URBAN COUNTY COUNCIL

WORK SESSION SUMMARY

& TABLE OF MOTIONS

October 13, 2009

Mayor Newberry chaired today's work session meeting. All Council Members were present except CMs Feigel and James.

I. Public Comment – Issues on Agenda-Yes

Citizens, Frank Harscher and Robert Morris, spoke on S Limestone St. Project and citizens, Billy Smith and John Paul Miller, spoke on commercial real estate signs.

II. Requested Rezonings / Docket Approval-Yes

A motion by CM Blues to place on the docket for the Thursday, October 15, 2009 Council Meeting, a resolution authorizing the submission of an application to the Kentucky Energy and Environment Cabinet for continuation of the litter abatement grant funding program, seconded by CM Gorton, passed without dissent.

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

III. Approval of Summary-Yes

A motion by CM Blues to approve the summary from October 6, 2009, seconded by CM Henson, passed without dissent.

IV. Budget Amendments-Yes

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

V. New Business

A. Authorization of a Memorandum of Understanding (MOU) with the Kentucky Institute for International Studies (KIIS) on behalf of the Department of Public Safety, Division of Police. (600-09) (Bastin/Bennett)

B. Authorization of a Subrecipient Agreement with the Fayette County Sheriff's Office for Disbursement of Grant Funds under the 2009 Recovery Act

Edward Byrne Memorial Justice Assistance Grant Program. (601-09) (P. King/Bennett)

C. Authorization of a Subrecipient Agreement with the Fayette County Attorney's Office for Disbursement of Grant Funds under the 2009 Recovery Act Edward Byrne Memorial Justice Assistance Grant Program. (602-09) (P. King/Bennett)

D. Authorization of a Modification to an Agreement Offered by the Kentucky Office of the 911 Coordinator / Commercial Mobile Radio Service (CMRS) Board for the Central Kentucky Enhanced 911 Wireless Network. (603-09) (P. King/Bennett)

E. Authorization to Submit a Grant Application to the US Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA) on Behalf of the Department of Public Safety, Division of Fire and Emergency Services. (612-09) (P. King/Bennett)

F. Authorization to Amend Section 22-5 of the Code of Ordinances within the Department of Public Safety, Division of Police. (604-09) (Allen/Bennett)

G. Authorization to Change Street Names and Individual Address Numbers within Various Council Districts for the Enhanced 911 System. (611-09) (Lucas/ Bennett)

H. Authorization of Change Order No. 2 to Contract with Woodall Construction Company, Inc. Regarding the Southend Park Redevelopment Temporary Housing Project for the Newtown Pike Extension Project. (606-09) (P. King/ Webb)

I. Authorization of Change Order No. 2 to Contract with CMH of Kentucky, Inc. (d/b/a LUV Homes #853) for the Newtown Pike Extension Project. (607-09) (P. King/Webb)

J. Authorization to Transfer Ownership under the License Agreement with The Cincinnati, New Orleans and Texas Pacific Railway Company and the Progressive Capital Group, LLC for the Installation of Sanitary Sewer Pipe. (613-09) (Rayan/Webb)

K. Authorization of Change Order No. 2 to Contract with Strand Associates, Inc. Regarding the Legacy Trail Project. (615-09) (Rayan/Webb)

L. Authorization of a Rental Agreement with the Lexington Center Corporation on Behalf of the Department of General Services, Division of Parks and Recreation for the Kiddie Kapers Program. (589-09) (Hancock/Cole)

M. Authorization of a Proposed Policy for the Naming of Public Parks and / or Recreation Areas and Facilities on Behalf of the Department of General Services, Division of Parks and Recreation. (609-09) (Hancock/Cole)

N. Authorization of a Release of Easement of a Utility Easement on Property Located at 1051 – 1131 Floyd Drive. (610-09) (Askew)

O. Authorization of an Agreement with Volunteers of America of Kentucky, Inc. for Emergency Housing for Homeless Families. (614-09) (P. King/O'Mara)

P. Authorization of a Joint Funding Agreement with the US Department of the Interior, US Geological Survey (USGS). (616-09) (Martin/Taylor)

Q. Authorization of an Ordinance to Execute a Lease Agreement with the Lexington-Fayette Urban County Airport Board. (621-09) (O'Mara)

R. Authorization to Purchase Excess Liability Insurance from Ironshore Insurance Ltd. (622-09) (O'Mara)

A motion by CM Beard to approve new business items, seconded by CM Henson passed without dissent.

VI. Continuing Business / Presentations-Yes

A. Services Committee Report

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

A motion by CM Ellinger to adopt the ordinance for slaughtering livestock as it is written, seconded by CM Crosbie, passed without dissent.

