



REGULAR TOWN COUNCIL MEETING

PICTURES SCHEDULED FOR 5:00PM for COUNCIL AND STAFF

Monday, February 27, 2023 at 7:00pm in Warren County Government Center Board Room

View LIVE on Government Access Channel 16 or <https://www.frontroyalva.com/673/Town-Hall-Live>

1. MOMENT OF SILENCE
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL
4. APPROVAL OF MINUTES – *I move that Council approve the Regular Meeting minutes of January 23, 2023, and Work Session Minutes of February 13, 2023, as presented.*
5. ADDITION/DELETION OF ITEMS FROM THE AGENDA
[Items added will be placed as the last item under Business Items. Unanimous vote is required to add/delete]
6. RECOGNITIONS/AWARDS/REPORTS/PRESENTATIONS
 - Presentation by Town Manager
7. PUBLIC HEARING
 - A. Special Use Permit for a Ground Floor Dwelling Unit at 437 S. Royal Avenue Submitted by Barbara Samuels
8. PUBLIC COMMENTS NOT RELATED TO PUBLIC HEARINGS
9. REPORTS
 - A. Report of Town Manager
 - B. Report of Councilmembers
 - C. Report of the Mayor
10. CONSENT AGENDA ITEMS - *I move that Council approve the Consent Agenda as presented.*
 - A. Bid for Thermoplastic Pavement Markings
 - B. Purchase of Rugged Terrain Vehicle (RTV) for Wastewater Treatment Plant
 - C. Biosolids Container Rental and Disposal Service
 - D. GRIP Grant Opportunity through American Municipal Power (AMP)
 - E. Local Board of Building Code Appeals Bylaws
 - F. Refer to the Planning Commission a Text Amendment to the Town Code Chapter 175-137 Schedule of Fees to Add LBBCA Application Fee
11. BUSINESS ITEMS –
 - A. Resolution recognizing Skyline High School Wrestling Team as 2023 District and Regional Wrestling Champions
 - B. Waiver of Curb and Gutter Requirement at 219 Orchard Street for Habitat for Humanity
 - C. Request for Vacation of a Portion of Public Alley located adjacent to 1202 Virginia Ave and 111 & 117 W. 12th St – Mr. & Mrs. Wade Holloway/Mr. & Mrs. William Holloway
 - D. Disengagement with the County Regarding the Commitment to Tourism Expenditures, to Fund the Budget of and Donate a Lease of Town Property to, “Discover Front Royal” by Terminating the Front Royal-Warren County Joint Tourism Agreement Dated April 6, 2022.
12. CLOSED MEETING
13. Adjourn



TOWN COUNCIL REGULAR MEETING MINUTES

January 23, 2023@ 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 Saige L. Jackson

ROLL CALL BY CLERK OF COUNCIL

PRESENT: Mayor Lori A. Cockrell
Councilman Joshua L. Ingram
Councilwoman Amber F. Morris
Councilman H. Bruce Rappaport
Councilman Duane R. "Skip" Rogers
Councilman R. Wayne Sealock

OTHERS PRESENT: Clerk of Council Tina L. Presley
Town Manager Joseph E. Waltz
Town Attorney George M. Sonnett, Jr.

APPROVAL OF MINUTES – Councilwoman Morris moved seconded by Councilman Ingram that Council approve the Regular Meeting minutes of December 12, 2022, Special Meeting Minutes of January 9th and January 17th and Work Session Minutes of January 9, 2023, as presented.

Vote: Yes – Councilmembers Ingram, Morris, Rappaport, Rogers and Vice Mayor Sealock
No – N/A
Absent – N/A
Abstain – N/A

ROLL CALL

ADDITION/DELETION OF ITEMS FROM THE AGENDA – Councilman Rappaport moved seconded by Councilwoman Morris that Council delete agenda item 7C [Amend Previously Approved Proffers from Anna Swan Estates (HEPTAD LLC)] from tonight's agenda.

Vote: Yes – Councilmembers Ingram, Morris, Rappaport, Rogers and Vice Mayor Sealock
No – N/A
Absent – N/A
Abstain – N/A

ROLL CALL

RECOGNITIONS/AWARDS/REPORTS –

Chief of Police Kahle Magalis presented several new officers along with promotions within the Police Department. The following were recognized:

Jacob Dodson, Richard Williamson, Jack Weaver, Mike Gallagher, Tony Clingerman, Brian Whited and Jason Ryman. Chief Magalis mentioned the Police Department's Annual Report and that the Drug Court was moving forward as planned.

Community Engagement Manager Lizi Lewis summarized Front Royal 2022 events and upcoming events planned for 2023 that were Town sponsored or co-sponsored, noting that there were numerous other events being planned by other organizations. Mayor Cockrell suggested that businesses that would like to assist or sponsor any events to contact Ms. Lewis.

Director of Public Works Robbie Boyer gave Council the following report:

Public Works Infrastructure Update January 23, 2023

Braxton Rd & Manassas Ave Waterline Upgrade Projects – This bid was approved by Town Council on August 29, 2022, and Bushong Contracting had started in late December. They have installed 1,200' of the new water main on Braxton Rd. Braxton Rd should be completed finished by the first of March and then they'll start on Manassas Ave.

John Marshall Hwy Waterline Upgrade Project – Town council approved this award to Bowman-Griffin General Contractors LLC out Hillsville, VA for \$229,550.00 on September 26, 2022, the material will be delivered in March, and they plan to start the beginning of April. This will allow the contractor to get asphalt when the work starts.

Robinhood Lane PRV Vault Replacement Project – These PRV vault was scheduled to be installed this Wednesday, January 25th but with the chance of bad weather we've decided to reschedule the delivery to February. The Vault weighs 24,000 LBS so a crane will be needed to set the vault.

Richmond Rd PRV Vault Replacement Project – This item was approved by town council on October 24, 2022, and has been on order. Delivery is scheduled for mid-February 2023.

Redundant Waterline Project – Town Council approved this on October 24th for 18 million to Snyder Environmental and the preconstruction meeting was held on January 13. All the necessary permits have been approved and are in place. Snyder has ordered the 26,000 linear feet of pipe of 12" pipe there's a 26 week wait till the pipe is delivered which puts it late June or early July. Snyder has been installing silt fence, clearing and grubbing to meet time of year restrictions and digging and blasting for the micro tunneling shafts on both sides of the river, these shafts are 55' to 65' deep and 32' to 20' wide on each side to allow the pipe to be installed underneath the river bottom by at least 10'. The micro tunneling contractor will begin in June and finish the first part of November working under the river. This project will take a year and a half to complete. *Once the construction starts on the 12" water main we plan to post weekly updates of any areas affected by this work for residents and business.

Influent Pumps for WWTP Plant – This received Town Council approval on November 30, 2022, for the purchase of four new pumps at a cost of \$387,815.00 to replace the existing 1976 pumps that were installed when plant was built. The manufacturer said we can expect delivery of the pumps in late spring or early summer. Potesa Engineering is supposed to have a draft bid document the beginning of February for the towns review for the control cabinets, VFW's and Wiring.

Sanitary Sewer Repairs Project – This received Town Council approval on October 28 to Snyder Environmental for \$4,947,300.00. This project consists of 25,000 linear feet of CIPP lining and 192 sewer laterals will be lined replaced. The CCTV work will begin in March and the CIPP in April, Snyder is currently working on a project schedule.

VDOT Funded Projects -

N. Shenandoah Ave Lighting Project – RK&K engineering is updated the pole light footers design and the estimate, the original estimate from the engineer was \$600,000.00 for this 50/50 revenue sharing project. The new cost after the design update is \$782,304.00. We can reapply in May 2023 for the difference of \$130,000.00 in Revenue Sharing, short \$260,000.00 total.

E. 8th St Bridge Replacement – The town has received the signed agreement back from VDOT so the project plans can be put out to bid for this revenue sharing project has a price estimate of 2.8 million. The town put out an RFP for engineering services that closes Wednesday, January 25th.

Happy Creek Rd Improvements Phase 2 – The VDOT Central office has reviewed the applications and posted the scores for each project in Smart Scale. There were 40 applications submitted in the Stanton District we ranked 33 with a score of 0.87. Only the top 15 projects are being submitted to the Commonwealth Transportation Board for funding approval. The engineering estimate for this project was \$12,733,831.00 but with VDOT estimate it took it up to \$16,923.810.00. The Town can apply for Revenue Sharing in May of 2023 which is 50/50 program or wait till 2024 and apply for Smart Scale again that's 100% funded. *The Stanton District received the least amount of funding out of all 9 districts in Virginia.

Councilman Rogers asked to see the top 15 VDOT projects. Councilman Rappaport asked why the scoring was low. Mr. Boyer not that there were not enough accidents and commercial businesses in the area thus creating the low score. Vice Mayor Sealock questioned the 8th Street and Prospect Street Bridge Projects. Mr. Boyer advised that the Preliminary Design Request for Proposals (RFP) closes this Thursday on the 8th Street Bridge Project and funding was still being discussed for the Prospect Bridge Project. Councilman Rappaport questioned South Street rehabilitation. Mr. Boyer advised that the survey had been completed and the plans are slated to be ready for review in the spring.

PUBLIC HEARINGS

Special Use Permit for Short-Term Rental at 309 E Prospect Street – Yaohua Gu

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

Councilwoman Morris moved seconded by Councilman Rogers that Council approved a request from Yaohua Gu for a Special Use Permit to allow a short-term rental at 309 E. Prospect Street (tax map 20A813-5A)

Councilwoman Morris advised that there was ample parking on the property. Councilman Ingram advised that he had seen the application previously while on Planning Commission and there was no change.

Vote: Yes – Councilmembers Ingram, Morris, Rappaport, Rogers and Vice Mayor Sealock

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Special Use Permit for a Short-Term Rental at 302 Blue Ridge Ave – Melody Luskey/Luskey Properties

Mayor Cockrell opened the public hearing.

Bob Skillman, 315 Blue Ridge Avenue voiced concern over parking on an already narrow street.

Tabitha Luskey, applicant, advised that there was room for three (3) vehicles in the driveway and there was a fire lane located in front of the property.

Mayor Cockrell closed the public hearing.

Councilwoman Morris moved seconded by Councilman Rappaport that Council approve a request from Tabitha Luskey of Luskey Properties, LLC for a Special Use Permit to allow a short-term rental located at 302 Blue Ridge Avenue (tax map 20A8-14-1-18).

Councilman Rappaport suggested reviewing the possibility of changing parking to one side. Councilwoman Morris reminded Council that the property allowed for three (3) parking spaces in the driveway and that there was a fire lane out front. She also noted that the Planning & Zoning Office could be contacted with

any issues the neighborhood may have with the Special Use Permit. Vice Mayor Sealock and Councilman Rogers agreed that the street was “tight” but reiterated that the Planning & Zoning Office can be contacted with any issues.

Vote: Yes – Councilmembers Ingram, Morris, Rappaport, Rogers and Vice Mayor Sealock

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

PUBLIC HEARINGS

Amend Previously Approved Proffers for Anna Swan Estates (HEPTAD LLC) **REMOVED FROM AGENDA**

Receive Public Input/Take Action on a Request for Vacation of a Portion of Public Alley located adjacent to 1202 Virginia Ave and 111 & 117 W. 12th St – Mr. & Mrs. Wade Holloway/Mr. & Mrs. William Holloway

Mayor Cockrell opened the public hearing.

NOTE: “church” refers to the Front Royal Church of Brethren who is an adjoining property owner.

Steve Long, 717 Campbell Circle, noted he was a member of the church and urged Council to leave the alley as it currently was because it was a safe place for members to go during an emergency as well as a place the church used for various events.

Lee Keeler, 2194 Brucetown Road, Clearbrook, VA, owner of Lees Lawncare, advised that he mowed for the church and the alley when needed. He objected to the vacation as it was good access for fire and rescue.

Melvin Baugher, 30 W. 15th Street agreed with the previous speakers.

Wayne Woodward, 120 W. 13th Street, advised that he used the alley to access the rear of his home. He noted that the alley had been there a long time and should continue to stay as it currently was. He voiced concern over a fence that was slated to be installed blocking access to and from the church.

David Airhart, 848 W. 13th Street, voiced concern over the emergency evacuation plan of the church that used the alley as a safe meeting place. He voiced opposition to the vacation.

Bob Skillman, 315 Blue Ridge Avenue, noted that he was a member of the church. He advised that the applicant used the church property to reach their property. He reiterated that the church used the alley for various events. He read an opposition from another church member that advised the alley was used for Easter Egg Hunts. He urged Council not to vacate the alley since everyone used it.

Joseph F. Silek, Jr, attorney representing the applicant noted that the church could not use the alley for both an emergency meeting place and events. He continued that the applicant had been taking care of the unimproved alley. He reminded Council that the applicant wanted to close the alley and purchase it from the Town.

Frank Lake, Guard Hill Road, noted that he was a member of the church and asked that the alley stay open for fire trucks and ambulances.

Mayor Cockrell closed the public hearing.

Councilwoman Morris moved seconded by Councilman Ingram that Council appoint viewers to view the public alleyway and report any inconveniences to the public that would result from granting approval of the request from Mr. & Mrs. William Holloway and Mr. & Mrs. Wade Holloway for the Town to vacate a portion of a public alleyway located adjacent to 1202 Virginia Avenue and 111 & 117 W. 12th Street.

Councilwoman Morris advised that there were three (3) options for Council to choose and noted that option two (2) would allow an unbiased report.

Councilman Ingram advised that typically an emergency meeting place would not allow for traffic and suggested placing the meeting place on own property.

Councilman Rogers thanked everyone for their comments and advised that he was familiar with the vacation process. He understood the need for a grassy right-of-way for children and a safe passage for an emergency meeting place.

Councilwoman Morris thanked everyone for their comments and advised that she investigated the alley and questioned whether emergency vehicles could drive on it. She confirmed with the Town Attorney that the church had the option to purchase the alley. She also confirmed that there were currently no utilities in the alley.

Councilman Rappaport noted that the alley should remain as a public alley and voiced his concern over the vacation process.

Vice Mayor Sealock advised that he has looked at the alley and as a former driver of fire trucks would not take a fire truck down the alley due to its condition and no fire hydrant access making the front of the properties the more ideal place for a fire truck. He also opined that the preferred place for an emergency meeting place would be at the corner of Virginia Avenue and the alley.

Councilman Rappaport suggested that the church members exit the building to the rear, travel down the alley towards Virginia Avenue. He reiterated to leave the alley as it currently was.

Vote: Yes – Councilmembers Ingram, Morris, and Vice Mayor Sealock

No – Councilmen Rappaport and Rogers

Absent – N/A

Abstain – N/A

ROLL CALL [to appoint viewers]

Appeal of a Decision of the BAR Denying Applicant SEESUU LLC's Request for Issuance of a Certificate of Appropriateness

Mayor Cockrell opened the public hearing. Mrs. Cockrell allowed applicant Gary Wayland representing SEESUU LLC to speak to Council first. Mr. Wayland offered his previous email to Council as his official statement. It is listed below:

Mr. Joe Waltz
Town Manager
Front Royal, Va.

Joe,

As this relates to the upcoming vote of the Town Council on the appeal of SEESUU LLC of the adverse BAR decision, I would ask you to share this letter with the Members of the Town Council. I have no idea of how the vote will turn out, but I wanted to be clear about my desires and options. I am willing to invest time in meeting and working with appropriate Town officials in order to achieve a mutually satisfactory outcome. I believe in historic preservation, but I also believe that it can be combined with a different, yet high-end, architectural component.

Our plan has been to demolish and convert the back portion of the existing building to retail market space, office space and 600 square foot high-end dwelling units or other by-right options that are available to us dependent upon market conditions. We would restore period details to the front section of the building's windows. The foundation and walls in the front portion of the building would remain the same in color and materials. The brick and windows of the wall that faces Church Street, which is the original wall of the first Methodist church in Front Royal, would be restored to reflect the historic church wall of the late 1800's. We believe that the blending of the most Historic section of the building with a modern portion would create an architectural show piece for the Town. The interior of the proposed structure could be segmented into different size spaces based on the client needs.

We would also like to respond to some comments that have been made about the use of possible high end prefabricated containers in the construction of the units. While I have actively explored that option over the last 3 years, it is becoming increasingly clear that alternative construction models would likely be more cost-effective and if the Town is willing to work with us, acceptable details can be worked out. It's worth noting, nonetheless, that there has been wide-spread adoption and acceptance of modern construction with containers, both domestically and internationally, where the end product does not look like a bunch of stacked containers. Rather, they are architectural show pieces featured on various television home construction programs. Our overriding desire is to work with the Town in order to build a high-end restoration that will benefit the downtown area.

Given our vision for this project it does not make economic sense for the LLC to spend money for an engineering study as to the structural integrity of the existing structure before the BAR is ready to make a decision on the partial demolition request. Reconstruction would render the question moot and an adverse BAR decision after a preliminary study would result in wasted money.

While we remain hopeful that something can be worked out, it is necessary, for economic reasons, to plan in case our visions conflict with the Town's and there is no opportunity to bridge the differences in the near-term. We will be exercising our by-right entitlement as per Section 175.93 B, Building Demolition and Relocation (Historic District) ordinance with the principal purpose of exiting the project. The proposed sale will meet the requirements set forth in the ordinance. We will be sending a separate letter to the Town Council in compliance with Section 173.93 B. 1. After obtaining a certified appraisal from a qualified appraiser, we will be filing a Notice with the Zoning Administrator pursuant to ordinance Section 173.93 B. 2.

If there are any questions or thoughts about this, we are open to discussion. Thank you for the courtesy of your consideration.

Gary Wayland, Managing Member SEESUU, LLC.

David Silek, 165 Hickerson Hollow Road, gave a brief history of 131 E. Main Street and voiced concern over there being no plan for the original section specifically the structures that support the old part of the building. He urged Council to deny the appeal.

Ellen Aders, 219 E Prospect Street, opined that owning a structure in the historic district comes with responsibility noting the various buildings that had taken pride in keeping with the historic feel of the area. She urged Council to uphold the decision of the Board of Architectural Review.

