

**PLEDGE OF ALLEGIANCE - Commissioner Flynn  
INVOCATION - Mayor Burtner**

**PRESIDING:**

Mayor Edallen York Burtner

**PRESENT:**

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

City Manager Matt Belcher and City Clerk Joy Curtis were present. City Attorney William A. Dykeman was present via conference call.

Upon determining that a quorum was present for the transaction of business, Mayor Burtner called the July 7, 2020 regular meeting to order at 5:30 p.m. in the Commission Chambers of City Hall.

**COMMENTS FROM THE GENERAL PUBLIC CONCERNING ITEMS NOT ON THE AGENDA**

Lee & Linda Gatson, 621 Colby Ridge Blvd. reported they had water run-off coming onto their property. They noted they had moved to the property in October 2019 and have had problems with the developer about abating the water run-off but nothing has been done. Mr. Gatson reported the developer had sent someone to dig a trench on one side of the property but after that one time no one has been back to correct the problem. They are asking the City to investigate this issue.

**NEW BUSINESS**

**Review Memorandum Regarding Estimates  
for FY2021 Paving Program**

The Board reviewed the memorandum regarding the FY2021 Paving Program and the streets the Public Works Department recommended for paving which include:

- Bay Hill Drive
- Bay Hill Court
- Silverton Way
- Pepperwood Court
- McCann Drive
- Hart Avenue
- Hampton Avenue
- Harkins Drive (City Portion)
- Sixth Street
- College Street Sectional from South Burns to Wheeler
- Bait Street
- Ogden Court from Wall Street to South Highland
- Wall Street from Court Street to Lexington Avenue
- Wall Street from Ogden Court to W. Hickman Street
- Wall Street from W. Hickman Street to Boone Avenue
- Grant Alley
- Church Alley

Commissioner Cox requested the cost of paving in the FY2021 budget to make sure we did not go over budget.

Interim Finance Director Michelle Lucas provided the budgeted amount for paving at \$334,300.

**Review Memorandum Regarding Paving & Milling**

**Four Year Out Program**

The Board reviewed the memorandum regarding the Paving and Milling Four Year Out Program in which the Public Works Department recommended those streets that should be paved in FY2022, FY2023, FY2024, and FY2025. These streets are just recommendations. No action was taken on this matter.

**Review Memorandum Regarding  
Recommended Alleys for Improvement**

The Board reviewed the memorandum regarding the recommended alleys for improvement from the Public Works Department. No action was taken on this matter.

**Request to Install a Loading  
Zone at 10 North Main Street**

Ms. Brenda Salyers, Frames on Main, 10 North Main Street is requesting a Loading Zone be installed in front of her business.

Code Enforcement/Parking Enforcement Officer noted there was a loading zone in a few spaces down from Ms. Salyers' shop.

It was the consensus of the Board to provide this request to the Main Street Winchester Board for their recommendation.

**Report on Property Tax Collected for 2019**

The Board reviewed the memorandum from License Clerk Tammy Butler regarding the amount of property tax that had been collected. Mayor Burtner noted 98% had been collected. He also reported the City files a lien against the property owner that hasn't paid their property tax.

**Royal Oaks - Lawn Ponding Storm Study  
Palmer Engineering**

City Manager Belcher reviewed a Civil Engineering Services Proposal for a storm analysis study in the Royal Oaks area. He noted funds had been budgeted for this project. The properties affected by this study would be 208 & 210 Royal Oaks Drive and 206, 208, and 210 Candlewood Drive. He noted the study needed to be performed before the project got underway which would involve grading and some staged intervention upstream to mitigate stormwater runoff that is affecting these properties.

On motion by Commissioner Reed, seconded by Commissioner Flynn, this matter was approved.

**ORDINANCE (First Reading)**

**A JOINT ORDINANCE AMENDING THE CITY OF WINCHESTER ORDINANCE NO. 10-2011 AND ORDINANCE 5-2018 AND CLARK COUNTY ORDINANCE 11-07 AND 2018-06 BY AMENDING SECTION 2-406 TO INCLUDE DETACHED TRAILERS, AND SECTION 2-408 TO INCLUDE SWIMMING POOLS, TEMPORARY STORAGE CONTAINERS, EXCESS VINES, AND PRESSURE WASHING**

This ordinance was deferred.

