

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

MONDAY, MARCH 10, 2014

The Luray Town Council met in regular session on Monday, March 10, 2014 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

Liz Lewis, Luray Downtown Initiative
John Robbins, Luray Page County Chamber

Council Present: Ronald Vickers
Pam Flasch (via phone)
Mary Menefee
Leroy Lancaster
Joey Sours
John Meaney

Jason Spitler, Town Attorney
Jeff McMillan, Page News & Courier
Teresa Day, Principal-Springfield Elementary School
Kelly Lawton, Principal-Luray Middle School
Jason Breeden, Asst. Principal-Luray Elementary School

Also Present:
Charlie Hoke, Town Manager
Bryan Chrisman, Assistant Town Manager
Mary Broyles, Town Clerk/Treasurer
Danielle Babb, Deputy Clerk Treasurer
Ligon Webb, Town Planner
Junior Roy, Luray Police Department

Elizabeth Irvin, *The Ice Cream Truck*
Jared Morris, Lumos Networks
Bill Fisher, LDI
Mark Malone, LDI

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. Councilwoman Menefee 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, Flasch, Menefee, Lancaster, Sours, Meaney. **Approved 6-0**

Consent Agenda

- A) Minutes of the Regular Council Meeting – 2-10-14
- B) Minutes of the Council Work Session – 2-25-14
- C) Financial Report – Month Ending February 28, 2014
- D) Accounts payable checks totaling \$133,502.56

GENERAL CITIZEN COMMENTS

Kelly Lawton-Principal at Luray Middle School

Ms. Kelly Lawton stated that she brought a few of her colleagues with her this evening. On behalf of our local schools she would like to thank members of Council especially for their support of the schools and students.

Teresa Day-Principal at Springfield Elementary School

Ms. Teresa Day advised Council members that on August 30, 2014 there will be a celebration in honor of the 75th Anniversary of Springfield Elementary. Ms. Day invited members to attend and explained some events that are planned for the celebration. She also thanked the town for inviting the Springfield Elementary fourth grade students to perform at the Arbor Day celebration. Ms. Day noted that Pat O'Brien, Director of Parks and Recreation, has graciously included these students in this event.

DEPARTMENTAL REPORTS

PLANNING AND ZONING

Town Planner, Ligon Webb, said that the preliminary subdivision plat has been approved by the planning commission for Mr. Donald Farmer. The final plat will go to the Planning Commission this week at their regular meeting and will be an action item for Council in April. The commission will also plan to review the Sign Ordinance as recommended. Mr. Webb plans to hold a public hearing in May or June regarding these revisions. Mr. Webb also informed members that Shen-Paco Industries has submitted a special use permit request for a general retail/thrift store. The request will be heard by the commission at the April meeting and Mr. Webb plans to meet with the Page County Building Official regarding this.

Lastly, Mr. Webb reviewed the zoning permits issued for the month of February, with a total of 5 permits issued.

TOWN AFFILIATED BOARDS AND COMMISSIONS

Luray Downtown Initiative

Ms. Liz Lewis, Executive Director, said that as previously LDI has been working on several economic development projects. LDI intends to open an enhanced version of The Market Collective that includes a multi-use space which supports small business development needs in the community. Ms. Lewis said that LDI will manage the space as a fundraising mechanism for the organization. LDI will also be working on grants and incentive strategies to rehabilitate the space into a productive asset for the downtown community. Small vendors have already been solicited for the space with a terrific response. She noted that the proposed space is not on Main Street and will need signage and strategies to keep people coming to the site. Ms. Lewis hopes to have the entire plan in place by the end of the month and then to proceed with renovating the space.

LDI has also provided graphic design services for local events such as “Mad Dog”, Earth Day Run, and working with the schools to promote health and wellness for five upcoming foot races this year. The organization is also helping the Luray Page County Farmers Market to raise funds for new market tents. LDI is also continuing to work with town staff on the West Main Street Bridge Project. Ms. Lewis has designed a logo, slogan, postcards, and banners for the project so far. LDI is also utilizing the free design services of Frazier and Associates, offered by Virginia Main Street, to create conceptual pedestrian walking and mall plans.

Ms. Lewis said that she is also working with the Page Theatre and Page One on “crowd funding” projects. This effort is to raise funds for Page Theatre to upgrade to digital equipment. Page One is hoping to gain funds as well. LDI has also been working with Luray Middle School and Luray Elementary School on a Safe Routes to School Grant through VDOT. LDI has applied and did receive a walk-about grant. Ms. Lewis said that this is a good small step to receiving larger grants in the future, such as those for infrastructure.

Ms. Lewis said that LDI has provided Mr. O’Brien with more Festival of Spring vendor applications and payments. LDI maintains a relationship with these vendors and has received these applications directly.

