

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky February 7, 2019

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on February 7, 2019 at 5:58 p.m. Present were Mayor Gorton in the chair presiding, and the following members of the council: Moloney, Mossotti, Plomin, Reynolds, Worley, Bledsoe, F. Brown, J. Brown, Ellinger, Evans, Gibbs, Kay, Lamb, and McCurn. Absent was Council Member Farmer.

The reading of the Minutes of the previous meeting was waived.

Ordinances No. 1-2018 through 3-2018, inclusive, and Resolutions No. 5-2018 through 55-2018, inclusive, were reported as having been signed and published and ordered to record.

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The Invocation was given by Chaplain Cecil Tatum, Div. of Fire and Emergency Services.

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Mayor Gorton asked Mr. J. Brown and Ms. Lamb to join her at the podium, along with Ms. Ann Hammond, Executive Director of the Lexington Public Library. Mayor Gorton talked about Ms. Hammond's arrival in Lexington ten years ago, and her many accomplishments at the library since then. She noted that Ms. Hammond's pending departure to her home state of California will be a loss for the library, but that she has built a team that will continue good work in her absence. Mayor Gorton read a proclamation declaring February 7, 2019 as Ann Hammond Day in Lexington.

Mr. J. Brown spoke about his relationship with Ms. Hammond through his role as a Library Foundation Board member, and how the library's programs benefit children in the community. He wished Ms. Hammond luck at her new library system in California.

Ms. Lamb talked about Ms. Hammond's importance to the library, as well as to the community. She praised the well-assembled team that will remain at the library and expressed her sorrow at the departure of Ms. Hammond.

Ms. Hammond spoke about how much she has enjoyed Lexington, and the Library, noting that keys to her success were a very capable staff and a supportive Board. She thanked the Mayor and the Council for this recognition

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Mayor Gorton asked Ms. Polly Ruddick, Office of Homelessness Prevention and Intervention, to join her at the podium. Mayor Gorton talked about the challenges of the winter season to the community's homeless population, particularly in 2019 with the concurrence of the "Polar Vortex" weather event, and the annual Homeless Count. Ms. Ruddick spoke about the compassion and empathy demonstrated by the several volunteers who assisted with the Count, who worked under life-threatening weather conditions to serve some of the community's most vulnerable members.

Mayor Gorton presented Spirit of Lexington Awards to Mr. Ben Wides; Mr. Steven Snodgrass; Lieutenant Cory Doane, Div. of Police; Officer Phillip Johnson, Div. of Police; Officer Joe Baker, Div. of Police; Officer Alejandro Zaglul, Div. of Police; Mr. Marty Jones; Mr. Dylan Schell; and Firefighter Owen Patrick Branam, Div. of Fire and Emergency Services.

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The following ordinances received second reading. Upon motion by Mr. Ellinger, and seconded by Mr. F. Brown, the ordinances were approved by the following vote:

Aye: Moloney, Mossotti, Plomin, Reynolds, Worley, -----14
Bledsoe, F. Brown, J. Brown, Ellinger, Evans,
Gibbs, Kay, Lamb, McCurn

Nay: -----0

An Ordinance changing the zone from a restricted High Density Apartment (R-4) zone to a Light Industrial (I-1) zone, for 4.43 net (4.81 gross) acres, for property located at 2370 Sandersville Rd. (CBROTHERS, LLC; Council District 2).

An Ordinance changing the zone from a restricted Planned Neighborhood Residential (R-3) zone to an unrestricted Planned Neighborhood Residential (R-3) zone, for 28.44 net (29.74 gross) acres, and from a restricted Planned Neighborhood Residential (R-3) zone to a High Density Apartment (R-4) zone, for 9.3 net (12.81 gross) acres, for property located at 2811 Spurr Rd. (Anderson Communities; Council District 12).

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 16.

An Ordinance amending the title for Ordinance No. 102-2018 to correct the omission of two (2) unclassified Public Works Apprentice positions in the Div. of Streets and Roads, effective retroactive to December 6, 2018.

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The following ordinances received first reading and were ordered placed on file for public inspection until February 21, 2019:

An Ordinance changing the zone from a Single Family Residential (R-1C) zone to a Planned Neighborhood Residential (R-3) zone, for 0.525 net (0.737 gross) acres, for

property located at 1847 Nicholasville Rd. (Southern & Jones Properties, LLC; Council District 3).

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 17.

