



**MINUTES OF THE COMMON COUNCIL  
IN REGULAR SESSION  
JULY 14, 2015**

A regular session of the Winchester Common Council was held on Tuesday, July 14, 2015, in the Council Chambers, Rouss City Hall. President John Willingham called the meeting to order at 6:00 p.m.

**PRESENT:** Councilor Evan Clark, John Hill, Corey Sullivan and William Wiley; Mayor Elizabeth Minor; Vice-Mayor Les Veach; President John Willingham (7)

**ABSENT:** Vice-President Milt McInturff and Councilor Kevin McKannan (2)

**MOMENT OF SILENCE** – President Willingham led the citizens and councilors in a Moment of Silence.

**PLEDGE OF ALLEGIANCE** – Mayor Minor led the citizens and councilors in the Pledge of Allegiance.

**APPROVAL OF MINUTES** – June 23, 2015 Regular Meeting and June 23, 2015 Work Session

Mayor Minor moved to approve the minutes as presented. *The motion was seconded by Councilor Hill then unanimously approved 7/0.*

**REPORT OF THE MAYOR** – Mayor Minor stated she did not have a report to present.

**REPORT OF THE CITY MANAGER** – Eden Freeman announced the Winchester Fire and Rescue Department was presented with an American Heart Association Lifeline Bronze Award today for their quick response time and the quality care provided to heart attack patients. She stated this is certainly an achievement the City can be proud of. She also stated the City has several vacancies for Emergency Communication Specialists also known as dispatchers. 911 dispatchers are the community's "first" first responders and assist the local police and fire and rescue personnel in the response to emergencies. She asked those interested in applying to visit [www.winchesterva.gov](http://www.winchesterva.gov) and click on Employment at the bottom of the page. Ms. Freeman stated the registration for the Winchester Parks and Recreation after school program has begun. She asked those interested to visit the City's website or call 540-662-4946 for details. Ms. Freeman stated there are a number of upcoming events in Old Town including the second Friday Night Live of the season this Friday night and a free concert at the Taylor Pavilion on July 19<sup>th</sup>. The Outdoor Family Movies on the Mall continue every Thursday at dusk through July 30<sup>th</sup>.

**REPORT OF THE CITY ATTORNEY** – Anthony Williams stated he did not have a report to present.

**1.0 PUBLIC HEARINGS**

**1.1 O-2015-14:** Second Reading: AN ORDINANCE TO AMEND SECTION 2-157 OF THE WINCHESTER CITY CODE TO CLARIFY CREATION OF CHIEF FINANCIAL OFFICER AND DIRECTOR OF SUPPORT SERVICES

*President Willingham asked if there was anyone wishing to address Council on this issue. Seeing none, he closed the public hearing at 6:04 p.m.*

Vice-Mayor Veach moved to adopt O-2015-14. *The motion was seconded by Councilor Wiley then adopted by the affirmative vote of a majority of all members of the Common Council, the ayes and nays being recorded as shown below:*

<u>MEMBER</u>	<u>VOTE</u>
Councilor Clark	Aye
Councilor Hill	Aye
Vice-President McInturff	Absent
Councilor McKannan	Absent
Mayor Minor	Aye
Councilor Sullivan	Aye
Vice-Mayor Veach	Aye
Councilor Wiley	Aye
President Willingham	Aye

**1.2 CU-15-256:** Conditional Use Permit – Request of Welby Lehman on behalf of Sacred Heart Academy for a proposed structure exceeding an 8,000 square foot footprint, more than 85 feet from the public right of way, having roof pitches less than 6:12, and excessive wall spans exceeding more than otherwise permitted by right at 110 Keating Drive (Map Number 149-01--6) zoned Low Density Residential (LR) District with Corridor Enhancement (CE) District Overlay zoning.

Welby Lehman of Blue Ridge Architects spoke as a representative for Sacred Heart Academy and the Catholic Diocese of Arlington and offered to answer any questions Council may have.

*President Willingham asked if there was anyone else wishing to address Council on this issue. Seeing none, he closed the public hearing at 6:06 p.m.*

Mayor Minor moved to approve CU-15-256. *The motion was seconded by Councilor Hill then unanimously approved 7/0.*

- 1.3 CU-15-259:** Conditional Use Permit – Request of Painter-Lewis, P.L.C. on behalf of Glass-Glen Burnie Foundation for museums and art galleries operated in conjunction with buildings designated as Historic Landmarks to support phased expansion of the Museum of the Shenandoah Valley located at 801 Amherst Street (Map Number 171-1-21) zoned Education, Institution and Public Use (EIP) District with some Historic Winchester (HW) District Overlay and some Corridor Enhancement (CE) District Overlay zoning and at 901 Amherst Street (Map Number 191-1-8) mostly zoned Low Density Residential (LR) District and partly zoned EIP District with some CE District.

