

CITY OF WINCHESTER
COMMON COUNCIL
MEETING MINUTES
MONDAY, JANUARY 21, 2019

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:

Jon Reed, Police Chief; Dwayne Wiggans, Fire Chief; Shean Bosworth, Street and Park Superintendent; Chris Martin, Wastewater Treatment Superintendent ; Gary Girton, Randolph County Commissioner and Meeks Cockerill, City Attorney.

Citizens Present:

Kristopher Bilbrey, Bob McCoy, Kathy and Conan Wallace, Doug Hill, Debbie Henning, Cheryl Robbins, Jim Nunez Jr., Kate Thornburg, Lynn Humphrey, Karen Wilkins and Kenny Sharp

Media Present:

Bill Richmond (Star 98.3 Radio and News-Gazette Newspaper)

Approval of the Minutes:

Councilor Lennington moved to approve the meeting minutes of the January 7, 2019 meeting. Councilor Friend seconded. Motion passed 5-0.

Council Members Issues and Concerns

Mayor Byrum opened the floor for Councilors to share their issues or concerns or present citizens that approached them with issues or concerns.

Councilor Friend reported that she spoke with Rachael Halleck from the VOA (Volunteers of America) concerning the trash issues at the Winchester House located at 313 S Meridian Street. She was unaware of the overflow and contacted someone to install a lock to prevent others from using their dumpsters. Cheryl Robbins requested that Councilor Friend make the VOA aware that Best Way Disposal has been backing up into her mother’s yard and creating ruts. Councilor Williams asked Ms. Robbins to also report the issue to Best Way. Councilor Loyd recommended moving the dumpster into the parking lot. He was not sure who would have to request the dumpster be moved.

Councilor Friend asked who was in charge of shoveling and salting the sidewalks outside of City Hall. Mayor Byrum said it was the Street Department.

Committee Reports

Councilor Williams reported there is a federal grant matching 80/20 for bike trails and sidewalks. Councilor Williams drove all around the City and helped create plans for a bike path from Beeson Community Building using public streets and renovating sidewalks. It would also connect Baker and Willard Elementary Schools. Councilor Williams said it would cost Two Million Dollars (\$2,000,000) to do Two (2) miles of Six (6) feet sidewalks. She recognized that is cost prohibitive, but asked the Council for permission to draft a plan that would create a path that goes down Martin Street uses a footbridge to connect into the park by the amphitheater. Then, she would like to request the County expand the roads to connect the bike path to the bike path in Union City. With the grant, the cost would be around One Hundred Thousand Dollars (\$100,000). She felt they should at least create a draft and go for the grant. That doesn't mean they are required to go through with it. There is a lot of paperwork involved, and the first round ends February 15. She asked someone make a motion for her to apply for the grant. The grant is from the Department of Natural Resources (DNR). Councilor Williams also said that this could be the first stage of a continuing bike path project. Councilor Friend made a motion to allow Councilor Williams to apply for the grant at no charge. Councilor Lennington seconded. Motion passed 5-0.

Blight Committee

Councilor Williams reported, The Blight Committee met last Thursday and discussed suggestions from Attorney Cockerill about a potential resolution asking the Randolph County Commissioners to give the City the tax sales certificates that would allow the City to gain ownership of certain properties via a tax sale deed. Attorney Cockerill explained the process. The City would receive the certificate, apply for the tax sale deed, and then the City may consider selling the properties at an auction, or tearing down the property. Council would review the list of the properties they would want to obtain and give to Attorney Cockerill. If the City would receive the tax sale certificates the City would have to get a title report at a cost of approximately \$700-800 Dollars. The committee discussed setting up parameters on what they want to spend to help people tear down blighted homes.

