

**MINUTES OF THE COMMON COUNCIL
IN REGULAR SESSION
January 12, 2010**

A regular session of the Winchester Common Council was held on Tuesday, January 12, 2010 in the Council Chambers, Rouss City Hall. President Jeffrey Buettner called the meeting to order at 7:01 p.m.

PRESENT: President Jeff Buettner; Vice-Mayor Michael Butler; Councilor Evan Clark, John Hill, Milt McInturff and Les Veach; Vice-President Art Major; Mayor Elizabeth Minor (8)

ABSENT: Councilor John Willingham (1)

MOMENT OF SILENCE

President Buettner asked the citizens and councilors to stand for a Moment of Silence.

PLEDGE OF ALLEGIANCE

Mayor Minor led the citizens and councilors in the Pledge of Allegiance.

APPROVAL OF MINUTES – September 15, 2009 Finance & Administration Meeting, November 24, 2009 Work Session, and December 8, 2009 Regular Meeting.

Vice-President Major moved to approve the minutes as presented. *The motion was seconded by Councilor Veach then unanimously approved by voice-vote.*

REPORT OF THE MAYOR

R-2010-01: Resolution – Richard Nelson Bush

Mayor Minor presented the resolution to Lt. Richard Bush.

Vice-President Major moved to approve Resolution 2010-01. *The motion was seconded by Councilor Clark then unanimously approved by voice-vote.*

Presentation of Police Department Accreditation

Mayor Minor introduced Gary Dillion, Executive Director of the Virginia Law Enforcement Professional Standards Commission, who presented the City with the Certificate of Accreditation for the Winchester Police Department.

Presentation of Victim and Witness Assistance Program of the Year Award

Mary Vail Ware of the Virginia Criminal Injuries Compensation Fund presented the Victim Witness Program of the Year award to Commonwealth Attorney Alex Iden and the staff of the Winchester Victim/Witness Program.

Mayor Minor presented her Annual Report for 2009. (Attached to the minutes)

REPORT OF THE CITY MANAGER

City Manager Jim O’Connor stated staff is recommending Council defer action on the Cal Ripkin World Series to pursue additional funding.

REPORT OF THE CITY ATTORNEY

City Attorney Anthony Williams stated he did not have a report.

EXECUTIVE SESSION - MOTION TO CONVENE IN EXECUTIVE SESSION PURSUANT TO 2.2-3711(A)(7) OF THE CODE OF VIRGINIA FOR CONSULTATION WITH LEGAL COUNSEL REGARDING A MATTER OF POTENTIAL/PENDING LITIGATION TO DISCUSS LEGAL STRATEGY AND OPTIONS FOR RESOLUTION AND HANDLING.

Vice-President Major moved to convene into Executive Session. *The motion was seconded by Mayor Minor then unanimously approved by voice-vote.*

Vice-President Major moved to reconvene in open session at 8:40 p.m. *The motion was seconded by Mayor Minor then unanimously approved by voice-vote.*

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:

MEMBER	VOTE
Vice-Mayor Butler	Aye
Councilor Clark	Aye
Councilor Hill	Aye
Vice-President Major	Aye
Councilor McInturff	Aye
Mayor Minor	Aye
Councilor Veach	Aye
Councilor Willingham	Absent
President Buettner	Aye

Vice-President Major moved to direct the City Attorney to draft the stipulation in contract form and authorize the City Manager to execute same with regard to the Allegheny Power Case. *The motion was seconded by Councilor Veach then unanimously approved by voice-vote.*

PUBLIC HEARINGS

O-2009-37: Second Reading - AN ORDINANCE TO AMEND AND RE-ENACT SECTION 16.32 OF THE WINCHESTER CITY CODE REGARDING CONSUMPTION OF ALCOHOLIC BEVERAGES AND POSSESSION OF OPEN

CONTAINERS OF ALCOHOLIC BEVERAGES IN PUBLIC PLACES BY ADDING SECTION (c) - Permitting the use of alcohol (with restrictions) within the Active Living Center in Jim Barnett Park for a 6 month trial period.

Sue Pinner of 124 East Clifford Street stated approving alcohol use in the park is a slippery slope. She hopes it will not be allowed. It is a bad example to the young people for the City to endorse it in the Park. She thanked Councilors Hill and McInturff for discussing their positions with her. If alcohol use is approved, she hopes Council will have the stipulations made for this in writing.

Bob Pinner of 124 East Clifford Street stated when you open this door for a closed building which the War Memorial Building is you open the door to different pavilions using the same excuse. He does not think you are going to lose that much business from restricting whoever is using the place from having alcohol there. He hopes Council would not consider opening that door to allow alcohol in the Winchester City Park. Right now, it is a clean, nice park to go to and that could change over the years.

No more citizens came forward to address Council concerning this issue and the President declared the public hearing closed at 8:44 p.m.

