

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

**TUESDAY, October 11, 2011**

The Luray Town Council met in regular session on Tuesday, October 11, 2011 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  
Jerry Schiro  
Earl Racer

**Also Present:** Rick Black, Town Manager  
Bryan Chrisman, Assistant Town Manager  
Mary Broyles, Treasurer  
Danielle Babb, Deputy Clerk-Treasurer  
Jason Spitler, Town Attorney  
Ligon Webb, Town Planner  
Chief Page Campbell, Luray Police Department  
Lynn Mathews, Director of Public Works  
Charlie Hoke, Director of Utilities  
Pat O'Brien, Director of Parks and Recreation  
Liz Lewis, Luray Downtown Initiative  
Briana Campbell, Luray-Page County Chamber of Commerce  
Pam Flasch, Luray Bicentennial Committee  
Pat Racey, Racey Engineering  
Gary Shirley, Racey Engineering  
Attorney Roger Smith  
Byron and Barbara Baptist

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. Councilwoman Menefee led everyone in reciting the United States Pledge of Allegiance.

**CONSENT AGENDA**

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

## ***Consent Agenda***

- A) Minutes of the September 12, 2011 Regular Council Meeting.*
- B) Minutes of the September 27, 2011 Work Session.*
- C) Financial Report for the period September 1-30, 2011.*
- D) Accounts payable checks totaling \$ 180,207.15.*

## **GENERAL CITIZEN COMMENTS**

There were no comments from citizens at this time.

## **TOWN AFFILIATED BOARDS AND COMMISSIONS**

### **Luray Downtown Initiative**

Liz Lewis stated that the LDI fundraiser was an unexpected success. She noted that the event featured many changes and that she was uncertain if everyone would like these changes. Ms. Lewis said the annual event raised approximately \$10,000 in funds for LDI. Ms. Lewis discussed other items of business including anticipated grant funding for the bridge theatre and the LDI blog that discusses buying local. She said that statistical information is now available on the website and that the website data reflects that people are searching for information on dining, shopping, and attractions. Ms. Lewis informed Council members that the downtown businesses are hosting trick or treating on October 29<sup>th</sup> from 4-6pm.

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

Ms. Briana Campbell reviewed the statistics for September, citing 600 local calls, 300 local walk-ins, 554 tourist calls, and 2426 tourist walk-ins. Ms. Campbell said that she anticipates even higher numbers in October due to visitors who are here to see the fall foliage and to attend festivals. Ms. Campbell noted the upcoming Business Networking Lunch at noon on Thursday and the Business After Hours on October 20<sup>th</sup>. She added that the Business After Hours Event will feature the theme "Live United", serving as the kick-off for the United Way Annual Campaign and will be held at the Warehouse Art Gallery. Ms. Campbell told Council and Staff that the Annual Chamber Banquet information is now available online and that you can register and obtain information there as well. Lastly, Ms. Campbell said that tomorrow morning she will be submitting the VTC Marketing Leverage Grant in its initial draft form.

### **Luray Bicentennial**

Pam Flasch provided Council members with handouts detailing the planned Bicentennial Events. She stated the filming for the Roadtrip to History video should wrap up this Sunday. Ms. Flasch thanked the many community members who have assisted with this and hopes that everyone will be pleased with the results. Ms. Flasch said that she has been very impressed with the film's producer. She told Council

that the Tree and Beautification and Bicentennial Committees plan to combine efforts to feature a single float in the town Christmas parade. Also, Ms. Flasch noted that she plans to meet with the Page News and Courier about information for the Bicentennial. Also, the committee is working on downtown banners. Ms. Flasch requested to attend the next council work session to discuss this topic in more detail. Mayor Presgraves said that he will see that this is added to the agenda. Ms. Flasch added that she plans to begin approaching businesses to see which merchants would be interested in selling bicentennial merchandise.

