

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS

August 14, 2007

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

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

Bobby Clark, President of Bell Ct NA spoke on the issue of property located at 225 Walton Ave. CM DeCamp stated that after speaking with the Dept. of Law, this issue would be placed on the docket for 1st reading on Thursday, August 16th to allow the neighborhood association time to meet and decide if they would like a public hearing on this issue. They would advise at next Tuesday's Work Session.

A motion by CM Moloney to place on the docket a public hearing on 10/2/07 at 6 pm the issue of changing the zone from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone for 1.140 net (1.476 gross) acres of property located at 1388 Alexandria Drive, seconded by CM Stinnett, passed without dissent.

A motion by CM Stinnett to place on the docket, without a hearing, the issue of amending Article 15-(9a)(3) of the Zoning Ordinance to allow an existing accessory structure to remain at its current location when a principal residential structure is expanded to project past the front wall of that accessory structure in a residential zone, provided that the accessory structure is at least eighteen inches from any adjoining property line, seconded by CM Ellinger, passed without dissent.

A motion by CM DeCamp to place on the docket a public hearing on 9/13/07 at 8 pm the issue of changing the zone from a High Density Apartment (R-4) zone to a Downtown Frame Business (B2-A) zone for 0.2195 net (0.3672 gross) acre of property located at 252 East High Street, seconded by CM Ellinger, passed without dissent.

A motion by CM McChord to place on the docket for 8/16/07 an Ordinance authorizing the issuance of Industrial Revenue Bonds for Anchor Baptist Church,

Inc not to exceed 4.2 million dollars, seconded by CM Stinnett, passed without dissent.

A motion by CM Stinnett to take off the table and place on the docket for 8/16/07 Resolution 286-07 pertaining to reclassification of Risk Management employees, seconded by CM Gorton, passed without dissent.

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

III. Approval of Summary – Yes

A motion by CM Gorton to approve the July 10, 2007 summary, seconded by CM Crosbie, passed without dissent.

IV. Budget Amendments-Yes

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

V. New Business

- A. Authorization for Mayor to Execute Change Orders to Contract with Past Respects, LLC for Renovation of Cadentown School Project. (386-07) (King/Koch)
- B. Authorization of Change Order No. 1 to Contract with Jarboe Construction, Inc. for the Gainesway Park Community Building Project. (395-07) (Cole)
- C. Authorization to Amend Resolution No. 649-2005 to Correct a Street Address Incorrectly Assigned. (384-07) (Bennett)
- D. Authorization of a Bill of Donation of a Horse by Priscilla Menard to the Division of Police, Mount Patrol Unit. (385-07) (Bennett)
- E. Authorization of an Agreement with the Fayette County Sheriff's Office under the Encourage Arrest Policies and Enforcement of Protection Orders Program. (387-07) (King/Bennett)
- F. Authorization of Agreements with the Madison County Fiscal Court and the City of Richmond and Award of Funds to the Division of Police under the 2006 Project Safe Neighborhood Grant Program. (389-07) (King/Bennett)
- G. Authorization of Agreements with the Kenton County Commonwealth Attorney's Office and the Office of the Commonwealth's Attorney, 28th Judicial Circuit under the Project Safe Neighborhood Grant Program. (388-07) (King/Bennett)

- H. Authorization of a Contractual Agreement Between the Bluegrass Regional Mental Health – Mental Retardation Boards, Inc. (d/b/a Comprehensive Care Center and the Division of Community Corrections. (394-07) (Bennett)
- I. Authorization of an Agreement with Jane F. Brake, PhD, on behalf of the Division of Youth Services. (396-07) (Helm)
- J. Authorization of a Clinical Services Agreement with UK Chandler Medical Center, College of Dentistry on behalf of the Division of Family Services. (402-07) (Helm)
- K. Authorization of a Clinical Services Agreement with the UK Chandler Medical Center, College of Nursing on behalf of the Division of Family Services. (403-07) (Helm)
- L. Authorization of a Contract to Receive Services with the Lexington-Fayette County Health Department on behalf of the Division of Family Services. (404-07) (Helm)
- M. Authorization of a Group Sales Agreement with Hyatt Regency Lexington on behalf of the Division of Parks & Recreation for Hosting and Co-Sponsoring the Annual Bluegrass Invitational Wheelchair Tournament. (405-07) (Cole)
- N. Authorization of a Cost Reimbursement Agreement with the Federal Bureau of Investigation (FBI) on behalf of the Division of Police. (406-07) (Bennett)
- O. Authorization of an Option and Ground Lease Agreement and Lease Agreement with SprintCom, Inc. for placement of a Cell Tower at Coldstream Park, 1500 Newtown Pike. (413-07) (Cole)
- P. Authorization of an Agreement with Roberts and Kay, Inc., to Provide Consulting Services and Guidance to the Department of Social Services Needs Assessment Project. (414-07) (Helm)
- Q. Authorization of an Amendment to Agreement with Asbury College for Additional Services under the 2003 Project Safe Neighborhoods Grant – FY2008. (390-07) (King/Bennett)
- R. Authorization to Submit Application to the Kentucky Division of Emergency Management for a Search and Rescue Project on behalf of the Division of Fire & Emergency Services – 2008. (391-07) (King/Bennett)
- S. Authorization of a Memorandum of Agreement (MOA) with Transit Authority of the Lexington-Fayette Urban County Government and Art in Motion, Inc. under the Versailles Road Corridor Enhancement Project – FY2008. (392-07) (King/Langston)

