

MINUTES

LURAY TOWN COUNCIL

OCTOBER 12, 2004

The Luray Town Council met in Regular Session on October 12, 2004 at 7:00 p.m. with Mayor Ralph H. Dean presiding over the meeting. Council members present were Leroy Lancaster, Barry Presgraves, Earl Racer, Nancy Shifflett, William Menefee and Gerald Snyder. Also present were Jerry Schiro, Town Manager, Lonnie Arrington, Assistant Town Manager, Cindy Bushey, Clerk-Treasurer, Mary Broyles, Deputy Clerk-Treasurer, Chief Page Campbell, Lynn Mathews, Superintendent of Public Works, David O'Brien, Parks and Recreation Director, and Charles Hoke, Wastewater Treatment Plant Supervisor.

CONSIDERATION OF MINUTES

Councilwoman Shifflett made the motion, seconded by Councilman Presgraves to approve the minutes of September 13, 2004 as presented with the vote as follows: YEA: Council members Lancaster, Presgraves, Racer, Shifflett, Menefee and Snyder.

Councilman Menefee made the motion, seconded by Councilman Snyder to approve the minutes of September 27, 2004 as presented with the vote as follows: YEA: Council members Lancaster, Presgraves, Racer, Shifflett, Menefee and Snyder.

CITIZEN COMMENTS

Luray Downtown Initiative

Bonnie Anthony, President of the Luray Downtown Initiative, was present to update Council on the progress of the Downtown Initiative. She stated that they had raised \$4,344 through six fundraising events. They have started working on the annual Mayfest, which will be sponsored in 2005 by the Luray Downtown Initiative.

Ms. Anthony stated they are in the process of recruiting an Executive Director and have received four resumes. She also submitted to Council for their consideration a budget request in the amount of \$24,000.00. Councilwoman Shifflett questioned some of the items listed under the director's benefits. Councilman Lancaster suggested the Finance Committee review this with the LDI Committee.

It was the consensus of Council that the Finance Committee should review this request with the Committee.

T. Wayne Nichols - Meadows II Subdivision

Mr. Nichols was present to ask Council to consider paying a portion of delinquent Real Estate taxes on what are now the streets in the Meadows II Subdivision. He stated that he thought the streets had been taken into the Town's street system because the Town of Luray had removed snow and maintained the streets. Mr. Schiro stated the Town has been receiving State Street Maintenance funds on these streets.

After an indepth discussion, Councilman Menefee made the motion, seconded by Councilwoman Shifflett to abate the taxes on the streets in the Meadows II Subdivision and to pay the Town's portion of the Real Estate Tax Bills to Page County with the vote as follows: YEA: Council members Lancaster, Presgraves, Racer, Shifflett, Menefee and Snyder

TREASURER'S REPORT

Treasurer's Report of Cash on Hand as of October 12, 2004.

SunTrust Bank:

General Fund Account	\$ 2,918,650.74
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Pioneer Bank:

General Fund Account	.00
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Cash on Hand	19,918.94
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Total	\$ 2,938,569.68
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Savings Accounts:

PVB - FmHA Sewer Plant Sinking Fund	\$ 28,788.00
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Cindy Bushey, Town Clerk/Treasurer, submitted to Council for their approval Accounts Payable invoices in the amount of \$314,346.33.

Councilman Menefee made the motion, seconded by Councilman Presgraves to approve payment of the Accounts Payable invoices as presented with the vote as follows: YEA: Council members Lancaster, Presgraves, Racer, Shifflett, Menefee and Snyder.

Ms. Bushey informed Council that she had received the draft copy of the Fiscal Year 2003-2004 audit. She stated the auditor would meet with the Finance Committee and Town Manager to review the audit report.

TOWN MANAGER'S REPORT

Reservoir Project

Mr. Schiro stated that the reservoir has been completely drained. He stated that some of the scope of work was eliminated which reduced the cost from \$51,000 to \$33,000. This work was eliminated after the engineers reviewed the project. Some of the work will be done in-house. The Contractor was informed that the project has to be finished by November or December due to the cold weather and getting the Reservoir back on line.

Wallace Avenue Project

The Wallace Avenue Project is approximately 90% complete.

Train Depot Project

The town staff is in the process of removing the additional six feet of fill which would have been a change order.

Town Hall

Mr. Schiro stated that an open house for the newly renovated town hall will be held on Sunday, October 17. The Staff will start moving into the new office space the following week.

Mr. Schiro also informed Council that there would be a ribbon cutting ceremony on October 28 for Farmers Foods, the new grocery store that has opened in the Luray Shopping Center.

United Way

Mr. Schiro stated that Paula Kibler with the United Way had requested \$200.00 at the September Council meeting. The kick off is on October 13.

Councilwoman Shifflett made the motion, seconded by Councilman Presgraves to donate \$200.00 to the United Way with the vote as follows: YEA: Council members Lancaster, Presgraves, Racer, Shifflett, Menefee and Snyder.

Mr. Schiro stated he would like to request an Executive Session to discuss Legal Consultation. Mayor Dean stated that Personnel would also be discussed.

Mr. Schiro stated that he had been in contact with Clifford and Associates which has been purchased. In 1992 they had previously designed a water treatment plant. Mr. Schiro requested they review these plans regarding technology 12 years later. He stated the Town needs to start looking at this seriously.

DEPARTMENTAL REPORTS

PUBLIC SAFETY AND EMERGENCY SERVICES COORDINATOR'S REPORT

Chief Campbell requested that Halloween be observed on Saturday Night instead of Sunday Night.

