

**MINUTES OF A TOWN COUNCIL
WORK SESSION MEETING
TOWN OF LURAY, VIRGINIA
Tuesday, April 24, 2018
5:30pm**

The Luray Town Council met in a work session meeting on Tuesday, April 24, 2018 at 5:30 p.m. in the Luray Town Council Chambers located at 45 East Main Street, Luray, Virginia at which time there were present the following:

Presiding: Mayor Barry Presgraves

Council Present: Ron Vickers
Jerry Dofflemyer
Jerry Schiro
Leroy Lancaster
Joseph Sours

Council Absent: Leah Pence

Others Present: Steven Burke, Town Manager
Mary Broyles, Clerk - Treasurer
Danielle Babb, Deputy Clerk Treasurer
Ken Beyer, Hawksbill Greenway Foundation
Bill Dudley, Hawksbill Greenway Foundation
Eleanor Ames, Hawksbill Greenway Foundation
Margaret Stevenson, Hawksbill Greenway Foundation
Beverly Butterfield, Senior Development Officer, Lord Fairfax Community College
David Slye, Lord Fairfax Community College Board Member
Melvin "Buddy" and Carol Cave, Itinerant Vendor License Discussion
Greg Foltz, Itinerant Vendor License Discussion

Mayor Presgraves led members in the United States Pledge of Allegiance. The roll was called with one member absent.

UPDATES & DISCUSSION ITEMS/ ACTION ITEMS

Hawksbill Greenway Extension Feasibility Study

Mr. Ken Beyer provided a brief update from the Hawksbill Greenway Foundation Board. Mr. Beyer said that all property owners along the proposed expansion route have been contacted and the feedback has been very positive. He, along with the board members, have met with all those from Ralph H. Dean

Park to Hawksbill Heights and down Linden Avenue. Also, Mr. Beyer said he has met with Superintendent of Page County Schools, Donna Smith, and she is also in favor of the project. The Foundation has received two letters of intent at this time. Councilman Vickers said that he has heard some concerns about the proposed route running through a residential neighborhood. Councilman Dofflemeyer discussed if these letters of intent are donations of property or granting easements. Mr. Bill Dudley said that he would like for staff to meet with Mr. Clark regarding his property. Council directed Town Manager, Mr. Burke, to meet with Mr. Clark. Councilman Dofflemeyer also asked if Town Staff is still looking into crosswalks at the intersection of Linden Avenue and Luray Middle School. Mr. Burke said staff, along with the Luray Police Department, are working on the crosswalk issue.

Rezoning 18-1 & SUP 18-2 - 58 North Broad Street

Town Manager, Steve Burke, discussed the request from Michelle Walters to rezone 58 North Broad Street from M1 to B1. The rezoning is requested in order to allow the property to be used as a child care facility through the Special Use Permit application. The public hearing is scheduled for the May 14th Council Meeting and if members have any questions they should be considered before that time. Mr. Burke said the only issue he sees is that the Council should consider that the property remain as a residence in the B-1 District. The property has historically operated as a residence and should continue as such. Also the Special Use Permit should acknowledge that the building is located in the floodplain and is approved to operate as a child care facility and residence. Ms. Walters has installed a fence on the rear of the property in order to enhance safety and has an agreement with the adjacent property owner to assist with drop off / pick up parking needs.

SUP 18-3 - West Main Street Bridge Replacement

Mr. Burke discussed the Special Use Permit for the construction of the West Main Street Bridge. The construction of the bridge within the established floodway requires a Special Use Permit by Town Code Appendix A, Section 408.11 (9) B.4. The proper environmental review has been completed in accordance with the National Environmental Policy Act and received a Categorical Exclusion to permit construction of the bridge. The public hearing will be held at the May 14th Council Meeting.

Peddler/Itinerant Vendor Business License Tax

Town Manager, Steve Burke, addressed the request to discuss the Peddler/Itinerant Vendor Business License Tax. At this time Mr. Burke said staff is not recommending any changes except to update Town Code Section 30-38 to require that any delinquent taxes owed the Town be paid prior to the issuance of a Business License. Councilman Vickers clarified that currently the Town charges \$500.00 for the year or \$25.00 per day for a vendor conducting business at a special event. Mr. Burke said that Town Code allows for the pro-ration of the license for the month of purchase. However, it does not allow for the business to pick and choose which months it will operate.

