

**MINUTES OF THE COMMON COUNCIL  
WORK SESSION  
October 25, 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 6:00 p.m.

**Items for Discussion:**

**O-2011-52:** AN ORDINANCE TO CONDITIONALLY REZONE 3.57 ACRES OF LAND AT 1705 AMHERST STREET (*Map Number 150-01-11*) FROM LOW DENSITY RESIDENTIAL (LR) DISTRICT WITH CORRIDOR ENHANCEMENT (CE) DISTRICT OVERLAY TO RESIDENTIAL OFFICE (RO-1) DISTRICT WITH CE DISTRICT OVERLAY. The Comprehensive Plan calls for medical and general office uses on the periphery of the Medical Center District and identifies this property as a redevelopment site. **RZ-11-529**

Planning Director Tim Youmans presented the property proposed for rezoning. The request is a conditional rezoning with a proffer to utilize the existing access on Keating Drive which falls under a contractual agreement with the diocese. The Planning Commission recommended approval subject to the proffer and the exhibit. There is Corridor Enhancement zoning along Amherst Street but not on the back side of the property.

Mayor Minor moved to forward O-2011-52 to Council. *The motion was seconded by Councilor Willingham then unanimously approved by voice-vote.*

**CU-11-530** Request of Scott Rosenfeld for a conditional use permit for a structure with a footprint exceeding 8,000 square feet at 1705 Amherst St (*Map Number 150-01-11*) with proposed zoning of Residential Office (RO-1) District with Corridor Enhancement (CE) District overlay.

Mr. Youmans presented the request to exceed the 8000 square foot limit. The proposal will be for a 2 story building with two 8000 sq ft buildings joined together at the center with a lobby. All of the parking will be behind the building coming in from Keating Drive. The rear parking area is outside the Corridor Enhancement district. The developer is working with the church for some shared parking. The Planning Commission recommended approval.

Vice-President Major moved to forward CU-2011-530 to Council. *The motion was seconded by Councilor Veach then unanimously approved by voice-vote.*

**CU-11-537** Request of Terrace Club, Inc. for a conditional use permit for a private club at 2215 Valor Dr (Map Number 270-06-4A) zoned Highway Commercial (B-2) District.

Mr. Youmans presented the request for a private club at the corner of Weems Lane and Valor Drive. The Terrace Club has existed in the downtown area for the last 50 years. The applicant is asking to operate 7 days a week until 9 p.m. on weeknights and 10 pm on weekends. Mr. Youmans presented a summary of the conditions associated with the request. He stated the only comment received was from an adjacent property owner who had expressed concern but did not attend the Planning Commission meeting after talking to the applicant.

Councilor Clark asked if there were any police reports or issues from the existing club. Mr. Youmans stated he did not believe so.

Councilor Willingham moved to forward CU-2011-537 to Council. *The motion was seconded by Mayor Minor then unanimously approved by voice-vote.*

**R-2011-55:** Resolution - 2012 Legislative Agenda – The Zoning & Inspections Administrator recommends that the Common Council of the City of Winchester resolve in support of the completion of a Legislative Agenda for the 2012 General Assembly session so as to advance Council goals at the state level.

Zoning Administrator Vince Diem presented the draft outline for the legislative agenda for the 2012 General Assembly. He stated in looking at the issues, staff tried to align them with Council's goals to see what best suites the City of Winchester. We have received confirmation from both legislatures that they are available at 8 a.m. on December 7<sup>th</sup> to discuss these issues. Staff has identified the top priorities for the City including the revision of the City Charter, Infrastructure Funding Support, Eminent Domain, Education Funding, Aide to Localities, and Blight Abatement. Mr. Diem asked Council to review the information and requested comments on any other legislative ideas that could be incorporated into the document be sent to Mr. Gerhart or himself.

Vice-President Major moved to forward R-2011-55 to Council. *The motion was seconded by Councilor Veach then unanimously approved by voice-vote.*

**R-2011-56:** Resolution - Establishment of Assessment analyst position classification and reclassification of vacant Account Clerk II position

Human Resources Director Joel Davis presented the reclassification of the Account Clerk II position to the Assessment Analyst position. He stated currently there are two positions left in the Commissioner of the Revenue's office. The Finance Department has absorbed the Real Estate position into its current staff.

Vice-President Major moved to forward R-2011-56 to Council. *The motion was seconded by Councilor Clark then unanimously approved by voice-vote.*

**R-2011-57: Resolution - Amherst Street Improvements Project**

Utilities Director Perry Eisenach presented the proposed improvements on Amherst Street. He stated the goal is to start construction next spring. The primary need for the project is to replace the water and sewer lines on Amherst Street. However, this also gives the City the opportunity to do sidewalk improvements along Amherst. Approximately 100 people came to the open house and gave their feedback. Staff did incorporate some of the suggestions that were made. The project consists of replacing water and sewer lines, installing sidewalks and curb & gutter where it does not exist and where improvements are needed, replacing traffic signals, replacing street lights with the help of Shenandoah Valley Electric Coop, and repaving the entire street. He stated a few significant changes being proposed include a signal light at Fox Drive and Amherst Street, the realignment of the school entrance with Fox Drive, and the addition of turn lanes in all directions. Vehicles leaving the schools will only be able to turn right. A left turn lane will allow you to turn left onto Myrtle Drive but can only turn right coming off Myrtle onto Amherst. People turning off Myrtle to come into town will need to turn right and make a safe u-turn at the new signal. The school district will put \$300,000 into the project.

