

MINUTES OF A TOWN COUNCIL WORK SESSION
TOWN OF LURAY, VIRGINIA
Tuesday, August 28, 2012

The Luray Town Council met in a work session on Tuesday, August 28, 2012 at 5:30 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: Ronald Vickers
Lonnie Arrington
Mary Menefee
Leroy Lancaster
Joey Sours
John Meaney**

**Also Present: Rick Black, Town Manager
Bryan Chrisman, Assistant Town Manager
Mary Broyles, Town Clerk/Treasurer
Danielle Babb, Deputy Clerk Treasurer
Ligon Webb, Town Planner
Jason Spitler, Town Attorney
Pat O'Brien, Director of Parks and Recreation
Pat Racey, Racey Engineering
Wayne Schwartz, Schwartz and Associates
Daniel Runyon, Schwartz and Associates
Dow McGrady
Page News and Courier**

The meeting was called to order by Mayor Barry Presgraves and everyone recited the Pledge of Allegiance to the flag. The roll was called with all members present.

Changes or Additions to the Agenda

Mayor Presgraves asked members if there were any changes or additions to the agenda. Mr. Black stated he would like to add discussion regarding a sanitary sewer easement and Eugene Park to the agenda.

Main Street Bridge Project

Town Manager, Rick Black, stated that Schwartz Engineering currently serves as the town's bridge engineers for inspections on the town's eleven bridges. The firm is here this evening to discuss the town's options for the repairs of Main Street Bridge.

Daniel Runyon, Schwartz and Associates-

Mr. Runyon spoke on behalf of Schwartz and Associates and stated that Town Manager, Rick Black, had requested information on the town's options for the repairs to Main Street Bridge upon the award of grant funding. Mr. Runyon stated that there are basically two options before the town, 1) the town may administer the contract themselves; or, 2) the town may have VDOT manage the contract on its behalf. Mr. Runyon stated that he will discuss some of the benefits for each option.

Mr. Runyon stated that there are two major benefits of the town administering the project; time savings and control over the project. The first step in the process would be to write a Request for Proposal, which would include a request that the engineering firm include all services required for the project. Those services include surveying, hydraulic studies, design work, utility relocation, contract administration, and the construction inspection. He stated that if all of these items are put into one contract then one firm will be familiar with the entire project; thus, leading to overall time savings. Time savings may then lead to additional cost savings. The second major factor for the town will be "project control". This will allow the town to set timelines, bid deadlines, construction timelines, and construction details. This option will also allow the town to select the engineer that they want to do the work. Through the request for proposal process, the town will be able to conduct interviews and select the best engineer for the project. If administered by VDOT, the town may have no say in the engineering or contractor. Mr. Runyon stated that it is also important for the town to consider its budget as it is important to the town to meet its funding constraints. Overall, he feels that the town's benefits will be time savings and control for the project.

Town Manager, Rick Black, reminded that the town must first obtain permission from VDOT to Self Administer the project. Councilwoman Menefee asked if the self administration of the project would be an additional cost to the \$1.6 million dollar project cost. Mr. Black stated that the engineering cost is already factored into the total cost estimate. Mr. Runyon explained that the \$1.6 million dollar estimate given to the town by Schwartz and Associates includes 30% for engineering and contingencies. Thus, the actual cost of construction is less than the \$1.6 million estimate. Council and Staff then discussed the options of "Design-Built" versus "Design-Bid-Built". Mr. Runyon explained that the Design-Bid-Built is preferable because the firm inspecting the bridge work is not being paid by the construction firm, thus resulting in a better end product. Councilman Meaney asked if there are any additional costs associated with self administration. Mr. Runyon said that there are really no additional costs to self administration. Town Staff must obtain permission to self administer and the only cost the town would incur is essentially staff hours to conduct the process.

Councilman Arrington stated that he has known Wayne Schwartz, Schwartz and Associates, for a very long time and they have done a great deal for this town in terms of engineering. He feels that Mr. Schwartz has done a great deal to save the town money and has made good suggestions over the years. Councilman Arrington said that town staff will be working closely with engineers on the project and that he feels Mr. Schwartz's recommendations will result in the best quality results.

