REGULAR TOWN COUNCIL MEETING

Monday, May 22, 2023 at 7:00pm in Warren County Government Center Board Room

View LIVE on Government Access Channel 16 or https://www.frontroyalva.com/673/Town-Hall-Live

1. MOMENT OF SILENCE
2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. APPROVAL OF MINUTES – *I move that Council approve the Regular Meeting minutes of April 24, Work Session Minutes of May 1 and May 8 and Special Meeting Minutes of May 1, 2023, as presented.*

5. ADDITION/DELETION OF ITEMS FROM THE AGENDA OR REVISION TO ORDER OF BUSINESS
   *[Items added will be placed as the last item under Business Items. Unanimous vote is required to add/delete]*

6. RECOGNITIONS/AWARDS/REPORTS/PRESENTATIONS
   A. Proclamation for National Public Works Week
   B. Award of Town Scholarship Winners

7. PUBLIC HEARINGS
   A. Ordinance to Amend Town Code Chapter 175-137 Fees, Charges and Expenses to Add the Application Fee of $400.00 for Processing a Local Board of Building Code Appeals (LBBCA) Application

   B. Ordinance to Amend Town Code Chapter 98 Business, Professional and Occupational Licensing to Add the Definitions of Mobile Food Unit and New Business; Add Additional Information to License Requirement and Add Mobile Food Unit to Licensing, Peddlers and Itinerant Merchants.

8. PUBLIC COMMENTS NOT RELATED TO PUBLIC HEARINGS

9. REPORTS
   A. Report of Town Manager
   B. Report of Councilmembers
   C. Report of the Mayor

10. CONSENT AGENDA ITEMS - *I move that Council approve the Consent Agenda as presented.*
   A. FY23 Budget Amendment and Budget Transfer for Additional Revenue for Projects
   B. Bid for Remanufactured 500KVA Three-Phased Pad-Mounted Transformer for the Fleet Maintenance Building
   C. Bid for Breakers and Voltage Regulators for Happy Creek Substation Expansion Project
   D. Bid for Dump Body, Hoist and Hydraulic System for Public Works Dump Truck
   E. FY2022-2023 Write Off for Bad Debt

11. BUSINESS ITEMS – None

12. CLOSED MEETING

13. Adjourn

# TOWN COUNCIL REGULAR MEETING MINUTES

April 24, 2023@ 7:00PM in the Warren County Government Center

*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 Girl Scout Lucy Phillips, Cortney Jones, Brianna James, and Emme Phillips from Troop 40303.

ROLL CALL BY CLERK OF COUNCIL

PRESENT: Mayor Lori A. Cockrell
Councilwoman Melissa DeDomenico-Payne
Councilman Joshua L. Ingram
Councilwoman Amber F. Morris
Councilman H. Bruce Rappaport
Councilman Duane R. "Skip" Rogers
Vice Mayor R. Wayne Sealock

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

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APPROVAL OF MINUTES – *Councilwoman Morris moved seconded by Vice Mayor Sealock that Council approve the Regular Meeting minutes of March 27, 2023, Work Session Minutes of April 3 and April 10, 2023, as presented.*

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock
No – N/A
Absent – N/A
Abstain – N/A ROLL CALL

ADDITION/DELETION OF ITEMS FROM THE AGENDA OR REVISION TO ORDER OF BUSIINESS – None

RECOGNITIONS/AWARDS/REPORTS –

A. Report from Community Development/Tourism Manager Lizi Lewis – Ms. Lewis updated the following:

1. Earth Day had between 700-800 visitors—wahoo! ESAC was AMAZING and we even got the Arbor Day tree planting in before it rained!
2. Cinco de Mayo on 5/5 for Downtown Front Royal Inc
3. Family Fun Day on 5/13 with a parade!
4. Kiwanis Annual 5K in town on 5/13
5. 35th Annual Wine and Craft Festival on 5/20
6. American Legion Community Band Concert on 5/29 for Memorial Day
7. First Summer Gazebo movie night with Sing on 6/2 in partnership with WC Parks & Rec

Visitor Center:

1. Open 7 days/week, 10am-4pm
2. Chapel opening weekend 4/14-16 saw over 400 visitors!
3. First Tour Bus of the season!

Volunteer Program:

1. Royal Ambassador program kicking off! Looking for event volunteers, visitor center volunteers, and marketing street-team volunteers
2. Email volunteer@frontroyalva.com to get more info!

Trolley Update:

1. 1500 riders in March 2023
2. Beginning a marketing campaign in May to encourage more riders
3. Connects at 2 points with the Corridor Connector that's operated by the County
4. Still fee free – there's no cost to ride the Front Royal Trolley
5. Schedule is available on our website
6. Email trolley@frontroyalva.com if you have any feedback about the Trolley system

Councilman Ingram advised that he attended Arbor/Earth Day Celebration on Saturday and was surprised at the amount of people in attendance and the positive atmosphere. Councilman Rogers complimented Ms. Lewis on her report and her hard work on the Arbor/Earth Day Celebration. Councilman Rappaport complimented the personal service he witnessed at the Visitors Center and how the tourists reacted. Councilwoman Morris agreed with Mr. Rappaport adding her appreciation for Ms. Lewis' dedication to the Town along with the additional responsibilities she has taken on.

Ms. Lewis gave a shout-out to the Environmental Sustainability Advisory Committee (ESAC) for all their hard work on the Arbor/Earth Day Celebration.

B. Recognition of Employee from Energy Services – Director of Energy Services Carey Saffelle congratulated and awarded Employee Scott Curry for passing his apprenticeship.

C. Proclamation for Sexual Violence Awareness Month

*Councilwoman DeDomenico-Payne moved seconded by Councilwoman Morris that Council approve a proclamation proclaiming April as Sexual Violence Awareness Month in the Town of Front Royal as presented.*

Mayor Cockrell read the proclamation.

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock
No – N/A
Absent – N/A
Abstain – N/A ROLL CALL

D. Proclamation for National Administrative Professionals Day

*Councilwoman Morris moved seconded by Councilman Rappaport that council approve a proclamation proclaiming April 28, 2023 as National Administrative Professionals Day in the Town of Front Royal as presented.*

Mayor Cockrell read the proclamation.

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock
No – N/A
Absent – N/A Abstain – N/A ROLL CALL

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E. Proclamation for 54th Annual Municipals Clerk's Week

*Councilman Rappaport moved seconded by Councilwoman Morris that council approve a proclamation proclaiming April 30 – May 6, 2023 as the 54th Annual Municipal Clerk's Week in the Town of Front Royal as presented.*

Mayor Cockrell read the proclamation. The Mayor and Council gave appreciation to the Clerk of Council Tina L. Presley for her hard work and service.

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock
No – N/A
Absent – N/A
Abstain – N/A ROLL CALL

F. Proclamation for Arbor Day

*Councilman Ingram moved seconded by Councilman Rappaport that council approve a proclamation proclaiming April 22, 2023 as Arbor Day in the Town of Front Royal as presented.*

Mayor Cockrell read the proclamation.

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock
No – N/A
Absent – N/A
Abstain – N/A ROLL CALL

## PUBLIC HEARINGS

A. Setting Real Estate and Personal Property Tax Rates and Ordinance Amendment to Chapter 75-44

Mayor Cockrell opened the public hearing, since there were no speakers, the public hearing was closed and opened up to Council.

*Councilwoman Morris moved seconded by Vice Mayor Sealock that Council approve the real estate tax rate at $0.10 per $100 assessed value based upon equalization of real estate taxes, which represents a decrease of $0.03 from the current year's rate; the personal property tax rate at $0.64 per $100 assessed value, which represents no increase over the current year's rates; and the personal property tax relief rate (PPTR) for qualifying vehicles at a rate of 46% pursuant to Virginia Code §58.1-3524. Councilwoman Morris further moved that Council approve an ordinance amendment to Town Code Chapter 75-44.C to reflect the new tax rate as presented and effective July 1, 2023.*

Mayor Cockrell explained the tax rate equalization.

Councilman Rappaport advised that some property owners may see a reduction in their taxes while other may not. Councilwoman Morris thanked Director of Finance BJ Wilson and other staff for working with the State and County for a lower rate, noting it was more than what Council was required to do.

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock
No – N/A
Absent – N/A
Abstain – N/A ROLL CALL

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B. Ordinance Amendments to Town Code Chap 134 Pertaining to Increase of Sanitary Sewer Service Rates
Mayor Cockrell opened the public hearing, since there were no speakers, the public hearing was closed and opened up to Council.

*Councilwoman Morris moved seconded by Vice Mayor Sealock that Council approve an ordinance amendment to Town Code Chapter 134-22.1 and 134.22.4 to increase Sanitary Sewer Service Rates as presented and effective July 1, 2023.*

Councilman Ingram commended the Director of Finance BJ Wilson and staff for reviewing the budget and determining what was viable for infrastructure and to being as cost efficient as possible. Councilwoman Morris advised that the increase was planned prior to her first term on Council noting it was to help with capital projects and infrastructure moving forward. Councilman Rappaport advised that there would be no increase in the water rates.

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock
No – N/A
Absent – N/A
Abstain – N/A ROLL CALL

C. Annual Appropriation Ordinance for Year July 1, 2023 – June 30, 2024
Mayor Cockrell opened the public hearing, since there were no speakers, the public hearing was closed and opened up to Council.

*Councilwoman Morris moved seconded by Vice Mayor Sealock that Council approve the Annual Appropriation Ordinance for the Town of Front Royal Year beginning July 1, 2023 and ending June 30, 2024 in the amount of $49,676,435.00.*

Councilwoman Morris voiced her pride in the work of the Finance Department noting the many projects had been "on the books" for years and were going to get started with no tax increases. Councilman Rappaport gave kudos to Finance Director BJ Wilson for his hard work on getting a balanced budget to Council. Councilwoman DeDomenico-Payne commented on a very organized budget with many months of presentations and responsiveness to her questions. Mayor Cockrell also gave kudos to Mr. Wilson and Town Manager Joe Waltz for a balanced budget without raising taxes.

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock
No – N/A
Absent – N/A
Abstain – N/A ROLL CALL

D. Special Use Permit for Lodging House at 200 N. Royal Avenue for Warren Coalition
Mayor Cockrell opened the public hearing.

Diana Lieber, 58 Westminster Drive, gave Council a brief history of her career along with her many years of community service. She noted that there were many people on the streets struggling with substance abuse and dying from overdoses. She explained that the house was critical for those who wanted to continue with their recovery. She encouraged the community to welcome those who want to be off the streets and go somewhere that is positive and recovery oriented.

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Hugh McGee, 96 Marsh Lane, White Post, a member of the Executive Board of the Northern Shenandoah Substance Abuse Coalition advised he has been in long-term recovery since 1970. He advised that he currently served the community by assisting people through his micro-recovery center and the house would create an opportunity for people to stay in recovery longer.

Michael Hall, 413 W. Spring Street, Woodstock, a Peer Recovery Specialist with the Warren Coalition, advised that would be the House Manager. He advised that he was in long-term recovery being clean and sober for almost two years. He explained that he was lucky enough to have a complete stranger go out of their way to get him into rehabilitation that completely changed his life. Mr. Hall explained that his job at the house would be to help residents find jobs, comply with curfew, and ensure attendance of required meetings. He encouraged Council to give them hope for one day.

Brandon Butler, 1972 Artz Road, Woodstock, lived 23 years of his life actively addicted to drugs and alcohol and owed every day of his sobriety to programs like the Warren Coalition is offering. He advised that they have dedicated their lives to share strength, hope and encouragement to men and women like him to become a productive member of society. He stated that the community cannot afford to have an attitude of indifference towards addiction and substance abuse, noting hope was the guiding light they needed.

Fred Arena III, 96 Marsh Lane, White Post, advised he was currently at a recovery center being twelve days clean and sober. He explained the struggles he has had and the loss of a few friends noting that If there were no solutions or help, people would continue to keep dying.

Rusty Sutherly, 628 Watson Avenue, Winchester, advised that on August 28th he would be three years sober and clean. He explained that he made a decision not to go back to a bad situation and reached out to the Warren Coalition who helped him get into Oxford House in Winchester and get a job. Mr. Sutherly stressed that the house was needed in Warren County. He quoted, *"You never look down on somebody unless you are offering them a hand up,"* emphasizing that everybody deserved a chance at life.

Christine Mahoney, 705 W. 11th Street, advised that she had spent 21 years of her life in addiction and had to travel to Richmond for treatment. She explained that there was no better recovery than being with people who understand what you are going through. She voiced admiration for what the Warren Coalition was trying to do, noting specifically how they helped her stay sober, get her license, and attend classes for counseling, peer recovery and anger management. She stated that she would rather see active recovery in the community than active addition.

James Funkhouser, 547 Washington Street, Woodstock, a Peer Recovery Specialist with Warren Coalition and is in long-term recovery celebrating four years clean. He advised that he would be one of the supervisors of the house. He explained that the house was designed to reconnect residents with their families, help with job training and placement, ensure accountability by testing randomly throughout their stay, provide counseling for substance abuse, and provide them with all the support they needed to be successful. He continued that if they relapsed, they could not stay in the house but would receive help to get back into treatment and continue the process. He stated that recovering from addiction was hard but with the right support it can be successful.

Michelle Smeltzer, 6 Morain Street, voiced support of the Warren Coalition and the house, noting there was no better organization to put a program like this in place since they have a team of people that know what they are doing and know how to work with people in recovery. She encouraged Council to approve the special use permit.