## **DEPARTMENTAL REPORTS**

### **POLICE – PUBLIC SAFETY AND EMERGENCY SERVICES**

Chief Page Campbell reported that the department responded to 308 calls for service for the month and that the high number was due in part to a rash of vehicle break ins. Chief Campbell said that this was the largest number of calls the department had seen for a while, bringing the total calls for service year to date to 2,449. He added that the arrests for the month were 51 total. Chief Campbell told Council that a new police vehicle had been ordered and was obtained at the contract price. The new vehicle is a Chevrolet Caprice, which he believed was the best option and will be able to be delivered to the department at very little cost. Chief Campbell discussed the downtown trick or treating and said that he supports the idea. He added that he approved this and plans to place some officers downtown during the event. Lastly, Chief Campbell discussed a new software program that is in place to assist with departmental policies. The program ensures that officers are aware of new policies and randomly questions them on policy information.

### **PARKS AND RECREATION**

Pat O'Brien, Director of Parks and Recreation, said that the landscaping behind the ice cream shop is now complete and includes utility friendly plantings. Mr. O'Brien provided survey results on the greenway and downtown area. He said that the survey provided some interesting feedback and noted that some of the suggestions included; needing more children's activities/playgrounds, additional restrooms, a bike path separate from the greenway, more stores and general business diversity, better signage, and longer store hours. Mr. O'Brien also provided a handout for Council and Staff that detailed an Inclement Weather Policy for Town Field Usage. He explained that there have been some issues with weather concerning the fields at the R. H. Dean Recreation Park. Mr. O'Brien also explained that the policy would include signage for the front gate at the park that would advise if each field is suitable for play. A design rendering for the sign was displayed for Council. Mr. O'Brien said that field conditions can vary for each field and for the types of play and reminded that this would only be in situations of inclement weather. Councilman Schiro inquired who would be responsible for making the decision. Mr. O'Brien replied that he and his staff would be responsible for determining if the fields are playable and for displaying this on the sign. Mr. O'Brien also explained that a member of his staff then notifies the organization of this decision; thus the organization representatives are responsible for contacting their members/players. Mayor Presgraves stated that he would like to see staff wait as late as possible to make these decisions rather than cancelling an event too early. Mr. O'Brien said that this system is what he is proposing and that he would like for Council to provide their thoughts on this.

Council suggested that he give this process a try. Lastly, Mr. O'Brien advised Council that all of the fall decorating is complete and he thanked LDI for their assistance on this.

## **PUBLIC WORKS DEPARTMENT**

Lynn Mathews, Superintendent of Public Works, said that the department repaired three water leaks and responded to five sewer calls. He added that the department is working on fall cleanup until October 14<sup>th</sup> and will also be conducting brush collection, and leaf collection. Mr. Mathews said that upcoming projects for his department will also include sign repairs, storm drainage work, and assisting with more paving if weather permits. Mr. Mathews said that the water line to the tannery property is nearly halfway complete. Councilman Racer inquired to staff about future paving projects; he said that he would like to see North Bank Street and North Hawksbill Street be the town's first priorities. Mr. Racer also suggested that Reservoir Road and Second Street also be considered a priority. Councilman Lancaster said that there are also some issues with Mechanic Street to North Lee Street.

## **WTP AND WWTP**

Charlie Hoke, Director of Utilities, stated that the Water Treatment Plant has a permit due for the discharge at the plant. He said that in response to this permit that is due, he has applied to the EPA for a Class 5 shallow well injection point. He said that permission to move forward on this has been received and that now the application is in the hands of the DEQ. Mr. Hoke said he has addressed all concerns and that he is waiting on approval. He explained that this will eliminate the permit and will save the town approximately \$5,000 dollars per year in permitting fees. He said that the town will have a payback on this in the first year and this will help everyone involved. He added that numerous monthly tests are required on this and that this is simply good, clean water. Mr. Hoke stated that the shallow well injection site decision just makes the most sense. Mr. Hoke said that as soon as the DEQ approves this, he will cancel the permit altogether. Mr. Hoke said that the plant is running very well and as designed.

Mr. Hoke said the Wastewater Treatment Plant is in compliance with all state and federal regulations. Mr. Hoke said that all lighting damage incurred last month has been repaired and that the list of damages has been compiled and will be submitted to the town's insurance provider. Mr. Hoke said that the damages amounted to approximately \$8,000 dollars and that additional lightning arrestors have been ordered to minimize future damage.

