

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

PRESENT: President Jeff Buettner; Councilor Evan Clark, John Tagnesi, Les Veach and Ben Weber; Vice-President John Willingham (6)

ABSENT: Councilor John Hill; Vice-Mayor Milt McInturff; Mayor Elizabeth Minor (3)

President Buettner called the meeting to order at 6:05 p.m.

Items for Discussion:

Public Comment Period: Millwood Avenue Improvement Project

President Buettner announced that this will be a question and answering session on the Millwood Avenue Project. The formal hearings will be held in August and September. He asked anyone with a question on the project to please hold up a hand and they will be recognized.

Mark Garber asked for clarification on what park land if any will be affected. Planning Director Tim Youmans stated there is no proposed conveyance of park land involved in the project.

City Manager Dale Iman stated the park land being converted to the entryway into the university and the storm water basin is not currently used as park land. It is an open space of gravel that will turn into a roadway, public right-of-way, and a storm water basin which will improve the quality of water in Abrams Creek.

Councilor Clark asked who is responsible for the cost of constructing the road. Mr. Youmans stated it is 100% Shenandoah University. Councilor Clark asked who would be responsible for maintaining the road. Utilities Director Perry Eisenach stated the city would maintain the road as it does all public streets. Councilor Clark asked who is responsible for the cost of the water retention basin. Mr. Eisenach stated Shenandoah University is responsible for the construction of the basin and the maintenance of the landscaping and the grass.

Shelly Lee asked if the only entrance to the tennis courts will be from Pleasant Valley Road. Mr. Youmans stated there will still be access to the courts from University Drive and off Lowry Drive. The access will be the same as it is today.

Gene Rhodes asked if there will be a way to revert Millwood Avenue back to what it is today if this is found to be a mistake in the future. President Buettner responded no. Once the land is conveyed, it is conveyed.

Susie Rhodes asked how travelers coming from the west will be able to turn into the university without having to yield to the free flowing right lane. Mr. Youmans stated it is a signal controlled left turn at Jubal Early so there are lanes to accommodate that traffic with enough room to merge over to enter into the university. The location of University Drive will be moved further north than the current location to allow enough time to make that merge.

Presentation: Infant and Toddler Connection of Shenandoah Valley Program Report

Sharlene Stowers of Grafton School presented a summary on the Infant and Toddler Connection of Shenandoah Valley Program and the progress made since partnering with the City in December 2009.

John Hill arrived at the meeting at 6:28 p.m.

R-2012-55: Resolution – Authorization to execute an agreement between the City of Winchester and the City of Charlotte Mecklenburg to provide security services

Police Chief Kevin Sanzenbacher stated the department received an invitation to assist with the Democratic Convention this fall. The City of Charlotte Mecklenburg has asked that an agreement be signed to insure the proper insurance coverage.

Councilor Clark moved to forward R-2012-55 to Council. *The motion was seconded by Councilor Hill then approved 8/0.*

R-2012-56: Resolution – Support of application made for the Assistance to Firefighters Grant and authorization to accept funding if awarded

Fire Chief Scott Cullers presented the request to make application for the Assistance to Firefighters Grant. He stated the grant does have a 10% match. The grant funding will be used to replace the air compressor at Rouss Fire Station, personal protection equipment and a gear washer.

Councilor Veach moved to forward R-2012-56 to Council. *The motion was seconded by Councilor Weber then approved 8/0.*

R-2012-57: Resolution – Authorization to make application for grant funding from the Virginia Department of Criminal Justice Services for one law enforcement sedan

Sheriff Lenny Millholland presented a request to make application for grant funding to purchase a law enforcement sedan. This grant is only open to those offices with 10 or less employees.

Vice-President Willingham moved to forward R-2012-57 to Council. *The motion was seconded by Councilor Weber then approved 8/0.*

R-2012-58: Resolution – Approval to amend Section 4.7 Training of the Comprehensive Employee Management System (CEMS)

Human Resources Director Joel Davis presented an amendment to clarify the language of the CEMS training section and to allow flexibility to select the mandatory trainings offered each year.

