



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.

Moment of Silence

Pledge of Allegiance led by Betty Olesia Payne

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: 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 Vice Mayor Sealock that Council approve the Regular Meeting Minutes of January 22, 2024 and Work Session Minutes of February 5 and February 12, 2024, as presented.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

ADDITION/DELETION OF ITEMS FROM THE AGENDA OR REVISION TO ORDER OF BUSINESS – N/A

RECOGNITIONS/AWARDS/REPORTS

A. Recognition of Employee Scott Curry – Mayor Cockrell read the following and along with Council presented Mr. Curry with a plaque from the Town. *On the early morning of November 24, 2023, Scott Curry was diligently working on installing new Dark Sky Compliant LED fixtures on Main Street when he noticed smoke filling the sky close by. Mr. Curry, previously being a member of the Warren County Volunteer Fire Department at Company 1 for 18 years, did not hesitate to investigate where the smoke was coming from, he started driving towards the smoke, when he turned onto Blue Ridge Avenue, he saw a house in flames, engulfing the front and right side. Mr. Curry quickly called the police department and swiftly went around the property, calling out to see if anyone was still inside. Mr. Curry attempted to gain access to the house to confirm everyone made it out, but the conditions were too dangerous to enter. When Fire and EMS arrived, Mr. Curry sprang into action and immediately assisted the Fire Department by assembling the hoses and connecting them to the hydrants. Mr. Curry was asked to disconnect the electric service line to the house and remove the service from the pole. Mr. Curry remained at the scene and assisted where he could, until he was not needed. Mr. Curry then returned to Main Street to continue his assignment of replacing streetlights.*

B. Recognition of Employee Joe Roberts – Director of Energy Services Carey Saffelle recognized and along with Council congratulated Mr. Roberts on receiving his Journeyman Line Technician Certificate from the Virginia, Maryland, and Delaware Association of Electric Cooperatives Lineman Training School.

C. Proclamation for Global Day of Unplugging – Mayor Cockrell read the proclamation and presented it to Celeste Brooks, member of the Warren Coalition.

D. Planning Commission's Annual Report – Michael Williams, member of the Planning Commission, gave a brief overview of the Department of Planning and Zoning's 2023 Annual Report.



Councilwoman De-Domenico-Payne questioned the process for administrative review vs action from the Planning Commission and Town Council. Director of Planning Lauren Kopishke explained that there was some overlap in the processes, but special use permits, special exceptions and rezonings go to the Planning Commission first for recommendation and then forwarded to Town Council for final action. Zoning permits, for example, were reviewed and approved administratively.

Mayor Cockrell expressed how enlightening the numbers were in the report and the amount of time it took to complete it. She advised of the various committees and how often they met. She continued to advise the public that there were openings on the Board of Zoning Appeals (BZA) and Local Board of Building Code Appeals (LBBCA) for those citizens interested in serving.

PUBLIC HEARING

A. Magdalen Capital LLL Rezoning Application to Rezone 311 Leach Street from R-2 to PND and Adjoining Properties from R-1 to PND - Mayor Cockrell opened the public hearing.

Megan Marrazzo, 316 Virginia Avenue, thanked Council for the two public hearings on this subject (text amendment and rezoning) at separate times. She suggested that Council consider a code amendment that would allow for variances. She opined that it made no sense to approve the rezoning at this time.

Maria O'Brien, Massanutten Farms Road, reminded Council of the text amendment that would have allowed 20 to 50 acres be reduced to five acres if approved. She suggested an approach that would allow for variances. She opined that it was against the common good if it was against the Town Code. She urged Council to vote no on the rezoning.

Ben Ferri, 300 Sky Meadow Lane, advised of the long hours put into this project and warned that if Council were to vote no tonight there would be little choice but to build by right. He voiced concern of hostile behavior and misconception around this project. He urged Council to allow the applicant some time to speak tonight.