The motion was defeated by roll-call 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>
Vice-Mayor Butler	Nay
Councilor Clark	Aye
Councilor Hill	Nay
Vice-President Major	Nay
Councilor McInturff	Nay
Mayor Minor	Nay
Councilor Veach	Nay
Councilor Willingham	Absent
President Buettner	Nay

O-2009-38: Second Reading – AN ORDINANCE TO APPROVE THE APPLICATION OF THE ISLAMIC SOCIETY OF WINCHESTER FOR TAX EXEMPT STATUS BY RELIGIOUS ORGANIZATION PURSUANT TO 27-33 OF THE WINCHESTER CITY CODE - Approving Tax Exempt Status for property at 601 Woodstock Lane. The property was assessed at \$224,800 and would create a loss of revenue of \$1,730.96 per year at the current tax rate.

No citizens came forward to address Council concerning this issue and the President declared the public hearing closed at 8:54 p.m.

The motion was 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:

<u>MEMBER</u>	<u>VOTE</u>
Vice-Mayor Butler	Aye

Councilor Clark	Aye
Councilor Hill	Aye
Vice-President Major	Aye
Councilor McInturff	Aye
Mayor Minor	Aye
Councilor Veach	Aye
Councilor Willingham	Absent
President Buettner	Aye

O-2009-39: Second Reading - AN ORDINANCE TO AMEND ARTICLES 1 AND 5.1 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO STANDARDS FOR VARIOUS TYPES OF DWELLINGS IN THE LIMITED HIGH DENSITY RESIDENTIAL (HR-1) DISTRICT TA-09-323

No citizens came forward to address Council concerning this issue and the President declared the public hearing closed at 8:55 p.m.

The motion was 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:

<u>MEMBER</u>	<u>VOTE</u>
Vice-Mayor Butler	Aye
Councilor Clark	Aye
Councilor Hill	Aye
Vice-President Major	Aye
Councilor McInturff	Aye
Mayor Minor	Aye
Councilor Veach	Aye
Councilor Willingham	Absent
President Buettner	Aye

O-2009-40: Second Reading – AN ORDINANCE TO AMEND AND RE-ADOPT CHAPTER 26 OF THE WINCHESTER CITY CODE PERTAINING TO SIDEWALK CAFES – Increase fees for sidewalk cafes.

No citizens came forward to address Council concerning this issue and the President declared the public hearing closed at 5:56 p.m.

The motion was 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:

<u>MEMBER</u>	<u>VOTE</u>
Vice-Mayor Butler	Aye
Councilor Clark	Aye
Councilor Hill	Aye
Vice-President Major	Nay
Councilor McInturff	Nay
Mayor Minor	Aye

Councilor Veach	Aye
Councilor Willingham	Absent
President Buettner	Aye

CU-09-267: Conditional Use Permit – Nightclub request for Mi Salvador Restaurant at 930 Berryville Avenue. **POSTPONED**

President Buettner announced CU-09-267 and CU-09-360 have been postponed.

CU-09-360: Conditional Use Permit – Operation of extended stay lodging facility at 1347 Berryville Avenue. **POSTPONED**

CU-04-06: Conditional Use Permit – Five year review of CUP issued to New Life Center, Inc. for an addition to a recovery center at 315 East Cork Street.

David Hensley of 16 South Kent Street stated he is legal counsel for Edgehill. In reference to the Zoning Administrator's report, item one would limit residential occupancy to no more than 25 persons which they do not have a problem with. Currently, there are 24 persons in the house, all Virginia residents and 10 from the immediate area. Item two requires at least one onsite Department of Criminal Justice certified security officer. Edgehill is sending two persons on January 18th and 19th for certified Criminal Justice training for OIE - unarmed security guard, 24 hours on staff. For items 3 and 4, he attached to the packet distributed to Council the walking policy and maps to meetings that were distributed to all residents. Those are the portions of the report they agree with. He stated they disagree with the portion in the report that states Edgehill does not contribute to the overall economic stability of the city. The folks that come to Edgehill are not transitioning from the jail to the street. These folks do have money and put money back into the city. Their families put money back into the city with lodging, restaurants, and shopping specifically in the downtown area which he submits needs it. They want a place like Edgehill in Winchester to treat the folks who are on the ground and who don't have anything left. Edgehill has provided that service for 20 years. The conditional use permit should be reapproved. Edgehill has a bus to transport clients but it is hard to tell folks on a nice sunny day they can't walk back and forth to their meetings and across town. Edgehill donates to the community. They have a golf tournament, use local merchants, support local restaurants, pay \$2300 a week for food and use local contractors as a few examples. With that, he asked that Council reapprove the conditional use permit for Edgehill.

