

**MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL OF THE
TOWN OF LURAY, PAGE COUNTY, VIRGINIA
May 9, 2005**

The Luray Town Council met in regular session on Monday, May 9, 2005 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 Gerald Snyder
Leroy Lancaster William Menefee
Earl "Rock" Racer

Absent: Barry Presgraves

Also Present: Jerry Schiro, Town Manager
Lonnie Arrington, Asst. Town Manager
Rick Black, Asst. Town Manager in Training
Mary Broyles, Clerk-Treasurer
Michelle Owens, Deputy Clerk-Treasurer
Page Campbell, Chief of Police
Lynn Mathews, Superintendent of Public Works
Charles Hoke, Superintendent of Wastewater Treatment
Pat O'Brien, Director of Parks and Recreation
Jason Spitler, Town Attorney
Media: 1 Others: 15-18

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.

Mayor Dean conveyed his gratitude to everyone involved in the Spring Festival event this past weekend. The event was well coordinated and successful.

CONSIDERATION OF MINUTES

Minutes of the April 11, 2005 Regular Meeting of the Luray Town Council and Minutes of the April 27, 2005 Budget Work Session were submitted for review. **Motion:** Councilman Nancy Shifflett motioned to approve the minutes as presented; seconded by Councilman Menefee with the following YEA: Council Members Shifflett, Snyder, Menefee, Lancaster, and Racer. Approved 5-0.

PUBLIC HEARINGS

Mayor Dean opened a public hearing to hear citizen comment regarding a special use permit request submitted by the Fair Association. Lonnie Arrington stated the Fair Association is requesting issuance of a special use permit which allows the construction of two additions at the Page Valley Fair Grounds on Collins Avenue. Mr. Arrington indicated the permit was recommended for approval by the Luray Planning Commission and the application was advertised in compliance with state requirements.

Motion: Bill Menefee motioned to approve the special use permit for the Fair Association as presented; seconded by Councilman Snyder with the following YEA: Council Members Shifflett, Snyder, Menefee, Lancaster, and Racer. Approved 5-0.

CITIZENS COMMENTS

On behalf of Marlow Ford, Mr. Lee Huffman presented a collection of framed postcard photographs of historical buildings and scenes in the Town of Luray. Mr. Huffman stated as an expression of gratitude from Marlow Ford to the Town of Luray, the photographs are being dedicated to the new town hall facility.

Ms. Betty Grubbs addressed council regarding public parking spaces located in front of her home on Wilson Avenue. Ms. Grubbs expressed concern that when vehicles are parked in front of her home, there is a sight distance issue at the hillcrest when entering the roadway from her northern driveway. Jerry Schiro stated Council has several options including placing restrictions on the parking spaces, extending yellow curb lines, or eliminating the parking spaces completely due to safety issues. Following discussion, Council tabled this issue pending further evaluation.

Karissa Hensh addressed council to request sponsorship for her participation in the People to People Student Ambassador Program. Miss Hensh was selected to represent the United States and the Town of Luray as a Delegate in Australia this summer. The objective of this program is to promote international understanding while building leadership skills among American youth. Following Miss Hensh's presentation, Nancy Shifflett motioned to donate \$750.00 towards Karissa Hensh's tuition expense in the People to People Ambassador Program. Gerald Snyder seconded the motion with the following YEA: Council Members Shifflett, Snyder, Menefee, Lancaster, and Racer. Approved 5-0.

TREASURER'S REPORT

Treasurer's Report of Cash on Hand as of May 9, 2005:

| | |
|--|------------------------|
| SunTrust Bank: | |
| General Fund Account..... | \$ 3,173,670.64 |
| Pioneer Bank: | |
| General Fund Account..... | \$ 0.00 |
| Cash on Hand: | <u>\$ 15,344.36</u> |
| TOTAL: | \$ 3,189,015.00 |
| Savings Accounts: | |
| PVB-FmHA Sewer Plant Sinking Fund..... | \$ 28,831.32 |

Mary Broyles, Town Clerk / Treasurer submitted to Council for approval, Accounts Payable invoices in the total amount of \$ 246,642.44. **Motion:** Councilman Menefee motioned to approve payment of the list of invoices presented, seconded by Councilman Racer with the following council members voting YEA: Shifflett, Snyder, Menefee, Lancaster, and Racer. Approved: 5-0

TOWN MANAGER'S REPORT

Jerry Schiro introduced Mr. Rick Black who will be assuming Lonnie Arrington's responsibilities in July 2005 as the Assistant Town Manager.

Lord Fairfax Community College: Town Manager Jerry Schiro stated Lord Fairfax Community College continues to work with the town and Page County to finalize planning of this project and obtain final construction documents. The college is negotiating a lease with Bean East and the college officials are working towards appropriating funding. The Page County Board of Supervisors appointed Mr. Schiro to the Lord Fairfax Community College Board of Directors representing Page County.

