

**PLEDGE OF ALLEGIANCE - Commissioner Cox
INVOCATION - Commissioner Beach**

PRESIDING:

Mayor Edallen York Burtner

PRESENT:

Commissioner Rick Beach
Commissioner Kenny Book
Commissioner Shannon Cox
Commissioner Kitty Strode

City Manager Matt Belcher, City Attorney William A. Dykeman, and Deputy City Clerk Sharon Harrison were present.

Upon determining that a quorum was present for the transaction of business, Mayor Burtner called the April 5, 2016 meeting to order at 5:30 pm in the Commission Chambers of City Hall.

COMMENTS FROM THE GENERAL PUBLIC CONCERNING ITEMS NOT ON THE AGENDA

Roger Harmon and Paul Merritt, who own property on East Washington Street, addressed the Board regarding the drainage issues on East Washington Street. Mr. Harmon stated one property owner, Ricky Lutes, 349 East Washington Street, has refused to sign an easement in order for the City to address the drainage. Mr. Harmon requested the City exercise eminent domain on Mr. Lute’s property. Mr. Merritt stated he echoed Mr. Harmon’s remarks and requested everyone sit down and talk about options to address the issue.

Mayor Burtner stated the City had been willing to purchase Mr. Lutes’ property in 2001 through a Hazard Mitigation grant and Mr. Lutes turned down the City’s offer. The only other option the City has at this point would be condemnation.

City Manager Matt Belcher stated the engineering has been done, the City has met with property owners in the drainage area, the funds have been budgeted to install the drainage channel, and the City has determined this is a public project. At this point, unless the City condemns the property, the project is no longer an option.

PRESENTATION

Update on Abandoned , Blighted & Code-Deficient Properties

Mayor Burtner stated the City budgets approximately \$50,000 for demolition of dilapidated properties each fiscal year and advised Ms. Ross will provide information on what tools cities have to condemn dilapidated properties.

Laura Ross, Managing Counsel for Kentucky League of Cities Member Legal Services, provided the following information on abandoned, blighted & code-deficient properties:

- Blighted, abandoned, code deficient properties: BEAST
 - Stalking every city in Kentucky and every city across the country
 - Hard, if not impossible to kill -- no magic sword, no silver bullet, and no great solution that deals with them in a way that gets things done quickly
 - Death by a thousand cuts: hit it with a lot of different weapons from a lot of different angles -- might not kill it but can tame it
- Kentucky: Decent arsenal of weapons -- research over the years shows we've implemented a lot of the legislation that other states find to be most effective
- Weapons: Which ones work depends on how the beast is attacking each individual community
 - **Trouble finding responsible parties**
 - Vacant property registration ordinances
 - Software/ web programs for identifying/communicating with stakeholders
 - **Too many properties, not enough code enforcement officers**

- Good, affordable software programs (Fulton, Comcate) that help assign and track cases, generate notices, schedule inspections, run reports, maintain records
- **Blight brings tax delinquency** (will not mow grass, will not pay property tax bill)
 - Higher tax rate
 - Better collection options: Mass foreclosure, land bank authorities
- **Rental properties**
 - Rental inspection ordinances
 - Landlord training
 - Be careful with chronic nuisance ordinances
- **City doesn't want and can't afford to own all these properties:** What does the City do with the properties?
 - Vacant property review commissions
 - Creative developer partnerships (such as a program in Covington)

Commissioner Beach questioned whether the vacant lot, once owned by the City, could be donated to organization such as Habitat for Humanity. Ms. Ross stated this is allowable use of the vacant property. Commissioner Beach stated he was interested in the City adopting an ordinance to require registration by property owners on vacant property.

Mayor Burtner stated Commissioner Cox has been working with charitable organizations to donate vacant lots to build new homes.

