

**MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL OF THE
TOWN OF LURAY, PAGE COUNTY, VIRGINIA
Monday July 14, 2008**

The Luray Town Council met in regular session on Monday, July 14, 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: William Menefee

Council Present: Nancy Shifflett
Lonnie Arrington
Leroy Lancaster
Jerry Schiro
Earl "Rock" Racer

Council Absent: Mayor Barry Presgraves

Also Present: Rick Black, Town Manager
Jason Spitler, Town Attorney
Mary Broyles, Treasurer
Danielle Babb, Deputy Clerk-Treasurer
Ligon Webb, Town Planner
Charlie Hoke, Director of Utilities
Lynn Mathews, Superintendent of Public Works
Page Campbell, Chief of Police
Catherine Stewart, Luray Downtown Initiative

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

President of Council, William Menefee, stated that Mayor Presgraves would not be attending the evenings meeting due to a broken ankle. Also, Councilman Menefee welcomed the newest member of council, Mr. Jerry Schiro.

PUBLIC HEARING

Vacation of Public Right-of-Way: David and Laurie Ryman

A request was made by David and Laurie Ryman to vacate a town-owned strip of land totaling approximately 487 square feet in order to become part of the adjacent parcel owned by the Ryman's. The town-owned strip of land is located near the intersection of South Broad Street and Campbell Street and is a portion of a public alley. Mr. Webb stated that he feels that the owner would benefit from the additional property, thus preventing the owner from changing the design plans of the new building. President of Council, William Menefee, opened the public hearing. With no citizens present to speak on the issue, the public hearing was closed. **Motion:** Councilman Arrington motioned to approve the vacation of right-of-

way as presented, motion seconded by Councilwoman Shifflett with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Schiro, Racer. **Approved 6-0**

CONSENT AGENDA

Motion: Councilman Arrington motioned to approve the Consent Agenda, motion seconded by Councilman Racer with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Schiro, Racer. **Approved 6-0**

Consent Agenda

- A) Minutes of June 9, 2008 Regular Council Meeting
- B) Minutes of June 30, 2008 Special Council Meeting
- C) Minutes of the July 8, 2008 Council Work Session
- D) Financial Report for the period June 1-30, 2008
- E) Accounts payable checks totaling \$ 425,147.96
- F) NSVRC Representative- Jerry Schiro

GENERAL CITIZEN COMMENTS

A) Chris Anderson, Page County Environmental Coordinator

Ms. Anderson came before Council to request permission to mark the town's storm drains. She presented Council with several options informing that these drains lead to the Shenandoah River. Council members concurred that this was a good idea and that Lynn Mathews, Superintendent of Public Works, could assist with the number of drains to be marked.

B) Dow McGrady, 62 Rosser Drive, Luray

Mr. McGrady spoke before Council to provide a power point presentation on the need for a skate park in Luray. Mr. McGrady stressed that skateboarders have no where to go and that the sport is fast growing in popularity. He noted the Town of Stanley is preparing for a fall opening for their park. Mr. McGrady gave Council 3 proposed locations; Luray High School Tennis Courts, Ralph H. Dean Recreation Park, Phase Three of the Luray/Hawksbill Greenway. Mr. McGrady came to Council proposing a low cost option of a trial skate park on a roadway portion of Phase III of the Greenway with all mobile jumps and ramps. Councilman Schiro stated that he would like to see the town locate a park at the Ralph Dean Recreation Park. He feels that the Greenway is the "front door" to the town and not the best controlled environment. Citizen, Ken Beyer, spoke of his work on the founding of the Greenway. Initial efforts were not to prohibit skateboarding on the Greenway; however a lack of responsibility and etiquette led to its ban on the trail. Ken Beyer urged council to consider a location other than one in proximity to the Greenway. Citizen, Lee McWhorter, spoke against ticketing skateboarding as a criminal offense. Mr. McWhorter feels that this is a waste of police force efforts. Police Chief, Page Campbell, was asked by Council to comment on the issue. Mr. Campbell feels that the real issue is not the skateboarding but the vandalism that is often associated with skateboarding. As well, he sees the recreation park as a more suitable location. Town Attorney, Jason Spitzer, concluded the discussion by advising Council to avoid action on this until the "New Business" portion of the meeting.

