



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](http://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**

*Councilman Ingram moved seconded by Councilman Wood 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 Board of Zoning Appeals*

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

No – N/A

Absent – Councilwoman Morris

Abstain – N/A

ROLL CALL

Councilwoman Morris entered the Closed Meeting at 6:56pm

*Councilman Rappaport 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 Sealock, Ingram, Morris, Rappaport, DeDomenico-Payne, Wood

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

**Consent Agenda Items for March 25<sup>th</sup>**

A. Donation of Ambulance to Warren County General Government – Finance Director BJ Wilson explained that the ambulance was donated to the Police Department in 2020; however, the Police Department no longer has use for the vehicle and it is requested that the vehicle be donated back to Warren County. Council agreed to add to the Consent Agenda of March 25<sup>th</sup>.



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B. FY24 Budget Amendment – Local Law Enforcement (LOLE) Grant Program – Finance Director BJ Wilson explained that a budget amendment was being requested to accept a grant from the Virginia Department of Criminal Justice Services. Council agreed to add to the Consent Agenda of March 25<sup>th</sup>.

Review of FY25 Proposed Budget – Mr. Wilson gave a presentation of the Proposed FY2024-2025 Budget highlights. He began with **Next Steps** noting various upcoming dates; **FY25 Revenue Forecasting** noting the internal and external data sources used in forecasting; **FY24-25 Snap Shot of Funds** identifying FY25 proposed, FY24 budgeted and the difference from various departments; **Debt Service Fund Decrease/General Fund Increase** noting that the auditors requested that debt service be shown under the general fund vs debt service fund; **Real Estate Tax Rate Per \$100 Assessed Value** showing a graph of the rate from 2006 to current with no tax increase proposed for this year; **Personal Property Tax Rate Per \$100 Assessed Value** showing a graph of the rate from 2010 with no tax increase proposed for this year; **General Fund Revenue Highlights** identifying FY25 proposed, FY24 budgeted and the difference from various taxes collected; **Enterprise Funds Sales of Services** identifying FY25 proposed, FY24 budgeted and the difference of the sales collected between the enterprise funds; **Revenue Impacts for Enterprise Funds** explaining the various impacts to the revenue collected from the enterprise funds; **Sewer Recommended Rate Increases** advising the sewer rate was proposed to be increased by 2.25% based upon the consultant recommendation. He also noted that there would be no increase in water or electric rates; **Solid Waste Proposed Rate Increases** advising of an proposed rate increase for residential and commercial accounts over the next few years at a rate of 9.5%; **Snapshot - Total Budget** noting it was a \$51.6 million budget with two proposed changes in full time positions; **Direct Impact to the Employees** noting the proposed 3% COLA to be implemented January 2025, 3% average merit increase, health insurance increase of 8.7% and various other events and programs; **Virginia Retirement System (VRS)** highlighting the additional expenses with an increase in rates for Plan 1, Plan 2 and Hybrid employees; **General Fund Capital/Debt Expenditures** noting the current debt to include fleet maintenance building rehabilitation, police body worn camera, radio system and construction, repayment of economic development access grant, VRA bond for Leach Run Parkway and street sweeper loan. **General Fund Highlights/ACES Projects** giving an overview of the various funds needed for ACES (Advisory Committee for Environmental Sustainability) proposed projects as well as Drug Court, Town Scholarships, Tourism and Special Events. Discussion ensued about the opioid grant funds and it was explained that those funds would be discussed at a later time as it did effect future budgets; **Electric Expenditure Highlights** noting the various proposed expenditures including but not limited to Automated Metering Infrastructure (AMI); **Water Expenditure Highlights** noting the various proposed expenditures including but not limited to repairs to clear wells, basins and waterline upgrades in conjunction with the paving plan; **Sewer Expenditure Highlights** noting the various proposed expenditures including but not limited to I & I abatement; **Water/Sewer Debt Service** including Waste Water Treatment Plant and Water Plant Upgrades; **Solid Waste Highlights** noting brush grinding services, replacing dumpsters, replacing refuse truck and contingency; **Highway Maintenance Highlights** noting various projects including storm sewer mapping, paving, sidewalks, curb/gutter and Prospect Street Bridge rehabilitation; **Vehicles/Equipment** highlighted various vehicles proposed for purchase. Town Manager Joe Waltz advised that a matrix was proposed in the future to track all Town vehicles; and the last slide of the presentation was **Next Steps** that included various dates for approving the FY24-25 Budget.

Councilman Rappaport suggested the purchase of a sound decimal meter.

