

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

MONDAY, DECEMBER 12, 2016

The Luray Town Council met in regular session on Monday, December 12, 2016 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 (present after roll call)
John Meaney

Also Present:
Charlie Hoke, Town Manager
Bryan Chrisman, Assistant Town Manager
Mary Broyles, Clerk Treasurer
Danielle Babb, Deputy Clerk Treasurer
Ligon Webb, Town Planner
Chief Carl "Bow" Cook, Luray Police Department
Nancy Shifflett, Luray Downtown Initiative
Meredith Dees, Luray Downtown Initiative
Gina Hilliard, Luray Page County Chamber of Commerce
Frances Yates, Green Hill Cemetery
Ashley Michelucci, Citizen Comment
Erik Fox, Vacation of Right of Way
Phyllis Alger, Vacation of Right of Way/ Green Hill Cemetery
Saidee Gibson, Robinson Farmer Cox Associates

A quorum being present, Mayor Barry 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 reciting the United States Pledge of Allegiance.

CONSENT AGENDA

Motion: Councilman Vickers motioned to approve the Consent Agenda, motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Meaney.

Approved 5-0

Consent Agenda

- (A) Minutes of the Regular Council Meeting –11-14-2016
- (B) Financial Report- Month Ending 11-30-2016
- (C) Accounts payable checks totaling \$ 237,568.38

CITIZEN COMMENT

Ashley Michelucci-505 Luray Avenue

Ms. Michelucci spoke regarding the vacation of right of way request from Mr. Erik Fox. She noted that Luray Avenue is extremely busy and that the right of way behind her home is the only safe area for children to bike and play. She requested that the ownership of the alleyway remain the same and said her neighbors feel this way too.

PUBLIC HEARING

Vacate Public Right of Way Shirley Curry

Mr. Webb presented the public hearing for a vacation of right of way request from Ms. Shirley Curry. The public right of way is roughly 1,000 square feet of area and adjoins a parcel owned by the applicant. The parcel is located on Seventh Avenue. Mr. Webb has not received any comments opposing the request.

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

Motion: Councilman Lancaster motioned to approve the request for vacation of public right of way from Ms. Shirley Curry as presented, motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Meaney. **Approved 6-0**

Vacate Public Right of Way Erik Fox

Mr. Webb presented information on the request from Mr. Erik Fox to vacate a public right of way containing roughly 2,800 square feet. The right of way adjoins a parcel owned by the applicant, the parcel owned by Mr. Fox is located on Sixth Street.

Mayor Presgraves opened the public hearing for citizen comment.

Timothy Williams, 507 Sixth Street

Mr. Williams explained that he was present to speak on behalf of his Aunt, Ms. Betty Strickler (525 Luray Avenue). Mr. Williams acknowledged that Mr. Fox indeed builds nice homes, but that Ms. Strickler is opposed to the vacation of alleyway. She would like an equitable portion of the alleyway and said that access to the rear of her property is difficult. Mr. Williams feels that Mr. Fox needs the area in order to construct a triplex, but has sufficient area to construct a duplex with no problem. Ms. Strickler is in favor of leaving the alleyway as it is.

Mr. Erik Fox, Applicant

Mr. Fox requested the vacation of right of way, but clarified that he does not need the square footage. Mr. Fox said that he applied for the alleyway because it is more conducive with the neighboring house he owns. Also, he says that he has been maintaining the alleyway for the last several months.

Grace Nowak, 296 First Street

Ms. Nowak, Luray Planning Commission, said that she spent most of the afternoon speaking with residents of Sixth Street. She says they do indeed use this alleyway. There is another alleyway that is paved that is also used by residents.

Councilman Dofflemyer asked who has been maintaining this prior to Mr. Fox.

Ashley Michelucci, 505 Luray Avenue

Ms. Michelucci said that she has been maintaining the alleyway behind her house and also two lots beside her home.

With no further comments, Mayor Presgraves closed the public hearing.

Councilman Schiro said that the town has given away a lot of public right of way and he sees no issue so long as there are no objections. However, if there are any objections it is public property and he cannot support the request. Councilman Lancaster said that if even one person objects, Council has historically not vacated the right of way. Councilman Lancaster said that he has opposed the vacation of right of ways for years. Councilman Schiro said that the alleyways were deeded and plotted as such for a reason.

Motion: Councilman Schiro motioned to Deny the Vacation of Right of Way for Mr. Erik Fox as presented, motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Meaney. **Approved Motion to Deny 6-0**

Council members discussed the notification of neighboring property owners and suggested the use of sign postings that are placed at the parcel. Council members discussed other localities that use such signs noting special use permit requests or vacation of right of way requests. Mr. Webb said that the town could consider using this method and it could be effective.

Vacate Public Right of Way Phyllis Alger

Town Planner, Ligon Webb, presented information on the request from Phyllis Alger. The applicant is requesting roughly 2000 square feet adjacent to Seventh Avenue. This alleyway is not used and a portion of the alleyway has already been vacated.

