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 FOR ROLL CALL: Councilwoman Amber F. Morris (entered meeting at 7:21pm)

OTHERS PRESENT: Town Manager Joseph E. Waltz
Assistant Town Attorney Amanda M. Wisely
Clerk of Council Tina L. Presley
Various members of the staff and public
ABSENT: Town Attorney George M. Sonnett, Jr.

Retail Strategies Presentation (Virtual) – Director of Community Development/Tourism Lizi Lewis introduced Sarah Beth Stewart, Retail Strategies Vice President of Community Partnerships who gave a virtual presentation. She began with a brief background of herself and the company explaining how Retail Strategies assisted communities find retailers that fit their community. She touched on the needs and goals of the community that would be reviewed along with any challenges to overcome through data and analytics. She stressed the importance of how Front Royal was seen by retailers, advising that Retail Strategies would review customized trade areas, gap analysis and real estate analysis to include retail real estate and property mapping. The deliverables included a market analysis, retail recruitment plan and marketing guide with prospects and site criteria.

Council questioned the success based on a population base under 16,000 and distance away from an interstate. Mrs. Stewart advised that retailers were looking at where the data drives them. Town Manager Joe Waltz confirmed that the intent was for the focus to be within the Town limits. Mrs. Stewart agreed and noted that they would be cataloging real estate in the Town and there would be opportunity for input on what the Town wanted.

Councilwoman Morris entered the meeting at 7:21pm

Mr. Waltz advised that the Town had a previous relationship with Retail Strategies, and they recently reached back out to him. He confirmed that the Town could latch onto a cooperative agreement with Stafford County, explaining that it would be a three-year contract at 55,000/year with the option to terminate after the 1st or 2nd year if not satisfied. The first year would be collecting data and inventory of assets. He stressed the importance of having someone recruit retailers such as hotels and grocery stores for the Town. Ms. Lewis stated that Retail Strategies will give the Town an unbiased opinion with fresh eyes while using their expertise to give a finished project. She advised that they would be looking for vacant land as well as existing structures. Mr. Waltz advised that Director of Planning Lauren Kopishke would be involved with some recommendations on what specific property may require. He confirmed that this would be FREDA's first project. It was asked that existing businesses be considered when bringing in other businesses. Council agreed to place under the October 28th consent agenda for approval.

Blue Creek Wind Power Purchase Agreement (PPA) with American Municipal Power (AMP) – Director of Energy Services Carey Saffelle introduced AMP's Assistant Vice President of Power Supply Planning Craig Kleinhenz. Mr. Kleinhenz gave Council a presentation that included - Front Royal 's 2025 Energy Sources; Recommendation for the purchase of Blue Creek Wind PPA at 6.0MW noting the final price would be December 2024; Forward Energy Market Prices Average of 2025 through 2028; Overall Portfolio of Front Royal Energy Supply; Transmission and Installed Capacity; Delivery of Power noting 75% energy, 10% transmission and 15% installed capacity; Transmission Charge Impact to Overall Rates; and Front Royal Annual Power Rates noting a possible one cent increase. Mr. Kleinhenz explained the purchase of Blue Creek Wind Power previously and why it was being purchased again. He advised that with the retirement of some plants, new ones have not been cleared yet and data centers are coming in affecting the capacity. Mr. Kleinhenz explained the different purchases and the ones phasing out. Council agreed to move to the October 28th agenda as a Business Item.

New Business

A. Purchase and Bid Awards – Purchasing Manager Michelle Campbell gave an update on the following:

1. Two Stainless Steel Dump Bed Bodies with Hoists and Hydraulic Systems – It was confirmed that the cooperative procurement was checked first by Fleet Maintenance. Director of Finance BJ Wilson explained that vehicles were purchased off state contract, and it was cheaper for the Town to purchase items separately for industrial vehicles. Council agreed to add to the October 28th consent agenda.

2. Replacement Police Department Patrol Vehicles – It was confirmed that the Town's Fleet Maintenance did the outfitting of the vehicles and that there were approximately 100,000 to 110,000 miles on each of the older vehicles. Mr. Wilson explained that the older vehicles would be used within the other departments first then auctioned when the time came. Council agreed to add to the October 28th consent agenda.

3. Various Grades of Asphalt FY25 – It was confirmed that the product would be produced locally and in Winchester. Council agreed to add to the October 28th consent agenda.

