



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 Audrey Veitenthal

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

ABSENT DURING ROLL CALL: Councilman H. Bruce Rappaport (entered meeting at 7:09pm)

OTHERS PRESENT: Clerk of Council Tina L. Presley
Town Manager Joseph E. Waltz
Town Attorney George M. Sonnett, Jr.

APPROVAL OF MINUTES – *Councilman Ingram moved seconded by Councilwoman DeDomenico-Payne that Council approve the 2024 Council Meeting minutes of August 26th Regular Meeting, September 3rd Work Session and September 9th Work Session, as presented.*

Vote: Yes – Councilmembers Sealock, Ingram, DeDomenico-Payne, Wood
No – N/A
Absent – Councilman Rappaport
Abstain – Councilwoman Morris (she was not in attendance at one of the meetings)

ROLL CALL

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

Councilwoman Morris moved seconded by Councilman Ingram that Items #7 and #8 be switched so that the number of people in attendance to speak under Public Comment could be heard first.

Vote: Yes – Councilmembers Sealock, Ingram, Morris, DeDomenico-Payne, Wood
No – N/A
Absent – Councilman Rappaport
Abstain – N/A

ROLL CALL

Councilman Rappaport entered the meeting at 7:09pm.

RECOGNITIONS/AWARDS/REPORTS

Recognition of Police Officers Scott Baker and Benjamin Baker from the Chief of Police – Police Chief Kahle Magalis recognized the promotion of Scott Baker to Corporal and that Benjamin Baker was released from field training to regular duty. The Mayor, Council and those in attendance congratulated them.

Certificate of Achievement for Excellence in Financial Reporting to the Finance Department – Mayor Cockrell read the letter from the Government Finance Officers Association notifying the Town of its Certificate of Achievement and the award of Financial Reporting Achievement to the Finance Director BJ



Wilson and his department. The Mayor, Council and those in attendance congratulated Mr. Wilson and his staff on a job well done.

PUBLIC COMMENTS NOT RELATED TO PUBLIC HEARINGS

Melanie Salins, 95 Murrays Drive, Middletown, spoke about the various healthcare needs in the community comparing what the former Warren Memorial Hospital offered to what the current hospital offers specifically focusing on no intensive care unit or maternity care, and the consequences the community has suffered the last six years without these services. She expressed the importance of the Council to pass the resolution requesting additional healthcare providers and services in the community.

Jennelle Embry, 1324 Old Winchester Pike, urged Council to take the existence of vape shops in the community seriously. Earlier in the day, she sent the Mayor and Council various documents on an ordinance from Smithfield, Virginia that required special use permits for vape shops and encouraged them to read through the ordinance to assist them in deciding on an ordinance for the community.

Roger Hamilton, Town Resident, referenced vape shops and stated, *"we could do better"*.

Candy Brookman, Town Resident, referenced vape shops and stated, *"it would make the Town better"*.

Cameron Williams, 1117 Kesler Road, felt that the community was being deprived of high-quality healthcare and needed options specifically women and children. He encouraged Council to pass the resolution requesting additional healthcare providers and services in the community.

Matthew Perdie, 138 Trent Trail Court, felt the community did not have a quality maternity center and traveling to Winchester was unacceptable. He urged Council to focus on making mothers and their babies matter by passing the resolution requesting additional healthcare providers and services in the community.

Anne Miranda, 507 Apple Orchard Drive, urged Council to pass the resolution requesting additional healthcare providers and services in the community.

Katie Blair, address unknown, explained the difference between her vape shop and other vape shops in the community specifically noting that she did not sell tobacco products but provided education to those who wanted to quit smoking. She encouraged Council to put an end to tobacco stores to protect the youth.

PUBLIC HEARING

A. A Proposed Ordinance to Amend and Re-enact Chapter 85 of the Town Code Pertaining to Garbage, Rubbish, Refuse and Solid Waste Management

Mayor Cockrell opened the public hearing. Since there were no speakers closed the public hearing.