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

Motion: Councilman Lancaster motioned to approve the request for vacation of public right of way from Ms. Phyllis Alger as presented, motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Meaney. **Approved 6-0**

AUDIT PRESENTATION

Ms. Saidee Gibson, Robinson, Farmer and Cox Associates, serves as the manager of the town's audit and provided the annual audit presentation. Ms. Gibson reviewed the annual audit report for the Fiscal Year ending June 30th, 2016. The most important item is the auditor's opinion, the town received an Unmodified Opinion which is the highest opinion offered by the accounting profession. The opinion means the financial statements are presented in conformity with generally accepted accounting principles and are materially correct. Ms. Gibson directed council members to the Management's Discussion and Analysis which serves as an executive summary of the town's fiscal year. Ms. Gibson reviewed the Government Wide Financial Statements and noted that the town ended the year with a net position of \$ 14 million which is made up primarily of capital assets. The investment in capital assets net of any related debt was approximately \$12 million. The Town ended the year with an unrestricted fund balance of about \$2 million. Ms. Gibson reviewed the statement of activities which showed an overall increase in net position. She also noted the Fund Financial Statements in the report. Water and Sewer activities for the year resulted both in operating income. Ms. Gibson reviewed the Net Pension Liability which was a new GASB standard required last year. The town's net pension liability is funded at approximately 87%. The Notes to Financial Reports provide some good summary information and a 10 year history of supplemental information is required in the report. The firm is also required to test the town's compliance with grant agreements, contracts, and state and federal regulations. The town showed no instances of non-compliance.

DEPARTMENTAL REPORTS

Planning and Zoning

Town Planner, Ligon Webb, briefly updated members on the upcoming public hearing for Erik Fox's Triplex request. The commission will consider a reduction in lot size for duplex units that was previously tabled. Lastly, Mr. Webb said that in January the commission will consider a request for some rental cottages on the Mayneview B&B site. Mr. Webb suggested that since Bed and Breakfast operations are by special use permit that additional cottages also be by special use permit. Mr. Webb discussed some potential amendments to the Bed and Breakfast Ordinance regarding the transferability of the special use permit if the property is sold.

Councilman Dofflemyer requested an update on the LFCC potential site. Mr. Webb said the Baker Development property has been deeded to the college; however, the school has not determined if that is where they will locate. An amendment to allow a school in a B-1 district would be needed.

TOWN AFFILIATED BOARDS AND COMMISSIONS

LURAY DOWNTOWN INITIATIVE

Meredith Dees, Luray Downtown Initiative

Ms. Dees began by introducing herself and said that she has been working alongside Ms. Nancy Shifflett since October. She recapped a few projects that LDI has been working on; including Small Business Saturday. Small Business Saturday is a one day National shopping campaign sponsored by American Express. Ms. Dees noted that the participation of businesses and community support were terrific. The event included miscellaneous swag items and many businesses experienced their strongest sales to date. A representative from Richmond was present for the event and escorted to area businesses by LDI and the Chamber. The window decorating contest was held and 8 windows were decorated at the Brown's building. Ms. Dees said that this was a great opportunity to partner with businesses that are not directly located on Luray's Main Street. One of these such windows won 1st place

in the contest. Ms. Dees noted that all the decorations provided great window scapes for downtown and the feedback has been terrific.

Looking ahead to January, Ms. Dees noted that she will be focusing on annual Virginia Main Street reporting for the year. January 17th LDI will be hosting a workshop from Virginia Main Street and representatives will be in town to work with LDI board members. Finally, Ms. Dees said that she will be attending the upcoming Mainstreet Directors Retreat and looks forward to many professional development opportunities at the event.

LURAY PAGE COUNTY CHAMBER

GINA HILLIARD, CHAMBER DIRECTOR

Ms. Gina Hilliard provided a power point presentation summarizing events since her last presentation in June. She reviewed grant funding received by the Chamber and other funding that is being pursued. The presentation also reviewed the Page Valley Road Race, Luray Triathlon, and other events. The Chamber staff was able to take some aerial photos recently during a flight with Dr. Scott Ruffner. Ms. Hilliard also discussed Small Business Saturday. The Chamber has added new members and is now at a total membership count of 393. The Chamber hopes to reach a goal of 400 members by the end of December. Ms. Hilliard reviewed statistics for the number of tourist walk-ins, local walk-ins, web hits, and bulk mailings. Member outreach continues and staff continues to attend regional meetings. Many ribbon cutting events have been held over the last several months and various “Sip and Create” events. In the New Year, the Business Networking Breakfast will change focus and target categories of businesses. Radio spots continued over the past few months and the Annual Banquet and Holiday Open House were both a success.

Ms. Hilliard provided another quick power point presentation reviewing the Mud Race. Mayor Presgraves commended the clean-up of the event. Ms. Hilliard provided an overview of the fundraiser and noted that the recreation park served as a great location. She provided race statistics for individuals and teams, age groups, local and out of town participants, and volunteers. Lastly, Ms. Hilliard requested permission to use the recreation park again for next year’s race. Council members agreed that they see no problem with this request.