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Celeste Brooks, 16 Lakeside Drive, Community Outreach Coordinator for the Warren Coalition, read a letter from Tina Johnson, 105 Little Indian Road, Front Royal, for the record:

*This weekend my youngest brother is coming from Boston so that we can celebrate my mother's 70th birthday as a family. This would not be possible if not for the fact that 20 years ago she was released from the state penitentiary in Goochland Virginia having served her time and entered a half way house, received the mental health care, learned life skills and her potential.*

*She was facing a very long sentence if she reoffended as she had done continuously throughout her adult life. This time was different because she was safe, in a space without abuse, in a place to recover and a mentor helped her to start taking classes at community college. From there she got her BA and two Masters degrees. She became a licensed clinical social worker.*

*And she worked helping kids get their GED and rebuild their lives after being involved in the juvenile justice system. She taught them life skills that she learned in her 50's. You see her mother gave birth to her at age 13 and of course there is much more to the story but she provided these teenagers with what her mother could not provide her.*

*And me, her daughter? I put myself through college and was in graduate school when she started community college. I was not able to forgive her for a while or trust that she would continue on this good path, until one day when she was telling me about what she did for these teenagers. My anger burned blue hot thinking of what my brothers and I had to do on our own. And I said as much to her.*

*She told me that she was doing these things for them because she couldn't do them for us. I had put her on the spot and her response was immediate, unrehearsed, honest. On that day I forgave her and I grew up a lot buy seeing that she was able to heal herself by breaking a cycle of family trauma and using that experience to help other people and I could see my late grandmother would have felt great healing had she lived to witness this.*

*Now it's not a hallmark movie of the week, none of it was perfect but a facility such as the Warren Coalition would like to provide our town saved my mother, it helped her to help others in the community, it helped her to become my mother, it allowed a making of amends to her mother who never had a chance in her life.*

*These facilities won't just help individuals, they will help build healthy families and a healthier community. And we desperately need this for our town, we need a safe community that helps each other live better lives. This is how the intervention needs to be done and then the other good works of the Warren Coalition focus on prevention.*

*I spend 10 years studying child development and 20 serving children and families. I don't say these things without the weight of this knowledge and understanding.*

*Please feel free to reach out to me. My husband and I live right here in Front Royal and we love our community.*

Christa Shifflett, 305 Hunters Ridge Road, Winchester, Executive Director of the Warren Coalition, gave a story of what she experienced in Baltimore, MD. with an individual who lived on the streets and was hungry. She stated that people matter and were not invisible. She advised that the Warren Coalition offered hope, purpose, direction, and connection to all who needed to get well. She voiced support for opening the house so that they could begin to make a difference.

Valerie Hayes, 78 Summit Manor Drive, Priest of Calvary Episcopal Church and neighbor of the house. She gave a brief story of her family being directly affected by alcoholism. She voiced support for the Warren Coalition and their program. Ms. Hayes advised that the church had been a long supporter of people in recovery through Episcopal Recovery Ministries and that Calvary Episcopal Church was a Recovery Ready Parrish looking forward to becoming partners with the Warren Coalition and their staff.

David Rabitor, 114 Mountain Lake Drive, questioned how people were dying from legal substances and how did it get into the community. He stated that life was important.

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Tom Sayre, 835 Shenandoah Shores Road, voiced the importance of having dialogue similar to tonight. He advised that as a lawyer he had seen people come out of jail and have nowhere to go and a house like the one the Warren Coalition was proposing was a good place to start, noting that the community must take care of those who are marginalized in life.

Kayla Dishner, Stephens City, a nurse practitioner and outpatient/addiction facility employee. She advised that she had worked with parole officers and public defenders, and both have told her that there were no resources. She stated that she had patients that were four hours clean and those who were six years clean and that they were all looking for a place to belong. She opined that by opening the house Council was telling the community that those individuals belonged here.

Phillip Vaught, 144 Chester Street, property owner of 200 N. Royal Avenue, purchased the property from Northwestern Community Services, who operated a similar program. He reiterated that there was nowhere for people to go in the community. He advised that having the location front and center on N Royal Avenue was a perfect place to start a dialogue on the biggest challenge the community has faced in 50 years.

Mayor Cockrell closed the public hearing and opened it up to Council.

*Councilwoman DeDomenico-Payne moved seconded by Councilwoman Morris that Council approve a special use permit requested by the Warren Coalition for a lodging house at 200 N. Royal Avenue (tax map 20A5-13-80-1 & 2) with the following recommendations: 1) the total number of lodging rooms or units shall not exceed ten (10) and 2) applicant is to provide parking to accommodate eight (8) spaces.*

Councilman Rogers thanked everyone who spoke. He advised that he had an opportunity in 1970 to work with one of the first organizations of halfway houses for two years and has seen the impact of these types of houses. He looked forward to working with everyone and expressed prayer for strength to those reaching out and to those accepting.

Councilwoman Morris voiced excitement to see the house come to Front Royal. She advised that when she first heard about the program it was was a dream and seemed unattainable and far off until she saw the good come out of the Oxford House in Winchester. She agreed that there was not a better location for the house. She explained that the object of the house and the mission was to help people get clean, not to house people to continue the same patterns and cycles. Ms. Morris thanked everyone for sharing their stories and reminded them that they were brave, valuable, and loved.

Councilman Ingram thanked Mr. Vaught for allowing the property to be used by the Warren Coalition. He voiced support for the people who were trying to get help and those who were offering to help. He thanked those who came out tonight to speak and thanked the Warren Coalition for bringing the house to fruition.

Vice Mayor Sealock thanked everyone for attending the meeting. He explained that being a law enforcement officer over the years, he had taken people to the hospital, and then saw them back on the streets. He commended the Warren Coalition for the great service they were bringing to the community.

Councilman Rappaport stated that he looked at the speakers tonight as warriors fighting demons in order to become a useful citizen in the community, noting the amount of courage it took. He explained that he had seen firsthand what addiction can do as well as seeing what recovery can do. He voiced support to give help to those individuals who wanted it.

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Councilwoman DeDomenico-Payne advised that Council was making a vote here regarding the special use permit. She noted that the success of the program was the great leadership from the Executive Director, her staff, and all of those who were in attendance tonight, noting the incredible courage to get up and share stories among strangers. She wished them all the best and hoped they continued their path to recovery.

Mayor Cockrell advised that her father once worked as a prison guard, teaching her that most people incarcerated had a substance abuse problem and that those people just needed help. She noted that the house was a missing piece in the community and expressed gratitude that the Warren Coalition was willing to bring the program forward.

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock
No – N/A
Absent – N/A
Abstain – N/A ROLL CALL

E. Amend Previously Approved Proffers for Anna Swan Estates – HEPTAD, LLC

Mayor Cockrell opened the public hearing but allowed Director of Planning Lauren Kopishke and the applicant to speak first before those signed up to speak.

Director of Planning Lauren Kopishke showed a PowerPoint presentation "HEPTAD, LLC REZONING – Anna Swan Estates". It covered General Information, Comprehensive Plan Conformance, 2012 Approved Proffers, 2022 Approved Proffers, and Cash Proffer Amounts [PowerPoint can be found in the Town's Planning/Zoning Office]

Mayor Cockrell questioned the meaning of *"adjust mix of housing types"*. Ms. Kopishke explained that during the site plan process it would be determined what would be built and what adjustments may be needed on the number and types of homes due to topography and/or other incidentals but could not exceed 335 units.

Councilman Rappaport questioned the Town's current capability of completing building permits on a yearly basis. Ms Kopishke advised that with current staffing there could be a delay getting all those processed in a timely manner.

Councilwoman DeDomenico-Payne questioned whether there was a timeline that pertained to the by right of 170 units as compared to 2012 and whether that number ever changed. Ms. Kopishke advised that amending the Town Code is the only way to change the number.

Mayor Cockrell questioned *"acknowledgement that Leach Run Parkway has been constructed".* Ms. Kopishke advised that it referred to 3.5 in the proffer not the dedication.

Councilwoman DeDomenico-Payne questioned timeline on building the park and whether it would be noted on the site plan. Ms. Kopishke advised that site plans are approved for five years according to state code.

Councilwoman Morris questioned and referred to condition #5 in the packet "*The applicant will amend their proffers to include language addressing their responsibility for the cost of installing stormwater facilities on site."* Ms. Kopishke advised that the retention pond and stormwater facilities would be submitted with the site plan along with the survey, geo tech report and environmental impact analysis,

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noting it will depend on the topography. She continued that she had only the fiscal impact analysis study that does not take into consideration retention ponds and stormwater runoff.

Mayor Cockrell allowed the applicant to speak at this time; however, Joe Silek, attorney for the applicant spoke on his behalf. He advised that the PowerPoint by Ms. Kopishke covered the highlights of the project and continued with the questions regarding the schools. He advised that the project would generate 37 more elementary school children above the by right usage explaining that Leslie Fox Keyser Elementary School (where these children would be going) was already passed its capacity by eight students. Mr. Silek further explained that the project only had to compensate the Town and County for the impact on the system whether it be roads, schools, parks, etc. and paying the County for 37 children was the impact to the school system. He noted that the project would generate more children, but the middle school and the high school were under capacity. Mayor Cockrell clarified that it was educational capacity not physical capacity.

Mr. Silek advised that before a "scoop of dirt" was turned the developer would have to post a bond with the Town to complete all the infrastructure (streets, stormwater ponds, parks, etc.). He gave a brief history of the project: 2005 - under contract by Brookfield homes; 2008 - housing crisis; 2010 - reinvigorate the project; 2012 – final approval noting there was not a fiscal impact analysis completed as no one knew how much Leach Run Parkway (LRP) was going to cost and the numbers were estimated; 2014 – the Town/County/EDA came to HEPTAD asking for dedication of right-of-way for LRP., which they agreed to. It was then he explained that the Town/County applied to the Virginia Department of Transportation (VDOT) for matching funds to build the LRP at a cost of $15 million that included engineering, right-of-way acquisition and construction costs. He advised that VDOT paid half; therefore, the Town/County paid half. Mr. Silek advised that the proffer analysis completed last year showed that the project's impact decreased because the overall cost of LRP decreased. He advised that the applicant was asking the Town to reduce proffers to show true impact to the community, noting the corrected proffer statement dated April 4, 2023.

Mayor Cockrell stated that the Leach Run Parkway was not completed. She also questioned the student generation per household. Mr. Silek advised that a Greenway representative called the County and got the numbers; however, he or the applicant has not seen computation or evaluation on how the numbers were computed.

Councilwoman DeDomenico-Payne questioned the 170 units by right in the existing zoning and how there was no impact when it was currently vacant land. Mr. Silek confirmed that the developer could currently build 170 homes by right with no proffers, which he opined was the key.

Councilwoman Morris left the meeting at 9:09pm.

Councilman Ingram questioned the topography in 2012 as to what it is now. Mr. Silek explained that the project was at the Planning Commission in 2011 and during those discussion the County approached the Town and HEPTAD to increase the density because they wanted to identify the property as high density due to legislature pushing for all counties to have high density housing in their jurisdictions. He continued that the only place to have high density was where there was water and sewer connections. Mr. Silek explained that to get to high density was to increase the number of units to 450 with multi-family apartments and the developer was not on board. Mr. Ingram clarified that it was a builder drive not that the topography changed.

Councilwoman Morris re-entered the meeting at 9:12pm.

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Councilman Rappaport confirmed that in 2005 it was 327 single family detached units and 450 units in 2012. Mr. Silek reiterated that the increase in units was when this area was designated as a high-density area. Mr. Ron Llewellyn, the applicant, explained that the Town/County had a growth rate and the state mandated that in order to continue funding road improvements the Town/County had to create a high-density urban development area.

Councilwoman Morris questioned affordable housing and whether condos were needed as stated with the Brookfield developer. Mr. Llewellyn explained that Brookfield had no desire to build apartments and neither did the current developer (VanMeter). He stated that a national builder needs to feel there is a demand for the housing they construct.

Councilman Rappaport questioned an off-site impact analysis study. Mr. Llewellyn advised that the current project was in its early phase and the developer had to present their site plan which will give a lot more information. He mentioned the easement with the School Board that would be used for a second entrance as well as proffered sidewalks and VDOT approved traffic lights off Leach Run Parkway.

Mr. Llewellyn advised that there was already a natural pond on site that was approximately a ¼ of an acre which would be the main location for a stormwater runoff. He also noted that the topography never changed but the state mandated the number of units. Mr. Silek clarified that it would be different for the Planning Department as it relates to zoning permits since the permits for the development would be in one area and not for infill lots that are more time-consuming.

At this time those who signed up to speak began.

Mark Egger, 102 E. 4th Street, questioned why there was a reduction in cash proffers per unit when only the total number of units was being reduced. He voiced concern that the Leach Run Parkway was built at taxpayers' expense so the property could be developed and suggested that the taxpayers be reimbursed by keeping the original 2012 proffers which he noted was a legal document that currently existed. He also suggested that the six-acre right of way be donated.

Meredith Blair, 876 Old Belmont Road, disagreed with the reduction of proffers noting that things are currently more expensive than they were in 2012. She voiced concern in reducing "income" to the community and creating a financial burden.

John Benner, 467 Wesley Lane, Bentonville, voiced concern about not keeping the original proffers as was agreed to in 2012.

