

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

MONDAY, MARCH 14, 2016

The Luray Town Council met in regular session on Monday, March 14, 2016 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
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
Chief Carl "Bow" Cook, Luray Police Department
Ronnie Good, Luray Planning Commission Chairman
William Huffman, Luray Downtown Initiative
James Turner, Hawksbill Brewing Company
David Sours, Hawksbill Brewing Company
Jim Turner, Public Hearing- Vacation of Right-of-Way
Cathie Miranda- Luray Page County Farmers Market
Kelsea Vaughan- Luray High School YADAPP Club

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 Schiro led everyone in reciting 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, Meaney. **Approved 6-0**

Consent Agenda

- A) Minutes of Regular Council Meeting – 02-08-2016
- B) Minutes of a Council Work Session – 02-23-2016
- C) Financial Report for the Month Ended February 29, 2016
- D) Accounts payable checks totaling \$ 233,954.63

PUBLIC HEARINGS

Hawksbill Brewing Company Rezoning M-1 to B-1

Planning Commission Chairman, Ronnie Good, stated that the commission met earlier this evening in regard to the joint Public Hearing. Chairman Good stated that all commission members were present and unanimously voted to approve the rezoning. The commission felt this business proposal would be an asset to the downtown and would add to the growing list of new business openings.

Town Planner, Ligon Webb, presented the request for rezoning an M1 (Industrial) zoned parcel to B1 (General Business) in order to operate a brewery from the existing building. Mr. Webb explained that the reason for the joint public hearing was in accordance with the goals of the Enterprise Zone. Applicants in the Enterprise Zone are given the opportunity to expedite the process of rezoning and which is allowable by the code. The rezoning of 22 Zerkel Street would allow the applicants, Mr. Turner and Mr. Sours, to operate a brewery from the existing structure. Mr. Webb described his first meeting with Mr. Turner several years ago at the Festival of Spring, Mr. Turner later purchased property in the county. Mr. Webb said that he and applicants have been discussing this business plan for some time now and the concept of “micro-breweries” has become a statewide trend. Mr. Webb said that he has received only two concerns; one for parking and the other for potential odor from the brewery operations. The fire department has agreed to allow brewery patrons to park at the adjacent triangular lot and the building has 5 on-site parking spaces for employees. Mr. Webb said that in terms of any odor, there should be no difference than normal restaurant type smells and that an exhaust system should eliminate this problem. Mr. Webb noted the many emails that he has received in support of this project.

James Turner – Hawksbill Brewing Company

Mr. Turner noted that his first visit to Luray was in 2007 at the Festival of Spring where he initially met Mr. Webb. Mr. Turner has since purchased a home in Stanley. He noted that this industry has grown a great deal just in the amount of time he and Mr. Sours have been working on their business plan. Mr. Turner said that the business concept combines agriculture and tourism. The idea of a downtown location seemed like the perfect place for their business. Mr. Turner said that the brewery production would be well within the state code limitations even into year five of its business projections. Mr. Turner said that a lease agreement has been put in place with the building’s owner (Luray Fire Department) and that a parking agreement has been determined. Mr. Turner believes that many patrons will be walking to the brewery and that parking may not pose a challenge. He also addressed the odor concern and noted that the modern kettle system itself should eliminate any smells. Mr. Turner noted several other case studies of breweries and apartment housing being located in the same mixed use buildings. In order to further mitigate any issues, the brewery will utilize production mainly in daytime hours. Another concern that arose during the planning meeting was in relation to solid and liquid waste from the production system. Mr. Turner explained that grain will go to area farmers and liquid waste will be mitigated as to avoid any negative impacts on the town’s system.

Councilman Dofflemyer asked about the hours of operation. Mr. Turner explained that the hours will be Thursday, 4:00-8:00pm, Friday and Saturday, 12:00-8:00pm, and Sunday, 12:00 -6:00pm. Mayor Presgraves

clarified that the state license will allow well above the amount that the applicant is requesting to produce. The brewery will offer on and off premises sales, but will mainly focus on on-premises consumption. The brewery will offer light on site snacks that will be prepackaged, however; they also plan to work with local restaurants that would deliver selected menu items. Mr. Turner confirmed that tourists will be the main customer with weekly features to attract local consumers. The brewery will also partner with Page County Grown.

David Sours – Hawksbill Brewing Company

Mr. Sours explained plans to have one local ingredient in every product brewed. He feels this is a means to benefit local agriculture and stated that this will be a grown and brewed local product.

Councilman Dofflemyer asked about new jobs. Mr. Turner said they estimate about 10 part-time positions and one full time position, consisting of a production manager, ABC managers, and wait staff.

Mayor Presgraves opened the public hearing for citizen comment. With no comments from the public, the hearing was closed.

