



**WINCHESTER COMMON COUNCIL
IN WORK SESSION
OCTOBER 27, 2015**

A Work Session of the Winchester City Council was held on Tuesday, October 27, 2015 in the Council Chambers, Rouss City Hall. Council President John A. Willingham called the meeting to order at 7:00 PM.

1. Call to Order

Present: Councilors Evan Clark, John Hill, Milt McInturff, Kevin McKannan, and Corey Sullivan; Mayor Elizabeth Minor; Vice Mayor Les Veach; Vice President William Wiley; and President John Willingham (9)

Absent: None (0)

2. Public Comments

Will Radosevich of 208 and 210 North Kent Street spoke against the proposal to put meters along the residential section of the 200 block of North Kent Street. He stated there is no off-street parking for the residential buildings along the 200 block of North Kent Street so on street parking is the only option. He recently submitted a petition with the signatures of 36 owners and residents from the 200 and 300 blocks of North Kent Street to the Chief of Police requesting a Restricted Residential Only Parking area for the residents in the 200 and 300 block area of North Kent Street. He stated this is primarily because there have been some challenges with parking in the area since a restaurant opened in the neighborhood. He has learned from a lot of the residents that they are having severe issues with parking. This is especially an issue when they return from shopping with bags to carry and they can't find a parking space. He asked Council to consider this when they are discussing parking meters with the Parking Authority.

3. Agenda

3.1. Discussion Regarding Expanding City Code Section 14-64 Meter Zones Established

Samantha Anderson, Director of Parking Authority, and Kim Burke, Vice Chair of the Winchester Parking Authority, presented the request to expand some of the established meter zones and to create a second tour bus parking space in the downtown area.

Ms. Burke stated a committee met to address the concern of long-term parking and low turnover for customers in certain areas in the downtown area. The committee would like to request the meter zones be expanded to include Cameron Street between Baker and Clark, Baker Street between North Loudoun and North Cameron, and the east side of North Kent Street between Piccadilly and Fairfax Lane.

Ms. Anderson shared the comments received from the businesses in the North Cameron Street area. She stated the Health Department expressed concerns that the meters on Baker Street will have a negative impact on their operation. The Health Department also stated the meters on Cameron Street would promote a negative image for the city as it is an elder care environment. They said meters should be installed in places people want to go and not where they have to go such as Social Services or the Health Department. Our Health expressed concern about the meters being placed in front of all nonprofit organizations. They acknowledged the need for meters on Baker Street if the goal is turnover instead of long-term parking. The Laurel Center stated the meters would help to keep the front of their building free of long-term parking and the parking enforcement would be an asset.

Ms. Burke stated the committee started looking at the east side of Kent Street after a complaint from a resident that reported parking was an issue. The resident reported having difficulty accessing their home because of long-term parkers. The only way the Parking Authority has to manage turnover is with meters. The meters would create more turnover, additional public parking, and allow for free residential parking after 6:00 p.m. and on the weekends when the meters are not enforced. The request for the Resident Parking designation in the 200 and 300 blocks of Kent Street is consistent with what is in the ordinance.

Ms. Anderson stated she spoke with the owners of 202 East Piccadilly Street and 204 North Kent Street who both expressed an interest in meters on both sides of Kent Street if residential parking permits were also accepted. The owner of 206 North Kent Street commented the meters would be a hardship for his tenants and preferred the residential parking permit. The owner of 208 and 210 North Kent Street commented the meters would not be a welcomed change as the tenants have grown accustomed to free parking and preferred the residential parking permit for his tenants. The owner of 212 North Kent Street expressed opposition to the meters but would like to hear the discussion before taking a final position.

Ms. Burke stated the west side of Kent Street is already in the established meter zone and the authority is in the process of installing meters there now. This will give five parking spaces on the west side with a handicapped space and loading zone for the three businesses on the street.

Ms. Burke stated the Parking Authority has already approved installing meters in three areas of the established meter zones. She already discussed the one on

Kent Street. The other two are South Loudoun between the Cork Lot and Clifford Street and West Piccadilly Street between Braddock and Washington. Fifteen additional meters will be installed in these areas.