Jim Spangler of 139 Roszel Road spoke in opposition to the proposal because of the noise he can already hear at his house from the events currently held at the museum. He stated he has attended a couple of the meetings held at the museum and could identify a couple of other places where the amphitheater could be built instead of 300 feet from the residential area. He asked who on Council would vote for a 3,000 seat amphitheater to be built 300 feet from their house with noise continuing until midnight on Sundays. He asked Council to table that portion of the request so a further study could be done on the potential noise levels.

Melanie Henry of 726 Academy Circle spoke in opposition to the proposal and asked Council to consider the following three questions. With the amount of property the museum owns, why is it necessary to build an amphitheater a few hundred feet from a residential area? How do you feel when a car pulls up behind or beside you with the radio so loud it doesn't help to close your windows and what if it was your home? Is the Museum of the Shenandoah Valley a museum or entertainment complex and how will it be regulated? She hopes to have a fair examination of issues such as this.

Dana Hand Evans, Executive Director of the Museum of the Shenandoah Valley located at 901 Amherst Street, spoke on behalf of the museum's Board of Directors and the Glass-Glen Burnie Foundation that owns the property regarding the proposed plan to expand the facilities. She stated the plan will be done in six phases including an amphitheater that will be located in an acoustically designed area 600 feet from the nearest house and 300 feet from the nearest property line.

*President Willingham asked if there was anyone else wishing to address Council on this issue. Seeing none, he closed the public hearing at 6:15 p.m.*

*Councilor Wiley recused himself from the discussion as his employer provides construction services for the applicant.*

Vice Mayor Veach asked Planning Director Tim Youmans if the Conditional Use Permit specifies the hours of operation will end at 10:00 p.m. on Sunday and 12:00 a.m. on Friday and Saturday. Mr. Youmans stated that is correct. The Planning Commission recommended ending the hours at 10:00 p.m. Sunday through Thursday and at 12:00 a.m. on Friday and Saturday.

Vice Mayor Veach asked how the applicant would address noise complaints. Mr. Youmans stated the condition does not take effect until after they are in operation. It would be similar to the nightclubs that if they get a complaint, they would be responsible to address it.

Councilor Sullivan asked the applicant if it would be possible to do a wedding and an event at the amphitheater at the same time. Ms. Evans stated they do not have the capacity to do that.

President Willingham suggested developing a plan to continually seek other ways to impact or reduce noise as part of the site plan review.

Vice-Mayor Veach moved to approve CU-15-259. *The motion was seconded by Councilor Hill then approved 6/0 with Councilor Wiley abstaining.*

## **2.0 PUBLIC COMMENTS**

Larry Yates of 678 Berryville Avenue and member of the Winchester NAACP stated his great, great uncle, Augustus Yates, died at the age of 21 while serving in the Confederate forces. He honors him as he does his other ancestors but he would never attempt to speak for him. He asked those in favor of the Confederate Battle Flag to speak from their own convictions. He asked anyone who believes the slavery system was worth defending with arms to say so. He asked those who are proud of a time the flag signaled hostile defiance of civil rights to say so. He asked that no one hide behind speculations of ancestors that they have not met. He stated Council has the thankless job of functioning in 2015. The attempts to preserve history in the City made by past Councils with museums and street names confront citizens and visitors with this assaulting symbol of a failed rebellion. This community cooperates and competes in a multicultural and interconnected world where practicality and morality move in the same direction. Winchester must remove all Confederate insignia from every official aspect of its identity.

Naomi Pitcock of 5 West Boscawen Street stated there are many aspects of the Southern heritage that are loved and shared but there are

a lot of things that need to be acknowledged and are truly wrong. The Confederate Flag has no place in the public arena and no place in her Winchester where she was born and raised. This is a chance to create a community of inclusiveness that attracts the people the City wants to be here. It can still be Southern, it can still be a wonderful community, and it can be done for everyone.

Tyson Gilpen of 217 South Loudoun Street stated he grew up as a lover of the lost cause and still loves reading about the Battle of Antietam in particular. There comes a time when the entire community must be considered. Times have changed. Winchester is an exciting place to be and it is growing. In respect to all of the citizens and for unity, he asked Council to remove the Confederate Flag from the seal.