Bill Barnett, 1115 Buck Mountain Road, Bentonville, VA, noted that he was a real estate agent and had restored many buildings. He explained that the terracotta tower was not built to support other structures and was obsolete. He noted the challenge was putting the property back to use when the terracotta structure was deteriorating. He suggested removing the obsolete structure, replace it and then spend money on other costs.

James Smithlin, 239 South Street, opined that terracotta was the oldest material known to man. He advised he had been attending meetings at 131 E Main Street for 31 years and that it was tragic to tear it down. He questioned the valet parking. He suggested fixing the building with stucco or cement mortar and not tear down a 100-year-old structure.

Mayor Cockrell gave Mr. Wayland the opportunity to comment. He advised that he had no comments at this time. Mayor Cockrell closed the public hearing.

Councilwoman Morris moved seconded by Vice Mayor Sealock that upon consideration of the record and the additional evidence, I move that Council affirm the decision of the Board of Architectural Review (BAR) denying the issuance of a Certificate of Appropriateness on the application submitted by SEESUU LLC to demolish and remove a portion of a contributing structure on a property located at 131 E. Main Street (tax map 20A7, Section 4, Parcel 37).

Councilwoman Morris advised that she cared about the history of Front Royal and voiced concern over no vision for the property and how it would fit in with downtown.

Councilman Rappaport advised that he was not against the demolition as much as a reason why it must be done. He preferred an official opinion as to whether the building was structurally sound. He suggested keeping the structure as it was.

Councilman Ingram advised that he saw the application while he was on the Planning Commission and there was a lot of “back and forth” for months on what to do with the property. He noted there was a lot the applicant could do by right. He voiced concerns about the rendering as shown to Council.

Vice Mayor Sealock voiced concern over what will happen after demolition and suggested it stay the same for the history of the Town.

Councilman Rogers voiced uncertainty of the impact of demolition without an engineering study. He noted that the rendering was a “contemporary prison”. He noted that he would consider options to help the applicant feel more comfortable.

Councilwoman Morris thanked the Board of Architectural Review (BAR) for their due diligence but noted there would also be a parking issue and questioned valet parking.

Councilman Rappaport noted the need for a structural engineer as the walls of the old church could be compromised. He noted he would reinforce the BAR’s decision.

Vote: Yes – Councilmembers Ingram, Morris, Rappaport, Rogers and Vice Mayor Sealock

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL [to affirm BAR decision to deny]

PUBLIC COMMENTS (COMMENTS NOT RELATED TO PUBLIC HEARINGS)

John Lundberg, 203 Peach Tree Court, read the following:

My name is John Lundberg. I live in Front Royal. I want to talk briefly this evening about two documents that must be completed as soon as possible - after being carefully reviewed - so the town of Front Royal can be developed properly in the next 30 years.

One document is the first "Comprehensive Plan" written in this town in 24 years. A draft plan is now before the town Planning Commission. It needs to be forwarded to and approved by the Town Council as soon as possible. Before you OK the plan, however, ensure it addresses all key issues - particularly the horrific safety issues presented when Norfolk Southern trains completely block Shenandoah Shores Road nine times a day.

The second document is the preparation this fiscal year of an extensive town "Transportation Study" - that would reveal Front Royal's most heavily traveled roads at the present time. That data will have a significant impact on the future growth and development in Front Royal. Once the Town Council has approved the new Comprehensive Plan, it should direct the town's Planning and Zoning to immediately conduct such a study.

There are several questions about the town's growth and development in the next 30 years that cannot be discussed in detail until those two documents have been completed.

Two questions in particular are on the minds of several residents of Front Royal at the present time:

For years community leaders have not addressed health and safety issues of people and businesses in land-locked communities north of the railroad tracks. Why is that - because Norfolk Southern trains completely block southbound traffic on Shenandoah Shores Road nine times a day?

Is it not in the Town Code that the primary responsibility of the Town Council is the health and safety of its citizens?

Also, please be aware that a large faction in Front Royal argues for a moratorium on large-scale housing developments north of the railroad tracks until the safety issues have been resolved.

In closing I strongly recommend: The town's new Comprehensive Plan be approved as soon as possible after it has been carefully reviewed and health and safety issues addressed, A new Front Royal Transportation Study be completed this fiscal year. Thank you for listening.

Gary Gillispie, 19 Fairview Court, congratulated Councilmen Rappaport and Ingram on their first time as councilmembers. He invited Council to attend the Warren County Drug Court Prevention Board Meeting tomorrow. Mayor Cockrell advised that she would be attending.

David Silek, 165 Hickerson Hollow Road, advised that the majority of court dockets were drug related. He noted that since Avtex closed there were no jobs in Front Royal. He also suggested eliminating those areas where drugs are currently a public nuisance noting it was time to let property owners know to not use their property to hurt others.

Mark Egger, 102 E 4th Street, advised that he was there to speak at the public hearing that was cancelled earlier. He gave Council what he was going to speak about. See Below

I'm here to oppose the Amendments to the original Proffers from 2012. In the original proffers from 2012, it is stated that if local government entities took it upon themselves to design and construct the Leach Run Parkway (instead of requiring Heptad to build the portion on its own property), Heptad would still be responsible for the cash proffers to the Town. Here is a quote from page 8 of the 2012 proffers: "However, the Applicant shall remain responsible for the payment of the Cash Proffers set forth in Section VII of these Proffers, with the Town Proffers to be used to defray the construction and design costs of the Leach Run Parkway Improvements."

And what does Section VII say about the Proffers. Here is a quote from page 18 of the 2012 Proffers: "Applicant will pay to the Town of Front Royal a per unit contribution of \$18,000 for each single-family residential detached dwelling unit" and "\$11,000 for each single-family residential attached dwelling unit, which contributions shall be used by the Town solely for the planning, design, engineering, right of way acquisition and/or construction of Leach Run Parkway."

The Agreement further states that if Heptad is responsible for building the Leach Run Parkway, those Proffers are to be put in escrow by the Town, to reimburse Heptad for their costs. But as I stated earlier, if the local government entities build the Leach Run Parkway themselves, Heptad "shall remain responsible for the payment of the Cash Proffers set forth in Section VII."

Mr. Silek gives two reasons for requesting a reduction in the 2012 Proffers, neither of which makes any sense. The first is that the total number of units is being reduced. So what? The Proffers are a per unit amount. Why should the per unit amount be reduced, just because the total number of units is reduced. Think about that, please - it doesn't make any sense.

The second reason he gives, in a confusing word salad, is that the Leach Run Parkway was built by local government entities, and Heptad was not required to participate in its construction, and therefore the Proffers should be reduced.

What? I just read you the original 2012 Proffer Agreement, which states that if local government entities build the Parkway, that Heptad would still be responsible for the payment of the Cash Proffers.

Neither of these reasons to reduce the Proffers makes any sense.

Furthermore, let me give you a little more information. Heptad is Ron Llewellyn, former long-time member of the Board of Directors of the EDA. This property had no road access, no way to develop it without building a road. Ron Llewellyn could not sell this property to a developer without the Leach Run Parkway. So, as Mr. Silek states in his letter, "due to the efforts of the EDA, Leach Run Parkway was completed considerably ahead of the timeframe envisioned by the Town and Heptad." Ron Llewellyn's EDA buddy and Rotary pal, Executive Director Jennifer McDonald, got the Leach Run Parkway built, and now he can sell his land to a developer.

Furthermore, Ron Llewellyn sat on the EDA Board during the years that fraud and embezzlement were going on, and praised his Executive Director Jennifer McDonald, even bragging about giving her a raise since she was doing such a good job. When my daughter, who was on the Town Council, tried to expose the fraud and corruption, she was called "a wrecking ball" by Ron Llewellyn, who couldn't even use her name, calling her "the girl". "The girl was a wrecking ball," he said.

Yes, the girl was a wrecking ball, exposing the incompetence and arrogance of the local ruling elite. Remember the letter of May 17, 2017 from the EDA Board. "Any criticism that has been directed at the Executive Director is unfortunate and unwarranted. Jennifer McDonald works under the direction of the EDA Board. She is not permitted to make significant decisions without board approval, and the EDA Board carefully vets every project undertaken." The next project undertaken was that evening, when Jennifer McDonald faked a break-in at the EDA office and tried to frame my daughter.

And now, apparently we are supposed to believe that all those arrogant Board members, Ron Llewellyn, Greg Drescher, Billy Biggs, Bruce Drummond, etc. were just innocent newborn babes, taken advantage of by the wicked witch of the west. Not a single one of them has apologized to the citizens of Front Royal and Warren County, for their incompetence which resulted in the theft of millions of dollars.

In conclusion, Ron Llewellyn got a \$15 million road built at taxpayer expense, so that he could develop this property that otherwise could not be developed. He ought to reimburse the taxpayers as required in the original Proffers. It's time to pay the piper. Do not lower the Proffers. Let them remain what they were agreed upon in 2012.

However, if you do decide to reduce the Cash Proffers, then the requirement that the Town and County pay \$100,000 per acre for the Leach Run parkway right-of-way and the neighborhood park should be eliminated. Those 6 acres should be donated. It's ridiculous to expect the Town to pay \$100,000 per acre for the very road that allowed Heptad to develop the property, likewise for the County for the neighborhood park. Heptad is asking the Town to give up a lot with the reduced Proffers, so Heptad should be willing to give a little also. It's called compromise.

Mark Egger

Tom Sayre, P.O. Box 56, Front Royal, gave an overview of the Front Royal Pregnancy Center. He suggested hiring an attorney to assist Town Attorney George Sonnett.

REPORTS

A. Town Manager Report – Mr. Waltz updated Council on three (3) operational issues:

1) recently approximately 40 customers on Browntown Road were without electricity for approximately six (6) hours due to a vehicle accident; 2) the last day for yard waste collection was last week for the season and will resume on March 29th; 3) staff is keeping watch on the weather for Wednesday and will be prepared.

B. Town Council Reports –

Councilman Rogers voiced concern over the drug problem in the community. He advised that he took drug issues very seriously and will be exploring options.

Vice Mayor Sealock praised the Town crews and Police Department personnel.

Councilwoman Morris thanked the citizens of Front Royal for electing her to Council. She responded to Mr. Silek noting that Council had discussed blighted buildings but reminded him that Council was made aware during those discussion that there were families with children living in the various building and motels slated as blight creating a more serious issue. She noted that discussion during the most recent Liaison Committee Meeting with Warren Council was re-engaging the community's youth in various activities. She

advised Mr. Lumberg that she and others were serving on a committee to study the area of the railroad tracks and Shenandoah Shores Road and the safety and health hazards associated with the citizens that live there. She agreed that the closing of the Avtex Fibers Plant left an economic strain on the community. She advised that Congressman Ben Cline could be contacted regarding living wage jobs.

Councilman Ingram thanked the citizens for trusting him to serve on Council. He noted that he recently had a tour of the Town facilities and expressed his gratitude for a good group of employees working for the Town. He noted the importance of getting jobs in our community. He advised that he too was on the committee with Councilwoman Morris to study the area of the railroad tracks and Shenandoah Shores Rd.

Councilman Rappaport thanked the citizens for electing him to Council. He advised that he too went on a tour of the Town facilities and reiterated that the Town had great employees. He gave a shout out to citizen Richard Baker who has taken it upon himself to pick up cigarette butts throughout Town. He thanked Mr. Gillispie for his reminder to Council regarding the Drug Court. He agreed with Mr. Silek that the Town needed good-paying jobs.

C. Mayor Report –

Mayor Cockrell thanked the citizens of Front Royal for electing her as their Mayor for the next few years. She stated: *"I pledge to lead with the same common-sense approach that I served as a councilman. I pledge to treat all citizens with respect and conduct Council meetings efficiently. I do love Front Royal and I truly want this to be a place we can all be proud of where our citizens can work, play, and raise our families safely."* She welcomed the new councilmembers to Council. She expressed her gratitude to all Town Staff. She thanked all those that attended the Liaison Committee Meeting and voiced commitment to foregoing positive relationships.

CONSENT AGENDA ITEMS

Mayor Cockrell briefly read each item.

A. Purchase of Cab and Chassis for Public Works Department

Council approved the purchase of a one (1) Dump Truck Cab and Chassis from Excel Truck Group in the amount of \$91,025.00 to be used in the Public Works Department.

B. Various Council Appointments

Council appointed Councilman Sealock as the Elected Representative to the Northern Shenandoah Valley Regional Commission, said term to expire upon Mr. Sealock's term ending. Councilmember Morris and Rappaport to the Audit/Finance Committee, said terms to expire December 31, 2023. Councilman Rogers as the councilmember representative to the Discover Front Royal Board, said term ending upon Mr. Rogers' term ending. Councilmembers Morris and Ingram to the Scholarship Committee, said terms ending December 31, 2023.

Councilwoman Morris moved seconded by Vice Mayor Sealock to approve the Consent Agenda as presented.

Vote: Yes –Councilmembers Ingram, Morris, Rapport, Rogers and Vice Mayor Sealock

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

BUSINESS ITEMSAppointment to the Planning Commission

Councilwoman Morris moved seconded by Vice Mayor Sealock to appoint Michael S. Williams to the Planning Commission to an unexpired term ending August 31, 2025.

Vote: Yes – Councilmembers Ingram, Morris, Rappaport, Rogers and Vice Mayor Sealock

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Appointments to the Local Board of Building Code Appeals

Councilman Ingram moved seconded by Councilwoman Morris that council appoint Gary I Gillispie, Ellen Aders and Charles Gornowich to the Local Board of Building Code Appeals, said terms to be determined in adopted by-laws.

Councilwoman Morris advised that the Board was the first step in implementing blighted building issues. Councilman Ingram agreed.

Vote: Yes – Councilmembers Ingram, Morris, Rappaport, Rogers and Vice Mayor Sealock

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Nomination to the Board of Zoning Appeals

Councilman Rappaport moved seconded by Vice Mayor Sealock that Council nominate Lewis Moten to the Judge of the Warren County Circuit Court for appointment to the Board of Zoning Appeals (BZA) to an unexpired term ending May 1, 2024.

Councilwoman Morris advised that upon meeting Mr. Moten he wanted to get involved and serve anywhere he was needed. Councilman Rappaport advised that he met Mr. Moten on the campaign trail and expressed how very emotional he was about doing good things.

Vote: Yes – Councilmembers Ingram, Morris, Rappaport, Rogers and Vice Mayor Sealock

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Closed Meeting

Councilwoman Morris moved seconded by Vice Mayor Sealock that Town Council convene a closed meeting, pursuant to Sections 2.2-3711 and 2.2-3712 of the Code of Virginia, for the following purposes:

- 1) *pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, for consultation with legal counsel and briefings by staff members or consultants pertaining to actual litigation, where such consultation*

or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, specifically, Town of Front Royal v. Warren County EDA, et al., and,

- 2) pursuant to §2.2-3711(A)(1) of the Code of Virginia, for the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, specifically, appointments to fill vacancies on Town Council.*
- 3) pursuant to §2.2-3711(A)(8) of the Code of Virginia, for 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 EDA.*

Vote: Yes – Councilmembers Ingram, Morris, Rappaport, Rogers and Vice Mayor Sealock

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

This portion of the meeting ended at 9:36pm

Councilwoman Morris moved seconded by Vice Mayor Sealock 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 – Councilmembers Ingram, Morris, Rappaport, Rogers and Vice Mayor Sealock

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Council Appointment

Councilman Ingram moved seconded by Councilwoman Morris that Council appoint Melissa DeDomenico-Payne to the Front Royal Town Council to fill the vacant seat created by the election of Lori A. Cockrell as Mayor, with a term of office beginning immediately upon qualification and expiring upon the qualification of the successful candidate elected during a special election to be held on November 7, 2023.

Mayor Cockrell stated that there were many people who applied making the appointment a “tough choice”. She thanked everyone for showing interest.

Vote: Yes – Councilmembers Ingram, Morris, Rappaport, Rogers and Vice Mayor Sealock

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Meeting adjourned at 11:15pm.

Approved by Town Council

Date: _____



TOWN COUNCIL WORK SESSION MINUTES

Monday, February 13, 2023

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 BY CLERK OF COUNCIL

PRESENT: Mayor Lori A. Cockrell
Councilwoman Melissa DeDomenico-Payne
Councilman Joshua L. Ingram
Councilwoman Amber F. Morris
Councilman H. Bruce Rappaport
Councilman Duane R. "Skip" Rogers
Vice Mayor R. Wayne Sealock

OTHERS PRESENT: Clerk of Council Tina L. Presley
Town Manager Joseph E. Waltz
Town Attorney George M. Sonnett, Jr.
Various member of Staff

Mayor Cockrell welcomed Councilwoman DeDomenico-Payne

REQUEST TO WAIVE CURB/GUTTER, SIDEWALK, DRIVEWAY REQUIREMENT – HABITAT FOR HUMANITY –

Planning Director Lauren Kopishke noted that curb and gutter was currently not within 200 feet of the property. Vice Mayor Sealock questioned the waiver noting it is needed throughout Town. Councilman Ingram voiced no concerns with the waiver because there was no curb and gutter currently existing on surrounding properties. Councilwoman Morris voiced concern that if the curb and gutter were installed the water would be an intrusion to the property next door. Councilwoman DeDomenico-Payne confirmed that there was not a current schedule for the installation of curb and gutter within the Town. She voiced in favor of the waiver. Councilman Rappaport was not in favor of the waiver and concurred with Mr. Sealock. Councilman Rogers noted that Habitat for Humanity had completed good work in the community and was in favor of the waiver. Mr. Sealock applauded Habitat for Humanity but feared setting a precedent. Councilman Rappaport noted that the Town needed to get away from waivers and place the responsibility on the developers and not the taxpayers.

