

MINUTES

LURAY TOWN COUNCIL

SEPTEMBER 11, 2006

The Luray Town Council met in regular session on Monday, September 11, 2006 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 Dean

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

Also Present: Jerry Schiro, Town Manager
Rick Black, Assistant Town Manager
Ligon Webb, Town Planner
Jason Spitler, Town Attorney
Mary Broyles, Clerk-Treasurer
Lynn Mathews, Superintendent of Public Works
Charlie Hoke, Wastewater Superintendent
Pat O'Brien – Parks & Recreation

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

Minutes of the August 14, 2006 Regular Council Meeting were submitted for review. **Motion:** Councilman Lancaster motioned to approve the minutes as presented; motion seconded by Councilman Racer with the vote as follows: YEA: Council Members Shifflett, Arrington, Lancaster, Menefee, Presgraves, and Racer. **Approved 6-0**

COUNCIL WORK SESSION SEPTEMBER 5, 2006

Minutes of the Council Work Session of September 5, 2006 were submitted for review. **Motion:** Councilman Racer motioned to approve the minutes as presented; seconded by Councilwoman Shifflett with the vote as follows: YEA: Council Members Shifflett, Arrington, Lancaster, Menefee, Presgraves, and Racer. **Approved 6-0**

PUBLIC HEARINGS

A) Special Use Permit – SUP06-06

Ligon Webb, Town Planner, stated the first public hearing will be for Stephen Lee who is requesting a Special Use Permit to convert an existing single-family dwelling into a two-family dwelling. The location of the property is 326 East Main Street (tax map # 42A11-(2)-9). He originally had applied for townhouses, but realized after he applied that would not be possible because of the size of the lot, so he withdrew his application and desires to proceed with a two-family dwelling. He would be required to follow all the relevant building codes required to convert this to a two-family dwelling. The Planning Commission voted to approve the Special Use Permit by a 7-0 vote.

Motion: Councilwoman Shifflett motioned to approve the Special Use Permit; seconded by Councilman Menefee with the vote as follows: YEA: Council Members Shifflett, Arrington, Lancaster, Menefee, Presgraves, and Racer. **Approved: 6-0**

Town Ordinance Amendments

Mr. Webb stated the next two public hearings are with regard to two ordinance amendments which would require two separate actions.

The first one is Section 202 of Appendix A of the Code of the Town of Luray, Virginia. This would add the definition of Special Use Permit. The second one, which the definition in Section 202 refers to, is Section 703. This section outlines the policy for the Special Use Permits of the Town. The Planning Commission worked on these amendments for several months. Essentially they wanted to insure that the transfer of Special Use Permits for residential purposes transpired without a Special Use Permit having to be reissued to subsequent buyers.

Mr. Schiro asked if it was the intent of the Planning Commission that this be retroactive to all Special Use Permits issued in the past. Mr. Webb stated that this would be retroactive.

Motion: Councilman Lancaster motioned to approve both ordinance amendments; seconded by Councilman Presgraves with the vote as follows: YEA: Council Members Shifflett, Arrington, Lancaster, Menefee, Presgraves, and Racer. **Approved: 6-0**

CITIZEN'S COMMENTS

Catherine Stewart, Director of the LDI, was present to update Council on various issues pertaining to the LDI. She presented to Council a copy of the Downtown Newsletter and the Virginia Main Street Wayfinding Charrette. Mr. Schiro stated that since Frazier would be working with LDI on wayfinding signs it might be a good idea to utilize them for other signage in order to keep a consistency throughout the town.

Catherine Stewart commented that the Halloween event discussed last month is going to be on October 31.

Councilman Racer stated he would like to compliment LDI on the nice editorial in the newspaper two weeks ago.

Matthew Miller spoke on behalf of Luray High School as their SCA President. He requested that they be allowed to have a parade on October 13 beginning between 6:00 and 6:30 p.m. lasting approximately one-half hour to 45 minutes. The parade would begin on First Street; go down East Main, across the railroad tracks to the stoplight and the process to Bulldog Field. He stated that many students, parents and faculty have put a lot of hard work into the floats and they thought it would be a great opportunity for the community to see their school spirit. He stated that The LHS student body would greatly appreciate Council's cooperation in this matter and this event will help foster school spirit not only in the student body and staff, but also the entire Town of Luray.