Marieka Turner of 109 West Pall Mall Street shared a poem she wrote to express her opposition to the Confederate Flag on the City Seal.

Paul Lewis of 633 Tennyson Avenue stated he realizes this meeting is a formality for a foregone conclusion because these days it is more convenient to be politically expedient than historically courageous. He presented the number of 2,576 to Council. He stated he looks at the members of Council and sees women, African-Americans, and many different people represented which is what the city is about. This city was in the cradle of the Civil War where many people, Union and Confederate both, perished. Unfortunately, some in the Confederacy were for slavery and that is regrettable. But, as many people have said, people must learn from the past to move into the future. Seals and flags can be taken down but history is history. He gets upset with selective grievance. When the American Flag gets stomped on, it is just a symbol and someone's right but if it is a different flag, it must be taken down. This will not stop here. It will be the seal today. It has already been removed from public notices in the paper and the police cars and fire trucks for years yet people have not noticed. Next, it will be renaming streets, closing Stonewall Jackson's Museum, and removing flags and insignia from monuments. This will not stop. History must be remembered. It is already noted in the Work Session tonight that the different flags in the seal stand for all of the countries flags that flew over this great city. Lastly, the number of 2,576 is the number of boys buried in Mount Hebron Cemetery and the Stonewall Jackson Cemetery. The Tomb of the Unknown Soldier monument there says "Who they were, none know. What they were, all know".

Donna Trillio of 541 Battle Avenue stated she has lived in the north end for 22 years. She often tells people she lives on Sesame Street because of the different ages and ethnicities that live on her street. When she first moved here 22 years ago, she was taken back by the City Seal on a police officer's arm. Her impression was that this town was stuck in the past. A view that was reinforced when she would go downtown and see

all of the boarded up windows and businesses closed on Sundays. If you are stuck in the past, you stay in the past with no forward motion. Now, downtown is beautiful, vibrant and full of life. However, when she looks at the City Seal, she is reminded that it is still stuck in the past. That Confederate Flag is a flag of intimidation and conflict. She does not think it is an accurate, productive representation of the city. It should look at progress and the future of this town instead of conflict and looking backward. It does not represent her, her children or a large section of the folk that live and work here. The city is not stuck in the past, or is it? She asked Council to please remove the seal.

Shawn Broy of 13 East Hart Street stated each and every one of the people in Winchester is better than the City Seal. He thinks the city has done a great job transitioning to the logo on the police cars and other places. In response to the seal and especially that flag, he quoted President Ronald Reagan to say "Take it down."

Guss Morrison is the Vice President of the Winchester NAACP spoke in regards to their request that City Council remove the flag from the City of Winchester Seal. He stated it is unfortunate that everyone is here because of the most heinous, tragic murder in the history of this nation but hopefully it will end a wrong and far too long injustice. He hopes Council will follow in the compassionate acts generated by the South Carolina Governor Nikki Haley who removed the flag from the South Carolina State House or the acts of redemption by the families of the victims. As reported in the commentary of the Winchester Star, the Confederate Flag was never adopted by the Confederate States thus is a dubious historical vestige at best. Now that the media has clearly cast in stone the image of the Confederate Flag as a symbol of hatred, white supremacy, oppression and pro-slavery, it can never be less than dubious distinction in the future. He stated if Winchester is to be welcoming to all people, all faiths and all races, Council's vote to remove the flag from the seal would be a positive statement in promoting a healthy, vibrant and welcoming City of Winchester.

John Copenhaver of 1536 Dalton Place stated Robert E. Lee was a lifelong model of a Southern gentleman. The first book he was given after learning to read was the biography of Robert E. Lee. He also followed in his father's footsteps to attend Washington and Lee University. People have been suggesting that those who want to remove the Confederate Flag from the City Seal want the citizens to forget the city's history and remove every vestige of the Confederate past. Nothing could be farther from the truth. A year ago this July, Washington and Lee University removed the Confederate Battle Flag from Lee Chapel. Lee Chapel contains a statue of General Lee and is more a place for lectures and concerts than a place of worship. Many students including African-American law students objected to the prominent display of the battle flag in the campus public space. In an

agreement with the Richmond Civil War Museum, the restored, original flags are displayed on a rotating basis in the museum underneath the chapel. To him, this seemed like a wise way to honor the institutional history of the institution and honor the legitimate concerns of those students. If Washington and Lee can remove the battle flags from Lee Chapel and still honor its history, Winchester can removed the flag from the City Seal and still remember its past. Thankfully, Winchester is a city with a memory. The City's history is seen in the architecture, the battlefields, the old neighborhoods, museums, and monuments and it is taught in the schools and colleges. The City Seal should be something that unites the people not divide them and make some people feel unsafe and unwelcome. Let's be a city that makes everyone feel welcome and respected.

