



TOWN COUNCIL REGULAR MEETING MINUTES

March 28, 2022 @ 7:00PM
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.

Moment of Silence

Pledge of Allegiance was led by Councilwoman Morris

ROLL CALL PRESENT: Mayor Chris W. Holloway
Vice Mayor Lori A. Cockrell
Councilman E. Scott Lloyd
Councilman Joseph E. McFadden
Councilwoman Amber F. Morris
Councilman Letasha T. Thompson

ABSENT: Councilman Gary L. Gillispie (sick)

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

APPROVAL OF MINUTES – *Vice Mayor Cockrell moved, seconded by Councilman McFadden that Council approve the Work Session Minutes of February 15th, Special Work Session Minutes of February 24th and March 14th, Regular Meeting Minutes of February 28th and Special Meeting Minutes of March 24, 2022, as presented.*

Vote: Yes – Vice Mayor Cockrell, Councilmembers, Lloyd, McFadden, Morris, and Thompson

No – N/A

Absent – Councilman Gillispie

Abstain – N/A

ROLL CALL

ADDITION/DELETION OF ITEMS FROM THE AGENDA –

Councilwoman Morris moved, seconded by Vice Mayor Cockrell that Council add "Resolution to Donate Ballistic Tactical Vests to Virginia Association of Chiefs of Police to Forward to Lift Up Ukraine to the agenda as Item 11D.

Vote: Yes – Vice Mayor Cockrell, Councilmembers, Lloyd, McFadden, Morris, and Thompson
 No – N/A
 Absent – Councilman Gillispie
 Abstain – N/A ROLL CALL

RECOGNITIONS/AWARDS/REPORTS –

Police Chief Magalis introduced new Communications Officer Karen McDonald and two new Police Officers Mark Hajduk and Rachel Martin. He also recognized the promotion of Corporal David Fogle to Sergeant. Chief Magalis advised Council that the Police Department's K9 Maverick has retired and living with his handler and now owner Officer Olivia Meadows. Council welcomed and congratulated everyone.

PUBLIC HEARING – Special Use Permit for Campground Facility from Poe's River Edge, LLC

Mayor Holloway opened the public hearing, since no one spoke he closed the public hearing.

Councilwoman Thompson moved seconded by Vice Mayor Cockrell that Council approve a Special Use Permit for Poe's River Edge, LLC to operate a 200-site campground commercial recreation facility on property located at the western terminus of Kendrick Lane (tax map #20A1-3-5A1) contingent upon the following conditions:

- *Town Code requirements for water line access to the site are followed.*
- *The applicant provides a letter from the Virginia Department of Health stating septic facilities are adequate.*
- *The applicant provides hours of operation information to staff.*
- *All comments and request from the Fire Marshal are adhered to.*

Vote: Yes – Vice Mayor Cockrell, Councilmembers, Lloyd, McFadden, Morris, and Thompson
 No – N/A
 Absent – Councilman Gillispie
 Abstain – N/A ROLL CALL

PUBLIC HEARING – Partial Vacation of an Existing 20' Sanitary Sewer Easement at 195 Toray Drive

Mayor Holloway opened the public hearing, since no one spoke he closed the public hearing.

Vice Mayor Cockrell moved seconded by Councilwoman Morris that Council approve a Deed of Partial Vacation of Easement between the Town of Front Royal and Lisper, LLC for a 20' sanitary sewer easement located at 195 Toray Drive (Tax Map #12-G-1-2-1A1). I further move that the Mayor and Town Staff execute all necessary documents, as presented.

Vote: Yes – Vice Mayor Cockrell, Councilmembers, Lloyd, McFadden, Morris, and Thompson
 No – N/A
 Absent – Councilman Gillispie
 Abstain – N/A ROLL CALL

PUBLIC HEARING – Approval of Real and Personal Property Tax Rate for FY2022-2023

Mayor Holloway opened the public hearing, since no one spoke he closed the public hearing.

Councilman McFadden moved seconded by Councilwoman Thompson that Council approve the real property tax rate for Fiscal Year 2022-2023 at \$0.13 per \$100 assessed value, which represents no increase over the current year's rates and has remained near \$0.13 since 2014; and the personal property tax rate at \$0.64 per \$100 assessed value, which represents no increase since 2014; the personal property tax relief rate (PPTR) for qualifying vehicles at a rate of 49% of value on the first \$20,000 of assessed value for qualifying vehicles with an assessed value greater than \$1,000; and a personal property tax relief rate of 100% for qualifying vehicles with an assessed value of \$1,000 or less, pursuant to Virginia Code §58.1-3524.

Vote: Yes – Vice Mayor Cockrell, Councilmembers, Lloyd, McFadden, Morris, and Thompson

No – N/A

Absent – Councilman Gillispie

Abstain – N/A

ROLL CALL

PUBLIC HEARING – Ordinance to Amend and Re-enact Chapter 134 Pertaining to an Increase in Sewer Service Rates

Mayor Holloway opened the public hearing, since no one spoke he closed the public hearing.

