

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

**Monday, March 8, 2021**

The Luray Town Council met in regular session on Monday, March 8, 2021, 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 Jerry Dofflemyer

**Council Present:**

Ron Vickers  
Stephanie Lillard  
Jerry Schiro  
Jason Pettit  
Joseph Sours  
Ligon Webb

**Also Present:**

Steve Burke, Town Manager  
Bryan Chrisman, Assistant Town Manager  
Mary Broyles, Clerk Treasurer  
Danielle Babb, Deputy Clerk Treasurer  
Chief Bow Cook, Luray Police Department  
Jason Botkins, Litten & Sipe  
Meredith Dees, Luray Downtown Initiative  
Bill Huffman, Luray Downtown Initiative  
Jackie Elliott, Luray Downtown Initiative  
Bill Dudley, Hawksbill Greenway Foundation  
Travis Hoke, Special Use Permit Applicant  
Luray High School Basketball Team Members and Coaches  
(*Head Coach Joe Lucas, Asst. Coach Sarah Getz*)  
Nicole Clark, Principal- Luray High School  
Chris Ramsey, Fairview Subdivision Utility Request

*(This meeting was made public via the Town's Facebook page. Public comments were accepted prior to the meeting via e-mail to [sburke@townofluray.com](mailto:sburke@townofluray.com)).*

A quorum being present, Mayor Dofflemyer declared the Council to be in session for the transaction of business. All present stood for a moment of silence. Councilman Vickers led everyone in the United States Pledge of Allegiance. The roll was then called with all Council members present.

## **ADDITIONS OR DELETIONS FROM THE AGENDA**

Councilman Sours requested to move the Proclamation for Luray High School to the top of the evening's agenda. **Motion:** Councilman Sours motioned to move the Luray High School State Basketball Championship Proclamation forward on the agenda items, motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Lillard, Schiro, Pettit, Sours, Webb. **Approved 6-0**

## **CONTINUITY OF GOVERNMENT ANNOUNCEMENT**

Mayor Dofflemyer read aloud the *Ordinance for the Continuity in the Government of Luray*.

## **CONSENT AGENDA**

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

### *Consent Agenda*

- (A) Minutes of the Regular Council Meeting –2-8-2021
- (B) Minutes of the Work Session- 2-23-2021
- (C) Financial Statements ending 2-28-2021
- (D) Accounts Payable checks totaling- \$ 127,481.77

## **PROCLAMATION**

### **LHS Lady Bulldogs State Champions**

Town Manager, Steve Burke, read aloud the Proclamation of recognition commemorating the Luray High School Lady Bulldogs 2021 State Basketball Championship.

**Motion:** Councilman Schiro motioned to approve the Proclamation of Recognition commemorating the Luray High School Lady Bulldogs 2021 State Championship for Basketball as presented, motion seconded by Councilman Webb with the vote as follows: YEA: Council Members Vickers, Lillard, Schiro, Pettit, Sours, Webb. **Approved 6-0**

The Proclamation was then presented to Head Coach Joe Lucas, Assistant Coach Sarah Getz, Principal Nicole Clark, and members of the Lady Bulldogs by Mayor Dofflemyer.

## **GENERAL CITIZEN COMMENTS**

There were no citizens signed up to speak during the citizen comment period this evening.

## **PRESENTATIONS**

### **Hawksbill Greenway Foundation**

Newly elected Chairman, Bill Dudley, spoke on behalf of the foundation and reviewed the updated board positions. The Foundation met on February 25<sup>th</sup> and has chosen its board members. Mr. Ken Beyer, founding member, has stepped back from his role as Chairman; but, plans to remain an active foundation member. Mr. Dudley will serve in the capacity of Chairman; whereas, he previously served as the Vice-Chair. The new Vice-Chairman is Jim Davis, Gladys McNemar will serve as Secretary, and Margaret Stevenson will remain Treasurer. Parks Superintendent, Jennifer Jenkins, also attended the meeting and will serve as the foundation's liaison with the Town. The Greenway was founded in 1999, with four phases completed. The Foundation is a 501C3 charitable organization so that contributions may be made to support and enhance the Greenway. Mr. Dudley said at this time there are no plans to extend the Greenway. A study has been completed and found the extension not feasible in terms of ADA Compliance due to the slope of Linden Avenue. Mr. Dudley discussed the continued plans for maintenance and funding of the Greenway, and annual reports from the Foundation to Council.