Derelict Structures – Director of Planning Lauren Kopishke along with Deputy Zoning Administrator John Ware and Property Maintenance Official Monica McClure gave a presentation on Derelict Structures. Ms. Kopishke began with **Facts and Figures of the Planning and Zoning Department** identifying staff and their



positions in the department; **Customer Service** explaining that 40-50% of staff time is spent on customer service through phone calls and in person. She also showed a graph of the number of permits issued in 2022; **Boards and Commissions** explaining the various boards the department provides guidance and technical support to; **Planning Division** explaining the various types of data research and planning documents used by Planning Commission and other departments; **Code Administration** explaining administering and enforcing the zoning and land development laws and showing the number of cases and inspections. Councilwoman DeDomenico Payne questioned whether a group of citizens could be used to assist the department with violations. Ms. Kopishke advised that the citizens would not have any authority and encouraged participation for citizens through service on the various boards and commission. Councilwoman Morris also noted that neighbors could volunteer their time by assisting each other with their yards.

Mrs. McClure reviewed **Town Code Violations** including Chapters 170-2 High Grass, Weeds and Foreign Growth, 170-3 Trash and Debris, 170-5 Enumeration of Nuisances, Zoning Violations 175-134 Zoning Permits, and 175-110.5 Urban Agriculture Performance Standards. Councilman Wood confirmed that replacing a fence required a permit. Mayor Cockrell confirmed the process of notifying property owners of high grass and what happened if they did not comply, including adding a lien to the property if the Town mowed the property and the invoice was not paid.

Mrs. McClure continued with **Derelict Structures Abatement Mechanisms** stating the various options to include **Property Maintenance, Abatement of Nuisance, Dangerous Structures/Drug Blight, Spot Blight Abatement and Public Nuisance.** She advised that **property maintenance** was to protect the health, safety and welfare of the residents noting it was complaint driven and the goal was for the property owner to come into compliance. Councilman Rappaport questioned what was deemed reasonable. Mrs. McClure advised that it depended on the situation and how much time was needed to correct the situation since state code did not define timelines. She explained that a plan of action was given and then carried out by the property owners, noting that flexibility was an option working with them along the way. She advised that property maintenance included by was not limited to assuring accessory structures were in good repair, protective treatment of exterior surfaces, sanitary condition of swimming pools, and properly anchored decorative features of structures. She continued with how the process worked, beginning with when the complaint was received.

Mr. Ware continued with the various options beginning with **Abatement or Removal of Nuisance** explaining that the structure would be an imminent threat to public health and safety advising of a plain view observation of unoccupied structures only and then recommending removal, noting the removal was at the expense of the Town. Council questioned recourse for recovering the expense. Town Attorney George Sonnett stated that the recovery would become a lien on the property; **Dangerous Structures/Drug Blight (Town Code Chapter 145)** explaining that the structure would be a possible threat to public health and safety (non-emergency) advising of a plain view observation and requiring Council action. Mr. Sonnett stated that Town Code Chapter 145 Structures, Dangerous needed amending as it no longer followed state law; **Public Nuisance** explaining that when administrative processes failed the legal department would file a complaint in Circuit Court; **Spot Blight Abatement** explaining that Council may have been misinformed about blighted properties. He noted that they were complaint driven, however, the goal and/or purpose was for redevelopment with the Town claiming ownership of the area. He explained that Town funds would be used for the redevelopment. He continued that the Town Code did not align with the state code and suggested repealing Chapter 9-303 Spot Blight Abatement since it did not meet the purpose.



Mr. Waltz advised that staff had spent a lot of time coming up with the processes shown to Council tonight and suggested bringing it back in sixty (60) days to allow time for staff to put together a list of properties.

Mr. Ware reiterated that the term “blighted” had been misused and most complaints that the Town could pursue would be under property maintenance.

Councilman Rappaport questioned whether cities and counties had different regulations for blighted properties. Mr. Sonnett stated that generally not, reminding Council that it takes money to purchase property. Councilwoman Morris noted that just because a structure was ugly it was not a public health or safety hazard. Mr. Sonnet stated that spot blight was enabled by Title 36 of the State Code, noting a public purpose behind spot blight was the intention to redevelop. He continued that it was intended for larger areas in urban settings and was premature for Front Royal suggesting that it be removed from the Town Code since it did not apply to Front Royal.

It was noted that a warrant could be obtained to enter the inside of a structure but only if permission was denied and there was just cause. It was also noted that the four options mentioned above were already available. It was confirmed that hotels would not be a nuisance because they were occupied. Mr. Sonnett stated that unfortunately drug blight was not pursuant to Title 36 as it was considered illegal activity. There was also the concern of moving residents from hotels who were using them as their home.