UPDATES AND DISCUSSION ITEMS

REQUEST FOR FUNDING TO REMOVE TREES AND DEBRIS FROM GREEN HILL CEMETERY

Ms. Frances Yates spoke to Council and requested funding to remove trees and debris from Green Hill Cemetery. Ms. Yates spoke on behalf of the United Daughters of the Confederacy who have provided Council members with a proposal regarding tree removal. Ms. Yates explained that the cemetery is located in the middle of town and said that the tree situation is very bad within the cemetery. She has also contacted the electric company with these concerns and has not received any return call to date. An estimate has been obtained for tree removal from two vendors. Ms. Yates said that the Daughters of the Confederacy would like to request any help possible from the Town in order to get the cemetery maintenance in order.

Mayor Presgraves asked if there is a perpetual fund in place. It was determined that there is a perpetual maintenance fund but it has been depleted over the years. Also, there are only two remaining members on the fund’s board.

Councilman Schiro explained that the issue is that the cemetery is privately held. The cemetery is not public property such that the town owns or controls it. This raises question of the town’s authority to assist in maintenance despite its historic significance. Mr. Schiro said that he would like to hear more information from

the board of trustees. Council members instructed Town Manager, Charlie Hoke, to contact SVEC regarding the tree hazards. Mayor Presgraves said he would like more information as well and asked that the UDC allow council and staff to make some calls.

FAIR ASSOCIATION REQUEST FOR A CROSSWALK

Assistant Town Manager, Bryan Chrisman, presented information received in October regarding the Fair Association's request for a crosswalk. The request is for a crosswalk at the fair property's gate five on Collins Avenue. The concern is for the safety of pedestrians entering and exiting the fairgrounds during events to and from the parking area. Mr. Chrisman has consulted with Lynn Mathews, Superintendent of Public Works, and Chief Cook regarding the issue. They have visited the location and measured some site distances. This is the largest parking area utilized by the fairgrounds. Mr. Chrisman pointed out several concerns and various suggestions. He discussed a possible location for the crosswalk, temporary fencing to direct pedestrians to the approved crossing point, a speed limit reduction, flashing beacons, and other potential solutions. Mr. Chrisman discussed the associated costs with the installation of these crosswalks. Mr. Chrisman said that the next step would be for he and Mr. Mathews to present these options to members of the Fair Board.

Councilman Schiro added that event boards, VDOT style, could be very useful for many events throughout town. He suggested that if we are going to invest this amount of money in crosswalks, it may be wise to invest in these types of changeable signs that could be used for many events throughout town.

ITEMS FOR COUNCIL ACTION

APPOINTMENTS TO LURAY BOARDS AND COMMISSIONS

Town Manager, Charlie Hoke, presented information regarding the nominations for boards and commissions. The Planning Commission and Tree and Beautification Committee are four year terms and run alongside council member terms. The Luray Board of Zoning Appeals is a five year term.

Mayor Presgraves has a Tree and Beautification member, Ms. Katie Sokol, who has been serving and wishes to continue if so nominated.

Motion: Mayor Presgraves nominated Katie Sokol to the Luray Tree and Beautification Committee, motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Dofflemeyer, Schiro, Lancaster, Sours, Meaney. **Approved 6-0**

Councilman Lancaster would like members to consider Lowell Baughan to continue serving on the BZA, this is a five year term.

Motion: Councilman Lancaster nominated Lowell Baughan to the Luray Board of Zoning Appeals, motion seconded by Mayor Presgraves with the vote as follows: YEA: Council Members Vickers, Dofflemeyer, Schiro, Lancaster, Sours, Meaney. **Approved 6-0**

Councilman Lancaster has a Planning Commission appointment and Alan Eldridge has agreed to serve on the commission.

Motion: Councilman Lancaster nominated Alan Eldridge to the Luray Planning Commission, motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Dofflemeyer, Schiro, Lancaster, Sours, Meaney. **Approved 6-0**

Councilman Lancaster would like for members to consider Carol Angiers, who has agreed to serve on the Tree and Beautification Committee. She is currently serving on this board and would like to continue.

Motion: Councilman Lancaster nominated Carol Angiers to the Luray Tree and Beautification Committee, motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Meaney. **Approved 6-0**

Councilman Sours would like members to consider Ligon Webb to serve on the BZA, this is a five year term.

Motion: Councilman Sours nominated Ligon Webb to the Luray Board of Zoning Appeals, motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Meaney. **Approved 6-0**

Councilman Sours has a Planning Commission appointment and Brian Sours has been serving in this position and has agreed to continue.

Motion: Councilman Sours moved to reappoint Brian Sours to the Luray Planning Commission, motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Meaney. **Approved 6-0**

ADJOURN

Councilman Sours suggested that member bios need to be updated on the town's website. With no further business, the meeting was adjourned at 8:45pm.

Barry Presgraves
Mayor

Danielle Babb
Deputy Clerk-Treasurer