

**MINUTES OF THE COMMON COUNCIL
WORK SESSION
May 24, 2011
City Council Chambers – Rouss City Hall**

PRESENT: President Jeff Buettner; Councilor Evan Clark, John Hill, John Tagnesi, Les Veach and John Willingham; Vice-President Art Major; Vice-Mayor Milt McInturff; Mayor Elizabeth Minor (9)

ABSENT: None (0)

President Buettner called the meeting to order at 6:02 p.m.

Items for Discussion:

Presentation: Tourism Board – Dan Martin & Sally Coates

Tourism Board Chair Dan Martin presented a summary of the Tourism Board's mission and goals. He stated the Tourism Department runs under the supervision of the Parks and Rec Director which has been a beneficial alignment.

Tourism Director Sally Coates presented a brief description of the staff and the strategic marketing plan which is revised yearly. The Visitors Guide is funded by the advertising partners. Over 65,000 copies of the guide are printed and distributed each year. Ms. Coates also presented an overview of the web based marketing through social media, the department site and the Virginia.com website.

O-2011-26: AN ORDINANCE TO AMEND AND RE-ENACT CHAPTER 7 OF THE WINCHESTER CITY CODE PERTAINING TO REDISTRICTING OF VOTER WARDS AND THE ESTABLISHMENT OF A SECOND POLLING PLACE IN THE FOURTH WARD

Planning Director Tim Youmans stated the recommendation from the citizen panel is for option C and for the creation of a second voter place in Ward 4.

Councilor Clark expressed his concern for the small change in the boundary lines between Ward 1 and Ward 2.

Vice-President Major moved to forward O-2011-26 to Council. *The motion was seconded by Councilor Tagnesi then approved 8/1 with Councilor Clark voting in the negative.*

O-2011-19: AN ORDINANCE TO AMEND AND REENACT SECTION 18-19 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO HOME OCCUPATION STANDARDS TA-11-204

Zoning Administrator Vince Diem presented the privately sponsored amendment to allow signage and part-time employees related to a home occupation. The Planning Commission is recommending denial of the applicant's proposal. However, staff drafted an additional draft that addresses the Planning Commission's concerns and is a compromise of the two.

After a brief discussion concerning the signs, Mayor Minor moved to return the ordinance to the Planning Commission to review the additional draft. *The motion was seconded by Vice-Mayor McInturff then unanimously approved by voice-vote.*

O-2011-20: AN ORDINANCE TO AMEND AND REENACT SECTION 18-8-7 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO SIGNS IN THE RO-1 DISTRICT WITH HW DISTRICT OVERLAY TA-11-222

Mr. Diem stated the Planning Commission reviewed draft two of the ordinance and recommended approval. The applicant wants to establish that signs in RO-1 district with Historic Winchester (HW) overlay and adjacent to B-1 with HW overlay should not be different. Draft 2 recognizes that not all B-1 district properties have HW overlay. This will provide a gradual increase between RO-1 and B-1 signage to prevent a big jump from 6 foot to 12 foot.

Councilor Willingham moved to forward O-2011-20 to Council. *The motion was seconded by Councilor Tagnesi then unanimously approved by voice-vote.*

CU-11-126: Conditional Use Permit - Request of Zach Varkaris/Azzet LLC dba Tippy's Taco House for a nightclub use at 147 North Loudoun Street (Map Number 173-01-F-22) zoned Central Business (B-1) District with Historic Winchester (HW) District overlay.

Mr. Diem presented the application for a night club use that is consistent to others approved in the vicinity. He stated the applicant was involved with the Planning Commission to work on the conditions.

Councilor Willingham moved to forward CU-11-126 to Council. *The motion was seconded by Councilor Tagnesi then unanimously approved by voice-vote.*

President Buettner asked that a consistent process be developed for Conditional Use Permits and presented to Council.

O-2011-16: AN ORDINANCE TO AMEND AND RE-ENACT SECTIONS OF CHAPTER 18 OF THE WINCHESTER CITY CODE PERTAINING TO PARKS AND RECREATION

Parks Director Brad Veach reviewed three changes in the ordinance mentioned at the last work session.

Vice-President Major moved to forward the O-2011-16 to Council. The motion was seconded by Councilor Clark.

Vice-Mayor McInturff asked if allowing past members to be eligible for re-appointment is something that needs to be across the board. City Attorney Anthony Williams stated Council does not have to adopt something for across the board but it could be done to clarify issues for Council.

President Buettner asked that boards with specific by-laws be looked at.

The motion was unanimously approved by voice-vote.

