

**A REGULAR MEETING OF  
THE TOWN COUNCIL  
OF THE TOWN OF LURAY, PAGE COUNTY, VIRGINIA**

**MONDAY, MAY 14, 2012**

The Luray Town Council met in regular session on Monday, May 14, 2012 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:** Ronald Vickers  
Lonnie Arrington  
Mary Menefee  
Leroy Lancaster  
Jerry Schiro  
Earl Racer

***Also Present:***

Rick Black, Town Manager	Pam Flasch, Luray Bicentennial Committee
Bryan Chrisman, Assistant Town Manager	John Meaney, Luray Planning Commission
Mary Broyles, Treasurer	Powell Markowitz, Luray Page County Airport Commission
Danielle Babb, Deputy Clerk-Treasurer	Pat Racey, Racey Engineering
Jason Spitler, Town Attorney	Judy Suddith, Lord Fairfax Community College
Ligon Webb, Town Planner	Gerald Dovel, Page County Health Department
Charlie Hoke, Director of Utilities	Liz Lewis, Luray Downtown Initiative
Lynn Mathews, Director of Public Works	LDI Board Members
Page Campbell, Luray Police Chief	Page News & Courier
Pat O'Brien, Director of Parks and Recreation	

A quorum being present, Mayor Barry Presgraves declared the Council to be in session for the transaction of business. All present stood for a moment of silence. Councilwoman Menefee led everyone in reciting the United States Pledge of Allegiance. The roll was then called with all members present.

Mayor Presgraves expressed his thanks to staff, volunteers, and department supervisors for the terrific job on the weekend's events in celebration of Luray's Bicentennial and Festival of Spring.

## **CONSENT AGENDA**

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

### ***Consent Agenda***

- A) *Minutes of the April 9, 2012 Regular Council Meeting.*
- B) *Minutes of the April 24, 2012 Council Work Session.*
- C) *Financial Report for the period April 1-30, 2012.*
- D) *Accounts payable checks totaling \$ 226,485.50.*

## **PUBLIC HEARING**

### **Proposed FY July 1, 2012- June 30, 2013 Budget**

Town Manager, Rick Black, presented information for the proposed budget. He stated that at this time any citizen of the town shall have the right to attend and state their written or oral views on the proposed budget for the Fiscal Year July 1, 2012 through June 30, 2013. The proposed budget has been provided in Council's packets and will be effective July 1, 2012. Mr. Black noted several highlights of the upcoming year's budget; 1- no increase in the Real Estate Tax Rate, 2-an increase in utility rates, 3-the town's first attempt to establish a Capital Improvement Plan, 4- a 57% increase in VRS rates, 5- a 3.5% cost of living increase for employees. Mr. Black stated that the overall proposed budget is 1.14% less than the current fiscal year's budget.

Mayor Presgraves opened the public hearing for citizen comment. With no comments from the public, the hearing was then closed.

Mr. Black explained that a vote may not be made on the budget until the next Council meeting on June 11<sup>th</sup>, 2012.

### **Grant Applications for Luray Caverns Airport**

Town Manager, Rick Black, stated that the public hearing involves two possible grants for the Luray Caverns Airport. The first is for the purchase of the Cora Lee Frymyer property located near the south end of the runway. The second is for the Runway Rehabilitation Project which will address the design of the rehabilitation project with an estimated cost of \$237,786. Mayor Presgraves confirmed with Mr. Markowitz that these grant projects will be of no cost to the town.

Mayor Presgraves then opened the public hearing for citizen comments. With no comments from attendees, the hearing was closed.

