

MINUTES

June 12, 2007

The Winchester City Council met in a session on Tuesday, June 12, 2007, beginning with a public hearing at 7:00 p.m. The purpose of the public hearing was Annexation Ordinance #876; Plan of Service Resolution #786; and Zoning Ordinances #877.

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

Present: Councilman Franklin  
Councilman Glasner  
Councilman Scharber  
Councilman Snead  
Councilman Womack

Absent: None

Mayor Harrell called the meeting to order with a prayer by Councilman Franklin and Councilman Glasner led the audience in the Pledge of Allegiance.

Mayor Harrell opened the public hearing for any comments on: Ordinance #876, annexing 54 acres of the Yokley and Foster (Blair Pond Partnership LP) property located off Blair Pond Road; Resolution #786 adopting a plan of services for Ordinance #876; and Ordinance #877, amending Zoning Ord. #506, to zone the Craig Brock property located on Old Tullahoma Road (Hwy. 130) as R-1, low-density residential. No one spoke for or against the ordinances or resolution and the public hearing was adjourned.

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

Under requests, addresses or presentations, the Council approved a request by Connie Vanzant for a roadblock for the Franklin County Foster/Adoptive Parents Association on June 23<sup>rd</sup> on a motion by Councilman Glasner, seconded by Councilman Scharber, and all voted in favor of said motion.

The Council also approved a request by Tommy Lowe for a roadblock for the FCHS Rebelettes on June 16<sup>th</sup> on a motion by Councilman Womack, seconded by Councilman Snead, and all voted in favor.

Next, Eric Stewart explained a consolidated animal control agreement between Franklin County and all municipalities that the County was trying to get passed and answered questions concerning this agreement. This agreement will be reviewed and placed on an upcoming agenda.

First under unfinished business, the reading of the minutes of the May 8<sup>th</sup> council meeting was dispensed and approved on a motion by

Councilman Snead, seconded by Councilman Glasner, and all voted in favor of said motion.

Next, the reading of the minutes of the May 23<sup>rd</sup> special called council meeting was dispensed and approved as written on a motion by Councilman Glasner, seconded by Councilman Womack, and all voted in favor of said motion.

Next, the Council approved the third and final reading of Ordinance #876, to annex at the request of owners, Yokley and Foster, approximately 54 acres of the Blair Pond Partnership LP property located off Blair Pond Road. Motion for approval was made by Councilman Womack, seconded by Councilman Scharber, and all voted in favor by the following roll call:

Ayes: Councilman Franklin  
Councilman Glasner  
Councilman Scharber  
Councilman Snead  
Councilman Womack

Nays: None

Next, the Council approved the third and final reading of Ordinance #877, amending Zoning Ord. #506, to zone the Craig Brock property located on Old Tullahoma Road (Hwy. 130) as R-1, low-density residential district. Motion for approval was made by Councilman Glasner, seconded by Councilman Franklin, and all voted in favor by the following roll call:

Ayes: Councilman Franklin  
Councilman Glasner  
Councilman Scharber  
Councilman Snead  
Councilman Womack

Nays: None

Next, bids for heating and air conditioning units for the Citizens Pavilion were tabled to the July council meeting on a motion by Councilman Franklin, seconded by Councilman Snead, and all voted in favor.

Next, the following bids were received for a 2007 Ford F-150 for the Public Works Department:

Kennith Wessner Ford-Mercury	\$12,986.30
Golden Circle Ford (state contract)	\$13,648.92
Russell Barnett Chrysler	\$15,489.00

City Administrator Rhoton stated money was in the budget for the vehicle. Motion to approve the low bid of \$12,986.30 by Kennith Wessner Ford was made by Councilman Snead, seconded by Councilman Glasner, and all voted in favor of said motion.

Next, City Administrator Rhoton informed the Council of an additional cost of \$6,878.00 by Prince & Sons Contractors, LLC for a catch basin which is needed for the Duncan Lane widening project. Mrs. Rhoton and Public Works Director Goodwin stated that this item had been

left off the original bid but felt it was necessary for safety measures. Motion to approve the expenditure was made by Councilman Snead, seconded by Councilman Glasner, and all voted in favor of said motion.

