

**RICHMOND CITY COMMISSION  
MINUTES  
REGULAR MEETING  
NOVEMBER 27, 2018  
CITY HALL  
COMMISSION CHAMBERS  
6:00 PM**

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**Mayor called the meeting to order at 6:00 p.m.**

**PRESENT: Commissioner Blythe, Eaves, Morgan, Newby and Mayor Barnes  
ALSO PRESENT: Rob Minerich; City Manager, Garrett Fowles; City Attorney,  
Lisa Cassity; City Clerk**

**Pledge of Allegiance**

**Presentations**

- 1) ~~Caudill Middle School 7<sup>th</sup> Grade Football State Champions Matthew Kettler~~

**Minute Approval:**

- 1) Regular Commission Meeting held on November 13, 2018 at 6:00 p.m.  
2) Workshop Meeting held on November 20, 2018 at 9:30 a.m.

Motion: Commissioner Eaves

Seconded: Commissioner Blythe

<b>VOTING:</b>	<b>YES</b>	<b>NO</b>
Commissioner Eaves	x	
Commissioner Morgan	x	
Commissioner Newby	x	
Commissioner Blythe	x	
Mayor Barnes	x	

**Ordinance 18-29: An Ordinance of the City of Richmond, Kentucky Amending the  
City's Purchasing Policy to Provide for Cooperative Purchasing.**

**Second Reading**

Read by City Attorney

Motion: Commissioner Morgan

Seconded: Commissioner Blythe

<b>VOTING:</b>	<b>YES</b>	<b>NO</b>
Commissioner Morgan	x	
Commissioner Newby	x	
Commissioner Blythe	x	
Commissioner Eaves	x	
Mayor Barnes	x	

**Ordinance 18-30:** An Ordinance of the City of Richmond, Kentucky Changing the Zone for Property at 305 Anna Hume Blvd and 1095 Four Mile Road in the City Limits.

**First Reading**

Read by City Attorney

Commissioner Eaves abstained and left stage area.

Mike Eaves- Legal counsel for applicant addressed the commission. Mr. Eaves described the property as 3 applicants for which will become 1 development for a variety of residential zones. He noted that 25% of the terrain cannot be built on due to the flood plain and that the property will have a traffic engineer conduct a traffic study prior to the development plan being considered from Planning & Zoning Commission. First the property must be given a zone from agriculture before the development can for a concept plan.

Mayor Barnes questioned if the Halcolm property by Save-a-lot could be refigured as a traffic access point to elevate all the residents exiting onto Four Mile Road.

Commissioner Morgan questioned how many units are expected. Mr. Eaves responded 100 single family homes, 100 duplexes and several hundred apartments.

Commissioner Blythe questioned if the single-family homes would be built first. Mr. Eaves responded yes since those would be toward the front of the property.

Commissioner Newby also expressed traffic concerns on Four Mile Road.

Mr. Eaves noted that the section which Four Mile Road would be accessed is a good paved road.

Mayor Barnes asked if there were any citizens that would like to speak about the zone.

Ed Ford- Hampton Ridge Resident

Mr. Ford voiced his concerns in opposition of the development due to increase traffic congestion on Four Mile Road and Robert R. Martin Bypass intersection. He noted that the area is already labeled a bad intersection due to the multiple vehicle accidents frequently. He also noted in the mornings there is great back up on four Mile Road at the same intersection for people going to school/work from Hampton Ridge, Fieldstone and now Magnolia Pointe development. He noted he sent a letter to the commissioners in opposition of the development and asked for their consideration into the development.

Motion: Commissioner Blythe

Seconded: Commissioner Newby

<b>VOTING:</b>	<b>YES</b>	<b>NO</b>
Commissioner Newby	x	
Commissioner Blythe	x	
Commissioner Eaves	abstained	
Commissioner Morgan		x
Mayor Barnes	x	

**Ordinance 18-31:** An Ordinance of the City of Richmond, Kentucky Changing the Zone for Property at 606 Lancaster Ave in the City Limits.

**First Reading**

Read by City Attorney

Motion: Commissioner Eaves

Seconded: Commissioner Blythe

Clint Wimberly- Legal Counsel for applicant addressed the commission. Mr. Wimberly described the family history of the property and how it has recently been renovated. The renovations were completed and currently is being used for rental property to 5 college students. He further explained that the property is not going to be developed into apartments like a typical R3 zone. The house will stay as is and the driveway is the only change to the property in order to accommodate for 5 tenant vehicles. He described the Findings of Facts along with the intent to preserve the house. He noted that ECU endorsed the zone change.

