

URBAN COUNTY COUNCIL

WORK SESSION SUMMARY

& TABLE OF MOTIONS

December 4, 2007

Mayor Newberry chaired the meeting, calling it to order at 3:00 pm. All Council Members were present, except VM Gray.

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

A motion by CM DeCamp to rescind resolution 390-99 which identifies Kentucky River as Fayette County's preferred water supplied source, seconded by CM Beard, passed unanimously.

A motion by CM Stinnett to place on the docket for Thursday, December 6th an ordinance amending Section 4-12.4(d) of the Code of Ordinances to increase the kennel license fee from \$25 to \$135, seconded by CM McChord, passed unanimously.

A motion by CM Stinnett to place on the docket for Thursday, December 6th an ordinance amending Section 4-19(e) of the Code of Ordinances to increase the fine for the prohibition against dogs running at large to not less than \$50 for a first offense, \$100 for a second offense, \$250 for a third offense, and \$500 for a fourth and each subsequent offense during a 36-month period, seconded by CM McChord, passed unanimously.

A motion by CM Stevens to add budget amendments #1142, #1143, #1146, #1147, and #1148 that re- appropriate capital project budgets in Urban Services, Municipal Aid, Sanitary Sewer Operations, Parks, and Landfill, seconded by CM Ellinger, passed unanimously.

A motion by CM DeCamp to approve the docket as amended, seconded by CM Beard, passed unanimously.

- III. Approval of Summary – Yes

A motion by CM Ellinger to approve the summary from November 27, 2007 was seconded by CM Beard, passed unanimously.

IV. Budget Amendments-Yes

Budget Amendments were approved unanimously.

V. New Business

- A. Authorization of an Amendment to Agreement with REACH, Inc. Regarding the First-Time Homebuyers Program. (667-07) (King/Koch)
- B. Authorization of Change Order No. 1 to Contract with Past Respects, LLC for the Cadentown School Project on Behalf of the Division of Historic Preservation (Final). (670-07) (King/Koch)
- C. Authorization of an Amendment to Agreement with Community Ventures Corporation (CVC) for an Extension of the FY2005 HOME Funded First-Time Homebuyers Program and the Retention of Recaptured Funds. (679-07) (King/Koch)
- D. Authorization to Amend Resolution No. 386-2007 to Extend the Expiration Date of the Contract with Metaformers, Inc. (683-07) (Koch)
- E. Authorization of an Ordinance Regarding Property Abutting Newtown Pike as Recommended by the Corridors Committee. (661-07) (Stevens/Langston)
- F. Authorization to Close a Portion of Owens Street. (663-07) (Boland/J. Kelly)
- G. Authorization of a Rental Agreement with the Lexington Center Corporation (LCC) for the Martin Luther King Jr. Holiday Memorial Program. (690-07) (Ebel/J. Kelly)
- H. Authorization to Amend Section 21-5 of the Code of Ordinances within the Division of Parks and Recreation. (665-07) (Allen/Cole)
- I. Authorization to Amend Ordinance No. 163-1992 to Cable Franchise Agreement with Insight Kentucky Partners, II LP. (687-07) (Starkweather/Cole)
- J. Authorization to Amend Section 22-5 of the Code of Ordinances within the Department of Social Services. (666-07) (Allen/Helm)
- K. Authorization to Submit Application to the Kentucky Cabinet for Health and Family Services for the Continuation of the New Chance Program, Peers Educating Peers Program, the Mentoring Program, and the Governance Council Project for FY2009. (669-07) (King/Helm)