In the first order of new business, the Council approved the first reading of Ordinance #881, adopting a compliance manual regarding Title VI of the Civil Rights Act of 1964. Motion for approval was made by Councilman Glasner, seconded by Councilman Snead, and all voted in favor by the following roll call:

Ayes: Councilman Franklin  
Councilman Glasner  
Councilman Scharber  
Councilman Snead  
Councilman Womack

Nays: None

Before the reading of Ordinance #882, to rescind Ordinance #778 and abolish the Planning Department, Mayor Harrell stated that this agenda item had gotten a lot of attention in the last few days and the Council is of the opinion that the work session held Monday, June 4, 2007, was not in violation of the Sunshine law. Mayor Harrell further stated that, "regardless if this Ordinance passes or fails, the citizens of Winchester can be assured that all activities involving the Planning Commission and Zoning and Appeals will not be interrupted and processes will continue as they have in the past while continuing to work with State Planner Art Brown and expects there to be very little disruption during this transition." Mayor Harrell said he wanted to make this statement because there had been some discussion in the media regarding this issue and he wanted to address this.

City Administrator Rhoton read the Ordinance aloud and the Council approved the first reading of Ordinance #882, an ordinance to rescind Ordinance #778 and abolish the Winchester Planning Department, on a motion by Councilman Glasner and seconded by Councilman Scharber. Councilman Snead wanted to comment that he disagreed with the second paragraph of Ordinance #882 and didn't feel there was a duplication of effort with the State Planning Office. Councilman Snead stated that the State Planning Office role is in an advisory capacity to our Planning Department and in no way can we expect our State Planner, who's here a few hours a week as an advisor, to be leading our Planning Department and if someone thinks that can happen, he doesn't think they're being realistic. With no more discussion, Mayor Harrell called for a roll call vote and the motion passed by a vote of four ayes to one nay cast by Councilman Snead by the following roll call:

Ayes: Councilman Franklin  
Councilman Glasner  
Councilman Scharber

Councilman Womack

Nays: Councilman Snead

Next, the Council approved Resolution #786, adopting a plan of services for Annexation #876 on a motion by Councilman Snead, seconded by Councilman Scharber, and all voted in favor of said motion.

Next, the following bids were received for replacement windows for the Fire Department:

Stewart Aluminum	\$ 5,466.00
Working Windows	\$ 5,491.26
Satisfaction Windows	\$10,814.59

City Administrator Rhoton stated this expenditure would come from the 2008 budget as the windows would not be replaced until July. Motion to approve the low bid of \$5,466.00 by Stewart Aluminum was made by Councilman Snead, seconded by Councilman Scharber, and all voted in favor of said motion.

Next, City Administrator Rhoton informed the Council that a Safety Committee was needed in order to be in compliance with Title VI and she recommended that this committee be comprised of the City's Department Heads. Councilman Snead felt that employees in the field would know more about the safety issues and made a motion that employees in the field be appointed to this 5-7 person committee. This motion was seconded by Councilman Franklin and all voted in favor of said motion.

In the last order of business, City Administrator Rhoton informed the Council of complaints received from persons with health issues about the poor air quality due to a spontaneous combustion fire taking place at the City's burn pit located on a 5-acre tract near the County Jail. Public Works Director Goodwin stated that this has only occurred twice in eleven years. Mrs. Rhoton noted that a connector road being built by the State may come through that property and the property would be worth more money if the land was not vacant. She recommended that the burn pit be moved to another location but to leave the mulching operation there at this time. Councilman Glasner made a motion to allow City Administrator Rhoton to look into what options, contracting out the materials to be burned, etc., are available for the burn pit and mulching service and bring those options back to the Council for their decision. Councilman Franklin seconded this motion and all voted in favor of said motion.

Under Mayoral communications, Mayor Harrell scheduled special called Council meetings on Thursday, June 21, 2007, beginning at 12:00 noon and on Thursday, June 28, 2007, beginning at 7:00 p.m.

Next under Council and Department communications, updates and reports were given. Fireworks were discussed due to the dry weather conditions and drought from the lack of rain. City Administrator Rhoton

stated that the City had already issued some permits and is expected to issue several more. Chief Young stated that fireworks have already been banned in Alabama but the State Fire Marshall's office had not yet issued a ban on fireworks in Tennessee. Due to the potential fire hazards from the dry weather, it was recommended that fire safety awareness and education be made available to the public through the media and other avenues. Councilman Snead stated we need to think about how we would support the GIS system, maintain the City's two web-sites, advise our committees, etc., if the City abolishes the Planning Department.

Mayor Harrell asked if anyone in the audience wished to speak. He then recognized Bill Simmons, who brought four boys with him who loved to skateboard, and spoke about the need for a place for people to skateboard. Councilman Franklin asked Mr. Simmons to contact him when he got some information together about skateboarding and this issue would be brought before the Recreation Committee.

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

---

Terry Harrell, Mayor  
City of Winchester

Attest:

---

Beth J. Rhoton, City Administrator

Minutes taken by: Judy Baker

Date of Meeting: June 12, 2007