Councilor Williams reported the property located at 333 S Main Street, owned by Andrea (Andie) James, was recently torn down. Council previously approved a reimbursement of up to Eight Thousand Dollars to help with the demolition of the property. Mayor Byrum mentioned the Board of Public Works and Safety approved a demolition assistance application for the property at 333 S Main Street in May, 2018 which would assist Ms. James, as well. The maximum amount which could be paid for the demolition assistance could be Two Thousand Dollars (\$2,000.00). Councilor Loyd asked if the \$2,000.00 would be in addition to the Eight Thousand Dollars, which would be a reimbursement of Ten Thousand Dollars. Councilor Williams wanted permission to talk to Andie James. Councilor Loyd asked to authorize Councilor Williams to talk to Andie James and indicate to her that the Eight Thousand Dollars the Council approved was in lieu of the Two Thousand Dollars approved by the Board of Works and Public Safety (in an attempt to save that Two Thousand Dollars). Councilor Friend agreed. She thought they'd only approved reimbursement up to Eight Thousand Dollars (\$8000).

Fountain Park Cemetery

Jim Nunez, Jr., reported a successful first meeting of the year. They welcomed Councilor Lennington to the Board. They paid their year-end bills including paying for some fallen limbs. They also created a new rule that all opening and closing costs will be an additional One Hundred Dollars (\$100) if they take place after 4pm. Their next meeting will take place on February 12 at 5:30pm. They also wanted the public to

be aware that May 18 9am-12pm there will be cemetery tours to align with the Winchester Alumni meeting.

Randolph Economic Development Cultivating Community Meeting

Mr. Nunez, Jr., encourage citizens to attend a Winchester Community Meeting on February 4 at 6:00pm at the Towne Square Community Center. Ball State University/Indiana Communities Institute and Randolph Economic Development invites citizens to share their thoughts and ideas to improve quality of life in Winchester. It is part of a study being done by Ball State University.

WCCPC (Winchester Community Cultural Preservation Committee)

Mr. Nunez, Jr., reported the annual WCCPC Easter Egg Hunt will take place at 11am on April 20 at Goodrich Park. In the past the WCCPC received One Hundred Dollars (\$100) from the Mayor's Promotional budget for this event. Mayor Byrum requested he ask again at the next meeting so he would have time to review his remaining funds.

Mr. Nunez reported the annual WCCPC July 4th fireworks display will take place at dusk. He said in the past the City has donated One Thousand Dollars (\$1000). Mayor Byrum asked if they have any fireworks leftover from last year. Mr. Nunez said they did not.

Mr. Nunez reported the Mardi Gras is schedule for October 2-5.

Wick's Car Show

Mr. Nunez, Jr., reported the Wick's Car Show will take place in downtown Winchester on June 22 from 8am-3pm. It was very successful last year. One Hundred (100) cars participated. He also provided the Council and citizens with calendars provided by Randolph County, Indiana Convention & Visitors Bureau.

UNFINISHED BUSINESS

Street Cut Permit Fees

Mayor Byrum wanted to see this ordinance move forward or take it off the table. Councilor Loyd said Attorney Cockerill took most of his suggestions, but upon further review found section 96.03 very confusing and poorly written. Mayor Byrum said he wanted to move forward and see the fee to cut the street move from Twenty Dollars (\$20) daily to a higher upfront fee for thirty days. Councilor Loyd said he felt it should be One Hundred Fifty Dollars (\$150) minimum. Councilor Friend asked if they were still considering charging per linear foot to make sure they keep the holes as small as they can. Councilor Loyd pointed out that that's another policing problem. Councilor Friend called on Conan Wallace from the Gas Company to share about permit fees in other cities. He reported that there were no fees for any other cities in the County, just for state highways. Attorney Cockerill asked how much they wanted to charge for the extension fee under 96.34 item C. Mayor Byrum recommended One Hundred Dollars (\$100) per Fifteen (15) days. Councilor Williams made a motion they raise the fee for street cuts from Twenty Dollars (\$20) a day to One Hundred Fifty Dollars (\$150) upfront for Thirty (30) days with a One Hundred Dollar (\$100) fee per Fifteen (15) day extension. Councilor Loyd seconded. Motion carried 5:0.

