



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

ABSENT: 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

Old Business

John Marlow Plaza Sign and Dedication – Director of Community Development/Tourism Lizi Lewis passed out renderings of what was being planned for the installation of a sign. She noted that the sign would be similar to the civil war signs and be stained to match the pavilion. The sign would contain historical information about Mr. Marlow and the Plaza. Council suggested using the quote from Mr. Marlow “*Is it Good for Front Royal?*” Town Manager Joe Waltz advised that this would be a joint in-house effort between Ms. Lewis and the Public Works Department with a spring execution.

New Business

A. Task Order for Additional Dam Evaluation Tasks and To Acquire an Operation/Maintenance Certificate Manager of Purchasing Michelle Campbell advised of the additional tasks and associated costs from Potesta Engineering. Council agreed to add it to the November 25th Consent Agenda.

B. Task Order for the Performance of Sanitary Sewer Flow Monitoring Program for FY2025 – Ms. Campbell advised of the performance and costs of the flow monitoring program. Mr. Waltz stated that this will show how \$2 million was invested in I & I. Council agreed to add to the November 25th Consent Agenda.

C. FY25 Budget Amendment for Helene Storm Recovery Mutual Aid Reimbursement – Director of Finance BJ Wilson explained that a budget amendment was necessary to receive funds from Clinton, SC and Bristol, VA to reimburse the Energy Services Department for costs associated with their labor and equipment while providing assistance during storm recovery efforts. Council agreed to add to the Nov 25th Consent Agenda.

D. FY25 Budget Amendment to Receive Funds from Virginia Risk Sharing Association (VRSA) for Reimbursement of a Pedestrian Project and Camera/GPS System for Solid Waste Department – Mr. Wilson explained that a budget amendment was necessary to receive funds from VRSA. Risk and Safety Coordinator Jose Rivera explained the cameras’ hardware and licensing for five trucks. Council agreed to add to the November 25th Consent Agenda.

E. FY25 Budget Amendment for Outstanding Purchase Orders – Mr. Wilson explained that a budget amendment was necessary to carry forward unpaid balances on purchase orders not completed as of June 30, 2024 and to carry forward to fiscal year 2025. He also asked for Council to consider reallocation of some funds. Due to the amendment being an increase greater than 1% of the original budget the budget



amendment required a public hearing as well as any reallocations. Mr. Wilson pointed out specific transfers and reallocations for Council to consider from the Special Projects, Fleet Maintenance, Tourism, Town Attorney, Planning/Zoning and Public Works. Councilwoman DeDomenico-Payne questioned the waiting period to hear from VDOT regarding the money owed to them. Mr. Wilson advised that it could be anytime and explained an extension was given to the Town during COVID that it would be due in 2025 or 2026. Mr. Wilson explained the benefits of Berry Dunn Software Services and the money shown was for only the consultant. Charles Hutchings explained the line-item SERVICES AT WCPSB 200 SKY, noting it was 9-1-1 related. Council agreed to advertise for a public hearing on December 9th.

F. Proposed Ordinance Amendment to Town Code Section 134-71 Utility Accounts, Deposits, Payments, and Termination of Service and Approval of Utility Disconnection Policy and Procedures - Mr. Wilson explained that this proposed amendment goes back to Virginia legislation effective July 1st explaining that the ordinance lists how to procedurally disconnect utilities for nonpayment. He went over the various changes including the requirement for a policy that will also need to be approved by Town Council. Councilwoman De-Domenico Payne questioned the (4) *delinquent payments during a twelve-month period* as it related to the deposit. Mr. Wilson recommended leaving the wording as is, since it was working. She also questioned "above 92 degrees...." for water. Mr. Wilson advised that it was the Virginia State Code language and he did not know the process behind it. He also stated that two employees in the Finance Department spoke Spanish. Mr. Waltz advised that during the legislative process the Virginia Municipal League (VML) and the Municipal Electrical Power Association of Virginia (MEPAV) lobbied against these changes to no avail, noting that a majority welcomed the change to protect those who could not pay in the dead of winter. He advised that the Town would adapt. It was noted that the amendments were not negotiable. Council agreed to advertise for a public hearing on December 9th.

G. Special Use Permit for Short Term Rental at 132 W. Criser Road – Theresa Roberson – Director of Planning Lauren Kopishke explained that the applicant intended to rent the whole house with three bedrooms and no more than six occupants. She advised that there was adequate parking. It was noted that there were no plans for the applicant to live there. Mayor Cockrell fully disclosed that she knows the owner of the property. Vice Mayor Sealock asked that the emergency number on the application be changed to the Sheriff's Department number since no one would answer the number listed. Council agreed to advertise for a public hearing on December 9th.

