



TOWN COUNCIL REGULAR MEETING MINUTES

October 24, 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 led by Councilman Rogers

ROLL CALL PRESENT: Mayor Chris W. Holloway
Vice Mayor Lori A. Cockrell
Councilman Gary L. Gillispie
Councilman Zackary Jackson
Councilwoman Amber F. Morris
Councilman Duane R. "Skip" Rogers
Councilwoman Letasha T. Thompson

APPOINTED STAFF PRESENT: Interim Town Manager Kathleen R. Leidich
Deputy Town Attorney George Sonnett
Clerk of Council Tina L. Presley

APPROVAL OF MINUTES – Vice Mayor Cockrell moved, seconded by Councilman Jackson that Council approve the minutes of the following meetings of Town Council: Joint Meeting/Special Work Session of August 16th; Regular Meeting of September 26th, Special Meeting of October 1st, 2022 and with an amendment to Special Meeting/Work Session of October 11, 2022 to state "Tuesday" instead of "Monday".

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

ADDITION/DELETION OF ITEMS FROM THE AGENDA –

Vice Mayor Cockrell moved seconded by Councilwoman Morris to add the following to the closed meeting the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, specifically Town Manager and Town Attorney, pursuant to §2.2-3711(A)(1) of the Code of Virginia.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

RECOGNITIONS/AWARDS/REPORTS—

The Mayor and Council recognized the retirement of Samuel L. Grimsley who had over 32 years of service with the Town. He was awarded a plaque and gift card.

Don Hindman, Project Director of the Shenandoah Rail Trail Exploratory Partnership gave an update to Council on the Shenandoah Rail Trail. He noted that the 100-page Feasibility Study was complete and numerous Resolutions of Support from neighboring localities and non-profits had been received for the project. He briefed them on the Economic Impact Analysis and real estate appraisals which had topped \$15 – \$ 25 million. He explained that the railroad would not donate or lease their property but agreed to sell it. He continued that the Virginia Department of Transportation (VDOT) would be dealing with acquisitions in the next two years. Mr. Hindman advised that he had nine (9) Town Hall style meetings scheduled in the next 6-8 weeks followed by nine more in the spring.

Councilman Gillispie questioned the pushback that Shenandoah County had with the project. Mr. Hindman advised that the area was looking at something different and he was in talks with them. Councilwoman Morris questioned the total cost to construct the project. Mr. Hindman quoted \$70-\$80-million-dollar range. Councilman Rogers questioned the phases. Mr. Hindman advised that there were six phases and was not sure what would come first. He noted that Shenandoah County had more bridges and large trees to contend with. It was noted that Front Royal was added to the project in 2020.

Director of Public Works Robbie Boyer gave his monthly Projects Report:

Public Works Infrastructure Update October 24, 2022

Curb & Gutter Installation Project – Installation of 9,000 of CG6 curb and gutter and CG9 driveway aprons on 10 streets, this project is 100% complete.

S. Commerce Ave Sidewalk Project – This project will be 100% complete by the first part of next week.

610B & 612 W. 11th St Storm Drain Upgrade Project – This project is 100% complete, the new structure has been set and the last 50' of pipe installed and everything cleaned up.

Braxton Rd & Manassas Ave Waterline Upgrade Projects – This bid was approved by Town Council on August 29 and the contracts have been signed by Bushong Contracting Inc and the material on order. The project should start in early January of 2023 and should take about three months to complete.

John Marshall Hwy Waterline Upgrade Project – Town received a total of 5 bids with Bowman-Griffin General Contractors LLC out Hillsville, VA being the low bidder at \$229,550.00. This project has been approved by town council on September 26, 2022, and currently waiting on the signed contract. The contractor is working on getting all the material needed for this project.

Robinhood Lane PRV Vault Replacement Project – Still another two weeks out on the hatch due to the traffic bearing weight requirement. These will push the vault delivery out to mid-December Vault weighs 24,000 LBS so a crane will be needed to set the vault.