Councilman Ingram moved seconded by Councilman Rappaport that Council adopt an ordinance to amend and re-enact Front Royal Town Code Chapter 85, Garbage, Rubbish, Refuse and Solid Waste Management as presented.

Councilman Ingram noted that Council received a lot of information before considering amending the ordinance.



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Councilwoman Morris advised that the ordinance amendment was discussed prior to the County of Warren increasing tipping fees that affected all citizens of Front Royal and Warren County.

Mayor Cockrell noted that the ordinance allowed residents on private roads the choice to take their solid waste to the road, hire a private hauler or take it directly to the Transfer Station themselves.

Councilman Rappaport stated that the ordinance would allow the Town to save money in the long run.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

B. A Proposed Ordinance Adopting and Enacting a Republished Code for the Town of Front Royal, Virginia

Mayor Cockrell opened the public hearing. Since there were no speakers closed the public hearing.

Councilwoman Morris moved seconded by Vice Mayor Sealock that Council adopt an ordinance enacting a republished Town Code for the Town of Front Royal as presented.

Councilman Rappaport stated that the new Town Code made it easier for the public to find what they were looking for. Mayor Cockrell agreed and thanked Clerk of Council Tina Presley for her hard work

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

C. A Proposed Ordinance to Amend Town Code Chapter 1 and Repeal Chapter 43 and Chapter 180

Mayor Cockrell opened the public hearing. Since there were no speakers closed the public hearing.

Councilman Rappaport moved seconded by Councilman Wood that Council adopt an ordinance to amend and re-enact Front Royal Code Chapter 1, General Provisions and to repeal Chapter 43, Air Pollution and Chapter 180 Franchise Agreements as presented.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

REPORTS

A. Town Manager Report – Mr. Waltz advised that the new Town of Front Royal Citizens Academy had their first meeting last week and that work had been scheduled for the traffic signal at South Street and Commerce Avenue. He thanked Chief Magalis on his upcoming retirement and his commitment to the community and invited everyone to wish him well on October 24th at the Front Royal Volunteer Fire & Rescue Department located on Commerce Avenue.



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B. Town Council Reports

Councilwoman DeDomenico-Payne attended the Warren Heritage Society's Open House.

Councilman Wood advised of St. Luke Clinic's upcoming fundraiser. He congratulated Samuels Public Library on being awarded 2024 *Virginia Library of the Year* and advised that early voting had begun.

Vice Mayor Sealock thanked Chief Magalis for his service and congratulated him on his retirement.

Councilwoman Morris noted that she was not in attendance at the last regular council meeting and therefore was not able to participate in voting on the items included on that agenda. She expressed disappointment that Council did not extend a courtesy to keep a public hearing open so that all of Council could be in attendance to vote. Ms. Morris continued that during the same meeting she was disappointed to hear that Valley Health executives were claiming to be victims and voiced her appreciation to all the daily hard-working employees of Valley Health noting she never attacked the employees. She voiced appreciation to those from the public who spoke and agreed that there was a need for additional healthcare providers and services in the community. She concluded by thanking Chief Magalis for his service and dedication to the community, congratulating him on his retirement.

Councilman Ingram gave an update on the Transportation Subcommittee Meeting and congratulated Chief Magalis on his retirement.

Councilman Rappaport apologized for being late to the meeting. He attended the Rotary of Warren County's *Boots and Bourbon* event that benefited Blue Ridge Opportunities. He congratulated Chief Magalis on his retirement. He advised that he read an article under the JAMA Health Forum, "*Rural Hospital Administrators' Beliefs About Safety, Financial Viability, and Community Need for Offering Obstetric Care*" authored by Kate Kozhimannil, PhD, MPA and others that focused on the importance of rural obstetric unit closures and the declining access to obstetric care being a concern in rural communities.

C. Report of the Mayor – Mayor Cockrell attended the first Town of Front Royal Citizens Academy, the Warren County Youth Cheerleading Association's Duck Race, the ARC of Warren County's 3rd Annual "*Navigating the Maze*". She advised of the upcoming Warren Coalition's Kid's Day. She concluded by stating that while door-knocking she heard a lot of good stories about Town Employees and expressed her pride in them.

