

CITY OF WINCHESTER
COMMON COUNCIL
MEETING MINUTES
MONDAY, OCTOBER 2, 2017

Regular meeting @ 6:30 p.m.
Council Chambers / City Hall / 113 E. Washington St.

Pledge – Mayor Byrum
Moment of Silence – Mayor Byrum

Mayor Byrum called the meeting to order and presided over the meeting. Clerk-Treasurer, Vicki Haney, recorded the minutes.

The Clerk-Treasurer's roll call showed all City Council Members present.

District 1	Councilor Larry Lennington
District 2	Councilor Tom Sells
District 3	Councilor Dave Furby
District 4	Councilor Leesa Friend
At Large	Councilor Missy Williams

Additional Officials Present:

Meeks Cockerill, City Attorney; Rich Tucker, Police Chief; and Shean Bosworth, Street and Park Superintendent.

Citizens Present:

Ed Laughman, Allen Andrews, Jeff Brenton, Jim Wallace, Ed Dunham, Fred Davis, Deb Henning, Kristopher Bilbrey, Rhonda DeFrees, Cheryl Robbins, Joan Ashley, Judy Moody, Bob McCoy, Lynn Humphrey, Joe Batt, Joe Sheets, Mike Wickersham, Mike and Denise Wallace, and Eldon and Shawnda Solomon

Media Present:

Bill Richmond (Star 98.3 Radio)

Approval of the Minutes:

Councilor Friend moved to approve the meeting minutes of the September 18, 2017 meeting. Councilor Sells seconded. Motion passed 5-0.

Public Concerns:

Joan Ashley, 421 S. East Street, stated her mother asked for support last week because she is afraid of the rehabilitation center. Signs have been stolen out of her yard and one sign was burnt in her yard. Police reports have been filed. Cameras have been installed and security footage has been presented. Chief Tucker stated the detective was at her house today. The investigation van is parked at the Animal Shelter; no animals are being investigated. Ms. Ashley asked why the van cannot be used in Saratoga if it is not being used in Winchester. Chief Tucker stated it is a City resource, not a County resource.

Kristopher Bilbrey, 318 S. Meridian Street, stated he has been listening to the recordings of the meetings on the City's website and stated the Winchester House was first discussed in September 2016. Mr. Bilbrey wants to know why the Council did not state the project was discussed at these meetings when

he asked about the dates the Council Members first found out about the project. On December 5, 2016 a consultant for the Winchester House Project told the Council that the VOA would be responsible for paying the Eight Hundred Fifteen Thousand Dollars (\$815,000.00) for the Winchester House. Mr. Bilbrey understands why the Council was in favor of this project then, because the financial issues would be VOA's responsibility. Mr. Bilbrey is concerned that the Council may have been led on, by accident or by purpose, and that is why there was so much support in the beginning. On February 6, 2017 Council Lennington asked what the City's responsibility would be for this project. Mayor Byrum responded with the City would have to carry building insurance. This is a lot less than what the City has involved now and a lot less than what the City will have involved if the project proceeds. On September 19, 2016 Mayor Byrum stated there was community support for this project; Mr. Bilbrey wants to know what type of the support that was. On December 5, 2016 Augusta Consulting stated that the Compass Church is being looked at for a rehabilitation center. This was 57 days before the rehabilitation center was announced. Mayor Byrum stated the reasons citizens could not know was to protect the church. Mr. Bilbrey stated when this project was discussed before the final decisions were made, the Council never asked questions and information was misstated.

Ed Dunham, 802 Wedgewood Drive, stated he has been a resident of Winchester for over 50 years. The loan application stated Winchester was guaranteed the loan of Eight Hundred Fifteen Thousand Dollars (\$815,000.00). VOA requested Five Hundred Thousand Dollars (\$500,000.00) and was refused. The new agreement with the WINGS deal states the City will pay Twenty Five Thousand Dollars (\$25,000.00) per year for five years and a payment of One Hundred Sixty Five Thousand Dollars (\$165,000.00) at the end of the sixth year. Mr. Dunham asked if the rehabilitation unit must be functioning to keep the loan in effect for six years. The payments the City makes will be put into a County Fund. This does not mean the City will get all the funds back; at the last meeting it was stated that the City would receive all the funds paid. Would the City need to run the facility if VOA decides not to continue the facility? The total cost of the project is One Million Two Hundred Thousand Dollars (\$1,200,000.00). If VOA wanted to put the money upfront to complete this project then it would be a good thing; the City of Winchester does not have the money for the project. What happens to the facility if the VOA leaves?