Councilman Vickers continued that he would like to see further exploration of an expansion from the school to the Ralph Dean Park playground area.

### **Luray Downtown Initiative**

Program Director, Meredith Dees, informed Council that tonight will be her final Council meeting. Ms. Dees reviewed the Mardi Gras event held on February 20<sup>th</sup> with much excitement downtown. Many shops and restaurants were involved, and the feedback from the event was very good. Ms. Dees also discussed the façade improvement grant and noted that there are many buildings being sold downtown. Thus, LDI's board of directors has decided to re-open the façade grant project early. These are 50/50 matching grants, and she anticipates a number of applicants for this phase of the program.

Lastly, Ms. Dees introduced the new Program Director, Ms. Jackie Elliot. Ms. Elliott is no stranger to the community and to providing community support. Ms. Dees said that she is proud to have been the director for LDI for the past four years and is pleased to pass this role on to Ms. Elliott.

## **PUBLIC HEARINGS**

### **SUP 20-04- 111 South Hawksbill Street**

Town Manager, Steve Burke, presented the Special Use Permit to operate a Lodging House at 111 South Hawksbill Street. The Planning Commission unanimously approved the request at their February 17<sup>th</sup> meeting with conditions as detailed in the staff report.

Mayor Dofflemyer opened the public hearing for citizen comment. With no one present to speak on the issue, the hearing was then closed.

**Motion:** Councilman Sours moved to approve the Special Use Permit to operate a lodging house at 111 South Hawksbill Street with the staff conditions as presented. Motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Lillard, Schiro, Pettit, Sours, Webb. **Approved 6-0**

## SUP 21-01- Tannery Parcels 42A4-10-6C, 8, &9

Mr. Burke presented a request for a Special Use Permit to operate an automobile service garage, offices and a rental car business, and self-storage units on three parcels near the former Tannery. The Planning Commission has unanimously approved the request at their February 17<sup>th</sup> meeting with conditions to provide for a verbal agreement regarding drainage and access maintenance.

Mayor Dofflemeyer opened the Public Hearing for Citizen Comment. Town Manager, Steve Burke, said that two comments were received via e-mail. Other comments were also heard from those in attendance.

### Jim & Judy McNeely- 440 Ruffner House Lane

*Mr. Burke read aloud the e-mailed comments from Mr. and Mrs. McNeely.* The McNeely's statement identified the Planning Commission meeting and have resolved road maintenance concerns through a "gentlemen's agreement". This verbal agreement would address road maintenance and drainage issues as Hill House Lane is a private road.

### Kenneth Snodgrass- 301 Hill House Lane

*Mr. Burke read aloud the e-mailed comments from Mr. Ken (Reggie) Snodgrass.* Mr. Snodgrass addressed concerns about preserving his 50' easement and the condition of Hill House Lane as it is not designed for a high volume of traffic.

### Travis Hoke (applicant) - 802 Sandy Hook Road

Mr. Hoke, was present at the meeting to discuss his proposed plans for developing the property. He spoke in reference to the agreement between himself and the McNeely's regarding road maintenance and improvements. Mr. Hoke stated that he does not foresee any extensive excavation taking place during the site development. He noted that the site will likely need fill dirt rather than excavation. Mr. Hoke discussed enhancements to the drainage infrastructure of the roadway that he is willing to provide that will cut down on road maintenance. Mr. Hoke noted his intentions to be a good neighbor to the existing property owners.