- L. Authorization to Submit Application to the Kentucky Cabinet for Health and Family Services under the Prevent Child Abuse Kentucky Initiative for a Child Care Assistance Program at the Family Care Center. (681-07) (King/Helm)
- M. Authorization to Submit Application to the US Department of Health and Human Services for the Continuation of Healthy Tomorrows Project – FY2008. (680-07) (King /Helm)
- N. Authorization of a Lease Agreement with West End Community Empowerment Program (WECEP) for Space at the Black and Williams Neighborhood Center. (689-07) (Helm)
- O. Authorization of an Agreement with Celico Partnership (d/b/a Verizon Wireless) for 3-1-1 Services for Fayette County on Behalf of the Division of Enhanced 9-1-1. (664-07) (Lucas/Bennett)
- P. Authorization to Accept Award from the US Department of Justice under the 2007 State Criminal Alien Assistance Program (SCAAP). (671-07) (King/Bennett)
- Q. Authorization to Accept Award from the Kentucky Office of the 911 Coordinator / Commercial Mobile Radio Service Board for Improvements to the Regional 911 System on Behalf of the Division of Enhanced 9-1-1. (672-07) (King/Bennett)
- R. Authorization to Accept Award from the Kentucky Office of Homeland Security for Improvements to the Regional 911 System on Behalf the Division of Enhanced 9-1-1. (673-07) (King/Bennett)
- S. Authorization to Accept Award from the Kentucky Office of Homeland Security on Behalf of the Division of Environmental and Emergency Management (DEEM). (674-07) (King/Bennett)
- T. Authorization to Accept Award from The Kentucky Office of Homeland Security on Behalf of the Division of Police. (675-07) (King/Bennett)
- U. Authorization to Submit Application to the US Department of Homeland Security Under the 2007 Fire Prevention and Safety Grant Program. (676-07) (King/Bennett)
- V. Authorization of a Memorandum of Agreement (MOA) with Murray State University, Kentucky Institute for International Studies (MSU / KIIS) on Behalf of the Division of Police. (684-07) (Beatty/Bennett)
- W. Authorization to Accept Award from the Kentucky Environmental and Public Protection Cabinet for participation in the Mercury Collection Program – FY2008. (668-07) (King/D. Kelly)

- X. Authorization of a Permanent Sanitary Sewer Easement at 691 Woodward Lane for the Wilderness Road / Woodward Lane Sanitary Sewer Project. (677-07) (King/D. Kelly)
- Y. Authorization of a Permanent Sanitary Sewer Easement at 687 Woodward Lane for the Wilderness Road / Woodward Lane Sanitary Sewer Project. (678-07) (King/D. Kelly)
- Z. Authorization of an Engineering Services Agreement with Lily Wastewater Management, Inc. for the Contract Operations for Blue Sky Wastewater Treatment Plant. (682-07) (Martin/D. Kelly)
- AA. Authorization to Amend Section 21-5 of the Code of Ordinances within the Division of Engineering. (685-07) (Allen/D. Kelly)
- BB. Authorization to Amend Section 21-5 of the Code of Ordinances within the Division of Water and Air Quality. (686-07) (Allen/D. Kelly)
- CC. Authorization to Approve DLT Solutions, Inc. as Sole Source Vendor for the Purchase of Quest Software. (691-07) (Dhuwaraha)
- DD. Authorization of a Quarterly Service Agreement with Scheller's Fitness and Cycling on behalf of the Dunbar Community Center. (692-07) (Hancock/ Cole)
- EE. Authorization of a Rental Agreement with the Lexington Center Corporation (LLC) for Lease of the Opera House for the Kiddie Kapers Program. (693-07) (Hancock/Cole).
- FF. Authorization to Compensate Department of Finance and Administration Staff for STARS Implementation and Closing of Financials for FY2007. (656-07) (Koch)

A motion by CM Blevins to remove item BB, seconded by CM Gorton, passed unanimously.

A motion by CM Dr. Stevens to delete item E until work session on Dec. 11, seconded by CM James, passed unanimously.

A motion by CM Beard to approve new business items A-FF, as amended, seconded by CM Gorton, passed with CM Moloney recused on item A.

VI. Continuing Business / Presentations

A. Budget & Finance Committee Update

This update was given by Chair CM Dr. Stevens.

B. Lexington Public Library Presentation

This presentation was done by Burgess Carey, Chairman of the Board of Trustees and Larry Smith, Secretary of the Board of Trustees of the Lexington Public Library.

Several CMs spoke and thanked the Library for their programming

C. Special Presentation from Mayor Newberry to Liz Damrell, retiring Council Clerk

Mayor Newberry read a proclamation and honored Ms. Damrell by switching seats with her-she presiding over the meeting and Mayor Newberry presiding as clerk for the meeting, including reading the proclamation as the clerk reads ordinances and resolutions.

