



**WINCHESTER COMMON COUNCIL  
IN WORK SESSION  
OCTOBER 13, 2015**

A Work Session of the Winchester City Council was held on Tuesday, October 13, 2015 in the Council Chambers, Rouss City Hall. Council Vice President Bill Wiley called the meeting to order at 7:43 PM.

**1. Call to Order**

Present: Councilors Evan Clark, John Hill, Kevin McKannan Milt McInturff, and Corey Sullivan; Mayor Elizabeth Minor; Vice Mayor Les Veach; and Vice President William Wiley (8)

Absent: President John Willingham (1)

**2. Public Comments**

Vice President Wiley asked if there was anyone wishing to address Council. Seeing none, he closed the public comments at 7:43 p.m.

**3. Agenda**

**3.1.O-2015-26:** First Reading - TA-15-441 - AN ORDINANCE TO AMEND AND REENACT ARTICLES 1, 7, 8, 9, 10, 11, 12, 13, AND 18 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO THE DEFINITION OF BREWERY, DISTILLERY, MICRODISTILLERY, MICROBREWERY, NANOBREWERY, TASTING ROOM AND WINERY, PARKING REQUIREMENTS, AND USE STANDARDS. (The Amendment Creates Additional Definitions, Use Allowances, Parking Requirements, and Operational Standards for Breweries, Distilleries, Wineries and Related Uses).

Director of Zoning and Building Inspections Aaron Grisdale presented the publically-initiated text amendment to allow for breweries in the city particularly in the CM-1, M-1 and M-2 districts. The purpose is to expand the use into some of the other districts especially for those on a smaller scale. A tasting room would be allowed in a by-right situation but the facility would need to abide by the ABC licensing requirements. Mr. Grisdale reviewed the use standards for each brewery and district.

Vice Mayor Veach stated all of the definitions are defined by either the ABC by production or the Code of Virginia and asked if all of the definitions should tie in so when one changes, the City's definition changes. Mr. Grisdale stated the existing definition of brewery does not make a reference to the Code of Virginia. However,

before the first reading, he will make sure all of the definitions tie in so when the State makes a change, the City's definition will change.

Vice Mayor Veach asked if a tasting area could be outside. Mr. Grisdale stated he would have to get an answer to that question.

Councilor Clark asked if it was realistic to not allow full breweries to store anything outside. Mr. Grisdale stated if Council desires, language could be added that would require screening for outside storage at full breweries.

Councilor McKannan requested staff to find out what the full scale breweries in Virginia currently do regarding outside storage.

Councilor Sullivan stated the classification is based on how much is produced but that could change. He asked if a micro-brewery had a bad year, would their classification change by default or would they need to reapply to change their status. Mr. Grisdale stated staff would determine what the intended level of production would be and base the classification on that amount. The concern is the production would become more intensive not less intensive.

Councilor Sullivan moved to forward O-2015-26 to Council. The motion was seconded by Mayor Minor.

Councilor Clark asked staff to look at the screen requirements in other industrial areas and at other breweries.

Mayor Minor clarified whether or not a brewery had to serve food. Mr. Grisdale stated typically there is not a requirement to serve food with the ABC licensing.

City Attorney Anthony Williams stated it is his understanding the Second Reading in the title of this item is a typographical error so Council will be voting to move this item forward to the Regular Meeting and not voting to adopt the Second Reading.

<b>RESULT:</b>	<b>APPROVED TO FORWARD [UNANIMOUS]</b>	<b>Next: 10/27/2015 6:00 PM</b>
<b>AYES:</b>	Clark, Hill, McInturff, McKannan, Minor, Sullivan, Veach, Wiley	
<b>ABSENT:</b>	Willingham	

### **3.2.R-2015-35: Approval of Tevis Street Extension Project**

Public Services Director Perry Eisenach presented the proposal to extend Tevis Street east to Legge Boulevard. He stated the road would stop at the point where a ramp would start if the road is extended over Interstate 81. This is a stand-alone project that would work in coordination if the bridge over I-81 happens but still allow this area to be developed. Half of the cost for the project will come from VDOT and the other half from Glaze Development so the City will not actually pay for the project. The City's responsibilities would be to oversee the design so it

meets the City's standards, coordinate with VDOT and inspect the construction. The extension will be a divided four lane road with a new traffic signal at the intersection of Tevis and Legge to allow for future development.

Councilor McInturff asked if the underground wiring for the traffic signal will be laid now or will the light be blinking. Mr. Eisenach stated the light would be turned on now. Councilor McInturff asked if the cost of the signal could be added to future costs. Mr. Eisenach stated it will be paid for in the current funding for this extension.

Councilor Sullivan asked if it would be possible to install a roundabout instead of a traffic signal. Mr. Eisenach stated it would be possible but probably not realistic because it would take more land space that the developer will lose for development.

