

MINUTES

October 11, 2011

The Winchester City Council met in a regular session on Tuesday, October 11, 2011, beginning with a public hearing at 6:00 p.m. The purpose of the public hearing was the third & final reading of Ordinance #936, an ordinance amending Title 11, Chapter 8 of the Winchester Municipal Code by adding a new Section 11-804, pertaining to the prohibition of the possession, sale, delivery, transfer, or attempt to possess, sale, deliver or transfer Synthetic Drugs; and a Design involvement public hearing to discuss the intended project scope of the next phase of the Winchester Downtown Improvement Project.

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 Bell
Councilman Hart
Councilman Spencer
Councilman Stewart
Councilman Womack

Absent: None

Mayor Harrell called the meeting to order with the prayer by Fire Chief Gary Greeson and the Pledge of Allegiance led by Airport Manager Zackary Colescott.

Mayor Harrell opened the public hearing for any comments on Ordinance #936 as described above. Tabitha Curtis, Coordinator for the Franklin County Prevention Coalition spoke in favor of the ordinance and personally thanked Police Chief Dennis Young for his efforts in preparing this ordinance for the City of Winchester as well as bringing the ordinance to the attention of other cities in the surrounding area.

Mayor Harrell opened the public hearing for discussion on the design involvement for the intended project scope of the next phase of the Winchester Downtown Improvement Project. Special Projects Coordinator Yvonne Stewart stated that the Tennessee Department of Transportation required a public involvement hearing be held in order to apply for this enhancement grant. She explained the different phases of grant work that has been completed, or is currently in progress, on the downtown square and on the Boulevard. The new grant that the City will be applying for will be called the "High Street Phase" and is due by November 1st, although it will be another year before we know if we will receive this grant. Speaking in favor of applying for the Tennessee Department of Transportation Enhancement Grants were Bill Cowan, Margaret Lynch, Josh Hammer, Sean Crabtree and Zackary Colescott. Each

spoke of the economic increase and impact of the aesthetics that have come about due to the improvements made downtown from the TDOT enhancement grants. Mr. Cowan reported that several new businesses had come to the square since the improvements began. The City Council also spoke in favor of applying for the grant.

The regular Council meeting began immediately after the close of the public hearings.

Under presentations, the Council heard quarterly reports presented by Airport Manager Zackary Colescott, and Utilities Manager Roger Caldwell. Mr. Colescott thanked the Winchester Fire and Police Departments and Roger Caldwell and Winchester Utilities for their quick response regarding an aircraft landing on the runway with a bad gear collapse. He reported that no one was hurt and there was no damage involved during the incident.

Under unfinished business, the reading of the minutes of the September 13, 2011 regular Council meeting was dispensed and approved with the correction of changing the name of Glen Glasner to N. B. Capley in paragraph 2 of page 5. Motion for approval was made by Councilman Womack, seconded by Councilman Hart, and all voted in favor of said motion.

Next, the reading of the minutes of the September 22, 2011 special called Council meeting was dispensed and approved on a motion by Councilman Stewart, seconded by Councilman Bell, and all voted in favor of said motion.

Next, the Council approved the third and final reading of Ordinance #936, an ordinance amending Title 11, Chapter 8 of the Winchester Municipal Code by adding a new Section 11-804, pertaining to the prohibition of the possession, sale, delivery, transfer, or attempt to possess, sale, deliver or transfer Synthetic Drugs. Motion for approval was made by Councilman Hart, seconded by Councilman Spencer, and all voted in favor by the following roll call:

Ayes: Councilman Stewart
Councilman Bell
Councilman Hart
Councilman Spencer
Councilman Womack

Nays: None

Next, City Administrator Beth Rhoton stated that the City has already purchased a parcel of property next to Daniell the Printer on South College Street for the new Fire Hall. In order to square up the property and have enough room for future improvements, she said it is necessary to purchase an additional 60 feet of land. She reported that \$12,000.00 has been budgeted in this current year to purchase the

land, and the negotiated price of the property is \$15,000. City Attorney Greg O'Neal said that the owner is willing to sign the contract for the \$12,000.00 without us having to do a budget amendment, and then the City can pay the \$3,000.00 from the 2012 budget. Mrs. Rhoton requested permission from the Council to sign the contract to enter into that agreement. Motion for approval was made by Councilman Stewart, seconded by Councilman Hart, and all voted in favor of said motion.

Next, City Administrator Rhoton stated that the City acquired a piece of property located in the dip on North Porter Street that had belonged to the Chambers family. She requested approval to surplus the property so that it can be sold or donated to a non-profit organization at a future time. Motion for approval was made by Councilman Hart, seconded by Councilman Stewart, and all voted in favor of said motion.

