

**Captioning Transcript of Parks and Sustainability Committee Meeting -
November 17, 2022**

"Chair Fowler"

Good afternoon. This is the regularly scheduled meeting of the Parks Sustainability Committee. I am Chair Woman Cindi Fowler I am joined today by I thought James Peden but I don't see his camera on councilman Council Woman Purvis Councilman Kevin Triplett Committee Member Holton Stewart, President James Committee Member Marilyn Parker There's Councilman Peden my vice chair, and then we're joined in chambers by Council Woman Nicole George, and Councilman Bill Hollander we've got 2 items on the agenda today, and I'm going to take them out of order. So well, it's not really out of order because it's a special discussion, but the pending legislation will be last.

So, the 1st item is dash 10,606. hundred and six hundred and six Structure in Cherokee park and Jason Canuel is here to give us some information about the structure. Thank you.

"Margaret Brosko"

thanks to Margaret Brosko Assistant Director Parks and Rec the acting director thanks for taking some time out today to allow us to come and talk to you we just wanted to give you an update on the hogan's fountain pavilion more commonly known as the tpp obviously we've had some issues there and just wanted to make sure everybody was up to speed on that is we know that's a very heavily heavily utilized area so

"Chair Fowler"

I apologize because I just read what this said okay look up to see you sitting there

"Margaret Brosko"

No problem at all. So the shelter has been closed since may again, we were, we were made aware of some structural issues and so we blocked the area off while we were doing some structural engineering insight and. Studies to find out exactly what's going on but we did want to just share a little bit of the history of the pavilion with you. The new design goes way back to 1964. that pavilion was completed in 65. Many people remember the horrible tornado that went through Cherokee park in 74 it did damage that pavilion, but it remains standing. There were major repairs made in the late seventies, early eighties. And then if we remember in the recent history, it was designated a local landmark by the historic preservation commission in 2012. two thousand and twelve And then in 2013, um, a group of citizens and supporters teamed up with Metro government to raise some money to do a new roof to ensure the, uh. That was taken care of so we appreciate that support there. So it brings us to today most of that roof.

"Chair Fowler"

Do you know the cost of the roof.

"Margaret Brosko"

D, about 6 almost 6, I'll check my notes, but I believe it was like, between 50 and 60,000.

Metro Government, um.

Provided the majority of the funding for that? Yes. All right. And that brings us to to today we have the results of the.

Structural assessments, and so, with me as Jason Canuel, can you all the assistant director who will speak in detail about the results of those studies?

"Jason Canuel"

And good afternoon, Jason Canuel, with the, with the Parks Department, Assistant Director over engineering and planning.

Um, this this slide is is very important to see, and I hope everybody can see it.

What I want to do is just read a few comments from a structural engineer who did a site assessment, and some destructive testing on what? On what you're seeing here.

So, the picture that shown on the slide is a 2 inch diameter hole that we had cut into the, the steel columns at the base.

Of the TP, there's a total of 8 of these now, back in the when the earlier repairs were done.

In the 70 s and the 80 s there was some wood rot that was made apparent.

Um, on the wooden beams, the arch beams that come down and the solution was discussed back then was to just in case, those wooden beams in steel.

So, what we see today.

In this picture here is the whole that was cut and you're looking in the hole and you're looking all the way to the other side of the steel beam.

Now, what should be in that hole you should see would where the beam was.

But the wood is so rotted it basically has turned to much. I've brought up a sample if anybody wants to see of what the word looks like the.

Does remain inside there, but there is no structural integrity left.

Um, in the 8 base columns.

"Chair Fowler"

Jason, can I ask you what is the gauge of the steel that it was in case the witness in case standing? You know, it's at least quarter inch if not more. Okay. Thank you.

"Jason Canuel"

They're quite substantial.

"Chair Fowler"

And are they buckling under the way? Because the,

"Jason Canuel"

the steel is not.

The word structure above is moving.

On top of the steel basically.

So, and and what I do want to point out is, you know, how did we get here?

How did the problem occurred to begin with the original design of the TP has a series of copper gutters around the base of the roof.

All of those gutter systems drained water directly on top of the wooden beams.

Which is what led to, I guess the early demise and the early evidence of wood rot is just to continue. Every time it rained the water would drain on top of the wooden beams.

So, what I want to do is just read a couple experts from 1 of the engineering, structural engineering reports.

So, would beams have lost their structural integrity and compromise the stability and integrity of the overall structure.

Another another statement, the rot is pervasive, and throughout the steel casing on the majority of the beams. So there's a total of 8 of the beams.

The glue lambs that are that have been wrapped in steel.

Um, the wood beams in the mid section, have significant deterioration.

Deteriorating soft wood can be easily penetrated.

What we have done and I think, and I think 1 of the very last pictures we'll show a lot of the wood that's.

That we could reach with a, with a short ladder, you could basically take a screwdriver and.

Stick through the wood, so it's that it's that widespread.

"Chair Fowler"

Pulp basically

"Jason Canuel"

yes, ma'am. And that they should be in between the Steelcase things. 1 and 2 has severe bow in it. And that's the facial beam or purlin whatever you want to call it. It's the horizontal member between.

