



## 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](http://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

### 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 Chapter 175 to amend the definition of "cemetery" and add "churtyard" to Section 175-3; 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 Chapter 175 to amend the definition of "cemetery" and add "churtyard" 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: 5/22/23



## 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](http://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

### **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 12<sup>th</sup>, with a public hearing July 24<sup>th</sup>.

### **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 22<sup>nd</sup>.

#### 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 22<sup>nd</sup>.

### **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 22<sup>nd</sup>.

### **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.

- 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: 5/22/23