

MINUTES

May 11, 2010

The Winchester City Council met in a regular session on Tuesday, May 11, 2010, 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, Secretary; various Department Heads and news media; and the following Council members:

Present: Councilman Glasner
Councilman Scharber
Councilman Spencer
Councilman Stewart
Councilman Womack

Absent: None

Mayor Harrell called the meeting to order with a prayer by Wayne Hart and the Pledge of Allegiance led by Chief Dennis Young.

Under requests, addresses or presentations, Councilman Scharber introduced Roger Caldwell as the new manager of Winchester Utilities.

Next, a road block request by Margaret Pier for the Franklin County Foster Parent and Adoptive Association on May 15th was approved on a motion by Councilman Glasner, seconded by Councilman Spencer, and all voted in favor of said motion.

Next, a road block request by Amanda Curty for the Animal Harbor/Franklin County Humane Society on May 29th was approved on a motion by Councilman Womack, seconded by Councilman Spencer, and all voted in favor.

Next, a roadblock request by Rebelette Booster Club representative Tommy Lowe on May 22nd for the Rebelettes basketball team was approved on a motion by Councilman Scharber, seconded by Councilman Stewart, and all voted in favor of said motion.

Next, Bill Cowan and Deb Howard, representatives of the Winchester Downtown Group and merchants and events committee, requested the Council to waive our ordinance and allow them to serve beer at their "Taste Of Blues" event being held downtown on North College Street and Second Avenue on June 26th from 6:00 - 10:00 p.m. They are limiting this event to 250 people at \$25.00 a ticket and will be serving food and drinks in addition to serving beer and having music. This event, in conjunction with previous "Taste of" events is to stimulate activities and develop and recruit businesses for the downtown area. Mr. Cowan stated that they are hiring the Franklin County Sheriff's Auxiliary to patrol the event. The Council asked City Attorney O'Neal if they could waive the ordinance and allow them to give beer to those attending this

event and he stated that he would have to review our new Beer Ordinance to see if it would be okay to do this as a special event. The Council requested Police Chief Dennis Young to also patrol this event and Councilman Stewart made a motion to approve their request to serve beer, contingent on the City Attorney's findings. This motion was seconded by Councilman Glasner, and all voted in favor of said motion.

Under unfinished business, the reading of the minutes of the April 13, 2010 regular Council meeting was dispensed and approved on a motion by Councilman Scharber, seconded by Councilman Spencer, and all voted in favor of said motion.

Under new business, the Council approved Resolution #811, a resolution to TVA in support of the Dry Creek Development Project, on a motion by Councilman Glasner, seconded by Councilman Womack, and all voted in favor of said motion.

Next, City Administrator Rhoton presented the below listed bids for the Downtown Area Crosswalk Asphalt Stamping Streetscape to be done on four sides of the square and on each corner:

<u>UCompany:</u>	<u>Bid:</u>
National Pavement, Knoxville, TN	\$24,444.00
Tinsley Asphalt, LLC, Tullahoma, TN	\$34,900.00
Sessions Paving Co. Inc. Nashville, TN	\$54,420.00

Mrs. Rhoton stated that our engineer, Dempsey Dilling & Associates, had reviewed the bids and recommended the next lowest bid by Tinsley Asphalt, LLC in the amount of \$34,900.00, as National Pavement's bid did not include the required traffic control with their bid. Councilman Womack made a motion to approve the bid by Tinsley Asphalt, contingent on approval of their sub-contractor who will be doing this project. Councilman Scharber seconded this motion and all voted in favor.

Next, City Administrator Rhoton informed the Council she had received a request from a resident to increase the speed limit from 20 mph to 30 mph on Country Estates Drive. After a discussion, Councilman Stewart made a motion to have Police Chief Dennis Young conduct a traffic study and bring his recommendation back to the Council and to table this item until the June 8th meeting. Councilman Spencer seconded this motion and all voted in favor of said motion.

Next, the Council approved a letter of compliance for Brenda and T. J. Long for TJ's Wine and Liquor on a motion by Councilman Scharber, seconded by Councilman Spencer, and all voted in favor.

Next, the Council approved a letter of compliance for Linda Patton for Tims Ford Package Store on a motion by Councilman Glasner, seconded by Councilman Spencer, and all voted in favor.

Next, Fire Chief Gary Greeson requested approval to reapply for a FEMA grant for turn-out gear and flashlights for the Fire Department. Motion for approval was made by Councilman Scharber, seconded by Councilman Glasner, and all voted in favor of said motion.

Next, the Council approved the first draft of Ordinance #917, an ordinance amending Appropriations Ordinance #907 for the fiscal year ending June 30, 2010. Motion for approval was made by Councilman Glasner, seconded by Councilman Womack, and all voted in favor by the following roll call vote:

Ayes: Councilman Stewart
Councilman Glasner
Councilman Scharber
Councilman Spencer
Councilman Womack

Nays: None

Next, the Council approved the first draft of Ordinance #918, an ordinance making appropriations for the administration operation and maintenance and capital expenditures of each department, agency and fund of the City of Winchester for the fiscal year ending June 30, 2011. Motion for approval was made by Councilman Scharber, seconded by Councilman Spencer, and all voted in favor by the following roll call:

Ayes: Councilman Stewart
Councilman Glasner
Councilman Scharber
Councilman Spencer
Councilman Womack

Nays: None

In the last order of new business, the Council approved the first draft of Ordinance #919, an ordinance assessing and levying taxes within the corporate limits of the City for the 2010 tax year, at a rate of seventy-nine cents (\$0.79) per one hundred dollars. Motion for approval was made by Councilman Glasner, seconded by Councilman Spencer, and all voted in favor by the following roll call:

Ayes: Councilman Stewart
Councilman Glasner
Councilman Scharber
Councilman Spencer
Councilman Womack

Under his communications, Mayor Harrell thanked Councilman Glasner for chairing the Dogwood Festival and those who helped with the event on May 7-9th. He also scheduled a budget work shop for Thursday, May 27th at 5:00 p.m. to be held in the annex building.

Under council communications, reports and updates, Councilman Glasner thanked the City employees and all volunteers who helped make this year's Dogwood Festival a success; Councilman Scharber stated that the Winchester Beer Board met on May 5th and granted an on-

premise beer permit to Reggie's Fish N Chicken located at 11 South College Street; Councilman Spencer stated that the Recreation Committee will meet on Thursday, May 13th at 5:30 p.m. and the Historical Committee discussed a second printing of the downtown business historical books; Councilman Stewart stated that Ken Givens, Commissioner of Agriculture, was very complimentary of everything going on in downtown Winchester.

There were no reports under Department Head communications given at this meeting.

Mayor Harrell then recognized Jimmy Nowlin, the new owner of the Winchester Speedway, who stated he was unaware that the City required a schedule of races be given thirty days prior to being allowed to hold a race. Mr. Nowlin requested a variance from the Council to waive the thirty day requirement and allow him to go ahead and start so he would not lose a month of attendance and revenue. Mayor Harrell explained that as this item was not on the agenda, the Council could not take action. Mayor Harrell asked City Attorney Greg O'Neal to speak on this request. Mr. O'Neal recommended that, due to the history of the racetrack, all steps that our ordinance required should be followed correctly, not only for the City's benefit, but also for Mr. Nowlin's benefit. He further stated that there could be some people looking for a reason to get an injunction if everything wasn't done correctly.

With no further business to be brought before the Council, the meeting adjourned on a motion by Councilman Scharber, 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

Date of Meeting: May 11, 2010