Roll Call by Clerk of Council

PRESENT: Mayor Lori A. Cockrell
Vice Mayor Amber F. Veitenthal
Councilwoman Melissa DeDomenico-Payne
Councilman Joshua L. Ingram
Councilman H. Bruce Rappaport
Councilman R. Wayne Sealock
Councilman Glenn E. Wood
OTHERS PRESENT: Town Manager Joseph W. Petty
Town Attorney George M. Sonnett, Jr.
Clerk of Council Tina L. Presley
Various members of the staff and public

Virtual Presentation by Blue Line Solutions, LLC Regarding the Success of the School Zone Speed Enforcement Program, and Request for a Two (2) Year Extension of the Automated Systems Speed Enforcement Systems Agreement – Town Attorney George Sonnett explained that the Town will come to the end of the contract's initial two-year term in March 2026; however, the contract provided for an additional two year extension at the option of the Town. Mr. Sonnet advised of the change in state code effective July 1, 2025, where additional equipment was required and Blue Line Solutions installed the additional equipment at no expense to the Town. He then introduced Randy Campbell from Blue Line Solutions who appeared virtually. Mr. Campbell advised that there was a 94.7% reduction in speeding violations since the program was implemented in 2023. Councilman Rappaport questioned how the 94.7% reduction was seen across the board with other jurisdictions. Mr. Campbell explained that the more traffic a jurisdiction has the more non-compliant drivers there would be noting a 92% reduction across the state of Virginia.

Councilwoman DeDomenico-Payne questioned whether the equipment was paid for or would payments be extended with the new contract. Mr. Campbell explained that the Town gets $80.00 and Blue Line gets $20.00, and the split would not change with the new contract. He advised that he could get the numbers regarding payment of the initial equipment, reiterating that there would be no out-of-pocket expenses for the Town. He explained that normally a contract was for three years to get a return on investment, but the Town negotiated for two years.

The Mayor and Council questioned whether citations were decreasing, how much the Town was recovering from the citations and whether people were paying. Chief Whited advised that the monthly reports showed a decrease in citations confirming that most were being paid, but he and Director of Finance BJ Wilson did not have the revenue data. Discussion ensued about the job of the certified officer vetting the citations. Staff confirmed it took approximately two hours a week to vet the citations. Mr. Sonnett advised he was seeing approximately ten appeals a month. It was noted that with the new law July 1st less people were going to court. Council agreed that a statistics report would be helpful for more discussion in January. Mr. Campbell suggested the Mayor and Council watch the Virginia State Crime Commission Meeting online tomorrow at noon because one of the topics included consequences for not paying the citations to include additional penalties.

Council questioned whether the $100 could be increased and whether cameras could be placed in other areas besides school zones. Mr. Campbell advised that the $100 fee could only be changed by authorization of the General Assembly and pursuant to the state code the operation of the cameras was only allowed in school zones and highway work zones. Council agreed to bring back to a work session in January to discuss the data report.

Progress Update from Retail Strategies – Director of Community Development and Tourism Lizi Lewis introduced Retail Strategies representatives Michael Warsaw, Senior Portfolio Director and Jimmy Pritchett, Retail Development Associate. She advised they would give a brief overview of what has been done and what to look forward to in the future. It was noted that they presented to the Front Royal Economic Development Authority (FREDA) earlier in the day. Mr. Warsaw began with their Leadership and Marketing Teams, following up with the Partnership they have with Front Royal. They reviewed the partnership objectives: Year 1 (Create/Implement Recruitment Strategy, Year 2 (Pleasant Persistence/Relationship Depth) and Year 3 (Maximum Exposure/Understanding Next Steps). Mr. Warsaw advised of their national retail expertise and data abilities, specifically Mobile Data Collection that was used to figure out where consumers were traveling. He advised that they were on track to go into Year 2. He stated that Retail Strategies was the retail real estate expert and the Town was the local expert working together for a common goal. He explained the difference in how the Town saw themselves and how retailers saw the Town, noting population and median household income were factors. He noted that Rural King, Martins and Starbucks were performing very well. He continued with a review of the Customized Trade Area (CTA) where each retailer had a specific set of site selection criteria they used to determine if they will have a profitable store.