Wayne Schwartz, Schwartz and Associates-

Mr. Schwartz stated that under a "Design-Built" option, the engineering firm works for the contractor. In his experience with this, the town will have more control with a "Design-Bid-Built" project. He feels that this will result in the best quality finished product. Mr. Schwartz maintained that the most important issue is the quality of the finished product and he recommends that Council choose a "Design-Bid-Built" plan. He stated that the town as the owner maintains more control and eliminates the risk for shortcuts taking place in the project.

Councilman Sours asked if there is any additional cost risk to self administering the project. Mr. Runyon said that if VDOT administers the project, their recommendation may be different than the replacement/repair plan that the town has planned. Councilwoman Menefee asked about the timeline for completion of the project by 2013. Mr. Black said that he is not sure if this can take place. Currently, the town could be looking at bids taking place in the early winter, which may or may not be feasible.

Councilman Vickers expressed concerns about businesses on Main Street that may be affected by the project. Mr. Runyon said that this can be discussed as the project continues to unfold. He explained that closing the entire bridge would possibly cost a little less money and be completed more quickly. However, there are many more reasons to do stage construction. Mr. Runyon noted that this will keep traffic moving through town, keep business owners happy, and will allow for easier relocations of utilities that are located on the bridge. Closing the bridge entirely could likely result in a more difficult transition for utilities. Also, space will be needed on both ends of the bridge during the construction and will impact businesses in that immediate area. Councilman Vickers asked if Schwartz Associates had a recommendation on which method of repair the town should choose. Mr. Runyon said that at this time they would recommend two stages of construction, keeping one lane of traffic open at all times. The estimated savings for one phase of construction amounts to about \$140,000. However, this savings would likely be even less after considering the movement of utility lines. Councilman Arrington discussed the water main that is currently attached to the bridge. Mr. Runyon said that if the bridge is closed completely that would likely make the water line issue more complicated and costly. Mr. Schwartz recalled that the \$140,000 difference was most likely only considering the difference in unit cost between a one and two phase project. Mayor Presgraves asked how much time would be saved by completing the bridge in one phase. Mr. Schwartz said that about two to three months could be saved in the project time. He added that two phases would allow for one lane of traffic to be open at all times and would require some form of traffic control signal. Mayor Presgraves concluded that the town's first step should be to obtain VDOT's approval for the town to self administer the project.

Two Intersection Improvement Plans

Assistant Town Manager, Bryan Chrisman, discussed drafts regarding intersection improvements to 1) South Court Street and Mill Creek Road, 2) Luray Avenue, Amis Avenue, Jamison Road, and Hawksbill Heights Road. Mr. Chrisman said that both of these intersections are going to become increasingly important with construction for Main Street Bridge. Both of these intersections have been identified by Luray Police Department, Town Administration, and VDOT as the most needed areas for improvement. These areas have high volumes of traffic with no control methods in place. Mr. Chrisman discussed various traffic issues for both intersections. He noted that these plans are a second revision and that he will be continue to work with Racey Engineering on making some adjustments. Mr. Chrisman then reviewed the proposed plans for both intersections. Councilwoman Menefee inquired about any plans for a stop sign at the intersection of South Court Street and Millcreek Road. Mr. Chrisman said that he has received complaints about this intersection, mainly from Forest Hills residents. He said that this has been considered and discussed several possible solutions. Councilman Sours asked if these proposed improvements affect the comprehensive plan in any way. Town Planner, Ligon Webb, said that he is meeting with the town's consultant on this tomorrow morning and will make the necessary revisions.

Councilman Vickers asked if these improvements are needed immediately. Mr. Chrisman said that these improvements are certainly needed and that staff would like to get the plans ready to go. He added that if these plans are able to be implemented immediately then staff would proceed. Mr. Chrisman said that that if the town could fund these projects through the use of its Six Year Plan dollars then this would be

preferable to using town VDOT maintenance funding. Mr. Chrisman concluded his discussion by stating that the overall goal in improving these intersections is to make them safer for everyone.