Sean Patrick Doland of 517 South Loudoun Street stated he is an alcoholic and addict. He volunteers in the office at Edgehill almost every day while he goes to school full time at Lord Fairfax Community College at night. He sees first hand every day how peoples' lives are turned around if given the chance. When others shut the door on addicts and alcoholics, Edgehill gives people a chance to become human again when they thought they were anything but. He understands the City of Winchester loses \$9,700 every year in property taxes due to the non-profit nature of Edgehill. He sees that as a negligible fact when one puts the larger picture in focus. However, he can only share his experience of when he was in active addiction. He was a vagrant, degenerate criminal. He cost everyone money in one form or another from his town to his family. Because of the chance recovery has given him and so many others in this town, he is a law abiding

citizen today who works, shops and lives in this community. When Edgehill is able to work under its full capacity, they are able to have a constant stream of focused addicts like he used to be coming into Winchester for change. This may seem like a bad thing at first and it can be but please bear with him. People seeking refuge from all over Virginia and other states are looking for hope and finding it in this small town. They take up new lives and become employable, doing work others would not because of their new found humility. They have respect for authority now and don't find themselves arrested as they did where they came from. They take up residence and reinvigorate an otherwise stagnant housing market. They eat at local restaurants, enjoy coffee at local cafes, and shop in the town's stores buying every day things like normal people. They pay taxes now. Personally, he goes to a local school, rents a townhouse in the historic downtown area, and frequents local stores, businesses and restaurants. He provides an influx of money that this town would not have if it were not for places like Edgehill. He may not seem like a lot but there are many like him. They have respect and a sense of duty to come and speak on behalf of a place that gave them hope and courage that they too can have a normal life when they had no life to speak of. This place is Edgehill. There is a down side and a good side and he is hear to say the good out weighs the bad in more ways than he can express.

Steve Mathis of 919 Croton in Alexandria, Virginia, called everyone's attention to his tie. When he left for work this morning, he was not wearing this tie. He realized the importance of this meeting and went back into his house to change ties. This tie was a Christmas present from his daughter who went through Edgehill. She is now celebrating an extended period of being clean and sober. Christmas memories for his family were not like that until several years ago, until Edgehill came into their lives. This tie is indicative of the impact of Edgehill. He asked if anyone in the room has ever saved a life. He just finished a 34 year career in the Federal Government with most of that time with the Bureau of Alcohol, Tobacco, Firearms and Explosives. He has never saved a life. The people of Edgehill have saved lives. They saved his daughter's life. When you look back on contributions someone has made to Winchester or to society, he does not think you can say something has been more beneficial than saving someone's life. His career highlight occurred on his last day. A woman around the age of 50 whom he had not seen in 20 years came to him and asked if she could give him a hug. She said no one would promote her until he took the time to get to know her. At that point, she indicated to him the progress that had been made in her career and in her life. Taking a second chance on someone was his career highlight despite everything else. He loves this community and considers it a second home. He comes up here frequently and plays golf at Blue Ridge Shadows and Shenandoah. He frequents all the restaurants in town. He loves this area. This area has special meaning for his family and he would consider relocating here when he fully retires. He thinks the decision tonight is not an economic decision. It is a decision about lives. Lives can be changed. People can become effective, fully functioning members of society and, most importantly, save other lives after that. He can attest to that personally.

Lois Auburn of 4152 Dumfries Road in Catlett, Virginia, stated her son called this weekend to inform her of the meeting tonight. He asked her to write a letter informing Council how Edgehill has touched her life. She said she would not do that because a letter was not enough. She would be at the meeting. Edgehill saved her son's life just like Steve spoke about when it saved his daughter's. Her son was using and couldn't stop. Edgehill is the one that gave him the support and gave her the guidance and support

she needed to be able to help him get clean. He has been clean for a while now. He works and is a good citizen of this community. She comes to visit him often. You talk about spending money here. Every time she visits, they go out to eat and go do something. They spend money here. He goes and spends money. She went to a meeting last week for one of the people associated with Edgehill. It was his three years clean anniversary. She has attended a normal meeting there with attendance of 25-30 people. There were 150 people at this meeting. This man had touched every one of their lives. They were all there to let him know how much they loved him and they supported him. Each one of those people goes out and touches someone else's life and makes it better. Steve is so right. This is not about economy. It is about saving lives and touching lives. Her son spoke in front of her younger son's middle school class a few years ago. The next day, the teacher informed her that she had never seen her class pay such attention to someone. Her son was closer to their age than their parents or teachers. If his talk even touched one child to stay clean and not be on drugs, it was well worth the time. That one child could have been yours. Anyone who has had someone they love been in the grip of drugs or alcohol knows what she is talking about. They know what it means to have that loved one pulled back from the brink. You can't put into words how much it means to you when there is a place that they feel like they can go to. There are people there they can talk to 24/7. It is not like her who has never had a problem. She does not fully understand but these people do. They can give him or anybody who comes up there and wants it the help they need because they understand what they need. She was talking to one of the young men from Edgehill before the meeting today who told her that he came to Winchester a dirtbag but he is now a law abiding, tax paying citizen. Before Edgehill, he wasn't. Before making any decisions, she would recommend Council go to Edgehill to see what it is about and talk to the people there. You will see how much they change people's lives. We have all heard there are angels walking among us and there is a woman there who is one of them. That woman has helped her to help her son so much. As a mother who can sleep at night now, who doesn't worry every time she gets a phone call someone will tell her that her son had died, she begged Council not to do anything harmful or to close down Edgehill. This community and the people in this community need them.

