

**MINUTES OF THE COMMON COUNCIL  
WORK SESSION  
February 19, 2013  
City Council Chambers – Rouss City Hall**

**PRESENT:** Councilor Jeff Buettner, Evan Clark, John Hill, and Ben Weber; Vice-President Milt McInturff; Mayor Elizabeth Minor; President John Willingham (7)

**ABSENT:** Vice-Mayor Les Veach; and Councilor John Tagnesi(2)

**1.0 Call to Order** – President Willingham called the meeting to order at 6:00 p.m.

**2.0 Public Comments:** (Each person will be allowed 3 minutes to address Council with a maximum of 10 minutes allowed for everyone.)

*No citizens came forward to address Council.*

**3.0 Annual Presentation by the Economic Development Commission**

Patrick Barker, Executive Director of the Winchester-Frederick County Economic Development Commission, presented a summary of the annual report by the EDC.

City Manager Dale Iman introduced the new Assistant City Manager Doug Hewett.

**4.0 Items for Discussion:**

**4.1 R-2013-05:** Resolution – Authorization to apply for a Virginia Department of Criminal Justice Services grant to support the purchase of equipment and services

Police Chief Kevin Sanzenbacher presented the request to apply for grant funding in the amount of \$35,000 to apply towards the purchase of a new SWAT van.

Councilor Weber moved to forward the resolution to Council. *The motion was seconded by Mayor Minor then approved 7/0.*

**4.2 R-2013-06:** Resolution – Approval of the nomination of Lorrie Rhoton to be appointed to the Local Emergency Planning Committee representing the American Red Cross

Emergency Management Coordinator Lynn Miller presented the request from the Red Cross to nominate Lorrie Rhoton to the LEPC.

Mayor Minor moved to forward R-2013-06 to Council. *The motion was seconded by Councilor Weber then approved 7/0.*

**4.3 R-2013-09:** Resolution – Express appreciation to Hanover County Emergency Communications and Fire & Rescue Departments personnel for assistance in reviewing an 800 Mhz trunked radio system

Emergency Management Coordinator Lynn Miller presented the request for a resolution of appreciation to Hanover County for allowing the city to have a hand on look at their trunk system.

Vice-President McInturff moved to forward R-2013-09 to Council. *The motion was seconded by Councilor Weber then approved 7/0.*

**4.4 O-2013-06:** AN ORDINANCE TO AUTHORIZE THE MANAGER TO EXECUTE A LETTER OF AGREEMENT WITH SHENANDOAH PERSONAL COMMUNICATIONS COMPANY (“SHENTEL”) FOR THE TEMPORARY USE OF CITY PROPERTY FOR THE PURPOSE OF ERECTING A MOBILE TELECOMMUNICATIONS FACILITY – CELL ON WHEELS (“COW”) ON PROPERTY OWNED BY THE CITY OF WINCHESTER AT THE SOUTH END OF THE TIMBROOK ANNEX DURING THE 2013 APPLE BLOSSOM FESTIVAL –

Emergency Management Coordinator Lynn Miller presented the request to allow a Cell on Wheels (COW) be placed on city property to provide additional cell service during the Apple Blossom Festival. The COW was used for the first time last year and there were no reports of lost service. This will be the last year as they have a request to install additional towers on the Taylor Hotel.

Mayor Minor moved to forward O-2013-06 to Council. *The motion was seconded by Councilor Hill then approved 7/0.*

**4.5 R-2013-07:** Resolution – Approval of a refund in the amount of \$3125.31 to Sky White LLC for overpayment of Business Tangible Personal Property Taxes

Commissioner of the Revenue Ann Burkholder presented the request and stated Sky White LLC filed the taxes properly but due to a typographical error in the COR office they were overcharged. The company contacted the COR to request a refund which must be approved by Council.

Vice-President McInturff moved to forward R-2013-07 to Council. *The motion was seconded by Councilor Clark then approved 7/0.*

**4.6 O-2013-03:** AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-66 OF THE WINCHESTER CITY CODE PERTAINING TO INSTALLATION; REQUIRED LEGEND AND SIGNALS

Parking Director Samantha Anderson presented the request to allow for flexibility in meter rates at the digital meters not to exceed \$0.75 an hour to allow for additional revenue. If approved, the new rates will be effective July 1, 2013.

Councilor Weber expressed concern about the increase since May will be the rebirth of the downtown area. He asked if there has been a resolution with the Police Department or Sheriff's office over their use of parking meters in the city. Ms. Anderson stated the county's Sheriff is parking in the county's lot. An agreement has been developed with the Winchester Sheriff but she has not received a response yet. Councilor Weber asked about the Clerk of the Court office. Ms. Anderson stated they are buying validation at full price value for a year.

WPA Chairman Dick Helm stated the Parking Authority is at a tipping point where they need to know what Council wants to meet their obligations.

Mayor Minor stated she has problems with doing work on the mall and the first thing done after is to raise the parking meters. She stated it is hard to swallow. Mr. Helm stated he agreed but they don't have too many alternatives unless Council wants to take the heat off the WPA.

Mayor Minor moved to table O-2013-03 until Council gets a broader view of the budget during the budget discussion next week.

Councilor Buettner stated Council agreed to shift the burden of the cost to those who use the parking and not the general taxpayers. Council needs to give the WPA the tools to address their needs or relieve them and take it back in. At some point the maintenance issues need to be addressed.

