

LURAY TOWN COUNCIL
December 10, 2018 - 7:00 p.m.

MEETING AGENDA

- | | |
|---|--|
| I. CALL TO ORDER & PLEDGE ALLEGIANCE TO THE U.S. FLAG | Mayor Presgraves |
| II. ROLL CALL | Danielle Babb |
| III. CONSENT AGENDA | Mayor Presgraves |
| IV. GENERAL CITIZEN COMMENTS (other than agenda items) | |
| V. PRESENTATIONS
A) Town Financial Audit for FY 2018 – Robinson, Farmer & Cox
B) Restaurant Week | Saidee Gibson
Meredith Dees |
| VI. PUBLIC HEARINGS
A) Code Amendment - Assemblies & Special Event Permits | Jason Botkins |
| VII. DEPARTMENTS, TOWN BOARDS AND COMMISSIONS
A) Luray Downtown Initiative
B) Chamber of Commerce
B) West Main Street Bridge Project Update | Meredith Dees
Gina Hilliard
Bryan Chrisman |
| VIII. ACTION & DISCUSSION ITEMS
A) Tree & Beautification Committee Appointments
B) Shen-Paco Industries Donation Request
C) 2019 Arbor Day Proclamation | Steve Burke
Steve Burke
Steve Burke |
| IX. OLD BUSINESS | |
| X. TOWN ATTORNEY'S REPORT | Jason Botkins |
| XI. MAYOR'S ANNOUNCEMENTS | Mayor Presgraves |
| XII. RECESS (As needed) | Mayor Presgraves |
| XIII. CLOSED MEETING
A) Real Property Issues | Mayor Presgraves |
| XIV. ADJOURN | |

Version Date: December 3, 2018 10:00 a.m.

Town of Luray
PO Box 629
45 East Main Street
Luray, VA 22835
www.townofluray.com
540.743.5511



Mayor

Barry Presgraves
150 Collins Avenue
Luray, VA 22835
Term: 2017-2020

Council Members

Leroy Lancaster
112 Reservoir Avenue
Luray, VA 22835
Term: 2017-2020

Joey Sours
525 Atkins Drive
Luray, VA 22835
Term: 2017-2020

Leah Pence
51 W Main Street
Luray, VA 22835
Term: 2017-2020

Jerry Schiro
142 Leaksville Road
Luray, VA 22835
Term: 2014-2018

Jerry Dofflemyer
295 Heritage Drive
Luray, VA 22835
Term: 2015-2018

Ronald Vickers
6 Lewis Street
Luray, VA 22835
Term: 2014-2018

Town Officials:

Town Manager – Steven Burke
Assistant Town Manager- Bryan Chrisman
Planning & Zoning
Town Clerk/ Treasurer- Mary Broyles
Deputy Town Clerk/ Treasurer- Danielle Babb
Chief of Police- Bow Cook
Superintendent of Public Works- Lynn Mathews
Superintendent Parks & Recreation-Dakota Baker

Commissions & Committees:

Luray Planning Commission
Luray-Page County Airport Commission
Luray Tree and Beautification Committee
Luray Board of Zoning Appeals
Luray Downtown Initiative
Luray-Page County Chamber of Commerce

I move to approve the following Consent Agenda (All items must be read):

CONSENT AGENDA

- (A) Minutes of the Regular Council Meeting – 11-13-2018
- (B) Financial Reports Ending November 30, 2018
- (C) Accounts Payable checks totaling- \$ 380,913.57

*Financial Reports will be delayed until the completion of the audit.

Prepared By:

Mary F. Broyles, Treasurer

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

TUESDAY, November 13, 2018

The Luray Town Council met in regular session on Tuesday, November 13, 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 Schiro

Leroy Lancaster

Joseph Sours

Leah Pence (*present after roll call*)

Council Absent: Jerry Dofflemyer

Also Present:

Steve Burke, Town Manager

Bryan Chrisman, Assistant Town Manager

Jordan Bowman, Litten & Sipe

Mary Broyles, Clerk-Treasurer

Danielle Babb, Deputy Clerk-Treasurer

Meredith Dees, Luray Downtown Initiative- Director

Lowell Baughan, Page County Railroad Club

Liz Lewis, Page County Economic Development/ Tourism Coordinator

Nathan Miller, Page County Attorney

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 Schiro led everyone in the United States Pledge of Allegiance.

CONSENT AGENDA

Motion: Councilman Schiro motioned to approve the Consent Agenda as presented, motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Schiro, Lancaster, Sours. **Approved 4-0**

Consent Agenda

(A) Minutes of the Regular Council Meeting – 10-9-18

(B) Accounts Payable checks totaling- \$ 510,217.94

CITIZEN COMMENT

Margaret Stevenson- Hawksbill Greenway Foundation

Ms. Stevenson informed Council members that Luray's Hawksbill Greenway has been highlighted in the *Community Connections Innovations Handbook* published by the Federal Highways Administration. She noted that the Hawksbill Greenway is the only trail of its kind to be published in the book. Ms. Stevenson provided each Council member with a copy of the article. Lastly, Ms. Stevenson requested to attend the next Council Work Session to discuss the status of the Greenway extension.

PRESENTATIONS

Page County Railroad Club- Display Request

Mr. Lowell Baughan presented on behalf of the Page County Rail Historical Society. Mr. Baughan requested that the society act as curators for the Depot museum in order to populate the exhibit cases with their many artifacts. Mr. Baughan also requested that the Town Council appoint an ex-officio member to their board. Town Manager, Steve Burke, noted that Council has already adopted a plan for exhibit guidelines. Staff will work with the group to accomplish their goals of populating the displays and rotating the exhibits. Staff will coordinate this and no formal action was needed from Council.

