

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

MONDAY, JANUARY 8, 2018

The Luray Town Council met in regular session on Monday, January 8, 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:

Bryan Chrisman, Acting 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

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 Lancaster with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

Consent Agenda

- (A) Minutes of a Special Meeting 12-9-2017
- (B) Minutes of the Regular Council Meeting –12-11-2017
- (C) 2018 Holiday and Council Schedules
- (D) Financial Report – Month Ending 12-31-2017
- (E) Accounts payable checks totaling **\$ 130,730.54**

TOWN BOARDS AND COMMISSIONS

Meredith Dees, Luray Downtown Initiative

Ms. Meredith Dees advised members that she will be taking maternity leave from March 5th – June 11th, 2018. During this time LDI will be utilizing a short term administrative assistant. Ms. Dees provided a copy of the advertisement and said that the deadline for resumes is February 5th. Ms. Dees also noted that at the recent LDI board meeting her contract was renewed. Upcoming events include the Virginia Main Street directors retreat in Fredericksburg, which Ms. Dees will be attending. Also, there will be the first Arts and Artisans event held downtown this spring, which LDI is partnering to host. May 18th will be the annual Chicken Chow Down event at the Luray Caverns Burner Barn. Lastly, the Elected Official Breakfast will be held at the Mimslyn Inn this Thursday, January 11th.

UPDATES AND DISCUSSION ITEMS

Greenway Feasibility Study Report

Acting Manager, Bryan Chrisman, updated Council members of the Greenway Feasibility Study Report. Mr. Chrisman provided a progress report from Racey Engineering and noted that David Reed is drafting his legal opinion. Mr. Chrisman said that once the legal report is received this will be matched up to the Racey Engineering survey report. He noted that the legal opinion will be based on the ownership or lack of, and easements. Mr. Chrisman plans to have the legal report by February 1st.

RHD Rec Park Proposed Field Usage Fees

Acting Manager, Bryan Chrisman, discussed the proposed field usage fees. He noted that the issue has already been previously discussed by Council and the Parks Director is recommending an increase of \$25 per field per day. The increase is an attempt to bring the Town closer to a break-even point for field prep and maintenance. Mr. Chrisman explained that the Town wishes to stay in close comparison to nearby fields in order to keep these facilities in use. He explained that the increase in fees will bring the Town closer to actual costs spent, but will still fall short if the fields need extensive repairs or materials. He explained that depending upon weather conditions, more materials and time may be needed. Mr. Chrisman said the fee increase will assist with recovering the Town's cost without being cost prohibitive.

Councilman Lancaster felt that even with the fee increase, they are still getting a steal. Councilwoman Pence felt that perhaps the fees should be even higher to recover costs. Mr. Chrisman also clarified that these fees are only for outside tournaments and that local groups are not charged for the use of the fields. He stated that the Town may increase fees this year and reevaluate next year if needed. Councilman Vickers confirmed that this is the first time fees have been increased. Councilwoman Pence suggested that staff needs to think of some other ways to utilize these field to produce additional revenues, perhaps as a concert venue, etc. She stated that less than 2% of the users likely stay in Town. Ms. Pence said that the fields are not bringing the Town the revenue we think they are. Councilman Schiro suggested a survey of some form to track those folks staying in Town, dining, etc. Mr. Chrisman continued that the Town does not want to price themselves out of competition with nearby fields. He said that we can continue to use them for the purpose they were built or come up with something else. Mr. Chrisman said that in terms of revenue we are talking about two types; revenue from usage fees and indirect revenues from lodging, dining, shopping, etc.

Mr. Chrisman said the scout area at Lake Arrowhead is also included in the fee schedule. The Town already charges out of area scouting groups a fee of \$50. Mr. Chrisman said that goal is to get the fee schedule out ahead of the 2018 season. He would like to get these fees updated and posted on the website. The fee schedule would be altered mid-cycle and also included as a part of the upcoming budget cycle. Councilman Lancaster reminded that so far members have only discussed the cost of field maintenance but a very important part is the equipment maintenance also. He noted that the equipment repairs for the machines used to maintain the fields can be very costly. Council members agreed to update the fee schedule accordingly and to include in the upcoming budget cycle.

Professional Licensure Draft Policy

Mr. Chrisman presented the Draft Professional Licensure Pay Increase Policy to council members in regards to Commercial Driver's Licenses and Water/Wastewater Licenses. Mr. Chrisman explained that the draft policy is an attempt to encourage employees to obtain such licenses or to increase their level of existing licensure. He noted that while the dollar figure may not be significant the gesture may be more of an incentive. The Town has experienced a shortage of individuals with these types of licenses primarily due to a lack of financial incentives. Mr. Chrisman explained that these licenses are critical to the operations of both the Water and Wastewater Plants and the operation of CDL vehicles. Mr. Chrisman explained that according to the draft policy, the Town will provide a one-time bonus of \$500 after taxes for any employee who obtains a new license or who increases their level of license. As an added benefit the employee will receive a percentage increase in salary.

Councilwoman Pence questioned the time and financial impact these licensures have for the employees. Mr. Chrisman explained that the Town pays for the necessary expenses for employees to pursue and maintain these licenses. He noted that the CDL licenses are fairly inexpensive; the more costly tests are for water and wastewater. Council members also discussed the tuition reimbursement policy. Councilman Lancaster said that the employee should pay for the classes and be reimbursed only after passing the test. Councilman Schiro said it is important to build some depth in the water and wastewater staff in terms of licensing. Mr. Chrisman said the goal is to get an incentive program in place initially, then see if it needs to be adjusted in subsequent years. Ms. Pence felt this should be discussed further at a work session meeting.