## **PLANNING**

Town Planner, Ligon Webb, said that that the Planning Commission will meet tomorrow and will discuss updating the comprehensive plan in 2012. Mr. Webb discussed the Luray VDOT six year plan; stating that a meeting was held on October 3<sup>rd</sup> at the town office. Mr. Webb also noted that the same meeting was held earlier today with about twelve citizens in attendance. He said that there was some good conversation and feedback from the public. Mr. Webb stated that the only real change that VDOT would like is for the town to consider a roundabout at the intersection of Northcott and West Main Street. Mr. Webb said that the concept is worth looking at. He said that while we still do not know if this is a possibility, it is worth some consideration. Councilman Schiro added that he used to believe that a roundabout was generally not a good idea; however, he has seen some in Loudoun County that are very effective. He added that they are located in high volume areas and are much more efficient.

Councilwoman Menefee asked if a roundabout was safer than a signal. Mr. Schiro said that they do seem to be safer; however, drivers must be educated on how they work. Mr. Webb responded that the main goal is to achieve the traffic flow that is needed and that these meetings were held to obtain feedback. Mr. Webb said that some citizens do not want to see the crossover at West Main Street and Route 211 closed. Currently, a left turn is prohibited on Leaksville Road at the intersection of West Main Street during specific daytime hours.

Mr. Webb discussed the Main Street Bridge and said that he is contacting the bridge engineer. He will be inquiring about the funding options for the project. Lastly, Mr. Webb discussed the zoning permits for September.

## **OLD BUSINESS**

### **Luray Rescue Squad (Water and Sewer Request)**

Town Manager, Rick Black, displayed a map for Council members detailing the water and sewer connections that are currently in place. Mr. Black explained the lines and sizes and each of their locations. Mr. Black discussed the six inch line that connects to Whispering Pines. Staff is proposing to connect the two inch line and six inch line and reconnect the residential lines and change the variable frequency drive pressure if needed. Mr. Black explained that the variable frequency drive can be changed in order to obtain a minimum pressure of 60psi. He said that there is no doubt that everyone involved in this area would benefit from increased pressure and volume. Councilman Lancaster asked if the sewer system lines had been reviewed. Mr. Black said that according to Mr. Hoke the sewer system is adequate and waste will be pumped to the nearby manhole. Charlie Hoke, Director of Utilities, stated that there is enough capacity to handle to wastewater and water. Mayor Presgraves said that with the water, there would be an increase in both volume and pressure. Mr. Hoke said that without a doubt the larger line would benefit everyone.

Councilman Arrington questioned if the residents on Butler Lane would still have as much pressure. Mr. Hoke said that currently there could be some issues if everyone is using the line at the same time. But, there will be more volume and the pressure should stay the same. Councilman Arrington expressed concern that the existing lines are older. Mr. Hoke said that the variable frequency drive may not need to be run at all; further testing will determine this. Mr. Hoke explained that if it is needed then adjustments can be made to accommodate demand. He added that we do not know at this time if it is even needed. He said that the drive will run at whatever pressure is needed and only uses what the demand is. Councilman Arrington stated that he is still worried about taking residents from a two inch line to a six inch. Mr. Hoke reminded that the pressure would stay the same. Mr. Hoke also said that he has spoken with Lynn Mathews and that the readings in the area are at a minimum of 60psi. Councilman Arrington said that the residents on Butler Lane may not be happy with 60psi even though this is standard.

Councilman Schiro confirmed that the pumps basically keep the tank at its capacity. However, he asked if they help on the user end. Mr. Hoke said that the drive does not help the end user; it only maintains the amount of pressure and said that it really reduces the cost of operations. Mr. Hoke reminded that the VFD may not need to be utilized.

Councilman Lancaster said that the pressure on Butler Lane was checked in the mornings, but this was after kids had already gone to school and adults had already left for work. He feels the checks should have been done at a different time. Mr. Hoke said that just upgrading the line is not going to have a bearing on this. Mr. Hoke summarized by saying that the Town does have the supply of water needed to fulfill this request from the Luray Rescue Squad. He added that installing a six inch line is only going to increase the service, not the pressure. Mr. Hoke said that the system can handle the volume of wastewater and that the squad will have a pump station on their property. Mr. Hoke said that the squad's kitchen facility is going to require an in ground grease interceptor and they will be required to have a vendor maintenance agreement to service this. He said that these factors will protect the wastewater system. Mr. Hoke said that the water supply is adequate and can be supplied at the appropriate pressure and volume, while the variable frequency drive is a standalone issue that provides for other capabilities.

