URBAN COUNTY COUNCIL

WORK SESSION SUMMARY

& TABLE OF MOTIONS

December 1, 2009

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

I. Public Comment – Issues on Agenda-None

Mr. Adrian Ellis from Lincoln Center in New York made comments.

II. Requested Rezonings / Docket Approval-Yes

A Police Disciplinary Hearing was scheduled for January 11, 2010 at 3 pm.

A motion by CM Blues to place on the docket for Thursday, December 3, 2009 meeting, an ordinance authorizing the Mayor to accept a grant from the Kentucky Transportation Cabinet in the amount of $6,375,000 Federal funds arising from the American Recovery and Reinvestment Act for Phases 1 and 2 of the Legacy Trail Project and the Downtown Streetscape Project and approaching funds pursuant to schedule No. 0097, seconded by CM McChord, passed without dissent.

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

III. Approval of Summary-Yes

A motion by CM Crosbie to approve the summary from November 24, 2009, seconded by CM Gorton, passed without dissent.

IV. Budget Amendments-Yes

A motion by CM Henson to remove budget journal 38851 from consideration of Budget Journals on page 10 of the Work Session packet. This item for Fire and Emergency Services provides funds for Bluegrass Emergency Response Team but does not require Council approval and should not be included on this list, seconded by CM Crosbie, passed without dissent.

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

V. New Business

A. Authorization of a Rental Agreement with Lexington Center Corporation on Behalf of the Commission for Citizens with Disabilities for the Celebration of Disability Expo and Medicaid Waiver Fair. (694-09) (Helm)

B. Authorization to Accept an Award from the Kentucky Department of Military Affairs, Kentucky Division of Emergency Management (KYEM) on Behalf Department of Public Safety, Division of Emergency Management / 911 for FY2010 Emergency Management Assistance Project. (695-09) (P. King/ Bennett)

C. Authorization of a Memorandum of Understanding (MOU) with the Kentucky Justice and Public Safety Cabinet, Department of Criminal Justice Training (DOCJT) on Behalf of the Department of Public Safety, Division of Police for Participation in the Cold Case Resolution Pilot Project. (700-09) (P. King/ Bennett)

D. Authorization to Extend Agreement with Kentucky Office Homeland Security (KOHS) on Behalf of the Department of Public Safety, Division of Police for the Bomb Squad Enhancement Project. (699-09) (P. King/ Bennett)

E. Authorization of an Agreement with the Kentucky Office of Homeland Security (KOHS) for Continuation of the Metropolitan Medical Response System (MMRS) Project. (701-09) (P. King/Bennett)

F. Authorization to Extend Agreement with Kentucky Office of Homeland Security (KOHS) on Behalf of the Department of Public Safety, Division of Police for the IED Attack Deterrence Project. (704-09) (P. King/Bennett)

G. Authorization of Agreements with Various Entities for Performance of Services under the 2008 Project Safe Neighborhood Grant. (708-09) (P. King/Bennett)

H. Authorization of a Statement of Concurrence with the Louisville Metro Government Regarding Shared Use of the Frequency Spectrum. (702-09) (Lucas/Bennett)

I. Authorization to Amend Section 14-10(f)(10) of the Code of Ordinances Relating to the Posting of Addresses. (703-09) (Lucas/Bennett)

J. Authorization of Agreements with the Kentucky Justice and Public Safety Cabinet, Department of Criminal Justice Training on Behalf of the Department of Public Safety, Division of Police. (710-09) (Bastin/Bennett)

K. Authorization of an Agreement with the University of North Florida Training and Service Institute, Inc. (d/b/a the Institute of Police Technology and Management) on Behalf of the Department of Public Safety, Division of Police. (711-09) (Bastin/Bennett)

L. Authorization of a KYOPS User Agreement with the Kentucky State Police (KSP) on Behalf of the Department of Public Safety, Division of Police. (712-09) (Bastin/Bennett)

M. Authorization of a Change Order No. 1 to Contract with Randle-Davies Construction Company for the Town Branch Trail Project – Phase 1B. (FINAL) (693-09) (P. King/Webb)