Motion: Councilman Lancaster motioned to approve the request as presented; seconded by Councilman Racer, with the vote as follows: YEA: Council Members Shifflett, Arrington, Lancaster, Menefee, Presgraves, and Racer. **Approved: 6-0**

TOWN CLERK/TREASURER'S REPORT

Treasurer's Report of Cash on Hand as of September 11, 2006:

Sun Trust Bank:	
General Fund Account	\$2,834,168.43
Cash on Hand	<u>\$ 22,321.20</u>
TOTAL:	\$2,856,489.63
 Savings Accounts:	
PVB-FmHA Sewer Plant Sinking Fund	\$ 28,788.00

Mary Broyles, Town Clerk/Treasurer submitted to Council for approval, Accounts Payable invoices in the amount of \$270,576.71. **MOTION:** Councilman Menefee motioned to approve payment of the invoices as presented; seconded by Councilman Presgraves with the vote as follows: YEA: Council Members Shifflett, Arrington, Lancaster, Menefee, Presgraves, and Racer. **Approved: 6-0.**

TOWN MANAGER'S REPORT

Mr. Schiro distributed a VML publication celebrating 100 years. He stated that it contained some interesting old photographs and was a very nice publication.

The Town received a thank you note from the Luray Fire Department for the memorial donation in remembrance of former Council Member June Richards.

Mr. Schiro stated that he had previously handed out a Power Point presentation that covered the contents of the airport report. He stated that this is an official document from Delta Airport Consultants and therein they make two recommendations for alternatives to expand the runway and for facility development so far as the direction for the hangers that are to be constructed. At this point, the Airport Commission is asking that the Town simply agree and endorse these alternatives. Mr. Schiro stated that at the meeting, it was made very clear to them, that by endorsing the alternatives, we are not committing to any additional funding. One alternative has to do with extending the runway and it's simply a question of whether to do it to the north or to the south. It's about a \$6 million difference if it goes to the south towards 211 with the runway expansion as opposed to the north. The second has to do with the configuration of the new hangers and they are recommending that the hangers be constructed parallel with the runway

and not perpendicular to the runway. What the Commission and Delta are trying to do is involve the County and the Town more in some of this process. Mr. Schiro stated that he did not have a problem with Council approving the alternatives at this point since we are not making any commitment for future funding.

Mr. Schiro will be attending a meeting with the FAA at Dulles Airport on September 20th or the 22nd and Powell Markowitz has requested that at least one elected official attend the meeting also. Apparently this is a presentation of the airport layout plan to the FAA and to the State Department of Aviation. We are not making any commitments at this presentation. Mr. Schiro suggested that if commissioners are appointed a later date, a Council Member might be the appropriate person to attend along with me. He said he had told Mr. Markowitz that he would bring it before the Council this evening. If someone would like to go, they will bring in a plane and fly us down there.

A CDBG meeting was held on the afternoon of September 11th with Mayor Dean and Councilman Racer attending. There was a housing rehab specialist with Doug Meredith who reviewed the apartments next to Racey's Engineering and also looked at the apartments in the Edward Jones Building. That will be the first portion of the grant that will be funded. Mr. Schiro stated that they were close to signing the contract with Cathy Frazier. The Town's portion of it is complete and the only thing that is holding it up are some technical issues between Doug Meredith and Cathy Frazier pertaining to who is going to do what in terms of engineering and some design work. He also stated that the Town needs to appoint a three member Housing Rehab Board. That's a condition of the grant. They suggest that it be one elected official, one staff member and one business person; three at a minimum. We can appoint more, but they seemed to think three would be a good working number. Mr. Schiro asked Council to think about who they would like to appoint. What this board will do is basically review contracts that come in.

Mayor Dean appointed Nancy Shifflett to be on the CDBG Housing Rehab Board.

Mr. Schiro stated that two council members need to be appointed to serve on a joint ad hoc committee with the Page County School Board. This committee will address issues associated with public utilities at the new school site. Mayor Dean recommended Lonnie Arrington and Barry Presgraves.

Councilman Leroy Lancaster was nominated to attend the meeting with the FAA at Dulles Airport on September 20th or the 22nd.

Mr. Schiro stated that Council needs to appoint one business person for the Housing Rehab Board in the West End. Councilman Lancaster recommended Walter Judd. Mr. Schiro and Mr. Black will share the responsibility for the Staff.

DEPARTMENTAL REPORTS

POLICE – PUBLIC SAFETY AND EMERGENCY SERVICES COORDINATOR'S REPORT

Mr. Schiro stated that Chief Campbell was ill and could not make the meeting and he would try to answer any questions.

PARKS AND RECREATION

Pat O'Brien updated Council on an in-depth draft of a Greenway brochure. The brochure is being funded by the Department of Forestry, LDI and the Chamber of Commerce. It highlights the history of the Greenway, a numbered map of the trail project, various points of interest including the Greenway area, fishery information along the corridor and more. In 2002 they printed about 5,000 of the original two page brochure. They have been out of those brochures for about six months and hope to print another 5,000. The first brochure was two pages but since the completion of the other phases of the Greenway, the new brochure will have more detail.