Luray has been recognized for a Milestone Award for Virginia Main Street. The luncheon and awards reception will be held on March 19th in Richmond if any members would like to attend.

Mayor Presgraves asked Ms. Lewis to introduce the organization’s new president. Ms. Lewis introduced Mr. Bill Fisher who was recently elected as LDI President and Mr. Mark Malone who will serve as Treasurer. Lastly, Mayor Presgraves requested a copy of Ms. Lewis’s report for the evening.

Luray Page County Chamber of Commerce

Director, John Robbins, said that spring is a busy advertising time for the Chamber. He noted that advertisements are coming out in the new Blue Ridge Parkway Directory and Travel Planner, the new Virginia Travel Guide, and some smaller regional publications. Mr. Robbins explained that the Chamber is also working on two press releases for various media outlets. One press release will include all of the upcoming cycling events and another will highlight cabin rentals. Mr. Robbins said his staff continues to be involved in the West Main Street Bridge Project outreach efforts. The Chamber has drafted a Business Enhancement Plan for those in the affected area.

Upcoming events include the Annual Cabin Owner’s Forum on March 27th at the Visitor’s Center. The Chamber will also be conducting a Business Expo/ Community Yard Sale on April 26th at Bulldog Field. Mr. Robbins noted a recent story on www.virginia.org that noted Luray as one of 22 *Small Virginia Towns You’ll Love*. Last year’s website upgrades included the options to upload member videos; Mr. Robbins noted that staff will now be utilizing this feature. Last week the Chamber attended a meeting known as Page County Partners. This group began at LFCC and involves local schools, workforce training agencies, and the county economic development staff whose goal is to discuss the economic climate of the county and the related job training and unemployment. Mr. Robbins noted that the Town of Luray may want to attend and will provide the appropriate contact information if requested.

Tourists to the visitor's center were down for February with 532 walk-ins and tourist phone calls up slightly at 317 for the month.

UPDATES

Bridge Project

Assistant Town Manager, Bryan Chrisman, thanked Ms. Lewis, Mr. Robbins, and the other members of the Outreach Team for all of their efforts on the bridge project. He said that the project is progressing and that information is available on the town's website. Current items available on the website include the project schedule, budget, frequently asked questions, business enhancement plan, graphic artwork, and a dedicated email link. Mr. Chrisman said that Ms. Lewis has created the graphics for an informational postcard. A stakeholders meeting is scheduled for Wednesday March 26th at the Mimslyn Inn from 7:00-9:00pm that will include preliminary exhibits and comment sheets. A written invitation will be mailed out to all stakeholders in the immediate vicinity of the project area. Mr. Chrisman said that hopefully the town will be executing the agreement for the Environmental Consultant, Kimley Horn Associates, through NSVRC this week. Mayor Presgraves suggested linking the town's website information regarding the bridge to the town's facebook page.

Mechanic Street Crosswalk Upgrades

Mr. Chrisman explained that the Mechanic Street Crosswalk is the only vehicle/pedestrian required intersection of the Greenway Trail. VDOT consultants have recommended making some improvements to this crosswalk. The goal of these improvements would be to make the crosswalk more visible and to implement user activated LED beacons and larger signs. Mr. Chrisman said that the estimate for this project would be about \$8500 for excavation, repaving, signs, poles, controllers, power, etc. The town will be able to use VDOT funds for this project. Councilwoman Menefee asked if the project had been previously planned or if it is due to the upcoming bridge construction. Mr. Chrisman responded that the enhancements are primarily due to the greenway trail; however, this will certainly be important as traffic increases on Mechanic Street. He hopes to begin the project soon.

ACTION ITEMS

Lumos Networks Requests

Town Manager, Charlie Hoke, said that Council members will recall discussing the presentation from Lumos Networks at the February work session. Lumos Networks would like to install fiber from the downtown area to the Farmers and Merchants Bank located in the East Luray Shopping Center. Representatives from Lumos Networks are in attendance this evening to answer any questions. They have also agreed to conduct some test boring to ensure the location of existing utilities. Once the fiber has been installed, the company will also provide video to ensure that no utilities have been compromised. Mr. Hoke says he feels this will be a benefit to the community and recommends Council's approval of this item.

Mayor Presgraves asked if town staff customarily accompanies the contractor during this project. Mr. Chrisman said that this is not typical but normally their field supervisor will meet with Mr. Mathews,

Superintendent of Public Works, to review the proposed route. Mayor Presgraves asked about the town's guarantee for any damages caused during the project. Mr. Hoke said that typically the town is notified immediately of any damages should they occur. Mr. Chrisman also plans to request a written agreement from Lumos Networks to ensure these details, pending Council's action this evening.

