

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

MONDAY, SEPTEMBER 10, 2012

The Luray Town Council met in regular session on Monday, September 10, 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
Joey Sours

Council Absent: John Meaney

Also Present:

Rick Black, Town Manager
Bryan Chrisman, Assistant Town Manager
Mary Broyles, Town Clerk/Treasurer
Danielle Babb, Deputy Clerk/Treasurer
Jason Spitler, Town Attorney
Ligon Webb, Town Planner
Charlie Hoke, Director of Utilities
Lynn Mathews, Superintendent of Public Works
Page Campbell, Police Chief
Pat O'Brien, Director of Parks and Recreation
Pam Flasch, Luray Bicentennial Committee
Liz Lewis, Luray Downtown Initiative
Floyd and Jeanie Maxey- Special Use Permit Applicant
Cory Church, Luray Triathlon/Endurance Works
Representatives of United Way of Page County
Dow McGrady, Eugene Park
Luray High School Students

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. Councilman Vickers led everyone in reciting the United States Pledge of Allegiance. The roll was then called with one member absent. Mayor Pregraves said that Councilman Meaney was ill and could not attend tonight's meeting.

CONSENT AGENDA

Motion: Councilwoman Menefee motioned to approve the Consent Agenda, motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Arrington, Menefee Lancaster, Sours. **Approved 5-0**

Consent Agenda

- A) *Minutes of the August 13, 2012 Regular Council Meeting.*
- B) *Minutes of the August 28, 2012 Council Work Session.*
- C) *Accounts payable checks totaling \$109,357.00.*

PUBLIC HEARINGS

Special Use Permit Request: Floyd and Jeanie Maxey, 15 Moyer Avenue; Tax Map # 42A16-A-45

Town Planner, Ligon Webb, stated that he has included the advertisement for the public hearing in tonight's informational packet. Mr. Webb said that the applicant is requesting a special use permit to operate a home occupation within their single-family dwelling at 15 Moyer Avenue. Mr. Webb said the applicant will limit the class size to four students and one class per twenty-four hour period.

Mayor Presgraves then opened the public hearing for citizen comment. With no one present to speak on the issue, the public hearing was then closed.

Motion: Councilman Arrington motioned to approve the special use permit for Floyd and Jeanie Maxey as presented, motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Arrington, Menefee, Lancaster, Sours.

Approved 5-0

GENERAL CITIZEN COMMENT

Samantha Strickler- Luray High School Student

Miss Samantha Strickler stated that Luray High School would like to hold the annual Homecoming Parade on Wednesday October 10th. She explained the parade route and requested to start the parade at 6:30pm.

Chief Campbell said that he had no objections to this. Councilman Vickers recalled that last year some spilled paint caused an issue and therefore he asked Miss Strickler to remind everyone of this.

Motion: Councilman Lancaster motioned to approve the request for the LHS Homecoming Parade as presented, motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Arrington, Menefee, Lancaster, Sours. **Approved 5-0**

Dow McGrady- 62 Rosser Drive, Luray Virginia

Mr. McGrady distributed photos of a swing set that he previously proposed to members at the Council Work Session. Mr. McGrady discussed the specific materials needed and noted that this includes a landscaping area for fiber. Mr. McGrady discussed the specific swings and other materials needed. He estimates the total material cost at about \$1,000 not including the swings themselves.

Mayor Presgraves asked if this will be a scout project. Mr. McGrady said that likely this could be divided into two scout projects. Councilwoman Menefee asked if the materials cost would be paid for by the town. Mr. McGrady said that the town would be responsible for the material costs, with the scouts providing the labor. He confirmed that the future maintenance is also a responsibility of the town, as the park is town owned. Councilman Vickers recalled asking for drawings of the plan. Mr. McGrady said that he has provided photos of the proposal instead. Councilwoman Menefee asked about the cost associated with the swings. Mr. O'Brien estimated the cost of the swings and components at about \$300. Mr. O'Brien mentioned that some of the materials may already be on hand. Mayor Presgraves confirmed that Mr. McGrady's request is two-fold; if the project can be done and if the town will assume the cost. Councilman Vickers inquired if this can be handled within Mr. O'Brien's budget. Mr. O'Brien said that this was not specifically budgeted for but that he could find the funding. Councilman Arrington asked if this could be done without interfering with the Parks and Recreation budget.

