

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS

September 21, 2010

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

- I. Public Comment – Issues on Agenda-None
- II. Requested Rezoning / Docket Approval-Yes

A motion by CM Blues to approve an ordinance changing the zone from a Neighborhood Business (B-1) zone to a High Rise Apartment (R-5) zone, for 0.120 net (0.225 gross) acres, for property located at 165-167 Jefferson St; and from a Neighborhood Business (B-1) zone to Planned Neighborhood Residential (R-3) zone, for 0.046 net (0.0065 gross) acre, for property located at 163 Jefferson St., and requesting dimensional variances(Lexington Home Ownership Commission, Inc.(AMD)), seconded by CM Beard, passed without dissent.

A motion by CM James to place on the docket for Thursday September 23, 2010 a resolution authorizing the Mayor on the behalf of the Urban Co. Government to execute a Memorandum of Understanding and contract agreement with Greenroofs for Healthy Cities North America, Inc. for greenroofs workshop at a cost not to exceed \$15K, seconded by CM Gorton, passed without dissent.

A motion by CM Gorton to place on the docket for Thursday, September 23 a resolution initiating a text amendment to repeal Article 20 of the Zoning Ordinance which relates to erosion and sediment control. Ordinance no. 151-2010, which passed on August 26, 2010 related to stormwater discharges from construction sites and addresses all matters currently contained in Article 20 of the Zoning Ordinance so that repeal of Article 20 is necessary to assure consistency in the regulation of stormwater from construction sites, seconded by CM Myers, passed without dissent.

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

- III. Approval of Summary-None

IV. Budget Amendments-Yes

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

V. New Business

- A. Authorization of Amendment No. 12 to an Engineering Services Agreement with ENTRAN (f/k/a American Consulting Engineers, PLC) for the Newtown Pike Extension/Small Area Plan Project. (434-10) (Gooding/Webb)
- B. Authorization of Change Order No. 3 to Contract with Woodall Construction Company, Inc. for the Southend Park Temporary Redevelopment Housing Project for the Newtown Pike Extension Project. (FINAL) (454-10) (Gooding/Webb)
- C. Authorization of Amendment No. 1 to Agreement with the Kentucky Transportation Cabinet (KYTC) for the Fiber Optic Cable Installation Program Project – FY2008. (455-10) (Gooding/Webb)
- D. Authorization of Amendment No. 1 to a Professional Services Agreement (PSA) with the University of Kentucky Research Foundation for the Vine Street Streetscape Improvements Project. (436-10) (Kerr/Webb)
- E. Authorization of Amendment No. 1 to a Professional Services Agreement with the University of Kentucky Research Foundation for the Main Street Streetscape Improvements Project (437-10) (Kerr/Webb)
- F. Authorization of Amendment No. 1 to a Professional Services Agreement with the University of Kentucky Research Foundation for the Main Street Streetscape Improvements Project – Phase B. (458-10) (Kerr/Webb)
- G. Authorization of a Contract for Outdoor Lighting Service and a Contract for Electric Service Street Lighting with the Kentucky Utilities Company (KU) as Part of the Downtown Street Lighting Project Under the Limestone Streetscape Project. (438-10) (Herrington/Webb)
- H. Authorization to Approve Critex LLC as the Sole Source for Purchase of Mr. Manhole Replacement Cutter Package and Repair Parts. (439-10) (Williams/Webb)
- I. Authorization to Transfer Property and Temporary Easements to the Kentucky Transportation Cabinet (KYTC) for the Leestown Road Widening Project. (451-10) (Rayan/Webb)
- J. Authorization of a Memorandum of Understanding (MOU) with the Fayette County Public Schools (FCPS) on Behalf of the Department of Social Services. (435-10) (Helm)

- K. Authorization to Accept Loan of P7100 Model Radios Offered by Harris Corporation on Behalf of the Department of Public Safety, Division of Fire & Emergency Services in Support of the 2010 Alltech FEI World Equestrian Games™(WEG) and Spotlight Lexington. (432-10) (Hendricks/Bennett)
- L. Authorization to Accept a Cash Donation from Columbia Gas Transmission LLC on Behalf of the Department of Public Safety, Division of Fire & Emergency Services. (443-10) (Hendricks/Bennett)
- M. Authorization of a Contractual Agreement with the Bluegrass Regional Mental Health-Mental Retardation Board, Inc. (d/b/a Comprehensive Care Center) on Behalf of the Department of Public Safety, Division of Community Corrections. (433-10) (Bishop/Bennett)
- N. Authorization of a Professional Services Agreement (PSA) with Amy Slatin, Sexual Assault Nurse Examiners (SANE), for Performance of Forensic Examinations – FY2010. (444-10) (Gooding/Bennett)
- O. Authorization of Change Order No. 2 to Contract with Free Contracting, Inc. on Behalf of the Department of Environmental Quality, Division of Waste Management for the Solid Waste Facility Expansion Project. (FINAL) (441-10) (Feese/Bush)
- P. Authorization of a Statement of Work (SOW) with VeBridge on Behalf of the Department of Environmental Quality, Division of Water Quality. (449-10) (Martin/Bush)
- Q. Authorization of a Joint Funding Agreement with the US Department of the Interior, US Geological Survey (USGS). (448-10) (Martin/Bush)
- R. Authorization of a Contract for Like Kind Exchange with Delta T Corporation (d/b/a Big Ass Fans® Inc.) on Behalf of the Department of General Services, Division of Parks & Recreation. (238-10) (Hancock/Cole)
- S. Authorization of Amendment No. 2 to Agreement with Kentucky Transportation Cabinet (KYTC) for the Healthway Trail Project. (450-10) (Gooding/Cole)
- T. Authorization of a License Agreement with Hustonville, LLC on Behalf of the Department of General Services, Division of Parks and Recreation. (453-10) (Hancock/Cole)
- U. Authorization to Dispose of Surplus Real Properties Owned by LFUCG by a Bid Process. (445-10) (Baradaran/Cole)
- V. Authorization for the Issuance of Industrial Revenue Bonds (IRB) to Centenary United Methodist Church, Inc. for Outstanding Debt. (452-10) (Wright/Kelly)

