



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](http://www.frontroyalva.com) for a limited time.

Moment of Silence

Pledge of Allegiance led by Reese Schurtz

ROLL CALL BY CLERK OF COUNCIL

PRESENT: Mayor Lori A. Cockrell  
Vice Mayor R. Wayne Sealock  
Councilman Joshua L. Ingram  
Councilwoman Amber F. Veitenthal  
Councilman H. Bruce Rappaport  
Councilwoman Melissa DeDomenico-Payne  
Councilman Glenn E. Wood

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 Veitenthal that Council approve the 2024 Council Meeting minutes of the November 25<sup>th</sup> Regular Meeting and December 2<sup>nd</sup> Work Session, as presented.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

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

Councilwoman Veitenthal moved seconded by Councilman Rappaport that Council add a Closed Meeting as Item 12 to the agenda.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

#### **RECOGNITIONS/AWARDS/REPORTS**

Recognition of Retirement for Jon J. McDonald, Sr – Mayor Cockrell along with Council presented Mr. McDonald a plaque and wished him a happy retirement.

Recognition of Service on the Advisory Committee for Environmental Sustainability (ACES) for Jeromé Ray – Mayor Cockrell along with Council presented Mr. Ray a certificate and thanked him for his service.

Recognition of Promotion of Sergeant Eric Seuss – Chief Whited introduced Sergeant Eric Seuss and advised of his recent promotion to Sergeant. The Mayor and Council congratulated Sergeant Seuss.

#### **PUBLIC HEARINGS**

Special Use Permit for Short Term Rental at 132 W. Criser Road for Theresa Roberson –

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

Councilman Ingram moved seconded by Councilwoman Veitenthal that Council approve a Special Use Permit (SUP) application submitted by Theresa Roberson to allow a short-term rental at 132 W. Criser Road (Tax Map 20A6-33-B1-1B).



Councilman Wood suggested a moratorium be placed on future short term rental requests until the issue of taxation was finalized. He requested that it be placed on a future work session for further discussion.

Vote: Yes – Councilmembers Sealock, Ingram, Veitenthal, DeDomenico-Payne

No – Councilmembers Rappaport, Wood

Absent – N/A

Abstain – N/A

ROLL CALL

Special Use Permit to Construct Multi-Family Pats on E. Criser Rd for Surber Development & Consulting LLC

Mayor Cockrell allowed Staff to give a presentation. Deputy Zoning Administrator/Town Planner I John Ware showed and explained various sections of the Town Code as it related to uses permitted in the C-1 District and residential apartment/dwelling unit provisions. He specifically noted that the Town Code allowed new apartment buildings in C-1 and R-3 with a special use permit and rezoning was not required. He showed an aerial map of the property along with the ½ and ¼ walkability of the property to various locations including a school, library and shopping center. Mr. Ware continued with how the project aligned with the Town's Comprehensive Plan. He noted that a portion of the property was in the floodplain, however the apartments would be built on the portion that was not in the floodplain. He briefly explained the Low-Income Housing Tax Credit (LIHTC) and the Leadership in Energy and Environmental Design (LEED). Mr. Ware advised that the applicant did more than one Traffic Analysis but was not required to. He stressed that tonight the Council would be voting on what was appropriate for the site, stressing that it was not a rezoning, therefore proffers were not needed. He explained that the site plan was the next step insuring it would come back before Planning Commission and Council at that time.

Council voiced concern on whether there would be a full time property manager on site and lighting at the entrance. The applicant stated that there would be a full-time property manager along with a regional manager and maintenance manager. The lighting for the entrance would be addressed during the site plan phase. There was some discussion on adjacent properties encroaching specifically a portion of Burrell Brooks, Jr. Community Park and the Happy Creek Walking Trail. It was determined that this situation was a private property issue with the owners.

Mayor Cockrell allowed the applicant to speak at this time. Jen Surber gave a handout to Council Rent & Income Limit Calculator and explained LIHTC Income Limits for 2024, LIHTC Rent Limits for 2024 and LIHTC Rent Limits with Utility Allowance Reduction for 2024. She advised that this was based on 2024 Multifamily Tax Subsidy Projects (MTSP) Income Limits noting the various levels (30%, 50%, 60%, 80%, 140%) of people living in apartments and their income levels. Council voiced concern over the rent once it was established. Ms. Suber understood that the rent was locked in once approved to live there noting American Median Income (AMI) was calculated every April and rents are adjusted accordingly. Ms. Suber continued by adding that every unit was universally designed meaning they could be retrofitted to fit someone disabled with no problem. Everything was fully ADA compliant as well as energy efficient on site reiterating the walkability and accessibility of various places adjacent to the apartments.