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A Resolution imposing a moratorium on zone map amendment applications and demolition permits for all properties located within the proposed Pensacola Park Area Historic Districts (H-1 overlay zone), more specifically defined as the following properties: 1733-1915 Nicholasville Rd. (odd addresses only) (excluding 1847 Nicholasville Rd.); Chesapeake Dr. (no addresses); 96-171 Goodrich Ave.; 101-224 Lackawanna Rd.; 1855-1859 Norfolk Dr.; 101-177 Penmoken Park; 1847-1877 Pensacola Dr.; 108-199 Rosemont Garden; 105-175 Suburban Court; and 101-166 Wabash Dr.; directing the Div. of Planning to refuse to accept or process applications for a zone change and directing the Div. of Building Inspection to refuse to accept applications for demolition permits for these properties; establishing the purpose of this moratorium is to give the Planning Commission and the Urban County Government time to consider and take final action on an H-1 overlay zone application to be initiated by the Planning Commission for these properties; and setting the duration of the moratorium to be six months or until the Council takes final action on the proposed Pensacola Park Area H-1 overlay zone, whichever event occurs first was on the docket for second reading.

Mr. Gibbs moved to amend the resolution to read as follows: A Resolution imposing a moratorium on zone map amendment applications and demolition permits for all properties located within the proposed Pensacola Park Area Historic Districts (H-1 overlay zone), more specifically defined as the following properties: 1733-1915 Nicholasville Rd. (odd addresses only) (excluding 1847 Nicholasville Rd.); Chesapeake Dr. (no addresses); 96-171 Goodrich Ave.; 101-224 Lackawanna Rd.; 1855-1859 Norfolk Dr.; 101-177 Penmoken Park; 1847-1877 Pensacola Dr. (excluding 1871 Pensacola Dr.); 108-199 Rosemont Garden; 105-175 Suburban Court; and 101-166 Wabash Dr.; directing the Div. of Planning to refuse to accept or process applications for a zone change and directing the Div. of Building Inspection to refuse to accept applications for demolition

permits for these properties; establishing the purpose of this moratorium is to give the Planning Commission and the Urban County Government time to consider and take final action on an H-1 overlay zone application to be initiated by the Planning Commission for these properties; and setting the duration of the moratorium to be six months or until the Council takes final action on the proposed Pensacola Park Area H-1 overlay zone, whichever event occurs first. The motion was seconded by Mr. J. Brown. This was a material change and it required a new first reading.

Mr. Moloney asked about how the Council would proceed after the motion was voted upon and Mr. Gibbs responded.

The motion to amend passed by unanimous vote.

The resolution, as amended, received first reading.

Mr. Gibbs moved to suspend the rules and give second reading to the proposed resolution. Ms. Plomin seconded the motion.

Ms. Lamb indicated how she would vote on the motion.

Mr. Gibbs talked about prior discussions about whether there is community support for the proposed resolution.

Vice Mayor Kay clarified an earlier discussion between Mr. Moloney and Mr. Gibb.

Ms. Mossotti asked about public comment on the proposed resolution.

Mayor Gorton indicated she was not aware of any requests to speak.

Ms. Evans recused herself from any votes on the proposed resolution.

Mr. Worley recused himself from any votes on the proposed resolution.

Ms. Lamb asked about public comment on the proposed resolution.

Mr. Ellinger recused himself from any votes on the proposed resolution.

Vice Mayor Kay asked whether recusals are necessary on procedural votes. Mr. Keith Horn, Dept. of Law, responded.

Mr. Moloney asked about the recusals by Ms. Evans and Mr. Worley. Mr. Worley responded.

Ms. Bledsoe spoke about her thoughts on the proposed resolution.

Mr. Gibbs spoke about the boundaries of the moratorium proposed in the resolution, and the boundaries of the H-1 Overlay application submitted by the neighborhood.

Mr. Moloney asked about the timeline for future activity on the proposed resolution.

Mayor Gorton responded.

The motion to suspend the rules failed by the following vote:

Aye: Mossotti, Plomin, Reynolds, Bledsoe, -----8
F. Brown, J. Brown, Gibbs, Kay

Nay: Moloney, Lamb, McCurn -----3

Recused: Worley, Ellinger, Evans

The resolution was ordered placed on file for public inspection until February 21, 2019.

