

CITY OF WINCHESTER  
COMMON COUNCIL  
MEETING MINUTES  
MONDAY, JANUARY 18, 2010

Pledge of Allegiance – Mayor Croyle  
Prayer – Mayor Croyle

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

Mayor Croyle called the meeting to order and presided over the meeting. Clerk-Treasurer Vicki Haney recorded the minutes.

The Clerk's roll call showed four City Council Members present.

Precinct 1	Councilor Larry Preston	
Precinct 2	Councilor Tom Sells	absent
Precinct 3	Councilor Bill Peden	
Precinct 4	Councilor Bob McCoy	
At Large	Councilor Todd Schroeder	

Additional Officials Present:

Meeks Cockerill, City Attorney; Chris Martin, Waste Water Treatment Plant Superintendent; Mike Burk, Police Chief; Bill Yost, Fire Department; Kathy Bond, Parks Department Superintendent; and Mike Henry, Street Department Superintendent.

Media Present:

Bill Richmond (News Gazette) and Doug Goodman (Homecasting.net)

Citizens Present:

Nan Harris, Fred Davis and Jason Allen

Approval of the Minutes:

Councilor Peden moved to approve the minutes of the January 4, 2010 meeting. Councilor Schroeder seconded. Motion passed 4-0.

UNFINISHED BUSINESS

Employee Sick Bank Ordinance

The ordinance amending the Employee Handbook to establish an Employee Sick Bank was tabled until the next meeting on February 1, 2010.

Best Way Disposal

Best Way Disposal presented a document establishing a new holiday schedule for trash pick-up. Best Way would like to observe six holidays (New Years Day, Memorial Day, July 4<sup>th</sup>, Labor Day, Thanksgiving Day, and Christmas Day) in 2010 instead of the one holiday (Christmas Day)

that they have observed in the past. Councilor Schroeder moved to accept the new holiday schedule changes. Councilor Preston seconded. Motion passed 4-0.

## NEW BUSINESS

### Fountain Park Cemetery

The 2009 yearly financial report from Fountain Park Cemetery was prepared by Melanie Robinson, Treasurer. Councilor Preston explained the major expenditures. A cement mixer and water softener were included as major expenditures. The number of burials in 2009 was 85. The amount in the 2009 checking account at the beginning of the year was Four Thousand One Hundred Seventy One Dollars and Thirteen Cents (\$4,171.13). The account balance at the end of the year was Five Hundred Forty Seven Dollars and Nineteen Cents (\$547.19).

### Fountain Park Cemetery Board Officers for 2010:

President	Suzanne Fogelman
Vice President	Anne Riddle
Treasurer	Melanie Robinson
Secretary	Larry Preston
Sexton	Brett Anderson
Office Secretary (part time)	Janie Noland

Fountain Park Cemetery has four (4) investments (Certificate of Deposits). The investments total is One Hundred Nineteen Thousand One Hundred Twenty Dollars and Sixteen Cents (\$119,120.16). The interest from the investments is deposited into the checking account. The interest from the Certificates of Deposit provides for the daily operating expenditures of the cemetery. A major purchase must be approved by the Board Members before they are purchased. A major expense for 2010 could be a new pick up truck. The current truck is a 1991, and needs to be replaced. The truck may be purchased in the month of May. Amendments to the Bylaws will be presented at the next meeting. The board is still striving to make the election of officers as fair as possible. Elections are held once a year (June 1<sup>st</sup>). A portion of the revenue (15%) generated from each cemetery lot that is purchased is deposited into a perpetual fund. The cost of a cemetery lot is Five Hundred Twenty Dollars (\$520.00).

Mr. Fred Davis, 637 Western Avenue, explained the law suit that was filed against the Fountain Park Cemetery. The lot owners do not agree that nominations and elections should be at the same meeting. Mr. Davis requested a copy of the 2009 Fountain Park Cemetery financial report. The bylaws may need to be amended after a judgment is presented for the law suit. Mr. Davis commended Councilor Preston for his good work with the Fountain Park Cemetery Board.

