



TOWN COUNCIL WORK SESSION MINUTES

Monday, March 14, 2022 at 7:00 PM

Town Hall Conference Room

The following minutes are a summary of items on the agenda. Meeting can be viewed in its entirety at

<https://www.frontroyalva.com/655/Meetings>

Town Manager Hicks confirmed, and it was verified that Mayor Holloway and Vice Mayor Cockrell were both attending the meeting remotely due to not feeling well.

Poes' River Edge LLL Special Use Permit Campground Facility – Director of Planning Lauren Kopishke gave a brief overview of the request for the special use permit as well as contingencies associated with the permit. She noted that there were no speakers at the Planning Commission Public Hearing, and they voted unanimously to refer it to the Town Council. Ms. Kopishke explained by-right usage and that the water issue has been worked out. Councilman Lloyd voiced his fear of campgrounds becoming permanent housing. It was noted that 180 days is allowed, and that the development would not begin until conditions were met. Councilman McFadden confirmed that transient taxes would be collected. Council agreed to move forward with a public hearing.

Deed of Partial Vacation of Easement Vacating the 20-foot Sewer Easement Located on 195 Toray Drive – Assistant Town Manager Kathy Leidich briefed Council on the vacation of the sewer easement at 195 Toray Drive. Council did not have any questions and moved it forward to a public hearing.

FY22-23 Proposed Annual Budget (Additional Discussion) – Finance Director BJ Wilson gave a brief overview of the budget reminding Council that the tax rate would remain the same with a public hearing scheduled on March 28th. Councilman Gillispie requested that a line item be added to include a Drug Court Coordinator for \$40,000.00. He noted that Valley Health and the Warren County Sheriff's Department would be contributing as well. Councilman Lloyd questioned the opioid settlement funds and how they could be used toward the coordinator position. It was noted that the specifications for use of the funds had not been released and there was no timeframe on when that would happen. Town Manager Steven Hicks explained in more depth about the contributions and how they would be distributed in the upcoming budget and for FY23-24. Police Chief Kahle Magalis voiced his support and gave a history and overview of the Drug Court, noting its success rate. Much discussion ensued and it was agreed to have Mr. Wilson bring back options for placement of the position in the upcoming budget at the next work session.

Ordinance Amendment to Town Code Chapter 134 Pertaining to Sewer Rates – Mr. Wilson gave an overview of the 2.25% increase in sewer rates that Council would be voting on at a public hearing on March 28th. He explained the increase was being used to repair infrastructure due to a DEQ consent order.

Vice Mayor Cockrell noted that she had other questions about the budget but for sake of time agreed to send them to Mr. Hicks to answer through email and for him to distribute to Council.

Discover Front Royal FY23 Budget and Draft Joint Tourism Memorandum of Agreement (MOA) – Mr. Hicks advised that the MOA in front of Council tonight was received in his office at 4:45pm with the highlighted revisions. He continued to go over the revisions noting the difference between what was discussed at the most recent joint meeting with the County of Warren on March 3rd and tonight. Councilwoman Morris voiced frustration on receiving a document so close to their meeting start time and suggested that going forward this did not happen again. She also voiced concern that the Board of Supervisors had not had a chance to view the MOA. Mrs. Cockrell suggested keeping the original wording of the MOA that was discussed at the joint meeting and Council agreed. Mr. Hicks will send back to Warren County with those sentiments.

Draft Resolution for Water and Sewer Services in the Route 340/522 Corridor for Commercial and Industrial Uses – Mrs. Cockrell confirmed that there would not be any additional costs. It was noted that any infrastructure will be done by the developer based off the study. Council agreed that the resolution would be placed on the March 28th agenda for formal approval.

Items Proposed Consent Agenda Items on March 28th Agenda: Mr. Hicks advised that the following items would be placed on the Consent Agenda for March 28th unless Council advised otherwise. Council had no questions on any item.

- Award Contract for Curb and Gutter Installation
- Duck Street Culvert Repair
- FY22 Budget Amendment to Accept Law Enforcement Block Grant
- Proclamation for Arbor Day
- Resolution for Submission of VA Smart Scale Pre-Application for the Happy Creek Road Phase II Project

Edgemont Avenue Street Name Change to Banks Boulevard, Street, Avenue – Councilwoman Thompson passed out information regarding the street name change that included a map, Town Code Section and petition from residents who lived along the street(s) who were in favor of the change. She explained that the name change would include a portion of Edgemont Avenue and Scranton Avenue and per the petition would be re-named to George E. Banks Avenue. Town Attorney advised that per state code the street name change would require a public hearing to approve an ordinance that would be recorded at the courthouse. It was also noted that all those affected would need to have their addresses changed. Councilman Gillispie suggested another way to honor Mr. Banks would be to place street signs along Commerce Avenue that would state George E. Banks Memorial Highway. It was noted that this would require only the approval of a Resolution by Council and the signs could be constructed in-house. He also suggested the placement of a memorial plaque to be installed at the Town Commons Area. The Clerk of Council Tina Presley noted the next public hearing would be April 25th as the public hearing would not meet the advertising guidelines for March 28th. There was not a consensus of Council to advertise for a public hearing.

Proposed Comprehensive Plan – New Urbanism Presentation – Mr. Lloyd gave Council a presentation on New Urbanism and asked that Leon Krier be invited to a work session in May.

