

The Smithfield Town Council held its regular meeting on Wednesday, November 4th, 2014. The meeting was called to order at 7:30 p.m. Members present were Mr. T. Carter Williams, Mayor; Mr. Andrew Gregory, Vice Mayor; Ms. Connie Chapman, Mr. Michael Smith, Dr. Milton Cook, and Mr. Randolph Pack. Mrs. Denise Tynes was absent. Staff members present were Mr. Peter M. Stephenson, Town Manager; Ms. Lesley King, Town Clerk; Ms. Ellen Minga, Town Treasurer; Mr. Steven Bowman, Chief of Police; Mr. Eric Phillips, Police Officer; Mr. William T. Hopkins III, Director of Planning, Engineering, and Public Works, and Mr. William H. Riddick, III, Town Attorney. There were twelve (12) citizens present. The media was represented by Ms. Abby Proch of The Smithfield Times.

Mayor Williams – Good evening ladies and gentlemen. Welcome to the Smithfield Town Council meeting of November 4th, 2014. I would like to thank everyone for coming tonight. If you would all stand, we will say the Pledge of Allegiance.

All present stood and recited the Pledge of Allegiance to the flag.

Mayor Williams – We will start off tonight with our Informational Section. The Town Manager will give us the Manager's Report.

Town Manager – Thank you, Your Honor. The first order of business is to follow up on an award which was presented Saturday evening in Newport News as part of the Hampton Roads Regional Crime Line Top Cop. Mayor Williams was able to attend but I was not. Chief Bowman I will turn it over to you.

Chief Bowman – Thank you, Mr. Mayor, members of Council, and distinguished guests. It is my distinct pleasure and honor to introduce to you Officer Eric Phillips. You may know him already from working the street. He has been doing that for a number of years. He was honored at a dinner on Saturday night at the Hampton Roads Regional Crime Line Top Cop. We really appreciate the Mayor attending. We believe that he is without a doubt one of our top cops in Smithfield. Officer Phillips has the unique ability to blend both the community policing concept with that of crime suppression and crime detection. He has been with us for about five years. He does a wonderful job. He was honored at the meeting in which a number of different jurisdictions had their top cops. It is my distinct privilege, pleasure, and honor to have him recognized before you this evening.

Town Manager – I will say it is probably a good thing that it is getting a little colder outside because Officer Phillips is our newest motorcycle officer so he will be out there watching your speed in the spring time. He is also on our boat team, the emergency response team, and a neighborhood watch officer. I am sorry that I was not able to attend the dinner. We are very proud of you. Congratulations. I have a few other things to add. The twice a year municipal mailer that goes out to all of our residents has been mailed. It should be in your mailbox in the next day or so. We have a lot of good information in there about what is going on in town as well as the Certified Crime Prevention Community Award last month. Ms. Bennett will be sending out the E-newsletter for our town family tomorrow. On the agenda we have a very brief closed session tonight regarding personnel matters requiring advice of legal counsel. There are a couple of other things to note. As you are aware we are hosting American Public Works Association officials, later this week. We are at the end of a three year process with our public works department much as we have since 2000 with our police department. As far as public works we are seeking accreditation for the very first time. We would also be the smallest agency in the Commonwealth of Virginia to achieve such if we are successful. We have a team of three coming from around the United States that will be reviewing the Public Works Department. They are coming on Wednesday and will be here all day Thursday and Friday. We have an informal dinner at 6:00 p.m. on Thursday which Council has been invited to but no business will be conducted. Also, Ms. Musick informed us that the Isle of Wight County Events Committee is hosting a Veterans Day ceremony at the Smithfield Center on Saturday from 3:00 p.m. until 6:00 p.m. It is free of charge. I am sure there is going to be possibly other Veteran's Day items happening usually at the memorial on Veterans Day. Regarding the meeting schedule for the month, we have a Pinewood Heights Management team meeting on November 12th at 4:00 p.m. and the Planning Commission meeting has also been changed to November 12th at 7:30 p.m. because of the Veterans Day holiday. The Planning Commission will meet to discuss the comprehensive plan. Please note that due to the Thanksgiving holiday our committee meetings will be early this month. We really only have two weeks between tonight and the Committee meetings which is a little unusual. We do run into this occasionally. The Committee meetings will be November 17th and 18th at the Smithfield Center beginning at 4:00 p.m. The Board of

Historic and Architectural Review is scheduled to meet on November 18th at 7:30 p.m.

