

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

**MONDAY, JUNE 12, 2017**

The Luray Town Council met in regular session on Monday, June 12, 2017 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  
Leah Pence

**Also Present:**

Charlie Hoke, Town Manager  
Bryan Chrisman, Assistant Town Manager  
Mary Broyles, Treasurer  
Danielle Babb, Deputy Clerk Treasurer  
Chief Carl "Bow" Cook, Luray Police Department  
Jason Botkins, Town Attorney  
Meredith Dees, Luray Downtown Initiative  
Todd Kellison, Wastewater Superintendent  
Joseph Haddock, Water Plant Superintendent  
Sara Levinson, Corecon Consultant

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 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 – 5-08-2017
- (B) Minutes of the Council Work Session- 5-23-2017
- (C) Financial Report- Month Ending 5-31-2017
- (D) Accounts payable checks totaling \$ 168,112.79

## **EMPLOYEE RECOGNITION & PRESENTATION**

Assistant Town Manager, Bryan Chrisman, announced that Mr. Todd Kellison has been voted as Lab Technician of the Year by the Virginia Rural Water Association. The award was announced in April 2017 and Mr. Kellison is present to accept the award. Superintendent of the Water Treatment Plant, Joey Haddock, entered the town in the 17<sup>th</sup> Annual Water Taste Contest held at the conference and the Town of Luray was awarded 3<sup>rd</sup> place statewide. Mr. Haddock was present to receive this award. Mayor Presgraves then presented these awards to each employee.

## **PUBLIC HEARINGS**

### **2017-2018 Budget**

Town Manager, Mr. Hoke, presented the public hearing for the 2017-2018 Budget. Mr. Hoke stated that the Council will not take formal action until the Special Council Meeting planned for June 27<sup>th</sup>. Mayor Presgraves opened the public hearing for citizen comment. With no one present to speak, the hearing was then closed.

### **Appendix B Section 209 – Boundary Line Adjustments**

Assistant Town Manager, Bryan Chrisman, presented the public hearing regarding Town Code, Appendix B, Section 209- Boundary Line Adjustments. As recommended by legal counsel, this addition to the code will allow for administrative processing of requests for simple boundary line adjustments to existing lots. Mr. Chrisman explained that previously these rare issues have been handled by town staff in a similar fashion, so long as they meet the principal criteria outlined in the draft ordinance. The key criteria is that no new lot is created by the BLA action. If this occurs, then it constitutes a subdivision, which Mr. Chrisman explained would require the completion of the full process under Appendix B. The draft ordinance has been properly advertised and reviewed by the Planning Commission with a unanimous approval.

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 Vickers motioned to approve the Ordinance Amendment to Appendix B- Section 209 Boundary Line Adjustments as discussed, motion seconded by Councilman Dofflemyer with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

## **LURAY DOWNTOWN INITIATIVE**

### **Meredith Dees, Luray Downtown Initiative**

Ms. Meredith Dees provided members with information regarding new Virginia Main Street signage. She noted that Virginia Main Street as an organization has updated their logo and in order to be in compliance, the town needs to revise its signage. The information regarding the new look of the signs is included in Council's packet for the evening. Ms. Dees stated that two signs are provided to the Town at no cost. However, currently the town possesses five of these such signs. Ms. Dees recommended that two of these signs be discontinued. The recommendation is based on sign placement and an attempt to be cost effective. She noted that the cost of the signs is approximately \$500 each, including the sign and shipping fees.

Councilman Dofflemyer would like to see the sign kept on the East End of Luray, as it is the only sign in this entry corridor to the town. This would allow the elimination of only one sign near the US 211 and 340 off ramp which is later duplicated near the Greenway. Ms. Dees said that the eastern located sign is also not landscaped. Ms. Dees clarified that LDI has budgeted for the purchase of one sign, bringing the total to three signs. Council members agreed to pay for the sign on the east end in order to retain this location, and to provide landscaping if needed.

