

MINUTES

March 8, 2011

The Winchester City Council met in a regular session on Tuesday, March 8, 2011, beginning at 6:00 p.m.

Present and participating were: Mayor Terry Harrell, presiding; Beth Rhoton, City Administrator; Greg O'Neal, City Attorney; Judy Baker, City Recorder; various Department Heads; news media; and the following Council members:

Present: Councilman Glasner
Councilman Hart
Councilman Spencer
Councilman Stewart
Councilman Womack

Absent: None

Mayor Harrell called the meeting to order with a prayer by Roger Caldwell and the Pledge of Allegiance led by Councilman Stewart.

Under unfinished business, the reading of the minutes of the February 8, 2011 regular Council meeting was dispensed and approved on a motion by Councilman Glasner, seconded by Councilman Spencer, and all voted in favor of said motion.

First under new business, the Council approved the only bid received by the Recreation Department from BR Fence Company in the amount of \$9,181.00 for fencing the Little League fields and Adventure Mountain. City Administrator Rhoton stated this money was budgeted for the current year to do these projects. Motion for approval was made by Councilman Glasner, seconded by Councilman Stewart, and all voted in favor of said motion.

Next, Mayor Harrell appointed Councilman Wayne Hart to be the City's liaison on the Winchester Beer Board. Mr. Hart was already serving on the Beer Board before being appointed Councilman to fill the vacant seat due to the passing of Councilman Bobby Scharber on January 25, 2011.

Next, City Administrator Rhoton stated that she had received prior permission from Council to make an emergency gasoline purchase of 12,000 gallons of fuel from Heath Oil, to help get the City through approximately the next ninety days. Cost of the gas was \$2.95 per gallon for a total amount of \$35,376.00. This fuel purchase was made to help maintain our budget as gas prices were rapidly increasing due to issues in other parts of the world. Mrs. Rhoton requested Council to ratify the fuel purchase and Councilman Spencer moved for approval, seconded by Councilman Womack, and all voted in favor of said motion.

Next, Councilman Glasner spoke concerning the Dry Creek project. He stated that no action seemed to have been taken since the

lease had been signed. Councilman Glasner recommended that Mrs. Rhoton submit a letter to the developers to get the Dry Creek project moving, and Councilman Stewart further recommended setting a time line of fifteen (15) days for them to respond to Mrs. Rhoton's letter. Councilman Stewart then made a motion that, on the commencement date of signing the letter, the developers have 30 days to make contact with TVA and continue the permitting process, make some progress with that, and for the Mayor to appoint Mrs. Rhoton or someone else to oversee that the developers are moving forward in a timely fashion. Councilman Glasner seconded the motion and all voted in favor of said motion.

Next, City Administrator Rhoton stated there are power lines belonging to Duck River that run through Dry Creek and the City Park. Duck River wants to take down the old wooden poles and replace them with A-frame metal supports, basically in the same place as the old poles. There is a 40 foot easement that Duck River needs signed over to them and Mrs. Rhoton requested Council approval to sign the easement, contingent on her meeting with Duck River officials on site to make sure that nothing is changing. Motion for approval was made by Councilman Stewart to enter into an agreement, seconded by Councilman Womack, and all voted in favor of said motion.

Next, City Administrator Rhoton requested the Council to approve Resolution #819, a resolution for the City to re-submit an application for funds for a Safe Routes to School program through the Tennessee Department of Transportation. She reminded the Council that the City had applied for this grant several years ago and just found out at the end of 2010 that we did not receive it. This is a one hundred percent grant and will be no cost to the City. Councilman Womack moved for approval, seconded by Councilman Hart, and the motion passed by a unanimous vote.

Next, the Council approved an agreement to participate in an EV Project to become a Charging Site Host for electric cars. This is a U. S. Department of Energy project funded through the American Recovery and Reinvestment Act and this agreement is effective through December 31, 2012, unless terminated early. City Administrator Rhoton explained that the charging site will be located somewhere relative to the downtown area and selected by Winchester Utilities, and the City will not charge a fee for people to use the site to charge their electric cars. She stated that Nissan, a local plant, is one car company that is currently making electric cars. Mrs. Rhoton stated there was no danger of electrocution as electricity is only used when the vehicle is plugged in to the charging station. Motion for approval was made by Councilman

Stewart, seconded by Councilman Hart, and the motion passed by a unanimous vote.

Next, Chief Dennis Young requested approval to purchase a used vehicle for the Police Department with the purchase to be paid out of the Drug Fund. This vehicle is to replace the white Ford Bronco currently being driven by Inv. Kelly Gass. Motion for approval was made by Councilman Womack, seconded by Councilman Spencer, and all voted in favor of said motion.

Next, Chief Dennis Young requested approval to surplus the Police Department's white Ford Bronco that has been used by Investigator Gass and sell the vehicle on GovDeals.com. Motion for approval was made by Councilman Glasner, seconded by Councilman Stewart, and all voted in favor of said motion.

Next, City Administrator Rhoton informed the Council that the three-year contract with Waste Management is due to expire in June, but it does have an automatic renewal of three more years if mutually agreed upon. The City has used Waste Management for many years and, although it is an option in their contract, they have never charged the fuel surcharge fee to the City. Mrs. Rhoton said she had considered bidding out the contract for garbage pickup but, due to the increasing cost of diesel fuel, she recommended that the City extend Waste Management's contract for the additional three years so as not to have a price increase. Councilman Glasner made a motion to extend the contract with Waste Management, with the stipulation that Waste Management remove the CPI and fuel surcharge fees from the contract. This motion was seconded by Councilman Stewart and all voted in favor.

In the last order of new business, City Administrator Rhoton reminded the Council that, at the last work session, they had authorized her to negotiate for the purchase of property belonging to Bryan Oil Company located on South College Street, near Daniell The Printer. Mrs. Rhoton and the owners just came to an agreement this afternoon of a purchase price of \$40,000.00, with a closing date of July 2nd, subject to Council approval. The assessed value of the property is listed at \$68,400.00. This property is to be the future site for a new fire station. During a discussion, Council questioned the condition of the property and requested Mrs. Rhoton to obtain proof that the gas tanks had been removed and get a letter from the TDEC and EPA stating that the property was clean. Motion for approval to purchase the property, subject to City Attorney Greg O'Neal's review and disclaimer language of proof that the property was cleared by EPA and that tanks had been removed from site, was made by Councilman Stewart, seconded by

Councilman Spencer, and all voted in favor of said motion. This motion was then amended to include purchase of property was subject to the entire tract of land being clean, and proof that the tanks have been removed from the site.

Under his communications, Mayor Harrell welcomed newly appointed Councilman Wayne Hart to the City Council.

Under Administrator, Council and Departmental reports, communications, and updates: Councilman Glasner asked about the status of the revised City Charter and Administrator Rhoton stated that it would probably be May before Legislature acted on the revision. Councilman Glasner also commended the Public Works Department. City Administrator Rhoton stated that the Department Heads were to have their budgets to her by Friday.

With no further business to be brought before the Council, the meeting adjourned on a motion by Councilman Stewart, seconded by Councilman Spencer, and all voted in favor of said motion.

City of Winchester's website is:

www.winchester-tn.com

and

International Dogwood Festival website is:

www.winchesterdogwoodfestival.com

Terry Harrell, Mayor
City of Winchester

Attest:

Beth Rhoton, City Administrator

Minutes taken by: Judy Baker

Minutes typed by: Judy Baker

Date of Meeting: March 8, 2011