



TOWN COUNCIL REGULAR WORK SESSION

Monday, August 12, 2024 @ 6:30 PM

Town Hall Conference Room

View meeting online LIVE at <https://www.frontroyalva.com/673/Town-Hall-Live>

1. Roll Call
2. Closed Meeting
3. **ACTION ITEM REQUIRING A VOTE:** Resolution Approving Town's Participation in Proposed Settlement of Opioid Related Claims Against Regional Supermarket Pharmacy Kroger Co. with Settlement Funds to be used to Help Remediate and Abate the Impacts of the Opioid Crisis Caused by the Opioid Epidemic
4. **Old Business**
 - A. McKay Springs Site Evaluation — *Robbie Boyer/Stevie Steele (CHA)*
 - B. VDOT STARS Study Update — *Lauren Kopishke/Adam Campbell (VDOT)*
 - C. Update on Request to Vacate a Portion of an Alley Behind 125 W. 8th Street - Mike McCool— *Joe Waltz*
5. **New Business**
 - A. Recognition of Former Mayor John Marlow in the Main Street Gazebo Area — *Mayor Cockrell (No Coversheet)*
6. Closed Meeting
7. Adjourn



CLOSED MEETING AGENDA STATEMENT

Meeting Date: August 12, 2024

Item# 02

MOTION ON TO GO INTO CLOSED MEETING

[to be approved by affirmative recorded vote, with motion set forth in detail in the minutes]

I move 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 Planning Commission and Board of Zoning Appeals (BZA)

Motion to Certify Closed Meeting at its Conclusion

[At the conclusion of the Closed Meeting, immediately re-convene in open meeting and take a roll call vote on the following:]

I move 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.

Moved _____ Seconded _____

VM Sealock _____ Ingram _____ Morris _____ Rappaport _____ DeDomenico-Payne _____ Wood _____



REGULAR COUNCIL MEETING AGENDA STATEMENT

Meeting Date: August 12, 2024

Item# 03

Agenda Item: Resolution Approving Town’s Participation in Proposed Settlement of Opioid Related Claims Against Regional Supermarket Pharmacy Kroger Co. with Settlement Funds to be used to Help Remediate and Abate the Impacts of the Opioid Crisis Caused by the Opioid Epidemic

Summary: Council is requested to approve a resolution for the Town’s participation in the proposed settlement of opioid related claims against regional supermarket pharmacy Kroger Co. with settlement funds to be used to remediate and abate the impacts of the opioid crisis, the settlement also containing injunctive relief governing opioid dispensing practices and requires Kroger Co. to implement safeguards to prevent diversion of prescription opioids, as presented.

NOTE: the amount of funds that will flow to Virginia and its localities from this settlement depends on maximizing participation by as many local government subdivisions as possible. As before, your town is being asked to approve the settlement and submit its participation form because, due to the structure of the settlement agreement, towns above a certain population threshold must approve the settlement and submit participation forms in order to maximize the overall recovery for the Commonwealth and its subdivisions. Participating towns are not eligible to receive direct shares from the settlement funds—however, they may be able to apply for, request, or receive funds for opioid abatement programs through their counties, and the benefits of the settlement will inure to Virginia’s towns through their counties. Participation by your town will help to maximize the recovery for all of Virginia’s counties, including the counties in which your towns are located.

Budget/Funding: N/A

Meetings: N/A

Proposed Motion: I move that Council approve a resolution for the Town’s participation in the proposed settlement of opioid related claims against regional supermarket pharmacy Kroger Co. with settlement funds to be used to remediate and abate the impacts of the opioid crisis, as presented. I further move that Council authorize the Town Manager and Town Attorney to execute all necessary documents.

Moved _____ *Seconded* _____

VM Sealock _____ *Ingram* _____ *Morris* _____ *Rappaport* _____ *DeDomenico-Payne* _____ *Wood* _____

RESOLUTION

A RESOLUTION OF THE FRONT ROYAL TOWN COUNCIL APPROVING OF THE TOWN'S PARTICIPATION IN THE PROPOSED SETTLEMENT OF OPIOID-RELATED CLAIMS AGAINST KROGER AND ITS RELATED CORPORATE ENTITIES, AND DIRECTING THE TOWN ATTORNEY AND/OR TOWN MANAGER TO EXECUTE THE DOCUMENTS NECESSARY TO EFFECTUATE THE TOWN'S PARTICIPATION IN THE SETTLEMENT

WHEREAS, the opioid epidemic that has cost thousands of human lives across the country also impacts the Commonwealth of Virginia and its counties, cities, and towns, including the Town of Front Royal, by adversely impacting the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services by Front Royal's various departments and agencies; and

WHEREAS, the Commonwealth of Virginia and its counties, cities, and towns, including Front Royal, have been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the citizens of the Commonwealth and Front Royal; and

WHEREAS, a settlement proposal has been negotiated that will cause Kroger to pay over a billion dollars nationwide to resolve opioid-related claims against it; and

WHEREAS, the Town Attorney has reviewed the available information about the proposed settlement and has recommended that the Town participate in the settlement;

NOW THEREFORE BE IT RESOLVED that the Front Royal Town Council, this ____ day of _____, 2024, approves of the Town's participation in the proposed settlement of opioid-related claims against Kroger and its related corporate entities, and directs the Town Attorney and/or Town Manager to execute the documents necessary to effectuate the Town's participation in the settlement, including the required release of claims against Kroger.

APPROVED:

Lori A. Cockrell, Mayor

ATTEST:

Tina L. Presley, Clerk of Council

This Resolution was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on _____, 2024 upon the following recorded vote:

R. Wayne Sealock ☐ Yes ☐ No
Joshua L. Ingram ☐ Yes ☐ No
Amber F. Morris ☐ Yes ☐ No

H. Bruce Rappaport ☐ Yes ☐ No
Melissa DeDomenico-Payne ☐ Yes ☐ No
Glenn A. Wood ☐ Yes ☐ No

Approved as to Form and Legality:

George M. Sonnett, Jr., Town Attorney

Dated: _____

New National Opioids Settlement: Kroger
Opioids Implementation Administrator
opioidsparticipation@rubris.com

Front Royal town, VA
Reference Number: CL-798806

TO LOCAL POLITICAL SUBDIVISIONS:

THIS PACKAGE CONTAINS DOCUMENTATION TO PARTICIPATE IN THE NEW NATIONAL OPIOIDS SETTLEMENT. YOU MUST TAKE ACTION IN ORDER TO PARTICIPATE.

Deadline: August 12, 2024

A new proposed national opioids settlement ("*New National Opioids Settlement*") has been reached with Kroger ("*Settling Defendant*"). This *Participation Package* is a follow-up communication to the *Notice of National Opioids Settlement* recently received electronically by your subdivision.

You are receiving this *Participation Package* because Virginia is participating in the Kroger settlement.

If a state does not participate in a particular Settlement, the subdivisions in that state are not eligible to participate in that Settlement.

This electronic envelope contains:

- The *Participation Form* for the Kroger settlement, including a release of any claims.

The *Participation Form* must be executed, without alteration, and submitted on or before August 12, 2024, in order for your subdivision to be considered for initial participation calculations and payment eligibility.

Based upon subdivision participation forms received on or before August 12, 2024, the subdivision participation rate will be used to determine whether participation is sufficient for the settlement to move forward and whether a state earns its maximum potential payment under the settlement. If the settlement moves forward, your release will become effective. If a settlement does not move forward, that release will not become effective.

Any subdivision that does not participate cannot directly share in the settlement funds, even if the subdivision's state is settling and other participating subdivisions are sharing in settlement funds. Any subdivision that does not participate may also reduce the amount of money for programs to remediate the opioid crisis in its state. Please note, a subdivision will not necessarily directly receive settlement funds by participating; decisions on how settlement funds will be allocated within a state are subject to intrastate agreements or state statutes.

In Virginia, participating counties and independent cities may receive some of the settlement funds directly, pursuant to the allocation framework set forth in the Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding ("MOU"), which has been previously approved by all Virginia counties and cities, and the Virginia Opioid Abatement Fund statute, Va. Code § 2.2-2374. In addition, some towns are being asked to approve the settlements and submit participation forms because, due to the structure of the settlement agreements, towns above a certain population threshold must approve the settlements and submit participation forms in order to maximize the overall recovery for the Commonwealth and its subdivisions. Participating towns are not eligible to receive direct shares from the settlement funds—however, they may be able to apply for, request, or receive funds for opioid abatement programs through their counties. Participation by these towns will help to maximize the recovery for all of Virginia's counties, including the counties in which they are located.

You are encouraged to discuss the terms and benefits of the *New National Opioids Settlement* with your counsel, your Attorney General's Office, and other contacts within your state. Many states are implementing and allocating funds for this new settlement the same as they did for the prior opioids settlements with McKesson, Cardinal, Cencora (formerly AmerisourceBergen), J&J/Janssen, Teva, Allergan, CVS, Walgreens, and Walmart but states may choose to treat this settlement differently.

Information and documents regarding the *New National Opioids Settlement* and how it is being implemented in your state and how funds will be allocated within your state can be found on the national settlement website at <https://nationalopioidsettlement.com/>. This website will be supplemented as additional documents are created.

How to return signed forms:

There are three methods for returning the executed *Participation Form* and any supporting documentation to the Implementation Administrator:

- (1) *Electronic Signature via DocuSign*: Executing the *Participation Form* electronically through DocuSign will return the signed form to the Implementation Administrator and associate your form with your subdivision's records. Electronic signature is the most efficient method for returning the *Participation Form*, allowing for more timely participation and the potential to meet higher settlement payment thresholds, and is therefore strongly encouraged.
- (2) *Manual Signature returned via DocuSign*: DocuSign allows forms to be downloaded, signed manually, then uploaded to DocuSign and returned automatically to the Implementation Administrator. Please be sure to complete all fields. As with electronic signature, returning a manually signed *Participation Form* via DocuSign will associate your signed forms with your subdivision's records.
- (3) *Manual Signature returned via electronic mail*: If your subdivision is unable to return an executed *Participation Form* using DocuSign, the signed

Participation Form may be returned via electronic mail to opioidsparticipation@rubris.com. Please include the name, state, and reference ID of your subdivision in the body of the email and use the subject line Settlement Participation Form - [Subdivision Name, Subdivision State] - [Reference ID].

Detailed instructions on how to sign and return the *Participation Form*, including changing the authorized signer, can be found at <https://nationalopioidsettlement.com>. You may also contact opioidsparticipation@rubris.com.

The sign-on period for subdivisions ends on August 12, 2024.