Vice Mayor Cockrell moved seconded by Councilman McFadden that Council approve an ordinance to amend and re-enact Front Royal Town Code Sections 134-22.1 and 134-22.4 that would increase sewer service rates effective July 1, 2022, as presented.

Vice Mayor Cockrell noted that the increase was recommended based upon the Town consultant's updated water and sewer rate analysis with approximately \$3 million in funds from the American Rescue Plan Act (ARPA) for major water and sewer capital projects. She continued that a typical residential account using approximately 5,500 gallons of sewer monthly is \$54.58 with the recommended rate increase it would equate to an increase of \$1.24 monthly.

Vote: Yes – Vice Mayor Cockrell, Councilmembers, Lloyd, McFadden, Morris, and Thompson

No – N/A

Absent – Councilman Gillispie

Abstain – N/A

ROLL CALL

PUBLIC COMMENTS (COMMENTS NOT RELATED TO PUBLIC HEARINGS)

Jim Osborn, Town Arborist, gave Council an overview of the Environmental Sustainability Advisory Commission (ESAC). He passed out a flyer advertising Front Royal's Earth Day Celebration 2022 on Saturday April 23rd from 10a – 3p at the Main Street Gazebo. He invited the Mayor and Council to the tree planting at 3:30pm. He also gave them information on Front Royal earning recognition as a 2021 Tree City USA from the Arbor Day Foundation as well as an update on an upcoming project that would clean up litter along the creek near Rural King. Town Manager Steven Hicks voiced appreciation to ESAC for their efforts and was much impressed with the success of the committee.

REPORTS

A. Town Manager Report – Mr. Hicks reminded Council that the Town would recognize Good Friday as a Town Holiday on April 15th. All business offices would be closed on that day. He reiterated that Earth Day would be celebrated in Town on April 23rd.

B. Town Council Reports –

Councilwoman Thompson thanked Council for keeping real estate and personal property taxes low. She voiced her condolences to the family of former councilmember and former local principal Michael Kitts.

Vice Mayor Cockrell noted that the community had lost several great people in the last few months and voiced her condolences to the families of former Mayor and Councilmember George Banks; former Councilmember and Principal Michael Kitts and former Police Chief Larry Daniel.

Councilman Lloyd read a prepared speech that included his resignation as councilmember at the end of tonight's meeting. He thanked the Mayor, Council and Staff for their support as well as his constituents that elected him, but felt it was the right choice for him personally.

Councilwoman Thompson advised Councilman Lloyd that she enjoyed working with him and that he always had good intentions and that his decision tonight was not an easy one.

Councilwoman Morris thanked Councilman Lloyd for his service and voiced excitement to see what he does in the future.

Councilman McFadden thanked Councilman Lloyd for asking the hard questions and educating Council on many things.

Mayor Holloway agreed with the sentiments of Council and thanked Councilman Lloyd for his service.

Vice Mayor Cockrell voiced her surprise but noted that Councilman Lloyd's heart and passion were always in the right place.

C. Mayor Report – Mayor Holloway had nothing to report**CONSENT AGENDA ITEMS****A. Award Contract for Curb and Gutter Installation**

Council approved a bid for a curb and gutter installation contract in the amount of \$414,882.00 to Imperio Construction.

B. Duck Street Culvert Repair

Council approved the award to General Excavations, Inc. in the amount of \$53,500.00 for the completion of repairs to a culvert located on Duck Street due to storm water damage.

C. FY22 Budget Amendment to Accept Law Enforcement Block Grant

Council approved a budget amendment in the amount of \$2,757.00 to accept a Local Law Enforcement Block Grant from the Virginia Department of Criminal Justice Services.

D. Resolution to Submit Virginia Smart Scale Pre-Application for Happy Creek Road Phase II

Council approved a resolution for submission of Virginia's SMART SCALE Pre-application for the Happy Creek Road Phase II Project as presented.

Councilwoman Thompson moved, seconded by Councilwoman Morris that Council approve the Consent Agenda, as presented.

Vote: Yes – Vice Mayor Cockrell, Councilmembers, Lloyd, McFadden, Morris, and Thompson
No – N/A
Absent – Councilman Gillispie
Abstain – N/A

ROLL CALL

BUSINESS ITEMS

A. Resolution for a Request for Water and Sewer Services in the Route 340/522 Corridor for Commercial and Industrial Uses

Councilman Lloyd moved seconded by Vice Mayor Cockrell that Council approve a resolution that would provide water and sewer services to out of town lots located on the Route 522/340 Corridor, specifically Tax Map parcels 4-41, 12-6, 12-6E and 12-9 for commercial and industrial uses contingent upon the 1) the developer funds an infrastructure study, 2) the developer funds and constructs the infrastructure improvements per the study, 3) developer must follow provisions provided in Chapter 134 of the Town Code, 4) main water/sewer pipe originating from Route 340/522, not residential subdivision to avoid increasing residential land use capacity, 5) stipulate commercial use for PILOT portion of the property and industrial use for the remaining portion, 6) stipulate no increase in residential development per Town policy/practice, 7) this approved/signed resolution will only apply to the proposed development on the aforesaid lots, and 8) any new development proposals will require a new resolution from the Warren County Board of Supervisors, as presented.