Councilor Tagnesi asked if a new entrance for the school will be done at the same time. Mr. Eisenach stated it would.

Councilor Veach asked if truck traffic will be discouraged as well. Mr. Eisenach stated that will be incorporated into the project as well.

Mr. Eisenach continued to state all together there will be 8 new left turn lanes and 6 new right turn lanes. This will cause tree removals but they will be replaced with more trees than remove. The Green Circle will be extended from the CVS, east to the front of the school, and through an easement obtained from the Museum of the Shenandoah Valley through a separate agreement. There will be a new pedestrian entrance by the MSV to increase safety. The project would eliminate all on street parking except on the north side of Amherst between Allison and Myrtle and a few spaces between Myrtle and Fox. Staff would prefer to eliminate all of the on street parking but the medical offices and pharmacy rely on these spaces. Mr. Eisenach stated to bury the power lines would cost \$6-7 million. The biggest concern heard at open house was the dangerous intersection at Fox drive but second to that was Linden Drive. There have been 24 accidents at Linden Drive over the past 5 years. Staff could restrict access off Linden to a right turn only but negative feedback would be expected. Mr. Eisenach reviewed the funding breakdown from the Utility funds and VDOT funds to cover the total cost of \$8.6 million.

Councilor Veach asked if the maintenance on the Green Circle and the museum property increase our costs. Mr. Eisenach stated it will some but not significantly. He added the work on the project will be required to shut down during Apple Blossom.

President Buettner asked if the lines would be buried on Piccadilly and Cork Streets. Mr. Eisenach stated staff has looked at that but the cost is extremely high. He will follow up with SVEC on that.

Vice-President Major moved to forward R-2011-57 to Council. *The motion was seconded by Mayor Minor then unanimously approved by voice-vote.*

**O-2011-53: AN ORDINANCE TO AUTHORIZE AND ACCEPT THE CONVEYANCE OF REAL PROPERTY LOCATED AT 209 E. CORK STREET, IN FUTURE OF THE GREEN CIRCLE PROJECT.**

Mr. Youmans presented the proposal to purchase property from the Moose Lodge to facilitate the extension of the Green Circle Trail to Cecil Street. The cost of the purchase would be \$10,000 and it would allow for the connection of Shenandoah University to the downtown area.

Vice-President Major moved to forward O-2011-53 to Council. *The motion was seconded by Councilor Willingham then unanimously approved by voice-vote.*

**MOTION TO CONVENE IN EXECUTIVE SESSION PURSUANT TO §2.2-3711(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 INCLUDING THE APPOINTMENT OF OR PROSPECTIVE APPOINTMENT OF MEMBERS TO CERTAIN BOARDS AND COMMISSIONS, AND PURSUANT TO 2.2-3711(A)(5) FOR THE PURPOSE OF DISCUSSION OF A PROSPECTIVE BUSINESS OR INDUSTRY EXPANSION WHERE NO PREVIOUS ANNOUNCEMENT HAS BEEN MADE, AND PURSUANT TO 2.2-3711(A)(3) FOR THE PURPOSE OF DISCUSSION OF THE DISPOSITION OF PUBLICLY HELD REAL PROPERTY WHERE DISCUSSION IN AN OPEN MEETING WOULD ADVERSELY AFFECT THE BARGAINING POSITION OR NEGOTIATING STRATEGY OF THE PUBLIC BODY**

Councilor Willingham moved to convene into executive session at 6:57 p.m. *The motion was seconded by Vice-President Major then unanimously approved by voice-vote.*

Councilor Willingham moved to reconvene in open session at 7:42 p.m. *The motion was seconded by Vice-Mayor McInturff 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:*

<b><u>MEMBER</u></b>	<b><u>VOTE</u></b>
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

*Vice-President Major stated he certified only the parts he was present for.*

### **Report of Liaisons**

Vice-President Major stated the Jail Authority discussed hiring additional personnel. The attendance is up in the jails and the medical costs are going up.

Mayor Minor stated Judy Sue Kempf of the Patsy Cline museum informed her that over 2,300 people have visited the museum since it opened.

Councilor Veach stated the School Board made a presentation at John Handley High School on the standard bases grading and will do another presentation at Daniel Morgan Middle School.

### **Adjourn**

Councilor Willingham moved to adjourn the meeting at 7:44 p.m. *The motion was seconded then unanimously approved by voice-vote.*