

**MINUTES OF A TOWN COUNCIL WORK SESSION
TOWN OF LURAY, VIRGINIA
Tuesday, April 27, 2010**

The Luray Town Council met in a work session on Tuesday, April 27, 2010 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
Lonnie Arrington
Leroy Lancaster
Jerry Schiro
Earl "Rock" Racer

Council Absent: William Menefee

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

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 discuss the Personal Property Tax Relief rate. Also, Mr. Black wishes to add possible litigation to the request for Executive Session.

Public Hearing: Wineries and Breweries

Town Planner, Ligon Webb, explained the proposed amendment to the Town Code for the definitions of Winery and Microbrewery. Mr. Webb emphasized that both of these will still require a special use permit. There were not questions from Council on the proposed amendments.

Little League Auction

Town Manager, Rick Black, told Council of information that he had received from last night's Little League meeting. The information was in regards to the fundraising efforts for the softball project. Mr. Black explained the fundraising and associated costs. He noted that the auction will include bids for the naming of the stadium and other advertising. The only permanent advertising will be the name of the stadium. Mayor Presgraves questioned if the Town will have a final say in the advertising. Also, Mayor Presgraves asked if Council had ever given exclusive rights to the Little League for use of the fields at the R. H. Dean Recreation Park. Mayor Presgraves suggested doing this in the form of a resolution with the condition that the League remains a non-profit organization. Town Manager, Rick Black, stated that the league already has the first right to use the facilities. Town Attorney, Jason Spitler, stated that the public perception is that the Little League has always had the right of usage and that there has never seemed to be a problem otherwise. Councilman Arrington suggested that no action was needed.

Smoking Ban

Town Manager, Rick Black, stated that most Federal, State, and municipal buildings have a ban on smoking. Mr. Black feels that this would be a good resolution to pass for town facilities. He emphasized that there have not been any problems with this, but would be a good policy to have in place.

Councilman Racer stated that he would not support a smoking ban due to the recently imposed cigarette tax. Councilman Schiro stated that he thought there was already a policy in place about smoking in town vehicles.

Town Attorney, Jason Spitler, asked if there was a policy in place for the recreation park. Mr. Black stated that there will have to be a tobacco free zone in place for the upcoming Little League tournament.

Yellow Cab of the Shenandoah, LLC

Mr. Black stated that in accordance with the town code, the Council must approve the rates of fare for taxis. The proposal from Yellow Cab has been provided in Council's packets. Council agreed that the fares for the service would determine the success of the service. Councilman Arrington asked if the police department would have to be involved in this type of service. Mr. Black replied that the police would have to inspect the vehicles. Also, Mr. Black suggested using the existing transit bus stop areas for taxi use also.

VDOT - Annual Street Inspection

Mr. Black stated that according to VDOT's annual street inspection the Town would be required to replace missing signage at the intersection of Main Street and Wallace Avenue, Collins Avenue, Northcott Drive, Leaksville Road, and Lee Street. Mr. Black emphasized that these signs must be displayed in order to receive VDOT funding.

Councilwoman Shifflett discussed the no-left turn sign at Leaksville Rd/West Main Street. She asked if the sign was working currently. Mr. Black stated that it is in working order. Councilman Lancaster stated that the light can be difficult to see. Assistant Town Manager, Bryan Chrisman, stated that staff is taking

measures to make it more visible. Councilman Lancaster stated that he has seen the sign be very effective.

Proposed FY 2011 Budget

Mr. Black provided Council with the advertisement that will appear for the proposed FY2011 Budget. All items included in Council's packet regarding the budget have been discussed previously.

Councilwoman Shifflett questioned the funding for the summer concerts and for Bluemont Concert series. Councilman Schiro replied that the town no longer has ties with Bluemont. Town Manager, Rick Black, explained that the arts grant is a matching grant for the Town. Mr. Black explained the funding for the summer concerts and funding for Performing Arts Luray.

Councilman Lancaster questioned the \$70,000 allocated for Greenway Programs. Mr. Black stated that the town has applied for \$55,000 in grant funds to improve parking at the Linden Street Bridge. Mr. Black emphasized that if the funding is not received the project will not be completed.

Councilwoman Shifflett asked why alcohol cannot be sold during the summer concert series at Ruffner Plaza. Mr. Webb, Town Planner, stated that this was researched last year and he recalls something in the town code about this. Mr. Black stated that there may be issues with the Greenway grant funding that would not allow this. Councilman Racer stated that many participants of the event have expressed an interest. Mayor Presgraves stated that the Greenway has always been a family place with family events. He stated that the sale of alcohol would not create a good atmosphere. Councilman Lancaster suggested that the town attorney check into the legal aspect of this. Council agreed for Jason to research the issue.

Councilman Racer asked if there were salary increases included in the proposed budget. Mr. Black said that there were no increases included in the FY2011 proposed budget. Councilman Lancaster agreed that a salary increase was not a good idea right now. Mayor Presgraves suggested that Council look at an increase next year.

Personal Property Tax Relief Rate

Mr. Black said that the PPTR rate would be a 100% again this year, which provides 100% relief for vehicles valued at under \$20,000.

Mr. Black also stated that the tax relief for the elderly is the same as Page County. Councilman Schiro asked about the rate for tax relief. Treasurer, Mary Broyles, stated that there is 100% relief for those who meet all criteria and have an income of \$21,000 or less.

Town Attorney Report

Town Attorney, Jason Spitler, noted that the items for his report would require an Executive Session.

EXECUTIVE SESSION

Real Property, Section 2.2-3711.A.3 (*LFCC Lease*)

Legal Matters, Section 2.2-3711.A.7 (*Water Treatment Plant, Airport*)

Mayor Presgraves requested a motion to adjourn into Executive Session for the purpose of discussing Sections 2.2-3711.A.3 and 2.2-3711.A.7.

Motion: Councilman Lancaster motioned to recess the regular session and to convene in executive session; Councilwoman Shifflett seconded the motion with the following members voting YEA: Council Members Shifflett, Arrington, Lancaster, Schiro, and Racer. **Approved 5-0**

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

Mayor Presgraves asked members of Council to certify that to the best of their knowledge the only matters covered under Section 2.2-3711.A.3 and 2.2-3711.A.7 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 6:41 pm.

Barry Presgraves
Mayor

Danielle P. Babb
Deputy Clerk-Treasurer