CONSENT AGENDA ITEMS

Councilwoman Morris moved seconded by Councilman Wood that Council approve the consent agenda as presented

A. Bid Award for De-Icing Road Salt

Council approved the bid award for de-icing road salt to Morton Salt, Inc., at \$88.20 per ton.

B. Bid Award for Water and Wastewater Treatment Chemicals

Council approved the following water and wastewater treatment chemicals at firm fixed pricing as follows:
Chemrite Inc., Buford, GA: Sodium Permanganate \$778.45 / drum; Univar Solutions USA, Inc., Morrisville, PA: (Polyaluminum Hydroxy, Chlorosulfate, DelPAC 2020 - \$2.75 / ga); Sodium Hypochlorite - \$2.23 / gal; Carbon (Aqua Nuchar) - \$1,940 / ton; Sodium Fluoride - \$3,301.54 / ton; Potassium Permanganate, Tech Grade - \$4,920.00 / ton; Momar, Inc., Atlanta, GA: Glycerin - \$2.28 / gal; USALCO, Baltimore, MD: DELPAC-XG - \$4.75 / gal



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C. Bid Award for Various Types of Stone

Council approved a bid from Carmeuse Americas and Carmeuse Lime & Stone, for various types of stone for the streets, water and sewer maintenance departments for FY25 for an estimated annual amount of \$65,150.00.

D. Request from Salvation Army to Waive the SUP Application Fee for Proposed Mural at 296 South Street
Identifying that the Salvation Army is a tax exempt, nonprofit organization, Council approved the waiver of the \$400.00 Special Use Permit (SUP) application fee required for a new mural proposed for the Salvation Army Family Store located at 296 South Street.

E. DMV Matching Grant for Police Department and FY24 Budget Amendment

Council approved the Division of Motor Vehicles (DMV) matching grant funds for specific enforcement of speed and impaired driving for overtime costs associated with the selective enforcement efforts in the amount of \$37,798 (Police Traffic Services/Speed Enforcement: \$20,198 and Alcohol Enforcement: \$17,600) and further approved a FY 24 budget amendment in the amount of \$ 37,798.

Councilwoman Morris stated that the Salvation Army had done a lot of good in the community and their waiver was well deserved.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

BUSINESS ITEMS

A. Resolution to Cancel October 15th and November 4th Regular Work Sessions

Councilman Wood moved seconded by Vice Mayor Sealock that Council approve a Resolution to cancel the October 15th and November 4th Regular Work Session meetings.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

B. Resolution Requesting Additional Healthcare Providers and Services for the Town of Front Royal and Warren County

Councilwoman Morris moved seconded by Vice Mayor Sealock that Council approve a Resolution requesting additional healthcare providers and services for the Town of Front Royal and Warren County as presented.

Mayor Cockrell read the Resolution. Councilwoman Morris felt adequate services would be welcomed in the community and expressed the importance of knowing that obstetrics and gynecology care provides regular preventive care to all women.

Councilwoman DeDomenico-Payne explained the importance of listening to not only data and statistics, but real-life experiences, noting it was not just about maternity care but various health situations concluding that there was nothing wrong with options. Mayor Cockrell noted the importance of taking care of needs locally with the hope that other providers would expand into Front Royal and Warren County.



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Councilman Rappaport stated that residents were looking for "full service" in the community similar to what it was before.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

C. Resolution Calling for the Dissolution of the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia and the Appointment of a Receiver

Councilwoman Morris moved seconded by Councilman Ingram that Council approve a Resolution calling for the Dissolution of the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia and the Appointment of a Receiver as presented.

Councilwoman Morris stated that this issue was written about in various local news outlets.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

D. Board of Architectural Review (BAR) Appeal – Certificate of Appropriateness (COA) for 240 Blue Ridge Avenue – Teddy Stout Construction, Inc.