PUBLIC HEARINGS

Zoning Fines & Variances for Disabled

Town Manager, Steve Burke, presented the public hearing for legislative updates regarding variances for reasonable modification for persons with disabilities and to provide additional fines for continued Zoning violations. The amendments would be to Sections 705.2 and Section 706.2 of Article VII of Appendix A of the Town Code.

Mayor Presgraves opened the public hearing for citizen comment. With no comments from the public, the hearing was then closed.

Motion: Councilman Vickers moved that the Town Council adopt the proposed Code Amendments to Town Code Section 705.2 and 706.2 of Article VII of Appendix A. Motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Schiro, Lancaster, Sours. **Approved 4-0**

DEPARTMENTS, TOWN BOARDS AND COMMISSIONS

Luray Downtown Initiative

Ms. Dees advised Council members that the Downtown Halloween Event was a huge success and between 500-600 children participated. Ms. Dees reminded everyone of *Small Business Saturday* which is a National initiative sponsored by American Express. The event will showcase small businesses in Luray

and encourage the public to shop locally. LDI will host a welcome table for the event at Appalachian Outdoor Adventures, giveaways will be sponsored by Blue Ridge Bank. Ms. Dees added that the “*Shop Late Open Until 8:00*” event will be held on Friday December 14th for downtown shops and restaurants. Other upcoming events include the Tree Lighting Ceremony at Performing Arts Luray on November 30th and Council is invited to attend.

West Main Street Bridge Project Update

Assistant Town Manager, Bryan Chrisman, provided members with an update on the bridge project. He noted that minutes from the October 18th progress meeting have been included in council’s packet. Due to the condition of rock found on the western abutment, Orders Construction, is requesting to switch the design from using pre-drilled H-Piles to micro piles. The design switch will result in a much shorter installation window, which is needed since the project is slightly behind schedule. Orders is nearly complete with the Sanitary Sewer relocation on the eastern side of the project. Mr. Chrisman explained the complexity of the install due to the depth of the existing line. Mr. Chrisman added that with winter weather forthcoming that Council must remember that contract timelines cannot be enforced. Orders Construction has committed to working through the winter months and has brought on a second work crew in order to simultaneously work on the eastern and western sides. Mr. Chrisman said that the overall timeline for the project will likely not change, with completion around April 2019. Lastly, Mr. Chrisman added that the Bridge Website has undergone some changes and the revised version can be found by the link on the Town’s website.

ACTION & DISCUSSION ITEMS

Revolving Loan Application

Town Manager, Steve Burke, informed Council members that the Town has receive an application for the Revolving Loan fund. The loan request is from RYANNE HODSON and JOHN DEDMAN JR. for loan funds of \$50,000 to renovate 20 West Main Street. The renovations will include a ground floor work space area, first floor offices, and a top floor apartment. The multi-use property is owned by the applicants and offered as security for the loan. The loan application has been reviewed by the loan committee and endorsed by LDI. Mr. Burke stated that the amount of the request is historically more than has been considered; however, a maximum loan amount has not been established by Council. Council members inquired about the level of funding available for revolving loans. Town Staff said that currently the Town has approximately \$73,000 in restricted funding for loan availability. This would leave just over \$20,000 available for other applications. Councilman Schiro inquired about the term of the loan. Mr. Burke said that historically they are five year terms.

Motion: Councilman Schiro motion that the Town Council approve the loan request in the amount of \$50,000 to RYANNE HODSON and JOHN DEDMAN JR. for improvements to 20 West Main Street and further move to direct staff to develop all necessary loan documentation to proceed to closing. Motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Vickers, Schiro, Lancaster, Sours, Pence. **Approved 5-0**

Concession Fee Reimbursement

Town Manager, Steve Burke, presented a request for reimbursement of \$1,900 from Sharon and Charlie Peer who operated the concession facilities at R.H. Dean Park. The Peer's operated the stand this year through the concession franchise agreement at an annual fee of \$3,800. The Peers have noted previous closure of the stand, inclement weather, frequent cancellation, and rescheduling factors that have contributed to the lack of sales. The Peer's have also noted that if not a reimbursement; a credit to the 2019 season payment would also be acceptable. Councilman Schiro favored the credit to next year's season over reimbursement. Councilwoman Pence expressed concerns about other parties that bid on the franchise agreement and noted that outdoor events come with associated risk.

Motion: Councilman Vickers moved that the Town Council approve the credit of \$1,900 of the concession franchise fee to the second year (2019 season) due to significant rainfall experienced. Motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Schiro, Lancaster, Sours. NAY: Pence. **Approved 4-1**

OLD BUSINESS

Code Amendment Special Event Permit & Assembly

Mr. Burke noted the updated code provisions for Special Events and Assemblies. If Council is comfortable with the final version, staff will advertise for a public hearing for the December Council meeting.

ANNOUNCEMENTS

Mayor Presgraves stated that the Town has received an invitation to participate in the Stanley Christmas Parade on Saturday, December 1st. Also, Mayor Presgraves reminded Council and Staff of the Town Christmas Dinner at the Mimslyn Inn on December 7th.

