

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

**Monday, August 9, 2021**

The Luray Town Council met in regular session on Monday, August 9, 2021, 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 Jerry Dofflemyer

**Council Present:**

Ron Vickers  
Stephanie Lillard  
Jerry Schiro  
Jason Pettit  
Joseph Sours  
Ligon Webb

**Also Present:**

Steve Burke, Town Manager  
Bryan Chrisman, Assistant Town Manager  
Mary Broyles, Clerk Treasurer  
Danielle Babb, Deputy Clerk Treasurer  
Chief Bow Cook, Luray Police Department  
Jason Botkins, Litten & Sipe  
Jackie Elliott, Luray Downtown Initiative  
Margaret Stevenson, 101 Pass Run Drive, Luray (Citizen Comment)  
Donald Feliciano – 192 Stagecoach Lane, Luray (Citizen Comment)

*(This meeting was made public via the Town's Facebook page. Public comments were accepted prior to the meeting via e-mail to [sburke@townofluray.com](mailto:sburke@townofluray.com)).*

A quorum being present, Mayor Dofflemyer declared the Council to be in session for the transaction of business. The roll was then called with all Council members present. All present stood for a moment of silence. Councilman Pettit led everyone in the United States Pledge of Allegiance.

**CONSENT AGENDA**

**Motion:** Councilman Vickers motioned to approve the Consent Agenda as presented, motion seconded by Councilwoman Lillard with the vote as follows: YEA: Council Members Vickers, Lillard, Schiro, Pettit, Sours, Webb. **Approved 6-0**

***Consent Agenda***

- (A) Minutes of the Regular Council Meeting –7-2-2021
- (B) Minutes of the Work Session- 7-27-2021
- (C) Accounts Payable checks totaling- \$ 120,867.27

## **GENERAL CITIZEN COMMENTS**

### **Margaret Stevenson – 101 Pass Run Drive, Luray**

Ms. Stevenson spoke regarding a problem with the restrooms at Cliffside Pocket Park. Ms. Stevenson explained that the restrooms are on an automated lock system which causes the facility to close at 7pm. She explained that during the Concerts on Main at Ruffner Plaza the restrooms are closed for concert goers. Ms. Stevenson said she has discussed this with Superintendent Jennifer Jenkins, who has coordinated changing the locks with Captain Wagoner of the Luray Police Department. Ms. Stevenson hopes the issue can be resolved.

Councilman Pettit noted that a newer restroom facilities closer to the Plaza would be nice. Town Manager, Steve Burke, reminded that there are portable restrooms facilities located at the Plaza for use by concert attendees and attention is paid to being serviced on Fridays. Council members and staff discussed the intent of closing the restrooms at an earlier time as an attempt to prevent vandalism, however; they hope a solution can be found.

### **Donald Feliciano- 192 Stagecoach Lane, Luray**

Mr. Feliciano explained that while he is not a Town resident he would like to see the Town of Luray follow other municipalities who have developed a dog park. Mr. Feliciano explained that he currently owns several therapy dogs that serve the local assisted living facilities. He explained that working with these dogs is extremely gratifying and would like to see a park facility for their recreation. Mr. Feliciano noted other nearby municipalities with such parks and questioned why Luray has not followed suit.

Councilman Schiro noted his management experience at other localities. He emphasized that the dog parks present a significant liability for the locality. In addition animals must be properly vaccinated, separated by size, and the area must be staffed for maintenance seven days a week. He added that from a municipal standpoint the issue is more complex with many downsides. In addition, Councilman Schiro noted that we do live in a very rural community and Luray also has a Greenway which is pet friendly. Mayor Dofflemyer thanked Mr. Feliciano for his comments and stated that Council would take these under advisement. Councilman Vickers encouraged Mr. Feliciano to raise local awareness and support for the park.

## **PRESENTATIONS**

### **Luray Downtown Initiative**

Program Director, Jackie Elliott, said that despite being on vacation this week she wanted to attend tonight's meeting to formally thank the Council. Ms. Elliott thanked Council for their annual contribution to LDI for the new fiscal year. Ms. Elliott provided Council and Staff with a copy of the new downtown brochure/ map. Lastly, she reminded of the upcoming Sunflower Festival in September and looks forward to a very successful event.