Director of Planning Lauren Kopishke gave Council a presentation that included: Background; how it was relevant to Town Code Sections 175-89.A and 175-91; and the applicant's proposed structure that included vinyl siding, asphalt shingle roof, decorative siding in the gable, bay window, metal roof on portico and setbacks. She advised Council that there were two parking spaces for each duplex and that there were regulations for setbacks. Council had other questions that were advised by Town Attorney George Sonnett to ask of the applicant. He also reminded Council to only ask questions specific to the appeal, noting that there would be time to discuss the matter thoroughly at the next meeting.

Colin Waters, Chairman of the BAR read a prepared statement: *The BAR's decision to deny the application for 240 Blue Ridge Ave was not made lightly. In its current state, we understand that the existing structure is a safety hazard and a constant reminder of the tragedy that occurred and needs to be remedied as soon as possible. The BAR also understands that rebuilding such a home, or anything to a similar standard of craftsmanship today, would be costly, time-consuming, and potentially, financially fruitless. The BAR members unanimously voted to deny the application because the proposed design was conceived without the compatibility of the historic district in mind. We concluded that the "copy and paste" approach, that is, building what sells rather than what fits, runs counter to the BAR's vision for the historic district. While the applicant offered several potential concessions and alterations, these amounted to little more than camouflage to mask the design's unsuitability for the historic district, a point that the Secretary of the Interiors Standards made clear, is one to avoid. The proposed design is meant to be built quickly and within a specific budget. The materials are selected based on cost, ease of installation, and future maintenance. From a developer's perspective, we can agree that this makes perfect sense. As the applicant noted in our meeting, it's what sells. The question that the BAR is confronted with is, How does this design, one that we can see many examples of elsewhere, contribute to the historic district? Does it add to or subtract from the charm and character of the neighborhood? This challenging and subjective question represents the basis of all the BAR's decisions. We also looked at the scale and setback of the proposed design. In addition to the design's front facade being wider than the typical home on the street, the front facade was setback significantly farther than the original home and nearly all other homes along the street. This issue seriously disrupts the flow and continuity of the streetscape. We accept that this setback issue is out of the applicant's control as they must meet requirements for the town code, which enforces a minimum setback and off-street parking requirement that directly conflicts with the compatibility of new*



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construction within the historic district. Personally, I see our decision to deny this application as a failure. Not because I think we made the wrong judgment but because our process, or more specifically, lack of a process, led to this outcome. Currently, the BAR lacks a straightforward, proactive process to guide applicants and, in turn, our decisions for new construction within the historic district. This was painfully obvious for all present at our last meeting, which resulted in little more than a frustrating, circular argument. Resolving this issue and crafting updated guidelines are top priorities for the BAR moving forward.

Mr. Waters explained to Council that updated processes/guidelines would assist applicants and guide the construction process more effectively. Ms. Kopishke advised that there was a process for the BAR in place, however it was 10 years old and needed updating.

Applicant Daryl Stout advised Council that there were very few new constructions in the historic district, noting that building a Victorian style house was not common and very expensive to construct. She expressed her desire to keep the historical look of the townhomes through scalloped edges, metal roofs and limestone foundations, noting that 50% of the homes on Blue Ridge Avenue were vinyl siding and shingled roofs with there being no consistency. She expressed frustration that the BAR meeting accomplished nothing, explaining that was why she was before Council tonight. She agreed with the Chairman that there were not enough guidelines in place for new construction. The Mayor suggested that Council go through staff with their questions before the next meeting.

CLOSED MEETING

Councilwoman Morris 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 purposes and that Council consider taking action on these matters in open session: 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 Town Attorney.

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 Councilman Wood that Council certify that to the best of each member's knowledge, as recognized by each Council member's affirmative vote, that only such public business matters lawfully exempted from Open Meeting requirements under the Virginia Freedom of Information Act as were identified in the motion by which the Closed Meeting was convened were heard, discussed or considered in the Closed Meeting by Council, and that the vote of each individual member of Council be taken by roll call and recorded and included in the minutes of the meeting of Town Council.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

The meeting adjourned at approximately 9:30pm.

Approved by Town Council

Date: 10/28/24