

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS

April 8, 2008

Mayor Newberry chaired the meeting, calling it to order at 3:50 pm. All Council Members were present.

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

A motion by CM Blues to place on the docket for 4/10/08 an ordinance repealing Section 10-14.1 of the Code of Ordinances, which established a farmers' market to be operated by the Health Department, and a resolution approving a purchase of service agreement with Lexington Farmers' Market to run a farmers' market in the public right-of-way along Vine Street. The ordinance and resolution are needed because it has been determined that such a market would best be operated under a purchase of service agreement with a non-profit entity such as Lexington Farmers' Market, seconded by CM Beard, passed without dissent.

A motion by CM Blevins to place on the docket for 4/10/08 an ordinance concerning the sewer user fee program to amend Section 16-59(c) of the Code of Ordinances to provide that the financial assistance program for seniors with annual incomes of less than \$25,000 is also available to persons who are drawing Social Security disability and have an annual income of less than \$25,000; and to amend Section 16-59.1 to clarify that any customer shall be eligible to participate in only one of the two offered assistance programs, and to correct a long-standing clerical error which created duplicate paragraphs, seconded by CM Gorton, passed without dissent.

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

- III. Approval of Summary – Yes

A motion by CM Gorton to approve the summary of 3/25/08, seconded by CM Beard, passed without dissent.

IV. Budget Amendments-Yes

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

V. New Business

- A. Authorization to Amend Section 22-5 of the Code of Ordinances within the Department of Social Services, Division of Adult Services. (158-08) (Allen/Helm)
- B. Authorization to Submit Grant Application to the Bluegrass Area Development District (BGADD) on Behalf of the Department of Social Services, Senior Citizens' Center – FY2009. (161-08) (P. King/Helm)
- C. Authorization to Approve Resolution Regarding the Establishment of the Lexington First Scholarship Fund. (178-08) (Rabold/J. Kelly)
- D. Authorization to Approve Resolution Requested by the Kentucky Economic Development Finance Authority Issue Healthcare System Revenue Bonds to Benefit Kentucky Easter Seal Society, Inc. (d/b/a Cardinal Hill Healthcare System). (191-08) (Wright/J. Kelly)
- E. Authorization to Approve the Newtown Pike Corridor Ordinance. (190-08) (Stevens/Langston)
- F. Authorization to Submit Application to the Kentucky American Water Company (KAWC) under the Environmental Grant Program for Restoration of White Oak Greenway in McConnell's Trace Subdivision. (159-08) (P. King/D. Kelly)
- G. Authorization to Accept a Donation from the Kentucky American Water Company (KAWC) on Behalf of the Reforest the Bluegrass Program. (163-08) (McMillen/D. Kelly)
- H. Authorization to Submit Application to the Kentucky Division of Forestry for Funds under the 2008 Kentucky Urban and Community Forestry Program. (174-08) (P. King/D. Kelly)
- I. Authorization of a Right-of-Way Encroachment and Easement Agreement with the Fayette County Board of Education at Properties Located at 461 and 460 Springhill Drive. (169-08) (Rayan/D. Kelly)
- J. Authorization of Change Order No. 2 to Contract with Todd Johnson Contracting Regarding the Hamburg Force Main Project – Final. (170-08) (Rayan/D. Kelly)

