

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

MONDAY, DECEMBER 14, 2015

The Luray Town Council met in regular session on Monday, December 14, 2015 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 Dofflemyer
Jerry Schiro
Leroy Lancaster
Joseph Sours
John Meaney

Also Present:

Charlie Hoke, Town Manager
Bryan Chrisman, Assistant Town Manager
~~Mary Broyles, Clerk Treasurer~~
Danielle Babb, Deputy Clerk Treasurer
Ligon Webb, Town Planner
Assistant Chief Carl "Bow" Cook, Luray Police Department
Steve Cave, Luray Police Department
James Roy, Luray Police Department
Jeff McMillan, Luray Downtown Initiative
Gina Hilliard, Luray Page County Chamber of Commerce
Mike Uram, Stanley Town Council
John Woodward, Page County Board of Supervisors Chairman
Erik Fox
Chris Judd
Page News and Courier
Joel Davis, Springsted Inc.

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

CONSENT AGENDA

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

Consent Agenda

- A) Minutes of Regular Council Meeting – 11-09-2015
- B) Financial Report for the Month Ended November 30, 2015
- C) Accounts payable checks totaling \$ 497,358.93

GENERAL CITIZEN COMMENTS/ PRESENTATIONS

John Woodward- Chairman, Page County Board of Supervisors

Mr. Woodward came before Council to invite members to a joint meeting on January 29th. The meeting will include the County, Towns, and School Board with the location to be determined. The meeting will be facilitated by Mike Chandler and the topic will be Economic Development for Page County. Mr. Woodward added that there will be a morning session for Planning Commissioners. The afternoon session will last from approximately 1:00-6:00pm. Mr. Woodward said that he hopes to begin conducting joint sessions quarterly or every six months. He will contact Mr. Hoke with the final details for the meeting.

PUBLIC HEARINGS

Rezoning Request presented by April and Chris Judd

Town Planner, Ligon Webb, presented the request from Chris and April Judd to rezone an R1 zoned property to a B1 zoning with conditions. The intent of the rezoning is to construct a roughly 70'x80' pole building for the storage of supplies and materials. Mr. Webb provided a map view of the proposed location. He noted that Mr. Judd plans to access the building off of Wallace Avenue rather than Hite Spring Road. Mr. Webb said that the Planning Commission unanimously approved the request by a 6-0 vote. The commission members believed the requested area appropriate for the proposed use.

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

Motion: Councilman Schiro motioned to approve the request for Rezoning from April and Chris Judd as presented, motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Meaney. **Approved 6-0**

Triplex amendment to the Town's zoning ordinance

Town Planner, Ligon Webb, presented the public hearing for the amendment to the Town's zoning ordinance. It is proposed that Appendix A, Article II, Section 202 include a definition for the term "Triplex". The proposed definition is as follows: *A Triplex is three separate dwelling units arranged side-by-side. Triplexes shall possess an aggregate minimum lot size 10,000 square feet, and individual units may be further divided into separate lots/ parcels as deemed appropriate.* It is proposed that Section 404 (High Density Residential- R4) include the term Triplex. Also, Section 404, Sec.404.3 include the following language: *Triplex units arranged side-by-side*

can be divided into lot sizes as deemed appropriate; provided the units are located on a lot with a minimum aggregate size of 10,000 square feet, and contain a firewall between individual dwelling units. A triplex unit shall possess a minimum of 75 feet of lot width at the setback line, and no individual unit/lot shall possess less than 20 feet of lot width.

Mr. Webb said that Mr. Erik Fox is proposing to construct triplex units in an effort to construct single level structures with a slightly larger lot size than duplex units. Councilman Sours questioned the language in the definition of triplex that states the “*further division into separate parcels*”. Mr. Webb explained that the side units will have a slightly larger lot size due to the side yard, with the middle unit having slightly less lot size. Mr. Webb said that all three units could be kept as single ownership and rented out. He added that the units could also be divided and deeded/sold as individual housing. Mr. Fox explained that all three parcels could not be of equal size due to the nature of the middle unit. Council members discussed how the lots would convey with the sales of the unit. Council members discussed problems that may arise for triplex owners concerning maintenance and other issues. Councilman Meaney confirmed that this issue is about providing affordable housing. Mr. Fox said that there is a high demand for one story units in Luray.