Mayor Cockrell opened the public hearing.

Matt Wendling, Warren County Planning Director/County Floodplain Manager, advised that he was in support of the recommendation from staff. He explained the County's Urban Development Area's and that the project followed the County's Comprehensive plan. He suggested keeping the walking trails paved and keeping the trash from going into the creek.



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No one else spoke and Mayor Cockrell closed the public hearing.

*Councilman Wood moved seconded by Councilman Rappaport that Council approve a Special Use Permit (SUP) application submitted by Surber Development and Consulting LLC for multi-family apartments containing (90) units in two separate three-story apartment houses with a maximum height of forty-five feet (45') on a vacant parcel off E. Criser Road (Tax Map 20A18-5-5A1) with the condition that the portion of the lot which is zoned R-3 be used exclusively for ingress and egress and approved signage.*

Councilwoman DeDomenico-Payne agreed that the trash along the creek was an issue noting the apartments may help with that situation.

Councilwoman Veitenthal stated that it was nice to see developers offer affordable housing and thanked them for the traffic analyses.

Councilman Wood voiced his excitement about the project hoping it will get some families out of hotels.

Councilman Rappaport advised that it was a perfect location.

Mayor Cockrell advised that she had meetings with members of the Board of Supervisors and School Board and their concerns were the traffic during the elementary school drop offs and pickups hours.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

An Ordinance Amendment to Front Royal Town Code §134-71 Utility Accounts, Deposits, Payments and Termination Services and Approval of a Utility Disconnection Policy and Procedures

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

*Councilman Ingram moved seconded by Councilwoman DeDomenico-Payne that Council adopt an ordinance amendment to Front Royal Town Code §134-71 Utility Accounts, Deposits, Payments and Termination Services for additional requirements placed on disconnection of utilities by localities of the Commonwealth of Virginia pursuant to Pursuant to §15.2-2121.1, §15.2-2121.2 and §15.2-2121.3; and to approve a Utility Disconnection Policy and Procedures, as presented.*

Councilman Rappaport questioned how those that did not have access to the Town's website could get a copy of the Policy/Procedures. Director of Finance BJ Wilson advised that those opening new accounts would get them automatically and it would be available upon request. It was suggested to outline only those things in the ordinance that had changed for the existing customers so it would be easier to understand.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Ordinance Amendment to Extend Public Passenger Bus Service Franchise Agreement for 5 Yrs.

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



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*Councilman Rappaport moved seconded by Councilwoman Veitenthal that Council adopt an ordinance amendment to extend for a period of five (5) years a Franchise Agreement for Public Passenger Bus Service (Trolley) with Virginia Regional Transit (VRT) to occupy and use the streets, roads, avenues, alleys and other public places of the Town, as presented.*

Mayor Cockrell noted that she saw firsthand how the trolley was being utilized and expressed gratitude that the Town had the service.

Councilman Rappaport advised that the Virginia Regional Transit was picking up 68% of the cost.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

#### FY25 Budget Amendment and Budget Transfer for Outstanding Purchase Orders

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

*Councilwoman Veitenthal moved seconded by Councilman Rappaport that Council approve an amendment in the amount of \$22,981,279.78 to the FY2024-2025 Budget to carry forward unpaid balances on purchase orders not completed as of June 30, 2024 and to carry funds forward to fiscal year 2025 to complete unfinished projects; and a FY25 Budget Transfer from the Special Project Fund to General Fund in the amount of \$220,000.00 to allocate additional funds for paving of the Public Works Department and Fleet Maintenance Department located at 800 Crosby Road.*

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

#### **PUBLIC COMMENTS NOT RELATED TO PUBLIC HEARINGS - None**

#### **REPORTS**

Town Manager Report – Mr. Waltz advised that the Town Business Offices would be closing at 11:30 on Wednesday, December 11<sup>th</sup> for the Employee Holiday Luncheon and reopen on Thursday, December 12<sup>th</sup>. He thanked all the Town employees for their hard work and dedication this year, especially those who were working through the holidays keeping operations running 24 hours a day.

#### Town Council Reports

Councilman Ingram echoed what Mr. Waltz said and thanked all those involved in organizing the Christmas Parade. He noted it had been a successful year and looked forward to 2025.

Councilman Rappaport expressed happiness that the Town could do this [parade] for the community and thanked the Town staff for their participation in organizing the parade. He attended Reaching Out Now's Holiday Program. He wished everyone a Merry Christmas.