Town Planner's Report

Town Planner, Ligon Webb, stated that Council will hear one public hearing at the September 10th meeting. The public hearing is for a special use permit application for a home occupation from Floyd and Jean Maxey. Mr. Webb advised Council members to mark their calendars for September 26th and 27th for work sessions on the Comprehensive Plan. Two sessions will be held at the Art Warehouse from 7-9pm and the public will be invited to attend for review and comment on the plan. Mr. Webb said that he will be sending out digital and paper invitations by the end of the week. Mr. Webb recalled that the town held a similar work session about five years ago, but this will be on a smaller scale. The work session will allow for review of the plan information, comments, and general feedback. Mr. Webb said that he plans to meet with a consultant tomorrow to make revisions to the maps and to add an overall map of the recreation park.

Mr. Webb then discussed the plans for the monument area and said that he has met with Parks and Recreation Director, Pat O'Brien, to come up with a plan. He added that they have devised a small sketch of the landscape. Mr. Webb said he has received information from the Ruffner Family Foundation and they have pledged \$500. Also, he has been notified that a time capsule has been donated. Mr. Webb said that he is still waiting to hear from the United Daughters of the Confederacy on a donation. Mr. Webb explained that the overall plan includes a plaque and two benches. He estimates the cost of the benches to be about \$700 each. If Council plans to have everything in place by October 6th, these items will need to be ordered immediately. If Council prefers a smaller scale plan; a plaque and one bench could be implemented. Mayor Presgraves said that he prefers the simplest option and therefore requiring less maintenance. Mr. Webb asked if one bench, a plaque, and time capsule would be adequate. Staff and Council then discussed the types of benches and pros and cons with each. Councilman Meaney and Councilman Vickers both expressed concern that we have spent a great deal of funds on the monument and the surrounding area should correlate. Councilman Lancaster expressed concerns that the proposed benches not face the street and only face the monument to avoid this area becoming a place for people to hang around. Mr. Webb said that he is going to work on the wording for the plaque and that he will send out a draft to all. Mr. O'Brien said that he would like to see the look of the area kept consistent with the other pocket parks. Mr. Webb advised that depending on how Council and Staff choose to proceed with the plans, then the October 6th date may or may not be feasible. Mayor Presgraves suggested moving the ceremony back one weekend to avoid any conflicts with the Page County Heritage Festival. Town Manager, Rick Black, agreed that it would be best to avoid Heritage Festival Weekend as many of the attendees would be committed to heritage events. Councilman Arrington said that he would prefer there be no benches in the plan. Councilman Arrington and Mayor Presgraves foresee this becoming an area for people to "hang out". Councilman Arrington said that Mr. Webb has some good ideas for the plan, but prefers to see something that requires little maintenance. Councilman Vickers disagreed and said that we need to offer visitors a place to sit down and look at the monument and plaque. Mr. Vickers does not see there being enough time to implement a time capsule into the plan. Councilman Vickers confirmed that he would like to see two benches, pavers, and the plaque incorporated in the plan. He added that if there are only enough funds to purchase one bench at this time, then the plans could be such that an additional bench could be added in the future. Mr. O'Brien said that the plaque will model the Civil War Trail style of marker/monument. Council members agreed that they would rather see the time capsule implemented with the Bicentennial project and not at the monument pocket park. Councilman Lancaster expressed that he would like to see nothing more than grass in the area. He would prefer not to see flowers and shrubbery that require maintenance; thus, keeping the focus on the monument itself.

Councilman Lancaster maintained that he did not see the need for benches; he prefers to see a plaque only. Councilman Arrington said that staff has done a great job on this project but also prefers to see this kept simple.

Motion: Councilman Vickers motioned to authorize staff to produce a plaque, pavers, and one bench for the monument area and that they be implemented as soon as possible for the October dedication; Councilwoman Menefee seconded the motion with the following members voting YEA: Council Members Vickers, Menefee, Sours, Meaney. NAY: Arrington, Lancaster. **Approved 4-2**

