

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

MONDAY, SEPTEMBER 10, 2018

The Luray Town Council met in regular session on Monday, September 10, 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
Joseph Sours

Council Absent:

Leah Pence

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
Ken Beyer, Hawksbill Greenway Foundation
Margaret Stevenson, Hawksbill Greenway Foundation
Susan Rocke/ Cathie Miranda- Page Valley Arts Council
Rod Graves- Proposed Solar Field Presentation
John Sanford- 120 High Street (Citizen Comment)
Delores Lackovitch- DAR/ Constitution Week Proclamation
Ruth Bradley- Special Use Permit Applicant
Susan Stockner- 201 Wilson Avenue (Citizen Comment)

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 Vickers led everyone in the United States Pledge of Allegiance.

CONSENT AGENDA

Councilman Schiro requested to amend the Consent Agenda to include the Proclamation recognizing September 17th through the 23rd, 2018 as Constitution Week.

Motion: Councilman Schiro motioned to amend the Consent Agenda to include the Proclamation for Constitution Week, motion seconded by Councilman Dofflemyer with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours. **Approved 5-0**

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

Consent Agenda

- (A) Minutes of the Regular Council Meeting – 8-13-18
- (B) Minutes of the Council Special Session – 8-28-18
- (C) Accounts Payable checks totaling- \$ 180,928.44
- (D) *Constitution Week* Proclamation

CITIZEN COMMENT

Margaret Stevenson- 101 Pass Run Drive, Luray (Hawksbill Greenway Foundation)

Ms. Stevenson said that she just learned that Mr. Pat O'Brien, a friend and employee, is retiring from the Town of Luray. Ms. Stevenson spoke of the rise of recreation activities, work on the Hawksbill Greenway alongside Mr. Ken Beyer, and many more accomplishments. Ms. Stevenson said that she was sorry that Mr. O'Brien could not be in attendance this evening to thank him for his services. Lastly, Ms. Stevenson passed out flyers concerning the public meeting tomorrow evening.

Delores Lackovitch- Shenandoah River Chapter of the DAR/ Constitution Week

Ms. Lackovitch thanked the Council for their time and for approving the Proclamation for Constitution Week. She noted the increasing importance for recognizing this week and informed members that framed copies of the constitution are now in local government offices and at both high schools. She noted that plans are to raise enough funds for copies to be provided to the middle schools next year.

Ken Beyer- 467 Pass Run Drive (Hawksbill Greenway Foundation)

Mr. Beyer echoed Ms. Stevens compliments of Mr. O'Brien and commended his achievements, including the successful growth of the Town's July 4th Event and many others.

John Sanford- 120 High Street

Mr. Sanford stated that he had no objections to the approval of the Special Use Permit for the operation of a lodging house at 104 High Street.

Susan Rocke/ Cathie Miranda- Page Valley Arts Council

Ms. Rocke, along with Ms. Miranda, spoke about updates from the Page Valley Arts Council. The group has designed a website and conducted a successful three-day festival back in Spring 2018. They also noted that rack cards have been produced and distributed. Weekly events continue on Saturdays at the Art Warehouse and the first e-newsletter has been published. Ms. Rocke and Ms. Miranda invited

the public to the “Color” Art Show at the Art Warehouse on September 29th and thanked Council and staff for their support.

PRESENTATIONS

Rod Graves- Proposal for Solar Field in Page County

Mr. Rod Graves provided a Power Point Presentation regarding the proposed solar farm project in Page County. Mr. Graves spoke on behalf of himself and Mr. John Graves as owner/operators of Luray Caverns and residents of Page County. Mr. Graves discussed the large scale of the proposed operation and his concerns about the project. Mr. Graves also spoke about the history of Luray Caverns and the growth of tourism in the community. He advised that the project would affect prime agricultural land and bring blight to the community, harming the beauty of our town and county. Mr. Graves spoke about the importance of protecting our natural resources. He added that the revenue from the project would not benefit the local economy, produce jobs, or reduce local electric bills. Mr. Rod Graves then showed a short video regarding the urban grid solar panels. He invited the everyone to attend the Page County Public Hearing scheduled for September 11th at Luray Middle School.

PUBLIC HEARINGS

Special Use Permit 18-6- 104 High Street- Lodging House Operations

Town Manager, Steve Burke, presented a request from Jamison and Ruth Bradley for a Special Use Permit to operate a Lodging House at 104 High Street. The property is zoned R-3 with adjacent property similarly zoned. Mr. Burke recommended the conditions outlined in the staff report and said the request was approved by the Planning Commission. Mayor Presgraves opened the public hearing for comments:

Ruth Bradley- 104 High Street (Applicant) - Ms. Bradley stated that she was present to answer any questions or concerns from Council. She explained that she will operate the lodging house and live in the home when not rented. Mrs. Bradley noted that she respects and values the neighboring property owners and the historic nature of the home.