Councilman Lancaster made the motion, seconded by Councilman Menefee to observe Halloween on Saturday with the vote as follows: YEA: Council members Lancaster, Presgraves, Racer, Shifflett, Menefee and Snyder.

Chief Campbell also updated Council on the Emergency Service Coordinator's response during the month of September which included various hurricanes and storms.

PARKS & RECREATION

Mr. O'Brien stated that the Main Street Pocket Park is finally complete. The large sycamore tree was up-lighted as a final touch.

Mr. O'Brien stated that he had sent out invitations for this year's Christmas Parade and there have been quite a few responses already including several bands. The Parade is scheduled for 5:30 p.m. on Tuesday, December 7 with a rain/snow date of December 9.

Mr. John Graves has completed about 1/3 of his mural on the Chamber Building wall. He will finish the mural prior to cold weather. This is the 8th mural to date. Mr. O'Brien stated that due to numerous requests for mural information, the Chamber has compiled a mural brochure.

The Town has been awarded a \$20,000.00 grant from the National Fish and Wildlife Foundation for the Hawksbill Creek Restoration Project. This project will include some stream channel work and stream side plantings. The intent is to improve the fishery of the creek and get the town a Class "A" designation. Class "A" will increase the amount of stocked fish and the frequency of stocking. Mr. O'Brien anticipated that this work will start in the spring.

Mr. O'Brien stated that the Greenway engineers are putting the finishing touches on the bid packet for Phase #3 of the trail project. Hopefully this Phase will commence this spring.

The Town of Luray has won another award for the Greenway Project. This award is from Scenic Virginia and is called "Best Preservation of a Scenic Water Corridor". The award presentation is scheduled for Monday, October 18 in Richmond. Mr. O'Brien stated that he and Mayor Dean would be attending.

Councilman Menefee asked if Harrisonburg has visited the Greenway. Mr. O'Brien stated that Harrisonburg, Broadway and Winchester have visited in order to get ideas for their projects.

PUBLIC WORKS

Lynn Mathews stated that the Public Works Department was still working closely with the Health Department on the water sampling. The sample have been absent of bacteria. He stated they have made water and sewer taps and repaired numerous water leaks. He stated the employee parking lot has been completed and they were still working on the Train Depot Project.

Councilman Menefee asked if the new electric poles were going to be wired for the Christmas Decorations. Mr. Schiro stated that Allegheny has not returned the information on the cost of the upgrade nor have they confirmed that the load of the new poles will or will not support the Christmas Decorations. Mr. Mathews stated he would contact Allegheny Power.

WASTEWATER TREATMENT PLANT

Mr. Charlie Hoke updated Council on the operations of the Wastewater Treatment Plant. He stated that in the month of October, they had spent approximately eighty two hours on infiltration and inflow. Due to the rain, there were two minor exceptions to the permit.

OLD BUSINESS

Vacation of Public Right-of-Ways

Mr. Arrington stated that a Public Hearing was held at the September Council Meeting to hear public comments from interested citizens concerning the request to vacate a portion of a public right-of-way with the Town of Luray. This right-of-way is between Third and Fourth Streets and Luray Avenue and Sixth Avenue (Tax Map # 42A11-(18)-72-12).

This request was made by Mr. and Mrs. Timmy Gray. Mr. Arrington stated that there were at least three people, whose property joins this alley, that had objected to the closing. He also stated that the Street Committee does not support the approval of this request.

Councilman Menefee made the motion, seconded by Councilman Presgraves to deny the request made by Mr. and Mrs. Timmy Gray to vacate the alley with the vote as follows: YEA: Council members Lancaster, Presgraves, Racer, Shifflett, Menefee and Snyder.

Mr. Schiro stated that Council had previously approved alley acquisition requests. The first was approved on December 9, 2002 for Terry Cabbage and Kerry E. Martin and the second was approved on February 10, 2003 for Bible Broadcasting, Inc. These alleyways are between Fourth and Fifth Street and Third and Fourth Avenue. The property owners have now obtained the surveys that were required. He stated that Council needs to formally enact an Ordinance vacating those public right-of-ways. This ordinance needs to be recorded with the deed. Mr. Jason Spitler, Town Attorney, stated that the property owners were responsible for paying for the surveys and he was under the assumption that when it gets to his desk it has already been approved.

Councilwoman Shifflett made the motion, seconded by Councilman Snyder to approve the Ordinance vacating the public right-of-ways with the vote as follows: YEA: Council members Lancaster, Racer, Shifflett, Menefee and Snyder. Councilman Presgraves abstained.

MAYOR'S ANNOUNCEMENT

Mayor Dean invited the public to attend the Open House of the newly Renovated Town Offices on October 17.

EXECUTIVE SESSION

Councilman Racer made the motion, seconded by Councilwoman Shifflett to go into Executive Session to discuss Personnel under Code of Virginia section 2.2-3711-(1) and Legal Consultation under Code of Virginia section 2.2-3711(7) with the vote as follows: YEA: Council members Lancaster, Presgraves, Racer, Shifflett, Menefee and Snyder.

Following the Executive Session, Council reconvened in Open Session.

Council agreed that only matters pertaining to Personnel and Legal Consultation were discussed in the Executive Session.

With no further business, the meeting was adjourned.

Mary Broyles
Clerk to Council

Ralph H. Dean
Mayor