The administrative offices will be closed on November 27th and 28th in observance of the Thanksgiving holiday.

Mayor Williams – Next is Public Comments. The public is invited to speak on any matter except for a scheduled public hearing. We do have one tonight on home daycare. Comments are limited to five minutes per person. Any required response will be provided in writing by our Town Manager following the meeting. Please include your preferred method of contact on the signup sheet. Are there any citizens that would like to speak?

Mr. Horne – Good evening. My name is Scott Horn. I am the owner of Granny's Kitchen which is a mobile food truck in Isle of Wight County. My grandmother Mrs. Mildred Atkins was one of the first female members on Town Council. It is really cool to address you all tonight. My wife and I have recently moved back to Isle of Wight County. We purchased my grandparents Thelma and Shepard Scott, Jr.'s house. They were a big inspiration in the business that I am trying to open in the County. Our mobile food kitchen is a twenty-two foot trailer. We are going to specialize in southern cuisine. I have an extensive fine dining background. We are going to be sourcing all of our food locally as much as possible. We want to move past just opening a bag that could be from thousands of miles away to really putting something on the plate that is special. Hospitality is all about love. The food that I grew up eating from my granny screamed love. It is the big foundation of our operation. We think that we can be a huge addition to Smithfield by bridging the gap between the farmers and the community. Everybody enjoys eating. As I have moved forward to try to get a business license I found that it would be fifty dollars. The Planning and Zoning department in town did not know if it would be a fifty dollar business license or a five hundred dollar business license. Since we are a small business starting out please consider the fifty dollar business license fee. Our goal is not to have Main Street lined with food trucks which would be silly. We just want to have an opportunity to be somewhere. It could be somewhere like the farmer's market which ends when it gets cold. It is something that brings business to the town and helps support businesses on Main Street that might not get that foot traffic during the winter. We want to showcase as many Isle of Wight grown products that we can. Thank you.

Mayor Williams – Next we have Ms. Beth Haywood.

Ms. Haywood - Good evening. My name is Beth Haywood. I would like to ask the Council to finish the sidewalk on Cary Street. As I was looking at your mission statement I noticed that it says to enhance the quality of life, promote health, and safety. Cary Street is a very busy street. The sidewalk just ends in front of 232 Cary Street. There is a small parking lot towards the YMCA. There is about one hundred and fifty feet where there is no safe place for people to walk. Many people walk to the YMCA in the afternoon. We have elderly people and children on the street who would like to have a safe place to walk. Goose Hill Creek area has a nice sidewalk that goes right to the YMCA. The YMCA holds several events each year such as the triathlon. We are here to ask you if you would complete the sidewalk to make it a safe place for pedestrians to walk.

Ms. Spady – My name is Linda Spady. I moved to Cary Street on April 1st. I have the luxury of being retired. I am amazed at the foot traffic on Cary Street. There are a lot of kids going to the YMCA after school. I go to the YMCA three to four times a week. It is a short distance but going through the field or on the curb is scary to me especially at my age. I do not like getting my cute gym shoes wet and grassy.

Councilman Pack – I am looking at a map of Cary Street. It looks like if you are headed towards the County the sidewalk is on the right hand side. Are you asking us to extend the sidewalk all the way to the YMCA?

Ms. Haywood – There is a little parking lot on the side of the YMCA if you could put a sidewalk just to the edge of the parking lot. We roughly measured it is about one hundred and fifty feet but to the edge of the parking lot it would be less than that.

