

URBAN COUNTY COUNCIL
 WORK SESSION SUMMARY
 & TABLE OF MOTIONS
 NOVEMBER 15, 2011

Mayor Gray chaired today's work session meeting, beginning at 3:00pm. All Council Members were present except CM Crosbie and CM Henson.

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

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

A motion by CM Stinnett to place on the docket for the November 17th Council meeting an ordinance declaring portions of sidewalks in Hamburg Place Community, Phase 1 and Phase II of Shetlands Subdivision, to have been dedicated to the Lexington-Fayette Urban County Government as Public Right of Ways, and accepting the dedication, seconded by CM McChord, passed without dissent.

A motion by VM Gorton to place on the docket for the November 17th Council meeting a resolution endorsing and supporting the Bluegrass Economic Advancement Movement (BEAM) and urging members of the Lexington-Fayette County and Jefferson County communities to fully participate in the project and to use this as an opportunity to further the collective goals of both cities as economic engines for all of Kentucky and to provide economic and educational opportunities to its citizens, seconded by CM Lane, passed without dissent.

- III. Approval of Summary – No
- IV. Budget Amendments – Yes

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

- V. New Business

A. Authorization to amend Section 21-5 of the Code of Ordinances abolishing one position of Director of Litigation; and amend Section 22-5 of the Code of

Ordinances creating two positions of Attorney, all in the Department of Law. (395-11) (Jarvis/Graham)

B. Authorization to execute Change Order No. 2 with Woodall Construction for the Lexington Streetscape Phase 1 improvements, East Main Streetscape Project. (404-11) (Taylor)

C. Authorization to execute Change Order No. 3 with Woodall Construction for the Lexington Streetscape Phase I Improvements, East Main Streetscape Project. (405-11) (Taylor)

D. Authorization to execute Change Order No. 2 (final) with Charles Deweese Construction for the Lexington Streetscape Phase 1 West Main Street Project. (396-11) (Taylor)

E. Authorization to execute Change Order No. 2 with Woodall Construction Company for the Clays Mill Road Improvements Project. (406-11) (Gooding/Taylor)

F. Authorization to execute Change Order No. 2 (final) with Marrillia Design and Construction for the Maxwell Street Sidewalk and Bike Lane Project. (407-11) (Gooding/Taylor)

G. Authorization to close the right-of-way located between the properties located at 444 Fayette Park and 503 Willy Street and transfer the Right-of-Way to adjacent property owners. (414-11) (Wente/Taylor)

H. Authorization to enter into an exclusive easement agreement granting a 12' by 12' easement to Columbia Gas of Kentucky, INC., to construct, maintain, operate, and replace pipelines and related equipment. (397-11) (Baradaran/Moloney)

I. Authorization to execute agreement with Hazen and Sawyer for the implementation of sanitary sewer Capacity, Management, Operations, and Maintenance (CMOM) program deliverables associated with LFUCG's Consent Decree. (408-11) (Martin/Taylor)

J. Authorization to approve a Statement of Affiliation for the Division of Fire and Emergency Services Rescue Team as a Rescue Squad under KRS Chapter 39F. (412-11) (Dugger/Mason)

K. Authorization to enter into a lease agreement with Pilgram Baptist Church for rental of vacant lot adjacent to Coolavin Park for patron parking. (398-11) (Hancock/Moloney)

L. Authorization to enter into a Facility Usage Agreement with Fayette County Board of Education for use of the Winburn Middle School gymnasium. (409-11) (Hancock/Moloney)

M. Authorization to execute an agreement between Jessamine County EMS (JCEMS) and LFUCG Division of Fire and Paramedic Training. (394-11) (Gribbin/Mason)

N. Authorization to execute agreement with Ad-Success for mobility office marketing campaign for fiscal year 2012. (399-11) (Gooding/Moloney)

O. Authorization to enter into an agreement with Xavus Solutions, LLC for the purchase and maintenance of a data collection program at the senior center. (401-11) (Stambaugh/Mills)

P. Authorization to approve contract with Global Compliance for the installation and administration of a fraud tip line. (416-11) (Sahli)

Q. Authorization to execute the National Safety Council Defensive Driving Course (DDC) Private Sub-Agency Training Agreement between the Division of Risk Management and the Tennessee Regional Safety Council, Inc. (415-11) (Johnston/Moloney)

R. Authorization to approve amendment to agreement with AMEC Environment and Infrastructure, Inc., for additional Brownfield Site Assessment Services. (411-11) (Gooding/Taylor)