If you have any questions about executing the *Participation Form*, please contact your counsel, the Implementation Administrator at opioidsparticipation@rubris.com, or Tom Beshere at the Virginia Attorney General's Office at 804-823-6335 or tbeshere@oag.state.va.us.

Thank you,

New National Opioids Settlement Implementation Administrator

The Implementation Administrator is retained to provide the settlement notice required by the New National Opioids Settlement and to manage the collection of the Participation Form.

Subdivision Participation and Release Form

Governmental Entity: Front Royal town	State: VA
Authorized Signatory:	
Address 1:	
Address 2:	
City, State, Zip:	
Phone:	
Email:	

The governmental entity identified above ("*Governmental Entity*"), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Settlement Agreement dated March 22, 2024 ("*Kroger Settlement*"), and acting through the undersigned authorized official, hereby elects to participate in the Kroger Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Kroger Settlement, understands that all terms in this Participation and Release Form have the meanings defined therein, and agrees that by executing this Participation and Release Form, the Governmental Entity elects to participate in the Kroger Settlement and become a Participating Subdivision as provided therein.
2. The Governmental Entity shall promptly, and in any event no later than 14 days after the Reference Date and prior to the filing of the Consent Judgment, dismiss with prejudice any Released Claims that it has filed. With respect to any Released Claims pending in *In re National Prescription Opiate Litigation*, MDL No. 2804, the Governmental Entity authorizes the Plaintiffs' Executive Committee to execute and file on behalf of the Governmental Entity a Stipulation of Dismissal with Prejudice substantially in the form found at <https://nationalopioidsettlement.com/>.
3. The Governmental Entity agrees to the terms of the Kroger Settlement pertaining to Participating Subdivisions as defined therein.
4. By agreeing to the terms of the Kroger Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
5. The Governmental Entity agrees to use any monies it receives through the Kroger Settlement solely for the purposes provided therein.
6. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity's state where the Consent Judgment is filed for purposes limited to that court's role as provided in, and for resolving disputes to the extent provided in, the Kroger Settlement. The Governmental Entity likewise agrees to arbitrate before the National



Arbitration Panel as provided in, and for resolving disputes to the extent otherwise provided in, the Kroger Settlement.

7. The Governmental Entity has the right to enforce the Kroger Settlement as provided therein.
8. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in the Kroger Settlement, including without limitation all provisions of Section XI (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Kroger Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Kroger Settlement shall be a complete bar to any Released Claim.
9. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision as set forth in the Kroger Settlement.
10. In connection with the releases provided for in the Kroger Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Kroger Settlement.



11. Nothing herein is intended to modify in any way the terms of the Kroger Settlement, to which Governmental Entity hereby agrees. To the extent this Participation and Release Form is interpreted differently from the Kroger Settlement in any respect, the Kroger Settlement controls.

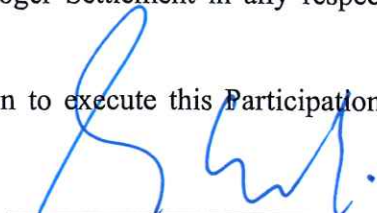
I have all necessary power and authorization to execute this Participation and Release Form on behalf of the Governmental Entity.

Signature: _____

Name: _____

Title: _____

Date: _____


GEORGE SONNETT
TOWN ATTORNEY
08-07-2024





COUNCIL REGULAR WORK SESSION AGENDA STATEMENT

Meeting Date: August 12, 2024

Item# 04A

Agenda Item: McKay Springs Site Evaluation

Summary: Staff continues to explore the McKay Springs site as an additional water source for the Town of Front Royal. The next step in this exploration is to conduct a site evaluation which will include preliminary site development, well Site Identification, test wells, and cost estimates. CHA will be present at the work session to discuss the McKay Springs site evaluation and answer any questions from Council.

±

Budget/Funding: 9601-43002 Professional Services - \$30,000

Proposal for Services - \$42,500

Staff Direction: Staff recommends moving forward with the site evaluation

TASK ORDER NO. 3-2024
PROFESSIONAL ENGINEERING SERVICES
BETWEEN
OWNER AND ENGINEER

McKAY SPRINGS SITE EVALUATION

This Task Order 3-2024 supplements the August 2, 2022, Master Services Agreement (AGREEMENT) for Professional Environmental Engineering Services by and between Town of Front Royal (Town or OWNER) and CHA Consulting, Inc. (CHA or ENGINEER).

PART 1.0 – PROJECT DESCRIPTION

The Town of Front Royal currently owns and co-owns with Warren County multiple parcels surrounding McKay Spring, located at the intersection of Routes 522 and 627. The Town has performed deed research and a boundary survey of the associated parcels.

Before being purchased by the Town the spring was previously used as a public water supply for a nearby trailer park, but its use as a Virginia Department of Health (VDH) permitted public water was discontinued in 1990. Monitoring performed by VDH during the late 1970s through 1990 indicated that the water complied with the applicable drinking water standards. In the early 2000s, the Town conducted a preliminary assessment of McKay Spring as a possible water source. After considering the volume of water produced by the spring and the flow-by requirements, the Town would now like to consider the possibility of developing groundwater wells at the site if an additional source of water is required. Well production is assumed to be better in terms of both quality and quantity than the spring would provide on it's own.

The Town has requested that CHA evaluate the properties associated with McKay Springs and owned or co-owned by the Town, and provide a recommendation for proposed well locations, and provide a layout for a pump station or small groundwater treatment facility.

PART 2.0 – SCOPE OF SERVICES TO BE PERFORMED BY CHA ON THE PROJECT

CHA proposes to perform the work in two specific tasks.

Task 1 – Well Site Identification

For this task CHA will work with our sub-contractor, Geoscience Professionals, to conduct a geologic investigation into potential well site locations. Geoscience Professionals will perform resistivity imaging at the site and use the resulting information, along with any available public geologic information to look for evidence of fracture zones or other locations where groundwater will gather, on or around the site. After conducting the imaging and collecting the available geologic information, CHA and Geoscience professionals will provide a report to the Town identifying locations that should be considered for future wells and indicating the next steps that should be taken if the site is to be developed for water production. An example of a resistivity cross section is included and titled "Figure 1".

Figure 1 – Resistivity Cross Section

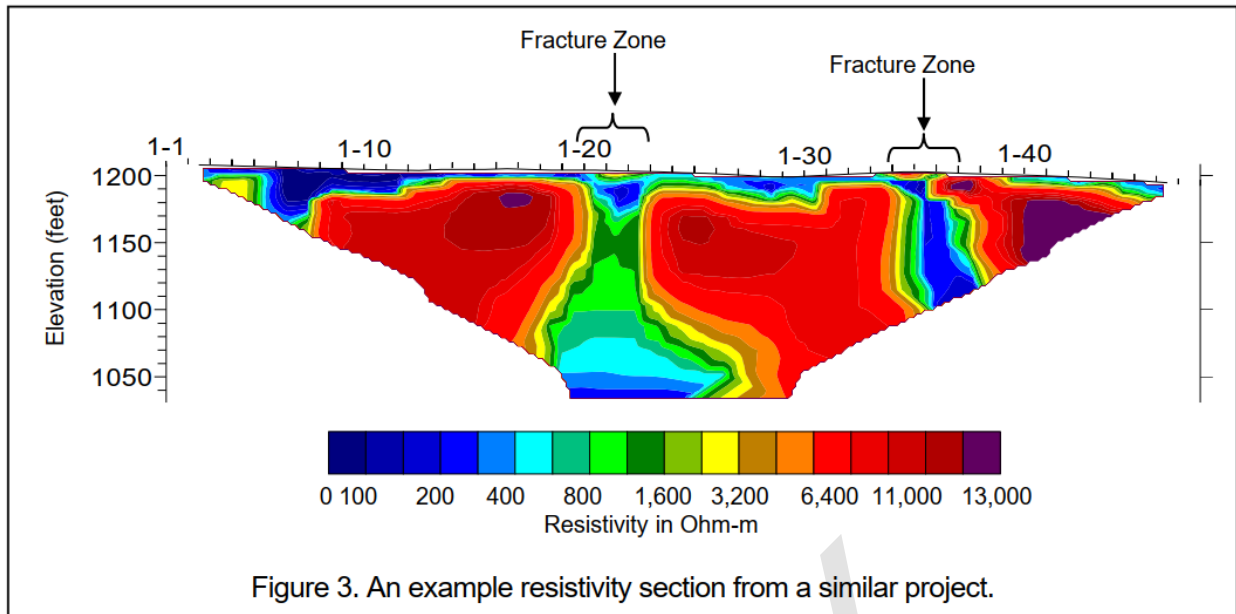


Figure 3. An example resistivity section from a similar project.

Task 2 – Preliminary Site Development Figure

For this task, we will utilize the boundary survey titled “Parcel 2” dated November 20, 2023, along with existing county-wide topographical information to develop a conceptual level figure of a proposed water treatment facility or pump station. The locations of potential well sites developed in Task 1 will be shown on the figure, along with any required access roads, culverts, and other necessary surface development.

The figure will include the following:

- Treatment/Pump Station building sized based on a small groundwater treatment building (approximately 1,100 sq ft)
- Many groundwater production systems include an exterior tank, either for disinfection or for blending of multiple wells. We will show a 10,000-gallon tank on the site for this purpose.
- Access drive for the building and (if applicable) gravel drives to proposed well locations.
- Potential connections to existing waterlines
- Notes on site work/grading required for road and building construction.

As part of the sketch, CHA will identify the parcel(s) or part of parcels that will be required for the treatment/pump station building and for the wells (if applicable).

Task 3 – Test Well Coordination

CHA will coordinate with local well drillers to prepare a test well drilling plan that includes estimated cost for various depths of test wells, drawdown tests, and water quality testing.

As part of the figure development, CHA will develop a technical memo providing an evaluation of the site for water facilities that may be required to support treatment of ground water.

Task 4 – Technical Memo

CHA will include the information developed in Tasks 1 through 3 in a Technical Memo (TM). The TM will include a summary of each task and supporting documentation in appendices.

PART 3.0 – PERIODS OF SERVICE

CHA will complete the evaluation and draft report within 60 days of Authorization to Proceed from the Town and receipt of all required information.

PART 4.0 – PAYMENTS TO CHA

We propose a lump sum fee for the scope of services identified for each task as follows:

Task 1 – Well Site Identification	\$18,000
Task 2 – Preliminary Site Development Figure	\$ 8,300
Task 3 – Test Well Coordination	\$ 7,300
<u>Task 4 – Technical Memo</u>	<u>\$ 8,700</u>
Total	\$42,300

We will submit invoices for our services monthly.

