

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

**MONDAY, MAY 13, 2013**

The Luray Town Council met in regular session on Monday, May 13, 2013 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  
Pam Flasch  
Mary Menefee  
Leroy Lancaster  
Joey Sours  
John Meaney

**Also Present:**

Charlie Hoke, Temporary 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  
Chief Page Campbell, Luray Police Department  
Pat O'Brien, Director of Parks and Recreation  
Lynn Mathews, Public Works Superintendent  
Liz Lewis, Luray Downtown Initiative  
John Robbins, Luray Page County Chamber of Commerce  
Floyd Maxey, 15 Moyer Avenue  
Eddie Smith, Baker Development  
Pat Racey, Racey Engineering  
Powell Markowitz, Luray Page County Airport  
Teresa Day, Springfield Elementary  
William P. Menefee, Former Luray Town Council Member  
Stephanie Lillard, Page County EDA  
Danny Chu, Special Use Permit Request  
Page News and Courier

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 Sours led everyone in reciting the United States Pledge of Allegiance. The roll was called with all members present.

## **CONSENT AGENDA**

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

### ***Consent Agenda***

- A) Minutes of the April 8, 2013 Regular Council Meeting
- B) Minutes of the April 23, 2013 Council Work Session
- C) Financial Report for the period April 1-30, 2013
- D) Accounts payable checks totaling \$ 225,477.33

## **GENERAL CITIZEN COMMENTS**

### **Presentation of Telegraphers Key to the Town**

Former Council Member, Mr. William P. Menefee, discussed the evolvement of the Telegraph and displayed the telegraph key that was used from the 1920's until the 1950's at the Luray Station. Mr. Menefee stated that this key was presented to him and that he would like to pass this on to the Town of Luray on behalf of the Hawkins Family. Mayor Presgraves thanked Mr. Menefee and agreed to ensure its proper placement.

### **Teresa Day- Springfield Elementary**

Ms. Teresa Day, Principal of Springfield Elementary School, came before Council to thank them for their invitation to perform at the Arbor Day program for the last several years. Ms. Day thanked Mr. Pat O'Brien and his staff for inviting the students and making them feel welcome at the event.

## **PUBLIC HEARINGS**

### **Proposed Budget for FY 2013-2014**

Mayor Presgraves stated that the public hearing is scheduled for this evening's meeting and that the proposed budget for FY 2013-2014 has been made available to the public for review. He informed members that no action would be taken on the budget this evening and would only hear comments from the public at this time. Mayor Presgraves opened the public hearing for citizen comment.

### **Mr. Floyd Maxey, 15 Moyer Avenue -**

Mr. Maxey addressed the Mayor and Town Council and said that he takes exception to a tax increase. He asked members to consider that no individuals or businesses are receiving a pay increase of this percentage. Mr. Maxey said that he has also reviewed the financial records of Page County and feels that if he reviewed the town's books he would find that revenues have increased. Mr. Maxey added that these are not good times for town or county residents and this requires cutting back on expenses. He reminded Council members that they represent their constituents and not the wants of those on the

town's payroll. Mr. Maxey said that he is certain that the majority of taxpayers would not be in support of this increase. He emphasized that the town's spending needs to be controlled and also addressed the proposed increase in utility rates. Mr. Maxey feels that his household represents minimal usage for utilities and is paying on average \$70 per month. He also requested that council members resist taking out loans for unfunded government mandates. He feels that all mandates should come with funding or they should be ignored.

With no further comments, Mayor Presgraves then closed the public hearing.

### **Special Use Permit- SUP 13-2 Danny Chu**

Town Planner, Ligon Webb, stated that this request is for a special use permit for a mini-storage unit facility in a B1 Zoning District. The parcel was recently rezoned to a B1 Zoning District. The Planning Commission has reviewed this application and this was approved by a 5-0 vote. Mr. Webb displayed a map of the area and provided a conceptual site layout. Mr. Webb also presented photos of the proposed storage unit facilities. Mr. Webb stated that this will also require a Building and Zoning permit each time a structure is added to the site. Councilwoman Menefee inquired about the time frame for this project. Mr. Webb stated that this would be based on demand for the units and the total build out time may be from 3-5 years.

