

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

**PRESIDING:**

Mayor Edallen York Burtner

**PRESENT:**

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

City Manager Ken Kerns, City Attorney William Dykeman, and City Clerk Marilyn Rowe were present.

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

**PRESENTATION**

***The Pastime Theater Disaster***

Mike Butler made a presentation to the Board regarding the proposed installation of a plaque on North Main Street in front of the former Pastime Theater. This plaque would commemorate those eleven individuals that were killed instantly and those injured on March 9, 1918 when a wall of a burned-out building next to the theater fell causing the theater wall to collapse. A presentation has been made to the Clark County-Winchester Heritage Commission and a presentation will be made to the Clark County Fiscal Court regarding this matter.

On motion by Commissioner Cox, seconded by Commissioner Book, with unanimous vote, the Board approved the concept of a historic marker for the Pastime Theater Disaster and authorized Winchester First Director Tim Janes to work with Mr. Butler in this endeavor.

**ORDERS (General)**

**AN ORDER AWARDING A BID FOR THE FY2013 PAVING PROGRAM.** On motion by Commissioner Beach, seconded by Commissioner Strode, with unanimous vote, the Board adopted Order No. 2012-108.

**AN ORDER APPOINTING STEPHANIE ROARX TO THE WINCHESTER-CLARK COUNTY RECREATIONAL, TOURIST AND CONVENTION COMMISSION FOR A THREE YEAR TERM WITH SAID TERM TO COMMENCE IMMEDIATELY AND EXPIRE ON JUNE 30, 2015 (Winchester-Clark County Chamber of Commerce).** On motion by Mayor Burtner, seconded by Commissioner Book, with unanimous vote, the Board adopted Order No. 2012-109.

**AN ORDER APPROVING A FIRST AMENDMENT TO GROUND LEASE ADOPTED JULY 1, 2008 BETWEEN THE CITY OF WINCHESTER, KENTUCKY AND TIME WARNER NY CABLE LLC D/B/A TIME WARNER CABLE.** On motion by Commissioner Book, seconded by Commissioner Cox, with unanimous vote, the Board adopted Order No. 2012-110.

**AN ORDER APPROVING A LICENSE TERMINATION AGREEMENT BETWEEN THE CITY OF WINCHESTER, KENTUCKY AND TIME WARNER NY CABLE LLC D/B/A TIME WARNER CABLE.** On motion by Commissioner Beach, seconded by Commissioner Strode, with unanimous vote, the Board adopted Order No. 2012-111.

**AN ORDER APPROVING A QUITCLAIM BILL OF SALE BETWEEN THE CITY OF WINCHESTER, KENTUCKY AND TIME WARNER NY CABLE D/B/A TIME WARNER CABLE TO PURCHASE THE COMMUNICATIONS TOWER LOCATED ON CITY PROPERTY ON VAN METER ROAD.** On motion by Commissioner Strode, seconded by Commissioner Book, with unanimous vote, the Board adopted Order No. 2012-112.

**AN ORDER AUTHORIZING THE CITY OF WINCHESTER TO EXECUTE AN AGREEMENT BY AND BETWEEN THE CITY OF WINCHESTER AND THE ALLEN COMPANY, INC. FOR MATERIAL MILLED FROM THE STREETS OF THE CITY OF WINCHESTER.** On motion by Commissioner Beach, seconded by Commissioner Book, with unanimous vote, the Board adopted Order No. 2012-113.

### **PERSONNEL ORDERS**

**AN ORDER EMPLOYING SHEILA POTTER TO FILL THE POSITION OF CROSSING GUARD.** On motion by Commissioner Strode, seconded by Commissioner Cox, with unanimous vote, the Board adopted Order No. 2012-114.

**AN ORDER EMPLOYING GLENDON R. ROBINSON TO FILL THE POSITION OF COMMUNICATIONS OFFICER III (Winchester Police Department).** On motion by Commissioner Beach, seconded by Commissioner Strode, with unanimous vote, the Board adopted Order No. 2012-115.

