



TOWN COUNCIL SPECIAL WORK SESSION MINUTES

Monday, April 10, 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.

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 Member of Staff and Public

ADDITION TO THE AGENDA: *Councilwoman Morris moved seconded by Vice Mayor Sealock to add an item to the agenda after #4 to discuss and consider a Resolution regarding a 509 (a) (2) applying for Explore Main Street status.*

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

ROLL CALL

Rezoning Application Amendment of the Zoning Map of the Town of Front Royal to Reclassify Approximately 43.9 Acres Identified at Tax Map #20A221-3A from Estate Residential District (R-E) to Residential District (R-1A) from NVR, Inc. – Saddle Crest – Planning Director Lauren Kopishke showed Council a PowerPoint of the proposed Saddle Crest Neighborhood. She explained that the rezoning was R-1A designation for 44.183 acres with 128 single family detached homes with two-car garages with 3.03 units per acre. She continued that there would be public streets with sidewalks on both sides, existing public sanitary sewer and water and landscaping along the property. She continued by noting the various changes to address comments raised at the December 7th Planning Commission Work Session. Those changes were: the approximately 5.5 acres right-of-way reservation be for the extension of the future Leach Run Parkway, reduce the number of lots from 142 to 128; add walking trails in open space, add play fields in open space and proffers include \$3,600 per unit for schools (24% credit/by-right zoning). There was much discussion about the 5.5-acre right-of-way. The PowerPoint also included various views of the

property along with overlay of the reserved area over the initial plan, revised conceptual development plan and examples of homes to be built.

Mayor Cockrell questioned what the Virginia Department of Transportation (VDOT) suggestions were. Ms. Kopishke noted that they did not offer comments only focused on the East/West Connector Road [Connector Road].

Councilman Ingram questioned whether there was an estimate of those already living elsewhere in Town who would purchase a home in this new neighborhood. Ms. Kopishke advised that the Comprehensive Plan showed there was a housing shortage in Front Royal but no data as to who would move there. She also noted that both Comprehensive Plans (old/new) designated this area as an urban growth area. Councilwoman DeDomenico-Payne opined that the prices for the homes did not match Front Royal's median household income.

Mr. Ingram questioned whether the Connector Road was still in the Comprehensive Plan. Ms. Kopishke advised that it was in the Transportation Chapter. Councilwoman Morris advised that NVR was one of the developers that had attended the Transportation Subcommittee [Subcommittee] and was willing to do their part on the Connector Road. Councilman Rappaport questioned whether the Connector Road could affect the proffered 5.5 acres and the flyover mentioned in the documents. It was noted that the Virginia Department of Transportation (VDOT) advised the Subcommittee that the flyover was out. Ms. Kopishke confirmed that NVR was not removing the 5.5 acres for the flyover.

Thomas Moore Lawson (Ty), Richard Lanham, and Ariel Goldring, representatives of NVR were in attendance. Mr. Lawson explained that if Council desired the Connector Road to be the new entrance instead of Shenandoah Shores Road, they could build it. He reiterated that the 5.5 acres would remain an amenity for a trail network and open space. Vice Mayor Sealock opined that he would like to see two entrances and exits.

Ms. Morris noted that it would be approximately six months for the VDOT Safety Study to be completed. She advised that other property owners in the area were willing to give portions of their land towards the construction of the Connector Road. She learned in the Subcommittee Meetings that residential developments were not economic development, making the ranking for funding from VDOT on the lower end of the scale. Mr. Ingram added that there was a lot of discussion during the Subcommittee meeting regarding the SMART SCALE Program through VDOT for the Happy Creek Road Phase II; however, the Town would not qualify due to no significant new economic development planned for the area.

Mr. Lawson advised that he currently sits on the VDOT Transportation Committee and opined that economic development was growth and should be counted as such. He voiced hope that the definition would change using the hospital as an example should it be expanded in the future. Mr. Lawson reiterated that NVR was committed to working with the Town explaining that the Connector Road would be built over time and suggested getting developers to assist in building it. He stated that a four-lane boulevard was not needed at this time and opined that Interstate 66 could be used in dire situations as VDOT wants to save lives. Mr. Lawson advised that Ms. Kopishke had the number for Norfolk Southern Railroad's Head of Rail Services for the state that she could share with anyone.

