

**MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL OF THE
TOWN OF LURAY, PAGE COUNTY, VIRGINIA
Monday September 8, 2008**

The Luray Town Council met in regular session on Monday, September 8, 2008 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: Lonnie Arrington
William Menefee
Leroy Lancaster
Jerry Schiro
Earl "Rock" Racer

Absent: Nancy Shifflett
Jason Spitler

Also Present: Rick Black, Town Manager
Bryan Chrisman, Assistant Town Manager
Mary Broyles, Treasurer
Danielle Babb, Deputy Clerk-Treasurer
Ligon Webb, Town Planner
Charlie Hoke, Director of Utilities
Pat O'Brien, Director of Parks and Recreation
Lynn Mathews, Superintendent of Public Works
Page Campbell, Chief of Police
Tom Potts, Luray Planning Commission
Karen Riddle, Luray-Page County Chamber of Commerce
Catherine Stewart, Luray Downtown Initiative
Powell Markowitz, Luray-Page County Airport Commission
Kenneth Painter, Luray-Page County Airport
Gary Modjeska, Luray Heights Developer
Bob Allnut, Luray Heights Developer
Luther Johnson, Page News and Courier
Vickie Pitts, Luray Tree & Beautification Committee
Kelly Zitzer, Owner- Dominos Pizza, 9 Campbell St., Luray
Laura Buchheit, 2 Woodland Park Drive, Luray

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

PUBLIC HEARING

Special Use Permit (TM# 42A4-A-11A)

Town Manager, Rick Black, advised that the purposed of this public hearing is to receive public comments and to consider the permit request presented by the Town of Luray. The town is requesting a special use permit to allow recycling storage bins to be located on a M1 (Industrial) zoned parcel. The vacant parcel is approximately 1.2 acres in size and is located on the east side of Furnace Road. Mayor Presgraves then opened the public hearing to receive comments from the public, as follows:

Vickie Pitts, Luray Tree and Beautification Committee- Ms. Pitts commended Council on the location for the storage bins. She expressed that it is important for the location to be in a non-residential area. Ms. Pitts also feels that the recycling program is important for Luray to maintain its Tree City USA status.

Kelly Zitzer, Owner Domino's Pizza- Ms. Zitzer stated that as a business owner she feels that it is time that the Town began a recycling program for residential and commercial use.

Laura Buchheit, 2 Woodland Park Ave.- Ms. Buchheit stressed that she feels this is the right time to implement such a program. She feels strongly about the Town making a commitment to taking care of the environment for the future benefit of our children.

Karen Riddle, Luray-Page County Chamber of Commerce- Ms. Riddle advised all present that there was a seminar on September 9, 2008 at 7:30 am about "Going Green". The seminar would be held by Chris Anderson and she supplied flyers for those interested.

After discussion was concluded, Mayor Presgraves closed the public hearing.

Motion: Councilman Racer motioned to approve the special use permit as presented, motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Arrington, Menefee, Lancaster, Schiro, Racer. **Approved 5-0**

Taxable General Obligation Note to Finance Hanger Construction at Airport

Town Manager, Rick Black, presented information for a public hearing to consider the adoption of a proposed Ordinance and Resolution authorizing the issuance by the Town of an \$830,500 taxable general obligation note in order to finance costs to construct and equip approximately 30 T-Hangers. Mayor Presgraves opened the public hearing with no comments from the public. Mayor Presgraves closed the public hearing and no action was taken by Council at this time.

Application for and Acceptance of a Federal Grant to Purchase Real Estate

Town Manager, Rick Black, explained that this public hearing is to receive public comments concerning application for acceptance of a Federal Grant to be used for the purchase of real estate. The real estate is identified on Page County Tax Records as Parcel Number 40-A-39 and contains 1.081 acres. The purchase of this property would support the Airport Capital Improvement plan. Mayor Presgraves opened the public hearing with no comments from citizens. **Motion:** Councilman Lancaster motioned to accept the grand funding for the purchase of real estate as presented, motion seconded by Councilman Arrington with the vote as follows: YEA: Council Members Arrington, Menefee, Lancaster, Schiro NAY: Racer. **Approved 4-1**

