URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
February 15-February 22, 2010

Monday, February 15
PRESIDENTS' DAY HOLIDAY-LFUCG OFFICES CLOSED

Tuesday, February 16
Affordable Housing Trust Fund Task Force………………………………………………………8:30 am
Conference Room-5th Floor Government Center

Mobile Home Park Quality of Life Meeting……………………………………………………10:00 am
Conference Room-5th Floor Government Center

Water Resources Oversight Committee Meeting……………………………………………11:00 am
Conference Room-5th Floor Government Center

Planning Committee Meeting……………………………………………………………………1:00 pm
Council Chambers-2nd Floor Government Center

Council Work Session…………………………………………………………………………3:00 pm
Council Chambers-2nd Floor Government Center

Wednesday, February 17
Town & Gown Commission Meeting……………………………………………………………4:00 pm
Maxwell St Presbyterian Church, 180 E Maxwell St

Thursday, February 18
No Meetings

Friday, February 19
No Meetings

Monday, February 22
No Meetings

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

W O R K   S E S S I O N   A G E N D A

February 16, 2010

I. Public Comment – Issues on Agenda

II. Requested Rezonings / Docket Approval – None

III. Approval of Summary-Yes, February 9, 2010, pp.3-6

IV. Budget Amendments – None

V. New Business, pp.9-15

VI. Continuing Business / Presentations

   A. Council Intergovernmental Committee, pp.16-18

   B. Corridors Commission, pp.19-20

   C. Radio Lexington 2010 – Ms. Pat Dugger, Director of Emergency Management

VII. Council Report

VIII. Mayor's Report – None

IX. Public Comment – Issues Not on Agenda

New Business Items

A. Authorization of Change Order No. 3 to Contract with Strand Associates, Inc. Regarding the Legacy Trail Project. (080-10) (Rayan/Webb)
This request will authorize change order no. 3 that will increase the contract amount by $208,100 with Strand Associates, Inc. regarding the Legacy Trail Project. This is a change in scope to meet the Federal Highway Administration requirements and for modifications required in the Local Public Agency Manual of the Kentucky Transportation Cabinet. Original contract amount was $498,000. Previous change order amounts were $614,000. New contract amount is $1,318,100. Funds are budgeted in the Trail Bond Fund.**pp.9-11**

B. Authorization to Approve the Retention of Devomni Corporation, KiZAN Technologies, LLC, Software Information Systems, LLC, Sullivan Technology Services, LLC and Swova. (081-10) (Nugent/Dhuwaraha)
This request will approve a 3-year retainer of Devomni Corporation, KiZAN Technologies, LLC, Software Information Systems, LLC, Sullivan Technology Services, LLC and Swova for various levels of information technology services when internal resources are not available. Sources will be used on a project-by-project basis with fees to be determined.**p.12**

C. Authorization of an Agreement with AD-Success on Behalf of the Department of Public Works & Development, Division of Planning, for a Mobility Office Marketing Campaign. (082-10) (P. King/Webb)
This request will authorize an agreement in the amount of $40,400 with AD-Success on behalf of the Division of Planning for the design and implementation of a Mobility Office Marketing campaign to increase public awareness of air quality issues and encourage the use of transportation alternatives to ensure air quality conformity in accordance with Kentucky's implementation plan. The source of funds is from the Surface Transportation Program – Lexington. Funds are budgeted.**p.13**

D. Authorization to Purchase from LOGOS Imaging, LLC as a Sole Source Provider on Behalf of the Department of Public Safety, Division of Police, to Upgrade the Digital Imaging System. (083-10) (P. King/Bennett)
This request will authorize the use of federal funds through the Kentucky Office of Homeland Security in the amount of $20,904.30 from LOGOS Imaging, LLC as a sole source provider on behalf of the Division of Police for upgrades to the digital Imaging system used for the detection of improvised explosive devices. No matching funds are required.**p.14**