Sewage Affidavit Application for Reconnection

The Council has been discussing the creation of a new ordinance in Chapter 51 that would create a fee to be charged when a property owner applies for a sewage affidavit. The Board of Public Works and Safety must approve these sewage affidavits, but the Council must create an ordinance if they want to begin charging a fee. Superintendent Martin felt the fee would discourage abuse of sewage affidavits and improve the Waste Water Treatment plants revenue. He also recommended an upfront application fee and not a reconnect fee. Councilor Loyd recommended not abating the trash portion. Councilor Sells

made a motion to strike trash abatement from the proposed ordinance, because trash is not a part of the affidavit program and will be kept on indefinitely. Councilor Loyd suggested a minimum upfront application fee of One Hundred Twenty Dollars (\$120), because that equals Fifty Percent (50%) of six (6) months sewage service. Attorney Cockerill said he will adjust the ordinance to exclude trash and set the fee at One Hundred Fifty Dollars (\$150). Councilor Loyd made a motion to create an ordinance that says the affidavit does not include trash and the application fee will be 50% of sewage service for length of affidavit and the extension will be 50% of the six month sewage bill or length of the extension. Councilor Friend seconded. Motion carried 5:0.

NEW BUSINESS

City Credit Cards

Councilor Loyd said in his Thirteen (13) months on the Council he has noticed numerous indications of overuse or misuse of City issued credit cards, specifically with regard to purchase of meals while employees are out of town. He reminded the Council they talked about shifting to a service order type system, but that would take a lot of work. He feels the Council needs to examine who the cards are issued to, the limits placed on the cards, what they can be used for, etc. Mayor Byrum did not feel that any credit card use could be qualified as misuse. He also noted the credit card limits have been recently reduced to One Thousand Dollars (\$1000) for department heads and Five Hundred Dollars (\$500) for employees. He also noted no one has gone over budget. He also noted in the Employee Handbook on page 31 outlines business travel and expenses. There is an ordinance on the books about credit cards. Councilor Loyd pointed out that the ordinance says they may be reimbursed, which he takes to mean the employee would pay out of pocket and submit a request for reimbursement. This would not require the use of a City credit card. Councilor Loyd would like to get rid of the old credit card ordinance, and several of the Council members agreed. Councilor Friend asked for Clerk Treasurer Haney's input. She said she wouldn't want to see the credit cards go away completely. She would like to see one credit card per department and elected official with a Five Hundred Dollar (\$500) limit. Councilor Sells asked what other expenses are put on the credit cards. Mayor Byrum asked if they were suggesting a cash allowance to pay for rooms and food. The department heads reported that they book the rooms ahead of time and typically put them on the credit cards. The Council pointed out specific large charges that caught their eye. Mayor Byrum reminded the Council that if they saw specific charges that seemed suspect they can always call and inquire with the department heads. Councilor Williams recommended issuing a dollar limit per meal and not allowing the purchase of a hotel room unless it is a two day event or an event over One Hundred (100) miles away. The County has a limit of Twenty Six Dollars (\$26) a day on meals. Mayor Byrum asked if the credit card changes would apply to elected officials as well. Councilor Friend said it should apply across the board. She then went on to read the following draft for an amendment to the salary ordinance:

City credit cards only be used when purchasing food for eight (8) or more city employees. Meal reimbursements will only be available when the employee is more than fifty (50) miles outside City limits for training. Credit cards can be used if there is an emergency including multiple City employees. All receipts must be turned into department heads within thirty (30) days. Breakfast will only be paid for an overnight stay and should not exceed Ten Dollars (\$10) including tip. Not more than one meal will be reimbursed for non-overnight trips and shall not exceed Fifteen Dollars (\$15) including tip. No more than three meals will be reimbursed for overnight stays and the total shall not exceed Thirty Five Dollars (\$35) including tips for all meals. Already in the employees' handbook, tips for meal services will not be reimbursed for more than Fifteen Percent (15%) of the bill. The employee must provide the Clerk Treasurer with itemized receipts approved by the department heads. The Common Council, in its absolute and final discretion, shall make the final decisions as to whether any such claims will be paid.