Closed Meeting

Councilman McFadden moved, seconded by Councilman Gillispie that Town Council convene and go into Closed Meeting for the following 1) discussion, consideration, assignment, appointment, promotion, performance, demotion, salaries, discipling or resignation of specific public officers, appointees, or employees of any public body specific to the Town Manager’s performance in his role as Interim Building Code Official, Town Attorney position. Board of Zoning Appeals Vacancy and Environmental Sustainability Advisory Committee (ESAC) Vacancy, pursuant to Virginia Code §2.2-3711. A.1 of the Code of Virginia; and 2)with respect to a commercial enterprise located in the Town’s corporate limits which the Town furnishes public utilities: (a.) Discussion or consideration of the investment of public funds where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected, pursuant to Virginia Code Section 2.2-3711.A.6 of the Code of Virginia; and, (b.) discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code §2.2-3711.A.29 of the Code of Virginia.

Vote: Yes – Vice Mayor Cockrell (remote) and Councilmembers Gillispie, Lloyd, McFadden, Morris, and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Councilman McFadden moved, seconded by Councilman Gillispie 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 – Vice Mayor Cockrell (remote) and Councilmembers Gillispie, Lloyd, McFadden, Morris, and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Mayor Adjourned the Work Session and began their scheduled Special Meeting.

PRESENT: Mayor Holloway (remote-sick); Vice Mayor Cockrell(remote-sick), Councilmembers Gillispie, Lloyd, McFadden, Morris and Thompson, Town Manager Steven Hicks, Assistant Town Manager Kathy Leidich, Assistant Town Attorney George Sonnett, Finance Director BJ Wilson, Planning and Zoning Director Lauren Kopishke, Public Works Director Robbie Boyer and members of the public and press.

Approved by Town Council

Date: 3/28/22



TOWN COUNCIL SPECIAL MEETING MINUTES

Monday, March 14, 2022

immediately held after the work session in the Town Hall Conference Room

The following minutes are a summary of items on the agenda. Meeting can be viewed in entirety at

<https://www.frontroyalva.com/655/Meetings>

ROLL CALL PRESENT: Mayor Chris W. Holloway (via remote-sick)
Vice Mayor Lori A. Cockrell (via remote-sick)
Councilman Gary L. Gillispie
Councilman E. Scott Lloyd
Councilman Joseph E. McFadden
Councilwoman Amber F. Morris
Councilman Letasha T. Thompson

APPOINTED STAFF PRESENT: Town Manager Steven W. Hicks
Clerk of Council Tina L. Presley

APPOINTED STAFF ABSENT: James E. Cornwell, Jr., Interim Town Attorney

Draft Memorandum of Agreement (MOA) of the Board of Supervisors and Town Council to Promote and Support Development in Front Royal, Virginia Regarding Building Code Enforcement

Councilman McFadden moved, seconded by Councilman Gillispie that Council approve the Memorandum of Agreement (MOA) between the Board of Supervisors and Town Council to promote and support development in Front Royal, Virginia regarding building code enforcement with one revision to #5 of the MOA that the agreement would continue until January 1, 2027, or can be terminated following a sixty (60) day written notice from the Town to the County. I further move that Council rescind Resolutions June 1, 2021 "Establishment of the Building Codes and Environmental Division"; December 13, 2021 "Updated June 1, 2021, Resolution"; December 13, 2021 "Appointment of Acting Building Official" and December 13, 2021 "Building Permit Fees for Residential and Commercial" upon full execution of the MOA from the Town Council and the Board of Supervisors.

Councilman McFadden reminded Council of the consensus between the Council and Board of Supervisors at their recently held joint meeting [March 3rd]. He explained that the agreement Council received today at 4:45pm from the Board of Supervisors had been revised and did not reflect the consensus.

Councilman Lloyd suggested that Council review the audio recording of the March 3rd meeting to clarify that a consensus was met which include five years or sixty days. The most current agreement states five years and then sixty days. He noted that Council has discussed a 50% subsidy of third-party inspections to go into effect April 1st if the Town were to continue with the Building Department.

Councilwoman Morris advised that she was ready to vote to give the Building Department back to Warren County but expressed dissatisfaction on receiving a revised agreement right before Council was to begin their meeting. She noted that the Town could counter but it would prolong the inevitable and agreed with Councilman Lloyd that the Town could compromise by the 50% subsidy of third-party inspections. She advised that she had called other localities about their fees and voiced disappointed by Warren County's fee schedule.

Councilwoman Thompson voiced her discouragement that the agreement is being "bounced" back and forth and suggested moving forward.

Councilman Gillispie advised that he supports "sending" the building department back to the County of Warren and that five years would be enough time for the Town to get the "bugs" worked out.

Vice Mayor Cockrell advised that fees are needed to cover the department and Warren County's fees currently do not. She noted that Town citizens are County citizens therefore they are paying taxes to subsidize the County Building Department.

Director of Planning Lauren Kopishke advised Council that since [January 3] there are 69 permits in the system and the department has received three complaints.

Councilman Lloyd asked to hear from George Cline of the Warren County Builders Association who was present in the audience. Mr. Cline advised Council of a 12-month agreement he was made aware of and voiced his frustration on the "ping pong" between the Town and County.

There was much continued discussion amongst Council until the Mayor called for a vote.

Councilman Lloyd disclosed that while he currently had no building plans he may in the future.

Vote: Yes – Vice Mayor Cockrell (remote), Councilmembers Gillispie, Lloyd, McFadden, Morris, and Thompson

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Mayor Adjourned the Special Meeting at 10:49 P.M.

Approved by Town Council

Date: 3/28/22