

PLEDGE OF ALLEGIANCE - Commissioner Reed
INVOCATION - City Manager Mike Flynn

PRESIDING :

Mayor Edallen York Burtner

PRESENT:

Commissioner JoEllen Reed
Commissioner Shannon Cox
Commissioner Ramsey Flynn
Commissioner Kitty Strode

City Manager Mike Flynn, Deputy City Clerk Dianna Layne, HR/Risk Manager Tammy Shelton, and the City Clerk were present.

City Attorney William A. Dykeman was present via phone.

Upon determining that a quorum was present for the transaction of business, Mayor Burtner called the January 19, 2021 regular meeting to order at 5:30 p.m. in the Commission Chambers of City Hall.

NEW BUSINESS

Rails to Trails Review
Manuel Hajar

Mr. Hajar spoke on the Rails to Trails Program to extend the rails to trails path from Lexington to Depot Street in Winchester. He noted there are many who bike and run the trails in Lexington with people coming from out of town to enjoy the trails. He noted there would be people coming from other communities to Winchester on the trails which would help the economy of Winchester/Clark County.

Mr. Hajar stated this trail connection will cover 18 miles. This project can help the community's public health by getting out and biking and running on these constructed trails. With healthier communities, insurance rates and hospital visits go down. Mr. Hajar noted there are grants and other options to offset the costs of building the trails.

Mr. Keith Lovan, Kentucky Rails to Trails Council was also present.

Kentucky Fire Commission Grant Opportunities
Winchester Fire Department

On motion by Commissioner Reed, seconded by Commissioner Flynn, and with unanimous vote, the Board approved applying for the grants with the Kentucky Fire Commission.

Chief Rigney noted there would be no need for matching funds.

OLD BUSINESS

**Request from Central Baptist Church to
Close Bells Alley**

Mayor Burtner noted the details that needed to be finalized before closing the alley are a consolidation plat be recorded consolidating the current 14 parcels into one large parcel; the consolidation plat would provide two easements to the City; the Bells Alley catch basin and flush drain would become the responsibility of the Church; future developments on the property would maintain connectivity of the South Burns Avenue inlet to the Bells Alley inlet in perpetuity; and Bells Alley would need to be gated off on each end at a distance adequate enough to allow a vehicle to be clear of the right-of-way while the gate is unlocked.

Mr. & Mrs. Thomas Kostelnik, property owners of 4 Gay Street were present. Mr. & Mrs. Kostelnik were opposed to closure of Bells Alley as it would restrict their access to the back of their property on Gay Street.

Ms. Karen Robinson, 3 Gay Street was against closing Bells Alley as she uses the alley to get to and from her home on Gay Street.

Mayor Burtner noted the Police and Fire Chief stated their departments would not be negatively impacted by the closing of Bells Alley.

It was proposed by Mayor Burtner to request Central Baptist Church and Mr. & Mrs. Kostelnik meet and come up with an agreement on a deed of easement for the purpose of access to the back of the Kostelnik property. The parties did not seem agreeable to that.

On motion by Commissioner Reed, seconded by Commissioner Strode, the Board approved this request in a 4-0 vote, Commissioner Cox having recused himself and Commissioner Reed's motion "to close Bells Alley be closed for use for Central Baptist Church as long as the Commission is assured the Kostelniks have complete access to the back of their house with no stipulations on what days they can come in and out of their property" from Gay Street to West Lexington Avenue.

Present were several Central Baptist Church representatives spoke in favor of the closure including Mr. Lee Kerr, Mr. Mike Oliver, Mr. Mark Simpson, and Pastor Scott Ogle.

Covid 19 Small Business Relief Program

On motion by Commissioner Flynn, seconded by Commissioner Reed, and with unanimous vote, the Board approved the Covid-19 Small Business Relief Program for a cap of \$50,000

until all funds are expended. Staff will disseminate the information via as many media outlets as possible and establish dates for receipt of applications.

**FFY 2021 Project Application
Kentucky Nonpoint Source Pollution Management Program**

On motion by Commissioner Flynn, seconded by Commissioner Strode, and with unanimous vote, the Board approved the Kentucky Nonpoint Source Pollution Management Program FFY 2021 Project application. This grant would fund the Vaught Road Drainage project. It was noted that this project requires Clark County Board of Education approval as well.

**Request from the Winchester/Clark County Tourism
For Appropriation from Covid 19 Relief Funds**

On motion by Commissioner Reed, seconded by Commissioner Strode, and with unanimous vote, the Board approved the appropriation of \$15,000 to the Winchester/Clark County Recreational, Tourist, and Convention Commission for marketing expenses.