Upon motion by Ms. Bledsoe, seconded by Ms. Mossotti, and approved by majority vote (Mr. Ellinger, Ms. Evans, and Mr. Worley recused from the vote), the Council heard public comment on the proposed resolution:

The following persons spoke in support of the proposed resolution: (1) Ms. Tenlee TARRIER, Goodrich Ave.; (2) Ms. Candice Wallace, Goodrich Ave.; (3) Ms. Rebecca Glasscock, Wabash Dr.; (4) Mr. Gerry Gillespie, Penmoken Park; and, (5) Ms. Meredith Birmingham Gillespie, Penmoken Park.

The following persons spoke in opposition to the proposed resolution: (6) Mr. T. L. Wise, Nicholasville Rd.; and, (7) Ms. Julie Butcher, Cherokee Park.

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The following resolutions received second reading. Upon motion by Ms. Plomin, and seconded by Mr. Ellinger, the resolutions were approved by the following vote:

Aye: Moloney, Mossotti, Plomin, Reynolds, -----14
Worley, Bledsoe, F. Brown, J. Brown,
Ellinger, Evans, Gibbs, Kay, Lamb,
McCurn

Nay: -----0

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a one-year extension to the Contract with Meridian Management Corporation for Facility Management Services for the Fayette County Courthouses, at a cost not to exceed \$949,268.53.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Addendum to the Memorandum of Understanding with the Lexington-Fayette County Health Dept., for Fats, Oil and Grease (FOG) Training

Services, renewing the Memorandum of Understanding for a period of one (1) year, at a cost not to exceed \$1,200.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute certificates of consideration and other necessary documents, and to accept deeds for property interests needed for the Lansdowne South Trunk Sewer Project, a Remedial Measures Project required by the Consent Decree, at a cost not to exceed \$45,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute certificates of consideration and other necessary documents, and to accept deeds for property interests needed for the Wolf Run B & C Trunk Sewer Project, a Remedial Measures Project required by the Consent Decree, at a cost not to exceed \$46,100.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 3 to the Agreement with Banks Engineering, Inc., for the Southland Area Stormwater Improvement Project, increasing the Contract price by the sum of \$39,800, from \$448,615 to \$488,415.

A Resolution accepting the bid of The Allen Co., Inc., in the amount of \$605,213.75, for the West Hickman South Trail Project, for the Div. of Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with The Allen Co. Inc., related to the bid.

A Resolution accepting the bid of Hydraulic Specialists, Inc., establishing a price contract for Hydraulic Cylinder Repair, for the Div. of Facilities and Fleet Management.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to Northyard, LLC, for stormwater quality projects, at a cost not to exceed \$24,912.80.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Local Records Branch of the Ky. Dept. for Libraries and Archives, which Grant funds are in the amount of \$11,670 Commonwealth of Ky. funds, and are for the codification of LFUCG's Zoning Ordinance on an online platform, the acceptance of which does not obligate the Urban County Government for

the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit three (3) Grant Applications to the Ky. Transportation Cabinet, to provide any additional information requested in connection with these Grant Applications, and to accept the Grants if the applications are approved, which Grant funds are in the amount of \$208,559.50 Federal funds, are for the Traffic Safety Program (\$66,455.00), the Speed Enforcement Project (\$77,208.50), and the Occupant Protection Program (\$64,896.00), the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with Children's Advocacy of the Bluegrass, for forensic interviews, at a cost not to exceed \$50,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Agreement with the Fayette County Board of Education, for a Fire Recruit testing site, at a cost not to exceed \$1,500.

A Resolution authorizing the Div. of Police, on behalf of the Urban County Government, to purchase custom manufactured boxes for patrol wagons, from Mavron, Inc., a sole source provider, at a cost not to exceed \$39,343.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Telcordia Technologies Inc., d/b/a iconectiv, a sole source vender, to manage telephone portability between carriers, at a cost not to exceed \$6,000.

A Resolution rescinding Resolution No. 156-94, which directed the appropriation for payment of a 27th pay period, and authorizing and directing the Dept. of Finance and Div. of Budgeting to eliminate the reservation of any existing funding toward a 27th pay period or 27th payroll, with any such funding allocated or reallocated in accordance with the FY2018 fund balance determinations.