-Recess-

EXECUTIVE SESSION

Prospective Business, Section 2.2-3711.A.5

Mayor Presgraves requested a motion to adjourn into Executive Session for the purpose of discussing matters relevant to Section 2.2-3711.A.5 regarding prospective business or industry.

Motion: Councilman Schiro motioned to recess the regular meeting and to convene in executive session; Councilman Lancaster seconded the motion with the following members voting YEA: Council Members Vickers, Schiro, Lancaster, Sours, Pence. **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, Schiro, Lancaster, Sours, Pence. 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.5 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, Schiro, Lancaster, Sours, Pence.

ADJOURN

With no further business, the meeting was adjourned at 8:26 pm.

Barry Presgraves
Mayor

Danielle Babb
Deputy Clerk-Treasurer

March 17th-23rd 2019



March 17th-23rd 2019



\$10 Lunch
\$25 Dinners at participating restaurants

dineoutpagecountyva.com

Save The Plate!

March 17th - 23rd

2019



Page County
Restaurant Week

dineoutpagecountyva.com

Luray • Stanley • Shenandoah

Page County's Dine LOCAL
Restaurant Week

March
17th-23rd
2019

RESTAURANT WEEK

PAGE COUNTY

PC

LURAY • STANLEY • SHENANDOAH

dineoutpagecountyva.com

*\$10 Lunch
\$25 Dinners*

Page County's Dine LOCAL
Restaurant Week



\$10 Lunch
\$25 Dinners

March 17th-23rd 2019

at participating restaurants - dineoutpagecountyva.com

save the plate!



MARCH 17th-23rd, 2019

dineoutpagecountyva.com



Town of Luray, Virginia
Council Agenda Statement

Item No: VI - A

Meeting Date: December 10, 2018

- Agenda Item:** COUNCIL PUBLIC HEARING & CONSIDERATION
Item VI-A – Assemblies & Special Event Permits
- Summary:** Council is requested to receive public input on the draft new Town Code Section 74-22 to establish regulations and process for the use of Town Right-of-Way, parks, or public lands for events, assemblies, parades, or other special events. This process would replace our current Facilities Use Application. The Code would specify the regulations by which requests for use of Town property and Right-of-Way can be requested, as well as specify acceptable actions and activities.
- Staff shall develop the permit application based upon Town Code Section 74-22 once adopted.
- Council Review:** Discussion at June 27, 2018 Work Session; July 9, 2018 Council Meeting; July 24, 2018 Work Session; August 13, 2018 Council Meeting; November 13, 2018 Council Meeting
- Fiscal Impact:** N/A
- Suggested Motion:** I move that Town Council adopt and ordain Town Code Section 74-22 to establish regulations and process for the use of Town Right-of-Way, parks, or public lands for events, assemblies, parades, or other special events as presented effective upon adoption.

CHAPTER 74
ARTICLE V – PUBLIC ASSEMBLIES

Sec. 74-120. - Definitions.

“*Event*” means a Parade or Public Assembly.

“*Parade*” means any march, demonstration, procession, or motorcade upon Public Space that interferes with or presents a Significant Probability of interfering with the normal flow or regulation of pedestrian or vehicular traffic upon Public Space.

“*Public Assembly*” means any meeting, demonstration, speechmaking, vigil, picket line, rally, carnival, festival, concert, race, presentation, pageant, sporting event, or other gathering for a common purpose as a result of prior planning that interferes with or presents a Significant Probability of interfering with (a) the normal flow or regulation of pedestrian or vehicular traffic upon Public Space, or (b) the normal use of any Public Space.

“*Public Space*” means any street, sidewalk, or any other property of the Town which is open to the public.

“*Significant Probability*” means a determination that something is more likely than not to occur based upon facts and circumstances revealed by a reasonable inquiry.

“*Sponsor*” means the individual(s) who sign, or whose authorized representative(s) sign, an application for an Event permit and who will be responsible under the permit, if issued, for ensuring that the Event will be conducted in accordance with these regulations.

“*Spontaneous Event*” means an unplanned and unannounced coming together of people or vehicles in an Event which was not contemplated beforehand by any participant therein.

Sec. 74-121. - Permit Requirement.

Except as provided in Sec. 74-122, it shall be unlawful for any person to conduct or participate in an Event on Public Space unless a written permit is first issued in accordance with this chapter.

Sec. 74-122. - Exceptions.

The provisions of this chapter shall not apply to:

- (a) Events involving less than twenty-five (25) persons provided the Event does not interfere with or present a Significant Probability of interfering with:
 - (1) the normal flow or regulation of pedestrian or vehicular traffic upon Public Space;
 - (2) the normal use of any Public Space; and
 - (3) public safety.
- (b) Events that do not use Public Space or present a Significant Probability of interfering with the normal use of Public Space.
- (c) Spontaneous Events.
- (d) Recreational activities, including jogging, walking, sporting events, and the reservation of a shelter, field, or other facility at a Luray park, which do not require closing public streets or other public rights-of-way and do not interfere or have a tendency to interfere with free passage on or the use of any Public Space.

- (e) Door-to-door advocacy, including canvassing, pamphleteering, religious or political proselytizing, and the distribution of written materials, and similar activities which do not interfere with or have a tendency to interfere with free passage on or the use of Public Space.
- (f) Funeral processions.
- (g) Students going to and from school classes or participating in school-sponsored activities.
- (h) Governmental entities acting within the scope of their functions.
- (i) Events organized and sponsored, in whole or in part, by the Town of Luray, County of Page, Page County Public Schools, or the Commonwealth of Virginia.
- (j) Construction activities authorized by the Town of Luray, County of Page, Page County Public Schools, or the Commonwealth of Virginia.