C) Peggy Reed, 23 Nichols Road, Luray

Peggy Reed spoke before Council requesting to hold a September 11 memorial/march on the Greenway at the request of local soldiers. Council agreed that the event was a fine idea.

D) Susan Stuart and Peggy Harvey, Cave Street, Luray

Susan Stuart and Peggy Harvey came before Council to address the issue of free roaming cats in the town. Ms. Harvey stressed that the town is a bird sanctuary; however there is the problem of nuisance cats. Ms. Harvey feels that cats should not be allowed to roam free and to wander into the yards of other property owners. Ms. Harvey expressed her concern for cats who may carry disease and who may pose a danger to other animals and to humans. She stressed that there are many other ordinances in place but there is still no ordinance in place for cats.

E) Roy Miller, 8 Randolph Road, Luray

Mr. Roy Miller spoke before Council to express his displeasure with the recent fee increases implemented by the town. Mr. Miller conveyed that many people live on fixed incomes and that even small increases can become a burden. Mr. Miller feels that Council may have to begin curbing expenditures in order to prevent these types of increases.

TOWN ATTORNEY

Town Attorney, Jason Spitler, presented only one item for the evening. Mr. Spitler presented Council with the yearly procurement policy for both Luray Copy Service and Lancaster Enterprises. **Motion:** Councilman Arrington motioned to approve the Procurement Policy Resolution, motion seconded by Councilwoman Shifflet with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Schiro ABSTAIN: Lancaster, Racer **Approved 4-0**

TOWN AFFILIATED BOARDS AND COMMISSIONS

Luray Downtown Initiative

Catherine Stewart presented Council members the latest issue of the downtown newsletter which exhibits the "Buy Local" campaign. Ms. Stewart also presented a travel article which featured the Mimslyn and downtown Luray. Catherine also notified Council and Citizens of a new delicatessen, the West Main Market, which is scheduled to open soon.

DEPARTMENTAL REPORTS

POLICE- PUBLIC SAFETY AND EMERGENCY SERVICES COORDINATOR'S REPORT

Chief Campbell reviewed his monthly departmental report and noted 84 arrests for June 2008 and 224 total calls for service in the second quarter. Chief Campbell notified Council that his staff has given out several tickets at the downtown crosswalks. Also, a seminar was recently held in a joint effort with the chamber of commerce to inform area business owners of shoplifting dangers.

PARKS AND RECREATION

Town Manager, Rick Black, updated Council on the recent events for the Parks and Recreation Department as Pat O'Brien was on vacation at the time of the meeting. Mr. Black noted that work continues on Greenway Phase IV and the clean up at Lake Morningstar. The geese issue at Lake Arrowhead has been resolved through working with the USDA. Mr. Black advised Council members that approximately 700 athletes have register and paid to participate in the upcoming Luray Triathlon. The

tennis courts at the American Legion building have been paved and are awaiting a net replacement. Upcoming events for Parks and Recreation include the summer concerts on the Ruffner Plaza.

PUBLIC WORKS DEPARTMENT

Public Works Director, Lynn Mathews reported that all of the monthly water samples checked out OK. The public works department repaired six water leaks for the month. The town water tanks have been recently maintained and painted. Upcoming projects for his department will include sewer line repairs, brush collection, and trimming roadsides.

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.

TOWN PLANNER'S REPORT

Town Planner, Ligon Webb, advised Council and Staff that there will be a work session this week and the regular meeting on July 23, 2008. There are two public hearings scheduled for regular session; 1) a special use request for Rivers West Bar-B-Q, 2) a special use request for Chris Avery and Ronnie Good.

