URBAN COUNTY COUNCIL

WORK SESSION SUMMARY

& TABLE OF MOTIONS

September 1, 2009

Mayor Newberry chaired today's work session meeting. All Council Members were present.

I. Public Comment – Issues on Agenda-No

II. Requested Rezonings / Docket Approval-Yes

A motion by CM Gorton to place on the docket for Thursday, September 3, 2009 a resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Change Order to the contract with Wilbur Smith & Associates for the Urban County Government Wayfinding Program to extend the existing contract for completion of Construction Drawing at a cost not to exceed $140,742.52 and appropriating funds pursuant to schedule No. 0064, seconded by CM Martin, passed without dissent.

A motion by CM Stinnett to approve the amended docket, seconded by CM McChord, passed without dissent.

III. Approval of Summary-Yes

A motion by CM Henson to approve the summaries for August 18 and 25, 2009, seconded by CM Myers, passed without dissent.

IV. Budget Amendments-Yes

A motion by CM Henson to approve an 11th District Council Capital Project expenditure, seconded by CM Gorton, passed without dissent.

A motion by CM Myers to approve the budget amendments, seconded by CM Gorton, passed without dissent.

V. New Business

A. Authorization of an Amendment to the First-Time Homebuyers Program Agreement with REACH, Inc. (525-09) (P. King/O'Mara)

B. Authorization to Accept Award from the US Department of Homeland Security, Federal Emergency Management Agency (FEMA) on Behalf of the

Department of Public Safety, Division of Fire and Emergency Services. (526-09) (P. King/Bennett)

C. Authorization of an Additional Software License Agreement with New World Systems® on Behalf of the Department of Public Safety, Division of Police. (527-09) (P. King/Bennett)

D. Authorization to Accept an Award from the Kentucky Justice and Public Safety Cabinet, Kentucky State Police (KSP) for *Ticketing Aggressive Cars and Trucks* (TACT) Program. (530-09) (P. King/Bennett)

E. Authorization to Submit Application to the Kentucky Department of Military Affairs, Division of Emergency Management (KYEM) on Behalf of the Department of Public Safety, Division of Emergency Management (DEM) / 911 Regarding the Lexington-Fayette County Hazard Mitigation Plan. (532-09) (P. King/Bennett)

F. Authorization of a Memorandum of Understanding (MOU) Support Agreement with the Department of Veterans Affairs (VA) on Behalf of the Department of Public Safety, Division of Police Regarding Jurisdiction on VA Property. (528-09) (Bastin/Bennett)

G. Authorization to Accept a Cash Donation from Columbia Gas of Kentucky on Behalf of the Department of Public Safety, Division of Fire and Emergency Services. (529-09) (Hendricks/Bennett)

H. Authorization to Proceed with the Annual Urban Service Legal Process for 2009. (531-09) (Webb)

I. Authorization of a Modification to Memorandum of Agreement (MOA) for Operations and Maintenance of Traffic Signals and Electrical Traffic Devices on the State Primary Road System with the Kentucky Transportation Cabinet (KYTC) on Behalf of the Department of Public Works and Development, Division of Traffic Engineering. (535-09) (Herrington/Webb)

J. Authorization of Change Order No. 1 to Contract with Denham-Blythe Company, Inc. Regarding the Lyric Theatre and Cultural Arts Center Renovation and Addition Project. (536-09) (Rabold)

K. Authorization for Mayor to Sign Future Change Orders, if needed, Regarding Contract with Denham-Blythe Company, Inc. for the Lyric Theatre and Cultural Arts Center Renovation and Addition Project.. (533-09) (Rabold)

L. Authorization to Amend Section 22-5 of the Code of Ordinances within the Department of Environmental Quality, Division of Water Quality. (534-09) (Allen/Taylor)

A motion by CM Gorton to change the word on item "K" from quarterly to monthly, seconded by CM Beard, passed without dissent.

A motion by CM Gorton to approve new business items A-L, seconded by CM Stinnett, passed without dissent.

VI. Continuing Business / Presentations-Yes

A. Water Resource Oversight Committee Update

This update was given by CM Blues.

B. Budge & Finance Committee Update

This update was given by Chair CM Stinnett. There was 1 motion to come forward. Some CMs asked questions.

A motion by CM Stinnett directing Commissioner Taylor to pursue a study and analysis of fee based services in waste management, seconded by CM Myers, passed without dissent.

A motion by Lane to correct the Budget & Finance minutes in the 1st paragraph on pg. 39 to read"…$25.545 million." And in the 7th paragraph on pg. 39 to read "…price of $150K", seconded by CM Stinnett, passed without dissent.

C. River Cities Project

This presentation was given by Dr. Michael Speaks, Dean of the University of Kentucky College of Design. Several CMs asked questions.