LOCAL BOARD OF BUILDING CODE APPEALS (LBBCA) BY-LAWS AND FEES – Ms. Kopishke advised that the by-laws were approved by Town Attorney George Sonnett and the LBBCA Board. Ms. Kopishke explained the \$400.00 fee that was being proposed and noted that it was the same as Warren County. She also noted that staff had developed a check list and that they [Planning/Zoning] would be clerking the meetings.

ITEMS SLATED FOR CONSENT AGENDA FOR FEBRUARY 27TH REGULAR COUNCIL MEETING – Purchasing Manager Michelle Campbell and Finance Director BJ Wilson gave a brief overview of the first three items slated for the consent agenda on February 27th.

Bid for Thermoplastic Pavement Markings – Council had no concerns.

Purchase of a RTV Vehicle for the Wastewater Treatment Plant – The Town’s procurement process was explained as well as “piggy backing” off a cooperative contract with the state. Council had no concerns.

Biosolids Container Rental and Disposal Services – It was explained that this was a renewal with the same vendor at a higher price. Council had no concerns.

Department of Energy GRIP Grant Opportunity through American Municipal Power (AMP) – Town Manager Joe Waltz introduced the Town’s new Director of Energy Services Carey Saffelle. Mr. Saffelle gave a presentation on the Grid Resilience and Innovation Partnerships (GRIP) Grant opportunity through the Department of Energy that if awarded to the Town, funds would go towards the purchase of Advanced Metering Infrastructure (AMI) for utility service customers in Town. He noted that this was the very early stages of the grant application beginning with a Letter of Commitment from Council. Mr. Waltz advised that the total cost of the AMI is estimated at 1.7 million and the grant [if awarded] would assist with some of that cost. It was also noted that the Town had been “putting monies back” for AMI. Mr. Waltz advised that there would be more concrete information by the end of the year with an approximate 5-year deployment. Ms. Morris advised that money would be saved once implemented saving the Town manpower hours and an increase in reliability. Councilman Rogers questioned the solar buyback program and if it would be allowed in historic areas of Town. Mr. Waltz advised that this program would be discussed at a later time.

ITEMS SLATED FOR A PUBLIC HEARING

Special Use Permit for a Ground Floor Dwelling Unit at 437 S. Royal Avenue – Barbara Samuels – Ms. Kopishke advised that the building was currently being rented out to commercial tenants and if the special use permit is approved she will be living there. She noted that the Planning Commission had approved the permit and no one spoke at their public hearing. She also noted that everything was in compliance.

REVENUE FORECASTING FY2023-2024 – Mr. Wilson gave a presentation of FY2023-2024 Budget Revenue Forecasting noting that figures are subject to change. Mayor Cockrell questioned why lodging revenue was down. Mr. Wilson advised that it was due to short-term rentals not being in compliance with state guidelines. He explained that currently there is discussion at the state level. There was a brief discussion regarding equalization of taxes.

REQUEST TO AMEND TOWN CODE CHAPTER 4-1[D] PERTAINING TO WORK SESSIONS – Mayor Cockrell gave a brief history of the various code amendments in the past that decreased the amount of Council meetings. After discussion Council agreed to have another work session on the first Monday of the month beginning at 7:00pm. Council was reminded that the Town Code would have to be amended therefore a public hearing on the code change would be held in March. Mrs. Cockrell also took the opportunity to call a Special Work Session on Monday, March 6, 2023 at 7:00pm.

OPEN DISCUSSION – Mayor Cockrell reminded Council that the Council Retreat would be held March 15, 2023 in the Police Department Community Meeting Room with dinner from 4:00p – 5:00p and retreat from

5:00p – 9:00p to discuss goals. Mrs. Cockrell also reminded Council of the Shenandoah Rail Trail Meeting that was currently being planned.

Vice Mayor Sealock asked that the use of the caboose located near the Visitor Center be placed on a work session for further discussion. Councilwoman Morris agreed for the placement on an agenda. Mr. Sealock suggested that it be rented for events and/or allow small meetings to use it. He understood that it would have to be retrofitted for handicapped accessibility. It was suggested to bring Community Engagement Manager Lizi Lewis in for further discussions. Mr. Waltz advised that staff would present what they receive at the March 6th work session.

Councilman Rogers asked that a resolution be added to the February 27th regular meeting for Council approval regarding Skyline High School Regional Wrestling Champions noting that the coaches and wrestlers did a phenomenal job. Mr. Rogers will send the information to Clerk of Council.

Councilman Rappaport asked that traffic calming be added to a work session due to many concerns he had received from the community. It was noted that a sign was placed at Jamestown Road and Marshall Street that collected data on speeders. Chief Magalis confirmed that the data is being captured and can be used to assist with long term plans. It was noted that the Transportation Study was defunded. Mr. Waltz suggested that he meet with Ms. Kopishke to learn more about the free access that VDOT may have and bring back to Council with more information.

Mr. Sealock suggested a memorial of two officers who died in the line of duty. Chief Magalis advised that negotiations have already begun with the Fraternal Order of Police (FOP).

This portion of meeting ended 7:42pm.

CLOSED MEETING

Councilwoman Morris moved seconded by Vice Mayor Sealock that Town Council convene a closed meeting, pursuant to Sections 2.2-3711 and 2.2-3712 of the Code of Virginia, for the following purpose: pursuant to Section 2.2-3711(A)(8) of the Code of Virginia, for 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, 1) proposed proffer amendments for Anna Swan Estates (HEPTAD LLC), 2) proposed proffer statement for Sayre (NVR, Inc.) rezoning, 3) tourism, destination marketing and promotion agreements, and 4) Valley Health System PILOT fees.

Councilwoman Morris moved seconded by Vice Mayor Sealock 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.

Adjourned at 10:20pm

Approved by Town Council

Date: -----



Council Agenda Statement

Item # 07A

Meeting Date: February 27, 2023

Agenda Item: PUBLIC HEARING – Special Use Permit for a Ground Floor Dwelling Unit at 437 S. Royal Avenue – Barbara Samuels

Summary: Council has received a request for a Special Use Permit submitted by Barbara Samuels for a ground floor dwelling unit at 437 S. Royal Avenue (*tax map 20A7-3-10*). The property is zone C-1, Community Business District. The first floor of this property was previously used as business offices. There is currently one dwelling unit on the upper floor. The remainder of the space will continue to be used for commercial purposes. Letters to adjacent property owners were mailed February 17, 2023 advising them of tonight's public hearing. Staff and the Planning Commission recommend approval of the Special Use Permit upon the following conditions:

1. This special use permit is only authorized for one (1) ground floor dwelling unit to be located at 437 S. Royal Avenue.
2. The existing parking lot shall be striped to provide the appropriate number of parking spaces prior to issuance of final zoning compliance.
3. Staff shall inspect the property prior to the issuance of final zoning compliance to ensure the construction activities are limited to one ground floor dwelling unit.
4. Upon inspection of the property, if it is found that the property is not in compliance with local regulations, including but not limited to, the conditions of this special use permit, the Town may revoke this special use permit after notice to the applicant and public hearing.

Budget/Funding: None

Meetings: Work Session held February 13, 2023

Proposed Motion: I move that Council approve a Special Use Permit submitted by Barbara Samuels for a ground floor dwelling unit at 437 S. Royal Avenue (*tax map 20A7-3-10*) upon the following conditions:

1. This special use permit is only authorized for one (1) ground floor dwelling unit to be located at 437 S. Royal Avenue; 2. The existing parking lot shall be striped to provide the appropriate number of parking spaces prior to issuance of final zoning compliance; 3. Staff shall inspect the property prior to the issuance of final zoning compliance to ensure the construction activities are limited to one ground floor dwelling unit; 4. Upon inspection of the property, if it is found that the property is not in compliance with local regulations, including but not limited to, the conditions of this special use permit, the Town may revoke this special use permit after notice to the applicant and public hearing.

Moved _____ Seconded _____

DeDomenico-Payne _____ Ingram _____ Morris _____ Rappaport _____ Rogers _____ VM Sealock _____

**TOWN OF FRONT ROYAL
DEPARTMENT OF PLANNING & ZONING**



STAFF REPORT FOR THE JANUARY 18, 2023, PLANNING COMMISSION MEETING

APPLICATION #:

2200494

APPLICANT:

Barbara Samuels

SUMMARY OF REQUEST:

A Special Use Permit Application has been submitted for one (1) dwelling unit to be located on the ground floor at 437. S. Royal Avenue.

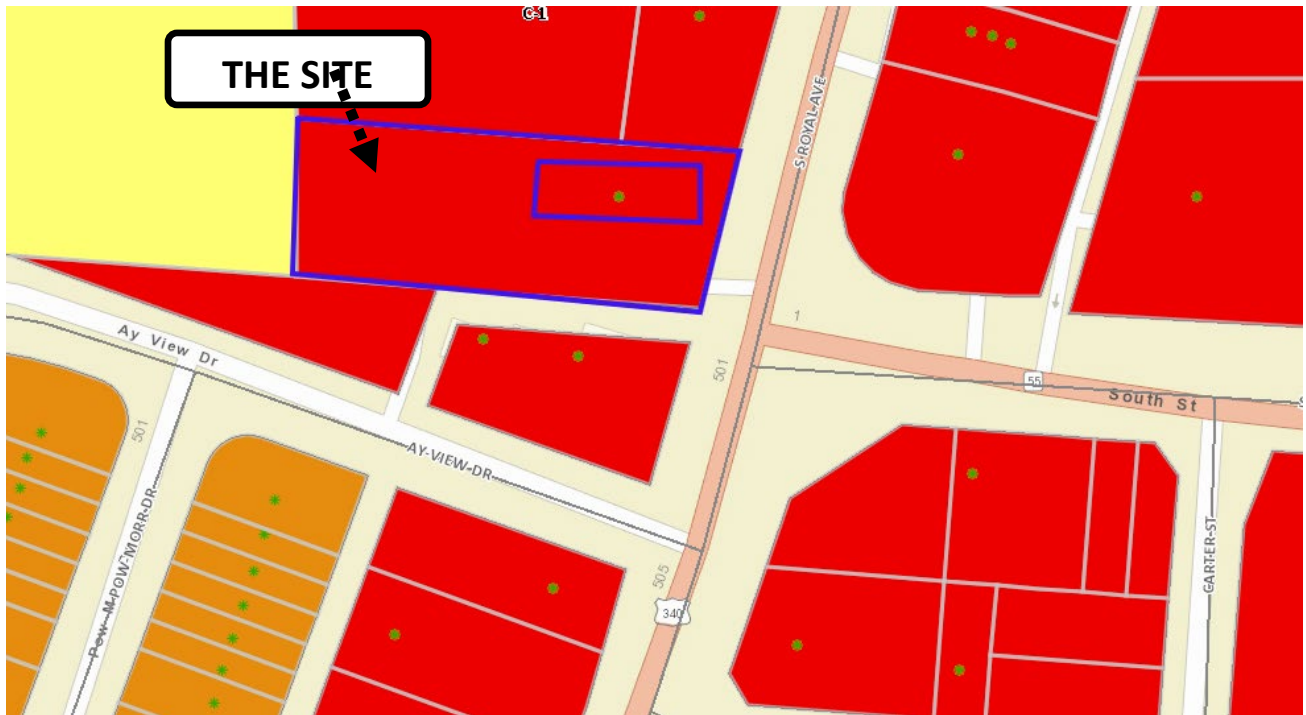
GENERAL INFORMATION:

<i>Site Addresses</i>	437 S. Royal Avenue
<i>Property Owner(s)</i>	6 Cardinal Park, LLC
<i>Existing Zoning</i>	C-1 (Community Business) District
<i>Proposed Use</i>	Ground Floor Dwelling Unit
<i>Tax Identification</i>	20A7-3-10
<i>Location</i>	The parcel is located near the northwest corner at the intersection of S Royal Ave & South St. The proposed ground floor apartment is located on the 1 st floor of the building, farthest from the street.

Vicinity Map (Warren County GIS)



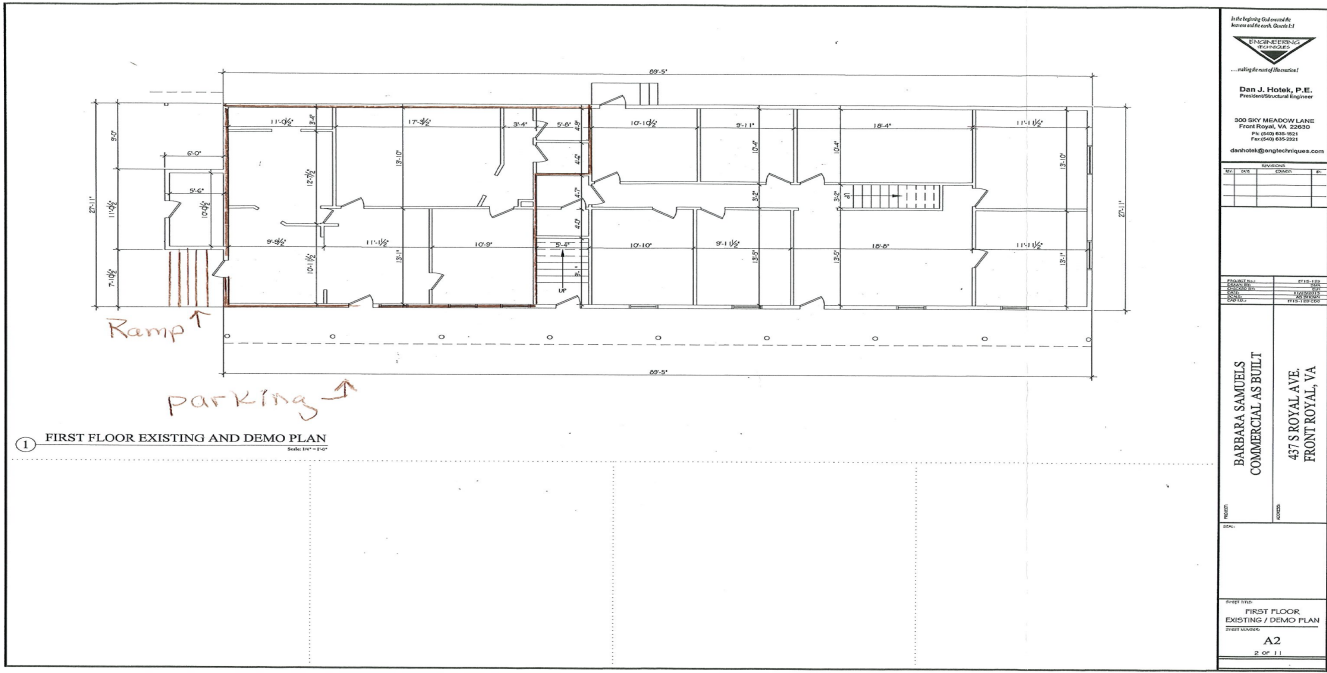
Town Zoning Map (Warren County GIS)



Aerial (Warren County GIS)



Applicant's Site Plan



Existing Site Conditions(*Staff Photos of the Property*)



Existing Site Conditions – Continued (*Staff Photos of the Property*)



INFORMATION ON THE APPLICATION:

***Project Summary
& Staff
Recommendation***

The application is to allow the applicant to convert a portion of the first floor of the structure into one (1) dwelling unit. The 1st floor of this property was previously used as business offices. There is currently one dwelling unit on the upper floor. The remainder of the space will continue to be used for commercial purposes.

Below are parking calculations of what the Town Code requires for off-street parking. The use does qualify for a parking exemption, as found under Town Code 175-127. This allows existing businesses to be reused with the existing parking provided that it is adequately maintained and delineated.

Dwelling units = 2 per unit = 4 spaces
Commercial Space = 1 per 300 sq. ft. = 11 spaces

TOTAL = 15

The applicant has sufficient parking area to accommodate the required number of spaces.

The use will require a change of use application with the Warren County Building Inspections Department.

A special use permit is required because “ground floor dwelling units” require a special use permit in the C-1 District, pursuant to Town Code 175-39.B.

Town Code 175-3 defines a dwelling unit as follows: *One (1) room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy or rental or lease on a weekly, monthly, or longer basis and physically separated from any other rooms or dwelling units which may be in the same structure and containing independent cooking and sleeping facilities and containing not less than six hundred (600) square feet of residential floor area. Such units shall meet the requirements of the Building Code of the Town of Front Royal.*

The Town is authorized to require a special use permit for certain uses within any zoning district under Virginia Code §15.2-2286. Some specific uses are granted protection from regulation from localities by the Virginia Code, including agriculture uses, small scale conversion of biomass to alternative fuel, certain residential uses, private tents, farm wineries, assisted living facilities, and group homes.

The issuance of a special use permit is subject to such conditions as are deemed necessary by the Front Royal Town Council after recommendations of the Front Royal Planning Commission. Prior to an action by Town Council or a recommendation by the Planning Commission, a **public hearing** is required for special use permits.

Town Staff recommends that the Planning Commission issue a recommendation of approval of the Special Use Permit Application with the following conditions. Additional consideration may need to be given if new information is provided at the scheduled public hearing.

CONDITIONS:

- 1) This Special Use Permit is only authorized for one (1) ground floor dwelling unit to be located at 437 S. Royal Avenue.
- 2) The existing parking lot shall be striped to provide the appropriate number of parking spaces prior to issuance of final zoning compliance.
- 3) Town Staff shall inspect the property prior to the issuance of final zoning compliance to ensure the construction activities are limited to one ground floor dwelling unit.
- 4) Upon inspection of the property, if it is found that the property is not in compliance with local regulations, including but not limited to, the conditions of this special use permit, the Town may revoke this special use permit after notice to the applicant and public hearing.

ATTACHMENTS: Application and associated documents from the Applicant.



Council Consent Agenda Statement

Item # 10A

Meeting Date: February 27, 2023

Agenda Item: Bid for Thermoplastic Pavement Markings

Summary: Council is requested to award a bid to Alpha Space Control LLC for thermoplastics eradication and application, curb painting and street line painting in the amount of \$155,375.00.