Councilman Arrington stated that he has no doubt about the sewer system. He advised that he is only concerned about the residences. Mayor Presgraves clarified that Mr. Hoke is explaining that the pressure will remain the same as it is currently. Mr. Hoke explained that the volume will increase. Councilman Arrington said that he trusts Mr. Hoke's judgment on this issue. Mayor Presgraves said that the issue is two-part; 1- Can we provide the water to the Luray Rescue Squad and 2- At what cost. Mayor Presgraves said that first Council must decide if they are going to provide the service. Councilman Racer asked if a six inch line would be able to handle future development. Mr. Black said that everything we are aware of within the town limits we would be capable of handling. Councilman Lancaster asked if the sewer system could handle the same development. Mr. Hoke said that the current line can handle the current use and is capable of handling growth. He added that there is excess capacity to the wastewater plant which was determined by his studies when the school was proposed. Mayor Presgraves asked Council how they would like to proceed. Councilman Arrington said that he is confident in Mr. Hoke's opinion and that he will move that the Council grant permission for water and sewer connection.

**Motion:** Councilman Arrington motioned to approve water and sewer for the Luray Rescue Squad, motion seconded by Councilwoman Menefee with the vote as follows: YEA: Council Members Vickers, Arrington, Menefee, Lancaster, Schiro, Racer. **Approved 6-0**

Town Manager, Rick Black, said that the Luray Rescue Squad has modified their request from a two inch service to a one and a half inch service for water outside of town limits. The facility fee for this would be \$16,600 for water and \$29,700 for sewer, totaling \$46,300 dollars. The squad is asking for the in town rate of \$23,150 dollars. Mr. Black said that if Council would like to consider this, the compensation should be that the Luray Rescue Squad be required to: obtain all necessary easements and dedicate them to the town; upgrade the existing water main from a two inch to a six inch main (including the water main taps); make their own water tap; make all necessary service "re-connections" (town will supply all fittings and inspections for the re-connects); and complete all the final grading and stabilization.

**Motion:** Councilwoman Menefee motioned to approve a facility fee of \$23,150 and include all the compensation as presented, motion seconded by Councilman Schiro with the vote as follows: YEA: Council Members Vickers, Arrington, Menefee, Schiro. NAY: Lancaster, Racer. **Approved 4-2**

## **Homing Pigeons**

Town Manager, Rick Black, explained that Mr. Byron Baptist has appeared before Council previously concerning homing pigeons. He said that Attorney Roger Smith is serving as counsel for Mr. Baptist and has provided some information that can be found in Council's packets. Mr. Black stated that the object of Mr. Baptist's request is to have the Town Code changed to incorporate homing pigeons.

Attorney Roger Smith spoke on behalf of Mr. Baptist and stated that he believes Mr. Baptist is sincere in his efforts. He stated that he finds Mr. Baptist to be a good citizen and that he makes some good points in his request. Mr. Smith advised Council that he has visited the property to see the situation and said that he is not aware of what all the issues may be. He advised Council that he is here to see if some sort of compromise can be reached. Mr. Smith handed out copies of an opinion survey of all of the neighbors and it seems as if most of the neighbors do not have a problem with this. He added that it was his impression that most of the neighbors objected to this situation; however, that appears not be the case. Mr. Smith said that one neighbor is an employee of the town and they object to the pigeons. Mr. Smith said that many jurisdictions do distinguish between normal pigeons and homing/racing pigeons; which allows for this type of provision. He stated that this is not a financial issue for Mr. Baptist; it is a hobby and is more popular in Virginia than one might realize. Mr. Smith said that an issue does arise when there are too many pigeons and they are out in places where they should not be. He said that according to the surveys it appears that about 90% of the neighbors are saying that there isn't a problem; therefore he asks if there is really a valid complaint. Mr. Smith said that by compromising, the pigeons could be allowed with certain conditions as in other jurisdictions.

