

PLEDGE OF ALLEGIANCE - Commissioner Cox
INVOCATION - Mayor Burtner

PRESIDING :

Mayor Edallen York Burtner

PRESENT:

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

Interim City Manager Mike Flynn, Personnel Director Tammy Shelton, Interim Finance Director Michelle Lucas, Deputy City Clerk Dianna Layne, and the City Clerk 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 September 15, 2020 regular meeting to order at 5:30 p.m. in the Commission Chambers of City Hall.

PRESENTATION

Mr. Chad Walker, a member of the Main Street Winchester Board presented information on adaptive/reuse program. Noted there were 93 properties and 68 individual property owners. There are several out of state downtown property owners.

The idea for vacant properties, with vermin, broken windows, no electricity, but not necessarily empty. His recommendation to the Board is to adopt a vacant property review commission on the Lexington lines. He noted this would be self-funding. He stated Code Enforcement was complaint based, citizens could submit complaints on properties that need cleanup. Once a list is started, the properties put on the list would be charged an additional 1% property tax for the owner. He noted the property owners would then be in a position that they would be on notice to clean up their property, facing stiffer penalties.

Mr. Walker noted those properties could be put on a watch list and if the owners were not keeping up the property within six months of being notified of the complaint, then the 1% property tax would take effect.

He noted this program could not only help with the downtown area but over the whole county.

Mayor Burtner thanked Mr. Walker for his presentation and requested information be forwarded to the City Manager for distribution.

NEW BUSINESS

**Request to Install Historic Marker
In front of Phoenix House Apartments
In Memory of Michael Rowady**

Mr. Steve Justice, chairperson of the CC/W Heritage Commission presented a plan by the Heritage Commission to install a sign commemorating the life of Michael Rowady, a long-time attorney and Winchester historian who recently passed away. The intention of the Commission was to have this commemorative sign installed in front of the Phoenix House Apartments which was the birthplace of Mr. Rowady.

Mr. Justice noted there would be a fundraiser on Saturday, September 26th from 5-7 p.m. with a drive-thru barbeque at Holly Rood.

On motion by Commissioner Flynn, seconded by Commissioner Cox, and with unanimous vote, this request was approved.

**Request from Dinsmore & Shohl, LLC
Regarding Conflict of Interest Waiver**

Mr. Dykeman reported he received a request from Dinsmore & Shohl, LLC regarding a conflict of Interest Waiver that they would like the City to sign. Dinsmore & Shohl, LLC is representing Stuff Recycling in a lawsuit, but also represent the City in WMU Bonds. City Attorney Dykeman noted that he concurred with the request.

On motion by Commissioner Flynn, seconded by Commissioner Reed, and with unanimous vote, this request was approved as presented.

Halloween Main-IA and Trick or Treat

Mayor Burtner deferred this issue as he was informed the Governor would soon be sending recommendations for Trick or Treat.

**Request to Establish a Main Street
Winchester Charitable Fund - Blue Grass
Community Foundation**

Mayor Burtner reported that Mr. Robert Blanton had discussed the issue of the Blue Grass Community Foundation working with the Main Street Winchester on setting up a charitable fund to assist Main Street Winchester. He noted the sale of

specialty license plates would be used to collect \$10 from those sales to activate this charitable fund.

Interim City Manager noted there was an order on the agenda for approval.

OLD BUSINESS

**Engineering Service Agreement
 For the
 Fulton Road Permit Update**

Mr. Brian Ward with Palmer Engineering discussed the Fulton Road Project. He noted that since 2019 they had to resubmit the permit application. Since that time the USACE has requested a “No Rise Certification” for the box culvert that is to be installed. He noted this box culvert would be located in the FEMA Regulated Floodway/Floodplain.

Rock the Block Event

On motion by Commissioner Flynn, seconded by Commissioner Cox, and with unanimous vote, the Board approved the request from Commissioner Strode to block Main Street from Broadway to Lexington Avenue at 5:00 p.m. for the September 25, 2020 Rock the Block Concert Series.

Review the Main Street Sidewalk Project

The Board reviewed an updated budget for the Main Street Sidewalk Project. Interim City Manager Flynn noted he and Interim Finance Officer Lucas worked to find funding for this much needed project.