Ms. Spady – The parking lot on the swimming pool side of the YMCA has a sidewalk that goes around the YMCA on that end of the parking lot. Then it comes halfway down the other side of the parking lot then stops. It is a perfectly square piece of sidewalk.

Ms. Haywood – They built a little gravel section when they were building the parking lot that almost has a little place to walk. I think they had to add that for drainage when they were building the parking lot. Even a path like that would be much better. If a sidewalk is too much for financing then just some type of safe place off of the street like a little path.

Ms. Spady – There are lights down Cary Street until the last house on the right. We need one more light on Cary Street even if there is no sidewalk.

Ms. Haywood – We have an informal petition to show that there are other people who want a safe place to walk.

Councilwoman Chapman – I was just speaking to our Town Attorney. The property is actually owned by the County.

Town Attorney – We do not believe we have a right-of-way for that. We would have to require a right-of-way from the County to do it.

Town Manager – We have looked into this before. It is perfect because we have one of the Isle of Wight Supervisors and the Planning Director here tonight. We do have limited right-of-way. It would require extension on both town right-of-way as well as the County property for the YMCA. We look forward to discussing that further with the County. We can take this item back to the Committee level for an initial discussion in a couple of weeks. We can talk to Ms. Beverly Walkup, Isle of Wight Planning Director. I know it involves other staff members too. As far as the mobile food truck we will get back in touch with you about your business license.

Mayor Williams – Is there anyone else who would like to make a comment?

Ms. Butler – My name is Valerie Butler. I am here for a public service announcement. I have been drafted into being the new interim president for the NAACP. Ms. Dottie Harris came down with an unexpected illness. I met with Mr. Peter Stephenson, Town Manager a couple of weeks ago about a misunderstanding. After talking with him I just wanted to come tonight to say thank you. I really appreciated the clarification. As a reorganizing organization I would like to publicly say that we are going to be a viable organization in the County. We would like to partner with anything that we can do as far as the Town of Smithfield is concerned. We will probably be calling on the Police Chief and some officers to be able to do some educational series with the youth and senior citizens. We have not been active before. I wanted to come tonight to say that we will be more active going forward.

Mayor Williams – Thank you. Is there anyone else who wishes to speak? Thank you all for your input. Next we move to a Briefing by Mr. Al Casteen, Isle of Wight County Board of Supervisors, Smithfield District. He could not be here tonight. I am sure that you all received his report from the Town Clerk. We now move to Council

Comments. I would like to recognize Isle of Wight County Board of Supervisor, Mr. Rudy Jefferson and a long time member of the County staff Ms. Beverly Walkup. Welcome to you both. Does any Council member have any comments? We will move to the Summary of Consent Agenda Items. These are items that we have discussed in Committee and put on the consent agenda. The chair person for each committee will discuss what was discussed in the committees. We will start with Ms. Connie Chapman for the Police Committee who is filling in for Mrs. Denise Tynes. Mrs. Tynes is out of the country.

Councilwoman Chapman – Police Committee Summary. Thank you, Mayor. The first item on the consent agenda is C-1 a resolution for a street closure extension request for the evening Farmer's Market on Friday, December 12th. This event happened last year and drew thousands of people. We need permission to close Main Street for that event. The next item is a resolution to authorize street closure for the BOB Fest 8K race on January 17th 2015 from 8:00 a.m. to 11:00 a.m. It is a second annual event as well. The streets that will be closed are Jericho, Cedar, Joshua, and Trumpet which are in the Jericho Estates neighborhood.

Mayor Williams – We now move to the Finance Committee Chair, Mr. Randy Pack.

