

CITY OF WINCHESTER
COMMON COUNCIL
MEETING MINUTES
MONDAY, AUGUST 19, 2019

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

Pledge – Mayor Byrum

Moment of Silence, with special mention of those who lost their lives in mass shootings this week – 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 Lennington	
District 2	Councilor Tom Sells	
District 3	Councilor Ron Loyd	arrived at 6:32 pm.
District 4	Councilor Leesa Friend	
At Large	Councilor Jason Allen	

Additional Officials Present:

Meeks Cockerill, City Attorney; Jon Reed, Police Chief; Dwayne Wiggans, Fire Chief; Chris Martin, Wastewater Superintendent, and Shean Bosworth, Street and Park Superintendent

Citizens Present

Dennis Whitted, Judy Moody, Roger Miller, Mark Burton, Rick Sanders, Linda Rittenhouse, Kristopher H Bilbrey, Lynn Humphrey, Karen Wilkins, and Jim Nunez Jr.

Media Present:

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

Approval of the Minutes:

Councilor Lennington moved to approve the meeting minutes of the August 5, 2019 meeting. Councilor Allen seconded. Motion carried 4-0.

Council Member Issues and Concerns

Councilor Allen stated there were phone calls and comments in the last meeting concerning theft going on in the city. He said he went out into the city with police officers a few nights. During that night, they were able to stop Eight (8) or Nine (9) suspicious people and over the

course of the last few weeks, they've made several arrests. He wanted people to know that police were making their best efforts.

Councilor Allen also said there was a street light out on the corner of Browne and Carl, and they will look into fixing that.

Chief Reed said there have been twenty (20) arrests in the last ten (10) days concerning the thefts. He said there's been discussion around introducing a curfew in order to suppress theft, but those involved with the thefts have been adults so curfew wouldn't be effective.

Public Concerns

Karen Wilkins, 638 Residence St., asked if the Council has talked to one another about the letter sent to the Council. Mayor Byrum said there has been a survey completed and the next steps will be left up to the next administration and the next council. Mayor Byrum said he opts not to deal with it. Wilkins said she knows the results of the survey, namely that she and her household do not own their own driveway and she would like to own it so that she can save it. Councilor Friend doesn't understand why they wait for five (5) months. Attorney Cockerill said he has not seen the survey and he would need a survey description before the council could move forward. Wilkins made a case that the piece of land has been used by the household for at least a hundred (100) years. Councilor Friend asked how they would determine the cost of the driveway. Wilkins said there is precedent to suggest the City could give the property away. Attorney Cockerill said he would need a legal description first and would need to order a property record search. Wilkins said she offered to pay to have the legal description done. Councilor Friend asked if anything having to do with the bit of land would impede the use of the park. Superintendent Bosworth said he couldn't think of anything. Wilkins said if she got the property they would additionally put up a natural barrier between the driveway and the park. Mayor Byrum said he ordered a survey from Ashton. Wilkins said she received a text message from the Mayor stating the park board would pay for the survey. The Park Board did vote to pay for the survey out of their budgets. Attorney Cockerill said he will bring back the results of the survey, and they'll probably want to get the property appraised. Councilor Friend asked Wilkins if she would pay for the appraisal. Wilkins said she would discuss it with her husband but she doesn't see why there would be a problem.

Kris Bilbrey, 801 N Main St., said he wrote an email. He said in the last meeting he spoke for Mr. Sanders. He's concerned that homeowners have been paying property tax on land that the City is now in control of. He'd like the City to keep it in mind that they've been paying for it and maintaining it. He's asking that it be dealt with quickly. He said he doesn't see it on the agenda, but there are a few issues with bids.

Dennis Witted, 401 S East, asked about the stop sign he requested. Chief Reed said the state highway had been contacted but they don't do traffic surveys in the cities. It will take some time to get the survey because South Street is closed and that will skew the survey results on a Franklin St survey. He's concerned a stop sign will create more congestion and people will compensate by traveling faster. He is looking into it, though.

Linda Rittenhouse, 202 W. Sixth St. is concerned that some of the people have been caught. She corrected a few details in a newspaper article written by Councilor Friend.

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

Fountain Park Cemetery

Jim Nunez, Jr. presented the Fountain Park Cemetery Report. He said it's been a little slow recently. They're keeping the property up. They have a couple employees: one is mowing and one is weeding. There's been quite a bit of maintenance work done on the lawnmowers in partnership with Jim Martin. They are also doing some maintenance on the excavator and tractor. Hydraulics is the main issues on excavators and mowers. They are doing some headstone maintenance. They're down to their final weed eater and they're looking into buying a durable weed eater. The cemetery is continuing to looking into the tree program and deciding whether or not to trim or cut down trees that are a danger to headstones. They're making repairs to the property at the Sexton House, specifically the plumbing. Their Mardi Gras event is coming up and will be happening October 2-5, 2019. This year's theme is heroes, and they're honoring police, fire workers, and EMS. There are many types of heroes and these will be honored this year.

UNFINISHED BUSINESS

Resolution No. 2019-19

BMMT Management, LLC. presented Resolution No. 2019-19 entitled "A RESOLUTION TO ACCEPT OFFER OF DEDICATION".

