



## TOWN COUNCIL REGULAR MEETING MINUTES

March 27, 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](http://www.frontroyalva.com).*

Moment of Silence

Pledge of Allegiance led by Sophia Wagner

### 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.

**APPROVAL OF MINUTES** – *Councilwoman Morris moved seconded by Vice Mayor Sealock that Council approve the Regular Meeting minutes of February 27, 2023, Special Work Session Minutes of March 6 and 22, and Work Session Minutes of March 13, 20223, as presented.*

Councilwoman DeDomenico-Payne noted that her name was misspelled throughout the minutes but advised that it has since been corrected.

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 BUSINESS** – None

### RECOGNITIONS/AWARDS/REPORTS –

Proclamation for 50<sup>th</sup> Anniversary for the Karate Club

*Councilwoman Morris moved seconded by Vice Mayor Sealock to approve a Proclamation proclaiming April 7, 2023 as the Front Royal Karate Club 50<sup>th</sup> Anniversary Celebration in the Town of Front Royal as presented.*

Mayor Cockrell read the proclamation and Joe Duggan accepted it on behalf of Sensei Drago who was teaching a class. She noted that she would be attending the celebration.

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

Proclamation for Skyline Hawks Boys Varsity Basketball Team

*Councilwoman Morris moved seconded by Councilman Rappaport that Council approve a Proclamation proclaiming the recognition of the Skyline High School Hawks Boys Varsity Basketball Team as presented.*

Mayor Cockrell expressed her pride in the team and their success.

Councilman Rappaport quoted “If you want to go fast, go alone. If you want to go far, go together”. He advised of his attendance at games and thanked them “for the ride”.

Councilman Rogers noted that there were many disciplined and caring coaches in the community.

Councilwoman Morris advised of her attendance at the games and noted the energy in the gym. She too expressed her pride in the success of the team.

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**

Special Use Permit for a Commercial Outdoor Recreation Facility at 1847 N. Royal Avenue – Jeffrey Kelble

Mayor Cockrell opened the public hearing.

Robert Sealock, 437 Belair Avenue noted that the applicant gave back to the community by allowing the youth to practice football at no charge. He opined that the new facility would have a positive impact on the community and the traffic scheduling would help cut down on the number of vehicles going to and from the facility.

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

*Councilwoman Rogers moved seconded by Councilwoman Morris that Council approve a request from Jeffrey Kelble for a special use permit for a commercial outdoor recreation facility at 1847 N. Royal Avenue (tax map 20A3-1-1 & 2) with the following conditions: 1)The applicant shall comply with all requirements of the Virginia Department of Health and obtain all necessary permits prior to the commencement of the use; 2) the hours of operation for outdoor activities shall be submitted in writing to staff prior to commencement of use per Town Code §175-10.10-D. and 3) that the length of stay be no more than fourteen (14) calendar days at one time excluding caretakers.*

Councilwoman Morris advised that this was the first time a recreation facility of this kind would be in the Town limits and thanked the Planning Commission for their assistance on this project.

Vice Mayor Sealock thanked Mr. Kelble for helping the youth and confirmed that the facility would be mobile to move during a flood event.

Councilman Rappaport expressed his excitement for the facility noting it was a plus for tourism and great use of the property. He voiced concern about the traffic at the 14<sup>th</sup> Street and North Royal Avenue intersection with vehicles trying to make a left. Councilwoman Morris noted that the intersection had been an issue for a long time noting it would be a perfect opportunity for the Virginia Department of Transportation (VDOT) to recognize the Town's need.

Councilman Ingram noted that Front Royal was designated as the Canoe Capital of Virginia; however, there was never any canoe companies within the Town limits. He mentioned that the facility would be a trailhead for the Shenandoah Rails Trail as well.

Councilman Rogers thanked Mr. Kelble for his positive influence for children in the community. He expressed hope for more development along the river.

Councilwoman DeDomenico-Payne expressed her appreciation to Mr. Kelble for all the information that was given to Council noting his vision was well thought out and planned.

Mayor Cockrell praised Mr. Kelble for a great job answering questions from the Planning Commission during their public hearing. She opined that he would have a "gold mine" when the Shenandoah Rails Trail was completed. She complimented him on an organized business plan.