Motion: Councilman Vickers motioned to approve the project for Eugene Park as discussed, motion seconded by Councilman Arrington with the vote as follows: YEA: Council Members Vickers, Arrington, Menefee, Lancaster, Sours. **Approved 5-0**

Carolyn Vickers- 6 Lewis Street, Luray Virginia

Miss Vickers stated that she would like to inform Council members that there are teens in the area that would really appreciate a swimming pool at the R.H. Dean Recreation Park. She feels there is a great deal of support for this.

TOWN AFFILIATED BOARDS AND COMMISSIONS

Luray Downtown Initiative

Liz Lewis, Director, said that there is lots going on at LDI and that the move to the new office has taken place. Ms. Lewis thanked Council and asked members to stop by and visit. Ms. Lewis also thanked the Town and Town Council for their annual contribution to Luray Downtown Initiative. Ms. Lewis also discussed the Bridge Theatre Feasibility study and said she plans to email the study to members. She requested that members review this and provide any input they may have and prepare to discuss the next steps. Ms. Lewis informed council members that LDI was not awarded the small business development grant but plans to reapply in the future. LDI is hosting the "Love Your Downtown" Annual Fundraiser on September 20th at the Warehouse Art Gallery. Ms. Lewis said that the menu will be based on downtown restaurants and there will be no live auction this year, only a silent auction will be held. The cost for tickets is \$35 each. Ms. Lewis reviewed the pasta night that was hosted during

the Triathlon. She said the goal was to provide an additional dining venue due to the overwhelming amount of traffic for local restaurants. She said that pasta dinner hosted about 100 guests. Ms. Lewis displayed the inserts that LDI produced for the athlete bags. Ms. Lewis said that the monthly merchants' meeting is coming up on September 25th.

Councilwoman Menefee inquired about the gateway project. Ms. Lewis said that she and staff have spoken with Racey Engineering. Town Manager, Rick Black, said that the town is working on a design rendering with consultant Alex Seal. Mr. Black said that he hopes to complete the project this fall.

Luray/Page County Chamber of Commerce

Ms. Pam Flasch reported 491 tourist calls, 450 local calls, 2887 tourist walk-ins, and 357 local walk-ins for the month. Ms. Flasch stated that the website hits totaled around 7000. Ms. Flasch said that she is also tracking volunteer hours for the chamber now. She reported 132 hours of volunteer work total for last month. Ms. Flasch said that tomorrow morning the chamber will host a "Shoplifting Awareness" Seminar. The Business After Hours has been moved to September 27th at Shenandoah Woods. She explained that this is a new event venue and was not quite ready for last month's date.

Luray Bicentennial

Pam Flasch reported that about 27 attendees were at the Grandparents Day event at Inn Lawn Park. She noted that Ms. Claire Comer did an outstanding job with the storytelling for this event. Ms. Flasch said that concerning the gateway project, Jerry Dofflemeyer is working on the art project for the mural. She noted that the Bicentennial Committee and LDI are combining efforts to work on a book signing for the *If Trees Could Talk* book that is being published by the Luray Hawksbill Greenway Foundation. Ms. Flasch said that the upcoming chamber banquet should be very exciting. She has a surprise component to the banquet that she will discuss at a later time. The annual banquet will be held on November 1st. Ms. Flasch stated that the Bicentennial Committee is going to wrap up the year with an event that will coordinate with the Luray Christmas Parade. She said perhaps this event will take the place of the Community Appreciation Reception.

Councilman Vickers inquired about the Bicentennial Tree Planter project. He requested an update on this project and hopes that if a time capsule is included in the project that ample time is allowed for community involvement. Ms. Flasch stated that if a time capsule is done, this will definitely be a community effort. Mr. O'Brien informed members that he is working with Racey Engineering on the survey for this area. Also, Mr. Spitler will draft an easement for the property owners.

Airport Commission

Mayor Presgraves recalled the letter received from John Graves concerning the airport operations. Mayor Presgraves said that he and Mr. Markowitz have arranged a meeting with Mr. Graves and that perhaps the Luray Caverns Corporation will still have some involvement in the airport operations.

