

CITY OF WINCHESTER
COMMON COUNCIL
MEETING MINUTES
MONDAY, MAY 7, 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:

Meeks Cockerill, City Attorney; Shean Bosworth, Street Superintendent; Rich Tucker, Police Chief and Jon Reed, Assistant Police Chief

Citizens Present:

Judith Moody, Rob Morford, Joan Ashley, Tim Yost, Cheryl Robbins, Derek Dodd, Karen Wilkins, Isaiah Ashley, Kathie Monroe, Bill Monroe, Kristopher Bilbrey, Jason Allen and Debbie Henning

Media Present:

Bill Richmond (Star 98.3)
Kate Thornburg (News-Gazette)

Approval of the Minutes:

Councilor Lennington moved to approve the meeting minutes of the April 16, 2018 meeting. Councilor Friend seconded. Motion passed 5-0.

Committee Reports

Blight Committee- Councilor Williams brought forward the issue of demolition at 517 S High Street. The electricity has been turned off.

Clerk Haney reminded the council that there had been one bid for the property at 214 N Meridian at the last meeting. They are now going to advertise the property so other citizens have the chance to bid. It will go as a legal notice into the paper on Friday, May 11, which is the day they will start taking bids. Bidding will end on Thursday, May 31 2018. Monday, June 4 2018 would be the next council meeting and the council will choose a bid on that day. Councilor Friend asked if the person who made the first bid needed to rebid and Mayor Byrum said that she just needed to come in and sign a second form. Clerk Haney asked Councilor Williams if the committee wanted to advertise any other properties

that they have for sale. Councilor Williams said she did not see why they would not. Attorney Cockerill pointed out that it is an expense to advertise. He said that if the committee wished to list them together that it was fine. Councilor Williams asked if it was possible to put "For Sale" signs in the yards at the properties, since the only cost would be to have the signs made, which Mr. Cockerill confirmed. Councilor Williams asked how many signs they would need. Clerk Haney pointed out the list of properties that are for sale that was in the council's possession. 429 S East Street needs mentioned to Superintendent Martin before it is advertised or before a sale sign is placed on the property. 121 West Fourth, 214 N. Meridian, 528 N Meridian, is available, as well as four vacant lots without addresses in the area of N. Meridian Street. 540 N. Meridian, 424 Walnut St, 517 High, and 505 W Washington is available as well, totaling 11 available properties that would need signs. Councilor Williams made a motion to have "For Sale" signs created and posted for these eleven properties for thirty days. Mr. Cockerill explained the two notices that would need to be posted, one for the initial thirty days notifying the public of the available property, and another if there were no bids to notify the public of the lowered price. Councilor Loyd asked if there was a sign-maker in mind. Councilor Friend said she could do them for Ten Dollars (\$10). Councilor Sells motioned to have the signs made. Councilor Loyd seconded the motion to have signs created and published. Motion passed 5-0.

Winchester House (313 S. Meridian Street) - Councilor Loyd presented an update report for the council and those present. There have been eight project progress meetings held, the most recent of which was Friday, April 30. 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 as of April 30 is as follows: Drywall on both floors is 90% complete, painting on the second floor is 75% complete, painting on the first floor is 40% complete, first floor ceilings have been repainted, flooring on the second floor is 80% complete. Over the next two weeks, replacement of the concrete stoop should be completed, painting should be 100% complete on the second floor, 75% complete on the first floor, and 100% on the exterior, electrical and HVAC rough in will be 100% complete, flooring on the second floor will be 100% complete, first floor will be 90% complete, cabinets and doors will be 90-100% complete. The general contractor and the representatives continue to find and discuss items of work as the project nears completion. The costs for these items are covered on the cost contingency allowance. They successfully contracted local contractors for exterior work on the project, both of which should be completed by the end of May. They are still anticipating the project being completed by the third week of May, ready for occupancy by the end of May. The next update meeting will be held Thursday, May 10.

Public Concerns

Mayor Byrum opened the Public Concerns section of the meeting by explaining that if the proposed housing development was brought up again, it would go through BZA (Randolph County Area Planning and Zoning) process before it comes back to the council on June 4, 2018.