### **Councilor Tagnesi arrived at 6:33 p.m.**

Councilor Hill stated he is not in favor of raising the rate but understands the position the WPA is in. He doesn't know if the citizens will understand.

Mr. Helm stated the WPA has been resisting rate increases when they can and are now two increases behind. They are not seeing the usage go up. He fears people will leave the garages if increases occur. If the rate goes from \$25 to \$50 in 8 years, people will leave.

Mayor Minor moved to amend the motion to include both O-2013-03 and O-2013-04. *The motion was seconded by Councilor Tagnesi then defeated 4/4 with Councilor Jeff Buettner, John Hill and Ben Weber; Vice-President Milt McInturff voting in the negative.*

Mayor Minor's original motion to table died without a second.

Councilor Buettner moved to forward O-2013-03 to Council. *The motion was seconded by Councilor Hill then approved 6/2 with Mayor Minor and Councilor Clark voting in the negative.*

**4.7 O-2013-04:** AN ORDINANCE TO AMEND AND RE-ENACT SECTION 14-68 OF THE WINCHESTER CITY CODE PERTAINING TO WHEN METERS SHALL BE OPERATED

Parking Director Samantha Anderson presented the request to increase the meter hours of operation from 4:00 p.m. to 6:00 p.m.

Councilor Weber moved to amend the hours to end at 5:00 p.m. The motion died without a second.

Councilor Buettner stated the trend in other localities is that parking should go later in the evening and be more expensive.

Vice-President McInturff moved to forward O-2013-04 to Council. *The motion was seconded by Councilor Clark then approved 7/1 with Councilor Weber voting in the negative.*

**4.8 R-2013-08:** Resolution – Authorization to develop a detailed proposal for a Stormwater Utility for City Council’s consideration and possible action

Utilities Director Perry Eisenach stated Winchester faces significant stormwater challenges which are why the strategic plan includes developing a stormwater management plan which could include a stormwater utility. There are two categories to consider. The infrastructure concerns where it doesn’t exist and some that need to be replaced. The city has capital needs to solve these concerns. The second challenge is regulatory. Winchester is what is called a phase 2 community. For several years, we have had a stormwater permit in place and have had to meet several requirements to meet that permit. These regulatory challenges are going to increase especially with the Chesapeake Bay mandates. Currently, the city spends \$500,000 a year from Streets & Highway Maintenance, Utility and General Funds. He will be bringing new ordinances forward to address the upcoming mandates in the range of \$250,000 a year additional. With the infrastructure costing \$30 million over time, the city is looking at approximately \$2.3 million a year without a revenue source to provide that money today. He stated the reports outline feasible alternatives for funding this amount of revenue that include the general fund, a special tax assessment district, and a stormwater utility. The stormwater utility could be done at a flat rate on residential properties and a rate based on pervious land for commercial properties. While looking at alternatives and trying to realize Council’s goals, he recommended the resolution be passed to authorize staff to develop a proposal to bring back to Council. The assistance of a consultant would be needed but a lot of the work could be done in house. He stated the resolution does not authorize a utility at this point. Even if this starts now, the soonest Council would take action

and billing would begin in July 2014. If a utility would be approved, the drainage improvements at Valley and Tevis could be completed immediately. The city is already approved for \$2.5 million for that project which has to be matched. We have received indication that funding will be approved for the drainage project at Valley and Whitlock but it would require another match equal to \$3 million. The current funds used out of Highway Maintenance could be moved to fund sidewalk and street improvements instead of stormwater.

Councilor Weber moved to forward R-2013-08 to Council. *The motion was seconded by Councilor Clark then approved 7/0/1 with Vice-President McInturff abstaining.*

#### **4.9** Motion to provide a preliminary approval of the proposed FY14 operating budget for the Opequon Water Reclamation Facility

Utilities Director Perry Eisenach presented the proposed budget for the OWRF for approval in order for the Service Authority to set their rates for the next year. He stated the changes from last year include an increase in landfill fees of \$60,000 which is the total increase for the budget. There is also a proposal to eliminate the part-time salaries and use the money to hire a full time operator to work all shifts to help reduce overtime which would have a net savings of \$7,500 a year.

Councilor Clark moved to forward the proposed budget to Council. *The motion was seconded by Councilor Weber then approved 8/0.*

#### **4.10 R-2013-10:** Resolution – Approval to amend the Frederick-Winchester Service Authority Articles of Incorporation Regarding Compensation

Utilities Director Perry Eisenach stated in 2010, Council approved a resolution to pay the chair of the authority instead of the joint member. The city approved it but the county approved a different version in December 2012. For this to be effective, Council needs to approve the same version the county approved.

Vice-President McInturff moved to forward R-2013-10 to Council. *The motion was seconded by Councilor Buettner then approved 8/0.*

### **5.0 Report of Liaisons**

Councilor Tagnesi stated the Planning Commission forwarded the Racey Meadows property for approval.

Mayor Minor announced the Tourism Convention will be held here in March.

Councilor Weber stated the Library Board is moving forward with finding a replacement for Trish Ridgeway.

## **6.0 Monthly Reports**

**6.1** Fire & Rescue Department

**6.2** Police Department

## **7.0 Adjourn**

Councilor Weber moved to adjourn the meeting at 7:23 p.m. *The motion was seconded by Councilor Clark then approved 8/0.*