Sec. 74-123. - Application for Permit.

- (a) Time for filing. The Sponsor for any Event for which a permit is required shall submit an application to the Chief of Police (the “Chief”). If the estimated number of persons who will participate in an Event is twenty-five (25) or less, the application shall be submitted not less than five (5) business days prior to the Event. An application for an Event involving more than twenty-five (25) attendees shall be filed at least ten (10) business days before the Event. The Chief may accept a late filing upon a determination that unforeseeable circumstances prevented the applicant from filing the application in a timely manner.
- (b) Contents. The application shall contain the following information, utilizing a form provided by the Town:
 - (1) The name, address, telephone number, and email address of the Sponsor and any organization or group the Sponsor is representing.
 - (2) The name, address, telephone number, and email address of the person who will act as the Event leader and will be responsible for conducting the Event.
 - (3) A description of the proposed activities during the Event;
 - (4) The date, starting time, and ending time of the Event, and if the application is for a recurring series of Events, the dates starting times, and ending times of each.
 - (5) If the Event is a Public Assembly, the specific desired location(s) of the assembly.
 - (6) If the Event is a Parade, the specific assembly and dispersal locations, the specific route, and the plans for assembly and dispersal.
 - (7) The anticipated number of people who will participate in the Event and, for Parades, the number of vehicles and a description thereof.
 - (8) A statement as to whether the Event will occupy all or a portion of any street, sidewalk, or other public right-of-way.
 - (9) A description of any sound amplification equipment, banners, signs, or other attention-getting devices to be used in the Event.
 - (10) Such other information that the Chief deems reasonably necessary to properly provide for traffic control, event cleanup, garbage collection, street and property maintenance, administrative arrangements, police and fire protection, and for the general protection of public health, safety and welfare.

Sec. 74-124. - Issuance or Denial of Permit.

Event permits shall be issued or denied as follows:

- (a) Denial for false information. The Chief shall not issue a permit if any of the information supplied by an applicant is false or intentionally misleading.
- (b) Approval. The Chief shall issue the permit with three (3) business days of receiving the completed application if the application and Event comply with the requirements of this chapter and the Chief finds that:
 - (1) The Event does not pose a significant risk of harm to public health, safety, and welfare;
 - (2) The time, duration, route, and size of the Event will not unreasonably interrupt the safe and orderly movement of vehicular or pedestrian traffic on Public Space or the normal use of Public Space;
 - (3) The Event will not unduly interfere with police, fire, or rescue services to the remainder of the Town either by requiring the presence of such first responders or by slowing their travel to locations across Town;
 - (4) The Event will not interfere with another Event for which a permit has been granted; and
 - (5) The Event will not violate state, federal or federal law.
- (c) Denial. If the Chief denies an application after considering the factors set forth in Section 74-124(b), the applicant shall be notified using such means as are available to provide notice as soon as possible. The Chief shall advise the applicant of their right to appeal the decision under Sec. 74-125. Nothing in this section shall permit the Chief to deny a permit based upon political, social, or religious grounds or reasons or based upon the content of the views expressed. Denial of a permit on such grounds is prohibited.
- (d) Approval of Alternate. The Chief, in denying a permit for an Event, may authorize the Event on an alternate date or time, or at an alternate location. An applicant desiring to accept an alternate permit shall file a written notice of acceptance with the Chief.

Sec. 74-125. - Appeal.

Any person aggrieved by the refusal of the Chief to grant a permit, or by the revocation of a permit after one has been issued, may appeal the denial or revocation to the Town Manager by filing a written notice of the appeal setting forth the grounds thereof. Any such appeal must be received within five (5) business days after the date of the decision giving rise to the appeal. The Town Manager shall act upon the appeal within five (5) business days after its receipt.

Sec. 74-126. - Excluded Areas.

- (a) No Event may take place that will require traffic to be stopped on Main Street (BUS-211) for a period of more than ten minutes during weekdays between 6:00 a.m. and 7:00 p.m., excluding the regular stoppage of traffic as a result of existing traffic signal devices. The Chief may include reasonable conditions as part of any permit issued for an Event that will involve persons walking on Main Street to ensure that traffic is not stopped for a period of more than ten minutes.
- (b) No Event shall close or restrict public access to Hawksbill Greenway.

Sec. 74-127. - Competing or Opposing Groups.

Nothing in this section prevents persons or groups opposing or competing with the Sponsor of a permitted Event

("Opponents") from appearing at the Event, provided Opponents (a) do not unreasonably interfere with the operation of the permitted event, or (b) unreasonably interrupt the safe and orderly movement of vehicular or pedestrian traffic on Public Space or the normal use of Public Space.

The Sponsor for the Opponents shall make a written application to the Chief as soon as reasonably practicable upon forming the intent to appear at an Event. If submitting a written application is not reasonably practicable, the Sponsor for the Opponents must provide notice to the Chief as soon as they form the intent to appear at an Event. Without such notice, the Opponents may be denied permission to assemble because the Town may not be able to adequately secure the Event. When Opponents are present, the Chief may assign Public Space to different groups on an equitable basis, based roughly on the proportionate numbers of persons present. The Chief may also physically separate Opponents from differing groups from one another in order to promote public safety.