Rob Morford, 706 N Main St, asked the council how the apartment housing project has been brought back to the table since the city said it was not a good idea and the zoning committee agreed. Councilor Williams explained that many of the neighbors asked her to bring it back up, and probably other council members, because they believe it is a good idea to have these apartments put in. They are afraid that the lot may sell to something less desirable than a new apartment complex. She asked these neighbors why they did not come forward earlier, and they told her that they did not want to cause conflict in the neighborhood. Mr. Morford said that they had held neighborhood meetings and no one attended the meeting that was for the project, and there are only a handful of people that live along

that area so there can't be very many people for the project. He said that the city may be defining neighborhood differently by including the people a few streets over and the far end of Residence St, but he said that this project does directly affects him and who he considers to be his neighbors. Councilor Williams said that it does affect them because the people who live on Main St are worried that if less desirable housing goes in, it will drive their property value down. They talked to a realtor outside of Winchester who is not involved in the selling of this property, and they believe that the apartments will only help the neighborhood. Councilor Williams told him that the property is going to sell. City Attorney Meeks Cockerill said that he talked to the attorney for area planning and there is nothing in the ordinance that would not let a person bring back up these projects multiple times. You have to wait a certain amount of time before you can bring it up again, but they can continue to be brought forward until a conclusion is made. This particular property did not have a waiting period, according to the area planning attorney and the area planning director. He said that Mr. Morford could go to them directly if he wished.

Karen Wilkens, 638 N Residence St, asked the council about the other offers that were placed on the property. She said that the property had not been listed by any realtor since December when the contract ended. Brody Tarter, realtor for Tarter Realty, said that he does have the property listed, but Ms. Wilkens said he did not because it was not listed on his website. Mr. Tarter said it is not on his website because they accepted an offer on it. Ms. Wilkens said that the offer was rescinded. She asked why the sign was still up and why his office responds that there is another offer on the property when someone calls to make an offer. Mr. Tarter said that that was completely false and that there have been no other offers on the property. Ms. Wilkens argued that it was absolutely true. Councilor Sells made a point of order that the discussion continue elsewhere because what they are discussing does not have anything to do with the council. Ms. Wilkens asked Councilor Williams what boards she sits on. Councilor Williams said they are all members of sitting boards. She is on Area Planning because she took someone's place, Redevelopment which has never met, and she will hold a position as Community Development Directorship at the Randolph County EDC as soon as school is over, which is employment, not a board. Councilor Sells input that he is also on the Redevelopment board.

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

UNFINISHED BUSINESS

Ordinance No. 2018-5

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

Mr. Cockerill explained to the council that he added the Fifty Thousand Dollars (\$50,000) and attempted to clarify what they mean by first tier contracts. Mayor Byrum introduced Mr. Derek Dodd, who was the first to tell Mayor Byrum about this ordinance. Mr. Dodd explained that he is employed by Indiana/Kentucky/Ohio Regional Council. He explained that they do a lot of construction projects in small cities. Infrastructure is being ramped up throughout the whole country, and this particular ordinance ensures that contractors are legitimate. For example, it requires that a contractor have certified payroll. If a company does not have certified payroll, they are often committing tax fraud because they are paying their workers cash under the table. These big contractors are often from out of state, and certainly out of the area, and when they leave, they take their money with them and the city is left with nothing. He opened the floor for questions. Councilor Williams asked if \$50,000 was a good number for Winchester, which Mr. Dodd confirmed for a small town. Councilor Sells motioned to have Ordinance No. 2018-5 read for the first time by title only. Councilor Friend seconded. Motion carried 5-0. Mr. Cockerill completed the first reading. Councilor Sells moved to approve the reading of Ordinance

No. 2018-5. Councilor Friend seconded. Motion passed 5-0. Councilor Sells moved to suspend the rules and have the second reading of Ordinance 2018-5 by title only. Councilor Friend seconded. Motion passed 5-0. Mr. Cockerill completed the second reading. Councilor Sells motioned to approve the second reading of Ordinance No. 2018-5. Councilor Friend seconded. Motion passed 5-0. Councilor Lennington motioned for the third and final reading of Ordinance No. 2018-5. Councilor Friend seconded. Motion passed 5-0. The third reading was completed. Councilor Lennington moved to approve the third and final reading of Ordinance No. 2018-5. Councilor Sells seconded. Motion passed 5-0.