Mayor Burtner noted the project needed to be under \$250,000 to avoid the prevailing wage standard.

Interim City Manager Flynn provided a memorandum regarding the funding of this project:

Main Street Sidewalk Funding Project Cost	\$298,400.00
Proposed Project Expenditure	\$235,000.00
Rails to Trails Commitment	\$ 9,726.19
Main Street	\$ 25,000.00
LGEA	\$ 15,000.00
CEF (Capital)	<u>\$185,273.81</u>
Total Financing	\$235,000.00

Interim City Manager Flynn noted the City had to make sure the contractor was agreeable to a reduced scope of work and if not the City would have to reject the bids and rebid it.

On motion by Commissioner Flynn, seconded by Commissioner Reed, and with unanimous vote, this project and funding was approved and adopted.

**Review Proposed Agreement Between the City
 And Breathitt/Wolfe County EMS, Inc.**

Discussion arose regarding the updated draft contract with Breathitt/Wolfe County EMS created by City Attorney Dykeman.

Mayor Burtner noted this new contract has not been reviewed by the Breathitt/Wolfe County EMS and the members of the EMS Committee.

Mayor Burtner noted the termination clause did not contain a general cancellation notice.

Interim City Manager Flynn reported he had Deputy City Clerk Dianna Layne add the thirty-day (30 day) termination clause to the draft agreement and he would have it disseminated to the EMS Committee, Breathitt/Wolfe County EMS, and the Fiscal Court for review to receive comments back from these agencies.

Commissioner Cox requested clarification on the agreement with regard to “first call” asking if Winchester would not be the first call for transfers.

Mayor Burtner clarified that Breathitt/Wolfe County EMS would be “first call” for non-emergency transfers.

Gregg Gullett, Breathitt/Wolfe County EMS Director and Candace Tackett, Clark Regional Medical Center were present.

ORDINANCE S (Second Reading)

AN ORDINANCE AMENDING CERTAIN SECTIONS OF CHAPTER 14 OF THE CODE OF ORDINANCES OF THE CITY OF WINCHESTER, KENTUCKY RELATING TO SANITARY SEWER DISCHARGE LIMITATIONS

On motion by Commissioner Flynn, seconded by Commissioner Cox, and with unanimous vote, this ordinance passed second reading and was adopted. Ordinance No. 16-2020.

ORDINANCE (First Reading)

AN ORDINANCE ACCEPTING THE 2020 TAX ASSESSMENT; IMPOSING AD VALOREM TAXES; PROVIDING A DUE DATE FOR PAYMENT OF TAXES AND PENALTY AND INTEREST FOR THE UNPAID TAXES, ALL FOR THE YEAR 2020

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

ORDERS (General)

AN ORDER AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE BLUE GRASS COMMUNITY FOUNDATION TO ESTABLISH A MAIN STREET WINCHESTER CHARITABLE FUND

On motion by Commissioner Strode, seconded by Commissioner Flynn, and with unanimous vote, this order was adopted. Order No. 2020-173.

AN ORDER AUTHORIZING THE MAYOR TO SIGN A CONFLICT OF INTEREST WAIVER WITH DINSMORE & SHOHL, LLP

On motion by Commissioner Flynn, seconded by Commissioner Reed, and with unanimous vote, this order was adopted. Order No. 2020-174.

AN ORDER APPROVING AN ENGINEERING SERVICE AGREEMENT SUBMITTED BY PALMER ENGINEERING FOR THE FULTON ROAD PERMIT UPDATE TO COMPLETE THE FULTON ROAD PROJECT

On motion by Commissioner Reed, seconded by Commissioner Strode, and with unanimous vote, this order was adopted. Order No. 2020-175.

AN ORDER REAPPOINTING MIKE ANDERSON TO THE WINCHESTER MUNICIPAL UTILITIES COMMISSION FOR A FOUR YEAR TERM

On motion by Mayor Burtner, seconded by Commissioner Reed, and with unanimous vote, this order was adopted. Order 2020-176.