Motion: Councilwoman Menefee motioned to approve the request from Lumos Networks as discussed, motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Flasch, Menefee, Lancaster, Sours, Meaney. **Approved 6-0**

CDBG Grant Ice Cream Truck

Town Manager, Charlie Hoke, said that Ms. Elizabeth Irvin has requested funding through the CDBG Revolving Loan Program for her ice-cream business. The business is a mobile ice cream truck service and she has requested \$6,500 in funding from the loan program. The Loan Pool Advisory Committee has reviewed her application and is recommending approval of this grant. Ms. Irvin is offering her personal vehicle as collateral on the loan.

Motion: Councilman Sours motioned to approve the Revolving Loan for The Ice Cream Truck (Elizabeth Irvin) as discussed, motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Flasch, Menefee, Lancaster, Sours, Meaney. **Approved 6-0**

Budget Discussions

Town Manager, Charlie Hoke, discussed a proposed 1% increase on water and sewer fees as recommended by Carl Brown Consultants and town staff. This is an effort to keep up with inflation and to avoid falling behind in both the water and sewer funds. The increase amounts to slightly less than \$1.00 total for the average user.

Motion: Councilman Lancaster motioned to approve a 1% increase in water and sewer rates as discussed, motion seconded by Councilman Meaney with the vote as follows: YEA: Council Members Vickers, Flasch, Menefee, Lancaster, Sours, Meaney. **Approved 6-0**

Mr. Hoke said that he would like Council to give him some indication of their recommendations for Contributions. Mr. Hoke said that he would like to go through the list and present each organization for Council's approval. The first organization is the United Way of Page County, who has historically received \$600 in funding. Mr. Hoke asked if Council would like to continue with this funding. Mayor Presgraves asked what the organizations efforts are specifically for the town. Mr. Chrisman and Mr. Webb explained that this is a group that fundraises throughout the community to donate to other non-profits. Councilwoman Menefee stated that this presents a larger discussion of why the town contributes to specific organizations and not to others. She asked if there is a general philosophy on this, is it need based, or if it is specific to town organizations, etc? Mr. Hoke said that this list is based on historical contributions. Ms. Menefee said that Council could proceed line-by-line or set a general policy or amount. Mayor Presgraves said that the Council needs to be prudent and mindful of the citizens' tax dollars and ensure that these organizations serve the town's residents. Mr. Hoke said that he needs some indication of Council's wishes so that he can provide a revised draft budget for the work session.

Councilwoman Menefee suggested that the Council set a total amount at \$20,000-\$25,000 and host a meeting where these groups request funding and explain the need for such. Councilwoman Flasch agreed that she feels this is a great idea. Ms. Menefee suggested setting a cap tonight and feels this would be a good opportunity to gain more information about each organization. Councilman Sours agreed that it would be good to know how the town's funding impacts each organizations budget. Councilman Lancaster recalled that the United Way was a means to allocate funding so that individual organizations wouldn't need to do so. Councilwoman Flasch said that the United Way actually uses this concept to determine who their benefiting agencies will be. Councilman Meaney said that this concept works well and this is his third time participating in this type forum. Mr. Meaney recommended that Council utilize this concept. Councilman Vickers and Councilwoman Menefee both maintained that they would like to see a cap set for total contributions and then hear from the organizations. Councilman Sours agreed that he would like to hear from each organization and learn about the positive impacts that these contributions have on the entity. And, if there is not a positive impact then the town can save these funds or allocate them elsewhere.

Town Manager, Charlie Hoke, discussed the \$5,000 matching funds for Performing Arts Luray. Councilwoman Menefee said that she still prefers a cap figure and not looking at each item line-by-line. Mr. Hoke asked members if they would consider holding the line at the current total of \$23,350. Councilman Sours agreed, yet Councilman Vickers and Councilwoman Menefee suggested a cap figure of \$25,000. Councilman Vickers said that certain organizations should be supported and the first step is having their representatives come in and talk to Council.

Motion: Councilman Vickers motioned to set a cap of \$25,000 for total Contributions for the FY 2014-2015 Budget, motion seconded by Councilwoman Menefee with the vote as follows: YEA: Council Members Vickers, Flasch, Menefee, Lancaster, Sours, Meaney. **Approved 6-0**