Warren Hofstra of 506 West Leicester Street stated Harry Truman stated "there is nothing new in this world than the history we do not know". The citizens have been knowing an awful lot of history these days as this issue has built. The issues of Civil War, slavery, Southern heritage, and the role of the Confederate Flag have all been looked at. He suggested the real issue tonight is the flag as it has been imbedded with new meanings in the 1940s, the 1950s, and the 1960s in movements to oppose civil rights, school integration and in favor of white supremacy. It was this flag that was adopted by the Dixiecrat party in 1948 as its standard. In 1956, Georgia adopted it as part of the state flag. In 1961, the flag was raised at the capitol building in South Carolina. This flag is at question tonight and is the issue that deeply divides the people. The right to display the flag is protected under the First Amendment but the issue is its use as official insignia. All of the citizens have a stake in removing the source of the division and getting all with a more peaceful society. If Council votes in favor of removing the flag from the seal, this issue will go away and then the debate can be continued on slavery, the Civil War and other issues.

Jim Glymph of Charles Town, West Virginia, is the commander of the Turner Ashby Camp Sons of the Confederate Veterans in Winchester. He stated it is clear that the square flag with the Saint Andrew's Cross on the City Seal is the Battle Flag of the Army of Northern Virginia. It is a flag of warriors, black and white, that fought to protect the Commonwealth from Yankee invaders. With this in mind, the northern soldiers and their ancestors should hate this flag more than anyone. He presented a resolution adopted in August 2000 from the Sons of the Union Veterans that condemned the use of the Confederate Battle Flag as well as the flag of the United States by any and all hate groups, supported the flying of the Confederate Battle Flag as a historical piece of the nation's history, opposed the removal of any Confederate monuments or markers to those gallant soldiers in the former Confederate states, and opposed the removal of any reminders of this nation's bloodiest war on the grounds of it being politically correct. He

stated these are men whose ancestors were slaughtered under the flag and they accept it. Winchester should never remove the Battle Flag from its seal.

Bob Mahor of Winchester stated he stands for healing, bringing people together, and seeing ourselves less as people who are black, white, red, yellow or brown but as all who bleed red. People are still fighting the Civil War after all these years. He speaks from the perspective as one who founded and operates the largest Civil War education association in the country. The history field is filled with top scholars of all colors. There is no hiding the fact that slavery was a main pillar for the reasoning of why the Civil War came forward. It was intricately involved in the economic issues and State rights issues but slavery was abolished in this country from that war. He thinks it is a major mistake to expunge, erase or tear down things. He agrees with the flag coming down on the South Carolina Courthouse because that is an official courthouse and this is an official seal. But, he wonders if the \$10,000 plus dollars it will take to redo all of the stationary and other stuff over is worth it? It could be that it probably would be but what is next. He asked if taking down the Confederate memorial in front of the Old Courthouse will be next. His option would be to not take down the seal and for everyone to learn to communicate and get along better.

Pastor Walker of Frederick County and Membership Chair of the Winchester NAACP stated he is a pastor in the area and a Vietnam Vet. He thinks a lot of things get confused. It is not that people want the history to go away but to just look at the official recognition of government. What Council does as it represents the whole body. He thinks most people are spiritual in some sense but a lot of folk forget about what God said. In Mathew, chapter 12, it says "A kingdom divided against itself shall not prosper." That is what is happening. The city has divided itself. This flag is dividing. He asked how the city can grow if it is divided.

Joyce Morrison of Winchester and the Treasurer of the Winchester NAACP stated the flag should come off the City Seal. There are other options for Winchester to utilize that probably would not cost the City very much money. She appreciates the Mayor as a woman in leadership and thinks she has the good conscience to agree with most of the people for that flag to come down. She stated she served in the military for 21 years and is an Army Sergeant Major. The flag that she appreciates and honors and is passionate about is the United States Flag. She grew up in a time where the Confederate Flag led some of the parades when people were wearing more than regular clothes. Growing up there was a very negative feeling about this flag. Moving to Winchester and seeing it on the City Seal where there are elected officials is wrong. It needs to come down. She stated she loves her country and appreciates history but there is a place for history.