PERSONNEL ORDERS (General)

AN ORDER RECLASSIFYING CERTAIN PERSONNEL FROM POLICE OFFICER I TO POLICE OFFICER III

On motion by Commissioner Flynn, seconded by Commissioner Strode, and with unanimous vote, this order was adopted. Order No. 2020-177.

AN ORDER APPROVING AN UPDATED CONDITIONAL CONTRACT OF EMPLOYMENT FOR FULL TIME NEW RECRUITS OF THE FIRE DEPARTMENT

On motion by Commissioner Flynn, seconded by Commissioner Reed, and with unanimous vote, this order was adopted. Order No. 2020-178.

AN ORDER EMPLOYING COURTNEY HARRISON TO FILL THE POSITION OF SINGLE ROLE PARAMEDIC

On motion by Commissioner Strode, seconded by Commissioner Reed, and with unanimous vote, this order was adopted. Order No. 2020-179.

AN ORDER EMPLOYING ROBERT HARRISON TO FILL THE POSITION OF FIREFIGHTER III/EMT

On motion by Commissioner Reed, seconded by Commissioner Strode, and with unanimous vote, this order was adopted. Order No. 2020-180.

AN ORDER EMPLOYING JEFFREY FRAZIER TO FILL THE POSITION OF PATIENT TRANSFER SPECIALIST - EMT

On motion by Commissioner Cox, seconded by Commissioner Flynn, with unanimous vote, this order was adopted. Order No. 2020-181.

AN ORDER GRANTING LONGEVITY SALARY INCREASES TO CERTAIN PERSONNEL

On motion by Commissioner Reed, seconded by Commissioner Strode, with unanimous vote, this order was adopted. Order No. 2020-182:

One-Step longevity salary increases were granted to Curtis Todd, Communications Officer II; Jon Larrett, Police Officer III; Steve Charles, Police Officer III; Monty Corbett, Police Sergeant; Jonathan Beam, Firefighter III/EMT; John Gallagher, Firefighter III/EMT; Andrew Royse, Firefighter III/EMT; Quinn Wright, Firefighter III/EMT; Terry Cockrell, Police Officer III; Joshua Leslie, Police Officer III; Austin Carr, Firefighter III/EMT; Patrick Roberts, Firefighter III/Paramedic; Tracy Prater, Firefighter III/EMT; Jon Best, Police Officer III; Ashley Reed, Communications Supervisor; Michael Anderson, Single Role Paramedic; James Brown, Single Role Paramedic. Two-Step longevity salary increases were granted to Danny Dennis, Police Officer III; Brian Sewell, Public Works Foreman; William Jackson, Police Sergeant; William Clark, Public Works Director; James Hall, Police Captain; Estill Perkins, Public Works Operator II; Matthew Blose, Lt./EMT; Charles Juett, Firefighter III/EMT; Edward Simpson, Firefighter III/EMT; Justin Seale, Lt./Paramedic.

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

Commissioner Strode:

- Reminded the community about the September 25th Rock the Block Concert Series with Rockland Road (Paul Martin & Family).
- Offered her sincerest condolences to Commissioner Reed on the loss of her mother.

Commissioner Cox:

- Offered his condolences to Commissioner Reed on the loss of her mother.

Commissioner Flynn:

- Offered his condolences to Commissioner Reed on the loss of her mother.
- Parking lot on Main Street

Commissioner Reed:

- Sincerely commended those individuals that helped with her mother and noted her mother had to be flown to Lexington. She noted the wonderful care her mother received from the Fire/EMS. She noted her mother had suffered a catastrophic stroke.

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- Offered his condolences to Commissioner Reed on her bereavement.
- Congratulated Commissioners Strode and Flynn for obtaining Level 1 Public Officials Certification from the Kentucky League of Cities. He noted the first level of certification involved 30 hours of training.
- Noted the 100th birthday of Ruth Taylor, grandmother to Beverly Dougherty and great-grandmother to Cicily Dore. Noted there was a parade in front of her house and he presented her with a Key to the City.
- Commended Interim City Manager Mike Flynn for his departmental report which was similar to the report he had compiled while General Manager at WMU.

City Attorney Dykeman:

- Offered his condolences on the bereavement of Commissioner Reed’s mother.

ADJOURN

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

Edallen York Burtner, Mayor

Joy Curtis, City Clerk