**Motion:** Councilman Arrington motioned to approve both grant applications for the Luray Caverns Airport, motion seconded by Councilwoman Menefee with the vote as follows: YEA: Council Members Vickers, Arrington, Menefee, Lancaster, Schiro, NAY: Racer. **Approved 5-1**

## **GENERAL CITIZEN COMMENTS**

### **Judy Suddith (Lord Fairfax Community College)**

Ms. Judy Suddith of Lord Fairfax Community College updated Council members on the status of LFCC. Ms. Suddith noted that LFCC has been recognized as the fastest growing community college in the Commonwealth of Virginia. She stated that the college had a 39.4% increase in enrollment over the last three years. She told attendees that LFCC saw its largest graduation last Saturday, with 940 students. Ms. Suddith also recognized two LFCC employees from the Luray center who received college wide Outstanding Service Awards. Ms. Suddith said that LFCC has some exciting initiatives coming up; May 23<sup>rd</sup> the Luray Center will host an Old Dominion University open house. Another initiative will provide for fall classes to be held on Saturday's. Ms. Suddith said that she hopes this initiative will allow for working students to obtain a college education while attending classes on Saturdays. She recognized that LFCC is one of the most cost effective options for students at one-third the cost of other colleges. Lastly, Ms. Suddith thanked the town council members for their support and encouraged members to attend the open house event on May 23<sup>rd</sup>.

### **Ligon Webb/ Sylvia Webb**

Mr. Ligon Webb stated that he is requesting the road closure of Willow Street for the neighborhoods annual block party. Mr. Webb stated that his daughter, Sylvia Webb, was with him this evening to request permission from the Council to host the annual event. Mr. Webb assisted his daughter in introducing herself and requesting permission to close Willow Street. Miss Webb said that there would be activities and "kids stuff" and that everyone may attend.

**Motion:** Councilman Lancaster motioned to approve the closure of Willow Street for the neighborhood block party, motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Arrington, Menefee, Lancaster, Schiro, Racer. **Approved 6-0**

## **TOWN AFFILIATED BOARDS AND COMMISSIONS**

### **Luray Downtown Initiative**

Liz Lewis said that with the Festival of Spring complete, she would like to offer her compliments to the Town of Luray, Pat O'Brien, Parks and Recreation Employees, Lynn Mathews, Public Works Staff, and Chief Campbell. She said that it takes everyone to pull off such an event and that the entire community appreciates their hard work.

Ms. Lewis added that in addition to the Festival of Spring, LDI has completed the submission of a Virginia Enterprise Initiative Grant. The grant request is for \$20,000 in implementation funds for the

creation of an arts and cultural identity and promotional materials for Page County. Ms. Lewis also noted plans for a collaborative website for the arts community.

Ms. Lewis advised Council members that LDI currently has an intern on staff. Ms. Jessica Cook of Longwood University began with LDI last week and will continue to intern throughout the summer.

Ms. Lewis said that she is also continuing work on the Buy Local campaign. Councilwoman Menefee inquired about the grant for the gateway project at Route 340 and Broad Street. Ms. Lewis said that the grant has been awarded with funds available and the project must be completed by May 2013. The first phase of the project will address drainage issues and sidewalk improvements. Councilwoman Menefee also inquired about the progress of the Bridge Theatre Feasibility Study and the Todd Barman Report. Ms. Lewis said that the study is due by June and that she has been following up on this regarding the contractor estimates and is also pursuing the recommendations from the Todd Barman report.

Councilman Vickers inquired about the success of vendors at the festival. Ms. Lewis said that the food vendors seemed to have done extremely well and that the craft merchants did "o.k.". She said that overall a great deal of positive feedback was received.

### **Luray/Page County Chamber of Commerce**

Ms. Pam Flasch provided the chamber report and noted 372 local calls, 382 local walk-ins, 226 tourist calls, and 1782 tourist walk-ins for the month of April.

Ms. Flasch stated that the chamber has requested support from all of the local town councils and county supervisors regarding underage drinking prevention. The Chamber is asking for support of the Proclamation declaring National Underage Drinking Prevention Day as May 21, 2012.

Ms. Flasch welcomed everyone to the upcoming Business After Hours on Thursday to be hosted by Jerry and Nora Dofflemeyer, along with Bill and Linda Dudley.

