

**MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL OF THE
TOWN OF LURAY, PAGE COUNTY, VIRGINIA
February 13, 2006**

The Luray Town Council met in regular session on Monday, February 13, 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 Barry Presgraves Leroy Lancaster
Earl "Rock" Racer William Menefee Gerald Snyder

Also Present: Jerry Schiro, Town Manager
Rick Black, Assistant Town Manager
Mary Broyles, Clerk-Treasurer
Shelley Owens, Deputy Clerk-Treasurer
Page Campbell, Chief of Police
Lynn Mathews, Superintendent of Public Works
Charlie Hoke, Wastewater Superintendent
Pat O'Brien, Director of Parks & Recreation
Jason Spitler, Town Attorney
Media: Page News & Courier
Other Interested Parties Present: 5

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

Minutes of the January 9, 2006 Regular Council Meeting, minutes of the February 8, 2006 Joint Council and Town Planning Commission Meeting, and minutes of the Joint Towns Meeting held on January 23, 2006 were submitted for review. **Motion:** Councilwoman Shifflett motioned to approve the minutes as presented; motion seconded by Councilman Menefee with the following YEA: Council Members Shifflett, Menefee, Lancaster, Presgraves, Snyder, and Racer. **Approved 6-0.**

PUBLIC HEARINGS

Agenda item IV. A), which listed a rezoning public hearing to be held during the regular council meeting was cancelled. Webb LLC, withdrew their rezoning application which requested the rezoning of property located in front of the Days Inn on Highway 211 East.

GENERAL CITIZEN AND ORGANIZATION COMMENTS

Luray Downtown Initiative (L.D.I.)

Interim L.D.I. Executive Director, Catherine Stewart presented a written monthly report of L.D.I. activity dated February 13, 2006.

Lord Fairfax Community College (LFCC)

Ms. Gail Price, Director of the Luray-Page County LFCC Center, provided a verbal update of the center's enrollment numbers and classes being offered. Ms. Price thanked Council for all of their assistance with making the LFCC Luray Campus possible.

TREASURER'S REPORT

Treasurer's Report of Cash on Hand as of February 13, 2006:

SunTrust Bank:	
General Fund Account.....	\$ 3,017,439.92
Cash on Hand:	\$ <u>12,204.38</u>
TOTAL:	\$ 3,029,644.30
 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 total amount of \$ 111,902.96. **Motion:** Councilman Racer motioned to approve payment of the list of invoices presented, seconded by Councilman Presgraves with the following council members voting YEA: Shifflett, Snyder, Menefee, Lancaster, Presgraves, and Racer. **Approved: 6-0.**

TOWN MANAGER'S REPORT

Hawksbill Greenway Survey

Jerry Schiro stated Racey Engineering will be conducting the Hawksbill Greenway Phase IV survey work.

Draper Aden & Associates – Facilities Fee

Staff is working with Draper Aden & Associates in the preparation of a proposal to develop a facilities fee for new development. Mr. Schiro stated this fee would be assessed in addition to regular tap fees and would serve to reserve water and sewer capacity in the town systems. Facility fees would provide the town with reserves to provide capital improvements and fund additional operational expenditures associated with new development.

Business Incubator Technical Assistance Grant

Staff is working with the County and the Luray Business Incubator Group to secure a technical assistance grant available from USDA through Rural Development. Jerry Schiro provided Council with copies of a letter issued to the Business Incubation Group of the Shenandoah Region in support of the grant. This grant would serve to assist business entrepreneurs and provide Page County with an on-site Business Counselor.

Railroad Depot Restoration

The schematic interior design on the Train Depot has begun. Staff will be meeting with the Architectural Firm and an Exhibit Designer to discuss the project. Once complete, the Depot will serve as a visitor center, the Chamber of Commerce offices, and Railroad Museum.

New Market Tax Credit Program

Mr. Schiro expressed appreciation to Council for attending the recently held New Market Tax Credit Program. Mr. Schiro stated the Mimslyn Inn is unfortunately not located within a qualifying census tract and is therefore not eligible to participate in the program.

Community Development Block Grant (CDBG)

The draft Management Plan for the CDBG grant has been completed. Staff is on schedule with the March 15, 2006 deadline for grant agreement execution. Another Management meeting will be held on February 16, 2006.

Telephone Services

Jerry Schiro stated the loss of telephone service in Luray on Saturday, February 11, 2006 was the direct result of town crews severing a fiber optic telephone service line. The line was hit during the repair of a four-inch water line break at the Park-and-Ride lot. The telephone cable was installed only four inches from the water line with no warning tape to identify its location.

Snow Removal

Mr. Schiro, Mayor Dean, and Council commended the Public Works Department for an excellent job of clearing snow from the town streets over the weekend.

