

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

MONDAY, JUNE 09, 2014

The Luray Town Council met in regular session on Monday, June 9, 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

Council Present: Ronald Vickers
Pam Flasch
Mary Menefee
Leroy Lancaster
Joey Sours
John Meaney

Also Present:

Charlie Hoke, Town Manager
Bryan Chrisman, Assistant Town Manager
Mary Broyles, Clerk-Treasurer
Danielle Babb, Deputy Clerk Treasurer
Ligon Webb, Town Planner
Liz Lewis, Luray Downtown Initiative
John Robbins, Luray Page County Chamber
Bill Fisher, Luray Downtown Initiative
Mark Malone, Luray Downtown Initiative
Jason Spitler, Town Attorney
Fay McConnell, Luray Police Department
Jerry Schiro, Council Member-Elect
Jeff McMillan, Page News & Courier
Coty Gray, George Mason University Student
Mike Uram, Page County TRIAD
Floyd Maxey, 15 Moyer Avenue

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 Meaney led everyone in reciting the United States Pledge of Allegiance. Mayor Presgraves congratulated newly elected Council members.

CONSENT AGENDA

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

Consent Agenda

- A) Minutes of Regular Council Meeting - 5-12-14
- B) Minutes of the Council Work Session – 5-27-14
- C) Financial Report – Month Ending May 31, 2014
- D) Accounts payable checks totaling \$134,047.28

PUBLIC HEARINGS

Mayor Presgraves presented the public hearing for the proposed FY2014-2015 Budget and opened the hearing for citizen comment.

Floyd Maxey, 15 Moyer Avenue

Mr. Floyd Maxey spoke regarding the proposed budget and the fee increase for water and sewer rates. Mr. Maxey expressed that the fee increase is no different than a tax rate increase and would like to see what council can do for the taxpayer as opposed to an increase.

With no further comments from the public, Mayor Presgraves closed the public hearing.

DEPARTMENTAL REPORTS

Mayor Presgraves welcomed Mr. Coty Gray, student at George Mason University, who is serving as an intern with the town for the summer.

PLANNING AND ZONING

Town Planner, Ligon Webb, noted that the Planning Commission has one Public Hearing for June. The hearing will be to adopt the official revised zoning map. The map reflects several changes that have taken place since the spring of 2012. Mr. Webb advised Council members that three commission terms will expire on June 30, 2014. Those three commissioners are Mr. Clifton Campbell, Mr. Larry Hakel, and Mr. Ronald Good. Mr. Webb said that Mr. Campbell has indicated that he may not run for another term due to illness. Mr. Hakel and Mr. Good have both indicated that they are willing to serve another term. Mr. Webb has also included a letter between himself and the Project Manager for Valley Health concerning the traffic study on Memorial Drive. Valley Health has previously proffered \$165,000 for a traffic signal at the intersection of West Main and Memorial Drive. However, the first step is to conduct the traffic study with a revised deadline of August 15, 2014. Upon the completion of the study, Mr. Webb will reconvene with Valley Health to discuss the study's findings and then look at the most appropriate course of action for improving this intersection. Mr. Webb noted that Sign Ordinance revisions have been included in the Council packets for review with the assistance of Mr. Coty Gray. Lastly, he advised members that 8 Zoning Permits were issued for the month of May 2014.

TOWN AFFILIATED BOARDS AND COMMISSIONS

Luray Downtown Initiative

Mr. Bill Fisher provided members with a quick update on several items of business for LDI. He discussed the Grand Opening of the Market Collective and hopes that sales will continue to improve. He also updated members on grant opportunities; including Safe Routes to School and a Feasibility Study. He also mentioned recent discussions with Mayor Presgraves regarding Business Licenses for Market Collective participants and has provided a vendor list to the town. Mr. Fisher would like to address a proposal at the next Council meeting about a possible blanket license for the market. He would like to propose a concept similar to that of the Farmer's Market concerning the vendor business licensing. Mr. Fisher noted that the Art Filled Summer Day Camp is moving forward for the summer and that LDI plans to partner with Choices to sponsor kids who may have an interest in participating in the camp. Other updates were discussed regarding the Artisan's Trail network and the Mudfest/Mud Run planned for fall 2014.