**Motion:** Councilwoman Menefee motioned to approve the Proclamation for National Underage Drinking Prevention Day on May 21, 2012, motion seconded by Councilman Racer with the vote as follows: YEA: Council Members Vickers, Arrington, Menefee, Lancaster, Schiro, Racer. **Approved 6-0**

### **Luray Bicentennial**

Ms. Pam Flasch said that first she would like to thank the entire town staff for a fabulous job on the weekend's activities. She said that it is really a pleasure to work with the town's staff and that all members execute their work very well. Ms. Flasch asked that everyone give staff a round of applause. [APPLAUSE] Ms. Flasch reviewed recent events for the Bicentennial Committee. Also, she added that approval has been gained for the sale of the Luray DVD to be sold in the Shenandoah National Park. The next event will be a musical tribute by the Mainstreet Singers with a special intermission event recognizing past/present Council members at Friday night's show. Another upcoming event will be on June 16<sup>th</sup> that will be a combination of railroad and agriculture recognition. The railroad will be having an open house on June 16<sup>th</sup> during the day, with a Page County Grown meal on the plaza at the PAL's

Center later that evening. As well, a book signing will be held at the library on the same day. June 20<sup>th</sup> will be Bicentennial night at the Luray Wrangler game and bicentennial buttons will grant free admission to the game.

### **Airport Commission**

Mr. Powell Markowitz advised members that three small hangars and one large hangar are currently available. He said that Mr. Kenneth Painter is working hard to fill these spaces. Mr. Markowitz thanked Council for their support of the two grant projects earlier tonight. He added that Page County approved these two grants at their last meeting. Mr. Markowitz said that he will be bringing all necessary paperwork to the town office. Mayor Presgraves inquired about reimbursement for the purchase of the Baker Development Property. Mr. Markowitz stated that this reimbursement has been provided to the town and confirmed with the Town Treasurer that the funds had been received.

## **DEPARTMENTAL REPORTS**

### **POLICE – PUBLIC SAFETY AND EMERGENCY SERVICES**

Chief Page Campbell provided his report for Council members and advised of 43 total arrests for the month of April. The total calls for service for April equaled 270, bringing the year to date calls to 1043.

Chief Campbell said that the Festival of Spring went very well and he felt that this year was especially well organized.

Chief Campbell said that the department is once again partnering with the Virginia Department of Motor Vehicles and the Highway Safety Office for the Click-It-Or-Ticket campaign. The department was allotted 20 saturation patrols which are all grant funded.

Councilwoman Menefee asked if bike patrol has started back up for the season. Chief Campbell responded that bike patrol has begun and the department has increased efforts in this area. He noted that bike patrol has logged quite a few hours already in patrolling the greenway and was also utilized at the Festival of Spring.

Chief Campbell informed Council members that he continues work on the town's hazard mitigation plan for the Northern Shenandoah Valley Regional Commission. He said that various meetings have taken place and that the mitigation strategy has been achieved. The next step in the process is to combine all of the towns and county strategies into one cohesive hazard mitigation plan. Assistant Town Manager, Bryan Chrisman, said that the next meeting will be on May 23<sup>rd</sup>. Chief Campbell noted that the town/county group is the farthest along in their progress on the plan amongst regional jurisdictions.

### **PARKS AND RECREATION**

Director of Parks and Recreation, Pat O'Brien, also thanked staff and added that he would like to thank the front office staff for their work in helping with events also. Mr. O'Brien echoed that he too thought everything ran very smoothly for the festival.