The columns and a lot of those.

Are rotting their bode and they're starting to show.

Some fatigue where I guess the weight of the entire structure is basically bearing on those on top of the steel sleeves.

Okay.

And here's a picture where it says the boat facial board, some call that a purlin either, or.

But those are the wooden members that are also starting to fail. The roof is actually moving.

Ever so slightly, but in when 1 spot, we've measured up to a movement of up to about 6 inches.

And that that wouldn't horizontal member. There you see in a picture.

That's 1 of the board members, you can just stick a screwdriver into with very little resistance.

So.

So, that that kind of leads us to.

To get to the conclusion and and what we've done thus far.

Um, we've tried to talk to numerous structural engineers, some rigging experts. Um.

To try to see what it would take to rig the.

The TP to get it to stop moving.

But we're estimating a repair cost anywhere between 900,000 at 1.3Million dollars to repair the structure.

"Chair Fowler"

Okay so can I stop? You can go go back to the last 1 that unless all those shoring and repair is an option. It is. Our opinion that's showing and repairs to the structure would neither be economical, nor preserve the architectural design of the pavilion. architectural design of the pavilion So, I mean, they're saying that it should be demolished. Basically,

"Jason Canuel"

that is an option. Yes. Um, the repairs that would need to be made. We believe would be so drastic. That the original character of what you see there today. Will be completely changed the. The arch beams that come down that have been wrapped in steel. Those are no longer transmitting the load the weight above to the footers. So there's gonna have to be. Numerous vertical supports on the interior of the shelter. In order to support the weight above. Wow.

"Chair Fowler"

Thank you

"Jason Canuel"

so, and again we have talked to some structural engineers, some rigging folks um. And, you know, we're looking to make a repair anywhere between 900,000 dollars and 1.3Million dollars. The demolition cost, um. From 1 of our local demolition contractors is roughly 56,000 dollars. So, to put that into perspective, we had just recently completed a shelter. Near where the TPP is up at Hogan's fountain, the Stegner pavilion and that was roughly about 375,000 dollars. All wood structure as you see in the picture. With today's prices, we would expect that to be somewhere around half a 1Million dollars to. For if we were to replace the TP structure with a similar structure, what you see here,

"Chair Fowler"

would it be around the same square footage? As far as what's the actual sheltered area?

"Jason Canuel"

Would be it would be close. Okay. Yes. Um, can we stop right there? I think we've got a couple of questions We've been joined by Council Woman Armstrong so you have the floor.

"Council Member Chambers Armstrong"

Thank you Madam Chair I have a couple of questions. I know that the community obviously the TPP, which has had is a very beloved structure and I imagine that some folks.

Even hearing that, if we were to try to renovate it, that it might still not nonetheless collapse. I think that's what I hear. You saying, right that even if we were to try to renovate it, there's a chance of an uncontrolled collapse just given sort of where we are with it.

I think some people, none the less, um.

Uh, sort of say, going to a generic sort of pavilion after having this sort of iconic um.

Structure, you know, they're going to feel like it's losing some of the character of the park. And so could you tell me this half a 1Million dollar estimate that's just for sort of a standard.

Pavilion replacement not for anything that would be architecturally sort of similar to what the.

The TP looks like

"Jason Canuel"

well, I mean, if we, if we refer back to the 2010 master plan that was done for Cherokee park, that master plan technically called for the TP to be removed and replaced with something smaller.

More and more in character with Cherokee park.

So, with that being said, you know, if the TP were to be removed and replaced, I think something similar to the Stegner shelter.

That you see here, that would be would be more appropriate for that site.

"Chair Fowler"

Can you do us a favor and share that? Um.

Study or master plan from 2010? With the committee Thank you.

"Council Member Chambers Armstrong"

I also want to say Madam chair if I may have just 1 more question. Thank you. 1 of the concerns that I've had about all of this is when do we initially close? The Hogan certain area was the summertime, right? July

"Jason Canuel"

towards the end of May.

"Council Member Chambers Armstrong"

may okay time flies and as part of closing that understandably we wanted to make sure that we prevented an uncontrolled collapse because of its proximity to a playground but as someone who use that playground and has knows a lot

of people in the community that use that playground that playground has also been closed in large part especially the the one for small children and i believe the swings as well is that yeah so those have been closed since may as well and am i

correct in saying that the

The ground that's closed right now is the only space.

Dedicated to small children for playground facilities in the park.

In Cherokee park I know we have the natural place space, but we don't have anywhere else. That is.

No, for young children.

"Jason Canuel"

You're correct. Yeah.

"Council Member Chambers Armstrong"

That playground and then the natural playground.

Sandy hill? No, not sunny hill.

Benadryl, I'm sorry. Yeah and while I love the natural place space, it's different than having actual playground equipment. And this is the only place that has playground equipment for young children. And so I would ask that regardless, you know, I think that there's.