Councilwoman Veitenthal expressed her regret for missing the annual Christmas Parade. She wished everyone a Merry Christmas.



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Vice Mayor Sealock expressed his regret for missing the parade and wished everyone a Merry Christmas and a Happy New Year.

Councilman Wood thanked the Front Royal-Warren County Chamber of Commerce for organizing the Christmas Parade and thanked the Town staff for their assistance. He thanked Royal Cinemas for showing free Christmas movies to the community. He wished everyone a Merry Christmas and a Happy New Year.

Councilwoman DeDomenico-Payne advised she had taken her oath as a councilmember and echoed sentiments of other councilmember with regard to the parade thanking Town crews. She visited Melissa Ichijui Studio Gallery on Main Street.

Report of the Mayor – Mayor Cockrell attended Warren Memorial Hospital's Annual Celebration of Lights. She rode in the Christmas Parade with other council members. She lit the community Christmas Tree with Santa Claus. She thanked Fussell Florist for decorations in the planters downtown. She wished everyone a Merry Christmas.

### CONSENT AGENDA ITEMS

#### Purchase and Replacement of Pickup Truck for Energy Services Department

*Council purchased a 2024 Ford F-150 four-wheel drive pickup truck to replace a 2005 Colorado pickup truck from Hall Automotive in the amount of \$48,091.00.*

#### Purchase of Wood Media for Wastewater Treatment Plant

*Council purchased 170 yards of wood media for the Autothermal Thermophilic Aerobic Digestion Digesters at the Wastewater Treatment Plant to eliminate odors from Thermal Process Systems in the amount of \$59,041.79.*

*Councilman Rappaport moved seconded by Councilwoman Veitenthal that Council approve the consent agenda as presented*

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

### BUSINESS ITEMS

#### Request for Water and Sewer in the Corridor for Industrial Use from Equus Development LP (Executive Land Holdings IV, LLC on Baugh Drive

*Councilman Rappaport moved seconded by Councilman Ingram that Council, based upon a finding of sufficient excess capacity, approve a joint request from Warren County and Equus Development LP (Executive Land Holdings IV, LLC) for water and sewer service off Baugh Drive (tax map 13, Section 1 as Parcel 2) for an industrial warehouse and distribution center and I further move that Council direct the Town Manager and Town Attorney to execute the necessary agreement with the applicant in compliance with all Town Code requirements and with rates and charges at one hundred percent (100%) more than the in-town rates.*

Mayor Cockrell compared the number of gallons being requested to the number of households.

Councilwoman Veitenthal voiced excitement that the two requests tonight would create jobs.



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Councilwoman DeDomenico-Payne noted that the higher rate would go towards water and sewer infrastructure

Councilman Ingram noted that this item was discussed in two work sessions to allow for additional information and thanked staff for the additional information

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Request for Water and Sewer in the Corridor for Industrial Use from Toray Plastics Inc. (TC MidAtlantic Development V, Inc) on Toray Drive/Baugh Drive.

*Councilman Ingram moved seconded by Vice Mayor Sealock that Council, based upon a finding of sufficient excess capacity, approve a joint request from Warren County and Toray Plastics, Inc. (TC MidAtlantic Development V, Inc) for water and sewer service off Toray Drive/Baugh Drive (tax map 12G, Section 1, Block 2 as Parcels 5A, 7A, and 8A) for an individual warehouse and distribution center and I further move that Council direct the Town Manager and Town Attorney to execute the necessary agreement with the applicant in compliance with all Town Code requirements and with rates and charges at one hundred percent (100%) more than the in-town rates.*

Councilman Ingram reiterated that that this item was discussed in two work session to allow for additional information and thanked staff for the additional information

Mayor Cockrell noted that there was no estimate on the number of employees and that the rates would be 100% more than in town customers

Councilman Rappaport noted that the industries in the Route 522 North Corridor began in the 1970's to spur economic development with jobs.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

#### **ADDITION OF CLOSED MEETING**

*Councilwoman Veitenthal moved seconded by Councilman Ingram 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 Section 2.2-3711(A)(7) of the Code of Virginia, for consultation with legal counsel and briefings by staff members or consultants pertaining to actual litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, more specifically, HEPTAD, LLC v. Town Council; and, 2) pursuant to Section 2.2-3711(A)(8) of the Code of Virginia, for consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, more specifically, HEPTAD, LLC's appeal of zoning administrator's enforcement order.*

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL



## Town Council Regular Meeting Minutes of 12/09/24 - Page | 7

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*Councilman Ingram moved seconded by Councilwoman Veitenthal 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, Veitenthal, 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: 1/27/25