Randy Dun Bar of 224 Somerset Drive in Stephens City, Virginia, stated he is here by the grace of God and the fellowship at Edgehill. Fourteen years ago, he came here from Northern Virginia and was at the end of his road. He was forty years old and did not know if anyone would give him a chance. Edgehill opened a door for him and gave him a bed for thirty days. They gave him some values and hope. From that, he has stayed in the community and has worked his way back up to the status he is at today. He has paid back his taxes and has a driver's license now. One day at a time, he attends meetings and volunteers at Edgehill. Everyone in his family knows what he has been through and understands what he is. He understands what he is and that is the important thing. There are a lot of ways addicts end up dead. Very few go through this program and become productive members of society. He loves Edgehill. It is the white house on the hill that produces miracles.

Gerald Fay of 728 Woodstock Lane stated he came to Winchester ten years ago homeless. He will be celebrating his 10 year anniversary of being clean and sober on January 20th. Edgehill saved his life. He came from a good family and has a college degree but he was homeless by the time he arrived in Winchester. His marriage had gone south because of this disease and he had lost the respect of his family and his child.

When Edgehill was there for him, he hardly wanted to give it a chance. He was not sure he was ready to stop his addiction in its tracks. He really didn't want to do what they asked him to do. He fought it at first but after two years of clean and sober living he received a birthday card from his son. In the card, his son welcomed him back as his father and said it was an honor to be his son. It is all because Edgehill was there and gave him a chance to turn his life around. He has lived in Winchester ever since he arrived 10 years ago. He is a proud member of the staff at Edgehill. He runs the Educational Department where they discuss the nature of the disease of addiction and issues faced by addicts and alcoholics. They try to send people out into the community with a message that we have a place in Winchester to make your lives better for you and us as well. We contribute to this community and are happy to do that.

Bonnie Echels of 400 Custer Court in Berryville, Virginia, stated she grew up in Winchester and attended Handley High School. By the grace of God and Edgehill, her grandson has been given another chance and is doing well. In America, it is considered a moral imperative to educate our children, provide nursing care for our senior citizens, and provide treatment for alcoholics and addicts. Five years ago, a conditional use permit was granted to Edgehill by the City of Winchester as part of the expansion and addition to the non-profit treatment center. The CUP requires a renewal every five years. Few residents in the City of Winchester, Frederick County or the State of Virginia are without a personal family experience of a loved one requiring treatment for the disease of alcohol or drugs. She is sure it has touched everyone in this room either by a family member, a neighbor or a friend. Anyone privileged to receive a 28 day treatment at Edgehill and AA or NA supported by chapters within Winchester enjoy the best programs available within the tri-state area. She is proud to say she has personally known several successful and clean graduates from Edgehill. She urges Council's support to continue the fine work at Edgehill by approving the CUP. In her opinion, Edgehill is an asset to Winchester. It is our moral duty to support the treatment center with both legislative approval by City Council and public financial support. She urged Council to pass the conditional use permit and thanked them for the opportunity to speak.

Taylor Picone of 1524 North Hancock Street in Philadelphia, Pennsylvania, stated he was here on behalf of his brother and a number of his close friends that he has come to know at Edgehill. He serves in the Pennsylvania National Guard as a lieutenant. He had a young soldier who he will call Private Smith for privacy reasons. At 18 years old, this young soldier tested positive for marijuana just months prior to deploying to Iraq. In Pennsylvania and in the National Guard, it is grounds for immediate dismissal as a dishonorable discharge. As his platoon leader, he had to decide to show the soldier the door or request he be given a second chance. He knew the soldier pretty well and decided he deserved a second chance. A few months later, that soldier was awarded the bronze star for saving no less than 5 other soldiers when his convoy came under attack. Because he was given a second chance, that soldier saved the lives of 5 other young, American soldiers. He is sure that his brother would not be alive today if it were not for Edgehill and the people and friends he has made working through this. His brother found his fiancé. He has got his life back on track. He is a tax paying citizen who has lived in this city for 4 to 5 years now. He went through a countless number of institutions in Pennsylvania and Virginia before Edgehill worked for him. What Edgehill does for this community is unbelievable. You can talk about bike paths, walking trails, alcohol in the parks, and all the great resources and revenue it brings into your city but one of the most valuable things this city has is the second chances Edgehill gives citizens who come to

this community. That is where your real value is. It is not measured in dollars and cents generated in bars, parks, and walkways. It is measured in the lives saved by having this program in this community and you are very fortunate to have a terrific program. By doing anything to disrupt this program, you hurt yourselves and this community. You took an oath to serve the citizens of this great city and by doing anything to hurt the program, you don't serve them. He urged Council to consider that when they vote.

