

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

MONDAY, JUNE 11, 2018

The Luray Town Council met in regular session on Monday, June 11, 2018, 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
Leah Pence

Council Absent:

Joseph Sours

Also Present:

Steve Burke, Town Manager
Bryan Chrisman, Assistant Town Manager
Jason Botkins, Town Attorney
Mary Broyles, Clerk-Treasurer
Danielle Babb, Deputy Clerk-Treasurer
Chief C.S. "Bow" Cook, Luray Police Department
Meredith Dees, Luray Downtown Initiative
William Huffman, Luray Downtown Initiative
Jason Pettit, Luray Downtown Initiative/ Business Owner
Cathie Miranda, Page Valley Arts Council

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 Schiro led everyone in the United States Pledge of Allegiance.

CONSENT AGENDA

Motion: Councilman Schiro motioned to approve the Consent Agenda, motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Pence. **Approved 5-0**

Consent Agenda

- (A) Minutes of the Regular Council Meeting –5-14-18
- (B) Minutes of the Council Work Session – 5-22-2018
- (C) Financial Report- Month Ending 5-31-2018
- (D) Accounts Payable checks totaling- \$202,178.53

CITIZEN COMMENT

Cathie Miranda – 317 East Main Street

Ms. Miranda spoke on behalf of the Page Valley Arts Council and provided Council members a copy of the new rack card. Ms. Miranda requested permission to place these in the lobby of Town Hall and noted other locations that the cards are being displayed. She also mentioned two upcoming art shows that will take place, one will be in December and feature an arts market at the PALS Center. Ms. Miranda also advised members that the Arts Council has received TOT Monies from Page County and noted plans to use these funds for marketing efforts. The rack card also details Saturday activities and classes that are available on Thursdays at various locations. Special Events and Concerts are also mentioned under the music portion of the card.

PUBLIC HEARINGS

SUP 18-4 – 335 N. Hawksbill Street

Town Manager, Steve Burke, presented information on the request for a special use permit from Steward and Judy Yowell for a Lodging House at 335 North Hawksbill Street. The property is zoned R-3 with adjacent property similarly zoned. Properties directly across the street are zoned B-1 and M-1. The Planning Commission has approved the request and staff recommends consideration. Staff also recommends the five conditions that are listed in the staff report. Councilman Vickers asked if any comments had been received from neighbors. Mr Burke said that no comments from the public have been received. Councilman Dofflemyer asked about the Planning Commission’s vote. Mr. Burke said he believed the vote from the Commission was unanimous. Councilwoman Pence expressed concerns about the parking available. She felt that there was not enough parking spaces and that the conditions placed on the special use permit were not conditions that could be met or enforced. Mr. Burke said that placing some conditions on the use provides the town some enforcement action.

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

Councilwoman Pence questioned the number of bedrooms at the property and the parking expectations. Ms. Pence said that the Council should not knowingly make the condition of parking that cannot be met. Mr. Burke said that likely there would be adequate parking as there can be no more than six guests which would consist of one to two cars at most. Mayor Presgraves confirmed that if the property is sold that the Special Use Permit conveys with the property.

Motion: Councilman Vickers motioned to approve the Special Use Permit request from Steward and Judy Yowell to operate a lodging house at 335 North Street (Tax Map 42A4-A-20) with the following conditions: 1) Occupancy of no more than six (6) guests at any one time; 2) Off-street parking is required for all guest vehicles; 3) One identification sign can be permitted on the property not exceeding four square feet on either side; 4) Meals if provided shall be served to only guests renting bedrooms in the dwelling; and 5) Obtain a Town Business License; transient occupancy tax and meals tax must be collected and remitted to the Town. Motion seconded by Councilman Schiro with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Pence. **Approved 5-0**

DEPARTMENTS, TOWN BOARDS AND COMMISSIONS

Luray Downtown Initiative

Ms. Meredith Dees advised members that she is back from maternity leave and in the LDI office regularly. She said that LDI is awaiting the prototype of the downtown banners and hopes to have the sample soon to show Council members. Ms. Dees also thanked Council members for their consideration during the approval of the FY2019 budget. Councilman Vickers said that in keeping with the downtown banners, he would like to see a Luray High School banner on Main Street at the intersection of Leaksville Road. Mr. Vickers said that he got the idea from the Town of New Market banners that show their school spirit alongside the downtown banner. Ms. Dees said that she was uncertain of the cost of a single order and would certainly look into this and into the design concept.