Next, City Administrator Rhoton requested approval to surplus a vacant lot located on Hackberry Drive which now belongs to the City and it is a maintenance issue for us. She stated that we needed to surplus our excess property and that there has been some interest from people in purchasing this property to possibly build another home on it. Motion to approve the surplus of this property was made by Councilman Stewart, seconded by Councilman Womack, and all voted in favor of said motion.

Next, Mayor Harrell appointed Ginger Foster to the Pageant Board of Directors. As this was a mayoral appointment, no other action was needed.

In the first order of new business, City Administrator Rhoton presented the following bids that were received for two 2012 Ford F-150 trucks for the Public Works Department. The bid opening was held on September 19, 2011 at 10:00 a.m. at City Hall.

Russell Barnett Chrysler Dodge Jeep	\$16,236.00 each
Mall of Georgia Ford	\$17,395.00 each
Ford of Murfreesboro	\$16,226.00 each
Country Ford of Southaven, MS	\$17,198.40 each

Councilman Bell stated that there was only \$10.00 difference between the bid by Ford of Murfreesboro and the bid by Russell Barnett, and it would cost the City more than that for employees to travel to Murfreesboro to pick up the trucks. Councilman Bell then made the motion to approve the local bid by Russell Barnett to purchase two (2) 2012 Ford F-150 trucks in the amount of \$16,236.00 each. Councilman Stewart seconded the motion and all voted in favor.

In the last order of new business, City Administrator Rhoton informed the Council that our current fines for speeding under 24mph is \$64.75 and over 25mph is \$74.75. Fines for no insurance, stop signs and

signals, no driver license, no registration, failure to yield, open container, etc., is \$62.75, and our fines have not increased since the mid 90's. In a comparison with surrounding towns, the City of Winchester fines are way below the other areas. We are currently taking \$12.75 off the top of our fines to send to the State for litigation tax and taking off an additional \$2.00 for another required fee, which the State has now increased to \$5.00 beginning this month. In comparing fines, the surrounding areas add the State required fees on top of the amount of their fines. Mrs. Rhoton recommended that the cost of our citations encompass the additional State required fees, for example: a \$64.75 fine for speeding, plus adding the \$12.75 and \$5.00 State litigation fees would equal \$82.50, which would still put the cost of the City of Winchester's fines below the cost of all the other cities fines. She stated that she wasn't increasing fines to raise money, but to stop taking State mandated fees out of our portion of the fines. Mrs. Rhoton stated that it's time to make this adjustment and recommended setting the minimum fine of \$82.50. Councilman Bell made the motion to raise all of the citation categories by \$20.00 each and Councilman Spencer seconded the motion. During a discussion, Councilman Stewart suggested raising each category by \$50.00 and said the City's fines would still not be near the surrounding areas and gave his reasons for raising those amounts to \$50.00. The other Councilmembers were not in favor of his recommendation as they felt the other cities fines were too high and said that the City was not trying to make money off the fines and get a reputation as a speed trap. After the discussion, Mayor Harrell called for a vote and the motion to raise the fines by \$20.00 passed on a vote of four ayes and one nay vote cast by Councilman Stewart.

Under his communications, Mayor Harrell thanked Airport Manager Zackary Colescott and Utilities Manager Roger Caldwell for their reports and for all they do for the City of Winchester and the county. Mayor Harrell thanked everyone who volunteered and participated with making the recently held Southern Tennessee Plunge Marathon a success.

Under Council and Departmental reports, communications, and updates: Councilman Stewart remarked that the monthly building report shows that new construction is going in the City while maintaining the City's building code regulations; Councilman Hart reported that county wide law enforcement agencies recently conducted a beer sting operation and eleven businesses in Franklin County were cited for selling alcohol to minors. Six of those businesses are located inside the city limits and were cited by the Winchester Police Department. Councilman Hart

further stated that a special called meeting of the Winchester Beer Board has been scheduled for October 19th at 6:00 p.m. in the courtroom concerning these violations. Councilman Spencer reported that the Recreation Committee met and he asked Bryan Dalton to inform the Council of their recommendations concerning the campground and possible electrical upgrades at the Citizens Pavilion. Mayor Harrell stated that the Council would take the Recreation Committee's suggestions into consideration; Police Chief Dennis Young thanked the City Council for the leadership they showed in passing the Synthetic Drugs Ordinance.

Under administrator communications, City Administrator Beth Rhoton stated that the Dogwood Festival fundraiser "Day of the Dead" dinner and silent auction event will be held at the Monterey Station on October 29th and tickets are available at City Hall. Money raised at this event will go to the Dogwood Festivals Kids Zone to make all the activities free for the children. Mrs. Rhoton also informed everyone that the City now accepts property taxes as well as all other types of payments online and encourages the public to go to our website for this option.

With no further business to be brought before the Council, the meeting adjourned on a motion by Councilman Spencer, seconded by Councilman Womack, 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: October 11, 2011