

**MINUTES OF A REGULAR MEETING OF THE TOWN COUNCIL OF THE  
TOWN OF LURAY, PAGE COUNTY, VIRGINIA  
August 8, 2005**

The Luray Town Council met in regular session on Monday, August 8, 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      William Menefee      Barry Presgraves  
Leroy Lancaster      Earl "Rock" Racer      Gerald Snyder

**Also Present:** Jerry Schiro, Town Manager  
Mary Broyles, Clerk-Treasurer  
Shelley 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 Spittler, Town Attorney  
Media: 1      Others: 18-20

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 July 11, 2005 Regular Meeting of the Luray Town Council were submitted for review.

**Motion:** Councilman Gerald Snyder motioned to approve the minutes as presented; seconded by Councilman Menefee with the following YEA: Council Members Shifflett, Snyder, Menefee, Lancaster, Presgraves, and Racer. Approved 6-0.

**PUBLIC COMMENTS – PROPOSED PROPERTY MAINTENANCE CODE**

The following town citizens addressed council to express their support of the draft Property Maintenance Code presented for adoption: John Leonard, John Dovel, Dixon Freeland, Cindy Thomas, Rita Hawkins, Roy Leak, and Gene Farrell. A signed petition urging the earliest possible passage and enforcement of the proposed code was presented to council from a group of property owners residing on Highland Court in Luray. Ms. Rita Hawkins of 300 North Court Street expressed opposition to the Property Maintenance Code and the expense associated with hiring a Code Enforcement Officer. Town Manager, Jerry Schiro clarified the Code Enforcement Officer's responsibilities and the necessity to employ a certified sworn officer in this position. Mr. Schiro stated the current town zoning code will not be changed or compromised. Slum and blight is not covered under current code so it will not be grand-fathered under the property maintenance code.

**GENERAL CITIZEN COMMENTS**

Paula Kibler with the Page County United Way requested a donation from the town in the amount of \$600.00. Ms. Kibler stated all donated funds remain in the Page County division and are utilized exclusively for citizens in the Page County area. Ms. Kibler invited Council and town employees to participate in the United Way Golf Tournament which will be held this Wednesday. All proceeds from this event go to the Page County United Way.

Laura Rickard, S.B.A. President of Luray High School, requested permission from council to hold a Homecoming Parade on Thursday, September 22, 2005. The parade will consist of approximately five floats, marching bands, and various other participants. The parade route will be the same as last year, beginning on Luray Avenue, turning right on Amiss Avenue, then left on Cave Street past the library and down to Main Street then up to First Street. **Motion:** Councilman William Menefee motioned to allow Luray High School to conduct a Homecoming Parade on town streets, September 22, 2005. Councilman Racer seconded the motion with the following YEA: Council Members Shifflett, Snyder, Menefee, Lancaster, Presgraves, and Racer. Approved 6-0.

**TREASURER’S REPORT**

Treasurer’s Report of Cash on Hand as of August 8, 2005:

<b>SunTrust Bank:</b>	
General Fund Account.....	\$ 2,746,913.32
<b>Pioneer Bank:</b>	
General Fund Account.....	\$ 0.00
<b>Cash on Hand:</b> .....	\$ <u>14,644.38</u>
<b>TOTAL:</b>	<b>\$ 2,761,557.70</b>
<b>Savings Accounts:</b>	
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 \$ 159,502.63. **Motion:** Councilman Snyder motioned to approve payment of the list of invoices presented, seconded by Councilman Menefee with the following council members voting YEA: Shifflett, Snyder, Menefee, Lancaster, Presgraves, and Racer. Approved: 6-0.

Mary Broyles presented a list of several town committees and commissions identifying member seats open for reappointment or replacement. Following discussion, it was the consensus of Council to table this issue until next month pending preliminary verbal acceptance of appointment from nominees and incumbents. Mayor Dean requested this topic be placed on the September 2005 agenda as an Executive Session item.

**TOWN MANAGER’S REPORT**

Town Manager Jerry Schiro presented a written report of current and old business which outlined discussions from weekly council briefings. Mr. Schiro stated that a web site map is included in this month’s packet which will be used in the design of the town’s new website.

In reference to the water filtration plant, Jerry Schiro stated he received a proposal from Patton, Harris, and Rust to conduct a preliminary engineering report to identify existing conditions, review current treatment methods, and compare proposed alternatives for treatment improvements. The proposal submitted requests funds in the amount of \$28,000.00 which is a much higher figure than staff anticipated. Mr. Schiro indicated he will request amendment of the proposal but if the cost is not significantly reduced, staff may need to re-solicit requests for project engineering proposals.