President Willingham asked if the residential parking permits were for a defined period of time. Ms. Anderson stated it would be for the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday with no enforcement from 7:00 p.m. on Friday to 7:00 a.m. on Monday. President Willingham asked if it would still be a potential issue on the weekends. Ms. Anderson stated it would only help during the lunch periods.

Councilor McKannan asked how the resident parking would be enforced. Ms. Anderson stated anyone violating it would be fined no less than \$10 and no more than \$50. Ms. Freeman stated this would not be enforced by the Parking Authority because the residential parking areas are not usually located in metered areas. Typically, if someone is parking in these areas, a resident will call the police department and the police will come out to issue the ticket. She has noticed the enforcement hours of 7:00 a.m. to 7:00 p.m. does not address the hours that residents are looking for parking to be available for them. It may be worth discussing whether Council would like to expand the hours of enforcement throughout the city. The resident parking areas are designated by the Chief of Police with her consent.

Councilor McKannan stated the weekends are a free for all and that is usually when people do their shopping. Ms. Freeman agreed.

Ms. Burke stated the committee is also looking for another tour bus parking space. Last year, the Visitor Center brought in 34 buses and this year there have been 24 so far. Currently, there is only one space for tour buses to go which is on Cork Street. In looking for another space, the committee suggested the north side of Boscawen Street between Cameron and Kent Streets along the side of the Kurtz building. This would eliminate six meters. These meters do not get a lot of heavy use right now because a lot of public vehicles park there. This space is close to the Welcome Center and to the walking mall. Ms. Burke reviewed the options recommended for Council's consideration and asked for feedback from Council.

Vice President Wiley stated he did not have issues with putting meters in where businesses are on either side of the street. The challenge he has is in regards to putting the bus parking in the best location. He thinks it would be better to put it in a location that is further away from the core of the downtown market. He asked if the meters still only accept quarters. Ms. Burke stated the new digital meters accept quarters, dimes, and nickels.

Vice President Wiley stated in regards to the North Kent Street residential area, he thinks the City needs to be accommodating to the residents with some sort of parking permit.

Councilor Sullivan asked if someone has a residential parking permit, would they be able to park there during the 7:00 a.m. to 7:00 p.m. hours. Ms. Freeman stated they would be able to. Councilor Sullivan stated that from looking at the aerial map, he suggested the houses at 212, 210 and 208 have some minimal access to the back of the properties through Fairfax Lane. He asked if there was a fence or something preventing them from accessing the potential parking.

Councilor McInturff asked if the public officials who park in the proposed bus parking have parking spaces in the garage. Ms. Anderson stated they do have spaces in the garage. Councilor McInturff stated they would not be losing their parking spaces by taking these away. Ms. Freeman clarified that these are not people going to the court house. It is the City's Public Services staff and Zoning and Inspections staff who are coming in quickly and then going back out. He asked if they could leave five minutes earlier to get where they are going. Ms. Freeman stated they could.

Councilor McInturff expressed his concern with the buses making the turn onto Cameron Street with the tight corner and asked if that had been considered. Ms. Anderson stated she receives requests for buses to park there now and they seem to like that space but she will ask the bus drivers to be certain. He likes the parking there but does not want to get into the same situation as before with trucks knocking over utility poles. Ms. Anderson stated the Transit buses also park down that street and make that turn. Councilor McInturff stated they do but the Transit buses are shorter than what a tour bus would be.

Councilor McInturff stated in regards to the Kent Street parking he knows there are challenges there and he doesn't even live there. He is interested in listening to his colleagues to hear what can be done to solve this problem for the residents because he does not have an answer.

Councilor McKannan asked how close to the end of the street would the bus parking be in comparison to Cameron Street. Ms. Anderson stated it would be six spaces long. Councilor McKannan asked how often it would be utilized based on the current demand. Ms. Anderson stated there are a lot of buses that come downtown and the bus parking on Cork Street gets used pretty heavy. They are required to call first to see if the space is available and if their bus will fit there or not.

