decision and that she would be voting yes for the permit.

Councilwoman Morris noted that she is not in favor of allowing government to dictate what individuals can do with their property within their constitutional rights and within the law. She reiterated that Planning Commission and Council worked on the short-term ordinance for months and there were no speakers at either of the two public hearings. She advised that she has experience as being a renter, using short-term rentals, owning a rental and is a property owner. She explained that the Town adopted the short-term rental ordinance to allow transient lodging and the owner had brought forth her rental to bring it up to code and continue her short-term rental legally. She noted the Planning Commission recommended denial of the permit with no legal reason. Due to the volatile market, she explained that a lot of people do not earn enough wages to purchase a property at this time which is reflected in the high rental percentage. She explained the Virginia Residential Landlord Tenant (VRLT) Act that went into effect in 2020 during the height of COVID where landlords did not receive rent and property was damaged. Ms. Morris advised that she too read the articles given to Council. She continued that traveling nurses and doctors are in need of housing and short-term rentals assist with that. She explained the vetting process that Airbnb currently requires.

Vice Mayor Cockrell confirmed with Ms. Kopishke that per the ordinance, if there were any problems Council could pull the permit and impose the conditions.

Councilman Jackson noted that he has experience as a property manager and advised that long term rentals were harder to flip than short-term rentals and he too agreed with Councilwoman Morris that he was not in favor of telling someone what to do with their property. He voiced support of approving the permit.

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

No – N/A

Absent – Councilman Gillispie

Abstain – N/A

ROLL CALL

Special Use Permit to Allow Short-Term Rental at 201 E. Main Street – Hike Properties LLC

Vice Mayor Cockrell opened the public hearing.

Doug Ichiuji, 125 W. 1st Street advised Council that he was available for questions.

Vice Mayor Cockrell closed the public hearing.

Councilwoman Thompson moved seconded by Councilwoman Morris that Council approve a Special Use Permit to allow a short-term rental at 201 E. Main Street owned by Hike Properties LLC.

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

No – N/A

Absent – Councilman Gillispie

Abstain – N/A

ROLL CALL

Public Necessity Resolution for Redundant Waterline Project in Rt 522 North Corridor

Vice Mayor Cockrell opened the public hearing.

Since there were no speakers, Vice Mayor Cockrell closed the public hearing.

Vice Mayor Cockrell moved seconded by Councilwoman Thompson that Council approve a Public Necessity Resolution for the Redundant Waterline Project in the Route 522 North Corridor

Deputy Town Attorney Sonnett read VA Code § 15.2-1903. B. Prior to initiating condemnation proceedings, the governing body shall, after a public hearing, adopt a resolution or ordinance approving the proposed public use and directing the acquisition of property for the public use by condemnation or other means. The resolution or ordinance shall state the use to which the property shall be put and the necessity therefor. Furthermore, other political subdivisions of the Commonwealth shall also be required to hold a public hearing prior to initiating condemnation proceedings. He advised that Council would be complying with this section of the Virginia Code upon passage the resolution.

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

No – N/A

Absent – Councilman Gillispie

Abstain – N/A

ROLL CALL

FY22 Budget Amendment for Revenue Exceeding Budgeted Amount and Budget Transfer to Allocate Additional Funds to Advance paving Plan

Vice Mayor Cockrell opened the public hearing.

Since there were no speakers, Vice Mayor Cockrell closed the public hearing

Councilwoman Thompson moved seconded by Councilwoman Morris that Council approve a FY22 Budget Amendment for revenue exceeding FY22 budget amounts and a FY22 budget transfer to allocate additional funds to advance the Town's Paving Plan in the amount of \$1,000,000.00.

Council voiced their support of this item.

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

No – N/A

Absent – Councilman Gillispie

Abstain – N/A

ROLL CALL

An Ordinance Amendment to Town Code Chapter 175 to Add Data Centers

Vice Mayor Cockrell opened the public hearing.

Darryl Merchant, 110 Kerfoot Avenue noted that staff did an outstanding job on preparing the performance standards and was not opposed to data centers but suggested they be allowed as a special use not a by right use. He explained that special use permits give the opportunity to see if the use is appropriate for the zone for which the data center is located. He explained that every community is trying to get a data center and voiced concern about performance standards not covering building size, energy consumption (water/electric) and limited employment. He concluded that the financial impact for a data center could be good for our community.