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

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

## **STAFF REPORTS**

### **PUBLIC WORKS DEPARTMENT**

Lynn Mathews, Superintendent of Public Works, provided the monthly report for the department. The Public Works Department repaired four water leaks and made two new water taps this month. The department responded to eight sewer calls and replaced approximately 30-feet of sewer line on East Page Street. The department also made one new sewer tap. Mr. Mathews advised that projects going on this month include storm drainage work, cleaning sidewalks and streets, sign installation and repairs, mowing and trimming roadsides, and assisting the town's paving contractor.

### **PUBLIC SAFETY**

Chief Campbell stated that Council members have the department's written report for review. He noted a total of 31 arrests for April 2013. Chief Campbell noted a total of 236 calls for service for the month. Chief Campbell reminded Council members of information from his weekly reports. Mayor Presgraves confirmed that the department is currently one member short. Chief Campbell confirmed that the department will be filling this position within the next month. Chief Campbell noted the recent Festival

of Spring and said that things went very well. Also, he complemented the Parks and Recreation Staff for their efforts on this event.

## **PARKS AND RECREATION**

Director of Parks and Recreation, Pat O'Brien provided his written report for Council and said that he would be happy to answer any questions on the report. Mayor Presgraves thanked the Parks and Recreation Staff and the Public Works Staff who worked on the Festival of Spring Event and stated that staff members did a great job.

Councilman Sours asked Mr. O'Brien about staffing issues for the department. Mr. O'Brien stated that he has hired one part time individual to assist the department, with plans to hire another part time staff member. He also stated that he is considering submitting some Requests for Proposals to assist the department. Mr. O'Brien said that frankly staffing is short. Councilman Sours asked Mr. O'Brien how his staff was doing on a morale basis. Mr. O'Brien replied that the staff's morale was not good. Mayor Presgraves asked if these were work related issues or issues related to the passing of their department member. Councilwoman Menefee asked what could be done to help improve this issue. Mr. O'Brien asked if this should be discussed in a regular meeting or at a later time, perhaps a work session meeting. Mayor Presgraves stated that he would like to know what the problem is with the department's morale. Mr. O'Brien stated that the main issue is that the department lost a key member of their team who was a full time staff member. He added that by not replacing this staff member with another full time employee, this has put a tremendous burden on his staff members. Mr. O'Brien stated that he does not feel that additional part time employees and inmate labor are the answer in this case. He feels that the part time employees take time to train and his staff feels that a full time employee should have been brought on staff. Councilwoman Menefee said that her understanding was to begin the process to hire a full time employee that could eventually become a replacement director. Mr. O'Brien said that hiring a replacement for his position was not a priority to him at this time. He stressed that the current issue is maintaining the town's facilities as some facilities are being neglected. Mr. O'Brien said that his department members require a certain level of skill, knowledge, and knack for working on public events. Mr. O'Brien said that he understands that while the budget is a concern, hiring a full time employee with benefits often attracts a more loyal and qualified staff member. Mayor Presgraves asked Mr. O'Brien how his morale was; and, if his morale was reflected onto his staff members. Mr. O'Brien said that he has been on staff for over 30 years and that his morale remains unchanged; however, he said that the remaining four staff members worked extremely hard to prepare for the Festival of Spring and their morale is not good. Mayor Presgraves stated that Mr. O'Brien is a reflection of his employees and should stay positive. Mr. O'Brien said that he is staying as positive as possible; however, he and his staff feel that a full time employee should have been brought on staff. Mayor Presgraves said that this was not the case and that Mr. O'Brien and his staff must accept this decision and make the most of the situation with a positive attitude. Mayor Presgraves reminded that it is going to take some time to train an individual to the level of knowledge that Mr. Buracker contributed to the department. Mayor Presgraves reminded that Council and Staff intends for the department to hire a full time individual and that this should be a person that is a good fit for the department. Mr. O'Brien said that this is going to be a difficult position to fill and this will be a challenging task to place on an individual, in terms of event planning. Mr. O'Brien said that he is very concerned over the hard work of the previous Council and Staff members to build award winning facilities for Luray. Mr. O'Brien said that he does not want to see these facilities decline due to staffing issues and constraints. Mayor Presgraves reminded that

