



CITY OF FREDERICKSBURG, VIRGINIA

**CITY COUNCIL**

# MINUTES

Council Chambers, 715 Princess Anne Street  
Fredericksburg, Virginia 22401

HON. MARY KATHERINE GREENLAW, MAYOR  
HON. CHARLIE L. FRYE, JR., VICE -MAYOR, WARD FOUR  
HON. KERRY P. DEVINE, AT-LARGE  
HON. MATTHEW J. KELLY, AT-LARGE  
HON. JASON N. GRAHAM, WARD ONE  
HON. WILLIAM C. WITHERS, JR., WARD TWO  
HON. DR. TIMOTHY P. DUFFY, WARD THREE

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**July 13, 2021**

**The Council** of the City of Fredericksburg, Virginia, held a regular session on Tuesday, July 13, 2021, beginning at 7:30 p.m. in the Council Chambers of City Hall.

**City Council Present.** Mayor Mary Katherine Greenlaw. Vice-Mayor Charlie L. Frye, Jr., Council members Kerry P. Devine, Dr. Timothy P. Duffy, Jason N. Graham, Matthew J. Kelly and William C. Withers, Jr.

**Also Present.** City Manager Timothy P. Baroody, Assistant City Manager Mark Whitley, City Attorney Kathleen Dooley, Assistant City Attorney Dori Martin, Legal Intern Chantel Jathan, Community Planning and Building Services Director Charles Johnston, Senior Planner Michael Craig, Historic Resources Planner Kate Schwartz, Budget Manager Brenna Erford, Public Works Director Diane Beyer, Assistant Public Works Director Milas Smith, Environmental Programs Manager Andrew Scott Rae and Clerk of Council Tonya B. Lacey.

**Moment of Silence.** Mayor Greenlaw called for a moment of silence recognizing all that lost their lives to COVID in the past year.

**Opening Prayer and Pledge of Allegiance.** Council was led in prayer by Councilor Matthew J. Kelly, followed by the Pledge of Allegiance led by Councilor Jason N. Graham.

**Officer Recognized.** Mayor Greenlaw recognized the presence of Officer David Hibbitts, at this evening's meeting.

**Proclamation for Jane Shelhorse, Director of Parks Recreation and Event for 27 Years of Service.** Mayor Greenlaw presented Ms. Shelhorse with a proclamation thanking and congratulating her for her selfless and dedicated contributions to the City and she extended the very best wishes for continued success and happiness with future endeavors.

Ms. Shelhorse spoke of what an honor it had been to serve the community and she hoped her time had enhanced the City. She spoke highly about the dedicated professional staff that served the City and she was thankful of the Council for their hard work. Ms. Shelhorse said she plans to continue to support the City in a different way.

Vice-Mayor Frye spoke highly of Ms. Shelhorse and said she ran the Midnight Madness program when he was a young man. He said her energy pours over her staff and he thanked her for everything and the impact programs like Midnight Madness makes on children.

Councilor Duffy said as a long time Recreation Commission member it had been a privilege to watch Ms. Shelhorse exemplify passion for the City in everything she does. He thanked her for all she's done.

Councilor Devine said she has loved that parks and recreation is what people choose to do in their free time, she said it was how people made connections in the community. She said she had witnessed that the hours do not stop for parks and rec and Ms. Shelhorse had given so much of herself, energy and time to the community and it was appreciated.

Councilor Withers thanked Ms. Shelhorse for all she has done for the citizens.

Councilor Kelly said in all the time he has known Ms. Shelhorse he had never seen her upset, uptight, angry or heard her say I can't, he said she was a generation to look up to.

Councilor Graham spoke of her passion and how she put her whole heart and soul into whatever she does.

**Recognition of City Employees for Exemplary Support During COVID-19 (D21-\_\_).** Mayor Greenlaw said it was appropriate to extend the Council's gratitude to staff for their commitment, dedications and their unwavering support to the community throughout the international pandemic. She spoke about the all the steps staff took to reduce staff contact, implementation of numerous safety protocols, created significant telework infrastructure, created daily communications effort to keep the residents informed. She said the Council wanted to shed some light on staff members and the department directors offered thoughts on specific staff members that played important roles throughout the last 16 months. Departments that were recognized were Fire, Police, Public Works, Community Planning and Building Services, Commonwealth

Attorney's Office, Parks, Recreation and Special Events, Economic Development and Tourism, Voter Registrar's Office, Social Services, IT, Clerk of Council, City Attorney's Office, Treasurer's Office and Human Resources. See **D21-\_\_\_** for more information.

Councilor Duffy was amazed at the seriousness of how the staff took their jobs and he said it goes to the leadership. He said he was proud to be a part of the team.