Tom Sayre, 835 Shenandoah Shores Road, agreed with Mr. Merchant in that the data centers have low employment and take up a lot of space. He suggested that Council “take another look”.

Vice Mayor Cockrell closed the public hearing.

Councilwoman Morris moved seconded by Vice Mayor Cockrell that Council defer this item to a work session.

Councilwoman Morris voiced concern that since the Town was in the process of renewing the Comprehensive Plan, she was not comfortable making this amendment by right in an industrial zone. She opined that it needed to be approved by special use permit to insure what is best for the Town constituents. She suggested more information to determine what is the best use. Vice Mayor Cockrell echoed the sentiments of Councilwoman Morris and noted that she liked the special use permit because it can be reviewed on a case-by-case basis to determine what was best for the community. She noted the review would assist in “getting it right” the first time. Councilwoman Morris also noted that it shows the investment the data center is willing to give to the community in terms of infrastructure and employment.

Councilman McFadden voiced support only if it was a special use permit and for Council to have somewhat more control instead of giving it away. Councilman Jackson agreed with Mr. McFadden noting case-by-case evaluation was better to look at objectively for the constituents and he needed more information to make a confident vote tonight.

Deputy Town Attorney Sonnett suggested that the motion be in the form of postponing action to a date certain at a regular meeting following a work session due to the public hearing being opened and closed tonight.

Councilwoman Morris moved seconded by Councilman McFadden to amend the motion that Council defer Public Hearing 7E for a deferred vote to a regularly scheduled Council meeting on July 25, 2022 at 7:00pm following the July 11th work session.

Councilman McFadden questioned why the motion could not be amended tonight to identify special use permit instead of by right. Councilwoman Morris advised that more information would be helpful at the

July 11th work session. Town Manager Hicks advised that the work session would allow staff to identify the typical conditions that is applied to data centers to allow Council to vote with that added information. Mr. McFadden noted that Council was not against data centers only the by right use with preference in the vetting process that the special use allows. Mr. Hicks advised Council after reconsideration that Council would not be able to vote on the ordinance amendment at the July 25th meeting due to the public hearing needing to be readvertised due to the first advertisement limiting the amendment to by right and not special use. It was noted that the next work session for Planning Commission was July 6th. Mr. Hicks recommend that Council refer this to the Planning Commission tonight to make a recommendation to Council at their July 11th work session.

Councilwoman Morris withdrew her previous motions and moved seconded by Vice Mayor Cockrell that Council refer to the Planning Commission 7E "Public Hearing-An Ordinance Amendment to Town Code Chapter 175 to Add Data Centers" to make this a Special Use Permit only.

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

No – N/A

Absent – Councilman Gillispie

Abstain – N/A

ROLL CALL

An Ordinance Amendment to Town Code Chapter 158-6 for Adoption by Reference of State Vehicular Laws

Vice Mayor Cockrell opened the public hearing.

Since there were no speakers, Vice Mayor Cockrell closed the public hearing.

Councilman McFadden moved seconded by Councilwoman Thompson that council approve an ordinance amendment to Town Code Chapter 158-6 pertaining to adoption by reference of the state vehicular laws, as presented.

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

No – N/A

Absent – Councilman Gillispie

Abstain – N/A

ROLL CALL

PUBLIC COMMENTS (COMMENTS NOT RELATED TO PUBLIC HEARINGS)

Tom Sayre, 835 Shenandoah Shores Road, voiced concern over the potential protesting and vandalism that may occur over the recent decision to overturn Roe vs Wade and send back to the states. He encouraged the community to come together.

Jane Elliott, 59 River Court, voiced concern over the recent Shenandoah Shores Road railroad crossing on June 17th where a train was stopped for 2 ½ hours. She reminded Council that this crossing is the only way in and out for Shenandoah Shores residents and workers. She questioned why funds could not be allocated to provide a second access to provide safety to residents noting it was more than an inconvenience but a genuine safety hazard making residents helpless with no escape. She questioned whether there was any consideration from Norfolk and Southern Railroad regarding emergency matters at this crossing. Ms Elliott continued to question why the railroad was able to get away with abusive behavior towards Town and County residents and why local officials continue to turn a "blind eye". Due to the seriousness of the situation, she encouraged Council to have a secondary access out of Shenandoah Shores Road, an overpass at the tracks or an emergency exit onto I-66. She reiterated that the railroad needed to be accountable.