### Ordinance No. 2010-2

Ordinance No. 2010-2 was presented by the Area Planning Commission of Randolph County and was entitled, "AN ORDINANCE TO ENACT ARTICLE XVI AND AMEND ARTICLES X AND XIII OF THE UNIFIED ZONING REGULATIONS OF RANDOLPH COUNTY, INDIANA". This ordinance includes the wind energy amendments that the Area Planning Commission has been working on for nine months. The ordinance was presented to the Randolph County Commissioners. The local airport has voiced concerns regarding this ordinance. The airport wanted to have greater say and veto power in the placement of a wind turbine. Councilor

McCoy asked about the Waste Water Treatment Plant and the setback on the rivers. The Board of Zoning Appeals will be contacted regarding this issue. The setback from the rivers is because of the Indiana Bat Migratory Patterns. A discussion was held regarding the wind energy ordinance.

Councilor McCoy moved to have the first reading of Ordinance No. 2010-2 by title only. Councilor Peden seconded. Motion passed 4-0. First reading complete. Councilor Schroeder moved to approve the first reading of Ordinance No. 2010-2. Councilor McCoy seconded. Motion passed 4-0.

Councilor Peden moved to suspend the rules and have the second reading of Ordinance No. 2010-2 by title only. Councilor Schroeder seconded. Motion passed 4-0. Second reading complete. Councilor Peden moved to approve the second reading of Ordinance No. 2010-2. Councilor Schroeder seconded. Motion passed 4-0.

Councilor McCoy moved to suspend the rules and have the third and final reading of Ordinance No. 2010-2 by title only. Councilor Peden seconded. Motion passed 4-0. Third and final reading complete. Councilor Schroeder moved to approve the third and final reading of Ordinance No. 2010-2. Councilor Peden seconded. Motion passed 4-0.

Thus it becomes Ordinance No. 2010-2.

#### Public Concerns

Councilor Preston asked about the graffiti on the bridge located on East North Street. Superintendent Henry will rectify the situation as soon as the weather permits.

#### Department Reports

Mike Burk, Police Chief – submitted a written report.

Chris Martin, Waste Water Treatment Plant Superintendent – submitted a written report.

Mike Henry, Street Department Superintendent – submitted a written report.

Bill Yost, Fire Chief – submitted a written report. Councilor Peden appreciated the break down of the department's report.

Kathy Bond, Parks Department Superintendent – submitted a written report.

Councilor Schroeder moved to accept the Department Reports as submitted. Councilor Peden seconded. Motion passed 4-0.

#### Clerk-Treasurer's Report

Clerk-Treasurer Haney presented the Council Members with revenue, expense, and year end reports for all City Funds. Councilor McCoy asked about the MVH Fund spending more in some budget line items than was appropriated. Clerk-Treasurer Haney presented Council Members a report which provided 2008 and 2009 MVH Budget classification supplies line items figures. The total expenditures exceeding the budget line items appropriation for 2008 and 2009 was One Hundred Two Thousand Eight Hundred Twelve Dollars and Seventy One Cents (\$102,812.71). Councilor McCoy asked what line item provided the funding for the exceeded supplies line item. The line item for Employee Health Insurance was reduced. The reductions and increased line items of the various budgets are included in Resolution No. 2010-1. The 2009 year end fund balances are as follows:

General Fund	\$1,337,144.55
Local Road and Street Fund	\$75,462.57

Motor Vehicle Highway (MVH)	\$149,280.87
Street Lights Fund	\$65,112.52
Goodrich Park Fund	\$49,000.00
Fire Pension Fund	\$71,161.54

The Legislative Services Agency (LSA) report is predicting revenues (due to the Circuit Breaker) will be decreased in 2010 and 2011.

Resolution No. 2010-1

Resolution No. 2010-1 was presented by Clerk-Treasurer Haney and was entitled, “TRANSFER OF APPROPRIATIONS OF DEPARTMENTAL BUDGETS OF VARIOUS FUNDS.” A discussion was held regarding the transfer of funds.

Councilor Schroeder moved to have the reading of Resolution No. 2010-1 by title only.