Councilman Pack – Finance Committee Summary. Thank you, Mr. Mayor. This evening we have three invoices over \$10,000.00 requiring Council's authorization. The first invoice is Caldwell Tanks for \$25,823.29. It is a quarterly payment that we pay for the preventive maintenance of our water tanks throughout the town. Staff is happy with them. The work has been completed. We recommend it for approval this evening. The second invoice is Virginia Resource Authority in the amount of \$12,140.57 for work that was done to the James Street Pump Station. It is a reimbursable expense. The last invoice is for Sungard Public Sector in the amount of \$20,313.66 which is all of the licensing, equipment, and software that our police department uses for various data bases that they subscribe to. We recommend approval. The next item is a motion to approve the holiday work schedule for Christmas and New Year's Eve. We tend to visit this most years depending on how Christmas falls. Our schedule right now is to work half day on December 24th Christmas Eve and be closed December 25th Christmas day and reopen on Friday, December 26th. We are asking Council to authorize that the town

offices be closed on Friday, December 26th. We are closed on Thursday, January 1st. On Friday, January 2nd we are asking for the town offices to be closed. We are asking for two additional days of closure for town employees. I know it is confusing. We are asking for Friday, December 26th and Friday, January 2nd to be closed for the town employees. We are recommending approval for this amended holiday work schedule.

Mayor Williams – Next is Public Works Committee Chair, Mr. Michael Smith.

Councilman Smith – Public Works Committee Summary. Thank you, Mr. Mayor. Item C-5 is a proposal from Blair Brothers for street paving along Battery Park Road and Ridgeland Drive. Battery Park Road has not been done for a while. There has been a lot of patching so they are going to do some milling to correct the problem. The expense is a little high but the highway fund will take care of that. Ridgeland Drive has not been done since I lived there as a teenager. This would bring most of that area up to what the original highway was when it was installed. We recommend approval.

Councilman Pack – I will make a motion to approve the consent agenda items as presented.

C1. Resolution for Street Closure Extension Request for Special Evening Farmers Market on Friday, December 12th, 2014.

C2. Resolution to Authorize Street Closure for BOB Fest 8K Race on January 17th, 2015 from 8:00 a.m. until 11:00 a.m.

C3. Invoices over \$10,000 Requiring Council Authorization:

- | | |
|--------------------------|--------------|
| a. Caldwell Tanks, Inc. | \$ 25,823.29 |
| b. VRA | \$ 12,140.57 |
| c. Sungard Public Sector | \$ 20,313.66 |

C4. Motion to Approve Holiday Work Schedule for Christmas and New Year's.

C5. Motion to Accept Proposal from Blair Brothers, Inc. for Street Paving along Battery Park Road and Ridgeland Drive.

Vice Mayor Gregory – Second.

Mayor Williams – A motion has been made a properly seconded. Is there any further discussion? Roll call vote.

On call for the vote, six members were present. Councilman Smith voted aye, Councilman Dr. Cook voted aye, Councilman Pack voted aye, Councilwoman Chapman

voted aye, Vice Mayor Gregory voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – Next is the Action Section. We have a Public Hearing: Special Use Permit for Home Daycare. We will have a staff presentation from Mr. William T. Hopkins, III.

Director of Planning, Engineering, and Public Works – Thank you, Mayor. I will talk briefly about the proposed amendment to our zoning ordinance involving home occupation of a child care use. Right now you are allowed up to five children in residential districts. However, it was brought to Council's attention that there were some concerns about that. Council forwarded it to the Planning Commission to review it further. The Planning Commission has been working on it since July. After reviewing we had our first public hearing on October 14th. There was a lot of discussion throughout the whole process. Planning Commission recommended to Town Council to allow by right up to five and with a special use permit they recommend six to eleven children for residential districts. The first amendment is in the general regulations under home occupation where it specifically speaks of items that are allowed. Item D says home care provider and babysitting for not more than five children and where it says not more than five children will be marked through. Item I says child daycare provider or babysitting for more than five children however; a special use permit may be an option for six to eleven children in some zoning districts. Below that where it says specifically prohibited home occupations for daycare provider or babysitting serving more than five children is marked out. There are four zoning districts: (CC) Community Conservation, (NR) Neighborhood Residential, (SR) Suburban Residential, and (DNR) Downtown Neighborhood Residential. All of the residential areas a special use permit requirement is added to a child daycare as a home occupation which allows six to eleven children and no more. It is the recommendation from the Planning Commission to Council.

