

**WINCHESTER BOARD OF COMMISSIONERS REGULAR MEETING HELD  
AUGUST 2, 2022 5:30 PM 414**

**PLEDGE OF ALLEGIANCE - Commissioner Chenault**

**INVOCATION - City Manager Flynn**

**PRESIDING:**

Mayor Edallen York Burtner

**PRESENT:**

Commissioner JoEllen Reed  
Commissioner Joe Chenault  
Commissioner Shannon Cox  
Commissioner Kitty Strode

City Manager Mike Flynn, City Attorney William A. Dykeman, Deputy City Clerk Dianna Layne, and the City Clerk were present.

Upon determining that a quorum was present for the transaction of business, Mayor Burtner called the August 2, 2022 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**

Mr. Robert Blanton, 2<sup>nd</sup> District Magistrate stated he had received a complaint regarding trucks on Boone Avenue and using their jake brakes in the city limits.

He also reported the Fiscal Court would hold a rededication of the bell at the back of the courthouse at Noon on August 4<sup>th</sup>.

Mayor Burtner requested the Police Department patrol Boone Avenue and the City Clerk to request feedback from other communities regarding jake brakes.

**OLD BUSINESS**

**Wall Street Traffic Study**

On motion by Commissioner Reed, seconded by Commissioner Strode, and with a 4-1 vote, Commissioner Cox voting no, the motion passed to install a “No Right Turn” at the intersection of Wall Street and West Lexington Avenue at the newly installed bulb-out.

Engineering Tech Daron Stephens reported if the bulb-out was removed, the State would remove all mid-block pedestrian crosswalks.

**American F lags in the Downtown**

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Mr. Chad Walker, 9 West Lexington Avenue read a statement from property and business owners regarding the flag issue:

“Thanks for helping to get the American flags displayed on the various American holidays around the year. We are going to continue this tradition and also, add flags promoting our local farmers market, beer cheese festival and other holidays in the many years to come. We will be working with one or more Boy Scout troops to put up and take down the flags using the attached schedule.

If you feel it is necessary, we will reimburse the City of Winchester for the flag holders that have been attached to our buildings. The building owners expect that holders will not be added or removed without permission. New poles and flags can be purchased for this program if need be. We ask that the City of Winchester donate the existing American flags and poles to the Boy Scouts of America so they can be properly taken care of. This is not a requirement but a request as new American flags will be purchased to insure the continuation of this tradition.

The following local building owners have agreed to the new flag program for the year August 2022 through July 2023. The first of the new flags is for the farmer’s market and will be displayed beginning in August. Thanks for helping us to expedite this program.”

On motion by Commissioner Reed, seconded by Commissioner Chenault, and with unanimous vote, the Board donated the flag brackets already installed to the building owners of downtown.

On motion by Commissioner Chenault, seconded by Commissioner Reed, and with unanimous vote, the Board donated the poles and American flags to the building owners of downtown.

**NEW BUSINESS**

**Police Department  
Pay Increase for Department**

Police Chief Hall noted he had stated to the Commission when he was interviewed for his new position that he wanted to make one of his priorities recruitment and retention of qualified personnel. He stated there were several officers and dispatchers that were retiring. He stated there were personnel that would be hired in Winchester and after training, would leave Winchester for higher paying agencies.

Chief Hall stated that communities around Kentucky that are in comparable size, made more in starting salary than his department. He noted there were over

49,000 calls in the last year for service. Chief Hall stated he had completed a study of 18 agencies in Kentucky. He requested the Commission consider raising the officer starting pay in the next fiscal year to assist with retention.

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Mayor Burtner requested Chief Hall to perform a new analysis regarding this issue and bring it back to the Commission since the 2023 Fiscal Year had started in July.

**Review & Approve Correspondence  
To the Kentucky Attorney General  
Regarding Restaurant Tax**

On motion by Commissioner Cox, seconded by Commissioner Reed, and with unanimous vote, the Mayor was instructed to sign correspondence seeking a formal opinion on the constitutionality of KRS 91A.400 (Restaurant Tax).

