

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS

August 17, 2010

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

I. Public Comment – Issues on Agenda-Yes

Mark Leach of Stites & Harbison PLLC, requested to speak.

II. Requested Rezoning / Docket Approval-Yes

A motion by CM Stinnett to place on the docket for the August 19, 2010 Council Meeting, without a hearing an ordinance amending changing the zone from an Interchange Service Business (B-5P) zone to a Neighborhood Business (B-1) zone for 1.50 net (1.85 gross) acres, for property located at 1875 Pleasant Ridge Dr. (Brighton Animal Clinic, LLC), seconded by CM McChord, passed without dissent.

A motion by CM Stinnett to place on the docket for the August 19, 2010 Council Meeting without a hearing an ordinance changing the zone from a Light Industrial (I-1) zone to a Highway Service Business (B-3) zone for 0.3565 net (0.4943 gross) acres, for property located at 635 E. New Circle Rd., subject to certain restrictions as conditions of granting the zone change (Virginia Bates), seconded by CM Ellinger, passed without dissent.

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

III. Approval of Summary-Yes

A motion by CM Beard to approve the summary from July 6, 2010, seconded by CM Myers, passed without dissent.

IV. Budget Amendments-Yes

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

V. New Business

- A. Authorization of a Carfax Authorization with Police Reports.US in Exchange for a Carfax Account on Behalf of the Department of Public Safety, Division of Police. (373-10) (Bastin/Bennett)
- B. Authorization of a Memorandum of Agreement (MOA) with the Kentucky Fire Commission on Behalf of the Department of Public Safety, Division of Fire & Emergency Services. (375-10) (Hendricks/Bennett)
- C. Authorization to Accept an Award from the Kentucky Justice & Public Safety Cabinet (JPSC), Kentucky State Police (KSP), on Behalf of the Department of Public Safety, Division of Police for the Ticketing Aggressive Cars and Trucks (TACT) Grant Program – FY2011. (378-10) (Gooding/Bennett)
- D. Authorization of a Subrecipient Agreement with the Louisville Metro Police Department (LMPD) under LFUCG Agreement with the Kentucky Office of Homeland Security (KOHS) for Improvised Explosive Devices (IED) Training. (379-10) (Gooding/Bennett)
- E. Authorization of a Professional Services Agreement (PSA) with Bridgette Ganahl, Sexual Assault Nurse Examiners (SANE), for Performance of Forensic Examinations – FY2010. (383-10) (Gooding /Bennett)
- F. Authorization to Accept an Award Offered by the Kentucky Justice & Public Safety Cabinet (JPSC) on Behalf of the Department of Public Safety, Division of Police and the Fayette County Commonwealth Attorney's Office for Continuation of the Street Sales Drug Enforcement Project – FY2011. (384-10) (Gooding/Bennett)
- G. Authorization to Accept an Award from the Kentucky Justice & Public Safety Cabinet (JPSC), Kentucky State Police (KSP), on Behalf of the Department of Public Safety, Division of Police for Operation of a Motor Carrier Safety Assistance Program (MCSAP) – FY2011. (388-10) (Gooding/Bennett)
- H. Authorization to Approve Information Station Specialists, Inc. as the Sole Source for Purchase of ALERT AM Emergency Advisory Radio System on Behalf of the Department of Public Safety, Division of Emergency Management/911. (395-10) (Gooding/Bennett)
- I. Authorization to Amend Section 23-5 of the Code of Ordinances within the Department of Public Safety, Division of Police. (390-10) (L. Jarvis/ Bennett)