Sec. 74-128. - Prohibited Conduct

- (a) Interference with Event. No person shall unreasonably hamper, obstruct, impede, or interfere with any Event or with any person, vehicle or animal participating or used in an Event for which a written permit has been issued.
- (b) Driving through Parades, etc. No driver of a vehicle shall drive between the vehicles, persons or displays of an Event except when otherwise directed by a police officer. This paragraph shall not apply to authorized emergency vehicles.
- (c) Provocative Conduct. No person shall do any of the following at an Event or within 250 yards thereof:
 - (1) Carry bats, clubs, or similar items;
 - (2) Wear masks as prohibited by Virginia Code, § 18.2-422;
 - (3) Carry chemical irritant sprays or caustic substances;
 - (4) Carry shields;
 - (5) Carry any open flames other than candles;
 - (6) Wear a helmet (unless riding a motorcycle, bicycle, or similar device), or
 - (7) Carry any item that can be used as a projectile or is designed to cause significant bodily harm. It is permissible to carry written or printed placards, signs, flags, banners, etc., but such items shall not be attached to poles or rods.

The Sponsor shall disclose in the application whether the Sponsor requests permission for a prohibited item to be used during a demonstration due to its expressive or symbolic quality relevant to the subject matter of the demonstration, including without limitation symbolic weapons, open flames or other similar items. If a permit includes the right to carry or display a prohibited item, such item must be carried or displayed in strict accordance with the terms of the permit and must otherwise at all times conform to applicable law.

Sec. 74-129. - Powers of the Chief.

In addition to all other powers of the Chief under applicable law, the Chief may:

- (a) Order the dispersal of one or more persons who are violating this chapter.
- (b) Order the dispersal of any gathering which violates this chapter or for which there is a probability of violence, injuries to people, or property damage.
- (c) Revoke any permit issued under this section whenever there is a probability of violence, injuries to people, or property damage.
- (d) Make temporary regulations for parking or traffic on Public Space to accommodate an Event or

minimize the risk of personal injury or property damage.

- (e) Close any Public Space when an Event or other gathering presents a probability of personal injury or property damage.

Sec. 74-130. - Violations.

Any violation of this chapter shall constitute a Class 3 misdemeanor.

Sec. 74-131. - Delegation.

The Chief is authorized to act as follows with respect to any Event:

- (a) If requested by the Page County Sheriff, the Chief may cede to the Sheriff all control of the permitting process and event scene, thereby delegating to the Sheriff all authority vested by this section.
- (b) If requested by state or federal authorities acting within their jurisdiction, the Chief shall cede to the requesting party all control of the permitting process and event scene, thereby delegating to the requesting party all authority vested by this section.
- (c) At any time, the Chief may act through such other officers of the Luray Police Department as he or she may designate.

Sec. 74-132. - Indemnity.

The Sponsor of an Event for which a permit is required shall be required to indemnify and hold harmless the Town, its officials, employees and agents from any personal injury, death and property damage, and any other loss, cost and/or damage occurring as a result of the actions or inactions of an Event's Sponsor, or the Sponsor's failure to comply with these regulations. In no event shall the Town have the duty to indemnify any third party.

Sec. 74-133. - Insurance.

If the approximate number of people who will participate in an Event is more than 50, the Sponsor of an Event shall furnish a general liability and property damage insurance contract insuring the Sponsor's liability for personal injury, death and property damage resulting from its use of Public Space. The required general liability and property damage insurance shall be provided in an amount not less than \$1,000,000, and the insurance policy shall name the Town (including its officers, officials, employees and agents) as an additional insured party to the insurance contract. Failure to provide required insurance, and reasonable documentation of the insurance, will be grounds for denial and/or revocation of a permit. Prior to commencement of the Event, the Sponsor must provide the Town with an insurance certificate that verifies the insurance coverage required by these regulations. In no event shall the Town have the duty to provide insurance to or on behalf of any third party.

The Chief may waive the insurance requirement, in whole or in part, for Events which do not (a) pose a high level of liability risk to the Town or a material risk to public safety; and (b) do not involve any inherently dangerous activity. A written request to waive or modify any insurance requirement must be made by the Sponsor at the time a permit application is submitted. An approval or denial of the request will be made in writing to the Sponsor.

Sec. 74-134. - Fees and charges.

The Sponsor shall submit an application fee to the Town, and, if additional police personnel are necessary to ensure that the Event does not endanger public health, safety, and welfare or disrupt the orderly flow of pedestrian and vehicular traffic, the Sponsor shall pay police personnel charges to the Town. Such fees and charges are payable in the amounts and at the times set forth in Appendix A to this chapter.

The fees and charges due hereunder shall be waived, in whole or in part, if the Sponsor claims a bona fide

financial hardship in the application and demonstrates by reasonable evidence that such fees and charges would render the Sponsor not reasonably able to conduct the Event. A bona fide financial hardship shall be deemed to exist if the fees and charges herein exceed (a) ten percent (10%) of the Sponsor's annual income, and (b) ten percent (10%) of the Sponsor's gross assets. In such cases, the Town Manager shall waive payment of the fees and charges to the extent necessary to enable the Sponsor to conduct the Event.

Sec. 74-135. - Compliance with other laws.

Events must comply with all applicable federal, state and local laws. The granting of a permit required by this chapter shall not eliminate any requirements for a business license or other permit and licenses which may be required under federal, state or local law.

Sec. 74-136. - Severability.

If any portion of this chapter is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this chapter and such invalid provisions or portions thereof shall be severable.

Appendix A

1. Permit Application Fee

Amount: \$--.00, nonrefundable.

