URBAN COUNTY COUNCIL

WORK SESSION SUMMARY

& TABLE OF MOTIONS

January 22, 2008

Mayor Newberry chaired the meeting, calling it to order at 3:05 pm. All Council Members were present.

Mayor Newberry welcomed newly sworn-in CM Peggy Henson.

I. Public Comment – Issues on Agenda-None

II. Requested Rezonings / Docket Approval-Yes

A motion by CM Blues to place on the docket for the January 25, 2008 meeting a resolution amending Resolution No. 59-2006 to change the name of the Approved Company, which was granted an inducement pursuant to the Kentucky Job Development Act, from Exstream Software North America, Inc. to Exstream Software North America, LLC and a resolution amending Resolution 743-2000 to change the name of the Approved Company, which was granted an inducement pursuant to the Kentucky Job Development Act, from Exstream Software, Inc. to Exstream Software North America, LLC, seconded by CM McChord, passed without dissent.

A motion by CM Ellinger to place on the docket without a hearing, an ordinance amending Article 6-10(b)(2) and 6-10(b)(3) of the Land Subdivision Regulations to require more diversification of plant species in street trees and to adjust the minimum size of utility strips for various sizes of street trees, seconded by CM Myers, passed without dissent.

A motion by CM Stevens to approve the docket as amended, seconded by CM Crosbie, passed without dissent.

III. Approval of Summary – Yes

A motion by CM DeCamp to approve the summary from January 15, 2007, was seconded by CM Stinnett, passed without dissent.

A motion by CM Stevens to amend the 1/15/08 summary to read "a motion by CM Stevens to approve item c and request a report in 6 mos (July), seconded by CM Gorton, passed unanimously" seconded by CM Gorton, passed without dissent.

IV. Budget Amendments-Yes

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

V. New Business

A. Authorization to Amend Section 2 of Ordinance No. 294-2007 to Correct a Clerical Error. (029-08) (Allen/Koch)

B. Authorization to Amend Section 2 of Ordinance No. 293-2007 to Correct a Clerical Error. (030-08) (Askew)

C. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Social Services, Senior Citizens' Center. (039-08) (Allen/Helm)

D. Authorization of a Deed of Permanent Storm Sewer Easement at 223 Westwood Court for the Elizabeth Street Drainage Improvements Project. (032-08) (Martin/Taylor)

E. Authorization to Amend Section 1 of Ordinance No. 280-2007 for Schedule of Meetings for the Lexington-Fayette Urban County Council for Calendar Year 2008. (033-08) (Langston)

F. Authorization of a Resolution to the 2008 General Assembly Urging for Trauma Care to all Citizens of the Commonwealth of Kentucky to Create a Trauma Network. (046-08) (Langston)

G. Authorization of Change Order No. 1 to Contract with Lithko Restoration Technologies Regarding the Temporary Shoring Installation for the Annex Parking Structure. (038-08) (Loney/Cole)

H. Authorization of a Professional Service Agreement with L. Lianne McBride, Sexual Assault Nurse Examiner (SANE) for Performance of Forensic Examinations. (034-08) (King/Bennett)

I. Authorization of a Professional Service Agreement with Sherry Guiller, Sexual Assault Nurse Examiner (SANE), for Performance of Forensic Examinations. (035-08) (King/Bennett)

J. Authorization of a Vehicle Use Agreement with the National Insurance Crime Bureau (NICB) on Behalf of the Division of Police. (036-08) (Bastin/Bennett)

K. Authorization of a Sale Agreement with Cathy O'Donovan and the Lexington-Fayette Urban County Horse Patrol Commission on Behalf of the Division of Police. (037-08) (Bastin/Bennett)

L. Authorization to Submit Grant Application to the Kentucky State Police (KSP) on Behalf of the Division of Police for Enforcing Underage Drinking Laws. (041-08) (King/Bennett)

M. Authorization to Submit Grant Application to the Kentucky Heritage Council on Behalf of the Division of Historic Preservation, (031-08) (King/D. Kelly)

N. Authorization to Accept Award from the Kentucky Transportation Cabinet (KYTC) for Congestion Mitigation and Air Quality (CMAQ) for the Maxwell Street Bike / Pedestrian Project – FY2008. (040-08) (King/D. Kelly)

O. Authorization to Accept Award from the Kentucky Transportation Cabinet (KYTC) for Surface Transportation – Lexington (SLX) Funds to Complete the Construction of the Town Branch Trail Phase II – FY2008. (042-08) (King/D. Kelly)

P. Authorization to Accept Award from the Kentucky Transportation Cabinet (KYTC) of Surface Transportation – Lexington (SLX) Funds for the Design of the South Elkhorn Trail – FY2008. (043-08) (King/D. Kelly)

Q. Authorization to Submit Grant Application to the Kentucky Governor's Office of Local Development (GOLD) for Federal Funds from the Recreational Trail Program for the Brighton West Rail Trail – FY2009. (044-08) (King/D. Kelly)

R. Authorization of a Supplement Agreement No 1 to Agreement with the Kentucky Transportation Cabinet (KYTC), Department of Highways Regarding the Construction of Brighton East Trail Using Surface Transportation – Lexington (SLX) Funds. (045-08) (King/D. Kelly)

S. Authorization of Change Order No. 5 to Contract with J.M. Crawford and Associates, Inc. Regarding the Meadows / Northland / Arlington Public Improvements Design Subphase 2E. (047-08) (King/D. Kelly)

<u>A motion by CM Gorton to approve new business items A-S, seconded by CM DeCamp, passed unanimously.</u>

VI. Continuing Business / Presentations

A. Corridors Committee Update

This update was given by Chair CM Dr. Stevens.