Ms. Nancy Turner, Tourism Director was present.

RESOLUTION

A RESOLUTION SUPPORTING ADEQUATE FUNDING BE APPROVED BY THE KENTUCKY STATE LEGISLATURE TO SUPPORT SAFE AND EFFICIENT TRANSPORTATION IN THE COMMONWEALTH OF KENTUCKY

On motion by Commissioner Reed, seconded by Commissioner Cox, and with unanimous vote, this resolution was adopted. Resolution No. R2021-1.

ORDINANCE (Second Reading)

AN ORDINANCE OF THE CITY OF WINCHESTER, KENTUCKY, AMENDING AND RESTATING ORDINANCE NO. 18-2020; APPROVING THE ASSIGNMENT, ASSUMPTION AND AMENDMENT OF A SUBLEASE AGREEMENT FOR THE FINANCING OF A PROJECT; PROVIDING FOR THE PAYMENT SECURITY OF THE SUBLEASE AGREEMENT; AUTHORIZING THE ISSUANCE OF TWO SERIES OF INDUSTRIAL REVENUE BONDS HAVING A COMBINED AGGREGATE PRINCIPAL AMOUNT OF UP TO \$135,000,000 AND DESIGNATED THE CITY OF WINCHESTER, KENTUCKY, INDUSTRIAL BUILDING REVENUE BONDS, SERIES 2020A (DANIMER SCIENTIFIC KENTUCKY PROJECT) FOR THE PURPOSE OF FINANCING AN INDUSTRIAL BUILDING PROJECT; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVER OF (A) AN ASSIGNMENT, ASSUMPTION AND AMENDMENT OF SUBLEASE AGREEMENT BETWEEN DANIMER SCIENTIFIC KENTUCKY, INC., AS ASSIGNOR, THE CITY AS ASSIGNEE AND TENANT, AND MEREDIAN HOLDINGS GROUP, INC., AS SUBLANDLORD, (B) A LEASE AGREEMENT BETWEEN THE CITY, AS SUBLESSOR, AND DANIMER SCIENTIFIC KENTUCKY, INC. AS SUBLESSEE, (C) A LEASE AGREEMENT BETWEEN THE CITY, AS LESSOR, AND

DANIMER SCIENTIFIC KENTUCKY, INC., AS LESSEE (D) SEPARATE BOND PURCHASE AGREEMENTS PROVIDING FOR THE ISSUANCE, SALE, AND DELIVERY OF EACH SERIES OF THE BONDS, AND (E) RELATED DOCUMENTS; AND TAKING OTHER RELATED ACTIONS

On motion by Commissioner Cox, seconded by Commissioner Strode, and with unanimous vote, this Ordinance passed second reading and was adopted.

ORDINANCES (First Reading)

AN ORDINANCE AMENDING ORDINANCE NO. 8-2020 WITH RESPECT TO CERTAIN APPROPRIATIONS IN THE CITY OF WINCHESTER, KENTUCKY FY 2021 BUDGET

On motion by Commissioner Cox, seconded by Commissioner Flynn, and with unanimous vote, this order passed first reading.

AN ORDINANCE ADOPTING A PAY CLASSIFICATION PLAN THAT CONFORMS WITH THE FY 2021 BUDGET

On motion by Commissioner Flynn, seconded by Commissioner Reed, and with unanimous vote, this ordinance passed first reading.

ORDERS (General)

AN ORDER RESCINDING ORDER NOS. 2016-139 AND 2020-178 AN ORDER APPROVING AND UPDATING A STANDARD CONDITIONAL CONTRACT OF EMPLOYMENT FOR NEW HIRES OF THE FIRE DEPARTMENT

On motion by Commissioner Flynn, seconded by Commissioner Strode, and with unanimous vote, this order was adopted. Order No. 2021-22.

PERSONNEL ORDERS (Second Reading)

AN ORDER AMENDING SECTION 3, USE OF FORCE/HANDCUFFING AND TRANSPORT POLICY, POLICE DEPARTMENT RULES AND REGULATIONS

On motion by Commissioner Reed, seconded by Commissioner Strode, and with unanimous vote, this order passed second reading and was adopted. Order No. 2021-23.

AN ORDER AMENDING SECTION 6, TRAFFIC PURSUIT POLICY, POLICE DEPARTMENT RULES AND REGULATIONS

On motion by Commissioner Reed, seconded by Commissioner Flynn, and with unanimous vote, this order passed second reading and was adopted. Order No. 2021-24.