David Rabitor, 114 Mountain Lake Drive, voiced concern that the community was being misled.

Melanie Salins, 70 Murray Drive, and School Board member gave a copy of a "Deed of Easement and Agreement between the Warren County School Board and Swan Farm LLC dated August 12, 2004" to the Clerk of Council to be distributed to Council. She voiced concern over the proffer changes since the community could suffer from overcrowded classrooms, redistricting and/or higher taxes to fund a new elementary school. She also voiced concern that the current School Board was not aware, until now, of the Easement/Agreement approved in 2004 between the School Board and Swan Farm LLC which mentioned the dedication of the school's private road to be converted into a town-maintained road and sidewalk construction. She voiced surprise that the "promises" in the 2004 easement/agreement had shown up in

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the current proffers. She concluded by requesting that the Town/County/School Board schedule a meeting to discuss the issues further.

Delores Oates, 170 Douglas Drive and a member of the Warren County Board of Supervisors, noted that when the property was rezoned in 2012 proffers per unit totaled approximately $4.6 million that would have been provided to the County specifically for public school system; however, the new proposal decreased the cash proffers to $1.4 million. She voiced concern that neither proposal took into account the credit for the proposed park. She mentioned that the decrease from 450 units to 335 units was still a large impact on schools and public safety. She explained that the County's Fiscal Impact Model was used across the State of Virginia and based on the average number of homes, townhomes and apartments that currently existed in the County. She advised that the Fiscal Impact Model showed that the proposed 335 units would generate 63 elementary students at Leslie Fox Keyser Elementary School, 33 students at Warren County Middle School and 45 students at Warren County High School. She voiced concern that public safety had not been addressed in any of the proffers. She concluded by suggesting scheduling a collaborative meeting between the Town/County to determine what the true economic impact would be for the citizens.

John Lundberg, 203 Peach Tree Court, recommended that a vote not be taken tonight and keep the public hearing open for a sufficient amount of time to allow Council to obtain answers to the following questions: 1) Who are the eight property owners and what motivates them to develop this property? 2) Why do the developers what a reduction in proffers? 3) How much will a single home or townhome cost the average person? 4) Why are apartments not part of the 2022 development? 5) How many local jobs will be produced? 6) What is the reputation of the builder? He voiced a lack of honesty in the community.

Kristen Pence, 832 Smith Run Road, Bentonville, a County resident, taxpayer and vested interest in the public schools respectfully asked that Council postpone their decision to allow them time to fully review the financial impact the development would have on the County's elementary schools. She opined that it was not a financially sound decision to reduce the proffers on a deal that began 20 years ago when everything was significantly cheaper, noting that the impact will be substantial even with the current proffers.

Cheryl Cullers, 1605 Rocky Hollow Road, Bentonville, a lifetime resident and member of the Warren County Board of Supervisors voiced concern over the prediction of the number of students that would come out of the development understanding it was an estimate at best. She suggested that Council take the new information received tonight and investigate and verify as well as consider the impact to schools, fire/rescue, law enforcement and water/sewer services.

Steve Cullers, 1605 Rocky Hollow Road, Bentonville, voiced concern over the possibility of a new elementary school when money was still owed on the middle and high schools. He suggested that money be put towards the debt. He reiterated that Council investigate the information they received tonight and verify to insure all is legal.

Ron Llewellyn, 905 Virginia Avenue, advised that he shared the concerns that were expressed tonight, noting that he had tried for 20 years to work with the municipalities and welcomed the opportunity to provide any information needed to move forward. He continued to explain the change in "proffer law" in 2017 and the builder's reputation.

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Mayor Cockrell stated that just because the state law changed in 2017 it did not mean that it was required to change the 2012 proffers. Mr. Olaun Simmons, counsel for the Town on the HEPTAD development, was in attendance and explained that the state law changed to make the dialogue/conservation process between the locality and the developer easier. He suggested looking at current law and the impacts the application was having on the locality and determining whether the proffers were comfortable based on the current application as it stands and the current law as it stands. He continued by advising Council to have the applicant explain how they were going to adjust the impacts.

*Councilwoman Morris moved seconded by Councilwoman DeDomenico-Payne that Council continue this public hearing until* ***June 26, 2023 at 7:00pm*** *amending previously approved proffers for the subdivision entitled ANNA SWAN ESTATES (tax map parcel #20-A21-2-1 and #20A20-2-11) dated February 2, 2012 to the Amended Proffers dated April 4, 2023 as presented. Public Hearing must not be closed by the Mayor.*

Councilwoman Morris explained that proffers were voluntary proposals from an applicant for a rezoning request. Ms. Morris reminded Council that the proffers for HEPTAD were submitted two decades ago and had been reviewed by many individuals; however, there were still many outstanding questions allowing her to not take action tonight. She reiterated that the public hearing was being left open for Council to gather additional information. She voiced concern on the impact study due to it having a mathematical error that was caught by a councilmember. She stressed that the development would impact the immediate needs of the Town and County as well as every taxpayer but realized that growth was inevitable and should be done with appropriate information and vision from the governing bodies. She concluded by agreeing that the three boards (Town/County/School Board) need to meet in the near future.

Councilman Ingram advised that he had several more questions and it would be an injustice to act tonight. He therefore agreed with Councilwoman Morris' motion to continue the public hearing until June 26th. Ms. Morris reiterated that she chose the date of June 26th to give the public bodies and staff enough time to get answers to their many questions and work collectively with the applicant. Mayor Cockrell agreed that more time was needed to formulate the questions and get them to the applicant and/or staff for answers. Councilman Rappaport noted that the project was a relatively small development and Front Royal has not had a development in 20 years, but voiced respect for Council to leave the public hearing open. Councilman Rogers agreed that Council needed to resolve some of the issues and concerns brought up tonight to come to a resolution.

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock
No – N/A
Absent – N/A
Abstain – N/A ROLL CALL (to Continue Public Hearing)

Mayor Cockrell urged Council get their questions together for staff and/or applicant.

Councilman Rappaport reinforced that proffers are voluntary, and Council cannot ask for proffers.

Councilwoman Morris noted that this was not indecisiveness of Council and that they do have the ambition and the drive for what direction they want to go.

PUBLIC COMMENTS (COMMENTS NOT RELATED TO PUBLIC HEARINGS)

Michael Shutton, 305 William Vincent Road, Bentonville, asked for an update on the installation of sidewalks on E. Criser Road and if there was anything he could do to help. Councilwoman Morris invited

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him to the Front Royal/Warren County Transportation Subcommittee Meeting that discussed walkability and accessibility.

Melanie Salins, 70 Murray Drive, suggested that Council add a second public hearing [second reading] for all public hearings in the future.

Tom Sayre, 335 Shenandoah Shores Road, noted that during the discussions surrounding the construction of the Leach Run Parkway it was determined that there would be no traffic lights in the middle of it.

## REPORTS

A. Town Manager Report – Mr. Waltz advised that he has been exploring the Transportation Alternatives Program (TAP) through the Virginia Department of Transportation (VDOT) Grant Program that hopefully the Town would be able to use to construct the sidewalk on W. Criser Road if approved. If selected, he noted that the 100% funding would not be available for use until October 2024.

B. Town Council Reports –
Councilwoman DeDomenico-Payne reminded the public that they did not have to wait until a public hearing to let Council know their concerns and encouraged them to contact them through the Town's website.

Councilman Ingram noted that the Town was finalizing an agreement with Discover Front Royal.

Councilman Rogers voiced his concern on re-engaging the Front Royal Economic Development Authority (FREDA) without Council's consent. He explained that re-engaging with FREDA sent the wrong message to business partners in the community and residents. He requested that an item be placed on an upcoming work session agenda in open session to discuss the future of FREDA and the relationship with Warren County on economic development moving forward.

Councilwoman Morris gave a brief update from the Transportation Subcommittee noting the great relationship working with members of the Warren County Board of Supervisors and stakeholders. She noted that the subcommittee was working on the East/West Connector Road with a study from the Virginia Department of Transportation (VDOT) that will bring back various information. She briefly overviewed Smart Scale and Revenue Sharing with VDOT. She encouraged the public to attend.

Councilman Rappaport clarified that the minutes of the Transportation Subcommittee are on Warren County's website. He addressed the plan for sidewalks noting various areas where they were needed as kids were walking in the street. He asked the public to keep lawns mowed and noticed that a door had been kicked in on a dilapidated structure on Osage Street. Mr. Rappaport advised of the following events he will attend or did attend: Christ the King Chapel Dedication; Girls Little League Softball Opener and the Rockland Prayer Garden.

C. Mayor Report – Mayor Cockrell noted that she attended the following: Warren County Drug Court Advisory Meeting; Sexual Assault event at the Gazebo; Town/County Liaison Committee Meeting; Arbor/Earth Day Event. She thanked staff for their assistance during all the Town events.

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CONSENT AGENDA ITEMS

A. Bid for 2022 Manhole Rehabilitation Project

*Council approved a bid to purchase services for the 2022 manhole rehabilitation project to Standard Pipe services, LLC, out of Newark, Delaware, in the amount of $926,213.50.*

B. Bid for Engineering Services to Replace the 8th Street Bridge

*Council approved a bid to Mattern & Craig, Inc., out of Roanoke, Virginia, in the amount of $315,640.00 for engineering services to replace the 8th Street Bridge.*

C. Task Order for Water Treatment Plant Clear Wells Inspection and Evaluation

*Council approved a task order for CHA Engineering in the amount of $48,000.00 for the inspection of the Water Treatment Plants clear wells.*

D. FY23 Budget Amendment for Relocation of Utilities for Rockland Road VDOT Project

*Council approved a FY23 Budget Amendment in the amount of $23,195.32 to receive funds from the Virginia Department of Transportation (VDOT) for the expense associated with relocating water service near Rockland Road for a VDOT project.*

E. Virginia Municipal League (VML) Policy Committee Nominations

*Council approved the nomination of the following councilmembers and staff to the 2023 VML Policy Committees: Community & Economic Development – Councilwoman Morris and Town Manager Joe Waltz; Finance – Councilman Rogers and Finance Director BJ Wilson; General Laws – Vice Mayor Sealock and Town Attorney George Sonnett; Human Development & Education – Councilwoman DeDomenico-Payne; Infrastructure (covering Transportation & Environment/Natural Resources) – Councilman Rappaport and Director of Public Works Robbie Boyer*

F. Re-Nomination to the Board of Zoning Appeals

*Council re-nominated Amanda McCarthy to the Judge of the Circuit Court for approval of a five-year term on the Board of Zoning Appeals.*

G. Resolution for Extension of Penalty/Interest Charges for 2023 Real Estate and Personal Property Taxes

*Council approved a Resolution to extend the charges for penalties and interest related to 2023 real estate and personal property taxes by a period of fifteen (15) days to allow adequate time for processing and mailing of bills, as presented.*

H. Resolution Authorizing Participation in the Virginia Department of Housing and Community Development's Virginia Main Street Program: Exploring Main Street – Downtown Front Royal, Inc.

*Council approved a Resolution requested by Downtown Front Royal, Inc. representative Ellen Aders, that upon approval of Council, authorizes the Town of Front Royal's participation in the Virginia Department of Housing and Community Development (VDHC) Virginia Main Street Community Revitalization Program Tier One: Exploring Main Street with Downtown Front Royal, Inc., I further move that Council authorize the Mayor to execute the application/commitment statement on behalf of the Town of Front Royal as required.*

*Councilman Ingram moved seconded by Councilwoman Morris that Council approve the Consent Agenda as presented.*

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock
No – N/A
Absent – N/A Abstain – N/A ROLL CALL

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## BUSINESS ITEMS

Waiver of Curb and Gutter Installation at 709 & 711 Crosby Road – Jason and Christie Sine

*Councilman Rappaport moved seconded by Councilwoman Morris that Council deny the waiver of the curb and gutter and requirement requested of Jason & Christie Sine for their two lots located at 709 and 711 Crosby Road which was created via a Minor Subdivision Plat and approved by the Town on November 19, 2022.*

Councilwoman Morris explained that this request was not for owner occupied, but for new development that when completed will be placed for sale.

Councilman Ingram voiced concern that placing curb and gutter in a location that had no existing curb and gutter on the street created erosion issues, noting that this location had no existing curb and gutter.

Councilman Rappaport noted that curb and gutter made the street tighter and sent the flow of the water where it belonged.

Director of Planning Lauren Kopishke explained that the two lots being discussed are at a higher elevation on the street. She voiced concern that placing curb and gutter at this location would cause an increased flow of water, possibly entering the neighbor's yard.

Vote: Yes – Councilmembers DeDomenico-Payne, Rappaport, Vice Mayor Sealock
No – Councilmembers Ingram, Morris, Rogers
Absent – N/A
Abstain – N/A ROLL CALL (Tie)

Mayor Cockrell advised that the applicant's intention was to sell the two newly constructed homes passing the expense of the curb and gutter onto the homeowner(s) who would purchase the homes.