### **OLD BUSINESS**

Mayor Burtner stated the joint City/County meeting scheduled for October 9, 2012 conflicts with the Kentucky League of Cities Convention starting on October 9th. Mayor Burtner requested that Commissioners Beach and Cox work with the City/County Revenue Committee to reschedule the joint meeting sometime after their November 13, 2012 meeting.

### **NEW BUSINESS**

#### ***City Bank Accounts Closures***

The Board acknowledged the notification from City Treasurer Debra Bailey that the following bank accounts have been closed:

- CDBG Walle Corporation Equipment Lease Project Grant account
- USDOJ (U.S. Department of Justice) COPS Grant account

#### ***Request to Close Part of Bullion Boulevard***

On motion by Commissioner Book, seconded by Commissioner Beach, with unanimous vote, the Board approved the request from Winchester Federal Bank to close Bullion Boulevard between Brady's Restaurant drive and Cross Brook Lane on October 20th from 10:30 am to 2:30 pm for a Fall Festival. The Board requested Winchester Federal Bank to make Brady's aware of the closing of Bullion Boulevard.

***Consideration of 2012 Property Tax Rate***

On motion by Commissioner Cox, seconded by Mayor Burtner, with unanimous vote, the Board adopted the compensating rate for the 2012 Property Tax. The proposed rate is set at 14.6 cents per one hundred dollars (\$100) for real property and 15.63 cents per one hundred dollars for personal property.

**COMMITTEE REPORTS**

Commissioner Strode stated the Daniel Boone Pioneer Festival Committee had held their wrap-up meeting.

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

Commissioner Beach made the following remarks:

- Advised trees had been planted at Exit 96 with no City funds being utilized.
- Stated citizens can get on the City's new website and report inoperable traffic signals and streetlight, potholes, etc.

Commissioner Book reminded the public of the Veterans' activities being held this weekend.

Commissioner Strode expressed her appreciation to the Public Works for their work in the Vaught Road area.

Mayor Burtner made the following remarks:

- Stated the activity to honor Constitution Week in front of the Courthouse at 4:00 pm today was well attended and special thanks to the George Rogers Clark High School JROTC and the Conkwright Chorus. Winchester Mayor Ed Burtner and Deputy Clark County Judge-Executive Liz Elswick read a proclamation to mark the 225th anniversary of the drafting of the Constitution.
- Stated Veterans' Day activities will be held on November 9, 2012 at Conkwright Middle School which will include unveiling signs designating Exit 96 bridge as the Purple Heart Memorial Bridge and honoring veterans who hold a Purple Heart Medal
- Stated he had been appointed by the Governor to a Kentucky Emergency Response Commission to pre-plan for hazard spills and other emergencies that could occur
- Expressed appreciation to the Board of Realtors in Clark and Fayette counties for the "Repair Affair" to repair four homes owned by elderly residents in Winchester. Local businesses donated materials for the home repair and local restaurants donated food for the workers.
- Advised the Cairn Coffee House, operated by Calvary Christian Church, is open to the public in downtown Winchester
- Stated the Board needs to have site visits on the Cairn Coffee House, the Wastewater Treatment plant being construction on Boonesboro Road, and the temporary Amazon site in the Winchester Plaza. Mayor Burtner stated the Board should be able to visit these sites in one half a day

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**WINCHESTER BOARD OF COMMISSIONERS REGULAR MEETING      110**  
**SEPTEMBER 19, 2012 – 5:30 PM**  
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With no further business, on motion by Commissioner Cox, seconded by Commissioner Strode, with unanimous vote, the meeting was adjourned.

**/s/ Edallen York Burtner**

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**Edallen York Burtner, Mayor**

**ATTEST:**

**/s/ Marilyn Rowe**

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**Marilyn Rowe, City Clerk**