Alex Stieb, applicant, advised that three years of work had gone into this project and voiced disappointment that the project was not being based on merits. He noted that there was no other option but by right. He explained that the Planned Neighborhood District (PND) would have allowed for net positive and voiced his disheartenment and disappointment.

That In furtherance of the purposes and objectives contained in Town Code §175-1 (B), Councilman Ingram moved seconded by Vice Mayor Sealock that Council deny a Rezoning Application from Magdalen Capitol LLLP to Rezone 311 Leach Street from R-S to PND and Adjoining Properties from R-1 to PND.

Councilwoman Morris voiced concern that no proffers were given in relation to this project therefore the Town was not losing anything other than anticipated net profits. She spoke in favor of condos and apartments but not what was being proposed as it was against Town Code.

Councilman Wood referenced the speakers from the last public hearing and noted that most people were not against the development itself only the text amendment. He noted that the goal for the Town was affordable housing and questioned what the Council wanted since the commercial element would be a positive for the community creating opportunities that currently the Town did not have.



Councilman Ingram voiced concern of the outcome of future development for years to come and suggested discussing the PND Zoning Restrictions with a “clean mind” pushing for checks and balances interpretations and enforcement.

Councilwoman DeDomenico-Payne reminded Council of the joint meeting with the Planning Commission next month to discuss the Zoning Ordinance. She questioned whether there was anything restricting the applicant from returning to the Council if denied tonight? Ms. Kopishke advised that the applicant could not bring back for a year unless there was significant change in the project and reapply. Town Attorney George Sonnett stated that state law allowed for an ordinance to wait for a year but felt like the Town Code did not limit to a year.

Councilman Rappaport voiced concern that the area around the project was R-1, and the character will change if the project were approved. He agreed to various types of housing noting it would be difficult with as a PND that required 20 acres. He suggested re-evaluating the Town Code.

Councilwoman Morris reiterated that there were no proffers before Council, noting the effect on the schools and fire and rescue. She agreed to revisiting the Town Code to consider projects on a case-by-case basis.

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

No – Councilman Wood

Absent – N/A

Abstain – N/A

ROLL CALL

PUBLIC COMMENTS NOT RELATED TO PUBLIC HEARINGS

Michael Williams, 1405 Jefferson Avenue, suggested that Council consider officially naming the area around the gazebo and Visitors Center the *John Marlow Memorial Plaza* noting he was a legacy to be remembered and a proponent of the rehabilitation of the downtown area when he was Mayor.

Thomas Sayre, 835 Shenandoah Shores Road, gave a brief opinion of Saint Francis.

Maria O'Brien, Massanutten Farms Road, opined that it should not be about Town vs County on matters of development since it affects all that not only live in the Town of Front Royal, but those who work, shop, eat and go to school in the Town of Front Royal. The Town is not the only one who has a voice.

REPORTS

A. Town Manager Report – Town Manager Joe Waltz gave an update on the financial situation of the Town, noting overall it was in good shape. He stated that revenue seven months into the fiscal year was projected at 58% but sales tax was 61%, lodging tax was 65% and meals tax was 61%. The Town's Enterprise Funds, he explained, were that the electric sales were slightly above budget with purchase power slightly below, water revenue was less than 5% lower, sewer revenue was 5% – 10% lower and solid waste was 8% lower.

B. Town Council Reports

Councilwoman DeDomenico-Payne attended the opening reception of *Melissa Ichiji's Studio Gallery*. She asked that everyone be aware of the trash and litter in the Town and use the trash receptacles.

Councilman Wood gave no report.



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Vice Mayor Sealock attended the *Future Farmers of America Tractor Ride* giving a shout out to the Sheriff for organizing the event for high school students. He also noted that the recently installed speed cameras around several schools were working as people were slowing down.

Councilwoman Morris stated that she continued to love Front Royal and was proud to serve.

Councilman Ingram gave a shout out to Director of Public Works Robbie Boyer and his staff for repairing water breaks and other associated issues as quickly as possible.