A decision to be made. Um, I hope that we at least afford the community. An opportunity to feel like they have a say in the process. I know that sometimes they're engineering realities and there are budgeting realities, but I think us making any sort of decision without at least. Letting the public feel like they have the opportunity to weigh in would feel rushed to a lot of folks in the neighborhood. Um, that said.

I do recognize there are a lot of reasons to move quickly.

1, being that this thing could collapse at any moment and the 2nd thing that I think it's really important that we try to get those playground facilities open back up. Because I do think that it's it's tough for families with young kids.

Whenever the only dedicated playground facilities are closed so I'm looking forward to learning more might be back in the queue with some more questions later. Thank you Madam chair.

"Chair Fowler"

Thank you, I'm assuming I was strongly.

"Margaret Brosko"

I did want to say and cheerful, or I did want to say that that public input will definitely be part of the process and also, because it's a historic landmark. It would have to go before the landmarks commission. If it were to be replaced, and then they have a public process as well with those meetings. So the public will definitely be involved in the decisions.

"Chair Fowler"

So, how close is the playground to the.

structure i mean is it that close the proximity that is dangerous if it was to collapse it could hurt someone okay

"Jason Canuel"

yeah what we did with the when we fenced off the area we took the basic hype of the structure

And that is the diameter of circle that we kind of Drew around the shelter. If it worked to fall, assuming it would fall within.

The height of the children

"Chair Fowler"

I see. Okay. Thank you. Councilman Hollander

"Council Member Hollander"

I think he Madam chair and this was just so the public knows and I guess council members also.

In the year end ordinance that the administration proposed, there was money either to renovate or demolish this building. And Monica Harmon told me after that was filed that the.

We really ought to say either renovate or demolished, but if we don't have if we don't have some money for this, we won't be have money to do either of these things. And what you're saying basically. even if we build something like the stagnant structure you're going to need five hundred To 600 closer to 600,000 dollars to demolish the existing structure and to build something like this.

"Jason Canuel"

You're correct yes.

"Council Member Hollander"

Okay. And, you know, I, I hope that I know we're going to talk about all of this, a budget um.

I, I do hope that we.

Preserve a significant amount of money for this. I mean, this is not we're not just talking about this Council Woman Armstrong has pointed out. We're not just talking about.

Not having a shelter we're talking about not having a significant part of the park and it's an important area of the park. That is.

My newsletter it now says the ministries in my areas, their run starts from Hogan's fountain. I'll probably have to explain.

You know, we're not going to go onto the pavilion like we did last year.

This is an extremely having a huge facility in park so we'll continue this discussion. I think a budget Thank you.

"Chair Fowler"

Thank you Councilman Hollander we've been joined by Councilman Mulvihill Um, and then Councilman Triplett is in the queue.

"Council Member Triplett"

With that, thank you, Madam chair and Margaret. Jason, thank you. Both.

Um, so our, our options is really an, a, or B, it's, it's renovate.

Or demolish that's that's it. It's a R. B. correct.

"Margaret Brosko"

That's correct

"Council Member Triplett"

and and Margaret, you were about to touch on on something the other question was if.

Demolition is, is is the decision.

Does does the landmark significance? Does that get in the way.

I mean, you mentioned the public input, which is which is a wonderful needed, uh, piece to this but since it has been designated landmark, um.

I, I would, I would think that might get in the way if demolition was our decision.

"Margaret Brosko"

If that option is selected councilman triplet, then it would have to be a formal proposal to the landmarks commission and you would have to approve.

That I say, option and again.

"Council Member Triplett"

Okay, okay. The dilemma as well as consideration from that public input and the discussion that would take place.

I would guess correct and 1 final thing I mean, we have the numbers right here to consider as far as costs and and and budget but, uh.

We're not really looking at a time frame here. Like, where this I would, I would think that the money and the decision, the process of public input discussion that would really dictate how much time it takes.

But, uh, other than that, we're not really pressed for time other than wanting to get the thing.

Cause it's unsafe, and it affects the playground and other aspects of our park and users.

So, uh, I'm, I'm guessing that would be what helps probably dictates the timeframe on this. Correct?

"Margaret Brosko"

That is correct we would like to make a decision and move forward as quickly as possible for safety concerns.

"Council Member Triplett"

Roger that again yeah,

"Margaret Brosko"

it took a while for the structural engineers, and as Jason mentioned, multiple structural engineers really had to come in and and take a look at it and see what if anything could be done. And so they really invested a lot of time.

And energy, so that we had all the information we needed.

"Council Member Triplett"

Very good. That's all I have. Thank you both. Thank you Madam chair.

"Chair Fowler"

Thank you councilman so I'm wondering if.

It would be possible to possibly get them.

Before the committee to answer for other questions about the structure is that.

Are they are they from out of town? Are they here in Louisville?

"Jason Canuel"

We talk about the structural engineers

"Chair Fowler"

yes

"Jason Canuel"

they're local.

"Chair Fowler"

Okay.

All right, I don't, I don't know that. I just thought that might be beneficial for everybody to understand what's going on Councilwoman Armstrong.

