

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

Monday, September 14, 2020

The Luray Town Council met in regular session on Monday, September 14, 2020, 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:

Ron Vickers

Jerry Dofflemyer

Jerry Schiro

Leroy Lancaster

Joseph Sours

Leah Pence (present electronically)

Also Present:

Steve Burke, Town Manager

Bryan Chrisman, Assistant Town Manager

Mary Broyles, Clerk Treasurer

Danielle Babb, Deputy Clerk Treasurer

Chief Bow Cook, Luray Police Department

Jason Botkins, Litten & Sipe

Meredith Dees, Luray Downtown Initiative

Jason Pettit, Luray Downtown Initiative

Bill Huffman, Luray Downtown Initiative

Joey Haddock, Luray Water Treatment Plant Superintendent

Mike Ritchie, Virginia Rural Water Association

Melvin Tutt Jr., 113 Meade Street, Luray

(This meeting was made public via the Town's Facebook page. Public comments were accepted prior to the meeting via e-mail to sburke@townofluray.com).

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. Mayor Presgraves led everyone in the United States Pledge of Allegiance.

Mayor Presgraves read aloud the Ordinance for the *Continuity in the Government of Luray*.

CONSENT AGENDA

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

Consent Agenda

(A) Minutes of the Regular Council Meeting –8-10-2020.

(B) Minutes of the Council Work Session Meeting – 8-25-2020.

(C) Accounts Payable checks totaling- \$ 477,051.51

PRESENTATIONS

Virginia Rural Water Association- Operator of the Year – Mike Ritchie

Mr. Mike Ritchie, Executive Director of Virginia Rural Water Association, presented the award for Operator of the Year. Mr. Ritchie has been presenting awards to local municipalities that were originally slated for spring 2020. Due to Covid-19, award presentations were postponed to the fall 2020 and are awarded in person to each locality. Mr. Ritchie read aloud the letter of nomination by Mayor Presgraves and presented the award to Superintendent Joey Haddock.

Luray Cultural Climate- Melvin Tutt

Mr. Melvin Tutt Jr., 113 Meade Street Luray, stated that he was born and raised in Luray. Mr. Tutt later pursued a career in the United States Air Force; upon Mr. Tutt's retirement, he returned to Luray to care for his aging parents. He is an active member of the American Legion and VFW. Mr. Tutt spoke on the cultural climate of Luray and stated that he was asked to speak by concerned citizens of the town. Mr. Tutt requested a dialogue at a later work session meeting.

CITIZEN COMMENT

In accordance with the deadline of 5pm, the following e-mails were received by the Town Manager for citizen comment and were read aloud from:

- Cathy Herbert – 201 Hawksbill Heights, Luray Virginia
- Suzanna Grant – 125 Pass Run Drive, Luray Virginia

ACTION & DISCUSSION ITEMS

Luray Parks Association Agreement

Town Manager, Steve Burke, requested the Council consider approval of an agreement between the Town and the Luray Park Association for the public use and maintenance of the parks properties. The Town has maintained the property owned by the Association since 1949. Councilman Vickers noted Mr.

Baughan’s presentation from the work session and felt the town’s relationship with the park association was good and has worked for over a hundred years.

Motion: Councilman Vickers moved that the Town Council approve the agreement for the public use and Town maintenance of certain properties owned by the Luray Park Association and authorize the Town Manager to execute the Agreement. Motion seconded by Councilman Dofflemyer with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours. NAY: Pence. **Approved 5-1**

Councilwoman Pence stated that she voted “no” because she would like to see the properties donated to the Town’s parks department. Councilman Dofflemyer stated that Mr. Baughan made it clear that the park properties cannot be sold or transferred.

47 West Main Street Rental Agreement

Town Manager, Steve Burke, requested Council consider the approval of an agreement between the Town and the owners of 47 West Main Street to rent the basement of the building for use by the Town’s Parks Department. The property provides storage for events held at Ruffner Plaza and has been historically rented by the Town for this use.