Denise Wallace, 401 E. North Street, stated since the Union Street construction project the property has no parking available. Everyone else along that street has extra parking but this property has none. Two apartments are in this building. The garage is used for a business and property management items. One car can park in the drive way. An approach could have been made for the yard to make more parking but that was not done. The steps were not installed correctly. As the property owner, they could be sued over the step issue. This property may not be able to be rented because of these issues. The previous renters moved because of the construction. Pictures were presented. Mayor Byrum stated parking on Union Street will not be restricted. Public safety will be taken into consideration with the restriction of parking. The State of Indiana owns the entire project and the State is paying for it. Until the project is closed out and complete the City does not own the construction. Councilor Williams asked if parking has ever been allowed on the north side of East North Street in this area. Mrs. Wallace stated if more spots are added they can be used by anyone; the spots would not be for her property. Councilor Lennington stated that is true of any public parking. Mayor Byrum thanked Mrs. Wallace for bringing this to their attention and the issues have been recorded.

Jeff Brenton, 509 E. North Street, stated he lives by Ardagh Glass and he would like to see the City put striping for parking on East North Street. This area is angle parking and many people do not park correctly. On another issue, a little over a year ago four properties were purchased at a tax sale. The fourth quarter of the trash and sewage for these properties was paid by Mr. Brenton and the City was supposed to forgive the rest. The properties will be sold at tax sale again because the liens have not been released. Clerk-Treasurer Haney stated everything that was discussed last year has been adjusted. Mr. Brenton stated it has not been adjusted. This occurred in November of 2016. Mr. Brenton is letting

the Council know they will be sent back to tax sale and he is getting an attorney to fight this issue. Clerk-Treasurer Haney stated the paperwork was completed as discussed and the documentation will be given to Mr. Brenton and Attorney Cockerill.

NEW BUSINESS

747 Beeson Drive

Allen Andrews, 757 Beeson Drive, stated he has purchased 747 Beeson Drive which is adjacent to his property. He does not get possession for 120 days. The Board of Public Works and Safety has forgiven an amount of money for Sewage bills. Mr. Andrews stated he would like relief of the trash bill as well because he cannot use the service. Mr. Andrews is asking for the Council to forgive Ninety Six Dollars and Thirty Six Cents (\$96.36) and he will pay the other half of this service charge. The Board of Public Works and Safety forgave 1/3 of the charges for sewage. Councilor Lennington moved to remove Ninety Six Dollars and Thirty Six Cents (\$96.36) from the trash charges for 747 Beeson Drive. Councilor Friend seconded. Motion passed 4-1 with Councilor Williams casting the negative vote.

Ordinance No. 2017-15

Ordinance No. 2017-15 was presented by Ed Laughman and was entitled, "AN ORDINANCE TO AMEND THE ZONING MAP OF WINCHESTER, IN THE COUNTY OF RANDOLPH, STATE OF INDIANA." Ed Laughman stated he would like to have the zoning changed at 751 E. Short Street. The property has been surveyed and the City statute will not allow the building to be separated from the residence without the zoning being changed to a C-1 Commercial property. The home and building will be sold separately after the zoning change. This will be a personal storage barn for Mr. Laughman; no business will be in the facility. Councilor Friend asked what can be put in a C-1 zoning. A junk yard is not a C-1 zoning; a favorable recommendation has been obtained from the Zoning Board.

Councilor Sells moved to have the first reading of Ordinance No. 2017-15 by title only. Councilor Furby seconded. Motion passed 5-0. First reading complete. Councilor Sells moved to approve the first reading of Ordinance No. 2017-15. Councilor Lennington seconded. Motion passed 5-0.

