

**MINUTES OF THE COMMON COUNCIL  
IN SPECIAL SESSION  
February 16, 2010**

A special session of the Winchester Common Council was held on Tuesday, February 16, 2010 in the Council Chambers, Rouss City Hall. President Jeffrey Buettner called the meeting to order at 5:33 p.m.

**PRESENT:** President Jeff Buettner; Vice-Mayor Michael Butler; Councilor Evan Clark, Milt McInturff and Les Veach; Vice-President Art Major; Mayor Elizabeth Minor (7)

**ABSENT:** Councilor John Hill and John Willingham (2)

**NEW BUSINESS**

**R-2010-08:** Resolution – Authorization of Declaration of Emergency

Vice-President Major moved to approve R-2010-08. *The motion was seconded by Councilor Clark then unanimously approved by voice-vote.*

**Executive Session:** MOTION TO CONVENE IN EXECUTIVE SESSION PURSUANT TO 2.2-3711(A)(7) OF THE CODE OF VIRGINIA FOR CONSULTATION WITH LEGAL COUNSEL REGARDING MATTERS OF CURRENT AND POTENTIAL/PENDING LITIGATION IN ORDER TO RECEIVE A LEGAL UPDATE CONCERNING THE STATUS OF ACTIVE CASES AND DISCUSS LEGAL STRATEGY AND OPTIONS FOR RESOLUTION AND HANDLING OF ACTIVE AND PENDING MATTERS.

Mayor Minor moved to convene into executive session. *The motion was seconded by Councilor Veach then unanimously approved by voice-vote.*

**Councilor Veach left the meeting during the executive session.**

Vice-Mayor Butler moved to reconvene in open session at 6:54 p.m. *The motion was seconded by Mayor Minor then unanimously approved by voice-vote.*

Upon returning, each member certified that only public business matters lawfully exempted from open meeting requirements of the Virginia Freedom of Information Act were discussed during the closed meeting, and that only those public business matters identified in the motion which convened the closed meeting were heard, discussed, or considered during the closed meeting.

*A roll call vote was taken, the ayes and nays being recorded as shown below:*

MEMBER	VOTE
Vice-Mayor Butler	Aye
Councilor Clark	Aye
Councilor Hill	Absent
Vice-President Major	Aye
Councilor McInturff	Aye
Mayor Minor	Aye
Councilor Veach	Absent
Councilor Willingham	Absent
President Buettner	Aye

Vice-President Major moved to direct the City Manager and all other city officers to execute the settlement agreement and accompany of documents pertaining to case no. CL08000422-00 Rubbermaid v City of Winchester. *The motion was seconded by Councilor Clark then unanimously approved by voice-vote.*

### **Goal Setting**

City Manager Jim O'Connor stated he has reviewed the goals set at the Council Retreat in January 2009. If Council wants to keep the same goals, he suggested including third parties in on the discussion. Several of the goals will need to be adjusted to account for the downturn in the economy. He suggested Council send him the goals each member wants to achieve and staff will development the tactical plan to accomplish them. The more specific the goals are written will help to develop a clearer plan for staff.

After a brief discussion, President Buettner asked each councilor to email Mr. O'Connor with the goals they want.

### **ADJOURNMENT**

Mayor Minor moved to adjourn the meeting at 7:14 p.m. *The motion was seconded by Vice-Mayor Butler then unanimously approved by voice-vote.*

---

Kari J. Van Diest  
Deputy Clerk of the Common Council