

**MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL OF THE  
TOWN OF LURAY, PAGE COUNTY, VIRGINIA  
Monday, June 11, 2007**

The Luray Town Council met in regular session on Monday, June 11, 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: Rick Black, Town Manager  
Bryan Chrisman, Assistant Town Manager  
Jason Spitler, Town Attorney  
Mary Broyles, Clerk-Treasurer  
Danielle Babb, Deputy Clerk-Treasurer  
Charlie Hoke, Director of Utilities  
Lynn Mathews, Superintendent of Public Works  
Page Campbell, Chief of Police  
Pat O'Brien, Director of Parks & Recreation  
Andrew Jenner, Page News & Courier  
Catherine Stewart, LDI  
Tom Potts  
Ken Beyer**

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- May 14, 2007**

Minutes of the Regular Council Meeting of May 14, 2007 were submitted for review. **Motion:** Councilman Presgraves motioned to approve the minutes as presented, motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

**COUNCIL WORK SESSION- May 21, 2007**

Minutes of the Council Work Session of May 21, 2007 were submitted for review. **Motion:** Councilman Menefee motioned to approve the minutes as presented, motion seconded by Councilman Presgraves with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

**COUNCIL WORK SESSION- June 5, 2007**

Minutes of the Council Work Session of June 5, 2007 were submitted for review. **Motion:** Councilwoman Shifflett motioned to approve the minutes as presented, motion seconded by Councilman Menefee with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

**PLANNING COMMISSION MEETING- May 16, 2007**

Minutes of the Planning Commission Meeting of May 16, 2007 were submitted for review of information.

**PUBLIC HEARINGS**

A public hearing was held on the special use permit request from Robert and Tammy Falter, (TM# 42A 10-A-107). The 2.3 acre parcel is located at South Court Street, which is presently a single-family dwelling and four cottages. The parcel is zoned R2, and a bed and breakfast operation is a special use in this zoning district. The Falter's are seeking to utilize three existing cottages located in the rear of the parcel for a bed and breakfast. The Planning Commission voted on May 13, 2007 to approve the applicants request with a 5-0 vote. The only citizen on hand to speak on this issue was Ms. Peggy Henry of 132 South Court Street, Luray. **Motion:** Councilman Arrington motioned to approve the special use permit request from Robert and Tammy Falter as presented, motion seconded by Councilman Presgraves with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

**GENERAL CITIZEN COMMENTS**

Catherine Stewart, of LDI, briefed the council on the plans for Fourth of July festivities. Ms. Stewart gave Council 4<sup>th</sup> of July fliers and noted that the events this year will begin at 5:00pm. Also, LDI will be hosting summer training this year for the Virginia Main Street Conference; information was given to council members who are encouraged to participate.

**TOWN CLERK/TREASURER'S REPORT**

Treasurer's Report of Cash on Hand as of June 11, 2007:

<b>Sun Trust Bank:</b>	
General Fund Account.....	\$ 3,870,437.29
<b>Cash on Hand:</b> .....	\$ 13,630.77
<b>Total:</b> .....	<b>\$ 3,884,068.06</b>

Mary Broyles, Town Clerk/Treasurer submitted to Council for approval, Accounts Payable invoices in the amount of \$ 247,334.93. **Motion:** Councilman Menefee motioned to approve payment of the invoices as presented; motion seconded by Councilman Racer with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

Also, Treasurer, Mary Broyles requested approval from council to make adjusting entries for this fiscal year. **Motion:** Councilwoman Shifflett motioned to approve the adjusting entries as presented; motion seconded by Councilman Presgraves with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

Ms. Broyles also requested that as in previous years, the front office be closed to the public in order to process year ending reports and to finalize the 2006-2007 fiscal year. **Motion:** Councilman Menefee motioned to grant permission to close the front office to the public on July 2, 3 and 5th; motion seconded by Councilman Lancaster 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, noted that all items for his report were located under Old & New Business.

### **TOWN ATTORNEY'S REPORT**

Town Attorney, Jason Spitler, requested council's approval for the Alley Dedication request by Steve Cave and Judy Bell. The public hearing was held at last months meeting. **Motion:** Councilman Racer motioned to approve the alleyway dedication; motion seconded by Councilman Presgraves with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

### **DEPARTMENTAL REPORTS**

#### **POLICE- PUBLIC SAFETY AND EMERGENCY SERVICES COORDINATOR'S REPORT**

Chief Campbell reviewed his monthly departmental reports for council and noted that walking patrol is on-going. The latest statistics on yard sale permit compliance are up from last year, to date 105 permits have been issued.

#### **PARKS AND RECREATION**

Pat O'Brien, Director of Parks and Recreation, advised council that the Summer Concert Schedules could be found in the council's packets for both the Bluemont Concert Series and Evenings on Main. Also, Council Members discussed various lighting options for the Greenway.