Mr. Smith said that he is proposing that himself, Jason Spitler, and perhaps a Town Council member meet jointly to come up with a proposed ordinance that would allow for racing/homing pigeons under certain restrictions. These restrictions could include the number allowed, times, and other factors. Mr. Smith said that he feels this is a compromise that could make everyone happy. Councilwoman Menefee stated that she lives across the street and that she has not seen them in her yard and rarely sees them flying and has had no problems. Mr. Smith said he feels it is unfair to restrict this hobby and a hobby that is recognized by the state of Virginia. Mr. Smith said that he has an issue with just saying no when it seems that 90% of the neighbors have no issue. He added that Mr. Baptist does not want to continue fighting this and is willing to compromise.

Mr. Baptist said that he has lived at this location for eighteen years; he felt if there were going to be problems he would have experienced them years ago. Mr. Smith asked Council if they would consider reviewing a proposed ordinance under conditions set forth by the town. Mr. Baptist stated that he is not only requesting this on his behalf but on the behalf of others with the same hobby.

Mayor Presgraves stated that this issue came about through complaints received by code enforcement. He verified that this practice is currently restricted town wide. Councilman Schiro asked for clarification on this from Chief Campbell. Mr. Schiro recalls that the Council did not advise Mr. Baptist that he could not own the pigeons. Chief Campbell said that if Council recalls, Mr. Baptist has brought up this issue before. Chief Campbell stated that he spoke in great depth with Mr. Baptist about this and requested that he provide a race listing or dates and times when the birds will be released. He stated that regardless of the percentage of complaints, all of these people are citizens of the Town of Luray. Chief Campbell said that Mr. Baptist never produced any documents to detail these events. Chief Campbell

said that no one is saying he can't own the pigeons; he simply has to keep them contained. Chief Campbell said that his department was sympathetic to Mr. Baptist's hobby and did make efforts to compromise. Chief Campbell said that it is his duty to hear the complaints of the citizens regardless of their number or where they are employed. He added that there are more complainants and he has received calls. Chief Campbell said that Mr. Baptist cannot simply be allowed to leave them free all the time because they will attract other birds, create waste, and other issues. He emphasized that he is not against a compromise but reminded that this has already been offered.

Mr. Smith said that currently Mr. Baptist is at risk because if he releases the birds; he is not in compliance with the town ordinance and can be charged. Mr. Smith said there does need to be some guidelines and that a compromise could provide these rules. He emphasized that this will allow Mr. Baptist to know what he can and cannot do and provides a basis for enforcement by the town. Councilman Lancaster asked if the birds must be released every day. Mr. Baptist said that ideally yes they should be; he would like to have one hour each morning and evening. Mr. Baptist said that he is not only looking at races but that you also must have the birds trained; which requires additional times. He explained that there is no sense having them if they are not allowed to fly.

Councilman Racer stated that Mr. Smith makes a very good point and he can't see why a compromise can't be reached. Councilwoman Menefee said that she would like to make a motion to accept Mr. Smith's proposal and have staff and Jason Spitler work on an agreement. Councilman Racer said that there may be an exception if an agreement cannot be reached. Mayor Presgraves asked Mr. Baptist how many pigeons he currently owns. Mr. Baptist replied that he is not certain of the number. Mr. Smith and Mr. Spitler both speculated around 200 birds. Mr. Smith did agree that the number of birds should probably be reduced. Councilman Schiro said that it sounds to him that what we have suggested before should work, and is it really necessary to draft an ordinance for this. Town Attorney, Jason Spitler, said that the ordinance needs to be revised if he is going to be allowed to release the birds. He said that the ordinance clearly states that the birds are not allowed to stray from ones property or run at large. Mr. Spitler further added that if concessions are going to be made; they must address the number of birds, how they are kept, release times, clear identification of the birds, etc. Chief Campbell added that the birds must also not be bred for sale; otherwise this becomes the operation of a business. Town Attorney, Jason Spitler, discussed the nuisance ordinance as it pertains to birds, other fowl, and other animals that stray from ones property. He stated that this issue would not require a public hearing or review by the planning commission. Mr. Spitler said that if amended the issue needs to be very clear in order to not create an issue for the town's code enforcement. Mayor Presgraves said that Council needs to make a motion to decide what they really want to do. Council and Staff discussed if a public hearing would be needed. Town Attorney, Jason Spitler said that one would not be required. However, Councilman Arrington said that this should be an issue that citizens have an opportunity to speak on.