Dow McGrady III, Eugene Park-

Mr. Dow McGrady III stated that about four years ago there was a swing set located in Eugene Park that was deemed unsafe. Mr. McGrady said that he received a call asking him to dismantle it and it was removed immediately. However, he advised that he was also told the town had plans to replace the swing set. Mr. McGrady said that he has approached Pat O'Brien, Director of Parks and Recreation, about this for the past two years and he was told that no funds have been budgeted for the project. Mr. O'Brien had provided a cost of about \$25,000 to build something comparable to what is located at the elementary school. Mr. McGrady expressed that he did not feel something of that nature was necessary and that a small low cost swing set would be suitable. He requested that the town put some funds aside to create a basic swing set with or without a slide. He also offered to put a plan together and to have the Boy Scouts use this as an Eagle Project. He maintained that this is an easy project and very suitable as a scout Eagle Project. He noted that a comparable set can be found at Leake's Chapel Church in Stanley and that currently there are four scouts eligible for the Eagle Project that could utilize this opportunity. Mr. O'Brien and Mr. McGrady discussed that the materials must be commercial grade but can still be affordable. Councilman Vickers requested to see a sketch of the proposal. Also, Mr. Vickers asked about the funds for such a project. Mr. McGrady explained that the scout is not responsible for the funding of the project. The town would need to cover the cost of the materials. Mr. McGrady said that he will report back to Council with a copy of the plan.

Recreation Park Development

Town Manager, Rick Black, stated that he had previously received a request from Councilman Vickers to discuss swimming pools. The statistical information provided was from research completed by Assistant Town Manager, Bryan Chrisman, back in 2009. At that time, information was pulled from neighboring localities with pools and all of these are outdoor facilities. Mr. Black explained that the last one was constructed over 17 years ago. While all of these facilities are outdoors, the best use would be for a year round facility. A year round facility would provide for swim meets and general recreation and would cost in the neighborhood of \$2-3 million dollars. Mr. Black cautioned that none of these pools are making money and this is a costly venture with no grant funding available. Mr. O'Brien displayed an overall map of the recreation park that was completed back in 1999. He cautioned that trends in recreation parks have greatly changed over the years. Mr. O'Brien discussed the long range plans for the park which originally provided for a community center, pool, tennis courts, and amphitheater. Mr. O'Brien said that the current trend is toward a multi-use community center. Councilman Vickers maintained that he receives a lot of feedback from citizens wanting a community pool. Mr. Vickers stated that while the town may not be able to afford this currently, it may be a possibility in the future. Mayor Presgraves said that the swimming season locally is only about 90 days per year and that a year round facility would be far more expensive but more useful. Councilman Vickers would like to see more information on costs and drawings actually be taken to a contractor. Town Planner, Ligon Webb, stated that he would suggest

looking at this in the comprehensive plan review. He said that then we would know if citizens are interested in a pool and what kind; and any other community facility suggestions. Mr. Vickers maintained that he would like to see us start some conversation on this and get some plans. Councilman Meaney stated that this is bordering on the comprehensive plan and that getting more information from the community may lead to surprising results. Councilman Sours advised that while this sounds great, the cost impact for an average family is far too costly. Mr. Sours said that he does not want to see this tax burden on citizens or for himself.

Council and Staff then discussed the condition of current tennis courts and the future of new or improved courts.

Storm and Sanitary Sewer Easement

Mr. Black stated that he would like to discuss the storm water and sanitary sewer easement. He provided a handout of the proposed plan. Mr. Black reminded that this issue was briefly discussed at the July work session meeting. He explained that the proposed culvert line goes under South Hawksbill Street and the Greenway. The water then discharges into the Hawksbill Creek. He explained that the storm water being collected is from the proposed facility that would be located at the top of the hill. Page County is requesting a 20 foot easement that would go across South Hawksbill Street in order for the sanitary sewer line to reach the manhole and to discharge storm water. Mr. Black said that he would suggest that when this takes place the 4-inch pipe be upgraded to a 6-inch UV resistant pipe. Councilman Lancaster asked if this would be at the expense of Page County. Mr. Black confirmed that this would be the county's cost responsibility. Mr. Black advised Council members that this will be an action item for the September meeting.

FEMA June 29th Storm Update

Town Manager, Rick Black, discussed information regarding the June 29th storm update. Mr. Black said that he has met with representatives from FEMA and Virginia Emergency Management. He said that the town has completed all submissions necessary. Mr. Black feels that it still may take a while for the town to receive funds, but all costs have been submitted. He estimates the overall reimbursement to be about \$20,000.

