

MINUTES

June 9, 2020

The Winchester City Council met in regular session Tuesday, June 9, 2020 at 5:00 p.m.

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

Present: Councilwoman Alexander
Councilman Cagley
Councilman Snead
Councilman Spencer
Councilman Womack

Mayor Harrell called the meeting to order beginning with a prayer by Winchester Utility Manager Roger Caldwell and the Pledge of Allegiance by Councilman Gene Snead.

Mayor Harrell opened the meeting with a Public Hearing for Ordinance #1023, an ordinance of the City of Winchester, Tennessee amending the Appropriations Ordinance #1013 for the fiscal year ending June 30, 2020; and Ordinance #1024, an ordinance of the City of Winchester, Tennessee adopting the annual budget and tax rate for the fiscal year beginning July 1, 2020 and ending June 30, 2021. No one spoke for or against these ordinances.

Mayor Harrell closed the Public Hearing and proceeded with a Flag Project Presentation from Mr. Tom Isbell. Mr. Isbell showed the Council a short video with roadways lined with flags in memory of veterans. He commented that family members will be responsible for purchasing the flags, and volunteers will display these flags for approximately two weeks during Veterans Day and Memorial Day. Mr. Isbell asked permission to display these flags along a couple of the main thoroughfares within the city limits such as the Cowan Highway and entering Downtown Winchester from the Roundabout. Councilwoman Alexander made a motion to support the flag project, Councilman Spencer seconded the motion and all members voted in favor.

Under unfinished business, Councilman Womack made a motion to approve the May 12, 2020 Council Minutes, Councilman Spencer seconded the motion and the motion passed.

Next, Councilwoman Alexander made a motion to approve the second reading of Ordinance #1023, an ordinance of the City of Winchester, Tennessee amending appropriations Ordinance #1013 for the fiscal year ending June 30, 2020. Councilman Snead seconded the motion and the motion passed with the following roll call vote:

Ayes: Councilman Snead
Councilwoman Alexander
Councilman Cagley
Councilman Spencer
Councilman Womack

Nays: None

Next, Councilman Spencer made a motion to approve the second reading of Ordinance #1024, an ordinance of the City of Winchester, Tennessee adopting the annual budget and tax rate of the fiscal year beginning July 1, 2020 and ending June 30, 2021. Councilman Cagley seconded the motion and the motion passed with the following roll call vote:

Ayes: Councilman Snead
Councilwoman Alexander
Councilman Cagley
Councilman Spencer
Councilman Womack

Nays: None

Under new business, City Administrator Beth Rhoton read Resolution #889, a resolution authorizing the Industrial Development Board of the City of Winchester, Tennessee to negotiate and accept payments in lieu of Ad Valorem Taxes for a retail project. Councilwoman Alexander made a motion to approve the resolution, Councilman Cagley seconded the motion and the motion passed with the following roll call vote:

Ayes: Councilman Snead
Councilwoman Alexander
Councilman Cagley
Councilman Spencer
Councilman Womack

Nays: None

Next, Councilman Snead made a motion to approve the Industrial Development Board By-Law Amendments. Councilman Womack seconded the motion and all members voted in favor of the motion.

In the next order of business, Councilman Cagley made a motion to reappoint Randy Foster to the Winchester Beer Board. Councilwoman Alexander seconded the motion and all members voted in favor of the motion.

Next, Councilwoman Alexander made a motion to Reappoint Carrie McClain to the Winchester Airport Authority. Councilman Spencer seconded the motion and all members were in favor.

Next, Mr. Rob Joyner asked to speak to the City Council about appealing the decision of the Winchester Planning Commission to not rezone property located at 300 2nd Avenue NW from residential to commercial. The Planning Commission chose not to rezone this property to keep all properties on that side of the street residential. Mr. Joyner is the owner of Horace Mann Insurance Company and needs to upgrade his business space and feels this property will suit his needs perfectly. He commented that the business will have minimal traffic and he will make the property an asset to the neighborhood. He also mentioned that the property across the street is commercial and is very similar to his business. He asked the City Council to reconsider the decision of the Winchester Planning Commission. The Mayor explained the rezoning procedure to Mr. Joyner and that this agenda item is toward the end of the meeting and the first reading will be voted on at that time.

In the next order of business, City Administrator Beth Rhoton mentioned that two seats remain open for the Winchester Industrial Development Board and that Mr. Mickey Hall and Ms. Helen Tinnerman have agreed to serve. Councilman Cagley made a motion to appoint these members to the Board, Councilwoman Alexander seconded the motion and all members were in favor.

Next, Councilman Cagley made a motion to approve the first reading of Ordinance #1025, an ordinance amending Ordinance #506 known at the Zoning Ordinance of Winchester, Tennessee to rezone the Swafford/Davis property on

Tullahoma Highway to C2A, Commercial Highway Service Alternative District from the current classification of C2, Commercial Highway Service District. Councilman Womack seconded the motion and the motion passed with the following roll call vote:

Ayes: Councilman Snead
Councilwoman Alexander
Councilman Cagley
Councilman Spencer
Councilman Womack

Nays: None

Next, following a lengthy discussion Councilman Snead made a motion to approve the first reading of Ordinance #1026, an ordinance amending Ordinance #506 known as the Zoning Ordinance of Winchester, Tennessee to rezone property on 2nd Avenue NW to C1, Commercial Central Business District from R2, Residential Medium Density District. Councilman Womack seconded the motion and the motion passed with the following roll call vote:

Ayes: Councilman Snead
Councilman Cagley
Councilman Womack

Nays: Councilwoman Alexander

Abstained: Councilman Spencer

In the last order of business, City Administrator Beth Rhoton spoke about drainage issues with Troy Court. This project received no bids during last month's meeting, so Henley Construction has given us a contract labor bid of \$9,700.00 to help alleviate some of the drainage issues by cleaning out the drainage ditches. Mr. Will Keith of 305 Duncan Lane spoke briefly on behalf of the neighborhood and he distributed a packet to the Council that shows pictures of the area flooding and concerns of the underground electricity and air conditioner units being submerged, etc. Councilman Snead made a motion to approve the contract labor bid from Henley Construction in the amount of \$9,700.00 to clean the drainage ditches, Councilwoman Alexander seconded the motion and all members voted in favor.