VOTE: Yes (to break the time to deny)

## CLOSED MEETING

*Councilwoman Morris moved seconded by Councilman Rappaport moved that Town Council convene in a closed meeting 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, specifically, proposed agreement with Discover Front Royal, Inc.*

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock
No – N/A
Absent – N/A
Abstain – N/A ROLL CALL

*Councilman Ingram moved seconded by Councilwoman Morris 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.*

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Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock
No – N/A
Absent – N/A
Abstain – N/A ROLL CALL taken by the Mayor

Meeting adjourned at approximately 12:00am

Approved by Town Council
Date: _____

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# TOWN COUNCIL SPECIAL MEETING MINUTES

Monday, May 1, 2023

Town Hall Conference Room

*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.*

ROLL CALL BY CLERK OF COUNCIL

PRESENT: Mayor Lori A. Cockrell
Councilwoman Melissa DeDomenico-Payne
Councilman Joshua L. Ingram
Councilwoman Amber F. Morris
Councilman H. Bruce Rappaport
Councilman Duane R. "Skip" Rogers
Vice Mayor R. Wayne Sealock

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

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Amend Previously Adopted Ordinance Amendment to Town Code Chapter 75.44.C. Real and Personal Property Taxes and Rates to Change the Effective Date

*Councilwoman Morris moved seconded by Vice Mayor Sealock that Council approve an amendment to the previously adopted ordinance amendment to Town Code Chapter 75.44.C. Real and Personal Property Taxes and Rates to amend the Effective Date from "July 1, 2023" to "Effective Upon Passage", as presented.*

Town Attorney George Sonnett noted that the action adheres to the Robert Rules of Order.

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock
No – N/A
Absent – N/A
Abstain – N/A ROLL CALL

PUBLIC HEARING – Ordinance Amendment to Chapter175 to amend the definition of "cemetery" and add "churchyard" to Section175-3; add "cemetery" as a use by special use permit in the Residential District (R-3) to Section 175-30 and to add supplemental provisions for cemeteries in Residential District (R-3) by special use permit to Section 175-107.4.

Mayor Cockrell opened the public hearing.

Joseph D'Arezzo, 72 John Court, Strasburg, Legal Counsel for Dynamic Life Ministries complimented Town staff for an excellent job referring to the state code, noting the special use permit protected overuse.

Gary Gillespie, 19 Fairview Avenue, thanked Council for their consideration, noting Pastor Carlton Rogers was truly loved by the community.

Elvi Rogers, 14 Little Sorrel Drive, Middletown, wife of Pastor Carlton Rogers, gave a brief history of her husband's love for the community as well as the many projects and organizations he was involved in. She explained that the process of laying him to rest on the church property began three months ago noting they wanted a place to honor him.

Tom Sayre, 835 Shenandoah Shores Road reiterated what Mrs. Rogers said.

Sarah Kesler, 206 Pendleton Lane, Strasburg spoke on behalf of Dynamic Life Ministries' congregation and staff noting that Pastor Rogers changed her life. She reiterated what the speakers before her said. She urged Council to expedite this request as quickly as possible.

Mayor Cockrell closed the public hearing as there were no more speakers and opened it up to Council.

*Councilwoman Morris moved seconded by Councilman Rappaport that Council approve ordinance amendment to Chapter175 to amend the definition of "cemetery" and add "churchyard" to §175-3; add "cemetery" as a use by special use permit in the Residential District (R-3) to §175-30 and to add supplemental provisions for cemeteries in Residential District (R-3) by special use permit to §175-107.4, as presented.*

Councilwoman Morris recommended that the Special Use Permit be applied for tomorrow so the Planning Commission and Council could advertise the joint public hearing. Councilman Rappaport advised that Town Attorney George Sonnett clarified answers to various questions he had and was ready to take action.

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock
No – N/A
Absent – N/A
Abstain – N/A ROLL CALL

Adjourned Meeting at 6:52pm.

Approved by Town Council

Date: ----------

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# TOWN COUNCIL WORK SESSION MINUTES

Monday, May 1, 2023

Town Hall Conference Room

*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.*

ROLL CALL BY CLERK OF COUNCIL

PRESENT: Mayor Lori A. Cockrell
Councilwoman Melissa DeDomenico-Payne
Councilman Joshua L. Ingram
Councilwoman Amber F. Morris
Councilman H. Bruce Rappaport
Councilman Duane R. "Skip" Rogers
Vice Mayor R. Wayne Sealock

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

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**Continued Discussion of Rezoning Application for Amendment of Zoning Map to Reclassify Approximately 43.9 Acres from Estate Residential District (R-E) to Residential District (R1A) - NVR – Saddle Crest**

Thomas Moore Lawson (Ty), Richard Lanham, and Ariel Goldring, representatives of NVR were in attendance. Director of Planning Lauren Kopishke presented large copies of the concept plan that showed the following amendments: reducing 140 lots to 128; proffering the construction of a portion of the two-lane East/West Connector Road; constructing the 20-foot temporary gravel entrance and the second paved entrance to the development. Councilman Rogers questioned the timeline for the completion of the initial and secondary roads. Ms. Kopishke advised that they would both be constructed at the same time, noting the roads would be built first and then the lots would be developed. Vice Mayor Sealock confirmed that the gravel temporary road and second entrance would stay open for emergencies. Mr. Lawson also noted that all drainage would have to be done at the beginning.

Councilwoman DeDomenico-Payne questioned the estimated value of the updated plan. Mr. Lawson advised it was $1.1 million up front. Mrs. DeDomenico-Payne confirmed that the value of the road was bigger than the contribution to the school system. Councilwoman Morris expressed gratitude that the developers heard Council's concerns and volunteered to change their proffers. Councilman Rappaport expressed appreciation that the developers heard Council's concerns regarding the emergency exit, but voiced concern with the impact on the public school system. Mr. Lawson advised that he had spoken to Taryn [Logan] at Warren County and she believed the value of beginning construction on the road was significant to the Town and County.

Mr. Lawson noted that the rights of way had to be dedicated before the rezoning. Without it, they were landlocked. David Vazzana (allowed to speak by Mayor) advised that he could not dedicate right of way without Council approving the rezoning. He advised that he was unsure how that would work but he has had conversations with NVR and hoped to find a medium to agree. Mr. Lawson advised that he had instructed engineers to draw up the plans and hoped Council could vote on the project as a package.

Councilman Rogers expressed a desire to see the project move forward. Councilwoman Morris voiced excitement over the development and the proposed road. Vice Mayor Sealock thanked NVR for the road proffer and stepping up.

Councilwoman DeDomenico-Payne questioned the installation of entrance features. Mr. Lawson advised that a nice entrance feature was mandatory.

Council agreed to have NVR – Saddle Crest come back before Council in a work session on June 12th, with a public hearing July 24th.

## Items Slated for Public Hearing

A. Ordinance Amendment to Chapter 175-137 Fees, Charges and Expenses to add the application fee of $400.00 for processing a Local Board of Building Code Appeals (LBBCA) Application

Planning Director Lauren Kopishke advised that this was an update to Town Code to allow a charge for a Local Board of Building Code Appeals (LBBCA) application of $400.00. Councilwoman Morris confirmed that Warren County's fee was also $400.00 and that it was intended to be used for staff's time and to pay each board member a stipend.

Council agreed to advertise for a public hearing on May 22nd.

B. Ordinance Amendment to Chapter 98 to Amend Sections 98-2, 98-3 and 9861 Peddlers/Itinerant Merchants to Incorporate Additional Legislation Enacted by Code of Virginia Regarding Mobile Food Units

Finance Director BJ Wilson advised that this text amendment was to update Town Code with state code language. Councilwoman DeDomenico-Payne confirmed that sales and meal taxes would go to the various jurisdictions, but the licensing would stay in the local jurisdiction.

Council agreed to advertise for a public hearing on May 22nd.

## FY2022-2023 Write Off for Bad Debt

Vice Mayor Sealock questioned how the amounts got so high and power was not turned off. Finance Director BJ Wilson advised that it could be a medical exemption, large water leak, a commercial account, etc. Mr. Wilson noted that every avenue to collect had been exhausted, but did note that the total amount for write off had gone down significantly compared to the past.

Council agreed to add to the consent agenda for May 22nd.

## Discussion on the Future Direction of Front Royal Economic Development Authority (FREDA)

Mayor Cockrell asked that Town Attorney George Sonnett answer the following questions for Council:
1) How was FREDA given the authority? Special legislation allowed the Town to create its own EDA, however, after the special legislation was passed Council took some time to act.

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2) Who has authority to dissolve FREDA? FREDA does, noting the action to dissolve begins with them as they are a separate political entity, similar to a school board.

3) Is FREDA in Town Code? Yes

4) How do you change the Town Code? Action by Council

5) What is Council's role? To at least support FREDA so they can function, interview, and appoint members.

6) Who writes the bylaws? FREDA writes and Council approves.

7) Legally does FREDA need permission from Council to hold a meeting? No

Councilman Rogers stated that FREDA was established during a time when decisions were made that he questioned. He advised that business leaders and residents have confided in him that the Council was wasting their time with FREDA and to focus on re-establishing relationships. He suggested "doing away" with FREDA since it was a tool that was being misused and was a distraction for the community.

Councilman Rappaport voiced concern with redundancy because Town citizens would be financing FREDA while they are currently financing the Warren County Economic Development Authority (WCEDA). He envisioned having one operation/authority. He questioned the difference in needs as well as financing another Executive Director since the County already had one.

Councilwoman Morris advised that the Town had funds for FREDA and suggested using those funds to start economic development until they became self-sustaining. Vice Mayor Sealock suggested using the funding that the Town currently has and see what they can do with it. Councilman Ingram agreed with Mr. Sealock. Councilwoman DeDomenico-Payne agreed with the redundancy issue but suggested keeping FREDA until the next budget cycle.

Councilwoman Morris advised that the individuals appointed to FREDA are respected in the community and are extremely qualified and that she trusted their judgement and leadership. Councilman Rogers stated that he was not questioning the background of the current FREDA members but only wanted to work together with the County. Councilman Rappaport stated that he would support whatever Council decided. Mayor Cockrell admitted that at the beginning she had concerns pertaining to redundancy; however, as time wore on, she supported the fact that the Town needed an economic development engine in the community. She explained that in the beginning of 2020 there were a lot of unanswered questions and rather than not having anything, legislatures gave the Town the ability to create their own EDA, noting it was not one particular person initiating the move.

There was consensus to support FREDA.

Mr. Sonnett advised that the first order of business was to fill one vacancy and the two terms that have expired. Mayor Cockrell directed Town Manager Joe Waltz to contact the FREDA Board members asking whether they wanted to continue to serve and advertise the vacancies.

Approved by Town Council

Adjourned meeting at 8:01pm Date: ----------

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# TOWN COUNCIL WORK SESSION MINUTES

Monday, May 8, 2023

Town Hall Conference Room

*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.*

ROLL CALL BY CLERK OF COUNCIL

PRESENT: Mayor Lori A. Cockrell
Councilwoman Melissa DeDomenico-Payne
Councilman Joshua L. Ingram
Councilwoman Amber F. Morris
Councilman H. Bruce Rappaport
Councilman Duane R. "Skip" Rogers
Vice Mayor R. Wayne Sealock

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

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## Special Use Permit to Allow a Cemetery at 1600 John Marshall Hwy – Dynamic Life Ministries

Director of Planning Lauren Kopishke advised that the application had met all standards and recommended approval. There was no further discussion and Council agreed to advertise for a joint public hearing with the Planning Commission at 6:30pm on May 22nd.

## Items Slated for Consent Agenda on May 22nd

A. FY23 Budget Amendment & Budget Transfer Additional Revenue for Projects

Finance Director BJ Wilson gave an overview of the allocations. Mayor Cockrell confirmed that the new sidewalk listed was W. Criser Road which grant funding would be applied for. Town Manager Joe Waltz noted that this was one of Council's goals.

Councilwoman Morris confirmed that the Transportation Study was in Planning/Zoning and that the street construction was $198,000 and paving was $132,000. She questioned the funding for the Prospect Bridge replacement. Mr. Wilson advised that there were funds in the budget for next year; however, the costs continued to rise. Mr. Waltz confirmed that realistically it would be 2027. He suggested allowing staff to look at other alternatives and bring back to Council with options at the June 5th work session. Discussion continued with Council feeling the bridge was an important safety issue.

Councilman Rappaport stated that the sidewalk on Main Street around the Element Restaurant and the old Bank of Warren needed to be addressed if there were any funds available. Councilman Rogers agreed noting the liability issue. Councilwoman Morris advised that the Transportation Study should show walkability and accessibility as well as addressing liabilities.

Council agreed to move forward with the amendment under the Consent Agenda for May 22nd.

B. Bid for 500kVA Three-Phased Pad-Mounted Transformer, Remanufactured – *Michelle Campbell*
Purchasing Manager Michelle Campbell advised that the transformer was for the Fleet Maintenance Building with a lead time of 16 weeks. Vice Mayor Sealock questioned the costs for new versus manufactured. Mrs. Campbell advised that it was $70,000 for a new one with a 3-year lead time. Director of Energy Services Carey Saffelle advised that the guarantee was three years for this purchase.

Council agreed to add to the Consent Agenda for May 22nd.

C. Bid for Substation Breakers and Voltage Regulators
Mrs. Campbell advised that there were six bids, three for each part. She explained that there was an amendment to the voltage regulators because the lowest bidder was unresponsive, and the Town had to go with the next lowest bidder.

Council agreed to add to the Consent Agenda for May 22nd showing the new amount.

D. Re-bid for Dump Bed Body
Mrs. Campbell advised that this was the third time Council has seen this item and there was only one response this time around. Mr. Wilson confirmed that three responses to the bid were not required.

Council agreed to the Consent Agenda for May 22nd.