VML Insurance – Worker's Compensation Panel of Physicians

Mr. Black presented the VML Workers Compensation Panel of Physicians. He advised that the town must approve these physicians and have agreed to work with VML Insurance.

Motion: Councilman Arrington motioned to approve the VML Panel of Physicians as presented; Councilman Sours seconded the motion with the following members voting YEA: Council Members Vickers, Arrington, Menefee, Lancaster, Sours, Meaney. **Approved 6-0**

Luray Caverns Airport

Town Manager, Rick Black, stated that the town received a letter from John Graves, President of Luray Caverns, indicating that when the current contract expires in 2013, the Luray Caverns will no longer be operating the airport. Mr. Black said that based on grants received and approved, the town still has an obligation to run the airport for at least another 20 years. Mr. Black said that he has spoken with both Powell Markowitz and Mark Belton regarding the continuance of the airport. He said that the town is

obtaining information from Luray Caverns on the revenues and expenditures of the airport. This would allow for the town to incorporate its share of the finances into the town's budget. Councilman Sours asked how many active employees are at the airport. Mayor Presgraves said that there are currently two employees. Mr. Black said that we will not know what the budgetary impact will be for the town until we receive the airports financials. Councilman Vickers inquired about the reasoning behind this decision. Mr. Black proposed that perhaps this is to streamline the current operations of Luray Caverns Corporation. Mr. Arrington felt that this is a great deal to maintain and that basically the Luray Caverns has been doing the town and county both a favor in keeping the operations. Mr. Black said that he will obtain the profit and loss statements and will be back to Council members with more information.

Social Media

Town Manager, Rick Black, said that according to the last meeting he understood the intention was to get information out to the public. He added that for individuals to sign on is much easier than for an entity such as the town to do so, due to the complex nature of our computer files. Mr. Black said that he has included several policies in Council's packets regarding social media, yet a policy has not been developed for the town. Mr. Black proposed using the domain that the town already owns for the "Celebrate Luray" logo and this logo already has a Facebook account. Mr. Black asked if it would be acceptable if the town were to appoint an information officer to post to the site that we already own the rights to. Councilman Sours verified that this is called the "Celebrate Luray" Facebook page. Mr. Black said that currently this page is maintained by the Bicentennial Committee. Mr. Black suggested using this page while town staff works out the details of having one linked to the more sensitive site, www.townofluray.com. Mr. Black said that more work will need to be done with the town's information technology firm to complete all of the necessary security. Mr. Black proposed using this site until everything can be fully completed to incorporate a town page. Mayor Presgraves asked how long it would take to incorporate the town page. Mr. Black responded that it shouldn't take too long.

Councilman Vickers maintained that the way most people are getting information these days is through the use of social media. He feels that we are "missing the boat" when we do not use this tool to help tell people what is happening. He says this is a form of instant communication and is something we are not taking advantage of. Mr. Vickers would like to see us speak to our citizens in a way that they would like to be heard. Councilman Vickers said that he understands that there are pros and cons to this, but that we should identify an information officer and start putting out some information. He added that he is only looking for a simple policy and had hoped to see a draft of a proposed social media policy at tonight's meeting. Councilman Vickers said that this is what he wants, a bare bones policy. Mr. Black said that there is a policy such as this included for Council's review. Councilman Vickers said that since we have already approved the use of social media, we ought to be talking about choosing a policy. Mr. Black said that Council cannot overlook our webhosting and IT support people who have to protect our website which contains sensitive information. Mr. Black says that he has been informed that if a breach would occur on our Facebook page that it can easily occur on our webpage and/or server. Mayor Presgraves said that with what we have spent last year with our IT provider, it certainly should cover us. Mayor Presgraves stated that he currently cannot access Facebook from his computer and has requested to be hooked up to this. Mr. Black stated that the town's employee handbook does not permit employees' access to Facebook. Mayor Presgraves said that he is not an employee, but is an elected official and he wants this taken care of fast. He maintained that with as much as our IT people are here, they should certainly be able to ensure that we are protected. Pat O'Brien asked if the LDI Facebook page would be feasible to use in the meantime. Mayor Presgraves and Councilman Vickers said that we need to move forward with the town's own page. Mr. Vickers said that we need to be utilizing the free resource that is available to us and to get information out to the people. Councilman Meaney said that if staff and Council

are concerned about this, then there is a ton of information in the policies that have been provided. Mr. Black suggested that the Town of Herndon has one of the simplest policies and that could be a basis for a town policy.