B. FY25 Budget Amendment for Internet Crimes Against Children Funds – Mr. Wilson explained that the funds were for the purchase of technology equipment in the investigations division. Council agreed to add to the October 28th consent agenda.

C. Proposal Acceptance from Stantec for Comprehensive Water & Wastewater Utility Cost of Service Fee and Rate Schedule – Mr. Wilson advised that the study was performed every five years with the last one in 2019 and an update in 2021 due to receiving ARPA funds. He explained that the sewer was decreased at that time with the water remaining the same. He proposed to have the figures from Stantec before the proposed budget in February 2025. He confirmed that the funds would come from each of the water and sewer funds and the contract would be reviewed by legal. Council agreed to add to the October 28th consent agenda.

D. Rezoning Application to Reclassify Land on Strasburg Road from C-1 to R-3 – Karen Alexander – Director of Planning Lauren Kopishke gave a presentation explaining how the lots were rezoned from R-2 to C-1 in 1980 and that Ms. Alexander was requesting they be rezoned/reclassified from C-1 to R-3. She showed the area of the request as well as the need to amend the Comprehensive Plan if the rezoning were approved. Council agreed to advertise for a public hearing on October 28th.

E. Special Use Permit (SUP) for a Mural at 296 South Street – Salvation Army – Ms. Kopishke gave a presentation explaining that the proposed artistic mural was triggering the SUP because it was over 60 square feet. She confirmed that there would be no deviation from the mural shown in the packet. Council agreed to advertise for a public hearing on October 28th.

F. Request for Town Public Water and Sewer in the Corridor for Industrial Use – Town Manager Joe Waltz advised that he has received four out-of-town utility connections in the corridor for industrial use and two of those requests were before Council tonight.

1. Plien-Smith LLC (Baugh Drive LLC) – Mr. Waltz advised that this request was for a contractor storage yard and landscaping service employing 72 people and estimating the use of 611 gallons of water per day. Mr. Waltz explained that applications were reviewed and evaluated based on usage, noting that another user would have to apply and be evaluated. He also explained the size of the pipe determined what could be pulled from the system. He advised that he needed to review with legal to confirm whether the agreement with the applicant would be transferable to another. Council agreed to add to the October 28th agenda under Business Items once legal has reviewed.

2. Rushmark Rockland Road LLC – Mr. Waltz advised that this request was for a warehouse and distribution center employing 136 people and estimating the use of 675 gallons of water per day.

Mr. Waltz confirmed that there were challenges at the Riverton Pump Station, but the two requests would have minimal impact on the system. Director of Public Works Robert Boyer advised that the Town lost a large user two years ago, which has helped the current situation. It was confirmed that the two requests would pay double fees, including fire suppression, with the plans showing normal bathrooms and a breakroom, noting a well being installed for the landscaping services on Baugh Drive. Council agreed to add to the October 28th agenda under Business Items once legal has reviewed.

## Old Business

A. Vape Ordinance Discussion – Mayor Cockrell reminded Council that this was discussed last month and since then more information had been presented, therefore prompting the question on how Council wanted to proceed. Council asked whether a moratorium could be placed on opening any new vape shops until an ordinance was adopted. Assistant Town Attorney Amanda Wisely advised that this could not be done since they were by-right uses. There was discussion on getting something approved right away but it was realized that the ordinance was required to go before Planning Commission before final Council approval. Council agreed to refer a proposed vape ordinance to the Planning Commission at the October 28th meeting under Business Items.

B. Liaison Committee Meeting Items – Mayor Cockrell questioned whether Council wanted to add anything else to the agenda beyond the four items already listed. While there was discussion on the regional shooting range it was agreed to leave it on the agenda. Three additional items were added to make the list reflect the following items to be added: 1) Increase in Solid Waste Tipping Fees, 2) Vape Shops, 3) Transportation Subcommittee Update, 4) Regional Shooting Range Facility Update, 5) Town/County/ School Communication, 6) Water Usage Outside Town Limits During Town Water Conservation and 7) Healthcare Resolution Next Steps.

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 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, Board of Architectural Review (BAR); Local Board of Building Code Appeals (LBBCA); Front Royal Economic Development Authority (FREDA) and Advisory Committee For Environmental Sustainability (ACES) and, 2) pursuant to Section 2.2-3711(A)(7) of the Code of Virginia, consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, more specifically, Town of Front Royal v. Front Royal Limited Partnership*

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 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

Adjourned approximately 10:00pm

Approved by Town Council

Date: 10/28/24