**Motion:** Councilman Dofflemyer motioned to approve the purchase of the additional signage as discussed, motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

## **UPDATES AND DISCUSSION ITEMS**

### **SARA LEVINSON CONSULTANT SERVICES**

Ms. Sara Levinson spoke to members regarding her work on the West Main revitalization. She spoke about the events that have taken place since her last meeting with Council, the outcomes of her work, and future steps that need to take place. Ms. Levinson discussed grant eligibility and competitiveness with the process through the Virginia Department of Housing and Community Development. Ms. Levinson also discussed the need for a substantial housing component. Thus, the concept for the application will need to include more than just the Brown's building, and may include neighboring properties that fulfill this requirement. Ms. Levinson has met with Matt Weaver, Associate Director for Program Administration, and Tamarah Holmes, Associate Director for Policy and Strategic Development regarding the Vibrant Communities Initiative. Both Ms. Levinson and Town Manager, Charlie Hoke, noted positive feedback from meetings in Richmond and also local meetings with the neighboring building owners. Ms. Levinson noted that VCI representatives also suggested the town integrate other ongoing projects, such as streetscapes, Greenway extension, and façades. Ms. Levinson reviewed some statistics of grants awarded, the pre-application process, and actual funding received.

Councilman Dofflemyer inquired about the application deadline. Ms. Levinson explained that the pre-application is due at the end of October. Then, the town would find out if its project is invited to proceed with the actual application. The final application is due by the end of February. She noted that the pre-application should be very strong. It was suggested by representatives that the Town prepare a concept paper and then refine this according to VCI input for the submittal of a pre-application.

Mayor Presgraves asked if Ms. Levinson was willing to continue with the ongoing application process. Mr. Hoke explained that staff would like Council to authorize Ms. Levinson to proceed with the next step of the grant process. Mayor Presgraves inquired about the cost involved. Ms. Levinson explained that it was difficult to estimate but that she would approximate between 300-600 hours. Members discussed an hourly rate for Ms. Levinson's services or possibly a set contract fee. Ms. Levinson stressed that if she takes on the project, the Town must commit to see the application process through. Mr. Hoke explained that the primary objective for bringing Ms. Levinson on board was the revitalization of the Brown's building, with intentions of marketing the property after the bridge replacement. Mr. Hoke furthered that this has turned in to a downtown revitalization project for at least three buildings, including Brown's, and also including an outdoor recreation aspect. Ms. Levinson said that fitting in 600 hours between now and October will be difficult, but she does not want to be in a position where the project is halted. Ms. Levinson said that she would actually prefer if Council chooses to proceed, that they do so contingent on she and Mr. Hoke working on an acceptable contract price. Councilman Schiro said that he is in favor of proceeding with the project, but that if the town is looking at a substantial expenditure of this nature; they need to see a scope of work. Councilman Schiro said that the Council could review this scope of work as early as the June Special Meeting if needed. Councilwoman Pence said it is also critical that the Council be

instrumental in gaining community support for the project. Councilman Vickers questioned if the renovations were to take place and the Brown's building is sold... who will reap the benefits of the work. Ms. Levinson said that it is important to find your potential owner before the renovations take place. Mr. Hoke said that there are some very interested parties in the property and he discussed the benefits of a public-private partnership. Members also discussed the upcoming budget and funding for the contract expenses. Members also discussed the use of in-kind funds to be utilized for the town's portion of the grant. Member agreed to continue this discussion with Ms. Levinson at the June Special Meeting.

## **SOUTH HAWKSBILL STREET SPEED CONTROL MEASURES**

Assistant Town Manager, Bryan Chrisman, discussed speed control measures on South Hawksbill Street. He noted a discussion with legal counsel regarding the state code section that allows the locality to conduct a speed study in order to validate the reduction of a speed limit. Legal Counsel has advised that this research data can be used to validate the reduction in speed limit. However, Mr. Chrisman said that after speaking with Chief Cook and Superintendent Mathews, they are uncertain if the town's speed trailer can accommodate this study. Mr. Chrisman said that a formal speed study will cost the town approximately \$2500. Mr. Chrisman also explained the difficulties in the line of sight and schematics of the roadway in obtaining accurate data.