Mayor Burtner noted this correspondence was provided by Dinsmore & Shohl for former Third- and Fourth-Class cities through the Kentucky League of Cities to inquire of the Attorney General if the Restaurant Tax legislation was constitutional since smaller cities are now considered Home Rule Cities.

**Recommendations for the City/County  
Comprehensive Plan Update Committee**

On motion by Commissioner Chenault, seconded by Commissioner Cox, and with unanimous vote, the Board approved the recommendations provided by Mayor Burtner and Judge Executive Branham for the Comprehensive Plan Update Committee:

City Appointments

- Tish Shupe
- Christy Bush
- William Baker
- Janna Smith
- Bruce Manley
- Jordan Smith
- Tim Janes
- Roz Gay
- Nancy Turner

County Appointments

- Sarah Glenn
- Tom Hutchens
- Bill Sharp
- Brandi Peacher
- Larry Disney
- Heather Woolwine
- Deborah Garrison
- Shelby Gill

Mayor Burtner noted Judge Branham was expecting a response from one more candidate from the County.

**Request for Out-of-State Travel  
Police Department**

On motion by Commissioner Reed, seconded by Commissioner Strode, and with unanimous vote, the Board approved out-of-state travel to New Albany, Indiana September 19-23, 2022 for Active Shooter Training for Detectives Matt Reed and Matt Sturgill.

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**Request to Close Depot Street  
August 20, 20 22**

On motion by Commissioner Cox, seconded by Commissioner Reed, and with unanimous vote, the Board approved the request to close Depot Street Saturday, August 20, 2022 from 2-6 p.m. for the Remember When Cruiserz Car Show.

**Request to Close West Washington Street  
And Main Street for the  
Labor Day Festivities and Parade**

On motion by Commissioner Chenault, seconded by Commissioner Strode, and with unanimous vote, the Board approved closing West Washington Street for the Labor Day Festivities September 2-4, and closing Main Street for the Labor Day Parade September 5, 2022.

**ORDINANCE (Second Reading)**

**AN ORDINANCE AMENDING THE CITY OF WINCHESTER, KENTUCKY ORDINANCE NO. 12-2020, AS AMENDED BY ORDINANCE NO. 5-2018 AND ORDINANCE NO. 10-2011 TO AMEND SECTION 2- 406. - "ABANDONED VEHICLES AND APPLIANCES "**

On motion by Commissioner Chenault, seconded by Commissioner Strode, and with unanimous vote, this ordinance passed second reading and was adopted. Ordinance No. 10-2022.

**ORDINANCE (First Reading)**

**A JOINT ORDINANCE OF THE CITY OF WINCHESTER, KENTUCKY AND CLARK COUNTY, KENTUCKY AMENDING APPENDIX A, ZONING ORDINANCE, ARTICLE 12. DEFINITIONS OF THE WINCHESTER CODE OF ORDINANCES AND THE CLARK COUNTY ORDINANCES TO AMEND "ACCESSORY STRUCTURE OR USE"**

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

**ORDERS (General)**

**AN ORDER APPROVING AN AGREEMENT WITH SUMMERS, MCCRARY, AND SPARKS, PSC FOR AUDIT CONSULTANT SERVICES**

On motion by Commissioner Cox, seconded by Commissioner Chenault, and with unanimous vote, this order was adopted. Order No. 2022-146.

**AN ORDER APPROVING AN AGREEMENT WITH SUMMERS, MCCRARY, AND SPARKS, PSC FOR AUDITING SERVICES**

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On motion by Commissioner Strode, seconded by Commissioner Cox, and with unanimous vote, this order was adopted. Order No. 2022-147.

**AN ORDER APPROVING A GRANT AGREEMENT BY AND BETWEEN THE CITY OF WINCHESTER, KENTUCKY, THE KENTUCKY CABINET FOR ECONOMIC DEVELOPMENT, THE STATE PROPERTY AND BUILDINGS COMMISSION, AND THE WINCHESTER-CLARK COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY**

On motion by Commissioner Reed, seconded by Commissioner Cox, and with unanimous vote, this order was adopted. Order No. 2022-148.

