

CITY OF WINCHESTER  
COMMON COUNCIL  
MEETING MINUTES  
MONDAY, JANUARY 7, 2019

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

Councilor Tom Sells called the meeting to order and presided over the meeting. Clerk-Treasurer, Vicki Haney, recorded the minutes.

Council President

Councilor Sells is currently the Council President. There were no other nominations for the position. Councilor Sells said he was willing to continue in that role. Councilor Sells made a motion to approve his position as Council President. Councilor Friend seconded. Motion carried 4:0.

Randolph County Solid Waste Management District

Councilor Larry (Moe) Lennington currently is the Council's representative for the Randolph County Solid Waste Management District. Councilor Lennington nominated Councilor Friend as the appointment. Councilor Friend accepted the nomination. Councilor Sells made a motion to approve Councilor Friend as the Solid Waste Management District appointee for 2019. Councilor Lennington seconded. Motion carried 4:0.

Area Planning Commission Board

Councilor Williams currently serves on the Area Planning Commission Board. There being no other nominations, Councilor Sells made a motion to approve Councilor Williams as the Council representative for the Area Planning Commission in 2019. Councilor Lennington seconded. Motion carried 4:0.

Fountain Park Cemetery Board

Council appoints a citizen to serve on the Fountain Park Cemetery Board. Janet Winbigler is currently serving. Janet Winbigler was the sole nominee. Councilor Sells made a motion to approve Janet Winbigler as Council's citizen appointment for the Fountain Park Cemetery Board for 2019. Councilor Lennington seconded. Motion carried 4:0.

Council appoints a Council member to serve as well. Councilor Sells nominated Councilor Lennington. There being no other nominees, Councilor Sells made a motion to approve Councilor Lennington as the Council representative on the Fountain Park Cemetery Board for 2019. Councilor Friend seconded. Motion carried 4:0.

Redevelopment Commission

Councilor Williams currently serves in this role. There being no other nominations, Councilor Sells made a motion to approve Councilor Williams as the Council representative for the Redevelopment Commission for 2019. Councilor Lennington seconded. Motion carried 4:0.

Councilor Sells currently serves as the second Council appointment representative on the commission. There being no other nominations, Councilor Sells motioned to approve himself as the Council representative for the Redevelopment Commission for 2019. Councilor Loyd seconded. Motion carried 4:0.

Council Meetings 2019

Clerk Treasurer Haney asked the Council if they will be amending their number of meetings in 2019. The Council agreed to continue meeting on the first and third Monday of the month at 6:30pm. Councilor Sells made a motion to approve the meeting times. Mayor Byrum asked if they will continue to pay the bills on the third Monday of the month. Council said they would. Councilor Friend seconded. Motion carried 4:0.

Adjournment

There being no further matters to discuss, Councilor Sells adjourned the Organizational Meeting at 6:36 pm.

Council regular meeting @ 6:37 p.m.  
Council Chambers / City Hall / 113 E. Washington St.

Pledge - Mayor Byrum  
Moment of Silent - 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 four City Council Members present.

|            |                                   |
|------------|-----------------------------------|
| District 1 | Councilor Larry (Moe) Lennington  |
| District 2 | Councilor Tom Sells               |
| District 3 | Councilor Ron Loyd                |
| District 4 | Councilor Leesa Friend            |
| At Large   | Councilor Missy Williams (absent) |

Additional Officials Present:

Meeks Cockerill, City Attorney; Jon Reed, Police Chief; Chris Martin, Wastewater Treatment Superintendent; Shean Bosworth, Streets and Parks Superintendent and Dwayne Wiggans, Fire Chief.

Citizens Present:

Cheryl Robbins, Tony and Julie Parrott, Karen Wilkins, Linda Rittenhouse, Jim Nunez Jr., Niles and Kate Thornburg, Kristopher Bilbrey, Lynn Humphrey, Kevin Carreno, Gary Girton and Conan and Kathy Wallace

Niles Thornburg, Citizen Interruption

Niles Thornburg of 213 S East Street interrupted the meeting and stood up to make a statement. Mayor Byrum told him it was not his turn to speak. Mr. Thornburg continued on to say he found it upsetting that he was not permitted to stand and speak in a public meeting before publically elected officials. He found Meeks Cockerill’s statements and Mayor Byrum’s Facebook posts alluded to the fact that he, as a citizen, cannot speak in these meetings. Meeks Cockerill told him that was correct; he did not necessarily have the right to speak at these meetings. Councilor Lennington told Mr. Thornburg he cannot speak out of turn, as such is a disruption of the itinerary of the meeting. (At this point Mr. Thornburg was escorted out by Jon Reed, Chief of Police.

