



**CITIZENS COMMENTS**

Mayor Dean invited guests in attendance to address the council with any comments or concerns they may have.

Mr. John W. Leonard of 120 Highland Court in Luray, addressed the council concerning current town code in relation to private property maintenance requirements. Mr. Leonard stated the present code does not provide specific regulations concerning property maintenance and this makes it difficult to require some property owners to properly maintain housing in the town. Jerry Schiro stated because of the diversity in area standards in different sections of the town, establishing uniform maintenance guidelines is difficult. Mr. Schiro will research the various types of property maintenance code verbiage enforced in other municipalities and provide this information for Council review.

**TREASURER’S REPORT**

Treasurer’s Report of Cash on Hand as of June 13, 2005:

<b>SunTrust Bank:</b>	
General Fund Account.....	\$ 2,841,400.77
<b>Pioneer Bank:</b>	
General Fund Account.....	\$ 0.00
<b>Cash on Hand:</b> .....	\$ <u>17,545.75</u>
<b>TOTAL:</b>	<b>\$ 2,858,946.52</b>
<b>Savings Accounts:</b>	
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 \$ 443,283.47. **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, Presgraves, Menefee, Lancaster, and Racer. Approved: 5-0.

Mary Broyles stated a memo concerning closing of the town office is included in the council packets. In order to finalize closing of the 2004-2005 fiscal year, staff is requesting the town office be closed to the public on July 1, July 5, and July 6, 2005. **Motion:** Councilman Menefee motioned to close the Luray town office as requested. Motion seconded by Councilman Racer with the following council members voting YEA: Shifflett, Presgraves, Menefee, Lancaster, and Racer. Approved: 5-0.

**TOWN MANAGER’S REPORT**

**Planning & Zoning:** Jerry Schiro stated that on June 2, 2005 the Planning Commission approved to recommend to Council, the re-zoning of thirty single family homes off Hite Spring Road from R1 to R2. This re-zoning request will be discussed in a public hearing at the July regular Council meeting.

In reference to upcoming public hearings on Luray’s Comprehensive Plan, Mr. Schiro stated this is an important document for the town and he encourages public attendance at the hearings to be held on June 14<sup>th</sup> and June 16<sup>th</sup>, 2005. Staff is working with developers who have proposed a four-hundred unit, mixed use residential development adjacent to the West Luray commercial area. Current town zoning ordinances will need to be revised to accommodate future development and the public needs to be aware of proposed changes during the review stages. The town will be proactive with new development and involve the county to set precedence for future development.

**Depot Restoration Project:** The windows which are being donated by Anderson Windows, have not yet been received; installation is expected in late September 2005. The majority of the exterior project is now complete. The Depot project was allocated \$120,000.00 in new funding under VDOT’s 2006 tentative enhancement allocations. In addition, the town will receive an additional \$25,000.00 in credits for previous engineering fees paid during Phase 1.

**Community Development Block Grant (CDBG):** Mr. Schiro stated a press release was issued on June 10, 2005 to publicly announce Luray will not be receiving this grant. The majority of these grant funds were awarded to southwest Virginia in low to moderate income areas. Federal funds were drastically cut for this program which made the program even more competitive.

**Town Property-Trash Complaint:** The town recently received a complaint regarding trash in an area near the Lake Arrowhead entrance. Mr. Schiro investigated the complaint and found that the town owns this 1.03 acre parcel. A survey was conducted to designate the exact area owned by the town. Mr. Schiro stated Council may want to consider a potential use for the property or consider selling it.

**Lord Fairfax Community College:** This project is progressing as anticipated; the lease is signed and demo work has begun. Flooring will be installed this week.

**Meade Street Sewage Backup:** Mr. Schiro stated during the jetting of sewer lines, town crews blew sewage into three homes on Meade Street. Town crews assisted homeowners with cleanup and professionals were brought in to further clean the affected areas. The town insurance carrier was notified of the incident and residents were provided temporary housing and property damage restitution. Mr. Schiro commended the public works crew for their assistance in cleaning up the sewage and letting the homeowners know they were doing everything possible to rectify the situation.

**Miscellaneous:** Mr. Schiro stated he, the Mayor, and Council Members Racer and Shifflett attended a reception with the Shenandoah Travel Association last Thursday evening.

The town chlorination building next to the property owned by Ed Fox was cleaned up by replacing broken windows, painting, and landscaping.

The Luray Downtown Initiative President, Ms. Bonnie Anthony resigned her position and Council Member Rock Racer was appointed to this position on June 8, 2005. Catherine Stewart was appointed to Ms. Anthony's board seat.

Mr. Schiro recognized Town Clerk/Treasurer, Mary Broyles for her hard work ensuring compliance with the Rural Development Office Building Project Review conducted last month.

Pat O'Brien was recognized for his outstanding work on the Virginia Municipal League Award Application.

Council was provided with a letter commending Chief Campbell and the Luray Police Department for their work in recovering a lost pet for a Luray resident. Mr. Schiro stated this was a fine example of community policing by the department.

### **TOWN ATTORNEY'S REPORT**

Town Attorney, Jason Spitler requested executive session inclusion of legal matters concerning land acquisition.