E. Authorization to Approve Hilti, Inc. as a Sole Source Provider on Behalf of the Department of Public Safety, Division of Fire & Emergency Services, for Purchase of Specified Items used in Structural Collapse Rescues. (084-10) (Hendricks/ Bennett)
This request will authorize the use of federal funds in the amount of $20,888.94 from the Kentucky Office of Homeland Security for purchase from Hilti, Inc. as a sole source provider on behalf of the Division of Fire & Emergency Services.. Funds will purchase specified tools and equipment for use in structural collapse rescues. No matching funds are required.**p.15**

URBAN COUNTY COUNCIL

WORK SESSION SUMMARY

& TABLE OF MOTIONS

February 9, 2010

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

I. Public Comment – Issues on Agenda-None

II. Requested Rezonings / Docket Approval-Yes

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

III. Approval of Summary-Yes

A motion by CM Blues to approve the summary from February 2, 2010, seconded by CM Crosbie, passed without dissent.

IV. Budget Amendments-Yes

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

V. New Business

A. Authorization of a Senior Plan Master Contract with Anthem Health Plans of Kentucky, Inc. for LFUCG Police and Firefighter Retirees. (066-10) (Allen/ Rumpke)

B. Authorization of an Employee Assistance Program Services Agreement with Behavioral Medical Network, Inc. (BMN) (067-10) (Allen/Rumpke)

C. Authorization to Approve the Ten Year Plan to End Homelessness in Lexington-Fayette County. (075-10) (P. King/Rumpke)

D. Authorization of a Memorandum of Understanding (MOU) with the US Department of Justice, Federal Bureau of Prisons, Federal Medical Center (FMC) Lexington, Kentucky, for Mutual Emergency Assistance. (068-10) (Bastin/ Bennett)

E. Authorization to Approve a Memorandum of Agreement (MOA) Concerning Mutual Aid with the Georgetown Police Department on Behalf of the Department of Public Safety, Division of Police. (069-10) (Bastin/Bennett)

F. Authorization to Accept an Award from the US Department of Homeland Security on Behalf of the Department of Public Safety, Division of Fire & Emergency Services for a Simulated Training Program. (070-10) (P. King/Bennett)

G. Authorization of a Resolution to Execute the Regional Bluegrass Armed Forces Community Covenant with the Bluegrass Area Development District (BGADD) and Execute a Local Armed Forces Community Covenant on Behalf of Lexington-Fayette County. (071-10) (Gorton)

H. Authorization of a Resolution Regarding Performance Agreements with Non-LFUCG Representatives of the Land Subdivision Technical Committee and Approve the Commissioner of Public Works and Development to Execute the Agreements on Behalf of LFUCG. (072-10) (C. King/Webb)

I. Authorization of Facility Usage Agreements with the Fayette County Board of Education (FCBE) on Behalf of the Department of General Services, Division of Parks & Recreation. (073-10) (Hancock/Cole)

J. Authorization to Submit Application to the Kentucky Office for Local Government under the Recreational Trail Program for the Jacobson Park Trail. (074-10) (P. King/Cole)

K. Authorization to Accept an Award from the Kentucky Energy and Environment Cabinet on Behalf of the Department of Environmental Quality, Division of Waste Management under the Illegal Open Dump Remediation Grant Program – FY2010. (077-10) (P. King/Taylor)

L. Authorization to Approve Conditions for Donation of Services and Space Agreements for the 2010 Census. (076-10) (Blodgett/Rabold)

M. Authorization to Approve a Purchase of Service Agreement (PSA) with Bluegrass Sports Commission, Inc. (f/k/a Lexington Area Sports Authority) Regarding the Bluegrass State Games. (079-10) (Rabold)

N. Authorization to Approve Amendment to Agreement with Metaformers™, Inc. on Behalf of the Chief Information Office, Division of Enterprise Solutions, for Additional Services. (078-10) (Dhuwaraha)

<u>A motion by CM Gorton to approve new business items A-N, seconded by CM Lane, passed without dissent.</u>

VI. Continuing Business / Presentations-Yes

A. Services Committee Report

This report was given by Chair CM Ellinger. Three motions came forward.

A motion by CM Ellinger to bring to full Council the issue of Beaumont Ave and 700 block of Melrose Ave residential parking permit district, seconded by CM Lawless, passed without dissent.