- Code Enforcement Boards: Most effective method
- HB 422 (Adopted in the 2016 Legislative Session): First step toward creating the ultimate weapon to fight this beast
 - Brings together all nuisance/ code enforcement standards under one umbrella: no longer have to figure out conflicting provisions, different standards of lien priority, etc.
 - Allows combination with VPRC
 - Uses 65.8801 as basic framework
 - Effective January 1, 2017
 - Possibility of lien priority over previously filed and subsequently filed liens for ALL ordinances enforced through board -- not just nuisance
 - No time-consuming location of and written notice to individual lienholders: New system where any lienholder with a previously filed lien must contact the city to get on an email list which will inform them of final orders issued on properties. Lienholder can abate and pay all costs and maintain lien priority.
 - Hearing officers: So full board doesn't have to meet, city can choose to allow hearing officer to conduct hearing and issue final order
 - Allows for more automatic final orders that don't have to be approved by the board (i.e. no response to citation)
 - Increases lien statute of limitations from 5 years to 10

Mayor Burtner asked if Ms. Ross would be willing to review our current ordinances as relates to abandoned, blighted, and code-deficient properties and make suggestions as to what the City could do better. Ms. Ross stated she would be willing to assist the City and County.

Ms. Ross advised there will be an Abandoned Blighted Properties Conference with national speakers. The conference will be held June 22-24, 2016 in Bowling Green.

NEW BUSINESS

Closure of Depot Street - Farm to Table Harvest Dinner

On motion by Commissioner Book, seconded by Commissioner Cox, with unanimous vote, the Board approved the request from Syndy Deese and Molly Stotts, representing the Clark County Farmer's Market, to close a portion of Depot Street on July 30, 2016 from 3:00 - 8:30 pm to hold a "Farm to Table Harvest Dinner" to benefit Clark County Farmer's Market. The motion was conditioned upon the Clark County Farmer's Market providing the City with proof of liability

insurance for the event. The event will be from 5:30 pm - 8:00 pm. The Clark County Farmer's Market will be mindful of not interfering with the parking lot of the IGA Grocery.

The Board directed Ms. Deese and Ms. Stotts to contact the Winchester Licensing Board regarding serving alcohol at the event. Ms. Deese advised the committee would prefer using a vendor that already has an existing catering license for sale of alcohol.

Street Closings in 2016 - Main Street Winchester

On motion by Commissioner Beach, seconded by Commissioner Strode, with unanimous vote, the request from Rachel Alexander, Executive Director of Main Street Winchester, for street closings for the following events in 2016:

- Summer Concert Series - May 14, June 11, July 9, August 13, 2016 from 5:00 - 8:45 pm (Main Street from Broadway to Lexington Avenue as well as Court and Cleveland Streets at Wall Alley)
- Beer Cheese Festival - June 11 - June 11, 2016 from 6:00 am to 7:00 pm (Main Street from Boone Avenue to Washington Street including the intersections of Lexington Avenue and Main and Broadway and Main; Broadway from Wall Alley to Church Alley; Lexington Avenue from Wall Alley to Church Alley; Ogden Alley from Wall Alley to Church Alley; all of Court Street; all of Cleveland Avenue; Hickman Street from Wall Alley to Church Alley; and Wall Alley from Broadway to Lexington Avenue)
- Halloween MAINia - October 31, 2016 from 6:00 - 8:00 pm (Main Street from Lexington Avenue to Washington Street and also Cleveland Avenue, Wall Street, and Court Street in the immediate area around the Courthouse)
- Christmas Parade - December 3, 2016 from 3:30 - 8:30 pm with a rain date of December 4, 2016 from 2:00 - 4:30 pm (Main Street from Winn Avenue to Hickman Street, and Depot Street)

Mrs. Alexander was in attendance.

Closure of Main Street - 2016 Little League Parade

On motion by Commissioner Cox, seconded by Commissioner Book, with unanimous vote, the Board approved the request from Anthony Blakemore, Safety Officer for the Winchester Little League, to close Main Street from Hickman Street to Broadway on Friday, April 22, 2016 starting at 5:30 pm.

Mayor Burtner requested that contact be made with Mr. Blakemore regarding the rain date of Friday, April 29, 2016 since the baseball season will have started.

UK Alumni Association - Request that the Beer Cheese Festival Become a Wet Event (Beer only)

Travis Mullins addressed the Board with a request from the Clark County UK Alumni Association, to allow UK's Beer Garden at the Beer Cheese Festival to become a wet (beer only) event and not contained in a selected area (cattle guards). The request is to only allow the UK Alumni Association and local businesses to sell beer at the event and not allow any outside vendors. Monies raised at the festival will be used to award scholarships to students.

Mayor Burtner stated he is willing to support the request on a trial basis.

On motion by Commissioner Strode, seconded by Commissioner Cox, with unanimous vote, the Board approved the request as presented from the UK Alumni Association.