TOWN ATTORNEY'S REPORT

Town Attorney Jason Spitler presented the following ordinances for consideration:

- **AN ORDINANCE ADOPTING SECTIONS 409.0 THROUGH 409.27, OF APPENDIX A, ARTICLE IV OF THE CODE OF THE TOWN OF LURAY** (*To be entered into record as Council Resolution 2006-02-04*) which identifies the formation of an additional zoning district for mixed use and greater density; said zoning district to be known as the "Planned Neighborhood Development District" (PND).
- **AN ORDINANCE ADOPTING THE REVISED 911 STREET ADDRESSING ORDINANCE OF THE COUNTY OF PAGE, VIRGINIA BY THE TOWN OF LURAY** (*To be entered into record as Council Resolution 2006-02-05*) which provides for a uniform county-wide addressing system which will provide an effective manner in which to assign new addresses within the Town of Luray.

Motion: Councilman Racer motioned to approve Council Resolution 2006-02-04 and Council Resolution 2006-02-05 as presented; motion seconded by Councilwoman Shifflett with the following YEA: Council Members Shifflett, Menefee, Lancaster, Presgraves, Snyder, and Racer. **Approved 6-0.**

Mr. Spitler stated he would like to meet with Council in Executive Session following the regular Council meeting.

DEPARTMENTAL REPORTS

POLICE - PUBLIC SAFETY AND EMERGENCY SERVICES COORDINATOR'S REPORT

Chief Page Campbell provided a written report of January 2006 officer's arrests records, police service calls, walking patrol activity, and a log of criminal and non-traffic related offenses. Chief Campbell informed Council that in order to more efficiently evaluate policing activity, the Police Department has developed a mapping system which divides the town into seven different sectors.

PARKS AND RECREATION DEPARTMENT

Parks Director Pat O'Brien provided a verbal update of parks and recreation activity and upcoming events as listed:

- The Annual Youth Trout Fishing Tournament is scheduled for Saturday, May 6, 2006. Event prizes have been donated by a youth grant obtained through the efforts of the Page County Sheriff's Office.
- Staff continues to research various styles of lighting for the Hawksbill Greenway. Most of the lower height lighting found is typically used for residential purposes. Councilwoman Shifflett expressed her concern that installation of lighting along the Greenway will encourage walking after dark which could create public risk concerns. Following further discussion, Council directed staff to continue researching available lighting sources.

- The department has begun sending out invitations to area bands to request their participation in the 2006 Christmas Parade.
- Mr. O'Brien distributed information pertaining to the first annual Triathlon event which is scheduled to take place on May 14, 2006. The event will include swimming, biking, and running competitions which will take place at Lake Arrowhead and surrounding areas. The Triathlon will benefit Luray through wide distribution of promotional tourism flyers and advertisement for the Festival of Spring.

- **PUBLIC WORKS DEPARTMENT**

Public Works Director, Lynn Mathews stated all water tests were in compliance during the month of January. The West Main booster pump station has been online for approximately two months. This pump serves to maintain tank levels and increased pressures in the caverns area. Mr. Mathews indicated the Public Works crews will be continuing roadside clean-ups, tree trimming, repairing signs, and working on ditch-lines during February.

- **WASTEWATER TREATMENT DEPARTMENT**

Wastewater Superintendent, Charlie Hoke advised Council that the Department of Environmental Quality will be advertising for re-issuance of the wastewater facility discharge permits which will provide for a thirty-day public comment period. Mr. Hoke stated the wastewater nutrient reduction study is currently being conducted and will be concluded in June 2006. Crews have been performing regular preventive maintenance on pump stations and wet wells. Mr. Hoke added, all monthly lab tests are in compliance with state and federal regulations.

OLD BUSINESS

Virginia 2007 Jamestown 400 Committee Appointment

Mayor Dean opened discussion pertaining to Council appointments for the Virginia 2007 Jamestown 400 Committee. Pat O'Brien provided Council with copies of minutes from the January 26, 2006 Richmond Virginia meeting concerning the upcoming Jamestown 2007 event. Mr. O'Brien indicated the information presented to Council also includes a list of several individuals who contacted him requesting to be on the Jamestown Committee and a list of proposed events. Following extensive discussion it was the consensus of Council to appoint Pat O'Brien and Catherine Stewart as Co-Chairpersons of the Jamestown 400 Committee and to appoint the following committee members: Ken Beyer, Nancy Lee Shifflett, John Shaffer, Jack Leonard, Pam Flasch, Weldon Bagwell, and Robert Griffith.