Councilman Sours stated that he still has some confusion over the language in Section 202 for the “further” division of the parcel. Assistant Town Manager, Bryan Chrisman, emphasized that a Triplex is the definition of the building rather than the lot. Mr. Webb determined that this could be struck from the sentence to avoid any confusion.

Mr. Webb explained that Mr. Fox will still be required to obtain a special use permit for the construction of these units. Councilman Schiro suggested that some sort of covenant or HOA be in place to address any issues amongst the unit’s owners. Council members and Mr. Fox discussed the division of the property versus common outdoor space. Mr. Fox explained that these issues will be ironed out during the deed of sale. Mayor Presgraves said that these agreements should be in place. Mr. Chrisman explained that in townhouse developments, this is addressed in the planned neighborhood development documents, whereas townhouse blocks have easements within the side and rear setbacks. Councilman Sours confirmed that the units would require three tap fees and each unit metered individually. Mr. Webb said that in order to divide and sell the properties they would have to be metered separately. Councilman Lancaster suggested larger setbacks on the side, increased to 10 feet. Mr. Fox said that he agrees with this. Council continued to discuss access and easement issues for the parcels.

Mr. Webb said that he views these issues as more of a tenant/owner agreement. He felt this would be more appropriately handled through a sales contract. He reminded that Mr. Fox will be back with the special use permit application if council wishes to consider these issues at that time. Mayor Presgraves said that there are many questions on this and perhaps it should be returned to the Planning Commission. Mr. Webb said that it could be redirected but there would be no substantial changes.

Mayor Presgraves opened the public hearing for citizen comment. With no speakers, the hearing was then closed. Councilman Sours said that if no covenant type of agreements are in place for townhouses then perhaps Council should proceed and review further. Councilman Schiro said that so long as the Council reviews this under the special use permit process for Mr. Fox’s construction of the units, these concerns can be addressed at that time.

Motion: Councilman Sours motioned to approve the addition of Triplex to the R4 Zoning District with all applicable sections with one change to remove the word “further” from Article II, Section 202, motion seconded by Councilman Vickers the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Meaney. **Approved 6-0**

DEPARTMENTAL REPORTS

PLANNING AND ZONING

Town Planner, Ligon Webb, noted that the Planning Commission's regular December meeting has been cancelled. The January meeting will include a public hearing for People Inc.'s rezoning request for the proposed 52 unit apartment complex to be located off of Airport Road. Mr. Webb has provided a copy for Council members of the revised parking ordinance. At the November council meeting it was proposed to exempt the downtown area from the parking ordinance. If the Council is inclined to do so the provision would read "*all structures located in Luray's Historic District identified as contributing and noncontributing are exempt from the Town's parking ordinance as enumerated in section 506 of the Town Code.*" Councilman Vickers said that he is in favor of exempting the downtown where some buildings simply have no parking available. Councilman Vickers said he feels this conveys a "pro-business" message. Town Manager, Charlie Hoke, said that the currently approved ordinance allows for an approved exemption but that a total exemption may encourage owners not to provide any off-street parking. Councilman Schiro recalled the Council requesting an amendment that would provide an exemption for the historic district. Councilman Dofflemyer confirmed that this would only apply to existing structures and not apply to new construction. Councilman Lancaster expressed concern over downtown businesses covering up existing parking with structures/sheds. Councilman Schiro said that he feels the exemption would remove a hindrance from downtown business owners. Mr. Webb said he will proceed with these revisions and bring back to Council for approval.

PUBLIC SAFETY AND EMERGENCY SERVICES

Mayor Presgraves advised Council members that they each have a copy of the Hometown Heroes newsletter published by the Page County Emergency Services. In this edition of the newsletter, three Luray Police Department officers were recognized for their life saving efforts. Those officers were Ira Gochenour, Steve Cave, and Lonnie Foster. Assistant Chief, Carl "Bow" Cook, said that on the night of September 10th, 2015 Officer Steve Cave responded to a call for a male subject who was unresponsive. Upon arrival Officer Cave was able to determine that the subject had no pulse. Officer Cave initiated CPR in an effort to resuscitate the subject and continued CPR until emergency medical services responded. Officer Cave's efforts resulted in the successful resuscitation of the subject who survived a potentially fatal drug overdose. Officer Cave's actions reflected great credit upon himself, the Luray Police Department, and the Town of Luray. Assistant Chief Cook presented Officer S. Cave with the Lifesaving Award.