NEW BUSINESS

Tax Abatement

Mr. Jim Jarrett, president of Omega Enterprises Incorporated, requested tax abatement from the council pertaining to the equipment he will have to purchase this year. He believes the total of the equipment purchases will be approximately Seven Hundred Fifty Thousand Dollars (\$750,000). He is simply hoping to keep his company functional, which requires updates. Councilor Williams asked him how many employees he has, and if this equipment will help create jobs. Mr. Jarrett said that he has 38 employees, as well as a few laid off that he could hopefully get back into their company. This equipment purchase, however, is meant to sustain the company as opposed to make gains for it. Councilor Lennington asked him if Seven Hundred Fifty Thousand (\$750,000) was a concrete figure, which Mr. Jarrett denied, saying it could be more or less. He asked him what he would do if they approved tax abatement on that figure and it turned out to be more, and Mr. Jarrett said that he would have to pay the taxes on it. This is the first tax abatement that Omega Enterprises has ever requested in its 25 years of operation. He explained that their organization was doing very well a couple of years ago because Ardagh was creating a big boom in business. Now the factory has to watch its budget, which has significantly damaged Omega Enterprise's progress. Councilor Loyd asked who made the tax calculations he presented. Mr. Jarrett said that it was REDC (Randolph Economic Development Corp). Mayor Byrum said that the council did not have to do much tonight and that this was primarily an introduction. Mr. Cockerill explained that the next primary resolution would happen at the June 4th meeting and the final resolution would be on the June 18th meeting. Mr. Jarrett explained that he needed to get the process started because he has already ordered equipment that will be implemented by mid-June. Councilor Williams asked if he would take any equipment out to reduce the tax role, but Mr. Jarrett said he could not afford to have less. Ardagh has already heavily advised him to update his equipment.

The council agreed to have a tax abatement ordinance written up for Omega Enterprises. They informed Mr. Cockerill that they would like a 5-year abatement schedule. Councilor Sells motioned to move forward with the process of tax abatement for Omega Enterprises. Councilor Friend seconded. Motion passed 5-0. Mr. Cockerill suggested there be a public hearing on June 4.

Ransomware

Clerk Haney presented a quote from Ransomware Security to protect the city's computer servers for 70 licenses totaling Three Thousand Eighty Dollars (\$3,080). Recently the City of Anderson was hacked into and their city's financial records were held for ransom, which they had to pay. Councilor Friend asked where the 70 licenses apply- to each email. Clerk Haney said they were for each device. Councilor Loyd asked how many devices the city has. Councilor Williams said this would account for some extra, since 62 devices are listed. Councilor Williams moved to approve the quote from Ransomware for Three Thousand Eighty Dollars (\$3,080). Councilor Friend seconded. Motion passed 5-0.

Headwaters Farm LLC Tax Abatement

Clerk Haney explained to the council that Headwaters Farm LLC is in its third year of a ten-year tax abatement plan with the city and is requesting the Council President sign the Compliance With Statement of Benefits Real Estate Improvement Form.

Mayor's Report

Mayor Byrum informed the council of various updates.

The Goodrich park is preparing for its summer concerts that will soon be underway, and a patio deck will be added to the Beeson Community Building. Southside Park's basketball court has been dug up and a new one is being prepared. The street department will be hanging flower baskets soon. The Bicentennial committee is holding a community ice cream social, including the community portrait, on May 19, 2018. Police Chief Tucker is retiring and being replaced by Jon Reed, and that transition is happening now. As for the Water Treatment Plant, there is a large hole on West North St where a suck hole was repaired over the weekend. The drainage pipe at Spring Village is scheduled to be cleaned out.

Councilor Friend asked if the council could set minimum prices for the properties that the city will be selling, but Mr. Cockerill told her that they could not, unless no bids are made in the first thirty days. Any property with a Fifteen Thousand Dollar (\$15,000) assessment or less would be sold for the assessment value. Mr. Cockerill thinks that there will be second round bidding on all of the properties.

Judy Moody asked the council if the fence around Southside Park is down to stay, but Mayor Byrum informed her that it would be replaced with thanks to the Beeson Farm Account. Councilor Lennington said he has never seen so many people enjoying the park in his 73 years, and it makes him happy to see the community progress like this.

Adjournment

There being no further matters to discuss, Councilor Friend moved to adjourn. Councilor Williams seconded. Motion passed 5-0. The May 7, 2018 meeting was adjourned at 7:17 pm.

Mayor, Shon Byrum

ATTEST: _____
Vicki Haney, Clerk-Treasurer