Economic Development: Jerry Schiro hosted the Virginia Economic Development Partnership on April 15, 2005 and toured several potential development areas in the County. Mr. Schiro stated Page County has been included on the list of qualifying distressed communities which may apply for funding from the Federal Department of Grants and Community Development. Mr. Schiro is working with the County Economic Development Director and the Chamber of Commerce to notify potential qualifying business owners of this opportunity.

Community Events: On August 12, 2005 Luray Caverns will be hosting a large event to celebrate 2005 as the 127th year of its discovery. Mr. Schiro stated the Luray Police, Page County Sheriff's Department, and the State Police are working with Luray Caverns officials to coordinate this event which is anticipated to draw over 5,000 attendees.

Spring Festival: Jerry Schiro congratulated the Luray Downtown Initiative for coordinating a very successful event this year. Mr. Schiro also expressed his gratitude to the town department heads and employees for their assistance throughout the event.

TOWN ATTORNEY'S REPORT

Jason Spitler stated he is working with Diane Scharf to prepare the necessary documents which will allow him to act as Council for the Luray Downtown Initiative.

Mr. Spitler stated the lien has been obtained in reference to the Mansion Inn Case and following the property foreclosure, the town will know if it will be reimbursed for the expenses incurred during clean-up of this property.

Mr. Spitler is currently working on property acquisitions of the Phase IV Greenway Project which will be discussed in Executive Session following this meeting.

DEPARTMENTAL REPORTS

- **POLICE - PUBLIC SAFETY AND EMERGENCY SERVICES COORDINATOR'S REPORT**

Chief of Police, Page Campbell presented written reports of police department activities and statistics for the month of April 2005 and invited discussion from council concerning his reports.

Chief Campbell provided supplemental information and photographs of the scene showing where the pedestrian was struck by a vehicle in the Main Street pedestrian crosswalk today.

- **PARKS & RECREATION DEPARTMENT**

Parks & Recreation Director, Pat O'Brien provided the following verbal department update:

- Additional seasonal banners have been ordered for display from Deford to Lee Street.
- The annual Youth Trout Derby held in April was successful and attracted over 90 children.
- The Hawksbill Creek fisheries restoration project will begin this summer.
- Racey Engineering is working with the Corp of Engineers on the Greenway Main Street pedestrian ramp construction. Mr. O'Brien has received a quote on this project.
- Phase 3 Greenway trail excavation and sub-base installation is well under way.
- The Department of Game and Inland Fisheries is electro shocking Lake Arrowhead tonight and will transfer some fish to the Carillon pond. Mr. O'Brien stated the information obtained during this process is utilized for fisheries management.

- **PUBLIC WORKS DEPARTMENT**

Public Works Director, Lynn Mathews stated all water tests were compliant this month and reservoir sampling has been conducted. The department is currently constructing the drain line in the Forrest Hills area. Contractors are in the process of sidewalk installation on Mechanic Street. Black-top installation is complete on Cave Street and Wilson Avenue and the department will be working on North Court Street next.

- **Wastewater Treatment Department**

Wastewater Superintendent, Charlie Hoke stated the wastewater facility is operating within all state and federal guidelines. Mr. Hoke stated the department is working on the storm water mitigation to prevent receiving stream contamination.

applied for and received a 70% matching grant to fund two of the studies required to renew the facility's permit.

OLD BUSINESS

Chuck Bowen - Property Acquisition Request

Jerry Schiro stated Mr. Bowen's request at the April Council meeting to acquire a strip of property owned by the town adjacent to the Hawksbill Creek was tabled last month pending further review of the property. Jason Spittler stated allowing this acquisition could create an appearance of impropriety.

Motion: Following further discussion Leroy Lancaster motioned to deny Mr. Bowen's request for property acquisition through property boundary line adjustment of parcel #42A4-(10)-5. Gerald Snyder seconded the motion with the following YEA: Council Members Shifflett, Snyder, Menefee, Lancaster, and Racer. Motioned passed 5-0.

Council Resolution 2005-05-01: Tax Relief for the Elderly and Handicapped

Jerry Schiro presented for council approval, an amendment to Article II of the Luray Town Code which defines Tax Relief for the Elderly and Handicapped. This amendment was tabled last month following conduction of the mandatory public hearing. Resolution changes involve an increase in qualifying income to \$8,000.00 and an increase of net worth to \$48,000.00. **Motion:** Nancy Shifflett motioned to adopt Resolution 2005-05-01 as presented. Gerald Snyder seconded the motion with the following council votes: YEA – Council Members Shifflett, Snyder, Menefee, Lancaster, and Racer. Motion passed 5-0.

Council Resolution 2005-05-02: Implementation of changes to Bed & Breakfast and Country Inn Zoning Requirements

Jerry Schiro stated the Town Council and the Planning Commission held a joint public hearing at the April Council meeting for discussion of the proposed resolution to amend the town Bed & Breakfast zoning requirements. **Motion:** Council Member Rock Racer motioned to adopt Resolution 2005-05-02 as presented. Council Member Shifflett seconded the motion with the following Council votes: YEA- Nancy Shifflett, Gerald Snyder, Bill Menefee, and Rock Racer. NAY- Council Member Leroy Lancaster. Motion passed 4-1.

