

**MINUTES OF A TOWN COUNCIL
WORK SESSION MEETING
TOWN OF LURAY, VIRGINIA
Tuesday, June 23, 2020
5:30pm**

The Luray Town Council met in a Work Session on Tuesday, June 23, 2020 at 5:30 p.m. in the Luray Town Council Chambers located at 45 East Main Street, Luray, Virginia at which time there were the following present:

Presiding: Mayor Presgraves

Council Present: Ron Vickers
Jerry Dofflemyer
Jerry Schiro
Leroy Lancaster
Joseph Sours
Leah Pence

Others Present: Steve Burke, Town Manager
Bryan Chrisman, Assistant Town Manager
Jason Botkins, Town Attorney (*present electronically*)
Mary Broyles, Clerk Treasurer
Danielle Babb, Deputy Clerk Treasurer
Chief Bow Cook, Luray Police Department
Bill Dudley, Bill Dudley and Associates
Jeremy Hilliard - 4 Massanutten Place, Luray
Ligon Webb, former Town Planner- 12 Spring Street, Luray

Due to the threat of transmission of COVID-19 and in recognition of the Governor's Executive Order, this Work Session will have limited seating. The meeting was made available to the public via the Town's Facebook page live-streaming broadcast.

A quorum being present, Mayor Presgraves declared the Council to be in session for the transaction of business. Mayor Presgraves led members in the United States Pledge of Allegiance. The roll was called with all members present

UPDATES & DISCUSSION ITEMS

SUP 20-1 -4 Canaan Street

Town Manager, Steve Burke, presented a request for a Special Use Permit to use the building located at 4 Canaan Street as a residential long term rental. The building is located in the B-1 Business District and operated as a business for many years. The Planning Commission conducted a Public Hearing on June 10th and unanimously approved the Special Use Permit. Councilman Dofflemyer confirmed that the building was the former dental office.

SUP 20-2 – 516 Fourth Street

Mr. Steve Burke stated that Council is requested to review another Special Use Permit for a manufactured home in the R-4 High-Density District as permitted in Town Code 404.2e. The Planning

Commission also reviewed this request at their June 10th meeting and unanimously approved after conducting the public hearing.

Cares Act Funding

Mr. Burke discussed the local allocation for the Federal CARES Relief Funding. The Town has been allocated \$424,582 of the total \$2,085,537 allocated to Page County. Town Staff has been compiling a list of expenses incurred to date and proposed expenditures to continue the town's handling of Covid-19 issues. Those expenses include costs for supplies and disinfection, upgrading of public restrooms to "no-touch" fixtures, audio visual equipment for Council Chambers, installation of 3 LED message boards, telework laptops, Council I-pads, AM emergency broadcast service, construction of a public restroom at Ruffner Plaza, and the replacement of a police vehicle. Mr. Burke stated that the last two items are of significant cost and would be confirmed for reimbursement through Page County prior to purchase. In addition, the Town would pursue some funding for Local Business Assistance. Councilwoman Pence inquired about the gap in allocated funding for the Town and the tally of Town expenses. Mr. Burke said that Page County has identified some county-wide expenses that they believe should be deducted from the three towns for EMS related expenses. Councilman Schiro stated concerns about the federal government's final discernment on qualifying expenses and obtaining clarification from Page County about qualified items. Mr. Burke agreed that the Town will obtain more information before making any large expenditures. Councilman Dofflemyer confirmed that these items must be paid for by end of the calendar year. Councilman Schiro inquired about using some of the funding for hazardous duty and employees that have worked during the crisis.

Luray Little League

Mr. Burke stated that the Luray Little League has cancelled their season. While they have not yet requested to waive the remainder of the concession agreement; Mr. Burke anticipated they will request a waiver. The concession agreement fee is \$1500 for the season.

Browns Building Listing Agreement

Mr. Burke stated that Mr. Bill Dudley is present this evening to provide an update on the Brown's Building Listing Agreement. Mr. Dudley stated that the listing has been on the market for about 170 days, 100 of which were under a State of Emergency. Mr. Dudley said he has been pleased with the number of viewings in this time frame and has had great cooperation with the Town Manager. The property is listed on the local MLS listings and is advertised on various forms of media. Mr. Dudley said they have also coordinated with LDI and the EDA for potential grant opportunities for the property. Mr. Dudley discussed recommendations for further improvement and clean-up of the property. He suggested removal of the plywood from the front of the building and replacement with plexiglass, level one clean-up from the bridge project, and kitchen clean-up and paint removal. Mr. Dudley felt any of these items would be helpful. He also suggested the removal of the re-purchase option of the contract. Mayor Presgraves inquired about the cost of those clean-up components. Mr. Burke felt the paint removal may be several thousand in cost and would necessitate a professional company due to lead based paints.

