

**MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL OF THE
TOWN OF LURAY, PAGE COUNTY, VIRGINIA
Tuesday, November 13, 2007**

The Luray Town Council met in regular session on Tuesday, November 13, 2007 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 Ralph H. Dean

**Council Present: Nancy Shifflett
Lonnie Arrington
William Menefee
Leroy Lancaster
Barry Presgraves
Earl "Rock" Racer**

**Also Present: Bryan Chrisman, Assistant Town Manager
Jason Spitler, Town Attorney
Mary Broyles, Treasurer
Danielle Babb, Deputy Clerk-Treasurer
Charlie Hoke, Director of Utilities
Lynn Mathews, Superintendent of Public Works
Pat O'Brien, Director of Parks & Recreation
Page Campbell, Chief of Police
Andrew Jenner, Page News & Courier
Catherine Stewart, LDI
Members of the Luray Planning Commission
Mark Belton, Page County Administrator
Members of the Page County Board of Supervisors
Members of the Luray Airport Commission**

A quorum being present, Mayor Dean declared the Council to be in session for the transaction of business. All present stood to recite the United States Pledge of Allegiance.

CONSIDERATION OF MINUTES

REGULAR COUNCIL MEETING- October 9, 2007

Minutes of the Regular Council Meeting of October 9, 2007 were submitted for review. **Motion:** Councilman Menefee motioned to approve the minutes as presented, motion seconded by Councilman Arrington with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

PLANNING COMMISSION MEETING- October 10, 2007

Minutes of the Planning Commission Meeting of October 10, 2007 were submitted for review of information.

PUBLIC HEARINGS

Leaksville Road Project

Assistant Town Manager, Bryan Chrisman, presented information regarding Leaksville Road improvements from the corporation limits to West Main Street. In order to be in compliance with VDOT regulations, this public hearing must take place in order to add projects to the improvement list. The town may add any number of projects to the VDOT improvement list; however at some point VDOT representatives will ask council to prioritize the projects and associated funding. There were no citizens present to speak on this issue.

It was necessary that council adopt a resolution to add the Leaksville Road Project to the improvement list for VDOT. **Motion:** Councilman Lancaster motioned to approve the Leaksville Road Project Programming Resolution, motion seconded by Councilman Presgraves with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

Revocation of Special Use Permit (9 Hilltop Lane)

Ligon Webb, Town Planner, presented information to Council regarding the revocation of a Special Use Permit issued to The Lowen Group (PVD Acquisitions, Inc.) The Lowen Group was issued a special use permit by the Town on June 8, 1999. PVD Acquisitions appears to be a subsidiary of The Lowen Group. As a condition of the special use permit, the applicant agreed to construct privacy fencing and also to block the Hilltop Drive access to the site. None of these agreements have been met by the applicant. The owners of this property have not responded to attempts to contact them concerning these matters. Revoking the special use permit would allow for enforcement of the current issues with this property. **Motion:** Councilman Arrington motioned to revoke the Special Use Permit for the Lowen Group (PVD Acquisitions, Inc.), motion seconded by Councilman Racer with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

GENERAL CITIZEN COMMENTS

Catherine Stewart, of LDI, updated council on the Halloween Event held on the Greenway and expressed thanks to the LHS Seniors who volunteered at the event. Also, she noted that on November 30, 2007 local businesses will remain open late to promote local holiday shopping. Regarding CDBG issues, Catherine advised council members that Frazier Associates has pulled their contract on the Wayfinding Signs; however staff will continue to work on this. She also expressed concerns over the CDBG project moving slowly.

TOWN CLERK/TREASURER'S REPORT

Treasurer's Report of Cash on Hand as of November 13, 2007:

Sun Trust Bank:	
General Fund Account.....	\$ 2,987,083.16
Cash on Hand:	\$ 31,019.20
Total:	\$ 3,018,102.36

Mary Broyles, Town Treasurer, submitted to Council for approval, Accounts Payable invoices in the amount of \$ 142,243.70. **Motion:** Councilman Presgraves motioned to approve payment of the invoices as presented; motion seconded by Councilman Menefee with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

TOWN MANAGER'S REPORT

Town Manager, Rick Black, could not be present at the evenings meeting. Mr. Black is out on medical leave. In his absence, Assistant Town Manager- Bryan Chrisman reported that all items would be covered under New Business.