Alton Echels of 400 Custer Court in Berryville, Virginia, stated his stepdaughter was born and raised in Winchester. Her stepson is Taylor's brother. In his modesty, he did not tell you he will be leaving in a short time for Afghanistan. He and all of his brothers in the service are our true heroes. He has spent 35 years working on behalf of senior housing. Their last hurdle with the Town of Berryville is tonight. Although he is a member of the Methodist Housing and should be there, he came here because of how important he thinks Edgehill is in the lives of not just the people of Winchester or Clarke but for the people of Pennsylvania. He is the one that brought that young man here because he knew of Edgehill. He has hired 37 people to build houses in Purceville. There were 8 that had been at one time or another to Edgehill. All of those 8 people are still productive citizens. All of them work here in Winchester. Their wives work in Winchester. He cannot say enough about this center. It is unparalleled in Virginia and West Virginia. As well as he knows, it is the only one that is totally run by people that had an alcohol or drug problem. It saved his stepson's life. That is why it is so important for him to be here. The more you learn about it, the more you will realize that if there is anything more important than senior housing, it is alcohol and drug treatment. It has been a part of all our lives. He has had members of his family that did not come here but he wished they had so they might have been alive today.

Mathew Rhett Braithwaite of 107 Greenwood Avenue stated he is a Handley graduate Class of 78. There are no less than 5 of his Handley classmates that are dead as a result of the disease of addiction. He would submit that everyone here has had someone in your life touched by this horrible and insidious disease. He thanked Edgehill for giving him his life back. He was going down that same road. For many years of his life, he traveled up and down Cork Street wondering what these people were about as many of you have wondered the same. This place gave him his life back. He has a son who lives with him and he has full custody of. He calls himself "a Milbrook dad but a Handley Grad". He is grateful to be here. As Mr. Mathis spoke of, this place gives lives back and saves lives. They are a great asset in the community. They not only spend money in the community but he has known a lot of people who have come through Edgehill who own homes in the community and own businesses in the community. They are grateful, productive tax paying members in the community and he is thankful to be one. His great-grandfather's picture hangs on the wall of Council Chambers. He urged Council to please consider hardily and heartily before doing anything to endanger the existence of this facility.

Stan Stokes of 517 West Cork Street stated he is not a graduate of Edgehill but he runs a treatment center in this town and have a couple of other businesses. He has been on Edgehill's board. One of the hardest things in his life he does is when he gets a phone call and he cannot take them because they do not have the necessary funds for treatment. What do you think he does? Many times he refers them to Edgehill because they will and are able to take them because of the non-profit status and the funds they are able to generate. He has been a counselor in the Air Force, worked with some of the biggest companies for addiction treatment in the United States, and has worked in this field for

35 years. We need Edgehills in every town of the United States. In his association with the board and from watching people in this town over the years, you can bet you are getting your revenue back. He can promise you that. He would be more than happy to and have positions to hire people from there. One thing he knows about recovering alcohols and addicts is that once they are sober, they are very grateful. He loves having employees that really want to work because they are so grateful for the life they do have. He wanted to emphasize that he is a tax payer. He owns places. He contributes and he wants Edgehill to stay here. He wants them to continue to contribute to our community. He has lived here for 13-14 years and never thought he would like a po-dunk town but he loves Winchester. He loves the people and he loves that Edgehill is here. If we could in this country, we would have Edgehills all over. Please vote for the Conditional Use Permit be upheld.

Debbie Millette stated she is the director of Edgehill. She gets very emotional because Edgehill saved her life. She will celebrate 15 years of being clean and sober next month. She had lost everything. She was homeless and lost her child but she did not care at the time. She was too engrossed in her own self needs and her addiction. She came to Edgehill when Jack Fretwell was trying to open the facility. She met Jack Fretwell at a meeting out on Sensony Road. He came in with green plaid pants and a flowered shirt with green socks. She thought he must be drunk. When he shared, he shared from the heart. He told her how much sober time he had and she hoped she could be that happy clean and sober. It was her greatest desire to find something to be happy about because she wasn't happy. Jack Fretwell's dream was Edgehill. Russ Potts quoted that when we celebrated naming Edgehill as the Fretwell Center on December 14, 1999. They actually dedicated a day in this town to Jack Fretwell for his recovery oriented desires and prayers. He never knew a stranger. When Jack and Margaret passed, they held the service at Edgehill. Jack remembered them in his will and they renovated their kitchen. Edgehill cares. She feels they are an asset to this community. She believes in a drug addict and she believes in an alcoholic because she wanted someone to believe in her. We all need somebody to believe in us. Everyone you see here are miracles. She has one child by birth but a whole slew of them that she has adopted over the years. Yes, they probably jaywalk and they are addressing that situation. Rick McGee, a previous chairman of their board who started the Kevin Adams Golf Tournament that benefits their scholarship, always said "let's live in the solution not in the problem." She is here to meet any demands or suggestions that can be taken to their board of directors to do anything they can to be a part of the solution and live in the city. She found something in this city that she loved just like everyone else and she has stayed. They have all stayed and become productive members of society. She noticed the City mission statement says to give people quality of life and that is what Edgehill is about. That is their mission statement as well. Edgehill does hire from within the community for the renovation projects, food purchases, or anything else they have done. They try to give back locally as much as they can. When someone knocks at their door, they do not turn them away. That is her heart on that hill. She will defend the drug addict and alcoholic because she does believe and will help them to make it.