Councilor Sells moved to suspend the rules and have the second reading of Ordinance No. 2017-15 by title only. Councilor Lennington seconded. Motion passed 5-0. Second reading complete. Councilor Sells moved to approve the second reading of Ordinance No. 2017-15. Councilor Friend seconded. Motion passed 5-0. The third reading and final reading of Ordinance No. 2017-15 will be presented at the next meeting.

Conflict of Interest

Councilor Friend has submitted a new Conflict of Interest form because she is now publisher of the News Gazette. This is just a formality for the position. Councilor Williams moved to approve the Conflict of Interest for Councilor Friend. Councilor Lennington seconded. Motion passed 4-0 with Councilor Friend abstaining.

Animal Control Shelter Proposal

Chief Tucker and Officer Sheets were present to discuss the City entering into a contract with Randolph County for Animal Control and Rescue. Officer Sheets stated he was contacted by a County Councilor and asked if the City would be interested in taking over this contract two years ago. This has been a well thought-out process. Officer Sheets stated the animal shelter has been preparing for months to take on the extra responsibilities of the County. Mr. Bob McCoy stated he started the conservation. The Police Department will not be asking for an appropriation of the money; this presentation is to have questions answered and concerns discussed. The current County Contract was presented to the Council Members.

Chief Tucker gave a history of Winchester's Animal Shelter. This contract gives the City an opportunity to create revenue and be self-sufficient aside from wages. 49 kennels will be available at the shelter after all upgrades are complete. Only emergency situations will be considered. The City will be required to pick up animals County-wide; the City already does this in emergency situations. The only difference is the transportation of an animal to different locations. Animals cannot be transported in police vehicles that people are transported in. This would be a three year contract and the City would receive Forty Six Thousand Dollars (\$46,000.00) yearly. Officer Sheets has taken over 300 calls this year; 255 animals are received in a year. Councilor Lennington stated a bigger space with more kennels would need to be obtained for this contract. Officer Sheets stated an animal has to be kept 10 days before it can be put down. Officer Sheets stated he is not going to be the County Animal Control Officer but if an agency needs assistance, which has been requested before, he will be available. Councilor Friend stated she spoke to a County Officer who stated the animals are not generally taken to the County Shelter because they are not retained 10 days like they are supposed to be retained. This officer stated he would be surprised if there were 25 or 30 calls where animals were removed from homes and taken to the County Shelter. Councilor Friend asked how much will need to be added to the shelter to accommodate the County. Officer Sheets stated 49 kennels will be available and the yard will be opened for outdoor runs. No more space should be needed. A part time shelter assistant would be proposed to be hired by the City. Councilor Williams asked what a part time person would be paid and how much they would work. Officer Sheets stated they would work approximately 20 hours per week and would be paid Eight Dollars (\$8.00) to Ten Dollars (\$10.00) per hour. Officer Sheets would like to find someone to take over the administration part of the shelter. It would cost approximately Ten Thousand Dollars (\$10,000.00) per year. Officer Sheets stated if a part time worker can be obtained this contract is very possible for Winchester. The current County Shelter has 16 kennels. Officer Sheets is in favor of the shelter. The year to date expenses of the Animal Shelter, excluding salaries, is Four Thousand Five Hundred Twenty Two Dollars and One Cent (\$4,522.01). The total budget for Animal Control, including health insurance, salaries and all other items is approximately Sixty One Thousand Dollars (\$61,000.00) per year. Officer Sheets is the Ordinance Officer as well. The costs of dog tags and the receipts were presented. The dog tags were discussed. Beginning this year, the Clerk-Treasurer's Office started collecting money for the dog registrations. The dog registration costs Seven Dollars (\$7.00). The budget and the additional salary were discussed. A non-reverting fund could be established for the animal shelter if this contract is approved.

Stop Sign

Mayor Byrum stated he had a request for a stop sign to be placed at the three way intersection of South Oak Street and Hospital Drive. This item should be taken under consideration and can be discussed at the next meeting. Councilor Williams stated it is close to Baker Elementary and is always a mess when school dismisses. It will be hard to rectify this situation. This discussion was tabled until the next meeting.