**ORDINANCES (Second Reading)**

**A JOINT ORDINANCE AMENDING VARIOUS SECTIONS OF THE CITY OF WINCHESTER, ORDINANCE NO. 10-2011 AND CLARK COUNTY ORDINANCE NO. 11-07 (A JOINT ORDINANCE ESTABLISHING AN ADMINISTRATIVE HEARING BOARD PROVIDING FOR THE ENFORCEMENT OF UNIFORM STANDARDS, VIOLATIONS**

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**AND PENALTIES, PROVIDING FOR JUDICIAL REVIEW, APPEALS, ISSUANCES OF LIENS, ADOPTING A NUISANCE CODE TO BE INCLUDED, PROPERTY MAINTENANCE CODE, DANGEROUS AND STRUCTURALLY UNSAFE BUILDINGS, PUBLIC NUISANCE, LITTER, ABANDONED VEHICLES AND APPLIANCES, OUTDOOR AND OPEN BURNING)**

On motion by Commissioner Cox, seconded by Commissioner Strode, and with unanimous vote, this ordinance passed second reading and was adopted. Ordinance No. 9-2020.

**AN ORDINANCE AMENDING ORDINANCE NO. 3-2005 AMENDING ARTICLE VI. BOARDS AND COMMISSIONS, DIVISION 4. RECREATIONAL, TOURIST AND CONVENTION COMMISSION SECTION 2-233 TO ADD THAT ADDITIONAL PENALTIES WILL BE ASSESSED IN THE EVENT LITIGATION OR ENFORCEMENT PROCEEDING IS INSTITUTED IN ORDER TO COMPEL COMPLIANCE WITH THIS SECTION, DEFENDANT, IF FOUND LIABLE SHALL IN ADDITION TO TAXES, PENALTY AND INTEREST, BE LIABLE FOR ALL COURT COSTS, INCLUDING REASONABLE ATTORNEY'S FEES**

On motion by Commissioner Cox, seconded by Commissioner Reed, and with unanimous vote, this ordinance passed second reading and was adopted. Ordinance No. 10-2020.

**AN ORDINANCE AMENDING ARTICLE V, SECTION 9-76 OF THE WINCHESTER CODE OF ORDINANCES RELATING TO OCCUPATIONAL LICENSE FEES - INTEREST AND PENALTIES**

On motion by Commissioner Flynn, seconded by Commissioner Strode, and with unanimous vote, this ordinance passed second reading. Ordinance No. 11-2020.

**ORDERS (General)**

Ms. Meredith Guy presented two options for the recently purchased Victorian Apartments at 101 South Burns Avenue. Ms. Guy is requesting a variance to allow a commercial encroachment permit to allow them to install four parking spaces at the apartment complex for tenant parking. She noted with Option #1 there would only be room for three parking spots on the east side of Burns Avenue and one designated on the east side for their apartment complex. She also stated there would be a fire hydrant that would have to be moved and replaced with a newer hydrant. She is requesting the City review and approve Option #2. She noted in Option #2 there was no need to move the fire hydrant.

Engineering Technician Daron Stephens stated he and Public Works Director Pat Clark had been involved with investigating the two parking options for 101 South Burns Avenue and recommended Option #1 due to the fact there would be a public safety issue for pedestrians and handicapped citizens who will have to go into the street if the vehicles are not parked all the way in the parking space. He also stated that Winchester Municipal Utilities had been involved with regard to the move of the fire hydrant.

**AN ORDER APPROVING A VARIANCE TO ALLOW A COMMERCIAL ENCROACHMENT PERMIT AT 101 SOUTH BURNS AVENUE (Option #2)**

On motion by Commissioner Cox, seconded by Commissioner Reed, and with unanimous vote, this order was adopted. Order No. 2020-123.

Mason Guy and Jeremy Rossetti were present.

**AN ORDER DECLARING APPROXIMATELY SEVENTY-FIVE (75) VINTAGE 24"X24" METAL/TIN CEILING TILES OBSOLETE AND SURPLUS**

On motion by Commissioner Cox, seconded by Commissioner Strode, and with unanimous vote, this order was adopted. Order No. 2020-124.