TOWN AFFILIATED BOARDS AND COMMISSIONS

LURAY DOWNTOWN INITIATIVE

Jeff McMillan, Luray Downtown Initiative

Director, Jeff McMillan, noted recent meetings and events that he attended. One of the events included the Turkey Trot which LDI plans take on next year as a fundraising effort. Mr. McMillan said that Small Business Saturday was a success and that several businesses had very profitable sales. The tree decorating contest is currently going on at the Mimslyn and Luray Parks and Recreation Department submitted an entry. Mr. McMillan said that the Christmas Parade was a huge success and LDI worked with Marlow Ford. He reminded members of Second Saturdays for downtown merchants and hopes this will encourage merchants to stay open late one day per month. Mr. McMillan discussed recent and upcoming Vision Luray task force meetings. Other meetings attended

include; Bridge Outreach Team, Appalachian Trail, Page County Board of Supervisors, and various others. Mr. McMillan introduced Emily Shifflett, LDI's new intern, who will be assisting him with various projects. Also, he reviewed LDI's financial statements as of November 30th, 2015. Mr. McMillan also requested the second half of LDI's funding from the town if the Council is so inclined. Mayor Presgraves noted that this would be forwarded to LDI. Mr. McMillan also discussed upcoming plans for the weekend of Festival of Spring that would include activities over a three day period. Other upcoming items include the Virginia Main Street Conference in January, performance review, and LDI newsletter circulation.

LURAY PAGE COUNTY CHAMBER OF COMMERCE

Gina Hilliard, Interim Chamber Director

Ms. Gina Hilliard began by presenting statistics for the month of November. The Chamber had 281 local calls, 297 local walk-ins, 260 tourist calls, 817 tourist walk-ins, 3,033 unique web hits, and 96 visitor guide downloads. Ms. Hilliard also provided a breakdown of the website users, pages, sessions, and the associated demographics. She also noted recent and upcoming meetings for Opportunity Luray, Vision Luray task force, PACA, and Virginia Tourism. Ms. Hilliard noted that the Chamber Holiday Party was very well received. The event included photos with Santa and a gingerbread replica of the Depot. The Chamber participated in both the Stanley and Luray Christmas Parades. The annual calendar planning meeting was held for 2016. December's Business After Hours will be at the Mimslyn and will be hosted by the Rotary. January events will include a Business Networking Breakfast, Sprint ribbon cutting ceremony, and Social Media Portrait Session.

UPDATES AND DISCUSSION ITEMS

Springsted Study

Town Manager, Charlie Hoke, stated that approximately ten years ago the town sanctioned a compensation study and Springsted was the consultant. The town again sanctioned a study and Springsted was the successful candidate. Mr. Joel Davis, Vice President of Springsted, is here to present the findings of his report. Mr. Davis provided Council members with a power point presentation of his report. He stated that the purpose of the study was to look at "total compensation" for employees and said that typically these studies are conducted every 5-7 years. Highlights of the presentation included the following:

- *Pay Philosophy*
- *The Town's Specific Objectives*
- *Study Methodology (meetings, data collection, etc.)*
- *Study Findings*

Mr. Davis said that the study's findings were such that the salary levels are for the most part lower than the average salary rates paid in comparable regional organizations. Also, there are internal pay relationship inequities that exist within the town. In order to develop consistency for the town and to maintain competitiveness within the regional labor market the study provides three possible recommendations. The current pay plan is recommended to be changed to an open range system as proposed to the current step system. Policies in regard to the maintenance of the plan should be evaluated. Mr. Davis said the changes should also be reflected in the Personnel Manual to note an open range plan. He added that large amounts of overtime for exempt employees is not advised. He suggested a better way to handle compensatory/overtime for exempt employees in order to maintain the exempt status. Mr. Davis suggested an adjusted schedule for those in an exempt position. Mr. Davis advised that an on-call pay policy for those that are required to be on-call on weekends or holidays be established. Mr. Davis also suggested funding performance based pay increases.