John Coontz of 1009 South Kent Street spoke as a 6<sup>th</sup> generation from Winchester. Two generations of his family were involved in the Civil War. His feeling is that the history must be maintained for what Winchester did as a city in respect to the Civil War. The city promotes the Civil War in this town because of the vital part that it played. Removing the seal is going to be an issue for this Council because how can you promote tourism for the historic battles that were fought around here if the seal is removed. He asked how history can be promoted by a Council that believes it is racist and is supports hatred. There is a much deeper meaning to that flag for this community than just what it has become known as today. The city needs to promote the history of the flag and the history of this town and recognize that racism, hatred and bigotry don't stop with that flag being removed from the seal.

Todd Kern of 420 East Parkinsmill Road stated his family has been in Winchester and Frederick County for 250 years. He ran two historical museums in the valley for 10 years. He is in favor of keeping the seal. It represents the history, the culture and who the people are. The opposition he has heard tonight is a complete misrepresentation of what that flag means and what it is meant to mean. He doesn't understand the selective indignation of all things Confederate. If the objection is slavery, then all of the flags are guilty. It is wrong to judge yesterday by today's perspective. It was a different world and a different mindset. There were white slaves. There were black slave owners. He asked if it is the idea that the world is for slavery. He stated while it was a catalyst, 80% of the South never owned a slave. When Lincoln was asked why he didn't let the South go in peace, his response was "I can't let them go. Who would pay for the government?" He did not mention slavery and goes on to make some rather racist statements. He asked why the South gets this stigma. He asked if it is the use of the flag by many hate groups. There are many hate groups using the American Flag without the Confederate Flag in it. He abhors this misrepresentation of the flag. He asked if all flags are guilty by association or is the reason to remove all things Southern political. He stated the South is the last holdout for individual freedoms and limited government against an expanding power and federal control the liberal totalitarians so love. Tear down and humiliate people who are willing to dissolve an unrepresentative government in favor of self rule. Yell racism and who can stand up to that witch hunt. Would any of you? He asked if the people who want it removed are not the same who teach tolerance and all inclusive, multi-culturalism. They are intolerant and exclusive when it comes to Southern culture. He asked if this was not hypocrisy and bigotry. He asked who will decide what is acceptable and where does it end. He asked if the Franklin D. Roosevelt monument should be tore down because of the World War II internment camps. He asked when the book burning will start. He asked if this is not a type of ethnic cleansing. He stated this is not the spirit of Martin Luther King. It is the spirit of Stalin. Yes, he is

offended. Black lives do matter but so do the lives of his ancestors. What the flag means to the people of this culture is pride, identity and independence. One out of four Southern boys was wounded. One out of four Southern boys died. Half of the Southern population was in ruin. It took 100 years for the Shenandoah Valley to recover to the same level of Gross National Product as it was before the war. The veterans cherish those flags and want the dead to be remembered as any other soldier who faced death and loss in any war does.

Tom Dickson of Winchester stated for a long time he did not recognize the seal but he does now when he sees it how hurtful it is to some people. Anything that is hurtful to even one person should not be official. He and his wife just returned from a trip in the Deep South and most of the people there don't even recognize Virginia as a southern state. He asked that everyone think about what is important. He asked how the kids in this area will be able to stand up and say they are from Winchester, Virginia where they can be proud of everything including that seal.

Judith James of 112 Daniel Court stated as an immigrant here from California, the flag represents what she experienced when she arrived in the Shenandoah Valley in 2005. She came with every degree an educator would need to find a position here. She has worked professionally at the national level, the state level and at local educational institutions. When she arrived in 2005 and went to one of the educational institutions in the Shenandoah Valley, they informed her very sensitively that they could not even consider her application in 2005 with the highest degree and experience because they just hired three people of African-American decent and if they hired a fourth person, it would create World War III. Although she owned a home in the Shenandoah Valley, she had to rent an apartment in Maryland where she could work. She was hired by that same educational institution six years later to only last two years. She arrived late to the meeting today to support taking down the flag because she had to drive an hour from another job in Northern Virginia because she seemingly cannot work in the Shenandoah Valley. So while the flag represents history for many people that they want to respect and uphold, as an immigrant from California who moved to the Shenandoah Valley to live and make a contribution, she is unable to do so after ten years.

