

CITY OF WINCHESTER
COMMON COUNCIL
MEETING MINUTES
MONDAY, APRIL 2, 2018

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 five City Council Members present.

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

Additional Officials Present:

Rich Tucker, Chief of Police; Gary Moore, Chief of Fire; Shean Bosworth, Street Superintendent, Joe Sheets, Animal Control Officer; Jon Reed, Assistant Police Chief and Gary Girton, Commissioner of Randolph County.

Citizens Present:

Whitney Reed, Lynn Humphries, Derek Dodd, Joan Ashley, Cheryl Robbins and Debbie Henning

Media Present:

Bill Richmond (Star 98.3)

Approval of the Minutes:

Councilor Sells moved to approve the meeting minutes of the March 19, 2018 meeting. Councilor Williams seconded. Motion passed 5-0.

Committee Reports

Blight Committee- Councilor Williams informed the committee that she had two quotes to present for the property located at 517 High Street. Culy Contracting, Inc., bid (based on Indiana Blight Elimination requirements) Seven Thousand Eight Hundred Twenty Five Dollars (\$7,825). Burton Excavating & Trucking bid Six Thousand One Hundred Dollars (\$6,100). She explained that she had not received any other bids, despite advertising it personally on Facebook. Councilor Friend said that the gentleman who owns the property next to the one in question, Gerald Beer, asked her if the council would consider giving the property to him if he demolished the buildings. Councilor Williams said that he could come in with a written proposal to buy the property for a price that the council would offer. Attorney Cockerill stated that he would prefer the council owns the property until the buildings are torn down. Councilor Williams stated Mr. Beer would need to show that he was licensed and bonded, but that it would be a great solution. Councilor Friend agreed to contact him and give him two weeks to put

together a proposal for the next council meeting. The council agreed to table this issue until the April 16, 2018 council meeting.

Winchester House- Councilor Loyd presented an update report for the council and those present. There have been six project progress meetings held, the most recent of which was Thursday March 29. All of them were held at the project site and were attended by Mayor Byrum; Councilor Loyd; representatives of the General Contractor; Mr. Brett Dodd, the city's primary representative on the project; Ms. Shannon Shumaker, representative of Volunteers of America, and by telephone Mr. Scott Faulk, project architect. The purpose of these meetings is to keep all parties involved aware of the progress and create a forum for questions of cost changes and project improvements. The current status of the Winchester House is as follows: the second floor dry wall is 60% complete, electrical and plumbing rough in is 90% complete. In the next two weeks it is projected that all drywall will be 90% complete, painting on the second floor will be 70% complete, new exterior windows will be 100% complete, and they will also begin drilling for a core pipe for the buildings fire protection system. The project is still projected to be ready for punch list inspections the third week of May and ready for occupancy the last week of May. The Volunteers of America have completed their purchase of furniture, equipment, and appliances. Richmond Carpet Outlet will be providing the floor coverings, John Jones will provide exterior concrete work, and Gabbard Fence Construction will be providing exterior siding. Thursday April 12, 2018 is the next update meeting.

Public Concerns

Joan Ashley, 421 S East Street, asked about the success of the charity event put on by Volunteers of America and whether they were able to raise the Five Hundred Thousand Dollars (\$500,000) they had promised last year. She also asked if Pridemark was overseeing the site. Councilor Loyd explained that Pridemark is the general contractor, but they are subcontracting some jobs. Ms. Ashley then made the council aware that there was an overdose at VOA.

There being no further concerns, the floor was closed to the public.

NEW BUSINESS

Parking Crisis

Mayor Byrum made a presentation for the council entitled "A Solution for the Downtown Parking Crisis." He showed the council how another Indiana city solved the same problem. They moved the courthouse out of the center of town to make room for vehicles. Councilor Sells asked if this was a belated April Fools joke, which the mayor confirmed. April Fools indeed.

Budget Meeting

Councilor Williams requested that the council hold a budget meeting on Thursday April 5, 2018 in the council chambers. The council decided that 5:30 PM would be the best time. Councilor Sells asked if that was enough time to publish news of the meeting, and Clerk Haney confirmed that they technically only need 48 hours.