Clark Neff of 1467 Greystone Terrace stated he did not realize the Edgehill hearing was tonight until he got here. He is a member of the community. He is not an alumni but he has lived here all his life. He has two sets of great-grandparents across the street from Edgehill. These people come here, stay here, pay taxes and shop here. He thinks overall Edgehill is a net benefit to our community. If we are going to put a college dorm on

Loudoun Street, he does not think you can put restrictions on Edgehill without putting the same restrictions on the dorm on Loudoun Street.

With no further citizens to address Council concerning this issue, the President declared the public hearing closed at 9:36 p.m.

Vice-President Major thanked everyone that came out tonight. He said Council received a stack of papers tonight that he needs to go through. He motioned to table the renewal for one month. *The motion was seconded by Councilor Veach then unanimously approved by voice-vote.*

R-2009-70: Resolution – Approval of the 2008 & 2009 Annual Action Plan Substantial Amendments. Close of 30 day Public Comment Period

No citizens came forward to address Council concerning this issue and the President declared the public hearing closed at 8:54 p.m.

Vice-President Major moved to approve the 2008 & 2009 Annual Action Plan Substantial Amendments. *The motion was seconded by Councilor Veach then unanimously approved by voice-vote.*

Appointment: To received the nomination and citizen input on the appointment of Vince DiBenedetto (Ward 3) to the City School Board to fill a vacant unexpired four year term ending June 30, 2010.

No citizens came forward to address Council concerning this issue and the President declared the public hearing closed at 9:40 p.m.

PUBLIC COMMENTS

Jeff Milburn of 123 Montague Avenue presented Council with a proposed amendment to the Ethics Code and asked that Council be required to sign it to support the mission of transparency in government. The City of Winchester would set a standard to uphold at the state level if it is adopted locally. He also stated the CitEnews is a valuable resource that people should sign up for. He would also like to video tape the Council meetings so it is available on demand in the luxury of the citizen's home if people cannot attend. He suggested talking to Shenandoah University's communication department to see if there are students who could help with the project.

Clark Neff of 1647 Greystone Terrace asked where the property in the Spring Street ordinance is located according to his property. Planning Director Tim Youmans stated the portion of property in the ordinance is adjacent to Mr. Neff's property but is from his rear property line west to the railroad.

With no further citizens to address Council concerning this issue, the President declared the public hearing closed at 9:43 p.m.

AGENDA

O-2009-37: First Reading – AN ORDINANCE TO CHANGE CITY CODE §14-68 WHEN PARKING METERS SHOULD BE OPERATED TO REFLECT METER ENFORCEMENT ON HOLIDAYS RECOGNIZED BY THE COMMONWEALTH OF VIRGINIA AND TWO DAYS OF THE ANNUAL SHENANDOAH APPLE BLOSSOM FESTIVAL.

O-2009-38: First Reading – AN ORDINANCE TO AMEND ARTICLE 8 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO SPECIAL PROVISIONS FOR SIDE AND REAR YARDS FOR COMMERCIAL CENTERS WITHIN THE HIGHWAY COMMERCIAL (B-2) DISTRICT. TA-09-359

O-2009-39: First Reading – AN ORDINANCE TO VACATE AND CONVEY APPROXIMATELY 0.4560 ACRES OF SPRING STREET TO JDC WINCHESTER, LLC.

R-2009-64: Resolution – Approval to host the 2011 Cal Ripken-Babe Ruth League International 10 Year Old World Series.

Vice-President Major moved to table Resolution 2009-64. *The motion was seconded by Councilor Les Veach then unanimously approved by voice-vote.*

R-2009-65: Resolution – Authorization to exceed the original contract value by more than 25% for completion of the Northeast Infrastructure Improvements Project. (project will complete within \$7.5 million total budget)

Councilor Clark moved to approve Resolution 2009-65. *The motion was seconded by Vice-President Major then unanimously approved by voice-vote.*

R-2009-66: Resolution – Re-installation of Parking Meters on Boscawen Street between Braddock Street and Indian Alley.