Budget/Funding: Funding has been budgeted for and is available in the following line items:

4500-5473	Public Works Streets Line Painting
4500-5474	Public Works Streets Crosswalks
4102-5474	Highway Maintenance Crosswalks

Meetings: Work Session held February 13, 2023

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve/award a bid to Alpha Space Control LLC for thermoplastics eradication and application, curb painting and street line painting in the amount of \$155,375.00.

Moved _____ *Seconded* _____

DeDomenico-Payne _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *Rogers* _____ *VM Sealock* _____



Council Consent Agenda Statement

Item # 10B

Meeting Date: February 27, 2023

Agenda Item: Purchase of Rugged Terrain vehicle (RTV) for Wastewater Treatment Plant

Summary: Council is requested to approve the purchase of a new Rugged Terrain Vehicle (RTV) for the Wastewater Treatment Plant through Sourcewell (cooperative contracting) in the amount of \$22,182.70

Budget/Funding: 9801-47005 Wastewater Treatment Plant – Motor Vehicles \$22,182.70

Meetings: Work Session held February 13, 2023

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve the purchase of a new RTV vehicle for the Wastewater Treatment Plant through Sourcewell (cooperative contracting) in the amount of \$22,182.70

Moved _____ *Seconded* _____

DeDomenico-Payne _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *Rogers* _____ *VM Sealock* _____

MEMORANDUM

TO: Michelle Campbell Purchasing Manager

FROM: Donald B McPaters, Director of Fleet Maintenance DBM

SUBJECT: Purchase RTV (Rugged Terrain Vehicle) for the Wastewater Treatment Plant.

DATE: December 25, 2022

The Wastewater Treatment Plant has a RTV vehicle in budget for 2023. I have got a quote from Valley Equipment Co, for a RTV-X1100WL-H through a Sourcewell Contract. The price is \$22,182.70.

Quote Provided By
VALLEY EQUIPMENT COMPANY
Bob Huff
230 CHARLES ST
HARRISONBURG, VA 22802
email: bob.huff@valley-equipment.com
phone: 5408300661

-- Standard Features --

-- Custom Options --



Kubota

V Series

RTV-X1100CWL-H

*** EQUIPMENT IN STANDARD MACHINE ***

DIESEL ENGINE

Model Kubota D1105
3 Cyl. 68.5 cu in
+24.8 Gross Eng HP
75 Amp Alternator

TRANSMISSION

VHT-X
Variable Hydro Transmission
Forward Speeds:
Low 0 - 15 mph
High 0 - 25 mph
Reverse 0 - 17 mph
Limited-slip Front Differential
Rear differential lock

HYDRAULICS

Hydrostatic Power Steering
with manual tilt-feature
Hydraulic Cargo Dump
Hydraulic Oil Cooler

FLUID CAPACITY

Fuel Tank 7.9 gal
Cooling 8.3 qts
Engine Oil 4.3 qts
Transmission Oil 1.8 gal
Brake Fluid 0.4 qts

CARGO BOX

Width 57.7in
Length 40.5 in
Depth 11.2 in
Load Capacity 1102 lbs
Vol. Capacity 15.2 cu ft

+ Manufacturer Estimate

KEY FEATURES

Factory Cab w/ A/C, Heater,
Defroster
Fully opening roll-down door
windows
Digital Multi-meter
Speedometer
Pre-wired w/ speakers/antenna for
stereo
Front Independent Adjustable
Suspension
Rear Independent Adjustable
Suspension
Brakes - Front/Rear Wet Disc
Rear Brake Lights / Front
Headlights
2" Hitch Receiver, Front and Rear
Deluxe 60/40 split bench seats
with driver's side seat adjustment
Underseat Storage Compartments
Deluxe Front Guard
(radiator guard, bumper, and lens
guard)

SAFETY EQUIPMENT

SAE J2194 & OSHA 1928 ROPS
Horn
Dash-mounted Parking Brake
Spark Arrestor Muffler
Retractable 2-point Seat Belts

DIMENSIONS

Width 63.2 in
Height 79.5 in
Length 120.3 in
Wheelbase 80.5 in
Tow Capacity 1300 lbs
Ground Clearance 10.4 in
Suspension Travel 8 in
Turning Radius 13.1 ft

Factory Spray-on Bedliner
"L" Models Only

Bright Alloy Wheels (Silver-
painted)
Silver-painted with machined
surface
"S" Models only

TIRES AND WHEELS

Heavy Duty Worksite 25 x 10 - 12, 6 ply

RTV-X1100CWL-H Base Price: \$25,899.00

(1) LED FRONT WORK LIGHTS KIT (2) \$179.00
77700-11811-LED FRONT WORK LIGHTS KIT (2)

(1) SIDE MIRROR KIT - CAB (1) \$91.67
77700-V5059-SIDE MIRROR KIT - CAB (1)

(1) STROBE LIGHT KIT \$199.00
77700-VC5058-STROBE LIGHT KIT

(1) LED REAR WORKLIGHT (1) \$99.00
77700-11812-LED REAR WORKLIGHT (1)

Configured Price: \$26,467.67

Sourcewell Discount: (\$5,822.89)

SUBTOTAL: \$20,644.78

Dealer Assembly: \$256.67

Freight Cost: \$881.25

PDI: \$400.00

Total Unit Price: \$22,182.70

Quantity Ordered: 1

Final Sales Price: \$22,182.70

**Final pricing will be based upon pricing at the time of
final delivery to Sourcewell members.
Purchase Order Must Reflect Final Sales Price.**

**To order, place your Purchase Order directly with the quoting
dealer**

*Some series of products are sold out for 2022. All equipment specifications are as complete as possible as of the date on the quote. Additional attachments, options, or accessories may be added (or deleted) at the discounted price. All specifications and prices are subject to change. Taxes are not included. The PDI fees and freight for attachments and accessories quoted may have additional charges added by the delivering dealer. These charges will be billed separately. Prices for product quoted are good for 60 days from the date shown on the quote. All equipment as quoted is subject to availability.

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198-14337-6



Council Consent Agenda Statement

Item # 10C

Meeting Date: February 27, 2023

Agenda Item: Biosolids Container Rental and Disposal Service

Summary: Council is requested to award a bid from Republic Services of Winchester, VA for a biosolids container rental and disposal service at the following rates:

- \$457.30 / haul / container
- \$139.25 / month / container rental of 20 cu yd roll-offs
- \$60.00 / ton disposal at Page County, VA landfill

Budget/Funding: Funding has been budgeted for and is available in the following line items:

9801-43005 Public Works Wastewater Treatment Plant

Meetings: Work Session held February 13, 2023

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve a bid for Republic Services of Winchester, VA for a biosolids container rental and disposal service at the following rates:

- \$457.30 / haul / container
- \$139.25 / month / container rental of 20 cu yd roll-offs
- \$60.00 / ton disposal at Page County, VA landfill

Moved _____ Seconded _____

DeDomenico-Payne _____ Ingram _____ Morris _____ Rappaport _____ Rogers _____ VM Seacock _____



Town of Front Royal Public Works

MEMORANDUM

TO: Michelle Campbell, Manager of Purchasing

CC: B.J. Wilson, Finance Director

FROM: Robert B Boyer, Public Works Director

DATE: February 3, 2023

SUBJECT: Recommendation to award Bio-solids Disposal Services

We have reviewed the one proposal received from Republic Services for the Bio-solids disposal services. We have been using Republic Services for the last few years to haul the town's bio-solids from the wastewater treatment plant to Battle Creek Landfill in Page County VA. We recommend awarding the contract to Republic Services out of Winchester, VA since they have done a good job providing this services of the last few years.

If you have any questions or need any further information, please contact me at 540-692-4789.

Thank You.



Council Consent Agenda Statement

Item # 10D

Meeting Date: February 27, 2023

Agenda Item: GRIP Grant opportunity through American Municipal Power (AMP)

Summary: American Municipal Power, Inc. (AMP) has submitted a concept paper for the Grid Resilience and Innovation Partnerships (GRIP) funding opportunity through the Department of Energy. If approved, AMP's *Smart Grid: Using Edge Computing to Build Grid Resiliency Project*, would provide fifty percent of the cost associated with the installation of an Advanced Metering Infrastructure (AMI) for the Town of Front Royal. Council is requested to approve an official Letter of Commitment to show full commitment to participation in the project should grant funding be awarded.

Budget/Funding: AMI is a project identified on the Town's Capital Improvement Plan with an estimated cost of \$1.7million.

9400-47001 - \$500,000 AMI seed money in FY22-23 Budget

Meetings: Work Session held February 13, 2023

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve an official Letter of Commitment to the American Municipal Power LLC (AMP) showing full commitment to participation in the *Smart Grid: Using Edge Computing to Build Grid Resiliency Project*, Grid Resilience and Innovation Partnerships (GRIP) funding opportunity through the Department of Energy.

Moved _____ *Seconded* _____

DeDomenico-Payne _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *Rogers* _____ *VM Sealock* _____



TOWN OF FRONT ROYAL

DEPARTMENT OF TOWN MANAGER

102 E. Main St.
P.O. BOX 1560
FRONT ROYAL, VA 22630-1560
www.frontroyalva.com

Joe Waltz
Town Manager
jwaltz@frontroyalva.com
(540) 635-8007
(540) 636-7475 fax

February 8, 2023

Department of Energy
Grid Deployment Office
1000 Independence Ave. SW
Washington, DC 20585

RE: ***Grid Resilience and Innovation Partnerships (GRIP) Topic 2 Commitment Letter***

As a committed partner/end-user in American Municipal Power's Smart Grid: Using Edge Computing to Build Grid Resiliency project, this letter serves as the Town of Front Royal Energy Services commitment to participating in the project.

Our community, like so many in the country, requires new and innovative solutions to ensure that our residents can access technology that will improve their health, safety, and economic vitality. Currently, our grid system lacks substantial "smart grid edge" technology/capabilities, which will affect our system's reliability and power distribution capability. We face pressing challenges as demand on our infrastructure increases, including:

- We currently lack the capability to support distributed renewable energy integration and grid edge technology.
- Constrained budgets that require innovative solutions and strong partnerships to overcome cost barriers to implementation of grid-advancing technologies.

AMP's project to enhance service capabilities by incorporating a Smart Grid - Edge Computing Solution will have a direct improvement upon our current operations. Completion of this project will enable the Town of Front Royal and AMP, working together, to maximize existing generation, transmission, and distribution assets; minimize inefficiencies and mitigate rising demands in our distribution grid; access and manage distributed energy resources, better match energy resources with load; serve as a foundation for further enhancement of the grid; and maintain overall grid stability and resiliency.

The Town of Front Royal looks forward to the opportunity to be part of the implementation of this exciting project and a collaborative partner with AMP and its team.

Respectfully,

Joe Waltz
Town Manager
Town of Front Royal

Town Council Work Session

February 13, 2023



Carey Saffelle, Director of Energy Services



102 E. Main Street | Front Royal, VA 22630 | frontroyalva.com

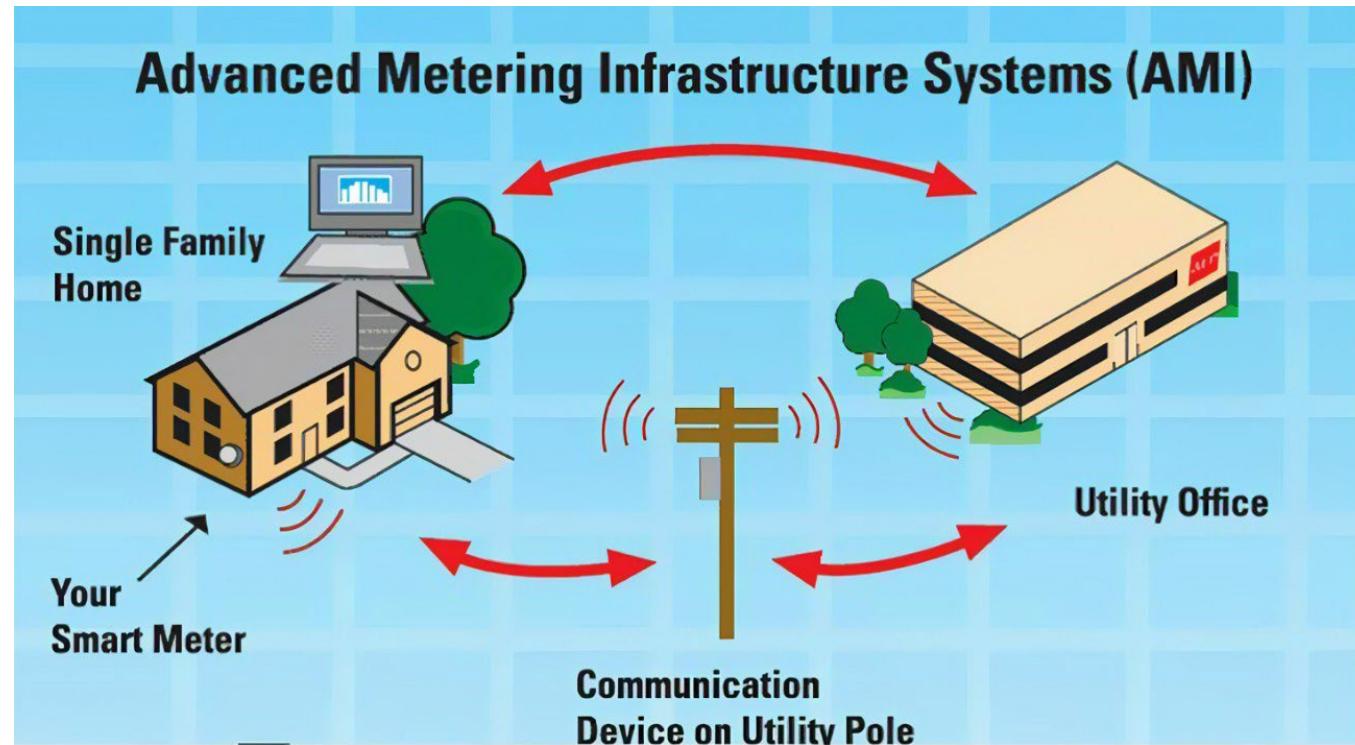
Department of Energy GRIP Grant opportunity through American Municipal Power

- What is AMI?
- What is the GRIP Grant?
- Who is AMP?
- What Services do they provide to the Town?



What is AMI?

AMI stands for Advanced Metering Infrastructure. These are a type of smart-meter infrastructure located at individual homes and buildings that help collect crucial energy usage and billing data from individual consumers. AMI automatically transmits collected information back to your utility in real-time. This allows for two-way communication and enhanced data gathering as a result of this technology, as well as control over meter and electricity usage.



FEDERAL
GRANT PROFILE



Department: U.S. Department of Energy

Agency: Grid Deployment Office

FY 2022/2023 BIL– Grid Resilience and Innovation Partnerships (GRIP): Smart Grid Grants (Section 40107)

Grant Overview

The Grid Resilience and Innovation Partnerships (GRIP) program is the combination of three individual Infrastructure Investment and Jobs Act programs combined under one application. The three programs that encompass GRIP are the competitive Grid Resilience Grants (40101c), the Smart Grid Grants (40107), and Grid Innovation Program (40103b). This overview focuses on the [Smart Grid Grants](#), also known as Deployment of Technologies to Enhance Grid Flexibility Program.

Program History

The GRIP program is newly created by the Bipartisan Infrastructure Law, also known as the Infrastructure Investment and Jobs Act.

Key Information

Total Funding: \$1.08 billion

Award Range: Up to \$50 million

Match: 50%

Solicitation Date: November 18, 2022

Proposal Due: December 16, 2022 (Concept Papers), March 17, 2023 (Full Application)



Tips

- Applicants must be registered in System for Awards Management and Grants.gov
- Applicants must submit a Community Benefits Plan
- Applications that have partnerships with critical entities to ensure project success, as well as other entities outside of the applicant's jurisdiction, may receive priority during the review process
- Buy America requirements apply to projects whose prime recipient is a "non-Federal entity," e.g., a State, local government, Indian tribe, Institution of Higher Education, or nonprofit organization



102 E. Main Street | Front Royal, VA 22630 | frontroyalva.com



American Municipal Power

- AMP exists to assist its members in developing power-supply options and work collectively with other members to reduce cost and provide opportunities to obtain generation assets.
- 134 Members in nine states (Ohio, Pennsylvania, West Virginia, Michigan, Virginia, Delaware, Kentucky, Indiana & Maryland)
- All member are municipalities
 - Virginia members include Front Royal, Bedford, Danville, Martinsville & Richlands



102 E. Main Street | Front Royal, VA 22630 | frontroyalva.com

AMP Services

- Generation Asset Ownership Opportunities
 - We have 6 Generation Assets in our Portfolio (Coal Fired, Natural Gas, Hydro & Solar) with contract that go out as far as 2049
- Power Supply Purchase Opportunities
 - AMP is not the power supplier – they transact with power supply counterparties on our behalf. They provide creditworthiness and larger scale purchasing power to negotiate the best terms and pricing.
- Long Term Power Supply Planning
- Legislative Services and Grant Opportunities
- Economic Development Support & Resources
- Mutual Aid
- Scholarship Program



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Grant Breakdown

- AMP can apply for up to \$50M, to be expended within 5 years.
- Cost share is 50% (for example, if AMP applies for \$50M in federal funds, we will need \$50M in local match for a total project budget of \$100M).
- It is AMP's understanding that the grant will cover 50% of the cost of the electric meters, installation, software and project management.

AMP's recommendation to those that wish to participate in this grant would be to move forward with an electric only deployment. AMP's AMI solution's deployment minimizes impacts on customers, billing and customer service operations.





Council Consent Agenda Statement

Item # 10E

Meeting Date: February 27, 2023

Agenda Item: Local Board of Building Code Appeals (LBBCA) Bylaws

Summary: Council is requested to approve the bylaws of the Local Board of Building Appeals (LBBCA) per Town Code Chapter 9-100(E)(5) as presented. The Town Attorney and the LBBCA have approved the presented bylaws.