N. Authorization of Permanent Easements for the South Limestone Streetscape Project. (696-09) (Rayan/Webb)

O. Authorization of Change Order No. 9 to Contract with ENTRAN (f/k/a American Consulting Engineers, PLC) for the Newtown Pike Extension Project – Phase I and IV. (705-09) (P. King/Webb)

P. Authorization of a Definitive Relocation Agreement (Special Construction Agreement) with Insight Kentucky Partners, II, LP, for the South Limestone Streetscape Project. (697-09) (Webb)

Q. *Authorization to Amend Section 21-5 of the Code of Ordinances on Behalf of the Department of Public Works and Development. (698-09) (Allen/ Webb)

R. Authorization to Amend Ordinance No. 188-2009 to Correct a Clerical Error of Salary Increase Percentage. (593-09) (Allen/Taylor)

S. Authorization of Change Order No. 2 to Contract with Marillia Design and Construction for the McConnell Springs Wetland Demonstration Area Project – FY2010. (FINAL) (714-09) (P. King/Taylor)

T. Authorization of Amendment No. 1 to Management Agreement with Kentucky Theater Management Group, Inc. (709-09) (Baradaran/Cole)

U. Authorization of a Loan Agreement with Russell School Community Service Center, Inc. for use of Community Development Block Grant (CDBG) Funds for Rehabilitation of Russell Elementary School Property. (706-09) (P. King/ Rumpke)

V. Authorization of an Agreement with Community Action Council for use of Community Development Block Grant (CDBG) Funds for Energy Efficiency Improvements in Private Housing. (713-09) (P. King/Rumpke)

W. Authorization to Approve 2010 General Term Order (GTO) for the Fayette County Clerk and the Fayette County Sheriff. (707-09) (Rumpke)

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

VI. Continuing Business / Presentations-Yes

A. Inter Governmental Committee Report

This report was first deferred until the end of presentations because the Dept. of Law was working on a resolution for Chair CM James.

A motion by CM James to place the Council rules and procedures resolution on Thursday's docket, seconded by CM Lawless was amended by CM Lane to be tabled until the first work session in 2010, was then amended to be tabled until the first COW meeting in January (1/19/10), seconded by CM Ellinger after which CM James then requested a friendly amendment to table until the first Inter Governmental Committee meeting in January but that motion failed for lack of second, was then passed by a 11-2 vote.

B. Planning Committee Report

This report was given by Chair CM Gorton. There were 4 motions to come forward.

A motion by CM Gorton to refer to the Building Inspection Task Force the issue of safety inspection processes including issues related to Building Inspection, Code Enforcement, and Fire Dept, seconded by CM Ellinger, passed without dissent.

A motion by CM Gorton to change verbiage in revised motion from recommends to endorse the concept of SHIPP (Student Housing Initiative Partnership), seconded by CM Henson, passed without dissent.

A motion by CM Gorton to address recommendations 5 and 6 (revised definition of family zoning ordinance and amend ordinance to prohibit parking in rear yards except on approved surfaces that are permeable in compliance with all other ordinances) in a January or February 2010 Planning Committee, review of residential zoning laws, passed without dissent.

A motion by CM Gorton to remove: place reasonable time limits for completion of construction projects approved for existing ½ family residential

building permits and fence retaining wall permits, from Planning Committee and refer to Building Inspection Task Force, seconded by CM Lawless, passed without dissent.

C. Report of Mortgage Lending

This report was given by Dr. Judy "J J" Jackson, Chair of Mayor's Commission on Mortgage Lending Practices. Several CMs made comments and asked questions.

A motion by CM James to reinstitute the "Don't borrow trouble" program with Council NDF money of the amount of $250 from each CM, seconded by VM Gray, failed by a 3-10 vote.

D. Red Mile Project Update

This update was given by John Farris and Stan Harvey, Urban Collage. Several CMs and the mayor made comments and asked questions.

VII. Council Report

CM Stinnett-Stated that the first Building Inspection Task Force was held today and the next meeting will be on 1/14/10 at 3 pm; gave special thanks to Tony Westley of Waste Management who went above and beyond his job duties; sent condolences to Building Inspection Director Dewey Crowe who loss his father recently; reminded the CMs of the next bonding workshop this Thursday at 4 pm.