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

#### Ordinance Amendment to Town Code Chapter 4-1

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

*Vice Mayor Sealock moved seconded by Councilman Rappaport that Council approve an ordinance amendment to Town Code Chapter 4-1 as presented.*

Councilwoman Morris noted that bringing back the additional work session that was removed a few years ago will help decrease time spent at one work session.

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

#### Bid Award and Budget Amendment for the Fleet Maintenance Building Project

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

*Councilman Ingram moved seconded by Councilwoman Morris that Council approve a bid to LCW Construction for the Fleet Maintenance Building Project in the amount of \$1,995,000.00 and approve a budget amendment in the amount of \$2,450,000.00.*

Councilwoman Morris commented on the “amazing talent” currently working in the Fleet Maintenance Department. She opined that the new building would pay for itself and thanked the staff for their hard work along with Finance Director BJ for his work on the financing for this project.

Councilman Ingram advised that he toured the current facility and voiced amazement on what was being done in-house. He noted that the Fleet Maintenance Building was put in motion by the former Council.

Councilman Rappaport advised that the current building was approximately 50 years old with no air conditioning.

Councilman Rogers advised that he too toured the facility and gave a “hats off” to the staff for what they do with what they have.

Councilwoman DeDomenico-Payne advised that during her tour of the current facility, she saw a trash truck taking up the entire space inside the building. She commented on the amount of aging fleet Town Staff kept running noting they deserved the new space.

Mayor Cockrell thanked the staff for their patience.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Resolution for Bond Purchase and Loan Agreement Related to Fleet Maintenance Building Project

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

*Councilman Ingram moved seconded by Councilwoman Morris that Council approve the Resolution entitled “RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FRONT ROYAL, VIRGINIA, AUTHORIZING THE ISSUANCE AND SALE OF ITS GENERAL OBLIGATION BOND, SERIES 2023 IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,450,000, AND THE EXECUTION AND DELIVERY OF CERTAIN DOCUMENTS PREPARED IN CONNECTION THEREWITH, as written and presented, approving a Bond Purchase and Loan Agreement with Webster Bank in the amount of \$2,450,000 for a term of 20 years to be used for the Fleet Maintenance Building Project and authorize the appropriate Town officials and officers to execute the necessary documents.*

Councilwoman Morris questioned the revision to the motion as it was different than was presented in the agenda packet. Town Attorney George Sonnett advised that he preferred the motion be expanded and clear for the record as it was essential for the bond package.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

## PUBLIC COMMENTS (COMMENTS NOT RELATED TO PUBLIC HEARINGS)

Christopher Morgenstern, 197 Woodthrush Way, Front Royal, advised that he was the owner of 1989 Vape Company located across from Martins Food Store on South Street. He voiced concern on the number of vape stores in Town and how it was negatively affecting his business. He explained that the products he offered help those who were looking to stop smoking in a healthy and safe way with products that were proved to be 95% safe. The other vape stores sell products related to illicit substance use and tobacco products and opined that they were not true vape stores. He noted that there was a difference between a vape store being in Town to help the community and create a positive health benefit versus stores who sell products for drug use. He suggested having a zoning ordinance that placed specific stores selling products that were not healthy and safe for the community in one location in Town.

Mayor Cockrell thanked Mr. Morgenstern for educating Council and that they would have the opportunity to reach out to him at a later time if they wanted more information.

Clare Schmitt, 337 W. 10<sup>th</sup> Street, read the following to Council:

Dear Mayor and Town Council,

I know most of you already know me in some capacity, but I wanted to introduce myself as the newly appointed President and Chairman of Discover Front Royal.

As I'm sure you know, our mission is "to promote the common economic interests of all the commercial tourism enterprises in the Town of Front Royal and Warren County." Our intention was to be the Destination Management Organization (DMO) and be the backbone of regional tourism, supporting the town and the county and increasing tourism revenue for our community. When Kerry Barnhart (DFR's prior Chair and now a current board member) approached me to join the board, knowing how critical tourism is to our community and how much time and effort she has poured into this, I said yes, on the condition she stayed on the board to support me in the transition and help me get up to speed, which she has graciously done. While I am still absorbing the 1000+ pages of reading in 2 weeks, I am happy to say I'm getting my arms around things now. I encourage you all to check out some of the information here on our website <https://www.discoverfrontroyal.com/tourism-partnership-resource.html> if you have not already done so. All of our meeting agendas, minutes, and stakeholder and marketing reports are housed here.