Councilman Rappaport attended the opening reception of *Melissa Ichiuji's Studio Gallery* and the Council Retreat. He voiced support for the suggestion by Mr. Williams to consider naming the gazebo area in memory of former Mayor John Marlow. He voiced caution of aggressive driving as spring approaches.

C. Report of the Mayor – Mayor Cockrell attended the following: Council Retreat, Ribbon Cutting/Grand Opening at *Lloyd, Lemmon & Hale PLLC*, opening reception of *Melissa Ichiuji's Studio Gallery*, birthday party for Lorraine Hultquist and Dewey Vaugh and funeral for former Mayor John Marlow. She welcomed childhood friends to Town and visited the *Shenandoah National Park*. She spoke to the Rotary Club of Warren County.

CONSENT AGENDA ITEMS

A. Purchase of a New Utility Compactor to Replace an Asphalt Roller

Council approved the purchase of a new Utility Compactor CAT CB4.0 to replace a 1987 Dynapac CC21 II Asphalt Roller in the amount of \$77,343.00.

B. Purchase of a New John Deere Wheel Loader to Replace a 2002 Wheel Loader and Approval of a FY24 Budget Reallocation

Council approved the purchase of a new John Deere 524 P-TIER 4WD Wheel Loader to replace a 2002 Case 621D Wheel Loader with 7222 hours in the amount of \$212,516.91 and a FY24 Budget reallocation in the amount of \$37,516.91 from funds that were previously set aside for the purchase of an asphalt roller.

C. Purchase/Installation/Training of a 66,000 lb. Heavy Duty Truck Lift for New Fleet Maintenance Bldg.

Council approved the purchase, installation, and training of a new 66,000 lb. capacity heavy-duty surface mounted four post lift in the amount of \$168,135.00.

D. Purchase/Installation/Training of Various Equipment & Machinery for New Fleet Maintenance Bldg.

Council approved the purchase, installation, and training of various types of equipment and machinery for the new Fleet Maintenance Building in the amount of \$177,823.46.

E. Resolution of Support for VA 250th Revolutionary War Soldiers Memorial Project

Council approved a Resolution of Support for the VA 250th Revolutionary War Soldiers Memorial Project to be located on the Warren County Courthouse Grounds as presented.

F. Recommendation to the Judge of Circuit Court for Appointment to the Board of Zoning Appeals (BZA)

Council recommended Louis Allen Neel to the Judge of the Circuit Court for Appointment to the Board of Zoning Appeals (BZA) to an unexpired term ending August 31, 2026. [typo on agenda, should have read 2026 instead of 2025]



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G. Front Royal EDA Memorandum of Understanding (MOU) for Financial and Operational Support
Council approved a Memorandum of Understanding (MOU) with the Front Royal Economic Development Authority (FREDA) as presented.

H. Joint Town County Transportation and Infrastructure Committee Establishment and Appointments
Council established the Joint Town County Transportation and Infrastructure Committee and appoint Councilwoman Morris and Councilman Ingram to the Joint Town County Transportation and Infrastructure Committee.

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

Mayor Cockrel noted that Council was recommending Allen Neel to the Judge of the Circuit Court for appointment and thanked him for his willingness to serve.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

BUSINESS ITEMS - None

CLOSED MEETING

Councilman Rappaport moved seconded by Councilwoman Morris 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, more specifically, a) financial obligations of the Front Royal-Warren County EDA, and b) the vacation of a portion of N. Royal Avenue and an unimproved alleyway between N. Royal Avenue and Virginia Avenue; and, 2) pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, 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, Town of Front Royal v. Front Royal-Warren County EDA and Front Royal – Warren County EDA v. Town of Front Royal; 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, more specifically the Town Attorney

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Councilwoman DeDomenico-Payne moved seconded by Councilwoman Morris 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



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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

Meeting adjourned approximately 10:10pm.

Approved by Town Council

Date: 3/25/24