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A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Classified Civil Service Appointments: Allison Morris, Staff Assistant Sr., Grade 510N, \$14.729 hourly in the Div. of Revenue, effective February 19, 2019, Katrina Smith, Administrative Specialist, Grade 513N, \$18.299 hourly in the Div. of Fire and Emergency Services, effective February 19, 2019, Mary Potts, Social Worker, Grade 513E, \$1,384.40 biweekly in the Div. of Adult and Tenant Services, effective March 4, 2019 and Matthew Williams, Educational Program Aide, Grade 508N, \$13.804 hourly in the Div. of Youth Services, effective February 19, 2019; authorizing the Div. of Human Resources to make a conditional offer to the following probationary Community Corrections Officer appointments: Tim Collins, Elmer Fox, Adam Silber, and Shain Howard, all Community Corrections Officer recruit, Grade 110N, \$15.384 hourly in the Div. of Community Corrections, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service appointment to the Office of the Mayor: Andrea James, Administrative Aide to the Mayor, Grade 523E, \$3,073.08 biweekly in the Office of the Mayor, effective February 18, 2019 and Quinton Welch, Administrative Specialist, Grade 513N, \$19.712 hourly in the Office of the Mayor, effective February 18, 2019 received first reading.

Upon motion by Mr. J. Brown, seconded by Vice Mayor Kay, and approved by unanimous vote, the rules were suspended and the resolution received second reading.

Upon motion by Ms. Lamb, and seconded by Ms. Bledsoe, the resolution was approved by the following vote:

Aye: Moloney, Mossotti, Plomin, Reynolds, Worley, -----14
 Bledsoe, F. Brown, J. Brown, Ellinger, Evans,
 Gibbs, Kay, Lamb, McCurn

Nay: -----0

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The following resolutions received first reading and were ordered placed on file for public inspection until February 21, 2019:

A Resolution ratifying the Probationary Civil Service Appointments of: Russell Mehnert, Engineering Technician Principal, Grade 518N, \$23.510 hourly in the Div. of Engineering, effective March 4, 2019 and Rita Evans, Administrative Specialist, Grade 513N, \$19.889 hourly in the Div. of Fire and Emergency Services, effective March 4,

2019; ratifying the Permanent Civil Service Appointment of: Jose Diaz Pena, Heavy Equipment Technician, Grade 516N, \$21.004 hourly in the Div. of Facilities and Fleet Management, effective February 6, 2019; and ratifying the Unclassified Civil Service appointments of: Brionna Ashley, Public Works Apprentice, Grade 504N, \$13.000 hourly in the Div. of Streets and Roads, effective February 25, 2019, Terrance Jackson, Public Works Apprentice, Grade 504N, \$13.000 hourly in the Div. of Water Quality, effective February 25, 2019, Quinton Dixon, Public Works Apprentice, Grade 504N, \$13.000 hourly in the Div. of Waste Management, effective February 25, 2019 and Demarcus Wingate, Public Works Apprentice, Grade 504N, \$13.000 hourly in the Div. of Waste Management, effective February 25, 2019.

A Resolution amending Appendix A - Rules and Procedures of the Lexington-Fayette Urban County Council by creating Section 1.100 providing for a statement of inclusion; effective upon passage of Council.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Facility Usage Agreements with various youth baseball and softball leagues granting the leagues the right to use LFUCG baseball and softball fields and facilities for the 2019 spring and fall seasons.

A Resolution authorizing the Div. of Water Quality, on behalf of the Urban County Government, to purchase a chlorine gas feeder for the Town Branch Waste Water Treatment Plant, from JAGS Environmental, Inc., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with JAGS Environmental, Inc., related to the procurement, at a cost not to exceed \$20,858.44.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with New Lexington Clinic, P.S.C. to allow New Lexington Clinic, P.S.C. to make improvements to the Picadome Parking Lot in exchange for use of thirty five (35) spaces in the parking lot, at no cost to the government.

A Resolution establishing Playground Plastics as a sole source provider for custom plastic lumber and hardware for the Div. of Parks and Recreation, and authorizing the Mayor or her designee, on behalf of the Urban County Government, to execute any

necessary Agreements with Playground Plastics, related to the construction and maintenance of the Shillito Playground at a cost not to exceed \$125,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from Marathon Petroleum Corporation, which Grant funds are in the amount of \$5,000, for the purchase of Firefighting equipment for the Div. of Fire and Emergency Services, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Catering Contract with the Hyatt Regency Lexington, for catering services for the Senior Intern Alumni Luncheon, at a cost not to exceed \$5,500.