Councilor Preston seconded. Motion passed 4-0. Reading complete. Councilor Schroeder moved to approve the reading of Resolution No. 2010-1. Councilor Preston seconded.

Councilor McCoy asked if the money could have rolled over to the next year to build the MVH Fund. Clerk-Treasurer Haney explained remaining balances in Funds roll over into the next year but unexpended budgets do not. Motion passed 4-0.

Cancellation of Warrants

Clerk-Treasurer Haney presented a list of Cancellation of Warrants in the amount of Six Hundred Thirty Two Dollars and Thirty Cents (\$632.30). These warrants have been outstanding for two years or more as of December 31, 2009.

Warrant Number	Amount	Written To	Date
13564	\$208.43	Verizon	May 31, 2007
13763	\$423.87	Verizon Wireless	July 16, 2007

Councilor Schroeder moved to approve the list of cancellation of warrants. Councilor Preston seconded. Motion passed 4-0.

2010 Budget

The 2010 budget has been approved by the Department of Local Government and Finance. The 2010 tax rate for the City is One Dollar and Seventy Cents (\$1.70). The 2009 tax rate for the City was One Dollar and Sixty Nine Cents (\$1.69). This is an increase of One Cent (\$0.01) from 2009.

Accounts Payable Vouchers

The January 1 to January 13 accounts payable vouchers totaled Five Hundred Fifty Eight Thousand Twenty Seven Dollars and Eighty Five Cents (\$558,027.85). The Payroll accounts payable vouchers, which includes longevity and specialty pay, totaled Seventy Five Thousand Eight Hundred Fifty Nine Dollars and Sixty Nine Cents (\$75,859.69). The total of all accounts payable vouchers totaled Six Hundred Thirty Three Thousand Eight Hundred Eighty Seven Dollars and Fifty Four Cents (\$633,887.54). The appropriations which provide for the employee’s health insurance are included in the accounts payable vouchers. The balance in the Employee Health Fund needs to be increased. These appropriations may be drawn from the

budgets in June depending on the balance in the Employees Health Fund . Employees began contributing to the Employee Health Fund bi-weekly effective January 1, 2010. The amount disbursed from MVH, Goodrich and General Fund was discussed. Councilor Peden moved to approve the accounts payable vouchers. Councilor Schroeder seconded. Motion passed 4-0.

Mayor's Report

Mayor Croyle will be attending the 2010 Indiana Association Cities and Towns (ACT) Legislative Conference, in Indianapolis, Tuesday, January 19, 2010. He will be spending time at the State House. IACT has several initiatives they are trying to push through, most involve Home Town Rule (where Cities, Towns, and Townships need flexibility to rule). The Randolph County Commissioners amended an ordinance regarding County Highways. Title Nine, Chapter Ninety Six may need to be amended in the City's Code of Ordinances. Randolph County discontinued the Emergency Travel Advisory numbering system. The 911 dispatch consolidation was discussed. The City may consolidate before April 2010. The consolidation would be completed by the end of June 2010. Councilor McCoy attended the Randolph County Drainage Board hearing on ditch assessments. A property owner of two parcels of land, that has a house on it, can combine the parcels if they do not cross a section line or a municipal line. Mayor Croyle explained the City can take over the maintenance of the ditches from the County if the City would choose to. Salt Creek is not a County Ditch so it will not be assessed. The different ways a ditch assessment can be paid for were discussed. The City and the County need to define which ditches belong to which entity. The Summerfield Basin (Lake Baker) is also a County Ditch.

Randolph County Drainage Board

The City of Winchester received a notice of hearing in the matter of annual periodic maintenance assessment of the Edwards Cox Sugar Creek Ditch. The hearing will be held on February 16, 2010 at 11:00 a.m. in the Commissioners Room at the Randolph County Center for Family Opportunity, Winchester, Indiana. The current rate is Seven Dollars and Fifty Cents (\$7.50). The proposed rate is Fifteen Dollars (\$15.00).

Adjournment

There being no further matters to discuss, Councilor Schroeder moved to adjourn. Councilor Peden seconded. Motion passed 4-0. The January 18, 2010 meeting was adjourned at 7:38 pm.

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Mayor, Steve Croyle

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