PART 5.0 – OTHER

This Task Order is executed this _____ day of _____, 2023.

TOWN OF FRONT ROYAL, VIRGINIA

CHA CONSULTING, INC.

By:

By:

Name: B.J. Wilson
Title: Finance Director

Name: Stephen M. Steele, PE
Title: Vice President

Address: 102 East Main Street
Front Royal, VA 22630

Address: 1341 Research Center Drive
Suite 2100
Blacksburg, VA 24060



COUNCIL REGULAR WORK SESSION AGENDA STATEMENT

Meeting Date: August 12, 2024

Item# 04B

Agenda Item: VDOT STAR Study update

Summary: Adam Campbell with VDOT will be presenting the findings and final recommendations of the 522/340 Corridor study to Town Council. Warren County has applied for funding to facilitate these safety improvements. There are proposed improvements within Town limits.

Click the link below to review the 54-page draft final report from VDOT
<https://frontroyalva.box.com/s/yys1cuz384st63rusvdfc14nnq3babht>

Budget/Funding: N/A

Staff Recommendation: N/A

STARS

STRATEGICALLY TARGETED AND
AFFORDABLE ROADWAY SOLUTIONS

US 340/US 522 CORRIDOR IMPROVEMENT STUDY

FRONT ROYAL/WARREN COUNTY

Warren County Board of Supervisors Work Session – July 9, 2024



SURVEY SUMMARY AND STUDY RECOMMENDATIONS

- Survey Summary
- Guard Hill Road
- Commercial Entrance RCI
- Ramp Improvements
- Ramp Improvements (cont.)
- Country Club Road Thru-Cut
- Country Club Road Bow-Tie
- Country Club Road Roundabout
- Next Steps

Points of Contact for Study:

- STARS Study Lead – Clint Smith
clinton.smith@vdot.virginia.gov
- VDOT Project Manager – Adam Campbell
adamf.campbell@vdot.virginia.gov
- ATCS Team Manager – Nathan Umberger
numberger@atcsplc.com



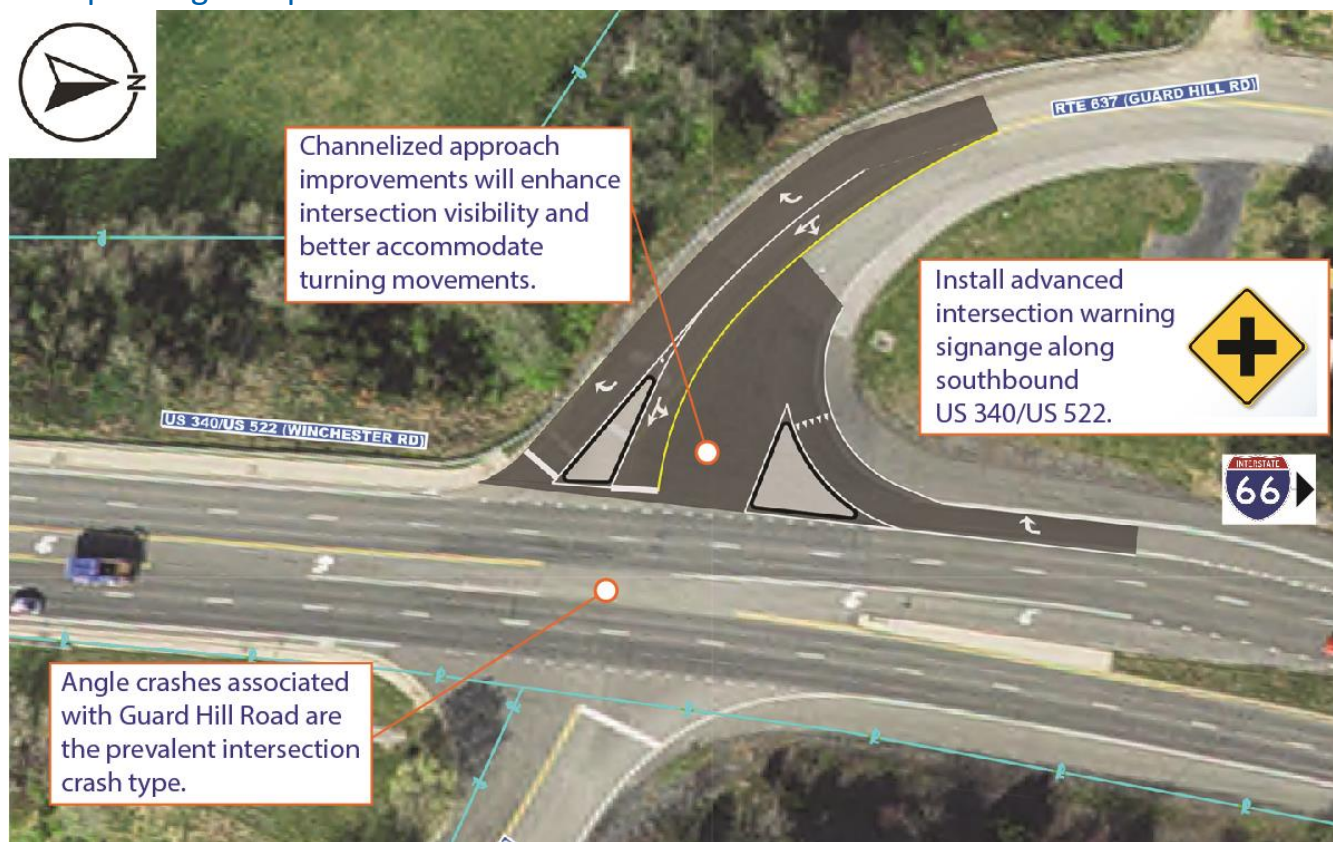
PUBLIC SURVEY SUMMARY

- **Online Alternatives Survey was open June 10th – June 25th**
- **237 participants**
 - 290 comments
 - 1,920 total responses (comments and rankings)
- **Home Zip Code of Participants**
 - 35% (83) reported
 - Of which 67% (56) from 22630 (Front Royal/Warren Co.)
 - And 24% (20) from 22645 (Middletown), 22655 (Stephens City), and 22657 (Strasburg)
- **Work Zip Code of Participants**
 - 30% (72) reported
 - Of which 63% (45) from 22630 (Front Royal/Warren Co.)
 - And 7% (5) from 22645 (Middletown)

INTERSECTION WITH GUARD HILL ROAD

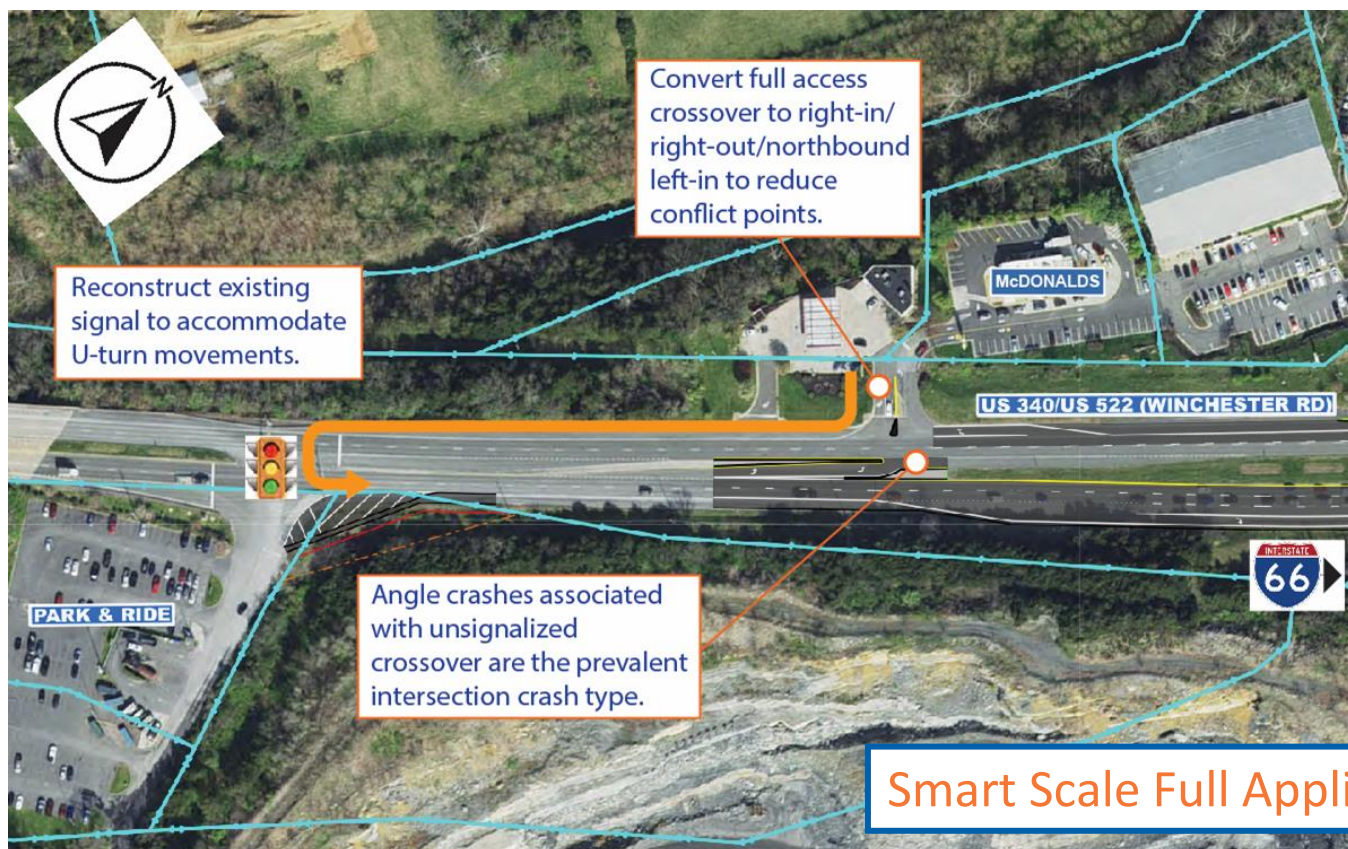
- **Average Rating: 2.9 out of 5 (5 rating = 18, 1 rating = 14)**

- Numerous comments supporting/requesting a traffic signal at this location (warrants not met)
- Recommendation supported, but general theme of “it is not enough”
- A few comments support limiting left turns from side streets
- Issue of speeding also prevalent in the comments