NEW BUSINESS

Council Resolution 2006-02-01; Fair Housing Certification

Jerry Schiro opened discussion regarding the proposed Fair Housing Certification resolution. Mr. Schiro stated the purpose of this resolution is to indicate the town has agreed to take at least one action to affirmatively further fair housing each grant year while the town is receiving federal grant funds for the Community Development Block Grant. **Motion:** Following discussion, Councilman Racer motioned to adopt Council Resolution 2006-02-01 as presented. Motion seconded by Councilman Presgraves with the following Council Members voting YEA: Shifflett, Snyder, Menefee, Lancaster, Presgraves, and Racer. **Approved: 6-0.**

Council Resolution 2006-02-02; Proclamation of Disability Awareness Week

Jerry Schiro stated the proposed resolution 2006-02-02 is intended to proclaim the week of April 21-28, 2006 as Disability Awareness Week. **Motion:** Following discussion, Councilman Racer motioned to adopt Council Resolution 2006-02-02 as presented. The motion was seconded by Councilman Menefee with the following Council Members voting YEA: Shifflett, Snyder, Menefee, Lancaster, Presgraves, and Racer. **Approved: 6-0.**

Council Resolution 2006-02-03; National Historic Water Trail Feasibility Study

Pat O'Brien stated Resolution 2006-02-03 will provide acknowledgement of Council support to expedite the Captain John Smith Chesapeake National Historic Water Trail Feasibility Study. Councilman Menefee requested a correction to the resolution in the fifth paragraph; changing the word tail to trail.

Motion: Following discussion, Councilwoman Shifflett motioned to adopt Council Resolution 2006-02-03 as presented. The motion was seconded by Councilman Menefee with the following Council Members voting YEA: Shifflett, Snyder, Menefee, Lancaster, Presgraves, and Racer. **Approved: 6-0.**

Boundary Adjustments – Page Community Developments

Jerry Schiro stated a copy of the letter he received from Attorney Mark Reed, representing Page Community Developments is included in the Council packets. The letter is requesting that property located next to the airport identified as the Winston Tract, (Tax Map Parcels 40-A-40A & 43A) be annexed into the corporate limits of the Town of Luray via a friendly boundary line adjustment. Mr. Schiro stated Council may wish to table this boundary line adjustment until issues with the airport property are resolved and the County Planning Commission reaches a decision on the property rezoning request. **Motion:** Following discussion, Councilman Racer motioned to table the requested boundary line adjustment. The motion was seconded by Councilwoman Shifflett with the following Council Members voting YEA: Shifflett, Snyder, Menefee, Lancaster, Presgraves, and Racer. **Approved: 6-0.**

Luray High School (LHS) – After Prom Celebration Donation

Jerry Schiro stated the Luray High School has requested a donation for the LHS 2006 After Prom Celebration. **Motion:** Following discussion, Councilman Menefee motioned to donate five-hundred (\$500.00) to the Luray High School for the After Prom Celebration as requested. The motion was seconded by Councilman Lancaster with the following Council Members voting YEA: Shifflett, Snyder, Menefee, Lancaster, Presgraves, and Racer. **Approved: 6-0.**

Alley Dedication – Mr. Daniel Presgraves

Rick Black opened discussion pertaining to a requested alley dedication of property adjoining a parcel of land located on Sixth Street in Luray and identified as Tax Map #42A15-(1)-104. Daniel Presgraves addressed Council concerning his request and indicated his intentions are to construct a duplex on this property. Jerry Schiro stated a public hearing will be scheduled at the March Council meeting to receive public comment on dedication of the alley as requested.

Alley Dedication – Mr. Ralph Harlow

Rick Black stated Mr. Ralph Harlow is requesting dedication of an alley which adjoins his recently acquired property located behind Luray Elementary School in Block 86 between Fourth Avenue and Second Street. This property is identified as Tax Map #42A11-18-86-(21-28). Mr. Harlow addressed Council stating his immediate intentions are to clean up debris in the alley.

Arbor Day 2006 Proclamation

Pat O'Brien stated the Arbor Day 2006 Proclamation is necessary to maintain the town's Tree City U.S.A. Growth Award status. The proclamation would proclaim an Arbor Day celebration to be held on Saturday, April 22, 2006 at 11:00 a.m. at the Greenway Phase 3 trail head. **Motion:** Following discussion, Councilman Snyder motioned to approve the Arbor Day 2006 Proclamation as presented. The motion was seconded by Councilman Racer with the following Council Members voting YEA: Shifflett, Snyder, Menefee, Lancaster, Presgraves, and Racer. **Approved: 6-0.**

MAYOR'S ANNOUNCEMENTS

Mayor Dean stated he has no public announcements at this time. Councilwoman Shifflett expressed her appreciation for the excellent town newsletter produced through the joint efforts of Jerry Schiro and Catherine Stewart.

EXECUTIVE SESSION

Mayor Dean requested a motion to adjourn to Executive Session for the purpose of discussing legal issues in closed session permissible under the Code of Virginia, Section 2.2-3711(7). Councilman Racer motioned to recess the regular meeting and convene in closed session; Councilman Presgraves seconded the motion with the following council members voting YEA: Shifflett, Snyder, Menefee, Lancaster, Presgraves, and Racer. Approved 6-0.

ADJOURN

After reopening regular session, Council agreed only legal issues were discussed during the Executive Session. There being no further business to transact, Mayor Dean adjourned the regular session of the Town Council at approximately 8:11 p.m.

Approved March 13, 2006:

Mayor Ralph H. Dean

Attest:

Michelle Owens, Deputy Clerk / Treasurer