Budget/Funding: None

Meetings: Work Session held February 13, 2023

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council approve the Local Board of Building Code Appeals (LBBCA) Bylaws as presented.

Moved _____ *Seconded* _____

DeDomenico-Payne _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *Rogers* _____ *VM Sealock* _____

Town of Front Royal Local Building Code Appeals Board

Bylaws

Article 1: Officers

- 1.1 The local board of building code appeals shall organize and annually elect a chairman and a vice-chairman in the month of February.
- 1.2 The Town's Planning and Zoning Department will provide a member from its staff to serve the Board as its recording secretary.
- 1.3 The chairman shall preside at the meeting and hearings, shall decide points of order or procedure, and shall appoint any committees that are found to be necessary.
- 1.4 The vice-chairman shall assume the duties of the chairman in the chairman's absence, disability, or disqualification.
- 1.5 The secretary shall handle correspondence subject to these rules at the direction of the Board; shall send out notices required by these rules; shall keep the minutes of the Board's proceedings; and shall keep a file on each appeal that comes before the Board.

Article 2. Meetings:

- 2.1 Regular meetings of the Board for hearings of appeals shall be held on the first Thursday of each month at 6:00 p.m., except as may be canceled by a majority of the Board if no appeals are pending, in which instance no meeting shall be held.
- 2.2 Special meetings may be called by the chairman, provided at least five (5) days written notice of such meeting is given each member.
- 2.3 A majority of the full membership of the Board shall constitute a quorum.
- 2.4 Business conducted at meetings of the Board shall follow Robert's Rules of Order in all matters in which they are applicable.
- 2.5 The Board may adjourn a meeting if all applications or appeals cannot be disposed of on the meeting day, and no further notice shall be necessary for a continuation of such meeting.

Article 3. Procedure for Hearing Appeals:

- 3.1 Appeals to the Board shall be filed with the Property Maintenance Official on a form provided by the Town's Planning and Zoning Department.
- 3.2 The Property Maintenance Official shall transmit the appeal to the secretary of the Board along with all papers constituting the record of action upon which the appeal is based.
- 3.3 The applicant shall provide the secretary with all information requested on the form provided by the Board, and with any such additional information and data as may be required by the Board to advise the Board fully with the reference to the application for appeal.
- 3.4 Applications for appeal must be on the proper form.
- 3.5 Failure by the applicant to furnish all required information to the Board may be grounds for the Board to dismiss the appeal.
- 3.6 An application for appeal filed accordingly to the above shall be assigned an appeal number within five (5) days.
- 3.7 Applications for appeal will be heard in the order in which they are received.
- 3.8 The secretary of the Board shall schedule the appeal, notify all interested parties of the hearing and give notice including the time, date and place of the meeting to anyone requesting such info action.
- 3.9 The applicant may appear in his own behalf at the hearing or may be represented by counsel or an agent.
- 3.10 Both the applicant and the Property Maintenance Official may speak and present evidence to the appeal and any person whose interests are affected may speak and present evidence for or against the issue. Speakers will be limited to a thirty (30) minute time frame.
- 3.11 The applicant shall be given opportunity for a final rebuttal, not to exceed fifteen (15) minutes.
- 3.12 The final decision on any appeal to the Board shall be in the form of a resolution approved by a majority of the Board members present and voting.
- 3.13 The Board shall notify the interested parties and the code official of the decision within seven (7) days after signing of the resolution by the

chairman, and in any event, within fourteen (14) days after the meeting in which the application for appeal was filed.

Article 4. Records:

- 4.1 A complete file on each appeal shall be kept by the secretary as part of the records of the local Board.
- 4.2 All records of the Board shall be public records.



Council Consent Agenda Statement

Item # 10F

Meeting Date: February 27, 2023

Agenda Item: Refer to the Planning Commission a Text Amendment to the Town Code Chapter 175-137 Schedule of Fees to Add LBBCA Application Fee

Summary: Council is requested to refer to the Planning Commission a text amendment to Town Code Chapter 175-137 Schedule of Fees to add a Local Board of Building Code Appeals (LBBCA) application fee of \$400.00 and bring a recommendation back to Council.

Budget/Funding: 1000-3130306 General Fund Zoning Income

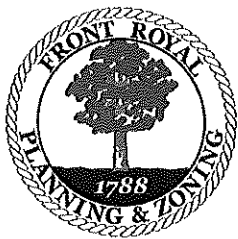
Meetings: Work Session held February 13, 2023

Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:

Proposed Motion: I move that Council refer to the Planning Commission a text amendment to Town Code Chapter 175-137 Schedule of Fees to add a Local Board of Building Code Appeals (LBBCA) application fee of \$400.00 and bring a recommendation back to Council.

Moved _____ Seconded _____

DeDomenico-Payne _____ Ingram _____ Morris _____ Rappaport _____ Rogers _____ VM Sealock _____



**Town of Front Royal
Local Board of Building Code Appeals**

February 2, 2023

This is to certify that the fee for an application to the Local Board of Building Code Appeals is to be \$400, has been:

 X Recommended for Approval

 Recommended for Denial

 Postponed

The Local Board of Building Code Appeals recommends a fee of \$400 for all appeals applications and requests Town Council to have Planning Commission take up a Zoning Text Amendment of 175-137 to include this new fee.

CERTIFIED by the Local Board of Building Code Appeals

Harry R. Gillespie
Chairman Gillespie

CONDITIONED UPON THE FOLLOWING (if applicable):

N/A

Moved Gornowich Seconded Stankiewicz

Aders Yes Cline Yes Gornowich Yes Stankiewicz Yes Gillespie Yes



Council Agenda Statement

Item # 11A

Meeting Date: February 27, 2023

Agenda Item: Resolution to Recognize Skyline High School District and Regional Wrestling Champions

Summary: Councilman Rogers has requested that Council approve a Resolution recognizing Skyline High School Wrestling Team on their fourth consecutive Region 3B District and Regional Wrestling Championship as presented.

Budget/Funding: None

Meetings: Work Session held February 13, 2023

Proposed Motion: I move that Council approve a Resolution recognizing Skyline High School Wrestling Team on their fourth consecutive Region 3B District and Regional Wrestling Championship as presented.

Moved _____ *Seconded* _____

DeDomenico-Payne _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *Rogers* _____ *VM Seacock* _____



RESOLUTION OF RECOGNITION
Skyline High School Hawks Wrestling Team
2023 District and Regional Wrestling Champions

WHEREAS, the Skyline High School Hawks Wrestling Team won their fourth consecutive Region 3B tournament on Saturday, February 11, 2023 at Warren County High School; and,

WHEREAS, the Hawks earned their title by placing 11 of their 13 wrestlers into the championship finals; and,

WHEREAS, the Hawks are coached and led by Kyle Symons and his assistant coaches whose team is recognized as the only team in the area who has won four straight regional tournaments and their goal was to be the first and that was accomplished; and,

NOW THEREFORE BE IT RESOLVED, that the Mayor and the Front Royal Town Council recognize and congratulate the Skyline High School Hawks Wrestling Team for their fourth consecutive Region 3B District and Regional Championship and being the first to do so in the area.

APPROVED:

Lori A. Cockrell, Mayor

ATTEST:

Tina L. Presley, Clerk of Council

This Resolution was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on _____, 2023 upon the following recorded vote:

Melissa DeDomenico-Payne ☐ Yes ☐ No
Joshua L. Ingram ☐ Yes ☐ No
Amber F. Morris ☐ Yes ☐ No

H. Bruce Rappaport ☐ Yes ☐ No
Duane R. "Skip" Rogers ☐ Yes ☐ No
R. Wayne Sealock ☐ Yes ☐ No

Approved as to Form and Legality:

George M. Sonnett, Jr. Town Attorney

Dated: _____



Council Agenda Statement

Item # 11B

Meeting Date: February 27, 2023

Agenda Item: Waiver of Curb and Gutter Requirement at 219 Orchard Street for Habitat for Humanity

Summary: Council has received a request from Amanda Slate, President of the Warren County Habitat for Humanity requesting the waiver of the installation of curb and gutter at 219 Orchard Street. Habitat for Humanity owned the lot located at 219 Orchard Street where they constructed a new single-family dwelling. Curb & gutter is required along the frontage of the applicant's lot per Town Code 148-850.C stating: *"For all subdivisions involving the creation of an additional lot and for all new development projects, curb and gutter sections shall be required along the frontage of all existing public streets. This requirement may be waived upon approval of Town Council in residential areas where the majority of surrounding development properties do not have curb and gutter, where the character of the area is relatively low-density, after consideration of the traffic impact created by the subdivision and the total lots on a given street, drainage considerations and other environmental design parameters."*

Budget/Funding: None

Meetings: Work Session held February 13, 2023

Proposed Motion: I move that Council waive the curb and gutter requirements for 219 Orchard Street as allowed by Town Code Chapter 148-850.C. and D.

Moved _____ Seconded _____

DeDomenico-Payne _____ Ingram _____ Morris _____ Rappaport _____ Rogers _____ VM Sealock _____



109 Water Street, Front Royal, VA 22630

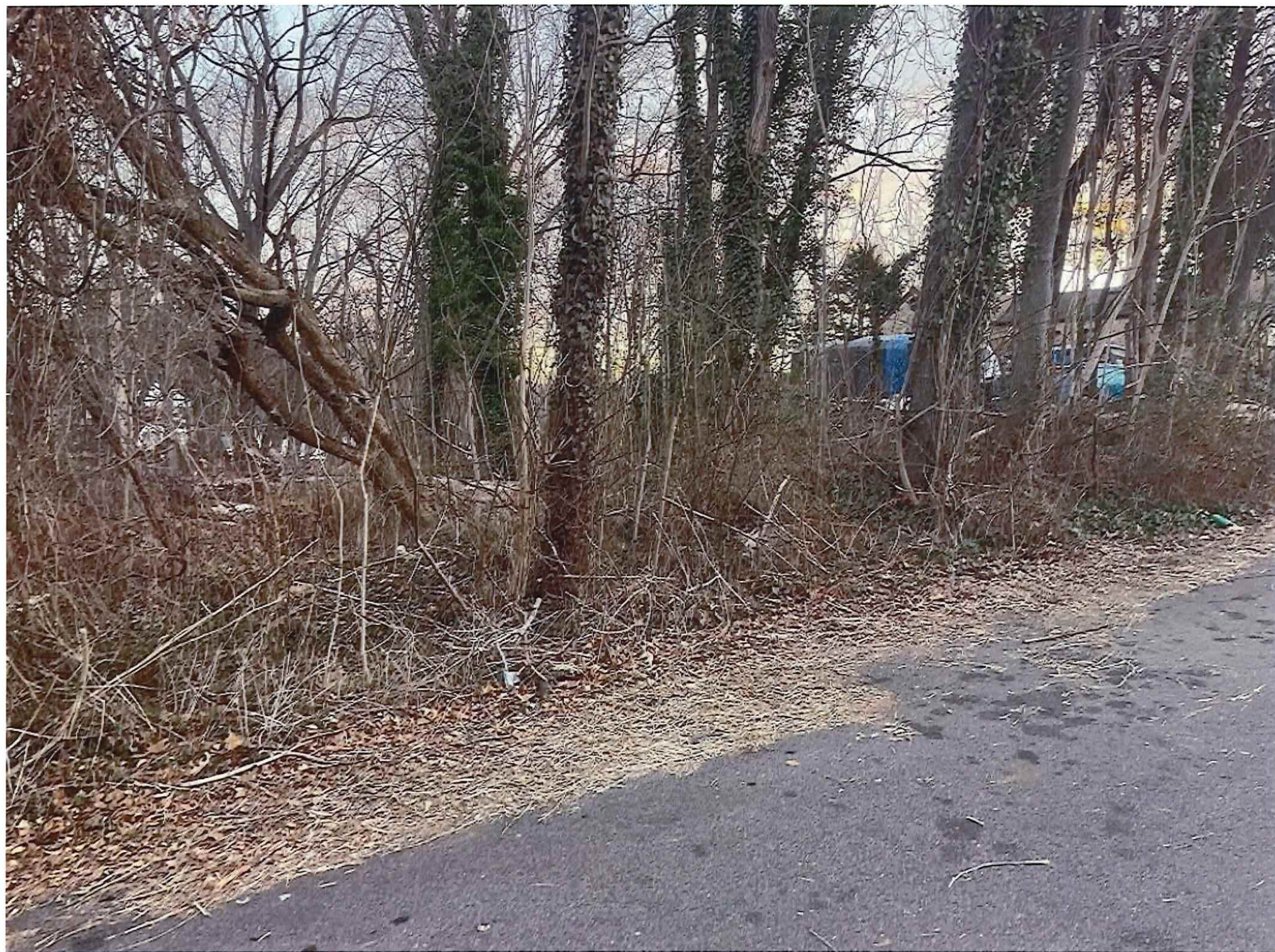
December 29, 2022

Town of Front Royal
PO Box 1560
Front Royal, VA 22630

Warren County Habitat for Humanity is requesting a curb and gutter waiver from the Town of Front Royal for 219 Orchard Street, Front Royal, VA 22630.