DEPARTMENTAL REPORTS

POLICE – PUBLIC SAFETY AND EMERGENCY SERVICES

Chief Campbell noted 262 calls for service for the month of August 2012, bringing the year to date calls to a total of 2,135. He noted that there were 48 total arrests for the month. Chief Campbell added that domestics continued to be on the rise, which is common during periods of extremely hot weather. He also noted that his department will finalize the DMV Grant work at the end of the month. Chief Campbell said that the fair was uneventful and that no arrests were made during this week. He informed members that the department funded the labor for fair patrol through the use of regular and part time labor, thus avoiding overtime costs.

PARKS AND RECREATION

Mr. O'Brien introduced Ms. Cory Church who is with the Luray Triathlon/Endurance Works and is here this evening to present a power point presentation.

Cory Church, Luray Triathlon/Endurance Works-

Ms. Church said that she would like to start with a short video presentation of the Luray Triathlon and thanked Council and Staff for having her at the evenings meeting. After the short video Ms. Church thanked Mr. Black for bringing out volunteers and thanked Councilman Lancaster and his family for volunteering at the registration. She said that many volunteers come from the community and the support is greatly appreciated. Ms. Church then provided a power point presentation with statistical information regarding the event. This year marks the seventh annual Luray Triathlon. She also thanked Heather Sours of the United Way of Page County, who contributed greatly to recruiting volunteers. Ms. Church said she hopes that the event is viewed as a win for both the town and county for participants and trainees who come to the community for this event. She discussed the specifics of both the Saturday and Sunday races and the participants for each. Overall, both days of the event totaled 1,442 registered athletes, with approximately 80 athletes who registered for both events. Ms. Church said that she has ideas for gaining more local participants as well. She said that many factors contributed to the sell-out of Luray's event, including the participation of legendary tri-athlete Dave Scott. Ms. Church discussed various economic benefits for the town; including lodging for athletes and guests, and meals purchased at local restaurants.

Ms. Church requested to make a presentation to the United Way of Page County. She presented Ms. Heather Sours, Page County United Way, with a donation check in the amount of \$15,000. Ms. Church said that a contribution in the amount of \$1,000 will go to Luray High School. LHS brought about 50 volunteers to this year's event. The \$1,000 donation was an equal match of \$500 between United Way and David Glover of Endurance Works. Ms. Sours thanked Ms. Church for her coordination of the volunteers for this event and also thanked Mr. and Mrs. Travis and Liz Osborne for their recruitment of high school volunteers. Ms. Sours thanked all of the volunteers for their efforts with this year's event.

Mr. O'Brien then continued with his departmental report after the conclusion of Ms. Church's presentation. Councilman Vickers inquired about the potential for WIFI at Lake Arrowhead. Mr. O'Brien said that the cost estimate would be around \$2,500-\$3,000. Councilman Sours inquired about

the prevention of vandalism on the greenway. Mr. O'Brien said that there is always the possibility for more lighting, more police patrol, etc. Chief Campbell said that for the amount of park property owned by the town, we are very fortunate for the amount of vandalism/property damage that is incurred. He advised that these events are very sporadic and are often random acts of vandalism. He reminded that some areas are remote and unlit and this is difficult to completely eliminate.

Mr. O'Brien then discussed the East Luray Heroes Monument and displayed a drawing of the area with the proposed enhancements. Mr. O'Brien said that he hopes to get moving on this project pretty quickly. Mr. O'Brien also provided an electrical diagram for improved lighting to the area. Councilwoman Menefee asked about a date for the dedication ceremony. Mr. Webb said that he is proposing the end of October and is currently waiting on another donation. He said that currently he only has a \$500 donation check which will cover the cost of the plaque. Mr. Webb said he is still awaiting a contribution from the United Daughters of the Confederacy. Mr. Webb stated that he is working on the wording for the plaque and that he will send out a draft to all members for approval at the end of the week.

Mr. O'Brien then discussed the 2012 Christmas Parade plans. He said that work has begun to solicit entries for the parade and the date is set for Saturday, December 8th. The theme for this year is "Luray's Bicentennial Christmas". Other upcoming events include a few more concerts for the coming months and the LDI annual fundraiser. He said that the concerts have seen great attendance this year. As well, there is one more softball tournament for the season to be held at the Ralph Dean Recreation Park. Lastly, Mr. O'Brien informed members that he met with officials from Bland County who toured the Luray Hawksbill Greenway. He said that this was yet another group of interested citizens, city planners and county officials who toured the two-mile walking trail. Mr. O'Brien stated that they walked the Greenway and hosted a catered lunch at the Luray Depot.