Commissioner Morgan responded that he's struggling with the request because the "creeping" effect on all the other residential neighborhoods. He questioned how the city or property owners would enforce the restrictions on the 5 tenants. He pointed out that there's already an Ordinance which limits no more than 2 unrelated people living in a single-family residential zone.

Garrett Fowles questioned if the property had a land survey to determine finalized lot size.

Rob Minerich noted that the lease specifically states that no more than 10 people can be on the property all together and parking improvements have been made to accommodate.

Commissioner Morgan expressed concerns again about the creeping effect into the neighborhoods. He noted that the map reflects a large lot size, however that the application reflects about 1 plus acres.

Mayor asked if there were any citizens that would like to speak about this zone change.

George Robbins- 206 College View Drive resident

Mr. Robbins spoke in support of the zone change and feels that the changes to the property have been positive since the renovation. He reflected on Mr. Lackey's property house before it burned down and then converted into Grand Campus development. He said that Mr. Lackey's property was run down and in terrible condition and now the appearance of the neighborhood has improved. He also reflected on 606 Lancaster Ave property condition were deteriorating, and now the house has greatly improved in appearance.

Dr. James Miller- citizen, but noted that he's also a member of the Planning & Zoning Commission

Dr. Miller defined “spot zoning”, and explained that there’s no advantages to the city for changing the zone. Grand Campus was a development that offered advantages to the city and there’s no changes to this property that would deem a zone change. He added to Commissioner Morgan’s statement on the “creeping” effect in the area.

Dr. Miller provided documents and photos to the commission. (ATTACHED)

He explained the circumstances of what transpired at the Planning & Zoning Meeting to where Brandon Powell has written a letter questioning his vote, to Dr. Miller being asked to abstain himself from the decision-making process. He added that he didn’t have to abstain because he had no financial gain from the decision, however he did agree at that meeting. As a result of the Planning & Zoning Commission decision he expressed great concerns to the City Commission on not approving the zone change.

Rob Minerich questioned Dr. Miller why he felt he need to abstain at the owner’s request at the Planning & Zoning meeting. Dr. Miller responded that he felt because he lived by the property that he should abstain.

Mayor Barnes questioned the lot size and requested a copy of the deed or plat, if a survey needed to be completed. He added that he’s uncomfortable with moving forward without the accurate acres of land.

Jennifer Spock- 217 Eastway Drive resident

Ms. Spock provided 9 photos to the commission to reflect the current neighborhood and how the 606 Lancaster Ave house had large sorority letters in the front yard. She stated that she’s in opposition of the zone change based on the neighborhood being a R1 zone. She described the property being rented in mid-August to the college students, however there have been no complaints filed on against the property. She noted that she’s a professor at ECU is has nothing against college students, however feels that the property should not be a sorority house.

Mayor Barnes questioned Mr. Wimberly the exact lot size, because there could be up to 14 apartments depending on the lot size if the owners ever sold the property with intent to develop.

Mr. Wimberly responded that the lot size on application was references to the size on the city’s zoning map. The deed and plat have the exact lot sizes referenced in Deed Book 762, page 679.

**Commissioner Eaves offered an Amended Motion to remove acreage in Ordinance and replace with referencing Deed Book 762 and Page 679 as recorded in the Madison County Court Clerk’s Office.**

Motion: Commissioner Eaves

Seconded: Commissioner Blythe

<b>VOTING:</b>	<b>YES</b>	<b>NO</b>
Commissioner Eaves	x	
Commissioner Morgan	x	
Commissioner Newby	x	

Commissioner Blythe	x
Mayor Barnes	x

Commissioner Blythe noted that he still had great concerns that the Chair of Planning & Zoning Commission was asked to step down from this issue.

**No Vote Taken on First Reading. Will have Second Reading at the December 11, 2018 meeting.**

**Order 18-142:** An Order of the City of Richmond Accepting a Resignation by an Employee in the Public Works Department.