Councilman Schiro expressed concern that lowering the speed limit will not in fact force traffic to slow down. Councilman Sours said that he has brought this concern forward due to his own personal experience. He has been taking note of these incidents as he sees this as a problem area.

Councilwoman Pence asked about other streets that were mentioned at the previous work session meeting, those being South Court Street and North Court Street. She asked if perhaps writing more tickets would solve the issue. Chief Cook noted that not all of these instances are considered writable tickets and that he too receives complaints. Chief Cook said that monitoring these areas round the clock is nearly impossible and that he himself has monitored these areas. Councilman Lancaster said that it often seems that traffic is moving far faster than they actually are. Councilman Lancaster discussed the two openings in the railings on South Hawksbill Street along the Greenway. He said that other areas of the Greenway are close to the roadway as well and parents need to be mindful of these locations. Councilman Dofflemyer suggested installing a painted crosswalk in the area of the restrooms on South Hawksbill Street as an added safety measure.

**Motion:** Councilman Sours motioned to approve the painting of a crosswalk in both openings of the railing in the area of the Greenway restrooms on South Hawksbill Street, motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence.

**Approved 6-0**

Councilwoman Pence discussed complaints she has received regarding high grass. Mr. Hoke said that he has previously addressed these areas with no compliance and will therefore address these properties again in order to see that the problem is taken care of.

## **LURAY CAVERNS REAL PROPERTY/ROADWAY ABANDONMENT**

Assistant Town Manager, Bryan Chrisman, discussed the private roadway at Luray Caverns. He said that VDOT has a small area near US 211 West that they are evaluating currently. Mr. Chrisman said that members may have noticed that the private driveway entrance to the Caverns has been blocked to travel due to construction plans for a new entrance in front of the building. The Caverns is constructing the first zero grade cave entry in the Eastern U.S. This will also eliminate any crossing of US211 from that point as well.

## **VAUGHAN REAL ESTATE & EASEMENT EXCHANGE**

Mr. Chrisman explained that approximately six months ago the town was approached by Mr. David Vaughan regarding a portion of the Town's property along the creek bank that borders the North side of his parcel. After reviewing the survey plats and deeds for the parcels owned by Mr. Vaughan, Mr. Chrisman said that Town Staff found that several utility items are located on Mr. Vaughan's property without permanent easements. Therefore, Mr. Vaughan has agreed to trade these perpetual easements to the town in exchange for the town's roughly 0.862 acres along the bank. Town Attorney, Mr. Botkins, has provided some draft documents on the transfer. Mr. Chrisman explained that since this is considered the conveyance of public property, one public advertisement and public hearing must be held. If so approved the ad will go out this week and action can take place at the June Special Session on the 27<sup>th</sup>.

**Motion:** Councilman Schiro motioned to proceed with the Vaughan Real Estate Exchange as discussed, motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

## **WEAVER LAND DONATION**

Mr. Chrisman said that over the years the Town has accepted responsibility for maintenance of only one stormwater pond in Luray. The pond is the original detention pond for the lower section of the Forest Hills subdivision. The Town is responsible for all maintenance, fencing, pipes, etc.; despite the pond sits on Mr. Weaver's property. Mr. Weaver purchased the property from the subdivision developer to allow some additional acreage to allow for the construction of a detached garage, but does not wish to continue carrying a very expensive insurance rider that is required because of the stormwater pond. Mr. Chrisman added that in his research, the Town has found that the pump station is also partially on Mr. Weaver's property. In order to bring these items back onto Town property, Mr. Chrisman advised Council to accept Mr. Weaver's donation of this property and conduct the boundary line adjustment accordingly.

