

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

MONDAY, NOVEMBER 13, 2017

The Luray Town Council met in regular session on Monday, November 13, 2017 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

Council Absent: Leah Pence

Also Present:

Bryan Chrisman, Acting Town Manager
Mary Broyles, Clerk-Treasurer
Danielle Babb, Deputy Clerk-Treasurer
Carl "Bow" Cook, Chief of Police
Chris Stoneberger, Luray Police Dept.
Jason Botkins, Litten and Sipe LLP
Meredith Dees, Luray Downtown Initiative
Lowell Baughan, Page County Railroad Club

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 Dofflemyer led everyone in the United States Pledge of Allegiance.

CONSENT AGENDA

Motion: Councilman Schiro motioned to approve the Consent Agenda, motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours.
Approved 5-0

Consent Agenda

- (A) Minutes of the Regular Council Meeting – 10-10-2017
- (B) Financial Report Ending October 31, 2017
- (C) Accounts payable checks totaling \$ 368,527.25

LURAY DOWNTOWN INITIATIVE

Meredith Dees, Luray Downtown Initiative

Mrs. Meredith Dees presented updates for Luray Downtown Initiative and advised members of the “Evening on the Bridge” video that is available. Mrs. Dees said that the popular question is “How much did we make”? She said that the final numbers are not in just yet, but she hopes to have an amount in the next few weeks. Mrs. Dees noted that 200 guests attended the fundraising event and 17 local sponsorships were received. Mrs. Dees said the response was overwhelming and LDI hosted 15 volunteers for the evening in addition to its board members. Mrs. Dees said that the verbal feedback has been incredibly positive and that LDI could not have done this without the support of Council. Mrs. Dees explained that the funds raised from the event have been earmarked for updating the downtown banners. She is confident that this project can be funded from the event and the project should be complete by Spring 2018. Mrs. Dees hopes the new banners will add to the ‘Luray Brand’ and that locals will be very proud of the project.

Councilman Vickers suggested hosting another “Dinner on the Bridge” Event at the opening of the new Main Street Bridge. Councilman Dofflemyer complemented the sense of community and overall feel of the recent event. Councilman Dofflemyer also complemented the lights that were over the bridge and the engineering work. Mrs. Dees credited the Town Public Works Department with the light display work. Councilman Vickers complemented the new portable message board signs. Mr. Chrisman explained that the town has recently purchased these for traffic control purposes.

Mrs. Dees said that the next big event for LDI will be Small Business Saturday on November 25th, 2017. The event is a nationwide effort sponsored by American Express. LDI will be combining efforts with the Page County Chamber of Commerce to assist local small businesses in all three Towns. Mrs. Dees provided members with some informational handouts regarding the event and noted that a Welcome Center will be staffed in each Town. The Luray Welcome Center for Small Business Saturday will be at the Luray Fire Hall and shoppers can obtain their downtown passport at the center and can participate in giveaways. Shoppers can fill their passport by making purchases at local shops, restaurants, and service locations. Prizes will be awarded to those with four items checked on their passport. Mrs. Dees noted there will also be several pop-up shops located inside the Art Warehouse.

The Tree Lighting Ceremony at the PAL center will be held on December 1st, 2017 following the Chamber of Commerce Open House Event. She noted that there will be new decorations at the PAL center in hopes of creating a more inviting entry to this traffic corridor. Councilman Vickers complemented the Trick or Treat on Main Street Event. Mrs. Dees said that LDI estimated approximately 300 children participated.

OLD BUSINESS

Train Club Request

Mr. Lowell Baughan spoke to members regarding a request from the Page County Railroad Club. Mr. Baughan explained that the club is requesting to utilize the Brown’s building, specifically the former dining room, as a meeting place. Mr. Baughan said that Mr. Chrisman has met with the Page County Building Official and has been kind enough to forward Mr. Williams’s comments on to the club. Mr. Baughan noted that handicapped accessible restrooms are a concern, but that the existing restrooms would be grandfathered in. Another issue of note is the handicapped accessible entrance, which is available via the Main Street entry door. Mr. Baughan explained that the dining room area will need to be secured and that the club is able to close off the area. Another area of concern is heat and water for the building. Mr. Baughan said that the club is prepared to pay the difference

in the heating bill, but not to pay for costs if the building wasn't at least heated to some degree. He also suggested the Town provide the water service. Mr. Chrisman said that currently the building is not connected to water and has been winterized. Mr. Chrisman said that the County Building Official would need to sign off on a partial occupancy permit.

