

**MINUTES OF THE COMMON COUNCIL  
WORK SESSION  
May 17, 2011  
City Council Chambers – Rouss City Hall**

**PRESENT:** President Jeff Buettner; Councilor Evan Clark, John Hill, John Tagnesi and Les Veach; Vice-President Art Major; Mayor Elizabeth Minor (7)

**ABSENT:** Vice-Mayor Milt McInturff; Councilor John Willingham (2)

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

**Items for Discussion:**

**Presentation:** Fire & Rescue Annual Report

Chief Scott Cullers presented the Fire & Rescue Department's annual report. He reviewed the goals accomplished over the year and presented the goals set for 2011.

***Vice-Mayor McInturff arrived at the meeting at 6:03 p.m.***

Chief Cullers reviewed the number of calls ran over the last year. He stated the giving and receiving of mutual aid with Frederick County was pretty balanced. He also reviewed the monthly statistics for the department's activities.

**Retreat Action Items Update:**

City Manager Jim O'Connor presented an updated copy of the items discussed at the retreat held in January showing the items accomplished since the last quarterly update.

**R-2011-17:** Resolution supporting Application for \$1 million in VDOT Revenue Sharing Funds

Utilities Director Perry Eisenach stated he has been working to get the City's three highest priority transportation projects on the list for state and federal funding. However, the Revenue Sharing Program is a different pot of money. Mr. Eisenach requested the resolution be passed by May 27<sup>th</sup> authorizing the application to be submitted by the deadline.

Vice-President Major moved to forward the resolution to a Special Meeting on May 24<sup>th</sup>. *The motion was seconded by Councilor Clark then unanimously approved by voice-vote.*

**O-2011-17: AN ORDINANCE TO AMEND AND RE-ENACT SECTIONS 29-11 AND 29-13 OF THE WINCHESTER CITY CODE PERTAINING TO AN INCREASE IN WATER AND SEWER RATES**

Mr. Eisenach stated staff will submit application for \$21.5 million to cover 4 projects over the next 2.5 years. The rate changes required to pay for these projects will need to be approved by Council in July to submit the application in August. Mr. Eisenach reviewed the proposed timeline for the completion of each project. The rate increases needed are 15% each year for 2012 and 2013. The utility reserves have dropped quite a bit since 2008. Water consumption has dropped quite a bit and the county is not buying as much as expected. Even with the rate increases, unless water consumption increases, the reserves could easily be down to zero. Mr. Eisenach reviewed the options to reduce the rate increase which included deferring the projects (would drop increase to 11% each year). However, if the projects do not proceed as scheduled, the City will lose two very large grants. Staff also looked at using 30 year bonds instead of 20 year bonds which would cut the annual debt service but it would cost \$900,000 more by the end of loan (would cut increase to 14%). The other option is to transfer utilities to the general fund. Once these rate increases are passed, lower rate increases are predicted in the future but there would still be miles of lines to replace. Debt service will begin falling off in 2019. Mr. Eisenach presented a comparison chart to show Winchester's rates with other localities. Mr. Eisenach recommended adopting the 15% rate increases to submit the applications for funding and proceed with the projects as scheduled.

Following a brief discussion, Vice-President Major moved to forward O-2011-17 to Council. *The motion was seconded by Councilor Veach then unanimously approved by voice-vote.*

**Discussion:** Consolidation of City and County Utilities – Perry Eisenach

Mr. Eisenach stated at the last Service Authority meeting, Chairman Schroth asked if there was any interest in consolidating city and county utilities. Vice-President Major suggested putting it on a work session for council to discuss.

President Buettner stated that question was asked at Joint Finance and Frederick County stated they would look at a plan. To move this forward, the city will need to come up with a plan. Every time this comes up, it seems everyone is interested but there are always hot buttons that stop it. He suggested looking at an ad hoc committee to look at if we want to do this and how. From the city's point, we need all of the water we pump out of the river. If we go regional and the region uses more water than we can pump, we will find ourselves without water.

Vice-President Major stated the Authority also asked to look at sewer and solid waste. The city would need to come up with a plan and see if Frederick County wants to consider it but we need to look out for our citizens. He suggested members of Council, Mr. Eisenach and Mr. Schroth be on the committee.

**O-2011-16: AN ORDINANCE TO AMEND AND RE-ENACT SECTIONS OF CHAPTER 18 OF THE WINCHESTER CITY CODE PERTAINING TO PARKS AND RECREATION**

Park Director Brad Veach stated the Parks Board has been looking at a number of changes to the city code. The focus has been on the general description of the board itself and their responsibilities. The board also looked at the Parks Department responsibilities and what is faced on a daily basis. An item that is not here but has been discussed is the reappointment of board members after they have served two terms. Current code does not allow that to happen. Mr. Veach stated it is important to have that provision to allow good members to come back. If it is something Council would like, he would ask Mr. Williams to modify the ordinance to add it in.

After a brief discussion on making the change holistically and not just to one board, Mr. Williams was directed to research the possibility and bring it back to Council.

Mr. Veach continued to state the Parks Board is still an advisory board and is not responsible for the budget, etc. However, section 18-7 does a better job at defining what the park is about and increasing fees. The rest of the changes are focused on pivotal acts and clearly define what the park departments do.

Vice-President Major moved to forward O-2011-16 to Council. *The motion was seconded by Mayor Minor then unanimously approved by voice-vote.*

**O-2011-18: AN ORDINANCE TO ENACT SECTION 27-27.1 THROUGH 27-27.5 OF THE WINCHESTER CITY CODE PERTAINING TO REAL ESTATE EXEMPTION FOR DISABLED VETERANS**

City Attorney Anthony Williams stated the motivation of the ordinance is to support disabled veterans and to insure a broader tool for people to qualify. This will align with statutes to take affect on July 1.

Councilor Veach moved to amend the first sentence in Section 27-27.3 to include “not exceeding one acre” after “residential real property” as recommended. *The motion was seconded by Vice-President Major then unanimously approved by voice-vote.*

Vice-President Major moved to forward O-2011-18 to Council as amended. *The motion was seconded by Councilor Veach then unanimously approved by voice-vote.*

**Report of Liaisons**

No reports were presented

**EXECUTIVE SESSION:** MOTION TO CONVENE IN EXECUTIVE SESSION PURSUANT TO §2.2-3711(A)(1) AND A(7) 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 AND FOR THE PURPOSE OF RECEIVING LEGAL ADVICE AND STATUS UPDATE FROM THE CITY ATTORNEY AND LEGAL CONSULTATION REGARDING SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADVICE BY THE CITY ATTORNEY AND MATTERS OF ACTUAL OR PROBABLE LITIGATION.

Vice-President Major moved to convene in executive session at 7:21 p.m. *The motion was seconded by Councilor Veach then unanimously approved by voice-vote.*

Vice-President Major moved to reconvene in open session at 8:42 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:*

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

### **Adjourn**

Vice-President Major moved to adjourn the meeting at 8:42 p.m. *The motion was seconded by Councilor Clark then unanimously approved by voice-vote.*