"Council Member Chambers Armstrong"

Thank you Madam chair. Um, just to I just want to make sure that I'm able to communicate to constituents. This park is wholly in my district. Is there a risk that this thing collapses imminently? I mean, I guess there's always a risk, but what is the risk that this thing collapses imminently.

"Jason Canuel"

That that is an unknown at this point, there's not 1 of the structural engineers that could say. Whether or not, it's imminent. Um. Again, it's it's just it's just a. I think the best way to put is just opinions at this point, because there's so much unknown with the structure. It it's it's basically, it's an, it's. Non uniformly loaded structure where you've got. Arch beams a total of 8 that are basically resting on steel sleeves held together at the top by a ring. So, there is really almost no mathematical way to model it. And to figure out what has happened, but what we do have is the visual evidence that it is moving. And,

"Council Member Chambers Armstrong"

yeah, I will say my children climb up those steps, or they used to like, right before we closed it down and I am just horrified, knowing that it was likely already unstable at that point. Um, just so we can understand the cost of waiting or the cost of sort of slow walking this. Do we know. I imagine 56,000 dollars for demolition as if we do it in a controlled way. I imagine if this thing falls takes out the playground. I mean, hopefully it doesn't injure people, but I think that's certainly a possibility as well. What would the, how would the cost of. That factor in, I mean, I imagine those could be potentially huge, right?

"Jason Canuel"

Yeah, I mean, you're talking to the basic cost of 56,000 dollars to take it down, or if it were to uncontrollably fall, say on the playground. To replace that playground, it might be 70 75,000 dollars. Including the swing, so, I mean, it could be a, it could be a. More of an expense than than what we think.

"Council Member Chambers Armstrong"

Okay. Thank you. I gather there's gonna be a lot of community conversations. I know folks love that structure and see it as an iconic part of the park. I know we also have to make sure that we are proceeding in a way that protects the public safety on this and make sure folks can enjoy the amenities, especially the playgrounds there. So looking forward to moving forward in the process. Thank you Madam chair.

"Chair Fowler"

Thank you. So can I ask.

I mean, I'm looking at the underside of the TP and.
What what is the dimensions of those beams? I mean, is that like.
8 by 10, and they're all stacked together. I mean, the weight of that
thing has got to be tremendous.

"Jason Canuel"

It is, I don't know I don't know the exact size of those purlins off off
hand. I really don't.
Oh, they're not your normal 2 by 10 and 2 by 12. there are 4 by tens 46
by 12. they're large,

"Chair Fowler"

right? Yeah.
And you said it was constructed in 1,956,646,

"Jason Canuel"

65 it was completed.

"Chair Fowler"

Okay.
So, and just so I know those steel plates that's half inch steel.
Okay, thank you. Huh.
Okay um, are there any other questions from the committee.
No, okay, well, thank you all for being here and we can put this back on
the agenda 2 weeks or well, I think it's 3 weeks from now. I'd have to
look at the calendar.
And see whether or not, I don't know, would it be beneficial to the
committee to hear from the structural engineers themselves?
Or, do you think we've heard enough information from.
Mr Canuel and Margaret.
Anyone okay, um.
So, I guess we'll play it by here and see, I wanted to say that
Councilman Blackwell has an excused absence as well.
So, thank you all for being here, we appreciate the information, and
we'll be in touch whether or not we need to hear more back from you. I
don't know.
Do you think it would be beneficial to have, like, the committee of the
whole someone else to hear this?
Maybe, yes, I I hear, but I didn't see who was talking.

"Vice Chair Peden"

Councilman Peden, and I can't, I'm on my phone, so I can't I want to
group.
In Webex you have more, um.
Knowing what our, I don't know, the the.
The ordinance we've passed regarding change of use to park facility, et
cetera.
My question is, does the administration does the partner department have
to come back to us to make a decision.
On leave it up and fix it.
Tear it down, because it's not safe and not cost effective. Do they have
to come to us? Or is it strictly a function of, um.
Of just whatever, you know, themselves the new Mayor.
And everybody thinks is the best most cost effective option.

"Chair Fowler"

Well, and I know they're going to have to unless we decide.
In the next in the budget committee to fund this, you know, we could at least fund the demolition and.
You know, but the rest of it, what what is the process? I mean, and now we're going to have to go before the landmarks to even get permission decided

"Vice Chair Peden"

that's for the moment. We have the money for whichever option.
Anybody chooses the money is not the issue. The money should be some of the issue because I heard what Jason said about how much it cost a.
Repair versus right. Um.
But Mike, soon for a moment that.
That we have the money sitting somewhere who gets to make the final decision, or who.
Who do we even get consulted again? And I'm, I'm trying to answer your question about, do we need to have them back? And my question is if the, if we are part of the decision making process.
But, definitely they need to come back if we are not then it would be nice just to inform us what their decision is.
But, you know, and go from there and I don't know the answer either way.

"Chair Fowler"

Either 1 of you all know the answer to that how that's going to work play out.

"Vice Chair Peden"

And I believe this thing is probably beloved enough. There isn't a new mayor anywhere who's going to want to take the blame for tearing the thing down. So it'll definitely come back to us. If that's the option.