CM Lawless-Announced the Ayelsford NA will meet tonight at 7 pm; also announced the KY Ballet will be performing the Nutcracker on December 12th-14th.; reminded everyone that today was National AIDS Day and there will be a gathering at several places and ending at Triangle Park.

A motion by CM Lawless to move that the Eldemere Avenue parking permit and 700 Block of Melrose and Beaumont Avenue parking permit requests be sent to the Services Committee for consideration, seconded by CM Gorton, passed without dissent.

CM Blues-Announced that the residents of Georgetown Street Area and St. Martin NAs will be receiving flyers announcing a meeting on Dec. 10 at 7 pm at the O'Rear Center referencing changes coming to the neighborhood-BCTS moving to the Eastern State campus; on 12/5 Meadowthorpe NA potluck at 6:30 pm; on 12/7 Georgetown Street Area NA will have their Christmas potluck at 6 pm and at 7 pm Green Acres/Hollow Creek/Breckinridge NA will have their Christmas potluck.

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

CM Henson-A motion by CM Henson to accept the Division of Traffic Engineering's recommendations to lower the posted speed limit to 25 mph on Alexandria Drive between Versailles and Viley Roads and on Delmont Drive, seconded by CM Gorton, passed without dissent.

Thanked everyone who will be participating in the celebrity bell ringing challenge on 12/5 at the Hamburg Wal-Mart.

CM Myers-Stated his time slot for the celebrity challenge; announced the 8th District Christmas potluck to be held on Tuesday at 12:15 pm and the new community center in Gainesway and the email to rsvp is jeremy.bann@gmail .com.

A motion by CM Myers to place the Mayor's Commission on Mortgage Lending Practices into the Services Committee, seconded by CM McChord, passed without dissent.

A motion by CM Myers to place on the docket of the December 3 council meeting an ordinance requiring appointees to boards, agencies, and commissions covered by the provisions of Article seven (7) of the Charter and which require Council confirmation for appointment of members to take an oath of office or oath by affidavit, unless exempt by law, within thirty (30) days of Council confirmation and requiring that the oath by affidavit form be submitted toi the office the Council Clerk within fourteen (14) days of completion, seconded by CM Blues, passed without dissent.

CM Martin-Announced the Southland Christmas Tree lighting at 6:30 pm on 12/4; on 12/21 at 2:30-3:30 pm Christmas events at the Beaumont Branch library; on 12/5 the Beaumont YMCA will have a drop and shop day from 1:30-5 pm; on 12/12 there will be a reindeer 5K run at the Beaumont Y.

CM McChord-Thanked DDA and administration for Fridays' activities downtown; stated that we all need to understand the severity of the budget restraints; stated that everything on the bonding list has been approve already; was glad that the proposed Council changes was postponed and complimented Mayor Newberry.

CM Crosbie-Announced that on 12/2 Stewart Hall will meet at 5 pm at 141 Prosperous Place; on 12/7 at 7 pm Fairway at Lakeside will meet; on 12/3 at 8 pm at the Blue Moon there will be a dating game to support the firefighters' for toys program; on 12/19 the toy give a way at the

Walgreens building at the Idle Hour Shopping Center; also stated that game on for CMs Henson and Myers for the celebrity challenge.

CM James-Announced that tonight at 6:30 pm on the 3rd floor in the Phoenix Building, there will be a meeting of the Short and Second St conversion; invited the Transportation stakeholders to the meeting on Wednesday; thanked Mayor Newberry for her being a part of the meetings with Adrian Ellis form the Lincoln Center.

CM Gorton-Sent thoughts and prayers to her Legislative Aide, Melynda Jamison, on the recent passing of her grandfather; also mentioned that several CMs have kept in touch with CM Beard and wish him well in his recovery and she hopes to see him soon back around the horseshoe.

VM Gray-Stated that the Economic Development Task Force will meet on this Thursday and CMs should be ready to offer any criteria.

VIII. Mayor's Report-None

Mayor Newberry stated that many people assisted in last week's holiday festivities; also mentioned that the day spent with Adrian Ellis from New York's Lincoln Center had been remarkable.

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

Many citizens spoke in favor of the issue of the Downtown Distillery District.

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

Work session was adjourned at 6:40 pm.