Mr. Warsaw moved into recruitment focusing on performance, targets, outreach and feedback. The Retailer Performance List showed all the Martins and Starbucks in the Designated Market Area (DMA) in Washington DC and Hagerstown, MD areas along with their site ranking. Front Royal's top categories for recruitment were full service [sit down] restaurants, quick service[drive-thru] restaurants, soft good retail [home goods] and hospitality along with showing the number for targets and prospects with restaurant/food service being #1. There was discussion about grocery stores and tourism traffic, noting Retail Strategies was working with Ms. Lewis on how many visitors came to the local festivals and events as well as how many were going to the National Park/Skyline Drive. He continued with a status breakdown of retailers who were: 1) actively interested, 2) considering/analyzing, 3) future plans, 4) needs a franchise/operator and 5) awaiting further feedback expressing the need for confidentiality in these groups. Mr. Warsaw then reviewed what was working and what was not, noting specifically two in the not working category: 1) *density and rooftop thresholds are below the minimum for some brands* - explaining that they want to see growth and 2) *limited "ready-to-develop" premium parcels* - explaining there was not a large supply of ready developed sites. Council confirmed with him that details and input were being reviewed with Ms. Lewis reiterating confidentiality.

Councilman Rappaport questioned whether an interstate was critical to grow the base in Town. Mr. Warsaw advised that it was not and gave examples of Martins' and Starbucks' success. He explained that the plan was to "wow" people to get off the interstate giving evidence that it worked in other localities. Discussion ensued about hotels having to be attractive, comfortable, having a rewards program, close to downtown and offering services within their building such as restaurants and salons. Mr. Warsaw mentioned that Retail Strategies not only talked to retailers but also the landowners and stressed the importance of putting something in front of a retailer that they did not know about such as ready-developed sites and other opportunities.

Town Manager Joe Petty advised that the contract with Retail Strategies automatically renewed, and Council is to decide whether they would like to continue with them into Year 2 at $55,000. Vice Mayor Veitenthal voiced concern about being naïve as to what the Town was signing up for and having only one week to decide. While she thought tonight was informative, she felt a disconnect going between Year 1 and Year 2. Mayor Cockrell suggested Council have a chance to digest what they heard tonight and give Mr. Petty time to answer their questions.

Councilman Wood reminded Council that the Town did not have an Economic Development Director but there was FREDA who was committed with enthusiasm to continue working. He voiced concern about "getting in the weeds".

He suggested that Council let Retail Strategies know what they strongly do not want in our Town. Mr. Petty advised that $55,000 was not going to get Council the tools and software needed to receive the data and work Retail Strategies can provide. He suggested appointing a "team" to rally with Retail Strategies to take advantage of the tools and expertise, introduce them to begin building relationships with the community, and facilitate meetings to make the process better. Mayor Cockrell reiterated that Council reach out to Mr. Petty with their questions within 24 to 48 hours.

NEW BUSINESS

Purchase/Installation of Variable Frequency Drive for Final Clarifier #2 for Wastewater Treatment Plant – Purchasing Manager Michelle Campbell noted the vendor was the only representative in the area authorized to install the drive. Council agreed to add to the consent agenda on December 8th.

Solids Dewatering Preliminary Engineering Report & FY26 Budget Transfer – Director of Finance BJ Wilson noted it was for the Wastewater Treatment Plant's Centrifuge Project that was required by DEQ to allow the Town to move forward with potential financing for the project. He noted the funds have been applied for with tentative approval. He gave an overview of the budgeting/funding and the option to be reimbursed if the deadline is met for DEQ. Council agreed to add to the consent agenda on December 8th.