"Margaret Brosko"

So currently, yeah, Councilman Peden we currently do not have that money in our budget to do it. So we would either have to.
As you said, counsel and follow the requested 1, that's coming up next in the budget committee, the midterm adjustment, you would vote on that and then if it doesn't, then we still wouldn't have the money.
So we would either have to request additional funding 24 or special.
special
Project and I think Monica's not here, but that would be.
That would be my understanding,

"Chair Fowler"

but what what would be whose decision is it going to be?
That's the question, I think he's wanting to know, you know, money aside.
Whose decision is it? The parks department is going to decide that this is the way to go or.
Do you know

"Margaret Brosko"

well, in this particular case, with the 2nd, option of of.
Replace right the landmarks commission would ultimately make.
That decision because it's a historical landmark.

"Chair Fowler"

Okay but but who is going to be the person that goes to the landmark commission in? Correct?

"Margaret Brosko"

So parks would parks would be the 1 in consultation with.

The administration council and the public.

Right, but parks would be the ultimate 1 they would go before the landmarks commission and, or parks would be the 1 handling the project if it was repaired.

"Chair Fowler"

Okay. But but who is going to say this is what we've decided.

I mean, it is, is you said the administration, you said metro Council, and you said parks, but, I mean, is that going to be a vote on the metro Council? On what we do? I mean, I think that's what you're asking. Is it not Councilman Peden

"Vice Chair Peden"

It is, I mean, she hit it partially on the funding if they end up having to come back to.

That's for funding. We'll make our decision that way if we either approve the funding or we don't.

But, ultimately, they're going to come back and ask for funding.

Before they come back and ask for funding, we're all going to want to know what the final decision is. And that's going. I'm going back to we passed an ordinance regarding golf courses and other uses, for instance, and I want to know if this falls under that in any way.

And if it doesn't and it's, there's no difference between replacing.

This gazebo and replacing a gazebo with me.

Haley, I mean, I know it's cherished. I've, I have driven kids there on field trips with.

They just think it's the coolest thing ever and the big fireplace in the middle and Hogan's fountain nearby and so on. I mean, it is a, I'm going to go with a beloved part of our community, but.

If it's unsafe, it's unsafe,

"Chair Fowler"

so.Councilman Peden, do you think it would be beneficial to have the structural engineer come and give us.

More information it possibly or be at our disposal for more questions 2 weeks from now or whenever the next meeting is.

"Vice Chair Peden"

Again, that's totally up to everybody else. I mean, by the time this thing rolled around, I'm not going to be part of the process so.

I'm just saying in general, if we're not part of the process of this, I mean, if we're going to have to decide whether we're approved.

A 1Million dollars to renovate or 500,000 dollars to dispose of you're going to want more information.

"Chair Fowler"

It's 56,000 to demo and another probably half a 1Million to replace. Is that.

Right. So, um, okay.
Council Woman Armstrong

"Council Member Armstrong"

thank you, Madam Chair. I'm sure I was just going to say under my reading of the law. I think that as the executive branch department vested with overseeing park facilities, that they get to make the decision, but we get to make the funding piece. Right?

And since they get to make the decision in case, we don't get to talk to you all again, which I hope we do. And I hope I certainly plan to be a part of any public engagement processes.

I would also ask that we look at a 3rd option of taking some of the elements from the structure as it exists,

whether it's the side of iconic downstairs or something about it that we could reuse that we could try to it at least sort of engage the public sentiment on instead of building, just a generic.

Replacement pavilion something that could incorporate some of the elements that everyone loves about this facility and I know that might be very expensive, but I hope that we could at least have that be part of the conversation. So thank you all. Thank you, Madam Chair.

"Chair Fowler"

Thank you. So, are those timbers.

Are they structurally are they pop.

As well, that's in the roof, because, I mean, I've, I had thought the same thing that, you know, it would be great if it had to be torn down. To reuse some of those timbers

"Jason Canuel"

it's probably possible. I mean, at this point, we've not gotten.

Paul ladders were a Lyft to get up high just for safety purposes. I wouldn't do it and I wouldn't put any any engineers and architects.

And a lift up with that, presuming.

There's, there's gotta be good wood with, with some of those beams somewhere.

"Chair Fowler"

Okay, well, can you see if they're available at 3 o'clock on the 8th?

The local folks that inspected and to see let me know. Sure. All right.

So, thank you again for being here. We appreciate it and.

"Chair Fowler"

Our next Item

is the camping ordinance and its oh dash two hundred and sixty-three dash two two an ordinance amending sections one hundred and thirty one point zero one hundred and thirty one point zero two hundred and thirty one point zero three is a Louisville Metro code of

ordinances relating to camping on metro property and sections forty-two thirty one hundred and forty two thirty two and forty two hundred and ninety nine of the related to campaign and mental parks and section ninety seven point nine seven two as the

Regarding obstruction of sandbox in public ways you don't have a motion to and untable.