Mr. O'Brien reviewed his monthly report and added that the monofilament fishing line/bait waste receptacles have been installed and now have labels to identify their purpose. Mr. O'Brien thanked Councilman Vickers for coordinating the construction of a recycling bin and stated that it will be placed at Ruffner Plaza. Mr. O'Brien added that receptacles such as these help the town in its point status for the Tree City USA and Growth Award achievements. Mr. O'Brien said that staff is trying to further promote the state of the art ball field facility at the R. H. Dean Recreation Park. He said that Liz Lewis has assisted in creating a flyer to help market the upcoming events at the facility. Mr. O'Brien stated that he receives frequent requests from other localities about the town's mural projects. Therefore, a mural fact sheet has been compiled to assist other areas in learning about the history of Luray's mural projects. Mr. Paul Quigg is approximately 80% complete on the Hoak Mill Planing Mural.

Mr. O'Brien informed Council members that the town is now a member of Sports Virginia, which helps localities promote their venues. Mr. O'Brien highlighted that Luray has been very wise to recognize that the local manufacturing component was leaving our area. The promotion of our community as a tourism, events, and sporting town has allowed the town to keep its revenues intact, while other communities have suffered at the loss of manufacturing industries. Mr. O'Brien commended this council and former council members on their foresight to recognize this economic issue. Pat O'Brien added that through Sports Virginia the town could also be hosting a myriad of other beneficial events. The one thing holding our community back is the lack of a hotel/conference center.

Mr. O'Brien stated that at this year's annual Arbor Day Ceremony the focus was on thanking the local muralists for their artwork. A poster was coordinated to illustrate all of the town's artwork, and a book was created to illustrate all of the local murals. The book was provided for Council members to review and Mr. O'Brien added that more copies can be ordered.

Lastly, Mr. O'Brien discussed upcoming tournaments to be held at the R. H. Dean Recreation Park. He noted that concessions seem to be going very well. Mr. Gerald Dovel, Page County Health Department, praised staff for their use of a limited menu. He said that this has to be beneficial to revenues and the products are working well.

## **PUBLIC WORKS DEPARTMENT**

Lynn Mathews, Director of Public Works, informed Council members that the public works department repaired three water leaks and responded to six sewer calls. The department replaced approximately ten feet of pipe at 10 East Main Street. Upcoming projects for the department will include storm drainage work, sign consolidation, and patching/paving.

## **WTP AND WWTP**

Charlie Hoke, Director of Utilities, told Council members that the Water Treatment Plant is running as designed and is producing very good quality water. The groundwater study is proceeding with no problems. Mr. Hoke advised that all distribution samples came back negative.

Mr. Hoke said that the Waste Water Treatment Plant is also operating as designed and meeting all nutrient standards. Mr. Hoke advised that the plant is in compliance with all state and federal regulations.

## **PLANNING & ZONING**

Town Planner, Ligon Webb, said that the Planning Commission will not meet in the month of May. He advised that the commission is still working on the comprehensive plan mapping and is working with an outside contractor in the production of maps for the plan. Mr. Webb said he hopes to pass along the comprehensive plan map revisions to the Council in July or August 2012. Mr. Webb advised of eight zoning permits for the month of April.

Mr. Webb discussed the grant applications for Main Street Bridge and hopes to hear some news this month. The first grant from the Federal Highway Department did request more details concerning the cost breakdown, which may indicate a positive outcome on this grant. Mr. Webb said that this grant also is available for reapplication this winter if the town is not awarded any funds during this application period. Concerning the TIGER grant, Mr. Webb said that grant award should be announced by the end of May.

## **OLD BUSINESS**

### **Personal Property Tax Relief**

Town Manager, Rick Black, provided the resolution for personal property tax relief. The resolution is for personal use vehicles only and is available for the first \$20,000 of value for each personal vehicle owned by town citizens. As in the past, 100% tax relief will be available and has been passed annually by the town council.