A motion by CM Ellinger to bring to full Council the issue of Eldemere Ave residential parking permit district, seconded by CM Lawless, passed without dissent.

A motion by CM Ellinger to ask VM Gray to form a graffiti Task Force to review the graffiti ordinance for possibilities of what can be done to deter the activity, seconded by CM Feigel, passed without dissent.

B. Central Kentucky Economic Empowerment Project

This presentation was given by Harmony Little, Community Education Director, Kentucky Poverty Law Center.

VII. Council Report

CM Gorton-A motion by CM Gorton to approve the confirmation hearings on 2/25 at 6 and 6:30 pm, seconded by CM Ellinger, passed without dissent.

CM Stinnett-Announced the next Building Inspection Task Force meeting will be on Thursday at 3 pm; gave email address: bitaskforce@lexingtonky.gov, if anyone has questions; thanked KAWC officials for the tour of the new pipeline.

CM Beard-A motion by CM Beard to approve the NDF list, seconded by CM Lane passed without dissent.

CM Lawless-Reminded everyone of the historic South Hill NA meeting tonight at 6-9 pm at the 1st United Methodist Church; and also reminded everyone of Hanna's on Lime giving 10% of February receipts to the Haiti relief.

VM Gray-Wished CM Beard a happy birthday for tomorrow.

CM Feigel-Announced that there will be a district-wide 5th District meeting at the Shriner's Hospital at 5-7 pm-please use the back door.

CM McChord-Stated that if anyone has questions about the new school on Keithshire, they should call FCPS at 381-4100; mentioned that UK fans outdid the Swedish Govt. and almost German Govt., single handedly, with their contribution to the Haiti relief; thanked Royce Pulliam, owner of Urban Active and Wayne Martin of WKYT for the idea and resources for putting the event together.

CM James-Announced the MLK NA will meet tonight at 7 pm at the Living Arts & Science Ctr; announced the Tree Board meeting tomorrow at 10:30 am in the 5th floor conference room; on 2/13 the first formal meeting of the Friends of the Lyric will meet at the KY Theatre at 10 am- call her office at 258-3216 for questions; asked Sam Williams, Dir of Streets, Roads, & Forestry for an update on the paving information that was sent to all CMs.

A motion by CM Lawless to approve an additional 5 minutes to Sam Williams for his update, seconded by CM McChord, passed without dissent.

A couple of CMs asked Mr. Williams questions about their individual district.

VIII. Mayor's Report-Yes

The Mayor noted that the monthly Lyric Theatre report was attached at the end of the Mayor's Report for informational purposes only.

A motion by CM Lane to approve the Mayor's Report, except the Ethics Commission and BOA, seconded by CM Blues, passed without dissent.

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

Citizens, Angie Tedder, Craig Hardin, and Dick Murphy, requested to speak.

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

A motion by CM Lawless to return to open session, seconded by CM Crosbie, passed without dissent.

A motion by CM Lawless to adjourn, seconded by CM Beard passed without dissent.

Work session was adjourned at 5:55 pm.

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

February 16, 2010 Work Session

If the New Business item listed below is on the Agenda, approval includes approval of the attached Budget Amendment. These Budget Amendments are not voted upon as part of section IV on the Agenda and are for information only.

NEW BUSINESS ITEM	BUDGET JOURNAL	DIVISION	DESCRIPTION OF REQUEST		
083-10	BA 2638	Community Development	To provide for purchase of LOGOS Digital X-Ray System Upgrade to include Image Kit, Carousel and Software for the Bomb Squad Project FY- 2009.		
D				3200	15,506.10
				3200	15,506.10CR
					0*

EFFECT ON FUND BALANCES

FUND 3200	**0***	**NO IMPACT TO:**	**US DEPARTMENT OF HOMELAND SECURITY**

Budget Information For New Business Items

February 16, 2010 Work Session

Item	Number	Amount	Fund	Name / Description
A	080-10	208,100	2517	2008 Bond Projects
B	081-10	NA		
C	082-10	40,400	3160	US Department of Transportation
D	083-10	20,904.30	3200	US Department of Homeland Security Budget Journal
E	084-10	20,888.94	3200	US Department of Homeland Security