### Approval of the Minutes:

Councilor Lennington moved to approve the meeting minutes of the December 17, 2018 meeting. Councilor Friend seconded. Motion passed 4 -0.

### Council Members Issues and Concerns

Councilor Friend reminded those present that there is a Blight Committee meeting January 16 at 5:30pm in the City Council chambers.

Councilor Williams sent an email asking they use meeting time to discuss pursuing grants for blight removal, sidewalk repair, and funding the Winchester House. Councilor Loyd reminded the Council they already discussed this matter. Mayor Byrum told the Council that he invited Councilor Williams to join him at a meeting with a grant writer on January 15.

### UNFINISHED BUSINESS

#### Chapter 96 – Ordinance No. 2002-02 (Street Cut Permits)

At the previous Council meeting Council discussed the possibility of increasing the street cutting fee for utility companies in a new ordinance. Council proposed an increase to One Hundred Dollars (\$100) or One Hundred and Fifty Dollars (\$150), but did not decide on a fee. Councilor Sells told the Council that Clerk Treasurer Haney asked other cities how much they charge. Some charge One Hundred Dollars (\$100) or more while others require a One Thousand Dollar (\$1000) deposit that is returned to the utility company if they finish within their allotted time. Mayor Byrum reminded the Council that they'd need someone to check up on those projects. There are six (6) employees on staff for the Streets, Parks, and Sanitation Department. That is why a base fee was suggested instead of the retainer. Superintendent Bosworth confirmed that it was very difficult to track. The current ordinance states Twenty Dollars (\$20) a day with an allotted Thirty (30) days to seal the hole. Councilor Friend asked why they can't fine people that don't report the number of days they have the street cut open. Mayor Byrum again explained that there is not enough man power to catch people in the act if they are not properly reporting the number of days. Superintendent Martin told the Council they have the ability to get the permit online so they'll go on and get multiple at one time, but they may not start that project for weeks. Councilor Loyd clarified that they are looking to move away from a daily fee to a flat rate for a given amount of time. Councilor Friend asked Superintendent Martin what he would suggest for the fee. He recommended a flat, upfront rate of One Hundred and Fifty Dollars (\$150) at least. Councilor Loyd felt the matter needed more study. He also pointed out some inconsistencies within the ordinance. He feels the whole ordinance needs review. Attorney Cockerill said he would review it. This issue was tabled for further discussion.

#### Chapter 51 – Sewage Affidavit

The Council previously discussed an ordinance that requires an application or reconnection fee for those seeking a sewage affidavit. Mayor Byrum proposed a minimum Fifty Dollar (\$50) fee that would need to be paid every six (6) months, with approval from the Board of Works, for property owners that want their sewage disconnected from their property. Councilor Friend spoke with Clerk Treasurer Haney and learned that when a sewage affidavit is approved, sewage is disconnected and trash collection ceases, but the City does not go and retrieve the trash receptacle. She wondered if they should ask during the application process if they'd like the bin removed. Clerk Treasure Haney said that would be possible, but they would have to file a work order. Shean Bosworth said he would rather remove them because he has seen instances of neighbors taking totes from empty houses. Chris Martin said he would like to see a One Hundred Dollar (\$100) fee upfront every Six (6) months. Councilor Loyd agreed, because those with an affidavit are getting out of Six (6) months of Thirty Eight Dollar (\$38) payments which amounts to

more than Two Hundred Dollars (\$200). Mayor Byrum pointed out that this matter has been discussed and published at Two (2) meetings, so he felt citizens have had ample opportunities to bring concerns to the Council. He asked the Council if they'd like to have an ordinance drafted that reflects the One Hundred Dollar (\$100) fee. Once drafted it would have to be approved via Three (3) public readings. Councilors Loyd and Friend thought an ordinance should be drafted. Councilor Friend said she would like to see one adjustment; she does not think the citizen should be charged if the Board of Works does not approve their application for the sewage affidavit. Meeks Cockerill asked where the funds would go. Mayor Byrum felt they should go to the sewage department. The Councilors agree. Councilor Lennington asked how frequently people request these affidavits. Clerk Treasurer Haney said she could give Councilor Lennington an exact report.

Street Department Truck

Councilor Friend asked if a truck had been purchased for the Street Department. It was purchased for a little over Forty Four Thousand Dollars (\$44,000), but still needs lights installed. Clerk Treasurer Haney assured the Council it will be no more than Forty Six Thousand Dollars (\$46,000).

Adjournment

There being no further matters to discuss, Councilor Sells moved to adjourn. Councilor Friend seconded. Motion passed 4:0. The January 7, 2019 meeting was adjourned at 6:58 pm.

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Mayor, Shon Byrum

ATTEST: \_\_\_\_\_  
Vicki Haney, Clerk-Treasurer