Councilwoman Pence felt that Town Council needed to look at a broader advertising campaign and budget. Ms. Pence also stated that she has received a lot of complaints that the listing agreement was not put out to bid.

Mayor Presgraves suggested obtaining some cost estimates for Mr. Dudley's suggested improvements. Councilman Vickers inquired about any feedback from potential buyers. Mr. Dudley said that it just comes down to cost of the building combined with cost of necessary improvements. He indicated that many folks were interested in a multi-use space.

Councilwoman Pence discussed the lack of prospective buyers receiving a return on investment within a reasonable time. She also suggested a public-private partnership. Councilman Schiro said a request for proposal was sent out for a public-private partnership with no response. Mr. Dudley stated that it's just a matter of finding the right buyer. Council members discussed the restrictive covenant portion of the contract.

Roundabout Update

Assistant Town Manager, Bryan Chrisman, spoke with the project engineer this week and he has indicated that the project could go to advertisement as early as September. Mr. Chrisman said that he has a meeting with the VDOT Staunton office in early July.

Monuments Update

Mr. Burke updated the Town Council on the monuments located at both Reservoir Avenue/East Main and the South Broad/Campbell Streets. Staff has continued to work to remove graffiti from the monuments. A proposal to sandblast the monuments to remove remaining residue has been received.

Mr. Burke stated that based on deed research by Reed & Reed PC, the Town of Luray does not appear to maintain any property interest in the Eastern Monument or the property on which it was built. The East End Monument was most recently owned by the Herbert Barbee family, as Trustee. The heirs of the property are Abram and Virginia Henkel. The western monument's most recent owner of record is the Confederate Memorial Association of Luray. With that being the case, Mr. Burke recommends that the Town send notification to owners of record notifying them of the vandalism and based on the Town's research they are the owners of interest. Mr. Burke said that the owners would need to contact their own attorney's for independent research and determine how they would like to proceed with the maintenance and or dispersal of the property. Mayor Presgraves confirmed that the Town has no ownership in either property. Mr. Burke said that the Commonwealth's Code that goes into effect July 1, 2020 regarding monuments includes a referendum regarding only *publically owned* monuments. That referendum would not apply to either monument since they are both privately owned. Councilman Sours questioned if the Town would continue the cleaning efforts. Mr. Burke said that staff was doing so as the only responsible entity at this time.

Councilwoman Pence addressed the restoration of these monuments several years ago. Council members discussed the study and restoration that was paid for by the Town. Funds were also raised by the United Daughters of the Confederacy to restore the Western Monument. Councilman Schiro asked Town Attorney, Jason Botkins, if the fact that the Town has maintained the property for so long would factor into any ownership interest. Mr. Botkins discussed the town's interest and agreed with staff that there is no ownership on behalf of the town. Mr. Botkins said the town would not have any authority to request an advisory referendum regarding the community's input.

Councilman Vickers confirmed that the town should continue to cut the grass until a maintenance plan can be determined by the owners. Councilwoman Pence expressed concern over maintaining privately owned property. Mr. Burke said the legal responsibility would be to treat it as other private property and hire a contractor and then assess the owner for the charges incurred. Councilman Vickers inquired about costs for further sandblasting the graffiti.

Councilwoman Pence said the title research should have taken place before the restoration several years ago. Mr. Ligon Webb, former Town Planner, said that the issue was not a political one at that time. As former Town Planner, Mr. Webb stated that he managed this project several years ago and this was not an issue at that time.

Councilman Dofflemyer asked how we move forward. Mr. Burke said that we proceed with contacting the owners of record and see how they wish to proceed.

Announcements and Adjourn

With no further business, Mayor Presgraves adjourned meeting of the Luray Town Council at approximately 6:10 p.m.

Mayor, Barry Presgraves

Deputy Clerk, Danielle Babb