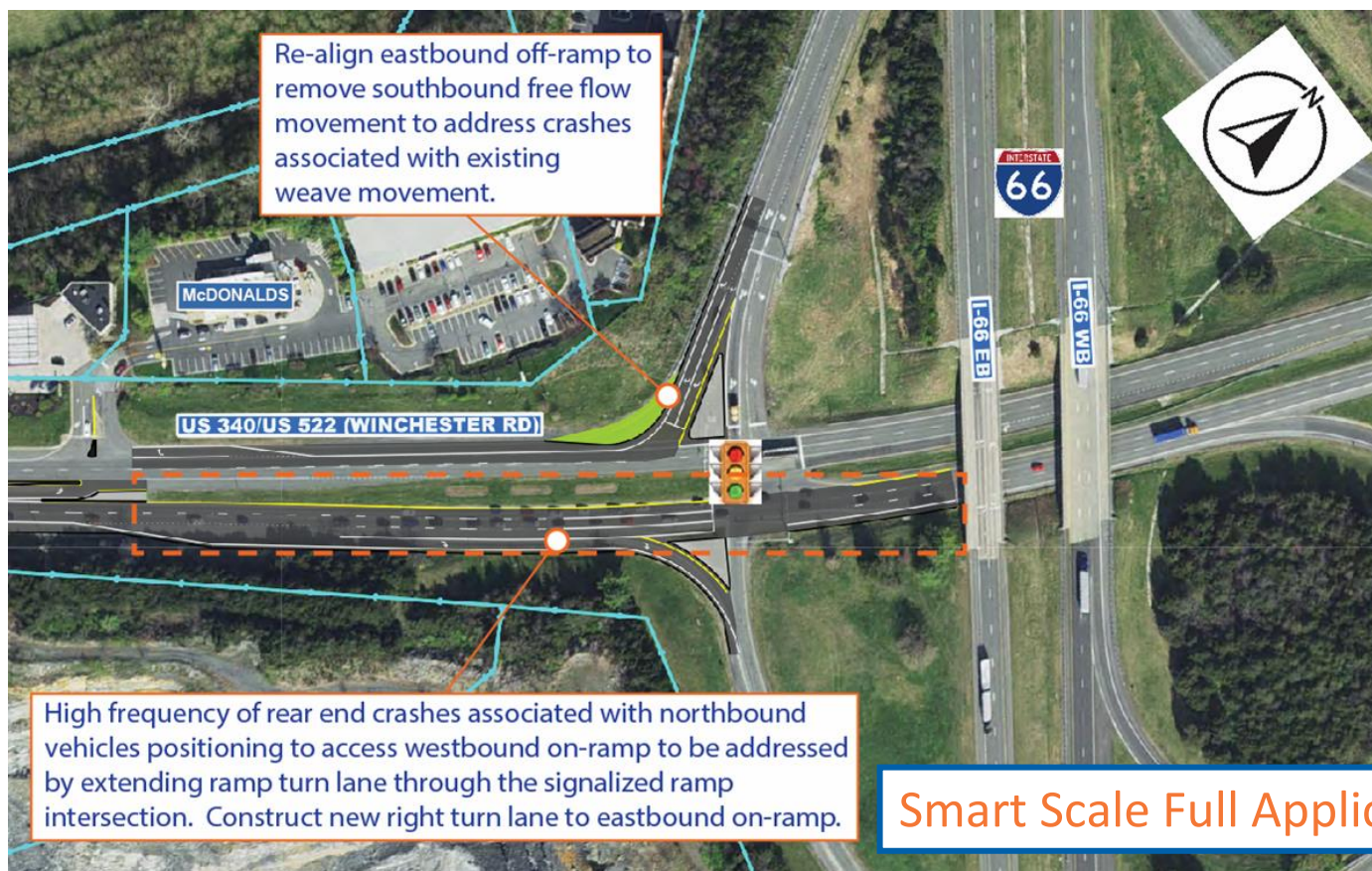
INTERSECTION WITH PARK AND RIDE AND COMMERCIAL ENTRANCE

- **Average Rating: 3.35 out of 5 (5 rating = 26, 1 rating = 6)**
 - General support for the recommendation throughout the comments
 - Make sure commercial vehicles can navigate U-turn movement



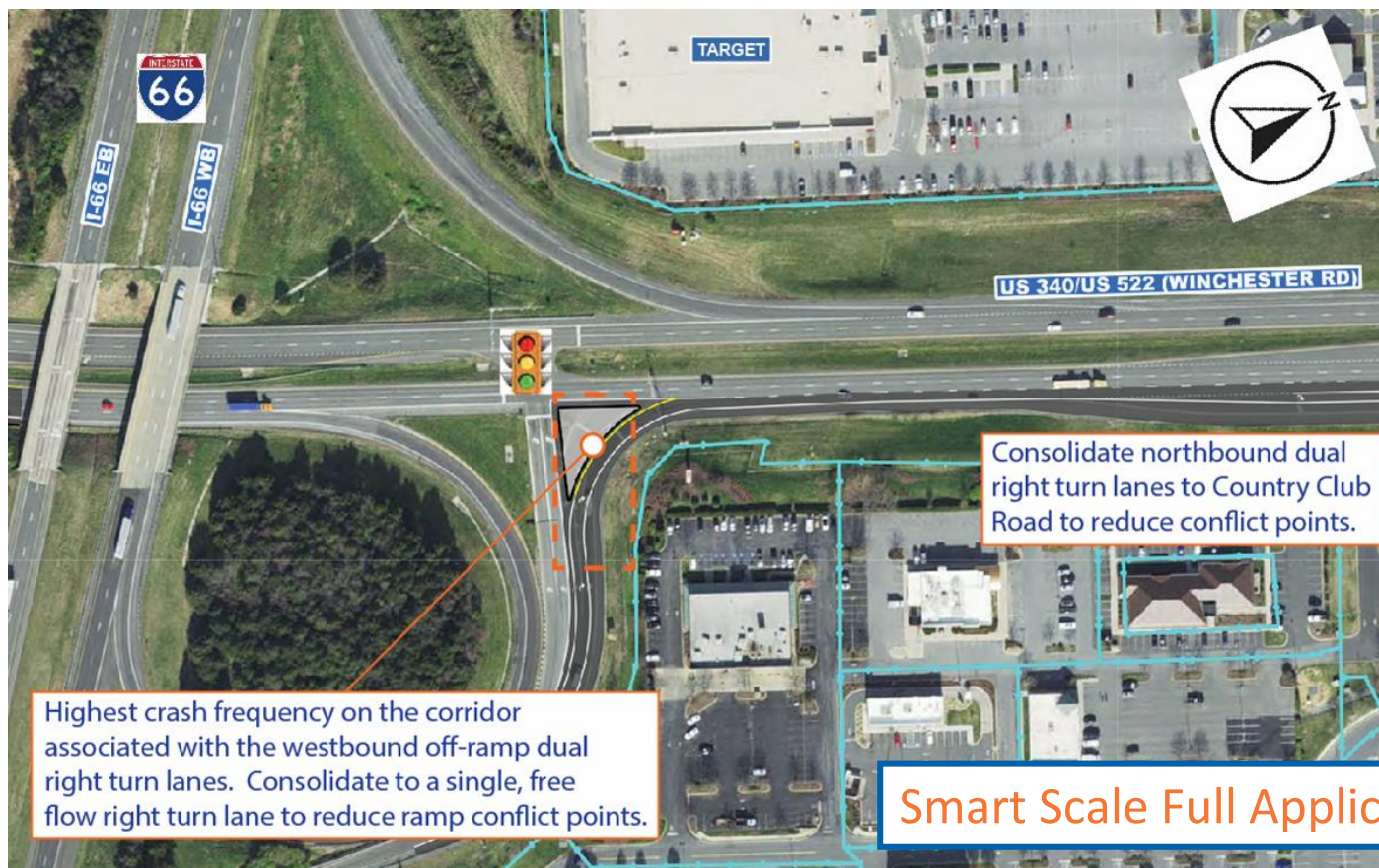
INTERSECTION WITH I-66 EASTBOUND RAMPS

- **Average Rating: 3.6 out of 5 (5 rating = 28, 1 rating = 5)**
 - Strong support for removing the existing weave condition and recommended improvements
 - Multiple comments indicate “No right on red” from eastbound ramp should be considered



INTERSECTION WITH I-66 WESTBOUND RAMPS

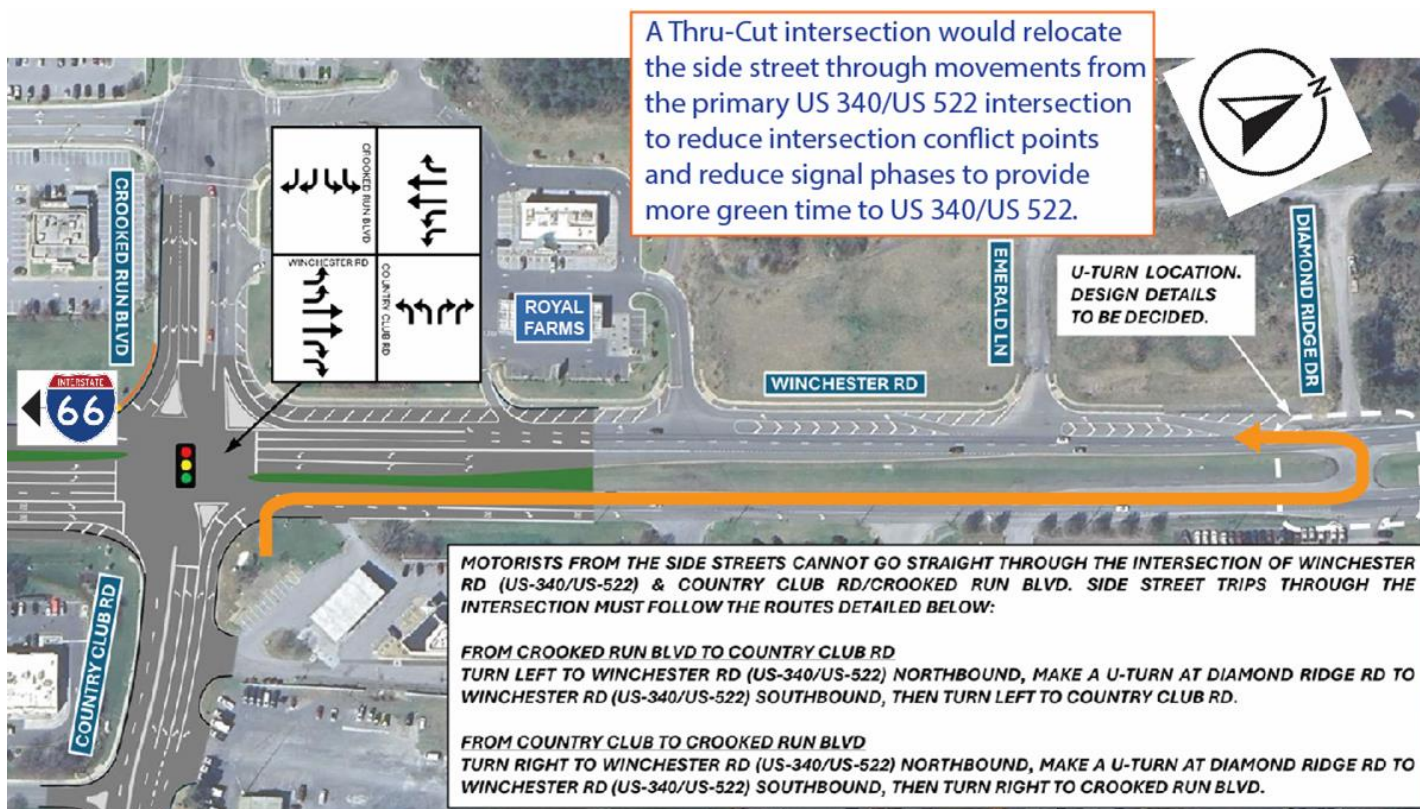
- **Average Rating: 3.45 out of 5 (5 rating = 27, 1 rating = 9)**
 - General support for consolidating the existing right turn lanes into a single lane
 - Concerns about the free flow movement/weave condition. Consider “No right on red”