Council has requested that the department outsource some of the maintenance areas. Councilman Sours inquired about the amount of labor hours that have decreased. Mr. O'Brien explained the number of employees/hours for full time and part time labor. Mayor Presgraves asked if the department is utilizing inmate labor. Mr. O'Brien said that he has experienced problems getting inmate labor, as the number of inmates available has declined. He explained that currently the department is only able to get inmate labor on Monday's and Tuesday's. Mayor Presgraves said that the town experiences significant savings by utilizing inmate labor. Mr. O'Brien recognized that there is a significant savings if the amount of labor is consistent. Councilman Meaney asked how the efforts to contract out work are affecting employee morale. Mr. O'Brien said that to be quite frank, the employees do not like the idea. He said that long time employees do not like the idea of "farming" out work and that they are concerned by this. Mayor Presgraves said that it is important to reassure employees that their positions are not being cut back. Also, Mayor Presgraves stated that the Parks and Recreation Department is the only department that does not have an assistant. He feels that this leaves the town in a poor management position by not having a replacement available. Mr. O'Brien emphasized that it is not just about having a replacement but having an experienced individual who can manage ball fields, maintain lakes and ponds, and other skilled areas. Mr. O'Brien said that he had an individual in mind to bring on full time. This individual has been on staff for about four years and has assisted with all events over the last year. However, Mr. O'Brien said that he understands that this is not Council's direction to hire that individual. Mayor Presgraves reminded that we need an individual who can become a director. Mr. O'Brien restated that right now this is not a priority and right now we need someone performing maintenance. Mayor Presgraves said that Mr. O'Brien travels a long commute daily and is not exempt from the possibility of an accident. Ms. Liz Lewis, LDI Director, offered her opinion and said that two employees are needed to do the work of Mr. O'Brien. She said that the position is essentially the job of two people. Councilman Sours suggested beginning a manual of "best practices" for the department to assist a future director. Mr. O'Brien said that he does try to maintain such records for a future director. He reminded that the town's events have grown tremendously and now includes a two page rack card of events for the town. Councilwoman Menefee said that while the last two months have been quite a whirlwind, she is very appreciative of the work that is done and is supportive of the department.

Councilman Vickers inquired about a promotional CD that was included in the staff report. Mr. Vickers would like to review a copy of the promotional material. Mr. O'Brien said that this is a presentation on the Greenway and could perhaps be provided to Council at a later meeting.

Mayor Presgraves advised Mr. O'Brien that he would continue the discussion at a later time.

## **WTP AND WWTP**

Charlie Hoke, Director of Utilities, said that the Water Treatment Plant is operating as designed and that all distribution samples came back negative.

Mr. Hoke reported that the Wastewater Treatment Plant is operating as designed. He stated that during the recent rainfall the meter did reach its maximum. He said that there were no violations during this time. Also, the plant is in compliance with the Chesapeake Bay Nutrient Reduction Program.

Mr. Hoke also advised that the town was able to sell approximately 188 phosphorous credits on the private exchange from George's Chicken. Councilman Sours inquired about the sale of nutrient credits. Mr. Hoke explained how this process works and the town was able to sell its additional credits.

## **PLANNING AND ZONING**

Town Planner, Ligon Webb, reported that the Planning Commission has a revised copy of the Comprehensive Plan and it should be ready for Council's review in July. Councilwoman Menefee suggested some additions to the Comprehensive Plan for Affordable Housing.

