

SERVICES COMMITTEE SUMMARY

OCTOBER 7, 2008

CM Ellinger chaired the committee meeting. The meeting was called to order at 1:00 p.m. Dr. Stevens was present as well.

1. Smoking Ban

Dr. Stevens gave an update on the draft smoking ban ordinance and went over the changes.

CM Lane asked why the word "temporarily" is being added under Section 3 (1).

Mike Sanner, Law Department, stated some of the restaurants have patios that have tent flaps so they are considered temporary so the ordinance would not cover the patio when the tent flaps are down.

CM Crosbie stated she does not understand why the word "temporarily" had to be added if the restaurant is currently compliant.

Mr. Sanner stated it was originally in the proposed ordinance and then it was taken out of and now back in.

CM Lane asked what the changes would mean for the airport.

Mr. Sanner stated as written a person could not smoke in the airport if this is passed.

Mike Gobb, Executive Director of the Bluegrass Airport, stated his concerns of the proposed ordinance and what affects it would have on the airport.

CM Blues asked what the competition is since you can not smoke in the Louisville airport.

Mr. Gobb stated their core customer is the business customer and the leisure customer usually leaves out of Louisville. He stated taking the smoking choices away may leave a negative experience that may drive their business elsewhere.

CM Blues stated if they granted an exemption on the basis of competition then other entities may come and ask for the same thing. He asked if they made an exception what kind of precedent might that set for government buildings.

Mr. Sanner stated there are two ways to make an exception for the airport one being by statute 61.165(3)(a) and the other is to do a specific exemption in the ordinance for the airport.

Peggy Miller, attorney with Greenebaum Doll & McDonald, stated the concerns with an exemption for one entity.

CM Blues asked about enclosed smoking rooms.

Dr. Ellen Hahn, UK College of Nursing, stated the 2006 Surgeon General's report stated that enclosed smoking rooms do not work. She stated people still have to go in those rooms to clean them so workers are put at risk.

Mr. Gobb stated they have contracted with two entities to come and do air quality testing outside of the smoking lounges. He stated they do not have the reports back yet.

CM McChord asked about the renovation of the airport.

Mr. Gobb stated the first smoking lounge was built in 1996, concourse A smoking lounge was built about 5 years ago and concourse B smoking lounge was opened in April 2007 and the Executive lounge was opened in November 2005.

CM McChord asked about the overall cost of the expansion.

Mr. Gobb stated about \$22 million to date.

CM Lane asked about making exceptions for the airport and Fayette Co Detention Center due to the security issues.

Ms. Miller stated that KRS 61.165 does not allow a legislative body to pick and choose.

Bernie Lovely, Chairman of Airport Board, stated he believes there can be an exception due to security issues.

Dr. Stevens stated there are 133 airports in the United States that is smoke free.

CM Blevins asked about the latest smoking statistics in the Bluegrass region.

Dr. Hahn stated Fayette Co. is about 18%.

CM DeCamp stated because the restricted area of the airport is so restrictive that an exception could be made.

A motion by CM Myers to adopt the ordinance as presented today and establish a public forum on October 23rd at 8:00 p.m., seconded by CM Beard, passed with one nay.

A motion by CM Crosbie to remove the word "temporarily" from Section 3, seconded by CM Lane, failed 2-8.

CM Henson asked the airport representatives to get some information regarding the air quality to the committee.

CM Lane stated if the word "temporarily" is put in the ordinance then it should be very clear as to what it means.

CM Myers stated he thinks it is clear and is not going to suggest any changes.

A motion by CM Lane to add "leased" after the word owned in Section 4 paragraph 1A , seconded by CM Crosbie, passed without dissent.

The committee discussed the issue of smoking in public transportation.

A motion by CM Blevins to change the word "facilities" to "buildings" in Section 4 (1), seconded by CM Crosbie, passed without dissent.

A motion by CM Lane to delete paragraph E of Section 4, seconded by CM Crosbie, failed 3-6.

A motion by CM Myers to Section 3 establishment add ", including, but not limited to, banks, laundry mat, retail stores, professional offices, restaurants, bars, gaming facilities such as bingo halls, pool halls, bowling alleys, childcare facilities, and adult daycare facilities, seconded by CM Beard, passed without dissent.

A motion by CM Blevins to amend the motion to include ", but not limited to," seconded by CM Myers, passed without dissent.

2. Transylvania on Street Parking

CM Ellinger relinquished the chair to CM Myers.

Gary Means, Parking Authority, went over the recommendations that he made to the committee.

Craig Hardin spoke regarding this issue and provided the committee with a suggested resolution.

A motion by CM DeCamp to accept No. 1 of the recommendations brought forward by the Parking Authority and if for some reason they are not allowed the two spaces by the BOAR then they will reconsider it for the resident at 315 Transylvania Park, seconded by CM Blevins.

CM Ellinger moved to amend the motion and allow under recommendation No. 1 for 3 additional residential parking permits and give the opportunity to go to the BOAR to request a permanent spot in the back of his property, seconded by CM Crosbie, passed with one nay.

Jimmy Emmons, Division of Planning, stated there are two boards that Mr. Hardin will have to go through.

CM Myers gave the chair back to CM Ellinger.

3. Traffic Safety Issues: Streets adjacent to Christ the King Church

A motion by CM Blevins to table this issue until the next Services Committee meeting, seconded by CM Myers, passed without dissent.

4. Virtual Speed Humps

Ashley Sells, Division of Traffic Engineering, stated they have done some research and are going to look into it further.

5. Items in Committee

A motion by CM Henson to remove the issue of Cambridge Dr. Parking from Services committee, seconded by CM Blues, passed without dissent.

A motion by CM Blues to remove the issue of Private Swimming Pool Safety/Regulations, seconded by CM Crosbie, passed without dissent.

A motion by CM Beard to remove the issue of Par 3 Golf Course from Services committee, seconded by CM Blues, passed without dissent.

The meeting adjourned at 3:00 pm.