Walter Langdon, 104 Ryder Benson Lane, spoke on behalf of his daughter who owns the residence and who he stays with occasionally. On behalf of his daughter, he voiced concern over the lack of snow removal on this street due to it being a private road. He noted that his daughter was a nurse and was concerned she would not be able to get out during inclement weather. He requested that Council furnish this service in their neighborhood.

Michael Plumstead, 108 Ryder Benson Lane, concurred with Mr. Langdon noting that he purchased his home on May 4, 2022. He asked Council to consider their request for snow removal on his street.

REPORTS

A. Town Manager Report – Mr. Hicks advised that the Town Business Offices would be closed on Monday, July 4th for Independence Day. He noted that he enjoyed attending the George Banks Signage Ceremony on Saturday.

B. Town Council Reports –

Councilwoman Thompson noted that she too attended the George Banks Signage Ceremony and advised that the Banks family was appreciative of the assistance from the Town.

Vice Mayor Cockrell noted that she also attended the George Banks Signage Ceremony and expressed how wonderful an experience it was to see neighbors come together attending a block party. She advised that her and the Town Manager attended a meeting regarding an update on the community health needs assessment on June 17th. She invited the community to an evening out on Sunday, July 3rd to attend a car show at Lindsey Chevrolet along with back-to-back Cardinal's games and finally Town sponsored fireworks after the second Cardinals game.

C. Mayor Report – N/A

CONSENT AGENDA ITEMS

A. Bid for Various Grades of Stone for FY23

Council approved bid from Hanson Aggregates for fixed pricing on various types of stone for streets and water/sewer maintenance for FY23 in the amount of \$101,689.00.

B. Bid for Various Grades of Asphalt for FY23

Council approved a contract for firm fixed pricing on various grades of asphalt for general street patching and surfacing of Town streets for FY23 from Stuart M Perry for the following various grades of asphalt per ton: base, \$77.00; intermediate, \$77.00; and finish, \$79.00.

C. FY22 Budget Amendment to Accept Monies from Various Sponsors for Gazebo Movies and Fireworks Display (REVISED)

Council approved a FY22 budget amendment to receive the amount of \$8,715 from various sponsors for movies shown at the gazebo in the amount of \$1,215.00 and various sponsors for a firework display in the amount of \$7,500.00.

D. Professional Electrical Engineering Services

Council approved a contract for Professional Electrical Engineering Services for the Town's Department of Energy Services to Southeastern Consulting Engineers Inc for a period of one year with the option to renew for 4 (four) additional one-year periods.

E. Professional Environmental Engineering Services

Council approved contracts for Professional Environmental Engineering for the Town's Department of Public Works to CHA Consulting Inc & Potesta & Associates Inc for a period of one year with the option to renew for 4 (four) additional one-year periods.

F. Supervisory Control/Data Acquisition (SCADA) Change Order for Water Plant

Council approved a change order to DR Control LLC's contract for the Water Treatment Plant's SCADA and telemetry upgrade in the amount of \$44,564.00.

G. FY2021-2022 Write Off for Bad Debt

Council approved the removal of 5 years or older of outstanding accounts receivable (bad debts) totaling \$46,705.80 (166 utility accounts) on the Town's ledger for the remainder of fiscal year 2020-2021.

H. Deed of Easement for Front Royal Self Storage, LLC for Waterline on Commercial Property located on Route 522 North Corridor

Council approved and accepted a Deed of Easement for access to and maintenance of facilities (waterline) to be constructed by Front Royal Self Storage, LLC located outside the Town limits in the Route 522 Corridor (over portions of Warren County Tax Map Parcel 12-56C) as presented; and authorized the Mayor, Clerk of Council, Deputy or Interim Town Attorney and/or Town Manager to execute all documents as necessary.

