

CITY OF WINCHESTER
COMMON COUNCIL
MEETING MINUTES
MONDAY, AUGUST 5, 2019

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

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 all 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 Jason Allen

Additional Officials Present:

James Fry, City Judge; Greg Beumer, Executive Director of Randolph County Economic Development Corporation; Meeks Cockerill, City Attorney; Chuck Hoover, Assistant Police Chief; Dwayne Wiggins, Fire Chief and Shean Bosworth, Street and Park Superintendent

Citizens Present

Dennis Whitted, Linda Rittenhouse, Karen Wilkins, Isaiah Ashley, Deb Henning, Kevin Carreno and Bob McCoy

Media Present:

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

Approval of the Minutes:

Councilor Loyd pointed out that Mr. Abraham's name was misspelled in the minutes. Clerk-Treasurer Haney made a note to change that.

Councilor Lennington moved to amend and approve the meeting minutes of the July 15, 2019 meeting, with the amendment to include spelling of Abraham not Abrams. Councilor Friend seconded. Motion carried 5-0.

American Wind Week Proclamation

Mayor Byrum read the proclamation proclaiming American wind week in the City of Winchester, Indiana. The City of Winchester is one of the leading wind-energy cities in Indiana. The proclamation began with a list of the benefits of wind-energy production. Mayor Byrum proclaimed that August 11-17, 2019 would be America wind week in the City of Winchester, Indiana. He encouraged all citizens to learn about wind energy this week.

Council Member Issues and Concerns

Councilor Loyd asked for an update on the property located at 418 N West Street. Councilor Loyd asked what happened to Mr. Williams, who was going to purchase Prescott Seed? Mayor Byrum explained that he may have some issues with the county concerning what he was going to do with the property, but not with the City as far as what he wants to do with the property. Councilor Loyd asked if someone was living in the building in question. Mayor Byrum stated Mr. Williams resides at the property; however no one on the Council indicated that they knew the answer to that.

Councilor Loyd asked what the current status of the Casey General Store Project was. Mayor Byrum stated he does not know because of a zoning snafu they underwent, and their building got knocked down to the bottom of the list. Councilor Sells said he called them this morning and that's what he heard. Councilor Loyd stated the properties are not being taken care of. Mayor Byrum stated ordinance violations have been sent.

Councilor Loyd asked if the City had an ordinance about the operation of golf carts by minors. Mayor Byrum said yes, it's the law they can't operate a golf cart until they have a valid driver's license. Councilor Loyd asked if there was an attempt to enforce that. Assistant Police Chief Hoover said they have had some incidents and they've issued warnings to the kids, telling them to take the golf carts home, or they would impound the golf cart if they didn't have a licensed driver, driving the golf cart. Councilor Loyd said the really dangerous part was that not only were young kids driving the golf carts, but there were also even younger kids riding along as passengers. Assistant Police Chief Hoover agreed.

Councilor Sells said a person in his district has gone to the Park Board requesting to put a sign marking the edge of their property. The property, currently in dispute, is being used for parking and the citizen is ordering a survey so they know exactly where to put the sign and then a proposed fence. They would like the City to determine how much further they would like to request. It's about twenty-seven (27) feet north of the current driveway. Mayor Byrum said he doesn't know how the City can give park property away. He's unsure of the legality of even selling. Attorney Cockerill said it was property deeded to the City in the 1800s, though they'd have to pull the title and examine it. Councilor Sells said they are currently using the property as their driveway. It's been used for years. Attorney Cockerill said they don't need a survey of the whole park, just that specific property line. Karen Wilkins said it was deeded to the city in 1916. There's no provision that it needs to stay with the Park, just that it was given. Attorney Cockerill said they just need to do a survey first to determine the line before they can do anything else. It's slow-moving, but that's the process. The Council agreed with this procedure.

There being no further council concerns, the floor was closed.