INTERSECTION WITH CROOKED RUN/COUNTRY CLUB (THRU-CUT)

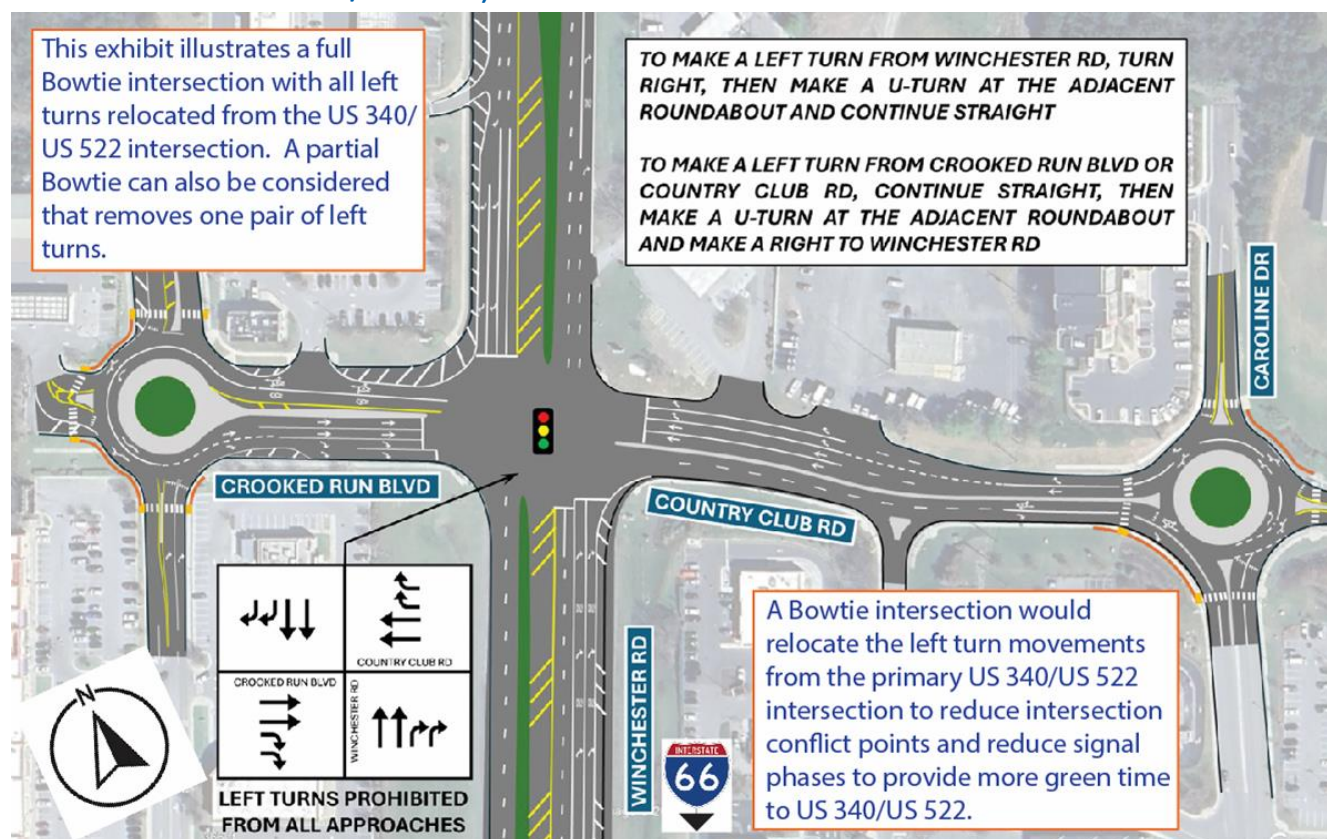
- **Average Rating: 2.1 out of 5 (5 rating = 11, 1 rating = 22)**

- Lower support related to U-turn concerns and ability to access one shopping center from the other
- Consider “No right on red” for all right turns at primary intersection



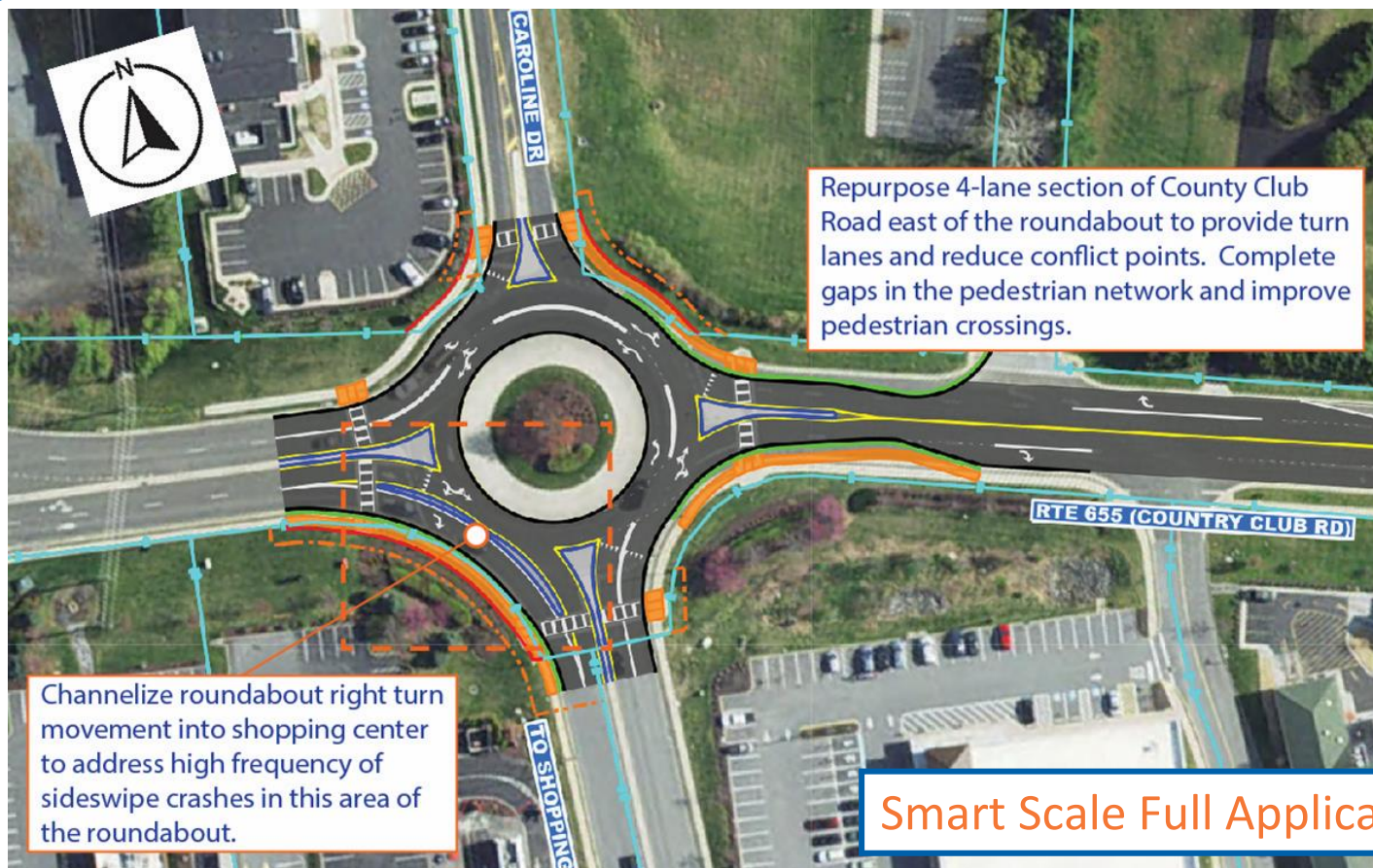
INTERSECTION WITH CROOKED RUN/COUNTRY CLUB (BOW-TIE)

- **Average Rating: 2.2 out of 5 (5 rating = 12, 1 rating = 25)**
 - Lower support related to concerns over intersection confusion and another roundabout on Crooked Run Blvd
 - Several comments indicate support of the full bowtie (relocated movements occurring on the side streets instead of US 340/US 522)



INTERSECTION WITH COUNTRY CLUB ROAD/CAROLINE DRIVE

- **Average Rating: 3.2 out of 5 (5 rating = 16, 1 rating = 10)**
 - General support for roundabout modification, while lack of support for roundabouts in general



NEXT STEPS

- **Draft STARS study report to be distributed to study team for review**
 - Study report to be uploaded to Smart Scale applications for support by the July 15th readiness deadline
- **Present study recommendations and survey summary to Warren County Board of Supervisors at July 9th work session**
- **August 1st Smart Scale submission deadline**
 - Final sketches and cost estimates will be delivered by the end of July
 - County to adopt Resolutions of Support for the US 340/US 522, I-66, Exit 6 ramp improvements/commercial entrance RCI and the modifications to the Country Club Road/Caroline Drive roundabout to advance as full applications
- **Final study report to be completed in August**



COUNCIL REGULAR WORK SESSION AGENDA STATEMENT

Meeting Date: August 12, 2024

Item# 04C

Agenda Item: Update on Request to Vacate a Portion of an Alley Behind 125 W. 8th Street - Mike McCool

Summary: The applicant is requesting to vacate a portion (2,000 SF) of the alley behind 125 W. 8th Street to be used as an additional buffer from the construction of the five (5) townhouses. The applicant would like the opportunity to purchase the land behind their property to have an additional buffer from neighboring development.

