

CITY OF WINCHESTER
COMMON COUNCIL
MEETING MINUTES
MONDAY, JUNE 3, 2019

Council Chamber/City Hall/113 E. Washington Street
6:30 p.m.

Public Hearing: TOA Winchester, LLC, Tax Abatement and the Designation of an Economic Revitalization Area

Councilor Sells, convened the public hearing for TOA, LLC, tax abatement and request for the designation of an Economic Revitalization Area. He asked if anyone present would speak for or against it. Kristopher Bilbrey asked what it was and Councilor Sells answered that the statement was filed that the economic development tax abatement for Ten (10) years, though the Council hadn't adopted the exact number. They were favorable toward the statement. There being no further comments, the public hearing was closed at 6:31 p.m.

Public Hearing: TOA Winchester, LLC, for Waiver of Non-Compliance of Certain Conditions Concerning the Granting of a Deduction for Rehabilitation or Redevelopment of Real Property

Councilor Sells convened the public hearing at 6:32 p.m. for the Waiver of Non-Compliance of Certain Conditions Concerning the Granting of a Deduction for Rehabilitation or Redevelopment of Real Property owned by TOA Winchester, LLC. This is to consider a waiver of non-compliance for the tax abatement. Karen Wilkins asked what the non-compliance was for. Councilor Sells explained that if someone wants to order or ship something, they make sure it will be okay before it's ordered. There being no further comments, the public hearing was closed at 6:33 p.m.

Council Chamber/City Hall/113 E. Washington Street
Meeting @ 6:33 p.m.

Pledge – Councilor Sells

Moment of Silence – Councilor Sells

Councilor Sells 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 Lennington	ABSENT
District 2	Councilor Tom Sells	
District 3	Councilor Ron Loyd	
District 4	Councilor Leesa Friend	
At Large	Councilor Jason Allen	

Additional Officials Present:

Tom Cockerill, City Attorney; Jon Reed, Police Chief; Dwayne Wiggins, Fire Chief and Shean Bosworth, Street and Park Superintendent

Citizens Present

Kristopher H Bilbrey, Lynn Humphrey, Karen Wilkins, Richard Waters, Rick Sanders, Anthony Harless, Kevin Carreno and Clint Hall

Media Present:

Bill Richmond (Star 98.3 Radio)
Jeff Ward (News-Gazette Newspaper)

Approval of the Minutes:

Councilor Friend moved to approve the meeting minutes of the May 20, 2019 meeting. Councilor Allen seconded. Motion carried 4-0.

Council Member Issues and Concerns

Councilor Allen said he asked Joe Sheets, the animal control officer and the ordinance officer, to put together proposals to replace the current van for the animal shelter and ordinance officer. Sheets recommends a few options including crew cab truck with an animal box as well as a few other vans. Councilor Allen said he will get copies to the council for them to be aware of the options.

Councilor Loyd said there are commercial-sized trash dumpsters at homes that are occasionally placed in streets. He knows of one downtown that's been in the street for quite a while. He wonders if there is an ordinance for allowing a dumpster to sit there, full. He believes it's something of a hazard because it sticks out and a car could hit it. Chief Reed said there's an ordinance that only allows it to be out there for Thirty (30) days. Clerk-Treasurer Haney said she can check when the dumpster was applied for because the permits are issued in her office. The Street Department or ordinance officer can check if it's in compliance or if it needs to be removed. Councilor Friend asked if it needs to be removed or needs to be emptied. Chief Reed said if it's in continuous use its okay if they're dumping it. Clerk-Treasurer Haney said the ordinance should be reviewed.

Councilor Allen asked if the city could provide commercial businesses with city totes for trash. He believes that revenue is being lost, if the city doesn't. Clerk-Treasurer Haney said it's up to business owners to provide those and it's complicated to keep track of the disposal and pickup.

There being no further council concerns, Councilor Sells closed the floor.