D. Ad Valorem Approval

This presentation was given by Interim Comm. Bill O'Mara. Several CMs asked questions.

A motion by CM Lane to approve the Ad Valorem rates as proposed and include the other taxing districts, seconded by CM Stinnett, passed with a 9-5 vote.

VII. Council Report

CM Crosbie-Reminded administration that during the Public Safety links, it was requested that Fire submit quarterly updates.

CM Gorton-A motion by CM Gorton to approve the NDF list, seconded b CM

Lawless, passed without dissent.

CM Lawless-A motion by CM Lawless to place on the docket for the Council Meeting of September 3, 2009, a resolution imposing a moratorium on the issuance of building permits for additions on residential structures in excess of 25% of the existing square footage of the structure in residential zones, unless the proposed addition would result in a final structure totaling 1500 square feet or less, within the Urban Service Area for one year or until the Council takes final action on possible amendments to the text of the Zoning Ordinance or map amendments, whichever event occurs first, for the purpose of allowing time to study existing regulations for residential zones an consider amending such regulations or adopting map amendments to protect the character of existing neighborhoods within the boundaries of the Urban Service Area, seconded by CM Gorton, then had a motion to table by CM Lane but that motion failed for lack of second. The vote was tied and the Mayor broke the vote by voting for the moratorium. The motion then passed by an 8-7 vote.

Several CMs spoke to this issue.

A motion by CM Lawless to place on the docket for the September 3, 2009 Council Meeting an ordinance to create Section 5-29.3 of the Code of Ordinances to establish the following additional penalties to be assessed for the failure to obtain a building permit, certificate, or letter pursuant to the following sections of the Code, all effective October 1, 2009: (1) as being additional and equal to the amount of the original relevant fee, but not less than five hundred dollars ($500.00) for Sections 5-29(1) through (9), (14), and (15), section 5-29.1, section 5-32 and section 5-67 of the Code of Ordinances; and (2) as being additional and equal to the amount of the original relevant fee for Sections 5-29 (10), (11), (12), (13), (16), and (17) of the Code of Ordinances, seconded by CM Henson, passed without dissent.

A motion by CM Lawless to refer the issue of residential additions to the Planning Committee, seconded by CM McChord, passed without dissent.

CM Lawless also asked for an update on the S. Limestone project at next week's work session.

CM McChord-Announced the Copperfield NA meeting on 9/14/09 at 8 pm; thanked Mayor Newberry for announcing that UK Extension will be the presenting sponsor for 2nd Sunday and Windstream will be a

community sponsor; sent heartfelt sympathy to LFUCG employee Jimmy Caudill's family for his tragic accident.

CM Henson-A motion by CM Henson to refer to the Planning Committee a review of the permits issued to mobile food vendors to limit operating hours, identify vendor by physical address of operation, and to limit the length of time the vendor may remain in operation at the location, seconded by CM McChord passed without dissent.

CM Martin-Announced that tonight is the last night of the Southland Jamboree; on 9/8/09 at 6:30 pm at the clubhouse, Beaumont NA will meet; Saturdays at 10-2, Farmer's Market on Southland drive; on 9/8/09 Southland Merchants Assoc Board will meet at 8 am at the Bank of the Bluegrass.

CM Feigel-Gave kudos to the city staff and Parks for everything done for Picnic with the Pops-Tom Minter and Penny Ebel; thanked sponsors who gave table decorations-Frankie & Annette's and Spindletop Hall; reported that she and CM James completed training in KY Institute of Econ Dev; on 9/12 at 2-4 pm, Kenwick NA will hold their centennial party; 9/13 at 3 pm Fairway NA ice cream social; on 9/20 Castlewood NA meeting, location to be announced; on 9/27 at 7 pm Kenwick NA will vote on the new park design.

CM James-Announced Roots & Heritage Festival events.

CM Stinnett-Sent condolences to Jimmy Caudill's family; welcomed new business, Hikes, to community; announced Andover Forest NA on 9/8 at 6:30 pm at Crossroad Christian Church; stated there was another sewer line break.

CM Beard-Announced the Lansdowne NA annual picnic on 9/14 at 6-8 pm at the Signature Club; if rain, Frankie & Annette's will be able to accommodate.

VIII. Mayor's Report-No

Mayor Newberry thanked Dewey Crowe, Dir. of Building Inspection, and Chris King, Dir. of Planning, for their work on the moratorium; also stated that he received documents today requesting a TIF for the Angliana Ave project.

IX. Public Comment-Issues not on the agenda-Yes

Citizen, Lewis Cobb, spoke.

A motion by CM Stinnett to adjourn, seconded by CM Myers, passed without dissent.

Work session was adjourned at 6:39 pm.