Public Concerns

Linda Rittenhouse, 202 W Sixth St. came before the council to talk about the “huge theft problem in Winchester.” She said, “many of us have been robbed of our possessions.” She said that she and her husband have been up from midnight to five thirty (5:30) almost every morning between their three (3) properties, and they haven’t seen any police officers present during that time. She respectfully asked how many police officers were in Winchester. She was answered that twelve (12) officers were in Winchester. She asked how many were on the night shift. She was answered that two (2) were on during the night shift. She asked how many were on during the day shift. She was answered that two (2) actual road officers were on during the day shift, not including administrative staff. Assistant Police Chief Hoover said that he talked at length with Rittenhouse’s husband today and explained different tactics that they were using, including attempting to put more officers on the night shift especially during high-traffic hours. They’re also using new tactics, but he can’t disclose those here because he hopes they will work to catch people. One of the problems he runs into is that when something like a DUI crash happens, it takes both city officers. County officers are available, but they’re patrolling the whole county. He said that for now, he recommends not leaving anything of value unsecured or in cars because currently the crimes happening are crimes of opportunity. He said that they know some of the players and they thought they’d caught them all, but clearly that’s not true yet. He said some people have talked about not locking their cars because they don’t want their windows broken instead. Assistant Police Hoover said that this is largely not what happens, they’ll generally move onto the next car if the door is locked. He said they can only use the resources and the manpower that they have. They can’t stop it now, but they’ll try to slow it down. Councilor Loyd asked if there’s been anything in the newspaper about the police recommendations. Councilor Friend said she talked to Officer Reed about it but they can’t give away any of their tactics. Rittenhouse said she’s been robbed twice. She said her biggest fear is that people will stop feeling safe while walking at night. Assistant Police Chief Hoover said the officers need citizens to report anything out of the usual. Councilor Loyd asked if the state has any kind of programs in which they provide cameras for personal property. Assistant Police Chief Hoover said they have used cameras on personal property in the past and if they see the need for it at a specific property they’ll set one up. Councilor Loyd said he’s heard that the doorbell cameras are quite helpful right now.

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

NEW BUSINESS

Resolution No. 2019-15

Chuck Hoover, Assistant Police Chief, presented Resolution No. 2019-15 entitled “A RESOLUTION TO DECLARE CERTAIN PERSONAL PROPERTY OF WINCHESTER, INDIANA, AS UNNEEDED AND TO BE CONSIDERED SURPLUS PROPERTY FOR DISPOSAL”.

Asst. Chief Hoover explained the reason for selling the 1983 Chevrolet Step Van. The issues are mainly mechanical and the structure of the body is not feasible to maintain.

Councilor Sells moved to have Resolution No. 2019-15 by title only. Councilor Allen seconded. Motion carried 5-0.

Attorney Cockerill read Resolution No. 2019-15 by title only.

Councilor Sells moved to approve the reading of Resolution 2019-15. Councilor Allen seconded. Motion carried 5-0. Thus it becomes Resolution No. 2019-15.

Beeson Farm Appropriation Request

Supt Bosworth explained he is requesting Council to consider approving purchasing surveillance cameras to be located in all City parks and at the Beeson Community Building. Hopefully cameras would prevent vandalism at these locations.

A proposal for the cameras in the amount of twelve thousand two hundred fifty-five dollars and fourteen Cents (\$12,255.14) is being recommended with an additional five thousand dollars (\$5000.00) to maintain equipment. Superintendent Bosworth said the software would need to be updated every five (5) to ten (10) years. He wanted to present it but doesn't expect any action on it tonight. He will email the proposal to the Council. There would also be Wi-Fi available for the park. Councilor Friend thinks it's a great idea; she just wants to make sure they get the best equipment for the best price.

Council requested additional quotes are obtained so as to purchase the equipment at the best price.

Ordinance No. 2019-8

Mayor Byrum presented Ordinance No. 2019-8 entitled "ORDINANCE ESTABLISHING A DEPARTMENT OF PARKS AND RECREATION AND REPEAL OF ALL ORDINANCES IN CONFLICT THEREWITH".

Mayor Byrum stated that in order to make the City Parks Department eligible for grants this proposed Ordinance is necessary. Mayor Byrum detailed the Five (5) year parks plan but they would need to have an ordinance signed by the council establishing the park that made them eligible for a grant from the state. The one establishing the park now was originally signed by the Mayor. Mayor Byrum explained the four (4) year staggered appointment.

Attorney Cockerill stated the proposed Ordinance is written in accordance with the sample the DNR (Department of Natural Resources) gives out.