**Motion:** Councilman Arrington motioned to approve the Personal Property Tax Relief Resolution as discussed, motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Arrington, Menefee, Lancaster, Schiro, Racer. **Approved 6-0**

### **Leaksville/West Main/Northcott Project**

Mr. Black discussed the Leaksville/West Main/Northcott Project and provided information on a request for the town to administer the project. Mr. Black said that the "RTA" (Request To Administer) application involves the road improvements for the West Main corridor. Mr. Black explained that currently the project is included in VDOT's Six Year Improvement Plan and there is approximately \$1,531,000 in available funding. Based on staff's research, Mr. Black feels that town staff can self administer this project and save a great deal of funds in completion of the project. Mr. Black explained that this savings could be beneficial to other town projects. Mr. Black compiled a list of pros and cons and he feels that the advantages to the town administering the project are significant. Those advantages include; cost savings, time savings, local control, better flexibility, control of project delivery method, private-public partnerships, and a measure of professional development for any and all town staff and community members involved in the project. Mr. Black stated that despite all of these advantages, the request must still be approved by VDOT and there is always the possibility that VDOT may deny the

town's request. Mr. Black feels that if the town's application is granted the project could begin as much as two years earlier than VDOT's anticipated timeline. Mr. Black advised that the first step in this process is to have a resolution passed by the Council to submit the application. Mr. Black clarified that all specifications of the project must be approved by VDOT and that all funding is provided by VDOT if the application is approved.

**Motion:** Councilman Schiro motioned to authorize staff to move forward with the Resolution in favor of the Request to Administer Application as discussed for the Leaksville/West Main/Northcott Project, motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Vickers, Arrington, Menefee, Lancaster, Schiro, Racer. **Approved 6-0**

## **NEW BUSINESS**

### **Mural Documentary**

Mr. Black stated that he received a request from Mr. Chris Marston of the Luray-Page Free Press regarding a mural documentary. Mr. Black said that this is of no cost to the town and there is no request for any funding. Mr. Marston was unable to attend this evening's meeting on this request. Mr. Black said that he would like to know if Council has any concerns on the request. Mr. Marston has offered to attend the work session on May 22<sup>nd</sup> if there are any concerns from Council. Mr. Black stated that the murals are public property and that publicizing them is favorable.

### **Greenway**

Mr. Black said that he has been contacted by Councilman Lancaster concerning the Greenway maintenance and requested to add this discussion to the agenda. Mr. Black said that in the past the town has been very fortunate in receiving inmate labor to assist with the maintenance. Currently, the town is receiving two inmates to assist with the maintenance of the greenway and recreation park. Mr. Black said that one part time staff member is not currently working as many hours as in previous years and that certainly more hours could be added to address special projects. Mayor Presgraves added that he receives compliments daily on the Greenway from citizens and visitors. He stated that he would hate to see the town hire additional staff to maintain this area, when the town already has ample staff and can utilize inmate labor. Councilman Lancaster said that inmate labor has been an issue. The inmate workers are currently not allowed to be on the same job each day due to problems that have arisen in the past. Mr. Lancaster said that some areas of the greenway have been neglected in mowing and other areas are over-maintained. Mr. Lancaster said that the grass is not being mowed at the appropriate height. Pat O'Brien, Director of Park and Recreation, stated that the departments that handle the mowing of these various areas can address these issues as directed. Mr. O'Brien said that the type of turf should be considered in order to keep the area mowed at the correct height. Councilman Lancaster said that he has spoken with Page County Sheriff's Office and that the same inmates will not be placed at the same location each day. Mr. Black confirmed that the town will receive the same inmates, but on a recurring basis of every two or three days. Councilman Lancaster expressed concern over the problem of retraining inmates due to their scheduling. Mr. Lancaster said that this prohibits the productivity of our staff and the inmates. Mayor Presgraves said that he has not received any complaints on this issue and that he does not want to see a lot of money spent and frivolously throw funds at this situation. Mr.

