

**MINUTES OF THE COMMON COUNCIL
IN SPECIAL SESSION
September 17, 2013**

A Special Session of the Winchester Common Council was held on Tuesday, September 17, 2013 in the Council Chambers, Rouss City Hall. President John Willingham called the meeting to order at 7:08 p.m.

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

ABSENT: Councilor Jeff Buettner (1)

President Willingham asked for a motion to amend the agenda to add the following:
Motion to correct a scrivener's error by amending the term expiration of Richard Ridgell as a member of the Board of Zoning Appeals to expire April 30, 2016

The motion was made by Vice-President McInturff, seconded by Vice-Mayor Veach, then approved 8/0.

Motion to correct a scrivener's error by amending the term expiration of Richard Ridgell as a member of the Board of Zoning Appeals to expire April 30, 2016

Vice-Mayor Veach moved to approve the motion to correct the scrivener's error. *The motion was seconded by Councilor Weber then approved 8/0.*

2.0 EXECUTIVE SESSION

2.1 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 ON MATTERS OF ACTUAL OR PROBABLE LITIGATION

Vice-President McInturff moved to convene into executive session at 7:09 p.m. *The motion was seconded by Councilor Clark then approved 8/0.*

Vice-President McInturff moved to reconvene in open session at 8:05 p.m. *The motion was seconded by Vice-Mayor 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>
Councilor Buettner	Absent
Councilor Clark	Aye
Councilor Hill	Aye
Vice-President McInturff	Aye
Mayor Minor	Aye
John Tagnesi	Aye
Vice-Mayor Veach	Aye
Councilor Weber	Aye
President Willingham	Aye

President Willingham stated he would entertain a motion to add to the agenda a motion to authorize the City Manager and City Attorney to execute the proposed order in the case styled City of Winchester v. Martin B. Gavis and Claudette H. Gavis, Winchester Circuit Court, Case No. 840CL13000 385-00, as presented on this date and have the order presented to the court for entry. *The motion was made by Councilor Tagnesi, seconded by Councilor Hill, then approved 8/0.*

Motion to authorize the City Manager and City Attorney to execute the proposed order in the case styled City of Winchester v. Martin B. Gavis and Claudette H. Gavis, Winchester Circuit Court, Case No. 840CL13000 385-00, as presented on this date and have the order presented to the court for entry.

Vice-President McInturff moved to approve the execution of the order. The motion was seconded by Councilor Clark then approved 8/0.

3.0 ADJOURNMENT

Mayor Minor moved to adjourn the meeting at 8:06 p.m. *The motion was seconded by Councilor Weber then approved 8/0.*

Kari J. Van Diest, CMC
Deputy Clerk of the Common Council