ACTION & DISCUSSION ITEMS

FY 2018-2019 Rates & Fees

Mr. Burke asked for Council's consideration of the FY2018-2019 Rates and Fees Schedule. He noted that the utility rates were adopted as a part of the budget process. Mr. Burke said that the only change will be under the rates for Parks and Recreation and include a \$100 refundable deposit for larger groups requesting shelter reservations. He said that this change is due to lengthy clean up after shelter rentals, excess garbage, moved tables, and additional staff time on the weekends. Councilman Vickers asked if this charge would be at the discretion of the Town Manager. Mr. Burke said that scout groups and others would not be charged; he noted that mainly the issue is with large events such as weddings. Councilman Dofflemyer suggested that the deposit fee be collected at the time the shelter fee is charged. Councilman Dofflemyer asked if there would be an exception for Town residents. Councilman Schiro suggested leaving it at the discretion of the Town Manager. Councilman Lancaster agreed that other groups charge a deposit for the use of their facilities and that the deposit usually ensures a good clean up, but sometimes the deposit won't be reimbursed if the cleanup isn't satisfactory.

Motion: Councilman Schiro motioned to approve the FY 2018-2019 Rates and Fees Schedule as presented with the provisions as discussed, motion seconded by Councilman Dofflemyer with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Pence. **Approved 5-0**

Readoption of Portions of the Code of Virginia

Mr. Burke said that Council is requested to consider the adoption of an Ordinance readopting portions of the Code of Virginia that have been updated for FY 2018-2019. This will allow the Town to enforce these State statutes and regulations. Mr. Burke noted that this is an annual housekeeping matter to readopt these portions of the code.

Motion: Councilman Dofflemyer motioned to adopt the Ordinance readopting portions of the Code of Virginia as presented, motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Pence. **Approved 5-0**

West Main Street Bridge Update

Assistant Town Manager, Bryan Chrisman, updated Council members on the replacement of the West Main Street Bridge. He provided Council with two copies of public notices regarding traffic related issues and the disruption of water service. Mr. Chrisman noted that Tyler Austin, Racey Engineering, has provided an updated progress report that Council members have been given a copy of. Councilman Vickers complemented the downtown informational kiosks. Mr. Chrisman said that he along with the Town Manager, Chief Cook, and Ms. Dees will be looking at traffic detour patterns and routes. They will be experimenting with GPS detour routes and how these will affect visitors. Council members inquired about the timeline for demolition. Mr. Chrisman said that demolition is still scheduled for August but could be earlier. He noted that the crane will arrive into Town and that a pad must first be built in the stream for the crane to operate from. Members also discussed the plans for a time lapse camera.

OLD BUSINESS

Draft Code Amendments- Itinerant Merchants, Peddlers, & Solicitors

Town Manager, Steve Burke, discussed the draft code amendments pertaining to Itinerant Merchants, Peddlers, and Solicitors. Mr. Burke said that staff would like approval to advertise these amendments for public hearing. The changes include the following; Establish Section 30-1 to regulate Commercial Solicitor hours and practices, Modify 30-36 to specify a business license for each definite location to allow business with a definite location license to operate as an itinerant merchant, Modify 30-38 to require currency on Town taxes prior to issuance of a Business License, Modify 30-71 to specify a general \$500 Business License tax rate unless specifically stated elsewhere in the Code, Modify 30-96 to establish a \$500 per year Business License tax rate for itinerant merchants, eliminate proration, and establish exemptions for Itinerant Vendor Business License taxes, Modify 30-97 to establish \$250 per year Business License tax rate for peddlers not selling perishable items and establish exemptions for Peddler Business License taxes and eliminate proration, Establish Section 30-102 to define Commercial Solicitors, establish their Business License tax rates, and establish exemptions for Commercial Solicitor Business License taxes and eliminate proration.

Council members discussed the difference between itinerant merchant versus peddler. Mr. Burke explained that the peddler moves from place to place within the Town, such as to move from door to door. Councilman Lancaster noted a type correction to be changed from “with the town” to “within the town”.

Councilwoman Pence disagreed with the \$250 fee for peddlers. Councilman Lancaster agreed with Ms. Pence that the fees should be uniform. Council members agreed on the \$500 fee for Itinerant Vendors and Peddlers alike. Chief Cook asked about the provision for existing businesses. Mr. Burke said that is covered in the amendment changes, and will allow for an existing location to operate as an itinerant merchant. All members agreed to advertise for the next meeting.

TOWN ATTORNEY

Town Attorney, Jason Botkins, noted that he is making progress on revisions to the Town Charter. He hopes for Council to review this sometime this Summer.

ANNOUNCEMENTS/ ADJOURN

Mayor Presgraves reminded all of the Annual Employee Picnic on July 3rd. Councilman Dofflemyer recognized Town Staff for their work during the recent flooding. Councilwoman Pence inquired about the mowing of the riparian area on the Greenway. Ms. Pence noted that it is nice to have this natural buffer along the trailside. Mr. Chrisman noted that there is no longer a CREP Program in place and thus no longer regulations about this area. Mr. Chrisman said that staff prefers to keep this area more manageable. Councilman Vickers discussed sidewalk spraying with Town Manager, Mr. Burke. With no further business, the meeting was adjourned at 7:46 pm.

Barry Presgraves
Mayor

Danielle Babb
Deputy Clerk-Treasurer