



TOWN COUNCIL REGULAR MEETING MINUTES

July 25, 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

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

ABSENT: Vice Mayor Lori A. Cockrell
Councilman Zackary Jackson

APPOINTED STAFF PRESENT: Town Manager Steven W. Hicks
Deputy Town Attorney George Sonnett
Deputy Clerk of Council Mary Ellen Lynn

APPOINTED STAFF ABSENT: Clerk of Council Tina L. Presley

APPROVAL OF MINUTES – Councilman McFadden moved, seconded by Councilwoman Thompson that Council approve the minutes of the following meetings of Town Council as presented: Special Meeting of June 27th, Regular Meeting of June 27th and Work Session of July 11, 2022, as presented.

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

ROLL CALL

ADDITION/DELETION OF ITEMS FROM THE AGENDA – Councilwoman Morris moved seconded by Councilman McFadden to delete item #10B "Condemnation Resolution for Redundant Waterline for the Route 522 Corridor" from the Consent Agenda and add as item #11A under Business Items.

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

ROLL CALL

RECOGNITIONS/AWARDS/REPORTS –

Council recognized Town employee Jerry Carter on his retirement with approximately thirty years of service with the Town and presented him with a plaque.

Chief of Police Magalis and Warren County Fire Department Chief Jimmy Bonzano recognized Front Royal Police Sergeant Eric Suess and Officer Rachel Martin for their heroic efforts during an active structure fire on June 15, 2022. A body cam video was shown of the rescue of two residents that day. The Chief presented each officer with a life-saving medal. He noted that he had contacted the Virginia Association of the Chiefs of Police for the officers to be considered for the life-saving awards they offer. Mr. Bonzano noted the good relationship with the “brothers and sisters in blue” and the knowledge and calm demeanor of the officers which set the tone for success of the rescue. He presented both a life-saving award.

Interim Director of Energy Services Mary Ellen Lynn recognized Town employee Chris Cubbage’s completion of the Apprentice Lineman Training Program through the Virginia/Maryland/Delaware Association Northwest Lineman College. She explained the commitment and training that it takes to become a lineman and presented him with a framed diploma certifying his completion and qualification as a journeyman lineman.

Interim Director of Energy Services Mary Ellen introduced Harry Phillips, American Municipal Power (AMP) representative who recognized and awarded local Warren County High School senior Ian Hoelscher as one of AMP’s 2022 Lyle B. Wright Scholarship recipients in the amount of \$3,000. Due to unforeseen circumstances Mr. Hoelscher could not be in attendance therefore Mrs. Lynn accepted the award for him on behalf of the Town.

Public Works Director Robbie Boyer gave a Project Update:

Public Works Infrastructure Update July 25, 2022 –

Curb & Gutter Installation Project – Installing 9,000’ of CG6 curb & gutter and CG9 driveway aprons on 10 streets, project 50% completed and should be wrapped up by mid-September 2022.

W. Duck St Drainage Project – GEI started on July 18th upgrading the existing 18” culvert to 30”, they’ll be finishing up the curb & gutter and backfilling this week and should be done by Thursday, July 28th.

N. Royal Ave Paving Project – Kick’in Asphalt started on N. Royal Ave on July 18th milling and paving, they should be wrapped up with this on Friday July 29th. Their line painters will be here on Sunday night and Monday night to install the new line markings. Then W. 13th St, George Banks and Belmont Ave.

610B and 612 W. 11th St Storm Drain Upgrade – The town has installed the new 36” culvert between the two town houses to the back of the property shy of the EDA fence. We received the signed right-of-entry agreement from the EDA this past Friday July 22nd.

Braxton Rd and Manassas Ave Waterline Upgrade Projects – We had a pre-bid meeting on June 27th at town hall and had a good turn out of contractors show up, the bid opening is this Thursday at 2pm. The plan is to have ready for Town Council approval in August.

John Marshall Hwy Waterline Upgrade Project – Bid will be posted on Friday, July 29th with a pre-bid meeting on Thursday, August 11th and bids will be opened on Tuesday, August 30th.

Robinhood Lane Prv Vault – Order on April 26, 2022 and still looking at another 10 weeks for delivery due to the traffic bearing hatch.

Richmond Rd PRV Vault – Working on the vault drawing's and bid documents, plan to bid out in late August 2022.

Redundant Water-line Project – Pre-bid meeting was held on July 19th, and we had roughly 12 different contractors show up, the bid opening will August 24, 2022.

Custom Storm Drain Lids -We're in the process of coating the 25 custom storm drain lids for E. Main St, we're planning to have them all coated by the end of next week.

~~New Urbanism – Town's Comprehensive Plan Presentation by Leon Krier/Irene Krier~~ REMOVED

PUBLIC HEARING

Ordinance Amendments to Town Code Chapter 16 – Industrial Development Authority

Mayor Holloway opened the public hearing. Since there were no speakers, the Mayor closed the public hearing and opened up to Council.

Councilwoman Thompson moved seconded by Councilman Gillispie that Council approve ordinance amendments to Chapter 16 – Industrial Development Authority as presented.

Vote: Yes – Councilmembers, Gillispie, McFadden, Morris, and Thompson

No – N/A

Absent – Vice Mayor Cockrell and Councilman Jackson

Abstain – N/A

ROLL CALL

PUBLIC COMMENTS (COMMENTS NOT RELATED TO PUBLIC HEARINGS)

Tom Sayre, P.O. Box 56, Front Royal, commented on several items: 1) reminded Council of helping the Town save \$10 million when he was on Council in the past; 2) clarified that it was a Warren County Sheriff Deputy not a Front Royal Police Officer that threatened people if they tried to cross the train tracks when the train was blocking Shenandoah Shores Road a few weeks ago; 3) urged Council to not allow the Front Royal Economic Development Authority to spend or loan money to private businesses; and 4) noted that during a special meeting held by Council on June 13, 2022, \$150,000 was moved from general fund to authorize payment for legal fees related to litigation. He opined that it “looked like settlement money” and felt Council should have been more transparent on the legal fees.

