

MINUTES

August 10, 2010

The Winchester City Council met in a regular session on Tuesday, August 10, 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 Winston Tipps and the Pledge of Allegiance led by Gene Snead.

Mayor Harrell welcomed Police Sgt. Randy Wilkinson back from his tour of duty in Iraq.

Under requests, addresses or presentations, the Council heard two requests by Gene Snead, Chairman of the 2011 International Dogwood Festival. One request is to have an outdoor German Beer Garden and sell beer at the Festival, and the other request is to pursue obtaining a 501-C3 classification for the International Dogwood Festival. Mayor Harrell recognized Winston Tipps, a citizen who spoke against allowing the sale of beer at the festival in order to keep the festival a family oriented event. After a discussion, Councilman Glasner made a motion to approve pursuing a 501-3C classification for the Festival, and to table their request to sell beer and allow the Festival Committee to come back at a later date with alternative options. Councilman Stewart seconded this motion and all voted in favor.

Next, the Council approved a request by Larry Limbaugh to abandon an alley on 4<sup>th</sup> Avenue, SW. that adjoins his two properties at 302 Cotton Street and 410 Cotton Street. Motion to abandon the alley with Mr. Limbaugh paying for all surveying and transfer of deed fees, and the city retaining right-of-ways, was made by Councilman Stewart, seconded by Councilman Glasner, and all voted in favor.

Next, Colby Phillips & Charity Miller, of God's Love Ministries, requested approval to hold more yard sales, in addition to the two yard sales allowed each year by city ordinance. Mayor Harrell explained the reason for the ordinance and that the Council upholds city ordinances and instructed them to look at other means of fund raisers.

Under unfinished business, the reading of the minutes of the July 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.

Next, the Council approved the second reading of Ordinance #920, an ordinance amending Ord. #910, establishing fees for activities associated with the Winchester, Tennessee Municipal-Regional Planning Commission and the Winchester, Tennessee Board of Zoning Appeals. 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

Under new business, Codes Officer Pat Sanders explained that building codes had to be updated and recommended updating from the 2003 to the 2006 codes. Council approved the first reading of Ordinance #921, repealing Ord. #835, to adopt various 2006 building and property maintenance codes. 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

Next, Codes Officer Pat Sanders explained that fire codes also had to be updated and recommended updating from the 2003 to the 2006 codes. Council approved the first reading of Ordinance #922, repealing Ord. #729, to adopt 2006 fire and life safety codes. Motion for approval was made by Councilman Spencer, seconded by Councilman Scharber, and all voted in favor by the following roll call:

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

Nays: None

Next, the Council approved the first reading of Ordinance #923, amending the City beer laws (Ord. #890), regarding distance requirements. Councilman Spencer made a motion for approval, with the insertion of adding "50 feet" to the downtown distance requirement and further requested to insert language concerning signage with appropriate taste for businesses in the downtown district. After a discussion,

Councilman Spencer amended the 2<sup>nd</sup> part of his motion to have the Winchester Downtown Group come up with appropriate signage requirements for the businesses in the downtown revitalization district and bring their recommendations back to the Council. Mayor Harrell recognized Kathy Santisteban who stated her objections to the 50 foot requirement and asked that no footage be required due to not knowing what future downtown businesses could cause an owner to be unable to obtain a beer permit. After a discussion, Councilman Stewart seconded the motion made by Councilman Spencer, and the motion passed by a vote of four ayes to one nay cast by Councilman Glasner by the following roll call:

Ayes: Councilman Stewart  
Councilman Scharber  
Councilman Spencer  
Councilman Womack

Nays: Councilman Glasner

Next, Mayor Harrell requested the Council to support his appointment of Councilman Glen Glasner to the Winchester Utilities Board to replace outgoing member Gene Sanders. Councilman Scharber moved to support the appointment, seconded by Councilman Spencer, and all voted in favor of said motion.

