

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

MONDAY, JULY 9, 2018

The Luray Town Council met in regular session on Monday, July 9, 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
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
Meredith Dees, Luray Downtown Initiative
William Huffman, Luray Downtown Initiative
Jason Pettit, Luray Downtown Initiative/ Business Owner
Margaret Stevenson, 101 Pass Run Drive, Luray (Citizen Comment)
Mike Uram, Stanley Town Council
Melvin "Buddy" Cave and Carol Cave, 1272 Elgin Drive, Luray (Citizen Comment)
Amity Moler, Page County Administrator
Gina Hilliard, Luray Page County Chamber of Commerce

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 Lancaster 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, Sours, Pence. **Approved 6-0**

Consent Agenda

- (A) Minutes of the Regular Council Meeting – 6-11-18
- (B) Minutes of the Council Work Session – 6-26-2018
- (C) Financial Report- Month Ending - 6-30-2018
- (D) Accounts Payable checks totaling- \$ 480,720.36

CITIZEN COMMENT

Margaret Stevenson, 101 Pass Run Drive, Luray

Ms. Margaret Stevenson expressed her concerns about the Urban Solar Grid Project that would occupy approximately 559 acres in the county. Ms. Stevenson expressed her concerns about environmental impacts that may arise from the development of these proposed 280,000 panels. She also provided members with a fact sheet handout.

Ms. Stevenson then updated members on the Greenway Foundation's progress so far on the Greenway Expansion Project. Ms. Stevenson said that three commitments have been secured but members are still negotiating with other property owners. The Foundation will continue to keep members of Council up to date on their progress.

Mike Uram, Stanley Town Council

Mr. Uram thanked members of Council who attended the recent Stanley Homecoming Parade.

PUBLIC HEARINGS

Code Amendments – Itinerant Merchant, Peddler, & Commercial Solicitor

Town Manager, Steve Burke, said that Council is requested to consider Code Amendments to Town Code Section 30-1, 30-38, 30-41, 30-71, 30-96, 30-97, and 30-102 related to operations and Business License rates for Itinerant Merchants, Peddlers, and Solicitors. The changes include regulation of hours and practices, to specify a business license for each definite location to allow businesses with a definite location license to operate as an itinerant merchant, to require currency on town taxes, \$500 per year tax rate for itinerant merchants and elimination of proration, \$500 per year tax rate for peddlers not selling perishable items, and to define commercial solicitors and establish their tax rates. Mayor Presgraves then opened the public hearing for citizen comment.

Melvin “Buddy” Cave- 1272 Elgin Drive, Luray

Mr. Cave said that he didn’t believe he would accomplish a change in the tax rate. He stated that he can choose to pay the \$500 fee and operate in Luray or choose not to operate his food truck within the Town. He expressed his concerns about fairness to itinerant merchants and said that he believes the brick and mortar businesses are being favored.

Councilwoman Pence countered that she would favor the brick and mortar businesses because they are incurring additional costs of water and sewer and property taxes. She noted that these businesses are open year round and operate in good times and bad.

Mr. Cave continued that Page County charges a fee of only \$300 for itinerant vendors.

Jason Pettit- 111 N. Court Street

Mr. Jason Pettit spoke in favor of the tax rate and said that it is not an issue of favoritism but is a significant investment in the town. He said that these restaurants fill storefronts and are the face of downtown. He added that the brick and mortar restaurants are important to the Town’s Main Street. Mr. Pettit said that his restaurant has been a significant investment and a food truck can be moved or sold easily to meet demands or lack of.

Council members discussed pop up food trucks at events, catering, and special events. Council agreed that these are all areas that need to be regulated or monitored for compliance.

Motion: Councilman Vickers motioned to adopt the Code Amendments to Town Code Section 30-1, 30-36, 30-38, 30-71, 30-96, 30-97, and 30-102 related to operation and Business License tax rates for Itinerant Merchants, Peddlers, and Solicitors as presented. Motion seconded by Councilman Schiro with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence.

Approved 6-0

DEPARTMENTS, TOWN BOARDS AND COMMISSIONS

Luray Page County Chamber of Commerce

Ms. Gina Hilliard provided a power point presentation that highlighted updates for the Chamber and Visitors Center. She noted the newly redesigned “In the Loop” newsletter, new Main Street Bridge Map, and 2018-2019 Visitors Guide. Ms. Hilliard announced that she is now serving on the 18-19 VACCE Board of Directors. The Chamber has hosted several ribbon cutting events over the last quarter, awarded two scholarships, and held FAM tours. Ms. Hilliard displayed the VTC Outdoor video that was sponsored by Virginia Tourism. The Chamber has received 22 new memberships, bringing total members to 429. Continued efforts include the new Young Professionals program, radio station promotions, Women in Business Forum, Business Networking Breakfast, Tourism Tuesdays, and various ribbon cutting events. The next Business After Hours will be a joint effort with Harrisonburg Rockingham County Chamber and will feature Massanutten Water Park on July 12th. The July movie night will be held in Luray on July 27th at R.H. Dean Park. Ms. Hilliard also noted that the Mud Race advertising has begun.