Mr. Webb displayed before and after photos of the North Broad Street Improvement Project. Mr. Webb said the project is nearly complete with a few minor items remaining to be completed. He advised that the crosswalk will be put in later this summer. Councilman Vickers asked if the Tree and Beautification Committee was involved in the North Broad Street Project. Mr. Webb said that the committee was involved in the landscaping choices and that he thinks the project looks great! Mr. Webb thanked Liz Lewis for her work on the grant and is hopeful for a second phase grant in the fall.

Councilman Meaney asked about the improvements to the Comprehensive Plan. Mr. Webb said that this version has included work from a graphic designer and is a more professional looking document.

## **TOWN AFFILIATED BOARDS AND COMMISSIONS**

### **Luray Downtown Initiative**

Ms. Liz Lewis complimented Mr. O'Brien, Parks and Recreation staff, Public Works members, Chief Campbell, and the Luray Police Department for their assistance with the Festival of Spring. She said that the town's staff is dedicated to making the event a success. Ms. Lewis had compliments on the festival and positive feedback on merchant sales. She reported that over 138 vendors were registered but about 8% did not attend. Ms. Lewis attributes this to the weather and said that a post event vendor survey will go out also. Ms. Lewis said that despite the high water, the duck race was a success and is a good fundraiser for LDI. She also said that the Appalachian Trail Ceremony went well and saw good attendance. Ms. Lewis reported that the North Broad Street Improvement project is nearly complete and is very proud of the results. Ms. Lewis said that several downtown shops have seen enhancements and/or additions. Ms. Lewis passed out literature on the Art Filled Summer Day Camp and said this will serve as a fundraiser for LDI. She said the program will run for a total of nine weeks this summer. Upcoming Projects for LDI include the Buy Local Farmer's Market Grant and displaying the summer flower baskets.

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

Mr. John Robbins, Chamber Director, said that he would like to also compliment Mr. O'Brien and Ms. Lewis on the Festival of Spring and felt they did an exceptional job. Mr. Robbins thanked Mayor Presgraves for participation in the ceremony designating Luray/Page County as an official Appalachian Trail Community. Mr. Robbins said that there are only 29 such communities along the Appalachian

Trail and helps to identify Luray as an outdoor friendly community. He also advised that Luray/Page County received a great deal of positive press on this designation in the form of newspaper, television, and web media.

Mr. Robbins advised that the Chamber of Commerce is involved in a number of scholarships for upcoming graduates. He stated that the Chamber will be awarding two \$500 scholarships, one to Luray High School and one to Page County High School. Also, he advised that he and Councilwoman Flasch are also on the committee to select two students for the Page News and Courier Scholarships.

Mr. Robbins reported on the first annual Yard Sale and Community Expo. He advised that the weather was very good and the event saw over 1000 visitors during the event. Mr. Robbins advised that the chamber hopes to conduct the event in the fall also.

Chamber statistics for April were 1380 visitors and 428 tourist phone calls. Mr. Robbins also discussed activity on the chamber's website and reported that the figures are up significantly. Also, Council had previously requested a visitor survey and these results have been included in Council's packet. Mr. Robbins stated that nearly 1000 surveys were sent out with only 26 returned. He feels that despite the low response, the feedback is very valuable to the Chamber. Mr. Robbins also informed Council members that the Chamber will be providing the Page County EDA with a free advertisement in the annual visitors guide in hopes of attracting new business. Councilman Meaney complemented Mr. Robbins on his board membership to the Shenandoah Valley Travel Association. Mr. Robbins explained that a few weeks ago he was elected as an at-large board member to the Shenandoah Valley Travel Association. He said that certainly the Chamber wants to be a part of this group, which has been a long standing organization that strives to attract tourism to the area.