E. Proclamation to Celebrate National Public Works Week May 21-27 – *Robbie Boyer*
Robbie gave a brief overview of what the Public Works Department does.

Council agreed to add to the Consent Agenda for May 22nd.

Utilize Asset Forfeiture Funds to Replace Current Standard Issue Firearms – *Chief of Police*
Chief Magalis explained that the Police Department's current side arms were 20 years old, and he was looking to upgrade them to smaller weapons, noting they were cheaper and equipped with a red dot optic sight for accuracy. He advised that funding would come from asset forfeitures that were accumulated from drug cases and all associated equipment was included in the price of $36,000. He hoped to get a grant to offset the training costs for the new optic system. Mayor Cockrell questioned who would purchase the older weapons. The Chief advised that the used side arms would be given to the distributors who would sell them on the open market. Councilman Rogers confirmed that the entire department would receive a new weapon with approximately five or six to spare. The Chief confirmed that there would be three bids for the purchase of the weapons.

Councilwoman Morris stated the importance of asset forfeiture and thanked the Chief for looking out for his officers and department.

Councilman Rappaport questioned whether there were problems with the current weapons. The Chief found them to be problematic and the FBI performed tests that improved ballistics.

Council agreed to the Consent Agenda for May 22nd.

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## Information Pertaining to Installation of Speed Camera Enforcement in School Zones

Chief Magalis explained that since speeding was a big topic around Town he began investigating what other jurisdictions were doing and realized they were placing speed cameras in school zones in the morning and afternoon. He further explained that the camera would take a picture of the violators' vehicle, the vendor would receive the information and send the violations to the Police Department to be vetted. He cautioned that the violation would be for the vehicle not the driver, noting the violation would be a civil penalty which is similar to a parking ticket. He advised that the Police Department would begin with four cameras to be placed at Strasburg Road, Criser Road, Luray Avenue and Leach Run Parkway. Councilman Rogers commented that Chester Street was an area that speeders were constant. The Chief reiterated that there would only be four cameras and the locations chosen were the areas that created the most safety situations. He advised that the cameras would be in place for two years.

Mayor Cockrell questioned the number of walkers on Strasburg Road. The Chief advised those who were walking from the trailer park and cautioned that the speed zone was not just for pedestrians but vehicle traffic as well. Councilwoman DeDomenico-Payne voiced concern about the vehicles on Leach Run Parkway that may be trying to get to the hospital and not the school. The Chief reiterated that the violations would be vetted to "weed out" vehicles such as ambulances. Town Manager Joe Waltz stated that the vendor explained that it would be for those 10+ over the speed limit who would receive a violation. Councilwoman Morris voiced her satisfaction that it was only during school zones.

The Chief explained the specifics of the procurement and the details of how the program would begin: 1) send engineers out; 2) conduct a public information campaign; 3) provide materials for the Town's website and social media accounts; 4) conduct a 30-day grace period with warning; and 5) enforcement. He commented that the vendor would handle all the collections and distribute accordingly.

It was confirmed that the violations were similar to how the Town handles parking tickets and there was a civil contest option for those ultimately going to General District court to handle. It was also confirmed that no one's insurance would increase, or violations be reported to the Division of Motor Vehicles (DMV). The Chief noted that the proceeds collected would go specifically towards traffic safety. Vice Mayor Sealock confirmed that the cameras could be controlled remotely.

Council directed staff to move forward with quotes.

## Maintenance for Unimproved Alleys

Town Manager Joe Waltz reminded Council that this item originated from a complaint regarding an alley on 12th Steet. He advised that Staff had determined that there were 52 unimproved alleys in Town, and he was recommending the institution of an annual inspection of these alleys.

Director of Public Works showed Council a PowerPoint TOWN OF FRONT ROYAL: UNIMPROVED ALLEYS that named the 52 unimproved alleys; a couple of pictures of the unimproved alleys; excerpt of Town Code Chapter 156-4B that shows the *Town is not required to cut and/or remove weeds, brush, plants, grass or other vegetation growing in the public alleys, unimproved streets and other unimproved rights-of-ways except as provided in Section 170-2 of the Town Code;* Staff recommendations; and various maps of the unimproved alleys.

Councilman Rogers confirmed that residents that reside in and around the alleys were dumping and not those who lived elsewhere. He also questioned what impact on the budget there would be to remove trees

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and clean up the alleys. It was noted that the impact would not show until after the inspections began. Councilwoman DeDomenico-Payne questioned whether there was a pattern in terms of rented or owned homes where the alleys were located that needed cleaning. Mr. Boyer advised that it was hit or miss as some were being used at both ends, noting some residents wanted to leave the growth as a buffer from their neighbors. She stated the importance of the Town maintaining the alleys because they are the owner with the hopes of setting an example for the residents.

Councilman Ingram suggested educating the public. Mr. Boyer advised that the Environmental Sustainability Advisory Committee (ESAC) was getting more involved with the Adopt-A-Street Program.

Town Attorney George Sonnett noted that illegal dumping is cited in the Town Code. Councilwoman Morris suggested creating/installing "NO DUMPING" sings to deter criminals.

Mayor Cockrell suggested that Staff come back to Council with an update once the inspections have been completed.

## CLOSED MEETING

*Councilman Ingram moved seconded by Councilwoman Morris 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 purpose:*

1) *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, proposed tourism agreements with Discover Front Royal, Inc. and Warren County.*

Councilwoman Morris left the meeting at 9:12pm and returned at 9:14pm
Vice Mayor Sealock left the meeting at 9:13pm and returned at 9:15pm.
Clerk of Council left at 9:50pm

Vote: Yes – Councilmembers DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock
No – N/A
Absent – N/A
Abstain – N/A ROLL CALL by the Town Manager

*Councilman Ingram moved seconded by Councilwoman Morris 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 DeDomenico-Payne, Ingram, Morris, Rappaport, Rogers, Vice Mayor Sealock
No – N/A
Absent – N/A Abstain – N/A ROLL CALL

Approved by Town Council

Adjourned meeting at 10:06pm Date: ----------

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# Council Agenda Statement

**Item # 06A**

**Meeting Date: May 22, 2023**

**Agenda Item:** Proclamation for National Public Works Week

**Summary:** Council is requested to approve a proclamation proclaiming May 21 – 27, 2023 as National Public Works Week in the Town of Front Royal as presented. This is an opportunity to celebrate all the hard work of the approximately 68 Town Public Works Employees who work hard every day during their shifts, while on call 24/7, and being available for emergency situations: all taking them away from their families. Below are the many duties of the Public Works Department:

- Maintains 138.2 moving lane miles (Primary & Secondary Roads).
- Maintains 92 miles storm sewer.
- Mow, weed eat and tractor mow Town properties, Rights of way and medians.
- Plans, designs, installs, and maintains floral landscapes, hanging baskets and tree plantings.
- Collects trash, recycling, yard waste from 5,896 customers.
- Cleans/Disinfects Town Buildings and performs skilled maintenance and repairs to Town Buildings.
- Fabricates, installs, and replaces Town street signs & Maintains crosswalks.
- Performs paving, pothole and street repairs, bridge maintenance and street sweeping.
- Performs sidewalk and curb and gutter installation and repairs, storm drain installation and repairs and storm damage clean-up.
- Assists Town with community events and road closures.
- Snow Removal, Repair water breaks, Sewer back-ups
- Treats sewage from 5,980 residents and Warren County Customers
- Water-Produces 2.3 million gallons per Day (MGD).
- Provides water to 6,406 residents and provides sewer to 6,093 residents.
- Maintains 119 miles of waterline, 124 miles of sanitary sewer and 753 fire hydrants.
- Reviews and inspects all public improvements within Town limits and in the County where Water & Sewer are provided, for compliance with Town Standards & Specifications.

**Budget/Funding**: None

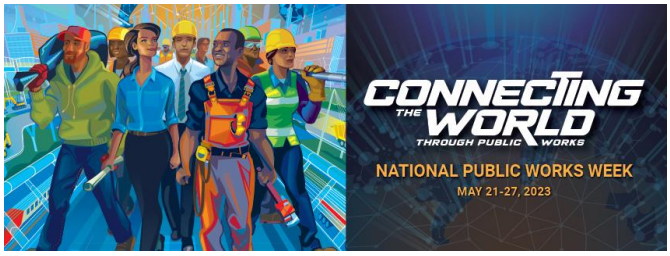
**Meetings:** Work Session held May 8, 2023

**Proposed Motion: I move that Council approve a Proclamation proclaiming May 21 – 27, 2023 at National Public Works Week in the Town of Front Royal as presented.**

***Moved*** _____ ***Seconded*** _____

***DeDomenico-Payne*** _____ ***Ingram*** _____ ***Morris*** _____ ***Rappaport*** _____ ***Rogers*** _____ ***VM Sealock*** _____

# PROCLAMATION




**WHEREAS,** public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of Town of Front Royal; and,

**WHEREAS,** these infrastructure, facilities and services could not be provided without the dedicated efforts of public works professionals, who are engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our nation's transportation, water supply, water treatment and solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

**WHEREAS,** it is in the public interest for the citizens, civic leaders and children in Town of Front Royal to gain knowledge of and to maintain an ongoing interest and understanding of the importance of public works and public works programs in their respective communities; and,

**WHEREAS,** the year 2023 marks the 63rd annual National Public Works Week sponsored by the American Public Works Association/Canadian Public Works Association be it now,

**NOW THEREFORE BE IT RESOLVED,** that the Mayor and Town Council do hereby designate the week of May 21–27, 2023 as **National Public Works Week** and urge all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

We take this opportunity to celebrate all the hard work of the approximately 68 Public Works Employees who work hard every day during their shift and while on call 24/7 for emergency situations and being taken away from family.

- Maintains 138.2 moving lane miles (Primary & Secondary Roads).
- Maintains 92 miles storm sewer.
- Mow, weed eat and tractor mow Town properties, Rights of way and medians.
- Plans, designs, installs, and maintains floral landscapes, hanging baskets and tree plantings.
- Collects trash, recycling, yard waste from 5,896 customers.
- Cleans/Disinfects Town buildings and performs skilled maintenance and repairs to Town buildings.
- Fabricates, installs, and replaces Town street signs & maintains crosswalks.
- Performs paving, pothole and street repairs, bridge maintenance and street sweeping.
- Performs sidewalk/curb/gutter installation and repairs, storm drain installation/repairs &storm damage clean-up.
- Assists Town with community events and road closures.
- Snow Removal, Repair water breaks, Sewer back-ups
- Treats sewage from 5,980 residents and Warren County Customers
- Water-Produces 2.3 million gallons per day (MGD).
- Provides water to 6,406 residents and provides sewer to 6,093 residents.
- Maintains 119 miles of waterline, 124 miles of sanitary sewer and 753 fire hydrants.
- Reviews and inspects all public improvements within Town limits and in the County where Water & Sewer are provided, for compliance with Town Standards & Specifications.

APPROVED:

_____
Lori A. Cockrell, Mayor

ATTEST:

_____
Tina L. Presley, Clerk of Council

*This proclamation was adopted by the Town Council of the Town of Front Royal, VA on May 22, 2023*

# Council Agenda Statement

**Item # 07A**

**Meeting Date: May 22, 2023**

**Agenda Item:** PUBLIC HEARING - Ordinance to Amend Town Code Chapter 175-137 Fees, Charges and Expenses to Add the Application Fee of $400.00 for Processing a Local Board of Building Code Appeals (LBBCA) Application

**Summary:** Council is requested to approve an ordinance to amend Town Code Chapter 175-137 Fees, Charges and Expenses to add the application fee of $400.00 for processing a Local Board of Building Code Appeals (LBBCA) application. Council established the Local Building Code Board of Appeals (LBBCA) in January 2023. Per Town Code, the Board is required to provide a means for an aggrieved party to appeal the determination of the Town's Property Maintenance Official. To start the appeals process, an application must be submitted. At the first meeting of the LBBCA, the members determined a fee of $400.00. The Planning Commission recommends approval of the application fee of $400.00.

**Budget/Funding**: 1000-3130306 General Fund Zoning Income.

**Meetings:** Work Session held May 1, 2023

**Proposed Motion: I move that Council approve an ordinance to amend Town Code Chapter 175-137 Fees, Charges and Expenses to add the application fee of $400.00 for processing a Local Board of Building Code Appeals (LBBCA) application, as presented.**

***Moved*** _____ ***Seconded*** _____

***DeDomenico-Payne*** _____ ***Ingram*** _____ ***Morris*** _____ ***Rappaport*** _____ ***Rogers*** _____ ***VM Sealock*** _____

**AN ORDINANCE TO AMEND SECTION 175-137.A. OF THE FRONT ROYAL TOWN CODE TO ADD A FEE TO PROCESS A LOCAL BOARD OF BUILDING CODE APPLEAL (LBBCA) APPLICATION**

**175-137 FEES, CHARGES AND EXPENSES**

A. The Town Council hereby establishes the following schedule of fees, charges, and expenses for zoning permits, certificates of use, special permits, variances, appeals, amendments and other matters pertaining to this chapter.

For processing an Administrative Variance - $100.00

For processing a Board of Architectural Review request –

- Administrative Review: $50.00
- Board of Architectural Review: $100.00
- Demolition of Historically Significant Structure: $200.00

For processing a Board of Zoning Appeals application - $400.00

For issuing a Certificate of Compliance - $25.00

For processing an application to amend the Comprehensive Plan - $400.00

For processing a Local Board of Building Code Appeals Application - $400.00.