UNFINISHED BUSINESS

Ordinance No. 2017-10

Ordinance No. 2017-10 was presented by Mayor Byrum and was entitled, "AN ORDINANCE FIXING SALARIES OF APPOINTED OFFICERS AND EMPLOYEES OF THE CITY OF WINCHESTER, RANDOLPH COUNTY, INDIANA AND PROVIDING ADDITIONAL COMPENSATION TO CERTAIN ELECTED AND APPOINTED OFFICERS OF THE CITY OF WINCHESTER, RANDOLPH COUNTY, INDIANA FOR THE YEAR BEGINNING JANUARY 1, 2018."

Councilor Sells moved to have the second reading of Ordinance No. 2017-10 by title only. Councilor Lennington seconded. Motion passed 5-0. Second reading complete. Councilor Sells moved to approve the second reading of Ordinance No. 2017-10. Councilor Lennington seconded. Motion passed 5-0. The third and final reading of Ordinance No. 2017-10 will be presented at the next meeting.

Ordinance No. 2017-13

Ordinance No. 2017-13 was presented by Mayor Byrum and was entitled, "AN ORDINANCE FIXING SALARIES OF ELECTED OFFICIALS OF THE CITY OF WINCHESTER, RANDOLPH COUNTY, INDIANA." Councilor Sells moved to have the second reading of Ordinance No. 2017-13 by title only. Councilor Furby seconded. Motion passed 5-0. Second reading complete. Councilor Sells moved to approve the second reading of Ordinance No. 2017-13. Councilor Furby seconded. Motion passed 5-0. The third and final reading of Ordinance No. 2017-13 will be presented at the next meeting.

Ordinance No. 2017-14

Ordinance No. 2017-14 was presented by Mayor Byrum and was entitled, "ORDINANCE FOR APPROPRIATIONS AND TAX RATE." Councilor Sells moved to have the second reading of Ordinance No. 2017-14 by title only. Councilor Lennington seconded. Motion passed 5-0. Second reading complete. Councilor Sells moved to approve the second reading of Ordinance No. 2017-14. Councilor Friend seconded. Motion passed 5-0. The third and final reading of Ordinance No. 2017-14 will be presented at the next meeting.

Union Street Contract

Mayor Byrum stated this document was included in the Council's packets for review. In the summer some delays occurred because of the railroad and the weather slowed down the project. The contractor requested 21 additional calendar days to complete the project. This will cost an additional Fifteen Thousand Dollars (\$15,000.00) in inspection fees. The City must pay all inspection fees. Councilor Furby asked why the inspection fees would be increased. Mayor Byrum stated this was in the original contract but because of unforeseen circumstances the contract had to be extended. Councilor Lennington stated this is the railroads fault and they should have to pay the Fifteen Thousand Dollars (\$15,000.00). Attorney Cockerill stated the City is not even allowed to paint the bridge; the railroad is not going to pay for this. The water main issue at the beginning of the project was discussed. Without the rain delays the project could be complete by now. Councilor Williams asked why, earlier in the meeting, the City could not do anything with the project but now that a bill has been presented it is the City's responsibility. Mayor Byrum explained how the process works with State Funded Projects. Having an inspector on a site like this is saving the City lots of money because everything is put in its proper place and documented. Items can be very costly when they need repaired if an inspector is not present. The initial delay can be attributed to the railroad because they did not want to complete the project. Attorney Cockerill will consider the invoice further to determine if the City is obligated to pay it.

Tax Sale Properties

Councilor Williams asked if the fall taxes for 517 High Street property have been paid. Attorney Cockerill stated the 2016 fall taxes, payable 2017, have been paid by Mr. Wilson. The deed has been transferred and everything is complete. Councilor Williams stated both 213 E. Short Street and 214 W. South Street are going to be sold at tax sale. The City could purchase these properties and remove the buildings. If it does not sell at tax sale the Council can ask for a tax sale certificate; the waiting period is one year before the City could do anything to the property. If it is not redeemed during that year the City can then take possession of the property. The Commissioners Sale was described as well. If they are purchased at a tax sale the total amount that was advertised will have to be paid and the County will

add a fee as well. The tax sale will be held on October 25, 2017. The total amounts for these properties will be determined.

