

**WORK SESSION OF  
THE TOWN COUNCIL  
OF  
THE TOWN OF LURAY, VIRGINIA**

**Tuesday, May 25, 2021**

The Luray Town Council met in a work session on Tuesday, May 25, 2021, 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 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- Assistant Treasurer  
Chief of Police, Carl “Bow” Cook, Luray Police Department

*(This meeting was made public via the Town’s Facebook page.)*

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. Mayor Dofflemyer requested members keep Detective Ron McClelland in their thoughts and prayers. All present recited the United States Pledge of Allegiance.

**ROLL CALL**

The roll was called with all members present.

**ADDITIONS OR CHANGES TO THE AGENDA**

Councilman Schiro requested to amend the agenda to add discussion of the acquisition of real property to the Closed Meeting discussion.

**Motion:** Councilman Schiro motioned to amend the Agenda for the addition of real property acquisition to Closed Session. The motion was seconded by Councilman Sours 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*.

### **UPDATES & DISCUSSION ITEMS**

#### **Code Amendment- Section 517- Sustainable Energy Systems**

Mr. Burke presented the revised draft code amendment regarding Appendix A, Zoning, Article V- Supplementary Regulation, Section 517 Sustainable Energy Systems. The amendment would provide for roof mounted systems within certain size limits be permitted by right in all zoning districts. Ground mounted systems would be permitted in all zoning districts by Special Use Permit. Larger Systems would be limited to M-1 Industrial Zoning Districts by Special Use Permit and in compliance with criteria established in the code section. Councilman Sours addressed his concern about noise ordinance conformance. Mayor Dofflemyer stated that this will be the subject of a Public Hearing at the June regular Council Meeting.

#### **Code Amendment- Article III- Parks Conduct**

Steve Burke, Town Manager, presented the Code Amendment to Article III- Conduct within and use of Town Parks. This amendment provides guidance on activities within the parks and preservation of park property. Councilman Webb felt that metal detecting could be permitted with prior authorization of the Town Manager. The amendment also addresses activities such as archery and pneumatic guns and the prohibited use thereof, unless prior written authorization is obtained. Mayor Dofflemyer said that action on the amendment can be taken at the June meeting.

#### **Code Amendment- Chapter 44- Dangerous Structures, Derelict Buildings, and Spot Blight Abatement**

Mr. Burke requested discussion from Council on a Code Amendment to establish Article III – Dangerous Structures, Derelict Buildings, and Spot Blight Abatement. This code amendment was recently adopted by the City of Waynesboro to address blighted properties in their community. The Town Attorney’s firm drafted the Code Amendment for Waynesboro and includes the most recent updates from the Code of Virginia. Buildings that were formerly derelict would then be eligible for abatement of property taxes in an amount outlined in the code, after the building has been demolished or repaired. Councilman Vickers questioned how blight will be determined. Councilman Schiro noted that the structure must provide an immediate public health and safety issue. Councilwoman Lillard requested a revision to Section 26-41 (a) to provide for consultation with the County Building Official. Mr. Burke further explained that this Code Provision was only available to cities and counties, but is now made applicable to Town’s and can therefore be considered. Another revision was noted to Section

26-42 (h) for the consideration of “zoning fees” rather than “building permit” fees, whereas the Town does not have control over those fees. Mr. Burke added that when these structures are identified the Town could utilize a consultant with the Town bearing the associated cost.

### **Department Heads at Council Meetings**

Mr. Burke identified a request from Council to have Department Heads attend Council Meetings on a quarterly basis. Councilman Webb said that he recalls Department Heads used to attend every meeting and present a report. He is not suggesting supervisors attend all meetings, but rather quarterly attendance would be beneficial. He noted that Chief Cook attends all meetings, therefore the Council has the opportunity to gain information regarding his department. Councilman Webb added that recently Superintendent of Parks and Recreation, Jen Jenkins, attended Council Meeting and a great deal of information was gained. Mr. Webb said that this keeps Council connected and informed. Councilman Vickers recalled when all Department Heads attended monthly meetings and said that this was a very good opportunity to ask questions. Councilman Vickers noted that the tours of the Wastewater and Water Plants last week were very informative. Councilwoman Lillard suggested supervisors be at the top of the agenda, as their time is valued. She noted that their attendance is appreciated and it is important to hear from them. Council members and staff concurred to invite supervisors to attend meetings on a rotating schedule.

### **American Rescue Plan Act**

Mr. Burke provided Council members with the Interim Rules for the American Rescue Plan Act. Staff has provided notes and potential issues with the Interim Rules. Mr. Burke said these concerns have been provided to VML for information. Mr. Burke said that the Town has received inquiries from non-profit organizations for funding requests. He said that unlike previous funding, non-profit organizations will be required to give follow up information on the qualification and documentation of funds spent. Mr. Burke noted an increase in the amount of reporting that will be required. Mr. Burke said that he is hopeful for guidance on the eligibility of funding to hire someone to maintain records and fulfill reporting requirements. Another concern is that that funding will not apply to existing debt, but rather new debt incurred after March 2021. He said that this guidance was very specific. Some new improvements that Council has recently awarded, will qualify as they meet the timeline requirements. Mr. Burke is hopeful that funding can be qualified for parks improvements. Councilman Schiro noted that additional information was released from VML today. Councilman Pettit recognized the importance of the Town’s water and sewer infrastructure and improvements thereof. Lastly, Mr. Burke said that staff continues to await the final rules on the ARPA funds and asked that Council continue to think of ways to work within the guidelines for the benefit of the community.