- T. Authorization to Amend the 2007 Consolidated Plan for the Establishment of a New Community Development Block Grant (CDBG) Project with Public Hearing on August 16, 2007. (398-07) (King/Koch)
- U. Authorization to Approve Payment to Zambelli Fireworks Internationale for the 4th of July Fireworks Display. (399-07) (J. Kelly)
- V. Authorization to Approve Payment to the Lexington Philharmonic Society for the Patriotic Concert as part of the 4th of July Celebration. (400-07) (J. Kelly)
- W. Authorization to Rescind Resolution No. 319-2005 and Authorize a New Agreement with the Kentucky Transportation Cabinet (KYTC) and Division of Traffic Engineering. (411-07) (D. Kelly)
- X. Authorization to Accept Award from the Kentucky Justice and Public Safety Cabinet on behalf of the Division of Police for Participation in the Law Enforcement Service Fee Grant Program – FY2008. (409-07) (King/Bennett)
- Y. Authorization to Accept Award from the Kentucky Justice and Public Safety Cabinet for the continuation of the Street Sales Enforcement Project on behalf of the Division of Police and the Office of the Fayette Commonwealth's Attorney – FY2008. (410-07) (King/Bennett)
- Z. Authorization to Submit Application to the Kentucky Justice and Public Safety Program and Accept Award if Offered on behalf of the Division of Police for the Operation of a Motor Carrier Safety Assistance Program (MCSAP) – FY2008. (408-07) (King/Bennett)
- AA. Authorization to Submit Application to the US Department of Homeland Security on behalf of the Division of Police for the Transfer of Equipment under the Commercial Equipment Direct Assistance Program (CEDAP). (407-07) (King/Bennett)
- BB. Authorization to Submit Application to the National Association of Police Athletic / Activities League, Inc., and Accept the Award if Offered for a NFL Youth Football Grant for the Division of Police. (412-07) (King/Bennett)
- CC. Authorization to Submit Application to the Kentucky Department of Juvenile Justice and Accept the Award if Offered for the Continuation of the Truancy Assessment Center – FY2008. (420-07) (King/Koch)
- DD. Authorization to Amend Section 21-5 of the Code of Ordinances within the Division of Government Communications. (416-07) (Allen/Koch)
- EE. Authorization to Amend Section 22-5 of the Code of Ordinances within the Division of Family Services. (417-07) (Allen/Helm)

FF. Authorization to Amend Section 12 of Ordinance No. 132-2007 to Correct a Typographical Error. (418-07) (Allen/Helm)

GG. Authorization to Approve the Fayette County Sheriff's Settlement 2006 Taxes. (419-07) (Koch)

HH. Authorization of a Claim Request Form for the Removal of Two Underground Storage Tanks at South Base within the Division of Parks & Recreation and Approval for the Department of Public Works & Development to Sign Future Claim Forms Regarding this Issue. (421-07) (D. Kelly)

II. Authorization to Execute Necessary Settlement Documents in the Columbia Gas Rate Case before the Public Service Commission (PSC). (422-07) (Askew)

JJ. Authorization to Amend Section 22-5 of the Code of Ordinances within the Department of General Services. (423-07) (Allen/Cole)

CM Gorton stated that a correction to item 'H' from mediation to medication be done.

A motion by CM Moloney to table item 'S' in order to correct the wording/address, seconded by CM Gorton, passed with 2 dissents.

Discussion on items U and W.

A motion by CM Stinnett to approve new business items A-JJ, except S, seconded by CM Gorton, passed without dissent.

VI. Continuing Business / Presentations

A. Anchor Baptist Church Industrial Revenue Bond Proposal

This presentation was cancelled due to the earlier motion on this issue.

B. Discussion and Tentative Adoption of Ad Valorem Property Tax Rates

This presentation was done by Jim Deaton, Dir. of Budgeting and Connie Underwood, Budgeting.

A motion by CM Lane maintain the prior years' property tax rates with the exception of the refuse collection rates reduced to 15.9 cents/per \$100 assessment, seconded by CM Myers, passed without dissents.

C. Management Team Audit

This presentation was done by Jerry Newfarmer and Julia Novak.

VII. Council Report

VM Gray-No Report.

CM DeCamp-No Report.

CM Crosbie-Thanked everyone who worked on the Back-to-School events; Police Dept; Steve White-DJ; Welcome Back!