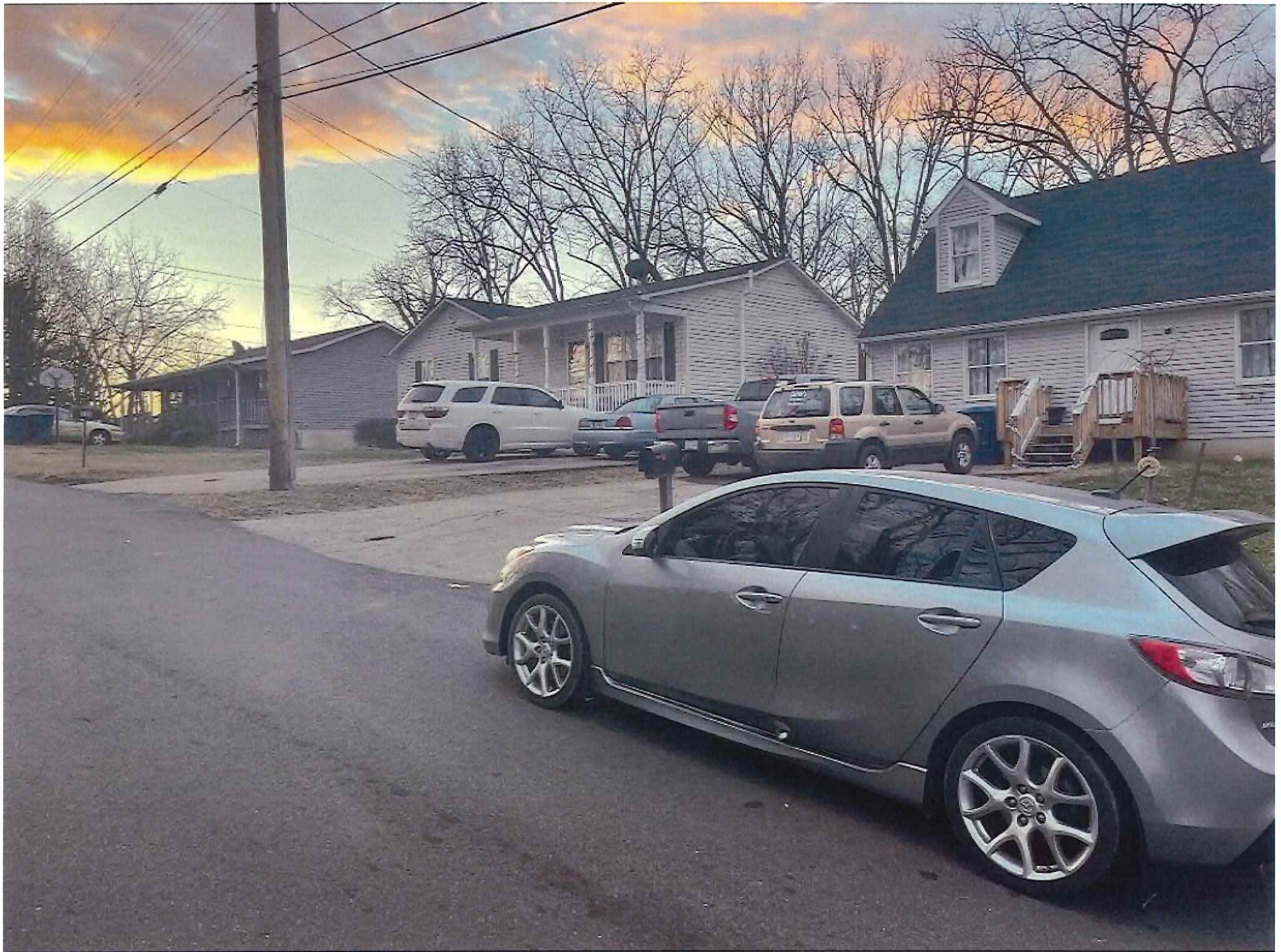
Regards,

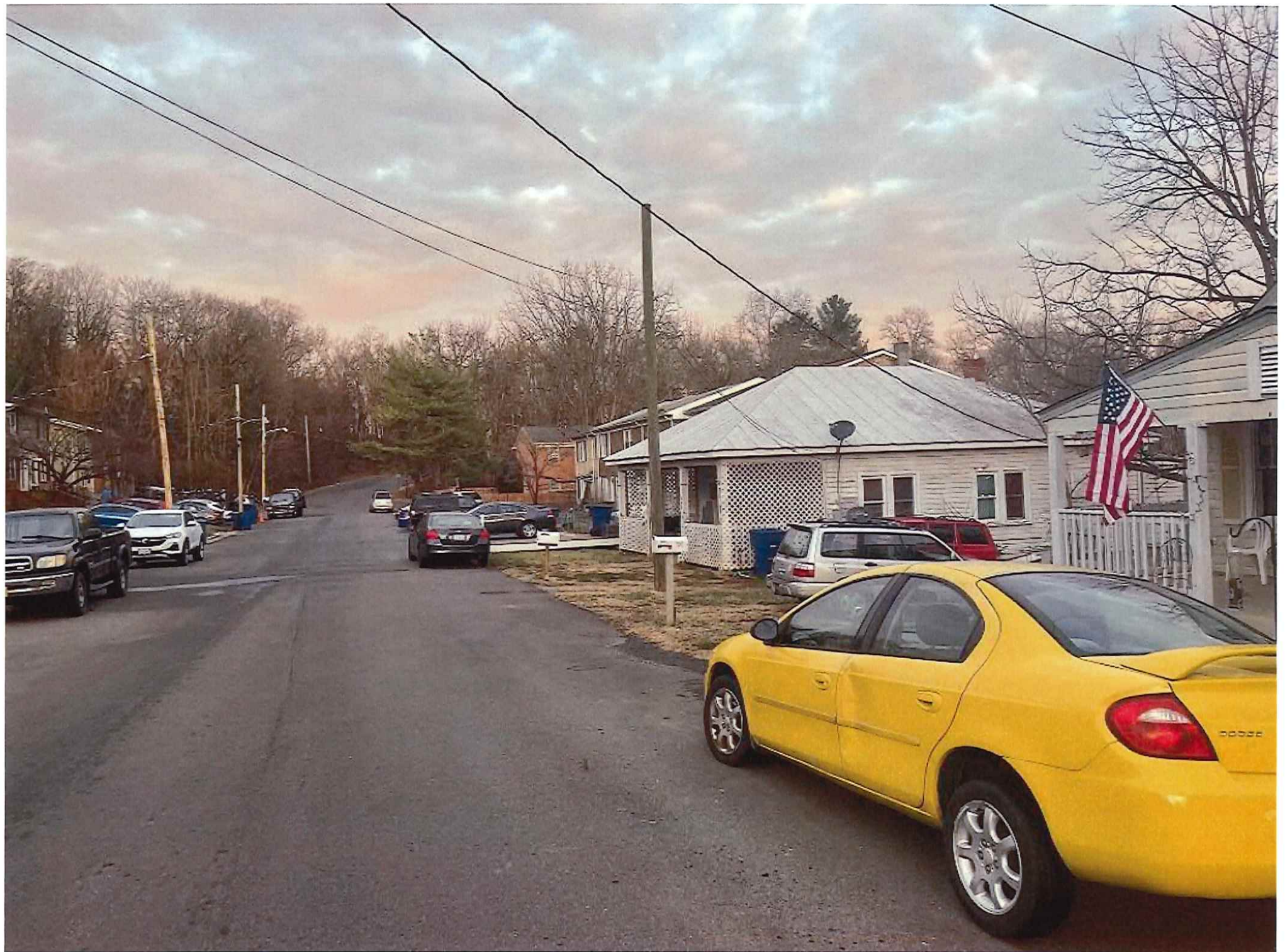
Amanda Slate, President
Warren County Habitat for Humanity

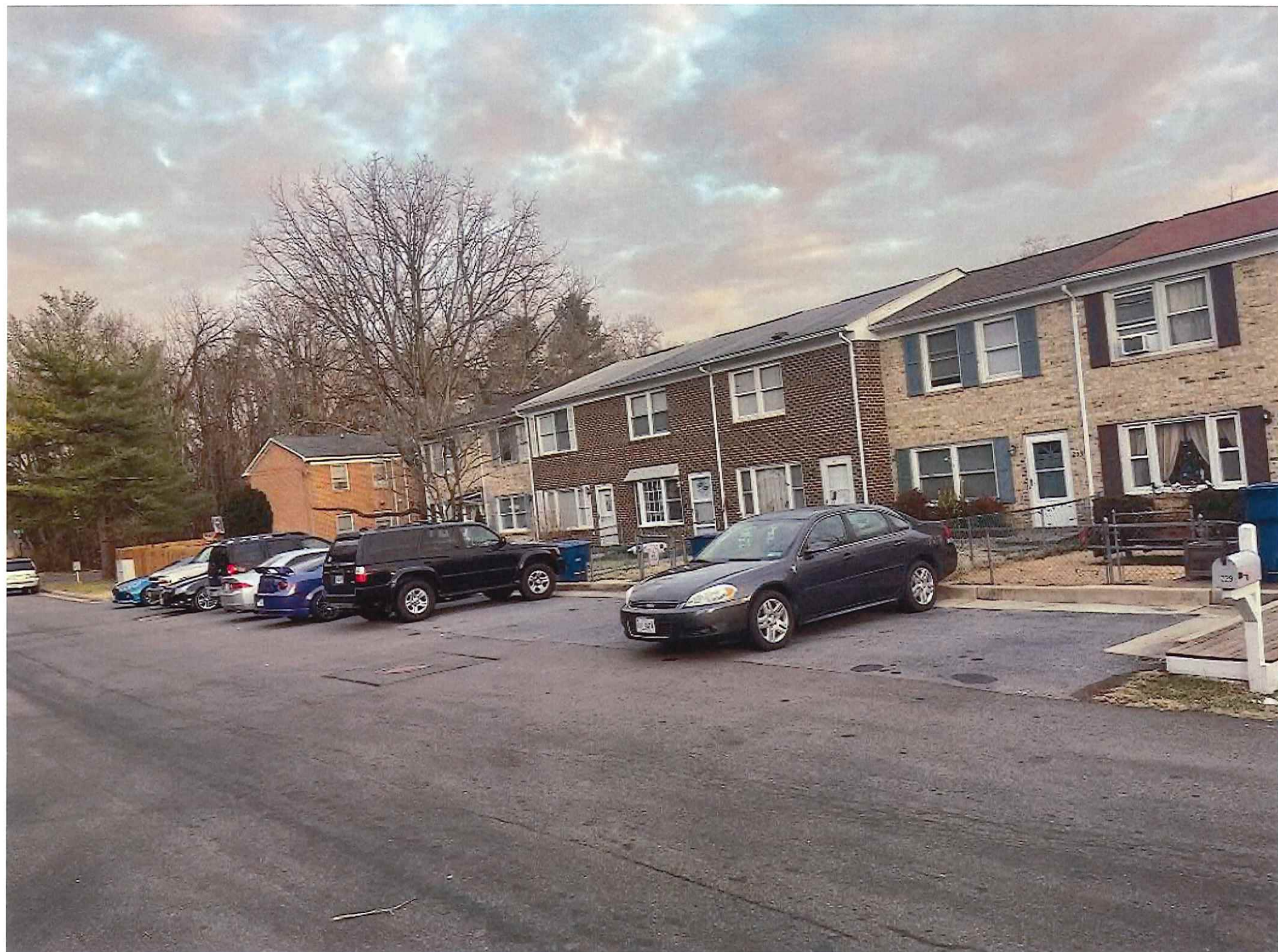
















Council Agenda Statement

Item # 11C

Meeting Date: February 27, 2023

Agenda Item: Request for Vacation of a Portion of Public Alley Located Adjacent to 1202 Virginia Avenue and 111 & 117 W. 12th Street – Mr. & Mrs. Wade Holloway/Mr. & Mrs. William Holloway

Summary: Council received an application from Mr. & Mrs. William Holloway and Mr. & Mrs. Wade Holloway requesting the Town to vacate a portion of a public alleyway located adjacent to 1202 Virginia Avenue and 111 & 117 W. 12th Street, with the intent to purchase the vacated alleyway from the Town. At the January 23, 2023 public hearing Council received public input on this request and voted unanimously to appoint viewers to view the public alleyway and report any inconveniences to the public that would result from granting approval of the request from Mr. & Mrs. William Holloway and Mr. & Mrs. Wade Holloway for the Town to vacate a portion of a public alleyway located adjacent to 1202 Virginia Avenue and 111 & 117 W. 12th Street. On February 1, 2023 the Viewing Committee visited the site and concluded that the application to vacate a portion of the alley should be denied. The full Viewing Committee report is included in this agenda. Council is requested to approve or deny the request tonight.

Budget/Funding: None

Meetings: Work Session held January 9, 2023 and Public Hearing held January 23, 2023

Proposed Motions: Council is requested to take action on one of the motions below:

- 1) I move that Council deny the request from Mr. & Mrs. William Holloway and Mr. & Mrs. Wade Holloway for the Town to vacate a portion of a public alleyway located adjacent to 1202 Virginia Avenue and 111 & 117 W. 12th Street.

- 2) I move that Council approve the request from Mr. & Mrs. William Holloway and Mr. & Mrs. Wade Holloway for the Town to vacate a portion of a public alleyway located adjacent to 1202 Virginia Avenue and 111 & 117 W. 12th Street and pursue the sale of the property through a public hearing to be held on February 27, 2023. I further move that Council negotiate a price for the sale prior to the public hearing in a closed meeting.

Moved _____ Seconded _____

DeDomenico-Payne _____ Ingram _____ Morris _____ Rappaport _____ Rogers _____ VM Sealock _____

Tina Presley

From: staigem@comcast.net
Sent: Wednesday, February 1, 2023 12:51 PM
To: Tina Presley
Subject: Alley Vacation Request by William and Wade Holloway

FROM: Viewers Ronald "Jay" Crawford, Staige Miller, Jr., Michael Woodward
TO: Town of Front Royal Council Members
DATE: February 1, 2023
SUBJ: Vacation of Streets and Alleys Application from Mr. and Mrs. William Holloway and Mr. and Mrs. Wade Holloway

Applicants have requested Town Council to vacate a portion of an alley adjacent to 1202 Virginia Avenue and 111 & 117 W. 12th Street. in the Town of Front Royal. At the public hearing to address the application, Council requested input from the public concerning the application. According to information received by the viewers, all of the speakers expressed their opposition to the alley vacation. No one, including the applicants, spoke in favor of the application. The packet of documents given to the viewers included numerous letters and petitions in opposition to the application. Concerns are mainly the lack of public access and safety to the portion of the alley to be vacated. Several persons, including the adjacent church, said they use the alley for access to their properties.

At the conclusion of the public hearing, Council voted to appoint viewers to get input from them. The viewers visited the site of the proposed alley vacation on February 1, 2023 to view the alley. We noted the following:

1. There are no public utilities located in the entire length of the alley.
2. The requested alley vacation is well-maintained. The Virginia Avenue entrance had gravel on the ground and the grass was mowed.
3. We noted that the western end of the alley was blocked by a very mature tree with lots of brush under the tree. The alley was not passable at this point.
4. We went to the western end of the alley and noted that it, too, is well-maintained down to the mature tree. The western end of the alley intersects with a slightly narrower alley running perpendicular to the subject alley.
5. We noted that there was a curb cut to access the alley on the church's property. Gravel had been placed from the curb cut to the property across the alley.
6. We also noted that available and future access to any improvements abutting the alley would be accessible from the alley even if the vacation is not approved. If the applicants request is approved, the future access for neighbors could be questionable.

We, the viewers, are in unanimous agreement that the application to vacate a portion of the alley should be denied.

Ronald "Jay" Crawford
Staige Miller, Jr.
Michael Woodward



2200368

VACATION OF STREETS AND ALLEYS and OTHER TOWN RIGHTS-OF-WAYS APPLICATION

APPLICANT INFORMATION

(please print)

Name Mr. and Mrs. William Holloway Mr. and Mrs. Wade Holloway

Mailing Address C/O 117 W 12th St. Front Royal, VA.

Phone # 540-671-6068-6086 E-mail wadeholloway@yahoo.com

VACATION INFORMATION

Description (please select all that apply)

☐ Street/Portion of Street

☒ Alley/Portion of Alley

☐ Other (please specify) _____

Location

Adjacent to 1202 Virginia Ave, 111 & 117 W 12th St.

Reason for request

Vacate for purchase

Extend garage at 1202 Virginia
Add garage at 117 W 12th St) per phone conversation
w/ Wade Holloway
10-19-2022

☒ Current Plat Attached Showing Property to be Vacated

Applicant's Signature

[Signature]

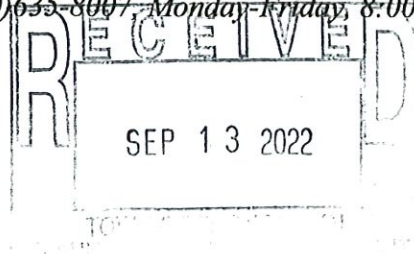
Date

9-13-22

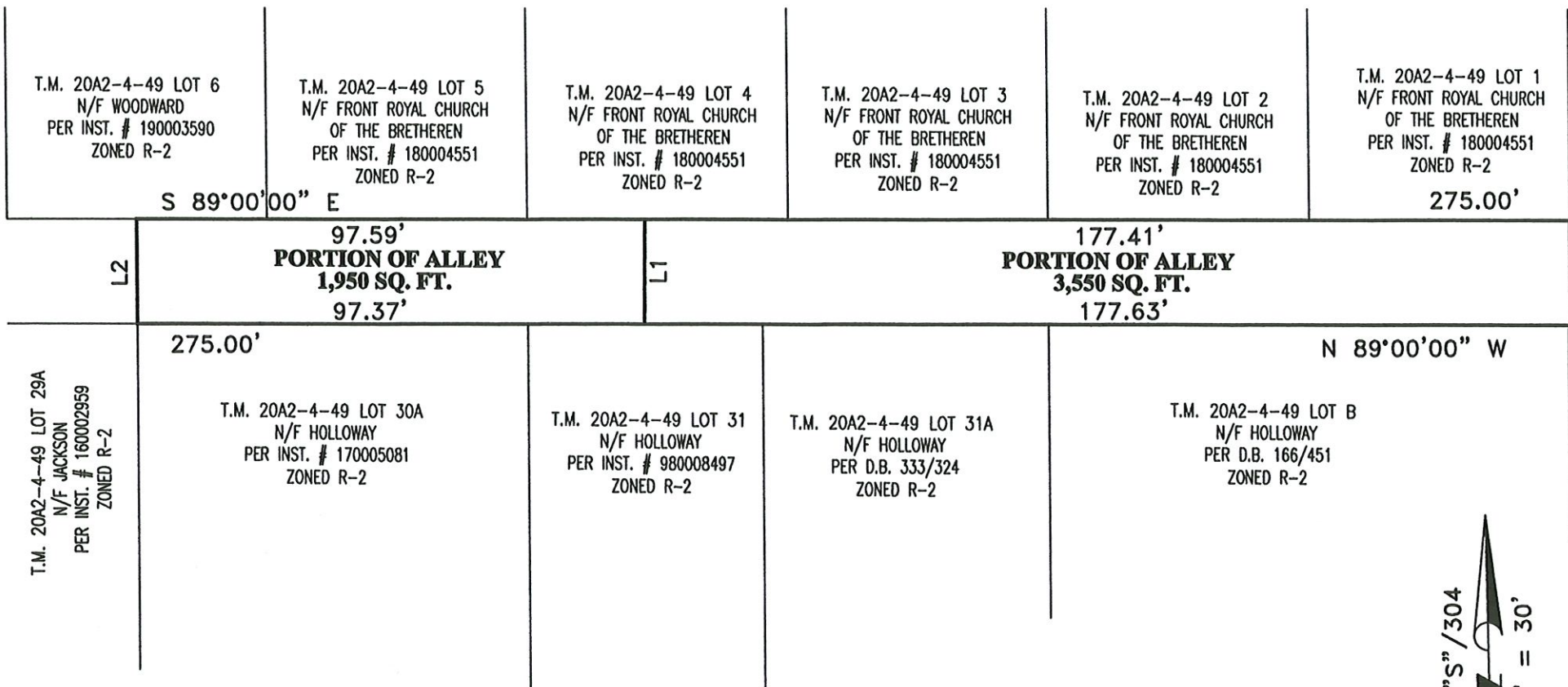
Completed application shall be returned by mail or delivery to:

Town Manager's Office, Town Hall, 102 E. Main Street, P.O. Box 1560, Front Royal, VA 22630

Additional Information: Town Manager's Office (540) 635-8007 Monday-Friday, 8:00am - 5:00pm



Revised 3/1/22



VIRGINIA AVE.
60' WIDE R/W
EX. CONC CURB AND GUTTER

LINE	BEARING	DISTANCE
L1	S 01°37'54" W	20.00'
L2	N 01°00'00" E	20.00'
L3	S 01°00'00" W	20.00'

PER D.B. "S"/304
SCALE 1" = 30'

NO TITLE REPORT FURNISHED TO THIS OFFICE.
SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

PLAT REF: D.B. "S" PAGE 304.

SURVEY OF TWO PORTIONS OF ALLEY SITUATED WEST OF VIRGINIA AVENUE
BLOCK 49 MAP OF FRONT ROYAL RIVERTON IMPROVEMENT CO. INC.

NORTH RIVER MAGISTERIAL DISTRICT
TOWN OF FRONT ROYAL
WARREN COUNTY, VA.

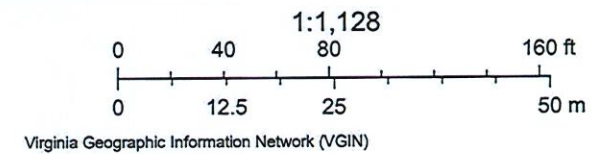
PREPARED BY:
BROGAN LAND SURVEYING, PLC
P.O. BOX 1578
FRONT ROYAL, VA. 22630-0034
TEL. & FAX (540) 635-5657
AUGUST 25, 2022



2200368_Holloway_Alley Vacation



October 20, 2022



Connie Potter

From: Mary Lynn
Sent: Thursday, September 15, 2022 10:33 AM
To: Connie Potter; Robbie Boyer
Cc: Karen Williams
Subject: RE: Vacation of Alley Application

Connie,

There are no concerns from the Electric Department.

Thanks,

Mary Ellen Lynn
Interim Director
Department of Energy Services
P.O. Box 1560
Phone: 540.635.3027
Fax: 540.631.3620
mlynn@frontroyalva.com



From: Connie Potter <cpotter@frontroyalva.com>
Sent: Thursday, September 15, 2022 9:33 AM
To: Robbie Boyer <rboyer@frontroyalva.com>; Mary Lynn <mlynn@frontroyalva.com>
Cc: Karen Williams <kwilliams@frontroyalva.com>
Subject: Vacation of Alley Application

Good morning,

Can you please let me know if you have any concerns with the attached application for a request by Mr. and Mrs. William Holloway and Mr. and Mrs. Wade Holloway to vacate/purchase the alleyway adjacent to 1202 Virginia Avenue and 11 & 117 W. 12th Street.