The vacation was discussed during the June 10th work session where the item was moved to a public hearing. The public hearing was held on Monday, July 22nd with no public speakers on this request for vacation. After the public hearing, Town Council appointed viewers to view the vacation request from the applicant to vacate a portion (2,000 square feet) of the public alley located behind 125 W. 8th Street, and to report to Council in writing any inconvenience to the public that would result from discontinuance of the Right-of-Way.

The Viewing Committee noted that if the vacation of the portion of the alley is approved by Council, several existing landowners would no longer have public access to other portions of the alley adjoining their property. The Viewing Committee recommended that the Council DENY that application due to the loss of public access by other landowners.

Budget/Funding: N/A

Staff Direction: Staff recommends denial of alley vacation due to access issues

FROM: (Alley Vacation) Viewing Committee
TO: Town of Front Royal Mayor and Council
DATE: July 25, 2024
SUBJ: **APPLICATION FOR VACATION OF STREETS AND ALLEY APPLICATION**
REF: **Application #2300787, Michael McCool**
125 West Eighth Street
Front Royal, VA 22630

The Viewing Committee, printed names and signatures below, were appointed to render an opinion to **APPROVE** or **DENY** the above referenced application. The applicant lists his "Reason for request" as: "Additional /buffer. Developer doesn't want it (on 9th St) Building 5 townhouses."

The portion of the alley requested to be vacated is 2,000 sq. ft. (100 ft. x 20 ft.). This portion is a mix of well-maintained grass with significant small trees and overgrowth in other areas. Someone, we believe Mr. McCool, is responsible for the well-maintained portion. Currently, there are no structures in the portion requested to be vacated. There are also no existing or proposed public utilities in the portion requested to be vacated.

The Viewing Committee noted that if the vacation of the portion of the alley is approved by Council, several existing landowners would no longer have public access to other portions of the alley adjoining their property. In a prior alley vacation request, two (Crawford and Miller) of the current Viewing Committee had a similar situation. This was a request to vacate a portion of an alley behind the Front Royal Church of the Brethren. The Viewing Committee recommended that Council **DENY** that application due to the loss of public access by other landowners.

Therefore, the Viewing Committee recommends the **Application For Vacation of Streets and Alley #2300787 be DENIED.**

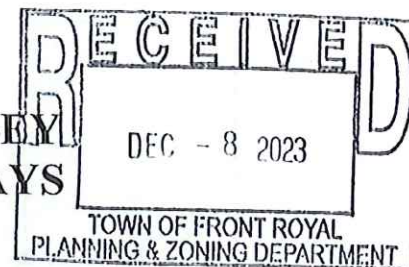
Sincerely,

Ronald W. "Jay" Crawford	<i>/s/ Ronald W. "Jay" Crawford</i>
Staige F. Miller, Jr.	<i>/s/ Staige F. Miller, Jr.</i>
Robert R. North	<i>/s/ Robert R. North</i>

#2300787



VACATION OF STREETS AND ALLEYS
and OTHER TOWN RIGHTS-OF-WAYS
APPLICATION



APPLICANT INFORMATION

(please print)

Name MICHAEL MCCOOL

Mailing Address 125 W 8th St

FRONT ROYAL

Phone # 540-631-3968

E-mail MIKE@NATIONALMEDIA SERVICES.COM

VACATION INFORMATION

Description (please select all that apply)

☐ Street/Portion of Street

☒ Alley/Portion of Alley

☐ Other (please specify) _____

Location 125 W 8th St

Reason for request Additional buffer. Developer doesn't
want it (on 9th St) Building 5' town boxes

☒ Current Plat Attached Showing Property to be Vacated

Applicant's Signature Michael McCool

Date 12/8/23

Completed application shall be returned by mail or delivery to: Department of Planning and Zoning, Town Hall, 102 E. Main Street, P.O. Box 1560, Front Royal, VA 22630 Additional Information: Planning and Zoning Office (540)635-4236, Monday-Friday, 8:00am - 4:30pm

Revised 10/24/2022

SURVEYOR'S CERTIFICATE

THIS IS TO CERTIFY THAT THE LAND SHOWN ON THIS PLAT IS THE LAND CONVEYED TO MICHAEL D. MCCOOL AND JANE M. MCCOOL PER INSTRUMENT # 980002180 AND A PORTION OF 20' WIDE ALLEY PER PLAT OF FRONT ROYAL AND RIVERTON IMPROVEMENT COMPANY BLOCK 29 IN D.B. S PAGE 300 RECORDED IN THE WARREN COUNTY CIRCUIT COURT CLERKS OFFICE AND THAT THERE ARE NO ENCROACHMENTS EITHER WAY ACROSS THE PROPERTY LINES EXCEPT AS SHOWN.

JOSEPH G. BROGAN, JR. LIC. # 3209

DATE

10/11/23

ALL TOWN REAL ESTATE TAXES HAVE BEEN PAID IN FULL.

FINANCE DIRECTOR

DATE

REVIEWED AND APPROVED BY THE TOWN OF FRONT ROYAL

DIRECTOR OF PLANNING AND ZONING

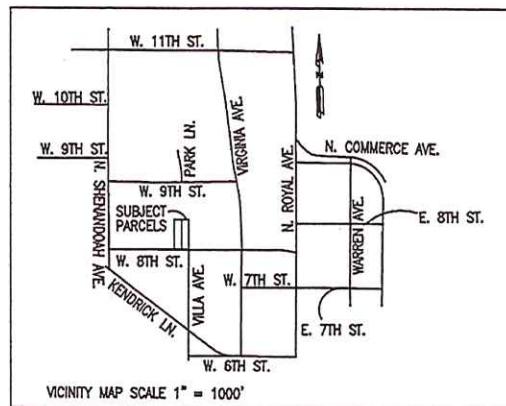
DATE

TOWN MANAGER

DATE

BOUNDARY LINE ADJUSTMENT BETWEEN LOT 10, LOT 11, AND A PORTION OF AN UNIMPROVED 20' WIDE ALLEY, BLOCK 29, PER PLAT OF THE FRONT ROYAL AND RIVERTON IMPROVEMENT COMPANY

NORTH RIVER MAGISTERIAL DISTRICT
TOWN OF FRONT ROYAL
WARREN COUNTY, VA.



BOUNDARY LINES SHOWN HEREON ARE BASED OFF OF A CURRENT FIELD SURVEY MEETING THE REQUIREMENTS OF THE MINIMUM STANDARDS AND PROCEDURES FOR LAND BOUNDARY SURVEYING PRACTICE (18 VAC 10-20-370) OF THE CODE OF VIRGINIA.

NO TITLE REPORT FURNISHED TO THIS OFFICE.
SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

SUBJECT PARCELS SITUATED OUTSIDE
THE LIMITS OF THE FEMA FLOOD ZONE.

SHEET ONE OF TWO

THE BOUNDARY LINE ADJUSTMENT OF THE LAND SHOWN HEREON IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS.

MICHAEL D. MCCOOL

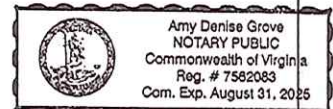
JANE M. MCCOOL

ACKNOWLEDGED BEFORE ME THIS

15th DAY OF NOV 2023.

MY COMMISSION EXPIRES 8/31/2025

NOTARY



AREA TABULATION

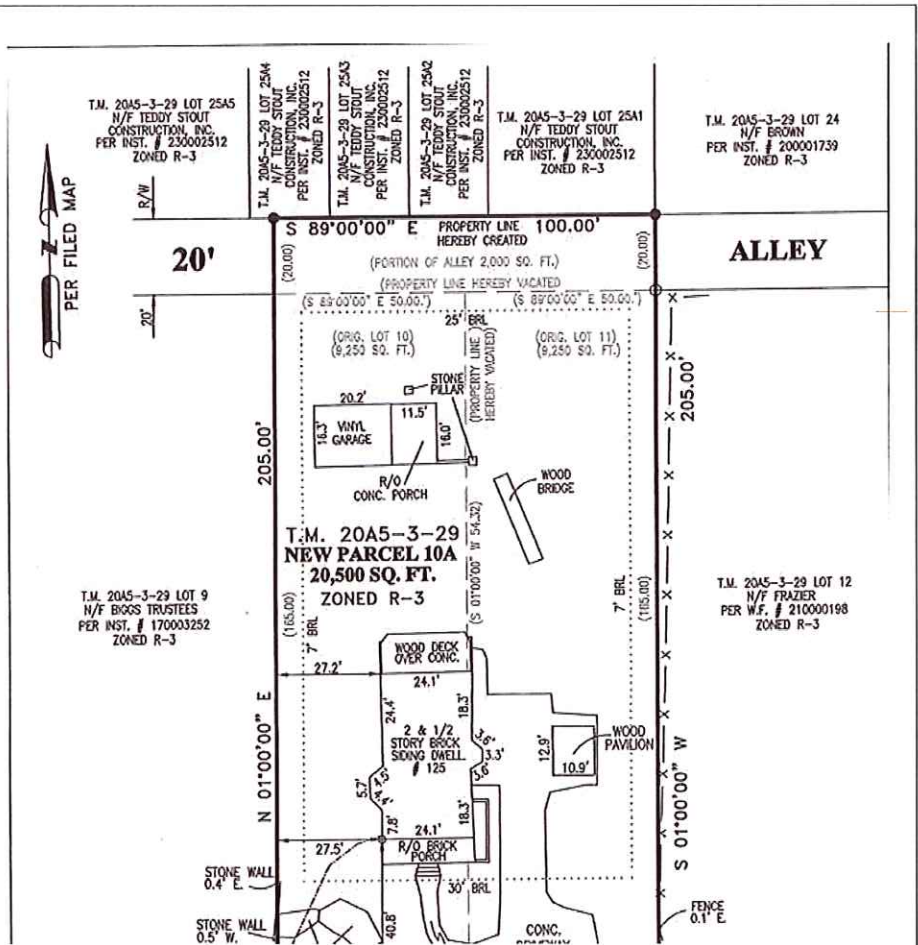
ORIG. AREA LOT 10	9,250 SQ. FT.
+ORIG. AREA LOT 11	9,250 SQ. FT.
+PORTION OF ALLEY	2,000 SQ. FT.
AREA NEW LOT 10A	20,500 SQ. FT.