Councilor McKannan stated he would not be in favor of putting the meters on the other side of Kent Street if it is used primarily for residential purposes. He would not be in favor of making the residents pay to park there. He asked to confirm the number of calls received on the parking issue. Ms. Anderson stated one resident called back in May so the Parking Authority has been looking at this for the last couple of months. Councilor McKannan asked how many residents are on the one side. Ms. Anderson stated there are two or three tenants per building.

Councilor McKannan stated he would be interested in expanding the permitted parking in the future so it is not a free for all on the weekends. Ms. Burke stated it is harder as more businesses and visitors come to the area causing the parking resources to be maximized. Councilor McKannan stated he agrees it is a balance but the City needs to respect the residents at the same time. Ms. Burke stated the only tool the Parking Authority has is the meters but the police department has the ability to issue permits.

Councilor Hill stated he has had a couple of residents mention problems with parking. He likes meter parking for businesses but he is against putting meters in that residential section. The city needs to have someplace for the residents to park on the weekends and without having to pay. He thinks the meters would cause a hardship for the residents. He asked if there were spaces in the parking garages for the employees. Ms. Anderson stated the public employees have spaces in the garage. The only ones that may not are the County Sheriff's vehicles. Ms. Freeman stated the meters on Boscawen Street are not designated for City vehicles. Staff will park there if they are open and they are running in and out. They do not park there all of the time. There is typically no one parked there when leaving in the evening.

Councilor Clark suggested mandating all employees who work in Social Services and the Health Department to park in the parking garage and leave the on street parking for customers. Ms. Freeman stated the Social Services employees are required to park in the garage but she can't make the Health Department or others do it because they are not City employees. Councilor Clark stated he would strongly encourage all of the employees of the Health Department, Our Health and other businesses to park in the garage.

Councilor Clark stated North Kent Street is a mess. He likes the idea of meters on the west side and residential parking on the east side but there is high demand and low resources. Even the Police Department parking lot has signs that say "Police Department Business Only" and "Towing Enforced" so that parking is not available now. He does not know if he has a solution for that one.

Councilor Clark asked if the tour bus space would be for loading and unloading or if they would be able to sit there for three to four hours while people walk around. Ms. Anderson stated that is how it is on Cork Street right now with parking and set pick-up and drop-off times. Councilor Clark stated he would be comfortable with the tour buses dropping off and picking people up but not sitting there idling. He suggested the buses sit at City Yards and come back to pick up the passengers at a set time.

Vice Mayor Veach expressed his concern with tour buses parking and running exhaust all day. He stated it shouldn't be downtown and he has concerns with a bus making the turn without having to give up more parking spaces. He stated the

residential area on Kent is very difficult with the businesses and residential. He can't see charging the residents to park in front of their own home but he doesn't know what the solution is. The meters are enforced from 9:00 a.m. to 6:00 p.m. Monday through Friday and he would think the residents would want the hours of 6:00 p.m. to 9:00 a.m. He asked if it was possible to put the meters in front of them but reserve the spaces for residents from 6:00 p.m. to 9:00 a.m.

President Willingham asked if anyone was interested in meters on the residential side. Councilor Clark expressed his concern that no meters on the east side will limit the parking for the customers of the businesses. Ms. Freeman stated the parking garage is less than a block away and suggested the customers could park there. She also clarified City Code designates residential parking from 7:00 am. to 7:00 p.m. Monday through Friday.

After receiving no additional comments, President Willingham directed Ms. Freeman to declare the east side of Kent Street as resident only parking. He also suggested looking at the residential only parking throughout the city in the future.

President Willingham stated he would like to take some time to think about the tour bus parking and bring the discussion back to a future work session.

3.2.R-2015-37: Resolution for Support by the Winchester Common Council for the Utilization of Industrial Access Railroad Track Funds for Trex Company Inc.

Kimberly Murray, Director of Economic Redevelopment, introduced Frank Klepeisz, Director of Logistics for Trex Company Inc. She presented the resolution requesting Council's support for a rail spur to create access to the Trex facility. She stated no funds are being requested with this project.

Vice Mayor Veach asked what part of the railroad track is being requested. Ms. Murray pointed out the curved part of the track on the map as the rail spur.