Mayor Minor moved to approve Resolution 2009-66. *The motion was seconded by Councilor Clark then approved 6/2 with President Buettner and Vice-Mayor Butler voting in the negative.*

R-2009-67: Resolution – Change Section 7.4.E of the CEMS - Matters Deemed Not Grievable.

Vice-President Major moved to approve Resolution 2009-67. *The motion was seconded by Councilor Veach then unanimously approved by voice-vote.*

R-2009-68: Resolution – Establishing a fund to benefit abused and neglected children from a contribution of approximately \$200,000 from the McCrory estate.

Mayor Minor moved to approve Resolution 2009-68. *The motion was seconded by Councilor Clark then unanimously approved by voice-vote.*

R-2009-69: Resolution – Authorization for the Police Department to apply for a Department of Justice Byrne Grant to support the fitness initiative for an amount of \$75,000 over three years. Requires a 5% match or \$3750 maximum.

Vice-President Major moved to approve Resolution 2009-69. *The motion was seconded by Councilor Hill then unanimously approve by voice-vote.*

Announcement: Announce the term expirations of Allyson B. Pate and Ming G. Chan as members of the Social Services Advisory Board effective March 31, 2010 and direct the Clerk Pro Tempore to advertise the vacancies. Ms. Pate and Mr. Chan are eligible for reappointment.

ADJOURNMENT Councilor Clark moved to adjourn the meeting at 9:47 p.m. *The motion was seconded by Vice-Mayor Butler then unanimously approved by voice-vote.*

Kari J. Van Diest
Deputy Clerk of the Common Council

MAYOR'S REPORT

January 2010

It's hard to believe that 2009 has come to a close! It has been an exceptionally challenging yet rewarding year for the City. It is my pleasure present this review and reflect on our activities over the past year. Once again, change has been a predominant theme.

A heartfelt thank you to Bob Noe who served as our Interim City Manager since July. We were so happy he provided leadership for Winchester and we send best wishes to Bob and his family. I again want to give a warm welcome to Jim O'Connor and his wife Sherry. He brings a wealth of experience to the City and we are pleased to have them join our City family.

One thing that has not changed, thankfully, is the City's financial health as it remains good. With conservative revenue projections and the City's foresight during years of growth has put us in a favorable position with fund balance reserves. Our financial model determines the impact of schools and other projects on the City's finances and continues to make accurate forecasts. We have maintained our AA bond status by both Moody's and Standard and Poor's rating agencies. Staff has already begun work on the annual budget. We realize this will be another tight fiscal year.

The Comprehensive Plan will have final review from the Planning Commission and City Council later this year. This document is an important blueprint for the City's future.

In April, the Winchester Parking Authority opened the George Washington Autopark. The George Washington Autopark is Winchester's first fully automated garage. This parking garage features a walk up kiosk which will accept bills, coins, and credit cards. Located between Kent and Cameron Streets, the autopark is convenient to downtown shopping, dining, and lodging.

We celebrated the one-year anniversary of the City's first bi-weekly electronic newsletter called "CitE-News". Sent only to subscribers, the newsletter includes information about City projects and services, the meeting schedules and agendas for Council, Boards and Commissions, and local events. We have found this to be a useful tool to communicate with citizens utilizing user friendly technology. Running a City is complex and any method we can connect with our citizens to tell them what and why we do things is a great tool to keep people informed and solicit feedback. CitE-News can also alert citizens in case of an emergency. This service is free to all who subscribe and the newsletter is emailed directly to subscribers every two weeks. In addition to the e-newsletter, the subscriber has the opportunity to receive time-sensitive press releases. Just click the box on the registration form to receive press releases not included in the newsletter.

In an effort to "go green" and better reach our loyal park patrons, Winchester Parks & Recreation Department introduced the ActivitE-News in May. ActivitE-News is also a FREE monthly electronic-newsletter the department distributes to highlight various

programs, events, park projects, important announcements, and other exciting stories. The newsletter is interactive so readers can click to various sections of the department's current activity guide. Using an e-newsletter versus a traditional newsletter will not only increase access to information but also decrease the number of printed paper flyers and brochures we produce.

What a wonderful celebration of our city's diversity at the International Children's Festival held in Jim Barnett Park in October. Between 2,000 and 3,000 people took a trip around the world at the City's inaugural International Children's Festival. At least 885 children took a passport to 20 different and fascinating countries! Families enjoyed live cultural entertainment all day and participated in many other fun festival activities. The Festival was such a success and \$1,500 was donated to the Winchester Parks Foundation for the creation of a park scholarship program for local underprivileged children. The scholarship program can be used to help pay for Winchester Parks and Recreation camps, recreational activities, and after-school care. Thank you to all the sponsors and volunteers for helping to make the inaugural International Children's Festival the tremendous success that it was!

