

**MINUTES OF THE COMMON COUNCIL
WORK SESSION
April 24, 2012
City Council Chambers – Rouss City Hall**

PRESENT: Councilor Evan Clark, John Hill, John Tagnesi, Les Veach and Ben Weber; Vice-Mayor Milt McInturff; Mayor Elizabeth Minor; Vice-President John Willingham (8)

ABSENT: President Jeff Buettner (1)

Vice-President Willingham called the meeting to order at 6:01 p.m.

Councilor Veach moved to amend the agenda to add: R-2012-30 – a resolution to approve and authorize the manager to execute an agreement to amend the City's Right of Reverter on 29-31 East Boscawen Street. *The motion was seconded by Mayor Minor then unanimously approved by those present.*

Items for Discussion:

Electronic Council Documents & Beyond – Tom Lloyd

Information Technology Director presented the findings on the recent request by several members of Council to have iPads instead of paper agendas at the meetings. Depending on the options selected, each iPad would cost up to \$1400.00 the first year. Any councilor that did not want to go electronic would still be able to get a paper copy from the Deputy Clerk.

Comprehensive Communications Plan – Lynn Miller

Interim City Manager Craig Gerhart stated this has been a very challenging issue for the city. He had a chance to look at the equipment in the communications shed. The equipment is old, out dated, obsolete and beyond repair in many places. He stated when someone has an 18-20 year old vehicle that cannot be repaired, the options they want on the new car raises the price. This is similar to purchasing a new car. He stated the city needs to replace what is nearly broken not just respond to a federal mandate.

Emergency Management Coordinator Lynn Miller presented a summary of the report and the RFP. He stated one response was received from the RFP. The base price is \$2.8 million but with a few options for law enforcement the total would be \$3.5 million. There would be a cost savings of \$300,000 if a third party would install a tower through the Conditional Use Permit process. Mr. Miller stated there is an operating cost that staff would like to negotiate with the vendor to reduce. He asked for direction on whether Council would like to continue negotiations or proceed with appropriations.

Finance Director Mary Blowe stated Motorola offered a lease option which she does not recommend. Staff means to fund this out of cash with part of the tax increase and a refunding of bonds. Any additional options Council may choose could come from fund balance.

Vice-Mayor McInturff moved to direct staff to move forward with negotiations with the vendor so an absolute price and recommendation could be brought back to Council. *The motion was seconded by Councilor Veach then unanimously approved by those present.*

Budget Documents for final review before going to first reading in May -
Mary Blowe

Ms. Blowe stated staff is looking for direction on the tax increase spending and the outside agencies in able to move forward with the budget. She did receive an update from the Regional Jail that they will need an increase in their budget of about \$90,000 to handle the increase in inmates.

After a brief discussion on the proposed Assistant City Manager position, Mr. Gerhart suggested putting the funding for the position into a contingency reserve that would require Council's approval but not require an additional appropriation. He stated the position needs to be in the classification even if Council does not use it.

Councilor Weber moved to not put money in a contingency fund and eliminate the position. The motion was seconded by Councilor Clark.

Councilor Clark suggested putting the money into a contingency fund so Council can exercise that option if chosen at a later time.

The motion was defeated 1/7 with Councilor Evan Clark, John Hill, John Tagnesi and Les Veach; Vice-Mayor Milt McInturff; Mayor Elizabeth Minor; Vice-President John Willingham voting in the negative.

Vice-Mayor McInturff moved to create a contingency reserve to allow the monies for the Assistant City Manager position to be placed into and so Council can further decide how it will be used.. The motion was seconded by Councilor Hill.

Councilor Veach moved to amend the motion and put half of the money allocated into the contingency fund and direct the Finance Director to put the other half towards the jail. *The motion was seconded by Councilor Weber then unanimously approved by those present.*

The amended motion was then approved unanimously by those present.

R-2012-29: Resolution – Authorization for the issuance and sale of General Obligation Public Improvement Refunding Bonds of the City of Winchester, Virginia, in a maximum principal amount of \$30,000,000 – Mary Blowe

Ms. Blowe stated the city did a refunding last fall and saved approximately \$1 million. The rates have dropped further for more savings. The goal is to have a minimum of 3% savings and this would be 5%. If the resolution is adopted on May 8th, staff will proceed with Bond Council to be ready when the market is ready.

Councilor Veach moved to forward R-2012-29 to Council. *The motion was seconded by Councilor Clark then unanimously approved by those present.*

R-2012-30: Resolution – Film Production request in the Abrams Creek Wetlands Preserve and Authorization for the City Manager to Sign a Release and Memorandum - Bradley Veach

Withdrawn by applicant.

Resolution – Approve and authorize the manager to execute an agreement to amend the City's Right of Reverter on 29-31 East Boscawen Street.

