

**A REGULAR MEETING OF THE TOWN COUNCIL OF THE
TOWN OF LURAY, PAGE COUNTY, VIRGINIA
Tuesday, October 13, 2009**

The Luray Town Council met in regular session on Tuesday, October 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: 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
Page Campbell, Chief of Police
Pat O'Brien, Superintendent of Parks & Recreation
Charlie Hoke, Director of Utilities
Lynn Mathews, Superintendant of Public Works
Karen Riddle, Luray Page County Chamber of Commerce
David Glover, Endurance Works LLC

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

Councilman Menefee questioned the minutes of September 14th regarding the Jeb Caudill memorial park area. Councilman Schiro suggested the consent agenda be approved without these minutes and that the Council Clerk review the records for clarification.

Motion: Councilman Menefee motioned to approve the Consent Agenda for all items except the Council Minutes of September 14, 2009, motion seconded by Councilman Racer with the vote as follows: YEA: Council Members Arrington, Menefee, Lancaster, Schiro, and Racer.
Approved 5-0

Consent Agenda

- A) Minutes of September 14, 2009 Regular Council Meeting*
- B) Minutes of September 22, 2009 Council Work Session*
- B) Financial Report for the period September 1 – 30, 2009*
- D) Accounts payable checks totaling \$221,202.53*

PUBLIC HEARING

Adoption of a revised Official Zoning Map

Town Planner, Ligon Webb, presented the public hearing to receive comments and to consider the adoption of a revised official zoning map. Mayor Presgraves opened the public hearing. With no comments from citizens, the public hearing was closed.

Motion: Councilman Menefee motioned that Council approve the official zoning map as presented; seconded by Councilman Schiro with the vote as follows: YEA: Council Members Arrington, Menefee, Lancaster, Schiro and Racer. **Approved 5-0**

Amendment to the Town Zoning Ordinance (Tattoo Parlor)

Town Planner, Ligon Webb, presented the public hearing to receive public comments and to consider the term “Tattoo Parlor” be added to Appendix A, Article IV, Section 406.2 of the town zoning ordinance. Mr. Webb stressed that this would allow future applications by special use permit only. Mayor Presgraves opened the public hearing. With no comments from citizens, the public hearing was closed.

Motion: Councilman Arrington motioned that Council approve the amendment to the Town Zoning Ordinance as presented; seconded by Councilman Menefee with the vote as follows: YEA: Council Members Arrington, Menefee, Lancaster, Schiro and Racer. **Approved 5-0**

Vacation of Public Right-of-Way (Tax Map # 42A12-8-5)

Town Planner, Ligon Webb, presented the public hearing to receive comments and to consider the vacation of a public right-of-way as requested by Yiu Pun Chu (Sam Gee). The applicant owns a single family dwelling at 309 Fifth Street and is requesting the dedication of public right-of-way located at the rear of the property. Mr. Webb stated that certified letters had been sent to all adjacent property owners with no comments received. Town Manager, Rick Black, explained that the town does not currently have any water or sewer lines in this right-of-way but if vacated the town will still retain the right to install such structures. Mayor Presgraves opened the public hearing. With no comments from citizens, the public hearing was closed.

Motion: Councilman Racer motioned that Council approve the official zoning map as presented; seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Arrington, Menefee, Lancaster, Schiro and Racer. **Approved 5-0**

GENERAL CITIZEN COMMENTS

Dave Puckett- Train Depot

Town Manager, Rick Black, stated that Mr. Puckett could not attend the meeting; however he did provide a handout for Council. Mr. Puckett will be joining Council at the November monthly meeting. Mr. Black stated that the town will be applying for additional grant funding for Phase IV of the train depot.

David Glover- Luray Triathlon

Mr. David Glover, Endurance Works LLC, gave Council a power point presentation on the Triathlon which was held on August 15-16, 2009. This was the fourth annual event held in Luray. Overall, Mr. Glover's presentation highlighted the success of the event. Mr. Glover noted the significant impact on the community in terms of money spent in the area on lodging, restaurants, gas, etc. Mr. Glover also provided a schedule of events for 2010.

Councilman Menefee asked if the event would increase in participants each year. Mr. Glover replied that the event hoped to see as many as 750 participants next year. Mayor Presgraves thanked Mr. Glover for his work on this event and stressed that it is a "win – win" scenario for all involved. Also, he stated that the Council values the relationship with Mr. Glover to organize this event.

TOWN AFFILIATED BOARDS AND COMMISSIONS

Luray Downtown Initiative

Rick Black, Town Manager, gave an update provided by LDI. Mr. Black stated that main street had been decorated for fall/Halloween. Also, a second meeting has been held regarding the proposed Arts & Cultural Council; which will be presented at the November work session. Mr. Black stated that town staff has been working with LDI on a local map. He also stated that the Luray Caverns kiosk has been completed. Also, Mr. Black stated that activity is winding down as the CDBG program prepares to close. Lastly, he advised Council that preparations are being made for the Halloween Event on Saturday, October 31st, at the Ralph H. Dean Recreation Park.

Luray/Page County Chamber of Commerce

Karen Riddle provided an update from the Luray-Page County Chamber of Commerce. She told Council of her recent attendance at the Virginia Tourism Conference. Also, Karen highlighted the newly released figures on the Page County Tourism spending. She concluded her report with a power point presentation and statistical handout.

DEPARTMENTAL REPORTS

POLICE – PUBLIC SAFETY AND EMERGENCY SERVICES

Mayor Presgraves commended Chief Campbell on his graduation from the FBI Academy, and emphasized that he was one of four officers within the county to do so.

