

**A REGULAR MEETING OF
THE TOWN COUNCIL
OF
THE TOWN OF LURAY, VIRGINIA**

Monday, February 11, 2019

The Luray Town Council met in regular session on Monday, February 11 2019, at 7:00 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:

Ronald Vickers
Jerry Schiro
Jerry Dofflemyer
Leroy Lancaster
Joseph Sours
Leah Pence

Also Present:

Steve Burke, Town Manager
Bryan Chrisman, Assistant Town Manager
Jason Botkins, Litten & Sipe
Mary Broyles, Clerk-Treasurer
Danielle Babb, Deputy Clerk-Treasurer
Meredith Dees, Luray Downtown Initiative- Director
Bill Huffman, Luray Downtown Initiative
Lt. Mike Wagoner, Luray Police Department
Dakota Baker, Superintendent of Parks and Recreation
Mike Foltz, Stanley Vol. Fire Dept.
Mike Uram, Stanley Town Council
Robert and Roxanne Shoemaker, 419 Fourth Street
Charles Sours, Page Valley Fraternal Order of Police
Timothy and Kim Gray, 412 Fourth Street
Frances Dress, 309 Luray Avenue
Chris Gould, Page Valley Cycling

A quorum being present, Mayor Presgraves declared the Council to be in session for the transaction of business. All present stood for a moment of silence. Councilwoman Pence led everyone in the United States Pledge of Allegiance.

CONSENT AGENDA

Motion: Councilman Schiro motioned to approve the Consent Agenda as presented, motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

Consent Agenda

- (A) Minutes of the Regular Council Meeting – 1-14-2019
- (B) Financial Reports Ending January 31, 2019
- (C) Accounts Payable checks totaling- \$ 326,346.16

PRESENTATIONS

Mike Foltz- Fishing Derby Request (Stanley VFD & Fraternal Order of Police)

Mr. Mike Foltz, Stanley VFD, revisited the request for permission to conduct a Fishing Derby along the Hawksbill Creek. Mr. Foltz said that he had contacted Steve Campbell of the Luray Fire Department and they are not interested in helping serve food at the event. Charlie Sours, Page Valley FOP, said that Mr. Campbell has expressed no issues with SVFD hosting the event. Mr. Foltz explained that the derby will take place along the creek from Main Street to the Greenway loop area.

Motion: Councilwoman Pence motioned to approve the Special Use Permit for the Fishing Derby as presented, motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Sours, Pence. NAY: Lancaster. **Approved 5-1**

Chris Gould- Tour of Page County (Time Trial)

Mr. Chris Gould presented his plans to promote several cycling events this year. He noted that he plans to bring back the *Tour of Page County* in April. He said that the *Road Race* event has changed slightly due to the race course. Mr. Gould discussed the race course for the *Time Trial* event which would include Lake Arrowhead, Ida Road, and Valleyburg Road. Due to bridge construction, the *Crit Race* will be held at the Shenandoah Speedway. Mr. Gould added that he hopes to bring this race back to Luray in 2020. Mr. Gould stated that he will satisfy all necessary permits and has consulted with Luray Police and Page County Sheriffs' Office for traffic control needs.

PUBLIC HEARINGS

Alleyway Vacation Request- 412 Fourth Street

Mr. Burke presented the Alley Vacation Request from Timothy Gray Jr. of 412 Fourth Street. Mr. Gray requested .098 acres of alley adjacent to his home be vacated by the Town. Mr. Burke added that there are no public utilities in the subject alleyway. Mayor Presgraves then opened the public hearing for citizen comment.

Roxanne Shoemaker- 419 Fourth Street

Mrs. Shoemaker said that she is here on behalf of Ms. Sue Hume, as she is unable to attend. Ms. Shoemaker, Ms. Hume's caregiver, expressed that she is upset with the Town and Mr. Gray's use of the alleyway.

Frances Dress- 309 Luray Avenue

Ms. Dress said that she has been a life tenant of the property and also discussed a letter from her daughter and son-in-law, Mr. and Mrs. Pancione. She expressed their wishes to not give the right of way up for any reason. She noted that the alley provides access to the rear of her property and the church uses the right of way as well.

Kim Gray- 412 Fourth Street

Ms. Gray spoke regarding the maintenance of the alleyway and noted that her family is providing the entirety of its maintenance. She expressed safety concerns due to the use of the alley as a thoroughfare by vehicles and speeding problems.