A motion by CM Ellinger to respectfully request with strong recommendations to retain individual parking meters with replacement smart card meter heads to meters in Chevy Chase, seconded by CM Crosbie, failed by a 6-7 vote.

A motion by CM Ellinger to send to full Council a request that a resolution be drafted to be sent to the Frankfort delegation and other appropriate personnel to let them know the intent is to change KRS 512 statute to affect it with a civil fine as well, seconded by CM Crosbie, passed without dissent.

A motion by CM Ellinger to accept the draft on animal cruelty amendment and move it to the Council for consideration for the docket, seconded by CM Gorton, passed without dissent.

B. Special Planning Committee Report

This report was given by Chair CM Gorton. There were no motions to come forward. CM Gorton stated that the discussion was on the Student Housing Task Force Report and it will continue at the next regularly scheduled Planning Committee meeting on October 20th at 1 pm.

A motion by CM Ellinger to suspend the rules and allow CM Lawless the opportunity to make a motion for an issue to be placed on the docket, seconded by CM Gorton, passed without dissent.

A motion by CM Lawless to place on the docket for Thursday, October 15, 2009, a resolution declaring a moratorium on additions that would exceed 25% of the square footage of the existing structure in Single Family, Townhouse, and Two-Family Residential zones within the 3rd District, excluding properties in the ND-1 or H-1 zone and excluding additions when the final structure would not exceed 1500 square feet, for 6 months or until the Council takes final action on amendments to the zoning ordinance, whichever occurs first, seconded by CM Blues, passed by a 12-1 vote; dissenting was CM Martin.

CM Martin made a motion to amend the previous motion to limit the time to 4 months, it was seconded by CM Crosbie but it failed by a 5-8 vote.

Several CMs and the Mayor spoke on the motion and the amendment to the motion.

C. South Limestone Streetscape Project Update

Mr. Robert Morris completed his public comments at this time.

This update was given by Comm. Mike Webb and George Milligan, Streetscape Project Manager. Also preset to answer questions were Sam Williams, Acting Dir. Streets, Roads, & Forestry and an LFUCG Engineer, and Terry Justice, LFUCG Inspector. Several CMs and Mayor Newberry either asked questions or made statements.

D. TIF Showprop Lexington, LLC Update

This update was given by Chris Westover, Atty. for McBrayer, McGinnis, Leslie, & Kirkland, PLLC. This was more of answering previously asked questions. Also present to answer questions were Mr. John Farris and Ms. Sara Tuttle.

VII. Council Report

CM Stinnett-Thanked UK and President Todd for inviting Council and Administration out; spoke about scheduling another bonding workshop.

A motion by CM Stinnett to approve the NDF list, seconded by CM Blues passed without dissent.

A motion by CM Stinnett to ask VM Gray to appoint a Task Force for comprehensive review of Building Inspection, seconded by CM Myers, passed without dissent.

CM Blues-Asked about whether or not Council would be receiving a presentation on the Inversion Process-Dir. Bill O'Mara answered and stated that since he had already made a presentation on this issue, he didn't realize that another was needed; announced several neighborhood assoc. meetings: Meadowthorpe tonight at 7; on Thursday, Speigle Heights and Joyland, both at 7 pm; on 10/17, Brookefield Chase at 3 pm at the Northside Library; and on 10/19 at 6:30 pm, Winburn.

CM Martin-Made several announcements: Beaumont NA meeting tonight at 6:30 pm; Palomar Townhouse Homeowners Assoc meeting tonight at 6 pm; Firebrooke will meet on 10/20 at 7 pm; also stated that CNN Money has ranked Lexington #6 in the US to launch a small business.

A motion by CM Martin to approve having the Economic Development Task Force meetings in the Council Chambers, seconded by CM Lane, passed by a 7-1 vote.

CM Lane-Stated that he will be recusing himself from any decisions on commercial real estate signs issues.

VM Gray-Stated that CM Henson will be the Co-Chair to CM Lawless for the Affordable Housing Trust Task force; also named the other members: CMs Blues, Beard, Ellinger, James, and Mr. David Christianson.

CM Ellinger-Stated concern about celebrating Halloween on the same day of a UK football game.

VIII. Mayor's Report-Yes

A motion by CM Lane to approve Mayor's Report, seconded by VM Gray, passed without dissent.

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

Citizens, Lewis Cobb and former CM Bill Farmer, Jr, Spoke.

A motion by CM Ellinger to adjourn, seconded by CM Lane passed without dissent.

Work session was adjourned at 6:41 pm.