### **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 May 2005.
- **PARKS & RECREATION DEPARTMENT**  
Parks & Recreation Director, Pat O'Brien provided the following verbal department update:
  - The department has scheduled the creek restoration project for the last week in August. This project will involve improvement of the creek's trout habitat by installing instream ripple pools. This project is being funded by a \$20,000.00 grant from the Fish & Wildlife Federation.

- Keith Barber has begun work on the connecting ramp under Main Street with an anticipated completion time frame of thirty days.
- Phase III of the Greenway is approximately 75% complete. Mr. O'Brien thanked Marlow Ford and the Luray Ruritan Club for their donations to purchase materials for the construction of two foot-bridges which will be built by Scouts for Eagle projects.
- Mr. O'Brien presented a proposed mural design for council review. This proposed mural would be painted under the Highway 340 bridge along Phase II of the Greenway. The mural will be done by town employee, Weldon Bagwell. The Luray Tree & Beautification Committee has already approved the proposed mural. **Motion:** Following review, Nancy Shifflett motioned to approve the drawing submitted for the creation of greenway mural #11. Motion seconded by Councilman Menefee with the following council members voting YEA: Shifflett, Presgraves, Menefee, Lancaster, and Racer. Approved: 5-0
- In reference to band participation in the 2005 Luray Christmas Parade, confirmation was received from the U.S. Army Military District of Washington, D.C. stating they will provide the Third Infantry Drum Corps for the next parade.
- The Bluemont Concert Series will be in concert at Innlawn Park for five concurrent Saturdays beginning July 9, 2005.
- The town has been awarded \$15,000 in grant funds from the Department of Forestry for engineering of Phase IV of the Greenway.

- **PUBLIC WORKS DEPARTMENT**

Public Works Director, Lynn Mathews stated all water tests were compliant this month and reservoir sampling has been conducted. Two water taps and two sewer taps were made during June. The department will be implementing a storm drainage program to conduct routine cleaning of drains, catch basins, etc. Environmental Piping Company has removed the tree roots from the sewer lines on Meade Street.

- **WASTEWATER TREATMENT DEPARTMENT**

Wastewater Superintendent, Charlie Hoke stated the wastewater facility is operating within all state and federal guidelines. Stormwater issues have been addressed.

### OLD BUSINESS

**Wilson Avenue Parking – Ms. Betty Grubbs (Tabled from May 9, 2005 meeting)**

Council Member William Menefee stated he wished to apologize for any rudeness conveyed in his comments regarding this issue at the May meeting. Jerry Schiro reviewed the options presented to council last month at the May 9, 2005 meeting which included placing restrictions on the parking spaces, extending the yellow curb lines, or eliminating the parking spaces in front of Ms. Grubbs house due to safety and visibility issues. **Motion:** Following discussion Barry Presgraves motioned to remove one (1) parking space located next to the upper drive-way of Ms. Grubb's property located at 15 Wilson Avenue. Rock Racer seconded the motion with the following council members voting YEA: Shifflett, Presgraves, Lancaster, and Racer. NAY: William Menefee. Approved: 4-1.

### NEW BUSINESS

**Fireworks Sales**

Jerry Schiro stated the Apostolic Revival Tabernacle Church of 3000 Kimbell Road in Luray, Virginia is requesting council approval to sell fireworks on the Wal-Mart parking lot from June 21 through July 5, 2005. Following discussion of this request, Mr. Schiro requested the church produce the state permit issued to T.N.T. to confirm their legal ability to sell fireworks in Virginia. Mr. Schiro stated the Luray Town Council should not provide formal approval for the sale of fireworks because the town does not have this authority under state law.

**Luray Town Council Resolution 2005-06-01:**

Resolution 2005-06-01, Budget Adoption Resolution and Appropriations Act for Fiscal Year 2005-2006, was submitted for review and approval along with the full proposed budget documents in the total amount of \$11,283,449.00. **Motion:** Council Member William Menefee motioned to approve Resolution 2005-06-01 as presented. Council Member Shifflett seconded the motion with the following council members voting YEA: Shifflett, Presgraves, Lancaster, and Menefee. NAY: Rock Racer. Approved: 4-1.

**Luray Town Council Resolution 2005-06-02:**

Resolution 2005-06-02, Adoption of Proposed Fees and Rates for Refuse Collection, Utility Connections, and Service Rates, Town Decals and Land Development Fee Structures was submitted for review along with the Town of Luray Fee Schedule, Rev. 5/25/2005. **Motion:** Council Member William Menefee motioned to approve Resolution 2005-06-02 as presented. Council Member Racer seconded the motion with the following council members voting YEA: Shifflett, Presgraves, Lancaster, Racer, and Menefee. Approved: 5-0.

**Luray Town Council Resolution 2005-06-03:**

Resolution 2005-06-03, Resolution to Amend the Current Town of Luray Budget for Fiscal Year 2004-2005 was submitted for council approval. Mr. Schiro stated this resolution is necessary to formally appropriate \$120,000.00 from reserves to the County of Page who will serve as fiscal agent for the construction of the satellite college campus for the Lord Fairfax Community College in the Town of Luray. **Motion:** Council Member William Menefee motioned to approve Resolution 2005-06-03 as presented. Council Member Presgraves seconded the motion with the following council members voting YEA: Shifflett, Presgraves, Lancaster, Racer, and Menefee. Approved: 5-0.