Councilman Sours said that if we are building a brand, he would prefer we not start with one page and then switch to another. He feels it would be best to start with a town page and build from there. Mr. Sours said that while he appreciates staff offering an interim solution, he would prefer to do it right the first time.

Town Planner, Ligon Webb, added that he would prefer that the page not be a forum for complaints. He said that controls should be in place that would only allow for us to post the information we want. Councilwoman Menefee said that she too errs on the side of caution but does feel that we need a faster way of communication, with controls in place and an assigned information officer. Mayor Presgraves said that he feels we are making too big an issue of this. Councilman Vickers said that he would like to see a draft policy with the town's own language at the next meeting and an assigned information officer.

Town Attorney's Report

Town Attorney, Jason Spitler, discussed the proposed boundary adjustment regarding Harrison Holding Company, LLC. He said that this is a second phase of the adjustment to the property on the Route 340 corridor. Mr. Spitler said that he believes the latest draft of the document should satisfy all parties. Mr. Spitler stated that he is not asking for any action at tonight's meeting, but will request approval at the September 10th meeting.

Mr. Spitler also discussed the Charles Seal property at Lake Arrowhead. He explained that this is the corner of the Lake where the dam meets the mountain area. The previous boundary lines were overlapping with the town's survey and the Seal family has agreed to accept the town's survey. He stated that this will be an action item for the September meeting as well.

Both the Harrison deed and the Seal deed will not require a public hearing. Mr. Spitler explained that a public hearing is only required for the disposition of public property. Councilman Vickers asked if the Seal property would be the last phase of the Lake Arrowhead survey issues. Mr. Spitler said that the final phase would be to consolidate the surveys into one, vacating the interior boundary lines and creating one exterior boundary line for the entire Lake property.

Town Attorney, Jason Spitler, said that the town appointments to boards and commissions were effective upon their date of appointment by Town Council. Mr. Spitler said that he will be presenting these to the Mayor and Clerk of Council for their signatures.

Town Attorney, Jason Spitler, updated Council and staff on other matters of business. Mr. Spitler responded to a previous inquiry from Councilman Lancaster regarding the Griffith property located next to Hawksbill Bicycles. He noted that the town did receive a deed for that and it was recorded on June 16th, 2009. He also advised that he has reviewed the town's water rights and is satisfied that we have a clear title to all of the water sources in the town limits. He added that a great deal of title work was done when the water treatment plant was constructed. Other sources include Hite and Hudson Springs and are both permanent water sources. Also, while Yager's Spring is not part of the town's system, it has been checked out and the title work is satisfactory. Mr. Spitler said that he has not yet researched the properties on Lake Arrowhead Road or in the Panorama area. Mr. Spitler said that the closing paperwork has been completed for the Frymyer property and he hopes a closing date will be scheduled for the next

few weeks. Town Attorney, Jason Spitler, stated that he and the Town Manager will be working with Racey Engineering on the west Luray boundary line adjustment concerning Baker Development.

EXECUTIVE SESSION

Personnel, Section 2.-3711.A.1

Mayor Presgraves requested a motion to adjourn into Executive Session for the purpose of discussing Section 2.2-3711.A.1.

Motion: Councilman Vickers motioned to recess the regular session and to convene in executive session; Councilwoman Menefee seconded the motion with the following members voting YEA: Council Members Vickers, Arrington, Menefee, Lancaster, Sours, Meaney. **Approved 6-0**

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

Mayor Presgraves asked members of Council to certify that to the best of their knowledge only matters covered under Section 2.2-3711.A.1 were heard, discussed, or considered during the closed session. **The roll was called with all members certifying “Yes”.**

Adjourn

There being no further business, Mayor Presgraves adjourned the work session of the Town Council at approximately 8:36 pm.

Barry Presgraves
Mayor

Danielle P. Babb
Deputy Clerk-Treasurer