O-2011-22: AN ORDINANCE TO AMEND AND RE-ADOPT SECTION 25-17 OF THE WINCHESTER CITY CODE PERTAINING TO THE COMPOSITION, APPOINTMENT, AND TERM OF MEMBERS OF THE OLD TOWN DEVELOPMENT BOARD

Old Town Director Karen Helm stated the proposal in the packet was brought forward by Councilor Willingham but the OTDB Chairman has asked that an additional amendment be presented concerning the Committee of Old Town member of the board.

Councilor Willingham stated that currently there is a councilor and city manager on the board as voting members. The thought process was to move the council position as more of a liaison and to add an additional citizen position.

Vice-President Major moved to forward O-2011-22 to Council. *The motion was seconded by Mayor Minor then unanimously approved by voice-vote.*

O-2011-21: AN ORDINANCE TO AMEND AND RE-ADOPT CERTAIN PROVISIONS OF THE PUBLISHED WINCHESTER CODE OF ORDINANCES PURSUANT TO THE CITY'S COMPREHENSIVE CODE REVIEW

City Attorney Anthony Williams stated the next two items go hand in hand as a result of the Ad Hoc Code Review Committee and the respective department heads. The code has not been updated since 1995. The intent was to update the code and eliminate the out dated areas. Mr. Williams distributed the code revisions on CD and suggested reviewing the update over the next four work sessions.

O-2011-23: AN ORDINANCE TO AMEND AND RE-ADOPT THE WINCHESTER CITY CHARTER

See above

O-2011-24: AN ORDINANCE TO AMEND AND RE-ADOPT SECTION 27-10.1 OF THE WINCHESTER CITY CODE REGARDING BIENNIAL REASSESSMENTS

Finance Director Mary Blowe presented a proposal and ordinance to change the bi-annual reassessment and the assessor position to a real estate administrator. She stated this would be a separate function under the Finance Department.

Vice-President Major moved to forward O-2011-24 to Council. *The motion was seconded by Councilor Clark then unanimously approved by voice-vote.*

O-2011-25: AN ORDINANCE TO AMEND AND ACCEPT THE RE-DEDICATION OF .6630 ACRES OF PROPERTY FROM JDC WINCHESTER LLC IN FURTHERANCE OF THE SPRING STREET CONNECTOR PROJECT

Economic Redevelopment Director Jim Deskins stated the city has adjusted the area of the Summerville property. He presented an amended ordinance for consideration to allow the curvature of the Spring Street Connector to be altered upon the request of the property owner without altering the intersection.

Vice-Mayor McInturff moved to forward the revised version of O-2011-25 to Council. *The motion was seconded by Councilor Willingham then unanimously approved by voice-vote.*

Report of Liaisons

Councilor Veach stated the School Board retreat will be held on Thursday.

Councilor Clark announced the NSVRC hired Martha Shickle as their new Executive Director.

Executive Session: MOTION TO CONVENE IN EXECUTIVE SESSION PURSUANT TO §2.2-3711(A)(1) AND (A)(7) OF THE CODE OF VIRGINIA FOR THE PURPOSE OF DISCUSSION AND CONSIDERATION OF INFORMATION REGARDING THE SUBJECT OF THE EMPLOYMENT, ASSIGNMENT, APPOINTMENT, AND PERFORMANCE OF SPECIFIC PUBLIC OFFICERS APPOINTEES, AND EMPLOYEES OF THE CITY OF WINCHESTER AND FOR THE PURPOSE OF RECEIVING LEGAL ADVICE AND STATUS UPDATE FROM THE CITY ATTORNEY AND LEGAL CONSULTATION REGARDING SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADAVICE BY THE CITY ATTORNEY AND MATTERS OF ACTUAL OR PROBABLE LITIGATION.

Vice-President Major moved to convene in executive session at 7:04 p.m. *The motion was seconded by Councilor Tagnesi then unanimously approved by voice-vote.*

Councilor Willingham moved to return to open session at 7:44 p.m. *The motion was seconded 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:

<u>MEMBER</u>	<u>VOTE</u>
President Buettner	Aye
Councilor Clark	Aye
Councilor Hill	Aye
Vice-President Major	Aye
Vice-Mayor McInturff	Aye
Mayor Minor	Aye
Councilor Tagnesi	Aye
Councilor Veach	Aye
Councilor Willingham	Aye

Councilor Clark moved to accept City Manager Jim O'Connor's resignation effective immediately for 60 days out. *The motion was seconded by Mayor Minor then unanimously approved by voice-vote.*

Adjourn

Councilor Willingham moved to adjourn the meeting at 7:47 p.m. *The motion was seconded then unanimously approved by voice-vote.*