Motion: Councilman Lancaster motioned to approve the request for Hawksbill Brewing Company to Rezone a M1 parcel to a B1 parcel, motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Meaney. **Approved 6-0**

Vacation of Public Right of Way:

Carl and Janet Turner (Tax Map No. 42A1118-72-1)

James Turner (Tax Map Nos. 42A1118-40-17, 42A1118-40-18, and 42A1118-40-20)

Michael Wood (Tax Map Nos. 42A1118-28-1, 42A1118-28-2, 42A1118-28-3, and 42A1118-28-4)

Town Planner, Ligon Webb, said that the Town Attorney had reviewed the advertisements and agreed that the town could proceed with the public hearing. There were only a few minor adjustments to the advertisement and the town is within its rights to divest of any interest in the property. If approved, the applicants are required to provide the town with a new survey of the property incorporating the area into their lots. It is required that these new surveys provide the town with a drainage and utility easement. Mr. Webb said that he had only received one call in regards to Mr. Wood's request and this was from the neighboring property owner. The neighbor requested continued access through the alleyway to their property. Mr. Wood has agreed to grant an easement in perpetuity to the neighboring parcel owner. Mr. Webb said he did not receive any calls or letters regarding the other two applicants.

Jim Turner – Millcreek Crossroads, Luray

Mr. Turner stated the state's code which gives authority for localities to vacate these right-of-way. Mr. Turner explained that the property he acquired has been an eyesore in the neighborhood for some time. He plans to construct new duplexes on the parcel. Mr. Turner explained that he is lacking the square footage needed to construct the duplexes but if the vacation of right-of-way is approved he will be in compliance. Mr. Turner feels this is advantageous for the town and community in terms of appearance and tax revenue.

Mayor Presgraves opened the public hearing for citizen comment. With no one present to speak on the issue, the hearing was closed.

Motion: Councilman Schiro motioned to Vacate the Right of Way for Carl and Janet Turner (Tax Map No. 42A1118-72-1) as presented and James Turner (Tax Map Nos. 42A1118-40-17, 42A1118-40-18, and 42A1118-40-20) as presented, motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Meaney. **Approved 6-0**

Mr. Turner expressed his appreciation for Mr. Webb and his efforts on this.

Mr. Webb presented the public hearing for Mr. Michael Wood. Mr. Webb said that he believes Mr. Wood has satisfied the concerns of the neighboring property.

Mayor Presgraves opened the public hearing for citizen comment. With no one present to speak on the vacation of right-of-way for Mr. Michael Wood, the hearing was closed.

Motion: Councilman Schiro motioned to Vacate the Right of Way for Michael Wood (Tax Map Nos. 42A1118-28-1, 42A1118-28-2, 42A1118-28-3, and 42A1118-28-4), motion seconded by Councilman Dofflemyer with the vote as follows: YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Meaney. **Approved 6-0**

GENERAL CITIZEN COMMENTS/ PRESENTATIONS

Cathie Miranda, Luray Page County Farmers Market

Ms. Miranda, 317 East Main Street Luray, stated that she was present to speak on behalf of the Luray Page County Farmers Market. Ms. Miranda advised that she was temporarily acting as the market manager but is no longer. Mr. Lee McWhorter is currently in charge and is one of the only remaining members. She added that Mr. McWhorter will be placing an advertisement in the local newspaper for board members and a market manager.

Mayor Presgraves questioned why the shortage of members. Ms. Miranda said that there was a general lack of vendors and a vote regarding change in location of the market. She said that she is acting as the treasurer until a replacement can be found but is no longer an active member. Ms. Miranda said that the plans are to continue at the Allegheny location for several weeks.

Town Council members discussed the non-profit status of the market and the town's contributions. Mr. Hoke, Town Manager, asked Ms. Miranda if other locations for the market had been discussed such as the Luray Caverns or the Hawksbill Trading Company. Ms. Miranda said that the Hawksbill Trading Company is very interested in hosting the market at their location. Council members expressed concern for the lack of a farmer's market. Town Manager, Charlie Hoke, discussed the town's involvement in the market's board of directors and said that he would be glad to review the agreement the town has in place. Council and staff discussed the town's potential responsibility to help the market survive. Mr. Hoke said the town has historically secured the location for the market and currently has a lease agreement in place for the electric company parking lot.

Kelsea Vaughan- Luray High School Sophomore

Miss Kelsea Vaughan, 430 Westlu Drive Luray, is a sophomore at Luray High School and a member of the YADAPP Club. The club is a national awareness coalition and stands for Youth Alcohol Drug Awareness Prevention Project. The club would like to broaden its horizons to reach beyond Luray High; focusing on the community through the concept of a Dog Park. The club would like the Dog Park to serve as a memorial to victims of domestic violence, whereas; research shows that domestic violence and animal abuse go hand-in-hand. The group feels the park would be a nice addition to the community and would like to suggest a location at the

Ralph H. Dean Recreation Park. Miss Vaughan discussed the plans for the park and possible funding sources. She said that she has received a great deal of support for this project and would like to request council's permission to consider allowing this at the recreation park.

