



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 Rates and Ordinance Revisions – Town Manager Joe Waltz recapped that in January 2024 Council was advised that the solid waste rates needed to increase by 36% with a three-year progression to get to the true cost of service. In March 2024, Main Street collection issues became apparent with Town Hall meetings being held in June. Shortly afterwards staff learned that Warren County was implementing a tipping fee for Town residential customers at \$40.00 a ton effective July 1st, therefore increasing the rates from 36% to 62% with an expense to the Town totaling more than \$200,000 a year.

John Culbertson of MSW Consultants went through his presentation [Solid Waste Utility Cost of Service Rate Study Update] that included Project Summary, Warren County Policy Change, Collective Services, Test Year Revenue Sufficiency, Recommended Rate Path – Residential, Residential Service Cost Components, Drop-off Rate Consideration, Rate Path – Commercial Dumpsters, Main Street Tasks Since January Presentation, Main Street Recommendation, Privatization Consideration, Comparing Public vs Private Providers, Exceptions, Private Rates in Regional Benchmarking, and Privatizing in Front Royal.

Director of Public Works Robbie Boyer explained that County residents were allowed to dump yard waste and white goods at the Town's Drop-Off Site at no charge. He also noted that the trash from the [Bentonville] Transfer Station was shipped to Page County's Battle Creek Landfill.

Mayor Cockrell voiced concern that County residents were not charged to dump their trash at the Transfer Station, but Town residents were being charged for their trash to be dumped at the same Transfer Station. She questioned whether this was common in other localities. Mr. Culbertson stated that it was not uncommon for counties to have different revenue mechanisms using a rational basis for any changes, noting that Warren County should have a reason for the tipping fee charges.

Mr. Culbertson advised that during the Town Hall meetings regarding the Main Street collection issues, there was no push back for the commercial service only what the rate should be. He explained that the Town would not recover the shortfall right away as there were some customers that could not be identified. Councilwoman DeDomenico-Payne questioned the classification tiers and who identified which classification a customer was in. Finance Director BJ Wilson advised that the Public Work Director makes the classification, and the new ordinance identifies the criteria. Mr. Culbertson advised that other localities have the same issues in the downtown area, noting the mixed use and shared containers and it was very difficult to hire private contractors to meet the needs of a downtown mixed-use area. It was confirmed that the trash was collected in the downtown area three times a week.



Mr. Culbertson stated that he did not see where privatization for the Town would fare better than what was already being done. He asked for guidance from Council on two questions: 1) Proceed with rate increase? and 2) Prepare request for proposals to test the private market?

Councilman Wood questioned the possibility of going to an “automatic arm” on the trucks and whether there was a benefit for the Town to haul trash directly to Page County Landfill bypassing the County Transfer Station. Mr. Culbertson noted that alternate tipping fees were not something he was asked to investigate but was agreeable to do so if that is what Council desired. Mr. Wilson advised that the tipping fees at Page County were \$40.00/ton. Mr. Waltz noted that consideration would have to be given to trucks being on the road longer at a longer distance. He questioned whether Council wanted to continue furnishing a full service, recommending them not to look at privatization. There was discussion about each of the services the Town provided [drop-off site, recycling, yard waste]. Councilman Rappaport agreed with Mr. Waltz that privatization didn't fit. There was continued concern about County residents using the Drop-off Site for free. Mr. Waltz advised that this could be reviewed and brought back to Council at a later time. There was no interest in removing any of the other services the Town provided.

Mrs. DeDomenico-Payne asked for an explanation of the Ordinance 85-3(F)(4) collection charges of \$400 and \$600 an hour. Mr. Wilson explained that those charges were in place for special efforts where crews would have to take equipment to clean up the street due to items being thrown out, such as an eviction.

Discussion ensued about residents who live on private roads and how their trash collection was handled. Mr. Wilson advised that the revised ordinance would give these residents options for collection.

Council questioned the increase of \$200,000 due to the tipping fee charge and how it affected the budget since the charge began July 1st. Mr. Wilson advised that there was a little “wiggle” room but after October 1st it would have to be subsidized. There was much discussion on whether to incorporate the three-year phase or increase all at once. Mr. Culbertson reminded Council that the bulk of the increase is coming from the tipping fees, reiterating the Town is still competitive with neighboring communities.

Mr. Waltz advised that the earliest a public hearing could be held to amend the ordinance would be September 23rd. Council agreed to advertise and asked to discuss at a future work session the use of County residents using the Town's Drop-Off Site.

