

MINUTES OF A TOWN COUNCIL WORK SESSION
TOWN OF LURAY, VIRGINIA
Tuesday, June 23, 2015

The Luray Town Council met in a work session on Tuesday, June 23, 2015 at 5:30 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: Councilman Leroy Lancaster

Council Present: Jerry Dofflemyer
Jerry Schiro
Joey Sours
John Meaney

Also Present:

Charlie Hoke, Town Manager
Bryan Chrisman, Assistant Town Manager
Mary Broyles, Town Clerk-Treasurer
Ligon Webb, Town Planner
Jason Spitler, Town Attorney

A quorum being present, Councilman Lancaster led members in the United States Pledge of Allegiance. The roll was called with Mayor Barry Presgraves and Councilman Ronald Vickers absent.

Updates and Discussion Items

Ligon Webb, Town Planner, briefed Council on the Laurance Building project. He stated it was his understanding that the survey was completed. This document will be provided to the Town Council once it is received by the town staff. This survey is needed before the Council can make a decision regarding the entrance/exit to the property.

Mr. Webb stated that Council was aware that the issue of adding Bed and Breakfast Operations as a Special Use in limited areas of the R-1 Zoning District had been discussed by the Town's Planning Commission. This action was taken in response to a B & B operation that was operating illegally in the R-1 Zoning District. At the beginning of May, the owner was ordered to cease operations and it was Mr. Webb's understanding that they had complied. Mr. Webb said that the Planning Commission had indicated it would consider amending the Town Code to include B&B operations as a special use in the

R-1 district but could not give support or opposition at this time. Councilman Schiro expressed concerns with the Council discussing this topic before a recommendation is made by the Planning Commission. He did not want Council's views to influence the Planning Commission's decision.

Items for Council Action

Luray Fire Department Request

Mr. Webb presented to Council a request from the Luray Fire Department for an Electronic Message Sign. Mr. Webb reminded Council that during the recent revisions in the sign ordinance, limited use of electronic changeable signs were recommended for nonprofit and community/civic organizations provided such signs do not flash or scroll and approval is obtained from the Town Council.

Motion: Councilman Dofflemeyer motioned to approve the request from the Luray Fire Department for an electronic sign, motion seconded by Councilman Schiro with the vote as follows: YEA: Council Members Schiro, Lancaster, Sours, Meaney, Dofflemeyer. **Approved 5-0**

Racey Engineering Bridge Contract Letter of Request – Phase D

Bryan Chrisman, Assistant Town Manager, presented to Council, a Bridge Contract Letter of Request – Phase D, from Racey Engineering. Mr. Chrisman reviewed the background information with Council. He stated that the Town had entered into a multi-part contract with Racey Engineering for Project Management Services on December 11, 2013. One component of the multi-phase contract requires Council's authorization of each individual phase. He said that they were currently completing Phase C on time and on budget. In 2014, the Town altered the assignment of the contract with Racey Engineering, as a pre-approved on-call consultant with the NSVRC. The altered assignment of the contract also included the Environmental Consultant, Kimley-Horn and the bridge consultants, Pennoni. This arrangement allows the Town to use a pre-qualified firm for Project Management that has been vetted through a process approved by VDOT and FHWA. Such use saves the Town significant money through advertising and interviewing in compliance with federal requirements. The Town does pay a small fee to NSVRC, based on the amount of the consultant contract. The consultant contracts are 100% project grant eligible expense. The NSVRC expenses are not. Mr. Chrisman stated that Council needs to consider the Request Letter from Racey Engineering for the activation of Phase D of their multi-part contract, and its Scope of Work and Exclusions. This phase has an estimated amount of \$85,000, which is allocated in the budget for FY 2016. Mr. Chrisman recommended the approval of the Contract Phase D Request.

Motion: Councilman Schiro motioned to approve the Racey Engineering Bridge Contract Letter of Request – Phase D, motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Lancaster, Sours, Meaney, Schiro. **Abstain:** Councilman Dofflemeyer. **Approved 4-0**

Developer's Agreement – Advance Auto

Mr. Chrisman presented to Council a Developer's Agreement in regards to the proposed Advance Auto Store at the site of the current Mindi's Restaurant. Previously, the Town authorized an out-of-town sewer connection for this purposed store. The approval was conditional upon a satisfactory Developer's Agreement being presented and the appropriate fees paid. The plans and specifications also had to be approved by the Town and VDOT. The site currently has an out-of-town water connection and the Town will replace the meter at the site prior to the new store beginning operations. The company will need to complete an Application for Service and pay the deposit. This Developer's Agreement has been reviewed by Town staff several times, and it is based on the Holtzman/Marlow Agreement. The applicant will pay the necessary facility fee for out-of-town sewer service and 100% of development costs. They will also pay the Utility Deposit and begin paying out-of-town sewer and water rates based on their usage. Additionally, they will pay a one-time sewer force main surcharge that has been standard in this area to assist the Town in future maintenance costs. The Town is committing only a new and more accurate water meter to the project, plus a new meter setter with backflow protection and a revised vault to give staff better access. Mr. Chrisman summarized that the applicant will be paying 100% of relevant costs as per the Town Code, and will be responsible for all construction and traffic control. A Performance Bond in the amount of the work is required to be posted. Mr. Chrisman has already required a valid Certificate of Insurance with the Town and VDOT listed as Additional Insured. Mr. Chrisman recommended the approval of the Developer's Agreement.

Motion: Councilman Schiro motioned to approve the Advance Auto Developer's Agreement, motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Lancaster, Sours, Meaney, Schiro. **Abstain:** Councilman Dofflemyer. **Approved 4-0**

Proposed Changes to the Town's Personnel Policies

Mr. Chrisman presented to Council proposed changes to the Town's Personnel Policies. He stated that Council has reviewed this issue previously and staff was directed to complete a policy addition that would conform to the IRS Requirements and VML suggestions. The take-home vehicle requirements by the IRS are very clear and unequivocal. Staff have completed a policy that applies the IRS directives to our operations. Also included is an item related to the frequent use of a personal vehicle for the completion of Town tasks during duty hours. This use would be elected by the employee for their convenience and not required by the Town. A mechanism is required to ensure that the Town is not liable for any issues arising out of the frequent personal vehicle usage. Daily commuting to and from the work site from home, or lunch are not considered "Town duties". The employee would be required to contact their private insurance company and request a separate rider to their personal insurance policy that covers this use and therefore exempts the Town from liability. Mr. Chrisman stated that Council would have to approve the "Officially Authorized Exceptions" to take-home vehicles use. He recommended Council approve the policy updates.

Motion: Councilman Sours motioned to approve the Policy Updates as recommended, motion seconded by Councilman Meaney with the vote as follows: YEA: Council Members Meaney, Schiro, Lancaster, Dofflemyer, Sours. **Approved 5-0**

Announcements

Councilman Lancaster announced that the Stanley Homecoming Parade would be on July 4. He stated that this would be in conflict with the Town of Luray's activities. Therefore, a letter would be sent to the Town of Stanley declining participation in their Fourth of July Parade.

He reminded Council, that the Annual Employee's Picnic would be held at Lake Arrowhead on Thursday, July 2nd. He also stated that the Town Office would be closed to walk in traffic on Wednesday July 1 and Thursday morning, July 2nd in order to close the Fiscal Year.

With no further business, Councilman Lancaster adjourned the work session of the Luray Town Council at approximately 6:20 p.m.

Councilman Leroy Lancaster

Town Clerk Mary Broyles