

MINUTES OF A TOWN COUNCIL WORK SESSION
TOWN OF LURAY, VIRGINIA
Tuesday, August 25, 2009

The Luray Town Council met in a work session on Tuesday, August 25, 2009 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: Nancy Shifflett (after roll call)
Lonnie Arrington
William Menefee
Leroy Lancaster
Jerry Schiro
Earl "Rock" Racer

Also Present: Rick Black, Town Manager
Bryan Chrisman, Assistant Town Manager
Mary Broyles, Treasurer
Danielle Babb, Deputy Clerk-Treasurer
Ligon Webb, Town Planner
Jason Spitler, Town Attorney
Gene Stewart, Page County Emergency Services Coordinator
Josh Hahn, Page County GIS Technician

The meeting was called to order by Mayor Presgraves and everyone recited the Pledge of Allegiance to the flag.

Changes or Additions to the Agenda

Mayor Presgraves asked if there were any changes or additions to the agenda. Town Manager, Rick Black, requested to remove the Deck Project from the agenda. Mr. Black stated that he would like to add a vacation of alleyway request and add information received from VML regarding a proposed Senate Bill.

GIS Update

Gene Stewart and Josh Hahn both noted that they have been working with Assistant Town Manager, Bryan Chrisman, on addressing in Luray. They provided Council with a power point presentation that reviewed the history of 911 addressing for the town, guidelines for road naming, and an overview of the addressing procedures. Also, the presentation highlighted some problem areas within the town and possible solutions. Gene Stewart, Page County Emergency Services Coordinator commended the efforts of Code Enforcement Officer, John Brice, on enforcing the 911 addressing ordinance.

Public Hearing: Special Use Permit required to operate a Child Care Facility in the B-1 Zoning District – Tax Map # 42A10-A-36 (502 West Main Street)

Ligon Webb, Town Planner, stated that there will be an upcoming public hearing regarding the request to operate a child care facility in the B-1 zoning district. The code of Virginia allows for individuals to keep up to five children without obtaining formal licensure. Mr. Webb stated that the applicant is seeking to provide in-home childcare for more than 5 children, thus requiring the special use permit to be in compliance with town zoning regulations. Mr. Webb advised Council that the Planning Commission unanimously approved the applicant's request with the condition that the applicant provide a fenced in activity area for safety. Mr. Webb advised that the special use permit is being advertised for public hearing.

Cigarette Tax

Ligon Webb, Town Planner, stated that he has been researching other localities who levy a cigarette tax. Mr. Webb stated that an addition to the town code for such a tax would require a public hearing. Mr. Webb explained the process of purchasing cigarette stamps and noted that in most cases the cigarette wholesalers would be purchasing and applying the stamps prior to the product being sold to a particular vendor. Mr. Webb provided information on the rates for other localities, such as Woodstock and New Market. Mayor Presgraves told Council that in his research he found some localities as high as 80¢ and as low as 4¢. Mayor Presgraves told Council that he feels the tax should not be too aggressive. Mayor Presgraves stated that implementing such a tax may alleviate future increases in other taxes such as real estate and personal property. Mr. Webb suggested that some localities earmark the revenue from the tax for a specific project fund or to the recreation department. Councilman Schiro would like for Mr. Webb to research the cost of collecting the tax and to provide some revenue projections. Also, Councilman Schiro suggested that he look into the enforcement of the proposed tax. Mayor Presgraves and Council concurred for Mr. Webb to come back with additional information.

Swimming Pool

Assistant Town Manager, Bryan Chrisman, provided Council with a summary of information regarding municipal swimming pools in the area. The summary included information such as year built, size, initial cost, annual operational costs, annual earnings, and funding sources. Mr. Chrisman emphasized that all localities suggested constructing an indoor pool rather than outdoor. Mr. Chrisman stated that an indoor pool provides many advantages and eliminates costly start-up and closing fees for seasonal use. As well, an indoor pool could provide the option of an added community center. He also stressed that the key to a good indoor pool is to provide for an ample ventilation system. Mayor Presgraves stated his concerns for constructing a pool with the current economic status. Councilman Lancaster suggested referring to the original master plan for the recreation park and updating them.

Event Sign

Town Manager, Rick Black stated that Mr. Bob Harrison would like to formally donate the property where the town event sign is located. The property was essentially created by flood conditions and was attached to Mr. Harrison's property. There were no objections from Council on the donation.

Little League

Town Manager, Rick Black, informed Council that the Little League has not committed to hosting any additional tournaments. However, Mr. Black is recommending that a steering committee be formed. Mr. Black suggested that the committee include himself, the Assistant Town Manager, Director of Parks and Recreation, and Pat Racey of the Luray Little League.

Trailside Restrooms

Town Manager, Rick Black, provided Council with a copy of the floor plan for the trailside restrooms. Mr. Black suggested Council look at several options to reduce the overall cost of the project. The initial estimates are at approximately \$300 per square foot. Council's consensus was that these estimates were too high.

Changes or Additions to the Agenda

Mr. Black stated that he has received information from VML regarding a Senate Bill that would require local governments to engage in collective bargaining with public safety employees. Mr. Black stated that he intends to write to state government officials in opposition of the Bill. Town Council members agreed that they do not support the Bill.

Luray-Page County Airport

Mr. Black stated that he had received a bill from Mr. Powell Markowitz for the town's share of the AWOS project. This item will need to be voted on during the consent agenda portion of the September council meeting. Also, Council was provided with a final project report on the Terminal Study. Mr. Black noted that Brian McKeehan, Delta Airport Consultants, advised that this is only a study. The Town and County must decide whether or not to accept the study. Mr. Black will include this topic on the September agenda. Lastly, Mr. Black informed Council of a request for a vacation of alleyway from a resident of Fifth Street. This topic will come before Council at the October meeting. Lastly, Assistant Town Manager Bryan Chrisman said that David Glover of Endurance Works LLC will be giving a presentation on the Triathlon at the September meeting.

Executive Session

Mayor Presgraves requested a motion to adjourn into Executive Session for the purpose of consultation with legal counsel pertaining to probable litigation under Section 2.2-3711.A.7. **Motion:** Councilman Lancaster motioned to recess the regular session and to convene in executive session; Councilman Racer seconded the motion with the following members voting YEA: Council Members Shifflett, Arrington, Menefee, Lancaster, Schiro, and Racer. **Approved 6-0**

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

Mayor Presgraves asked members of Council to certify that to the best of their knowledge only the matter covered under Section 2.2-3711.A.7 was heard, discussed, or considered during the closed session with the following members voting YEA: Council Members Shifflett, Menefee, Arrington, Lancaster, Schiro and Racer. **Approved: 6-0**

Adjourn

There being no further business, Mayor Presgraves adjourned the work session of the Town Council at approximately 7:40 pm.

Barry Presgraves
Mayor

Danielle P. Babb
Deputy Clerk-Treasurer