Tuition Reimbursement Draft Policy

Acting Manager, Bryan Chrisman, discussed the proposed changes to the Personnel Manual regarding the Town's Tuition Reimbursement Policy. He noted that as it is currently written, the Town's policy is very vague with little criteria stated. He noted that the Draft Licensure Policy is an addition to the Personnel Manual, while the tuition reimbursement is a clarification. Mr. Chrisman advised that the new policy would address courses of study applicable to one's job, a written request for tuition assistance, grade verification, and itemized receipts. For extensive courses of study, the employee would need to submit a written employment commitment/ As well, the supervisor would need to evaluate the course costs for their departmental budget. Members also suggested discussing this further at a work session meeting and perhaps determining a ceiling on tuition reimbursement. Councilman Vickers agreed with the draft policy as written.

Tourism Zone Draft Program Outline

Mr. Chrisman presented the first draft of the Tourism Zone Program Outline to Council members. Mr. Chrisman provided a copy of the statute that allows any city, county, or town to establish by ordinance the tourism zone; within the tourism zone the locality may grant tax incentives. The council has already expressed

interest in the Tourism Zone establishment and given staff the directive to develop a draft plan. Along with the draft Plan are two examples; one showing a business that can participate in period two of the program and one that cannot. The concept of the program was modeled after Wytheville's program, but with a plan that is a bit simpler and easier to implement. Mr. Chrisman reminded that whatever program is put in place, must also be implemented by Town staff. Mr. Chrisman reviewed the necessary qualifications for the program and explained that the reimbursement is applicable to meals, lodging, and business license taxes. The staff report highlights ten criteria regarding the program. The emphasis on meals, lodging, and business license taxes are the most easily traceable and the business owner is already paying these. Mr. Chrisman feels these are the easiest areas of implementation. Members discussed that this is applicable to any business in B1 zoning. Mr. Lancaster clarified that this would not be specifically geared toward "tourism" related businesses. Councilman Vickers expressed concern about this affecting the Town's revenues. Councilman Dofflemyer reminded that the refund would only be based on the increase in revenues. Councilman Sours analyzed the growth pattern and felt that saying this is money we wouldn't have anyway would imply a zero percent growth rate. Mr. Chrisman said that the benchmark year is the basis for the increase, not based on previous history. Councilwoman Pence clarified that comments are wanted regarding the draft program. Mr. Chrisman said that he will bring this back as an update item or action item depending on the comments received. Councilman Schiro said that the transient occupancy and meals taxes are both "pass through" items, paid by the customer passed on to the locality. He said this may not be a decision maker for many businesses. However, a rebate on the business license tax likely would be. Councilman Schiro questioned if the rebating transient and meals taxes is permissible by law. Mr. Chrisman explained that the state code provides by ordinance this incentive in a tourism zone. Mr. Chrisman said that Mr. Botkins may need to look into this to clarify. Members continued to discuss this and agreed to work on the details. Councilman Schiro complimented Mr. Chrisman's work on the draft plan.

ITEMS FOR COUNCIL ACTION

Planning Commission Appointment

Councilman Lancaster nominated Brooke Downing to the Luray Planning Commission. Councilman Schiro stated that he sees a lot of potential for conflict with this nomination. Councilwoman Pence suggested Mr. Vickers idea of soliciting for interested residents. Ms. Pence agreed that this nomination may not be the best idea. Councilman Schiro noted that Ms. Downing does supply staff reports to the Planning Commission as a part of her job duties and this may cause potential problems. Mr. Chrisman explained that according to the Code, Ms. Downing can be a staff member and also a member of the Commission. Town Attorney, Jason Botkins, said that Mr. Chrisman's interpretation of the Code is correct. However, Mr. Botkins stated that he could agree with both positions on the issue and the likelihood for potential problems. Councilman Lancaster withdrew the nomination.

Town Charter Update Proposal

Acting Town Manager, Bryan Chrisman, stated that enclosed in the Council's packet is a proposal from Jason Botkins. The proposal e-mail suggests that each member of the Council review the Town Charter for updating, rather than several chapters of the Town Code. Outside of a complete review of the Charter, only specific areas of the code will be reviewed as needed.

Motion: Councilman Schiro motioned to have the Town Attorney review the Town Charter and bring up to date, motion seconded by Councilman Dofflemyer with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

Luray Arbor Day Proclamation

Mr. Chrisman provided the 2018 Arbor Day Proclamation for Council action. This year's event is set for April 21st at Yager's spring.

Motion: Councilman Vickers motioned to approve the 2018 Arbor Day Proclamation, motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

EXECUTIVE SESSION

Real Property – 2.2-3711 (A) (3) Brown's Building and Main Street Bridge
Personnel Matters – 2.2-3711 (A) (1) Town Manager

Mayor Presgraves requested a motion to adjourn into Executive Session for the purpose of discussing matters relevant to Section 2.2-3711.A.3 and 2.2-3711.A.1.

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

Motion: Councilman Vickers motioned to adjourn the closed session and to reconvene in open session; Councilman Schiro seconded the motion with the following members voting YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

Mayor Presgraves requested to certify the closed session; with the following members voting YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

ACTION TAKEN

Motion: Councilman Schiro motioned to authorize Mr. Chrisman to provide supporting documentation for a Vibrant Community Initiative grant application for downtown redevelopment; Councilman Sours seconded the motion with the following members voting YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. **Approved 6-0**

ADJOURN

With no further business, the meeting was adjourned at 9:59 pm.

Barry Presgraves
Mayor

Danielle Babb
Deputy Clerk-Treasurer