URBAN COUNTY COUNCIL

WORK SESSION SUMMARY

& TABLE OF MOTIONS

September 15, 2009

Mayor Newberry chaired today's work session meeting. All Council Members were present, except CMs Myers and Martin.

I. Public Comment – Issues on Agenda-Yes

Several citizens spoke about the South Limestone St Project.

A motion by CM Lawless to approve extending the speaking time of Joe Graviss by 3 minutes, seconded by CM Beard, passed without dissent.

II. Requested Rezonings / Docket Approval-Yes

A motion by CM Blues to place on the docket for Thursday, September 17, 2009 a resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Location Parking Agreement with Fast Track Productions, Inc. for parking at the LFUCG Training Pad for the sum of $1,500, seconded by CM Crosbie, passed without dissent.

A motion by CM Lane to place on the docket for the September 17, 2009 Council Meeting a resolution ratifying the Dept. of Law's execution, on behalf of the Lexington-Fayette Urban County Government, of a Settlement Agreement and any other necessary settlement documents, in Kentucky Public Service Commission Case No. 2009-00141, pertaining to the rates of Columbia Gas of Kentucky, Inc. was tabled by a motion from CM Gorton and second by CM James; A motion by CM Lane was made to take the PSC Rate motion from the table and place it back on the docket was seconded by CM Feigel. The original motion failed by a 6-7 vote.

A motion by CM Crosbie to approve the amended docket, seconded by CM Gorton, passed without dissent.

III. Approval of Summary-No

IV. Budget Amendments-Yes

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

V. New Business

A. Authorization to Accept Forest Spring Court into the Public Right-of-Way. (537-09) (Webb)

B. Authorization to Amend Sections 5-29 and 5-31 of the Code of Ordinances Regarding Permit Fees. (538-09) (Crowe/Webb)

C. Authorization to Accept Deeds of Permanent Easement from Recorded Property Owners for the Legacy Shared Use Trail Project. (552-09) (Rayan/Webb)

D. Authorization of an Agreement with the Fayette County Commonwealth Attorney's Office for Provision of the *Fast Track* and the *Major Violator* (Repeat Offender) Prosecution Programs under the Street Sales Drug Enforcement Project – FY2010. (540-09) (P. King/Bennett)

E. Authorization of an Agreement with the Fayette County Commonwealth Attorney's Office under the Recovery Act Justice Assistance Grant (JAG) Program. (557-09) (P. King/Bennett)

F. Authorization to Amend Section 22-5 of the Code of Ordinances within the Department of Public Safety, Division of Community Corrections. (543-09) (Allen/Bennett)

G. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Public Safety, Division of Code Enforcement. (544-09) (Allen/Bennett)

H. Authorization to Amend Section 22-5 of the Code of Ordinances within the Department of Public Safety, Division of Police. (545-09) (Allen/Bennett)

I. Authorization to Accept a Donation from the Friends of the Mounted Police, Inc. on Behalf of the Department of Public Safety, Division of Police. (553-09) (Bastin/Bennett)

J. Authorization to Submit Application to the Kentucky Division of Emergency Management (KYEM) on Behalf of the Department of Environmental Quality, Division of Water Quality, under The Department of Homeland Security, (DHS), Federal Emergency Management Agency (FEMA), Hazard Mitigation Grant Program (HMGP). (541-09) (P. King/Taylor)

K. Authorization to Amend Resolution No. 284-2009 on Behalf of the Department of Environmental Quality, Division of Water Quality, Regarding the Sugar Mill Mitigation Project. (556-09) (P. King/Taylor)

L. *Authorization to Renew the Engineering Services Agreement with Tetra Tech, Inc. for Annual Program Environmental Protection Agency (EPA) Consent Decree Implementation for FY2010. (542-09) (Martin/Taylor)

M. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Environmental Quality, Division of Environmental Policy. (548-09) (Allen/Taylor)

N. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Environmental Quality, Division of Waste Management. (549-09) (Allen/Taylor)

O. Authorization of Change Order No. 2 to Contract with Denham-Blythe Company, Inc. Regarding the Lyric Theatre and Cultural Arts Center Project. (547-09) (Milward/Rabold)

P. Authorization of a Contract for Outdoor Lighting Service with Kentucky Utilities Company on Behalf of the Office of the Mayor, Division of Special Events – Phase 10. (555-09) (Ebel/Rabold)

Q. Authorization of an Agreement for Professional Services with Simon and Company, Inc. for 2009 – 2010 Federal Affairs Assistance on Behalf of LFUCG. (558-09) (Sheehy/Rabold)

R. Authorization to Advertise the Position of Administrative Specialist Senior in the Department of Public Works and Development, Division of Building Inspection, within LFUCG. (551-09) (Allen/O'Mara)

S. Authorization to Amend Resolution No. 440-2009 on Behalf of the Department of Social Services, Division of Family Services, Regarding the Financial Audit of the Family Care Center Health Clinic by Blue & Company, LLC. (554-09) (Hendrix/ Helm)

T. Authorization of a Sponsor Agreement for Volunteer Income Tax Assistance (VITA) under the Central Kentucky Empowerment Project (CKEEP) and Civil Rights Assurance with Internal Revenue Service. (559-09) (Helm)

A motion by CM Blues to amend the draft ordinance for Section 5-31 of the Code of Ordinances to not be deleted, seconded by CM Gorton, passed without dissention.