Councilor Devine agreed and said it comes from the top and filters down. She said this highlights what they have known that the staff works as a team and they embody the six core values. She said she was proud, grateful and thankful for a staff that loves the City as much as the Council does.

Vice-Mayor Frye spoke about how the sanitation guys had the same energy they always had and he was concerned for their health but he spoke with Mr. Baroody and he assured him that they would take care of them.

Councilor Withers stated how extraordinary the staff was that served the citizens. He also spoke of their creativity during the pandemic.

Councilor Kelly stated that the staff had gone through an extraordinary challenge but they remain stable and he said he never heard anyone complain even though there were no raises, positions left unfilled and layoffs but staff stepped up and took care of the work. He said when staff shows up under these circumstances you cannot thank them enough.

Councilor Graham said the pandemic alone was extraordinary but the staff also had to deal with the civil unrest at the same time and to handle both was admirable.

Councilor Duffy made a motion to make July 30, Workforce Appreciation Day, a day off with pay; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

**Virginia Department of Transportation (VDOT) Presentations: 95 Intermittent Speed Limit Signs and Route 3 Median Infrastructure.** Resident Engineer of Virginia Department of Transportation Kyle Bates presented a PowerPoint presentation discussing the variable speed limit (VSL) system on I-95. He discussed the following: Key Takeaways, Project Background, Project Development, 2015-2019 Total Annual Person Hours of Delay, 2015-2019 Collision Types, Why VSL is Deployed, Examples of VSL Signs, Imagery of Future VSL on I-95, How VSL works, Corridor Expansion Strategy, Project Timeline and Public Communication.

After the presentation Council had some discussion on how effective VSL is and Mr. Bates assured the Council that with education and enforcement the system should cut down on the hours of delay.

Kathy Coffee with VDOT's STARS program talked about a possible partnership with the implementation of some of the STAR study improvements on Route 3. There are several improvements slated for future project through Smart Scale and the funding starts in FY 2024 but she said there was a small window that they could try to implement something along with the paving project scheduled for September. She said they were

looking at proposed raised median in the area. The contractor would be able to implement a concrete median in the location near the Royal Farms and the office park.

Councilor Kelly asked whether the money from the STARS programs could be used toward another project since the City was paying for this project upfront and Ms. Coffee said the total Smart Scale project had a large footprint and the total monies was \$1.4 million and the money would still go towards other projects in that area.

There were other discussions on improvements to the area such a timing of the traffic lights that could help traffic in the area.

With no objection from Council, Mayor Greenlaw moved agenda Item 10H up on the agenda.

**Resolution 21-55, First Read Approved, Amending the Fiscal Year 2022 Budget to Appropriate Funds for Safety Improvements to Plank Road Near Altoona Drive (D21-\_\_).** Councilor Graham made a motion to approve Resolution 21-55, on first read, amending the Fiscal Year 2022 Budget to Appropriate Funds for Safety Improvements to Plank Road Near Altoona; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

**Consent Agenda Accepted for Transmittal as Recommended (D21-\_\_ thru D21-\_\_).** Councilor Devine moved approval of the City Manager's consent agenda; motion was seconded by Councilor Kelly and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

- Transmittal of Council Priorities Phase 3 DRAFT Roadmap (from May 2021 Offsite) (D21-\_\_).
- Transmittal of an Update on the Police Executive Research Forum (PERF) Recommendations (D21-\_\_).
- Transmittal of Board and Commissions Minutes
  - Board of Social Services – April 1, 2021 (D21-\_\_).
  - Clean and Green Commission – May 3, 2021 (D21-\_\_).
  - Green Committee – January 12, 2021 (D21-\_\_).
  - Green Committee – February 9, 2021 (D21-\_\_).
  - Green Committee – March 9, 2021 (D21-\_\_).
  - Planning Commission – May 12, 2021 (D21-\_\_).
  - Recreation Commission – April 15, 2021 (D21-\_\_).

**Public Hearing (D21-\_\_ thru D21-\_\_).** The regular session was recessed in order to conduct scheduled public hearings and immediately reconvened upon their conclusion.

**Citizen Comment.** The following comments were given or submitted to be read during the citizen comment portion of this evening's meeting.

**Laurie Bendall (D21-\_\_)**, 1104 Century Oak Drive, secretary for the Great Oaks Homeowner's Association. Ms. Bendall on behalf of the neighbors in Great Oaks extended thanks to the Council for listening to their concerns regarding the Royal Farms safety issue. See D21-\_\_ for more information.