When Payable: With application

2. Police Personnel Charge, Initial

Amount: \$40.00 per officer per hour

Event Size	Additional Officers Required
Less than 20 persons	0
20-30 persons	1
31-40 persons	2
41-50 persons	3
Greater than 50 persons	4

When Payable: With application (refundable upon cancellation at least 24 hours prior to Event)

3. Police Personnel Charge, Supplemental

Amount: To the extent that additional charges are incurred for police personnel in excess of the Initial Police Personnel Charge (the “Supplemental Police Personnel Charge”), the Sponsor shall pay the greater of:

- (i) \$60.00 per hour per additional officer required to be present at the Event as deemed necessary by the Chief based on the approximate number of people estimated to participate in the Event or the actual number of people who participate in the Event
- (ii) the established hourly wage for overtime work, for each of the particular officer(s) willing and available to cover the Event as deemed necessary by the Chief based on the approximate number of people estimated to participate in the Event or the actual number of people who participate in the Event

If the Initial Police Personnel Charge is in excess of the charges incurred, the Sponsor will receive a refund in the amount of the difference.

When Payable: Within thirty (30) days from the date of an invoice mailed by the Chief to the Sponsor at the address set forth on the application.

4. Road Closure Charge

Amount: \$100.00 per road, non-refundable

When Payable: With application

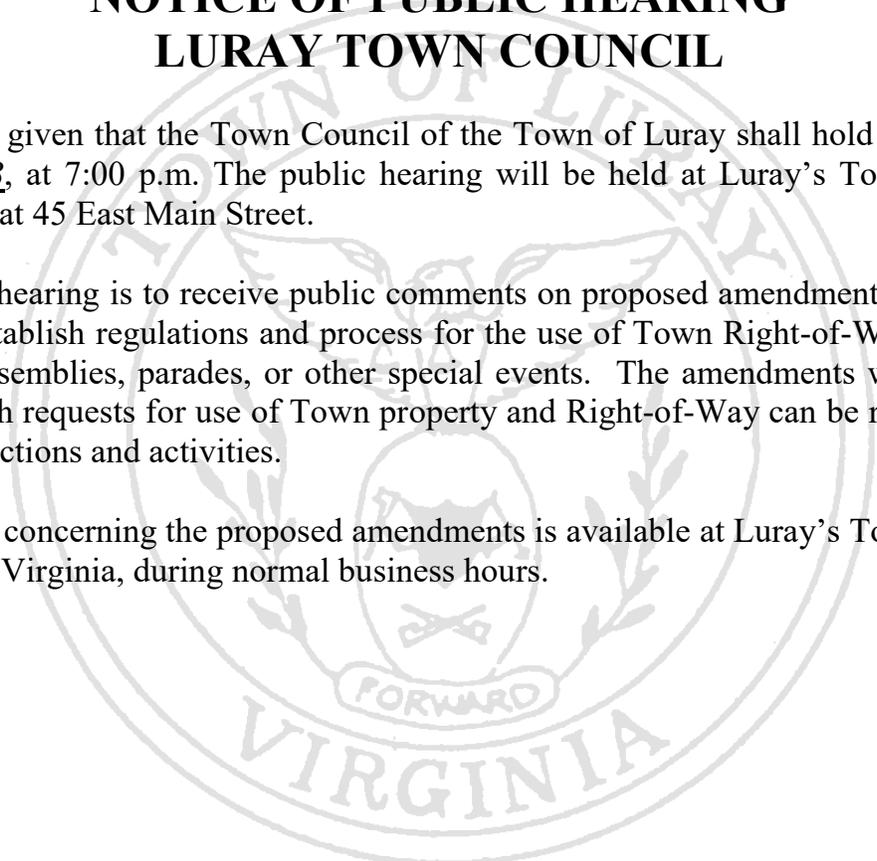
Town of Luray
45 East Main Street
Luray, Virginia 22835
(540) 743 – 5511

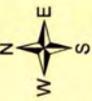
NOTICE OF PUBLIC HEARING
LURAY TOWN COUNCIL

NOTICE is hereby given that the Town Council of the Town of Luray shall hold a public hearing on **December 10, 2018**, at 7:00 p.m. The public hearing will be held at Luray's Town Office (Council Chambers), located at 45 East Main Street.