Mayor Williams – I declare the public hearing open. We do not have anyone signed up. Does anyone would like to speak for or against the home daycare moving from five children to six to eleven children?

Ms. Spady – My name is Linda Spady. I retired from Newport News Social Services as the coordinator for the Childcare Subsidy Program. It is a state law that a

home daycare provider can only keep five children. What provisions are you adding to keep more than five children in a home daycare?

Mr. Horne – My name is Scott Horn. Is there an issue with the size of the house when you increase the number of children? What justifies making that jump up? Are bathroom facilities, safety, and fenced in back yards considered in that huge jump?

Mayor Williams – Is there anyone else who wishes to speak? Hearing none, I declare the public hearing closed. We will have consideration from Dr. Milton Cook.

Councilman Dr. Cook – Council has been talking about this for months. The Planning Commission debated it for a couple of meetings. The Planning Commission has come to us with a recommendation. I would like some clarification about the state code requirements as Ms. Spady mentioned. It is not what we were told.

Town Attorney – You have to be licensed to exceed five children.

Councilman Dr. Cook – So you can exceed five if you are licensed.

Town Attorney – Yes. Five children would be the maximum unless the town was to grant a special use permit. One of the conditions that staff and I would recommend is that they would have to be licensed by the state which is a requirement anyway. It would also be a condition of the special use permit. If for some reason they were to lose their license then you could revoke their permit. The size of the home and facilities are all factors that would go into consideration by the Planning Commission and the Town Council as part of an application. A person who wanted to apply for a special use permit would have to give you all of this information to make their best case as to why they should be granted such a permit. You do not have to grant it. If you choose to grant it then you can attach whatever conditions you choose as long as they are reasonable and germane to the operation. If they violate the conditions of the permit then you revoke their permit. You have to be licensed once you exceed five children.

Councilman Dr. Cook – Does anyone have any questions?

Vice Mayor Gregory – If the state code says that someone that is licensed by the state of Virginia can keep twelve children then what was the thought process of the Planning Commission changing the range from six to twelve to do six to eleven?

Director of Planning, Engineering, and Public Works – In our ordinance it allows up to twenty-five percent of the house for a maximum of four hundred square feet. Each child requires a minimum of thirty-five square feet which is just a little below the four

hundred square feet. If you allow twelve children multiplied by thirty-five square feet then it is over the four hundred square foot requirement. It would have involved even more ordinance changes.

Vice Mayor Gregory – So our ordinance actually specifies how much of the house can be used for daycare.

Director of Planning, Engineering, and Public Works – Yes. Twenty-five percent or four hundred square feet whichever one is less.

Vice Mayor Gregory – I am guessing that it is more restrictive than the state code.

Town Attorney – The state code would require a minimum of thirty-five square feet per child multiplied by twelve.

Vice Mayor Gregory – Does the state code limit the amount of the house that can be used for a daycare?

Town Attorney – It specifies a minimum not a maximum.

Vice Mayor Gregory – It is for the entire house.

Town Attorney – Correct. The state code is not concerned about the zoning.

Vice Mayor Gregory – If someone had a two story home and they wanted to use the first floor as their business and live in the second story then it sounds like the way our ordinance is would prevent that from occurring.

Town Attorney – They could not do that.

Director of Planning, Engineering, and Public Works – Correct. The four hundred square foot requirement is really for any home occupation.

Councilman Smith – I guess I am a little surprised that the people that came to us to request this are not represented here tonight.

Councilman Dr. Cook – She is here. She just did not feel that she needed to say any more.