For processing an amendment to the Zoning Ordinance - $400.00

For processing a Rezoning application –

- 1 acre or less: $500.00
- Over 1 acre: $500.00 + $100.00 per acre over 1st acre
- Downzoning: $400.00

Proffer amendment or Concept Plan/Master Land Use Plan Revision - $400.00

For processing an application for a Sign Permit –

- Permanent: $50.00
- Permanent (Entrance Corridor): $75.00
- Temporary: $25.00
- Relocation of previously approved sign: no charge for review

Requested Re-advertisement - $200.00 per meeting

For processing an application for a Special Use Permit - $400.00

For a Zoning Permit, Commercial Accessories/Additions - $100.00

For a Zoning Permit, Residential Accessories/Additions - $25.00

For a Zoning Permit, Multi-Family Residential Dwelling - $50.00 per unit

For a Zoning Permit, New Commercial - $100.00

For a Zoning Permit, New Single-Family Residential Dwelling - $75.00

For a Zoning Permit, Portable Storage Container (Residential or Commercial) - $25.00 each

For a Zoning Permit, Fences (for all uses) - $25.00

Construction or Land Disturbance Activity without a Permit – double zoning permit regular fee

Requested Copies –

- Letter Paper Size: $0.15 per sheet (b&w) or $2.00 per sheet (color)
- Legal Paper Size: $0.50 per sheet (b&w) or $2.50 per sheet (color)
- 11” x 17” Paper Size: $0.75 per sheet (b&w) or $3.50 per sheet (color)
- Bond Paper for over 11” x 17” Sizes: $0.50 per s.f. (b&w) or $3.00 per s.f. (color)
- Copy of Zoning Ordinance: $15.00
- Copy of the Comprehensive Plan (each): $20.00

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*Signatures on following page*

This ordinance shall become effective upon passage.

APPROVED:

_____
Lori A. Cockrell, Mayor

ATTEST:

_____
Tina L. Presley, Clerk of Council

---

This Ordinance was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on _____, 2023 upon the following recorded vote:

| | | | |
|---|---|---|---|
| Melissa DeDomenico-Payne | __Yes __No | H. Bruce Rappaport | __Yes __No |
| Joshua L. Ingram | __Yes __No | Duane R. "Skip" Rogers | __Yes __No |
| Amber F. Morris | __Yes __No | R. Wayne Sealock | __Yes __No |

A public hearing on the above was held on _____having been advertised in the Northern Virginia Daily on _____.

**********

Approved as to Form and Legality:

_____
George M. Sonnett, Jr., Town Attorney Dated: _____

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# Council Agenda Statement

**Item # 07B**

**Meeting Date: May 22, 2023**

**Agenda Item:** PUBLIC HEARING – Ordinance to Amend Town Code Chapter 98 Business, Professional and Occupational Licensing to Add the Definitions of Mobile Food Unit and New Business; Add Additional Information to License Requirement and Add Mobile Food Unit to Licensing Peddlers and Itinerant Merchants.

**Summary:** Council is requested to approve an ordinance to amend Town Code Chapter 98-2 Business, Professional and Occupational Licensing to add the definitions of "Mobile Food Unit" and "New Business"; add additional information to Chapter 98-3 License Requirement and add "Mobile Food Unit" to Chapter 98-61 Licensing Peddlers and Itinerant Merchants to incorporate additional legislation enacted by the Code of Virginia § 58.1-3715.1 regarding mobile food units.

**Budget/Funding**: None

**Meetings:** Work Session held May 1, 2023

**Proposed Motion: I move that Council approve** an **ordinance to amend Town Code Chapter 98-2 Business, Professional and Occupational Licensing to add the definitions of "Mobile Food Unit" and "New Business"; add additional information to Chapter 98-3 License Requirement and add "Mobile Food Unit" to Chapter 98-61 Licensing Peddlers and Itinerant Merchants to incorporate additional legislation enacted by the Code of Virginia § 58.1-3715.1 regarding mobile food units, as presented.**

***Moved*** _____ ***Seconded*** _____

***DeDomenico-Payne*** _____ ***Ingram*** _____ ***Morris*** _____ ***Rappaport*** _____ ***Rogers*** _____ ***VM Sealock*** _____

**AN ORDINANCE TO AMEND CHAPTER 98 OF THE FRONT ROYAL TOWN CODE BY ADDING THE DEFINITION OF MOBILE FOOD UNIT AND NEW BUSINESS TO SECTION 98-2; ADD ADDITIONAL INFORMATION AS 98-3.B. LICENSE REQUIRMENT; AND ADD MOBILE FOOD UNIT AS 98-61.C. LICENISING-PEDDLERS AND ITINERANT MERCHANTS**

**98-2 DEFINITIONS**

**MOBILE FOOD UNIT** means a restaurant that is mounted on wheels and readily moveable from place to place at all times during operation.

**NEW BUSINESS** means a business that locates for the first time to do business in a locality. A business shall not be deemed to be a new business based on a merger, acquisition, similar business combination, name change, or change to its business form.

**98-3 LICENSE REQUIREMENT**

A. Every person shall apply for a license for each business, trade, profession, occupation or calling (collectively hereinafter "a business"), unless otherwise exempted by law, when engaging in a business in the Town of Front Royal if **(i)** the person has a definite place of business in this jurisdiction; **(ii)** there is no definite place of business anywhere and the person resides in this jurisdiction; or **(iii)** there is no definite place of business in this jurisdiction but the person operates amusement machines or is classified as an itinerant merchant, peddler, carnival, circus, contractor subject to Virginia Code Section 58.1-3715, or public service corporation. A separate license shall be required for each definite place of business and for each business. A person engaged in two or more businesses or professions carried on at the same place of business may elect to obtain one license for all such businesses and professions if all of the following criteria are satisfied: **(i)** each business or profession is subject to licensure at the location and has satisfied any requirements imposed by state law or other provisions of the ordinances of the Town of Front Royal; **(ii)** all of the businesses or professions are subject to the same tax rate, or, if subject to different tax rates, the licensee agrees to be taxed on all businesses and professions at the highest rate; and **(iii)** the taxpayer agrees to supply such information as the assessor may require concerning the nature of the several businesses and their gross receipts.

Every person and business entity engaged in any business in the Town of Front Royal shall obtain a license from the Town of Front Royal Department of Finance before the commencement of such business, the minimum fee for which shall be ten dollars ($10.00), unless exempt from licensing. Each year thereafter, such persons and entities shall pay an annual minimum license fee of ten dollars ($10.00). In no instance shall this minimum fee create a refund.

B. If the owner of a new business that operates a mobile food unit pays the license tax required by the locality in which the mobile food unit is registered, such owner shall not be required to pay any further license tax imposed by any other locality for conducting business from such mobile food unit in the confines of such other locality. The exemption from paying the license tax in other localities shall expire two years after the payment of the initial license tax in the locality in which the mobile food unit is registered, and during the two-year period, the owner shall be entitled to exempt up to three mobile food units from license taxation in other localities

**98-61 LICENSING – PEDDLERS AND ITINERANT MERCHANTS**

C. Mobile Food Unit

If the owner of a new business that operates a mobile food unit pays the license tax required by the locality in which the mobile food unit is registered, such owner shall not be required to pay any further license tax

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imposed by the Town for conducting business from such mobile food unit in the confines of the Town. The exemption from paying the license tax shall expire two years after the payment of the initial license tax in the locality in which the mobile food unit is registered, and during the two-year period, the owner shall be entitled to exempt up to three mobile food units from license taxation in other localities.

~~C~~D. Violation

Any peddler or itinerant merchant who shall offer for sale or sell or barter without a license shall be guilty of a Class I Misdemeanor and shall be fined not less than fifty dollars ($50.00) no more than two thousand five hundred dollars ($2,500.00) for each offense, and in addition, shall be required to purchase the appropriate license from the Town.

~~D~~E. Enforcement

It shall be the duty of the police officers and the officers of the Town to enforce the provisions of the section and to have warrants issued against any person committing a violation.

APPROVED:

_____
Lori A. Cockrell, Mayor

ATTEST:

_____
Tina L. Presley, Clerk of Council

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This Ordinance was approved at the Regular Meeting of the Town of Front Royal, Virginia Town Council conducted on _____, 2023 upon the following recorded vote:

| | | | |
|---|---|---|---|
| Melissa DeDomenico-Payne | __Yes __No | H. Bruce Rappaport | __Yes __No |
| Joshua L. Ingram | __Yes __No | Duane R. "Skip" Rogers | __Yes __No |
| Amber F. Morris | __Yes __No | R. Wayne Sealock | __Yes __No |

A public hearing on the above was held on _____having been advertised in the Northern Virginia Daily on _____.

**********

Approved as to Form and Legality:

_____
George M. Sonnett, Jr., Town Attorney Dated: _____

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# Council Consent Agenda Statement

**Item # 10A**

**Meeting Date: May 22, 2023**

**Agenda Item:** FY23 Budget Amendment and Budget Transfer for Additional Revenue for Projects

**Summary:** Council is requested to approve a FY23 Budget Amendment in the amount of $480,000 to account for revenues that exceeded FY23 budgeted amounts and to approve a FY23 Budget Transfer in the amount of $248,000 from the General Fund to Street Fund. This proposed FY23 Budget Amendment and Transfer will allocate additional funds for the Town to move forward with a transportation Plan, allocate funds to be used for Criser Road Sidewalk Project, and to allocate additional funds for Paving Projects.

**Budget/Funding**:

Budget Amendment

Revenues

| | | |
|---|---|---|
| 1000-3121101 | General Fund Meals Tax | $205,0000.00 |
| 1000-3120101 | Sales Tax | $ 50,0000.00 |
| 1000-3121211 | Warren County PILOT Fees | $ 63,0000.00 |
| 1000-3120301 | Business Occupational Professional Licensing | $ 30,0000.00 |
| 4500-3240406 | Street Fund Street Construction & Maintenance | $ 132,000.00 |

Expenditure

| | | |
|---|---|---|
| 9790-49006 | General Fund Transfer to Street Fund | $248,000.00 |
| 8101-43002 | Planning & Zoning Professional Services | $100,000.00 |
| 4500-47927 | Street Reconstruction | $132,000.00 |

Budget Transfer from General Fund to Street Fund

Revenue

| | | |
|---|---|---|
| 4500-3240407 | Transfer from General Fund to Street Fund | $248,000.00 |

Expenditure

| | | |
|---|---|---|
| 4500-47927 | Highway Maintenance Street Reconstruction | $198,000.00 |
| 4500-47909 | Highway Maintenance New Sidewalk | $ 50,000.00 |

**Meetings:** Work Session held May 8, 2023

*Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:*

Proposed Motion: I move that Council approve a FY23 Budget Amendment in the amount of $480,000 to account for revenues that exceeded FY23 budgeted amounts and to approve a FY23 Budget Transfer in the amount of $248,000 from the General Fund to Street Fund to allocate additional funds for the Town to move forward with a Transportation Plan, Criser Road Sidewalk Project, and Paving Projects.

***Moved*** _____ ***Seconded*** _____

***DeDomenico-Payne*** _____ ***Ingram*** _____ ***Morris*** _____ ***Rappaport*** _____ ***Rogers*** _____ ***VM Sealock*** _____

# Council Consent Agenda Statement

**Item # 10B**

**Meeting Date: May 22, 2023**

**Agenda Item:** Bid for Remanufactured 500KVA Three-Phased Pad-Mounted Transformer for the Fleet Maintenance Building

**Summary:** Council is requested to approve a bid for a remanufactured 500 kVA Three-Phase Pad-Mounted Transformer, for the Fleet Maintenance Department in the amount of $25,625.00 from Jerry's Electric, Inc.

**Budget/Funding**: Funding has been budgeted for and is available in the following line items:

1800-47010 Debt Service Fund Fleet Maintenance Building $25,625.00

**Meetings:** Work Session held May 8, 2023

*Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:*

**Proposed Motion: I move that Council approve a bid for a remanufactured 500 kVA Three-Phase Pad-Mounted Transformer, for the Fleet Maintenance Department in the amount of $25,625.00 from Jerry's Electric, Inc.**

***Moved*** _____ ***Seconded*** _____

***DeDomenico-Payne*** _____ ***Ingram*** _____ ***Morris*** _____ ***Rappaport*** _____ ***Rogers*** _____ ***VM Sealock*** _____

**Town of Front Royal**
**Department of Energy Services**
**P.O. Box 1560**
**Front Royal, Virginia 22630-1560**
**(540) 635-3027 Fax: (540) 631-3620**
*"Powering the community since 1894"*

# Memo

| | |
|---|---|
| To: | The Purchasing Department |
| From: | Carey Saffelle, Director of Energy Services |
| Date: | May 3, 2023 |
| Re: | Three-Phase Pad-Mounted Transformer purchase recommendation |

---

The Department of Energy Services received bids for the purchase of a – 500kVA, Three-Phase, Pad-Mounted Transformer. The Transformer is for our new Fleet Maintenance building. We recommend awarding the bid, totaling $25,625.00, to Jerry's Electric Inc.

Funds for this purchase are available from 1800-47010- Debt Service Fund Fleet Maintenance Building.