TOWN ATTORNEY'S REPORT

Town Attorney, Jason Spitler, noted that his work continues on the Greenway Crossing Agreement and the Fair Association Deed of Easement.

DEPARTMENTAL REPORTS

POLICE- PUBLIC SAFETY AND EMERGENCY SERVICES COORDINATOR'S REPORT

Chief Campbell reviewed his monthly departmental reports for council and noted 39 total arrests for the month. Chief Campbell informed council of recent radar calibrations. Also, the department continues to patrol Third Street and he emphasized a high traffic volume in this area. The Chief updated council on the status of current code enforcement issues and 911 compliance.

PARKS AND RECREATION

Pat O'Brien, Director of Parks and Recreation, noted the success of the Halloween Event on the Greenway. Also, he informed council that trees were being planted on the Tannery property and had been funded by donations.

PUBLIC WORKS DEPARTMENT

Public Works Director, Lynn Mathews reported that all of the monthly water samples checked out OK. Upcoming projects for his department will include leaf collection, drainage and ditch clean-up.

WASTEWATER TREATMENT DEPARTMENT

Mr. Hoke noted that there has been progress on the Water Treatment Plant. The plant should be put out to bid next month if all goes well. This would allow for construction to begin in the Spring of 2008. Concerning the Wastewater Plant, this project has been moved to the Fiscal 2008 year for DEQ.

TOWN PLANNER'S REPORT

Town Planner, Ligon Webb, reviewed upcoming items for the Planning Commission monthly meeting. There will be a public hearing for The Laurance, LLC/ Bob Harrison. Mr. Harrison is seeking a special use permit to allow for eight apartments in a B1 zoning district. As well, the commission will review a sketch plan from BVRCS, LLC (Montvue Nursing Home). Additionally, the Commission will discuss prohibiting short term rentals in residential zoning districts.

OLD BUSINESS

Councilwoman, Nancy Shifflett, addressed a painting of Yager's Springhouse that was auctioned at the LDI Fundraiser. **Motion:** Councilwoman Shifflett motioned that the Town purchase this painting; motion seconded by Councilman Menefee with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Racer, NAY: Council Members Lancaster, Presgraves. **Approved 4-2**

NEW BUSINESS

Wastewater Treatment Plant

Bryan Chrisman addressed Council regarding the Town's future borrowing needs for upcoming projects. Bryan Chrisman, Charlie Hoke, and Rick Black recently met with Carolyn Perry concerning the financing of these projects. Based on her advice the Town will hold a public hearing in December concerning the borrowing of up to \$14,000,000 to finance the projects.

"Pay Day" Lending Resolution

Councilman Earl Racer addressed fellow Council Members on a resolution he learned of at the recent VML Conference. The resolution requests that the General Assembly and the Governor take action to prevent exploitive pay day lending practices in Virginia. **Motion:** Councilman Menefee motioned to direct staff to amend the Pay Day Lending Resolution modeled after the City of Staunton's Resolution; motion seconded by Councilman Arrington with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

Luray Airport

Councilman Presgraves reported to council on recent meetings with the Luray Airport Commission and members of the Page County Board of Supervisors. Mr. Powell Markowitz was on hand for the evenings meeting to address questions and comments from Council. Council addressed the T-Hangars and associated costs and revenues. Council expressed concerns over other lending obligations versus the costs of the airport improvements. Councilwoman Shifflett suggested meeting with Financial Advisor, Carolyn Perry to consult with her regarding the Town's current debt load and upcoming projects. The Council hopes to contact Carolyn Perry and discuss her findings at a work session on Friday, November 16, 2007 at 7:30 pm.

EXECUTIVE SESSION

Several Executive session topics were on the agenda for tonight's meeting. However, no executive session was needed.

Council discussed in open session the proposal from the County of Page for the Town to purchase the County's acreage located in the Luray Industrial Park. Council consensus was that there was no interest in purchasing such property.

MAYOR'S ANNOUNCEMENTS

Mayor Dean reminded Council of the upcoming Stanley Christmas Parade and asked for Council participants. Also, Mayor Dean invited Council Members and Staff to the Town Christmas Dinner on December 20, 2007 at the Luray Fire Hall.

ADJOURN

There being no further business, Mayor Dean adjourned the regular session of the Town Council at approximately 8:37 pm.

Mayor Ralph H. Dean

Danielle P. Babb
Deputy Clerk-Treasurer