Public Concerns

Councilor Sells opened the floor to public concerns. Richard Waters represented Sanders Services, 210 N Main St. He said Mr. Sanders owns a lot of impounded cars at 119 Martin St. They sit on a lot and the city says the lot needs to be fenced in. Sanders would like to have the

small piece of land the city owns, and would like to know if they could have it before they build the fence. The fence will cost Thirteen Thousand Dollars (\$13,000) with the lot and Nine Thousand One Hundred Dollars (\$9,100) without. The second thing Mr. Sanders is asking concerns a large amount of money that Sanders is about to spend on properties in Winchester. They're remodeling and putting a new roof on the Old Maple Tarr building located at 210 N Main St. The roof will be Forty-Two Thousand Dollars (\$42,000). The Gas station across the street at 201 N Main also needs to be fixed up. Mr. Sanders previously received a grant to put a roof on, but the building will require new glass and paint to the building. They will open a car lot in that building for retail sales. Mr. Sanders hired Two (2) people in the last month, including Waters as the general manager, to run that lot. The first thing on their agenda is to get the properties cleaned up, including clearing out the impounded cars. They would like to get the downtown properties fixed up and would like some help doing so. Whether that's a forgivable loan or grant money, they are planning to spend One Hundred Thousand Dollars (\$100,000) now and expect the expenses to be more than that. Councilor Friend asked for the timeline of the fence and cleaning up the lots. Waters said as soon as they begin it will take a week or week and a half. They said that if they get help, then the fence will be first. If not, then they need to fix the roof first to keep water out of the way when fixing cars. He said impounded cars and crushed cars will be inside the fenced area. Councilor Allen asked what type of fence and Waters replied it would be a metal barred-in fence, eight-foot tall and blocking visibility. Councilor Friend said there was an empty lot beside 210 N Main and asked what went there. Waters said that was an overflow space they were trying to catch up on. The cars on that lot would go away as they get them crushed and hauled to recycling. They want to clean out the lots to the point that spaces will serve as a retail car lot and a service space. Councilor Allen asked how they acquired the lot in the first place and how much was invested in the lot. This is a strip of land on the west side of Sander's lot. Mr. Sanders would like to square the property off--he's not asking for the whole strip. Councilor Loyd said they would need to do a survey and would ask Mr. Sanders to come up with a written proposal for each property. The city will work to learn what it would look like to sell the property to square off the lot.

Kristopher Bilbrey, 801 N Main St., brought a few questions. He asked why there were Three (3) public hearings listed when the council only held Two (2) tonight. Councilor Sells said this was a mistake. Bilbrey also said he knows the weather has been uncooperative and said he noticed a lot of weeds and wondered what would be done about that. Councilor Friend said she talked to Joe Sheets, Ordinance Officer, about that last week and she brought a list of all the properties that have been cited first, second, and final notices, as well as those that haven't been compliant. Superintendent Bosworth said they have mowed all the properties they have received from two separate lists. Bilbrey asked if they were fined and Councilor Friend answered it was a lien filing against the property. Finally, Bilbrey said that the Sanders proposal is exactly what C. E.D.I.T. (County Economic Development Income Tax) money should be used for. He believes several things have been brought up recently that don't deserve E.D.I.T. money, but this does.

Lynn Humphrey, 312 S Main St., said one year ago this month the VOA (Volunteers Of America) opened their doors and made promises to hold fundraisers that would pay more than their

contract amount minimum of Twenty-Five Thousand Dollars (\$25,000). After the debate, the City agreed to become a landlord. They said that Compass Church had good bones and it would be a good investment for the city. She said Mayor Byrum said that God put it on his heart to do this. She said Mayor Byrum now wants to end the landlord status, the VOA hasn't had a local fundraiser, the VOA hasn't made a minimum payment without assistance, and the VOA hasn't paid on their verbal agreements. The VOA, she says, has since opened Two (2) other Fresh Start facilities and bought and remodeled them in non-residential areas with their own funds. She said the VOA is worth One-Point-Six Billion Dollars (\$1,600,000) and asks how much is Winchester worth. How much money has Winchester given to the VOA? She asks the council to "stop the madness" and not give any more taxpayer money to the rich VOA.