Richmond Rd PRV Vault Replacement Project – This item is on tonight's consent agenda for approval to award the purchase to Fortiline Waterworks and approval to allow Bushong Contracting to install the vault once delivered.

Redundant Waterline Project – The bid opening was held on August 31, 2022, we received two bids for this project. Snyder Environmental was the low bidder, the first public hearing will be held tonight and is on the consent agenda for approval tonight.

W. 12th St waterline Upgrade – We're currently working on bids specs and drawing to upgrade the existing water main on W. 12th St between N. Royal Ave and Virginia Ave. We hope to have this out to bid by mid November 2022.

Primary and Secondary Street Paving – The town’s paving contractor has currently completed 20% of the paving and is currently working to finish up the rest by December.

Water Treatment Plant SCADA Upgrade – D&R Controls has finished completing the SCADA systems upgrades at the water plant, we’re currently waiting on the radios for 4 storage tanks and 3 pump stations for back up operations. The system is currently 100 percent optional currently.

Front Royal-Warren County Anti-Liter Council Funding – The Town has received the two 96-gallon bear proof trash cans for the Luray Ave boat landing. These was purchased with \$5,150.00 that was donated by the anti-liter council. This should be installed by late November once the concrete pad is completed.

Happy Creek Stream Bank – Cleaning up weeds and brush along the creek bed to prepare for the November 19th Community Planting Day from 10am to 2pm. This work will be completed within the next two weeks.

Sanitary Sewer Repairs Project – The mandatory pre-bid meeting was held on October 13 virtual; the bid opening will be on Wednesday October 26 at 2pm. This project consists of 25,000 linear feet of CIPP lining and 192 sewer laterals will be lined replaced. Once the bids have been reviewed this will be brought back to town council for approval in the November/ December time frame.

VDOT Funded Projects -

N. Shenandoah Ave Lighting Project –

E. 8th St Bridge Replacement –

Happy Creek Rd Improvements Phase 2 -

Town Council voiced their praise on the projects completed or currently working on and thanked Robbie and his crew.

PUBLIC HEARINGS

Special Use Permit for Short-Term Rental at 30 Fairview Avenue – VESTA Property Management
Mayor Holloway opened the public hearing. Since there were no speakers, the public hearing was closed and was opened to Council.

Councilwoman Thompson moved seconded by Councilwoman Morris that Council approve a Special Use Permit submitted by VESTA Management for a short-term rental located at 30 Fairview Avenue (tax map 20A3, Section 5, Lots 49 & 50).

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Specia Exception for Parking at 12 Chester Street – Leandra Justice

Mayor Holloway opened the public hearing.

Leandra Justice, 12 Chester Street, advised Council that she was available for any questions.

Mayor Holloway closed the public hearing and opened to Council.

Councilwoman Thompson moved, seconded by Councilman Jackson that Council approve the request from Leandra Justice for special exception to the parking requirements of Town Code Sections 175-151€ , 148-150(B)(6) and 148-870 for the short-term rental located at 12 Chester Street (tax map 20A9-4-43) and further moved that Council waive the fee and reimburse what has been paid for the special permit for parking because Council has determined that there was plenty of parking around the applicants short-term rental.

Councilwoman Thompson noted that Council cannot legally deny short-term rentals if the applicant has followed all the requirements. Councilwoman Morris reiterated and voiced apologies to Ms Justice that the short-term rental could not be used during the Festival of Leaves.

Councilman Rogers noted the amount of work the Justice's had put into the property and commended them for that – noting a real asset to the community.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Proposed Ordinance Amendments to Town Code Chapter 142-4.1 – Snow and Ice on Sidewalks

Mayor Holloway opened the public hearing.

Bruce Rapport, 300 W. Main Street, voiced concern that snowplow drivers pushed snow onto sidewalks that had already been plowed in the middle of the night which leads to re-freezing. He also voiced concern for the older residents who don't have access due to the Town only having 30% sidewalks. He questioned whether the ordinance was needed.

The Mayor closed the public hearing and opened to Council.