S. Authorization to accept award from the Kentucky Office of Homeland Security for continuation of the Metropolitan Medical Response System. (MMRS)-FY 2012. (402-11) (Gooding/Mason)

T. Authorization to accept award of federal funds from the Kentucky Office of Homeland Security for various Public Safety projects under the 2011 States Homeland Security Grant Program. (413-11) (Gooding/Mason)

U. Authorization to submit application and accept award, if offered, from the Kentucky Division of Emergency Management for a search and rescue project in the Division of Fire and Emergency Services. (410-11) (Gooding/Mason)

V. Authorization to submit application and to accept award of funds from the Kentucky Board of Emergency Medical Services for purchase of EMS equipment for FY 2013. (403-11) (Gooding/Mason)

W. Authorization to execute a lease agreement with Denham-Blythe for space for our Wellness Center. (417-11) (Moloney)

A motion by CM Beard to approve new business items, seconded by VM Gorton, passed without dissent.

VI. Continuing Business / Presentations – Yes

A. Planning and Public Works Committee Update

Update was given by CM Famer. There were no motions to come forward.

B. Land Use and Watershed Mgmt Impacts on Stormwater Runoff

Presentation was given by Charles Martin, Division of Water Quality. The presentation is required each year because of Consent Decree mandates.

C. 800 MHz Radio System Implementations

Presentation was given by Clay Mason, Commissioner of Public Safety and David Lucas, Director of E-911. Update was given regarding the implementation process of the federally mandated radio system in Fayette County. There was a discussion of the use of the consultant and the FCC waiver process.

VII. Council Report

CM Blues- Stated that on November 17th, Division of GIS, Division of Fire and EMS, and Division of Police will be participating in the regional GIS day on the University of Kentucky campus.

VM Gorton- Stated that she hoped to have the draft 2012 council calendar to the Council Members by Thursday, November 16, 2011. She also welcomed the new Council Administrator, Stacey Maynard.

CM Stinnett- Stated that the new Police class funded by the COPS grant will take longer than 6 months to get on the street. He also mentioned R.J. Corman's painting of Railroad overpasses. He asked Law Commissioner Graham for her legal opinion and was told that railroads are under federal law and it supersedes our local sign ordinance. Stated that Eastland Parkway Neighborhood Association has a meeting scheduled for that evening at Christ Center Church at 6:30pm.

CM Martin- Announced Beaumont Neighborhood Association meeting for that evening, at Rosa Parks Elementary at 6:30pm. Mentioned a stream cleanup scheduled for November 19th at 1:00pm along Vaughn's Branch in District 11. Stated that new stop signs have been installed in the 10th District. Asked the Administration to update the Council on

the Division of Environmental Quality after the resignation of Commissioner Cheryl Taylor. Mayor Gray told the Council that the decision to release her from her duties was not made lightly. Commissioner Graham said that they will not make a public comment on Taylor's resignation. CM Martin suggested going into closed session to discuss it and Commissioner Graham said that they could not due to KRS 67A, which makes the Mayor the appointing authority of hiring for the Administration. Graham said that they needed to be considering the hiring or dismissal of an employee to go into closed session.

CM Lawless-A motion by CM Lawless to place into the Planning and Public Works Committee a review of the ordinance that Building Inspection uses to determine the percentage of pavement on a lot, and how they are calculating it, seconded by CM Blues, passed without dissent.

Morris Book Shop is having a grand opening on 882 East High Street this Saturday, November 19th.

CM Myers- Thanked the Mayor for looking at converting Downtown streets to two-way streets. He also asked Commissioner Graham about the resignation of Commissioner Taylor. She stated that the legislative body is not involved in the dismissal of an employee that is an at-will employee in the Mayor's Administration. She said a position like the Fire Chief is different because it is under a different provision in state law.

VIII. Mayor's Report – No

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

VM Gorton made a motion to go into closed session for discussion of litigation affecting the Urban-County Government and the acquisition of real property, seconded by CM Ellinger, passed without dissent.

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

A motion by VM Gorton to place on the docket for the November 17th, 2011 Council meeting, a resolution ratifying the Department of Law's executive of a Settlement Agreement, Stipulation, and Recommendation in Public Service Commission Case No. 2011-00161, pertaining to approval of Kentucky Utilities Company's Environmental Surcharge Recovery, seconded by CM Lawless, passed without dissent.

X. Adjournment

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

Work Session adjourned at 5:30pm