Councilor Loyd once again pointed out the current language talks about reimbursement for out of pocket expenses, not use of credit cards. Mayor Byrum said he was fine with the removal of credit cards, but was unsure why this was being discussed when no one was going over budget. Councilor Loyd felt the budget was irrelevant when the discussion is about the reasonableness of the purchases. Councilor Loyd wanted to set a date on which the credit card meal reimbursement revisions will become effective. Councilor Friend recommended February 1. Mayor Byrum reminded the Council it will have to pass three readings. Councilor Friend asked if they could have a draft of the ordinance by February 1. Attorney Cockerill said that would be possible. Councilor Sells asked a question about number one. It mentioned eight (8) employees and he felt it should be four (4) or six (6). Councilor Loyd felt for smaller groups they could pay out of pocket and request reimbursement.

Certification Pay

Councilor Friend would like to see the clothing allowance be paid on a semi-annual basis in January and July instead of once a year. She felt this would keep an employee from taking jobs, receiving the allowance, and quitting shortly after. Councilor Loyd asked about the philosophy behind the clothing allowance and certification pay. Mayor Byrum said they cannot take certification pay away in the middle of the year, but they can remove it from the budget next year. Councilor Loyd suggested taking it out of the salary ordinance and adjusting the salary or hourly wage to compensate for that. Clerk Treasurer Haney recommended discussing this during budget workshops. Mayor Byrum brought up that they would have to pay increased overtime if they distribute the pay into salary and wages. Clerk Treasurer Haney pointed out it would also increase the amount they pay in Social Security and pensions. Mayor Byrum liked the idea of paying it semi-annually. Attorney Cockerill pointed out that it has already been paid out for this year, so they should table the discussion until budget time.

Public Hearings/Public Concerns at Council Meetings

Councilor Loyd went on record to say he felt the public should have the right to speak at the Council meetings under restrictions and guidelines set by the Council, whether that be they are required to request time to speak before the meeting or submit their statement in writing before the meeting. He did not know what the requirements should be or if the traditional three minute cut off is reasonable. He wanted to qualify this by saying the Council is under no obligation to answer questions from the public at that time. Mayor Byrum reminded the Council of his suggestion that Councilors be permitted to call on members of the public during Council Members Issues and Concerns. He wanted to know if Councilor Loyd felt that was sufficient or if there needed to be a Public Concerns section of each meeting. Councilor Loyd thought there should be such a time for Public Concerns, but there should be a time limit on each citizen's comments. Councilor Friend felt no comment should exceed five (5) minutes. Councilor Williams said she had no problem with Public Concerns, but has an issue with listening to the same questions over and over again, especially if it is about issues the Council has no control over. Councilor Sells recommended a parliamentary rule to limit repetition and a rule that limits their time to Three (3) minutes. He reminded the Council this isn't a creation of an ordinance. It can be changed as they see fit. The Council recommended Councilor Sells oversee Public Concerns.

Public Concerns

Councilor Sells opened the floor for Public Concerns. Citizens were told to come to the podium and state their name and address before addressing their concern.

Kenny Sharp, felt that a person can say a lot in three minutes, and thought the Council was on track by saying they're not obligated to answer questions in the moment.

Doug Hill, 1054 Old Hwy 27 North, stated that he is concerned with the increases the council is considering regarding the sewage application and that it will be passed onto the populous out there. The

vacant buildings demolition expenses would be passed on to the public sector, that is something to be conscientious of.

There being no other public concerns, Councilor Sells closed the floor.

Overtime

Councilor Lennington felt like there was an abundance of overtime being paid, particularly at the animal shelter. Mayor Byrum said it was duly noted.

Vacant Building Discussion

Mayor Byrum stated Attorney Cockerill presented a copy of an ordinance from the town of Merrillville, Indiana which established a vacant and abandoned building registration and maintenance program. Attorney Cockerill explained he provided that to the Blight committee and the Council. Councilor Williams stated the committee looked at it just briefly. Attorney Cockerill suggested a person with a vacant house have a property manager located within Fifty (50) miles of the City. Councilor Williams liked the idea, but wanted to know what would happen to violators. Attorney Cockerill said they would get a fine that at some point becomes a lien. This was modeled after an ordinance in Merrillville, Indiana. Councilor Williams said she would call Merrillville's mayor to see how it was working.