**Request for Out-of-Town Water and Sewer Taps: Creekside Village**

Jerry Schiro stated a letter from Tom Shoemaker and Jim Vaughan dated February 5, 2005 was submitted for council review and consideration along with a proposed preliminary layout plat map. This request involves extension of the existing corporate boundaries of the town to Creekside Drive to benefit the construction of approximately thirty (30) residential single-family dwellings. Mr. Schiro stated the plans for this development have not yet been approved by Page County officials. Following further discussion, council tabled this request pending notification of Page County approval.

**Luray Town Council Resolution 2005-06-04:**

Resolution 2005-06-04, Resolution for Adoption of Request for Street Additions for Municipal Assistance Payments. Following discussion of this resolution to accept streets in the Ridge at Forrest Hills and Springview Subdivisions, council decision was tabled.

**Luray Town Council Resolution 2005-06-05:**

Resolution 2005-06-05, Acceptance of the Dedication of Water and Sewer Infrastructure located in the Ridge at Forrest Hills. Following discussion of this resolution to accept infrastructure at the Ridge at Forrest Hills, council decision was tabled pending further evaluation of the infrastructure.

**Amendment to VDOT TEA-21 Grant Agreement:**

An amendment to the Project Development and Administration Agreement for the Rehabilitation of the Luray Passenger Station Project: (EN00-159-158 (UPC56450)) between the Town of Luray and the Virginia Department of Transportation was presented for council approval. The amendment includes revised estimated costs for preliminary engineering and construction. **Motion:** Following discussion of the proposed amendment and reimbursement procedures for architect / engineering fees, Council Member Nancy Shifflett motioned to approve the Depot Project Amendment as presented. Council Member Presgraves seconded the motion with the following council members voting YEA: Shifflett, Presgraves, Lancaster, Racer, and Menefee. Approved: 5-0.

## MAYOR'S ANNOUNCEMENTS

### **Luray Town Council Resolution 2005-06-06:**

Mayor Dean stated a resolution has been presented to recognize Mr. Edwin M. Smith for his outstanding contributions to the youth of Luray Virginia. **Motion:** Council Member William Menefee motioned to adopt Resolution 2005-06-06 as presented and to publish this resolution in the Page News & Courier. Council Member Shifflett seconded the motion with the following council members voting YEA: Shifflett, Presgraves, Lancaster, Racer, and Menefee. Approved: 5-0.

Mayor Dean and Council agreed to hold the annual Town of Luray Employee Picnic on July 1, 2005.

Mayor Dean provided a letter from Mayor Purdham of the Town of Stanley which invites council to participate in the Stanley Homecoming Parade on July 2, 2005 at 6:00 p.m.

The Luray Downtown Initiative invited the Town Council, Mayor, Town Manager, and Chief of Police to participate in the Fourth of July Family Fun Fest.

Mayor Dean initiated discussion concerning a Statement of Support for the Guard and Reserve from the Secretary of Defense. **Motion:** Following discussion, William Menefee motioned to acknowledge and support the United States Armed Forces, the National Guard, and Reserves and to support employees of the reserve armed forces by not limiting, reducing, or denying employment of members as required under law. Council Member Presgraves seconded the motion with the following council members voting YEA: Shifflett, Presgraves, Lancaster, Racer, and Menefee. Approved: 5-0.

## 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:** Council Member William Menefee motioned to recess the regular meeting and convene in closed session; Council Member Shifflett seconded the motion with the following council members voting YEA: Shifflett, Presgraves, Menefee, Lancaster, and Racer. Approved 5-0.

## RECONVENE & ADJOURN

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

### **Employee Compensatory Time:**

**Motion:** In reference to employee compensatory time accrual, Council Member Nancy Shifflett motioned to authorize the Town Manager to amend Section 4.10 Overtime Pay and Compensatory Time of the Town of Luray Personnel Policy to reflect the following: All employees of the Town of Luray who have accrued compensatory time earned through June 30, 2005 will be paid in full by July 1, 2005 for all accrued hours with the exception of the Town Manager. He will be allowed to hold his compensatory time accrued by June 30, 2005 until his retirement. Effective July 1, 2005, all compensatory employees will be required to use compensatory time within one year from the date the time is earned to avoid forfeiting such time.

Councilman William Menefee requested clarification of town policy on billing for water used to fill swimming pools. Mr. Menefee stated the policy previously allowed a one time billing adjustment when a resident filled a new pool which involves crediting sewer charges for the initial usage. Mary Broyles stated the policy previously allowed a one-time credit of 10,000 gallons sewer when an in-ground pool was filled. If the fire department filled the pool, the resident was only charged for water. Following further discussion, Council directed staff to prepare a written policy regarding the filling of swimming pools.

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

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Mayor Ralph H. Dean

Attest:

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Mary Broyles, Clerk / Treasurer