

**A REGULAR MEETING OF THE TOWN COUNCIL OF THE
TOWN OF LURAY, PAGE COUNTY, VIRGINIA
Monday, July 13, 2009**

The Luray Town Council met in regular session on Monday, July 13, 2009 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 Barry Presgraves

Council Present: Nancy Shifflett
Lonnie Arrington
William Menefee
Leroy Lancaster
Jerry Schiro
Earl "Rock" Racer

Also Present: Rick Black, Town Manager
Bryan Chrisman, Assistant Town Manager
Mary Broyles, Clerk-Treasurer
Ligon Webb, Town Planner
Jason Spitler, Town Attorney
Wayne Petefish, Lieutenant - Police
Lynn Mathews, Superintendent of Public Works
Pat O'Brien, Superintendent of Parks & Recreation
Charlie Hoke, Director of Utilities

A quorum being present, Mayor Barry Presgraves declared the Council to be in session for the transaction of business. All present stood to recite the United States Pledge of Allegiance.

CONSENT AGENDA

Motion: Councilman Menefee motioned to approve the Consent Agenda, motion seconded by Councilman Racer with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Schiro, and Racer. **Approved 6-0**

Consent Agenda

- A) *Minutes of June 8, 2009 Regular Council Meeting*
- B) *Minutes of the June 23, 2009 Work Session*
- C) *Financial Report for the period June 1 – 30, 2009*
- D) *Accounts payable checks totaling \$915,763.03*

PUBLIC HEARING

Disposition of Public Property: 42A11-A-22 (portion of 1 North Alley)

Town Manager, Rick Black, stated that the purpose of the public hearing was to receive public comment concerning the proposed subdivision and disposition of a portion of Tax Map #42A11-A-22, located at 1 North Alley, Luray, Virginia to Curtis Harrell, 1300 Brookstone Road, Luray, Virginia. The Town of Luray is the owner of this property. What is being proposed is a division of approximately 4,473 square feet. Mayor Presgraves opened the public hearing to anyone who would like to comment on this public hearing session. With no comments from the public, Mayor Presgraves closed the public hearing. **Motion:** Councilman Menefee motioned to approve the Subdivision and Disposition of a portion of property located at 1 North Alley, Luray, Virginia, to Curtis Harrell (Tax Map #42A11-A-22) as presented, and motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Schiro and Racer. **Approved 6-0**

GENERAL CITIZENS COMMENTS

Lorraine Dovel, 36 Greenfield Road

Ms. Dovel spoke before Council asking that the Town do something with the culvert under the railroad track behind her house and develop a storm drainage system along Greenfield Road. Councilman Arrington stated he did not know how or if this problem can be corrected. Mayor Presgraves stated staff would review this issue and report their findings and suggestions back to Council.

TOWN AFFILIATED BOARDS AND COMMISSIONS

Luray Downtown Initiative

Catherine Stewart stated the *NATIONAL MAIN STREET* magazine talks about their upcoming National Music Conference in Oklahoma City in May 2010 and out of several thousand districts who participate in the Shop Local Program, we were fortunate to have our Shop Local Luray Logo listed in this magazine. She stated that she was looking forward to attending this conference in 2010 and possibly doing a presentation on the Way finding Signage Program. The July 4th celebration was a success and the fireworks were phenomenal. Ms. Stewart stated that she is currently communicating with different Main Street communities to see how we can have an Arts and Cultural District to further enhance our downtown historic district.

Airport Commission

Mr. Powell Markowitz was not present and no report was given.

Luray/Page County Chamber of Commerce

Karen Riddle stated that Virginia Tech conducted a study that revealed travel is not affected by the recession. AAA released information after Memorial Day saying that this was the highest travel season since 2005 related to tourism. By July 4th, they also came back to announce that travel has been down by 1.9%. She stated that Thursday and Friday have the most activity at the Chamber office. Governor Kaine recently declared two important tourism initiatives. Page County was declared the cabin capital of Virginia. The other is that "Virginia is for Lovers" logo that has been around for about 40 years is now one of the top ten slogans for the entire country. She stated that the Chamber had recently won a matching grant for \$5,000 for cabin capital of Virginia. Ms. Riddle updated Council on upcoming events and the final stages of their move to the Depot.

POLICE – PUBLIC SAFETY AND EMERGENCY SERVICES COORDINATOR'S REPORT

Lieutenant Petefish reported that the Police Department has received the speed trailer measuring device and has been monitoring speed on Third Street. There will be a print-out available at the next Council meeting. There were 24 arrests and 311 total calls for service for the month of June.