Thank you,

Carey Saffelle
Director
Department of Energy Services
Town of Front Royal

**VENDOR SPREAD SHEET**

Town of Front Royal, VA

| **Bid Tabulation Summary**<br>**IFB #13-2023 500 kVA 3-PH Pad-Mounted Transformer, Remanufactured**<br>**Bid Opening Date: 4/26/2023**<br>**Opening Time: 2:30 PM** | **Jerry's Electric, Inc. Colman, SD** | **Ecology Mir Group Fairfax, VA** | **WESCO Ashland, VA** | **Pro-Line Procurement Services Jacksonville, FL** |
|---|---|---|---|---|
| **Description** | **LUMP SUM** | **LUMP SUM** | **LUMP SUM** | **LUMP SUM** |
| 500 kVA 3-PH Pad-Mounted Transformer, Remanufactured | $25,625.00 | $40,000.00 | $46,265.86 | $59,895.00 |

**The VENDOR SPREAD SHEET is generated from the initial, raw information collected.**

No award decision has been made.

Prepared by: Michelle Campbell, Purchasing Manager

Department of Purchasing
102 E Main Street
Front Royal, VA 22630
Website: www.frontroyalva.com
Phone 540-636-6889

# Council Consent Agenda Statement

**Item #10C**

## Meeting Date: May 22, 2023

**Agenda Item:** Bid for Breakers and Voltage Regulators for Happy Creek Substation Expansion Project

**Summary:** The Town held a public bid opening in accordance with the Virginia Public Procurement Act and received six (6) responses for the purchase of substation breakers and voltage regulators for the Happy Creek Substation Expansion Project. The bid for $182,640.00 from Siemens Energy is considered unresponsive due to nonconformity with the Town's terms and conditions; therefore, Council is requested to award the bids to the following bidders:

(2) 15.5 KV, 1200A Outdoor Circuit Breakers to Meyers Controlled Power in the amount of $60,336.00
(6) 7.62 KV, 250KVA, 328A Single Phase Voltage Regulators to Howard Industries in the amount of $206,730.00

**Budget/Funding**: Funding has been budgeted for and is available in the following line items:

| | | |
|---|---|---|
| 9401-47929 | Happy Creek Substation Expansion | $267,066.00 |

**Meetings:** Work Session held May 8, 2023

*Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:*

**Proposed Motion: I move that council approve a bid for (2) 15.5 KV, 1200A Outdoor Circuit Breakers to Meyers Controlled Power in the amount of $60,336.00 and (6) 7.62 KV, 250KVA, 328A Single Phase Voltage Regulators to Howard Industries in the amount of $206,730.00 for the Happy Creek Substation Expansion Project.**

***Moved*** _____ ***Seconded*** _____

***DeDomenico-Payne*** _____ ***Ingram*** _____ ***Morris*** _____ ***Rappaport*** _____ ***Rogers*** _____ ***VM Sealock*** _____

**Town of Front Royal**
**Department of Energy Services**
**P.O. Box 1560**
**Front Royal, Virginia 22630-1560**
**(540) 635-3027 Fax: (540) 631-3620**
*"Powering the community since 1894"*

# Memo

To: The Purchasing Department

From: Carey Saffelle, Director of Energy Services

Date: May 8th, 2023

Re: Substation Breaker and Voltage Regulator Purchase Recommendations

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The Department of Energy Services received 3 bids for 2 – 15.5 KV, 1200A Outdoor Circuit Breakers ranging from $60,336.00 to $64,894.00 and 3 bids for 6 – 7.62 KV, 250KVA, 328A Single Phase Voltage Regulators ranging from $182,640.00 to $311,166.42 for the Happy Creek Substation Expansion Project.

The bid for $182,640.00 from Siemens Energy, is considered nonresponsive due to nonconformity with the Town's terms and conditions.

We recommend awarding the following bids:

2 – 15.5 KV, 1200A Outdoor Circuit Breakers to Meyers Controlled Power for $60,336.00
6 – 7.62 KV, 250KVA, 328A Single Phase Voltage Regulators to Howard Industries for $206,730.00

Funds for these purchases, totaling to $267,066.00 are available in 9401-47929 Happy Creek Substation Expansion.

Thank you,

Carey Saffelle
Director of Energy Services
Town of Front Royal

VENDOR SPREAD SHEET

Town of Front Royal, VA

**IFB #10-2023 Substation Breakers and Voltage Regulators**
**Bid/Proposal Opening Date: 4/26/2023**
**Bid/Proposal Opening Time: 2:00 PM**

| QTY | ITEM DESCRIPTION | SIEMENS ENERGY RICHLAND, MS | HOWARD INDUSTRIES LAUREL, MS | WESCO/ANIXTER ASHLAND, VA | MEYERS CONTROLLED POWER NORTH CANTON, OH | MITSUBISHI ELECTRIC WARRENDALE, PA | SIEMENS INDUSTRY WENDELL, NC |
|---|---|---|---|---|---|---|---|
| | | UNIT PRICE | UNIT PRICE | UNIT PRICE | UNIT PRICE | UNIT PRICE | UNIT PRICE |
| 2 | 15.5 KV, 1200A Outdoor Circuit Breakers | | No Bid | No Bid | $30,168.00 | $32,327.00 | $32,447.00 |
| | EXTENDED AMOUNT | | $0.00 | $0.00 | $60,336.00 | $64,654.00 | $64,894.00 |
| 6 | 7.62 KV, 250 KVA, 328A Single Phase Voltage Regulators | | $34,455.00 | $51,861.07 | No Bid | No Bid | No Bid |
| | EXTENDED AMOUNT | | $206,730.00 | $311,166.42 | $0.00 | $0.00 | $0.00 |
| | **Total Bid** | Unresponsive | $206,730.00 | $311,166.42 | $60,336.00 | $64,654.00 | $64,894.00 |

*DENOTES NON-RESPONSIVE BID

The VENDOR SPREAD SHEET is generated from the initial, raw information collected. No award decision has been made.

Prepared by: Michelle Campbell, Manager of Purchasing

Department of Purchasing
102 E Main Street
Front Royal, VA 22630
Website: www.frontroyalva.com
Phone 540-636-6889

# Council Consent Agenda Statement

**Item # 10D**

## Meeting Date: May 22, 2023

**Agenda Item:** Bid for Dump Body, Hoist and Hydraulic System for Public Works Dump Truck

**Summary:** Council is requested to approve a bid for the purchase of a dump body, hoist and hydraulic system for the Public Works dump truck from Godwin Manufacturers in the amount of $54,832.60.

**Budget/Funding**: Funding has been budgeted for and is available in the following line items:

4500-47005 Highway Maintenance Motor Vehicles $54,832.60

**Meetings: Work Session held May 8, 2023**

*Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:*

**Proposed Motion: I move that Council approve a bid for the purchase of a dump body, hoist and hydraulic system for the Public Works dump truck from Godwin Manufacturers in the amount of $54,832.60.**

***Moved*** _____ ***Seconded*** _____

***DeDomenico-Payne*** _____ ***Ingram*** _____ ***Morris*** _____ ***Rappaport*** _____ ***Rogers*** _____ ***VM Sealock*** _____

# MEMORANDUM

TO: Michelle Campbell Purchasing Manager

FROM: Donald B McPaters, Director of Fleet Maintenance

SUBJECT: Purchase Dump body, Hoist, and Hydraulic system.

DATE: April 27, 2022

We have received on bid for the Dump body, Hoist, and Hydraulic system for the Public works dump truck. Godwin Manufacturers was the only bid we received at a price of $54.832.60. They have met our specifications. I recommend the purchase. this bid.

**VENDOR SPREAD SHEET**

Town of Front Royal, VA

| **Bid Tabulation Summary**<br>**IFB #11-2023 Dump Bed Body w/Hoist & Hydraulics**<br>**Bid Opening Date: 4/26/2023**<br>**Opening Time: 1:00 PM** | **GODWIN MANUFACTURING CO., INC.** | **NO-BID** | **NO-BID** |
|---|---|---|---|
| **Description** | **LUMP SUM** | | |
| Provide a Stainless Steel Dump Bed Body with Hoist and Hydraulic System | $54,832.60 | | |

**The VENDOR SPREAD SHEET is generated from the initial, raw information collected.**

No award decision has been made.

Prepared by: Michelle Campbell, Purchasing Manager

Department of Purchasing
102 E Main Street
Front Royal, VA 22630
Website: www.frontroyalva.com
Phone 540-636-6889

# Council Consent Agenda Statement

**Item #10E**

**Meeting Date: May 22, 2023**

Agenda Item: FY2022-2023 Write Off for Bad Debt

Summary: Council is requested to approve the removal of 5 years or older of outstanding accounts receivable (bad debts) totaling $47,314.36 (151 utility accounts) from the Town's ledger for the remainder of fiscal year 2022-2023.

Staff has identified the accounts as bad debt and uncollectible based upon the Bad Debt Policy approved by Town Council in March 2019 and statute of limitations. All possible recourse of attempting to collect these amounts has been completed and the accounts have no activity for at least 5 years.

The amount of bad debt previously approved to be removed by Council is as follows:
Annually the Town of Front Royal bills approximately $30 million for utility service. The Town of Front Royal Department of Finance collects approximately 99% of the utilities billed annually before accounts are deemed uncollectible and written off.

| | | |
|---|---|---|
| Budget/Funding: | 0002-0401 | Electric Allowance Uncollectible Utility Bills |
| | 0003-0401 | Sewer Allowance Uncollectible Utility Bills |
| | 0004-0401 | Water Allowance Uncollectible Utility Bills |
| | 0005-0401 | Solid Waste Allowance Uncollectible Utility Bills |

Meetings: Work Session held May 1, 2023

*Should Council wish to remove this item from the consent agenda, the following motion would allow approval of this request:*

Proposed Motion: I move that Council approve the removal of 5 years or older of outstanding accounts receivable (bad debts) totaling $47,314.36 (151 utility accounts) from the Town's ledger for the remainder of fiscal year 2022-2023.

***Moved*** _____ ***Seconded*** _____

***DeDomenico-Payne*** _____ ***Ingram*** _____ ***Morris*** _____ ***Rappaport*** _____ ***Rogers*** _____ ***VM Sealock*** _____

Write-Off Accounts FY2023

| Customer Account Number | Balance | Service Address | Final Bill Due Date |
|---|---|---|---|
| 07-325000-15 | $ 412.27 | 133 BEEDEN LN | 2/2/2018 |
| 05-207000-8 | $ 158.52 | 139-A W MAIN ST | 1/8/2018 |
| 05-280000-8 | $ 708.06 | 604 W MAIN ST | 12/3/2017 |
| 05-661000-5 | $ 688.62 | 233 S ROYAL AVE | 4/19/2011 |
| 04-208000-25 | $ 370.26 | 210 VIRGINIA AVE #13 | 11/29/2017 |
| 03-616075-19 | $ 139.07 | 915-D N ROYAL AVE | 12/28/2017 |
| 04-228000-12 | $ 82.71 | 122 VIRGINIA AVE #5 | 8/11/2017 |
| 01-718100-1 | $ 272.09 | 749 W 16TH ST | 8/18/2017 |
| 08-810000-8 | $ 212.55 | 347 OSAGE ST #2 | 9/1/2017 |
| 04-302002-1 | $ 67.58 | 135 N ROYAL AVE APT 1 | 8/25/2017 |
| 05-133000-11 | $ 91.29 | 220-B E MAIN ST | 10/11/2017 |
| 07-266022-7 | $ 240.56 | 415 E CRISER RD #204 | 4/13/2018 |
| 04-222000-14 | $ 165.91 | 204 VIRGINIA AVE #409 | 3/31/2012 |
| 03-315000-16 | $ 157.06 | 353 KENDRICK LN #24 | 9/15/2017 |
| 08-144300-19 | $ 41.91 | 604 MIDLAND AVE | 4/24/2018 |
| 03-616075-20 | $ 122.71 | 915-D N ROYAL AVE | 3/9/2018 |
| 10-593001-2 | $ 924.25 | 1037 WINE ST | 10/31/2017 |
| 02-161000-16 | $ 241.41 | 1122 N SHENANDOAH AVE #4 | 5/31/2018 |
| 02-302001-8 | $ 264.77 | 117 W 12TH ST #2 | 5/9/2018 |
| 03-230015-25 | $ 126.07 | 650-F W 11TH ST | 12/26/2017 |
| 04-664000-28 | $ 74.40 | 718 WARREN AVE #4 | 7/14/2017 |
| 03-616025-21 | $ 98.78 | 915-A N ROYAL AVE | 10/3/2017 |
| 03-664000-1 | $ 431.16 | 322 N ROYAL AVE | 8/2/2017 |
| 02-231050-19 | $ 327.98 | 134 W 13TH ST | 7/28/2017 |
| 03-202000-27 | $ 196.48 | 708 W 11TH ST #5 | 5/17/2018 |
| 04-216000-24 | $ 46.01 | 204 VIRGINIA AVE #202 | 2/2/2018 |
| 06-683697-2 | $ 568.81 | 456 CHERRYDALE AVE | 5/31/2018 |
| 05-604000-21 | $ 398.63 | 19 S ROYAL AVE #8 | 3/14/2018 |
| 07-373000-12 | $ 407.71 | 472 HILL ST | 12/22/2017 |
| 08-830000-12 | $ 944.79 | 402 OSAGE ST | 12/8/2017 |
| 02-466000-32 | $ 188.54 | 1095 N ROYAL AVE #6 | 6/12/2018 |
| 01-330052-9 | $ 513.30 | 604 EARL CT | 11/8/2017 |
| 04-672000-33 | $ 119.29 | 716 WARREN AVE #3 | 3/24/2017 |
| 01-408050-2 | $ 435.24 | 33 W 18TH ST | 2/16/2018 |
| 03-230000-12 | $ 68.15 | 650-D W 11TH ST | 8/25/2017 |
| 03-300000-25 | $ 102.84 | 353 KENDRICK LN #33 | 4/13/2018 |
| 03-595050-3 | $ 1,330.34 | 20 E 8TH ST - STORAGE UNITS #3 | 3/9/2018 |
| 02-537000-12 | $ 676.36 | 323 W 9TH ST | 11/27/2017 |
| 08-702000-42 | $ 74.25 | 118-A S ROYAL AVE | 6/12/2018 |
| 03-355000-5 | $ 437.96 | 629 W 11TH ST | 12/1/2017 |
| 03-301000-38 | $ 66.77 | 353 KENDRICK LN #34 | 7/7/2017 |
| 03-494000-27 | $ 350.44 | 1308-A MADISON AVE | 2/2/2018 |
| 01-579105-7 | $ 174.73 | 1632 EDGEMONT AVE | 12/8/2017 |
| 03-354000-3 | $ 366.13 | 627 W 11TH ST | 10/31/2017 |
| 03-179000-2 | $ 427.46 | 830 W 11TH ST | 10/24/2017 |
| 10-220000-3 | $ 510.58 | 1412 JOHN MARSHALL HWY | 3/29/2013 |
| 06-197000-4 | $ 1,028.24 | 24 W PROSPECT ST | 2/10/2017 |
| 06-247000-7 | $ 117.03 | 502 GRAND AVE | 11/6/2017 |
| 01-180343-2 | $ 113.32 | 58 ACE CT LOT#79 | 6/15/2018 |
| 03-595000-5 | $ 14.32 | 20 E 8TH ST #4 | 3/9/2018 |
| 05-663400-16 | $ 237.38 | 8 W PROSPECT ST #3 | 5/8/2018 |
| 07-591152-8 | $ 347.84 | 25 SHENANDOAH COMMONS WAY #104 | 8/4/2017 |