PUBLIC WORKS DEPARTMENT

Lynn Mathews, Superintendent of Public Works, informed Council that the public works department repaired five water leaks and responded and replaced approximately 130 feet of water line on Fifth Street. The department responded to six sewer calls for the month. Upcoming projects going on this month include trimming roadsides, paving and patching, and storm drainage work.

Councilman Vickers commended the department on promptly fixing a pothole that caused an issue during the triathlon.

WTP AND WWTP

Charlie Hoke, Director of Utilities, told Council members that the Water Treatment Plant is operating as designed and all distribution samples came back negative. Mr. Hoke informed members that the groundwater study should be completed this month and he anticipates no problems.

Mr. Hoke reported that the Wastewater Treatment Plant is running as designed and there have been no issues. He said that the plant is in compliance with all regulations.

Mr. Hoke requested to address one safety issue at the Wastewater Treatment plant. He recalled that approximately 30 years ago the DEQ required the town to install a drying bed cover. At the time the drying beds were to have a fiberglass cover installed and he said that the roof has leaked from the beginning. Despite the contractor's attempts to correct the initial problem, there was no guarantee due to the nature of the material. Mr. Hoke said that over the years the act of composting and the bio-solids have created a great deal of moisture which has caused the deterioration of the materials. Mr. Hoke said that with the recent wind storms incurred locally, more panels have been lost or damaged. Mr. Hoke said that he would not be in favor of employees attempting to repair the roof and is concerned for employee safety. Mr. Hoke said that these repairs were not included in his budget for the year. Mr. Hoke estimated the cost of repairs to be at about \$60,000 for the roof only. He said that regulations now permit the roof to be metal rather than fiberglass. Mr. Hoke said that he has done some preliminary investigations on cost. Councilman Sours asked about the nature of the safety issues with the roof in its current condition. Mr. Hoke said that there are safety hazards to anyone working under the roof area due to falling debris. Mayor Presgraves suggested getting some more estimates. Mr. Hoke said that he would do so and report the results to the Town Manager.

PLANNING & ZONING

Town Planner, Ligon Webb, reported that the Planning Commission will hold work sessions for the Comprehensive Plan on September 26th and 27th. He has included an invitation in Council's packet and hopes to see members in attendance. Mr. Webb thinks the event will be very informational for citizens and he plans to run an advertisement in the newspaper next week.

Mr. Webb discussed correspondence from the Page County EDA, and noted that the county is moving forward with the new county office building. Mr. Webb also discussed lease-revenue financing arrangement for the new County office building and said this seems to be a typical arrangement for county governments and economic development authorities.

Lastly, Mr. Webb reported four zoning permits this month for a total value of \$195,200.

OLD BUSINESS

Use of Social Media Policy

Town Manager, Rick Black, presented a *Use of Social Media* draft policy. Mr. Black asked members if there were any revisions to the policy and said that he believes this is suitable for the town's needs.

Motion: Councilman Vickers motioned to approve the Use of Social Media policy as presented, motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Arrington, Menefee, Sours. NAY: Lancaster. **Approved 4-1**

Councilman Lancaster questioned who was going to do all this work. Mayor Presgraves said that Mr. Webb will be the primary for the Facebook account and Councilman Vickers will serve as the backup. He said that these two are the only administrators with access to the account. Council and staff discussed the amount of time that would be spent on this and the procedure for submitting information.

Storm water and Sanitary Easement-Page County

Town Manager, Rick Black, discussed the storm water and sanitary easement for Page County. The easement involves the new construction on South Court Street that will require easements to South Hawksbill Street. Mr. Black said that conditions have been listed for the types of materials to be utilized and Page County will be responsible for all associated costs. Mr. Black said that the town will supervise the installation of the lines.

Motion: Councilwoman Menefee motioned to approve the easement with the conditions as stated, motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Arrington, Menefee, Lancaster, Sours. **Approved 5-0**

Commission and Committee Nominations

Mr. Black said that he had been contacted by Councilman Meaney about a nomination for the Tree and Beautification Committee. Mr. Meaney was not present this evening due to illness.