Mark Lore of 414 Courtfield Avenue stated he can really only endorse much of what has been said about taking the flag off the seal. He hears that it is just about political correctness and it is. It is politically correct to take this flag off the seal. The seal is a symbol of the relationship between the City of Winchester and its citizens. A large portion of the citizenry finds that flag objectionable. There are historical reasons why the flag needs to be known and needs to be exhibited but it should not be on the seal of this city. He also hears talk about trying to do away

with history. That is not going to happen. This city is full of museums, battlefields and historic homes that speak to what happened between 1861 and 1865. He has been a member of the Board of Winchester / Frederick County Historical Association and has no concerns about the history going away. He moved here because of the rich history and it means a lot to him as a Northerner. He loves to walk in Mount Hebron Cemetery by the Confederate graves but he does not need to look at the seal and revere it the same way. Winchester is trying to bring people here and grow a vibrant culture with a lot of success in the downtown. Every time a visitor sees emergency personnel with that seal on their sleeve, it will speak to them unfairly and make it seem like they are back in a small, Southern town sort of *To Kill a Mockingbird* society.

Chad Lewis of 217 South Washington Street stated he has mixed emotions. He loves the Confederate Flag and is proud of it. His family has been here forever. Streets are named after his family in Winchester. He reveres the flag as a symbol of honor and valor. It is purely for Southern pride and the heritage of this area. He is proud of the seal. His daughter goes to the University of Southern Mississippi and they think people from Memphis are from the North. It was the War of Northern Aggression. It was due to a tyrannical government trying to inflict their will on the Southern folk. He understands there have been captions about slavery but that wasn't the main reason. Robert E. Lee freed his slaves well before the Civil War and paid for some of his African-American help to be sent back to Africa. Ulysses S. Grant, the savior of the North for stopping Lee, had slaves ten years after the war was over and he is on the \$50.00 bill. If you want to call a spade a spade, rename all of the streets and rename all of this. There is no stopping of anything. Taking down the seal is probably a foregone conclusion as mentioned before. That will not stop people flying the flag. That will not stop the deep rooted heritage. He hates the Klan because they marred a great flag. It is now a bad image for people of California, the north, or wherever. No matter what anyone says, he is still going to show his flag for support of the Confederacy and his ancestors. Robert E. Lee Day used to be celebrated as a Virginia state holiday but it is not anymore. All he can say from the Turner Ashby Camp is "lest we forget."

Charlotte Fritts of 232 Maple Street stated if someone wants to display the flag in their yard, on their pickup truck or on a cake that is their free will. She does not support her tax dollars continuing the symbol that this perpetuates. For that, she asked Council to consider that this does have a great meaning for a great number of the citizenry and there is nothing to lose by changing the symbol. History will not change and visitors will not cease to come to the city. She is asking would it take to change and what is the City waiting for. She asked if the City is waiting on the State or Federal governments to do something or for something like Charleston to come to the front door and happen in Winchester.

Cameron Frye of Frederick County stated the Confederate Flag was never a national flag representing the South. It was a battle flag flown by several armies in Virginia. Even if it had been a national flag for the South, the Civil War was not just over slavery. Although it was the reason slavery ended, it was just a mere excuse for the war. The North fought the war over money which is the same reason wars are fought and excused for another cause these days. Sensing total financial ruin for the North, Lincoln waged war on the South. The South fought to repeal the Northern aggression and invasion. Today, the Confederate Battle Flag finds itself the center of much controversy and the cry to take down this flag is unjustified. The Battle Flag was never a national flag so how can it be accused of being flown over a slave nation or represent slavery or racism. This myth is continued by a lack of education and ignorance. Those who vilify the Confederate Battle Flag are very confused about history and have jumped upon a band wagon with loose wheels. On another subject, many say it is a symbol of hate because it was flown over slave ships and that is false. What was flown over the ships is the American Flag. Many also say it was the KKK's flag but if you research the KKK, you will see the American Flag is flown more so than the Confederate Flag. The US Flag flew over a slave nation for over 85 years. The North tolerated slavery and acknowledged it as a division of labor. The North made a vast fortune upon slavery and its commodities and it wasn't until the South decided to leave the Union that the North objected. The North knew it could not survive without Southern money. At the time of the war, the Southern States were in the process of freeing all of the slaves in the South. Russia had freed its servants in 1859 and the South took great note of it. Racism is being projected onto the Confederate Flag which in return is continuing the division among us. Just because one crazy person supported the Confederate Flag doesn't mean every person who supports it is a racist. To him, the rebel flag means home, Southern pride, agriculture and just pride in general of living in the South. He was born and raised here and he is proud of it. He stated ignorance flies both ways. An item cannot be racist unless you are an easily offended person or a racist yourself. He stated he is a very strong Christian and thinks everyone needs to take into account what Jesus would do here and he would love one another. He thinks everyone needs to stop trying to pin hatred onto a flag just because they are easily offended. He stated everyone needs to love one another and stop trying to twist the facts. Instead, pay attention to the facts and take it for what it is. The Confederate Flag is not a racist symbol. It is merely a symbol of pride where he is from.