Motion: Councilman Dofflemyer moved that the Town Council approve the lease agreement for 47 West Main Street as presented. Motion seconded by Councilman Schiro with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours. ABSTAIN: Pence. **Approved 5-0.**

North Broad Street Park- Property Acquisition

The Town Council previously approved an option agreement to purchase the lot identified as Tax Map No. 42A4-A-49A. Luray Downtown Initiative has since been awarded the \$25,000 Virginia Main Street Grant to assist with this project. Councilman Vickers commended LDI’s efforts on obtaining the grant and the design renderings.

Motion: Councilman Vickers moved that the Town Council authorize the Town Manager, Assistant Town Manager, and Town Attorney to exercise the option to purchase the lot identified at Tax Map No. 42A4-A-49A for a total cost of \$12,000 and execute all documents necessary for closing on the property acquisition. Motion seconded by Councilman Schiro with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0.**

North Broad Street Park- LDI Agreement

Mr. Burke stated with the approved agreement to purchase the lot, the Town would agree to the development for the North Broad Street Park. Councilman Schiro asked if LDI was in agreement with the memorandum. Ms. Dees, LDI Executive Director, agreed on behalf of LDI with the Memorandum of Understanding and noted that the Town Attorney had also reviewed the terms.

Motion: Councilman Schiro moved that the Town Council authorize the Town Manager and Assistant Town Manager to execute the Memorandum of Understanding with the Luray Downtown Initiative for the development of the North Broad Street Park. Councilman Schiro further moved that the funding for the park improvements from General Fund revenue overages be realized from reduced expenses. Motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0.**

LFCC CARES Scholarship

Town Manager, Steve Burke, presented a request for consideration authorizing a Memorandum of Understanding between the Town and Lord Fairfax Community College Educational Foundation, Inc. to establish the CARES Scholarship. The funds would be available to assist Town residents whose jobs or source of income have been impacted by COVID-19.

Motion: Councilman Vickers moved that the Town Council authorize the Town Manager to execute the Memorandum of Understanding with the Lord Fairfax Community College Educational Foundation, Inc. to establish the Town of Luray CARES Scholarship. Councilman Vickers further moved that funding for the \$25,000 scholarship be approved from the Town's allocation of CARES Act funding. Motion seconded by Councilman Dofflemyer with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0.**

Browns Listing Contract

Town Manager, Steve Burke, requested that Council consider extending the listing agreement with Bill Dudley & Associates Real Estate Inc. to market and sell the Brown Building located at 36 West Main Street. Mr. Burke requested that Council approve the extension for 120 days rather than the usual 90 days, due to the holiday season.

Motion: Councilman Schiro moved that the Town Council approve the extension of the Listing Agreement with Bill Dudley & Associates Real Estates Inc. to market and sell the Browns Building located at 36 West Main Street for one-hundred twenty days until January 4, 2021 as presented. Motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0.**

CARES Act Funding

Town Manager, Steve Burke, requested consideration authorizing staff to pursue acquisition of equipment through CARES Act funding. Mr. Burke discussed the proposed purchase of touchless restroom fixtures for all park restroom facilities. The proposed cost for all fixtures is approximately \$92,162 and is an effort to limit exposure to COVID-19. This would also alleviate staff's need to sanitize the fixtures every few hours, thus reducing staff labor. The second proposal is for the purchase and installation of digital message boards in the amount of \$46,974. These message boards allow for the posting of critical information to both residents and visitors regarding safety and other matters.

Councilman Schiro said he would like to see staff solicit multiple bids for the fixtures. Councilman Sours inquired if there were more immediate needs for the funds rather than the fixtures upgrade. Councilman

Schiro suggested looking at funds for employees who have worked during the pandemic. Mr. Burke said this topic will actually be addressed at the upcoming work session. Councilwoman Pence questioned use of CARES funding for marketing purposes. Town Attorney, Jason Botkins, said that the marketing must be targeted at “open for business” style advertising. Mr. Burke advised Council that prior to expending any funds, staff obtains approval from Page County for the expense qualification and reimbursement.

