

**MINUTES OF A TOWN COUNCIL
SPECIAL COUNCIL MEETING
TOWN OF LURAY, VIRGINIA
Tuesday, March 27, 2018
5:30pm**

The Luray Town Council met in a special meeting on Tuesday, March 27, 2018 at 5:30 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: Ron Vickers
Jerry Dofflemyer
Jerry Schiro
Leroy Lancaster
Joseph Sours
Leah Pence

Others Present:
Steven Burke, Town Manager
Bryan Chrisman, Assistant Town Manager
Mary Broyles, Clerk - Treasurer
Danielle Babb, Deputy Clerk Treasurer
Roseanne Smythe, Blue Ridge Heritage Project
Frances Menefee, Green Hill Cemetery Board
Michael Noblette, Green Hill Cemetery Board
Sam McNeely, Green Hill Cemetery Board

Mayor Presgraves led members in the United States Pledge of Allegiance. The roll was called with all members present.

UPDATES & DISCUSSION ITEMS/ ACTION ITEMS

Green Hill Cemetery- Request for Maintenance Funding

Mr. McNeely followed up on information from the United Daughters of the Confederacy presentation from last year regarding fundraising for maintenance at the Green Hill Cemetery. The funds raised by the UDC were for restoration and repair, however some funding will be allocated for mowing purposes. Currently, the mowing cost is \$600 per occurrence. Mr. McNeely asked the Council to consider funding in the next budget cycle to help with the continued maintenance costs.

Mr. McNeely advised Council members that the cemetery board has achieved tax exempt 501C3 status. Also, all concrete caps have been replaced, rock wall repaired, and fences painted in order to improve the overall appearance. Tree trimming, stump grinding, and vine removal have all taken place as well. Future improvements include repairing damaged tombstones, fence welding work, ground leveling, and updating the cemetery kiosk.

Mr. McNeely asked members to consider allocating maintenance funding in the next budget cycle. Councilman Vickers questioned how much the town can allocate taxpayer funds for a private cemetery. Councilwoman Pence noted the burden that may be on the Town if the cemetery goes unmaintained. Mr. McNeely added that inmate labor may be used to do some work, but are not permitted to be used for mowing purposes. Mayor Presgraves noted that if the board is unable to maintain the cemetery it would be the responsibility of the town to keep it mowed. Councilman Dofflemyer inquired about how many times per year it should be mowed. Mr. McNeely said that it averages between 8-10 depending on the weather, with target mow dates around Memorial Day and July 4th. Councilman Schiro suggested speaking with the Town Attorney and looking at what vested interest the Town has in contributing to the maintenance, thus justifying helping with these costs. Mayor Presgraves and Council members thanked Mr. McNeely for his hard work on these efforts.

Downtown Business Signage Request

Assistant Town Manager, Bryan Chrisman, discussed a request from LDI to install information signage at various locations along the detour route for the Main Street Bridge Replacement project. The request is a bit unique, therefore Mr. Chrisman suggested LDI submit a letter regarding the signage. Mr. Chrisman explained that these businesses will be affected by the construction project and any measures to assist them during this time are encouraged. An example of the proposed signage was included in Council's packets. Council members made several suggestions to the content, address numbers, and businesses that may or may not need to be included.

Councilman Schiro requested to discuss the downtown banners in regards to LDI. He said that Ms. Shifflett, LDI Board, said the Town had indicated they would no longer do seasonal banners and would only do two changes per year. Steve Burke, Town Manager, said he met with Mr. Bill Huffman today and the discussion focused on reducing the number of put up/take downs. The suggestion was for a spring/summer and fall/winter combination banners. Currently there are four seasonal banners and the US Flag banners. Councilman Lancaster said he would rather see all four seasons displayed and prefers actual flags on the light poles in lieu of the "flag banner". Councilwoman Pence said she is in favor of one banner, with a year round theme. Mr. Burke said that with LDI funding the banners, it would be appropriate to allow them some sort of "shop downtown" logo for their contribution. Councilman Sours asked about the former bicentennial banners. Staff said that these banners had been discussed with LDI and the Town has about 30 of these in storage. Mr. Chrisman said discussions regarding the banners are still ongoing with LDI and a formal presentation will be made at a later time. Councilman Dofflemyer recalled the funds raised from the bridge dinner being intended for the banner project.