Vice-President Willingham moved to forward R-2012-58 to Council. *The motion was seconded by Councilor Veach then approved 8/0.*

R-2012-59: Resolution – Approval of the site and proposal to construct a Korean War Memorial in Jim Barnett Park

Parks Director Brad Veach and Julius Jones of the Korean War Northern Shenandoah Valley Chapter 313 presented the proposal to create a memorial adjacent to the MIA/POW pavilion in Jim Barnett Park. Mr. Jones stated the goal is to have the memorial in place by July 13, 2013 for the 60th anniversary of the signing of the Armistice of the Korean War.

Vice-President Willingham moved to forward R-2012-59 to Council. *The motion was seconded by Councilor Veach then approved 8/0.*

O-2012-27: AN ORDINANCE TO AMEND AND REENACT ARTICLES 1 AND 23 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO THE DEFINITION OF AND APPOINTMENT OF THE ZONING ADMINISTRATOR

City Manager Dale Iman presented an amendment to the Zoning Ordinance to update the language regarding the Zoning Administrator.

Vice-President Willingham moved to forward O-2012-27 to Council. *The motion was seconded by Councilor Veach then approved 8/0.*

CU-12-320: Conditional Use Permit – Request of Cogil Corporation for multifamily dwellings at 661-663 Millwood Avenue zoned Highway Commercial (B-2) District

Planning Director Tim Youmans presented a request for a multifamily dwelling at 661-663 Millwood Avenue. He stated the applicant has made several improvements in the building since it was vacated by Grafton. The proposal is to have 14 residential units in the building with no proposal to use the attic space. There is a significant amount of flood plane on the property so the removal of the asphalt will be beneficial. The applicant is requesting a variance from the BZA for the amount of flood plane acreage.

Vice-President Willingham moved to forward CU-12-320 to Council. *The motion was seconded by Councilor Weber then approved 8/0.*

CU-12-270: Conditional Use Permit – Request of Oakcrest Properties, LLC for conversion of ground floor nonresidential use to residential use at 29-31 and 33-35 East Boscawen Street zoned Central Business (B-1) District with Historic Winchester (HW) District overlay

Mr. Youmans presented the proposal for residential use at 29-31 and 33-35 East Boscawen Street. He stated only 3 units will have access from Boscawen Street. The rest of the units will have access in the rear of the building.

Councilor Weber moved to forward CU-12-270 to Council. *The motion was seconded by Councilor Tagnesi then approved 7/0/1 with Vice-President Willingham abstaining.*

CU-12-319: Conditional Use Permit – Request of Patton, Harris, Rust & Associates on behalf of Papermill Road, LLC for motor vehicle painting, upholstery, body and fender work at 2641-2645 Papermill Road zoned Commercial Industrial (CM-1) District

Mr. Youmans presented the proposal for motor vehicle painting, upholstery, body and fender work at 2641-2645 Papermill Road. He stated the auto activity would be confined to the building on the middle of the site.

Councilor Clark moved to forward CU-12-319 to Council. *The motion was seconded by Councilor Veach then approved 7/1 with Vice-President Willingham voting in the negative.*

Motion to nominate _____ for reappointment as a member of the Board of Equalization for a two year term expiring December 31, 2014

Vice-President Willingham moved to forward both of the nominations to the Board of Equalization to Council. *The motion was seconded by Councilor Weber then approved 8/0.*

Motion to nominate _____ for reappointment as a member of the Board of Equalization for a three year term expiring December 31, 2015

See previous action.

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 AND PURSUANT TO §2.2-3711(A)(3) FOR THE PURPOSE OF DISCUSSION OR CONSIDERATION OF THE SUBJECT OF THE ACQUISITION AND/OR DISPOSITION OF AN INTEREST IN REAL PROPERTY FOR A PUBLIC PURPOSE.

Vice-President Willingham moved to convene into executive session at 7:58 p.m. *The motion was seconded by Councilor Clark then approved 8/0.*

Vice-President Willingham moved to reconvene in open session at 8:30 p.m. *The motion was seconded by Councilor Veach then approved 8/0.*

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

Report of Liaisons

Councilor Veach reported the School Board held its reorganization meeting last night and their retreat is scheduled for August 25th.

Adjourn

Vice-President Willingham moved to adjourn the meeting at 8:31 p.m. *The motion was seconded by Councilor Tagnesi then approved 8/0.*