

URBAN COUNTY COUNCIL
COMMITTEE OF THE WHOLE WORK SESSION MINUTES
AND MOTIONS
April 12, 2011

Vice Mayor Gorton chaired the meeting, calling it to order at 3:42 pm. All Council Members were present.

- I. Public Comment – Issues on Agenda-None
- II. Approval of Summary-Yes

A motion by CM Beard to approve the summary for March 15, 2011, seconded by CM Blues, passed without dissent.

- III. Review of Docket-Yes

A motion by CM Kay to approve placing on the docket without a hear an ordinance changing the zone from a Wholesale and Warehouse Business (B-4) zone to a Neighborhood Business (B-1) zone for 0.74 net (1.07 gross) acre, for property located at 369 Codell Dr. (a portion of) (Equity Alliance of Lexington, LLC), seconded by CM Farmer, passed without dissent.

A motion by CM Henson to place on the docket without a hearing an ordinance changing the zone from a Professional Office (p-1) zone to a Neighborhood Business (B-1) zone for 0.594 net (0.829 gross) acre, for property located at 1389 Alexandria Dr (W. Nelson McMakin), seconded by CM Farmer, passed without dissent.

A motion by CM Farmer to place on the docket without a hearing an ordinance changing the zone from a Highway Service Business (B-3) zone to a Wholeseale & Warehouse Business (B-4) zone for 1.083 net and gross acres, for property located at 763 and 779 Newtown Pike (portions of), subject to certain use restrictions imposed as conditions of granting the zone change (SCW Newtown, LLC), seconded by CM Lane, passed without dissent.

Several CMs asked questions and they were answered by employees from the appropriate departments.

A motion by CM Stinnett to table #37 of Resolutions (BS 133-11) until April 26, 2011 COW WS, seconded by CM Crosbie, passed by a 10-5 vote.

IV. Review of Budget Amendments-Reviewed and no questions asked.

V. Agenda Items Referred from Council Members

A motion by CM McChord to refer to April 14, 2011 Council Meeting a resolution electing Doug Martin and Peggy Henson to the Transportation Policy Committee of the Lexington Area Metropolitan Planning Organization as the representatives for Council Districts 9, 10, and 12 and 3, 5, and 11, respectively, seconded by CM Ellinger, passed without dissent.

A. 4.14.11 NDF List (for informational purposes only)-No action needed; already placed on docket.

B. Council Administrator job description

A motion by CM Stinnett to allow HR to proceed with the advertisement of the Council Administrator job description with recent changes, seconded by CM Ellinger, passed without dissent.

VI. Committee Report

A. 3.1.11 Planning & Zoning Committee

Chair CM Farmer, Jr gave this report from the meeting. Several motions came forward.

A motion by CM Farmer to place on the docket to initiate a text amendment in the Code of Ordinances for the right of entry for Building Inspection to obtain an administrative search warrant and enter property for safety violations, seconded by CM Blues, passed without dissent.

A motion by CM Farmer to place on the docket to initiate a text amendment in the Code of Ordinances to change the enforcement from a criminal penalty to a civil penalty and the appeals would be heard in the Infrastructure Hearing Board, seconded by CM Blues, passed without dissent.

A motion by CM Farmer to place on the docket to initiate a text amendment in the Code of Ordinances to change the language to temporary structures designed for use or occupancy for 60-180 days per twelve-month period on a single property, calculating said period by cumulative consideration of the use of any and all structures on a

single property with any changes to go through the BOA, seconded by CM Blues, passed without dissent.

A motion by CM Farmer to place on the docket to initiate a text amendment to define circuses and carnivals, seconded by CM Henson, passed without dissent.

B. 3.22.11 General Government Committee

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

VII. Council Report

CM Blues-Announced 2 neighborhood meetings: tonight at Meadowthorpe at the park community center at 7 pm and Winburn on April 18th at 6:30 pm at the MLK Shelter.

CM Martin-Spoke about the reduction in the budget for the pension fund; want CMs to be aware that there were promises made to Police and Fire; said that he was not comfortable with the information he was getting and wanted to make sure that Budget & Finance would get more concrete information.

CM Stinnett-Asked that we make sure that roll call was noted for the Budget Address meeting because it was not verbally called out; asked Comm. Driskell if we (LFUCG) have a budget reduction plan-she answered and said that she would have it by the COW WS on 4.26.11; announced to the citizens that if they have any flooding issues to please call LexCall at 311; announced that Saturday night at the Children's Theatre will be Curtain Call at 7 pm.

CM Henson-Announced that at noon on next Monday there will be a Cardinal Crossing Apt. Mgmt Assoc. meeting at the church-Gary Means from LexPark, will be there; also asked when will Council get the E911 report-Comm Mason said May 10, 2011.

CM Ellinger-Stated that he would bring the proposed Budget COW schedule forward on Thursday night at the Council Meeting; also asked how soon could Council get a concrete FY 11 plan-within 2 weeks? Comm. Driskell said yes, April 26, 2011.

CM Lawless-Announced that tonight at 6 pm at Maxwell Presbyterian Church the Southhill NA will meet; stated that Farmers'

Market is open; also announced that on 4/21 at Crestwood Christian Church there would be a Sustain Lexington local food summit; asked that the E911 report and others be presented at the May 10, 2011 COW WS.

CM Myers-Asked CM Ellinger if the budget staff was providing the analysis of the restructure.

CM Ford-Asked VM Gorton to explain the budget process now that the Mayor has delivered his budget to the Council.

CM Crosbie-A motion by CM Crosbie to hear the E911 and Corrections update at the May 10, 2011 COW WS instead of the Public Safety/Public Works Committee meeting, seconded by CM Myers, passed without dissent.

VIII. Public Comment – Issues Not on Agenda-None

IX. Adjournment

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

COW Work Session adjourned at 4:49 pm.