REPORTS

A. Town Manager Report – Mr. Hicks thanked County of Warren for their participation during their most recent Liaison Committee Meeting. He thanked Public Works Director Robbie Boyer for representing the Town during his “Town Talk” with Mike McCool of the Royal Examiner. Mr. Hicks advised that comments were still being accepted for the Comprehensive Plan rewrite. He concluded by advising of several dates of importance: 1) Employee Appreciation Day on July 21 with a Town-hosted Cardinals game that night; 2) “National Night Out” scheduled for August 2nd and a Council Work Session scheduled for August 8th.

B. Town Council Reports – No reports

C. Mayor Report – No report

CONSENT AGENDA ITEMS**A. FY23 Budget Amendment to Receive Funds from the Anti-Litter Council**

Council approved a FY23 Budget Amendment in the amount of \$5,142.25 to receive funds from the Front-Royal Warren County Anti-Litter Council to be used to purchase additional bear proof and regular solid waste receptacles.

B. Condemnation Resolution for Redundant Waterline for Route 522 Corridor **MOVED TO BUSINESS ITEMS****C. Appointment of Non-Elected Representative to the NSVRC**

Council appointed Director of Planning/Zoning Lauren Kopishke as the non-elected representative to the Northern Shenandoah Valley Regional Commission (NSVRC) to an unexpired term ending June 30, 2023.

D. Front Royal Economic Development Authority Bylaws

Council approved the Front Royal Economic Development Authority Bylaws as presented contingent upon the approval of Town Code Amendments to Chapter 16 during the public hearing held earlier.

Councilwoman Thompson moved seconded by Councilwoman Morris that Council approve the Consent Agenda, as presented with Item 10B removed.

Vote: Yes – Councilmembers, Gillispie, McFadden, Morris, and Thompson

No – N/A

Absent – Vice Mayor Cockrell and Councilman Jackson

Abstain – N/A

ROLL CALL

BUSINESS ITEMS**Condemnation Resolution for Redundant Waterline for the Route 522 Corridor** **MOVED FROM CONSENT AGENDA**

Councilwoman Morris moved seconded by Councilwoman Thompson that Council discuss and delay the Condemnation Resolution for Redundant Waterline for the Route 522 Corridor upon full Council attendance and further information be presented.

Councilwoman Morris reminded Council that during their July 11th Work Session staff advised them that Good Faith Letters had been mailed to all property owners and asked for confirmation of the mailings. Deputy Town Attorney Sonnett advised that negotiations are ongoing with one of the easements. He explained that the letters were not mailed by the legal department, since that was the responsibility of the Town's consultant CHA with his understanding that at least one has not been mailed.

Councilwoman Morris noted that the resolution before Council tonight is a misrepresentation considering the negotiations have not progressed. Town Manager Hicks explained that negotiations will always be ongoing during the condemnation process. Mrs. Morris advised that the condemnation process does not need to proceed since the owner has agreed to the easement documents including the value. Mr. Hicks advised that a meeting with the property owner has been scheduled for July 29th and that he was hoping for a positive outcome and encouraged Council to continue to move forward with the approval of the resolution should the outcome not be positive. Councilwoman Morris voiced concern that it was irresponsible to adopt a resolution in anticipation and hopes of cooperation without having documents signed.

Mr. Hicks asked Assistant Town Manager Leidich to address whether the Good Faith Letters were mailed. Ms. Leidich advised that the letter for the Schultz property was mailed but the other one was held pending the upcoming meeting with the property owner. She continued that the resolution as written gives staff the ability to pursue condemnation should we need to. Councilwoman Morris voiced confusion on why the letters were sent to one property owner and not all property owners. Councilwoman Thompson referred to the July 11th memo under “F&R Limited Partnership, Item #14 (xiv) 6/29/22: Good Faith Offer Letter mailed via certified mail to property owner”. She advised that #14 is incorrect because that letter was not mailed. Ms. Leidich admitted the oversight.

Councilwoman Morris reiterated that the resolution before Council tonight was a misrepresentation and voiced concern that Council did not approve any negotiations being any more than the fair market value and why there were further meetings with one property owner. Mr. Hicks explained that there have been a series of discussions with this landowner regarding the redundant waterline and the process in place is connected to negotiations that will be disclosed in a closed session. Councilwoman Morris concluded that a formal notice has not been mailed to this property owners which is “alarming.” She thanked Ms. Leidich for the update.

Councilwoman Morris reread her motion (the wording slightly different than the first motion)

Councilwoman Morris moved seconded by Councilwoman Thompson that council pause the Condemnation Resolution for Redundant Waterline for the Route 522 Corridor until further discussion with Council regarding negotiations.

Councilman Gillispie asked whether it would be placed back on an upcoming agenda. Deputy Town Attorney Sonnet asked for the date to be included in the motion as to when action will be taken by Council.

Councilwoman Morris amended her motion:

Councilwoman Morris moved seconded by Councilwoman Thompson that Council approve the pausing of the Condemnation Resolution for Redundant Waterline for the Route 522 Corridor to Council’s Special Called August 16th meeting.

Vote: Yes – Councilmembers, Gillispie, McFadden, Morris, and Thompson

No – N/A

Absent – Vice Mayor Cockrell and Councilman Jackson

Abstain – N/A

ROLL CALL

Meeting adjourned at 7:49pm.

Approved by Town Council

Date: 9/26/22