## **PUBLIC HEARINGS**

### **Code Amendment- Article IV, Section 412- Open Space/Park (OSP)**

Town Manager, Steve Burke presented the Public Hearing information regarding the consideration of the draft Code Amendment to Article IV, Section 412- Open Space/ Park (OSP). The intent of the amendment is to define Open Space/ Park Zoning District for conserving natural resources, promoting outdoor recreation, and protecting undeveloped areas. By right uses in the OSP District will include public parks, recreational areas, forests, preserves, conservation areas, agriculture, and cemeteries. Public service facilities, bed and breakfast homes, commercial recreation facilities, and campgrounds are uses considered in the OSP by Special Use Permit application.

Mayor Dofflemeyer opened the Public Hearing for citizen input. With no one present to speak, the hearing was closed. Councilman Sours explained that he believes the provision for cemeteries in the by right use would be better suited under the provision for special use permit. Council members and staff discussed scenarios they felt could arise from leaving the use as by-right and agreed to amend the motion. Councilman Webb reiterated that the main intent of the Code Amendment is for Town properties, specifically Town of Luray parks.

**Motion:** Councilman Schiro motioned to approve the Code Amendment to Article IV, Section 412- Open Space / Park (OSP) Zoning District with the amendment to Cemeteries as permitted by Special Use Permit application approval, to take effect immediately after adoption. Motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Lillard, Schiro, Pettit, Sours, Webb.

**Approved 6-0**

### **Code Amendment- Article III- Zoning Map & Zoning District- Open Space**

Town Manager, Steve Burke, requested the Council conduct a Public Hearing to consider the draft amendment to Article III, Section 302- Zoning Districts to include the Open Space/Park District. Mr. Burke said that the Planning Commission unanimously approved this at their July meeting. Mayor Dofflemeyer then opened the hearing for citizen comment. With no citizens present to speak on the issue, the hearing was then closed. Councilman Pettit clarified that Open Space Zoning District designations are not automatic but require the property owner's initiation, whereas they are not a Town owned property.

**Motion:** Councilwoman Lillard motioned to approve the Code Amendment to Article III, Section 302- Zoning Districts to include OSP Open Space/ Park Zoning District as presented, to take effect immediately after adoption. Motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Lillard, Schiro, Pettit, Sours, Webb.

**Approved 6-0**

### **Rezoning- 120,122,124 North Hawksbill Street**

Mr. Burke presented the final Public Hearing for the evening regarding a request from Valley Care Management to rezone parcels 42A4-A-37 (124 N. Hawksbill St.) 42A4-9-1 (122 N. Hawksbill St.) and 42A4-A-49 (120 N. Hawksbill St.) to the B-1 Zoning District from the existing split zonings. The parcels currently include B-1, R-3, and M-1. Mr. Burke said that the Planning Commission unanimously approved the request

from Valley Care Management. Mayor Dofflemyer opened the Public Hearing for comments, with no one signed up to speak the hearing was closed.

**Motion:** Councilman Sours motioned to approve the rezoning request from Valley Care Management to rezone parcels 42A4-A-37, 42A4-9-1, and 42A4-A-49 to Business (B-1) Zoning District as presented. Motion seconded by Councilwoman Lillard with the vote as follows: YEA: Council Members Vickers, Lillard, Schiro, Pettit, Sours, Webb.

**Approved 6-0**

## **ACTION & DISCUSSION ITEMS**

### **VDOT Application- College Drive and Allison Drive**

Town Manager, Steve Burke, requested the Council consider the adoption of the Resolution for Adoption of Request for Street Additions for Municipal Assistance Payment to VDOT to request College Drive and Allison Drive be incorporated into the Urban Maintenance Program. The Council has previously accepted both streets and the adoption of this Resolution will formally allow for the Town to receive maintenance funding for both roads.