I am incredibly grateful to Kerry and the previous Board of Directors for their work in getting DFR to this point and supporting the town and the county in their tourism efforts. I believe the combined lodging tax has grown, as well as all other leading and lagging indicators of tourism (followers, SEO positioning, number of visitors, meals tax, etc.). While I know we don't currently have any active agreements with either the town or county, I am optimistic that the Town of Front Royal, Warren County, and Discover Front Royal can work together to improve and advance tourism growth in our region. Our entire board is committed to our mission. In addition to myself and Kerry, we also have Ellen Aders and Hannah MacKinnon on our board. Ellen is the owner of Ellen Aders Insurance, is very active in our community, and, in addition to being a board member of Discover Front Royal, she is also the President of the Downtown Front Royal board and Vice President of the Rotary Club. Hannah is the General Manager of DoubleTree by Hilton Front Royal/Blue Ridge Shadows and is the "voice of lodging" for our board. We will also be adding a new board member during our special board meeting this Thursday. Please feel free to contact me if you have any questions or concerns.

## REPORTS

### A. Town Manager Report –

Thank you, Mayor,

I wanted to touch on a few items tonight to include Tourism and the Council Retreat.

First Tourism, we continue to pursue an agreement with Discover Front Royal who will be our DMO, Destination marketing organization to allow a collaborative approach with Tourism. We are also pursuing an agreement with the County to help facilitate this joint effort with Tourism. In the meantime, we are making progress on returning the Visitor Center back to normal operations, I'm pleased to announce we have transition back to 7-days a week. On the retreat, Town Council met on Wednesday, March 15 to begin the goal setting and priorities list for this Council as we move forward. The retreat focused on team building, communications, and understanding the issues as they relate to the bigger picture. While we only created a few goals that night, we developed a framework moving forward for Council to develop goals. We practiced how to move issues and themes from big picture to a more actionable language with specific benchmark. The idea is to develop a core of strategic themes and then develop goals in the themes with objective listed to complete the goals. We plan to discuss our goals in more detail at a future work session.

That concludes my report, Thank you Mayor.

**B. Town Council Reports –**

Councilwoman DeDomenico-Payne thanked everyone for speaking tonight and wanted to learn more about the vape issue.

Councilman Rogers noted the headway with tourism and looked forward to building tourism along with a relationship with the County of Warren. He agreed that vape shops were an issue and expressed appreciation to Mr. Morgenstern for the explanation of the differences in shops.

Vice Mayor Seacock thanked Mr. Morgenstern for his explanation of the vape shops. He also noted that he was glad to see that the new outdoor facility was moving forward and thanked Mr. Kelble for giving the youth a place for football.

Councilwoman Morris thanked Kerry Barnhart [former President/Chairman of Discover Front Royal] for her hard work and dedication to tourism. She welcomed Clare Schmitt to the new position left vacant by Mrs. Barnhart. She expressed hope that efforts will be joined together to move forward with tourism. She thanked Town Manager Joe Waltz for organizing the most recent Council retreat as it was nice to see Council come together. She thanked Mr. Morgenstern for his educational information regarding vape shops. She gave an update on the Transportation Subcommittee noting that transportation was not just the way you drive but walkability, accessibility, ADA compliance and much more.

Councilman Ingram advised that the Virginia Department of Transportation (VDOT) was working on a study for the Transportation Subcommittee. He noted that he attended the Shenandoah Rails Trail meeting advising that it was planned as a 49-mile section of trails from Broadway to Front Royal and urged the community to visit their website for more information.

Councilman Rappaport thanked Mr. Morgenstern for his comments related to vape shops noting that he learned something tonight. He suggested establishing bike lanes to connect with the new recreation facility. He asked that the use of the former Youth Center building located on 8<sup>th</sup> Street keep moving forward so that 13 - 16-year-olds would have a place to go.