Recycling

Councilor Friend told the council that her committee did further investigation into accepting the grant for recycling. The grant would require Thirty Thousand Dollars (\$30,000) from the city, and possibly an additional Twenty Thousand Dollars to Thirty Thousand Dollars (\$20,000-\$30,000) to finish the first year. Given that information, Councilor Friend and her committee recommends that the council not accept the grant for recycling. Mayor Byrum said that he takes Councilor Friend's recommendation

very seriously and understands the grounds for such a recommendation. He pointed out that the grant expires in October, but if there is no reasonable way to get rid of the recycled products then it would be unwise to move forward. He explained that the grant has already been accepted, but if the council does not use the money there will be no repercussions on them. Councilor Williams told the council that Decatur, Indiana sent out educational brochures about the recycling program before they sent out surveys. Their communication to the citizens was clearer, and Councilor Williams suggested letting the people of Winchester have a better idea of what the program entails. Councilor Loyd then asked whether anything will be ordered until the council revisits, and Mayor Byrum informed him that the global economy between the U.S. and China is so unstable that it would not be wise to order totes at this time. However, a contract was made concerning the grant that cannot be unsigned, so the grant cannot simply be revoked. Councilor Friend made a motion to suspend any purchases concerning the recycling program at this time. Councilor Loyd seconded. Motion passed 5-0.

Ordinance No. 2018-5

Ordinance No. 2018-5 was presented by Mayor Byrum and was entitled, "AN ORDINANCE TO ESTABLISH RESPONSIBLE BUILDING PRACTICES AND SUBMISSION REQUIREMENTS FOR SUBMITTING BIDS TO PERFORM CONSTRUCTION WORK ON PUBLIC WORKS PROJECTS".

Mayor Byrum explained that the ordinance only applies to bids on projects over Seventy Five Thousand Dollars (\$75,000) and ensures that contractors fulfill bid requirements so the council can be better stewards of the city money. These requirements involve proving their work standard, documentation of violations of federal, state, or local laws, including tax licensing, OSHA, proof of participation in safety programs, drug test results, description of past work, proof of required trade licenses, recommendation from past managers, and disclosure of any action against the license. Councilor Loyd asked if there was a similar ordinance in place, and Mayor Byrum said there was not. He is hoping that this ordinance will protect the citizens and the city by adding requirements for the contractors. He explained that this ordinance had been adopted by other cities. Councilor Williams clarified that a bid under Seventy Five Thousand Dollars (\$75,000) would not have to be held to these standards. Attorney Cockerill confirmed this. Councilor Friend asked if there would be any liability standards if they had a bid for Thirty Five Thousand Dollars (\$35,000). Attorney Cockerill stated that there is nothing in place, other than Randolph County requires being bonded for Twenty Thousand Dollars (\$20,000) Mayor Byrum asked if there were any changes that the council wanted to make, and Councilor Williams said she would like for the minimum dollar amount to be lower, because a Thirty Five Thousand Dollar (\$35,000) project is still an important project. Mayor Byrum explained that smaller projects would likely be given to department heads or management lower in a company than a big project that would go directly to the engineer or other head contractor. Councilor Loyd pointed out that this ordinance would give those department heads, or whoever was creating the specs for the bid, a solid guideline as to what needs to be included in the overall package. Councilor Williams asked if the council could table the ordinance until the next council meeting so they would have time to look over it and present a preferred dollar amount. Council agreed to table Ordinance No. 2018-5

Ardagh Glass Inc.

Clerk Haney informed the council that Ardagh Glass Inc., submitted a CF/1PP Form for compliance with statement of benefits for their personal property. It requires a signature from the council president if the council agrees that Ardagh is in compliance with their abatement for personal property. She explained that this is an annual occurrence, and that Ardagh attached a statement updating the council on the company. This is an annual requirement for any organization that receives tax abatement. Ardagh was granted tax abatement in 2015 for ten years at 100%. Councilor Sells, signed the document.

UNFINISHED BUSINESS

Ordinance No. 2018-7

Ordinance No. 2018-7 was presented by Mayor Byrum and was entitled "AN ORDINANCE FOR THE CITY COUNCIL OF THE CITY OF WINCHESTER AMENDING CHAPTER 74, SCHEDULE II, SPEED LIMITS, SUBSECTION (A) AND (B)".