Councilor Veach moved to forward the resolution to Council including the amendment to include the lot 33-35 and the correct bank name throughout. *The motion was seconded by Councilor Weber then unanimously approved by those present.*

R-2012-31: Resolution to approve and authorize the Manager to execute the agreement, contract, and other necessary documents for the HUD 108 loan regarding the Taylor Hotel blight abatement project– Jim Deskins

Economic Redevelopment Director Jim Deskins announced the approval of a \$1 million dollar loan through HUD. He stated to access the money; staff needs the authorization of the notes and agreements.

Councilor Clark moved to forward R-2012-31 to Council. *The motion was seconded by Mayor Minor then approved 7/0/1 with Vice-President Willingham abstaining.*

R-2012-32: Old Town Development Board Final Recommendation for Improvements to be included within the Pedestrian Mall Improvement Project in 2013 – Karen Helm

Old Town Director Karen Helm presented a summary of the proposed improvements to be included in the Pedestrian Mall Improvement Project. She stated the gateways on the north and south ends will be identical. The intersection of Boscawen and Loudoun Streets will also be marked with light posts. Fourteen parking spaces in the Palace Parking Lot will be used for the public restrooms and splash pad. A self cleaning restroom is being requested. Staff is requesting approval at the May Council meeting in order to meet a construction deadline.

Councilor Weber moved to forward R-2012-32 to Council. *The motion was seconded by Councilor Veach then unanimously approved by those present.*

O-2012-14: Ordinance – FY 2012 Supplemental Appropriation Requests – Celeste Broadstreet

Assistant Finance Director Celeste Broadstreet presented a revised listing of the appropriation requests.

Councilor Veach moved to forward O-2012-14 to Council. *The motion was seconded by Councilor Hill then unanimously approved by those present.*

O-2012-15: Ordinance - to Vacate a portion of Valley Avenue Right-of-Way adjacent to 1000 Valley Avenue and convey it to the owner of the adjacent property – Tim Youmans

Planning Director Tim Youmans presented the request for the property located across from Handley High School on Valley Avenue. The applicant is asking for the vacation in trade for taking care of the area.

Councilor Clark moved to forward O-2012-15 to Council with staff helping to propose the sales price. *The motion was seconded by Councilor Tagnesi then unanimously approved by those present.*

O-2012-16: Ordinance to authorize the acquisition of 119-129 North Loudoun Street, Winchester, Virginia (Taylor Hotel) and to appropriate \$1,000,000 for said acquisition and related blight abatement, and said public facility development - Jim Deskins

Economic Redevelopment Director Jim Deskins presented the request to authorize the acquisition of funds and to agree to acquire the property.

Councilor Clark moved to forward O-2012-16 to Council. *The motion was seconded by Mayor Minor then approved 7/0/1 with Vice-President Willingham abstaining.*

Public Hearing: CU-12-151 - Request of Mark C. Green for a Conditional Use Permit for a two-family dwelling at 542 Gray Avenue (*Map Number 174-03-9*) zoned Limited High Density residential (HR-1) District – Tim Youmans

Mr. Youmans presented the request for a two-family dwelling at 542 Gray Avenue.

Vice-Mayor McInturff moved to forward CU-12-151 to Council. *The motion was seconded by Councilor Veach then unanimously approved by those present.*

Public Hearing: CU-12-96 - Request of the Economic Development Authority for a Conditional Use Permit for two-family dwelling at 513 North Loudoun Street zoned Limited High Density Residential (HR-1) District – Tim Youmans

Mr. Youmans presented the request for a two-family dwelling at 513 North Loudoun Street and a summary of the modifications the applicant wants to make to the property. He stated the property is not subject to BAR review.

Councilor Weber moved to forward CU-12-96 to Council. *The motion was seconded by Mayor Minor then unanimously approved by those present.*

Executive Session

MOTION TO CONVENE IN EXECUTIVE SESSION PURSUANT TO §2.2-3711(A)(7) OF THE CODE OF VIRGINIA FOR THE PURPOSE OF RECEIVING LEGAL ADVICE AND STATUS UPDATE FROM THE CITY ATTORNEY AND LEGAL CONSULTATION

REGARDING THE SUBJECT OF SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADVICE BY THE CITY ATTORNEY AND MATTERS OF ACTUAL OR PROBABLE LITIGATION

Vice-Mayor McInturff moved to convene into executive session at 8:04 p.m. *The motion was seconded by Councilor Clark then unanimously approved by those present.*

Councilor Clark moved to reconvene in open session at 8:13 p.m. *The motion was seconded by Councilor Weber then unanimously approved by those present.*

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	Absent
Councilor Clark	Aye
Councilor Hill	Aye
Vice-Mayor McInturff	Aye
Mayor Minor	Aye
Councilor Tagnesi	Aye
Councilor Veach	Aye
Councilor Weber	Aye
Vice-President Willingham	Aye

Report of Liaisons

Submitted Written Reports

Adjourn

Mayor Minor moved to adjourn the meeting at 8:15 p.m. *The motion was seconded and unanimously approved by those present.*