PREPARED BY:
BROGAN LAND SURVEYING, PLC
P.O. BOX 1578
FRONT ROYAL, VA. 22630-0034
TEL. & FAX (540) 635-5657
OCTOBER 11, 2023

Alley Vacation Request 2300787, 125 W. 8th Street

Request	The applicant is requesting to vacate a portion (2,000 SF) of the alley behind 125 W. 8 th Street to be used as an additional buffer from the construction of five (5) townhouses. If approved, the applicant will move forward with a lot consolidation.
Background Information	Several of the parcels adjoining the Town's undeveloped alley are being redeveloped with Townhomes. The Townhouse construction project is by-right, no legislative approvals are required. The applicant would like the opportunity to purchase the land behind their property to have an additional buffer from neighboring development.
Public Works Comments	Public Works has checked the requested area to be vacated, since there are no existing utilities in this area, Public Works has no comments or concerns regarding this request. 4/10/24
Energy Services Comments	No concerns from the Department of Energy Services. 12/21/23
Planning Comments	



The area requested for closure is located in the center of the Towns alley. This closure if granted would restrict access to parcels located to the west of the applicant's property.

Staff
Recommendation

There are no potential utility impacts beyond losing the use of the alley for future installation. The Town has no utilities in the alley currently. Planning staff recommends the closure of the entire alley if a vacation is considered not just the middle portion.

PER FILED MAP

T.M. 20A5-3-29 LOT 25A5
N/F TEDDY STOUT
CONSTRUCTION, INC.
PER INST. # 230002512
ZONED R-3

T.M. 20A5-3-29 LOT 25A4
N/F TEDDY STOUT
CONSTRUCTION, INC.
PER INST. # 230002512
ZONED R-3

T.M. 20A5-3-29 LOT 25A3
N/F TEDDY STOUT
CONSTRUCTION, INC.
PER INST. # 230002512
ZONED R-3

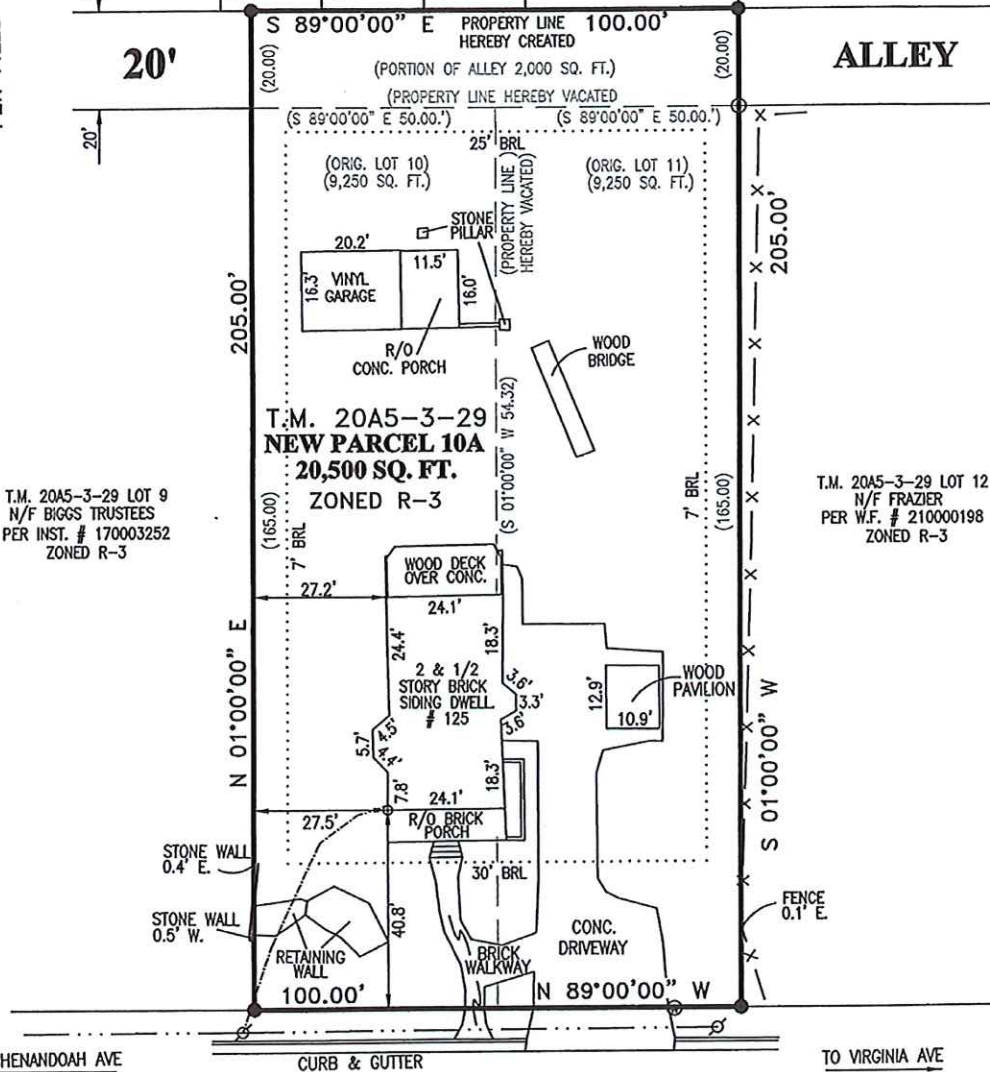
T.M. 20A5-3-29 LOT 25A2
N/F TEDDY STOUT
CONSTRUCTION, INC.
PER INST. # 230002512
ZONED R-3

T.M. 20A5-3-29 LOT 25A1
N/F TEDDY STOUT
CONSTRUCTION, INC.
PER INST. # 230002512
ZONED R-3

T.M. 20A5-3-29 LOT 24
N/F BROWN
PER INST. # 200001739
ZONED R-3

T.M. 20A5-3-29 LOT 9
N/F BIGGS TRUSTEES
PER INST. # 170003252
ZONED R-3

T.M. 20A5-3-29 LOT 12
N/F FRAZIER
PER W.F. # 210000198
ZONED R-3

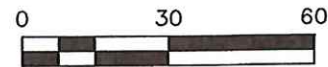


TO N. SHENANDOAH AVE

CURB & GUTTER

TO VIRGINIA AVE

W. 8TH ST.
50' WIDE R/W



SCALE 1" = 30'

- ⊗ DENOTES WATER METER.
- DENOTES PIN FOUND.
- DENOTES PIN SET.
- ⊕ DENOTES UTILITY POLE.
- · — · — DENOTES OVERHEAD WIRES.
- · — · — DENOTES APPROXIMATE UNDERGROUND WIRE.
- X — DENOTES CHAIN LINK FENCE.

NO TITLE REPORT WAS FURNISHED TO THIS OFFICE.
SUBJECT TO ANY AND ALL EASEMENTS OF RECORD.

DERIVATION OF TITLE TO: MICHAEL D. AND JANE M. MCCOOL
PER INSTRUMENT # 980002180.
OWNER ADDRESS: 125 W. 8TH ST., FRONT ROYAL, VA. 22630.

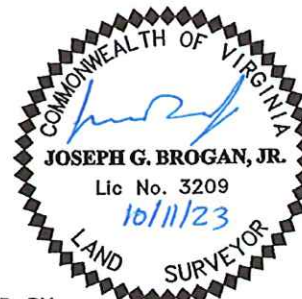
PLAT REF: DEED BOOK S PAGE 300.
SUBJECT PARCEL SITUATED OUTSIDE
THE LIMITS OF THE FEMA FLOOD ZONE.

BOUNDARY LINE ADJUSTMENT BETWEEN LOT 10,
LOT 11, AND A PORTION OF AN UNIMPROVED 20'
WIDE ALLEY PER PLAT OF THE FRONT ROYAL
AND RIVERTON IMPROVEMENT COMPANY

NORTH RIVER MAGISTERIAL DISTRICT

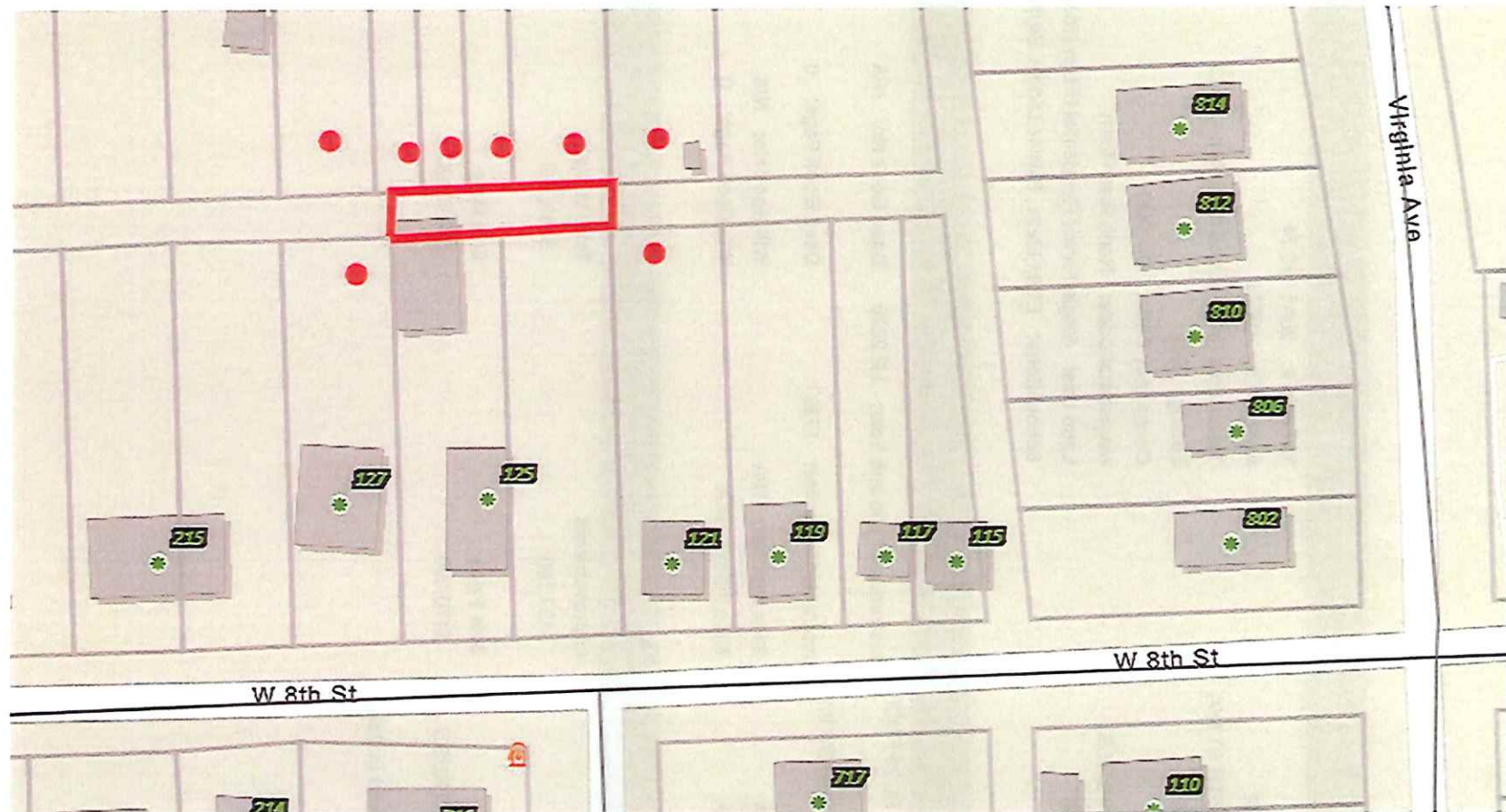
TOWN OF FRONT ROYAL

WARREN COUNTY, VA.