080-10 9

Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC WORKS & DEVELOPMENT

Jim Newberry
Mayor

Mike Webb
Commissioner

MEMORANDUM

TO: Paula King
Director of Community Development

FROM: Marwan A. Rayan, P.E.
Urban County Engineer

DATE: February 1, 2010

RE: Legacy Trail Project
Contract Modification No. 3

Strand Associates, Inc. has a contract to provide the engineering services for the Legacy Trail Project. The original services included a Feasibility Study of Phases 1, 2 and 3 and the design of Phase 1. Contract Modification No. 1 included the design of Phase 2 and scope changes for Phase 1. Contract Modification No. 2 included the design of the KY Horse Park Trail.

We are requesting that the Lexington-Fayette Urban County Council authorize the Mayor to extend the existing contract for the services described below with Strand Associates, Inc. and to approve a design change order.

The contract modification is related to the Kentucky Transportation Cabinet's (KYTC) new Local Public Agency (LPA) Manual and the changes required by the Manual. With the ongoing development and implementation of the LPA Manual, formerly accepted LPA practices and standards are no longer permitted on projects utilizing funding provided by the KYTC. The scope changes are necessary to meet the FHWA requirements and to insure that the funding remains in place.

The cost for this change in Scope is $208,100 and is budgeted in the Trail Bond Fund.

MAR:DKL:NDF

Attachments:

C: Keith Lovan, P.E. w/ att
Mike Webb
Irene Gooding w/att
Michelle Kosieniak w/att
File w/att

10.P559.411.memo 12 king

080-10

CONTRACT HISTORY FORM

Project Name: **Legacy Trail Project**

Contractor: **Strand Associates Inc**

Contract Number and Date: **6252** **October 2, 2008**

Responsible LFUCG Division: **Engineering**

CONTRACT AND CHANGE ORDER DETAILS

A. Original Contract Amount:	$	496,000.00	
Next Lowest Bid Amount: NA			
B. Amount of Selected Alternate or Phase:	$		
C. Cumulative Amount of All Previous Alternates or Phases:	$	496,000.00	
D. Amended Contract Amount:	$	496,000.00	
E. Cumulative Amount of All Previous Change Orders:	$	614,000.00	123.8% *(Line E / Line D)*
F. Amount of This Change Order:	$	208,100.00	42.0% *(Line F / Line D)*
G. Total Contract Amount:	$	1,318,100.00	

SIGNATURES

Project Manager: Keith Lovan Date: 1/28/10

Reviewed by: Robert A Boyd Date: 2/1/10

Division Director: [signature] Date: 2/2/10

080-10

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LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT CONTRACT CHANGE ORDER Page 1 of 2	Date:	January 27, 2010
	Project:	Legacy Trail Project
	Location:	Legacy Trail P1 and P2
To (Contractor): **Strand Associates, Inc.®**	Contract No.	6252
	Contract Mod No.	3

You are hereby requested to comply with the following changes from the contract plans and specification;

Item No.	Description of changes-quantities, unit prices, change in completion date, etc.	Decrease in contract price	Increase in contract price
	additional design costs associated with complying		$208,100.00
	with ARRA requirements		
	Total decrease		
	Total increase		**$208,100.00**
	Net increase (decrease) in contract price		**$208,100.00**
	Current total contract price		**$1,110,000.00**

The sum of $ **$208,100.00** is hereby added to the total contract price, and the new total contract price thereby is **$1,318,100.00**

The time provided for the completion in the contract and all provisions of the contract will apply hereto.

Recommended by Keith Lovan (Proj. Engr.) Date 2/1/10

Accepted by Matt L Skiel (Contractor) Date 2/1/10

Approved by M A [illegible] (Urban Co. Engr.) Date 2/2/10

Approved by James M. Wilk (Commissioner) Date 2/4/10

Approved by ______ (Mayor or CAO) Date ______

Lexington-Fayette Urban County Government
OFFICE OF THE SENIOR ADVISOR / CIO

Jim Newberry
Mayor

Rama Dhuwaraha
Senior Advisor / CIO

MEMORANDUM

TO: Mayor Jim Newberry
Urban County Council

FROM: Rama Dhuwaraha
Chief Information Officer

DATE: February 5, 2010

RE: Recommendation for Information Technology Services – RFP 31-2009

Five pre-qualified IT vendors will be held on a 3 year retainer and engaged as needed. The chosen vendors are Devomni, Kizan Technologies, LLC., Software Information Systems, LLC., Sullivan Technology Services, LLC., and Swova.