Thank you,
Connie

Connie L. Potter
Executive Assistant



#2200368 – Alley Vacation_Wade Holloway

Planning & Zoning Comments

The Planning & Zoning Department has concerns due to the fact that the alley provides a mechanism for the installation of future utilities including but not limited to fiber optics, cable, underground electric, water services, sanitary and storm sewer lines outside of paved streets. Basically, it lets construction activities occur without tearing up the streets.

Connie Potter

From: Robbie Boyer
Sent: Monday, September 19, 2022 8:57 AM
To: Connie Potter; Mary Lynn
Cc: Karen Williams
Subject: RE: Vacation of Alley Application

Connie,

Public Works has checked this location and we have no utilities in that area.

Thanks,

Robert B. Boyer
Director of Public Works
Town of Front Royal Public Works
PO Box 1560
800 Crosby Rd-Extended
Front Royal, VA 22630
540-635-7819 (P)
rboyer@frontroyalva.com
www.frontroyalva.com

From: Connie Potter <cpotter@frontroyalva.com>
Sent: Thursday, September 15, 2022 9:33 AM
To: Robbie Boyer <rboyer@frontroyalva.com>; Mary Lynn <mlynn@frontroyalva.com>
Cc: Karen Williams <kwilliams@frontroyalva.com>
Subject: Vacation of Alley Application

Good morning,

Can you please let me know if you have any concerns with the attached application for a request by Mr. and Mrs. William Holloway and Mr. and Mrs. Wade Holloway to vacate/purchase the alleyway adjacent to 1202 Virginia Avenue and 11 & 117 W. 12th Street.

Thank you,
Connie

Connie L. Potter
Executive Assistant

Town of Front Royal, VA | Dept. of Planning and Zoning



102 E. Main St | Front Royal, VA 22630
Office: (540) 635-4236
Facsimile: (540) 631-2727
Website: www.frontroyalva.com

Town Council Front Royal

In regards to the request for the town to vacate the alley behind the Front Royal Church of The Brethren.

I am a member of the Front Royal Church of the Brethren and have been for over twenty years and am a member of the safety team there. We are responsible for the safety of the members at all times. With that I believe for the best interest of all of the members the alley should remain.

Example: If there would be a fire across the street or at the church the street would be blocked off. Now we at least have access to the alley that people can get in their cars and leave. It also gives the fire department access to some of the houses if needed. I know that some of the alley has overgrown but for our part of the alley has been keep open. It would also give access to rescue workers if 13th street was blocked and someone needed medical attention at church. It could be as simple as a car accident at the entrance to the parking lot and people would not be able to leave.

I ask you to consider these issues and others before vacating the alley and it get closed.

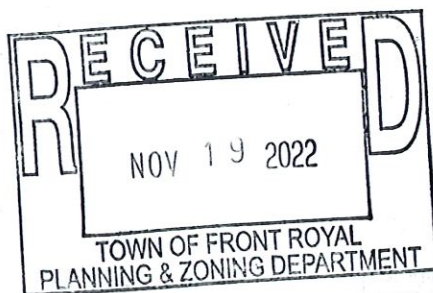
Thank You,

Albert Lambert

112 Cedar Park Ct

Front Royal, Va. 22630

540 336 7727

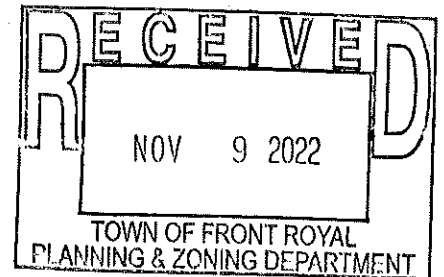


CHURCH OF THE BRETHREN OFFICERS

BOARD CHAIR. STEVE LONG. Steve Long
Vice chair. Becky Lilly
Treasure. Diane Wickham. Diane Wickham
Financial sec. Heather Clatterbuck. Heather Clatterbuck
Recording Sec. Debbie long. Debbie Long

BOARD MEMBERS

Lee Keeler. Lee Keeler
Elsie Kirk. Elsie Kirk
Dee Dee Mauck. Dee Dee Mauck
Sue Miller. Sue Miller
Debbie Smoot. Debbie Smoot
Donna Strahley. Donna Strahley
Frank Lake. Frank Lake
Julie Riley. Julie Riley
Debbie Rosenberry. Debbie Rosenberry
Tim Clatterbuck. Tim Clatterbuck
Don Hilton. Moved and left area
Al Lambert. Al Lambert
Diane Kelly. Diane Kelly
Ruth Hammon. Ruth Hammon



We have had this exit for about 28 years. Thank God we haven't had to use it. This is considered to be an emergency exit. This was considered just in case any emergencies arise

On the north side of our main entrance. We have a safety team

In place and this alley is included in our plans for evacuation.

Hopefully we never have to use it but we can't if fences and buildings are put up. That's why we strongly object to this

Vacating this property.

As Pastors, we agree with those above and the statement church has prepared -

J. Diane Whitel & Bobby Whitel

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Vacating this property.

Church Members

- 1) Al Lambert
- 2) Eugene Miller
- 3) Wade Aubert
- 4) Sam Miller
- 5) Diane Wickham
- 6) Carol A. Campbell
- 7) Dee Dee Maerck
- 8) Dorothy Smart
- 9) William B. Fox
- 10) Joseph Podson
- 11) Edgar J. West
- 12) R. W. Wickham
- 13) Joyce Woodward
- 14) Linda Aubert
- 15) Donna Strahley
- 16) Lee Wines
- 17) Betty Wines
- 18) Stanley Woodward
- 19) Betty Kilburn
- 20) Norman Williamson
- 21) Egna Skidman
- 22) Sten E. Debra Long

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Timothy R. Clark
Wyatt Clatterbuck
Heather Clatterbuck
Gabe Reilly
Amy Clatterbuck
MELVIN BAUGHER
PAT BAUGHER
Wanda Oden
Linda McCann
Mike Mase
Christina Mase
Scott Kasper
Kimberly Runk
Mary Rhodes
Dana Evans
RICK Hurdley
Shirley Vaughn
Geraldine Lee
Evelyn Liddell
Ann Krause
Jeane Seger
Ken Kelley
Ruthie Hamman

The alley in question is a big part of our safety at our Church. We have a 9 member safety team with a plan for evacuation in case of fire, gas leaks , etc. . If a situation arises in front of Church , we must exit in rear of Church. Pictures show 3 doors, # 4-5-6 for our evacuation. In most evacuations 100 ft. Is required for safe distance. As you can see from our pictures we have about 50 - 60 ft. Of parking lot . We need this 20 ft. alley for safety and then we can shift to either side for safety. In case of emergency we have designated this alley as a safe place to gather so we can keep a headcount of our people. We don't want them getting in their cars and leaving , because that could cause more problems.

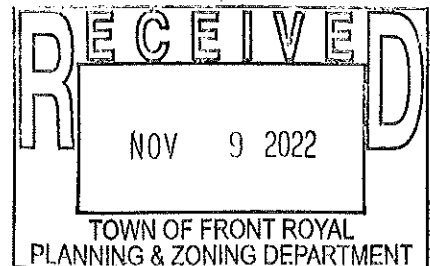
If any issues come up on w 13th street , such as house fire, water break, car accident, we need this alley open for car evacuation.

This is just one of our concerns for the safety of our people.

FRONT ROYAL CHURCH OF THE BRETHREN

Dave Aikant

Safety Team

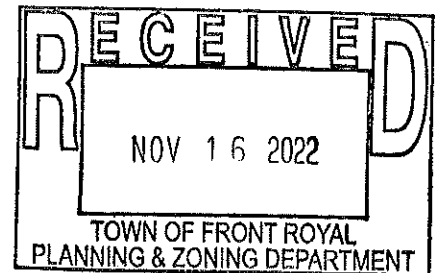


Our Church has used this alley for our family fun day . We have had a bouncy house , we have had Steve Foster's Amazing Grace mule for mule shows, and we have had Easter egg hunts. All our activities have been west of our emergency exit so we don't block anyone from exiting. We have not had this for several years because of Covid . We do have plans to use it again. This is why we strongly oppose vacating this alley .

Debbie Smoot - Sunday School Director

Just to add to the above, we use part of the grass area for our 2-4 year olds every Easter for the egg hunt.

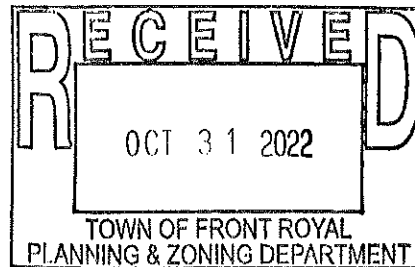
When we have our Vacation Bible school we use it for games for the children.



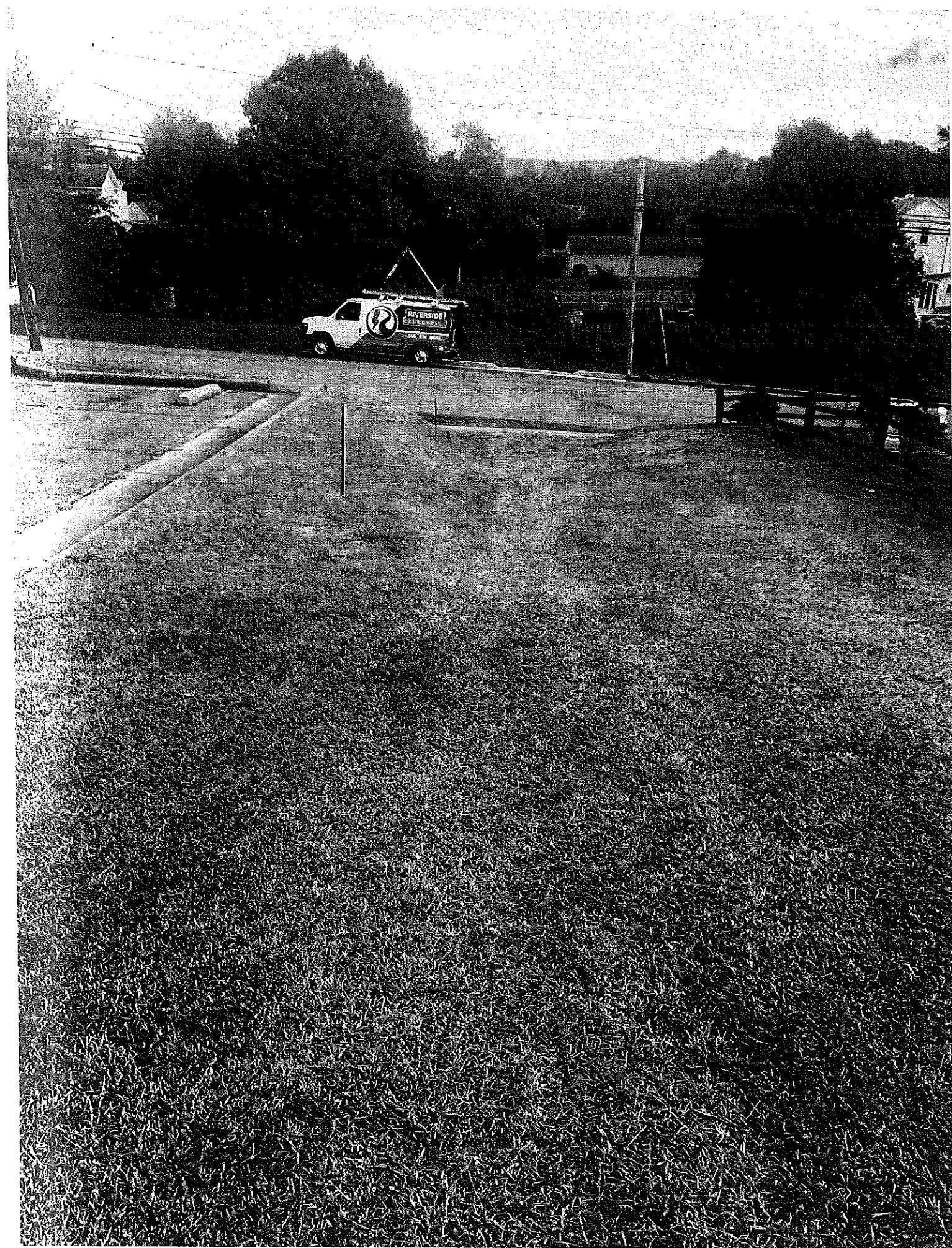
We have had this exit for about 28 years. Thank God we haven't had to use it , but this is considered to be an emergency exit. When we added on our addition , this was considered just in case any emergencies arise on the north side of our Church. We have a safety team in place and this property is included in our plans for evacuation. Hopefully we never have to use it but we can't use it if buildings and fences are put up. That's why we strongly oppose the vacating of this property. We pray for your understanding on this matter.

FRONT ROYAL CHURCH OF THE BRETHREN

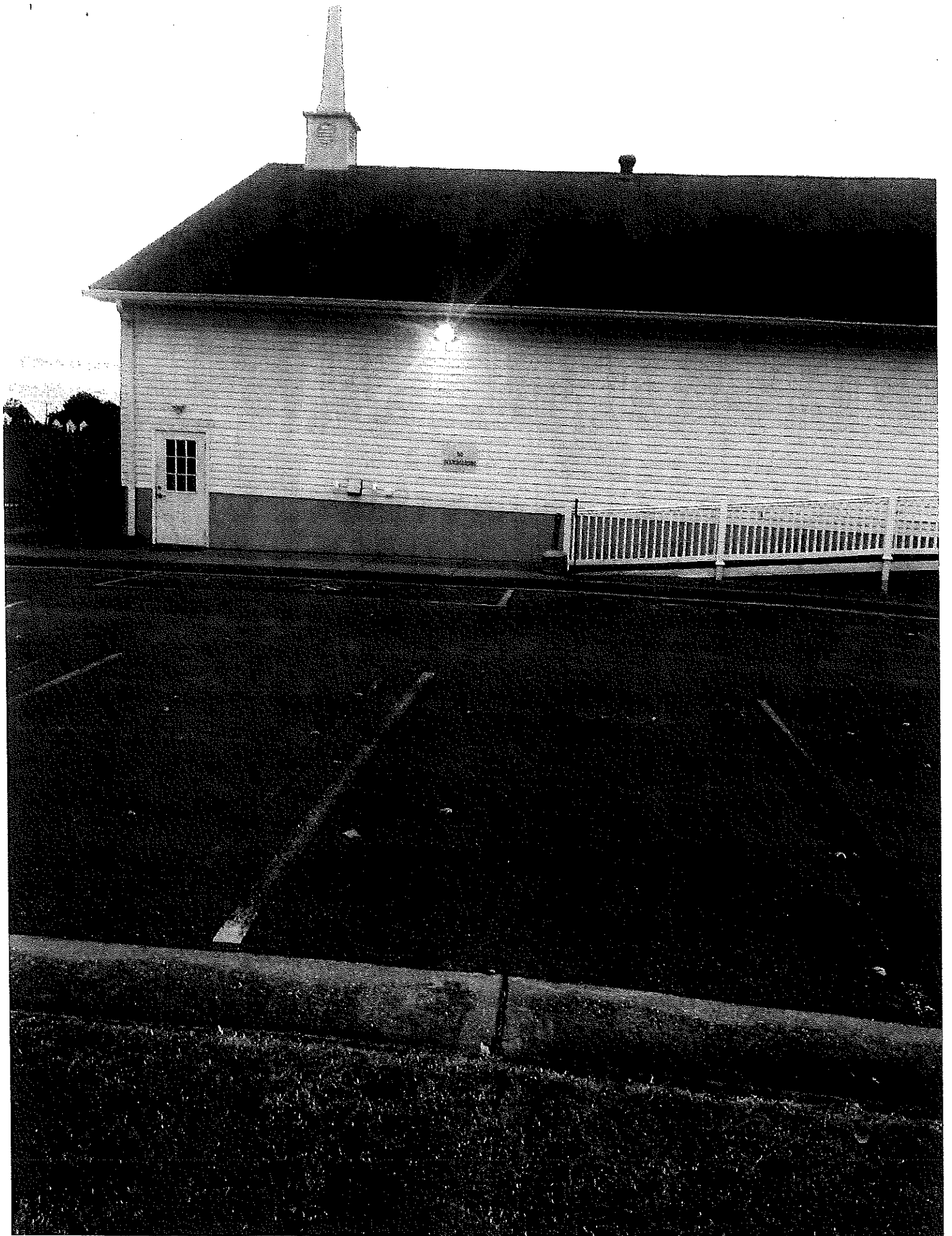
David Albright





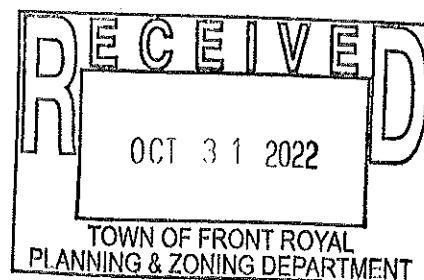








R.W. WOODWARD
120 West 13th Street
Front Royal Va. 22630



October 28, 2022

To: Lauren Kopishke
Director of Planning & Zoning

Hello,

I am writing this letter in response to your October 20 notice of the 20 foot alley that the Holloway family is attempting to take from us. Since this is so important to us, my first thought is, please do not do this. There are numerous reasons that we would like to leave the right of way as is and has been for many years.