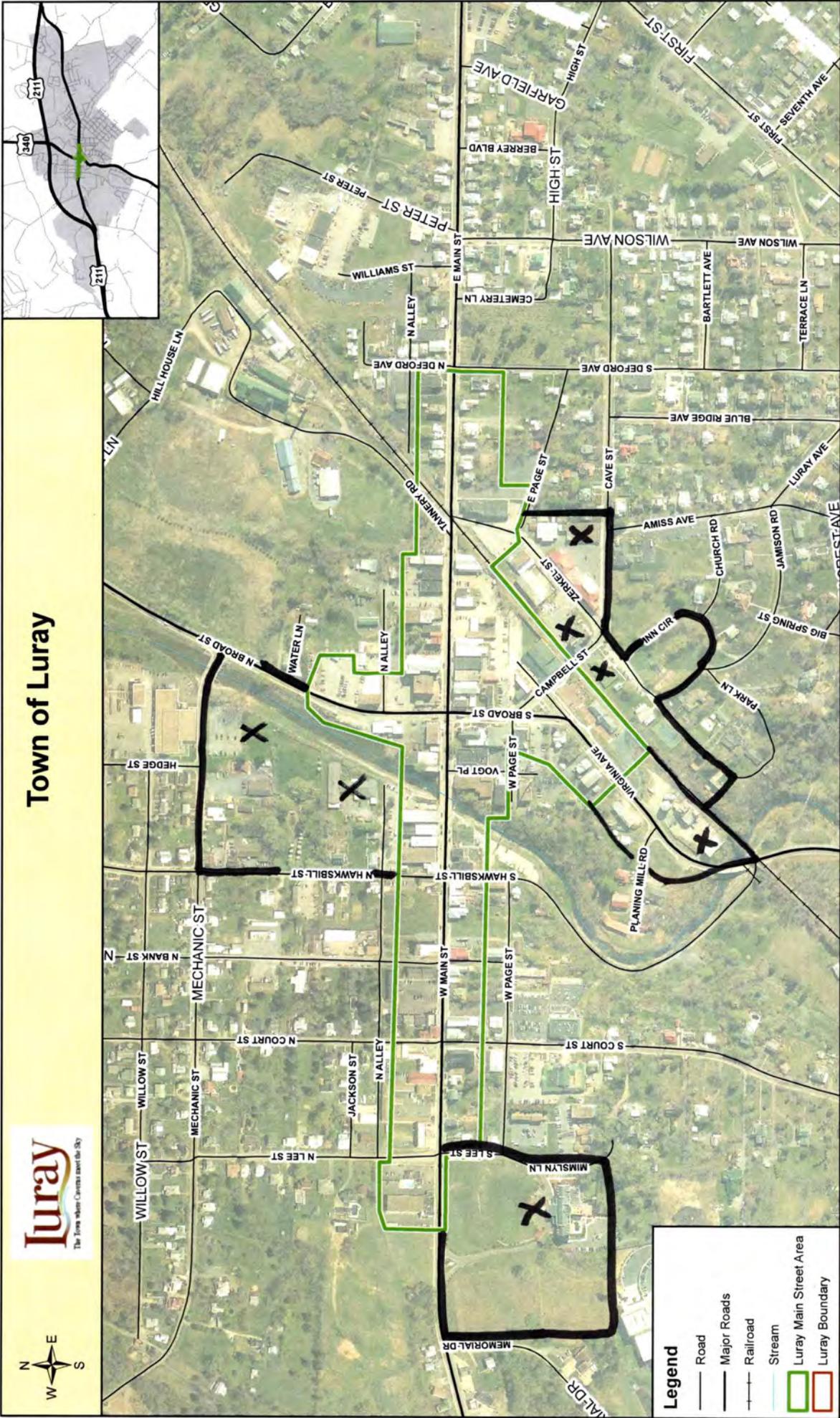
The purpose of the hearing is to receive public comments on proposed amendments to the Town Code Section 74-22 to establish regulations and process for the use of Town Right-of-Way, parks, or public lands for events, assemblies, parades, or other special events. The amendments will also specify the regulations by which requests for use of Town property and Right-of-Way can be requested, as well as specify acceptable actions and activities.

Further information concerning the proposed amendments is available at Luray's Town Office, 45 East Main Street, Luray, Virginia, during normal business hours.

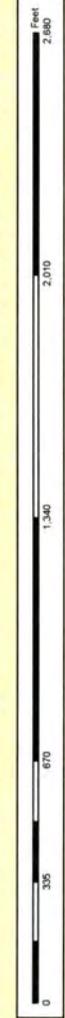




Town of Luray



- Legend**
- Road
 - Major Roads
 - Railroad
 - Stream
 - Luray Main Street Area
 - Luray Boundary



Page County GIS Dept.
2015 VGIN Aerial Imagery
(with 25% transparency)
Reference Use Only

Map Version Date: June 2016



Town of Luray, Virginia
Council Agenda Statement

Item No: VIII - A

Meeting Date: December 10, 2018

Agenda Item: COUNCIL CONSIDERATION
Item VIII-A – Member Appointment – Tree & Beautification Committee

Summary: Council is requested to consider the appointment of Layne Vickers as Councilman Dofflemyer’s appointee and Dixon Freeland as Councilman Schiro’s appointee to the Tree & Beautification Committee. Their terms would run from appointment date through December 31, 2022.

Layne Vickers is a 5th grade teach in Rappahannock County. She is the mother of four children and is active in her Church’s choirs. Ms. Vickers also participations in productions at the Performing Arts Luray and enjoys the outdoors with her “tree hugger” friends.

Dixon Freeland has travelled extensively throughout the United States being raised in National Parks. Born in California, Mr. Dixon attended Luray High School and graduated from Colorado State University. Mr. Dixon worked in numerous National Parks and historical sites. He and his wife Ann are the parents of three children, with two working in the National Park Service.

Council Review: N/A

Fiscal Impact: N/A

Suggested Motion: I move that Town Council appoint Layne Vickers and Dixon Freeland to the Tree & Beautification Committee with her term to expire December 31, 2022.



Town of Luray, Virginia
Council Agenda Statement

Item No: VIII - B

Meeting Date: December 10, 2018

- Agenda Item: COUNCIL CONSIDERATION
Item VIII-B – Shen-Paco Industries, Inc. Donation Request
- Summary: Council is requested to consider a request from Rita Minter with Shen-Paco Industries, Inc. to consider a donation to assist the organization with purchasing gift for their clients to be presented at their Christmas Dinner. They have approximately fifty (50) clients attend the Christmas Dinner.
- Council Review: N/A
- Fiscal Impact: Funded through Council Miscellaneous Expenses (100-11100-5840)
- Suggested Motion: I move that Town Council authorize the donation of _____ dollars to Shen-Paco Industries, Inc. to purchase gifts for their clients.