- J. Authorization of an Addendum to Contract with the Lexington-Fayette County Health Department (LFCHD) for the Home Network Project – FY2010. (374-10) (Gooding/Helm)
- K. Authorization of a Quitclaim Deed and Release of Area Regarding Closure and Right-of-Way of Spring Grove Avenue. (376-10) (Webb)
- L. *Authorization to Proceed with the Annual Urban Service Legal Process for 2010 (392-10) (Webb)
- M. Authorization of a Quitclaim Deed with the Fayette County Board of Education (FCBE) to Transfer Right-of-Way. (394-10) (Webb)
- N. Authorization of a Street Closure and a Quitclaim Deed with Property Owner at 3292 Richmond Road to Transfer Right-of-Way. (397-10) (Webb)
- O. Authorization of Change Order No. 1 to Contract with Architectural Graphics, Inc. for LFUCG Wayfinding Program. (398-10) (Webb)
- P. Authorization to Accept Deeds of Easement for the Grimes Mill Bridge Rehabilitation Project. (377-10) (Gooding/Webb)
- Q. Authorization to Submit Grant Application to the Kentucky Heritage Council (KHC) and Accept Award if Offered, on Behalf of the Department of Public Works & Development, Division of Historic Preservation – FY2011. (393-10) (Gooding/Webb)
- R. Authorization to Submit Grant Applications to the US Department of Housing & Urban Development (HUD) under the Community Challenge Planning Grant Program. (399-10) (Gooding/Webb)
- S. Authorization of an Agreement with the Office of the Fayette County Sheriff for the Collection of the 2010 Urban Services Property Taxes. (380-10) (Askew)
- T. Authorization of a Memorandum of Understanding (MOU) with Awesome Labs, LLC on Behalf of the Chief Information Office, Division of Government Communications. (381-10) (Sullivan/Dhuwaraha)
- U. Authorization of a Metaformers Consulting Services Agreement with Metaformers™ as LFUCG Open Enrollment Consultant. (389-10) (Cottle/Dhuwaraha)
- V. Authorization of a System Improvement Design and Construction Memorandum by and between Mrs. Virgie Hager, Ball Homes, LLC, and LFUCG and the Transfer of Exaction Credits to Ball Homes, LLC. (407-10) (Askew)

- W. Authorization to Amend Section 1 of Resolution No. 371-2010 to Correct an Error in Salary. (382-10) (L. Jarvis/Rumpke)
- X. Authorization of an Agreement with the Jesse G. Harris, Jr. , University of Kentucky (UK) Psychological Services Center on Behalf of the Department of Public Safety, Division of Fire & Emergency Services, to Conduct Psychological Evaluations. (386-10) (L. Jarvis/Rumpke)
- Y. Authorization of a Medicare Early Retiree Subsidy Services Addendum to Agreement for Medicare Part D Implementation Services with Part D Advisors, Inc. (PDA). (387-10) (L. Jarvis/Rumpke)
- Z. Authorization of an Amendment to Neighborhood Stabilization Program Redevelopment Agreement with REACH, Inc. (404-10) (Gooding/ Rumpke)
- AA. Authorization of an Agreement with Fayette County Local Development Corporation for a Development of Rental Housing Project. (405-10) (Gooding/Rumpke)
- BB. Authorization of Modification No. 2 to the Neighborhood Stabilization Program (NSP) Funding Agreement with the Kentucky Department for Local Government (DLG) Regarding LFUCG Landbanking NSP Program. (406-10) (Gooding/Rumpke)
- CC. **Authorization to Amend Chapters 16 & 14 of the Code of Ordinances Regarding Construction Sites. (326-10) (Martin/Bush)
- DD. Authorization of Deeds of Easement for the Della Drive Storm Sewer Rehabilitation Project. (385-10) (Martin/Bush)
- EE. Authorization to Enter Into Grant Award Agreements with Autumn Ridge Homeowners Association, Inc. and Gainesway Neighborhood Association, Inc. for Stormwater Quality Projects. (401-10) (Martin/Bush)
- FF. Authorization of an Agreement with Third Rock Consultants, Inc. for Environmental Consulting Services – Wolf Run Creek Watershed-Based Plan Project - Phase I. (391-10) (Gooding/Bush)
- GG. Authorization of Change Order No. 1 to Contract with Bluegrass Contracting Corporation for the Vaughn's Branch Flood Hazard Mitigation Project. (402-10) (Gooding/Bush)
- HH. Authorization to Enter Into Grant Award Agreements under the 2010 EcoART Grant Program. (403-10) (Bush)

- II. Authorization to Declare Surplus Real Properties Owned by LFUCG and LFUCG Public Facilities Corporation and Offer for Sale by Bids. (400-10) (Baradaran/Cole)

*** Denotes Public Hearing**

****Denotes EPA Consent Decree**

A motion by CM Gorton to approve the New Business items, seconded by CM Gorton passed without dissent.