Councilor McKannan stated the problem he sees with a roundabout is that it would be in the middle of a commercial area but he would refer to staff for the recommendation. He asked what the distance is between Legge Boulevard and I-81. Mr. Eisenach stated it is about a half of a mile.

Councilor McKannan asked when the bridge across I-81 will be finished. Mr. Eisenach stated it would be up to Frederick County as it is tied to the Russell 150 project.

Councilor Clark stated a significant elevation will be needed for the bridge over I-81. He suggested extending the road half of the way and then turning it left instead of taking it to the fence. Mr. Eisenach stated the road will not go out that far. It will be built to the point of where the ramp will begin.

Vice Mayor Veach stated in section 3.2 it says the City agrees to pay half of the additional costs and asked what the chance is to get the additional funding from the State. Mr. Eisenach stated it is possible to transfer funds from another Revenue Sharing project the City has. Vice Mayor Veach asked if the City will be able to control the costs and keep it under bid as the fiscal agent and project manager. Mr. Eisenach agreed the City would be able to do that. Ms. Freeman stated if it happened to be over bid, staff would come back to Council with an update and recommendation for the additional funding.

Vice President Wiley stated the city desperately needs more routes to connect to the county and he hoped the issue on the other side of the bridge will be resolved quickly.

Mr. Williams clarified the City is not on the hook for additional funds. It is only additional State Revenue Sharing funds if available. He stated the City's exposure is very limited by this.

<b>RESULT:</b>	<b>APPROVED TO FORWARD [UNANIMOUS]</b>	<b>Next: 10/27/2015 6:00 PM</b>
<b>AYES:</b>	Clark, Hill, McInturff, McKannan, Minor, Sullivan, Veach, Wiley	
<b>ABSENT:</b>	Willingham	

**3.3.R-2015-36:** Resolution Approving The Design of the New Welcome to Winchester Gateway Signs

Mr. Eisenach stated one of Council's priorities is to install nice gateway signs coming into the city. The first sign will be constructed as a part of Shenandoah University's Millwood project. SU is moving along in the project and is ready to install the Welcome to Winchester sign. The sign itself will be 15'8" by 4'11" and will be placed on the right hand side of the road just past Bob Evans on Jubal Early Drive. The base of the sign will be brick with a column on the right hand side, concrete caps on top of the column and the sign, and lighting from below. Mr. Eisenach presented Council with three design options. Option A will have a black background with a metallic border and lettering and an additional light fixture on top of the column. Option B will have a brick background with white lettering. Option C will have a teal background to match the colors in the current City Logo and white lettering.

Mayor Minor suggested adding an apple over the "i" in Winchester.

Vice Mayor Veach asked if the lighting will be solar so there is not an electrical cost. Mr. Eisenach stated it is something that can be looked at. Ms. Freeman stated this is something SU will be paying for. The options have been shared with SU and they do not have an issue with the lighting. If the lighting is added to the other gateway signs, the City will be responsible for the lighting costs.

Vice Mayor Veach stated he prefers Option A but asked if there was a cap on top of the sign. Mr. Eisenach stated there was a cap.

Councilor McInturff stated when he first looked at the options for the signs, he looked at the visual clarity of each one. He had crossed out the first option because of the black background. He liked Option C because it coincides with some of the colors in the City Logo. He could go with whichever option Council chooses but to get the discussion started, he suggested using the bluish-green background from Option C on Option A.

Councilor Hill stated he likes Option A. It is very classy looking and that is the kind of look the City is trying to project. He expressed his concern regarding paying the light bill and suggested getting a system that could reduce the cost.

Mayor Minor stated she likes Option A but was concerned there will not be enough light to see the sign with the light fixture only on the one side. Mr. Eisenach stated there will be additional lighting shining on the sign from below as well.

Councilor Sullivan asked what material will be used in the sign to make it look like a cast metal appearance. Mr. Eisenach stated the material has not been determined yet but the lettering will be a metallic material and something that will last a long time. Councilor Sullivan asked if it would be similar to what is put on the side of some buildings now. Mr. Eisenach agreed that it would be something similar.

Councilor Clark stated he likes the look of Option A if the sign will look as good as the example. His concern is he doesn't want to have a material that will peel and look cheap. His second choice would be Option C.

Councilor McKannan stated he likes Option A.

Vice President Wiley asked why there are not two columns on Option A or C. Mr. Eisenach stated the base design was developed by SU. Option B would not have two columns either but it was the only example that showed a brick background for the sign.

Vice Mayor Veach suggested making the cap ridged instead of flat to help prevent people from sitting on it. Mr. Eisenach stated it does not show very well in the plan but the design is to have a ridged cap.

Councilor McInturff stated this will be the benchmark for the City so whatever quality is put in this sign for materials will be carried on to the other signs. He also stated Shenandoah University has spent more money on the whole Millwood project than what this sign is going to cost. They are not going to be cheap and the quality is going to be what we would expect it to be from them.

Councilor McInturff moved to forward Option A to Council. The motion was seconded by Vice Mayor Veach.