Councilor Friend made a motion to have the first reading of Ordinance No. 2019-8 by title only. Councilor Sells seconded. Motion carried 5-0.

Attorney Cockerill read Ordinance No. 2019-8 by title only.

Councilor Sells moved to approve the first reading of Ordinance No. 2019-8. Councilor Lennington seconded. Motion carried 5.0.

Councilor Sells moved to suspend the rules and have the second reading of Ordinance No. 2019-8 by title only. Councilor Loyd second Motion carried 5.0.

Attorney Cockerill read Ordinance No. 2019-8 by title only.

Councilor Sells moved to approve the second reading of Ordinance No. 2019-8. Councilor Lennington seconded. Motion carried 5.0.

Councilor Sells moved to suspend the rules and have the third and final reading of Ordinance No. 2019-8 by title only. Councilor Lennington seconded. Motion carried 5-0.

Attorney Cockerill read Ordinance No. 2019-8 by title only.

Councilor Sells moved to approve the third and final reading of Ordinance No. 2019-8. Councilor Allen seconded. Motion carried 5.0. Thus it becomes Ordinance No. 2019-8.

UNFINISHED BUSINESS

Resolution No. 2019-16

TOA Winchester, LLC, presented Resolution No. 2019-16 entitled “ A RESOLUTION OF THE CITY COUNCIL OF WINCHESTER, INDIANA, WAIVING NON-COMPLIANCE OF CERTAIN CONDITIONS CONCERNING THE GRANTING OF A DEDUCTION FOR NEW MANUFACTURING EQUIPMENT IN AN ECONOMIC REVITALIZATION AREA FOR TOA WINCHESTER, LLC”

Councilor Sells moved to have Resolution No. 2019-16 to be read by title only. Councilor Allen seconded. Motion carried 5-0

Attorney Cockerill read Resolution No. 2019-16 by title only. Councilor Sells moved to approve Resolution No. 2019-16. Councilor Friend seconded. Councilor Loyd is against granting tax abatements based on a waiver of non-compliance. He doesn't see the reason for non-compliance. Motion carried 4-1 with Councilor Loyd casting the negative vote. Thus it becomes Resolution No. 2019-16.

Resolution No. 2019-17

TOA Winchester, LLC, presented Resolution No. 2019-17 entitled “COMMON COUNCIL OF WINCHESTER, INDIANA, CONFIRMATORY RESOLUTION GRANTING TAX ABATEMENT TO TOA WINCHESTER, LLC. Councilor Allen moved to have Resolution No. 2019-17 to be read by title only. Councilor Friend seconded. Motion carried 5-0.

Attorney Cockerill read Resolution No. 2019-17 by title only.

Councilor Sells moved to approve Resolution No. 2019-17. Councilor Friend seconded.

Councilor Loyd stated he is curious. He knows there was discussion previously about making this abatement potentially a 3 year period, but somehow it ended up being a 5 year period. This increased the amount that the city “was not going to collect” from three hundred forty-eight thousand seven hundred dollars (\$348,700.00) to six hundred sixteen thousand three hundred dollars (\$616,300.00) which the difference is two hundred sixty-seven thousand six hundred dollars (\$267,600.00). Resolution 2019-14 was adopted on July 15, 2019 which specifically outlines the deduction schedule. Motion carried 3-2 with Councilor Lennington and Councilor Loyd casting the negative votes. Thus it becomes Resolution No. 2019-17.

Resolution No. 2019-18

TOA Winchester, LLC, presented Resolution No. 2019-18 entitled “COMMON COUNCIL OF WINCHESTER, INDIANA, CONFIRMATORY RESOLUTION FOR THE DESIGNATION OF AN ECONOMIC REVITALIZATION AREA”. Councilor Sells moved to have the first reading of Resolution No. 2019-18 by title only. Councilor Allen seconded. Motion carried 5-0.

Attorney Cockerill read Resolution No. 2019-18 by title only.

Councilor Sells moved to approve the reading of Resolution No. 2019-18. Councilor Allen second. Motion carried 4-1 with Councilor Loyd casting the negative vote. Thus it becomes Resolution No. 2019-18

Blighted Properties

The City received the tax sale certificates and will receive tax deeds within the week for the properties located at 843 N. Meridian Street, 213 E. Short Street, 518 N West Street and 534 S. West Street.

