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 for a limited time.

Roll Call by Clerk of Council

PRESENT: Mayor Lori A. Cockrell
Vice Mayor R. Wayne Sealock
Councilman Joshua L. Ingram
Councilwoman Amber F. Morris
Councilman H. Bruce Rappaport
Councilwoman Melissa DeDomenico-Payne
Councilman Glenn E. Wood

OTHERS PRESENT: Town Manager Joseph E. Waltz
Town Attorney George M. Sonnett, Jr.
Clerk of Council Tina L. Presley
Various members of the staff and public

Solid Waste Cost of Service Study from MSW Consultants – Finance Director BJ Wilson introduced the Town's Supervisor of Solid Waste Eric Jorgenson, and Principal of Mid-Atlantic Solid Waste (MSW) Consultants John Culbertson. Mr. Culbertson gave a presentation named Solid Waste Utility Cost of Service Rate Study. He began with a quick history of the company and the tasks their company had completed to date specifically noting that the rates had not been adjusted since 2016. Mr. Culbertson reminded Council of the services the Town currently has including residential collection, large item collection, commercial collection, recycling collection, yard waste disposal, and recycling ramp for white goods.

He continued by showing the test year revenue sufficiency which was a deficit of 27% or $375,000 and recommended residential rate path options: 1) one year rate increase including the entry onto private property collection, or 2) three-year rate increase phase-in 2024-2026. He made it clear that entry onto private property was recommended as a one-year rate increase and not included in the three-year rate increase phase-in. Mr. Culbertson recommended the commercial rate path to full cost in one increase, noting that the disposal cost was incorporated in the rate.

Part of the focus of the study, he stated, was Main Street and the way solid waste was being collected in that area. He reviewed the current Main Street rate structure with Council focusing on the low cost of residential and commercial accounts and those who were not being charged at all, noting the current revenue was $15,884 and the full cost of service was $86,502.

Mr. Culbertson guided Council by asking the following questions: Was is equitable to charge some and not others? Was it equitable to charge residential and commercial accounts equally? Was it equitable to charge all commercial accounts the same rate when waste generation varied greatly?

In conclusion to the presentation, Mr. Culbertson gave Council ideas for Main Street 1) a survey of Main Street businesses and/or residents, 2) an audit of materials generated by various users to establish simple Main Street customer classes and rates, 3) a Town Hall meeting to gain stakeholder thoughts and 4) Town Code revisions to define non-residential waste generators and tie to utility billing requirements as solid waste is a utility.

There was much discussion about the rate structure for Main Street and a basic tier rate structure was recommended differentiating rates by size of business and amount of waste, noting that downtowns are unique, and most localities have issues on how to charge. Mr. Wilson advised that there are some commercial businesses that use private haulers.

Mayor Cockrell voiced concern over the 27% deficit and how she didn't want other customers to be making up for someone who was not being charged on Main Street. There was much discussion on how to get a grasp on the 68 accounts on Main Street that were not being charged. Mr. Wilson explained that there was no standardization on Main Street and that was what was needed.

Councilman Wood clarified that the single stream recycling collection was built into the rates. Mr. Culbertson gave a brief history on how the recycling industry had changed since 2017.

Town Manager Joe Waltz advised that staff was looking for guidance on whether Council wanted the one-year rate increase or the three-year rate increase phase-in, noting that the increase would begin July 1, 2024. He suggested that staff come back to Council with options for the Main Street issue. Mr. Culbertson advised that the phase-in option should be no longer than three years and that the study was completed with current overhead and trucks. He stressed that the Town was within reasonable rates for operation. Councilman Ingram suggested the three-year phase-in first and then review the Main Street issue; however, Mr. Wilson recommended doing both at the same time. Mr. Waltz reiterated that the last increase was in 2016 and recommended the three-year phase-in. Council's consensus was the three-year phase-in option and make Main Street fair and equitable. It was confirmed that there was no way to measure Main Street dumpsters. Mr. Culbertson reiterated that the commercial increase was a one year increase as well as the entry onto private property.

Mr. Waltz advised that he had everything he needed and would bring back to Council.

Consent Agenda Items for January 22nd

A. Sanitary Sewer Project – Contract Administration & Resident Project Representation – Finance Director BJ Wilson reminded Council they recently approved a $2.7 million sanitary sewer project to Snyder Environmental Services and before them tonight was a task order for CHA Consulting related to contract administration and resident representation services that allowed them to be onsite reviewing work.