Tim Gray- 412 Fourth Street

Mr. Gray explained that he has been parking his vehicle in the alleyway to reduce the damage due to wet conditions and reduce further maintenance needs.

With nothing further, Mayor Presgraves closed the public hearing. Town Attorney, Jason Botkins, clarified that the Town is not giving up any rights, it is simply expressing that the town does not have ownership of the alleyway. Councilman Lancaster recalled that in the past, if one party contests; the alleyway is not vacated. Councilman Schiro noted that the alley should be offered to all adjacent properties. Councilman Sours expressed concerns about the homeowner's complaints and the need to work out these issues.

Motion: Councilman Sours motioned to deny the alleyway vacation as presented, motion seconded by Councilman Schiro with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Denied Vacation of Alleyway 6-0**

DEPARTMENTS, TOWN BOARDS AND COMMISSIONS

Luray Downtown Initiative

Ms. Dees provided a power point presentation which featured LDI's current and upcoming projects. Highlights of the presentation included plans for Restaurant Week, the Downtown Façade Program, winter banners, the new Downtown Guide, LDI billboards, and a financial feasibility study for the Artisan's Grill building. Ms. Dees detailed her operational budget and requested funding from the Town of \$37,000, \$2,000 over last year's request. Ms. Dees discussed revenue generating efforts and plans for a Raffle to be the first to drive across the new Main Street Bridge. Council members endorsed the idea for the raffle with live drawing. Tickets for the raffle will have to be purchased from downtown businesses thus getting folks into downtown locations. Another fundraising effort will come from a new source; the creation of a downtown Christmas ornament featuring a different historic site annually. Ms. Dees spoke on the Main Street "Four Point Approach" which focuses efforts on Economic Vitality, Design, Organization, and Promotion; ultimately comprising Community Transformation. Ms. Dees added that she has agreed to serve another term as director. She respectfully requested to increase the Town's contribution to LDI to \$37,000 in the upcoming budget.

West Main Street Bridge Project Update

Assistant Town Manager, Bryan Chrisman, updated Council on the progress of Main Street Bridge. Mr. Chrisman discussed plans for the final road design and grade, drainage considerations, lighting and electrical components, sidewalks, and railings. The next phase will include pouring the deck then completion of the water line. He noted that this bridge is designed to expand and contract with weather conditions, as opposed to the old one. Mr. Chrisman feels that the updated schedule from the contractor is very aggressive; the deck pour is slated to begin at the end of this month.

Mr. Chrisman discussed funding for the remainder of the project. He met with Mr. John Comer of Blue Ridge Bank earlier today to discuss the town's position. Mr. Chrisman said that the town is currently in the 100% reimbursement phase of VDOT funding. Once this has been exhausted the town will proceed to revenue sharing funds at a reimbursement rate of 50%.

Overview of Town Events and Parks Programs

Ms. Dakota Baker, Superintendent of Parks and Recreation, provided a power point presentation focusing on town events and park programs. Ms. Baker said that the Evenings on Main schedule has been finalized with additional concerts added. This year's series will feature 11 concerts total and power upgrades have been made at Performing Arts Luray plaza area.

Ms. Baker discussed the Festival of Spring and displayed a map of the layout changes. This year's festival will move vendors to the middle of the street in order to highlight businesses along Main Street as well. Vendors will not have electricity at their booths due to the change in location to mid-street. The food court area will be moved to the parking area behind Gathering Grounds. Parks and Recreation continues to work on booking kid's activities and filling the remaining vendor spots. Ms. Baker noted an emphasis this year on "quality" not "quantity" of vendors. Ms. Baker discussed a decline in vendor applications.

The Movies on Main series will feature a movie at Ruffner Plaza every other Thursday, beginning on June 27th with local businesses sponsoring the featured film. Luray Fire Department has graciously offered to serve as a rain venue.

Other new events for 2019 include the Junior Naturalist Program with naturalist booklet. Children can pick up the booklets and complete the activities on their own and return to Parks and Recreation for an award. Parks and Recreation will also be sponsoring summer outdoor adventure programs on Saturdays. Ms. Baker said that the department will be bringing a Park Naturalist on staff for these programs. The rack card is complete for 2019 Events and has gone to print.