Vice Mayor Veach asked who owns the land adjacent to the track going towards Interstate 81. Mr. Klepeisz stated Trex and American Woodmark own some of the land.

Vice Mayor Veach asked what distance had to be maintained for safety. Mr. Klepeisz stated he did not know the exact distance but the plans for the rail spur were approved by CSX.

Councilor Clark thanked Mr. Klepeisz for the expansion they are doing in Winchester and Frederick County.

RESULT:	APPROVED TO FORWARD [UNANIMOUS]	Next: 11/10/2015 6:00 PM
MOVER:	Milt McInturff, Council Member	
SECONDER:	Evan H. Clark, Council Member	
AYES:	Clark, Hill, McInturff, McKannan, Minor, Sullivan, Veach, Wiley, Willingham	

3.3. Motion to remove from the table for discussion: Appeal of BAR Decision Regarding Window Replacement for Sam Simpson at 210 S. Washington St. BAR-15-336

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Wiley, Council Vice President
SECONDER:	Elizabeth Minor, Mayor
AYES:	Clark, Hill, McInturff, McKannan, Minor, Sullivan, Veach, Wiley, Willingham

3.4. Appeal of BAR Decision Regarding Window Replacement for Sam Simpson at 210 S. Washington St. BAR-15-336

Planning Director Tim Youmans stated he has received an application from the current owners of the property and they agree with the original appeal from Mr. Simpson to replace the windows on the front of the house with wood windows but keep the side windows vinyl. Council has the option of upholding the decision of the BAR, modifying the decision, or doing a partial reversal of the decision.

Councilor Clark stated unless he misunderstood this, Mr. Simpson lied to Council. Mr. Simpson knew what he was doing, he knew he was negotiating to sell the house and he just lied. Councilor Clark suggested upholding the BAR decision.

Vice President Wiley stated the City currently has standards the BAR follows with the federal guidelines. The City is trying to work with the BAR to find alternative types of construction materials. In this situation, there is an applicant that violated the guidelines on the materials and had to go back and change it all. For Council to change the BAR's decision, it sets a precedent for the rest of the people who have gone back and fixed their problems to follow the rules. Until a way to work with BAR on other types of materials can be found, Council has to stay this course.

Vice Mayor Veach stated the BAR is in place to uphold the standards and keep the historical integrity of the district. At the same time, the City has to be sensitive to the costs. He looks forward to some alternatives down the road but in this case, the BAR was very lenient to allow the front windows which are very visible to be replaced within one year and the side windows in two years. He suggested upholding the BAR's decision.

Councilor Hill stated he would choose the option of upholding the decision of the BAR.

Mayor Minor stated she thought Council should uphold the decision of the BAR.

Councilor Sullivan suggested only doing the windows in the front. He stated no two situations are the same and Council has modified other situations in the past. The visibility of the side windows could be argued all day and is a matter of opinion. He would support modifying the decision to replace the front windows but leaving the side windows the same.

President Willingham stated he concurs with Vice President Wiley regarding the continued interest in substitute materials but the City is not there yet. He agrees the standards need to be followed and doesn't want to set a precedent going forward. However, a modification makes more sense to him in this case. He asked Mr. Williams if a formal motion was needed.

Anthony Williams, City Attorney stated in accordance to how these have been handled in the past, he will prepare a resolution indicating the decision of the majority to adopt at the next meeting.

Councilor Hill moved to uphold the decision of the BAR. The motion was seconded by Councilor McKannan.

RESULT:	APPROVED TO FORWARD [7 TO 2]	Next: 11/10/2015 6:00 PM
MOVER:	John W. Hill, Council Member	
SECONDER:	Kevin McKannan, Council Member	
AYES:	Clark, Hill, McInturff, McKannan, Minor, Veach, Wiley	
NAYS:	Sullivan, Willingham	

3.5. FY 2015 Financial Summary and FY 2016 Budget & Debt Update

Mary Blowe, Chief Financial Officer and Director of Support Services, reported FY15 ended very solidly with revenues over budget and expenses under budget. She stated the increase in meals tax bumped up 41% in Old Town and about 27% city-wide. Sales tax receipts had a 5% increase and are looking about the same for this year. The Utility Funds saw a revenue increase as well. She stated moving into the first quarter, General Fund revenues are lagging a bit behind but the expenses are still in check. Sales tax remains strong and is expected to have a 5% increase again this year. Meals tax continues to be up as well.