CM Lane-Made comment on the Management Audit.

CM Blues-Thanked Catherine Warner of Lexlinc for the success of the Back-to-School Rally; announced tonight at 6 pm there will be a meeting at the Northside Library for the Matador North Apts-referencing inspections; on 8/16/07 at 7:30 pm, the Speigle Heights NA will meet at the Antioch Baptist Church-representatives from Traffic Engineering will be there. On 8/20/07 at 7 pm the Highlands NA will meet in reference to ER Preparedness Initiative at the park shelter; also on 8/20/07 at 6:30 pm, Winburn NA will meet at the MLK Park shelter.

CM James-Stated that a citizen just sent an email requesting that the campground area at the KY Horse Park be improved before the WEG; requested that all CMs who have not submitted their street repaving list please do so ASAP. Not having all requests in is holding up the ones who have submitted theirs. The William Wells Brown NA will meet on 8/16/07 at 6:30 pm at the Brenda Cowan Center and the MLK NA will meet tonight at 7 pm at the Living Arts and Science Center.

Mayor Newberry asked Comm. Kelly to take a look at the intersection of Winchester Rd and Brown Ave.

CM Myers-Asked Comm. Kelly for an update on Saron Drive; also assistance in the process for requesting a 'No Outlet' sign on Golfcourse Ct; announced 2 neighborhood association meetings tonight at 7 pm: Centre Parkway NA at St John Church and Gainesway NA at Tates Creek Golf Course. CM Myers also brought up the issue of e-watch, a notification system. Mayor Newberry stated that he and Comm. Bennett would get specifics from the CM and would look at this system.

A motion by CM Myers to add the review of which Board or Commission is subject to the Ethics Act Ordinance to Intergovernmental Committee, seconded by CM McChord, passed with 1 dissent.

CM Blevins-Thanked and congratulated Susan Lamb for her hard work on the new Council Chamber voting system.

CM Moloney-Asked Charlie Martin for explanation on the odor problem @ Town Branch. Mr. Martin stated that the problem was an air-handling situation that had already been fixed; stated that he hoped that Meadowbrook Golf Course did not leave UCG hands. There was discussion on the cancelled Employee Appreciation picnic and ½ day off issue.

CM Stinnett-Welcomed the citizens to the new live web streaming; asked Chief Hendricks to explain the different colored fire hydrants; thanked Leigh Karr, Bob Bayert, and Keith Lovan from the Dept. of Engineering for the assistance in the Liberty Road project; thanked FCPS for being able to get the parking lot at the new Bryan Station High School complete.

A motion by CM Stinnett to place into Budget & Finance Committee the issue of a tax relief for the private neighborhoods that have been paying property tax and KU for the maintenance of their street lights, seconded by CM Myers, passed without dissent.

CM McChord-Thanked Cong. Ben Chandler for his efforts in getting the bill passed for the earmarked \$\$\$ for the study and planning for downtown Lexington; congratulated the Cal Ripken 12-yr olds of South Lexington League in Shiloto Park for going undefeated in the Ohio Valley Conference and moved on to the World Series in Arkansas and the Dunbar Bearcats track team where 11 members qualified for the National Jr. Olympic Games; thanked Chief Beatty for his effort, energy, and his service toward the city of Lexington and also stated that his professionalism was appreciated; thanked Ron Bishop for his inmate cleanup initiative; thanked Gov. Fletcher and the Transportation Cabinet for the money for the paving of the streets in the city; asked the Mayor for a better communication for the changes that will be occurring; stated that he had citizen input to give Joe Kelly on the Economic Development/Commerce Lexington issue.

Mayor Newberry stated that Comm. Kimra Cole will be the primary responsibility holder for the Management Audit Team and Anthony Wright who will be joining the city and will be the primary responsibility holder for the Economic Development/Commerce Lexington issue.

CM Gorton-Thanked Artie Green of the Mayor's staff for his efforts on improving the application for Boards & Commissions.

A motion by CM Gorton to have Intergovernmental Committee evaluate party affiliation with any boards and commissions, seconded by CM McChord, passed with dissents.

CM Beard-Made a motion to add 4 discretionary hours for employees but there was another motion to table that over rid this original motion.

A motion by VM Gray to table the issue of the 4 additional discretionary hours, seconded by CM DeCamp, passed with a 9/6 vote.

CM Stevens-A motion by CM Stevens to refer the question of the new par 3 golf course partnering with the Larry Gilbert Foundation to Services Committee, seconded by CM McChord, passed without dissents.

CM Ellinger-No Report.

VIII. Mayor's Report-Yes

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

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

Citizen, Atheena Stigall, 3340 Mt Foraker, spoke.

X. Closed Session-Personnel

A motion by CM Blevins to go into closed session, seconded by CM Gorton, passed without dissent at 3:43 pm.

Work Session was adjourned from closed session.