Councilman Webb inquired about the size of the proposed parcels. Mr. Hoke noted that the property has been for sale for a number of years and totals about 3.5 acres. He stated that his purchase of the property is contingent upon the approval of the special use permit. Councilman Pettit and Councilman Sours had several questions about storm drainage and runoff issues. Councilman Schiro stated that he prefers a written agreement for road maintenance in an effort to settle any issues that may arise in the future. Town Attorney, Jason Botkins, proposed the parties initiate a recorded agreement among the property owners so that the Town is not put in the position to settle any future disputes.

With no further comments from the public, the hearing was then closed.

**Motion:** Councilman Webb moved to approve the Special Use Permit to operate an automobile service garage, offices, a rental car business, and self-storage units with the condition that Mr. Hoke and Mr. McNeely come to a clearly articulated agreement that is to be recorded within 30 days and other conditions as stated in Mr. McNeely's statement to the Council dated March 7<sup>th</sup> and in conformance with Chapter 407 requirements. Motion seconded by Councilwoman Lillard with the vote as follows: YEA: Council Members Vickers, Lillard, Schiro, Pettit, Sours, Webb. **Approved 6-0**

## **ACTION & DISCUSSION ITEMS**

### **Proclamation- Meredith Dees**

Mayor Dofflemyer requested the Council approve a Proclamation of Recognition for Ms. Meredith Dees for her service to the Town of Luray as the Program Director for LDI.

**Motion:** Councilman Vickers moved to approve the Proclamation of Recognition for the service provided to the Town of Luray and the Luray Downtown Initiative by Meredith Dees as presented. Motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Lillard, Schiro, Pettit, Sours, Webb. **Approved 6-0**

The Proclamation was then presented to Ms. Dees by Mayor Dofflemyer. Members of Council thanked Ms. Dees for her service.

### **Deed of Easement- St. Mark Evangelical Lutheran Church Luray**

Town Manager, Steve Burke, requested Council approve the Deed of Easement for the sidewalk areas along the St. Mark Evangelical Lutheran Church Property on East Main Street and North Deford Avenue. The easement will allow the Town to maintain and improve these areas for public use and utilities.

**Motion:** Councilman Pettit moved to approve the Deed of Easement for the sidewalk areas along East Main Street and North Deford Avenue from the St. Mark Evangelical Lutheran Church Luray for public use and utilities as presented, and authorize the Mayor and Town Attorney to execute any documentation necessary for recordation. Motion seconded by Councilman Schiro with the vote as follows: YEA: Council Members Vickers, Lillard, Schiro, Pettit, Sours, Webb. **Approved 6-0**

### **Authorization to Purchase Vehicles**

Mr. Burke requested authorization to purchase the vehicles included in the FY 2020-2021 Budget. While budgeted, the purchase of these vehicles had been delayed due to concerns about Covid-19 impacts on Town revenues.

**Motion:** Councilman Schiro moved to authorize staff to purchase the vehicles included in the FY 2020-2021 Budget as presented. Motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Lillard, Schiro, Pettit, Sours, Webb. **Approved 6-0**

### **Luray Meadows Agreements**

Mr. Burke requested Council members consider the approval of several documents pertaining to the Luray Meadows Agreement. These documents include the Deed of Trust, Deed of Trust Note, Deed of Trust Rider, Promissory Note, CDBG Grant Pledge Agreement, Hold Harmless and Indemnification Agreement, Assignment Certificate, and Sub-Grant Agreement with People Inc. Town Attorney, Jason Botkins, gave an overview of each of these documents due the complexity of the agreement. Mr. Botkins discussed efforts to mitigate any risk on behalf of the Town should there be any default on the part of Luray Meadows.

Councilman Webb recalled that this project has been ongoing since 2015 through various attempts. He noted that while he is not in favor of the project location, he does favor the need for affordable housing. Councilman Webb noted that while this is a complex transaction, it is likely a typical one for other localities. Councilman Schiro recognized that there is still some risk associated with the project agreements.