Motion to untable
Motion Peden 2nd Mulvihill
2nd Purvis. 2nd, by Councilman Mulvihill Council Woman George
[Motion by Vice Chair Peden, seconded by Committee Member Mulvihill]

"Council Member George"

Thank you chair at our last meeting, we discussed 3 amendments that attempted to take into account committee discussion and the feedback we received from the community.

I recommend we briefly review those that were presented last time in addition to refinements that have been made in response to last committee meeting.

So, to start, I would highlight in a minute on page 2.

Under public property, we reverted back to the original definition to minimize confusion to our quasi-governmental entities.

And as I recall, there was no discussion or concerns raised.

The 2nd amendment is on page 6.

Under 131 dot protections in the event of finding a risk and the need for relocation essentially what we were doing as reminders. We're giving more time for outreach to get out before.

Location is defined as an appointment by taking a timeframe from 48 hours to 72. and what we did last time was add language that clarified that language that clarified that

40 hours' notice is not required if an area.

Previous, I'm sorry, since we last met, we added language that makes it clear that 48 hours' notice is not required if the area had previously been posted as a no campaign area in accordance with 131.03.

At the last meeting that section, we essentially stepped out a process that requires notification, uh, before anyone is relocated, um, except for again, previous postings, or in the instance of imminent risk.

The 3rd suggested amendment is on page 8.

And this is under the park's code 42 dot 31.

We've added paragraphs on camping and facilities.

Since the last meeting, we added the definition of camping and so it reads.

For the purposes of this subsection campaign shopping, the use of a park location for temporary living accommodation purposes by the occupation, or habitation of the park location.

Through the use of temporary shelters and or motor vehicles.

Previously, it said recreational vehicles and you'll recall a conversation and a suggestion that that be changed to include motor vehicles.

Under facilities that sections as no person shall prevent.

The shared use of a park's facility and since we have drafted this language, I believe parks has suggested that we also include assets. And there may be some discussion on that.

But essentially it would just say, no person shall prevent the shared use of parks facilities.

Slash assets, they would otherwise be open to the public.

We also in the sections specify that the penalties are civil.

And should be no less than a dollar and no more than 5 dollars.

Finally, and we didn't discuss this last time, but under section 9,707 2.

Was previously titled blocking sidewalks and is now titled personal property, obstructing pedestrian traffic on public ways. What we have done is we have attempted to clean up. Oh, that was unconstitutional and was allegedly not been enforced. With the updated language, we're making storage of personal property that substantially impedes the flow of pedestrian traffic. A civil violation. And that allows for due process for possessions. Ideally, this will give LMPD another tool beyond the which we heard they are able to enforce. But we also know is a misdemeanor so. Those are the 4 amendments. That I would propose, and I'm looking over at I know Alice Lyon is with us today. I don't, I'm going to see her. Now she was with us was remember

"Alice Lyon"

Council Woman George. Can you hear me?
Yes, yes. Okay. I'm on the call.

"Council Member George"

Did I miss anything in the way of amendments?

"Alice Lyon"

I don't believe you did, and I wanted to specify that on the new. Personal property, obstructing pedestrian traffic on public ways. You had said it was a civil offense. And actually, I wanted to clarify that there's no penalty in that section. Now. The property gets moved and stored, but there's not. A fine,

"Council Member George"

thank you. That is an excellent distinction. I guess what I mean to say is there's another tool or process beyond the carriers that we previously discussed that carries a penalty of a misdemeanor.

"Chair Fowler"

So, can I clarify where the motor vehicle. As opposed to recreational vehicle is. And I thought Alice had said it was at the top of page 9, but I'm looking at. And don't see that Alice

"Alice Lyon"

in the, the ordinance. I, I'm not sure if it if I've got the the latest version, because I'm on the road, but it would be around page 8 or 9 in section. 5. Subsection. D. part 1. The very last line of that D1 piece is where. The word recreational vehicle did appear, and now it's motor vehicles.

"Chair Fowler"

Okay, all right is that part of an amendment right?
Okay. All right so, um.

How do you propose doing the amendments? 1 at a time.
Or is this a blanket?

"Hollie Hopkins"

I believe the county Attorney's office had a suggestion because I spoke with how I'm sure can I speak on amendment?

"Chair Fowler"

Yes. Yeah. I haven't forgot about you.
Councilman Hollander I was deferring to, you had something to say.
I think councilman Hollander chair yeah, if you would prefer to go ahead and speak 1st, you're welcome to.