#### **PUBLIC WORKS DEPARTMENT**

Public Works Director, Lynn Mathews reported that all of the monthly water samples checked out OK. The department made one new water and one new sewer tap. Also, the department kept very busy repairing eight water leaks over the last month. Upcoming projects for his department will include brush and junk collections, roadside clean-up, and displaying the summer banners along Main Street.

#### **WASTEWATER TREATMENT DEPARTMENT**

Charlie Hoke, Director of Utilities, noted full compliance for the month and stated that the Water Filtration Plant is still under review with PHRA.

#### **TOWN PLANNER'S REPORT**

Town Planner, Ligon Webb, reported that copies of the Comprehensive Plan are being made currently and will soon be distributed to Council. Also, at the Wednesday, June 13<sup>th</sup>, meeting there will be a public hearing on the final plat from Baker Development on Phase I of Luray Landing. Mr. Webb will recommend tabling this issue and predicts that it will come before Council at the August meeting. Also, Mr. Webb briefed council on a possible recycling business that will request a special use permit to locate a business across from EMCO at the former Regional Jail Site.

## **OLD BUSINESS**

Town Manager, Rick Black, addressed the Fiscal Year 2007-2008 Budget regarding its adoption which includes the Leo's Program. The balanced budget for FY2008 calls for only a 2.7% increase in operating expenses and the provision for the LPD to be included in the Leo's 50/25 retirement program. **Motion:** Councilman Presgraves motioned to approve the FY2007-2008 budget in the amount of \$18,494,660 ; motion seconded by Councilman Arrington with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

Town Manager, Rick Black, addressed council on his meeting recently with DCR. He emphasized the town needs to make clear its intention for grant funds regarding the Greenway Phase IV by August 1, 2007 or the funds must be returned. Councilman Menefee would like to see the Mrotek property purchased and for the Greenway to extend across the creek to that side of Rte 340. Councilman Presgraves highlighted the Recreation department budget and grant funds. Several council members stressed that they would like to see action taken to assure the use of these grant funds. **Motion:** Councilman Menefee motioned to purchase the Mrotek property to extend the Greenway under the bridge; motion seconded by Councilman Arrington with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, NAY: Racer. **Approved 5-1**

## **NEW BUSINESS**

Mr. Black presented a request from David Yount regarding parking along Main Street. Mr. Yount is moving his insurance business to 303 East Main Street and has asked Council to permit several parking spaces along Main Street be 15 minute parking. Councilman Arrington noted that previously Council had approved one 15 minute space for the Slye Insurance Agency. Mr. Yount was in attendance to discuss the parking issues along Main Street as they relate to his business. **Motion:** Councilman Presgraves motioned to approve 2 parking spaces; motion seconded by Councilman Arrington with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

Mr. Black also addressed the issue of facility fees being taken in advance to guarantee water and sewer availability. Mr. Black feels it is in the best interest of the Town to require the developer to sign a contract to insure that if the facility fee would increase that the developer would be responsible for paying the increase. **Motion:** Councilman Racer motioned to approve the Fee Schedule with contract agreement ; motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, Racer. **Approved 6-0**

Assistant Town Manager, Bryan Chrisman, addressed the mowing of Phase III of the Greenway. The mowing will have to be modified to be compliant with the FSA Requirements regarding the Riparian Area.

## **MAYOR'S ANNOUNCEMENTS`**

Mayor Dean requested a motion to adjourn into Executive Session for the purpose of the discussion to be the following:

- A) Section 2.2-3711.1 Personnel
- B) Section 2.2-3711.3 Acquisition of Real Property
- C) Section 2.2-3711.6 Investment of Public Funds

**Motion:** Councilwoman Shifflett motioned to recess the regular meeting and to convene in executive session; Councilman Arrington seconded the motion with the following members voting YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, and Racer. **Approved 6-0**

After reopening the regular session, Council agreed only personnel, property acquisition; public funds were discussed during the Executive Session.

Mayor Dean reminded Council of the Stanley Homecoming Parade and Reception and asked for participation. Also, Mayor Dean asked for approval for the Annual 4<sup>th</sup> of July Picnic for Employees and Council. Council consensus was to eat at 1:00pm. **Motion:** Councilman Lancaster motioned to approve the Annual Picnic; Councilman Menefee seconded the motion with the following members voting YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, and Racer. **Approved 6-0** Lastly, Council discussed complaints regarding the sidewalk area across from the old Ford Motor Company regarding scooters. Also, Mr. Black addressed the VML advertisement.

## **ADJOURN**

There being no further business, Mayor Dean adjourned the regular session of the Town Council at approximately 8:30 pm.

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Mayor Ralph H. Dean

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Danielle P. Babb  
Deputy Clerk-Treasurer