**Motion:** Councilman Sours moved to approve the agreements for the CDBG funded improvements at the Luray Meadows project with People Inc. and authorize the Town Manager and Mayor to execute the project documents as presented or in substantially similar form with such changes as may be approved by the Town Manager or Mayor upon recommendation by the Town Attorney. Motion seconded by Councilman Webb with the vote as follows: YEA: Council Members Vickers, Lillard, Schiro, Pettit, Sours, Webb.

**Approved 6-0**

### **Fairview Subdivision- Phase II**

Town Manager, Steve Burke, presented the request from Chris Ramsey for the extension of Town water and sewer utilities into Page County to facilitate the construction of Phase II of Fairview Subdivision. Mr. Burke confirmed with Page County that they will require the utility extension approval by the Town prior to a request to subdivide the lots for the proposed duplexes.

Mr. Ramsey was present to address questions from Council. Mr. Ramsey stated that he has built one single family home and would like to proceed with a duplex unit. He feels building the units will ease concerns from citizens as to the type of housing he plans to develop. Mr. Ramsey stated his intent is to provide housing targeted at seniors who prefer one-level units with minimal outdoor maintenance. He furthered that the request is only for the utility extension and that all road maintenance will be governed by an HOA. Councilman Webb suggested a boundary line adjustment with the County. Councilman Vickers inquired about the favorability of a boundary line adjustment and the steps needed. Mr. Ramsey continued that he would like to have the permit approved so that he may proceed with initial construction.

**Motion:** Councilman Vickers moved to approve the request by Chris Ramsey for Ramsey, Inc. for the extension of Town water and sewer facilities into Page County for Phase II of the Fairview Subdivision provided that Ramsey, Inc. executes an agreement conforming to the requirements of Sec. 86-39 (2) of the Town Code. Motion seconded by Councilman Pettit with the vote as follows: YEA: Council Members Vickers, Lillard, Schiro, Pettit, Sours, Webb. **Approved 6-0**

### **Page Memorial -340B Health Care Services Contract**

Mr. Burke asked the Council to consider approval of the 340B Health Services Contract with Page Memorial Hospital to allow the hospital to continue participating in the discount drug program established under Section 340B of the Public Health Services Act which support the Medicare population of Page County. Mr. Burke explained that the agreement is of no financial burden to the Town.

**Motion:** Councilman Vickers moved to approve the 340B Health Care Services Contract with Page Memorial Hospital and authorize the Mayor to execute the contract. Motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Lillard, Schiro, Pettit, Sours, Webb. **Approved 6-0**

## MAYOR'S ANNOUNCEMENTS

Mayor Dofflemyer recognized Chief Cook for Town staff's response to the tragedy of last week. Mayor Dofflemyer thanked the department for their assistance in coordinating the various events that have taken place over the past week and commended Chief Cook on his actions. Lastly, Mayor Dofflemyer congratulated Jackie Elliott on her position as Program Director with LDI.

*-RECESS-*

## EXECUTIVE SESSION

### **Legal Advice Concerning Collection of Delinquent Real Estate Taxes Section 2.2-3711 (A) (8)**

Mayor Dofflemyer requested a motion to adjourn into Executive Session for the purpose of discussing matters relevant to Section 2.2-3711.A.8.

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

*-Closed Meeting-*

**Certification:** Mayor Dofflemyer asked members of Council to certify that to the best of their knowledge only matters covered under Section 2.2-3711.A.8 were heard, discussed, or considered during the closed session.  
**Motion:** Councilman Pettit motioned to certify the closed session; Councilwoman Lillard seconded the motion with the following members voting YEA: Mayor Dofflemyer, Council Members Vickers, Lillard, Schiro, Pettit, Sours, Webb.

## ADJOURN

With no further business, the meeting was adjourned at 8:50pm.

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Jerry Dofflemyer  
Mayor

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Danielle Babb  
Deputy Clerk-Treasurer