**Council Agenda Presented.** The following items were presented to Council for discussion.

- 8A. ADA Situation Downtown – Councilor Kelly
- 8B. Tax Relief for the Elderly – Councilor Withers
- 8C. Virginia Redistricting Commission – Councilor Devine
- 8D. Murder Free Fredericksburg – Vice-Mayor Frye

**ADA Situation Downtown** – Councilor Kelly said he has noticed that a few of the restaurant sidewalk cafes in the downtown were not in compliance with ADA regulations. He said he spoke with staff and staff had issued a written statement about their seating and as of today there was no seating changes. He said he spoke with someone from disAbilities Resources and they were willing to work with the City on this.

Councilor Duffy said it was important to find a solution to this because it was important for everyone to be able to get around.

**Tax Relief for the Elderly** – Councilor Withers said he had been doing some research and the current program allows up to \$1,500 of tax relief for senior citizens and there were 110 participants. He said he does not want to change the guidelines because it was geared to helping those who most needed the help. He asked that this be increased to \$2000. He said he was having trouble deciding when to start and he would like staff to determine when would be the best time to implement the changes. He asked the Council to consider updating this.

Councilor Graham said he had no issued bringing this forward and asking staff to draft a resolution to bring this back.

Councilor Kelly asked if staff could look at higher numbers so the Council could see the impacts. Councilor Withers said he spoke with the Commissioner and she felt this was the best to serve those most needing the help.

Mr. Whitley said he spoke with Ms. Jacobs and she was looking at the effects of going from \$2,000 to 3,000 but she needed a day or two to look at the numbers. He said they would bring options back to the Council for consideration.

**Virginia Redistricting Commission** – Councilor Devine said the new census data would be released in August and the Virginia Redistricting Committee would be drawing up new legislative maps and she asked if the City Council as a whole could send a letter encouraging them not to split the City into two districts. This has caused confusion at elections. She would like to see the City represented in one district. No objections from the Council and Mayor Greenlaw said she would work on the letter.

**Murder Free Fredericksburg** – Councilor Frye reminded residents of the gun giveback program and he reminded residents that they do not have to wait until the annual event, the Police Department would accept them year around.

**Adoption of Minutes.** Councilor Graham moved approval of the January 12, and 26, 2021 Work Sessions and the June 22, 2021 Public Hearing and Regular Session minutes; motion was seconded by Councilor Devine and passed by the following

recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

**Resolution 21-57, Approved, Amending the 2015 Comprehensive Plan to Revise Chapter 8: Historic Preservation and Adopt a New Historic Preservation Plan (D21-\_\_).** After staff presentation Councilor Duffy made a motion to approve Resolution 21-57, amending the 2015 Comprehensive Plan to revise Chapter 8: Historic Preservation and adopt a New Historic Preservation Plan; motion was seconded by Councilor Withers and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

**Resolution 21-58, Approved, Adopting New Historic District Design Guidelines (D21-\_\_).** Staff presented a PowerPoint presentation and she discussed the components of the Historic Preservation Program, Timeline, Assessment of Existing Historic District Handbook, Consultant Process, Historic District Guidelines, Table of Contents, Review of Sections of the Guidelines, ARB Review, Additional Feedback, Revisions to July 9, 2021 Draft and Recommendations.

Councilor Kelly said he would support the guidelines but he strongly encouraged bringing Mr. Dan Becker on board as a consultant. Mr. Whitley said there was a blight abatement fund and he said he thought it could be used for preservation. Councilor Kelly said he would like Council to approve this to be brought back for consideration of hiring Mr. Becker.

Councilor Duffy said this was a real achievement to help the City move forward. He said he would expect the City to continue to engage with HFFI in promoting preservation in the City. He was in support and he looked forward to working with the ARB and partners in the region to make sure the City fulfill its desired future state being the leader in preservation.

Vice-Mayor Frye asked how much should the City rely on the outside source when it has staff and a team working on preservation. He said he would like staff's thoughts on what Mr. Becker's involvement would be and what are his costs.

Councilor Graham made a motion to approve Resolution 21-58, adopting new Historic District Design Guidelines; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

City Manager Baroody clarified that the Council wanted staff to explore monetary resources and discuss what Mr. Becker would be needed for and if his services were necessary staff would bring it back to the Council.

Councilor Withers agreed with Councilor Frye that he would like a recommendation from staff whether they feel like they needed Mr. Becker's services. He said Mr. Becker made it clear what needed to be done and he wanted to know if staff could make those changes without his services.

Ms. Schwartz said they have been given the list of recommendation and she said staff had the responsibility to work with those internally first and Mr. Becker could be a great resource to use in a year to evaluate what staff has done.