**Motion:** Councilman Vickers motioned to proceed with the Weaver Real Estate Exchange as discussed, motion seconded by Councilman Schiro with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

## **ITEMS FOR COUNCIL ACTION**

### **RESOLUTION PERSONAL PROPERTY TAX RELIEF**

Mr. Hoke stated that each year the Council approves the Personal Property Tax Relief Resolution. Any vehicle valued at \$1000 or less receives 100% tax relief and any vehicle valued between \$1,000 and \$20,000 receives 60% personal property tax relief.

**Motion:** Councilman Schiro motioned to approved the Resolution for PPTRA 2017, motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

### **ADOPTION OF SECTION 209 TO APPENDIX B**

Mr. Chrisman said this action item was the subject of the Public Hearing earlier this evening.

**Motion:** Councilman Schiro motioned to approved the Adoption of Section 209 to Appendix B of the Town Code, motion seconded by Councilman Dofflemyer with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

## **LURAY HIGH SCHOOL WATER REQUEST**

Mr. Chrisman said that essentially the school is requesting to water the athletic fields. Originally the school board had planned to drill an agricultural well at the site for this purpose. However, they have determined that this is not in the best interest at this time. The school would like to continue to use town water to irrigate the athletic fields and install a secondary meter. The use of a second meter would be to pay for water only charges, with no sewer fees. The school currently pays out-of-town rates for water and sewer which are 1.5 times higher than in town rates. Mr. Chrisman said that the town does not encourage the use of a secondary meter. This practice can lead to billing errors and other complications. Despite this, Mr. Chrisman said that since this is a school facility the town could justify the one time exception. Mr. Chrisman also explained that installing a meter at the athletic fields is not feasible since it is located approximately 1,000 feet from the main line. Councilman Schiro addressed concerns about water capacity in this area and if the distribution system can accommodate this additional usage. Mr. Schiro said that he does not want to jeopardize the water pressure and capacity to other users in the area. Council and Staff agreed to look at potential capacity issues and bring this topic back for later discussion.

## **UNCLAIMED PROPERTY ORDINANCE**

Mr. Chrisman said that he along with Chief Cook are recommending that Council consider adopting Chapter 54 as amended by the Town Attorney. The amendment to the Town's ordinance will allow the police department to handle and dispose of the items in an appropriate fashion. The Police Department typically receives various private property articles such as vehicles, mopeds, or bicycles by abandonment or seizure. Town Attorney, Jason Botkins, explained that currently a provision exists for the disposal of abandoned property but this amendment specifies the property acquired by law enforcement duties/seizure of property. Mr. Chrisman said that Mr. Botkins advises that this ordinance can be adopted at tonight's meeting and does not require public advertisement.

Councilwoman Pence asked why newspaper advertisement is preferred to social media advertisement. Town Attorney, Jason Botkins, says that newspaper advertisement is a direct instruction from the Code of Virginia. Certainly any additional advertising can be done at the town's discretion.

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

## **EXECUTIVE SESSION**

### **Real Property, Section 2.2-3711.A.3**

### **Personnel Matters, Section 2.2-3711.A.1**

Mayor Presgraves requested a motion to adjourn into Executive Session for the purpose of discussing matters relevant to Section 2.2-3711.A.3 and Section 2.2-3711.A.1.

**Motion:** Councilman Sours motioned to recess the regular session and to convene in executive session; Councilman Schiro seconded the motion with the following members voting YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

**Motion:** Councilman Vickers 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, Pence. **Approved 6-0**

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 and Section 2.2-3711.A.1 were heard, discussed, or considered during the closed session. **The roll was called with all members certifying “Yes”.**

**ADJOURN**

With no further business, the meeting was adjourned at 9:59pm.

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Barry Presgraves  
Mayor

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Danielle Babb  
Deputy Clerk-Treasurer