

URBAN COUNTY COUNCIL
Inter-Governmental Committee

November 11, 2008

CM DeCamp chaired the meeting, calling it to order at 1:00 pm. All members were present, except CMs James, Myers, Blevins, and VM Gray.

I. Temporary Structures

Dewey Crowe, Dir. of Building Inspection, stated that they did review all permits issued within the last 3 years of persons who could be affected by the proposed changes. There were a total of 135. The duplicates of repeat users were taken out and 76 letters were sent out. This number also included the underlying property owners.

A motion by CM Beard to restrict the amount of speaking time on this issue to six minutes to anyone who was speaking for several people, seconded by CM Stinnett, passed without dissent.

Jessica Case presented a handout and spoke on behalf of seven other persons in support of a proposed text amendment to this issue. Also speaking in support was Clark Gaise.

CM Crosbie asked Ms. Case if she represented the neighborhood or just the underwritten persons on the handout. Ms. Case said just those on the handout.

CM Stinnett asked if Ms. Case had looked at other temporary structures. She stated that they were using the Carrick House as their example since their structure called attention to this issue.

Steve Hobbs of Lexington Magic Carpet spoke against the proposed text amendment.

CM Blevins is now in attendance.

Several other citizens spoke in opposition of the proposed text amendment: Alan Stein from the Lexington Legends, Mark Shockley from Paul Miller Ford, Doug Martin from Murphy & Martin Attys at Law, Reena Wiseman, attorney representing several businesses and individuals, Ken Littrell from Clean Sweep Car Wash, and the owner of the Marathon Food Mart on N MLK Blvd.

CM Stinnett asked Mr. Crowe several questions. 1) How many persons receiving the letter would be affected? Answer: about 5% of those who contacted Building Inspection about the letter. 2) How often does the issue of a structure staying up past its allotted time (30-60 days) arise? Answer: don't recall a previous issue past 60 days. 3) Is an extension past the 30-60 days automatically granted? Answer: yes, unless there is an outstanding reason why it could not be done. 4) Any denials? Answer: none come to mind. To his knowledge, they have never granted a permit beyond 180 days. 5) Does the state see any issues with the way we handle our short term permits? Answer: in conversation, they do not see any issues. They agreed with the way we handled the issue with the Carrick House. and 6) Has the structure on North Limestone violated any of our building codes? Answer: no sir. I do not believe they have.

CM Henson asked if there were size restrictions on temporary structures. Mr. Crowe said the restrictions on a temporary structure are those that you physically can fit within the zoning ordinance restrictions for setbacks on a particular lot.

CM Blevins asked Bill Sallee from Planning to come forward. He asked, hypothetically, if the Carrick House was a permanent structure, how many reviews it would probably have. Mr. Sallee answered probably 2.

CM DeCamp stated that CM James told him that she was willing to appoint a subcommittee if needed on this issue. No one commented at first. Then, CM Stinnett asked what would be the purpose of the subcommittee. CM DeCamp stated that it would be to review the entire ordinance. CM Stinnett then said that he doesn't believe that looking at the entire ordinance would change the result because the issue is with one property not the current ordinance as a whole. CM Beard made a comment on this issue. Therefore, CM DeCamp stated that he would make recommendations to CM James to see if a fair ordinance can come about based on the testimony presented today.

II. Citizen's Advocate Office Standards/Policy & Procedures Manual

A motion by CM Beard to allow Council time to review the information on this issue in the packet and then discuss at the next Inter-Governmental Committee meeting, seconded by CM Blevins, passed without dissent.

III. Proposed New Compensation System

Commissioner Koch was there to give an update. She stated that they were not ready to give the specifics on this new system because the same people who are working on this issue are also working on the implementation of Peoplesoft and it was crucial that the implementation continued because LFUCG is paying for the consultants. She stated that it was unrealistic to believe that there would be money available for this new system at the beginning of the next fiscal year. She

will get back to the Council with a revised schedule after the implementation of Peoplesoft is complete.

IV. Boards/Commissions Reporting

Postponed to next Inter-Governmental Committee Meeting.

I. Update on Committee Items

No motions came from this item.

A motion by CM Blevins to adjourn, seconded by CM Crosbie, passed without dissent.

The meeting adjourned at 2:09 p.m.