Councilor Kelly said Mr. Becker had first-hand experience in putting together policies, procedure and criteria and he would like to at least have Mr. Becker on call since HFFI had offered to pay for half of the cost.

Mr. Baroody again stated that he would come back with a cost and plan.

Ms. Devine added that historic preservation had always been a priority for City Council not only did they do a study, they created a position, and she's doing a great job, there are many people in the Community that could assist.

**Ordinance 21-19, Second Read Approved, Amending the Unified Development Ordinance §72-32.2, Commercial Downtown District, §72-40.2, Use Table, §72-41.2 Institutional Uses, §72-53, Parking, and §72-84 Definitions, to Modify the Commercial Downtown (CD) Zoning District Regulations to Permit Additional Project-Based Residential Density, Define Formal Open Space Requirements, and Clarify Rules for Mixed-Use Projects, and Update Permitted Uses (D21-\_\_).** After a brief presentation from staff, Councilor Graham made a motion to approve Resolution 21-19, on second read, amending the Unified Development Ordinance §72-32.2, Commercial Downtown District, §72-40.2, Use Table, §72-41.2 Institutional Uses, §72-53, Parking, and §72-84 Definitions, to modify the Commercial Downtown (CD) Zoning District regulations to permit additional project-based residential density, define formal open space requirements, and clarify rules for mixed-use projects, and update permitted uses; motion was seconded by Councilor Withers.

Councilor Kelly said one of the driving issues was adaptive reuse of existing buildings and that could be done through the overlay process and he said this action did not have to be done especially for new construction. He said much of the new construction was big and out of scale and would continue.

Councilor Graham stated that he thought the density levels could be met considering the form and mass that Councilor Kelly had been advocating for and be consistent with the downtown pattern. He was sure that the density levels could go higher because of the seventeenth and eighteenth century development patterns. He said the infrastructure needs were more easily met because of the seventeenth and eighteenth century grid system. Councilor Graham said scale and massing was an appropriate concern and all of Council agreed with that. He said it would become increasingly important to have the density in the downtown.

The motion passed by the following recorded votes. Ayes (6). Councilors Greenlaw, Frye, Devine, Duffy, Graham and Withers. Nays (1). Councilor Kelly.

**Resolution 21-59, First Read Approved, Amending the Fiscal Year 2022 Budget to Appropriate Funds for William Street Drainage Improvements (D21-\_\_).** After staff presentation Councilor Devine made a motion to approve Resolution 21-59, on first read, amending the Fiscal Year 2022 budget to appropriate funds for William Street drainage improvements; motion was seconded by Councilor Graham and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

**Suspending the Rules.** In order to place Resolution 21-59 on for second read Councilor Devine moved to suspend the rules; motion was seconded by Councilor Graham and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

**Resolution 21-59, Second Read Approved, Amending the Fiscal Year 2022 Budget to Appropriate Funds for William Street Drainage Improvements (D21-\_\_).** After staff presentation Councilor Devine made a motion to approve Resolution 21-59, on second read, amending the Fiscal Year 2022 budget to appropriate funds for William Street drainage improvements; motion was seconded by Councilor Graham and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

**Resolution 21-60, Approved, Declaring an End to the COVID-19 Local Emergency (D21-\_\_).** After staff presentation Councilor Graham moved to approve Resolution 21-60, declaring an end to the COVID-19 local emergency; motion was seconded by Councilor Duffy and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

**Ordinance 21-20, First Read Approved, Repealing Ordinance 20-05, Addressing Continuity of Government During a Pandemic Disaster (D21-\_\_).** Councilor Graham moved to approve Ordinance 21-20 on first read, repealing Ordinance 20-05, addressing continuity of government during a pandemic disaster;

motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

**Suspending the Rules.** In order to place Ordinance 21-20 on for second read Councilor Graham moved to suspend the rules; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

**Ordinance 21-20, Second Read Approved, Repealing Ordinance 20-05, Addressing Continuity of Government During a Pandemic Disaster (D21-\_\_).** Councilor Graham moved to approve Ordinance 21-20 on second read, repealing Ordinance 20-05, addressing continuity of government during a pandemic disaster; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

**Resolution 21-61, Approved, Authorizing the City Manager to Execute a Memorandum of Understanding with the Fredericksburg Area Museum for Sponsorship of a New Curator Position (D21-\_\_).** After staff presentation Council discussed how important this position would be for the City and how pleased they were that it was being created.

Councilor Kelly asked if this person would be able to help other organizations and Ms. Poore explained that this person would be an employee of the museum and if other

organizations wanted to use this person they could contribute to the cost to employ them.