Ms. Morris reminded Council of the difference between the primary and secondary entrances and that Happy Creek Road was still there, noting all roads will coincide during this approximately 20-year project. Mr. Rappaport questioned the timeframe for the second entrance given the 20-year time frame for the

project. Ms. Morris advised that more information should be available after the VDOT Safety Study was completed. She agreed that a second exit was needed once construction began; and that Christendom College had discussed a temporary entrance/exit upon their property. Mr. Lawson advised that the plans had been reviewed by the Town and various agencies and the one entrance was sufficient for fire and rescue services. He noted that once the Connector Road was constructed past the other properties there would be no concern for emergencies and that the mechanism in place was for only one entrance. Mr. Ingram reiterated that there would not be any answers without the VDOT Safety Study.

Councilman Rogers noted that this was a growing community; however, his concern was the ingress and egress for emergency services. He opined that there was a problem with the railroad creating a potential disaster. Mr. Sealock understood Mr. Rappaport's concerns, noting the road could be blocked during an emergency. Mr. Lawson advised the old entrance could be used in case of an emergency. There was much discussion about laying stone down for emergency exits, noting that it would be strictly for emergency purposes. It was advised that NVR would continue to review this situation.

Mr. Rappaport asked if there was feedback from the County regarding the schools. Ms. Kopishke advised that comments had not been received from the County since the initial comments and it was not over the schools. Mrs. Cockrell questioned who would be responsible for the parks in the plan. Mr. Lawson advised that they would be maintained, along with the trails, through the Homeowners Association (HOA) reminding them it would not be a Town or County burden.

ITEMS SLATED FOR A PUBLIC HEARING

Councilwoman Morris moved seconded by Councilwoman DeDomenico-Payne to remove #3B Ordinance Amendment to Chapter 98 Pertaining to Business License Tax – Mobile Food Units

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

ROLL CALL

Text Amendment to Town Code Chapter 175 to Permit the Creation of a Cemetery in the R-3 Zoning District with a Special Use Permit Application – Director of Planning Lauren Kopishke gave Council an overview of the Town Code amendments. She noted that the Planning Commission has recommended approval of the amendments as presented.

Councilman Rogers questioned gaining approval of neighboring residents. Ms. Kopishke reminded Council that they would be discussing amending the Town Code first and once the amendments were approved by Council during a public hearing, the applicant would have to apply for a special use permit and Planning Commission and Council would be discussing and taking action on that during another public hearing. Councilman Rappaport voiced concern that the amendment was focused only on R-3.

Council agreed to advertise for a public hearing during a special meeting to be held on Monday, May 1st at 6:30pm in the Town Hall upstairs Conference Room.

ITEMS SLATED FOR THE CONSENT AGENDA ON APRIL 24TH

Purchasing Manager Michelle Campbell was available for any questions for A-C. Finance Director BJ Wilson was available for D. Clerk of Council Tina Presley was available for E and F.

- A – Bid for 2022 Manhole Rehabilitation Project – Council had no comments
- B – Bid for Engineering Services for 8th Street Bridge – Council had no comments
- C – Task Order for Water Treatment Plant Clearwell Inspection and Evaluation – Council had no comments
- D – FY23 Budget Amendment-Relocation of Utilities-Rockland Rd VDOT Project – Council had no comments
- E – Proclamation for Municipal Clerk’s Week – move to Recognition on April 24th Agenda
- F – Proclamation for Administrative Professional Day – move to Recognition on April 24th Agenda

ADDITION TO THE AGENDA – to discuss and consider a Resolution regarding a 509 (a) (2) applying for Explore Main Street status. – Mayor Cockrell asked Ellen Aders, representative for Downtown Front Royal, Inc., to give Council an update on what she was looking for from Council. Ms. Aders advised that this was a potential grant opportunity for Downtown Front Royal, Inc., of which she is a board member. She explained that the grant opportunity is through participation in the Virginia Department of Housing and Community Development’s Virginia Main Street Program that currently provides an Exploring Main Street option for communities. She advised that after attending a conference recently she learned that the Program had been restructured and required a Resolution of Support to move forward with the deadline being April 28th.

Councilwoman DeDomenico-Payne questioned how she envisioned working with Discover Front Royal. Ms. Aders advised that the Discover Front Royal Board focused on tourism efforts within a 50-mile radius and Downtown Front Royal Inc. focused on those who lived here in Front Royal. She noted that they would at times overlap but that they had different missions entirely.