Vendors will provide specific services as determined by a statement of work on a project by project basis and fees to Lexington-Fayette Urban County Government will be charged by and outlined by each statement of work.

Use of these vendors for various levels of IT services will help with needs throughout Lexington-Fayette Urban County Government when internal resources are not available.

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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

TO: **JIM NEWBERRY, MAYOR**
URBAN COUNTY COUNCIL

FROM: **PAULA KING, DIRECTOR**
DIVISION OF COMMUNITY DEVELOPMENT

DATE: **FEBRUARY 5, 2010**

SUBJECT: **REQUEST COUNCIL AUTHORIZATION TO EXECUTE AGREEMENT WITH AD-SUCCESS FOR MOBILITY OFFICE MARKETING CAMPAIGN**

The Lexington-Fayette Urban County Government annually receives federal funds for operation of its mobility office (Ridesharing program), funded from the Surface Transportation Program-Lexington (SLX) and operated by the Division of Planning. Acceptance of these funds for Fiscal Year 2010 was approved by Council on April 23, 2009 (Ordinance # 55-2009).

The approved grant project provides for the design and implementation of a marketing campaign that will increase the public's awareness of air quality issues and encourage the use of transportation alternatives. The ultimate goal of the air quality program is to ensure air quality conformity in accordance with the state of Kentucky's implementation plan. A Request for Proposals (RFP-#7-2008) was issued in March 2008 soliciting proposals from interested firms for the design and implementation of a marketing campaign in Fiscal Years 2009 and 2010. Ad-Success was selected for contract award based upon its experience with transit accounts, its role as a full service advertising agency, its submission of materials, and its understanding of the project. In addition to contract award in Fiscal Year 2009, the RFP provides for a one-year renewal in Fiscal Year 2010, pending agreement by both parties and availability of funding. The Agreement in the amount of $40,400 with Ad-Success includes design, television and radio time, print materials, and documentation of Public Service Announcements.

Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	PROJECT	BUD REF	ACTIVITY
3160	160705	0001	71299	MOBILITY_2010	2010	4.1

Council authorization to execute the agreement is hereby requested.

Paula King, Director

Xc: James M. Webb, Commissioner of the Department of Public Works and Development

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: FEBRUARY 5, 2010

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO PURCHASE LOGOS IMAGING DIGITAL X-RAY SYSTEM UPGRADE AND ACCEPT LOGOS IMAGING, INC., AS A SOLE SOURCE PROVIDER OF RELATED UPGRADES, ACCESSORIES, PARTS, SOFTWARE, REFURBISHMENTS, SERVICE, AND TRAINING

The LFUCG has been awarded federal funds to enhance its Hazardous Devices Unit in the Division of Police. As part of this enhancement, Division of Police will make upgrades to its Digital Imaging System. The original system was purchased from LOGOS Imaging LLC as a result of Bid #245-2008. Funds for the upgrade of this system are from State Homeland Security Funds accepted by Council on April 23, 2009 (Ordinance No. 54-2009).

The LOGOS Imaging system is a portable computerized radiography system designed specifically for improvised explosive device detection and examination. The upgrades to the system are proprietary. The upgrades requested by Police include two separate units with image plates, carousels, and software. The cost of these upgrades is $20,904.30. The upgrades will result in cutting processing time by two-thirds, provide better resolution, and improve interoperability among agencies. These units are shared with Kentucky State Police, and under agreement with the Kentucky State Office of Homeland Security.