Mayor Byrum reminded the council that this ordinance involved changing the speed limit on Middle School Road from 20 miles per hour to 30 miles per hour. Councilor Sells motioned that Ordinance No. 2018-7 be read by title only for the first reading. Councilor Friend seconded. The motion passed 5-0. Reading completed. Councilor Sells motioned to approve the first reading of Ordinance No. 2018-7. Councilor Lennington seconded. Motion passed 5-0. Councilor Sells motioned to suspend the rules and read Ordinance 2018-7 by title only for the second reading. Councilor Lennington seconded. Motion passed 5-0. Reading complete. Councilor Sells motioned to approve the second reading of Ordinance 2018-7. Councilor Friend seconded. Motion passed 5-0. Councilor Lennington motioned to suspend the rules and read Ordinance 2018-7 by title only for the third and final reading. Councilor Friend seconded. Motion passed 5-0. Reading complete. Councilor Sells motioned to approve the third and final reading of Ordinance 2018-7 by title only. Councilor Lennington seconded. Motion passed 5-0. Thus it become Ordinance No. 2018-7.

Southside Park

Superintendent Bosworth provided the council with two bids per project that were presented at the March 19, 2018 meeting. Mr. Bosworth explained that he only had two weeks to come up with these bids and many people are on Spring Break vacations, so he could provide additional bids at the next council meeting if needed. He also explained that Culy Construction (?) combined their bids for fencing and concrete. Councilor Williams asked if Mr. Bosworth felt comfortable with Milholin for the electric work, which Mr. Bosworth confirmed. Mr. Milholin (??) has worked for him before and had done exceptional work. Councilor Williams asked if he was comfortable with all of the lower bids for each project. He said he was not sure about the concrete project because he has not seen JJ's (?) work, as opposed to Culy and Myers, which he was very familiar with. However, JJ is local and Mr. Bosworth has heard good things. (someone mumbled something that was "good to hear"?) Councilor Loyd asked if there was special specifications for the basketball court, such as elevation. Mr. Bosworth explained that the current court is in a low spot that water collects on, so he requested that it be raised a few inches, and that it will be a bit bigger and much nicer than the current court. He is also requiring that the projects be done in a reasonable order, such as the concrete being poured before a new fence goes up. Councilor Williams suggested that they begin with approving the electric and move on from there. Councilor Sells pointed out that Milholin provided some nice features, such as LED, and he was the lower bid. Councilor Friend asked if they could have the bathroom set up with better electricity as well, which Mr. Bosworth confirmed. Councilor Sells made a motion that the council accept the bid from Chase Milholin for electrical work totaling Three Thousand Nine Hundred Dollars (\$3,900). Councilor Williams seconded. Motion passed 5-0.

Councilor Friend motioned to accept the bid from Weddle Fence totaling Eighty Eight Dollars and Twenty Cents (\$88.20). (She said eighty-eight twenty, so that's what I'm assuming? Could be \$8,820 of course). Councilor Williams seconded. Motion passed 5-0.

Councilor Friend motioned to accept Little JJ Tree Service's proposal for a 40 foot by 60 foot basketball pad totaling Twelve Thousand Six Hundred Dollars (\$12,600). Councilor Williams confirmed with (someone) that they have done good work in the past, which was confirmed. Councilor Williams seconded the motion. Motion passed 5-0. Clerk Haney agreed to get (liability insurance? Something?) before the projects begin.