Councilman Smith – I am glad you came. Thank you for that. I feel that we have the ability to monitor this on a case by case basis. I think some of Council's concern has been that they feel that everybody is going to want to open a daycare center in whatever neighborhood. There would be kids running around with cars coming in and out. I do not think that is the case. I do not want to limit an individual to take care of children. I know how hard it is for parents to find places to put their children. I feel like as

long as we can monitor this on a case by case basis and they do the right thing according to the state code.

Mayor Williams – At the Planning Commission meeting did anyone speak for or against the home daycare?

Director of Planning, Engineering, and Public Works – I recall everybody that spoke was in favor of it.

Mayor Williams – The vote was three to two. There were two members absent.

Director of Planning, Engineering, and Public Works – Yes sir.

Mayor Williams – I have a gut feeling that we need to send it back to the Planning Commission. I do not think that we had proper representation from the Planning Commission especially with two key members absent. If it had been five to zero then I would feel differently. This ordinance was written in 1998. It has not been that long ago. Someone gave it a lot of thought back in 1998. If it was an older ordinance then I would look at it a little different.

Councilman Pack - Mr. Mayor, as the Town Council representative on the Planning Commission I was unable to attend the Planning Commission meeting. If it were returned to the Planning Commission then I would vote in favor of a special use permit if that helps you at all.

Councilwoman Chapman – I feel that this lady is doing a good thing. At the Council meeting everyone had good things to say about her childcare business. Her children are in a safe environment. I do not see any need to send it back to the Planning Commission especially with all of the things that have been thought over and talked about. It is going to be licensed by the state. It is something that we can monitor. I am in favor of it as well.

Councilman Dr. Cook – I am in agreement with Councilman Smith in the fact that this has set in fell safes to prevent unbridled child care throughout the whole town. If we feel that an area is more saturated traffic wise then we do not have to approve it.

Mayor Williams – Do I hear a motion?

Councilman Dr. Cook – I would like to make a motion to approve the proposed amendment to the town code to allow a special use permit for home daycare.

Vice Mayor Gregory – Second.

Mayor Williams – A motion has been made and properly seconded. Are there any further comments? I just feel like other daycare centers that have five children will come forward to have the same amount of children. Just because that neighborhood does not mind having eleven vehicles pulling up twice a day then another neighborhood might not feel the same. I am still not totally for it. Are there any other comments? Roll call vote.

On call for the vote, six members were present. Councilman Smith voted aye, Councilman Pack voted aye, Councilman Dr. Cook voted aye, Councilwoman Chapman voted aye, Vice Mayor Gregory voted aye, and Mayor Williams voted nay. There was one vote against the motion. The motion passed.

Mayor Williams – Thank you for everyone's input on this. It was a long time coming.

Vice Mayor Gregory – Mr. Hopkins, are the Oliver's able to apply for the special use permit after tonight? I would like for her to be able to have some direction after she leaves here tonight.

Director of Planning, Engineering, and Public Works – If I am not mistaken she can apply tomorrow for the special use permit. She will have the cost, advertising, and going before the Planning Commission again.

Town Attorney - Correct. Even though our Planning Commission meeting is next week she could not be on this month's agenda. She can be on the December's agenda if she files in a timely fashion and provides all of the necessary information.

Mayor Williams – The next item is a Motion to Ratify the Contract for a Vacant Lot and Boat Slip Located at 3 Main Street in the Amount of \$50,000. We will hear from Councilman Dr. Cook.

Councilman Dr. Cook – We have entered into an agreement to purchase a lot that allows us access to the pump station at the end of Wharf Hill on Main Street. We need to ratify the contract for a vacant lot and boat slip located at 3 Main Street.

Town Attorney – Our Town Manager negotiated the contract. One of the conditions is that the town has sixty days due diligence period. We are going to do an environmental assessment of the property. We have a proposal for that which we are looking at. The contract is also contingent upon ratification and approval by Town Council. In order for it to be binding we need Council to ratify the contract tonight.

Councilman Dr. Cook – I will make a motion to ratify the contract for the vacant lot and boat slip at 3 Main Street.