Councilman Gillispie moved seconded by Councilwoman Morris that council approve ordinance amendments to Town Code Section 142-4.1A to add the word "residential" and remove sentence "if the ice or snow forms or falls during the night or on a Sunday, it shall be removed by noon the following day", as presented.

Councilman Rogers noted that the Town was sympathetic to the elderly and therefore believed that action would not be taken against them.

Councilwoman Morris advised that the ordinance was to inform residents that the sidewalk adjacent to them needed to be cleaned but noted that currently there was no manpower to enforce the ordinance. She continued that the ordinance was not to harass anyone and voiced concern for the children who had to walk to school in the road for lack of sidewalks. She asked that residents be mindful and do their part. She noted that the ordinance was not a new one just an amendment to the existing one.

Councilwoman Thompson advised that the ordinance was a guideline and complaint based. She expressed sympathy to those who used the sidewalks and finding them not cleared.

Councilman Gillispie noted that Council did not want to see senior citizens punished. He voiced concern over those in wheelchairs that used the sidewalks to get around.

Vice Mayor Cockrell reiterated that it would be complaint based and encouraged everyone to help each other. There was discussion regarding the violation and how it would be handled. Planning Director Lauren Kopishke advised that door hangers would be used to notify the residents in violation that would inform them of a timeframe to remove the snow. Interim Town Manager Kathy Leidich read from the Town Code what her role would be:

If at any time the Town Manager or his designee shall find that any such property owner has not removed snow or ice pursuant to this Section, the Town Manager or his designee shall give notice, in writing, to such owner or occupant to remove such snow and/or ice within a reasonable time not to exceed six (6) hours after the giving of such notice.

Upon failure of any person to whom notice has been given pursuant to this Section to comply with the terms of such notice, the Town Manager may cause such snow and/or ice to be removed, and the expense thereof shall be charged to such owner or occupant to be collected in the same manner as County taxes or in any other manner authorized by law.

Councilman Jackson noted that it was imperative for residents to get where they needed to go, and the Town was not a “snow task force” for the elderly. He reiterated that it was complaint based.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

FY23 Budget Amendment for Route 522 North Corridor Redundant Waterline and Inflow/Infiltration Storm Water Abatement

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

Councilwoman Morris moved seconded by Councilwoman Thompson that Council approve a FY23 Budget Amendment totaling \$28,174,904.00 for the construction of the Town’s redundant waterline for the 522 corridor and for Inflow and Infiltration (I & I) Abatement of Storm Water Projects.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

PUBLIC COMMENTS (COMMENTS NOT RELATED TO PUBLIC HEARINGS) - NONE

REPORTS

A. Town Manager Report – Ms Leidich introduced Interim Energy Services Director Mary Ellen Lynn to update the Mayor and Town Council on the large-scale power outages in early October. Mrs. Lynn explained what happened on October 1st with the Rappahannock transmission drop and having to shift residents to

other substations. She explained that while there were two major power outages on the same day there was another major outage nine days later on October 10th. She noted that all three outages affected the same residents making it an unfortunate situation. She gave Council an overview of what was learned during these outages advising them that an automated message was formed for residents to call during an outage and the Town's website has a convenient reminder in the form of a "pop-up" message for residents to sign up for public notices and alerts. She noted that a better job was needed to alert residents of outages.

Vice Mayor Cockrell noted that she has signed up for the notices and voiced the importance of pushing the message to get notified. Councilwoman Thompson thanked Mrs. Lynn for a thorough report. Councilman Gillispie asked about the wildlife guards on the lines. Mrs. Lynn advised that they were there, but the squirrels are still getting through. Councilwoman Morris thanked Mrs. Lynn for a very thorough update noting that transparency was key.

Due to the Finance Director unable to attend tonight's meeting, Ms Leidich gave a brief statement of what the Governmental Finance Officers Association (GFOA) award was and that she would be recognizing Finance Director BJ Wilson and his staff at the next meeting.