Luray Page County Chamber of Commerce

Director, John Robbins, discussed the Chamber's website and said that it is primarily tourism driven. He noted that some additions will be made for information about starting a business in Page County and feels the concept is long overdue. He added that the Chamber will coordinate with the Page County EDA on this effort. Mr. Robbins stated that Virginia was among the top two states for Business in 2013 according to recent *Forbes* magazine statistics. Tourist traffic into the visitors' center was 1,864 for the month of May and phone calls were 520 for the month. The chamber's website saw 5,560 unique hits in May 2014. Mr. Robbins said that the office has received several inquiries about the brochure that details the murals of Luray, and asked to obtain more of these from the town. Last month a seminar was held regarding common mistakes on retirement planning. The seminar was held by Lantz and Gochenour who are new chamber members. The seminar saw 13 participants and received a great deal of valuable information regarding retirement planning. The Mudtober Fest event website is up and has already received several participant registrations. Mr. Robbins said the Chamber has recently awarded two scholarships for high school graduates. The Chamber staff also continues to work with the Artisan's Trail Network and the group is currently working to put together a management team. The Chamber will also host a naming event for the trail which is planned for September. On Saturday June 21st, the Chamber staff will be in Shenandoah National Park to participate in the community promotion event. Also, the Chamber recently received a \$25,000 reimbursement for advertisement costs as a part of the tourism grant. Mr. Robbins acknowledged that the LPCCC has received approval for grants four years in a row from the Virginia Tourism Corporation. On June 12th the Virginia Business Incubation Association will offer a seminar on supporting entrepreneurs and a town representative is welcome to attend.

ACTION ITEMS

Resolution for the Virginia Retirement

Town Manager, Charlie Hoke, presented the resolution for the Virginia Retirement System. There are two rate options, one is the Certified Rate of 14.74% and the alternate is 11.79%. The town's auditors and Treasurer Mary Broyles are recommending the Certified Rate of 14.74% which has been included in the town's draft budget proposal.

Motion: Councilman Vickers motioned to approve the VRS Resolution and rate of 14.74%, motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Flasch, Menefee, Lancaster, Sours, Meaney. **Approved 6-0**

Depot Update

Assistant, Town Manager, Bryan Chrisman updated members on the Depot Museum Project per Councilman Vickers request. Mr. Chrisman said that the contractors are approximately within 10% of completion on this project. Prior to re-opening the area to the public, the floors will be resurfaced in order to protect the labels, etc. Mr. Chrisman said that the funds for this have been included in next year's budget. A grand opening ceremony has been planned for early fall and he foresees a long list of invitees. Invitations will go out to representatives from Norfolk and Southern Headquarters, Norfolk and Western Historical Society, O.Winston Link Museum in Roanoke, and various local clubs and individuals who have been involved in the various phases of the depot renovation. Several items still need to be completed included the station master's office, the display cases, and spotter scope. Mr. Chrisman hopes that all projects will be completed by the end of July or early August. Councilman Vickers recalled at one time the train club members were interested in selling souvenirs. Mr. Chrisman said that a donation box is more appropriate.

Main Street Bridge Update

Mr. Chrisman said that he has received some historical photos of the Main Street Bridge. He noted that historian Dan Vaughan has provided some information and photos. He added that staff hopes to coordinate with Page News and Courier to assemble a sort of "yesteryears" column on the bridge history. Mr. Chrisman said that he has received information that state legislature bills may affect funding for local programs. He plans to attend an upcoming webinar to find out what the affect may be. Also, this subject will be the topic of this September's local programs workshop which he attends annually. Therefore, Mr. Chrisman hopes to have more information after both of these meetings.

Post –Issuance Tax Policy

Assistant Town Manager, Bryan Chrisman, said that this was discussed at the work session meeting. The 9-page policy has been included in Council's packet. The document was generated by the town's bond counsel for this purpose. This policy is a requirement by the IRS for local governments to be able to acquire and administer tax-exempt debt. Regardless of the pending interim financing for the bridge, this policy is also beneficial for any future borrowing. Mr. Chrisman said that this is an action item and will allow the town's bond counsel to move forward.

