



**WINCHESTER COMMON COUNCIL  
IN REGULAR SESSION  
FEBRUARY 24, 2015**

A regular session of the Winchester Common Council was held on Tuesday, February 24, 2015, in the Council Chambers, Rouss City Hall. Vice-President McInturff called the meeting to order at 6:08 p.m.

**PRESENT:** Councilor Evan Clark, John Hill and Corey Sullivan; Vice-President Milt McInturff; City Councilor Kevin McKannan and William Wiley; Mayor Elizabeth Minor; and Vice-Mayor Les Veach; (8)

**ABSENT:** President John Willingham (1)

**MOMENT OF SILENCE** – Vice-President McInturff 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** – February 10, 2015 Regular Meeting and February 10, 2015 Work Session

Councilor Sullivan moved to approve the minutes as presented. *The motion was seconded by Councilor Clark then unanimously approved 7/0/1 with Vice-Mayor Veach abstaining.*

**REPORT OF THE MAYOR**

Mayor Minor stated she would like to take this moment to thank the City Manager for staying on top of things the first winter she has been here and during probably the coldest week all year especially with the problems with the furnace. She handled it like a trooper and kept things going. Mayor Minor stated she would also like to thank Corey MacKnight and his maintenance crew as they have been wonderful and kept things warm. Mayor Minor thanked all of the employees who held their heads up high and kept as warm as they could to keep City Hall and City Government going.

**REPORT OF THE CITY MANAGER**

City Manager Eden Freeman stated she wanted to thank Corey MacKnight and the Facilities Maintenance Team for the work they did during the past nine days to get City Hall back in operation. As all of Council knows but many of the folks at home may not know, the boiler at City Hall had a section that blew last Monday leaving City Hall without heat since then. She stated she was pleased to report the new boiler has arrived and is being commissioned. City Hall should be back to regular heat and operations by tomorrow afternoon. It has also been exceptionally cold the last several days but in particular she also wanted to recognize the hard work of the city's Refuse and Recycling Crews. The crews have gone out every day to provide that really valuable service to residents. She stated it goes without saying that the work of the city's snow removal crews has been exemplary. As this was her first winter in Winchester, it was a breath of

fresh air to have nine inches of snow on Saturday and then being able to be out and about by Sunday. The Utilities' crews have also been very, very busy with water main breaks. They have gone above and beyond the call of duty responding to assistance requests from the residents and businesses. Ms. Freeman announced the Winchester Fire & Rescue Department received a \$10,000 donation last week from Westminster Canterbury that started from a challenge by one of their residents. The resident read an article in the Winchester Star regarding the need for uniforms for the Honor Guard and donated \$5,000. The resident then challenged Westminster Canterbury to match that donation, which they did. The \$10,000 donation will purchase all of the required uniforms needed so the Honor Guard can be properly outfitted. Finally, she reminded residents and businesses to please make sure to clear the sidewalks in front of their homes and businesses. City Code allows 48 hours for removal of snow amounts over six inches. The city could begin enforcing that so she asked for everyone's cooperation to get out and clear the snow especially for those children that are walking to school and for all of the pedestrians out and about in the City.

## **REPORT OF THE CITY ATTORNEY**

City Attorney Anthony Williams stated he had nothing to report.

## **PUBLIC HEARINGS**

- 1.1 O-2015-02:** Second Reading – AN ORDINANCE TO REZONE 5.1674 ACRES OF LAND AT 380 MILLWOOD AVENUE (*Map Number 233-01- -3*) FROM MEDIUM DENSITY RESIDENTIAL DISTRICT (MR) ZONING TO MEDIUM DENSITY RESIDENTIAL DISTRICT (MR) ZONING WITH PLANNED UNIT DEVELOPMENT (PUD) OVERLAY RZ-14-628

*Vice-President McInturff asked if there was anyone wishing to address Council on this issue. Seeing none, he closed the public hearing at 6:18 p.m.*

*Vice-Mayor Veach moved to approve O-2015-02. The motion was seconded by Mayor Minor then adopted by the affirmative roll-call vote of a majority of all members of the Common Council, 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	Aye
Councilor McKannan	Aye
Mayor Minor	Aye
Councilor Sullivan	Aye
Vice-Mayor Veach	Aye
Councilor Wiley	Aye
President Willingham	Absent

- 1.2 O-2014-29:** Second Reading – AN ORDINANCE TO AMEND SECTION 16-5 OF THE WINCHESTER CITY CODE PERTAINING TO CURFEW VIOLATIONS

*Vice-President McInturff asked if there was anyone wishing to address Council on this issue. Seeing none, he closed the public hearing at 6:18 p.m.*

Councilor Clark thanked Chief Sanzenbacher and the members of Council for discussing this issue and bringing this to the floor. He stated he thinks it offers a wonderful tool for the parents, for the police and for the community leaders to help the children in the community to be safe so he will be supporting this ordinance.

Vice-Mayor Veach stated Council has had several options to raise the ordinance limit to the age it is looking at right now. He said when he spoke to four classes at Handley to get their feedback, he was very impressed in the students' maturity and their support in increasing the age up to 16. They had several good reasons including at age 16, one is able to drive and they thought it was limiting their freedom. So, if Council is changing it to age 17, he will not be able to support it, but he could at age 16.

Councilor Hill stated he certainly is in support of changing the ordinance from the present age of 15 to 17. The citizens and teenagers he has spoke with would like to see this changed. He will support this curfew ordinance change.

Vice-President McInturff said just to clarify the current ordinance does reach up to 15 and that is going to be changed to up to 17. He said he personally did a ride along with four different police officers and talked to those police officers and a few more after that. He said each one of the officers shared with him that the change of this ordinance is nothing more than a tool to use when they are out on the streets. It does not mean they are going to go out and start arresting 15 or 16 year olds. It's a tool for them to use so they can interact with any student or anybody within that certain age to find out what they're doing, where they're going and where they've been to gather additional information for the five police officers that serve our City to do their job.