B. Intergovernmental Committee Update

This update was given by Vice-Chair CM James. There was 1 motion to come forward.

A motion by CM James to ask the administration to confirm its position as it relates to the CSEA request, seconded by CM Gorton, passed without dissent

C. Energy Awards

This presentation was made by Tom Webb. The Division of Fire and Emergency Services, along with, the Division of Water and Air Quality received awards.

D. Community Rating System of the National Flood Insurance Program Award to LFUCG

This presentation was made by Dionne Fields, KY Division of Water. Chris King accepted the award for LFUCG.

E. Police Staffing Presentation

This presentation was done by Chief Bastin. Several CMs asked questions about collective bargaining, clarification of positions, and benefits of the new structure.

A motion by CM Stinnett to place on the docket for the Thursday January 24, 2008 council meeting, an ordinance relating to the reorganization of the Division of Police as presented at the January 22, 2008 work session, seconded by CM Gorton, passed without dissent.

VII. Council Report

CM McChord-Welcomed Ann Sabatino back to the community. She is the new editor of the Southsider and Chevy Chaser magazines.

CM Stinnett-Announced that Eastland NA will still meet tonight at 6:30 at Christ Centered Church; asked the Mayor about the changes that he has recently made at the jail in reference to immigration and a presentation about the changes and if there are any more to come; welcomed Peggy Henson, new CM for the 11th District.

Mayor Newberry stated that he was going to address the new changes at the jail when we got to the Mayor's Report, but will go ahead and do it now.

CM James-Spoke about the MLK day activities; asked Arty Green question about when would the list for open positions on boards and commissions be available; Mr. Green responded that the list is in the process of being compiled; stated that "in regards to the Meadows/Arlington/Northland Project, she has spoken with Comm. Kelly and he is ok with the 30-day period, of coming forth within the 30-day period, and get specifics later about what the date would be-he would come forward and do the presentation of those phases and talk about additional funding-we will move forward with that-thank you for your suggestions"; stated that it is time for the homeless count on this Thursday (1/24/08); told CMs to please see her for more information if they would like to participate.

CM Blevins-Announced that the largest Chinese New Year's celebration will be on Saturday February 2, 2008 at 7-9 pm at the Singletary Center.

CM DeCamp-A motion by CM DeCamp to reduce the speed limit to 25 mph on Central Ave, seconded by CM McChord, passed without dissent.

CM Crosbie-Welcomed CM Peggy Henson; reminded the 7th District citizens of the President's meeting at the Eagle Creek Library at 4 pm on 1/25/08.

CM Blues-Thanked Mayor Newberry for participating in the 2nd District President's meeting; announced 2 neighborhood association meetings scheduled for next Monday, both at 7 pm: Oakwood and Radcliffe-Marlboro, at the community center.

CM Henson-Stated that she is happy to be working with a good group of people and thanked the mayor for the appointment.

CM Gorton-Welcomed and congratulated CM Henson; asked Comm. Askew if the proposed sanitary sewer fee increase is subject to HB44-he answered that he would look into this and get back with an answer; asked Comm. Kelly about snow removal on MOW-he answered that it is priority 1.

CM Stevens-Announced that the Kenwick NA will meet tonight at 7 pm at the community center on Owsley Ave.

CM Gray-Welcomed CM Henson; welcomed CM Blevins as the new Chairman for the Sanitary Sewer Oversight Comm. And CM Stinnett as the Vice-Chair.

VIII. Mayor's Report-Yes

A motion by CM DeCamp to approve the Mayor's report, seconded by CM Gorton, passed without dissent

Mayor Newberry stated that it was a pleasure for him to participate in the 2nd District Presidents' meeting; announced that on this Thursday at 6 pm, prior to the Council Meeting, there will be a reception for former CM Moloney and newly appointed CM Henson in the Government Center Ballroom.

IX. Public Comment-Issues not on the agenda-Yes

Citizen, Dick Shore, spoke about another option/solution to the water issue.

A motion by VM Gray to refer the idea of constructive wetlands to the Planning Committee, seconded by CM Ellinger, passed without dissent.

Comm. Koch gave the latest update on STARS.

VM Gray spoke about acquiring a consultant for the water pipeline issue and inviting Scott Rubin from the Attorney General's Office to come and speak before Council. Several CMs joined in this conversation. CM Stinnett, the Parliamentarian, stated that this conversation is out of order.

A motion by VM Gray to invite Scott Rubin to visit with Council, seconded by CM DeCamp amended by CM Blevins to ask Mr. Rubin if his report had changed since December, was also to include that our counsel contact the Attorney General's Office to ask Mr. Rubin this question (on the advice of Comm. Askew), passed without dissent.

X. Closed Session-Litigation

A motion by CM Blevins to go into closed session pursuant to KRS 61.810(1) (c) for the purpose of discussing a pending litigation matter, seconded by CM McChord, passed with one dissent.

A motion by CM Gorton to come out of closed session, seconded by CM Crosbie, passed without dissent.

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

Work Session went into closed session at 5:30 pm and was adjourned from there at 6:30 pm.