Susan Stockner- 201 Wilson Avenue- Ms. Stockner expressed concerns about the number of rooms to be rented out.

Mrs. Bradley explained that the entire home will be rented out and that this will operate as a lodging house not as a bed and breakfast operation. She noted that her family intends to stay there when the home is not rented. Councilman Schiro clarified that Mrs. Bradley is applying for a Lodging House operation, which does not require the owner to be on the premises. With no further comments, Mayor Presgraves closed the public hearing.

Motion: Councilman Dofflemyer motioned to approve the Special Use Permit request from Jamison and Ruth Bradley to operate a Lodging House at 104 High Street (Tax Map 42A11-2-25&26) with the following conditions: 1) Occupancy of no more than six guests at any one time; 2) Off-street parking is required for all guest vehicles – onsite improvements shall be made to meet required parking; 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 Sours with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours. **Approved 5-0**

USDA Rural Development Sewer Improvement Loan

Assistant Town Manager, Bryan Chrisman, requested that Council consider an application for a USDA Rural Development loan for sewer system improvements. The sewer improvements have been discussed previously and Mr. Chrisman discussed the previous presentation from Ms. Hines of Rural Development. Mr. Chrisman explained that the fiscal impact is approximately \$4 million dollars to be paid back over a 40-year term. Mayor Presgraves opened the hearing for citizen comment. With no comments from the public, the hearing was then closed.

Motion: Councilman Vickers motioned to authorize the application for a USDA Rural Development loan for approximately \$4,000,000 of sewer system improvement. He further moved that Town Council authorize the Mayor, Town Manager, and Assistant Town Manager to execute any documents associated with the application for the loan. Motion seconded by Councilman Dofflemyer with the vote follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours.

Approved 5-0

DEPARTMENTS, TOWN BOARDS AND COMMISSIONS

West Main Street Bridge Project Update

Assistant Town Manager, Bryan Chrisman, updated Council members on the bridge work. He noted that the contractor is working to relocate equipment in advance of predicted heavy rainfall this weekend. Mr. Chrisman advised members that last month's progress meeting notes are included in the meeting packet. Work will take place between September 17th and September 29th for sewer line work. Members discussed the contractor's timeline and Mr. Chrisman said that currently the project is operating a few weeks ahead of schedule. He noted that this may change due to potential weather impacts.

ACTION & DISCUSSION ITEMS

Town Economic Development Authority Representative

Mr. Burke stated that Council is requested to consider providing a recommendation to the Page County Board of Supervisors for the Town's representative on the Economic Development Authority.

Motion: Councilman Schiro motioned to appoint Jason Pettit as the Town's representative on the Economic Development Authority to the Page County Board of Supervisors. Motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours. **Approved 5-0**

Source Water Protection Plan

Town Manager, Steve Burke, requested that Council members approve the Source Water Protection Program Plan. The Town has worked with the Virginia Department of Health- Office of Drinking Water and the plan has been reviewed by Council at its August regular meeting.

Motion: Councilman Dofflemyer motioned to adopt the Source Water Protection Program Plan as presented, motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours. **Approved 5-0**

Donation to Greenhill Cemetery Maintenance

Town Manager, Steve Burke, requested Council consider contributing to the Friends of the Green Hill Cemetery to assist with mowing expenses at the cemetery. They have previously requested \$600 to assist with mowing costs.

Motion: Councilman Schiro motioned to approve a donation of \$600 to the Friends of the Green Hill Cemetery to assist with mowing expenses, motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours. **Approved 5-0**

OLD BUSINESS

Draft Charter Amendment

Town Attorney, Jason Botkins, stated that he is present this evening to answer any questions regarding the most up to date draft of the Town Charter. He noted that Council’s consensus on the changes would then provide for the ability to advertise and hold a public hearing on the changes. Then a Resolution from the Council accepting the changes would go to the General Assembly for approval. Mr. Botkins said that no action is needed this evening and the Council is within the time frame needed to forward the Charter Update to the General Assembly.

- Recess-

Mayor Presgraves provided a short five minute recess prior to the request for Executive Session.

EXECUTIVE SESSION

Real Property, Section 2.2-3711.A.3 (Real Property)

Mayor Presgraves requested a motion to adjourn into Executive Session for the purpose of discussing matters relevant to Section 2.2-3711.A.3 regarding possible acquisition of real property.

Motion: Councilwoman Schiro 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, Dofflemyer, Schiro, Lancaster, Sours. **Approved 5-0**

Motion: Councilman Schiro motioned to adjourn the closed session and to reconvene in open session; Councilman Lancaster seconded the motion with the following members voting YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours. **Approved 5-0**

Mayor Presgraves 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 Lancaster seconded the motion with the following members voting YEA: Mayor Presgraves, Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours.

ANNOUNCEMENTS/ ADJOURN

With no further business, the meeting was adjourned at 8:25 pm.

Barry Presgraves
Mayor

Danielle Babb
Deputy Clerk-Treasurer

Draft