A Resolution establishing and authorizing a price contract for fiscal years 2019 and 2020 with Harp Enterprises, Inc., as a sole source provider of voting machines and any related maintenance, equipment, supplies and services for the Fayette County Clerk's Office, and authorizing the Mayor or her designee, on behalf of the Urban County Government, to execute any necessary price contract(s) with Harp Enterprises, Inc., related to the procurement of these goods and services.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with Herrick Co., Inc., for the West Hickman Waste Water Treatment Plant Scum Removal Addition and Ash Tank No. 3 Cover Project, increasing the Contract price by the sum of \$44,202, from \$1,389,000 to \$1,433,202.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Ky. State Police for the sharing of information.

A Resolution establishing Whayne Supply Co. as a sole source provider for providing replacement parts and performing out of warranty repair for the Div. of Facilities and Fleet Management and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreements with Whayne Supply Co., related to the repair and maintenance of government owned equipment manufactured by Caterpillar.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a First Amendment to the Mental Health Services Agreement with Bluegrass.org, allowing Bluegrass.org to utilize psychiatric nurse practitioners and clarify the language for calculating the average daily inmate population, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept donation of a laptop, valued at \$350, from attorney Gayle Slaughter, to be utilized by the offender population to view case related documents or videos, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Crispin Porter & Bogusky, LLC, as authorized agent of Domino's Pizza, LLC, accepting a donation in the amount of \$5,000 for the purpose of completing pothole repairs as part of the Paving for Pizza campaign.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Gainesway Neighborhood Association (\$2,000), Pinnacle Homeowners Association, Inc. (\$575), MANRRS, Inc. (\$800), Kentucky Lions Eye Foundation (KLEF) (\$1,025) and the Lexington History Museum, Inc. (\$1,275) for the Office of the Urban County Council, at a cost not to exceed the sums stated.

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The following Communications from the Mayor were received for information only: (1) Classified Civil Service Lateral Transfer of Robin Wilkerson, Social Worker, Sr., Grade 516E, \$2,158.80 biweekly in the Div. of Family Services, effective February 19, 2019; (2) Resignation of Antonio W. Cowan, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective January 18, 2019; (3) Resignation of Curtis Hale, Telecommunicator, Sr., Grade 517N, Div. of Emergency Management/911, effective December 31, 2018; (4) Resignation of Scott Shapiro, Innovation Director, Grade 531E, Mayor's Office, effective December 31, 2018; (5) Resignation of Derek Paulsen, Commissioner, Grade 536E, Dept. of Planning, Preservation and Development, effective January 4, 2019; (6) Resignation of Donald Bowen, Maintenance Mechanic, Grade 515N, Div. of Water Quality, effective December 31, 2018; (7) Resignation of Andrea Brown, Attorney, Grade 523E, Dept. of Law, effective December 31, 2018; (8) Resignation of

Timothy Richmond, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective January 5, 2019; (9) Resignation of Jackson Price, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective January 6, 2019; (10) Resignation of Leslie Rodgers, Program Specialist, Grade 513N, Dept. of Social Services, effective January 18, 2019; and, (11) Resignation of Melissa Peterson, Family Support Worker, Sr., Grade 514N, Div. of Family Services, effective January 8, 2019.

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Mr. Gibbs departed the meeting.

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Chief Jason Wells, Div. of Fire and Emergency Services, presented a disciplinary matter regarding Lieutenant Terrance Gatewood. It is alleged that Lieutenant Gatewood has committed the offense of Reporting Late in violation of KRS 95.450 (inefficiency, misconduct, insubordination or violation of law or rule and UDG 1.11 Late/AWOL in that on the 16th day of December, 2018 allegedly Lieutenant Gatewood was 30 minutes late without notifying appropriate supervisor. The appropriate punishment for this conduct is Written Reprimand.

Upon motion by Vice Mayor Kay, seconded by Ms. Plomin, and approved by majority vote (Mr. Gibbs was absent for the vote), the disciplinary recommendation was approved.

