Special
Council Meeting
October 28, 2004

A special Council meeting was held on October 28, 2004 in Council Chambers with Mayor Wayne E. Printz presiding. Mayor Printz stated the purpose of the meeting was to discuss Charter revisions, the Angler contract, and the proposed Code amendments. The following Council members were present:

PRESENT
J. Dean
T. Pence
R. Snow
P. Workman

Town Manager Dennis R. Donachy, Town Attorney Nathan Miller, and Clerk of Council Richard Carey were also present.

Council member Dean offered the Invocation in honor of deceased Council member Lucky Sigafoose.

The Pledge of Allegiance was recited.

CITIZEN COMMENTS

Lee Dearing, 124 North Street, stated that someone made a hasty decision to permit the Town Manager to occupy the Kite house before a Public Hearing was held.

CHARTER REVISIONS

Attorney Miller distributed a draft of the proposed Charter revisions. He stated, "Just for the public, what we are trying to do with an updated Charter is take all that language that you find in there now out that does not deal directly with the Charter requirements of the Town and put it into Code. We have a section for Police Chief, but we don't have duties and responsibilities outlined in the Charter. We are going to put them into Code where they should have been all along. There are a whole bunch of sections like that that don't need to be in our Charter but need to be in our Code. So, the first step is to clean up the Charter, then we will come back and take the Code sections and adapt those Code sections to the way the Town wants the provisions of the Code to read. It makes it much more functional and operational."

Cathy Murphy believed a cautious approach should be used moving too much from the Charter into Code, because political forces could easily change the Code. She also favored a coordination of Charter and Code amendments in order for the public to compare what was changed, as well as the language used to make those changes.

Town Charter - First Reading

Vice Mayor Snow moved, second by Council member Pence, and carried to approve on a First Reading the new Town Charter as presented by the attorney.

YEAS: J. Dean, T. Pence, R. Snow, and P. Workman

Motion carried (4 - 0 roll call)

The draft copy was made available even though Mr. Miller will have a revised version available before the Public Hearing.

Public Hearings

Public Hearings were set for Monday, November 15, 2004 to receive comments on

proposed B2 setbacks (joint meeting with the Planning Commission), Charter revisions, and occupation of the Kite house by the Town Manager.

The following were other areas of discussion regarding the Charter revisions:

Mr. Dearing wanted to know if a burial place for the dead (the Cemetery) would remain in the Charter. Mr. Miller stated that was an "operational function" and would be addressed in the Code.

Vice Mayor Snow believed the dates listed in Chapter 3, Mayor and Council, §3.1. Election, Qualification and Term of Office for Mayor and Council, were incorrect. Attorney Miller will change the dates in the amended copy.

Council member Workman asked, in the event of a Council vacancy, if the next highest non-elected candidate for election should be offered the seat.

Town elections would be moved to the second Tuesday in November.

Closed Session

Council member Dean moved, second by Vice Mayor Snow, and carried to go into closed session under Virginia Code 2.2-3711 to discuss the purchase and sale of real estate.

YEAS: J. Dean, T. Pence, R. Snow, and P. Workman

Motion carried (4 - 0 roll call)

Council member Dean moved to go from closed session back into regular session and that each member, to the best of his or her knowledge, certified that only public business matters lawfully exempted from an open meeting requirement under Chapter 21 of Title 2.1 of the Code of Virginia were heard, discussed, or considered. Vice Mayor Snow duly seconded the motion.

YEAS: J. Dean, T. Pence, R. Snow, and P. Workman

Motion carried (4 - 0 roll call)

As there was no further business, the meeting was adjourned.

Mayor: Wayne E. Printz
Wayne E. Printz, Mayor

Recorder: Richard D. Carey
Richard D. Carey, Clerk