CONSENT AGENDA

Motion: Councilman Schiro motioned to approve the Consent Agenda, motion seconded by Councilman Arrington with the vote as follows: YEA: Council Members Arrington, Menefee, Lancaster, Schiro, Racer. **Approved 5-0**

Consent Agenda

- A) *Minutes of August 11, 2008 Regular Council Meeting*
- B) *Minutes of September 2, 2008 Council Work Session*
- C) *Minutes of the August 27, 2008 CDBG Façade II Bid Opening*
- D) *Financial Report for the period August 1-31, 2008*
- E) *Accounts payable checks totaling \$ 169,553.33*
- F) *Luray Heights: Phase I Final Plat*

GENERAL CITIZEN COMMENTS

Grant Turner, Luray High School SCA

Mr. Turner came before Council to request permission for the Luray High School Homecoming Parade Route to be approved. Mr. Turner read aloud the route and advised that this was the same as the previous year. **Motion:** Councilman Menefee motioned allow the parade route for the LHS Homecoming Parade as presented; motion seconded by Councilman Arrington with the vote as follows: YEA: Council Members Arrington, Menefee, Lancaster, Schiro, Racer. **Approved 5-0**

TOWN AFFILIATED BOARDS AND COMMISSIONS

Luray Downtown Initiative

Catherine Stewart presented Council with several informational handouts. Ms. Stewart also briefed Council on her intentions to apply for the Award of Excellence with emphasis on Luray's downtown revitalization. Also, she addressed scheduling for the 2009 concert series for the Town and for PALS.

Airport Commission

Mr. Powell Markowitz reviewed the current Airport Capital Improvement Plan that the commission is currently working under. Mr. Markowitz brought to Council's attention the 2008 terminal study which will continue into the 2009 budget as well. The budgeted amount for the study is \$40,000 but should come in under budget at an actual cost of \$37,000. Mr. Markowitz would like to see a public hearing on this at the next Council meeting. Mr. Markowitz advised Council that he has applied for grants for two items including the A.W.O.S. and Rotating Beacon; the total cost for these is estimated at \$200,000. These two items would also need a public hearing. Also, pending for next Council meeting is an easement for Allegheny Power. Mr. Markowitz hopes to have this information available for public hearing at the next Council meeting. Mr. Markowitz stated that during the previous Airport Commission meeting, commissioners discussed delaying the water and sewer tap fees until the terminal building construction is complete. Lastly, Councilman Schiro requested clarification on the ACIP. Fellow Council members advised that the ACIP had been approved through 2009, by the Luray Town Council.

DEPARTMENTAL REPORTS

POLICE- PUBLIC SAFETY AND EMERGENCY SERVICES COORDINATOR'S REPORT

Chief Campbell reviewed his monthly departmental report and noted 48 arrests for August 2008. Chief Campbell noted that seven of these arrests occurred at the Page County Fairgrounds. Chief Campbell advised Council and Staff that new digital cameras have all been installed and officers have completed training for them. Lastly, he noted the recent storm resulted in no flooding but did require several conference calls prior to the inclement weather.

PARKS AND RECREATION

Director of Parks and Recreation, Pat O'Brien, updated Council on the recent Tennis Court renovations. Also, Mr. O'Brien provided Council with a photo depiction of the new skate park and advised that the concrete slab has been completed. Mr. David Glover, Endurance Works LLC, gave a presentation on the recent Luray Triathlon. Also, Mr. Glover pledged a \$1000 donation to the Luray skate park. Council expressed their appreciation to Mr. Glover for the success of the event. Both Mayor and Council noted all positive feedback on this year's triathlon.

PUBLIC WORKS DEPARTMENT

Lynn Mathews, Superintendent of Public Works, reported that the public works department repaired ten water leaks for the month. Also, the department responded to nine sewer calls. The department made one new water tap this month. Upcoming projects for the Public Works Department will include brush collection, fall banners, storm drain cleaning, hydrant repairs, and preparing the recycling trailer.