PUBLIC WORKS

Public Works Superintendent Lynn Mathews reported all monthly water samples checked out OK. Mr. Mathews updated Council on the projects the Public Works Department had completed during the month.

WASTEWATER TREATMENT DEPARTMENT

Charlie Hoke, Director of Utilities, stated that Tom Brown is on the mend and in good spirits. He appreciates all the good will from the Town, visits, and cards. He thanked the Council for the fruit basket.

Mr. Hoke stated that the micro filter is still being reviewed by the Health Department. The Wastewater Treatment Plant is in compliance with all State and Federal regulations.

PLANNING AND ZONING

Town Planner, Ligon Webb submitted his written report and stated that due to a death in Mr. Spittler's family, they were unable to have proposed amendments for the sign ordinance.

He stated that they were going to look at the subdivision ordinance as it relates to sidewalks in residential subdivisions plats. It is being discussed with the Planning Commission about requiring curb and sidewalks in residential subdivision plats as opposed to right now "as required".

Comprehensive Plan - The Town received four bids from consultants in response to the RFP to update the Town's Comprehensive Plan. Two of the bids were aligned with the Town's proposed budget for the project. Mr. Webb stated that when there are some assurances as to the scope of the work, we hope to have a consultant picked out. Town staff will keep the Mayor and members of the Council abreast of the situation and hopefully a decision will be made by no later than Friday, September 15.

Response to the article in the Page News & Courier in regard to the need for citizens to serve on the Comprehensive Plan Advisory Committee has been great. Once Council has appointed members to the Committee, a late September date will be selected as the first formal meeting with members of the committee, consultant, and Town Planner.

OLD BUSINESS

At the September 5th Council work session, Councilman Racer stated that he was approached to revisit the idea of naming the Greenway Plaza. This issue had been tabled for approximately six months. It was requested that this be placed on the agenda for action. **Motion:** Councilman Menefee motioned that the Greenway Plaza be renamed the Ruffner Plaza; seconded by Councilman Racer with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves and Racer. **Approved 6-0**

AIRPORT COMMISSION

Mr. Schiro stated that Council has already discussed the Airport Commission. He asked for a consensus and request that the minutes reflect that the Council agrees with the consulting engineers in terms of the alternatives they have outlined. **Motion:** Councilman Lancaster motioned that Council agree with the alternatives; seconded by Councilman Racer with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves and Racer. **Approved: 6-0**

LANG ALLEYWAY DEDICATION ORDINANCE

Mr. Schiro stated he had included a copy of an ordinance to convey the alleyway to Phillip and Kelly Lang. This was approved by Council at the August 14th meeting. He stated that he needs motion to adopt this ordinance to convey it. **Motion:** Councilman Presgraves motioned to adopt this ordinance conveying the alleyway; seconded by Councilman Racer, and the vote was as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves, and Racer. **Approved 6-0**

NEW BUSINESS

Mr. Schiro stated that appointments of the Town Attorney, Treasurer and Town Manager are made during the September meeting. The Town Attorney is biennially and the Treasurer and Town Manager are for a one year appointment.

Motion: Councilman Menefee motioned to appoint Jason Spitler as the Town Attorney; seconded by Councilman Racer with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves and Racer. **Approved 6-0**

Motion: Councilwoman Shifflett motioned to appoint Mary Broyles as Treasurer; seconded by Councilman Menefee with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves and Racer. **Approved: 6-0**

Motion: Councilman Menefee motioned to appoint Jerry Schiro as Town Manager; seconded by Councilman Racer with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves and Racer. **Approved: 6-0**

MAYOR'S ANNOUNCEMENTS

Mayor Dean did not have any announcements.

Motion: Councilman Arrington made a motion to nominate Councilman Menefee as the Vice Mayor; seconded by Councilman Presgraves with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves and Racer. **Approved: 6-0**

EXECUTIVE SESSION

Mayor Dean requested a motion to adjourn to Executive Session for the purpose of discussion or consideration of the acquisition of real property for a public purpose pursuant to VA Code Section 2.2-3711 A.3.

Motion: Councilman Presgraves motioned to recess the regular meeting and convene in closed session; Councilman Racer seconded the motion, and the vote was as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Presgraves and Racer. **Approved 6-0**

RECONVENE & ADJOURN

Following the Executive Session, Council reconvened in Regular Session. Council agreed the only matter discussed was acquisition of real property for a public purpose.

There being no further business to transact, Mayor Dean adjourned the regular session of the Town Council.

Mayor Ralph H. Dean

Attest:

Mary Broyles Clerk-Treasurer