Under Communications, Councilman Snead wanted the Mayor to know that he agreed with his comment about respecting the Planning Commissions decisions that they make on behalf of Winchester, and he also thanked long-time

Planning Commission member Warren Christenson for his presence, however sometimes it is necessary to zero in on a case by case item. Councilwoman Alexander said that she was thankful to live in Winchester and very proud of all our city departments. City Administrator Beth Rhoton mentioned that the Fireworks Display will be July 4th at approximately 9:00 p.m. at the City Park. Councilman Womack asked everyone to trade at home. Mayor Harrell mentioned that he appreciates and respects the Planning Commission members decisions, but the City Council always has the opportunity to change their decision. Mayor Harrell mentioned that he is also very proud of the coordinated efforts between all the various departments and proud of our efforts to make events such as the Fireworks Display as safe as possible. He also commented that he was proud to be meeting together in person.

With no further business to come before the board, Councilwoman Alexander made a motion to adjourn the Council Meeting, Councilman Snead seconded the motion, and the motion passed with the following roll call vote:

By:



Terry Harrell, Mayor

Attest:



Beth Rhoton, City Administrator

Minutes taken by Teena Waggoner, City Recorder
June 9, 2020

RESOLUTION #889

A RESOLUTION AUTHORIZING THE INDUSTRIAL DEVELOPMENT BOARD OF THE CITY OF WINCHESTER TO NEGOTIATE AND ACCEPT PAYMENTS IN LIEU OF AD VALOREM TAXES FOR A RETAIL PROJECT

WHEREAS, The Industrial Development Board of the City of Winchester (the "IDB") is authorized under the provisions of Chapter 53, Title 7, of Tennessee Code Annotated, as amended from time to time (the "Act"), to acquire, improve, construct, equip, own, lease, and dispose of properties in order to promote industry, trade, commerce, tourism and recreation, and thereby maintain and increase employment opportunities and further the use of natural resources in the State of Tennessee, by inducing manufacturing, industrial, governmental, educational, financial, service, commercial, and recreational enterprises to locate in, expand or remain in the State of Tennessee; and

WHEREAS, in order to implement the public purposes enumerated in the Act and in furtherance thereof to induce a retailer or a developer of a retail shopping center that would lease to the retailer (each being an "Applicant") to construct a shopping center in the City of Winchester, Tennessee, the capital expenditures for which is expected to total of approximately Thirteen Million Four Hundred Thousand and No/100 (\$13,400,000.00), the IDB would acquire the real and personal property constituting the Project (the "Facility"), from the Applicant, which Facility would be leased by the IDB back to an Applicant pursuant to a certain Facility Lease Agreement (the "Facility Lease"), and the IDB would acquire the equipment to be used for the Project (the "Equipment") from an Applicant, which Equipment would also be leased back to an Applicant pursuant to a certain Equipment Lease (the "Equipment Lease"); and

WHEREAS, undertaking the acquisition, construction and equipping of the retail shopping center (collectively, the "Project"), is anticipated to enable the retailer Applicant to employ approximately 70 additional full-time equivalent persons within the first several years of operations, so the IDB desires to effectuate a property tax incentive for the benefit of the Project providing for payments in lieu, expressed as a percentage of what the property taxes would have been if the Project were owned by the Applicant, as follows:

Year 1	0%
Year 2	0%
Year 3	0%
Year 4	50%
Year 5	75%
Year 6	100%

provided that if the retail operation ceases for any reason other than a remodeling, casualty or other event of force majeure that is beyond the retail operator's reasonable control, then the abatement shall end; and

WHEREAS, the City Council of the City of Winchester desires to confirm its approval of the economic incentives for the Project set forth above and delegate authority to the IDB to undertake the payment in lieu of tax incentive.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Winchester, as follows:

1. The preamble hereto is incorporated herein by reference.
2. That, pursuant to T.C.A. Section 7-53-305(b), the City Council of the City of Winchester hereby delegates to the IDB authority to negotiate and accept from


the Applicant the payments in lieu of ad valorem taxes as set forth in this Resolution, and finds that such authorization is deemed to be in furtherance of the IDB’s public purposes as defined in the Act.

3. That the Project will develop trade and commerce in and adjacent to the City and Franklin County; will induce the Applicant to provide the Project; will serve to substantially maintain or increase employment opportunities in the State of Tennessee, thereby alleviating conditions of unemployment; will contribute to the general welfare; and will, therefore, be in furtherance of the public purposes for which the IDB was created.

4. The officers and employees of the City of Winchester are hereby authorized and directed to take such further actions as are deemed necessary or advisable to carry out the intent and purposes of this Resolution.

Adopted and approved this 9th day of June, 2020.

APPROVED:


Name: Terry Harrell
Title: City Mayor

ATTEST: 
Name: Beth Rhoton
Title: City Administrator