H. Special Use Permit to Construct Multi-family Apartments Consisting of Up to 90 Apartments in Two Separate 3-story Buildings on E. Criser Road – Surber Development & Consulting LLC – Ms. Kopishke explained that the request was for a Special Use Permit (SUP) for multi-family apartments because it was in the C-1 District and Council was to decide whether it was an appropriate use for the parcel. She stated that this was not a rezoning and was in line with the Comprehensive Plan. Deputy Zoning Administrator/Planner I John Ware showed renderings of the apartments and how it was in close proximity to the library, elementary school, Happy Creek Trail and Royal Plaza Shopping Center. The entrance would be from Criser Road. He explained that there would be (90) apartments with two separate three-story structures with a maximum of 45 feet. There would be (18) two-bedroom units and (27) three-bedroom units. There would be five fully ADA accessible units per building. Mr. Ware explained the Low-Income Housing Tax Credit and how the prices for half of the apartments would be set by percentage of Warren County's median income (5/30%, 19/50%, 5/60%, 16/80%). Mr. Ware advised that the buildings would be brick with hardy plank with no vinyl siding, noting that this was a well-planned use for the property. He reiterated that the request was only for a SUP for proper use of the property with no rezoning. It was confirmed the apartments were not visible from the road. There was some discussion on the floodplain



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and existing trail. It was mentioned that the applicant was aware of an issue with the elementary school that included an encroachment on their property. Mr. Ware and Ms. Kopishe explained the R-3 zoning was for the entrance only known as split zoning.

Mr. Ware advised that traffic analysis was not required by VDOT for thresholds under 1,000; however, the applicant did one anyway. He showed Council an ITE Trip Generation Summary Table for the estimated vehicle trips. Additional entrances to the property were discussed and explained. There was concern that the property would not be maintained. Mr. Ware advised that property management would receive a violation like anyone else if not properly maintained. The estimated groundbreaking would be 2026. He also confirmed that it was proposed to have management onsite but suggested Council ask the applicant these and other questions at the public hearing for better clarity and confirmation. Council agreed to advertise for a public hearing on December 9th. Council suggested that the PowerPoint shown tonight be included in the December 9th agenda packet.

I. Request for Town Public Water and Sewer in the Corridor for Industrial Use – Town Manager Joe Waltz reminded Council that they approved two industrial water requests at their last meeting. While these requests were similar, he explained there was more water usage being requested. He explained that while a water chart showing where the Town currently was as water users were being approved was achievable, sewer was different since there was no capacity left for sewer. Town Attorney George Sonnett reminded Council of the Andy Guest statue in state code that clearly states that approving one does not mean approval of anyone else. Discussion ensued about water customers outside Town limits and the ability to require conservation during a drought situation. Mr. Sonnet advised that something could be written in the contracts with the industrial users, but the Town could not require the County to adopt an ordinance specific to this situation.

1. Eguus Development LP (Executive Land Holdings IV, LLC) - Bough Drive – Mr. Waltz advised that the request was designated as industrial that required approximately 4,200 gallons of water per day and employee approximately 210 employees.

2. Toray Plastics Inc (TC MidAtlantic Development V Inc.) – Toray Dr (Tax Map 12G, 1-2-5,7,8 A) - Council did not discuss this request.

Council asked Mr. Waltz to gather more information regarding standards as they related to toilets, urinals and sinks as well as a proposed upgrade to Riverton Pump Station and bring back to the December 2nd work session for further discussion.

J. Downtown Front Royal Inc (DFRi) Main Street Sign Request – Mr. Waltz advised that DFRi has requested permission for the installation of a “Downtown Front Royal” sign at the intersection of Main Street and Commerce Avenue. He reminded Council of a sign that was there from 1999 – 2018 but was removed due to maintenance issues. He noted that the new sign would be permanent and not require a lot of maintenance. DFRi was looking for permission so that they could spend the money on a design. There was a consensus for DFRi to proceed. Mr. Waltz advised he would bring back to Council at a later time.

Discussion - FY25 Council Retreat (No Coversheet) – Mayor Cockrell asked Council to select dates for their retreat after the first of the year. After much discussion it was concluded that it would be scheduled for February 11th and February 18th from 6:00p – 9:00p. Mr. Waltz advised that he was exploring a few facilitators, and he would select one that would accommodate their schedule.



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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 Board of Architectural Review (BAR); Board of Zoning Appeals, Local Board of Building Code Appeals (LBBCA); Front Royal Economic Development Authority (FREDA) and Advisory Committee For Environmental Sustainability (ACES), and, 2) pursuant to §2.2-3711(A)(8) of the Code of Virginia, 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, the insolvency and dissolution of the Industrial Development Authority of the Town of Front Royal and the County of Warren, Virginia.

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

No – N/A

Absent – Councilman Wood

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

No – N/A

Absent – Councilman Wood

Abstain – N/A

ROLL CALL

Adjourned approximately 9:25pm

Approved by Town Council

Date: 11/25/24