WASTEWATER TREATMENT DEPARTMENT

Mr. Charlie Hoke, Director of Utilities, noted full compliance for the month. Also, he reported updates on the Water Filtration Plant and Wastewater Treatment Plant upgrades. He noted that the Waste Water design plans are currently in Richmond and are not expected to be reviewed for at least 30 more days. Meanwhile, Mr. Hoke stated that construction on the Water Treatment Plant continues.

TOWN PLANNER'S REPORT

Town Planner, Ligon Webb, stressed to Council that his approach toward short term rentals will not be prohibitive. Mr. Webb would like to see all short term rental establishments follow a set of guidelines that would include remitting transient occupancy tax and purchasing a business license.

Also, Mr. Webb updated Council and Staff on his progress with monument restoration. He has contacted a company located in Harrisonburg, but it will be some time before they are able to make an assessment. Councilman Schiro reminded Mr. Webb that an evaluation was done some years ago and could be useful in providing an updated evaluation. Mr. Webb informed Council that he plans to revisit the sign ordinance later this fall. As well, Mr. Webb will continue to update Council on the curbside recycling program.

OLD BUSINESS

Planning Meeting

Town Manager, Rick Black, reminded Council that the planning meeting is scheduled for Monday, September 15, 2008 at 9:00am in the downstairs conference room.

Airport Sewer Line Easement

Town Manager, Rick Black, addressed the sewer line easement that will be necessary for the T-Hangar Project. This will provide for restrooms at the location. This will be a private easement to be maintained by the operator of the airport. The easement has been granted by property owner Kenneth Painter.

Motion: Councilman Arrington motioned to accept the deed of easement as presented; motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Arrington, Menefee, Lancaster, Schiro, Racer. **Approved 5-0**

NEW BUSINESS

Luray Depot Phase IV Grant Application

Town Manager, Rick Black, briefed Council on the Luray Depot Phase IV Grant Application. He stressed that this is for the museum portion of the Depot Project. Phase IV will be a continuation of the current restoration process.

EXECUTIVE SESSION

Personnel, Section 2.2-3711.A.1

Property Acquisition, Section 2.2-3711.A.3

Mayor Presgraves requested a motion to adjourn into Executive Session for the purpose of discussing Personnel, Section 2.2-3711.A.1 and Property Acquisition, Section 2.2-3711.A.3. Councilman Racer motioned to recess the regular session and to convene in executive session; Councilman Schiro seconded the motion with the following members voting YEA: Council Members Arrington, Menefee, Lancaster, Presgraves, and Racer. **Approved 5-0**

After reopening the work session, Council agreed that the only items discussed were Personnel and Property Acquisition during the Executive Session.

Motion: Councilman Racer motioned to reappoint Ms. Mary Broyles as Town Clerk-Treasurer for a two year term; motion seconded by Councilman Schiro with the vote as follows: YEA: Council Members Arrington, Menefee, Lancaster, Schiro, Racer. **Approved 5-0**

Motion: Councilman Arrington motioned to reappoint Mr. Richard Black as Town Manager for the term of one year; motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Arrington, Menefee, Lancaster, Schiro, Racer. **Approved 5-0**

MAYORS ANNOUNCEMENTS

Mayor Presgraves announced that due to the absence of Town Attorney, Jason Spitler, his appointment to office will be rescheduled for the next Council Meeting. Councilman Menefee suggested that the invitation to training with the Planning Commission be extended to the Town Attorney. Town Manager, Rick Black, reminded Council of the joint meeting with the Page County Board of Supervisors on September 23, 2008. Lastly, Mr. Black advised Council that J. Sanders Construction is requesting COD when the Hangar materials are delivered as a part of the airport construction project. The delivery date is scheduled for September 22, 2008. **Motion:** Councilman Schiro motioned to approve payment request #3

for J. Sanders Construction in the amount of \$112,335.75; motion seconded by Councilman Menefee with the vote as follows: YEA: Council Members Arrington, Menefee, Lancaster, Schiro NAY: Racer.
Approved 4-1

ADJOURN

There being no further business, Mayor Presgraves adjourned the regular session of the Town Council at approximately 8:27pm.

Barry Presgraves
Mayor

Danielle P. Babb
Deputy Clerk-Treasurer