**Motion:** Councilwoman Menefee motioned to instruct the Town Attorney, Attorney Roger Smith, Ligon Webb, and Chief Campbell to review the ordinance and propose changes to it as discussed, motion seconded by Councilman Racer with the vote as follows: YEA: Council Members Menefee, Schiro, Racer. NAY: Vickers, Arrington, Lancaster. **Tied 3-3. With a tied vote, Mayor Presgraves voted NO. Denied 4-3**

## NEW BUSINESS

### **Eminent Domain Constitutional Amendment**

Town Manager, Rick Black, discussed information presented at the VML Conference concerning eminent domain and the Constitutional Amendment that was passed last year by the General Assembly. The amendment includes provisions for 1- Lost profits and lost access and 2- Prohibiting using eminent domain for economic development. The information from VML was not entirely opposing the amendment but adamantly opposed these two provisions. Mr. Black would like to get a vote on this to authorize him to contact state representatives opposing these two provisions within the Constitutional Amendment. Mr. Black said that these provisions would make doing business in town virtually impossible in terms of making improvements. Mr. Black said that he knows Council members are certainly not in favor of condemning property. He said that the information from VML makes some very good points and that the town should remind our state representatives those localities have a vested interest in this.

**Motion:** Councilman Lancaster motioned to authorize town staff to draft a letter to Delegate Todd Gilbert and Senator Mark Obenshain regarding eminent domain, motion seconded by Councilman Racer with the vote as follows: YEA: Council Members Vickers, Arrington, Menefee, Lancaster, Schiro, Racer. **Approved 6-0**

### **Luray High School**

Councilman Vickers stated that the LHS Seniors had made a request to paint dog paw prints on the pavement from the Luray Singing Tower to Bulldog Drive. Mr. Vickers said that the students would do the work themselves and would like permission from Town Council to do so. Mr. Vickers said that he has explained to students that the roadway may be undergoing improvements. He further explained that this is a senior project and the students would be responsible for the work. Councilman Schiro said that this would be something that VDOT would have to authorize. Mr. Black explained that the area on West Main Street is considered US Highway 211 and that VDOT would likely have some issue with this. Town Staff directed Councilman Vickers who to contact at VDOT on this issue.

## TOWN ATTORNEY

Town Attorney, Jason Spitler, informed Council that in their packets are several ordinances proposing amendments to various sections of Appendix A of the Town Code. He said that these are all in conformity with Council's wishes and that these were all previously agreed upon.

**Motion:** Councilman Vickers motioned to approve the ordinance amendments as submitted, motion seconded by Councilman Schiro with the vote as follows: YEA: Council Members Vickers, Arrington, Menefee, Lancaster, Schiro, Racer. **Approved 6-0**

Mr. Spitler said that he wanted to update Council on the issues with pneumatic guns and crossbows. He said that he has not done what Council asked him to do at the previous work session. Mr. Spitler was instructed to amend the ordinance to remove the references to such items. Mr. Spitler explained that he

has conducted additional research and believes that removing the reference altogether will only put the town at a worse position. He said that the State Code provides that localities, such as the Town of Luray, have the authority to regulate these items and in some cases have the responsibility to regulate them. The current ordinance is probably invalid, but to simply remove those items without providing any regulation would put the Town at a worse position. Mr. Spitler said that he has spoken with Mr. Black about this and is proposing that he work with town staff to put together some proposed ordinances for the work session meeting. He stressed that it is not in the town's best interest to remove these items from the ordinance until reasonable regulations can be provided. Mr. Black said that most of the language is provided in the state code and would be adopted by reference. Mr. Spitler concurred that the town would be adopting by reference the authority that is granted to the town by state code.

## **EXECUTIVE SESSION**

### **Personnel, Section 2.2-3711.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, Schiro, Racer. **Approved 6-0**

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

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".**

## **ADJOURN**

There being no further business, Mayor Presgraves adjourned the regular session of the Town Council at approximately 9:20 P.M.

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Barry Presgraves  
Mayor

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Danielle P. Babb  
Deputy Clerk-Treasurer