Read by City Clerk

Motion: Commissioner Eaves

Seconded: Commissioner Newby

**VOTING:**   **YES**                       **NO**

Commissioner Morgan	x	
Commissioner Newby	x	
Commissioner Blythe	x	
Commissioner Eaves	x	
Mayor Barnes	x	

**Order 18-143:** An Order of the City of Richmond, Kentucky Relating to Kentucky Recovery Community Development Block Grant Program (CDBG)- Liberty Place.

Read by City Clerk

Motion: Commissioner Eaves

Seconded: Commissioner Newby

**VOTING:**   **YES**                       **NO**

Commissioner Newby	x	
Commissioner Blythe	x	
Commissioner Eaves	x	
Commissioner Morgan	x	
Mayor Barnes	x	

**Order 18-144:** An Order of the City of Richmond Establishing a Procurement Policy for the City of Richmond, KY Community Development Block Grant Funds (CDBG) and Home Funds.

Read by City Clerk

Motion: Commissioner Eaves

Seconded: Commissioner Newby

**VOTING:**   **YES**                       **NO**

Commissioner Blythe	x	
Commissioner Eaves	x	
Commissioner Morgan	x	
Commissioner Newby	x	
Mayor Barnes	x	

**Order 18-145:** An Order of the City of Richmond, Kentucky Regarding an Anti-Displacement and Relocation Assistance Plan as Required under Section 104 (D) of the Housing and Community Development Act of 1974, as Amended.

Read by City Clerk

Motion: Commissioner Eaves

Seconded: Commissioner Blythe

<b>VOTING:</b>	<b>YES</b>	<b>NO</b>
Commissioner Eaves	x	
Commissioner Morgan	x	
Commissioner Newby	x	
Commissioner Blythe	x	
Mayor Barnes	x	

**Order 18-146:** An Order of the City of Richmond Awarding A Bid for the Downtown Revitalization Fountain/ Garden Square Project.

Read by City Manager

Motion: Commissioner Eaves

Seconded: Commissioner Blythe

Commissioner Blythe started the with that he's done a considerable about of listening on this project. The attitude is good, but feels that this should wait for the new commission to address as they may have different goals. He's requested more public input and has reservations on approving such a large project.

Commissioner Eaves responded that the city has asked for multiple opportunities on public input at several Town Hall Meetings. She's only heard from 1 citizen that had questions about ADA compliance. She expressed frustration because this project has been discussed and moved along with the current commission and doesn't feel that it needs to be approved by the new commission in January.

Mayor Barnes noted that the city has already invested about \$452,000.00 just into the design work and the community has been asking for downtown revitalization for years. If the project becomes stagnant for too long the city maybe be forced to rebid which prices could increase.

Harsha Wijesiri, Intregrated Engineering Company addressed the Commission that bids have been open for 3 weeks and was estimated at a 4-million-dollar project. He felt the price was a far price and if rebid the price could increase.

Commissioner Morgan if change orders were more than likely expected on this project would still increase the price of the overall project. He also questioned the estimated price of trash cans at almost \$3,000 apiece.

<b>VOTING:</b>	<b>YES</b>	<b>NO</b>
Commissioner Morgan		x
Commissioner Newby		x
Commissioner Blythe		x
Commissioner Eaves	x	
Mayor Barnes	x	

Mayor Barnes added before moving forward with the meeting to state that the \$452,000.00 was a waste if we're not going to move forward with the project.

**Public Comments**

None

**Departmental Reports**

None

**City Manager's Report**

**Mr. Minerich discussed the following items:**

1. Christmas Parade next Friday
2. Shop Small Saturday was a success.

**Board of Commissioner's Discussion**

**Commissioner Eaves**

1. Revitalization Downtown- Stated that she felt the Commission did a huge dis-service to the community tonight by not approving the Fountain/Garden Square construction bid. She stated that people have been asking for this for over 10 years and we're still talking about it.

**Commissioner Morgan**

No report

**Commissioner Newby**

1. Announced that he would be in the parade.

**Commissioner Blythe**

No report

**Mayor Barnes**

1. Revitalization Downtown- Mayor stated that it's been a struggle his entire tenure to close a deal because the commission makes everything so hard.

**Adjournment: 8:00 p.m.**

Motion: Commissioner Eaves

Seconded: Commissioner Blythe

**VOTING:**

Commissioner Newby  
Commissioner Blythe  
Commissioner Eaves  
Commissioner Morgan  
Mayor Barnes

**YES**

x  
x  
x  
x  
x

**NO**

ATTEST:

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
MAYOR