Mr. Brad Sowden, W/CC Industrial Development Authority Director, introduced himself as the new director and related that IDA had received the grant funding to make the 70+/- acres of land in the Industrial Park build-ready.

**AN ORDER ACCEPTING A PROPOSAL FROM PALMER ENGINEERING FOR THE WINN AVENUE STORM WATER DRAINAGE PROJECT**

On motion by Commissioner Chenault, seconded by Commissioner Reed, and with unanimous vote, this order was adopted. Order No. 2022-149.

**PERSONNEL ORDER (Second Reading)**

**AN ORDER AMENDING THE CITY OF WINCHESTER PERSONNEL POLICIES AND PROCEDURES**

On motion by Commissioner Strode, seconded by Commissioner Chenault, and with unanimous vote, this order passed second reading and was adopted. Order No. 200-150.

**PERSONNEL ORDERS (General)**

**AN ORDER GRANTING EDUCATIONAL CERTIFICATION INCENTIVE SALARY INCREASES TO CERTAIN PERSONNEL**

On motion by Commissioner Reed, seconded by Commissioner Chenault, and with unanimous vote, this order was adopted. Order No. 2022-151.

**AN ORDER GRANTING EDUCATIONAL CERTIFICATION INCENTIVE SALARY INCREASES TO CERTAIN PERSONNEL**

On motion by Commissioner Cox, seconded by Commissioner Reed, and with unanimous vote, this order was adopted. Order No. 2022-152.

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**AN ORDER EMPLOYING GLEASON HUMPHREY TO FILL THE POSITION OF CROSSING GUARD**

On motion by Mayor Burtner, seconded by Commissioner Chenault, and with unanimous vote, this order was adopted. Order No. 2022-153.

**AN ORDER EMPLOYING DANIEL WARE TO FILL THE POSITION OF CROSSING GUARD**

On motion by Commissioner Cox, seconded by Commissioner Reed, and with unanimous vote, this order was adopted. Order No. 2022-154.

**AN ORDER ACCEPTING THE RETIREMENT OF DENNIS BRISCOE, ADMINISTRATIVE CAPTAIN**

On motion by Mayor Burtner with deep regret, seconded by Commissioner Reed with regret, and with unanimous vote, this order was adopted. Order No. 2022-155.

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

Commissioner Chenault:

- Stated he had been down at the recent Rock the Block and it went off well.

Commissioner Reed:

- Requested Public Works take a look at a huge shrub at 48 South Main Street.
- Stated she had received a complaint about the T-Mobile signs in the Winchester Plaza, that they were in terrible shape.
- Noted the pole had been installed for the light behind the Leeds Theater and requested when the light would be installed.

Commissioner Cox:

- Noted the generosity of the community overwhelmed him. He stated he'd gone to Eastern Kentucky with trucks of supplies. Noted everything was covered in water and mud. Stated the residents of Eastern Kentucky have their history and community.

Commissioner Strobe:

- Stated she was thankful for our first responders. They had gone to Eastern Kentucky and had rescued about 85 people from floodwaters.
- Noted the next Rock the Block is scheduled for August 12. She stated since Leeds Theater was having an event that night, the car show would be on Broadway instead of North Main Street.

Mayor Burtner:

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- Noted he had attended the last Board of Education meeting and they approved the PILOT for the Catalent Project in concept.
- Mayor Burtner read the correspondence from City Manager Mike Flynn regarding his leave of absence from August 1 to October 3, 2022.

On motion by Mayor Burtner, seconded by Reed, and with unanimous vote, the Board approved the leave of absence of City Manager Flynn.

Commissioner Reed noted they were grateful this was just a leave of absence.

**ADJOURN**

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

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Edallen York Burtner, Mayor

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Joy L. Curtis, City Clerk