### **Luray-Page County Airport Commission**

Mr. Powell Markowitz explained that over the last few months there has been discussion on the establishment of an Airport Authority. Mr. Markowitz met with Page County last week and has voted to proceed with this process. He reminded that the legislation for this was passed by the state back in 2004. Mr. Markowitz said that the request is for the town and county to both pass resolutions to establish this authority and put the airport operations in the hands of the Authority. Council members and Mr. Markowitz discussed the role of an Authority and the powers granted to such. Mayor Presgraves asked Mr. Markowitz to explain the advantages to establishing an airport authority. Mr. Markowitz explained that the biggest advantage to having an authority is that current conditions are a logistical nightmare. Currently, Mr. Markowitz has to request meetings and public hearings with both the town and county for all airport related decisions. In the past, the commission has been mainly managing the improvement grants for the airport. Beginning, July 1<sup>st</sup> the commission will be essentially operating the airport because Luray Caverns will not renew its lease. Mr. Markowitz advised that either the town/county will operate the airport or an authority will act as the operating body. The legislation provides for a board of five members. Two members will be appointed by the town and county each, with one at large member which will all be volunteers. Mr. Markowitz advised that the airport's sources of revenue are limited. Mr. Markowitz and Council discussed a memorandum of how to proceed with this legislation. Mr. Hoke explained that he had planned to forward this information to Council in next week's report. Mayor Presgraves concluded that Mr. Markowitz is requesting Council's permission to have Page County's Attorney, Mr. Miller, proceed with drafting a resolution to proceed.

Mr. Markowitz explained that the commission would like permission to proceed as the July 1<sup>st</sup> deadline is quickly approaching. He clarified that this request is for authorization to proceed.

**Motion:** Councilwoman Menefee motioned to approve the concept of an Airport Authority, motion seconded by Councilman Lancaster with the vote as follows: YEA: Council Members Vickers, Flasch, Menefee, Lancaster, Sours, Meaney. **Approved 6-0**

Town Attorney, Jason Spitler, advised that if the Council wishes to hold a joint session with Page County then some dates should be discussed in order to comply with the deadlines for a public hearing. Mayor Presgraves suggested holding the joint meeting at Town Hall on June 3<sup>rd</sup> at 7:00pm if agreeable to both parties.

## **UPDATES**

### **Discussion of Developers Agreement – Section 1**

Temporary Town Manager, Charlie Hoke, said that the town has a developer's agreement for the Luray Landing Section 1. The developer, Baker Development, has submitted a voluntary proffer agreement for consideration by the Town. The agreement discusses offsite water improvements that include a 12-inch water line. Mr. Hoke feels it would be in the town's best interest to authorize staff to participate in discussions with Baker Development. Mayor Presgraves said that it would be best if both parties would reconvene discussions on the offsite water improvements for the development.

**Motion:** Councilman Lancaster motioned to authorize discussions with Baker Development regarding issues of mutual concern in relation to the Developer's Agreement-Section 1, motion seconded by Councilman Meaney with the vote as follows: YEA: Council Members Vickers, Flasch, Menefee, Lancaster, Sours, Meaney. **Approved 6-0**

### **Town Transportation Plan & Studies**

Assistant Town Manager, Bryan Chrisman, stated that included in Council's packet is a staff report discussing the possibility of creating a formal transportation plan. Mr. Chrisman said that in the report he has outlined the benefits for the town and sees no negative aspects. He advised that the key benefit will enable the town to take advantage of a significant increase in VDOT's Revenue Program funds. Mr. Chrisman said that he is requesting Council's consensus on formulating a plan.

One current issue is to request a speed limit change from VDOT on an arterial route. This request requires a Council Resolution backed by a formal Speed Study. Mr. Chrisman explained that staff is requesting that Council authorize the Speed Study in support of the resolution to reduce speed in this zone from 45mph to at least 40mph. The town has received an estimate to conduct such a study of approximately \$2800. Mr. Chrisman feels the town will more than recover its investment in this study.