VII. Council Report

CM Gorton-Thanked Liz; mentioned the confirmation of Cheryl Taylor; announced the Keep-It-Real campaign; announced that for customer appreciation night on Dec. 18 at 7 pm at the transit center, buses will leave to tour Southern Lights at the Horse Park; VM asked CM Gorton to bring the award in to show from the Lexington Downtown Corp.

CM Stinnett-Thanked colleagues for receiving the award; asked Michael Allen to explain the process of our benefits enrollment; stated that motion for staffing at Animal Control is outstanding due to lack of money-need \$92K; BSHS Girls Soccer team was voted # 7 in nation for highest GPA and #1 in the state of KY; announced that there is a new 4-way stop at Brynell & Northside Drives.

CM Blevins-Thanked Comm. Koch and Charlie Martin and staff for their work on the legislation for the Storm Water \$\$\$\$; close to having something completed.

CM McChord-Thanked Mayor & staff for Christmas festivities on this past Saturday, also Renee Jackson and Sandy Straub from Downtown Dev. Corp; thanked employees of Parks, individually; invited everyone to the therapeutic recreation dinner and dance on Dec. 5th from 5-9; for more information, please call Brent Claiborne at 258-2908; mentioned that he went to Austin TX last week with Bluegrass Tomorrow-thrilled to bring back ideas to the Council.

Mayor Newberry stated that he will be having an appreciation for the Parks employees that assisted with the Christmas decorations on Dec. 18th at 9 am in the Mayor's Office-all CMs are invited.

CM Moloney-Announced that tonight will be a potluck dinner meeting for the Cardinal Valley NA-he will not be there because of the zone change hearing tonight; also told Liz (Damrell) that she will be missed.

CM Blues-A motion by CM Blues to put into the Intergovernmental Committee the CSEA request to be grant the CSEA officers 4 hours monthly, AWL, to perform CSEA business, seconded by CM Beard, passed unanimously.

A motion by CM Blues to place into the Planning Committee the review of the ordinances regulating the allowable height of fences and timeliness of building the fence (friendly amendment), seconded by CM DeCamp, passed unanimously.

CM Stevens-Announced that there will be NO Budget & Finance Committee meeting next week.

CM DeCamp-Announced that the News Rack Task Force met with KKG-recently hired consultants for the downtown sidewalks and other design features; mentioned that last night he attended a candlelight tour at Ashland-the Henry Clay estate.

CM Lane-A motion by CM Lane to approve the CPF List for Dec. 4, 2007, to ratify the disbursement seconded by CM Myers, passed unanimously.

Spoke about sending a 2nd letter to the PSC; (2nd letter will be placed in file); stated that this letter has less political commentary in it.

CM Crosbie-A motion by CM Crosbie to place into the Services Committee a multi-way stop at Summerhill and Squires Oak Dr, seconded by CM Gorton, passed unanimously.

CM Ellinger-Announced the Firefighter Auction on Dec. 8 at 255 Palumbo Dr (old Champs building); the toy program still accepting gifts-drop-off at this same location; John Bird spoke about benefits enrollment for Medicare recipients.

CM Myers-Announced the 1st District 8 Holiday Decorating contest; if questions, please call Lou Gregory at 552-1819 or email him at lou.gregory@insightbb.com; also, showed Military Missions card again; re-stated that they will be sending cards/gifts to our active military personnel; for more information, please call Beth Pennington at 509-4827 or email at militarymissions@insightbb.com.

VIII. Mayor's Report-Yes

A motion by CM Crosbie to approve the Mayor's report, seconded by CM Blues passed unanimously.

Mayor Newberry announced that there will be 2 receptions this week- on Thursday from 5-7 pm reception for Boards & Commissions and on Friday from 11:30-1:30 pm reception for LFUCG employees- both will be held in the ballroom.

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

X. Closed Session-Litigation

A motion by CM Gorton to go into closed session pursuant to KRS 61.810(1)(c) for the purpose of discussing pending litigation matters involving the Lexington-Fayette Urban County Government, seconded by CM Beard, passed unanimously.

A motion by CM Stevens to come out of closed session, seconded by CM Gorton passed unanimously.

A motion by CM Stevens to adjourn, seconded by CM Gorton, passed unanimously.

Work Session was adjourned at 5:17 pm.