Members returned to discussing the signage for the bridge closure. Councilwoman Pence said that only businesses with store fronts and business hours should be listed on the signage. She suggested removing Luray Methodist Church, Northwestern Community Services, Megadoot Technologies, and Fairview Apartments from the signage. Councilman Dofflemyer suggested a generic sign that would say *“Main Street is Open for Business”* rather than a business specific listing. Mr. Chrisman said the signage is an effort of the Bridge Outreach Team and can still be amended.

CDBG Resolution – People Inc. Apartment Project

Mr. Chrisman presented the request to authorize the application to the Virginia Department of Housing and Community Development for a CDBG to support the People Inc. Luray Meadows Apartment Project. He noted that two public hearings have been held, one on March 15th and one on March 22nd.

Motion: Councilman Vickers motioned to approve the Resolution authorizing the application for the Community Development Block Grant to support the Luray Meadows Apartment Project to the VDHCD as presented; Councilman Dofflemyer seconded the motion with the following members voting YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. Approved 6-0

FOIA Officers Designation

Town Manager, Steve Burke, said that staff has consulted with Attorney Jason Ham, Litten and Sipe LLP, regarding the update of the Town’s FOIA Officer Designation. At the advice of legal counsel, staff is recommending both the Town Manager and Assistant Town Manager be designated as FOIA Officers in order to ensure timely responses to all inquiries for information. Councilman Lancaster agreed that this is a good idea to have both roles as designated FOIA Officers.

Motion: Councilman Vickers motioned to designate the Town Manager and Assistant Town Manager as the Town’s Freedom of Information Act Officers and to approve the updated FOIA Policy as presented and to authorize staff to update the website accordingly. Councilman Lancaster seconded the motion with the following members voting YEA: Council Members Vickers, Dofflemyer, Schiro, Lancaster, Sours, Pence. Approved 6-0

Fence Code Update

Mr. Burke said that the Town will hold a public hearing at the April 9th Council Meeting regarding proposed amendments to the Town Code Section 504 of Article V of Appendix A for fencing regulations. The changes would include descriptive heading that are consistent with each section’s content, provide a height limit of four feet for fences parallel to the street, and establish that fences are not a structure for the purpose of the Zoning Ordinance.

Councilman Sours asked if citizens have to notify the Town when they are removing an existing fence. Mr. Burke said that it is in the citizen’s best interest to notify the Town. He said that replacements are likely not an issue but new construction should consult with the Town first to ensure of any easement

issues. Councilman Vickers confirmed that the front height restriction is 4ft, with the sides and rear of the property being 6ft. Councilwoman Pence said that her property's fence is 6ft parallel to the street, in order to conceal HVAC units and said that the business district should be considered differently. Mr. Burke said the 4ft limit for the front of the property is intended to eliminate any site distance issues. Ms. Pence asked how this applies to a fence that is constructed on top of a retaining wall. Mr. Burke said that if the retaining wall is already in existence, he believes this is still in compliance. Members discussed issues determining the "front" of the property. Mr. Burke reminded that the front of the property is defined by the building permit. Councilwoman Pence continued that she would like to see a historical review board for the preservation of Main Street. Mr. Burke said that the public hearing on the fence update is not until April 9th and if any changes are needed this can be provided before that time.

Draft Budget Version #2- Balanced

Mr. Burke said that Council has before them the second draft of the balanced budget, with considerations from the previous Council meeting. The 1% increase in water and sewer rates, funding for capital projects, 2.5% COLA for employees, and upgrading the existing part time Planning and Zoning Assistant to a Full Time Compliance Officer have been included. Councilman Vickers said that he is pleased to see the increase for employees and to see a level tax rate. Mr. Burke said the overall increase in the budget is mostly due to the funding for the Main Street Bridge Project. Councilman Sours verified that capital projects are not being forgone. Mr. Burke said that improvement costs have been included for water and sewer infrastructure, vehicles, and sidewalk improvements for ADA needs.