Councilor Wiley moved to approve O-2014-29. *The motion was seconded by Councilor Clark then adopted by the affirmative roll-call vote of a majority of all members of the Common Council, 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	Aye
Councilor McKannan	Aye
Mayor Minor	Aye
Councilor Sullivan	Nay
Vice-Mayor Veach	Nay
Councilor Wiley	Aye
President Willingham	Absent

- 1.3 CU-14-761:** Conditional Use Permit – Request of Lawton Saunders on behalf of North Loudoun Renovations, LLC for ground floor apartments at 317 South Cameron Street (*Map Number 193-1--K-14*) zoned Central Business District (B-1) with Historic Winchester District Overlay (HW)

*Vice-President McInturff asked if there was anyone wishing to address Council on this issue. Seeing none, he closed the public hearing at 6:23 p.m.*

Vice-Mayor Veach moved to approve CU-14-761. *The motion was seconded by Mayor Minor then unanimously approved 8/0.*

- 1.4 CU-14-757:** Conditional Use Permit – Request of Painter-Lewis, PLC on behalf of Long Term Care Properties, LLC for Nursing and Rehabilitation Facility and Corridor Enhancement Certificate of Appropriateness for the square footage and roof pitch of the proposed building at 940 Cedar Creek Grade (*Map Number 249-1-2*) zoned Highway Commercial (B-2) District with Corridor Enhancement (CE) District overlay

*Vice-President McInturff asked if there was anyone wishing to address Council on this issue. Seeing none, he closed the public hearing at 6:24 p.m.*

Councilor Wiley moved to approve CU-14-757. *The motion was seconded by Mayor Minor then unanimously approved 8/0.*

## **2.0 PUBLIC COMMENTS**

*Vice-President McInturff asked if there was anyone wishing to address Council. Seeing none, he closed the public hearing at 6:25 p.m.*

## **3.0 CONSENT AGENDA**

- 3.1 R-2015-06:** Resolution – Authorization to accept grant funding in the amount of up to \$117,414 and to sign all documents necessary to execute acceptance of this grant

Councilor Sullivan stated there are a couple of items on this resolution, that while he does support it, the city is going to have to think long term of how to fund it when the grant money runs out. This is something for Council to consider because this is going to be coming back around in some form or another in the future.

Vice-President McInturff stated he believes that question was asked of Chief Sanzenbacher when he gave his original presentation and it was said it did not involve any future funding.

City Manager Eden Freeman stated this is a one-time request.

Vice-President McInturff stated, unlike the Cops Program five or six years ago that Council did end up supporting, he doesn't believe this creates any positions that are going to have to be considered in the future budget.

City Manager Eden Freeman stated to address Councilor Sullivan's concern, she believes the issue he is referring to is the contract counseling service that is included in there. She stated that service is a one-time expenditure to gauge how the program works and at this point there would be no anticipation of bringing a request back to Council to fund that on an ongoing basis.

Vice-President McInturff stated he assumes that if the Chief finds out it is something that is extremely beneficial, he will either come back to us for consideration to put into budget or that he will include it in his budget impeding.

City Manager Eden Freeman stated that is correct. The Chief could also seek additional grant funding to cover the cost in the future.

Vice-Mayor Veach stated the \$30,000 in here is more of an operating expense to rent the recreation facilities for one year and pay overtime for officers counseling. He asked why it wouldn't be expected to fund the program next year and in future years if it works. He stated he is sure the Chief has researched this and expects it to be a success. He fully expects them to be funding the operating expense in future years and Council needs to be aware that the city will probably be doing that.

Vice-President McInturff stated this is not like the grant the city received for the Cops program where there were actual individuals hired for three years to put feet on the streets. That was a situation where the city wanted to continue because of the three years investment in those individuals. He stated he agrees with Vice-Mayor Veach 100% and that there is going to be some kind of expense involved in the future, but he believes what Ms. Freeman said about additional grants or it will be something that one of the two budgets would have to consider.

City Manager Eden Freeman stated they would certainly seek out every available funding source.

Councilor Clark stated just to remind his peers, the money being talked about is a grant first of all, so he does understand that the potential for ongoing requests in the future is there. However, the money is going to the Timbrook House and to work with the youth in the community that are having problems already and ties in nicely with the curfew ordinance. By getting folks on the right track at a young age, a lot of time, energy, money and heartache will be saved down the road with the correction system. He stated he believes this is money well spent and will be supporting this.

Councilor Sullivan stated, just so it is on record, the way the numbers are working out, \$50,000 is going towards tasers.

City Manager Eden Freeman stated she can explain the \$50,000 request for tasers was actually going to be considered by the police department in their FY16 budget request because the current equipment they have is at the end of

its life span. This was an opportunity to get outside funding to cover the equipment costs.

Councilor Wiley moved to approve the Consent Agenda as presented. *The motion was seconded by Vice-Mayor Veach then unanimously approved 8/0.*

#### **4.0 AGENDA**

##### **4.1 O-2015-04: First Reading – AN ORDINANCE TO AMEND ARTICLE IX OF THE WINCHESTER CITY CODE PERTAINING TO ASSEMBLIES, DEMONSTRATIONS, AND PARADES**

Vice-Mayor Veach moved to table O-2015-04. *The motion was seconded by Councilor Hill then unanimously approved 8/0.*

#### **5.0 ADJOURNMENT**

Mayor Minor moved to adjourn the meeting at 6:33 p.m. *The motion was seconded by Councilor Wiley then unanimously approved 8/0.*

---

Kelly Feltner  
Administrative Assistant