Each year the City offers to the public the chance to explore how the government operates from the inside out during the award-winning INSIGHT Citizen's Academy. This interactive and enlightening program allows participants to experience government functions as if they were a member of the staff. Twenty participants graduated from the 12-week program.

In June, the Winchester-Frederick County Convention & Visitors Bureau hosted a FREE "Staycation Vacation" event. The purpose of the event was to raise public awareness about activities that are available locally and regionally for area residents and their families. With rising gas prices and the sluggish economy, even travel experts promoted that people learn more about what is offered in their own backyard. Area museums, attractions, and hotels were featured at the event. Congratulations to the Visitor Center for receiving the "Best Visitor Center of the Year" at the 2009 Virginia Tourism Summit. Almost a year after its grand opening, the Winchester-Frederick County Visitor Center and Civil War Orientation Center received top honors at the 2009 Virginia Tourism Summit.

The Winchester Department of Social Services helped open the Northern Region Heart Gallery. This public art exhibit featured beautifully and artistically photographed portraits of children in foster care waiting for adoption. The goal of the Heart Gallery was to seek permanent homes for children in foster care and to raise awareness regarding the needs of children in foster care. If you have ever thought about adoption, being a foster parent, or just looking to learn more about the foster care program, please contact the Department of Social Services.

Social Services had long outgrown the aging office building it occupied and moved to new offices at Baker and Cameron Streets in December. Social Services is now co-located with other service providers at the Our Health Campus. When completed, the total project will rehabilitate over 30,000 square feet of vacant property, and contribute significantly to the revitalization of North Cameron Street.

Infrastructure improvements continued to be a priority and many water and sewer projects occurred around the city this year. From Cork Street, to East Lane, on to Woodstock Lane and concluding on Berryville Avenue at I-81, the Northeast Infrastructure project now provides increased water pressure, updated water and sewer lines which translates into improved reliability, new sidewalks, and new roads. The final paved topcoat will be applied to Berryville Avenue as soon as weather permits.

The Downtown Utilities Infrastructure Improvements Project began in earnest after the 2009 Apple Blossom Festival. Many important infrastructure improvements were made as a part of this project including:

- Replacement of all existing water, sewer and storm infrastructure (mains and service lines)
- Storm Drainage Improvements
- Sidewalk & Curb/Gutter Replacement
- New Decorative Streetlights
- Traffic Signs/Posts Replaced
- Parking Meter Posts Replaced
- Numerous New Street Trees
- Center Medians on Cameron Street between Cork and Piccadilly
- Streets Repaved and Striped

Following the completed utilities portion, Braddock and Cameron Streets were converted to two-way traffic in November. It was a historic event – the last time traffic rode in both directions was 1951! Please continue to be alert to the new traffic pattern for the benefit of drivers AND pedestrians. These utility infrastructure improvements are truly an asset to all of Winchester. We thank all the citizens, business owners and the public who utilize these important roadways for their patience and cooperation.

Work on Phase II which includes Piccadilly Street began January 6 and will be completed before this year's Shenandoah Apple Blossom Festival.

In December, it was a thrill to bring the Christmas Parade back to Old Town Winchester. Hundreds of people gathered along the downtown streets for the Old Town Christmas Parade. It was a chilly night but you certainly couldn't tell from the hundreds of excited children in the parade. We were so pleased that bands from local schools dressed with Santa hats and lights and played wonderful Christmas music for all to sing along. Thank you to all who participated. It was a wonderful night and I am so happy that we were able to bring back this tradition.

I was proud to be part of the John Handley High School dedication ceremony earlier this month. John Handley High School is so much more than a facility – it is the Handley Pride that is recognized in the students, faculty, and all who are associated with this institution in our city. I am proud that we were able to blend the preservation of Handley tradition with state-of-the-art amenities and improvements that will help shape our students into well rounded adults and prepare them for life beyond these historic grounds.

Another phase of the Green Circle was completed this year. Work concluded with the Town Run/Jim Barnett Park/Shenandoah University Phase at Mt. Carmel Baptist Church. As many of you know, the City's Green Circle Trail has been developed to provide a readily available and safe network of pedestrian and bicycle trails around Winchester. Its

primary benefit will be in providing a unique and safe opportunity for residents and visitors in Winchester to utilize a shared bicycle and pedestrian trail within the City.

I extend my heartfelt thanks to each of you who serves on a board or commission or committee for the City. You are truly dedicated to making the City a better place to live, work, and play. We cannot say it often enough, "Thank You! Thank You! Thank You!"

In closing, I would like to wish everyone a safe, healthy, and happy new year. Please continue to pray for the safety of our troops all around the world who are defending our freedom. City Council and staff will be busy in 2010 and more change will occur. We will continue to provide our core services and delivering those services in an efficient manner with a focus on the customer. We look forward to a productive year and encourage your continued participation in your City government.