City Council has previously discussed the possibility of accepting ownership of the sewer lift station located at Summers Pointe. Maura Hoff, representative for BMMT Management, LLC, said there is a reciprocal easement signed off on by the homeowners. Superintendent Martin said anything that goes wrong would now be the responsibility of the city, but for all practical purposes repairs are being paid for by the city already.

Councilor Sells moved to have Resolution No. 2019-19 read by title only. Councilor Allen seconded. Motion carried 5-0.

Attorney Cockerill read Resolution No. 2019-19 by title only. Councilor Sells moved to approve the resolution. Councilor Friend seconded. Motion passed 5-0. Thus it becomes Resolution No. 2019-19

Sanders Service

Mayor Byrum received an invoice from Sanders Service for a fence which was constructed and he wanted to discuss it with the Council. They may appropriate funding if the council so chooses. Councilor Allen said that from what he understood in the previous meeting, the Council was supposed to receive a proposal packet to discuss the plan. At that point they could make a decision.

Demolition of Blighted Properties

Mayor Byrum said that the Burton Excavating & Trucking gave the Mayor and the Board of Works three (3) or four (4) remaining proposals. Councilor Friend asked why it wasn't passed along to others. Councilor Loyd said he did have a bid but not the same one. Mayor Byrum said that when Burton came in and gave him a bid, he and Councilor Allen must have missed it. Councilor Allen said he's had his packet the whole time, so he hasn't missed it. Councilor Allen said he felt that the process had been too simple. This is what he thought they must've missed and the bid is a good bid. There was continued discussion on who had the bid and who didn't. The Mayor said this was in part because the Council has gotten involved when it should be the Mayor's responsibility. Councilor Allen said this was because he wasn't getting it done. The Mayor said he was being appropriately cautious when demolishing homes. Councilor Allen said he is not willing to wait for the next administration to get things done. Councilor Allen said his initial response is that the result when the bid for 214 W South was chosen was final because it was part of a package deal. (Everyone talking at the same time) Councilor Loyd asked what the comparison was. It is a \$985.00 difference. Councilor Allen said that since it was a package deal, they ought to honor the package deal. If it had been the correct format, then that could possibly be discussed. Councilor Sells said he would like to go on record that this ought to stay as previously voted. Councilor Friend asked when the appropriate person will be contacted for the contract. A citizen, spoke out of order.

Accounts Payable Vouchers

The Accounts Payable Vouchers (APV) for the end of July equaled two thousand six hundred seventy dollars and fifty-nine Cents (\$2,670.59). August 1-15 equaled seventy-six thousand three hundred fifty-seven dollars and eighty-three cents (\$76,357.83). The Redevelopment Claims equaled five thousand three hundred fifty-two dollars and twenty-seven cents (\$5,352.27). Payroll equaled fifteen thousand nine hundred thirty-one dollars and twenty-three cents (15,931.23). Total APV equaled one hundred thousand three hundred and eleven dollars and ninety-two cents (\$100,311.92).

Councilor Friend moved to approve the APV. Councilor Lennington seconded. Motion carried 5-0.

Public Hearings

Clerk-Treasurer Haney reminded citizens there would be a public hearing on September 16 at 6:30 for the 2020 budget. There will also be a public hearing for additional appropriations on September 16. After the public hearing, she recommends that Councilors consider the first and second reading of the Ordinance for the 2020 Budget.

Rick Sanders

Rick Sanders interjected and said he had questions for the Council and Mr. Burton got to talk earlier. Mayor Byrum said this was an inappropriate time for that. Sanders said he was addressing the Council. Mayor Byrum handed control to the Council. Councilor Friend allowed the question so that it would be dealt with in an open meeting. Sanders said the paperwork had been turned in, but the proposal needed to be given to the Mayor first. However, the Mayor

requested they put the fence up first and pay the bill then the Council would receive the invoice. He was unaware that help wasn't guaranteed or that the Council needed a packet. He's asking if the Council can appropriate the funds so the Mayor can reimburse him Fifty Percent (50%). Councilor Friend asked if he could bring that bill and the information to the next meeting, as this is the first time they've seen the bill. Sanders said he only has information on the roof. Mayor Byrum said the council will table it because it has just been brought before them. Councilor Sells asked to have a paper trail in the future so there isn't simply a verbal confirmation on things like that percentage of reimbursement.

Councilor Friend gave permission to Lynn Humphrey to ask her question. She said that in July Attorney Cockerill suggested to table the bids. Councilor Friend said that last meeting there was a bullet point on the agenda to submit for a sub. The Council didn't have to have the deeds in hand. According to Councilor Friend they could award the bids but they couldn't tear the properties down. Councilor Allen apologized to Mr. Burton but then said he had discussions with Mr. Burton and there was an understanding that it was a package deal. They moved quickly because the citizens wanted it and the Council had a goal to clean up the city and make it better. Councilor Allen called for a better process for the future.

Adjournment

There being no further information to discuss, Councilor Sells motioned to adjourn. Councilor Friend seconded. Motion carried 5-0. The August 19, 2019 meeting was adjourned at 7:30 p.m.

Mayor, Shon Byrum

ATTEST:

Clerk-Treasurer, Vicki Haney