



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

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:

1) 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, more specifically the Local Board of Building Code Appeals (LBBCA); 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 litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, more specifically, HEPTAD, LLC v. Town Council

Vote: Yes – Councilmembers Sealock, Ingram, Morris, Rappaport, DeDomenico-Payne, Wood

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Councilwoman Morris moved seconded by Councilman Wood 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, Morris, Rappaport, DeDomenico-Payne, Wood

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL



Consent Agenda Items for February 26th

Mayor Cockrell advised that the next two items were items for the new Fleet Maintenance Building.

A. Purchase of 66,000lb Heavy Duty Truck Lift

B. Purchase of Various Equipment and Machinery for the Fleet Maintenance Building

Town Manager Joe Waltz along with Purchasing Manager Michelle Campbell gave an update on the completion of the building. There was no confirmation of when the equipment would be received. Council agreed to add both items to the consent agenda of February 26th.

New Business

A. Proposed Ordinance Amendment to Revise the Personal Property & Real Estate Tax Due Dates – Director of Finance BJ Wilson explained the delay in receiving tax books from the Commissioner of Revenue the last five years prompted the request to change the due date of Town taxes. He asked whether Council wanted to continue delaying the interests and penalties or move the due date of the taxes to June 20th noting that December 5th would stay the same. There was much discussion about the confusion from the public on the due date of the taxes. Mr. Wilson admitted that while the 10 days to close out the year was tight, he would rather have citizens know when their taxes were due. It was noted that changing the due date would require a Town Code amendment that required a public hearing. Council agreed to amend the ordinance in Town Code and advertise for a public hearing in March.

B. Alley Vacation Request at 225 E. 7th Street & 631 Kibler Street – Property Connection – Director of Planning Lauren Kopishke gave a short presentation showing the applicant's request to vacate a portion of 7th Street located at its intersection with Kibler Street to create a legally conforming lot. She explained that the C-1 district had a minimum lot size requirement of 7500 square feet and the applicant needed to acquire an additional 3,191 square feet to create a legal lot. There was discussion on whether there were any concerns from the adjacent property owners. Mr. Waltz advised that the adjacent property owners had not been notified yet since Council had not directed staff on how they wanted to move forward. Council agreed to advertise for a public hearing in March.

C. Request for an Easement on Town Property from Donald Stallings near Duck Street – Mr. Waltz explained that this same property was discussed in November 2023 as part of a request from Mr. Hounshell, noting that since that time Mr. Hounshell sold the property to Mr. Stallings and Mr. Stallings was requesting the same thing. Mr. Waltz showed a picture of access to Mr. Stallings' property explaining the entrance was from a locked gate onto Town property, it crossed the Virginia Department of Transportation (VDOT) property and then Town property again before entering Mr. Stallings' property. He noted that crossing the railroad tracks was not permitted. Public Works Director Robbie Boyer advised that the first part of the access road was washed out and the rest was overgrown. He also advised that there was a sewer line in the middle of the road as well as an old water line to the corridor that goes under tracks and the river. There were many questions from Council including what the applicant planned to use the property for, how to control access, what kind of vehicles would be used to access the property, clearer understanding of VDOT's permission to the applicant and exposure of liability. Town Attorney George Sonnett stated that the scope of the easement would be what Council wanted it to be, stressing Council had control. Council directed Staff to review their questions and concerns and place back on a work session agenda.



Old Business

A. Magdalen Capitol LLLP Rezoning Application – Ms. Kopishke advised that the rezoning application did not meet the minimum lot requirements of 20 acres for a Planned Neighborhood District (PND); therefore, staff could not recommend approval. Mr. Sonnet stated that the request moves forward as a recommendation from the Planning Commission and Council's decision in December 2023 to hear the text amendment at the January public hearing and the rezoning request in February. He explained that the applicant had not withdrawn their application and therefore staff must proceed forward. There was much discussion about the difference between a rezoning and a variance. Mr. Sonnett explained that a variance was a relief valve from the zoning ordinance when the zoning does not work, noting it was a last resort; however, it was not acceptable in a change of use situation for undeveloped land. A rezoning, he continued, was a zoning map amendment which was basically a change to the Zoning Ordinance. Council agreed to the public hearing on February 26th noting the advertising had already begun.

B. Out of Town Utility Connection Application from the Catholic Diocese of Arlington and Warren County Board of Supervisors – Mayor Cockrell gave an overview from their last meeting asking whether Council wanted to boundary line adjust or not, giving the pros and cons of each. Mr. Sonnett stated with confirmation from Ms. Kopishke that curb, gutter, and sidewalks were required in the Town's Subdivision Ordinance for all new development for all uses including businesses, noting that there was the option in the Town Code to ask for a waiver from Council. Councilman Wood questioned whether the goal of Council was to have sidewalks along Criser Road and if they wanted to have the taxpayers pay for them expressing that this was a unique opportunity for someone else to pay for them if the Town were to boundary line adjust. He suggested a reduction in fees for the sidewalk construction. Mr. Waltz advised that the businesses along W. Criser Road paid out of town water and sewer rates except for Skyline High School, noting that was an agreement made years ago. He also confirmed that there was enough Town right-of-way for a sidewalk but not a sidewalk and bike lane. There was continued discussion regarding there being no tax revenue due to it being a church for the Town or the County. Mr. Sonnett reminded Council that if Council wanted to furnish out of town water and sewer a Town Code amendment would have to occur through a public hearing and then follow policy. Mr. Watz suggested that Council place the boundary line adjustment on the February 26th agenda and the action of Council would give staff the direction they needed to move forward. Council agreed to add to the February 26th agenda.

Review of FY24 Town Council Retreat – After some discussion Council agreed to have Mr. Waltz put everything received from the facilitator together in one document and bring back to another work session. It was also agreed that the mission, vision, and core values were already determined; therefore, additional discussion was not necessary and to begin pushing out to the public.

Adjourned approximately 9:30

Approved by Town Council

2/26/24
Date: -----