



**WINCHESTER COMMON COUNCIL
IN REGULAR MEETING
NOVEMBER 10, 2015**

A Regular Meeting of the Winchester City Council was held on Tuesday, November 10, 2015 in the Council Chambers, Rouss City Hall. Council President John A. Willingham called the meeting to order at 6:00 PM.

CALL TO ORDER AND ROLL CALL

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

Absent: Councilor Kevin McKannan (1)

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

2. Motion to approve the minutes for the October 27, 2015, Regular Meeting and October 27, 2015, Work Session.

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

REPORT OF THE MAYOR

Mayor Minor expressed her gratitude to all of the veterans that have served and to all of those that are still serving today so everyone can enjoy the freedoms they have each and every day. On a personal note, she wanted to thank her brother who served in World War II in the Marines. She stated he is still going strong and has two speaking engagements tomorrow. He is definitely her hero as are all veterans.

REPORT OF THE CITY MANAGER

Eden Freeman stated November is National Adoption Awareness Month and on Thursday, November 12, 2015, the Winchester Department of Social Services will be hosting an adoption awareness event for anyone interested in learning more about adopting a child locally or in the Commonwealth. The event will be held in the Eagle Boardroom on the Our Health campus on North Cameron Street from 5:00 p.m. to 7:00 p.m. Everyone is invited to attend. The FY16 repaving program has been moving along very well. Crews completed Christopher Drive and Woodstock Lane to Grove Road and will be continuing repaving on Allen Drive tomorrow weather permitting. The railroad crossing replacement on Valley Avenue was completed with no issues. The City is very grateful to the Winchester & Western Railroad for doing the work in a very busy area and wants to thank the public for their patience during that project. The Planning and Zoning Departments held a public information meeting on November 4, 2015, regarding the proposed Corridor Enhancement District rezoning case for Millwood Avenue. Approximately a dozen property owners attended including a mixed residential and commercial property owner. No outright opposition was expressed but the City is continuing to solicit input from the community and it will be brought up at the Planning Commission meeting on November 17, 2015, for those interested in sharing their thoughts. To add to what Mayor Minor reported, City offices will be closed tomorrow in observance of Veterans' Day. WinTran and the Joint Judicial Center will also be closed and yard waste has been cancelled for tomorrow. The parks and visitors centers will operate on a normal schedule. On a personal note, she thanked all current and former veterans and stated she greatly appreciates the freedoms they fought so hard for all to enjoy.

REPORT OF THE CITY ATTORNEY

Anthony Williams stated he did not have a report.

1. PUBLIC HEARINGS

- 1.1.O-2015-26:** Second 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). **(REQUIRES ROLL CALL VOTE)**

President Willingham asked if there was anyone wishing to address Council on this issue. Seeing none, he closed the public hearing at 6:05 p.m.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Milt McInturff, Council Member
SECONDER:	Evan H. Clark, Council Member
AYES:	Clark, Hill, McInturff, Minor, Sullivan, Veach, Wiley, Willingham
ABSENT:	McKannan

2. PUBLIC COMMENTS

President Willingham asked if there was anyone wishing to address Council. Seeing none, he closed the public comments at 6:05 p.m.

3. CONSENT AGENDA

Councilor Clark expressed his gratitude to Trex Company, Inc for expanding their facility in the Winchester area.

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

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

4. AGENDA

4.1. Motion to accept the In-House Viewers Report for O-2015-25: AN ORDINANCE TO VACATE A PORTION OF WEST COMMERCIAL STREET RIGHT OF WAY AND CONVEY IT TOTHE OWNERS OF 143 WEST COMMERCIAL STREET AND 206 WEST WYCK STREET SV-15-448

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

4.2.O-2015-25: Second Reading - An Ordinance to Vacate a Portion of West Commercial Street Right of Way and Convey it to the Owner(S) of 143 West Commercial Street and 206 West Wyck Street Sv-15-448

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Milt McInturff, Council Member
SECONDER:	Elizabeth Minor, Mayor
AYES:	Clark, Hill, McInturff, Minor, Sullivan, Veach, Wiley, Willingham
ABSENT:	McKannan

4.3.R-2015-38: Resolution Regarding Board of Architectural Review Appeal Bar 15-336 210 S. Washington Street

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Bill Wiley, Council Vice President
SECONDER:	Evan H. Clark, Council Member
AYES:	Clark, Hill, McInturff, Minor, Sullivan, Veach, Wiley, Willingham
ABSENT:	McKannan

4.4. Motion to nominate Ralph Grim as a Ward 3 member of the Winchester School Board to an unexpired four year term commencing December 8, 2015, and ending June 30, 2017.

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

5. EXECUTIVE SESSION

- (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 Specifically including but not limited to current Winchester Circuit Court cases Jennifer Joyce Courtenay v. City of Winchester, and Henschel et. al. v. City of Winchester, AND
- (2) PURSUANT TO §2.2-3711(A)(1) OF THE CODE OF VIRGINIA FOR THE PURPOSE OF DISCUSSION AND CONSIDERATION OF INFORMATION REGARDING THE SUBJECT OF THE EMPLOYMENT, ASSIGNMENT, APPOINTMENT, AND PERFORMANCE OF SPECIFIC PUBLIC OFFICERS APPOINTEES, AND EMPLOYEES OF THE CITY OF WINCHESTER INCLUDING THE APPOINTMENT OF OR PROSPECTIVE APPOINTMENT OF MEMBERS TO CERTAIN BOARDS AND COMMISSIONS, Specifically including but not limited to a disciplinary matter involving a City employee based on performance concerns and employment of a public officer, AND

- (3) PURSUANT TO 2.2-3711(A)(29) OF THE CODE OF VIRGINIA FOR THE PURPOSE OF DISCUSSION OF THE AWARD OF A PUBLIC CONTRACT INVOLVING THE EXPENDITURE OF PUBLIC FUNDS, INCLUDING INTERVIEWS OF BIDDERS OR OFFERORS, AND DISCUSSION OF THE TERMS OR SCOPE OF SUCH CONTRACT, WHERE DISCUSSION IN AN OPEN SESSION WOULD ADVERSELY AFFECT THE BARGAINING POSITION OR NEGOTIATING STRATEGY OF THE PUBLIC BODY. Specifically including but not limited to RFP #201423

5.1. Motion to convene into Executive Session

Councilor McInturff moved to convene into Executive Session at 6:10 p.m.

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

5.2. Motion to recovene in open session

Upon returning at 7:05 p.m., 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:

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

6. ADJOURNMENT

6.1. Motion to adjourn

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

The meeting was adjourned at 7:05 PM.

Kari J. Van Diest, CMC
Deputy Clerk of Council