

MINUTES

SPECIAL CALLED MEETING

May 28, 2013

The Winchester City Council met in a special called session on Tuesday, May 28, 2013, beginning with a public hearing at 12:00 noon. The purpose of the public hearing was for the third & final reading of Ordinance #958, amending Zoning Ordinance #506, rezoning two parcels of property (one parcel owned by Robert Ballard and the other parcel by the Betty Henson Heirs) located on the west side of South High Street to C-1, central business district, from R-2, medium-density residential district. The purpose of the special called meeting was for the following: third & final reading of Ordinance #958, amending Zoning Ordinance #506, rezoning two parcels of property (one parcel owned by Robert Ballard and the other parcel by the Betty Henson Heirs) located on the west side of South High Street to C-1, central business district, from R-2, medium-density residential district; second reading of the following: Ordinance #959, amending Title 11, Chapter 8, of the Winchester Municipal Code by adding Section 11-805, regulating the sale of ephedrine or pseudoephedrine related products within the municipal boundaries of the City of Winchester; Ordinance #960, amending Appropriations Ord. #946, for fiscal year ending June 30, 2013; Ordinance #961, 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 fiscal year ending June 30, 2014; Ordinance #962, an ordinance assessing and levying property taxes within the corporate limits Of the City of Winchester; and Resolution #841, appropriating bunds to non-profit charitable and non-profit civic organizations for fiscal year ending June 30, 2014; and yard sales.

A quorum being present, Mayor Harrell called the meeting to order and the meeting proceeded with the transaction of business. The special called meeting form reads as follows:

NOTICE OF SPECIAL MEETING

To the Council Members of the City of Winchester, Tennessee,
to-wit:

Jack Bell
Wayne Hart
Suzanne McDowell
Bruce Spencer
William Womack

Notice is hereby given that a special called meeting of the City Council will be held at the hour of 12:00 noon on Tuesday, the 28th day of May, 2013.

Judy Baker
Secretary

CONSENT TO MEETING

We, the undersigned members of the City Council of Winchester, Tennessee, hereby accept service of the foregoing notice waiving any and all irregularities in such notice, and consent and agree that said Council shall meet at the time and place named therein for the purpose therein named.

Jack Bell
Councilman

Wayne Hart
Councilman

Councilwoman McDowell
Councilwoman

Bruce Spencer
Councilman

William Womack
Councilman

Present and participating were: Mayor Terry Harrell, presiding; Beth Rhoton, City Administrator; Judy Baker, City Recorder; various Department Heads; news media; and the following Council members:

Present: Councilman Bell
Councilman Hart
Suzanne McDowell
Councilman Spencer
Councilman Womack

Absent: Greg O'Neal, City Attorney

Mayor Harrell opened the public hearing for any comments on Ordinance #958, amending Zoning Ordinance #506, rezoning two parcels of property (one parcel owned by Robert Ballard and the other parcel by the Betty Henson Heirs) located on the west side of South High Street to C-1, central business district, from R-2, medium-density residential district. Speaking as representatives for the neighborhood against the rezoning was Mrs. Margaret Moon, Ms. Helen Hubbard and Mrs. Cile Alexander. Ms. Hubbard presented the Council with a signed petition from the residents of the affected neighborhood who are opposed to their neighborhood becoming business oriented. Speaking for the rezoning was Robert Ballard, current owner of one of the properties, who wants to open and operate a small business. After all the speakers presented their reason for either being against or for the rezoning, the Mayor adjourned the public hearing at 12:20 p.m.

The special called Council meeting began immediately after the close of the public meeting.

Under requests, addresses or presentations, Amanda Long requested the Council to amend Yard Sale Ordinance #833 to allow City of Winchester residents to have more than two yard sales per year. Mayor

Harrell said that the Council will take her request into consideration and discuss it at their next work session.