Councilwoman Pence discussed Transient Occupancy Tax revenues as compared to the current budget year. Mr. Burke noted that the Airport Authority has requested an additional \$8,000 in funding this year, which has been allocated. He stated that Page County has decided they will not fund the additional \$8,000 requested. The additional requested amount is for capital projects at the airport and will not affect their operational expenses. Ms. Pence continued that with a healthy transient occupancy tax revenue, she does not feel the town is reinvesting enough in tourism. Members discussed the lodging tax rate and the maximum amount permitted by state code. Councilwoman Pence noted that the revenues from consumer taxes are much greater than the revenue realized from Real Estate taxes.

Councilman Dofflemyer confirmed that the Town hopes to proceed with the VCI Grant next budget cycle. Mr. Burke said that he along with Ms. Levinson have discussed the application with DHCD. The housing component portion seems to be moving from the Fairview Apartments project to the Luray Meadows project, according to recommendations from DHCD. Councilman Sours said that he understood the housing component was to be continuous to the project area. Mr. Chrisman said that DHCD requires it to be within a 2-mile project area radius. Members discussed the transportation reserves funds for the bridge project also. Mr. Chrisman said the Town has been steadily building its reserves for the project in anticipation of the town's portion. Mr. Chrisman added that he believes the Town should still continue to pursue the VCI grant even with the bridge project ongoing.

Councilwoman Pence recalled previous conversations about the incentive program from Wytheville, she inquired if the Town still plans to pursue this. Mr. Burke said that this is an item that staff plans to bring back to Council at a later time.

Councilman Dofflemyer inquired about the full time planning position and if that position will be doing anything else in terms of economic development. Councilman Schiro said that since we are discussing a particular position changing from part-time to full-time he would like to request a closed session to further discuss. Mr. Burke said that he would prefer to consult with legal counsel first to see if this meets criteria for closed session. Mr. Burke asked if this could wait until the April 9th meeting, pending advice from legal counsel.

Councilman Dofflemyer inquired about the reduction in health insurance expense for Parks and Recreation. Treasurer, Mary Broyles, said that this is based on the plan for each employee, whether individual, dual, or family plan. Ms. Broyles noted an 11% increase in health insurance costs, but added that last year's increase was 16%.

Councilwoman Pence said that she receives numerous complaints about the town's water rates but none about taxes. Mr. Burke reminded that the Town has spent significant funds on improving the water and wastewater infrastructure. He said that the base rate is higher, but when comparing the entire package of water, sewer, refuse, and tax rates it is a better value than neighboring communities. Mr. Burke recognized that the water amount may be higher monthly, but overall the utilities and taxes make Luray a very low priced comparative place to live. Councilman Schiro said that small annual increases are better than falling behind. Councilman Dofflemyer noted that we are breaking even in the water and sewer funds, rather than subsidizing through the general fund; which the town had to do for many years. Councilman Schiro said it is important to recognize that the town is well poised for growth in its water and sewer system if approached by a large user. Councilwoman Pence said she would be in favor of an increase in the real estate tax rate in order to invest more funds in our fastest growing resource. Councilman Dofflemyer countered that there are other things that can be done rather than raising taxes. Mr. Burke said that this could be considered during the FY 2020 budget and also look at the tax incentive programs. Councilwoman Pence said that these items could include recreation development, a grant writer, and other assets. Mr. Burke offered that these could be considerations for the Comprehensive Plan update as well.

Review of the FY2019 Budget Advertisement

Mayor Presgraves asked if Council was ready to move forward with the FY 2019 Budget Advertisement. Councilman Vickers stated that he was in favor of the 1% increase in water and sewer rates and would motion to go forward with the budget advertisement. Councilman Dofflemyer asked if any changes can be made once advertised. Mr. Burke said that once advertised, a rate can be lowered but not increased.

Motion: Councilman Vickers motioned to approve the FY 2019 Budget Advertisement as presented. 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, Mayor Presgraves adjourned the special meeting of the Luray Town Council at approximately 7:10 p.m.

Mayor, Barry Presgraves

Deputy Clerk, Danielle Babb