Councilor Allen would like to demolish the remaining properties once deeds are received.

Council approved an additional appropriation for \$50,000 to be used for the demolitions of the blighted properties. The original appropriation was for ten thousand dollars (\$10,000.00).

The current balance in the CCI (Cumulative Capital Improvement) Fund is thirty-five thousand seven hundred ninety-four dollars and eighty-eight cents (\$35,794.88).

Councilor Friend stated quotes were submitted as a collection of properties to demolish; neither of the two similar quotes includes the landfill fees but we do have 50 tons available from the Randolph County Solid Waste District for landfill fees.

Councilor Allen explained that since quotes were requested to be submitted as a package it makes sense to him to award the remaining quote for the project to Proficient Drainage & Excavation, Inc. A neighbor is interested in purchasing 843 N Meridian. Attorney Cockerill stated that if the assessed value of the tract is less than fifteen thousand dollars (\$15,000.00) based on the assessment than we can proceed. Attorney Cockerill suggested the neighbor submit a letter of offer for the property.

Council can choose to demolish 3 out of 4 properties for demolition if they so choose.

Councilor Allen moved to approve Proficient Drainage & Excavation, INC., for the demolition of the properties located at 213 E. Short Street, 534 S. West Street and 518 N. West Street pending on receiving the deeds. Councilor Friend seconded. Motion carried 5.0.

Clerk-Treasurer's Report

Clerk-Treasurer Haney is requesting additional appropriations for the following funds.

Local Option Income Tax Fund (LOIT) - in the amount of one thousand seventy-one eight hundred ten dollars and zero cents (\$171,810.00). Expenditures would include emergency surgery for the Canine Dog Officer, Police Department vests and 1/3 of the fire truck expense.

Cumulative Capital Development Fund (CCD) – in the amount of seventy-five thousand dollars (\$75,000.00) for 1/3 of the fire truck expense.

The Ambulance Fund in the amount of seventy-five thousand dollars and zero cents (\$75,000.00) for 1/3 of the fire truck expense.

Judge Fry came before the Council to talk about the possible appropriation for the Clerks-Perpetuation Fund. He discussed the idea of utilizing some of the money that comes in from the courts to fix up the storage facility used for record retention for both City Court and City Hall. It is currently in poor condition, and is in danger of damaging records because there's no climate control.

The City Court has revenues available in the Clerks Perpetuation Fund to possibly make this happen. The balance in the Clerks Perpetuation Fund is currently ten thousand dollars (\$10,000.00).

Judge Fry explained the fund receives \$2.00 for every ticket that goes through the City Court. City Court and the office of the Clerk-Treasurer has a strict retention of records schedule which they must abide by in accordance to the Indiana Code.

As well as a destruction of records schedule this is also according to Indiana Code. Mayor Byrum suggested perhaps the public building fund may be able to provide some of the expenses which may be incurred for record retention. Council discussed possibly repairing the City Barn located beside City Hall.

Councilor Friend moved to set a public hearing for the additional appropriations request for September 16 at 6:30 pm. Councilor Allen seconded. Motion carried 5-0.

Councilor Sells moved to schedule a Budget workshop for August 12 at 6:30 pm. Councilor Friend seconded Motion carried 5-0

Mayoral Report

Mayor Byrum discussed the possibility of giving Infrastructural loans from the EDIT (Economic Development Income Tax) Fund to be used for residential or businesses for sewage improvements. Specifically, this would address the need for the Six (6) or Seven (7) properties that may not have the money to hook onto the sewage system. It would be in the form of a loan. It will be discussed more at the next meeting when Superintendent Martin is available Council may or may not be interested in doing this.

Attorney Cockerill explained the structure of the loan.

This discussion will lead the way to an introduction for the next Council meeting.

Mayor Byrum will notify Council of the Gold Site Dedication ceremony.

Adjournment

There being no further information to discuss, Councilor Lennington motioned to adjourn. Councilor Sells seconded. Motion carried 5-0. The August 5, 2019 meeting was adjourned at 7:54 p.m.

Mayor, Shon Byrum

ATTEST:

Clerk-Treasurer, Vicki Haney