Neil Russel of Delaplane, Virginia and member of the Confederate Sons of America stated he cannot believe the display of the Confederate Flag needs to be defended or that there is a movement to remove all things Confederate sweeping the nation. Over 600,000 soldiers died in the War Between the States and God knows how many were wounded.

Every one of them, North or South, was an American veteran so says the Defense Department but the winner gets to tell the story and display their flag. The biggest turnover on the battle field was the flag bearer. He would march into battle carrying the flag and no rifle. When he was shot down, the next available man would pick up the flag knowing he was a dead man. He asked if the state or as they thought of it, their country, that these men fought for should not be honored, especially Virginia which was one of the last states to secede. Abraham Lincoln requested 75,000 men to fight against the South. Robert E. Lee agonized about giving up his home, fortune and 32 years of service to the US military to lead the Army of Northern Virginia against anyone who invaded his country which was Virginia. The young farm boys in the South did not know about slavery because only six percent of the whole South owned slaves. When he was 18 years old in 1964, there was a conflict going on that he didn't know anything about but it was his country that he was going to war for. He cannot believe the City is not going to honor these men that died in the trenches for Virginia.

Katherine Eaton of 305 Parkway Street stated there are excellent historical organizations in Winchester that are rich and thriving in purpose and history. She would like to entrust them with the preservation of these meanings and history. When you talk about what historical people did or did not do even Robert E. Lee distanced himself from divisive symbols of the Civil War. Lee was quoted in saying "I think it wiser moreover not to keep open the sores of wars." There were no flags flown at his funeral, Confederate or otherwise. She asked Council to please vote to take that flag off the emblem.

Roger Allen Ramey, III of 2941 Fourth Street in Middletown, Virginia stated he is sad today for the 2,200 reasons why the flag should be kept sitting in Mount Hebron Cemetery right now. It brings tears to his eyes that the City is going to try to remove that flag. He is 22 years old and there were boys younger than him who fought and died and they are honored with the flag being on the seal. He loves all Union soldiers, Confederate soldiers and all human beings. It makes him sad that the racists use this flag. He does not hate anyone on the basis of the color of their skin. He stated this is about the history and the heritage. His third great grandfather never came home from the war. His body was shipped back to Petersburg but never made it home because the city was besieged. He is a Confederate re-enactor and a member of the Sons of Confederate Veterans Turner Ashby Camp 1567 because of his grandfather. He is sad that this is even an issue and even more said that all of this hate is towards the Confederate Battle Flag. He asked where the hate is toward the man that killed nine human beings. He asked why those victims are not being honored. He stated they should be honored instead of trying to remove a historical symbol. The British Flag is on the seal and a war was fought against them for independence. He is still proud every time he comes into the City of Winchester to see

that British Flag there in honor of those soldiers who fought for what they believed was right. At that time, the British and the United States had slavery. Slavery is wrong. He cannot believe a single person in this room would think slavery is right. It is a horrible institution but it is history. The American, British and Virginia Flags flew over slavery. He asked if they should all be removed. He asked Council to please keep the flag and remember the 2,200 reasons in Mount Hebron Cemetery why it should stay.

Gail Hermosilla of 517 Sleigh Drive in Cross Junction, Virginia stated her grandparents came to this country in the early 1900s and lived in Pennsylvania. When she grew up there was no talk about the Civil War and certainly less about the Confederate Flag so she has no dog in this fight personally. Now, she lives in the greater Winchester area in Virginia and she has learned that a significant number of residents in Winchester find the seal of their city to be painful and offensive. She does not see this as a Richmond issue or a Washington D.C. issue. She sees it as a Winchester issue. She feels if a significant number of neighbors and friends are sincerely hurt by this symbol, it should be removed from the seal of the city.