B. Town Council Reports –

Vice Mayor Cockrell noted that it was Red Ribbon Week at her school and expressed her enjoyment of the most recently held Festival of Leaves event noting a great turnout.

Councilwoman Thompson reiterated the comments about the Festival of Leaves. She advised that she attended the Virginia Municipal League (VML) Conference recently and learned that the Opioid Funds would be received by the County and distributed accordingly to the Town with specific items the funds could be used for. She suggested that short-term rental owners investigate noise decibels that could be monitored by their phones. She welcomed Councilman Rogers to Council. Mrs. Thompson realized that there was a lot of traffic in Town during this time of year but noted that the revenue from the visitors helped the community businesses.

Councilwoman Morris echoed Mrs. Thompson's sentiments about the short-term rentals. She noted that she attended the "Revitalize and Die" workshop held recently noting that there is an appetite for change. She noted that the Festival of Leaves was great and encouraged the community to attend Hometown Halloween this weekend. She gave a shout out to the Town's Special Events Coordinator Lizi Lewis.

Councilman Rogers thanked Council for their confidence in him and for providing him the opportunity to serve. He noted that he had been meeting with key leaders of the community to learn all he could. He looked forward to working with Council.

C. Mayor Report – Mayor Holloway voiced appreciation for all the hard work that went into planning the Festival of Leaves and expressed hope it would continue to grow in the future. He thanked Director of Public Works Robbie Boyer and his staff for all their hard work in making the Town streets and sidewalks look good. Mr. Holloway recognized the Chief of Police and his officers for all their hard work during the Festival of Leaves and handling the large amount of traffic in Town. He welcomed Councilman Rogers. He noted that due to the Special Election on November 8th this may be Councilman Jackson's last meeting until and if he wins in the general election on November 8th. He thanked him for his service.

Councilman Jackson stated that it was an honor to serve, and that the small hometown feel is amazing. He hoped to see us next year.

CONSENT AGENDA ITEMS

A. Optional Contract Administration and Permitting Support for Oversight of the Construction of the Route 522 North Corridor Redundant Waterline

Council approved the award of the optional contract administration portion of the original contract with CHA Engineering and include the permitting support for oversight of the construction of the 522 North Corridor Redundant Waterline in the amount of \$380,000.00, contingent upon approval the FY23 budget amendment earlier in this meeting.

B. Award Bid for Construction of Redundant Waterline in the Route 522 North Corridor

Council awarded a bid to Snyder Environmental Services in the amount of \$18,294,904.00 for the construction of the Route 522 North Corridor Redundant Waterline contingent upon the approval of the FY23 Budget Amendment earlier in this meeting.

C. Pressure Reducing Valve (PRV) Vault Purchase for Richmond Road

Council approved the purchase of a pre-cast pressure reducing valve vault in the amount of \$30,246.00 from Fortline Inc, Atlanta, GA.

D. Pressure Reducing Valve (PRV) Vault Installation for Richmond Road

Council approved a bid from Bushong Contracting Corporation to perform the installation of pressure reducing valve (PRV) vault on Richmond Road in the amount of \$33,950.00.

E. Revisions to Vacation of Town Rights-of-Way Policy

Council approved revisions to the Town Right-of-Way Vacation Policy as presented.

Councilwoman Morris moved seconded by Councilwoman Thompson that Council approve the consent agenda as presented.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

BUSINESS ITEMS - NONE

CLOSED MEETING

Vice Mayor Cockrell moved seconded by Councilwoman Morris that Town Council convene and go into Closed Meeting for

1) the consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel specifically, the Front Royal-Warren County Agreement with Discover Front Royal, as required by Virginia Code §24.2-226, pursuant to §2.2-3711(A)(8) of the Code of Virginia. Following the Closed Meeting. Council may take further action in open session. and,

the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, specifically Town Manager and Town Attorney, pursuant to §2.2-3711(A)(1) of the Code of Virginia.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Vice Mayor Cockrell moved seconded by Councilman Rogers 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, Morris, Rogers and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Meeting adjourned.

Approved by Town Council

Date: _____