"Council Member Hollander"

Okay, so, yeah, and I think I did want to speak about this park section, because I think there continues to be some confusion about this.
And and I will say there have been improvements.
To this ordinance as we've gone along, but I think the addition of.
Motor vehicles here is really a new and disturbing step backward. So, in the email we got from Hollie today.
She has said the highlighted language replaces recreational with motor to clarify that. No sleeping in. Any type of vehicle is allowed in a park after hours without a permit and that's not correct.
In fact, it's not allowed at any time in a park, because that's what we did with the camping section. We have said.
It shall be unlawful for any person to camp in any metro park at any time of day without a permit. So we no longer have a, you can't be in a park at night.
And now we're saying that camping and there was analysis in response to a question. Last week. Alice said.
There was no definition of camping.
So, a definition of now has now been added.
Which includes for the purposes of this section campaign shall made the use of a park location for temporary living accommodation purposes.
By the occupation or hesitation of the park location through the use of temporary shelters.
And are motor vehicles, so we've now essentially said not essentially we have said.
If this passes it, if anybody caught sleeping in a park in a car at any time of the day is a violation.
And I, I don't understand that. I mean, I'm in a park pretty much every day.
Ah, it is not unusual to see somebody during the day sleeping in their car.
Is that really what we're trying to say that if you happen to go to sleep in your car during the day in a park.
You violated the law

"Chair Fowler"

So, my intent was that it'd be used as a.
A camping shelter at a motor vehicle, or a recreational vehicle would be considered a camping shelter.
And I, maybe that got missed in the translation.
I'm not sure. All right. Councilman Mulvihill did you have? I can.

"Committee Member Mulvihill"

I can speak to that and I think the thought of it was motor because motor vehicles or anything after hours can't be there.

And so, I think that that was the intent I did talk to the county attorney about that and that was the intent is it's after hours.

So, no, I don't think the intent anybody sleeping in their car during the day, but certainly you can't have your car there at night and be in it because you have camping or I mean parks are so, that was the thought of using the term motor vehicles.

I'm not sure about the term recreational vehicles because we don't. Prohibit motor vehicles on a roadway if people were sleeping all hours for the night, but we do in parks. And so that was the distinction. If you look at the term camping.

You can see that the term camping was just lifted generally from the definition and the ordinance, which talked about recreational vehicles, but we don't allow recreational vehicles to be parked anywhere and you can sleep at them. And so that was sort of the distinction.

But that was what was intended so if we need to, I understand, I understand that. I understand what you're saying. And if we need to qualify it, we can qualify.

But that's not the intent at least not mine.

"Chair Fowler"

So, what's your suggesting Councilman Mulvihill,

"Committee Member Mulvihill"

I mean, you can't be there after you can't be there when you can't be in your vehicle after dark.

All right, I mean, at when the ports closed, whatever time those are, and that's the other thing that's kind of.

Unique about our park system. I don't think there is a standard top. I think certain places are closing.

"Chair Fowler"

Down to desk, right but is that correct?

"Committee Member Mulvihill"

I think if the parks people are there, they're posted ours and other places I believe, but maybe I don't want to I don't want to.

Speak for us, Margaret Brosko. Can you please remember?

"Alice Lyon"

This is Alice. May I interrupt for just a 2nd?

"Chair Fowler"

Yes, ma'am.

"Alice Lyon"

I I have 2 points to make to council member holidays point about napping in a part.

The definition of camping that has been added.

Has the phrases temporary living accommodation.

Occupation or habitation, it would be a judgment call about whether I'm a nap would qualifies temporary living accommodation. Um, so we might be able to come up with language that would.

Find the difference between a nap and.

Using it as a living space, and then about the park closing hours.

Um, if you look in the very next section below the section that we've been discussing 4232, that's got the closing hours for the park is 11 0. P. M. to 6 am. And it already discussed this vehicles. There.

It says that there's an exception for non, stop through traffic only. through traffic only

So, if your car we stopped or park.

During the hours between 11, 0, PM and 600 am that's addressed and 4,232. Okay, thank you for that.

"Chair Fowler"

Okay. Uh, we've been joined by Councilman Arthur
Okay, so yes, Councilman Mulvihill.

"Committee Member Mulvihill"

So, I guess if it takes care of that, then motor vehicles can't be in the park other than cutting through, after dark.

Do you need the do you even need dimension motor vehicles then? I mean, in that in that provision.

Above as camping for any type of vehicle.

"Chair Fowler"

Council woman, George do you have?

"Committee Member Mulvihill"

I was asking the county attorney. I'm sorry? Madam chair.

"Chair Fowler"

Okay. Alice

"Alice Lyon"

Council Member Mulvihill I think it would depend on whether there are. People using a vehicle as a temporary living accommodation inside a park.

"Chair Fowler"

Which I have in my district instances.

"Committee Member Mulvihill"

Sorry, so, in this instance, then you would recommend keeping the definition of motor vehicle to.

Um, and B, as part of camping, because this is something that somebody can do on a roadway, but can't do in a park, because it can't be in the park after dark. Correct?

"Alice Lyon"

Um, Living in vehicles inside the park.

Mm, hmm yes. If if that's the.

The action that you want to prohibit, then motor vehicle does that.

But thank you, but whether that that's a policy decision about whether that's what you want to capture in the language,

"Committee Member Mulvihill"

Thank you.

"Chair Fowler"

Thank you. Councilman Hollander did you have anything further?

"Council Member Hollander"

Yeah, let me just elaborate a little bit here. I mean.

There are people throughout the community.

Who live in cars, because they don't have any place else to live.

And so I understand if we're at 4232 that talks about how you can't be in a park in a vehicle.

Except driving through during the overnight hours has been there forever.