We had to do a lot of work to our home and the alley was a blessing for bringing in heavy objects to the back door of our home. This alley serves other reasons such as bringing in pellets for our pellet stove . These things get pretty heavy at my age . It makes a huge difference when we can just use the alley and back my truck right up to the back door . Actually it is the only way out for brush etc. and it was the only way to get a storage building into our back yard . Well I could go on and on with reasons such as emergency reasons , replacing my basement floor , overflow parking for the church next door whom I have given permission to simply pull down the right of way to our backyard. This alley was one of the reasons that we bought our home and it has been a back door to our place that we have certainly enjoyed . As I have said earlier in this letter , PLEASE LEAVE THIS ALLEY AS IT IS . It would be devastating to us and especially the church next door if it was abandoned . THANKS ,

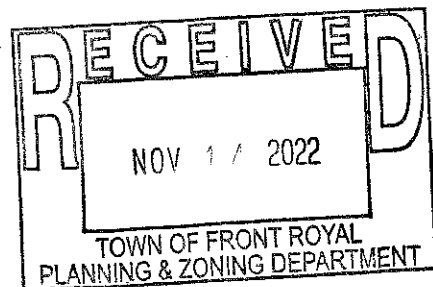
Wayne and Joyce Woodward

To whom it may concern
Re: Right of Way at Church of the Brethren

The Right of Way was put there for a
~~reason~~ reason. I am opposed to vacating the
right of way. It serves the church and other
houses as a way to get in back of property.

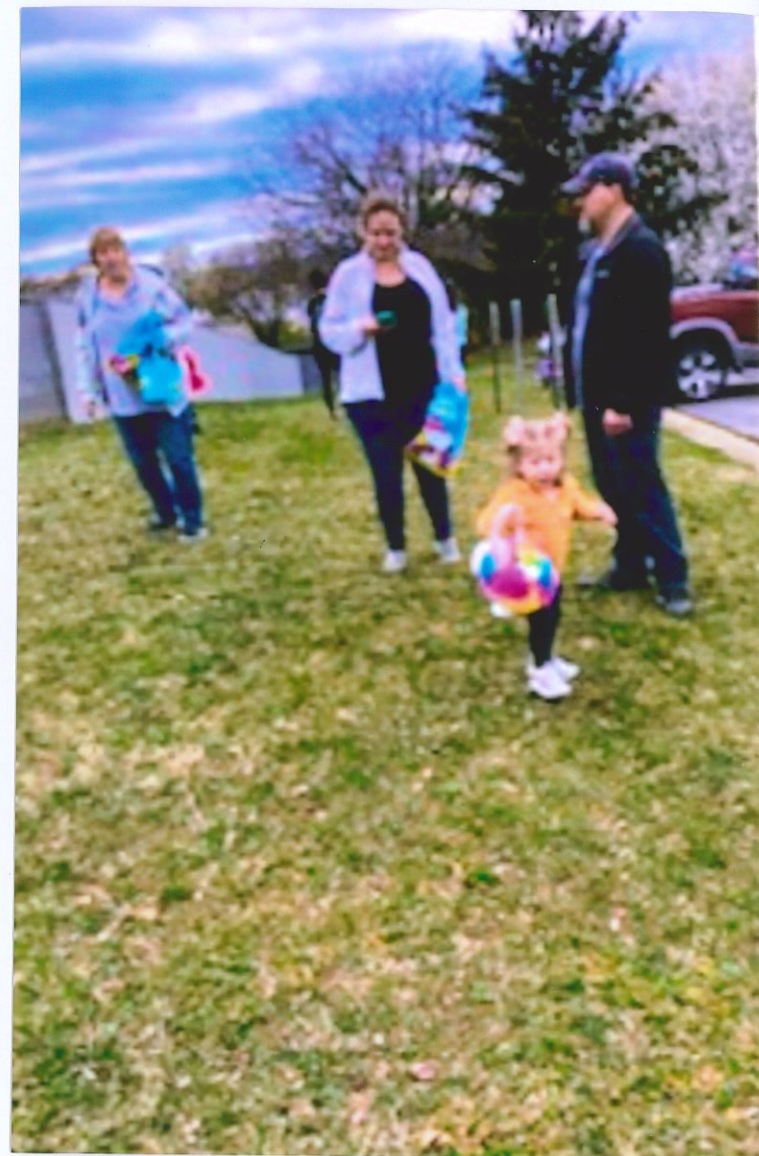
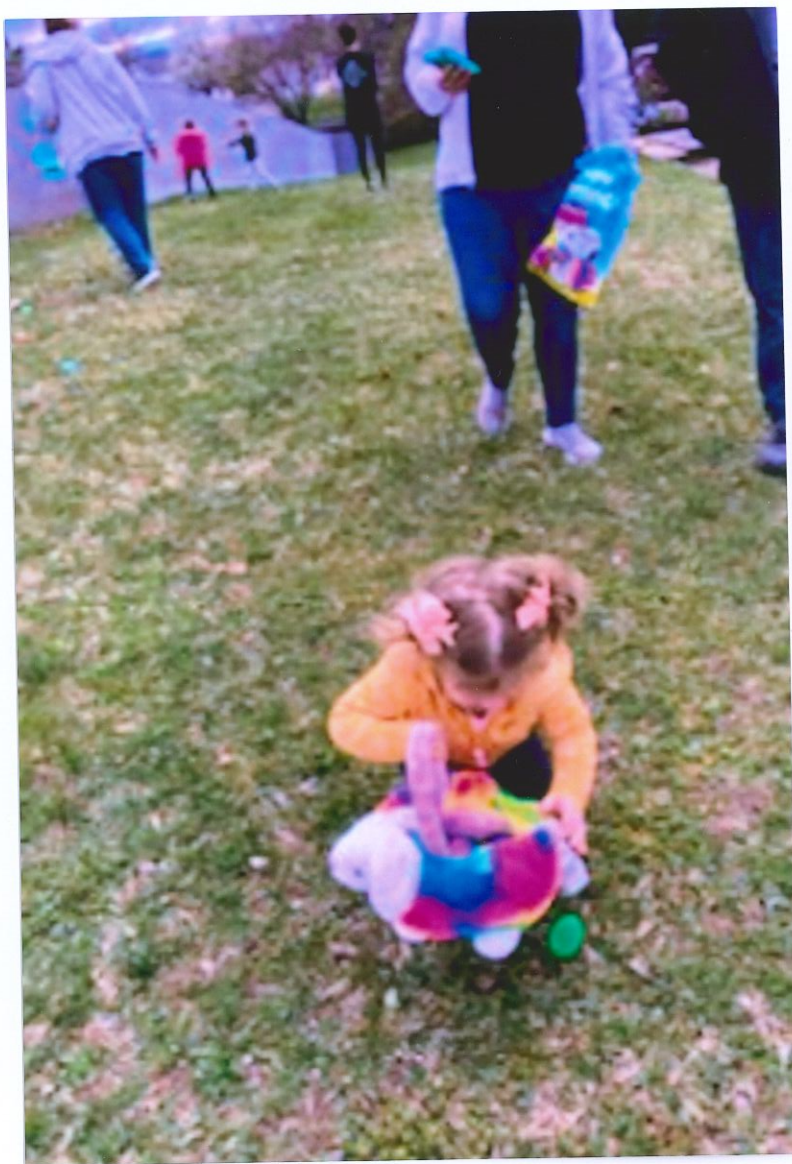
It is used as a emergency exit to the church.
If a fire broke out on 13th St. The Right of Way
would be the only way out of church parking lot
Respectfully Submitted

William (Bob) Williamson









VA. Ave

yard

yard

SANCTUARY

yard

yard

grass

ALLEY
meet here for headcount

grass

EXIT

handicap ramp

1

6

5

4

3

2



door

curb

evacuation Route

13th St.



Council Agenda Statement

Item # 11D

Meeting Date: February 27, 2023

Agenda Item: Disengagement with the County Regarding the Commitment to Tourism Expenditures, to Fund the Budget of and Donate a Lease of Town Property to, "Discover Front Royal" by Terminating the Front Royal-Warren County Joint Tourism Agreement Dated April 6, 2022.

Summary: Council is requested to disengage with the County of Warren regarding the commitment to tourism expenditures, to fund the budget of, and donate a lease of Town property to, "Discover Front Royal", by terminating the Front Royal-Warren County Joint Tourism Agreement dated April 6, 2022 per terms of the agreement, to wit: *Section V. AMENDMENTS This Agreement may be amended or altered in whole or in part upon approval by the Front Royal Town Council and the Warren County Board of Supervisors. This Agreement shall continue each fiscal year starting July 1 and ending June 30 unless terminated by either party by March 1 of any year.*

Budget/Funding: None

Meetings: Work Session held February 13, 2023

Proposed Motion: I move that Council terminate the Front Royal-Warren County Joint Tourism Agreement dated April 6, 2022 per terms of Section V of the said Agreement and effective upon approval.

Moved _____ Seconded _____

DeDomenico-Payne _____ Ingram _____ Morris _____ Rappaport _____ Rogers _____ VM Sealock _____

**FRONT ROYAL-WARREN COUNTY
JOINT TOURISM AGREEMENT**

This FRONT ROYAL-WARREN COUNTY JOINT TOURISM AGREEMENT (the "Agreement") made this 6 day of April, 2022 by and between the **Town of Front Royal, Virginia**, hereinafter referred to as the "Town", and the **County of Warren, Virginia**, hereinafter referred to as the "County", collectively hereinafter referred to as the "Parties", and stipulates that the Parties agree to the following:

I. PURPOSE

Since June 21, 1993, the Town had been responsible for funding the Visitor's Center and tourism for the community as most hotels, motels, and restaurants that benefitted from tourism, were located inside the limits of the Town. However, there was significant growth of the lodging industry in the County and outside of the Town's limits. As a result, the County adopted an ordinance that increased the transient occupancy tax from two percent (2%) to five percent (5%). This increase became effective on July 1, 2017.

Upon the County adopting the ordinance, the Parties entered into a Memorandum of Agreement that established the Front Royal-Warren County "Joint Tourism Advisory Committee", hereinafter the "Committee". The Parties wished to put additional resources into branding and marketing the community as a destination and to provide additional support and to enhance the restaurants, lodging establishments, and the many amenities to the community. The Parties appointed the Advisory Committee to advise, assist, support, and advocate for tourism policies, program, and activities to market and promote Front Royal-Warren County and its environs, and to serve as the "local tourism industry organization" referred to in Section 58.1-3819 of the Code of Virginia, as amended.

In January 2021, the Parties entered into an updated Memorandum of Agreement, tasking the Committee to direct, promote, and manage tourism development in the Front Royal and Warren County community after the Parties mutually selected a tourism marketing firm to set up a "Destination Marketing Organization", hereinafter referred to as "DMO". The procurement method was competitive negotiation, pursuant to the Virginia Public Procurement Act, where the Town solicited and subsequently publicly contracted with the tourism marketing firm. While the County was assigned fiscal responsibility, both Parties equally appropriated and contributed to payment upon Committee approval.

Presently, all appropriations, roles, and responsibilities of the Committee and Parties shall remain until a 501c6 non-profit organization titled Discover Front Royal is established. Discover Front Royal shall become the DMO of Front Royal and Warren County and shall serve as the sole tourism authority for the Parties. Prior to any tourism expenditures outside of this agreement, the Town or County shall consult with Discover Front Royal. In partnership with the Town of Front Royal's Special Event Policies and Procedures, special events categorized as a "Community Gathering" or "Community", may be hosted by the Parties. Notwithstanding anything else in this Agreement, the Town and County may conduct tourism activities outside of this Agreement.

II. DEFINITIONS

Local Lodging Partner - Referred to in Va. Code § 58.1-3819 of the Code of Virginia as amended includes hotels, motels, boarding houses, travel campgrounds, and other facilities offering guest rooms rented out for continuous occupancy for fewer than 30 consecutive days.

Tourism - In accordance with Va. Code § 58.1-3819 and the Town of Front Royal Special Event Permit Policies and Procedures, as amended, attracts travelers to the locality, increases occupancy at lodging properties, and generates tourism revenues in the locality.

Community Gathering/Event - Referred to in the Town of Front Royal's Special Event Permit Policies and Procedures, as amended, draw attendance less than 1,000 people, and are intended, in general to benefit the residents of Front Royal and Warren County.

III. OBLIGATIONS

The Committee shall:

1. It is anticipated that a non-profit 501(c)6 organization named Discover Front Royal shall be created. The Committee shall select and appoint the non-profit Board Members. Once the non-profit is created, the Committee shall dissolve.

Discover Front Royal shall:

1. Become the Virginia Tourism Corporation's (VTC) "Destination Marketing Organization" of record.
2. Accept transfer of all assets, social media, and any other content previously created for and associated with "Discover Front Royal".
3. Manage the Plan of Work and Visitors Center by directing and promoting tourism in the Front Royal-Warren County community to increase overall tourism revenue.
4. Submit and present upcoming fiscal budget by January 1st each year to the Parties that includes the budget, funding plan, and all grants, donations, and gifts. Funding shall be provided on a fiscal year basis starting on July 1 and ending on June 30 of each year.
5. Be funded in equal shares by the Parties. It is the Parties intention that the minimum funding will be 50%, not to exceed 70% of the 5-year rolling average of actual revenue received from the transient occupancy tax collected by the Town, subject to appropriation year to year.
6. Encourage individuals, businesses and both Parties to achieve "Goals of Parties" outlined in section IV.
7. Agree to the terms of this Agreement once it is created.

The Town of Front Royal shall:

1. Designate one member of Council and one member of Town staff to the Discover Front Royal Board as non-voting members to achieve "Goals of Parties" outlined in section IV.

2. Fund half of the budget, along with the County, of Discover Front Royal. Such amount to be funded will be decided by the Parties each year as part of their respective budget process and paid quarterly, provided that such minimum Town funding will be 50%, not to exceed 70% of the 5-year rolling average of actual revenue received from the transient occupancy tax collected by the Town, provided that such funding amount to be provided by the Town for the fiscal year starting July 1, 2022 and ending June 30, 2023 shall be \$200,000 with an additional appropriation by the County for \$200,000 so that total funding of \$400,000 shall be provided. Until the nonprofit is created and operational, the Town shall remit payment of the funding to the County, which is the fiscal agent for the payment of tourism expenses.
3. Lease the Visitors Center to Discover Front Royal for \$1 per year.
4. Transfer the VTC "Destination Marketing Organization" recording and designation to Discover Front Royal.
5. Transfer all tourism related licenses, entitlements, and intellectual and personal property, with the "Discover Front Royal" slogan, all social media, and any other content previously created for or associated with "Discover Front Royal" or tourism to Discover Front Royal.

The County of Warren, Virginia shall:

1. Designate one member of the Board of Supervisors and one member of County staff to the Discover Front Royal Board as non-voting members to achieve "Goals of Parties" outlined in section IV.
2. Fund half of the budget, along with the Town, of Discover Front Royal. Such amount to be funded will be decided by the Parties each year as part of their respective budget process and paid quarterly, provided that such minimum County funding will be 50%, not to exceed 70% of the 5-year rolling average of actual revenue received from the transient occupancy tax collected by the Town.
3. The County shall continue to serve as the fiscal agent and to collect ½ of the funds to be used for tourism from the Town and to pay such approved tourism bills from tourism designated funds only until the nonprofit has been created and is operational.

IV. GOALS OF PARTIES

1. *Citizen Understanding* - Increase the economic value of tourism and travel to the Town of Front Royal and County of Warren and its citizens and businesses and encourages inter-community collaboration on all matters relating to tourism development and promotion.
2. *Tourism* - Broaden awareness of the community's existing attractions, both natural and man-made, its heritage and historic sites, and services provided for travelers. This effort shall include awareness within the tourism industry and among the traveling public, with emphasis on regional initiatives whenever possible.
3. *Hospitality* - Ensure that travelers to and through Front Royal-Warren County are served hospitably and have ready access to information on tourist services and points of interest.

4. *Tourism Development* - Pursue with the two Economic Development Authorities of both Parties, an overall economic development program to include the development of additional visitor accommodations such as lodging and conference facilities, restaurants, campgrounds, public parks, and other attractions.
5. *Scenic Beauty* - Encourage programs whose purpose(s) are to preserve and enhance the scenic beauty of the Parties, particularly along its public highways.

V. AMENDMENTS

This Agreement may be amended or altered in whole or in part upon approval by the Front Royal Town Council and the Warren County Board of Supervisors. This Agreement shall continue each fiscal year starting July 1 and ending June 30 unless terminated by either party by March 1 of any year.

Approved by the County of Warren Board of Supervisors on the 5th day of April, 2022.

FOR THE COUNTY OF WARREN, VIRGINIA

Cheryl L. Cullers
Cheryl L. Cullers, Chair, Board of Supervisors

Attest:

Edwin C. Daley
Dr. Edwin C. Daley, County Administrator

Approved by the Front Royal Town Council on the ____ day of _____, 2022.

FOR THE TOWN OF FRONT ROYAL, VIRGINIA

Chris W. Holloway
Chris W. Holloway, Mayor, Town of Front Royal

Attest:

Tina L. Presley
Tina L. Presley, Clerk of Town Council



Council Agenda Statement

Item # 12

Meeting Date: February 27, 2023

CLOSED MEETING

Motion to go into Closed Meeting

[to be approved by affirmative recorded vote, with motion set forth in detail in the minutes]

I move that Town Council convene a closed meeting, pursuant to Sections 2.2-3711 and 2.2-3712 of the Code of Virginia, for the following purpose:

- 1) pursuant to Section 2.2-3711(A)(8) of the Code of Virginia, for 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, proposed agreement with Discover Front Royal, Inc., and
- 2) pursuant to Section 2.2-3711(A)(3) of the Code of Virginia, for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically, "McKay Springs", and
- 3) pursuant to §2.2-3711(A)(1) of the Code of Virginia, for the discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body, specifically, appointments to fill vacancies on the Board Zoning Appeals.

Motion to Certify Closed Meeting at its Conclusion

[At the conclusion of the Closed Meeting, immediately re-convene in open meeting and take a roll call vote on the following:]

I move 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.

Moved _____ Seconded _____

DeDomenico-Payne _____ Ingram _____ Morris _____ Rappaport _____ Rogers _____ VM Sealock _____