Council commended staff on a good presentation as they get ready to set goals at their next work session.

#### **Items for Public Hearing on March 25<sup>th</sup>**

A. Rezoning Application by Fernando A. Pradel to Reclassify 1724 N Royal Ave from R-1 to R-1A – Ms. Kopishke advised that the main difference in the two zones were density since R-1 supports single family uses at a lower density and R-1A allows for clustering and medium density single family residential uses. She advised that the Planning Commission recommended approval. Council agreed to advertise for a public hearing on March 25<sup>th</sup>.

B. Rezoning Application by Graceful Abode of Liberation to Reclassify 1324 Old Winchester Pike from R-1 to R-1A – Ms. Kopishke advised that this was a use that the Town was trying to bring into compliance in the Riverton Historic District noting R-3 was the best option for this request. The purpose of the rezoning is for the establishment of a lodging house use. She advised that the Planning Commission recommended approval. Mr. Sonnett stated that being a rezone Council could not condition, only proffer. Council agreed to advertise for a public hearing on March 25<sup>th</sup>.

C. Special Use Permit Request by Jean-David Lejeune and Samantha Harris to Allow a Short-Term Rental at 322 Kerfoot Avenue – Ms. Kopishke advised that there would be no more than four occupants at a time and found the property to be in compliance with the provisions of the Short-Term Rental performance standards. She explained that a complaint was received, that renovations had occurred and staff was working with the applicant to resolve. The Planning Commission recommended approval with conditions that included a privacy fence. Council agreed to advertise for a public hearing on March 25<sup>th</sup>.

#### **Old Business**

A. Out-of-Town Utility Connection Application from the Catholic Diocese of Arlington and Warren County Board of Supervisors – Town Manager Joe Waltz gave an overview of this item that had been before Council numerous times noting the most recent proposal stated from the applicant's engineer “*I would like to*



*propose an option that I think would ultimately satisfy both the Town and the church without going through the BLA process. My thought is the church will voluntarily construct the sidewalk along the portion of their property at Criser Road if the Town will provide water and sewer at the in-town rate without going through the BLA and keeping on schedule with the County CUP process."* Mr. Waltz passed out information that included estimated costs for a sidewalk on W. Criser Road breaking it down from Luray Avenue to Skyline Vista Drive. He also noted the grant funding anticipated from the Virginia Department of Transportation (VDOT) sometime in October 2024 and the embedded cost for curb and gutter installation on both sides of the road as well as electric pole relocations totaling 1.5 million.

Marissa Whitacre from Greenway Engineering explained the calculation to construct the sidewalk noting it was 750 feet of frontage on Criser Road, curb and gutter, two handicap entrances, stormwater collection at 600 feet with 15-inch pipe and 25% contingency at a cost of \$125,000. Councilwoman DeDomenico-Payne voiced concern with regard to any financial trouble that may occur, and the church could not pay. Mr. Sonnett stated that the property was not in Town and therefore this was not a proffer noting that the agreement with the church would hold them financially liable and if payment was not made utilities could be turned off. He reminded Council that an amendment to Town Code would be required to allow water and sewer to this property.

Mr. Waltz advised that moving the electric poles were approximately \$100,000 each with the steel structures being owned by Rappahannock Electric. Councilman Ingram voiced concern that the \$125,000 offer was only for now and not five to ten years from now as Council budgets for improvements in the future. Councilwoman Morris questioned the boundary line adjustment, and it was confirmed that the County would have to approve the adjustment as well as the court.

Mayor Cockrell questioned whether Council wanted to provide water and sewer and if so, would it be through a boundary line adjustment or provide it at an out-of-town rate. There was much discussion and no consensus on the sidewalk installation and alternatives to moving electric poles. Mr. Waltz advised that due to liability Rappahannock would take the lead on relocating at least the steel structures due to it being connected to Town poles.

Ms. Whitaker advised Council that the property was below grade with a proposed 450 parking spaces making it self-contained and very far from the road. There was discussion about engaging the County for assistance on installing the sidewalks.

Mayor Cockrell suggested bringing back to the March 11<sup>th</sup> work session with questions forward to Mr. Waltz before the work session began.

A representative from the church was allowed to speak. She noted that the \$125,000 was for a standard sidewalk that they were willing to contribute to the Town and would give an easement to the Town. Mayor Cockrell advised that Council just received new information before the meeting and had not had time to review it properly. Mr. Waltz advised that he would break costs down for Council at the next work session.

Adjourned approximately 9:49pm

Approved by Town Council

3/25/24  
Date: -----