

**MINUTES OF THE COMMON COUNCIL
WORK SESSION
June 19, 2012
Council Chambers – Rouss City Hall**

PRESENT: President Jeff Buettner; Councilor Evan Clark, John Hill, John Tagnesi and Ben Weber; Vice-Mayor Milt McInturff; Mayor Elizabeth Minor; Vice-President John Willingham (8)
ABSENT: Councilor Les Veach (1)

President Buettner called the meeting to order at 6:01 p.m.

Items for Discussion:

Presentation: Downtown Focus Group

Karen Helm, Director of Old Town, presented a summary of the staff recommendation for the Downtown Action Plan developed from the feedback received at the January 17, 2012 Joint Work Session. She reviewed the tasks to be completed in the next 12 to 24 months. Council will be updated on the process quarterly.

Council directed staff to investigate the use of a trolley for special events in the tasks.

R-2012-43: Resolution – Authorization to apply for \$6,000 in recycling grant funds through the Virginia Department of Environmental Quality

Perry Eisenach, Utilities Director, presented the request to apply for grant funds through the Virginia DEQ in the amount of \$6,000. No matching funds are required but the application must be submitted by June 30, 2012.

Councilor McInturff moved to forward R-2012-43 to Council. *The motion was seconded then approved 8/0.*

Discussion: Proposed Terms for New Water Agreement with Middletown

Mr. Eisenach presented the revised terms for a new water agreement with Middletown. He stated if the terms are agreeable, a final agreement will be drafted and brought back to Council for approval.

Council directed staff to draft the formal agreement to bring back.

R-2012-45: Resolution – Authorize negotiations with vendors relating to the construction of a radio tower to support radio communications – Lynn Miller

Lynn Miller, Emergency Management Coordinator, stated the system is being designed with a 250 foot tower. There were 2 options for the tower in the proposal. One option would be sole ownership of the city and the second option would be to have a third party tower that the city would have capacity on. An alternate option was also presented to have the city own and maintain the tower but create a revenue stream through commercial utilization of the tower.

Anthony Williams, City Attorney, stated the concern with option 2 is that the city would own the land but not the antenna creating franchise issues. If Council wants to pursue this option, he will provide something in writing before the next council meeting. He suggested a way to alleviate the concerns is to lease the tower from a third party.

Councilor Clark moved to forward R-2012-45 to Council with the alternate option. *The motion was seconded by Councilor Weber then approved 8/o.*

R-2012-46: Resolution – Authorize City Manager to initiate discussion with the Winchester School Board and Handley Trust relating to the acquisition of land for the erection of a communication tower

Mr. Miller stated he has have looked at the site on Jefferson street and the need to be conscientious of the surrounding areas. The Handley Trust owns property on two sides of the site. He asked for authorization to have the City Manager speak to the School Board and the Handley Trust about the site. He would also ask Perry Eisenach to look at any underground utilities at the site.

Vice-Mayor McInturff moved to forward R-2012-46 to Council. *The motion was seconded by Mayor Minor then approved 8/o.*

R-2012-47: Resolution – Authorize City Manager to execute a contract with Motorola Solutions for the purchase and installation of a radio communications system

Mr. Miller stated the vendor has extended the pricing through August 14, 2012 and requested authorization for the City Manager to sign the contract.

Mayor Minor moved to forward R-2012-47 to Council. *The motion was seconded by Councilor Weber then approved 8/o.*

Executive Session: 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 AND PURSUANT TO §2.2-3711(A)(3) FOR THE PURPOSE OF DISCUSSION OR CONSIDERATION OF THE SUBJECT OF THE ACQUISITION AND DISPOSITION OF AN INTEREST IN REAL PROPERTY FOR A PUBLIC PURPOSE WHERE BARGAINING IS INVOLVED, AND WHERE IF MADE PUBLIC, THE BARGAINING POSITION OR FINANCIAL INTEREST OF THE CITY WOULD BE ADVERSELY AFFECTED.

Vice-President Willingham moved to convene into executive session at 7:04 p.m. *The motion was seconded by Mayor Minor then approved 8/0.*

Vice-President Willingham moved to reconvene in open session at 7:31 p.m. *The motion was seconded by Vice-Mayor McInturff then approved 8/0.*

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-Mayor McInturff	Aye
Mayor Minor	Aye
Councilor Tagnesi	Aye
Councilor Veach	Absent
Councilor Weber	Aye
Vice-President Willingham	Aye

Report of Liaisons

Councilor Weber stated he attended the Library Board meeting and announced the Centennial Program is going very well. The Library Board discussed a leak in the building between the old and new sections caused by settling of the earth that will need to be repaired. They are in the process of getting a second opinion.

Submitted Written Reports

Police Department

Fire & Rescue Department

Adjourn

Vice-Mayor McInturff moved to adjourn the meeting at 7:32 p.m. *The motion was seconded by Vice-President Willingham then approved 8/0.*