I. Amend T-Mobile Northeast LLC to Expand Leased Floor Space to Update Antennae Facilities Located on the Fairground Water Tank, and to Extend the Lease Term

Council approved the "Fourth Amendment to Tower Site Lease Agreement", permitting T-Mobile to add to their existing facilities located at and on the Town's Fairgrounds Road water tank and for additional consideration, extended the lease term for an additional five (5) years and authorized the Town Manager to execute all documents as necessary.

J. Deed of Easement for Stormwater Infrastructure between 610B and 612 W. 11th Street and Corner of Kendrick Lane and Monroe Avenue

Council approved two Deeds of Easements located at 610 B and 612 W. 11th Street and the corner of Kendrick Lane and Monroe Avenue to complete the installation of stormwater infrastructure on the properties, as presented; and authorized the Mayor, Clerk of Council, Deputy or Interim Town Attorney, and/or Town Manager execute all document as necessary.

K. Appointment of Joint Towing Advisory Board

Council appointed the following members to the Joint Towing Advisory Board to 4-year terms beginning June 26, 2022 and ending June 26, 2026; Sergeant David Fogle – Front Royal Police Department; Captain Robert Mumaw – Warren County Sheriff's Office; Sergeant Brian Davis – Virginia State Police; Emily Ciarrocchi – Citizen; Gloria Knott – Keens Towing; Louis C. "Peanut" Tharpe – Tharpe's Towing; Alan Crawford - Midway Towing

L. Designation of Councilmember and Town Staff to the Discover Front Royal Board

Council designated Councilwoman Letasha Thompson and Special Events Coordinator Elizabeth Lewis to the Discover Front Royal Board as non-voting members.

Vice Mayor Cockrell read the revision to Item #10C.

Vice Mayor Cockrell moved, seconded by Councilwoman Morris that Council approve the Consent Agenda, as presented including the Revision to Item 10C.

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

No – N/A

Absent – Councilman Gillispie

Abstain – N/A

ROLL CALL

BUSINESS ITEMS –Resolution for Employee Appreciation Day

Vice Mayor Cockrell read the resolution

WHEREAS, the Town of Front Royal has 166 full and part-time employees; and,

WHEREAS, Town employees are recognized as professionals who provide quality service to our community during these ever-changing times; and,

WHEREAS, Town employees continue to face many challenges but continue to excel in the workplace by demonstrating dependability, initiative, and accountability to the community and to each other; and,

NOW, THEREFORE BE IT RESOLVED by the Vice Mayor and Town Council of the Town of Front Royal, Virginia hereby express deep and sincere appreciation to the all the employees of the Town of Front Royal for their dedication, service, and vital contributions to the citizens of Front Royal; and,

BE IT FURTHER RESOLVED that July 21, 2022, be designated as “*Employee Appreciation Day*” for all the employees of the Town of Front Royal.

Vice Mayor Cockrell moved seconded by Councilwoman Thompson that Council approve a resolution identifying July 21, 2022 as Town Employee Appreciation Day in the Town of Front Royal.

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

No – N/A

Absent – Councilman Gillispie

Abstain – N/A

ROLL CALL

ADDITION OF ITEM - Appointment of Joint Tourism Board

Councilwoman Thompson moved seconded by Councilman McFadden that Council appoint the following the Joint Tourism Board: Scott Turnmeyer; Jesse McClain (Joint); Hannah MacKinnon; Gillian Greenfield (Joint).

Clerk of Council Presley confirmed they were all for a 4-year term and was added to the motion.

Councilwoman Thompson moved seconded by Councilman McFadden that Council appoint the following the Joint Tourism Board: Scott Turnmeyer; Jesse McClain (Joint); Hannah MacKinnon; Gillian Greenfield (Joint) to a 4-year term.

Council thanked them for applying and for their patience and excitement to see what they can do.

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

No – N/A

Absent – Councilman Gillispie

Abstain – N/A

ROLL CALL

CLOSED MEETING

Councilman McFadden moved seconded by Councilwoman Morris that Town Council convene and go into Closed Meeting for 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 Manager Evaluation, pursuant to §2.2-3711. A.1 of the Code of Virginia

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

No – N/A

Absent – Councilman Gillispie

Abstain – N/A

ROLL CALL

Councilman McFadden 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

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

No – N/A

Absent – Councilman Gillispie

Abstain – N/A

ROLL CALL

Approved by Town Council

Date: 7/25/22