A motion by CM Myers to open the floor for discussion of the Special Investigative Committee counsel to come forward to speak, seconded by CM James, passed without dissent.

Judge Roger Crittenden, counsel for the Special Investigative Committee came forward to speak. Several CMs spoke and asked questions of Judge Crittenden and Keith Horn of LFUCG Dept. of Law.

A motion by CM Gorton to approve Judge Crittenden to represent CM Myers in the litigation case with Bruce Sahli, in his capacity as the Director of Internal Audit Board, seconded by CM Blues passed without dissent.

VI. Continuing Business / Presentations-Yes

A. Council Services Committee Update

This update was done by Chair CM Ellinger. There were some questions from a couple of CMs. There were no motions to come forward.

B. Ad Valorem Tax

This presentation was done by Ryan Barrow, Director, Division of Budgeting. Several CMs asked questions.

A motion by CM Gorton to place a resolution on the docket for August 19, 2010 Council Meeting to approve option 1 for then General Services Fund, option 1 for the Urban Services Fund, and other taxing districts as presented (for Ad Valorem Taxes), seconded by CM McChord, passed without dissent.

C. Distillery District Public Improvements Program Engineering Services Agreement

This presentation was done by Brian Marcum, Director of Central Purchasing. Several CMs requested to speak and asked questions.

A motion by CM Blues to place on the docket for the August 19, 2010 Council Meeting a resolution accepting the response of Strand Associates, Inc. to RFP No.

17-2010, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Strand Associates, Inc. for design related services for the Distillery District public improvements, at a cost not to exceed \$508,000.000, seconded by CM Gorton, passed with an 8-5; with CMs McChord and Myers absent for the vote.

VII. Council Report

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

CM Gorton-Announced that the 10th year celebration for the Dog Paddle at Woodland Aquatic Center will be on 9/11/10 at 9 am-3 pm; the price is \$10/dog (with proof of rabies shot) and \$5/person; the rain date will be on 9/12/10. Also announced was the inaugural event for the 2010 Wounded Warrior Golf Tournament on 9/20; for more information, please call 245-1100 or go online to bmaconline.org.

CM Blues-Announced the 1st Can Run Watershed Festival to be held on 9/20/10 at 5-8 pm at Green Acres Park; citizens are advised to park at Consolidated Baptist Church and take the free shuttle to the site; on 8/19/10 at 7 pm Speigle Heights NA will meet at Antioch Baptist Church; on 8/23/10 at same time, 7 pm, Oakwood and Radcliffe Marlboro neighborhood associations, and McConnell's Trace Greenways will.

CM Ellinger-Sent out a happy birthday wish to VM Gray and congratulations to CM Beard and his new bride.

CM Lawless-Announced the Elizabeth St NA will meet tonight at 7 pm at 1st Christian Church; Columbia Heights NA will meet at 7 pm at Ashland Terrace Retirement Home in the upstairs room; Woodland Arts Fair will be Saturday for 10-6 pm and Sunday from 1-5 pm; Aurora Block Party (Mentelle NA) will be on 8/21 beginning at 2 pm.

CM James-Sent her congratulations to CM Beard and his new bride; also announced that there will be Lyric Theatre luncheon and tour on 8/24/10 at 11:30 am.

CM Feigel-Announced that on 8/21/10 at 8:30 pm Picnic with the Pops will be hosting Cirque de la Symphonie at Keeneland.

CM Martin-Announced that Southland Jamboree is tonight at 7 pm-not too many more dates left this summer; on 8/20 UK Women's Basketball team will be having a Moon Dance at the Amphitheater in Beaumont-with inflatables, cheerleaders, and mascots; the Johnson Bros. will perform at

7 pm; on 8/20/1 the annual McDazzle event to benefit the Ronald McDonald House at the Hilton Hotel in downtown Lexington

VIII. Mayor's Report-Yes

A motion by CM Gorton to approve having a confirmation hearing on 8/26/10 at 6 pm in the 5th floor conference room, seconded by CM James, passed without dissent.

A motion by CM Crosbie to approve the Mayor's Report, seconded by CM James, passed without dissent.

IX. Public Comment-Issues not on the agenda-None

X. Adjournment

A motion by CM Martin to adjourn, seconded by CM Gorton, passed without dissent.

Work session was adjourned at 5:51 pm.