| | | | |
|---|---|---|---|
| 03-573000-9 | $ 885.88 | 343 W 10TH ST | 2/28/2018 |
| 10-190000-11 | $ 121.43 | 1473 ANDERSON ST | 10/25/2017 |
| 05-195000-22 | $ 51.44 | 112 E MAIN ST #2 | 5/14/2018 |
| 07-331100-15 | $ 72.26 | 142 BEEDEN LN | 4/30/2018 |
| 10-116000-7 | $ 627.35 | 5 MORAIN ST | 4/20/2018 |
| 03-595100-10 | $ 186.37 | 20 E 8TH ST #5 | 3/9/2018 |
| 03-595010-9 | $ 89.42 | 20 E 8TH ST #4 | 3/9/2018 |
| 03-177000-18 | $ 89.56 | 838 W 11TH ST | 9/28/2017 |
| 09-628000-6 | $ 435.69 | 125 JAMESTOWN RD | 8/18/2017 |
| 05-198000-9 | $ 159.00 | 114 E MAIN ST | 11/24/2017 |
| 02-617000-1 | $ 271.83 | 1313 MONROE AVE | 10/3/2017 |
| 10-194020-11 | $ 262.97 | 1433 ANDERSON ST | 9/1/2017 |
| 04-121000-7 | $ 284.48 | 506 VIRGINIA AVE #1 | 9/27/2017 |
| 10-155022-15 | $ 47.33 | 1347 ROBIN HOOD LN #11 | 10/4/2017 |
| 09-112001-26 | $ 307.49 | 207 CLOUD ST #2 | 3/12/2018 |
| 04-573100-7 | $ 524.79 | 213 CHESTER ST #4 | 2/16/2018 |
| 04-649000-25 | $ 64.46 | 631 N ROYAL AVE #2 | 4/26/2018 |
| 09-559000-9 | $ 23.26 | 828 STONEWALL DR | 7/31/2015 |
| 03-230010-16 | $ 66.84 | 650-E W 11TH ST | 1/26/2018 |
| 02-542000-8 | $ 425.94 | 334 W 9TH ST | 7/7/2017 |
| 01-643000-12 | $ 149.42 | 120 W 17TH ST | 1/26/2018 |
| 04-539200-8 | $ 82.29 | 220 E 4TH ST | 8/25/2017 |
| 10-242000-14 | $ 2,804.38 | 510 ROSS AVE | 11/30/2010 |
| 07-266009-7 | $ 133.57 | 413 E CRISER RD #204 | 3/16/2018 |
| 04-612000-7 | $ 146.93 | 415 WARREN AVE #1 | 9/15/2017 |
| 08-615300-18 | $ 538.97 | 123 STEELE AVE | 9/27/2017 |
| 03-242000-9 | $ 137.66 | 622 W 11TH ST | 7/27/2017 |
| 01-705000-7 | $ 638.47 | 1412 N SHENANDOAH AVE | 5/8/2018 |
| 06-114000-4 | $ 200.62 | 437 SOUTH ST | 6/30/2017 |
| 05-191000-39 | $ 221.34 | 112 E MAIN ST #7 | 2/2/2018 |
| 07-350000-10 | $ 1,112.54 | 436 ACTON ST | 10/24/2017 |
| 06-716000-25 | $ 54.60 | 124 W JACKSON ST #4 | 10/11/2017 |
| 09-730000-5 | $ 836.01 | 99 CHARLES ST | 12/26/2017 |
| 04-387500-28 | $ 202.99 | 127 CHESTER ST #4 | 11/27/2017 |
| 04-144000-12 | $ 255.45 | 120 W 6TH ST #6 | 3/19/2018 |
| 09-486001-2 | $ 100.75 | 511 CABLE ST | 10/3/2017 |
| 07-388000-1 | $ 26.09 | 426 HILL ST | 11/13/2017 |
| 06-298000-10 | $ 569.91 | 208 GRAND AVE | 7/7/2017 |
| 10-147091-21 | $ 70.15 | 67 ROYAL LN #3 | 10/16/2017 |
| 07-591196-11 | $ 48.02 | 17 SHENANDOAH COMMONS WAY #102 | 6/8/2018 |
| 08-810000-9 | $ 132.86 | 347 OSAGE ST #2 | 12/1/2017 |
| 06-551100-4 | $ 436.15 | 584 BROWN AVE | 4/27/2018 |
| 10-485000-10 | $ 92.66 | 217 RANDOLPH AVE | 3/2/2012 |
| 03-595200-8 | $ 18.85 | 20 E 8TH ST #6 | 3/9/2018 |
| 04-216000-22 | $ 106.39 | 204 VIRGINIA AVE #202 | 7/7/2017 |
| 10-160000-5 | $ 654.23 | 1433 JOHN MARSHALL HWY | 8/25/2017 |
| 07-109200-7 | $ 79.63 | 5499 BROWNTOWN RD | 1/5/2018 |
| 03-595400-2 | $ 432.03 | 20 E 8TH ST #8 | 3/9/2018 |
| 01-570000-1 | $ 13.79 | 203 E 17TH ST | 8/18/2017 |
| 03-353000-11 | $ 1,278.17 | 625 W 11TH ST | 5/17/2018 |
| 10-233500-11 | $ 178.53 | 514 BRAXTON RD | 5/30/2018 |
| 08-153250-15 | $ 427.91 | 246 E 6TH ST #7 | 7/7/2017 |
| 02-116000-11 | $ 223.62 | 600 W 14TH ST | 8/18/2017 |
| 03-334000-20 | $ 28.68 | 363 KENDRICK LN #42 | 9/22/2017 |
| 08-659300-23 | $ 243.56 | 306 S ROYAL AVE #3 | 2/16/2018 |

Write-Off Accounts FY2023

| | | | |
|---|---|---|---|
| 03-322000-19 | $ 85.84 | 363 KENDRICK LN #54 | 12/22/2017 |
| 08-633000-12 | $ 251.98 | 514 CARTER ST | 6/30/2017 |
| 09-367000-18 | $ 368.27 | 560 E PROSPECT ST | 2/23/2018 |
| 07-591223-25 | $ 143.87 | 13 SHENANDOAH COMMONS WAY #202 | 12/15/2017 |
| 07-529002-1 | $ 141.70 | 440 REMOUNT RD LOT #14 | 11/16/2017 |
| 07-718000-2 | $ 36.94 | 29 BEE ST | 9/8/2017 |
| 02-575000-7 | $ 204.39 | 115 W 8TH ST | 9/8/2017 |
| 01-751130-20 | $ 115.68 | 1416 N SHENANDOAH AVE #12 | 1/17/2018 |
| 04-711000-14 | $ 474.77 | 711 WARREN AVE | 8/4/2017 |
| 08-120000-21 | $ 189.07 | 634 BEL AIR AVE | 1/10/2018 |
| 08-371006-5 | $ 1,123.28 | 318 LOOP RD | 5/8/2017 |
| 04-215000-28 | $ 79.72 | 204 VIRGINIA AVE #201 | 5/31/2018 |
| 03-595300-10 | $ 40.40 | 20 E 8TH ST #7 | 3/9/2018 |
| 04-664000-30 | $ 791.43 | 718 WARREN AVE #4 | 4/24/2018 |
| 08-259000-1 | $ 103.64 | 402 WASHINGTON AVE | 7/14/2017 |
| 08-791000-1 | $ 444.00 | 223 E. PROSPECT ST | 8/25/2017 |
| 03-686002-5 | $ 178.25 | 122-C N ROYAL AVE | 7/28/2017 |
| 08-812000-11 | $ 134.46 | 347 OSAGE ST #4 | 9/22/2017 |
| 09-260000-17 | $ 52.26 | 312 FRAZIER PL | 10/2/2017 |
| 08-335333-4 | $ 2,998.30 | 983 MEADOW CT | 9/30/2011 |
| 10-611000-8 | $ 215.69 | 1058 BRAXTON RD | 12/22/2017 |
| 03-201000-19 | $ 192.65 | 708 W 11TH ST #4 | 4/13/2018 |
| 07-267020-13 | $ 193.92 | 409 E CRISER RD #202 | 10/3/2017 |
| 08-340061-3 | $ 71.59 | 848 VILLAGE CT | 9/22/2017 |
| 01-685100-13 | $ 388.09 | 121 W 14TH ST #2 | 5/26/2017 |
| 07-331000-12 | $ 671.34 | 201 ACTON ST | 1/26/2018 |
| 07-267023-23 | $ 22.27 | 409 E CRISER RD #301 | 4/26/2018 |
| 04-226000-15 | $ 137.38 | 122 VIRGINIA AVE #2 | 7/28/2017 |
| 06-525000-15 | $ 103.86 | 613 RIVER DR | 9/15/2017 |
| 03-608000-1 | $ 127.78 | 816 COMMERCE AVE | 2/23/2018 |
| 08-138000-1 | $ 105.79 | 705 MIDLAND AVE | 3/19/2018 |
| 01-330105-9 | $ 219.78 | 1515 MALLARD PL | 11/2/2012 |
| 01-589000-11 | $ 354.09 | 124 E 15TH ST | 2/26/2018 |
| 06-133000-10 | $ 213.41 | 20 W STONEWALL DR #2 | 4/27/2018 |
| 05-162000-19 | $ 47.75 | 128 E MAIN ST #2 | 1/26/2018 |
| 02-583000-1 | $ 104.71 | 820 VIRGINIA AVE | 4/13/2018 |
| 07-591224-22 | $ 56.96 | 13 SHENANDOAH COMMONS WAY #203 | 12/30/2010 |
| 08-633000-14 | $ 306.59 | 514 CARTER ST | 1/29/2018 |
| 03-610000-3 | $ 355.23 | 816-A COMMERCE AVE | 2/23/2018 |
| 08-335898-5 | $ 692.55 | 1035 MEADOW LN | 5/8/2018 |
| 06-683620-10 | $ 143.58 | 434-A CHERRYDALE AVE | 6/21/2018 |
| 05-725000-15 | $ 136.73 | 539 S ROYAL AVE #2 | 2/28/2011 |
| 05-572000-2 | $ 89.18 | 529-A E MAIN ST | 7/21/2017 |
| 04-215000-26 | $ 47.25 | 204 VIRGINIA AVE #201 | 7/7/2017 |
| **Total** | **$ 47,314.36** | | |

# Council Agenda Statement

**Item # 12**

**Meeting Date: May 22, 2023**

## CLOSED MEETING

Motion to go into Closed Meeting

[to be approved by affirmative recorded vote, with motion set forth in detail in the minutes]

I move 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, appointments to fill vacancies on the Front Royal EDA; and,

2) 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, actual litigation between the Town of Front Royal and the Warren County EDA; and,

3) 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, 1) proposed agreements for promotion of economic interests and tourism with Discover Front Royal, Inc. and Warren County, and 2) proposed proffer amendments for Anna Swan Estates (HEPTAD LLC).

Motion to Certify Closed Meeting at its Conclusion

*[At the conclusion of the Closed Meeting, immediately re-convene in open meeting and take a roll call vote on the following:]*

I move 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.

***Moved*** _____ ***Seconded*** _____

***DeDomenico-Payne*** _____ ***Ingram*** _____ ***Morris*** _____ ***Rappaport*** _____ ***Rogers*** _____ ***VM Sealock*** _____