Councilman Schiro verified that Mr. Cave would pay the \$500 for the license and also submit meals tax for his business. Mr. Cave explained that he did pay only for the months he would be operating. He stated that \$500 is far too much. Mr. Cave pointed out that the Town of Stanley has lowered their fee

to \$30 per year plus payment of meals tax. Councilman Schiro said that this presents a struggle in order to be fair to the “brick and mortar” businesses and the overhead costs that they incur. Councilman Dofflemyer suggested perhaps charging the fee and a percentage of sales. Mayor Presgraves stressed that the Town should not stifle entrepreneurship. Councilman Schiro suggested that staff look into these options further and try to find something comparable.

Mr. Greg Foltz, Mattie’s Soft Serve, said that his license has currently expired and asked for Council’s direction. He said he is currently awaiting Council’s decision before renewing his license. Mr. Foltz also clarified that the Town of Stanley charges the \$30 per year fee but the vendors are only allowed to operate at Ed Good Park. Any other locations in the Town for Special Events are subject to a \$25 per day event fee.

Council and Staff discussed several options of combining per day fees with gross receipts. Mr. Burke said that this will easily become very complicated for record keeping, especially if it were on a month to month basis. Council members discussed revisiting this topic in May and determined to place it on the Work Session agenda.

Tourism Zones

Mr. Burke said that the Town Staff has been working with LDI and the Chamber to draft the Tourism Incentives Program. He said that the plan can be very simple or really complicated; it is up to Council how far we take the program. The incentives for consideration include: financing or partial waiver of utility facility and connection fees, partial credit on business license, partial credit on real estate taxes for improvements for construction/ renovation, waiver of permit fees, and/or additional General Fund funded incentives. Councilman Dofflemyer confirmed that the rebates given are only considered on the “new revenues”. Mr. Burke said that the intent of the incentives program is to interest folks in investing in the community and to rebate a portion of the newly associated revenue from such. Mr. Burke explained that businesses must meet the qualifications of the incentive program and must prove that 50% of the reimbursement from the first period was invested in marketing, façade improvements, increased staff, services, etc. Mayor Presgraves cautioned against the amount of revenues that may be refunded. Mayor Presgraves said that while he encourages new business, Council needs to be cognizant of how much they are giving back. Mayor Presgraves compared the incentive program rebates to those funded by the Enterprise Zone and noted these refunds can be very significant.

FY 2019 Budget Discussion

Mr. Burke said that Council has requested to continue discussion of the draft FY 2018-2019 Budget. Items for discussion include the Green Hill Cemetery Funding Request, Zoning Compliance Officer draft job description, and a Capital Funding Request from LFCC.

Lord Fairfax Community College Presentation

Ms. Beverly Butterfield, Senior Development Officer- LFCC, discussed the status of the leased facility for the Luray center. She noted that the facility is currently for sale, thus a new home for the center is needed. She noted that with the generous property donation from the

Jenkins Family the college has the opportunity to build a permanent center in Page County. She said that LFCC is committed to this project but funds must be raised through private donations. Ms. Butterfield explained that State funds are not available for this scope of the project. However, some grant funding may be available for the interior needs. She noted that LFCC plans to engage in the funding campaign with hopes of starting classes at the new center in Fall 2020.

Councilman Vickers inquired about design renderings and the size of the new facility. Ms. Butterfield discussed plans for a 12, 000 square foot center with the possibility of a later expansion on the property. One new feature planned for the facility is a trade's lab. Councilman Dofflemeyer inquired about the student enrollment at the Luray Campus. Ms. Butterfield said that the Luray center currently serves 511 students and employs 40 Page County Residents.