Council agreed to place on the consent agenda for January 22nd.

Old Business

A. Liaison Committee Meeting Items Review – Councilwoman DeDomenico-Payne questioned the intent of the Work Force Housing item. Councilman Rappaport advised that his thought was incentivizing. Councilman Wood suggested a subcommittee with the County. Councilwoman Morris opined that it was a FREDA initiative. Mr. Rappaport mentioned grant funding initiated by the governor and thought that FREDA would be able to tap into the funds due to their independent status. Mr. Waltz agreed that FREDA could explore and provide incentives for developers. Mayor Cockrell suggested Council focus on themselves first before discussing with the County. Mr. Rappaport agreed to put something together on what he had researched and send it to Council and FREDA. It was agreed to keep the items listed with the removal of Work Force Housing.

B. Out of Town Utility Connection Application from the Catholic Diocese of Arlington and Warren County Board of Supervisors Continued Discussion – Marissa Whitacre with Greenway Engineering was in attendance and available to answer any questions. Mayor Cockrell gave an overview from last week's work session. Town Manager Joe Waltz reminded Council that the applicant was asking for out-of-town water and disclosed that there was a moratorium on certain areas listed in the Town Code.

Ms. Whitacre was introduced at this time and explained that the 4,000 gallons of water usage a day was based off the seating capacity of churches recommended by state code. She advised that the construction was in two phases. The first phase was the construction of a gymnasium for overflow of church services and phase two was the sanctuary, stressing that the church downtown was not going to be closed. In the future the hopes were to purchase the adjacent parcel for field activities advising that there was no intention of opening a school on the site. She stated that the church was aware that the fees would be double if not boundary line adjusted into the Town limits, noting that there were utility lines already on the property. She stated that the entire build out would be a little over 20,000 square feet when completed.

Town Attorney George Sonnett reminded Council that there was a moratorium in Town Code for extensions of water and sewer and if Council were to extend water and sewer to the site, the Town Code would have to be amended to include this area.

Councilman Wood stressed the importance of sidewalks for children and approving a boundary line adjustment could assist with that construction. Discussion ensued as to whether sidewalks were required during the site plan process.

Mr. Waltz reiterated that Council first consider whether to approve a boundary line adjustment if not then Council would decide whether to provide water out of town. Mr. Sonnett reiterated that if Council were to provide out of town water without a boundary line adjustment, then a Town Code amendment was required. Ms. Whitaker confirmed that the applicant wanted either a boundary line adjustment or out of town water.

Mayor Cockrell summarized the three options: 1) boundary line adjustment, 2) provide out of town water or 3) provide nothing. Councilman Ingram asked that the applicant request in writing what they wanted. Mr. Sonnet stated that a boundary line adjustment could be triggered by a Resolution and then provided to the County. If there was an agreement to provide out of town water the Town Code would be amended to revise Section 134.D. Council discussed the advantages and disadvantages of each option with the consensus to give the applicant out of town water. Mr. Waltz suggested bringing this item back to the work session on February 5th with a draft Town Code amendment. Ms. Whitacker advised that the County had asked them to place a sidewalk along Criser Road.

New Business

A. Code of Conduct Review – Mayor Cockrell passed out a revised Code of Conduct and went over the revisions with Council. Councilwoman Morris voiced concern that it was going to be used as a tool against Council and therefore would not be participating in its review. Mrs. Cockrell stated that the purpose was civility towards each other and the public, not to get any council member unseated. She continued the discussion with Council reviewing each line and making suggestions along the way. Mayor Cockrell would decide later whether to add to the January 22nd meeting for formal approval.

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)(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, more specifically the Town Attorney; and,

2) 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 or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, more specifically, First Bank and Trust; and,

3) 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, more specifically, a) property located at 200 E. 8th Street formerly owned by the Town, and b) the obligations of the Front Royal-Warren County EDA.

Vote: Yes – Councilmembers Sealock, Ingram, Morris, Rappaport, DeDomenico-Payne, Wood
No – N/A
Absent – N/A
Abstain – N/A ROLL CALL

Councilwoman Morris left the meeting at 10:50pm due to family matter.

Councilwoman DeDomenico-Payne moved seconded by Councilman Rappaport 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 Sealock, Ingram, Rappaport, DeDomenico-Payne, Wood
No – N/A
Absent – Councilwoman Morris
Abstain – N/A ROLL CALL

Adjourned approximately 11:15 pm

Approved by Town Council
1/22/26
Date: ----------