Chief Campbell thanked Lieutenant Petefish for filling in during his absence. He thanked the Town Council for the opportunity to attend the academy.

Chief Campbell stated that the monthly departmental report could be found in Council's packet. He advised Council of 75 total arrests for the month of September and 280 calls for service.

Regarding his recent graduation from the FBI Academy, Chief Campbell provided Council with a power point presentation that highlighted areas such as physical fitness, academics, and other training. Councilman Schiro commended Chief Campbell for his 4.0 grade point average for the academic portion of the training.

PARKS AND RECREATION

Rick Black reviewed the monthly departmental report for Parks and Recreation. He said that the concerts on main had been very successful this year. Upcoming events for Parks and Recreation include the Halloween event at the Ralph H. Dean Recreation Park, Sparkles and Sweets event on Main Street, and the Christmas Parade on December 1st.

Councilman Menefee asked if the canon at the Inn Lawn Park was going to be repaired. Mr. Black stated that the department will be sandblasting and painting it.

PUBLIC WORKS DEPARTMENT

Lynn Mathews, Superintendent of Public Works, reported that his department repaired eleven water leaks. Also the department made one new water tap, responded to four sewer calls, and has been working on smoke testing sewer lines. His department will be working on the storm drainage program, brush collection, junk collection, and displaying fall banners this month. The public works department has a leaf collection scheduled for November and will begin checking snow equipment to ensure that all are in good working order. Lastly, Mr. Mathews stated that the department is working on paving and patching in conjunction with Pettit Paving.

WASTEWATER TREATMENT DEPARTMENT

Charlie Hoke, Director of Utilities, stated that the upgrades at the WWTP are proceeding well, with no interference in day to day operations.

Mr. Hoke stated that all the samples collected at the distribution system came back negative. The Water Treatment Plant equipment is looking well and the first module of filters has been installed. Training on this equipment should begin on Monday of next week for the first phase.

PLANNING

Mr. Webb reported that the Planning Commission has a fairly light agenda for the monthly meeting and continues to work on the sign ordinance revisions. Mr. Webb hopes to have the revisions available for Council at the next work session.

OLD BUSINESS

Depot Sign

Mr. Black reviewed the design for the train depot sign. He stated that nowhere on the sign does it say "Chamber of Commerce" and asked if Council would like to change that. Mr. Black said the price quote for the design did seem to be quite high. Councilman Racer felt the term "Visitor Center" would be all inclusive. Councilman Arrington disagreed that the words "Chamber of Commerce" should be on the sign. Mayor Presgraves stated that the term "Chamber of Commerce" may be more widely recognizable. It was a consensus from Council to include the words "Chamber of Commerce" on the sign. Both Councilman Racer and Mayor Presgraves agreed that the sign estimate was very expensive. Councilman Schiro said that Graphic Services does have a good reputation; as all of the wayfinding signage looks very good. Town Manager, Rick Black, reminded Council that this expenditure could be used for matching funds on the depot grant. Councilman Schiro suggested putting out a request for proposal, with Council concurring for staff to try to get a better price.

Meeting & Holiday Schedule 2009

Town Manager, Rick Black, asked Council if they would like to hold an October and December work session. Mayor Presgraves stated that Council would wait and decide at a later time.

NEW BUSINESS

Audit Contract (Robinson, Famer, Cox Associates)

Mr. Black stated that Mr. James Kelly of Robinson, Farmer, and Cox Associates has offered a proposal for the next three years for the town's audit services.

Motion: Councilman Menefee motioned that Council approve the audit contract with Robinson, Farmer, Cox Associates for a term of three years as presented; seconded by Councilman Arrington with the vote as follows: YEA: Council Members Arrington, Menefee, Lancaster, Schiro and Racer. **Approved 5-0**

Town Manager, Rick Black, stated that the closing for the Rural Development Loan for the Luray-Page County Airport Commission T-Hangar project is scheduled for tomorrow at Attorney Mark Reed's office.

TOWN ATTORNEY'S REPORT

Mr. Spittler updated Council on the Hawksbill Greenway/Recreation Foundation. Also, he briefed Council on the airport hangar financing and LFCC lease agreement.

EXECUTIVE SESSION

Legal Matters, Section 2.2-3711.A.7

Mayor Presgraves requested a motion to adjourn into Executive Session for the purpose of discussing Section 2.2-3711.A.7. **Motion:** Councilman Lancaster motioned to recess the regular session and to convene in executive session; Councilman Menefee seconded the motion with the following members voting YEA: Council Members Arrington, Menefee, Lancaster, Schiro, and Racer. **Approved 5-0**

Motion: Councilman Menefee motioned to adjourn the closed session and to reconvene in open session; Councilman Racer seconded the motion with the following members voting YEA: Council Members Arrington, Menefee, Lancaster, Schiro, and Racer. **Approved 5-0**

Mayor Presgraves asked members of Council to certify that to the best of their knowledge the only matter covered under Section 2.2-3711.A.7 were heard, discussed, or considered during the closed session. **The roll was called with all members certifying "Yes".**

ADJOURN

Before adjourning the meeting, Mr. Black asked Council if they would like to hold the Christmas dinner as usual. Council agreed for Mr. Black to proceed with planning the dinner. Mr. Black also stated that he has been notified by Pat Racey that the little league will be hosting a regional softball tournament in 2010. Mayor Presgraves requested that Mr. Racey come before Council to specify what will be needed from the town for the event. Mr. Black stated that he will be meeting with Mr. Racey this Friday.

There being no further business, Mayor Presgraves adjourned the regular session of the Town Council at approximately 8:47 P.M.

Barry Presgraves
Mayor

Danielle P. Babb
Deputy Clerk-Treasurer