Recycling Grant

Mayor Byrum presented a document regarding the Recycling Grant. The total cost of the program for curbside recycling would be One Hundred Seventy Five Thousand Two Hundred Thirty Two Dollars and Ninety Six Cents (\$175,232.96). The City would need to budget Twenty Eight Thousand Eight Hundred Eighty Nine Dollars and Fifty Six Cents (\$28,889.56) for the first year of operations. The grants that the City will receive will save One Hundred Forty Six Thousand Dollars (\$146,000.00). The totes have not been purchased. Mayor Byrum will check with the State regarding the grant that was received to determine if some of the money could be used for operations. Councilor Friend wants to know if the citizens will utilize the recycling program. Mayor Byrum believes once the program begins and the residents can see savings they will utilize the program. Recycling is the right thing to do. Shanda Solomon, Executive Director for the Randolph County Solid Waste Management District (SWMD), stated people will start using the program because it will be convenient. This is an opportunity for the City; some people will not recycle no matter how easy it is. The grant was explained; the State of Indiana contributed Sixty Six Thousand Dollars (\$66,000.00), SWMD contributed Thirty Three Thousand Dollars (\$33,000.00) and the City's EDIT (Economic Development Income Tax) Fund contributed Thirty Three Thousand Dollars (\$33,000.00). Councilor Friend stated the Mayor in Portland, Indiana said participation has decreased every year for their recycling program in the past 10 years. Mayor Geesman has spoken to Mayor Byrum about curb side recycling; Portland does not have curb side recycling. Citizens in Portland pay for this service. Mike Wickersham stated this is a pilot program for the County so SWMD is very interested in helping it succeed. Councilor Furby asked if people put non recyclables in the recycling containers. Mr. Wickersham stated that happens sometimes but not very often. The City is taking a risk with this program but it could lead to a County Wide program. Councilor Lennington stated people want pickup in the alley, not just in the street. Councilor Williams stated many people in her neighborhood could not use a 96 gallon tote because they are elderly. Getting the smaller totes will help. Citizens would need to sign up for this service to receive their totes. Mrs. Solomon stated she would help the City develop promotional items and assist with sign up. Mr. Brenton asked if this is coming from the City's budget. The money will not be charged to the Citizens. Mr. Fred Davis stated it does not sound like anyone has done much research on this topic. Mr. Davis recycles every month; why is everyone worried about the cost when we should all be worried about the future of the planet. He is worried about what his grandkids and great-grandkids will have left in this world when he is gone. The items that should be recycled were discussed. Mr. Davis would like Winchester to be in the minority of cities that recycle. Councilor Lennington asked how this is going to help people who already recycle. Councilor Williams stated the money does play a factor because of personnel issues with the extra employee. Mr. Eldon Solomon stated his household recycles; many people do not understand what recycling is about. The public needs to be educated. Councilor Lennington wants to know why 2200 totes are needed to start the project. Mayor Byrum stated it is conservative way to go about the project. If recycling catches on the totes will be available for use at a fraction of the cost. The new totes will be the same as the regular trash totes with a different color lid. Councilor Friend asked how much the current recycling dumpsters cost per year. Mrs. Solomon stated she does not know that figure, but the County costs are approximately Ten Thousand Dollars (\$10,000.00) per month and half of that easily comes from Winchester. Councilor Williams asked if the dumpsters will be removed. Mrs. Solomon stated the dumpsters will remain; they may be reduced if they are not being used. Most of tipping fees come from outside Randolph County. The tipping fees help support the Randolph County Highway Department. It's hard to teach people to recycle when it is not convenient for them to do so. The City of Winchester will pay approximately Thirteen Dollars and Ninety Five Cents (\$13.95) per

household to offer curbside recycling. Councilor Williams moved to approve curb side recycling program. Councilor Furby seconded. Councilor Sells stated he would like to make the motion contingent upon more information about the toters that will be used for the program. A message could be put on the sewage bill for people to contact the City Building with their toter size choice. Mayor Byrum stated citizens will need to sign up for the program by calling the City Building. A toter will not be delivered unless they sign up. Councilor Furby asked Superintendent Bosworth's opinion on the service. Superintendent Bosworth stated the funding is available so the City should try to start a program. The old trash truck will be used for this service. Motion passed 3-2 with Councilor Lennington and Councilor Friend casting the negative votes.