**Motion:** Councilman Vickers motioned to proceed with the creation of a Transportation Plan and to conduct a formal speed study, motion seconded by Councilman Meaney with the vote as follows: YEA: Council Members Vickers, Flasch, Menefee, Lancaster, Sours, Meaney. **Approved 6-0**

## **Main Street Bridge Project – Presentation**

Mr. Pat Racey, Racey Engineering, stated that he gave a presentation recently to the Luray Rotary Club. He advised that the presentation was intended to summarize where we are at on the Main Street Bridge Project and that his intention is to share the same presentation with Council. Mr. Racey then provided a power point presentation on the project. The presentation included information on the project team members, existing conditions of the structure, timeline of activity, and funding. The presentation also detailed the intended project approach and various critical issues.

## **Enterprise Zone Application**

Mr. Ligon Webb presented information on behalf of the Page County EDA along with fellow board member, Stephanie Lillard. He advised that the Page County EDA is applying to be a part of the Virginia Enterprise Zone. Mr. Webb provided facts on the VEZ program and summarized that the designation is a mechanism for funneling economic development to certain areas. The application was originally due in October, but the deadline was extended until June 2013. Mr. Webb displayed a map for the zone designation and explained the districts for all three towns; Luray, Stanley, and Shenandoah. Mr. Webb discussed the business incentives associated with an Enterprise Zone designation. Ms. Stephanie Lillard, EDA Board Member, discussed the need for Page County to apply for this designation to allow the state to be able to assist with potential opportunities. She explained that this designation will allow the EDA an extra advantage when trying to attract new businesses. Mr. Webb said at this point the EDA is submitting the application and feels that the likelihood of receiving this designation is very good. Councilman Vickers inquired if the other towns have endorsed this project. Ms. Lillard responded that the EDA will be presenting this application to them over the next few evenings, but so far have been very supportive.

**Motion:** Councilman Vickers motioned to endorse Page County EDA's Enterprise Zone Application, motion seconded by Councilman Meaney with the vote as follows: YEA: Council Members Vickers, Flasch, Menefee, Lancaster, Sours, Meaney. **Approved 6-0**

## **ITEMS FOR COUNCIL ACTION**

### **Planning Commission Appointment**

Mayor Presgraves said that he would like to appoint Mr. Jerry Dofflemyer to the Luray Planning Commission.

**Motion:** Councilman Vickers motioned to appoint Mr. Jerry Dofflemyer to the Luray Planning Commission, motion seconded by Councilwoman Menefee with the vote as follows: YEA: Council Members Vickers, Flasch, Menefee, Lancaster, Sours, Meaney. **Approved 6-0**

## **Planned Community Development Developers Agreement- Section II/ Boundary Line Adjustment –Airport Road**

Temporary Town Manager, Charlie Hoke, advised that the Page Community Development group would like for the Town of Luray to request a friendly boundary line adjustment with Page County. Mr. Hoke said that he would like Council members to consider Option #4 because it is preferred by the Luray Page County Airport Commission. This option would allow the airport property to remain within the county boundaries and place the development and storm-water pond within the town's boundaries. Mr. Hoke stated that the developer would like for the council to act on this as it has been an ongoing issue for about a two year period.

**Motion:** Councilwoman Menefee motioned to approve the friendly Boundary Line Adjustment (option #4) as presented, motion seconded by Councilman Meaney with the vote as follows: YEA: Council Members Vickers, Flasch, Menefee, Lancaster, Sours, Meaney. **Approved 6-0**

Mr. Hoke stated that since the boundary line adjustment has been approved, the Developers Agreement-Section II is based on this decision. Staff is recommending that Council approve this agreement as well. Mr. Hoke added that his only initial concern was that the developer meets the town's standards for water and sewer specifications. He noted that these requirements have been met by the developer. Therefore, Mr. Hoke is recommending that Council take action on this agreement.