Next, Mayor Harrell explained that Airport Chairman Carey Wofford recommended the reappointments of Carrie McClain and Duff Zimmerman to the Winchester Municipal Airport Authority. Motion for approval was made by Councilman Womack, seconded by Councilman Stewart, and all voting in favor of said motion.

Next, Councilman Scharber recommended the reappointments of Scottie Peters and Marie Mosley to the Winchester Beer Board. (Mrs. Peters term expired in May and Ms. Mosley's term will expire in September). Motion for approval was made by Councilman Spencer, seconded by Councilman Womack and the motion passed by a vote of four ayes to one nay cast by Councilman Womack.

Next, City Administrator Rhoton and Fire Chief Gary Greeson explained the necessary requirements for the Fire Department to become a medical First Responder or to respond to public assistance calls. Both recommended only responding to the public assistance calls as the Fire Department does not meet certified requirements to be a First Responder at this time, according to MTAS. In order to be a first responder, Fire Chief Greeson stated there would be the cost of medical liability insurance and additional training that each of the firemen would have to obtain in order to become certified. The Winchester Fire Department's Standard Operating Policy does allow the Fire Department to respond to calls if requested by the ambulance service. Councilman Stewart made a motion to allow Fire Chief Greeson to meet with the Ambulance Director

to set guidelines for the Fire Department to answer requests for public assistance calls as a Priority One, as our firemen would not have to be a trained EMT to answer those calls, and not be a First Responder & bring the recommendations back to the Council, Councilman Spencer seconded this motion and all voted in favor.

In the last order of new business, the following bids were received from Russell Barnett for two new police patrol vehicles:

2010 Dodge Charger	\$23,500.00 each
2011 Ford Crown Victoria	\$22,982.64 each

Police Chief Young recommended purchasing the Dodge Chargers and explained that they were in stock and came with a warranty that would cost an additional thousand dollars each for the same warranty on the Fords, which would take an additional 4 - 6 weeks delivery. Councilman Womack moved to approve the purchase of the Dodge Chargers, seconded by Councilman Spencer, and the motion passed on a vote of four ayes to one nay cast by Councilman Stewart.

**NOTE:** Resolution #814, was accidentally left off the August 10<sup>th</sup> agenda. This is a resolution authorizing the City to submit an application for Local Parks and Recreation Funds through the Division of Recreation Educational Services of the Tennessee Department of Environment and Conservation to construct a concession stand at the Rotary Soccer Complex & launching pads and base camp at the Winchester City Park for the Tims Ford Reservoir Blueway Trail. As approval for this resolution was needed immediately, City Administrator Rhoton instructed City Recorder Judy Baker to call the Council and get their vote by telephone. Councilman Stewart made a motion to approve the resolution, seconded by Councilman Scharber, and the motion passed unanimously. This resolution item will be placed on the September agenda for ratification.

Under council and departmental communications, reports and updates, Councilman Glasner appreciated Mayor Harrell appointing him to the Utility Board; Councilman Scharber stated the Beer Board met on July 21<sup>st</sup> and issued a beer permit for Liu's Dynasty China Super Buffet, the former Evergreen Chinese Restaurant; Councilman Spencer reported that Winchester Civil War trails gateway marker will be installed at City Hall's Freedom Park on August 17<sup>th</sup> and at the cemetery at a later date. The Historical Committee has ordered a second printing of the "Around The Square" downtown business books and they are working on markers and plaques for the downtown buildings. Police Chief Dennis Young stated that the Police and Fire Memorial will be held on September 11<sup>th</sup>.

Among his communications, Mayor Harrell thanked Councilman Glasner for his willingness to serve on the Utility Board and also

thanked the Council for their detail in conducting city business and also thanked the departments, employees and volunteers for everything they do for the city.

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](http://www.winchester-tn.com)

and

International Dogwood Festival website is:

[www.winchesterdogwoodfestival.com](http://www.winchesterdogwoodfestival.com)

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Terry Harrell, Mayor  
City of Winchester

Attest:

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Beth Rhoton, City Administrator

Minutes taken by: Judy Baker

Date of Meeting: August 10, 2010