Councilman Rogers was glad to see the work going on with both boards as the community will benefit but questioned the difference of the non-profit status. Ms. Aders explained the corporate structure between 509(a)(2) and 501(c)(3) and the differences they held. She advised that the maximum amount of the matching grant was \$15,000, specifically noting the Council would not be asked for funding as she had other ideas on how to raise the funds.

Councilwoman Morris noted that Main Street had lacked vision for a long time and voiced excitement over things happening in the buildings downtown. There was more discussion about the opening and closing of various businesses on Main Street and hoped that this would attract more. Council thanked Ms. Aders for all she does for the community.

Council suggested placing the resolution on the April 24th regular meeting agenda once Town Attorney George Sonnett reviewed it.

Liaison Committee Meeting Items for April 20th Meeting – Discussion ensued around the meeting as a whole specifically attendance. The following items were determined to be placed on the agenda.

- Liaison Committee Agenda Policy
 - Town Manager Joe Waltz suggested placing it on the agenda and letting the committee vet it out for what they would like to achieve.
- Town Comprehensive Plan Update
- Ad Hoc Transportation Subcommittee Update
- Redundant Water Line Update
- Vape Shops Discussion
 - Much discussion about vape shops specifically as to what they were selling. Council thought it would be a good item to discuss with County as it affects them as well.

GOAL SETTING – Town Manager Joe Waltz recapped four themes as goals moving forward: Walkability, Town/County Pride in Community, Land Use Planning, and Redevelopment of Entryways/Aesthetics. He advised that he was working on a goal sheet that would list goals to measure. He continued that he was looking into federal grants for sidewalks through the Virginia Transportation Alternative Program (TAP). He explained that the Program opened every two years with this year being in May and funds available October 2024. His concentration would be East Criser Road.

Councilman Rogers complimented Mr. Waltz on his week reports. Councilwoman Morris voiced excitement about TAP as she was concerned about Criser Road with no sidewalks for years.

OPEN DISCUSSION

Vice Mayor Sealock attended the Local Board of Building Code Appeals (LBBCA) training last Thursday night, noting that he learned a lot about the process and function of the board. Mr. Sealock praised the Police Department for getting predators off the street.

Councilman Rappaport thanked the Chief for gathering information by using the speed cameras around the schools. He questioned the status of the alley at 12th Street. Town Manager Joe Waltz advised that staff was taking care of the cleanup as it was being used as a dump site, noting signs will be installed to deter dumping in that area. Mr. Waltz advised that the discussion pertaining to unimproved alleys would be placed on the May 1st work session.

Councilwoman Morris praised the Police Department as being the first on the scene at her son's school during a lockdown incident as there was no resource officer on site. She reminded Council that the HEPTAD Public Hearing would be held on April 24th and that they did not have to take action that night if they so desired and encouraged them to not feel pressured into having to make a decision if they were not ready. Mrs. DeDomenico-Payne questioned the deadline for action. It was confirmed that it was a year, and they were three months in.

Councilwoman DeDomenico-Payne questioned how Council responded to citizens who contacted them. Ms. Morris advised that she answered her own emails and did not always hit "replay all". Discussion ensued that it was challenging sometimes since there were different inquiries that required specific people to answer and some inquiries that Council or the Town had no control over. She stated that there was much emotion over the EDA Scandal and that she was making her decision based on what was before her and what the best direction was for the Town. Councilman Ingram noted that decisions made now affected the future of the community.

CLOSED MEETING

Councilman Ingram moved, seconded by Councilwoman Morris that Town Council convene in a closed meeting 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, the establishment, powers, duties and limitations of the Front Royal EDA, pursuant to §2.2-3711(A)(8) of the Code of Virginia.

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

No – N/A

Absent – N/A

Abstain – N/A

ROLL CALL

Councilwoman Morris left at 10:06 due to a family matter.

Councilman Ingram moved seconded by Councilman Rogers 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, Rappaport, Rogers, Vice Mayor Sealock

No – N/A

Absent – Councilwoman Morris (left due to family matter)

Abstain – N/A

ROLL CALL

Adjourned 10:38pm

Approved by Town Council

Date: 4/24/23-----