**Motion:** Councilwoman Menefee motioned to approve the Developer's Agreement – Section II as presented, motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Flasch, Menefee, Lancaster, Sours, Meaney. **Approved 6-0**

## **Authorization of Phase II of Racey Contract – Bridge**

Temporary Town Manager, Charlie Hoke, presented the second phase of the contract with Racey Engineering for Professional Services regarding Main Street Bridge. This is the second phase of a multi-phase contract.

**Motion:** Councilman Sours motioned to approve the Racey Contract for Professional Services-Phase II, motion seconded by Councilman Meaney with the vote as follows: YEA: Council Members Vickers, Flasch, Menefee, Lancaster, Sours, Meaney. **Approved 6-0**

## **Current Budget Expenditure Requests**

Mr. Hoke stated that Council has five items before them that have been approved as a part of the current budget. However, staff would like Council to consider each item and if they would like to move forward. Mr. Hoke explained that these items had been deferred due to current budget constraints but are all certainly beneficial to the town. These items are as such:

- 1.) *Beginning Construction of the Event Storage Building (Engineered Footers, Foundation, and Slab*
- 2.) *Installation of the Perimeter Security Fence at the West Main Water Tower Compound*
- 3.) *Replacement of Six Primary Doors – Town Shop*

*4.) Completion/Repair of Town Shop Insulation*

*5.) Purchase of a Replacement Pickup (One Ton, Snow Plow and Related Equipment)*

Mr. Hoke explained that the town has already purchased the storage building and would like to move forward on the assembly and foundation. The building is currently being stored by the manufacturer and the town could begin receiving charges for storage if the unit is not constructed. Mr. Hoke explained that the main issue is earthwork and foundation work. Mr. Hoke continued to review all five items and the associated costs. Councilman Vickers questioned the need for Council's approval of these items if they were previously budgeted for. Mr. Hoke explained that these items are being discussed because of other unfunded and unexpected expenditures and the need to control the town's reserve. Mr. Hoke said that town staff would like to move forward on installing a security fence at the West Main Water Tower. Also, the town shop is in need of six primary doors and the repair of insulation in the building. Lastly, staff is proposing a replacement pickup truck. Mr. Hoke said that if these items are not approved in the current fiscal year, they are not budgeted for in the next budget cycle. Therefore, these projects would be delayed for two years. Mayor Presgraves asked about the need for a replacement pickup truck. Mr. Hoke said that it is his understanding that the current vehicle has maintenance issues and is very costly to keep in operation. Councilman Sours discussed the depreciation cost of a new vehicle compared to the annual maintenance costs that the town is currently experiencing. The total cost of all five projects is calculated at \$74,810. Council and staff discussed a possible budget amendment and how it relates to overall expenditures. Councilman Vickers stated that he feels the town has been using its rainy day fund too much and prefers to wait until the funds are available. Councilman Sours feels that the main issue is spending and that he wants to see the town reign in its spending. Mr. Hoke reminded that staff felt it was prudent to bring these expenditures before Council before approving these items. Mr. Hoke feels that the first two items are most important from both liability and safety standpoints. Council members agreed on items one and two, while discussing cost versus savings for the remaining three items. Mr. Hoke presented each item for final discussion, with Council approving only items one and two and deferring items three through five.

### **Monthly Reports**

Mr. Hoke said that currently the Council members receive weekly departmental reports. He would like for Council to consider not requiring Department Supervisors to attend the monthly Council meetings unless there is an issue that should be brought before Council. Mayor Presgraves said that he would like to reserve the right to choose based on current issues and that he would like to have a police officer present at all meetings. Councilman Vickers expressed concern over questions that may arise from the monthly/weekly reports. Mr. Hoke said that if an issue arises it can be directed to him for referral to the specific department. Councilwoman Menefee stated that the Town Planner should be present at all meetings. Mr. Hoke said that he is not going to ask supervisors not to attend, but to let them know they are not required to do so. Council members agreed that this will save time and endorsed this request. Council members agreed that if this change does not work, they will reserve the right to resume the current departmental reporting process.