Councilor Devine made a motion to approve Resolution 21-61, authorizing the City Manager to execute a Memorandum of Understanding with the Fredericksburg Area Museum for sponsorship of a new curator position; motion was seconded by Councilor Graham and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

**Resolution 21-62, Approved, Authorizing the City Manager to Execute the Fiscal Year 2021 Asphalt Rehabilitation Program Contract with Fredericksburg Asphalt and Paving (D21-\_\_).** After a brief presentation Councilor Duffy made a motion to approve Resolution 21-62, authorizing the City Manager to execute the Fiscal Year 2021 asphalt rehabilitation program contract with Fredericksburg Asphalt and Paving; motion was seconded by Councilor Withers and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

**Resolution 21-63, Approved, Authorizing the City Manager to Execute a Consent Order with the State Water Control Board (D21-\_\_).** After staff presentation Councilor Graham moved to approve Resolution 21-63, authorizing the City Manager to execute a consent order with the State Water Control Board; motion was seconded by Councilor Devine and passed by the following recorded

votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers.  
Nays (0).

**Ordinance 21-21, First Read Approved, Ending the Extended Due Dates for Payment of Admissions, Lodging, and Meals Taxes (D21-\_\_).** After staff's summary Councilor Kelly moved to approve Ordinance 21-21, on first read, ending the extended due dates for payment of admissions, lodging, and meals taxes; motion was seconded by Councilor Frye and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

**Suspending the Rules.** In order to place Ordinance 21-21 on for second read Councilor Kelly moved to suspend the rules; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

**Ordinance 21-21, Second Read Approved, Ending the Extended Due Dates for Payment of Admissions, Lodging, and Meals Taxes (D21-\_\_).** After staff's summary Councilor Kelly moved to approve Ordinance 21-21, on Second read, ending the extended due dates for payment of admissions, lodging, and meals taxes; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

**Resolution 21-64, Approved, Petition to Forgo a Special Election (D21-\_\_).** After an overview from Legal Intern Jathan, Councilor Graham moved to approve Resolution 21-64, petition to forgo a special election; motion was seconded by

Councilor Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

**Resolution 21-65, Approved, Authorizing the City's Outside Counsel to Vote on the City's Behalf to Support the Proposed Purdue Pharma Bankruptcy Plan (D21-\_\_).** After staff review Councilor Duffy moved to approve Resolution 21-65, authorizing the city's outside counsel to vote on the City's behalf to support the proposed Purdue Pharma bankruptcy plan; motion was seconded by Councilor Devine and passed by the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

**City Manager's Report and Council Calendar (D21-\_\_ thru D21-\_\_).**

City Manager Baroody directed the Council's attention to the Manager's Update: Fredericksburg's Newest Park Expected to Open Late Summer, Midnight Madness Returning this Summer, Traffic Safety Initiative, Fredericksburg Nationals July 31th Game, Summer Restaurant Week, Stuff the Bus, FXBG StoryWalk Updated Following UMW Project, FXBG Movie Night at Dixon Park, Weekend Downtown Shuttle, CARES Utility Relief Funds for Water and Wastewater Service Billed by the City of Fredericksburg, Board and Commission Openings, The Fredericksburg Farmers Market, COVID-19 Vaccines Update, Summer Programs and Fred Focus.

**Suspending the Rules.** In order to meet past 11:00 p.m. Councilor Withers moved to suspend the rules; motion was seconded by Councilor Devine and passed by

the following recorded votes. Ayes (7). Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

**Closed Session Approved.** Upon a motion Councilor Devine, moved approval of a closed session under Code of Virginia 2.2-3711(A)(1) to discuss the performance of specific appointees of the City Council, specifically, the Clerk of Council, City Attorney, and the City Manager; seconded by Councilor Graham and passed by the following recorded votes. Ayes (7) Councilors Greenlaw, Withers, Devine, Duffy, Frye, Graham and Kelly. Nays (0).

**Return to Open Meeting Approved.** Upon the motion of Councilor Devine; seconded by Councilor Graham and passed by the following recorded votes, Council approved a return to an open meeting. Ayes (7) Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

**Resolution 21-66, Approved, Certifying Closed Meeting.** Upon the motion Councilor Devine approved Resolution 21-66 certifying the closed meeting; seconded by Councilor Graham and passed by the following recorded votes. Ayes (7) Councilors Greenlaw, Frye, Devine, Duffy, Graham, Kelly and Withers. Nays (0).

**Adjournment.** There being no further business to come before the Council at this time, Mayor Greenlaw declared the meeting officially adjourned at 11:10 p.m.

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Mary Katherine Greenlaw, Mayor

Tonya B. Lacey, Clerk of Council, MMC