Miss Vaughan answered several questions from council members and members commended her efforts on the project. Councilman Schiro suggested that the town manager along with council come up with a list of concerns. Mayor Presgraves said that Council would need to give this some thought and that the town manager would be in touch with Miss Vaughan.

TOWN AFFILIATED BOARDS AND COMMISSIONS

LURAY DOWNTOWN INITIATIVE

William Huffman, Luray Downtown Initiative

Board Member, Bill Huffman, presented LDI's report as Jeff McMillan is on vacation this week. Mr. Huffman handed out the LDI March newsletter for council members. He discussed plans for the Chicken Chow Down event in May, which will accompany the Festival of Spring activities. The activities include three events; one at the Burner Barn at the Caverns, another at Dubliner's Pub, and the final event at the fire hall. A progressive party will also be held downtown on April 9th. A volunteer appreciation dinner was held in February at the Performing Arts Luray center and was well attended. Mr. Huffman reminded that a representative from Virginia Main Street will be attending the next LDI board meeting and will be visiting town for a few days. Lastly, Mr. Huffman said that contracts were signed today to work on the two LDI billboards that have been in disrepair for some time now. The work on these billboards should be complete in the next month or so.

Councilman Dofflemyer asked about the facade work going on at the Brown's building. Mr. Hoke said the town is coordinating the work in an attempt to improve the appearance of the building and to remove materials that are in poor condition. Mr. Hoke said that the town intends to sell the property as soon as the bridge project is complete, but meanwhile is maintaining the structure.

DEPARTMENTAL REPORTS

Planning and Zoning

Town Planner, Ligon Webb, said that the Planning Commission will review a rezoning application from Lowell and Peyton Baughan. The Baughans will be submitting an application to rezone a roughly 1.26 acre parcel from Industrial to B1 (General Business). The plans are to demolish the existing buildings located on this parcel and to develop townhome units. Townhome units are allowable by special use permit in a B1 zoning district.

UPDATES AND DISCUSSION ITEMS

Fees for Service

Mr. Hoke discussed the fees for services and said that council had previously requested staff research the cost recovery efforts for parks and recreation. Mr. Hoke provided a summary of events where funds had been recovered. Mr. Hoke reviewed information regarding park tournaments, the Luray Triathlon, swim fest, Page Valley Cycling race, Earth Day, LDI Turkey Trot, and LDI Tailgate party. Mr. Hoke said that council had determined that no fees be collected this year for the Page Valley Cycling event, but that he would like to reconsider this for next year. Mr. Hoke also provided an analysis that summarized overtime for all special events

in town, regardless of cost recovery. Councilman Dofflemyer discussed the overtime associated with tournament events. Councilman Lancaster suggested staff look into the Turkey Trot event and suggested that perhaps another entity sponsor the event. Mr. Hoke said that he would discuss this with LDI members.

Capital Improvement Projects

Mr. Hoke reviewed the capital improvement schedule and said that this calendar was developed several years ago to assist in planning. He explained that each department has a capital improvement section in the budget and may make their requests for equipment replacement as funding is available. Mr. Hoke said that each department has made their requests and these are included in the 2016-2017 draft balanced budget.

Budget Discussions

Town Manager, Charlie Hoke, said that staff has developed a balanced draft budget and is required to do so by April 1st. Mr. Hoke said that factors in the draft budget include a 2% increase for personnel and the majority of departmental capital improvement requests. Mr. Hoke then reviewed the synopsis for the draft budget. Councilman Sours requested more information on the proposed reduction in sewer revenues despite an increase in water revenue. Mr. Hoke reviewed the expenditures by department including capital expenses and debt service. Mr. Hoke reminded that this is a draft balanced budget as required but is still a working document. He said that staff was waiting on a few variables and that there should be little change. Mr. Hoke asked if Council wanted to adopt the draft balanced budget. Councilman Schiro asked if there was an increase in health insurance costs. Treasurer, Mary Broyles, said that the health insurance premiums did increase approximately 7.8% over last year. Mayor Presgraves said he felt this was a good draft and reminded that there was no increase in taxes. Councilman Schiro asked if an advertisement would be needed for real estate assessments due to a significant change in property values.—Staff will obtain the assessment values to determine if an advertisement is needed.— Council members advised that they would not need to vote on the draft, and are only required to meet the presentation deadline of April 1st. Staff has met the presentation deadline with tonight’s discussion and council said that they would not act on the draft version of the budget.

ANNOUNCEMENTS/ ADJOURN

With no further business, the meeting was adjourned at 8:39pm.

Barry Presgraves
Mayor

Danielle Babb
Deputy Clerk-Treasurer