PARKS AND RECREATION

Pat O'Brien thanked his staff, Public Works and the Police Department staff for their help with the July 4th event. He has heard many positive comments about the fireworks and the event itself.

The Triathlon is on August 14 and 15. They expect 600 entries each day which is 1200 over two days. Pat handed out the basic schedule for the upcoming Little League Tournament. We will probably have at least 1200 people in Town over the six day tournament. He has been getting requests from people wanting to rent the Ruffner Plaza for things like weddings, birthdays, parties, etc. Council will review and discuss at a later date.

PUBLIC WORKS DEPARTMENT

Lynn Mathews reported that the Public Works Department repaired 8 water leaks and 4 sewer calls. They also installed a fire plug on Oakcrest Drive. Some of the upcoming projects this month are the storm drainage program, fixing road signs, road shoulders, and trimming road sides. Brush pick-up is scheduled for July 23 and 24.

WASTEWATER TREATMENT DEPARTMENT

Charlie Hoke, Director of Utilities, stated that they are in compliance with all State and Federal regulations at the Wastewater Plant. Mr. Hoke updated Council on the construction projects at the water and wastewater plants.

OLD BUSINESS

Century Luray – Mr. Robert Janney stated he was here tonight to ask Council to reaffirm the letter of June 21, 2006 to provide water and sewer services to the Century Luray project located on 646 Antioch Road. It is a tract of land of about 62 acres with a small portion located in the Town of Luray and the remainder in Page County. It is to be developed into an age restricted subdivision. He stated that the analysis shows that the system, as it is in existence now, will service 290 additional connections. They are proposing 143. The financial information shows this subdivision should generate \$2.4 million in connection fees. Mr. Janney stated he is asking Council to adopt a resolution reaffirming the commitment that the Town expressed in the letter of June 21, 2006 to provide water and sewer subject to negotiated appropriate connection agreements at that time.

Councilman Racer motioned to reaffirm the commitment that the Town expressed in the letter of June 21, 2006 to provide water and sewer subject to negotiated appropriate connection agreements at that time. Councilman Menefee seconded the motion with the following members voting YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Schiro and Racer. **Approved 6-0**

HAWKSBILL CREEK STREAM-BANK PROTECTION

Mr. Black stated this area is down next to the Main Street Bridge. We received a grant proposal from Racey Engineering for completion of the necessary applications for this project. Projected cost is \$12,000-\$15,000 and approximately 9-12 months to go through all the agencies with the requirements for the application. Councilman Racer reviewed the time table and asked Council for permission to go ahead with the permitting process. Councilman Arrington expressed his disapproval. Councilman Racer suggested that this be tabled until the next meeting so neighboring landowners can be informed.

TRAILSIDE RESTROOMS

Mr. Black presented to Council the bid tabulations which ranged from \$123,900 to \$149,965. Mr. Black stated that he was going to ask the three lowest bidders for a breakdown of their bid. He reminded Council that the grant was for \$65,000.

Mr. Black asked to move Item D – Airport & KDS Investment to the Executive Session.

NEW BUSINESS

Fifth Avenue

Mr. Black stated he had received this request for the alley vacation last month but the application was withdrawn. In checking with the County who administers the 911 program, they confirmed that Fifth Avenue did not exist. The phone book, which pre-dates the 911 system, gives the address as 416 Fifth Street not Avenue. Mr. Black stated what they would like to do is change the address and notify Mr. Cabbage that this is a street, not an avenue. Mr. Black stated he would like to take down the Fifth Avenue signs and put 416 Fifth Street on the green sign on the same post.

Mayor Presgraves requested a motion to adjourn into Executive Session for the purpose of discussion and consideration of the investment of public funds where bargaining is involved under Section 2.2-3711.A.6. **Motion:** Councilwoman Shifflett motioned to recess the regular session and to convene in executive session; Councilman Racer seconded the motion with the following members voting YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Schiro, and Racer. **Approved 6-0**

Motion: Councilman Schiro motioned to adjourn the closed session and to reconvene in open session; Councilman Lancaster seconded the motion with the following members voting YEA: Council Members Shifflett, Menefee, Arrington, Lancaster, Schiro and Racer. **Approved 6-0**

Mayor Presgraves asked members of Council to certify that to the best of their knowledge only the matter covered under Section 2.2-3711.A.6 was heard, discussed, or considered during the closed session with the following members voting YEA: Council Members Shifflett, Menefee, Arrington, Lancaster, Schiro and Racer. **Approved: 6-0**

ADJOURN

There being no further business, Mayor Presgraves adjourned the regular session of the Town Council at approximately 9:00 P.M.

Barry Presgraves
Mayor

Mary Broyles
Clerk-Treasurer