Council Budget Work Sessions

The Luray Town Council will meet for the final 2005-2006 budget work session on Wednesday, May 18, 2005 at 6:00 p.m.

NEW BUSINESS

Water and Wastewater Connection Request – Joseph Ernest

Council was presented with a letter from Mr. Joseph Ernest which requests water and sewer service for his property which adjoins Town of Luray Corporate limits on Seventh Street. **Motion:** Following discussion, Council Member Leroy Lancaster motioned to allow the water and wastewater connection on Seventh Street as requested by Joseph Ernest with the property owner being responsible for extending the service line to the Town Corporate boundary main lines. Gerald Snyder seconded the motion with the following council votes: YEA – Council Members Shifflett, Snyder, Menefee, Lancaster, and Racer. Motion passed 5-0.

Vogt Street Parking

Council was provided with a written request from Mr. Monte Laymann, President of Page Valley Bank, to eliminate one parking space on Vogt Street adjacent to the Silco building. Mr. Layman indicated in his letter that numerous bank customers have complained about near collisions with vehicles pulling out of this parking space. **Motion:** Bill Menefee motioned to eliminate the parking space on Vogt Street as requested for safety reasons. Leroy Lancaster seconded the motion. YEA – Council Members Shifflett, Snyder, Menefee, Lancaster, and Racer. Motion passed 5-0.

Comprehensive Plan Review

Jerry Schiro stated tomorrow evening at 7:00 p.m., the Comprehensive Plan Review / Pie Social will be held at the Town of Luray Fire Hall. Brian Henshaw will provide a presentation of the plan and citizen participation is invited.

Main Street Pedestrian Crosswalks

Council Member Bill Menefee opened discussion of the Main Street Pedestrian Crosswalk safety issues. Mr. Menefee recommended immediate removal of three vehicle parking spaces to increase visibility of pedestrians crossing Main Street. The parking spaces were identified as:

- The parking space located on the south side of Main Street in front of Brown's Restaurant.
- The parking space on the south side of Main Street located just before the crosswalk in front of the Chamber of Commerce.
- The parking space in front of the Town Office located on the north side of Main Street just before the crosswalk.

Council Member Racer stated the Greenway pedestrian ramp under Main Street completion needs to be expedited to further increase pedestrian safety. Mr. Menefee stated the removal of the parking spaces in only an immediate safety precaution and council will need to implement additional visibility actions to further protect pedestrians. **Motion:** Following additional discussion, Bill Menefee motioned to eliminate the parking spaces as indicated. Council Member Rock Racer seconded the motion with the following council votes: YEA – Council Members Shifflett, Snyder, Menefee, Lancaster, and Racer. Motion passed 5-0.

Council Briefing Sessions

Council Member Rock Racer initiated discussion of arranging weekly informal and optional participation council briefings with the Town Manager to keep Council current on new and pending issues. **Motion:** Following additional discussion and suggestions, Council Member Rock Racer motioned to officially conduct weekly informal council briefings at the Luray Town Office on Thursday mornings at 9:00 a.m. effective May 19, 2005 excluding the Thursdays following a regularly scheduled council meeting. Council Member Bill Menefee seconded the motion with the following council votes: YEA – Council Members Shifflett, Snyder, Menefee, Lancaster, and Racer. Motion passed 5-0.

MAYOR'S ANNOUNCEMENTS

Mayor Dean stated a Memorial Day Parade will be held in the Town of Shenandoah at 2:00 p.m. on May 28, 2005. A reception will precede the parade at Noon. Council Members Shifflett and Racer, along with Mayor Dean and Jerry Schiro will participate in the parade as passengers in a decorated vehicle.

Council Member Menefee stated the council has been invited to attend the grand opening of the new Stanley Public Library on Sunday, May 15, 2005. Mayor Dean, Rock Racer, and Jerry Schiro will be attending this event.

EXECUTIVE SESSION

Mayor Dean requested a motion to adjourn to Executive Session for the purpose of discussing personnel issues and legal matters in closed session permissible under the Code of Virginia, Section 2.2-3711.

Motion: Councilwoman Shifflett motioned to recess the regular meeting and convene in closed session; Councilman Racer seconded the motion with the following council members voting YEA: Shifflett, Snyder, Menefee, Lancaster, and Racer. Approved 5-0.

RECONVENE & ADJOURN

After reopening regular session, Council agreed only personnel issues and legal matters were discussed during the Executive Session.

Council Member William Menefee motioned to submit payment to Chief of Police Page Campbell for all accrued comp-time earned to date as discussed in executive session. Council Member Leroy Lancaster seconded the motion with the following council members voting YEA: Shifflett, Snyder, Menefee, Lancaster, and Racer. Approved 5-0.

There being no further business to transact, Mayor Dean adjourned the regular session of the Town Council at approximately 9:00 p.m.

Mayor Ralph H. Dean

Attest:

Michelle Owens, Clerk to Council