Luray Downtown Initiative

Ms. Meredith Dees thanked Ms. Hilliard for her work and said that all organizations are working well together and working to promote many of the same efforts. Ms. Dees noted that the sanitary sewer manhole along the greenway has been painted. Ms. Dees added that the downtown maps are getting a facelift. Councilwoman Pence complemented these maps and said they are very useful in assisting visitors. Ms. Dees said that Virginia Main Street representative Matt Wagoner will be here on September 4th. Also, upcoming events include the Trick or Treat on Main, co sponsored with Parks and Recreation, and plans for a Fall Fundraiser.

ACTION & DISCUSSION ITEMS

Resolution of Support- US 211/340 & Big Oak Intersection Improvements

Amity Moler, Page County Administrator

Ms. Moler spoke on behalf of Page County to request support of the VDOT Smart Scale Improvements for the intersection of US 211 and Big Oak Road Intersection. Ms. Moler said that she is not requesting any monetary support, just a resolution from the Town of Luray. Page County is requesting a traffic signal at this intersection as it is the 23rd most dangerous intersection in the VDOT Staunton District. She noted that immediate improvements to this area will include line painting and new stop signs.

Councilman Lancaster said that he recalls a bond from Page Cooperative for the signalization of this intersection. Chief Cook explained that the right lane of the intersection is within the Town and town officers respond to a number of incidents at this location.

Motion: Councilman Sours moved to adopt the Resolution of Support for the US211/340 and Big Oak Road Intersection Improvements as presented, motion seconded by Councilman Dofflemyer with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence.
Approved 6-0

General Assembly Activity Update

Town Attorney, Jason Botkins, provided General Assembly updates pertinent to Town operations. Mr. Botkins explained that based on some of the changes, the Town Code will need to be updated. Changes include updates pertaining to zoning violations, variances, criminal law, economic disclosure acts, regulation of boating activities, and professional services and competitive pricing. Mr. Botkins said that he will prepare the ordinances for update to the Town's code.

Board of Zoning Appeals – Appointment Recommendations

Mr. Steve Burke requested that Council consider reappointing Rose Anne Smythe and Michael Swenson to the Town of Luray Board of Zoning appeals. Both individuals have expressed an interest in serving another term.

Motion: Councilwoman Pence motioned to recommend Rose Anne Smythe and Michael Swenson to the Judge of Page County Circuit Court for re-appointment to the Luray Board of Zoning Appeals to fill a five- year term ending June 30, 2023. Motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

USDA Rural Development – Sewer Improvements Financing

Assistant Town Manager, Bryan Chrisman, updated Council members on the request to submit application for financing of sanitary sewer system improvements. Mr. Chrisman said that after discussion with Ms. Hines, USDA- Rural Development, it did not make sense to refinance any of the Town’s existing sewer notes. Mr. Chrisman explained that two of the notes were zero percent interest and others were ending in term soon. An updated resolution was provided for Council on their desks for the evenings meeting. Mr. Chrisman added that there is no change in scope of work with total project and financing estimated at \$4,420,000. Councilman Sours had several questions for Mr. Chrisman pertaining to existing notes and accelerating payment on these. Mr. Chrisman continued that it was not advantageous to include the town’s existing sewer debt in this financing due to interest rates and user rate fee implications. Mr. Burke agreed that the existing notes would be lumped into the overall project financing and result in inclusion in the rate adjustment requirements. Mr. Burke said that the overall debt service would amount to approximately \$198,000 annually over 40 years.

Motion: Councilman Vickers motioned to adopt the Resolution of Application for sanitary sewer improvements as presented. Motion seconded by Councilman Schiro with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

Bridge Construction Update

Assistant Town Manager, Bryan Chrisman, updated members on the road closure that will happen on July 16th at 9:00am. He said that various traffic pattern notices, maps, and street closure advisements have gone out. Mr. Chrisman said that photos are being taken of the progress. Council members and staff discussed the alternate traffic pattern map and parking issues.

Mayor Presgraves noted that Mr. Chrisman has been steadily working on this project for five years now and thanked him for his dedication and patience.

OLD BUSINESS

Draft Code Amendment – Assembly/ Event Permitting

Town Manager, Steve Burke, discussed the draft code amendments regarding Assemblies/Special Events and new Town Code Section 74-22. Mr. Burke said that more changes are forthcoming and a new draft will be provided at the next Council meeting. Councilwoman Pence discussed her concerns about enforcement and outdoor events. Mr. Burke explained that the intent of the permitting process is to provide the police department with advance notice of the event and address any staffing that may be needed. He said that the permit will also allow for flexibility in working with folks to enforce the noise ordinance, etc. Councilwoman Pence also discussed food sales adjacent to the Hawksbill Greenway.

Mr. Burke addressed the history of allowable sales on or near the Greenway. He said the changes to the code would basically codify what has been historically done. Mr. Burke continued that the Greenway's intent was to provide a sanctuary away from permanent sales and solicitations. However, he added that the Town has permitted some food sales for special events but certainly doesn't want permanent sale activity in this area. Councilwoman Pence discussed other areas of concern such as outdoor concerts that may require the permit. Mr. Burke said that currently the amendments only require permitting on Town property. Councilman Dofflemyer suggested changing the language to require notice in terms of "business days" rather than "days" in advance of the event.

ANNOUNCEMENTS/ ADJOURN

Councilman Vickers complemented Town staff on its social media efforts. Mayor Presgraves thanked Councilman Lancaster for preparing food for the July 4th Employee picnic. With no further business, the meeting was adjourned at 8:40 pm.

Barry Presgraves
Mayor

Danielle Babb
Deputy Clerk-Treasurer