Run for the Paws: 5k run/walk

WINCHESTER BOARD OF COMMISSIONERS REGULAR MEETING HELD

APRIL 5, 2016 - 5:30 pm

On motion by Commissioner Book, seconded by Commissioner Strode, with unanimous vote, the Board approved the request from Jeff Lewis, Winchester-Clark County Parks and Recreation Director, to hold a "Run for the Paws: 5k run/walk" on May 15, 2016 1:45 pm starting on the BCTC Campus, 2020 Rolling Hills Trail, and proceeding on Rolling Hills Lane and provide Winchester Police Department assistance.

Closure of Streets -YMCA & GRC Cheerleaders Annual 5K Run/Walk over Labor Day

On motion by Commissioner Cox, seconded by Commissioner Beach, with unanimous vote, the Board approved the request from Kimberly Vaughn, CEO/Executive Director of the Winchester YMCA, to close necessary streets and provide Winchester Police Department assistance for the YMCA & GRC Cheerleaders, annual 5K run and walk to be held Saturday, September 3, 2016 (Labor Day Weekend) starting at 8:30 am. It was noted the YMCA has provided proof of liability insurance. The run/walk will begin and end at the First United Methodist Church, 204 S. Main Street, Winchester and cover 3.1 miles through Winchester stretching from East Washington Street to Lisle Lane.

Sphar Building Rehabilitation Project Checking Account

The Board acknowledged that City Treasurer Debbie Bailey has opened new checking accounts for the Sphar Building Rehabilitation - (1) CDBG Grant, (2) TEA-21 Grant, and Sphar Building Rehabilitation Project - Other Funds at Traditional Bank. Mayor Burtner noted this is a requirement from the City's auditor.

ORDERS

AN ORDER APPROVING THE ACQUISITION OF REAL PROPERTY BY THE CITY OF WINCHESTER, KENTUCKY FROM WAYNE WILSON AND PATSY H. WILSON LOCATED AT 127 NORTH MAIN STREET KNOWN AS THE SPHAR BUILDING. On motion by Commissioner Book, seconded by Commissioner Strode, with unanimous vote, the Board adopted Order No. 2016-33.

AN ORDER BY THE CITY OF WINCHESTER, KENTUCKY APPOINTING PHIL MAY TO FILL THE UNEXPIRED THREE-YEAR TERM OF ALISHA HOWARD ON THE WINCHESTER-CLARK COUNTY RECREATIONAL, TOURIST, AND CONVENTION COMMISSION WITH SAID TERM TO COMMENCE APRIL 6, 2016 AND EXPIRE JUNE 30, 2017. On motion by Mayor Burtner, seconded by Commissioner Cox, with unanimous vote, the Board adopted Order No. 2016-34.

AN ORDER APPOINTING LEANNA COMER TO FILL THE UNEXPIRED THREE-YEAR TERM OF BRIAN THOMAS ON THE WINCHESTER-CLARK COUNTY RECREATIONAL, TOURIST, AND CONVENTION COMMISSION WITH SAID TERM TO COMMENCE APRIL 6, 2016 AND EXPIRE JUNE 30, 2017. On motion by Commissioner Mayor Burtner, seconded by Commissioner Book, with unanimous vote, the Board adopted Order No. 2016-35.

AN ORDER AWARDING A BID FOR DEMOLITION OF 66 MELBOURNE STREET TO DMH CONSTRUCTION. On motion by Commissioner Book, seconded by Commissioner Beach, with unanimous vote, the Board adopted Order No. 2016-36.

GENERAL COMMENTS FROM MAYOR, CITY COMMISSIONERS, CITY ATTORNEY, AND CITY MANAGER

Commissioner Strode commended the Public Works Department for their hard work on the situation on East Washington Street Stormwater Project.

Commissioner Cox stated the Winchester-Clark County Joint Revenue Committee will be meeting on May 10, 2016. It was noted that this is the same evening as the Candidate Forum at the Clark County Extension Center.

With no further business, on motion by Commissioner Book, seconded by Commissioner Strode, with unanimous vote, the meeting was adjourned.

/s/ Edallen York Burtner

Edallen York Burtner, Mayor

ATTEST:

/s/ Sharon Harrison

Sharon Harrison, Deputy City Clerk

Minutes approved as presented at the April 19, 2016 City Commission Meeting.