

**MINUTES OF THE COMMON COUNCIL  
WORK SESSION  
May 20, 2014  
Exhibit Hall – Rouss City Hall**

**DRAFT**

PRESENT: President John Willingham; Councilor Jeff Buettner, Evan Clark, John Hill, Corey Sullivan and John Tagnesi; Vice-President Milt McInturff; Mayor Elizabeth Minor (8)

ABSENT: Vice-Mayor Les Veach (0)

President Willingham called the meeting to order at 6:49 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)

*President Willingham asked if there was anyone wishing to address Council. Seeing none, he closed the public comments at 6:49 p.m.*

President Willingham stated he would entertain a motion to add a discussion of O-2014-13 pertaining to the definition of medical care facility and permitted uses in the Planned Commercial District. *The motion was made by Vice-President McInturff, seconded by Councilor Tagnesi, then unanimously approved 8/0.*

**3.0 Items for Discussion:**

**3.1 R-2014-21:** Resolution – Adoption of the FY15 schedule of City Council Meetings

President Willingham presented the resolution to set the meeting and work session schedule for FY15.

Mayor Minor moved to forward R-2014-21 to Council. The motion was seconded by Councilor Tagnesi.

Vice-President McInturff stated he has been in contact with Kevin McKew regarding moving the work sessions out to the community. He has identified the dates to try this in the first four months but have not heard back from Mr. McKew. He expects to have a response by next Tuesday.

City Attorney Anthony Williams suggested moving the resolution forward and then incorporate the dates into the resolution in June.

*The motion was unanimously approved 8/0.*

- 3.2 R-2014-24:** Resolution – Approval to refund prorated Business License Taxes to Oasis Brands in the amount of \$135,446 and to Winchester Emergency Physicians PC in the amount of \$2,771.80

Ann Burkholder, Commissioner of the Revenue, presented the two requests for business license refunds. She stated Oasis Brands submitted and paid for their business license and then moved out of the city. Winchester Emergency Physicians changed its organizational structure.

Vice-President McInturff moved to forward R-2014-24 to Council. *The motion was seconded by Councilor Tagnesi then unanimously approved 8/0.*

- 3.3 O-2014-21:** AN ORDINANCE TO AMEND AND RE-ADOPT SECTION 27-176 OF THE WINCHESTER CITY CODE REGARDING REFUND FOR UNUSED OR DAMAGED CIGARETTE STAMPS

Ms. Burkholder stated CVS announced nationwide that they will cease the sale of cigarettes in their stores. They have returned their unused stamps and are asking for a refund. This ordinance will clarify the reimbursement process in City Code.

Vice-President McInturff moved to forward O-2014-21 to Council. *The motion was seconded by Councilor Tagnesi then unanimously approved 8/0.*

- 3.4 R-2014-25:** Resolution – Authorizing to execute a contract for Wide Area Network Services with Conterra Fiber Solutions.

Tom Lloyd, Director of Information Technology, stated the existing contract for wide area network services with Comcast will expire in November. The City and Schools did a joint procurement resulting in two providers. The City currently pays \$6,600 a month for 7 facilities for a gigabyte combined. Conterra's proposal is to connect the 7 facilities with a gigabyte for each facility for \$6,100. Comcast's proposal for the same was \$14,600. He asked for Council to authorize the City Manager to execute the contract with Conterra.

Councilor Buettner moved to forward R-2014-25 to Council. *The motion was seconded by Councilor Hill then unanimously approved 8/0.*

- Discussion: O-2014-13:** AN ORDINANCE TO AMEND ARTICLES 1 AND 13 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO THE DEFINITION OF MEDICAL CARE FACILITY AND PERMITTED USES IN THE PLANNED COMMERCIAL (PC) DISTRICT **TA-14-120**

President Willingham stated he asked that this be added to the agenda to be able to discuss a couple of items. He asked Aaron Grisdale if there are any

purposes that this could be used for that would be a detriment to the community such as treatment of mental patients.

Aaron Grisdale, Director of Zoning and Inspections, stated in the ordinance there is a definition for Specialty Use Hospital which would include a mental or psychiatric care facility. If there is a concern that the medical care term is too broad, the language could be explored further.

Mr. Williams stated the fact that this is a privately sponsored text amendment does not impact how it is treated by Council. If Council modifies it in a way the applicant did not want, they could withdraw it.

President Willingham asked the applicant if it would adjust their plans if the language was added. The applicant stated it would not.

President Willingham stated he does not want to restrict anything but he wants to make sure the facilities are in the right spot. He directed Mr. Grisdale to work with the applicant to make the changes in the language.

#### **4.0 Liaison Reports**

Councilor Tagnesi stated the construction will begin at the Cedar Creek Development in June.

#### **5.0 Adjournment**

On a motion by Councilor Buettner, the meeting adjourned at 7:15 p.m.