Mr. Ed Dunham stated until the throwaway society is corrected this will always be an issue. Mrs. Judy Moody stated when they went to curb side pickup the trash containers were left outside for days at a time. This made pickup go back to the alley. The location of the toters will be discussed.

Beeson Trail Proposal

Councilor Sells would like to move forward with the environmental study to see if it is a viable location for a trail. Councilor Williams suggested walking the path and thinking about how much it is going to cost to complete this project. Councilor Williams stated she is for this project but she can understand why citizens do not want it in their back yards. An engineered bridge will have to be installed and could cost One Hundred Thousand Dollars (\$100,000.00). Councilor Williams would like to see how much the entire project will cost before the study is complete. The County should be contacted to see if they are going to connect the trail to Camp Yale if it is installed. Mayor Byrum stated this is a long term vision that the City can participate in. There is no way to know what the total cost of the project is going to be. A contract for the project will not be signed until the Council decides if the environmental study should be complete. If this study is done the State expects to have one half mile of trail complete at the end of the project. Councilor Williams would like to get an estimate for 500 yards of trail. The State estimates one mile of paved trail for Two Hundred Fifty Thousand Dollars (\$250,000.00) if it is on the unused railroad bed. The cost will be much higher for this project than it would be to use the railroad bed. This project could cost Five Hundred Thousand Dollars (\$500,000.00). Councilor Friend asked what the long term vision of the County is and what would they like to see done with this project. Mr. Wickersham explained the vision would be to start at the Beeson Community Building and go through town along West Street to Goodrich Park. The railbed could be used at Huntsville Road; this railbed goes to the golf course. From this point the railbed could be used to extend the trail to Camp Yale. One property owner did not want to sell the property that would be needed for this project. Items need to be discussed that make the area attractive and bring in people. As the leaders of the community we have to think about the future of the community and think about what Winchester and Randolph County will look like. Councilor Williams stated it is more feasible to take the trail to Goodrich Park because that is a destination. Mayor Byrum stated a trail could be put downtown but the City would not get a grant for it because there is not a railroad bed in that area. There would not be any restroom facilities on this trail if it goes to 100 South. Councilor Williams loves the idea of the trail but the location could be different. Part of the trail will be on a railbed so the grant can still be used; the trail would cross the creek at the southern part of the cemetery. The discussion was tabled until the next meeting.

Winchester House

Councilor Williams asked for an update on the lease. The lease has not been signed. The terms of the lease were discussed. VOA will pay the City One Thousand Dollars (\$1,000.00) per month for snow removal, utilities, and other items. The City should not be paying any utilities for this facility. Councilor Friend asked if anything in lease has been changed since July. Attorney Cockerill stated there is no reason to negotiate a lease with VOA if the IHDC is going to forgive the loan. More fees will not be

incurred until it is determined what the IHDCAs are going to do. Mayor Byrum stated the lease is irrelevant until we know what the IHDCAs are going to do. Some of the loan will be forgiven, but the City does not know exactly what can be done with that money. Councilor Williams stated the lease is very important to her. The lease states the tenant shall pay for all utility costs. The money the VOA will be paying the City will go towards sewage systems, fire systems, lighting, insurance, etc. This section of the lease was read for clarification. Attorney Cockerill stated the lease will be re-negotiated after the IHDCAs next meeting. Bids will be sent soon.

Budget Workshop

Clerk-Treasurer Haney asked if a Budget Workshop Meeting could be held Thursday, October 7, 2017 at 6:00 pm. The health insurance will be discussed at this meeting. Council agreed to the budget workshop meeting.

Adjournment

There being no further matters to discuss, Councilor Friend moved to adjourn. Councilor Sells seconded. Motion passed 5-0. The October 2, 2017 meeting was adjourned at 8:45 pm.

Mayor, Shon Byrum

ATTEST: _____
Vicki Haney, Clerk-Treasurer

City Council 10-02-17
 Name Address

Ed Laughman 35E 300N Winchester

Allan Andrews 757 Reed

SHEAN BOSWORTH STREET + PARKS

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Bob McCoy 196 S. TAMARAC

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