Entrust Street Light Request

The Council was presented with a request to entrust a street light at 844 Beeson Street. Councilor Williams said she thought it would be an asset to the City. Councilor Loyd said the light had been there for about five (5) years. Mayor Byrum asked how much was remaining in the budget for street lights. Clerk Treasurer Haney reported the appropriation for street lights is Sixty Six Thousand (\$66,000) remaining in the budget. Councilor Williams asked if the light was necessary. Councilor Loyd said that he drove down there today and there are lights mounted on every other pole and then this light makes it so there are two lights in a row. Councilor Friend asked how much it costs to keep a street light on for a month. Clerk Treasurer Haney said it would cost Eight Dollars and Eighty Three Cents (\$8.83) a month. Councilor Loyd talked to the current owner of the light and she said the light adds to her sense of security with the suspicious activity that occurs on her street. Councilor Friend made a motion to entrust the street light at 844 Beeson Drive. Councilor Williams seconded. Motion carried 4:1. Councilor Lennington opposed.

Beeson Community Building

Councilor Williams wanted to add street lights to the exterior of the Beeson Clubhouse. Superintendent Bosworth said they just purchased two LED lights to install on the exterior of the clubhouse. Councilor Williams was concerned about how dark the building is, and Councilor Lennington agreed there needs to be more light on the south side. Mayor Byrum said the cost could come out of the Beeson Farm budget.

Clerk Treasurer's Report

Clerk Treasurer Haney requested the Council set a date for a public hearing for an additional appropriation for the EDIT (economic development income tax) fund. The amount of the additional appropriation is Fifteen Thousand Dollars (\$15,000). Clerk Treasurer Haney recommends the hearing be held on February 4 at 6:30pm as part of the next Council meeting. Councilor Sells made a motion to hold a public hearing for the appropriation of the EDIT fund for Fifteen Thousand Dollars (\$15,000) on February 4 at 6:30pm. Councilor Loyd seconded. Motion carried 5:0.

Clerk Treasurer Haney also reported that she has been working on the annual report due to the State Board of Accounts on March 1. Hopefully, the report will be published in the newspaper by the middle of February. The Council will have a chance to review the report before publication. She filed the 100R

for the compensation of employees for the City of Winchester. There is a copy of that in the Councilor's packets as well as the report for firemen's pension.

Accounts Payable Vouchers

Clerk Treasurer Haney reported the accounts payable for the end of December amount to One Hundred Fifty Nine Thousand Six Hundred Eighty One Dollars and Forty Six Cents (\$159,681.46).

General	47,896.04
MVH	94,977.76
City Court User Fee	72.00
Beeson Estate Farm	4,331.66
Donation K-9	188.00
C.E.D.I.T	12,216.00

The accounts payable vouchers for January 1-16 amount to Eighty Five Thousand Two Hundred Seventy Seven Dollar and Seventeen Cents (\$85,277.17) Payroll amounts to Sixteen Thousand Five Hundred Forty Five Dollars and Fifty Seven Cents (\$16,545.57). Total accounts payable equal Two Hundred Sixty One Thousand Five Hundred Four Dollars and Twenty Cents (\$261,504.20). Councilor Sells made a motion to pay all accounts payable vouchers. Councilor Friend seconded. Motion carried 5:0.

General Fund	37,133.98
Motor Vehicle Highway	8,356.33
Light Fund	5,070.23
City Court User Fee	594.00
Fire Dept. Non-Reverting Training	125.18
Fireman's Pension Fund	5,201.58
Ambulance Non Reverting Fund	795.21
CEDIT Fund	22,851.78
Winchester Police Dept. Prof Development	2,060.03
Winchester Fire Dept. Prof Development	9.10
Animal Control	2,466.16
Court Cash Due County	585.00
Economic Develop Non-Rev	28.59

EDIT Committee

Mayor Byrum announced the EDIT Committee meeting that was to be tomorrow has been canceled with a potential follow up date and time of January 24 at 1pm.

Adjournment

There being no further matters to discuss, Councilor Sells moved to adjourn. Councilor Friend seconded. Motion passed 5:0. The January 21, 2019 meeting was adjourned at 8:08 pm.

Mayor, Shon Byrum

ATTEST: _____
Vicki Haney, Clerk-Treasurer