Black said that he would like to see staff focus on the small details at the trail and that adding additional hours to existing staff along with inmate labor will help the overall maintenance. Mayor Presgraves confirmed with Mr. O'Brien that with staff and council's direction this problem can be resolved. Mr. O'Brien reminded that there are two schools of thought on the maintenance of the greenway; 1- a highly manicured area or 2- a naturally maintained place. Mr. O'Brien agreed that there are areas that need attention, primarily due to the nature of inmate labor. However, he said that many issues have attributed to this situation; including, inmate labor issues, weather conditions, and part time staffing. Mr. O'Brien mentioned that staff hours had been reduced due to the addition of staff to cover the concessions at the recreation park. Mr. O'Brien said that the hiring of this additional staff member was an unknown factor at budget time and therefore meant the reduction of other staff member hours. Overall, Mr. O'Brien said that inmates used to be sent on a regular basis and were well trained at the beginning of the season. Problems have arisen causing the retraining of inmates on a daily basis. Mr. O'Brien emphasized that since the Greenway is a very popular area, he would prefer that well trained inmates work in this environment and that their work be a good reflection upon the town. Mr. O'Brien concluded that he hopes to receive quality inmate labor and plans to increase staff part time hours to remedy any remaining maintenance issues along the trail.

## **TOWN ATTORNEY**

### **Ordinance amending Chapter 94 of the Town Code, Vehicles for Hire**

Town Attorney, Jason Spitler, presented the proposed ordinance amendments concerning all three divisions of the town's taxicab ordinance. Mr. Spitler requested to review the third division of the ordinance which includes the changes addressed by Council members. Section 94-102 (I.) addresses the abuse of alcohol and prescription drugs. Section 94-105 adds language requested by Council to state that *"The town manager shall issue a taxicab driver permit to each applicant unless they be disqualified in the opinion of the chief of police, or in the opinion of the Town Council on appeal..."* Mr. Spitler noted another change appearing in 94-111 (A) regarding permit revocation causes. Mayor Presgraves confirmed with Mr. Spitler that all changes suggested by Council members had been made as directed. Town Attorney, Jason Spitler, reviewed Division II, Article II of Chapter 94 which defines the certificates regarding taxicabs. Division I, Article II of Chapter 94 describes the taxicab commission, requirements for the taxi company, fare rates, etc. Mr. Spitler said that he will be glad to address any additional changes from Council or if favorable the Council may approve these ordinances. Councilman Vickers said that he would still like to see a taxicab driver permit application. Councilman Vickers said that despite this request, he has no objections to taking action on the amendments this evening.

**Motion:** Councilman Schiro motioned to approve the Ordinance Amendments for Chapter 94-Vehicles for Hire (Taxicabs) of the town code as presented, motion seconded by Councilman Arrington with the vote as follows: YEA: Council Members Vickers, Arrington, Menefee, Lancaster, Schiro, NAY: Racer.  
**Approved 5-1**

## **ANNOUNCEMENTS/ADJOURN**

Mayor Presgraves stated that Councilman Vickers had one request he would like to discuss with Council this evening. Councilman Vickers said that he would like to propose a *"Community Pride Initiative"*

and utilize the kiosks in town and on the Luray Hawksbill Greenway Trail. He would like to ask citizens of the town to submit their photos for inclusion in the kiosks with a theme “*We Chose to Raise Our Family Here*”. Photos could be accepted at the town office and displayed until the end of the year. Mr. Vickers said that the only problem he foresees is the potential for too much popularity. Mr. Vickers said that he is volunteering his time to display the photos. Mr. O’Brien stated that there are kiosks at the Greenway and Recreation Park, all of which have Plexiglas covers. Staff and Council continued to discuss some of the details of the initiative. Mayor Presgraves directed Councilman Vickers to try out the concept.

Town Attorney, Jason Spitler, requested to attend the Page County Board of Supervisors meeting tomorrow evening. He requested to attend the meeting so that he may represent the town’s interest in the boundary line adjustment approval for the R.H. Dean Park.

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

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Barry Presgraves  
Mayor

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Danielle P. Babb  
Deputy Clerk-Treasurer