Mayor Presgraves asked how this space would be utilized in comparison to the existing museum display. Mr. Baughan explained that the club is proposing this area as a meeting space and work area. Councilman Lancaster inquired about an age requirement for new prospective members. Mr. Baughan said that the age for new members would be 12 and up. Mayor Presgraves asked if a cost analysis had been conducted. Mr. Chrisman said that he feels it would be best to meet with Mr. Baughan and look at the costs associated with the request and then meet back with Council. Councilman Schiro stated that the utilization of the space would essentially be very short term due to the bridge construction. Mr. Schiro felt that the club would not realistically benefit from the space during the bridge closure due to equipment and lack of parking. The Town hopes to begin construction in early 2018 and members also discussed effects of the building use on the VCI Grant Application. Councilman Schiro suggested nailing down a more firm timeline for the use of the space. Mr. Baughan reiterated that the main issue is the heat and water for the space and that the club must move from its existing meeting space by December 1st. He noted that the club is always looking for free space because of its financial status. Councilman Vickers expressed concerns about setting expectations for others to want to use such spaces. Members and Staff continued to discuss the current VCI Grant Application and any impacts that use of the space might have on this. The Mayor and Council directed Acting Manager, Bryan Chrisman, to work with Mr. Baughan and bring back more information to the Council. Mr. Chrisman noted that he has an upcoming meeting with J. Rex Burner, Inc. to discuss heating issues at the Brown's building. Mr. Baughan concluded by thanking the Town for their willingness to work with the club and to assist in offsetting their costs.

UPDATES AND DISCUSSION ITEMS

Drug Interdiction Briefing

Police Chief Cook updated Council members on recent drug interdiction efforts on behalf of the LPD and provided statistics from 2014 to current. In 2014, 21 drug arrests were made and statistics have increased to 65 year to date drug arrests in 2017. The department currently utilizes a police K9 from the Page County Sheriff's Office. Since the Sheriff's Office obtained their K9, the dog has conducted 71 vehicle searches and 31 of those have been for the Town of Luray, resulting in a 43% usage rate by the Town. Chief Cook explained that use of the K9 has resulted in 32% of the department's narcotic charges. Councilman Vickers asked Chief Cook for his opinion on the drug problem locally. Chief Cook said that the drug problem in our community begins as early as 12-14 years of age and reminded that juvenile offenses are not public. He noted that Luray has been identified as a high drug traffic area due to its proximity to major highways and Northern Virginia. Councilman Schiro asked if the department is seeking approval for implementation of a K9 program. Councilman Schiro said that the previous police study did not warrant a police K9, but stressed that this study is now 13 years old and likely outdated. Chief Cook explained that with community support, the cost of the program is surprisingly minimal. Mayor Presgraves noted that the Town of Shenandoah is utilizing the K9 Program and many of their donations come from Luray. Chief Cook added that Blue Mountain Animal Clinic also provides veterinarian care free of charge for the department. Members and staff discussed training needed for the department. Lt. Chris Stoneberger noted that dues are paid annually to the Virginia Police K9 Association which gives access to training and instruction. He added that the program would be federally and state accredited. Mayor Presgraves, along with Council members, all stated their support for the program and advised Chief Cook to begin the process necessary to implement as discussed. Chief Cook thanked the Council for their support.

Interim Financing Proposal

Acting Manager, Bryan Chrisman, presented the proposal from Blue Ridge Bank for Interim Financing Note #4. The note will provide the next extension of the Town's interim financing for the bridge project. Mr. Chrisman said that Town Attorney, Jason Botkins, has drafted an advertisement and a public hearing will be held at the December 2017 meeting. The Town's note #3 expires in December 2017. Mr. Chrisman said that Blue Ridge Bank has assured him that the Town can implement the new note with no lapse of financing for the project.

ITEMS FOR COUNCIL ACTION

VDOT Revenue Sharing Resolution

Acting Manager, Bryan Chrisman, presented the action item for the VDOT Revenue Sharing Resolution. Mr. Chrisman said that at the recommendation of VDOT, the Town completed an application for full funding for the intended completion of the corridor enhancements to Memorial Drive. These items are in addition to the traffic signalization and drainage improvements in the area of West Main Street.