Mr. Black said that Councilman Vickers has suggested posting this information. Councilman Vickers said that this is a prime example of information that could be posted on the town's Facebook page and would allow citizens to know there is an opportunity available to serve the town. Mr. Vickers would like to be notified of persons who are interested and then be able to make a nomination.

NEW BUSINESS

Request to Administer – Main Street Bridge

Mr. Black advised Council members that Schwartz and Associates had discussed the Main Street Bridge Rehabilitation Project at the last work session. Mr. Black said that Council and staff have discussed the possibility of submitting a request to administer the project. He explained that in order to apply, the Council must pass a resolution to allow staff to apply. He stated that regardless of whether the town administers the project, the resolution must be in place before the town can apply. Mr. Vickers stated that he would like to go ahead with this motion. Councilwoman Menefee stated that she was not ready to make a decision on self administration at this point. Mr. Black clarified that this does not obligate the town to administer the project but allows staff to make the initial application. The town would still have the right to request that VDOT administer the project.

Motion: Councilman Vickers motioned to approve the resolution for staff to apply for the request to administer the project, motion seconded by Councilman Sours with the vote as follows: YEA: Council Members Vickers, Arrington, Menefee, Lancaster, Sours. **Approved 5-0**

TOWN ATTORNEY'S REPORT

Harrison Property

Town Attorney, Jason Spitler, reported on the deed of boundary line adjustment on the Harrison property. Mr. Spitler said there were only minor changes to the version provided at the work session. These changes can be found in the current version and were simply technical language amendments due to the banks lien on the property. Mr. Spitler asked for Council's approval of the document.

Motion: Councilman Vickers motioned to approve the deed of boundary line adjustment for the Harrison property as presented, motion seconded by Councilman Arrington with the vote as follows: YEA: Council Members Vickers, Arrington, Menefee, Lancaster, Sours. **Approved 5-0**

Seal Property

Town Attorney, Jason Spitler, stated that the next item of business concerns the boundary line adjustment for the Seal property at Lake Arrowhead. He reminded that this property borders the northern area of the Lake. He stated that this document is exactly as previously presented to council members at the work session.

Motion: Councilwoman Menefee motioned to approve the boundary line adjustment regarding the Seal Property at Lake Arrowhead as presented, motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Arrington, Menefee, Lancaster, Sours. **Approved 5-0**

Luray Landing

Mr. Spitler discussed the West Luray boundary line adjustment and said that he is working on this with town staff and Racey Engineering. Mr. Spitler explained that the subject property is the tract that the town and county recently purchased from Baker Development concerning the necessary storm water retention area associated with the property. This also concerns the portion of this tract that is still located in the county. Mr. Spitler said that a meeting is scheduled for next Monday to work on finalizing the survey work. Mr. Spitler is requesting to schedule a public hearing for the October or November meeting, depending if the deadlines can be met. Mayor Presgraves confirmed that this would bring the remainder of the planned development into the town's corporation limits. Mr. Spitler stated that he does not need a motion on this item, but would like Council's approval to move forward on the project. He would prefer for Council to give their approval on this before it is advertised in the newspaper. Mr. Spitler stated that he did not want to move forward if this is not what Council wishes to do. Mr. Black and Mr. Spitler agreed that they could bring this back to Council for an additional review at the October meeting prior to proceeding with an advertisement for a public hearing.

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 Arrington motioned to recess the regular session and to convene in executive session; Councilman Lancaster seconded the motion with the following members voting YEA: Council Members Vickers, Arrington, Menefee, Lancaster, Sours. **Approved 5-0**

Motion: Councilman Lancaster 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. **Approved 5-0**

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”.**

Motion: Councilman Lancaster motioned to reappoint Mary Broyles as Town Treasurer for a term of two years, motion seconded by Councilman Arrington with the vote as follows: YEA: Council Members Vickers, Arrington, Menefee, Lancaster, Sours.
Approved 5-0

ADJOURN

Council members then briefly discussed the upcoming VML Conference in Williamsburg. Mayor Presgraves said that he will contact members with the details.

There being no further business, Mayor Presgraves adjourned the regular session of the Town Council at approximately 10:28 P.M.

Barry Presgraves
Mayor

Danielle Babb
Deputy Clerk-Treasurer