Town Manager, Charlie Hoke, reviewed the budget page-by-page and noted the totals for each department. He reviewed the total proposed revenues and expenditures and noted an unencumbered balance remaining. Mr. Hoke reviewed the expenditures by department for the general, water, and sewer funds. Councilwoman Menefee inquired about health insurance costs for the upcoming year. Mrs. Broyles, Treasurer, said that there has been an increase of about 8%. Mr. Hoke said this will be factored in to the next draft. Mr. Hoke explained that refuse expenditures are based on the consumer price index and the town will likely not receive this information for another month. Councilman Sours requested adding a column to the budget that would reflect the percent change in the proposed figures. Mr. Hoke said that overall this budget is very close to last year's with a few exceptions such as the reduction in Depot Expenditures for next year and the addition of the Main Street Bridge Project. Mr. Hoke said the police department has done well with its budget and code enforcement expenses have been eliminated. Code enforcement expenses have been included in the patrol expenditures as it is now a dual functioning position. Mr. Hoke noted a 5% increase in proposed expenses for higher costs of electrical service. He noted a decrease for General Properties in both legal fees and depot expenditures. Mr. Hoke advised that the Parks and Recreation budget is less than last year with an overall reduction of about \$11,000 dollars. Concerning Economic Development, LDI has increased their request to \$40,000 for the upcoming year. Mr. Hoke reviewed debt service costs and noted the principal and interest due on the Little League Complex. Councilwoman Menefee inquired about the remaining principal due on this loan. Mr. Hoke and Mrs. Broyles agreed that there is about \$341,000 remaining due in principal at the present time.

Water fund expenditures were reviewed and the associated water debt service. Sewer Expenditures were increased slightly for Sewer Plant Operations in the event of pump repairs that may or may not be necessary do to engineering discrepancies from the previous upgrades. Mr. Hoke told members that no capital outlay has been included. Mr. Hoke said that the CIP funding recommendations will be provided in his weekly report and can be discussed at the work session.

Mr. Hoke also requested that members consider a cost of living increase for staff. He provided annual figures for a 1% cost of living increase versus the option of a step increase. Mr. Hoke said that if council would entertain this recommendation he would provide these figures in the revised draft. Mr. Hoke also said that there will be proposals for a new public works vehicle, a new police vehicle, and other improvements but that he feels a new skid-steer at the sewer plant can be held off for another year.

Mr. Hoke asked if members would consider a 1% COLA increase for employees then he could include this in the next draft of the budget. Councilman Lancaster suggested that first members need to know what the increase in health insurance is going to cost. Councilwoman Menefee said that is a difficult decision and recalled employees receiving an increase two years ago. Mr. Hoke stated that he would provide these numbers in the weekly report. Councilman Vickers said that he would like to see the figures but cannot commit at this point. He stated that he would like to see figures for both a one-step increase and cost of living increase, along with health insurance costs.

Mr. Hoke said that he will provide more information in both the weekly report and will provide a revised draft at the work session. He reminded that the town has an ever-growing list of fixed assets that need to be maintained. He encouraged funding the capital improvement plan rather than incurring emergency scenarios. Mr. Hoke said that he will provide a balanced draft budget for the work session.

TOWN ATTORNEY'S REPORT

Town Attorney, Jason Spitler, said that he has been working on further revisions to the town's ordinance regarding nuisances. He explained that he had not completed these in time for submission to town staff for inclusion in the member packets. Mr. Spitler said that he has those items available this evening and requested that members obtain a copy and review before the work session meeting. He summarized the related revisions as they relate to definitions, penalties, and the recovery of costs.

Mr. Spitler also has proposed some changes to Chapter 74 of the Town Code as it relates to streets and sidewalks, and alleyways regarding right-of-ways. He said that Council members should be pleased with the enforcement mechanisms that are available to the town. Mr. Spitler is still working on revisions to Chapter 18 of the Town Code in regards to the animal ordinance. He also continues work on the code as it relates to blighted properties. Also, Mr. Spitler is working on revisions to Chapter 74-19 as it relates to snow/ice removal from sidewalks. He is recommending changes to this very restrictive portion of the code.

Mr. Spitler has drafted a basic lease agreement for the recreation park-rental house. He discussed the general language of the draft and explained that this is replacing the existing verbal contract that exists between the town and Mr. Cave (tenant).

Town Attorney, Jason Spitler, said that he is also working on the title research for the American Legion tennis court property. He said that not much information is available and that he will suggest proceeding with a Quit Claim Deed. Mr. Spitler has also entered a Circuit Court Order for Ms. Inez Myers petition to be added to the Board of Zoning Appeals. Ms. Myers will need to appear before the clerk to take the required oath of office. Mr. Spitler also entered an order to grant a petition to revoke the pawnbroker's license for Mr. Emory King, Tactical Speed Shop. He added that this is certainly due to no fault of Mr. King, but rather is at the request of the owner so that he may be released from the bond requirement.

Mayor Presgraves asked about the disposition of the prior worker's compensation case. Mr. Spitler said that he does not recall exact dollar figures but the town was essentially responsible for the medical bills of this case. Ultimately, the individual did not meet the standards of a regular employee and therefore would not be entitled to wages or compensation.

ADJOURN

With no further business, Mayor Presgraves adjourned the regular session of the Luray Town Council at approximately 8:40 pm.

Barry Presgraves
Mayor

Danielle Babb
Deputy Clerk-Treasurer