Mayor Presgraves asked about the reduction in vendors for this year's Festival of Spring. Ms. Baker said that only ten vendors are currently on a wait list. She noted that the general response from vendors has been negative due to inclement weather in previous years. She added that the common theme among vendors is that they prefer a fall event over a spring festival. Ms. Baker noted that some vendors prefer events without kids' activities. She added that over 800 vendor invitations were sent out but the interest is not there.

ACTION & DISCUSSION ITEMS

NSVRC Town Representative

Mr. Burke requested to add an agenda item to discuss the appointment of the Town's representative to the Northern Shenandoah Valley Regional Commission.

Motion: Councilwoman Pence motioned to add item 8E. NSVRC Town Representative to the Agenda. Motion seconded by Councilman Dofflemyer with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

Motion: Councilman Dofflemyer motioned to appoint Councilman Ron Vickers as the Town's Representative to NSVRC. Motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

VHDA Tax Credit Applications

Manager, Steve Burke, said that Council is requested to consider a request from Luray Village Apartments LP to authorize the Town Manager to complete and submit the Zoning Certification and Locality Response Letter to accompany their request to the VHDA for federal housing tax credits. Mr. Burke said the Town has received the same request for Rugby Square Apartments.

Motion: Councilman Lancaster motioned to authorize the Town Manager to complete and submit the Zoning Certification and the Locality Response Letter to accompany requests to the Virginia Housing Development Authority for federal housing tax credits for Luray Village and Rugby Square Apartments. Motion seconded by Councilman Dofflemyer with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

Donation Request- Earth Day Committee

Town Manager, Steve Burke, presented a request from the Earth Day Committee for a donation of \$500. The donation amount is the same as last year and can be funded through the economic development budget line item. Council requested that this request be made part of the annual contribution submittals prior to the upcoming budget cycle.

Motion: Councilman Vickers motioned to approve the donation of \$500 to support the Earth Day event. Motion seconded by Councilwoman Pence with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

Audit Contract

Mr. Burke asked Council to consider approval of the Audit Contract with Robinson, Farmer, Cox Associates to provide audit services to the Town through the fiscal year ending June 30, 2021.

Motion: Councilman Schiro motioned to approve the Audit Contract with Robinson, Farmer, Cox Associates for fiscal years 2019, 2020, and 2021 as presented and authorize the Mayor to execute the

Contract. Motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

Code Amendment- Section 82-132 Parking

Mr. Burke requested to discuss the draft Code Amendment to Town Code Section 82-132 regulating parking. The current code includes vague language regarding parking in a “public place” and cites a one-half ton truck which includes some personnel trucks. Mr. Burke requested a public hearing at the March meeting to clarify the vague language. Town Attorney, Jason Botkins, stated that there is not a legal requirement to hold a public hearing for this ordinance. Mr. Botkins noted that if Council so chooses they can take action this evening.

Motion: Councilman Schiro motioned to approve the Code Amendment to Section 82-132 as presented. Motion seconded by Councilman Dofflemyer with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

TOWN ATTORNEY

Town Attorney, Jason Botkins, updated Council members on the Town Charter revisions. He said that the Charter has received unanimous approval by the Virginia Senate and been placed on the House calendar. The charter is now in review by the sub-committee for counties, cities, and town’s along with a half-dozen other Charter Amendments.

-Recess-

EXECUTIVE SESSION

Potential Disposition of Real Property, Section 2.2-3711.A.3

Mayor Presgraves requested a motion to adjourn into Executive Session for the purpose of discussing matters relevant to Section 2.2-3711.A.3 regarding the potential disposition of real property.

Motion: Councilman Schiro motioned to recess the regular meeting and to convene in executive session; Councilman Dofflemyer seconded the motion with the following members voting YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

-Closed Meeting-

Certification: Mayor Presgraves asked members of Council to certify that to the best of their knowledge only matters covered under Section 2.2-3711.A.3 were heard, discussed, or considered during the closed session. **Motion:** Councilman Schiro motioned to certify the closed session; Councilman Dofflemyer seconded the motion with the following members voting YEA: Mayor Presgraves, Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence.

ADJOURN

With no further business, the meeting was adjourned at 9:07 pm.

Barry Presgraves
Mayor

Danielle Babb
Deputy Clerk-Treasurer