PERSONNEL ORDERS (General)

AN ORDER EMPLOYING TOM BEALL TO FILL THE POSITION OF PATROLMAN III

On motion by Commissioner Flynn, seconded by Commissioner Reed, and with unanimous vote, this order was adopted. Order No. 2021-25.

AN ORDER RECLASSIFYING NICHOLAS STEINFORTH FROM SINGLE ROLE PARAMEDIC TO FIREFIGHTER I/PARAMEDIC

On motion by Commissioner Reed, seconded by Commissioner Strode, and with unanimous vote, this order was adopted. Order No. 2021-26.

AN ORDER RECLASSIFYING PETER WESTHOFF FROM SINGLE ROLE PARAMEDIC TO FIREFIGHTER I/PARAMEDIC

On motion by Commissioner Reed, seconded by Commissioner Strode, and with unanimous vote, this order was adopted. Order No. 2021-27.

AN ORDER RECLASSIFYING KELLY WEBSTER POLICE OFFICER III/EMT

On motion by Commissioner Flynn, seconded by Commissioner Cox, and with unanimous vote, this order was adopted. Order No. 2021-28.

AN ORDER RECLASSIFYING TINA PENDLETON FROM COMMUNICATIONS OFFICER I TO COMMUNICATIONS OFFICER III

On motion by Commissioner Flynn, seconded by Commissioner Strode, and with unanimous vote, this order was adopted. Order No. 2021-29.

AN ORDER ACCEPTING THE RESIGNATION OF HUNTER GOMEZ, MAINTENANCE WORKER II (Public Works)

On motion by Commissioner Strode, seconded by Commissioner Reed, and with unanimous vote, this order was adopted. Order No. 2021-30.

AN ORDER GRANTING LONGEVITY SALARY INCREASES TO CERTAIN PERSONNEL

On motion by Commissioner Reed, seconded by Commissioner Cox, and with unanimous vote, this order was adopted. Order No. 2021-31.

AN ORDER RECLASSIFYING SARAH CAMPBELL FROM ADMINISTRATIVE ASSISTANT I/RECEPTIONIST TO ADMINISTRATIVE ASSISTANT II/RECEPTIONIST

On motion by Commissioner Reed, seconded by Commissioner Strode, and with unanimous vote, this order was adopted. Order No. 2021-32.

AN ORDER ACCEPTING THE RESIGNATION OF JEFFREY FRAZIER SINGLE ROLE EMT

On motion by Commissioner Reed, seconded by Commissioner Flynn, and with unanimous vote, this order was adopted. Order No. 2021-33.

AN ORDER RECLASSIFYING JAMES PARKS FROM MAINTENANCE WORKER TO OPERATOR I

On motion by Commissioner Strode, seconded by Commissioner Reed, and with unanimous vote, this order was adopted. Order No. 2021-34.

AN ORDER RECLASSIFYING TYLER PELFREY FROM MAINTENANCE WORKER I TO MAINTENANCE WORKER II

On motion by Commissioner Cox, seconded by Commissioner Reed, and with unanimous vote, this order was adopted. Order No. 2021-35.

AN ORDER ACCEPTING THE RESIGNATION OF CHARLES JUETT, FIREFIGHTER III/EMT

On motion by Commissioner Flynn, seconded by Commissioner Reed, and with unanimous vote, this order was adopted. Order No. 2021-36.

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

Commissioner Strode:

- Commended Ron Tierney for the purchase of the new lights that will go across Main Street.
- Noted there were several bushes in the big planters that had been stolen.

Commission Reed:

- Met with people from Breathitt/Wolfe EMS and was informed that they would be purchasing a new ambulance for use in Clark County.
- The Legislative Update was provided by Senator Alvarado and Representative Dotson today. She noted that Seventh Street was still the #1 project for Winchester/Clark County.
- Stated a constituent requested a crosswalk from Wildcat Willy's to Bargains on Broadway.

Commissioner Flynn:

- Noted and commended Winchester Municipal Utilities for working with customers not able to pay their bills.

Mayor Burtner:

- Noted Church Alley with new rumble strips seemed to have the intended traffic calming effect. He commended the Commission on approving the action of applying rumble strips when the paving was being completed.
- Commended City Manager Flynn on his monthly report.

ADJOURN MEETING

With no further business, on motion by Commissioner Cox, seconded by Commissioner Reed, and with unanimous vote, the meeting was adjourned.

Edallen York Burtner, Mayor

Joy Curtis, City Clerk