

**MINUTES OF THE COMMON COUNCIL
IN SPECIAL SESSION
January 28, 2014**

A special session of the Winchester Common Council was held on Tuesday, January 28, 2014 in the Exhibit Hall, Rouss City Hall. President John Willingham called the meeting to order at 9:47 p.m.

PRESENT: President John Willingham; Councilor Evan Clark, John Hill, John Tagnesi and Ben Weber; Vice-President Milt McInturff; Mayor Elizabeth Minor; Vice-Mayor Les Veach (9)
ABSENT: Councilor Jeff Buettner (1)

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-President McInturff moved to convene into executive session at 9:48 p.m. *The motion was seconded by Vice-Mayor Veach then unanimously approved 8/0.*

Vice-President McInturff moved to reconvene in open session at 9:56 p.m. *The motion was seconded by Vice-Mayor Veach then unanimously 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 a motion to authorize the City Attorney to draft an order consistent with the January 22, 2014 letter from counsel for Belk in the case matter CL13-645 and for the City Manager to execute the same letter. *The motion was made by Mayor Minor, seconded by Councilor Tagnesi, then unanimously approved 8/0.*

Vice-President McInturff moved to approve the motion to authorize the City Attorney to draft an order consistent with the January 22, 2014 letter from counsel for Belk in the case matter CL13-645 and for the City Manager to execute the same letter. *The motion was seconded by Vice-Mayor Veach then unanimously approved 8/0.*

ADJOURNMENT

Vice-President McInturff moved to adjourn the meeting at 9:58 p.m. *The motion was seconded by Councilor Clark then unanimously approved 8/0.*

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