Funds for these upgrades are currently being budgeted as follows:

FUND	DEPT ID	SECT	ACCT	PROJECT	ACTIVITY	BUD REF
3200	505505	5542	96468	BOMB-SQD_2009	FED_GRANT	2009

Council authorization to treat LOGOS Imaging LLC, as a sole source provider for all related upgrades, accessories, parts, training, software, refurbishments, and service for Logos Imaging systems is hereby requested because LOGOS Imaging LLC is the sole distributor of these products.

Paula King, Director

Xc: Tim Bennett, Commissioner, Department of Public Safety

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

TO: JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL

FROM: PAULA KING, DIRECTOR
DIVISION OF COMMUNITY DEVELOPMENT

DATE: FEBRUARY 11, 2010

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO PURCHASE STRUCTURAL COLLAPSE EQUIPMENT FROM HILTI, INC., AND ACCEPT HILTI, INC., AS A SOLE SOURCE PROVIDER OF ALL RELATED STRUCTURAL EQUIPMENT

The LFUCG has been awarded federal funds from the Kentucky Office of Homeland Security to enhance its capabilities to respond to structural collapses.

The Division of Fire and Emergency Services requests Council Authorization to treat Hilti, Inc., as a sole source vendor for drills, breakers, and other equipment associated with structural collapse. These specific products are used by other rescue teams in the state, including Louisville and the Bluegrass Emergency Response Team. The use of these same tools will increase interoperability with these agencies, aiding in the efficiency of emergency mitigation. Hilti, Inc., manufactures the tools and sells directly to governmental agencies.

Funding for this equipment is budgeted as follows:

FUND	DEPT ID	SECT	ACCT	PROJECT	ACTIVITY	BUD REF
3200	505702	5714	75801	STHO_FIRE_2010	FED_GRANT	2010

Council authorization to treat Hilti, Inc., as a sole source provider for structural collapse equipment and all related upgrades, accessories, and parts is hereby requested.

____
Paula King, Director

Xc: Tim Bennett, Commissioner, Department of Public Safety

INTERGOVERMENTAL COMMITTEE SUMMARY
February 9, 2010

All committee members were present, except Henson, Myers and Martin.

1. Council & Public Comment - Crosbie

At the request of Council Member Crosbie, Susan Lamb, LFUCG Office of the Council Clerk researched and gathered responses from Kentucky's 2nd and 3rd class cities asking if they allowed discussion of issues brought to the Council's attention during public comment. Lamb included responses in today's committee packet which offered several options. A memo from Glenda George, LFUCG Dept. of Law advised the committee there is no rule to prohibit whether the council may respond, discuss and or consider issues raised by the public during public comment. If a member of the public brings a matter to the attention of the Council, at the end of the comment, the Council may then decide what action it would like to take, such as open the floor for discussion, refer to committee, etc.

Discussion:

Feigel asked Lamb if she contacted the Kentucky League of Cities about this issue, saying she would be interested to hear their response. Feigel explained why she felt the agenda should be followed and was concerned about giving opportunities to speak about issues not on the agenda, when others might not have a chance to address them. She said she not against public comment, but the deliberation that takes place.

Lamb said she did not contact KLC, adding she thought city clerks might be better able to answer the question.

James said this was outside the council clerk's realm and Paul Schoninger; Council Staff would research with KLC.

Lamb explained during special meetings of the council, the agenda is followed and public comment is not allowed, however it has always been the practice that regular meetings do allow it.

Lawless asked if council meetings are regulated by a state statute and was told no they are not. Lawless said she likes to get as much information as possible on an issue and not just hearing one side.

Glenda George reiterated there is no reason why the public comment section of meetings could not be changed.

Crosbie agreed, we can change the public comment section for meetings, but disagreed with not allowing it. She said she encouraged debate, adding there might be some issues where time is of the essence and need to be addressed. She recommended a motion leaving the issue of public comment "as is" and a memo from the Law Dept. clarifying the rule to Council Members.

James said if all committee members were in agreement a motion would not be necessary. She added she would also like to see all committee chairs educated on public comment. Lawless added the Mayor should also be informed.