Mayor Dofflemyer inquired about the message boards from the CARES Act funding and the shipping delays that have been incurred. Assistant Town Manager, Bryan Chrisman, said that he received an update this afternoon and anticipates delivery within the next 30 days. Mayor Dofflemyer complimented the progress on the Creekside Commons project and looks forward to the opening. Mr.

Chrisman said that everything should be wrapped up by July 1<sup>st</sup> and plans for LDI to host a ceremonial opening prior to July 4<sup>th</sup>.

### **Code Amendment – Article V- Supplementary Regulations & Article VIII-Signs**

Town Manager, Steve Burke, presented draft code revisions regarding supplementary regulation amendments for temporary construction and storage trailers and the requirements for fence installation. Sign amendments would include a definition for a banner and allowance for temporary signs. In addition, feather banner flags would be permitted for 30 days within the calendar year. These amendments were approved by the Planning Commission at their regular meeting on May 12<sup>th</sup>. Council members discussed feather banners and the issues they present.

### **SUP 21-02- 402 Luray Avenue**

The Council has received a request for a Special Use Permit to operate a lodging house at 402 Luray Avenue in the R-4 district. A public hearing will be held at the June Council meeting and neighboring property owners will be notified and invited to speak if they have concerns. Councilman Pettit noted that parking at the property may be an issue if the Greenway expansion were to take place along this route. Mr. Chrisman said that if this were to occur, off street parking would definitely need to be addressed.

### **FY 2021 Tax Collection Update**

Town Manager, Steve Burke, said that Mayor Dofflemyer requested an update on the collection of taxes in FY 2021. Mr. Burke noted that for the period July 2019- April 2020, the Town collected \$533,000 in meals tax and \$156,000 in transient occupancy tax. For the period July 2020- April 2021, the Town has collected \$550,000 in meals tax and \$161,000 in transient occupancy tax, thus exceeding the prior period. Concerning real estate taxes, letters were sent out to 57 property owners with \$23,400 collected in delinquent taxes. Other owners have set up monthly payment plans. Year-to-date the Town has collected \$12,500 in delinquent personal property taxes through the debt-set off program.

### **Town Hall Meeting Discussion**

The Council has requested to discuss conducting a Town Hall meeting to allow residents to speak on any concerns they may have. Mr. Burke said that with Covid restrictions expiring on May 28<sup>th</sup> by order of the Governor, this would be a good time to schedule an open forum. Members discussed possible dates, venues, and topics. Council members preferred not to limit discussion and rather provide for an open session.

### **Continuity in Government Ordinance**

Town Manager, Steve Burke, requested the Council discuss rescinding the Continuity in Government Ordinance adopted April 13, 2020. Governor Northam's Executive Order 79 becomes effective May

28<sup>th</sup>, 2021 which terminates Order 72 that limited the number of attendees for group meeting. Mr. Burke said that Page County's local emergency declaration expired May 12, 2021. The ordinance would naturally expire six months after the end of the disaster, unless otherwise acted upon by Council. The Council can choose to take action at the June meeting.

## **EXECUTIVE SESSION**

### **Performance of Specific Local Government Personnel**

#### **Property Acquisition**

#### **Section 2.2-3711(A)(1) and Section 2.2-3711 (A)(3)**

Mayor Dofflemyer requested a motion to adjourn into Executive Session for the purpose of discussing matters relevant to Section 2.2-3711.A.1 and Section 2.2-3711.A.3.

**Motion:** Councilman Vickers motioned to recess the regular meeting and to convene in executive session; Councilman Sours 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.3 were heard, discussed, or considered during the closed session. **Motion:** Councilman Schiro motioned to certify the closed session; Councilman Vickers seconded the motion with the following members voting YEA: Mayor Dofflemyer, Council Members Vickers, Lillard, Schiro, Pettit, Sours, Webb.

## **ANNOUNCEMENTS**

Mayor Dofflemyer noted the upcoming Prayer Vigil for Detective Ron McClelland on Thursday at 6:30pm at Ruffner Plaza. Members also discussed the dumpster request for the Artisan's Grill building renovations and the best location for such. Upcoming events include the Luray Meadows Groundbreaking Ceremony and the Luray Page County Annual Chamber of Commerce Banquet.

## **ADJOURN**

With no further business, the meeting was adjourned at 7:25 p.m.

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Jerry Dofflemyer  
Mayor

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Danielle P. Babb  
Deputy Town Clerk