Item B: Tax Abatement

Mayor Byrum presented the tax abatement request from Cast Metals Technologies, Inc. Councilor Loyd confirmed with the council that the numbers he had used at the last meeting were incorrect and far too low. He brought up the waiver of noncompliance and asked why the council would want to waive compliance with the law. Mr. Meeks Cockerill explained what he had understood Mr. Greg Beumer to explain at the last meeting- Cast Metal Technologies needs the equipment, so they may very well purchase the equipment before the tax abatement process is finished. By law the equipment cannot be up for tax abatement once it is on site. The waiver of noncompliance allows them to move forward with tax abatement after the equipment has arrived if necessary. Councilor Loyd argued that a company applying for tax abatement should know the steps of abatement and not plan to install equipment before the process is complete. Mr. Cockerill explained that knowing the process is the job of the economic development board, so Mr. Beumer does his best to begin the process in time, but Cast Metals Technologies, Inc. probably did not know that tax abatement was an option until later in the process of purchasing equipment. Mayor Byrum explained that tax abatement is a tool that Indiana uses to attract and maintain employees. Councilor Williams said that she understood Councilor Loyd's hesitation with tax abatement because she used to feel similarly, but this issue involves 86 jobs. Given the current economy, 86 jobs is a lot of money being put back into the city. Councilor Sells pointed out that CMT has a long history of being a good employer, and neither they or AM & ST Associates are going anywhere anytime soon. He said that in the last meeting he suggested a 5-year tax abatement plan because of the current economy, but that a 10-year plan could be beneficial as well. Councilor Williams said that tax abatement has never been denied in Winchester. Councilor Sells said that no one had been burned by tax abatement in his memory. Councilor Loyd said that the applicant should be able to provide the council with numbers, even if it is the very least they could save with tax abatement, which they could do by going to the County Courthouse.

Mr. Cockerill explained that the next step would be creating a resolution for economic revitalization, then decide the specifics of the tax abatement and approve it, then a public hearing concerning the tax abatement, and then finally voted on in a meeting after the public hearing. In all, it involves two preliminary resolutions today, then a public hearing, then two confirmatory resolutions. (Totally can't visualize what's happening here with the ERA 2018-3 stuff)

Councilor Sells motioned for the first reading of Resolution No. 2018-3. Councilor Williams seconded. (This is the part where Moe was like, "What about the other twenty jobs?! They're going to get laid off?!" and I'm sitting in my living room yelling "NO MOE! Didn't you pay attention last time when Greg explained those were administration jobs that won't be affected by the stupid machine? DO NONE OF YOU REMEMBER THIS?!" I should come to these meetings and set these people straight.) Motion passed 5-0. Mr. Cockerill read ERA Resolution No. 2018-3. Councilor Sells motioned to approve Resolution No. 2018-3. Councilor Friend seconded. Motion passed 5-0.

Councilor Sells motioned for the first reading of Resolution No. 2018-4 (this is the one with the long title and I'm not sure of the format on this section- sorry!). Councilor Williams seconded. Motion passed 5-0. Councilor Sells motioned to approve Resolution No. 2018-4. Councilor Friend seconded. Motion passed 5-0.

Mr. Cockerill explained that the next step is to schedule two public hearings: one for the waiver of noncompliance and one for the economic revitalization of tax abatement. Councilor Sells motioned to set the public hearings for Monday, April 16, 2018 at 6:30. Councilor Williams seconded. Motion passed 5-0.

Mr. Cockerill then presented the tax abatement for SilverTowne Mint, which involved the same process. Councilor Sells motioned that Resolution No. 2018-8 be read for the first time by title only. Councilor

Williams seconded. Motion passed 5-0. Councilor Sells motioned to approve Resolution No. 2018-8. Councilor Friend seconded. Motion passed 5-0. Councilor Sells motioned that Resolution No. 2018-9 be read for the first time by title only. Councilor Lennington seconded. Motion passed 5-0. It was confirmed that this resolution granted tax abatement on the 5-year plan. Councilor Sells motioned to approve Resolution No. 2018-9. Councilor Friend seconded. Motion passed 5-0. Councilor Sells motioned to have two public hearings for SilverTowne Mint on April 16, 2018 at 6:30 PM. Councilor Loyd seconded. Motion passed 5-0.

Salary

Councilor Williams motioned that the council table discussion of salary until the budget meeting on Thursday April 5, 2018. Councilor Loyd seconded. Motion passed 4-1, as Councilor Sells wished to discuss it today.

Police Chief

Mayor Byrum told the council that Police Chief Rich Tucker has announced his retirement on May 31, 2018. Deputy Chief John Reed has been appointed Police Chief effective June 1, 2018.

Adjournment

There being no further matters to discuss, Councilor Williams moved to adjourn. Councilor Lennington seconded. Motion passed 5-0. The March 19, 2018 meeting was adjourned at 7:37 pm.

Mayor, Shon Byrum

ATTEST: _____
Vicki Haney, Clerk-Treasurer