First under unfinished business, was the third and final reading of Ordinance #958, amending Zoning Ordinance #506, rezoning two parcels of property (one parcel owned by Robert Ballard and the other parcel by the Betty Henson Heirs) located on the west side of South High Street to C-1, central business district, from R-2, medium-density residential district. Councilman Spencer made a motion to deny the rezoning due to the majority of the residents neighborhood being against businesses encroaching on their neighborhood. Councilman Hart seconded the motion to deny the rezoning and the motion passed unanimously for denial by the following roll call vote:

Ayes: Councilman Bell
Councilman Hart
Councilwoman McDowell
Councilman Spencer
Councilman Womack

Nays: None

With all Council voting to deny the rezoning of Ordinance #95, the motion failed to pass third and final reading.

Next, the Council approved the second reading of Ordinance #959, amending Title 11, Chapter 8, of the Winchester Municipal Code by adding Section 11-805, regulating the sale of ephedrine or pseudoephedrine related products within the municipal boundaries of the City of Winchester. Motion to approve was made by Councilman Bell, seconded by Councilwoman McDowell, and the motion passed unanimously by the following roll call vote:

Ayes: Councilman Bell
Councilman Hart
Councilwoman McDowell
Councilman Spencer
Councilman Womack

Nays: None

Next, the Council approved the second reading of Budget Ordinance #960, amending Appropriations Ord. #946, for fiscal year ending June 30, 2013. Motion for approval was made by Councilman Womack, seconded by Councilman Hart, and all voted in favor by the following roll call:

Ayes: Councilman Bell
Councilman Hart
Councilwoman McDowell
Councilman Spencer
Councilman Womack

Nays: None

Next, the Council approved the second reading of Ordinance #961, 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 fiscal year ending June 30, 2014. City Administrator Rhoton reminded the Council that the employee salary step increases for granting raises were now in place. Motion for approval was made by Councilman Spencer, seconded by Councilman Hart, and all voted in favor by the following roll call:

Ayes: Councilman Bell
Councilman Hart
Councilwoman McDowell
Councilman Spencer
Councilman Womack

Nays: None

Next, the Council approved the second reading of Ordinance #962, an ordinance assessing and levying property taxes within the corporate limits of the City of Winchester for the 2013 property tax year at \$0.8233 per one hundred dollars. City Administrator Rhoton explained that this property tax amount is equivalent to the \$0.79 tax amount the City charged for property taxes in 2011 and for the past several years but, due to a property reappraisal, the tax amount went to \$0.8233 for the 2012 property tax year and will stay the same for the 2013 property tax year. Motion for approval was made by Councilman Womack, seconded by Councilman Bell, and all voted in favor by the following roll call:

Ayes: Councilman Bell
Councilman Hart
Councilwoman McDowell
Councilman Spencer
Councilman Womack

Nays: None

In the last order of unfinished business, the Council heard Resolution #841, a resolution appropriating funds to non-profit charitable and non-profit civic organizations for fiscal year ending June 30, 2014. Motion for approval was made by Councilwoman McDowell and seconded by Councilman Spencer. When Mayor Harrell asked if there was any discussion on this item, Councilman Bell stated he could not vote for this resolution as there was an item that he felt should not receive city grant money. Councilman Bell stated that the Franklin County Emergency Management is a county agency and is now well funded and he does not feel the City should be making this \$1,619.00 grant donation due to the City of Winchester having fire and police departments to handle our own emergencies. Councilman Spencer withdrew his second and Councilwoman McDowell withdrew her motion after hearing Councilman Bell's reasons for not approving this item. Councilman Bell then made the motion to approve Resolution #841, with the deletion of \$1,619.00 to Franklin County Emergency Management, seconded by Councilman Spencer, and all voted in favor of said motion.

Mayor Harrell welcomed Mrs. McDowell to the City Council and thanked her for agreeing to serve the remainder of an unexpired council seat.

With no further business to be brought before the Council, the meeting adjourned on a motion by Councilman Hart, seconded by Councilman Womack, and all voted in favor of said motion.

City of Winchester's website is:
www.winchester-tn.com

and the
International Dogwood Festival website is:
www.winchesterdogwoodfestival.com

Terry Harrell, Mayor
City of Winchester

Attest:

Beth Rhoton, City Administrator

Minutes taken and typed by: Judy Baker

Date of Meeting: May 28, 2013