Motion: Councilman Dofflemyer motioned to approve the VDOT Revenue Sharing Resolution as presented, motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours. **Approved 5-0**

VDOT Transportation Plan Resolution

Acting Manager, Bryan Chrisman, presented the resolution supporting an updated Transportation Plan for the Town. The last adopted resolution was approved in November 2013, while a few modifications were made in 2015. Mr. Chrisman stressed the importance of transportation plans in terms of being eligible for state and federal monies. Staff will incorporate this plan into the Town's Comprehensive Plan 2018 which is currently being updated. The plan will only list projects by priority and type, but does not contain construction estimates. Mr. Chrisman noted the importance of being prepared to apply for grant opportunities in order to utilize Town funds more efficiently.

Councilman Vickers inquired about the Cave Hill Road and US Highway 211 intersection. Mr. Chrisman said that what needs to take place on the Cave Hill side of the road is identical to what is going to take place on Northcott in terms of providing a new turn lane. Mr. Chrisman said the Caverns also has plans to increase their parking availability. Councilman Lancaster also pointed out a drainage issue on US Highway 211 in the area of the caverns. Mr. Chrisman said that the Town crew will address this.

Motion: Councilman Lancaster motioned to approve the VDOT Transportation Plan Resolution and Capital Improvement Plan Priority and Ranking as presented, motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours. **Approved 5-0**

Nuisance Ordinance Amendments

Mr. Chrisman presented the Nuisance Ordinance Amendment provided by the Town Attorney. Discussions on the issue began about three months ago and several other localities have adopted similar ordinances. This amendment will replace Chapter 42 of the Town Code. Town Attorney, Jason Botkins, informed members that the goal of the amendment is to ensure that nuisances are defined as set forth by the State Code. Nuisances are defined as those items which arise from dangerous and unhealthy substances, structures, etc. Another goal of the

amendment is to define the penalty for such violations; whereas, the Town prefers a civil penalty. He explained that a civil penalty can be enforced much the same way as the enforcement for payment of taxes. Council and Staff discussed the penalties for such violations and to what extent they would be pursued.

Motion: Councilman Dofflemyer motioned to approve the Nuisance Ordinance Amendments as presented, motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours. **Approved 5-0**

Tall Grass Ordinance

Mr. Chrisman presented the revisions for the Tall Grass Ordinance and discussed height restrictions, etc. Mr. Chrisman noted that these requirements do not apply to the few active farming operations that are located within the Town. The ordinance revisions are in compliance with state law and provide clarification for law enforcement.

Motion: Councilman Sours motioned to approve the Tall Grass Ordinance as presented, motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours. **Approved 5-0**

ANNOUNCEMENTS

Mayor Presgraves stated that the Town Employee Christmas Dinner will be held on December 8th at the Mimslyn Inn. Council and Staff should RSVP to Mary Broyles or Danielle Babb. Mayor Presgraves also reminded of the Stanley Christmas Parade on December 2nd.

EXECUTIVE SESSION

Disposition of Real Property, Section 2.2-3711.A.3 (Brown's Building and Main Street Bridge)
Personnel Matters, Section 2.2-3711.A.1 (Town Manager)

Motion: Councilman Lancaster motioned to recess the regular meeting and to convene in executive session; Councilman Schiro seconded the motion with the following members voting YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours. **Approved 5-0**

Motion: Councilman Lancaster motioned to adjourn the closed session and to reconvene in open session; Councilman Dofflemyer seconded the motion with the following members voting YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours. **Approved 5-0**

Certification

Motion: Mayor Presgraves left the meeting prior to the reopening of the public session. Councilman Lancaster asked members of Council to certify that to the best of their knowledge only matters covered under Section 2.2-3711.A.3 and 2.2-3711.A.1 were heard, discussed, or considered during the closed session. Councilman Dofflemyer motioned to certify the closed meeting; Councilman Schiro seconded the motion with the following members voting YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours. **Approved 5-0**

ACTION TAKEN

Motion: Councilman Schiro motioned to direct the Bridge Project Management Team to pursue a Letter of Intent to Award to the lowest, responsive bidder. This bidder was Orders Construction, based in Wytheville Virginia with a total base bid of \$3,856,020. Council members decided not to pursue Bid Additive #1 for a temporary pedestrian bridge. Councilman Vickers seconded the motion with the following members voting YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours. **Approved 5-0**

ADJOURN

With no further business, the meeting was adjourned at 9:57 pm.

Barry Presgraves
Mayor

Danielle Babb
Deputy Clerk-Treasurer