This is not something that we're changing, but to me to now and.

And motor vehicles as a definition of camping and to say, well, maybe if you're napping in a park, that would be okay, but if you're if it's a temporary living accommodation, I mean,

I don't know how the police officers would know. So, are you.

Are you just napping or do you, is it your temporary living accommodation? Do you have someplace else to live? So, are we going to just enforce this against people who are homeless? I mean, it just doesn't make any sense to me.

And so I don't understand why we're doing here and I, and I think this just really makes this ordinance worse.

I, if we don't want people to.

Uh, to be in a park in a vehicle overnight, it is already covered in the law.

"Chair Fowler"

Council Woman Armstrong,

"Council Member Armstrong"

Madam Chair my questions were about a different section of the ordinance if you'd like, I'll hop out of line and defer and hop back in when we finished at this point.

"Chair Fowler"

Thank you. All right.

Thank you and Councilman Arthur,

"Council Member Arthur"

thank you. Customer salaries calendar raise. Most of them are concerns about the sleeping in cars piece.

I'm just curious from the, the CO sponsors. Have we seen concerns with people sleeping in their cars at parks?

Obviously, if you're asleep to anyone's safety, but I'm just curious what kind of concerns have we seen with people sleeping in their cars that prompted this.

"Chair Fowler"

I have 2 instances of someone sleeping in their SUV in a park.

In my district, and it's every day and he's there all night long. Um.

So, you know, I just it's a problem and I, I get lots of calls about it. You know, enforcement's another. Oh, how new subject, but, um. You know, it is a problem in my district and I'm venture to say it is elsewhere. Council President James.

"Council President James"

Thank you, Madam chair. I just wanted to respond to announcement. Arthur's question. I have a park also, a couple parts that have that issue where people are living in their vehicle and carrying out their drug usage and defecating on the parking lot and sidewalk right there in the park and leaving their syringes there where the children are playing and so, it's it's quite a problem quite. Frankly, and and the, the neighbors get very concerned about it because their kids can't go over to the park to play because of it. The enforcement issue, it's a whole different topic, but that issue does play out in parks that I have in mind district.

"Chair Fowler"

Thank you President James,
Council Woman George

"Council Member George"

Thank you. I would agree. I mean, it does come up. We have 2 parks in particular where we routinely get calls about people sleeping in the park and it could be during the day. It's not just relegated to nighttime activities. Um, I think the thinking here is if you're not able to currently camp in a park at any time of the day um, why would that be extended to a vehicle? And I think the risk. Goes back to part of what we heard previously from President James, which is again around the idea of. And supported needs that occur when when lives in their car, and that's seated in a park Thank you.

"Chair Fowler"

Thank you Council Woman Purvis

"Committee Member Purvis"

I was just going to make the comment that. Regardless of if, you know, with this amendment, um, the real issue is enforcement. As I say, a lot of activities take place in the parks close to my home. The real issue is lack of enforcement. So, until. We get a handle on that things are going to continue to happen.

"Chair Fowler"

I think we're, we're all aware of that. Thank you. Um. Okay, so we have got. I'm sorry. Oh, okay. Sorry. Uh, Councilman Arthur,

"Council Member Arthur"

I was just going to follow up on the responses. All of those issues. The root cause of those aren't people. Sleeping, essentially the sleeping, even beyond the fact that there isn't a place for people to go the family shelters have weeks in some cases months. Long waitlist. I just heard a story yesterday about a single mother with her kids sleeping in a car, and I hear your concerns, but a 1 size fits all solution to those specific issues that are enforcement issues doesn't seem appropriate. Depend on everybody in the entire city. Thank you,

"Chair Fowler"

thank you Council Woman Holton Stewart

"Committee Member Holton Stewart"

I'll just be very brief, uh, to have examples of sleeping in cars in the park. I can think of this past summer, having a week long. Um. Tennis camp at park, where every morning, um, there were there were 2 cars that were in the parking lot. Um, and they were set up to to sleep there overnight and stay there all day. And there were some, there was lots of trash involved. but in the same term um i am with Councilman Arthur here that i mean there needs to be you know a long term solution to this and this is I'm not sure that that we are necessarily, um. Set up to, we aren't set up to take these homeless individuals and there's no not. The shelters are full. So I'm not sure what exactly what the solution is. But so there's obviously 2 sides to this story, and I'm very torn on on this particular part of this ordinance. Thank you.

"Chair Fowler"

Okay and so, since we're out of time, we just want to table till December. 8. Or, do you think we have time to, um. Vote on these amendments before I. At the mercy of whoever has the next. Meeting is that you Councilman Arthur. You got a time. I'm sorry no time. No time. Okay, now here motion to table, please. I like to make a motion to table this please. I have a 2nd hold on so. [Motion by Committee Member Purvis, seconded by Committee Member Holton Stewart] Thank you so it's tabled and we will. Take up the discussion again on December the 8th, all those in favor say, aye. Okay, so we, we got a couple of things before so on the 8th and. We're running out of time people, so thank you all for being here today. And with that, we are adjourned.