OLD BUSINESS

Airport Hangar Special Appropriation

Town Manager, Rick Black, notified Council that a special appropriation was needed to finance the construction of the T-Hangar Project. Until short term financing is secured, special appropriations must be made. **Motion:** Councilman Schiro motioned to approve the special appropriation to finance the construction of the T-Hangar Project; motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Schiro, Racer. **Approved 6-0**

NSVRC Resolution

Mr. Black, advised Council of the need for action on the NSVRC Resolution to amend Commission Charter. The resolution allows the commission to reduce the number of voting commission members. This recommendation was supported by Council at the May 2008 meeting. **Motion:** Councilman Arrington motioned to approve the NSVRC Charter Amendment; motion seconded by Councilman Racer with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Schiro, Racer. **Approved 6-0**

Curbside Recycling

Councilman Racer provided an overview of the proposed Curbside Recycling Program. Mr. Racer reviewed the collection process as well as equipment and personnel to be required. Councilman Racer also advised citizens that no funds will be sought from town residents to cover the expenses of the program in the FY 2008/2009 period. All expenses related to the Curbside Recycling Program will be covered by funds earmarked for "tipping fee" in the current budget. Mr. Racer noted that the program will be monitored throughout the fiscal year and a determination will be made if any additional costs are incurred. **Motion:** Councilman Racer motioned to proceed with the Curbside Recycling Program at a cost not to exceed the amount presently earmarked for "Tipping Fee" in the FY2008/2009 Budget and at a site

yet to be determined, but subject to approval by a majority of the Council; motion seconded by Councilwoman Shifflet with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Schiro, Racer. **Approved 6-0**

NEW BUSINESS

Skate Park

Motion: Councilman Schiro motioned to direct staff to initiate a plan and budget for a Skate Park to be located at the Ralph H. Dean Recreation Park; motion seconded by Councilman Arrington with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Schiro, Racer. **Approved 6-0**

Appointment to Boards and Commissions

Town Manager Rick Black reviewed the Commission and Committee Nominations as follows:

Planning Commission:

Barry Presgraves: Mary Menefee
Jerry Schiro: John Meaney
Leroy Lancaster: Peyton Baughan
Earl Racer: Tom Potts

Motion: Councilwoman Shifflet motioned to approve the Planning Commission nominations as presented; motion seconded by Councilman Racer with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Schiro, Racer. **Approved 6-0**

Industrial Development Authority:

Barry Presgraves: Bryant Burrill
Jerry Schiro: Dow McGrady, Jr.
Leroy Lancaster: Walter Tutt
Earl Racer: Nancy Racer

Motion: Councilman Racer motioned to approve the Industrial Development Authority nominations as presented; motion seconded by Councilwoman Shifflett with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Schiro, Racer. **Approved 6-0**

Tree and Beautification Committee:

Barry Presgraves: Laura Butler
Jerry Schiro: Eddie Wayne Marston
Leroy Lancaster: Nancy Racer
Earl Racer: Brenda Beahm

Motion: Councilman Schiro motioned to approve the Tree and Beautification Committee nominations as presented; motion seconded by Councilwoman Shifflett with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Schiro, Racer. **Approved 6-0**

Board of Zoning Appeals:

Barry Presgraves: James Ferrell
Jerry Schiro: Mike Swenson

Motion: Councilman Lancaster motioned to approve the Board of Zoning Appeals nominations as presented; motion seconded by Councilman Racer with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Schiro, Racer. **Approved 6-0**

Town Manager, Rick Black, advised that the Town still has a vacancy on the Airport Commission.

Resolution of Recognition for Wes Porter and Graphic Services

Motion: Councilman Schiro motioned to approve the Resolution of Recognition for Wes Porter and Graphic Service for their work on the Luray Wayfinding Sign Program; motion seconded by Councilman Racer with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Schiro, Racer. **Approved 6-0**

ADJOURN

There being no further business, Councilman Menefee adjourned the regular session of the Town Council at approximately 9:02 pm.

William Menefee
President of Council

Danielle P. Babb
Deputy Clerk-Treasurer