Councilman Schiro stated that he doesn't believe the Town of Luray could find a greater return on investment than by contributing to LFCC's Luray center. He compared the Town's investment in the ball field improvements that cost nearly 1 million dollars, which has turned out very well. He doesn't see why we couldn't spend at least \$250,000 to help the college. Councilman Vickers inquired about how this could be incorporated in the draft budget. Mr. Burke said that LFCC has indicated that the cost could be spread over a five year period. Mr. Burke said that if Council so wishes, he can look at reducing one of the town's advance debt payments on other loans to fund the contribution. Mr. Burke said he felt comfortable in splitting the \$200,000 over the next five years. This would amount to \$40,000 annually over five years and could be feasible within the town's proposed FY 18-19 Budget. Councilman Schiro asked if the Council would consider even greater funding, possibly \$500,000. Mr. Burke requested some time to allow him to review the town's budget and agreed that this is a very good investment. Ms. Butterfield, LFCC, said that if the fundraising campaign is very successful then the next phase would include a conference center, which could be a great asset for the Town and the entire community. Councilman Vickers said that as an educator he is in agreement with Councilman Schiro; he suggested up to \$500,000 if it is feasible. Mr. Burke said that he would look at some funding scenarios and get back to Council.

Zoning Compliance Officer- Job Description

Town Manager, Steve Burke, asked if Council would like to discuss the proposed Zoning Compliance Officer job description. Mr. Burke explained that a Zoning Administrator/Town Planner is for a community that is receiving a number of applications that involve a great deal of planning and foresight. He understands that most of the major lots within the Town have already had some form of preliminary investigation for residential components. Mr. Burke said at this point the Town is receiving mostly day-to-day items such as sign permitting, individual lot development applications, and business license review. Mr. Burke said that the zoning compliance position is primarily for those types of day-to-day reviews and if a more formal review is required it would involve the Town Manager and Assistant Town Manager. Mr. Burke recognizes that there isn't a tremendous amount of demand for a higher level planning position at this point.

Councilman Schiro said that only a year ago the Council was told that this wasn't a full time position and quite possibly wasn't a part time position. Mr. Schiro asked what has changed in this time frame. Also, he noted that both Mr. Burke and Mr. Chrisman both have very strong backgrounds in planning. Mr. Burke said that if Council so desires he would like to maintain the part time position. Mr. Burke said that we could reassess the need after one year and that he would be more aware of the needs of the position. Councilman Lancaster reminded that when the Town hired a Planner, the construction industry was booming. Mayor Presgraves said that if we are looking at the economic development aspect of the position, the Town is already investing in many economic development tools via the Chamber and LDI. Councilman Vickers asked if there is a need for grant writing. Mr. Burke said that mostly grant opportunities are only available for Parks and Police. He said that both of these departments are doing a great job with their own grant exploration and applications. Mr. Burke said that our current part time planning assistant is doing very well and is an asset to the town. He reiterated that he would reassess for next budget cycle.

Green Hill Cemetery

Councilman Schiro asked if the Town had a vested interest in the cemetery, such as a seat on the board, if this would be more amenable to Council. Councilman Lancaster said that their board has been successful at raising private funds. Councilman Sours and Councilman Vickers asked about the town's responsibility for mowing. Mayor Presgraves suggested working together so it doesn't become the Town's mowing issue. Council members agreed to request a balance sheet from the Cemetery Board.

Public Hearing

The Public Hearing for the Budget is scheduled for the May Council meeting. If Council has any questions about the budget they should contact staff so they can be resolved before the meeting.

Councilman Dofflemyer asked about any updates on the Brown's building and VCI Grant. Mr. Burke said that he has met with Staff, Sara Levinson, Mr. Sims, and People Inc. regarding a tax credit program that may be a possibility for the project. Staff plans to continue exploring the new market tax credit option. It may or may not be combined with a VCI Grant project, but all options are being explored.

Mayor Presgraves reminded of the joint meeting with the Town of Stanley and Town Shenandoah tomorrow evening at 7:00pm.

ADJOURN

With no further business, Mayor Presgraves adjourned the work session of the Luray Town Council at approximately 7:16 p.m.

Mayor, Barry Presgraves

Deputy Clerk, Danielle Babb