- W. Authorization to Amend Chapter 25 of the Code of Ordinances Regarding the Ethics Act. (456-10) (Rabold)
- X. Authorization of a Purchase of Service Agreement (PSA) with Bluegrass State Games, Inc. (457-10) (Rabold)

A motion by CM Lawless to place item 'W' into the Inter Governmental Committee, seconded by CM Blues, passed without dissent.

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

VI. Continuing Business / Presentations-Yes

A. Special Council Services Committee Update

This update was given by Chair CM Ellinger. There were no motions to come forward.

B. Council Budget & Finance Committee Update

This update was given by Chair CM Stinnett. One motion was brought forward.

A motion by CM Stinnett to approve the following changes in the minimum license fee ordinance: due date will change for fees to be paid on April 15th and sole proprietors being exempt from the fee if the total gross receipts from business activity are less than \$4400.00, seconded by CM McChord, passed with a 13-1 vote.

VII. Council Report

CM Blues-Announced the Masterson Station HOA meeting tonight at 7 pm; on 10/22 from 10-6 pm at Applebees Park, the Health Dept will have a free flu shot event; Radcliffe-Marlboro and Oakwood NAs will both meet at 7 pm on 9/27/10-a state representative will be present at the Oakwood meeting to answer questions about the present construction of the new Eastern State Hospital; also asked follow-up questions about the Wayfinding signs and Kevin Wenthe answered.

CM James- Stated that she and CM Blues received applause for the *progress* of the stormwater project in the Green Acres neighborhood; thanked Darryl Bennett, Jim Wray, and Amanda Gumbert, with the Cane Run Watershed Group for their continued work on this project; asked administration about the process and procedures for those going to the emergency homeless shelters during the WEG-Comm. Helm answered.

CM Beard-Asked about the Wayfinding signs for the WEG.

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

CM Stinnett- Stated that the Liberty/Todds Rd/Man-O-War project is 99% completed; on 9/27/10 at 7 pm at Bryan Station High School the Beverly Ave Sanitary Sewer Construction meeting will be held; also 2 other meetings were announced: Andover on Tuesday night at 7 pm at the Methodist Church on Todds Rd and at 7 pm at BSHS the Northpoint NA will.

CM McChord- Stated that the clock that we have been looking at is now down to 3 days until the WEG; gave thanks to all involved; thanked Steve Austin and Beth Wilmont of the Bluegrass Community Foundation for making the Legacy Trail a reality; on 10/10/10 another 2nd Sunday event will take place; this year 115/120 KY counties will be involved.

CM Crosbie- Echoed CM Stinnett's statements about the Liberty/Todds Rd/Man-O-War construction project; thanked Police for extra patrol and Brad Frazier.

CM Lawless- Announced the Elizabeth St NA will be tonight at 7 pm at the 1st Christian Church at the corner of Audubon and Forest Park; Goodrich NA will meet Thursday at 7 pm at the end of Goodrich Ave-their annual picnic will be on Saturday, 9/26/10 at 2 pm; announced if anyone needs updates about Spotlight Lexington, they can go to Facebook; asked questions about the Way Finding signs- Kevin Wentz answered; also asked about garbage collection during the WEG- Susan Bush answered.

A motion by CM Lawless to place into the Services Committee the issue of residential parking permits, seconded by CM Gorton, passed without dissent.

CM Feigel- Stated that there was a news conference on yesterday on Newtown Pike to announce the banners that will be put up along Newtown and Versailles Rd for the WEG, welcoming all visitors.

A motion by CM Feigel to place into the Services Committee the issue of sidewalk specifications for review and possible modifications, seconded by CM Lane, passed without dissent.

CM Ellinger- Asked Krista Greathouse how citizens can get Spotlight Lexington books; asked Comm. Webb about the bike trail to the Horse Park

being closed on Sunday.

VM Gray-Made a statement about the delay of the Wayfinding signs for the WEG.

VII. Mayor's Report-Yes

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

Mayor Newberry asked Asst. Chief Boggs to speak about the temporary locations during the WEG for the homeless who are usually in Phoenix Park.

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

X. Closed Session-Pending Litigation

A motion by CM Blues pursuant to KRS 61.810(1)(c) to go into closed session for the purpose of discussing pending litigation involving the Urban County Government, seconded by CM Gorton, passed without dissent.

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

XI. Adjournment

A motion by VM Gray to adjourn, seconded by CM Myers, passed without dissent.

Work session was adjourned at 5:11 pm.