### **PPTR Resolution**

Mary Broyles, Treasurer, presented the Resolution for Personal Property Tax Relief. She explained that this is an annual approval for Council and is required by state legislation. This year's tax relief is set at 96% on the first \$20,000 of assessed value.

**Motion:** Councilman Vickers motioned to approve the Personal Property Tax Relief Resolution as presented, motion seconded by Councilwoman Menefee with the vote as follows: YEA: Council Members Vickers, Flasch, Menefee, Lancaster, Sours, Meaney. **Approved 6-0**

### **Authorization to Adjust Entries within Funds**

Treasurer Mary Broyles discussed the year end adjusting entries and requested Council's authorization for such. She explained that all adjustments must be made within the individual fund.

**Motion:** Councilwoman Menefee motioned to authorize the Treasurer to make the necessary year end adjusting entries, motion seconded by Councilman Vickers with the vote as follows: YEA: Council Members Vickers, Flasch, Menefee, Lancaster, Sours, Meaney. **Approved 6-0**

### **TOWN ATTORNEY'S REPORT**

Town Attorney, Jason Spitler, provided the revised Meals and Lodging Tax Ordinances and noted that they closely resemble one another. He explained that these similarities will allow for consistent processes of collection, reporting, payment, penalties, enforcement, and violations. Mr. Spitler and Council members discussed the rates and deductions for each tax. He advised that the rates and allowable deductions match Council's direction on this issue and that these ordinances are more consistent and easy to follow. Mr. Spitler advised that Council can take further time to review the amendments but should vote on these no later than July 1<sup>st</sup> to coincide with the beginning of the fiscal year. Council and staff discussed that the revisions provide for penalties and interest for late payment and do not reward for paying on time. Councilman Sours addressed several questions about penalties and interest. Mr. Spitler explained the revisions and said that the current provisions are extremely difficult to understand and enforce.

**Motion:** Councilman Vickers motioned to approve the revised Meals and Lodging Tax Ordinance as presented, motion seconded by Councilman Meaney with the vote as follows: YEA: Council Members Vickers, Flasch, Menefee, Lancaster, Sours, Meaney. **Approved 6-0**

Mr. Spitler updated Council on some other items of business including the current legal issue with the former Town Manager. Mr. Spitler said that a motion was filed last week and a hearing is scheduled for July 2, 2013. The worker's compensation claim hearing date has been rescheduled for the Buracker case and will likely be scheduled now for August.

### **ANNOUNCEMENTS**

Mayor Presgraves advised Council and staff members that he has received a request regarding the naming rights to Field #5 at the R.H. Dean Recreation Park. Mayor Presgraves would like to see the town get this moving before the tournaments begin this season. He currently has an offer of \$50,000 but feels the town needs to open this to all businesses to bid on in all fairness. Mayor Presgraves said that he is uncertain of how to go about this marketing and is requesting assistance with this project. He would like for the town to contact John Shaffer of Luray Caverns to offer his marketing expertise on this issue. Mr. John Robbins offered to assist the town with a press release. Mayor Presgraves stressed that

he would like to have someone administer this project. Councilwoman Flasch suggested that contacting Mr. Shaffer would be helpful and offered to do so.

Mayor Presgraves reminded Council members that the Town of Shenandoah Memorial Day Parade is on May 25<sup>th</sup>. He asked members to please advise if they intend to participate.

Mayor Presgraves advised Council members that the Town Section meeting for VML is coming up in Bridgewater on June 7<sup>th</sup>.

Lastly, Mr. Presgraves advised that Mr. Hoke will be on vacation beginning tomorrow.

**ADJOURN**

With no further business, Mayor Presgraves adjourned the regular session of the Luray Town Council at approximately 10:15 pm.

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Barry Presgraves  
Mayor

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Danielle Babb  
Deputy Clerk-Treasurer