Rick Brown of Winchester stated there are four flags flying here representing Winchester's proud heritage. Unfortunately, a lot of the Civil War fought here. Winchester changed back and forth 72 times. However, the atrocities done by Great Britain against our forefathers needs to be considered too. Many Americans, Virginians and Southerners died on land in Virginia, North Carolina, South Carolina and wherever. In the movie *The Patriot*, there is a scene of such atrocity where the British burned a church full of men, women, and children. He stated slavery is not dead in this world. A recent article in the Washington Post reported there are 29 million enslaved walking among us. America does business with other nations. If Council is going to support that atrocities should not be recognized, products used by the City should not be purchased from countries with slaves. Slavery is an atrocity but history should not be forgotten. If history is forgotten, power will corrupt. War has not gone away. War continues. He asked that the atrocities committed by the North and the South not be forgotten. Slavery is wrong. He suggested looking internally and externally at whom business is done with. He stated he believes the new manhole covers with the picture of City Hall were made in India, the largest slave country in the world today. He asked Council to look at where the City buys products from in the future because city tax dollars should not support any nation that still endorses slavery.

Tim Wanda of 109 Berkshire Circle in Frederick County stated he was always proud and still is to be a part of Winchester. He still does business in Winchester though he lives in the county. He supports a lot of what has been said and understands both sides. Every day in this

country and it seems even more today, the rights of the citizens are being taken away - the loss of Freedom of Speech and Freedom of Religion. If the flag is taken down, the British portion needs to be taken out too because America went to war against them. He is not outraged by that because he understands it. He asked what would be left and suggested putting an apple or decal like the Apple Blossom committee has that would not offend anyone except maybe peach farmers.

Reverend Kevin Wilson of 420 Millwood Avenue stated probably every church was impacted by what happened in South Carolina. It has brought significant emotions to the surface concerning the flag. He has found the only time people actually respond in a significant way to moments like this is when something horrible happens. The flag has been a symbol in the minds of most African-Americans of slavery and those who were against their freedom. It is because of that it has become a symbol of hurt for many of them. It has become a symbol of significant divisiveness. He feels there comes a time when one must look at what is most important, the flag or people.

Barbara Morrell of 925 Orchard Hill Drive stated she does not know if she feels welcome in Winchester. She has lived here 20 years but is still an outsider. She lived in the Tidewater area and Richmond prior but is a Pennsylvanian by birth. As a point of history, her hometown was burned when the Southern forces marched through Chambersburg to Gettysburg. Everyone has suffered. She stated this evening has been so divisive that it makes her terribly sad. She wishes something could be done to bring everyone together. She hopes as representatives of all of the people in Winchester, Council will make a decision for all of the people.

*President Willingham closed the public comments at 7:37 p.m.*

### **3.0 CONSENT AGENDA**

- 3.1 R-2015-25:** Resolution – Authorize the approval of the Shenandoah Valley Chief Elected Officials Consortium Agreement effective July 1, 2015

Mayor Minor moved to approve the Consent Agenda as presented. *The motion was seconded by Councilor Clark then unanimously approved 7/0.*

### **4.0 AGENDA**

- 4.1 Motion** to appoint Scott Spriggs as recommended by the President of Shenandoah University as the Shenandoah University Representative to the Old Town Development Board

Vice-Mayor Veach moved to appoint Scott Spriggs as the Shenandoah University representative to the Old Town Development Board. *The motion was seconded by Councilor Hill then unanimously approved 7/0.*

**5.0 EXECUTIVE SESSION**

**5.1 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 AND MATTERS OF ACTUAL OR PROBABLE LITIGATION**

Councilor Wiley moved to convene in Executive Session at 7:41 p.m. *The motion was seconded by Councilor Clark then unanimously approved by 7/0.*

Councilor Wiley moved to reconvene in open session at 7:54 p.m. *The motion was seconded by Vice-Mayor Veach then unanimously approved 7/0.*

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:*

<b><u>MEMBER</u></b>	<b><u>VOTE</u></b>
Councilor Clark	Aye
Councilor Hill	Aye
Vice-President McInturff	Absent
Councilor McKannan	Absent
Mayor Minor	Aye
Councilor Sullivan	Aye
Vice-Mayor Veach	Aye
Councilor Wiley	Aye
President Willingham	Aye

**6.0 ADJOURNMENT**

Mayor Minor moved to adjourn the meeting at 7:54 p.m. *The motion was seconded by Councilor Wiley then unanimously approved 7/0.*

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Kari J. Van Diest, CMC  
Deputy Clerk of Council