President Willingham asked if there was a way to know what the impact is from some of these big projects such as Rubbermaid and Trex. Ms. Freeman stated the numbers can only be given in general terms. Staff is unable to get specific numbers from the Commissioner of the Revenue as they are protected. Ms. Blowe suggested looking at the Machinery and Tools number or the Real Estate numbers instead to see the impact.

President Willingham stated it would be nice to be able to say what these projects mean in regards to tax revenue. He asked if there was a way to delineate what

was from real growth in meals tax from the sales compared to the change in rate. Ms. Blowe stated she could take it back to the original number to get the difference. President Willingham stated it would be helpful to know what the actual growth was. One of the things Council talked about is finding out what the actual year-to-year growth was from the investments that have been made in Old Town.

Councilor Sullivan stated that he spoke with someone downtown who does not own a restaurant and his business is up 30%.

Vice Mayor Veach stated the sales tax went from 5% to 6% which is a 20% increase and it looks like the overall meals went up 27%. If 20% was contributed to the tax, it looks like meals increased 7% over that.

President Willingham asked if there were any concerns about the debt if a recession would occur and if staff was comfortable if revenues were reduced. Ms. Freeman stated it would be painful but staff is comfortable. One of the reasons for such a positive year end was the hiring freeze that was put in place which saved a significant amount of money.

President Willingham stated the 24% fund balance is probably as high as it has been in the last three years. Ms. Blowe agreed. She stated it was at 31% at the highest but it dipped down and is coming back up again.

Ms. Blowe stated one of the policies staff focuses on throughout the year is the debt as a percentage of the assessed value. The policy goal is below or at 3.5% but not to exceed 4%. If the percentage exceeds that, staff would need to come back to Council to review the policy. The percentage will be at its highest in 2019 from the current Capital Improvement Projects. The percentage of the assessed value is the scary one and less out of the City's control. She stated she is assuming a 1% growth in real estate each year which is a little conservative and will redo the graph as needed if it goes higher. The goal for debt services as a percentage of General Fund Expenditures is 12.5% with 15% as the policy. Currently, the amount is above the policy goal until 2019 but this can be controlled more through revenues or expenditures. Unless there is budget growth, this will be above the limit in 2017.

President Willingham asked if the debt service included any reimbursement from projects such as the JJC renovations. Ms. Blowe stated it does but does not include any future refunding she might do.

Vice Mayor Veach asked what the auditors say when it is above the policy goal and is the City's goal extremely tight compared to others. Ms. Blowe stated they are restrictive because of the high debt margin but it is the City's choice. Council could decide to loosen it up but that would not be her recommendation. The rating agencies show the City has been conservative and need to see consistency in the

future. The City would need to have a real reason that can be explainable to loosen up the policy.

Councilor Clark stated the trend from 2017 is upward and asked what happens after 2020. Ms. Blowe stated 2020 is when the City pays off a lot of the debt from Daniel Morgan and Handley. That is why the City strategically placed Frederick Douglass in 2019 knowing the debt service will decrease in 2020 and 2021.

3.6. Motion to nominate _____ as a Ward 3 member of the Winchester School Board.

Vice President Wiley moved to nominate Ralph Grim as a Ward 3 member of the Winchester School Board.

RESULT:	APPROVED TO FORWARD [UNANIMOUS]
MOVER:	Bill Wiley, Council Vice President
SECONDER:	Les Veach, Vice Mayor
AYES:	Clark, Hill, McInturff, McKannan, Minor, Sullivan, Veach, Wiley, Willingham

3.7. Ms. Freeman announced a current copy of the Board of Architectural Review Guidelines dating back to 1999 was distributed to each member of Council for their review.

4. Monthly Reports

5. Adjournment

The meeting was adjourned at 8:16 PM.

Kari J. Van Diest, CMC
Deputy Clerk of Council