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A Resolution imposing a moratorium on zone map amendment applications and demolition permits for all properties located within the proposed Pensacola Park Area Historic Districts (H-1 overlay zone), more specifically defined as the following properties: 1733-1915 Nicholasville Rd. (odd addresses only) (excluding 1847 Nicholasville Rd.); Chesapeake Dr. (no addresses); 96-171 Goodrich Ave.; 101-224 Lackawanna Rd.; 1855-1859 Norfolk Dr.; 101-177 Penmoken Park; 1847-1877 Pensacola Dr. (excluding 1871 Pensacola Dr.); 108-199 Rosemont Garden; 105-175 Suburban Court; and 101-166 Wabash Dr.; directing the Div. of Planning to refuse to accept or process applications for a zone change and directing the Div. of Building Inspection to refuse to accept applications for demolition permits for these properties; establishing the purpose of this

moratorium is to give the Planning Commission and the Urban County Government time to consider and take final action on an H-1 overlay zone application to be initiated by the Planning Commission for these properties; and setting the duration of the moratorium to be six months or until the Council takes final action on the proposed Pensacola Park Area H-1 overlay zone, whichever event occurs first received first reading earlier in the meeting.

Ms. Mossotti moved to amend the proposed resolution to read as follows:

A Resolution imposing a moratorium on zone map amendment applications and demolition permits for all properties located within the proposed Pensacola Park Area Historic Districts (H-1 overlay zone), more specifically defined as the following properties: Chesapeake Dr. (no addresses); 96-171 Goodrich Ave.; 101-224 Lackawanna Rd.; 1855-1859 Norfolk Dr.; 101-177 Penmoken Park; 1847-1877 Pensacola Dr. (excluding 1871 Pensacola Dr.); 108-199 Rosemont Garden; 105-175 Suburban Court; and 101-166 Wabash Dr.; directing the Div. of Planning to refuse to accept or process applications for a zone change and directing the Div. of Building Inspection to refuse to accept applications for demolition permits for these properties; establishing the purpose of this moratorium is to give the Planning Commission and the Urban County Government time to consider and take final action on an H-1 overlay zone application to be initiated by the Planning Commission for these properties; and setting the duration of the moratorium to be six months or until the Council takes final action on the proposed Pensacola Park Area H-1 overlay zone, whichever event occurs first.

The motion was seconded by Mr. Moloney.

Ms. Lamb spoke in favor of the motion.

Mr. J. Brown spoke in support of the motion but expressed reservations about the timing of the vote.

Mr. F. Brown asked whether the proposed amendment would require a new first reading. Mr. Horn responded.

Mr. F. Brown asked whether properties can be excluded from the Moratorium. Mr. Horn responded.

Vice Mayor Kay asked Ms. Mossotti about the proposed amendment. Ms. Mossotti responded.

Vice Mayor Kay talked about how he intended to vote on the motion.

Mr. Moloney talked about how he intended to vote on the motion.

Vice Mayor Kay talked about the impact of an H-1 Overlay.

Ms. Mossotti discussed her reading of the proposed resolution.

Mr. J. Brown reiterated his support for the proposed amendment, as well as his reservations about taking this action at this time.

Ms. Reynolds asked whether the vote on the motion could be postponed. Mayor Gorton responded.

The motion to amend passed by majority vote (Vice Mayor Kay voted No; Mr. Gibbs was absent for the vote; Mr. Ellinger, Ms. Evans, and Mr. Worley recused).

Ms. Lamb asked whether a new first reading was appropriate. Mayor Gorton responded. Mr. Dave Barberie, Dept. of Law, responded.

Upon motion by Ms. Mossotti, seconded by Ms. Lamb, and approved by majority vote (Mr. F. Brown voted No, Mr. Gibbs was absent for the vote; Mr. Ellinger, Ms. Evans, and Mr. Worley recused), the Resolution, as amended, received a new first reading and was ordered placed on file for public inspection until February 21, 2019.

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Ms. Evans commended and thanked the volunteers who participated in the Homeless Count.

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Ms. Mossotti congratulated Sgt. Thomasena Grider, Div. of Police, on becoming the first female African American officer to attain the rank of Sergeant.

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Mr. Moloney thanked Director Steve Haney, Div. of Community Corrections, and Mr. F. Brown for a recent update on the staffing situation at the Div. of Community Corrections. Mr. Moloney asked about follow ups with employees who have resigned from the Division. Mr. Haney responded.

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Mr. Bernard McCarthy, Harry St., suggested adding a traffic impact fee to the cost of a building permit to defray the cost of improving infrastructure to support increased traffic.

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Upon motion by Ms. Bledsoe, seconded by Ms. Plomin, and approved by majority vote (Mr. Gibbs was absent for the vote), the meeting adjourned at 7:42 p.m.

Deputy Clerk of the Urban County Council