**WINCHESTER BOARD OF COMMISSIONERS REGULAR MEETING HELD  
JULY 7, 2020 5:30 PM 246**

**AN ORDER RELEASING PENALTY ASSESSED AGAINST HAMPTON INN  
WINCHESTER FOR LATE TRANSIENT ROOM TAXES**

On motion by Commissioner Strode, seconded by Commissioner Reed, and with unanimous vote, this order was adopted. Order No. 2020-125.

**AN ORDER APPOINTING CASSANDRA RIDDELL TO A FOUR YEAR TERM ON THE  
WINCHESTER/CLARK COUNTY BOARD OF ADJUSTMENTS (Joint City/County  
Appointment)**

On motion by Mayor Burtner, seconded by Commissioner Strode, and with unanimous vote, this order was adopted. Order No. 2020-126.

**PERSONNEL ORDERS (General)**

**AN ORDER ACCEPTING THE RESIGNATION OF DYLAN GRUBBS, PATIENT  
TRANSFER SPECIALIST**

On motion by Commissioner Reed, seconded by Commissioner Flynn, and with unanimous vote, this order was adopted. Order No. 2020-127.

**AN ORDER ACCEPTING THE RETIREMENT OF TOM BEALL, POLICE CAPTAIN**

On motion by Mayor Burtner with extreme regret, seconded by Commissioner Reed with regret, and with unanimous vote, this order was adopted. Order No. 2020-128.

**AN ORDER ACCEPTING THE RESIGNATION OF MATTHEW BELCHER, CITY  
MANAGER**

On motion by Mayor Burtner with extreme regret, seconded by Commissioner Strode with extreme regret, and with unanimous vote, this order was adopted. Order No. 2020-129.

Mayor Burtner read the following from former City Commissioner Kenny Book into the record, "I would like to say with regret that Matt is leaving. It was a pleasure working with him."

**AN ORDER APPROVING AN INDEPENDENT CONTRACTOR AGREEMENT WITH  
MICHAEL FLYNN TO SERVE AS INTERIM CITY MANAGER**

On motion by Mayor Burtner, seconded by Commissioner Flynn, and with unanimous vote, this order was adopted. Order No. 2020-130.

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

Commissioner Strode:

- Stated she'd heard the fireworks event was wonderful and it was a beautiful night for them.
- Noted Rock the Block will start again with Rockland Road coming on Friday, August 14<sup>th</sup> from 7-9 p.m.
- Noted she was thankful that she passed the amendment to the Administrative Hearing Board so the City would have more options for code violations. She thanked Rebecca Power and Shanda Cecil for their assistance.
- Noted there were more people milling around the downtown area and Police Chief said they'd stop up with more patrol downtown.

Commissioner Cox:

- He stated he had lined up a group to clean up the property on Highland Street for \$4,500 if the City wanted to contract them.

**WINCHESTER BOARD OF COMMISSIONERS REGULAR MEETING HELD**

**JULY 7, 2020**

**5:30 PM**

**247**

Codes Enforcement Officer Rebecca Power reported she had spoken with CSX and they would be coming to clean up the area around the railroad tracks from Depot Street to Jefferson Street in the next few weeks.

Commissioner Reed inquired of Commissioner Cox if his group had insurance and Commissioner Cox confirmed they have insurance.

Mayor Burtner requested to see a copy of the plat for this area.

City Manager Belcher noted he had an old plat of the area and would make it available for the Board to review.

Commissioner Reed:

- Reported Dr. Stack, Public Health Commissioner stated the Covid 19 could go into next year. She also noted there were numerous suicide attempts and drug overdoses during this time.
- Thanked everyone for their hard and continuous work during this time.

Commissioner Flynn:

- Inquired of Public Works Director Pat Clark if the bushes had been cleaned up at the corner of Western and Short Street.

Mr. Clark noted the request should have been completed this date.

- Thanked Engineering Technician Daron Stephens for his hard work on the North Main Street Parking Project.

Mayor Burtner:

- Noted the Winchester/Clark County Transit Service had been reinstated July 6<sup>th</sup> and that for the month of July, service was free. The transit service would be following the self-distancing policy.
- He also noted the fireworks event seemed to go well Friday night.

**ADJOURN**

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

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Edallen York Burtner, Mayor

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Joy Curtis, City Clerk