<b>RESULT:</b>	<b>APPROVED TO FORWARD [UNANIMOUS]</b>	<b>Next: 10/27/2015 6:00 PM</b>
<b>AYES:</b>	Clark, Hill, McInturff, McKannan, Minor, Sullivan, Veach, Wiley	
<b>ABSENT:</b>	Willingham	

### 3.4. Taylor Pavilion Use Follow Up

Downtown Manager Jennifer Bell stated when the Conditional Use Permit for the use of the Taylor Pavilion was approved, she was asked to follow up with a report on the noise levels from the events. Three events have been held in the pavilion along with the Farmers Market. During these events, she monitored the sound from several different locations on the mall including inside a few of the stores to measure the sound difference. On a couple of occasions, the sound level did exceed the 65 decibels which was addressed immediately.

Councilor McInturff asked if any negative feedback was received. Ms. Bell stated

Bluemont Concerts expressed a concern initially during the sound check before an event but that was addressed prior to each event until they were happy.

Councilor McInturff asked if any feedback was received following the events. Ms. Bell stated there was not.

Councilor McInturff asked if the part of the wall that began to deteriorate had been fixed or addressed. Ms. Freeman stated the EDA in partnership with OTDB and her office has been working on a solution for that but part of the challenge is obtaining approval from the Department of Historic Resources (DHR) to make those repairs. Some of the ideas discussed were to put some netting like a screen or banner up to retain or seal it, to put shade sails up, or to put a stage up but approval has not been granted by DHR yet.

Councilor McInturff asked if staff was working under budget constraints. Ms. Freeman stated that is a part of it.

Councilor McInturff asked if there was any chance to use sound absorbing materials. Ms. Bell stated she has discussed that with a couple of different companies and the cost is quite expensive. The challenge with the tax credit piece is there is not permission to permanently attach anything to the wall until five years after the initial completion date. The project is in the fourth year at this point so to do anything like that would have to wait to be done.

Vice Mayor Veach suggested putting something in front of the wall instead of sticking something to it. Ms. Freeman stated that is something that is being explored right now and they are trying to be cost effective with the options to bring forward. Ultimately, once the tax credits have expired, she anticipates being able to make a repair to the wall.

Mayor Minor stated it was great to see how many people are enjoying the Farmers Market. Ms. Bell stated the market consistently has 1,000 people come through each week.

Councilor Clark suggested having a holiday market around Thanksgiving and possibly running it through Christmas. Ms. Bell stated she discussed that idea with some of the arts groups in the past but the weather was a deterrent.

**3.5.** Motion to forward the reappointment of \_\_\_\_\_ as a member of the Frederick-Winchester Service Authority for a three year term ending August 31, 2018.

Councilor McInturff moved to forward the reappointment of Kevin Wolfe as a member of the Frederick-Winchester Service Authority to Council. The motion was seconded by Vice Mayor Veach.

<b>RESULT:</b>	<b>APPROVED TO FORWARD [UNANIMOUS]</b>
<b>MOVER:</b>	Milt McInturff, Council Member
<b>SECONDER:</b>	Les Veach, Vice Mayor
<b>AYES:</b>	Clark, Hill, McInturff, McKannan, Minor, Sullivan, Veach, Wiley
<b>ABSENT:</b>	Willingham

- 3.6.** Motion to forward the reappointment of \_\_\_\_\_ as a member of the Winchester Regional Airport Authority to a four year term ending June 30, 2019.

Councilor McInturff moved to forward the reappointment of Bill Pifer as a member of the Winchester Regional Airport Authority to Council. The motion was seconded by Vice Mayor Veach.

<b>RESULT:</b>	<b>APPROVED TO FORWARD [UNANIMOUS]</b>
<b>MOVER:</b>	Milt McInturff, Council Member
<b>SECONDER:</b>	Les Veach, Vice Mayor
<b>AYES:</b>	Clark, Hill, McInturff, McKannan, Minor, Sullivan, Veach, Wiley
<b>ABSENT:</b>	Willingham

- 3.7.** Motion to forward the reappointment of \_\_\_\_\_ as a member of the Old Town Development Board for a three year term ending October 31, 2018

Councilor McInturff moved to forward the reappointment of David Cavallaro as a member of the Old Town Development Board to Council. The motion was seconded by Mayor Minor.

<b>RESULT:</b>	<b>APPROVED TO FORWARD [UNANIMOUS]</b>
<b>MOVER:</b>	Milt McInturff, Council Member
<b>SECONDER:</b>	Elizabeth Minor, Mayor
<b>AYES:</b>	Clark, Hill, McInturff, McKannan, Minor, Sullivan, Veach, Wiley
<b>ABSENT:</b>	Willingham

#### **4. Monthly Reports**

**4.1.** September 2015 Fire and Rescue Department Report

**4.2.** WPD Monthly Report September

#### **5. Adjournment**

The meeting was adjourned at 8:32 PM.

Deputy Clerk of Council