Motion: Councilwoman Menefee motioned to approve the Post-Issuance Tax Policy as presented, motion seconded by Councilwoman Flasch with the vote as follows: YEA: Council Members Vickers, Flasch, Menefee, Lancaster, Sours, Meaney. **Approved 6-0**

Mr. Chrisman said that he currently has a draft of the request for proposal from Ms. Carolyn Perry. The revisions are currently being made and the document is schedule to go out to local banks later this month. Then June 26-July 3rd the notice will be published for the entire loan amount. The deadline for submissions will be July 7th, with a public hearing held on July 14th. Council will be provided with a summary of bidders along with recommendations from bond counsel and the town's audit firm.

TOWN ATTORNEY'S REPORT

Town Attorney, Jason Spitler, discussed changes to Chapter 90, Section 90-1 of the Town Code regarding Grass, Weeds, or other Foreign Growth. The ordinance revisions permit Council to make a distinction between developed versus un-developed property, if they so choose. Mr. Spitler said that he is in no rush to adopt this ordinance however Mr. Hoke may see a more pressing need due to the current mowing season. Mr. Spitler said

that 12-inches is the standard height restriction for maintaining ones grass. Mr. Spitler added that the primary motivator of these amendments is to provide the town with a mechanism for enforcement and to allow the clean-up and billing for the property. Mr. Hoke said that currently the town receives the complaint and sends a third party to cut the grass, then the town receives a bill for the mowing fee. Currently the town has no method to recover the cost of this service. Mr. Spitler said that typically the situation involves the same repetitive offenders and are sometimes developers who are not maintaining their property. Councilman Sours asked for clarification on ‘reasonable notice’ and asked about repeat offenders. Mr. Hoke advised that notice is in advance and in writing before the property is cleaned-up by a third party. Mr. Spitler said that the town has closely followed the state code in these revisions and in many instances defines the time frame as “reasonable notice”. Therefore, leaving this timeframe to the discretion of the council/town manager. Councilman Lancaster suggested looking at these revisions further at a work session meeting.

Mr. Spitler discussed the revisions to Chapter 74 of the Town Code, Section 74-19 regarding the removal of snow and ice from sidewalks. Councilman Lancaster requested to come up with some terminology and to eliminate the listing of businesses. Councilwoman Menefee and Councilman Sours both questioned the list also. Mr. Spitler said that he felt this was a better explanation of which businesses should be more compelled to keep its sidewalks free of snow and ice. Councilman Meaney said he felt the listing was inappropriate. Mr. Spitler said that Council does not have to discern between areas of high business traffic and residential properties. Mr. Spitler offered to talk with the Town Planner to come up with terminology to handle this discrepancy. Mr. Spitler asked if all members were in agreement on the 12-24 general rule. Members agreed and felt they still needed to determine if there would be a different rule for business owners who were open to the public. Mr. Spitler said that he will get back to work on this ordinance and bring back for review.

ANNOUNCEMENTS

Mayor Presgraves reminded everyone that the Employee Picnic will be held on July 3rd at Lake Arrowhead and that we will eat at 12:30 rather than 1:00pm. Also, he announced that the Stanley Parade is on Saturday, July 5th and council members will meet at the town office to attend the parade.

EXECUTIVE SESSION

Real Property, Section 2.2-3711.A.3

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

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

Motion: Councilman Sours motioned to adjourn the closed session and to reconvene in open session; Councilman Meaney seconded the motion with the following members voting YEA: Council Members Vickers, Flasch, Menefee, Lancaster, Sours, Meaney. **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.1 were heard, discussed, or considered during the closed session. **The roll was called with all members certifying “Yes”.**

ADJOURN

With no further business, Mayor Presgraves adjourned the regular session of the Luray Town Council at approximately 9:25pm.

Barry Presgraves
Mayor

Danielle Babb
Deputy Clerk-Treasurer