Chairman Benson called the Agenda Session to order with Councilmen Gilbert, Scott, Ladd, Berz, Rico, and McGary present. Councilwoman Robinson joined the meeting later. City Attorney Michael McMahan and Shirley Crownover, Assistant Clerk to the Council, were also present.

In covering tonight’s agenda, Mr. Dan Johnson noted that Ordinances-Final Reading had already been discussed and meetings had been held with the Codes people.

**BIKE ORDINANCE**

Mr. Johnson prefaced the discussion by explaining that this is to bring our Ordinance into State compliance.

**Ms. Irene Catlin** asked to speak to this issue. She spoke to the concerns of safety issues for both motorists and cyclists, mentioning the risks of riding “two abreast” on narrow two lane roads, especially on Mountain Creek Rd., where she lived, and which is frequented by the Bicycle Club. Her suggestions were to limit riding two abreast to four lane roads; requiring that cyclists wear helmets; requiring licenses for cyclists; and also rear view mirrors.

Chairman Benson expressed appreciation for her study and possible support for her position.

Chief Mike Williams confirmed that the purpose of this Ordinance was to make changes to mirror State Law, which would supersede our Ordinance and make laws uniform. He stated that we could not make it illegal for two to ride abreast; that enforcing helmets might be possible; however, traffic codes are adopted by State Law. Councilwoman Berz felt that we could make our Ordinance tighter, with Attorney McMahan explaining that some could be made stricter but not traffic codes. He felt that helmets might could be enforced but as far as tags, there would need to be some licensing mechanism, which he would have to research.

Councilwoman Scott asked how offenders should be reported, with Chief Williams explaining immediately calling with a description and the officer would attempt to locate the offender. He added that we could add more standards and restrictions but having the manpower to enforce would be a problem; also this might not be considered a top priority. Councilman Gilbert agreed that this could be impossible, questioning if we would restrict kids, too, noting that we had more serious crimes.
Since riding two abreast on Mountain Creek Rd. seemed to be a localized problem, Councilwoman Robinson suggested signage.

Jim Folkner of Mountain Creek Rd. was also in attendance with some of the same concerns as Ms. Catlin. Mr. John VanWinkle, Traffic Engineer, was not present; however Mr. Folkner felt that Mr. VanWinkle did have opinions on this issue.

Philip Pugliese, Bicycle Coordinator for the City, explained that State Law was really more restrictive than our City Code and this was the purpose of trying to “mirror” it; that we were trying to bring the City Code up to standard with more restrictions so that our police could do a more effective job.

Chairman Benson determined that we needed more information and input from John VanWinkle and that this should go to Legal and Legislative Committee, with Councilman McGary expressing that we needed input from Councilman Murphy.

**AMEND CITY CODE RELATIVE TO REGULATION OF NIGHTCLUBS**

Attorney McMahan noted that we had gone over this issue several weeks ago and that Councilman Murphy had brought it back for consideration with 500 ft. from portal to portal, which is pretty restrictive; that the Attorney’s office did not get clear instructions from the Council and had put 75 ft. in. Councilwoman Berz felt that we should take a different kind of look at this based on zoning since the issue is quiet enjoyment of a neighborhood; that our laws date back to 1963 and 1968 and there is no reason for us not to be pro-active and take a look at this citywide before we adopt something where “one size fits all”.

Chairman Benson questioned if we were ready tonight, with Attorney McMahan responding that we have nothing ready that is close to Councilwoman Berz’ view—that nightclubs are permitted in a C-2 Zone no matter what part of town, with Barry Bennett adding that C-2 zone deals with most of our “future” issues—however it cannot be retro-active. Councilwoman Berz felt that we should prevent such clubs from re-opening with the same problems. Chief Williams added that one of our biggest problems has been closed, and he did not want this replicated again either.

Councilwoman Robinson questioned if time was of essence, with Councilwoman Berz stating that we were not ready yet, but it should be done quickly. Barry Bennett explained that long-term could be established by a Special Exceptions Permit, which would have the same impact.

Chairman Benson asked if we wanted to postpone this indefinitely, with Councilwoman Berz stating “not indefinitely”. Councilman Gilbert wanted to know how long this would take, with Attorney McMahan stating that it could go to the Planning Commission in August and back to the Council in September.
Mr. Johnson briefly went over tonight’s Resolutions before continuing with next week’s agenda. **Ordinance First Reading (a)** involved a code change dealing with infill lot frontage and deleting flag lot provisions. Barry Bennett confirmed that infill was defined in the Ordinance; that we would do away with flag lots and require variance requests, and we would try to control shoddy development, such as the Morris Hill incident. This Ordinance will allow for more public input.

**Ordinances (b) and (c)** are zoning issues, with Ordinance (c) dealing with Aetna Mountain Rd. Attorney McMahan noted that a letter would be submitted deferring Aetna Mountain indefinitely. **Ordinance (d)** is a closure and abandonment, which will be discussed next week in Public Works.

**Resolution (a)** is a special police appointment and **Resolutions (b) and (c)** will be discussed in Parks and Recreation Committee to follow. **Resolutions (d) and (e)** will be discussed in Public Works Committee next week. **Resolutions (f), (g), and (h)** are for Education, Arts & Culture, with the latter two dealing with the chairlift at Heritage House. **Resolution (i)** is for ductwork at a building located at 332 M.L. King Building for the City’s new data center.

Mr. Johnson went over the two purchases for City-wide Pest Control and purchase of parts and components to upgrade a Bomb Squad Remote Robot. By request of Councilwoman Scott, Paul Page explained why we conduct pest control on a monthly basis and Chief Williams noted that the Bomb Squad Robot was covered by grant funds and was used night before last.

A list of persons in attendance is filed with this minute material.

The meeting adjourned at 3:45 P.M.