

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

Monday, July 13, 2020

The Luray Town Council met in regular session on Monday, July 13, 2020, 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:

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

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
Audre King, West Luray Recreation Center
Jason Pettit, Luray Downtown Initiative

(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).

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. Councilman Lancaster led everyone in the United States Pledge of Allegiance. Mayor Presgraves 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 Councilman Dofflemyer 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 –6-9-2020

(B) Minutes of the Council Work Session Meeting – 6-23-2020

(C) Accounts Payable checks totaling- \$ 352,395.71

CITIZEN COMMENT

There were no citizens signed up to speak during citizen comment.

PRESENTATIONS

West Luray Recreation Center

Audre King- 1 Jordan Street, Luray

Audre King provided a power point presentation detailing the improvements at the West Luray Recreation Center. Mr. King discussed the first phase of opening and opportunities that the center will provide to area youth. Mr. King said the center plans to provide tutoring, a mentorship program, and meal services. He asked that the Town notify the center of any grant opportunities that may be available.

Luray Downtown Initiative

Ms. Dees was not available for the evenings meeting.

PUBLIC HEARINGS

Special Use Permit 20-1 – 4 Canaan Street

Town Manager, Steve Burke, requested the Council hold a public hearing regarding the special use permit request for 4 Canaan Street. The request is to use the structure, which is located in the B-1 Business district, as a residence for long-term rental. Since the structure was constructed after October 1977, a special use permit is required to permit a residential use in the business district. Mr. Burke said that a few comments were received from neighbors, all of which were in favor of the use.

Mayor Presgraves opened the public hearing for citizen comment. With no citizens present to speak, the hearing was closed.

Motion: Councilman Dofflemyer moved that the Town Council approve the Special Use Permit for the use of 4 Canaan Street as a residential, single family dwelling in the B-1 Business District as presented. Motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

Special Use Permit 20-2- 516 Fourth Street

Mr. Burke presented the second public hearing of the evening. The Council is requested to conduct a public hearing to install a manufactured home at 516 Fourth Street in the R-4 High Density Residential District as permitted in Town Code 404.2.e.

Mayor Presgraves opened the public hearing for citizen comment. With no members signed up to speak, the hearing was then closed.

Motion: Councilman Schiro moved that the Town Council approve the Special Use Permit for the installation of a manufactured home at 516 Fourth Street as a residential, single-family dwelling in the R-4 High-Density Residential District as presented. Motion seconded by Councilman Dofflemyer with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

ACTION & DISCUSSION ITEMS

Code of Virginia Readoption Ordinance

Mr. Burke presented a request from the Town Attorney for Council's consideration and adoption of the Ordinance readopting portions of the Code of Virginia that were adopted by the General Assembly, taking effect on July 1, 2020.

Motion: Councilwoman Pence moved that the Town Council adopt the Ordinance Readopting Portions of the Code of Virginia as presented. Motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

Browns Building Listing Agreement

Mr. Burke noted that the Brown's building listing agreement has technically expired, although Mr. Dudley has continued to market the property in good faith. Council members discussed allocating additional funds for advertising of the property and/or making some minor aesthetic improvements. Councilman Dofflemyer suggested focusing the funds to rehabilitation rather than additional advertising. Councilman Sours inquired about the options for additional advertising. Council requested a cost summary on the suggested improvements from staff and an advertising summary from Bill Dudley Associates.

Motion: Councilman Sours motioned to approve the extension of the Listing Agreement with Bill Dudley & Associates Real Estate Inc. to market and sell the Browns Building located at 36 West Main Street for 90 days until September 6, 2020. Motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

Luray Little League Concession Relief

Town Manager, Steve Burke, requested Council consider the waiver of the second quarter payment from Luray Little League for the concession services at Ralph Dean Park. Due to Covid-19 the Luray Little League has had to suspend all activities at the park. Councilwoman Pence suggested Council waive the entire amount due to the suspension of all activities by the league.

Motion: Councilwoman Pence motioned to approve the waiver of all payments by the Luray Little League for the Ralph H. Dean Park Concessionaire Agreement for the 2020 Season. Motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

Relief Loan Fund Application- Page One

The Town Council is requested to consider the application from Page One for a \$2500.00 loan through the Covid-19 Relief Loan Program as a part of Luray's Community Development Loan Program. Only one application has been received for consideration by the program. The loan review committee has recommended the applicant for approval.

Councilman Schiro stated that the agreement states the applicant must be a "for-profit" business, as such; the applicant would not meet this requirement. Town Manager, Steve Burke, requested the Council defer any action on this item.

Lake Arrowhead Beach Operations

Councilman Sours requested the Council discuss the operation of Lake Arrowhead Beach. Councilman Sours stated that he would like to propose the continuation of "fee free" swimming for the remainder of the 2020 season. Councilman Sours said the beach has seen an unbelievable amount of visitors. Councilman Sours stated that he is fine with keeping the beach "swim at your own risk" if needed. Mr. Sours felt that as a tourism community, often visitors are seeking a way to extend their vacations by one day. The beach opening provides for an affordable way to extend ones stay.

Mr. Burke said that the Town plans to resume collection of beach entrance fees and stationing of lifeguards at Lake Arrowhead Beach beginning on Thursday, July 16th. Following the certification of lifeguard staff, the town plans to staff the beach Thursday through Sunday from 11:00am until 6:00pm.

Councilman Vickers discussed overcrowding at the beach. Mayor Presgraves said he was in favor of collecting fees and opening the concession sales. Council discussed risks associated with no lifeguard staffing. Councilman Schiro discussed lost revenues from admissions and the costs associated with staffing the beach. Mr. Schiro reminded that if the expenses are not offset by admissions, then they are the burden of taxpayers. Councilman Schiro reminded that the beach is a Town sponsored amenity and costs for staff and maintenace are incurred by town residents. Councilman Sours said that he was uncertain of the budgetary impacts. Councilman Schiro felt it was unfair for the town to absorb these costs into the general fund, which in turn affects tax payers. Councilman Dofflemyer expressed concerns regarding the lack of fees charged and suggested this may deter such a large crowd. Councilwoman Pence did not feel the lifeguards should be used as attendants and expressed concern about the appropriate number of guards on duty. Ms. Pence said that her primary concern is safety rather than fees. Councilman Sours suggested tabling the discussion until the work session.

CARES Act Funding Update

Mr. Burke stated that the initial CARES Act submission has been sent to Page County. Subsequent submissions will continue to be made throughout the calendar year. Chief Cook confirmed that he is obtaining approval prior to making any major expenditures.

TOWN ATTORNEY

Jason Botkins, Town Attorney, stated that he is pleased to be back in attendance this evening.

EXECUTIVE SESSION

**Consultation with Legal Counsel
Section 2.2-3711 (A) (8)**

Mayor Presgraves requested a motion to adjourn into Executive Session for the purpose of discussing matters relevant to Section 2.2-3711.A.8 regarding consultation with legal counsel. The subjects of the closed meeting are the East End and West End Confederate monuments located within the Town.

Motion: Councilman Schiro motioned to recess the regular meeting and to convene in executive session; Councilman Lancaster 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.8 were heard, discussed, or considered during the closed session. **Motion:** Councilman Schiro motioned to certify the closed session; Councilman Lancaster seconded the motion with the following members voting YEA: Mayor Presgraves, Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence.

ANNOUNCEMENTS/ ADJOURN

With no further business, the meeting was adjourned at 8:26 pm.

Barry Presgraves
Mayor

Danielle Babb
Deputy Clerk-Treasurer