Jerry Schiro indicated the state has recently allocated \$120,000 to the Train Depot Restoration project for Phase 3 interior design / restoration. Mr. Schiro stated the Anderson windows have not yet arrived due to delayed shipment issues.

## **TOWN ATTORNEY'S REPORT**

Town Attorney, Jason Spitler provided the following updates pertaining to legal issues:

- Mr. Spitler has been in contact with Comcast regarding the Adelphia Cable franchise transfer request. Comcast has offered to meet with Council or participate in a public hearing in order to address any concerns related to service. Mr. Spitler indicated he anticipates a smooth transition.
- Mr. Spitler will be working with staff on the proposed Property Maintenance Code to ensure legal and non-discriminatory regulations.
- The water line easement for Harrison Holding Company has been finalized.
- Mr. Spitler commended the police force for their efforts in providing solid prosecution information on the cases submitted to legal counsel.

## **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. Chief Campbell stated the department is currently seeking patrolman applicants for positions recently vacated due to resignations.

### ***PARKS & RECREATION DEPARTMENT***

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

- The Hawksbill Creek Restoration Project will begin on Monday, August 29, 2005.
- The Virginia State Police Dive Team conducted a visual inspection of the gate valve at Lake Arrowhead. Lake Morningstar will be inspected within the next few weeks.
- Broadway Metal should have the Main Street pedestrian ramp railings completed and installed this week.
- Mr. O'Brien has applied to the Virginia Wildlife Management Institute for award of the department's riparian area efforts along the greenway. Awards will be announced later this year.

### ***PUBLIC WORKS DEPARTMENT***

Public Works Director, Lynn Mathews stated all water tests were in compliance during the month of July. The department made one water tap, one sewer tap, and repaired five leaks. The department has been working on maintenance of several sewage lift stations. In reference to the recently conducted state street inspection, crews will be working on areas sited for brush removal and repairing damaged street signs.

### ***WASTEWATER TREATMENT DEPARTMENT***

Wastewater Superintendent, Charlie Hoke stated the department is currently working on inflow and infiltration issues. Three flow meters will be installed in the sewer collection system for seven days to measure inflow and infiltration every five minutes. The low-flow study initial baseline is approximately fifty percent complete.

All July wastewater samples were compliant with state and federal regulations.

## **OLD BUSINESS**

None

**NEW BUSINESS****Request to Vacate Alleys – Shifflett and Owen**

Jerry Schiro stated Joyce Shifflett of 301 Fourth Avenue and John & Diane Owen of 506 Fourth Street have submitted a request for alley acquisitions. The alleys are located between Third and Fourth Streets and are illustrated on a map provided in the council packets. Mr. Schiro stated recent Council precedence has been to deny dedication of alley-ways, however in this case, a portion of the both alleys have been previously dedicated to abutting property owners. Should Council decide to pursue this request, a public hearing will need to be set in order to comply with state law. Following further discussion, Council authorized the Town Manager to proceed with setting of a public hearing in September 2005.

**Sewer and Water Connection Fees – Art Ellis**

Jerry Schiro stated Mr. Art Ellis, owner of Fairview Subdivision is requesting to purchase out-of-town water and sewer taps for approximately twenty-nine lots in Fairview Subdivision. This is an existing subdivision with one-third of the property located within town corporation limits. Mr. Schiro indicated that preliminary engineering plans were submitted several years ago when the property was originally subdivided. Mr. Ellis would be responsible for all costs associated with installation of sewer and water line extensions and sewer lift stations. **Motion:** Following discussion, Councilwoman Nancy Shifflett motioned to approve Art Ellis' request to purchase out-of-town water and sewer taps for twenty-nine lots located in Fairview Subdivision, contingent upon an independent engineer's final approval of water and sewer line extension plans. Councilman Racer seconded the motion with the following YEA: Council Members Shifflett, Snyder, Menefee, Lancaster, Presgraves, and Racer. Approved 6-0.

**MAYOR'S ANNOUNCEMENTS**

None

**ADJOURN**

There being no further business to transact, Mayor Dean adjourned the regular session of the Town Council at approximately 8:10 p.m.

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Mayor Ralph H. Dean

Attest:

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Michelle Owens  
Deputy Clerk / Treasurer