



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.

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 BUSINESS – 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

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.

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.

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 Rabor, 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.

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 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.

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.

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 Rabor, 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

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 want 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.

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

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.

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

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: 5/22/23