New Business

A. Wastewater Treatment Plant SCADA Visualization System Upgrade – Manager of Purchasing Michelle Campbell advised that the procurement was for the hardware, software and service to upgrade and convert the Wastewater Treatment Plant SCADA System to inductive ignition, confirming that there was money in the budget for this upgrade. Council agreed to place under the consent agenda of August 26th.

B. Purchase of Two Dump Truck Chassis for Public Works Department – Ms. Campbell advised that this purchase was to replace two 2002 dump truck chassis. She noted the purchase price on the second chassis will remain the same until January 2025. Until such time there may be an increase of 5% if no one cancels their order before then, confirming that there was money in the budget for these purchases. It was noted that the beds would be purchased separately and that there was money in the budget for them. Council agreed to place under the consent agenda of August 26th.



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.

C. Curb & Gutter Removal and Installation Services – Ms. Campbell advised that the scope of work included the following streets: 1) Washington Avenue: curb/gutter and new cul-de-sac; 2) E. 7th Street: curb/gutter; 3) Belair Avenue: curb/gutter and stormwater; 4) Sherwood Avenue: curb/gutter and ADA ramps; and 5) Jamestown Road: curb/gutter. It was noted that the Town did not have the capacity to do the work in house. Council agreed to place under the consent agenda of August 26th.

D. Resolution Requesting Additional Healthcare Providers – Mayor Cockrell reminded Council that this resolution was given to them at the July 22nd meeting and two councilmembers asked that it be placed on a work session for further consideration. She suggested that it be a Liaison Committee Meeting item. There was discussion about a Certificate of Public Need (COPN), the lack of healthcare providers in the community, incentives on how to attract care facilities particularly noting women's care. While it was realized that Valley Health was in recovery mode from the pandemic, they were operating as efficiently as possible, but it was impacting the community. It was agreed to have the Town Attorney research this subject further and share with the County at the next Liaison Committee meeting in October.

Old Business

A. Town Council Goals Update – Town Manager Joe Waltz went over his quarterly update on Council's goals beginning with a recap of their FY23 goals: Land Use Planning, Walkability and the West Criser Road Sidewalk Project. He then proceeded with the FY24 Goals Update that included 1) work session in Aug/Sept 2024 to develop and implement a strategy that will address blight; 2) completion of annual report, Open House Event, promotion of Council Retreat, improved communication in quarterly newsletter, and develop a plan of action to make repairs to both clear wells; 3) identify second water source [McKay Springs] will be on August 12th work session; 4) completion of redundant waterline by December 31st, 5) continue to invest and address aging sewer system for I & I. Mr. Waltz then presented the Plan of Action for the clear wells repair and rehabilitation.

B. Town Project Update – Town Manager Joe Waltz gave presentation on Town Projects noting that this presentation was made for Front Royal EDA (FREDA) and shown to them earlier today. The presentation included: Water/Sewer Projects including the redundant water line; N. Royal Avenue waterline upgrade between Commerce Avenue and W. 6th Street; Wastewater Treatment Plant influent pumps; sanitary sewer I & I projects; McKay Springs water source development; and Water Treatment Plant clear well rehabilitation. He continued with Streets/Bridges/Sidewalk Projects including E. Prospect Street Bridge; E. 8th Street Bridge; South Street Improvement Project; West Criser Road Sidewalk Project; N. Shenandoah Avenue Street Light Project; and North Commerce Avenue Paving Project. Other highway projects included: secondary paving; new sidewalks; curb & gutter; new fleet/maintenance building; McKay Spring development of parcels jointly owned with the County; East/West Connector Road; and Happy Creek Road Phase II. Mr. Waltz explained that FREDA wanted to understand the Town's infrastructure and what was going on with projects, noting that they had been excited about asset development and new businesses; therefore, he was hoping to hire a consultant to do the asset development.

CLOSED MEETING

Councilwoman Morris moved seconded by Councilman Rappaport 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 §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 Clerk of Council, Town Attorney, Planning Commission, Board of Zoning Appeals (BZA) and Local Board of Building Code Appeals (LBBCA)



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and, 2) 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 Valley Health System PILOT fees and, 3) 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 Limited Partnership and Town of Front Royal v. Jennifer McDonald and, 4) pursuant to Section 2.2-3711(A)(3) of the Code of Virginia, 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, more specifically Town-owned property in the vicinity of W. Duck Street and Winchester Road.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Councilman Ingram 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 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

Adjourned approximately 10:20pm

Approved by Town Council

Date: 8/26/24