Councilman Pack – Second.

Mayor Williams – A motion has been made and properly seconded to approve the contract for the boat slip at 3 Main Street. Is there any further discussion?

Councilman Pack – What happens if the environmental study comes back unfavorable? What conditions preclude that? What has to come back for us not to purchase the property?

Town Attorney – First is phase 1 an environmental assessment. It is more documental to determine if there is any reason to believe that there is a problem. There could be underground fuel tanks or spills in the past that sort of thing. If that comes back clean then that is probably all that is necessary. If there is anything that would lead us to believe that there might be a bigger problem you go to phase 2 which is sampling. They would dig holes and borings to take core samples to see if something is there that we should be concerned about. If it is highway fuels then there is a remediation fund that you can get money back from to fix the problem. If it is some other pollutant then you would have to determine what the expense would be. I suspect if that were the problem then we would probably be back at the negotiation stage with the bank because we would have an unforeseen expense. It would also be an expense that the bank would be stuck with at that point too. My conjecture would be that there would be some give and take there to make it happen. It would be a problem that everyone would have to deal with.

Town Manager – The language clearly states that if any of the results of any of the matters in terms of due diligence are unsatisfactory to us for any reason we have the sole and absolute discretion to terminate the agreement.

Mayor Williams – Is there any further discussion? Roll call vote.

On call for the vote, six members were present. Councilman Pack voted aye, Councilwoman Chapman voted aye, Councilman Dr. Cook voted aye, Vice Mayor Gregory voted aye, Councilman Smith voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – The next item is a Motion to Approve the Town Council Minutes of October 8th, 2014.

Town Attorney – Mr. Mayor and members of Council I would recommend that the minutes be approved as presented.

Vice Mayor Gregory – So moved.

Councilman Dr. Cook – Second.

Mayor Williams – A motion has been made and properly seconded. Roll call vote.

On call for the vote, six members were present. Councilwoman Chapman voted aye, Councilman Smith voted aye, Councilman Pack voted aye, Vice Mayor Gregory voted aye, Councilman Dr. Cook voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – Next item is New Business. Does any Council member have any new business? Next is Old Business. Is there any old business? Next is Closed Session. We have a brief closed session tonight.

Town Attorney – Mr. Mayor, we need a motion to go into closed session for the purpose of discussing personnel matters and legal matters involving legal advice from counsel.

Councilman Smith – So moved.

Councilman Dr. Cook – Second.

Mayor Williams – A motion has been made and properly seconded. Roll call vote.

On call for the vote, six members were present. Councilman Smith voted aye, Councilwoman Chapman voted aye, Councilman Dr. Cook voted aye, Councilman Pack voted aye, Vice Mayor Gregory voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Town Council went into closed session at 8:19 p.m.

Town Council went back into regular session at 9:04 p.m.

Town Attorney – We need a motion that during the closed session there was only a discussion about personnel matters and matters regarding legal advice from legal counsel.

Vice Mayor Gregory – So moved.

Councilwoman Pack – Second.

Mayor Williams – A motion has been made and properly seconded. Roll call vote.

On call for the vote, six members were present. Councilman Smith voted aye, Councilwoman Chapman voted aye, Councilman Dr. Cook voted aye, Councilman Pack

voted aye, Vice Mayor Gregory voted aye, and Mayor Williams voted aye. There were no votes against the motion. The motion passed.

Mayor Williams – We are back in open session. Is there anything else to come before Council tonight?

Councilman Smith – Councilman Dr. Cook brought up that I voted yes to a matter that I should have abstained from. It was item two in the action section for the potential acquisition of property.

Town Attorney – Let the record show that Councilman Smith abstained from item two which was a motion to ratify a contract for the vacant lot and boat slip located at 3 Main Street.

Mayor Williams – We are adjourned.

The meeting adjourned at 9:06 p.m.



T. Carter Williams
Mayor



Peter Stephenson, AICP, ICMA-CM
Town Manager