2. Update on Committee Items:

   Paul Schoninger gave an update on Social Services needs assessment. He said UK is not ready to proceed with a presentation on the smoke free ban.
   James volunteered to do a memo to UK to expedite. She asked committee members if they wanted anyone other than Commission Helm to speak to the Social Services needs assessment matter. She said the issue regarding authority of the Downtown Development Authority could be removed from committee.

   A motion by Lawless to remove the issue regarding authority of the Downtown Development Authority which has been placed in the Partner Agency Group was seconded by Feigel and passed with out dissent.

   A motion to adjourn the meeting at 1:25 pm. passed without dissent.

Lexington-Fayette Urban County Government
DEPARTMENT OF LAW

Jim Newberry
Mayor

Logan Askew
Commissioner

TO: Jim Newberry, Mayor
Members, Urban County Council

FROM: Department of Law

DATE: February 11, 2010

RE: Council discussion of Public Comment

This memorandum is issued at the request of the Intergovernmental Committee. At its February 9, 2010 meeting, the Committee discussed whether Councilmembers may respond, discuss and/or consider issues raised during public comment.

With respect to regularly scheduled Council meetings, Work Sessions and Committee meetings, there is no Council rule that prohibits or permits such action, it is simply not addressed. If a member of the public raises an issue, the Council, may decide what action, if any, to take, i.e. open the floor for discussion, refer matter to committee, etc. That determination would be left to the Council.

With respect to special meetings, the Open Meetings Law requires that discussion and action is limited to items on the agenda.

Please note that, as this Department has previously advised, the Open Meetings Law does not require public comment. It has been the desire of the Council historically to allow the public to speak at meetings and, with respect to regularly scheduled Council meetings and Work Sessions, the Council Rules specifically provide for public comment.

If you have any questions or need additional assistance, please let us know.

Glenda Humphrey George, Attorney Sr.

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Corridors Commission Meeting
Executive Summary
February 8, 2010

Voting Members Attending: 5th District Councilmember Cheryl Feigel, Chair; Councilmember Tom Blues, 2nd District; Councilmember Julian Beard, 4th District; Darcy Everett, Bluegrass PRIDE

Non Voting Members Attending: Bill Di'Orio, Kentucky Utilities-EON: Kenzie Gleason, Division of Planning; Rob Hammons, Division of Planning/MPO; Kevin Wente, Department of Public Works; Tracey Thurman, Department of General Services; Bob Carpenter, Division of Building Inspection; Tim Queary, Division of Streets, Roads & Forestry

Others Attending: Louise Caldwell Edmonds, Department of Environmental Quality; Morgan McIlwain, M2D Design; Liz Piper, M2D Design; Mark Yanik, M2D Design; Jonathan Perkins, M2D Design; Chris Cooperrider, Division of Parks & Recreation; Jamie Bloyd, Council Office; Paul Schoninger, Council Office.

There was not a quorum; therefore no official action was taken.

Councilmember Feigel announced that Mr. Joseph Hillenmeyer had volunteered to prepare the Richmond Rd/Riparian Buffer landscape plan at no cost to the LFUCG.

Councilmember Feigel announced that the next meeting to consider the landscape specifications was scheduled for Feb 19.

A draft expenditure budget was discussed. Councilmember Feigel asked the Commission to review the proposal for discussion at the March meeting.

Morgan McIlwain and Liz Piper of M2D Design presented the Nicholasville Rd Plan.

Mark Yanik of M2D updated the Commission on the Versailles Rd TE and Newtown Pike TE grants.

Paul Schoninger updated the Commission on the Old Frankfort Pike stone Fence TE grant.

Mark Arnold of M2D Design and Councilmember Feigel discussed the Newtown Pike Flag Survey Project to be erected later this year.

Councilmember Feigel and Dr. Bill Gillespie spoke about illegal signage within the public right of way. David Jarvis, Director Division of Code Enforcement and Dewey Crowe, Director, Division of Building Inspection also spoke on the subject.

Kenzie Gleason provided the monthly bicycle & pedestrian report and Louise Caldwell Edmonds provided the monthly litter campaign report.

The meeting was adjourned at 12:15 PM.

The next Corridors Commission meeting is scheduled for Tuesday March 9 at 11:00 AM.

Pas 02.10.2010