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

A motion by CM Stinnett to go into closed session pursuant to KRS 61.810(1)(c) for the purpose of discussing pending litigation, seconded by CM McChord, passed without dissent.

A motion by CM Blues to go back into open session, seconded by CM Ellinger, passed without dissent.

VI. Continuing Business / Presentations-Yes

A. Services Committee Report

This report was given by Chair CM Ellinger. There were 2 motions to come forward.

A motion by CM Ellinger to direct the law department to draft an amendment to the ordinance dis-allowing slaughter of livestock, not including fowl within the urban service boundary without a permit, seconded by CM Gorton, passed without dissent.

A motion by CM Ellinger directing the law department to draft an amendment to article 17-6: Permitted Signs In all Zones changing wording: from and to or, seconded by CM McChord had a friendly amendment added regarding neighborhood signs: shall not exceed ten (10) signs and change not more than ten (10) prior to seven (7) days prior, had another friendly amendment added: two (2) business days instead of five (5) days of the event, passed without dissent.

B. South Limestone Construction Update

This update was given by George Milligan, Project Manager and Comm. Mike Webb. Some CMs asked questions.

VII. Council Report

CM James-Asked Code Enforcement Director David Jarvis to come forward to give an update on the building that collapsed on Race St;

A motion by CM James to approve the NDF list, seconded by CM Ellinger passed without dissent.

CM Stinnett-Announced the Eastland Parkway NA meeting on 9/22 at 6:30 pm; asked for a clarification in HR process for applying for positions-is it online, paper, or either-the answer was given that it should be either.

CM Blues-Announced several neighborhood association meetings: tonight at 7 pm-Western Suburb; tomorrow night at 6 pm-Woodward Heights picnic;

on 9/17 at 7 pm-Speigle Heights; on 9/19 at 10 am at 642 W Main St-highway marker dedication; on 9/17 at 2 pm-Highlands picnic; and on 9/21 at 6:30 pm-Winburn meeting.

A motion by CM Blues to approve having a confirmation hearing on 10/1/09 at 6 pm for the Commissioner of Finance nominee seconded by CM Ellinger, passed without dissent.

CM Ellinger-Congratulated CM McChord on his participation in a marathon over the weekend; announced the Juvenile Diabetes walk on 9/18/09; also announced that next Saturday at 5:30 pm there will be a Fall Fling at McConnell's Springs.

CM Feigel-Stated that there is still a difficult issue in the Chevy Chase area because of the parking issue; former CM Bill Farmer spoke on this issue.

A motion by CM Feigel to place the Chevy Chase parking issue into the Services Committee and have administration speak with the Parking Authority about delaying the removal of the old meters, seconded by VM Gray, passed without dissent.

CM Lawless-Announced the Elizabeth St NA meeting tonight at 7pm; mentioned the Gallery Hop on this Friday night; announced that merchants on S. Limestone will be having festivities there this weekend; spoke about the tragic murder this past weekend in the district-to promote healing, there will be a block party on S Walton at 6:30-8:30 pm on this Thursday.

VIII. Mayor's Report-Yes

Mayor Newberry gave a follow up to the Gallery Hop that was mentioned by CM Lawless; announced that there will be a neighborhood summit on 9/24/09 at 6:30-9 pin Council Chambers-to prepare for H1N1; Joe Kelly gave update on TIFs.

A motion by CM Blues to approve the Mayor's Report, seconded by CM Ellinger was never voted on.

A motion by CM McChord to hear the Angliana Ave TIF at a COW, seconded by CM Lane, passed by a 7-1 vote.

A motion by CM Lawless to approve from this day forward anyone applying for a TIF be made aware up front what the costs to the developer would be for applying for the TIF and the consultant fee and they would be expected to pay for it, seconded by CM Lane, passed without dissent.

A motion by CM James to substitute a motion for CM Lawless' motion to discuss this fee at the Special COW meeting to be had, seconded by CM Feigel, passed by a 7-1 vote.

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

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

Work session was adjourned at 6:40 pm.