PREPARED BY:
BROGAN LAND SURVEYING, PLC
P.O. BOX 1578
FRONT ROYAL, VA. 22630-0034
TEL. & FAX (540) 635-5657
OCTOBER 11, 2023

2300787 – PORTION OF ALLEY VACATION – MIKE MC COOL – 124 W. 8TH STREET





122 W 9TH ST

Property Details

Current Owner

Name: BROWN HEATHER

Mailing Address: 122 W 9TH ST N/A
FRONT ROYAL, VA 22630

Physical Address: 122 W 9TH ST
FRONT ROYAL, VA 22630

Tax Map #: 20A5 329 24

Account #: 10574

Total Acres (Includes all Sublots): .2123

Zoning: R-3

Occupancy Code: Dwelling

Magisterial Code: North River-Town

Land Use: Single-Family Residential Urban (Town)

School Zone: EWM Elem., Skyline Middle, Skyline High

Legal Repository

Legal Description: L 24 BL 29 FRONT
ROYAL

Instrument Type and Year: LR 2020

Deed Book No: N/A

Legal Description 2: RIVERTON IMP
CO

Instrument Number: 1739

Deed Book Page: 0

Legal Description 3: N/A

Slide Number: N/A

Will Book No: N/A

Legal Description 4: N/A

Slide Index: N/A

Will Book Page: 0

Valuation & Sales

Land	Improvements	Total Value
\$46,000	\$137,700	\$183,700

Grantor	Sale Price	Sale Date
WHEATON FAMILY REV TRUST/	\$170,000	3/20/2020

Number of Parcels Involved In Sale

1



0 W 9TH ST

Property Details

Current Owner

Name: TEDDY STOUT CONSTRUCTION INC

Mailing Address: PO BOX 1489 N/A
FRONT ROYAL, VA 22630

Physical Address: 0 W 9TH ST
FRONT ROYAL, VA 22630

Tax Map #: 20A5 329 25A4

Account #: 33542

Total Acres (Includes all Sublots): .089

Zoning: R-3

Occupancy Code: Vacant Land

Magisterial Code: North River-Town

Land Use: Single-Family Residential Urban (Town)

School Zone: EWM Elem., Skyline Middle, Skyline High

Legal Repository

Legal Description: L 25A4 BL 29
FRONT ROYAL

Instrument Type and Year: LR 2023

Deed Book No: N/A

Legal Description 2: RIVERTON IMP
CO MINOR

Instrument Number: 2512

Deed Book Page: 0

Legal Description 3: SUBDIV LR23-
3839

Slide Number: N/A

Will Book No: N/A

Legal Description 4: N/A

Slide Index: N/A

Will Book Page: 0

Valuation & Sales

Land

\$28,800

Improvements

N/A

Total Value

\$28,800

Grantor

N/A

Sale Price

N/A

Sale Date

9/1/2023

Number of Parcels Involved In Sale

N/A



127 W 8TH ST

Property Details

Current Owner	Tax Map #: 20A5 329 9
Name: BIGGS WILLIAM M & RINER-BIGGS	Account #: 10560
Mailing Address: 500 E MAIN ST N/A FRONT ROYAL, VA 22630	Total Acres (Includes all Sublots): .2123
	Zoning: R-3
	Occupancy Code: Dwelling
Physical Address: 127 W 8TH ST FRONT ROYAL, VA 22630	Magisterial Code: Shenandoah-Town
	Land Use: Multi-Family Residential
	School Zone: EWM Elem., Skyline Middle, Skyline High

Legal Repository

Legal Description: 127 W 8TH ST	Instrument Type and Year: LR 2017	Deed Book No: N/A
Legal Description 2: L9 BL 29 FRONT ROYAL	Instrument Number: 3252	Deed Book Page: 0
Legal Description 3: RIVERTON IMP CO	Slide Number: N/A	Will Book No: N/A
Legal Description 4: N/A	Slide Index: N/A	Will Book Page: 0

Valuation & Sales

Land	Improvements	Total Value
\$51,800	\$262,500	\$314,300
Grantor	Sale Price	Sale Date
BIGGS WILLIAM M	N/A	6/21/2017

Number of Parcels Involved In Sale

2



125 W 8TH ST

Property Details

Current Owner

Name: MCCOOL MICHAEL D & JANE M

Mailing Address: 125 W 8TH ST N/A
FRONT ROYAL, VA 22630

Physical Address: 125 W 8TH ST
FRONT ROYAL, VA 22630

Tax Map #: 20A5 329 10

Account #: 10561

Total Acres (Includes all Sublots): .42

Zoning: R-3

Occupancy Code: Dwelling

Magisterial Code: Shenandoah-Town

Land Use: Single-Family Residential Urban (Town)

School Zone: EWM Elem., Skyline Middle, Skyline High

Legal Repository

Legal Description: L10 & L11 BL 29
FRONT

Instrument Type and Year: LR 1998

Deed Book No: N/A

Legal Description 2: ROYAL
RIVERTON IMP CO

Instrument Number: 2180

Deed Book Page: 0

Legal Description 3: L 10 & 11 COMB
BY BLDG

Slide Number: N/A

Will Book No: N/A

Legal Description 4: PERMIT

Slide Index: N/A

Will Book Page: 0

Valuation & Sales

Land	Improvements	Total Value
\$69,000	\$471,600	\$540,600

Grantor	Sale Price	Sale Date
N/A	\$26,000	4/14/1998

Number of Parcels Involved in Sale

2



121 W 8TH ST

Property Details

Current Owner

Name: FRAZIER KELLI ELIZABETH
Mailing Address: 121 W 8TH ST N/A
FRONT ROYAL, VA 22630

Physical Address: 121 W 8TH ST
FRONT ROYAL, VA 22630

Tax Map #: 20A5 329 12

Account #: 10563

Total Acres (Includes all Sublots): .2123

Zoning: R-3

Occupancy Code: Dwelling

Magisterial Code: Shenandoah-Town

Land Use: Single-Family Residential Urban (Town)

School Zone: EWM Elem., Skyline Middle, Skyline High

Legal Repository

Legal Description: L 12 BL 29 FRONT
ROYAL

Instrument Type and Year: WF 2021

Deed Book No: N/A

Legal Description 2: RIVERTON IMP
CO

Instrument Number: 198

Deed Book Page: 0

Legal Description 3: N/A

Slide Number: N/A

Will Book No: N/A

Legal Description 4: N/A

Slide Index: N/A

Will Book Page: 0

Valuation & Sales

Land

\$40,300

Improvements

\$186,300

Total Value

\$226,600

Grantor

HESSON COLLEEN E

Sale Price

N/A

Sale Date

11/19/2021

Number of Parcels Involved In Sale

1

Vacation of Alley's, Streets and Right-of-Ways (Mc Cool #2300787)

Tax Map ID	Acres	Square Footage	Land Value	Price per square foot
20A5-3-29-5	0.4565	19,885.14 \$	51,800.00 \$	2.605
20A5-3-29-7 & 20A5-3-29-8	0.4246	18,495.58 \$	51,800.00 \$	2.801
20A5-3-29-9	0.2123	9,247.79 \$	51,800.00 \$	5.601
20A5-3-29-10 & 20A5-3-29-11	0.4200	18,295.20 \$	69,800.00 \$	3.815
20A5-3-29-12	0.2123	9,247.79 \$	40,300.00 \$	4.358
20A5-3-29-13	0.2123	9,247.79 \$	40,300.00 \$	4.358
20A5-3-29-14A	0.1359	5,919.80 \$	34,500.00 \$	5.828
20A5-3-29-14	0.1359	5,919.80 \$	34,500.00 \$	5.828
20A5-3-29-23	0.3613	15,738.23 \$	51,800.00 \$	3.291
20A5-3-29-24	0.2123	9,247.79 \$	46,000.00 \$	4.974
20A5-3-29-25A1	0.1860	8,102.16 \$	40,300.00 \$	4.974
20A5-3-29-25A2	0.0890	3,876.84 \$	28,800.00 \$	7.429
20A5-3-29-25A3	0.0890	3,876.84 \$	28,800.00 \$	7.429
20A5-3-29-25A4	0.0890	3,876.84 \$	28,800.00 \$	7.429
20A5-3-29-25A5	0.1860	8,102.16 \$	40,300.00 \$	4.974
20A5-3-29-28 & 20A5-3-29-29	0.4246	18,495.58 \$	51,800.00 \$	2.801
20A5-3-29-30 & 20A5-3-29-31	0.4240	18,469.44 \$	51,800.00 \$	2.805
TOTAL		186,044.76 \$	743,200.00 \$	3.995
Portion of Area Requested	0.0459	2,000.00 \$	7,990.00 \$	3.995



CLOSED MEETING AGENDA STATEMENT

Meeting Date: August 12, 2024

Item# 06

MOTION ON TO GO INTO CLOSED MEETING

[to be approved by affirmative recorded vote, with motion set forth in detail in the minutes]

I move 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 FRWCEDA loan defaults and,
- 2) 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 and Town Attorney.

Motion to Certify Closed Meeting at its Conclusion

[At the conclusion of the Closed Meeting, immediately re-convene in open meeting and take a roll call vote on the following:]

I move 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.

Moved _____ Seconded _____

VM Sealock _____ Ingram _____ Morris _____ Rappaport _____ DeDomenico-Payne _____ Wood _____