Ordinance Amendments to Town Code §12-1 Energy Services Fees & Chapter 70 – Electricity – Director of Energy Services Carey Saffelle reviewed the reasons for the proposed Town Code changes. He explained that revisions had not occurred since the early 2000's therefore the current costs for material, equipment and labor were not reflected and stressed that the increases were only to break even. The updates would also reflect the current procedures and practices. He went over the various changes specific to security lights, industrial users, new connections and charges and how the new subdivisions and individual lots were affected, commercial users on three-phase service, and temporary service. Vice Mayor Veitenthal confirmed that the industrial customers rates would not impact the residential customers. Council agreed to advertise for a public hearing on January 26th.

Special Use Permit Application Submitted by Fussell Florist for an Artistic Mural at 202 E. 2nd Street – Director of Planning Lauren Kopishke advised that the request was to replace the existing 60-foot mural with a larger mural that required a special use permit. Council agreed to advertise for a public hearing on January 26th.

Request for Water and Sewer in Rt. 340/522 Corridor for Industrial Use - 444 Baugh, LLC on Baugh Dr – Mr. Petty advised that the request was for three buildings, noting that the engineer for the applicant was in attendance to answer any technical questions. He advised that the request was for 20,850 gallons per day for all three buildings and CHA had reported there was available capacity. He stated that CHA reported that the current available capacity was 210,000 gallons per day for water and 807,000 gallons per day for sewer. He advised that the request was already zoned industrial in the County; however, a conditional use permit was being sought at the County level for a contractor storage yard.

There was discussion about the definition of light industrial as it was written on the application and whether manufacturers would be prohibited. Mr. Petty advised that the motion would include the use. Councilman Ingram advised that light industrial was a broad term and voiced concern about providing water and sewer to places with a broad definition wishing he had a little more information.

Councilman Sealock voiced concern on the amount of water being asked for, noting the Town just came out of water restrictions and the concern not being able to supply water to Town customers. Mr. Petty reiterated that CHA has reported that there was capacity for in Town customers and for this request.

Councilman Ingram asked that the specific County code section be listed on the application in the future to define the use more clearly. Mr. Petty agreed to get with the County to get an exact use. Council agreed to add to Business Items on the December 8th Agenda.

<u>Amendments to the Town of Front Royal Policy – Vacation of Public Rights-of-Ways</u> – Mr. Petty advised that some formatting changes were made to the Policy along with defining fair market value pursuant to state code. Councilwoman DeDomenico-Payne voiced concern there was no mention of tax assessment or that Council was not the authority of the tax assessment. Council agreed to add to the Business Items on the December 8th Agenda.

<u>Progress Updates Regarding the Zoning Text Amendments to Town Code Defining Data Centers and to add Data Centers with Performance Standards by Special Use Permit</u> – Mr. Petty advised that Council gave him direction at the October 6th Work Session to seek outside legal counsel to vet the ordinance. He advised that he reached out to various firms and they all noted a conflict of interest and declined the opportunity to work on this. He assured Council that it was nothing against the Town but that data centers were a hot topic. He suggested that non-profit organizations could review the ordinance and give feedback.

Vice Mayor Veitenthal suggested having staff and legal draft a text amendment to ban data centers citing the issue in Warrenton, VA. Councilman Ingram suggested looking into what Warrenton did and determine if this was a good fit for Front Royal. Councilwoman DeDomenico-Pyane noted that she was not compelled to do what Warrenton did and was not in favor of a complete ban. Mrs. Veitenthal voiced concern about being left open to liability and agreed that technology was moving fast.

Councilman Rappaport voiced concern about the grid, setbacks within the performance standards that were too generous to the client and the radius buffer with regard to schools, hospitals and churches. He suggested a local alliance vet the ordinance such as Piedmont Alliance or Shenandoah Valley Alliance. Mr. Petty advised that he has worked with the Shenandoah Valley Alliance and suggested they review the ordinance and bring it back to a future work session when the review was complete. Mr. Sonnett advised Council that they had a recommendation from the Planning Commission and that some action by Council was required. Council directed Mr. Petty to reach out the alliance and place on a work session in January.

Adjourned at approximately 10:00pm.

Approved by Town Council

Date: 12/8/25