SHEN-PACO INDUSTRIES, INC.

34 STONEY BROOK LANE
LURAY, VA 22835
PHONE (540) 743-4761
FAX (540) 743-3303



Thursday, November 8, 2018

To Whom It May Concern,

Shen-Paco Industries, Inc. is a non-profit community based agency providing vocational, developmental, educational, residential and rehabilitative services along with job placement services to adults with disabilities in Shenandoah and Page Counties. Supported Employment Services are also provided in Winchester and Fredrick County. Individual training programs are developed for, and employment opportunities are made available to persons whose physical or mental impairments limit their full participation in the competitive labor market or for whom competitive employment opportunities do not presently exit.

Our mission is to provide an array of services to adults with disabilities, focusing on education, development, vocational training, residential services and employment. Because of financial issues, most of our clients do not receive any gifts or have any type of Christmas dinner at their home during the season. We strive each year to provide them with a nice dinner and a couple of gifts. Shen-Paco Industries, Inc. is requesting a donation from **Town of Luray** to help purchase gifts for the 50+ individuals we serve.

Thank you for taking the time to read this. Please contact me if you have any questions or concerns regarding this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rita Minter'.

Rita Minter
Program Coordinator

Shen-Paco Industries, Inc.
Luray-Page Center
540-743-4761
34 Stoney Brook Lane
Luray, VA 22835



Town of Luray, Virginia
Council Agenda Statement

Item No: VIII - C

Meeting Date: December 10, 2018

Agenda Item: COUNCIL CONSIDERATION
Item VIII-C – 2019 Arbor Day Proclamation

Summary: Council is requested to consider approval of the proclamation associated with the recognition of the 2019 Arbor Day. The proclamation is part of the Town's effort to maintain its Tree City USA designation.

Arbor Day will be Saturday, April 27, 2019 with a celebration scheduled for 1:00 pm at Ralph Dean Park.

Council Review: N/A

Fiscal Impact: N/A

Suggested Motion: I move that Town Council approve the Proclamation for the 2019 Arbor Day as presented.



Town of Luray

45 East Main Street
P. O. Box 629
Luray, Virginia 22835

2019 ARBOR DAY PROCLAMATION

WHEREAS, in 1872 J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, the holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, Arbor Day can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs through temperature moderation, clean the air, produce oxygen, and provide a habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our Town increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal, and

WHEREAS, the Town of Luray, Virginia is recognized as a Tree City USA by the National Arbor Day Foundation, and desires to continue its tree planting ways.

NOW THEREFORE BE IT RESOLVED that I, Barry Presgraves, Mayor of the Town of Luray, Virginia do hereby proclaim, Saturday, April 27, 2019 as **Arbor Day** in the Town of Luray. The celebration will begin at 1:00 p.m. and be held at Ralph H. Dean Recreation Park.

Barry Presgraves, Mayor

CERTIFICATE

I certify that I am the Clerk of the Town of Luray, Virginia, and that the foregoing is a true copy of a Proclamation adopted by the Council of the Town of Luray, Virginia, on December 10, 2018, upon the following vote:

NAME	AYE	NAY	ABSTAIN	ABSENT
Mayor Barry Presgraves ¹				
Ronald "Ron" Vickers				
Jerry Dofflemyer				
Jerry Schiro				
Leroy Lancaster				
Joey Sours				
Leah Pence				

Date: December 10, 2018

[SEAL]

ATTEST: _____
Mary Broyles, Clerk of Council

¹ Votes only in the event of a tie.



Town of Luray, Virginia
Council Agenda Statement

Item No: XIII-A

Meeting Date: December 10, 2018

Agenda Item: CLOSED MEETING
Item XIII-A – Real Property Issues

Summary: Council is requested to go into Closed Meeting for the purpose of discussion of the acquisition of real property for a public purpose where discussion in an open meeting would adversely affect the Town's bargaining position or negotiating strategy, as authorized by Section 2.2-3711(A)(3) of the Code of Virginia. The subject matter is the possible acquisition of real property for future recreational use by the public.

Council Review: N/A

Fiscal Impact: N/A

Motion to Go Into Closed Meeting

I move that Town Council convene and go into Closed Meeting for the purpose of discussion or consideration of the acquisition of real property for a public purpose where discussion in an open meeting would adversely affect the Town's bargaining position or negotiating strategy, as authorized by Section 2.2-3711 (A) (3) of the Code of Virginia. The subject matter is the possible acquisition of real property for future recreational use by the public.

A roll call vote shall be taken to certify the vote to convene in Closed Meeting.

Motion to Adjourn Closed Meeting and Reconvene in Open Session

At the conclusion of the Closed Meeting, immediately reconvene in open session.

I move the closed meeting be adjourned and the Luray Town Council reconvene in open session.

A roll call vote shall be taken to adjourn the Closed Meeting.

Certification Resolution

Upon reconvening in open session, Council shall certify the Close Meeting discussion.

I move that with respect to the just-completed closed session and to the best of each member's knowledge, only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act, and only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed, or considered in the meeting by the Town Council.

A roll call vote shall be taken to certify the Closed Meeting discussion.

NOTE: Any member who does not intend to vote "aye" should state so prior to the vote and indicate the substance of the departure that, in his/her judgement, has taken place. This statement shall be recorded in the minutes.