**Motion:** Councilman Pettit motioned to adopt the Resolution for Adoption of Request for Street Additions for Municipal Assistance Payments as presented. Councilman Pettit further motioned that Town Council authorize the Town Manager and Assistant Town Manager to execute any additional documents necessary to complete the process to add these streets to the VDOT Urban Maintenance Program and to adjust road dimensions as determined by VDOT. Motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Lillard, Schiro, Pettit, Sours, Webb. **Approved 6-0**

### **ARPA Funding**

Town Manager, Steve Burke presented a draft outline of proposed ARPA funding usage. Mr. Burke stated that there is still no final guidance for the Department of Treasury that would provide greater details on the eligibility of projects/purchases. Currently the Police Department has requested to purchase four cruisers with ARPA funds. The vehicles are approximately \$45,000 each. The Town Attorney has indicated that the current interim guidance does not explicitly allow the use of these funds for police equipment. However, if Council authorizes the purchase/ ordering of these vehicles, staff would propose the use of Revenue Recovery funds for this expense. Staff encouraged Council that if they are so inclined to approve the vehicle purchase that they do so, due to the long lead time from the manufacturer.

Council and staff reviewed the proposed outline of funding allocations. Councilman Webb felt that the 60 page draft document from the Treasury in June, should be enough initial guideline to move forward. Mr. Webb said that some localities are already handing out checks. Staff then further discussed the revenue recovery portion and what those funds can be used for. Councilman Schiro furthered that the revenue recovery ratio is a standardized formula for the recovery amount. He noted that it can be used for general fund expenses and the Town does not necessarily have to show a loss to use it. Councilman Webb asked if the Town had received specific requests from fire and rescue organizations. Mayor Dofflemyer and Mr. Burke noted that many non-profit requests had already been received and these allocations are lower than the amounts requested. Councilman Webb inquired about the Imagination Station renovation. Mr. Burke said that the

improvements were included in the FY22 Budget but would require loan funding. Councilman Webb continued that he would like to see some of the area non-profits; including Arise, Page One, and Choices, receive more funding and to do so more quickly. Councilman Sours countered that the Council should not be picking which entities receive funds, but would agree that non-profits should receive more than a small percentage of the overall ARPA allocation. Councilman Schiro stated that the criteria for some of the Town's spending should be on sustainable projects that will benefit all taxpayers of Luray. He explained that improving the town's water and sewer infrastructure are critical to reducing expenditures and eliminating future debt. Councilman Pettit said that he would like see financial reports from non-profit organizations and that requests for funding be project specific. Mayor Dofflemeyer noted that the Annual VML Conference is only a few weeks away and that it may be beneficial to network with other localities at the conference to gain insight on how they are handling these funds.

**Motion:** Councilman Vickers motioned to authorize staff to purchase four Police Department vehicles with funding from the ARPA funds. Motion seconded by Councilman Pettit with the vote as follows: YEA: Council Members Vickers, Lillard, Schiro, Pettit, Sours, Webb.

**Approved 6-0**

### **TOWN ATTORNEY**

Mr. Botkins said he had nothing further this evening.

### **COUNCIL'S COMMENTS**

Councilman Webb complemented the recent Evenings on Main Concert. Friday evening's concert was a tribute to "Mokey" Blauser who was the Town's long time sound engineer for the concert series. Mr. Webb would like to reach out to his family and propose a Proclamation in his honor.

### **MAYOR'S COMMENTS**

Mayor Dofflemeyer read aloud a thank you letter from the Page Public Library Association for their annual contribution.

*-Recess-*

### **EXECUTIVE SESSION**

- 2.2-3711(A) (29)- Award of Public Contract**
- 2.2-3711(A) (1)- Town Manager Performance**

Mayor Dofflemeyer requested a motion to adjourn into Executive Session for the purpose of discussing matters relevant to Section 2.2-3711.A.1 and 2.2-3711.A.29.

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

*-Closed Meeting-*

**Certification:** Mayor Dofflemyer asked members of Council to certify that to the best of their knowledge only matters covered under Section 2.2-3711.A.1 and 2.2-3711.A.29 were heard, discussed, or considered during the closed session. **Motion:** Councilman Schiro motioned to certify the closed session; Councilman Pettit seconded the motion with the following members voting YEA: Mayor Dofflemyer, Council Members Vickers, Lillard, Schiro, Pettit, Sours, Webb.

**Motion:** Councilman Schiro motioned to approve the cost of living adjustment to the Town Manager's salary, the same amount as other employees, effective July 1<sup>st</sup> 2021. Motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Lillard, Schiro, Pettit, Sours, Webb.

**Approved 6-0**

**ADJOURN**

With no further business, the meeting was adjourned at 9:23pm.

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Jerry Dofflemyer  
Mayor

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Danielle Babb  
Deputy Clerk-Treasurer