Council discussed with Mr. Davis the use of the benchmark communities. Council expressed concerns over the similarity in size and budgets of the communities used to collect data. Mr. Davis explained the use of these areas due to the competitiveness in the regional labor market and said that these communities' data carries a weighted value.

Mr. Davis provided the proposed new pay scale and said there is a 5% separation with a minimum, mid, and maximum salary range. Mr. Davis explained the implementation options, three were provided. Option 1 suggests moving employees to the minimum recommendation for their pay grade, Option 2 suggests a move to the minimum grade or 2% (whichever is greater), and Option 3 which provides for years of service adjustments. Mr. Davis said that Springsted recommends Option 3. Mr. Davis said that currently 30% or 13 of the town's employees are currently paid below the minimum of the proposed salary ranges.

Mr. Davis recommended approving the open range salary schedule, approve the salary schematics which would provide for the establishment of internal equity among the various positions of the town. Mr. Davis recommended approving the implementation of Option 3 in order to establish more equitable compensation levels for all employees. He suggests that this will address compression issues, bring those employees that are below the market up to market minimums, and suggested the town provide support for ongoing administration of the program via a system of market adjustment and performance based merit increases.

Mr. Davis reviewed the town's fringe benefits including holiday pay, annual leave, sick leave, retirement, life insurance, health insurance, and deferred compensation.

Conclusions from these recommendations are that a fairer and more equitable compensation to employees would be provided in a changing labor market. Also, the town would improve its opportunity to reduce turnover. The recommendations would provide compensation that addresses internal equity and external market competitiveness, while maintaining fiscal responsibility with public resources.

The overall recommendation from the study is Option 3, but if not, Mr. Davis said he recommends Option 2 or a phased plan. Mr. Hoke said that the town can currently fund Option #2 and could fund it effectively on January 1st, 2016. Mr. Hoke said he feels it will be easier to manage at that time and to continue with this plan into next year's budget. Mr. Hoke provided council members with the cost associated with Option #2 including benefits. Council members asked how this would be funded within the town's current budget. Mr. Hoke said a majority of the funding would come from the savings in Town Attorney expense and a few other project expenses. Councilman Lancaster and Councilman Sours both said they had difficulty making any decision at tonight's meeting. Councilman Dofflemyer said that while a decision may not have to be made tonight, the council should move quickly. Mayor Presgraves suggested a special meeting be held in early January. Council agreed to meet in a special session to discuss these recommendations further, the meeting will be held on January 5th at 5:30.

Mr. Hoke said that he has one clarification and one announcement this evening. Mr. Hoke said that Carl "Bow" Cook has been promoted to Chief of Police for the Town of Luray. Also, Mr. Hoke stated that he has used attorney services from VML for consultation. He has been able to utilize them for numerous questions and VML has provided an attorney for a sewer damage lawsuit. Mr. Hoke said that for other legal services he plans to utilize Litten and Sipe of Harrisonburg for issues as they arise. Mr. Hoke feels they are most qualified, however if it is something like deed recordation a local attorney could still be used.

West Main Street Bridge Project

Assistant Town Manager, Bryan Chrisman, updated members on the West Main Street Bridge Project.

Mr. Chrisman provided a very comprehensive staff report for members to review. He emphasized that the readiness of the project is no longer the driving factor, but rather the availability of funds for the project. Mr. Chrisman said that over the last six months he has come before Council to discuss the application for gap funding. He said that the main issue at this point is the availability of funds and the timing of the funds if available. Mr. Chrisman said that the NEPA study is on the last phase of completion and hopes this will be finalized by the end of 2015. The NEPA document will remain valid for a three year term. Mr. Chrisman reviewed the timeline for the project and explained the correlation of construction with the town's funding. The town's federal grant funds expire in 2019. Members discussed options for further funding and determined it in the town's best interest to begin working on Note 4 with Blue Ridge Bank.

ANNOUNCEMENTS/ ADJOURN

Mayor Presgraves reminded Council Members of the upcoming retirement party for Page Campbell on December 28th.

With no further business, the meeting was adjourned at 9:55pm.

Barry Presgraves
Mayor

Danielle Babb
Deputy Clerk-Treasurer