Vote: Yes – Vice Mayor Cockrell, Councilmembers, Lloyd, McFadden, Morris, and Thompson
No – N/A
Absent – Councilman Gillispie
Abstain – N/A

ROLL CALL

B. Proclamation for Arbor Day

Councilwoman Thompson moved seconded by Councilwoman Morris that Council approve a Proclamation proclaiming April 23, 2022 as Arbor Day in the Town of Front Royal, Virginia, as presented.

Councilwoman Thompson thanked Mr. Osborn for his update and voiced her excitement on upcoming events.

Vote: Yes – Vice Mayor Cockrell, Councilmembers, Lloyd, McFadden, Morris, and Thompson
No – N/A
Absent – Councilman Gillispie
Abstain – N/A

ROLL CALL

C. Front Royal-Warren County Joint Tourism Agreement with the County of Warren

Councilwoman Thompson moved seconded by Councilman McFadden that Council approve a Front Royal-Warren County Joint Tourism Agreement with the County of Warren adopted by Warren County Board of Supervisors (BOS) on March 22, 2022, as presented.

Councilwoman Thompson briefed Council on the changes recently made and approved by the County of Warren. There was much discussion on amendments needed to finalize the agreement. Several items were discussed: procurement, by-laws for the subcommittee and open to the public, original Request for Proposals (RFP) clarification, owner/renter leasing relationship, employees at the Visitor's Center, the Visitors Center and its inventory, renters' insurance, and many more important items.

Councilwoman Morris voiced concern that Town citizens would be paying twice.

Vote: Yes – N/A

No – Vice Mayor Cockrell, Councilmembers Lloyd, McFadden, Morris, and Thompson

Absent – Councilman Gillispie

Abstain – N/A ROLL CALL

Vice Mayor Cockrell moved seconded by Councilman Lloyd to reconsider approval of a Front Royal-Warren County Joint Tourism Agreement with the County of Warren adopted by Warren County Board of Supervisors (BOS) on March 22, 2022.

Vote: Yes – Vice Mayor Cockrell, Councilmembers, Lloyd, McFadden, Morris, and Thompson

No – N/A

Absent – Councilman Gillispie

Abstain – N/A ROLL CALL

After much discussion on the proper motion to allow for revisions to the agreement, the following motion was proposed.

Vice Mayor Cockrell moved seconded by Councilwoman Thompson that Council approve a Front Royal-Warren County Joint Tourism Agreement with the County of Warren with the following changes 1) anywhere that it says "paid quarterly" that will be assumed that it is intended to be one fourth (1/4) of the approved budget; 2) under The Town of Front Royal Shall #2: add to that [second] sentence should be after subject to appropriation year to year, we should include the words "provided that such funding amount to be provided by the Town for the fiscal year starting July 1, 2022 and ending June 30, 2023 shall be \$200,000 with an additional appropriation by the County for \$200,000 so that total funding of \$400,000 shall be provided"; and 3) under The Town of Front Royal Shall #5 we will be removing the words "including but not limited to all merchandise" and adding the words "with the Discover Front Royal slogan".

Vote: Yes – Vice Mayor Cockrell, Councilmembers, McFadden, Morris, and Thompson

No – Councilman Lloyd

Absent – Councilman Gillispie

Abstain – N/A ROLL CALL

D. Resolution to Donate Ballistic Tactical Vests to Virginia Association of Chiefs of Police to Forward to "Lift Up Ukraine" (addition to the agenda)

Councilwoman Morris moved seconded by Councilwoman Thompson that Council approve a Resolution donating (12) ballistic tactical vests to the Virginia Association of Chiefs of Police who will forward to the 501(c)(3) non-profit organization "Lift Up Ukraine" as presented.

Councilman McFadden asked Police Chief Kahle Magalis for the website of “Lift Up Ukraine”? Chief Magalis advised that it could be found at liftupukraine.com and was based in Richmond, Virginia.

Vote: Yes – Vice Mayor Cockrell, Councilmembers, Lloyd, McFadden, Morris, and Thompson

No – N/A

Absent – Councilman Gillispie

Abstain – N/A

ROLL CALL

CLOSED MEETING

Vice Mayor Cockrell moved seconded by Councilwoman Thompson 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 Executive Director of the Front Royal Economic Development Authority (FREDA), Town Attorney position and Board of Zoning Appeals (BZA) Vacancy, pursuant to Virginia Code §2.2-3711. A.1 of the Code of Virginia.

Vote: Yes – Vice Mayor Cockrell, Councilmembers, Lloyd, McFadden, Morris, and Thompson

No – N/A

Absent – Councilman Gillispie

Abstain – N/A

ROLL CALL

Councilman Lloyd moved seconded by Councilman McFadden 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, Councilmembers, Lloyd, McFadden, Morris, and Thompson

No – N/A

Absent – Councilman Gillispie

Abstain – N/A

ROLL CALL

Approved by TownCouncil

Date: 4/25/22