There being no further public comments, Councilor Sells closed the floor.

UNFINISHED BUSINESS

Bids for Demolition of Blighted Properties

Having received an additional bid from East Central Contracting, the Council now has Four (4) blighted properties total. 214 W South Street was previously approved to be demolished, the remaining properties include 518 N West St, 843 N Meridian St, 534 S West St., and 213 E Short St. Councilor Sells says each will cost a different amount and asks if they want to move on approving a bid. Council can't move forward until there is a public hearing to appropriate the funds from the CCI (Cumulative Capital Improvement) fund. Clerk-Treasurer Haney said there is a citizen interested in purchasing 843 N Meridian Street. She said she's interested in having a garage on it, though according to Councilor Allen and Councilor Sells, a garage can't be built unless she's an adjacent landowner, which she's not. She would buy it and pay for demolition if she put a garage on it. Councilor Allen asks if they can legally award a bid without having the funds appropriated. Clerk-Treasurer Haney said she thinks they need to have the appropriation. All bids show that they're good until the public hearing on June 17.

Public Hearing for Additional

Clerk-Treasurer Haney said a public hearing for additional appropriations will be held on June 17, 2019 at 6:30 p.m. Council will consider additional appropriations for the following funds: C.E.D.I.T., Two Thousand Four Hundred Dollars (\$2,400); Beeson Park, Ten Thousand Dollars (\$10,000); Sidewalk Rehabilitation, Thirty Thousand Dollars (\$30,000); and CCI, Fifty Thousand Dollars (\$50,000).

NEW BUSINESS

TOA, Winchester, LLC, Form CF-1

Clerk-Treasurer Haney explained TOA, Winchester, LLC, is requesting approval from Council for their compliance with statement of benefits Form CF-1 for personal property. This is in regards to a previous tax abatement (granted in 2017) which is standard procedure. It's required that the council agree that TOA is in compliance with the tax abatement granted in 2017. TOA

by completing this form is saying they are in compliance with the agreement and they need the paperwork for the Randolph County Assessor's office for them to continue with the abatement. If the council agrees, then it will be filed with the assessor's office.

Councilor Loyd moved to accept the compliance. Councilor Allen seconded. Motion carried 4-0.

Councilor Allen asked if Clerk-Treasurer Haney or Mayor Byrum could remind TOA to be at the next meeting for sure.

TOA, Winchester, LLC, Tax Abatement

Councilor Sells asked Attorney Cockerill what the rate generally was for a Five (5) year abatement. Generally the tier is Twenty Percent (20%). Councilor Friend asked if they would do a Five (5) or Three (3) year abatement. Councilor Sells would like a Five (5) year abatement. Councilor Allen doesn't want to do a Ten (10) year abatement with the property tax caps. He said it's hurting the city and it needs to be a Five (5) year maximum. He said they should've waited to purchase equipment, but it's too late now. Councilor Allen entertained a Three (3) or Five (5) year abatement. Councilor Allen said that if this is replacing old equipment, then there is a risk of losing even more money. Councilor Loyd moved to have legal counsel write an agreement to indicate a Three (3) year abatement with reduction from One Hundred and Fifty (150) to Ten (10) over the course of a Three year Period. Councilor Allen seconded. Motion carried 3-1, with Councilor Sells opposing because he preferred a Five (5) year abatement.

Adjournment

There being no further information to discuss, Councilor Sells motioned to adjourn. Councilor Friend seconded. Motion carried 4-0. The June 3, 2019 meeting was adjourned at 7:08 p.m.

Council President, Tom Sells,

ATTEST:

Clerk-Treasurer, Vicki Haney