C. Mayor Report – Mayor Cockrell welcomed Mrs. Schmitt and thanked her for the additional information she presented tonight. She thanked Kerry Barnhart for her efforts and dedication to tourism. She advised that the next Warren County Drug Court Advisory Committee Meeting was July 7<sup>th</sup> and thanked former colleague Gary Gillispie for seeing this vision and being a part of it from the beginning. She advised that she too attended the Shenandoah Rails Trail meeting with approximately 100 other people. She reminded the community it was a long-term project slated for completion in 2030. She urged the community to visit their website as there will be additional public input meetings scheduled. Mrs. Cockrell advised that she attended a resident's 106<sup>th</sup> birthday party. She thanked everyone who attended the most recent Council retreat.

**CONSENT AGENDA ITEMS****A. Riverton Pump Station Engineering Proposal**

*Council approved a task order for Potesta Engineering in the amount of \$162,900 to investigate the Riverton Pump Station.*

B. Financial Audit Services

Council approved a contract for financial audit services to UHY LLP for a period of one year with the option to renew the contract for four additional one-year terms at the following costs:

<i>Year Ending June 30</i>	<i>Financial Audit</i>	<i>Single Audit (per major program)</i>
<i>FY23</i>	<i>\$50,000</i>	<i>\$5,000</i>
<i>FY24</i>	<i>\$50,000</i>	<i>\$5,000</i>
<i>FY25</i>	<i>\$51,500</i>	<i>\$5,100</i>
<i>FY26</i>	<i>\$53,000</i>	<i>\$5,200</i>
<i>FY27</i>	<i>\$54,500</i>	<i>\$5,300</i>

C. Various Single-Phase Pad-Mounted Transformers

Council approved the purchase of (5) 25 kVA and (5) 50 kVA Single-Phase URD Pad-Mounted Transformers in the amount of \$47,855.00 from Jerry's Electric, Inc. of Colman, SD.

D. Three-Phase Pad-Mounted Transformer

Council approved the purchase of a 1000 kVA Three-Phase Pad-Mounted transformer, totaling \$63,941.47 with a lead time of 3-5 weeks, to Wesco/Anixter, of Ashland, VA.

E. Resolution Approving Town's Participation in Proposed Settlement of Opioid-Related Claims Against Pharmaceutical Manufacturers and Distributors with Settlement Funds to be Used to Help Remediate Damages Caused by the Opioid Epidemic

Council approved a resolution for the Town's participation in the proposed settlement of opioid related claims against pharmaceutical manufacturers and distributors with settlement funds to be used to help remediate damages caused by the opioid epidemic, as presented. Council further moved that Council authorize the Town Manager to execute all necessary documents.

Councilwoman Morris moved, seconded by Councilman Rogers to approve the consent agenda as presented.

Councilwoman Morris advised that the Town would not receive the funds, but the County of Warren would.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

**BUSINESS ITEMS –**A. Nomination to the Board of Zoning Appeals (BZA)

Councilwoman Morris moved seconded by Vice Mayor Sealock that Council nominate Claire F. Schmitt to the Circuit Court Judge for appointment to the Board of Zoning Appeals (BZA) to fill an unexpired term ending May 1, 2027.

Councilwoman Morris questioned whether there was a conflict of interest since Mrs. Schmitt was also the President/Chairman of Discover Front Royal. Town Attorney George Sonnet advised that he could not confirm that at the present time. Council thanked Mrs. Schmitt for serving.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

B. Appointments to the Joint Towing Advisory Board

*Councilwoman Morris moved seconded by Vice Mayor Sealock that Council approve the reappointment of the Joint Towing Advisory Board as presented retroactive from August 2022 said terms ending August 31, 2026.*

*Towing/Recovery Business Representatives*

- *Gloria Knott – Keens Towing*
- *Louis C. “Peanut” Tharpe – Tharpe’s Towing*
- *Alan Crawford – Midway Towing*

*Law Enforcement Members*

- *WCSO Sergeant Travis Cave*
- *FRPD Sergeant David Fogle*
- *VSP Sergeant Brian Davis*

Councilwoman Morris thanked everyone on the Board for volunteering to serve. Mayor Cockrell reminded the citizenry that the Citizen Appointment on this Board was currently open and to contact the County of Warren if interested in applying.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Meeting adjourned at 8:32pm.

Approved by Town Council

Date: 4/24/23