Motion: Councilwoman Pence moved that the Town Council approve the purchase of three digital message signs for \$47,000 using CARES Act funding. Motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0.**

OCTOBER COUNCIL MEETING

Town Council members discussed changing the date of the October Council meeting. The meeting was originally scheduled for October 19th due to the Virginia Municipal League Annual Conference. Council members determined that with the cancellation of the conference due to COVID-19, the meeting could resume its usual date. The Luray Town Offices will observe Columbus Day on October 12th, therefore the meeting could be held on Tuesday October 13th at 7pm.

Motion: Councilman Dofflemyer moved that the Town Council schedule the regular meeting of the Luray Town Council for October 13th. Motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0.**

VOSH COVID-19 Regulations

Town Manager, Steve Burke, presented the *Infectious Disease (COVID-19 & SARS) Preparedness and Response Plan & Policy* to comply with the Virginia Department of Labor.

Motion: Councilman Vickers moved that the Town Council adopt the “*Infectious Disease (COVID-19 & SARS) Preparedness and Response Plan & Policy*” as presented. Councilman Vickers furthered to move the Council authorize the Town Manager and Town Attorney to amend this policy as necessary to comply with regulations adopted by the Virginia Department of Labor and Industry to address the prevention of the spread of COVID-19 and SARS. Motion seconded by Councilman Dofflemyer with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0.**

VDOT Road Resolution

Assistant Town Manager, Bryan Chrisman, presented the VDOT Resolution for street additions. The request for additions will include portions of Mount View Avenue, Cole Street, Sixth Street, and General Drive into the VDOT Urban Maintenance Program. Mr. Chrisman explained that these additions would go into effect July 2021.

Motion: Councilman Vickers moved that the Town Council adopt the Resolution “Adoption of a Request for Street Additions for Municipal Assistance Payments” as presented. Motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0.**

Browns Building Improvements

Assistant Town Manager, Bryan Chrisman, provided some suggestions from Bill Dudley Associates for improvements to the Brown’s Building to improve marketability. Mr. Chrisman provided estimates for several items including; kitchen painting, exterior painting, door overhangs and window/door repairs, and a temporary water connection. Mr. Chrisman stated that these cost proposals are 100% unfunded in the current budget. Council members took no action on these items.

Roundabout Update

Council members requested an update on the Roundabout Project from VDOT. Mr. Chrisman stated that he has received information from VDOT that final documents are being prepared in order to facilitate the bid release for the project.

Procurement Policy

Town Attorney, Jason Botkins, stated that the new draft of the Town’s Procurement Policy could be found in the agenda packet for the evening. Changes were necessary due to updates in State Law that took effect July 1, 2020 and comments received from a previous work session meeting. Mr. Botkins recommended approval of the resolution.

Motion: Councilman Schiro moved that the Town Council approve the Code Amendments to Chapter 2 of the Town Code related to procurement as presented. Motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0.**

Resolution on Citizen Equality

Mr. Burke provided a Resolution on Equal Protection and Equality for Town Citizens. This is the first review of the resolution by the Council; members may choose to review at the upcoming work session or act on the item this evening. Councilman Vickers and Councilman Lancaster suggested review by the Town Attorney and further discussion at the next work session meeting.

Motion: Councilman Vickers moved that the Town Council postpone action on the Resolution until discussion at a future work session. Motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours. NAY: Pence. **Approved 5-1.**

TOWN ATTORNEY

Jason Botkins, Town Attorney, had nothing further for the meeting.

ANNOUNCEMENTS/ ADJOURN

With no further business, the meeting was adjourned at 8:16pm.

Barry Presgraves
Mayor

Danielle Babb
Deputy Clerk-Treasurer