

**MINUTES OF THE COMMON COUNCIL
WORK SESSION
October 7, 2014
Council Chambers – Rouss City Hall**

PRESENT: Councilor Evan Clark, John Hill, Corey Sullivan, and John Tagnesi; Vice-President Milt McInturff; President John Willingham (6)

ABSENT: Councilor Jeff Buettner; Mayor Elizabeth Minor; Vice-Mayor Les Veach (3)

President Willingham called the meeting to order at 6:00 p.m.

2.0 Public Comments: (Each person will be allowed 3 minutes to address Council with a maximum of 10 minutes allowed for everyone)

President Willingham asked if there was anyone wishing to address Council. Seeing none, he closed the public comments at 6:00 p.m.

3.0 Items for Discussion:

3.1 Presentation: Overview of Committee On Council reOrganization (COCO) Report and Recommendations

Tim Youmans, Planning Director, presented a summary on the COCO recommendations for committee organization, council size, election timing and procedures, and Council/Mayor compensation and benefits. He stated the only item that has not been done since the original recommendation is the consolidation of the mayor/president position. Mr. Youmans reviewed the boundaries of each ward and the redistricting process completed in 2011. He presented a proposal based on some conversations with council to move to having four positions on Council elected from each ward and four positions elected at large. The mayor would remain elected at large.

President Willingham stated he would entertain a motion to amend the October 7, 2014 Work Session Agenda to add the following item for discussion: **R-2014-43:** Resolution – Approval of the concept plan, design completion and Supplemental Appropriation as needed for the renovations of the Joint Judicial Center. *The motion was made by Vice-President McInturff, seconded by Councilor Hill, then unanimously approved 6/0.*

3.2 O-2014-36: AN ORDINANCE TO GRANT A PERMANENT EASEMENT TO TAYLOR PAVILION, LLC WITHIN THE PUBLIC RIGHT-OF-WAY IN FRONT OF 121-129 NORTH LOUDOUN STREET

Tyler Schenck, Economic Development Coordinator, presented the request for a permanent easement for the Taylor Hotel. He stated the front porch and

columns for the Taylor Hotel are currently encroaching onto the public right of way. The encroachment is a long standing issue that occurred years ago.

Vice-President McInturff moved to forward O-2014-36 to Council. *The motion was seconded by Councilor Hill then unanimously approved 6/o.*

3.3 R-2014-33: Resolution – Approval of the series of amendments made to the Citizen Participation Plan pending final public comment

Mr. Schenck presented the amendments to the Citizen Participation Plan. He stated the Citizen Participation Plan governs how the City administers our public comments for the CDBG and Consolidated Annual Action Plan. This is supposed to be updated annually and has not been done in several years.

Vice-President McInturff moved to forward R-2014-33 to Council. *The motion was seconded by Councilor Hill then unanimously approved 6/o.*

3.4 R-2014-40: Resolution – Provisional approval of amendments to the 2013-2017 Consolidated Plan pending future public comment

Mr. Schenck presented the five year Consolidated Plan for the CDBG plan. He stated this will remove the incorrect performance measures created from completing the plan online and accurately reflect the City's performance.

Vice-President McInturff moved to forward R-2014-40 to Council. *The motion was seconded by Councilor Sullivan then unanimously approved 6/o.*

3.5 R-2014-41: Resolution – Authorization to submit an amendment application to the Virginia Department of Housing and Community Development regarding the City of Winchester Enterprise Zone Program

Mr. Schenck presented the amendments to the Winchester Enterprise Zone boundaries and incentives. Vice-President McInturff moved to forward R-2014-41 to Council. *The motion was seconded by Councilor Clark then unanimously approved 6/o.*

3.6 R-2014-42 – Adoption of Consolidated Annual Performance and Evaluation Report (CAPER)

Mr. Schenck presented the Consolidated Annual Performance and Evaluation Report (CAPER) which tells how the CDBG and HOME funds were spent last year.

Vice-President McInturff moved to forward R-2014-42 to Council. *The motion was seconded by Councilor Hill then unanimously approved 6/o.*

3.8 Discussion – Proposed Changes to Telecommunications Review Process

Aaron Grisdale, Director of Zoning and Inspections, presented a proposal to streamline the review process for telecommunication facilities. He suggested creating three classifications in the Zoning Ordinance for new facilities, minor modifications, and major modifications. A new and major modification would need to go through the Planning Commission and Council approval and would have the \$1,500 fee previously approved by Council. A minor modification would be approved administratively with a \$500 fee.

Councilor Clark moved to forward the proposal for initiation. *The motion was seconded by Councilor Tagnesi then unanimously approved 6/o.*

3.9 R-2014-43: Resolution – Approval of the concept plan, design completion and Supplemental Appropriation as needed for the renovations of the Joint Judicial Center

Perry Eisenach, Utilities Director, presented a proposal to renovate the Joint Judicial Center to accommodate the arrival of three new judges. The arrival of the new judges is causing a critical space need in the immediate and short term. The estimated cost from the architect is \$4,065,500 to be split between the County and the City. The proposal was presented to the Joint Finance Committee that voted to forward it with a recommendation for approval to their perspective locality. If approved, the construction will begin in the spring of 2015.

Vice-President McInturff moved to forward R-2014-43 to Council. *The motion was seconded by Councilor Clark then unanimously approved 6/o.*

President Willingham stated he would entertain a motion to add the acquisition of real property to the Executive Session tonight. *The motion was made by Vice-President McInturff, seconded by Councilor Hill, then unanimously approved 6/o.*

4.0 Executive Session

- 4.1 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 ON MATTERS OF ACTUAL OR PROBABLE LITIGATION AND 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 AND PURSUANT TO §2.2-3711(A)(3) AND (6) FOR THE PURPOSE OF DISCUSSION OR CONSIDERATION OF THE SUBJECT OF THE ACQUISITION OF AN INTEREST IN REAL PROPERTY FOR A PUBLIC PURPOSE WHERE IF MADE PUBLIC, THE BARGAINING POSITION OR FINANCIAL INTEREST OF THE CITY WOULD BE ADVERSELY AFFECTED

Vice-President McInturff moved to convene into executive session at 7:14 p.m. *The motion was seconded by Councilor Clark then unanimously approved 6/o.*

Vice-President McInturff moved to reconvene in open session at 8:05 p.m. *The motion was seconded by Councilor Hill then unanimously approved 6/o.*

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:

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

3.7 O-2014-41: Ordinance – AN ORDINANCE TO AUTHORIZE THE ACQUISITION OF 200-214 NORTH CAMERON STREET FOR THE PURPOSE OF CONSTRUCTING A PUBLIC FACILITY (“EVENTS CENTER”)

Eden Freeman, City Manager, presented a summary on the status of the events center. She stated this will involve a public-private partnership. The funding will be shared between the partners with the financing structure have little or no impact on the City’s bond capacity.

Vice-President McInturff moved to forward O-2014-41 to Council. *The motion was seconded by Councilor Hill then unanimously approved 6/o.*

5.0 Adjournment

Vice-President McInturff moved to adjourn the meeting at 8:16 p.m. *The motion was seconded by Councilor Clark then unanimously approved 6/0.*