- K. Authorization of a Right-of-Way Encroachment and Easement Agreement with G&J Pepsi-Cola Bottlers, Inc. for a Temporary Footbridge at 111 Trafton Avenue. (171-08) (Rayan/D. Kelly)
- L. Authorization of an Amendment to Section 5-1 of the Code of Ordinances to Place the Division of Building Inspection under the General Supervision of the Commissioner of Public Works and Development. (175-08) (Crowe/ D. Kelly)
- M. Authorization of an Agreement for Services to be Performed for Govern-mental Agencies with the Kentucky Transportation Cabinet (KYTC) for Installation of a Mast Arm System Pole at the Intersection of Star Shoot Parkway and Liberty Road. (177-08) (P. King/D. Kelly)
- N. Authorization to Submit Application to the US Department of Homeland Security on Behalf of the Department of Public Safety, Division of Fire and Emergency Services under the 2008 Assistance to Firefighters Grant Program (131-08) (P. King/Bennett)
- O. Authorization of a Network Services Contract with Insight Kentucky Partners II, LP, on Behalf of the Department of Public Safety, Division of Fire and Emergency Services. (064-08) (Hendricks/Bennett)
- P. Authorization to Accept Award from the Kentucky Office of Homeland Security under the Homeland Security Grant Program on Behalf of the Department of Public Safety, Division of Fire and Emergency Services. (160-08) (P. King/Bennett)
- Q. Authorization to Accept Donation from the Citizens Police Academy Alumni Association (CPAAA) on Behalf of the Department of Public Safety, Division of Police. (162-08) (Bastin/Bennett)
- R. Authorization to Approve Adtran, Inc. as Sole Source Vendor for the Purchase of a 9-1-1- Channel Bank and Rerouting Equipment for Implementation of a Regional 911 System on Behalf of the Department of Public Safety, Division of Enhanced 9-1-1. (167-08) (P. King/Bennett)
- S. Authorization to Approve SolaCom Technologies, Inc. as Sole Source Vendor for the Purchase of Routers for Implementation of a Regional 911 System on Behalf of the Department of Public Safety, Division of Enhanced 9-1-1. (168-08) (P. King/Bennett)
- T. Authorization to Submit Application to the US Department of Justice on Behalf of the Department of Public Safety, Division of Police, and the Fayette County Sheriff's Office for Purchase of Bulletproof Vests – FY2009. (173-08) (P. King/Bennett)
- U. Authorization to Approve a Memorandum of Understanding (MOU) with the Kentucky State Police (KSP), Kentucky Internet Crimes Against Children Task

- Force, on Behalf of the Department of Public Safety, Division of Police. (187-08) (Bastin/Bennett)
- V. Authorization to Amend Sections 21-5 and 22-5 of the Code of Ordinances within the Department of Environmental Quality, Division of Water and Air Quality. (156-08) (Allen/Taylor)
- W. Authorization to Accept a Deed for Property at 276 Derby Drive for the Derby Drive Storm Water Project. (179-08) (Martin/Taylor)
- X. Authorization to Accept a Deed for Property at 284 Derby Drive for the Derby Drive Storm Water Project. (180-08) (Martin/Taylor)
- Y. Authorization to Accept a Deed for Property at 280 Derby Drive for the Derby Drive Storm Water Project. (181-08) (Martin/Taylor)
- Z. Authorization to Accept a Deed for Property at 288 Derby Drive for the Derby Drive Storm Water Project. (182-08) (Martin/Taylor)
- AA. Authorization to Accept a Deed for Property at 905 N. Limestone for the N. Limestone Storm Water Project. (183-08) (Martin/Taylor)
- BB. Authorization to Accept a Deed for Property at 907 N. Limestone for the N. Limestone Storm Water Project. (184-08) (Martin/Taylor)
- CC. Authorization to Accept a Deed for Property at 909 N. Limestone for the N. Limestone Storm Water Project. (185-08) (Martin/Taylor)
- DD. Authorization to Accept a Deed for Property at 1001 N. Limestone for the N. Limestone Storm Water Project. (186-08) (Martin/Taylor)
- EE. Authorization of a Contract for Environmental Services with Bluegrass Environmental, Inc. for the Underground Storage Tank Located at 669 Byrd Thurman Drive. (189-08) (McFadden/Taylor)
- FF. Authorization to Submit Application to the Kentucky Department of Education and Accept Award, if Offered, for Participation in the Summer Food Service Program – FY2008. (172-08) (P. King/Cole)
- GG. Authorization to Submit Application to the US Department of Housing and Urban Development (HUD) for Continuation of the Housing Opportunities for Persons with Aids (HOPWA) Program. (164-08) (P. King/Koch)
- HH. Authorization to Submit the Proposed 2008 Consolidated Plan, and Accept Awards from the Community Development Block Grant (CDBG), HOME Investment Partnerships, , Emergency Shelter Grant (ESG), and American Dream Downpayment Initiative (ADDI) Funds from the US Department of Housing and Urban Development for FY2009. (166-08) (P. King/Koch)

A motion by CM James to table item C, seconded by CM Ellinger, passed with a 13-2 vote.

A motion by CM Blevins to approve amended new business items A-HH, seconded by CM Stevens, passed without dissent.

VI. Continuing Business / Presentations

A. Budget & Finance Committee Update

This update was given by Chair CM Stevens. There were no motions to come forward from this meeting.

VII. Council Report

CM Blues-Made comments about Farmers' Market Task Force; thanked task force members, Rochelle Boland, Dept. of Law, and past and present officers of the Lexington Farmers' Market.

CM Myers-Asked Comm. Helm about the needs assessment results and the reorganization of the Social Services division; Comm. Helm was unsure about what was meant about the reorganization; asked that the strategic planning or reorganization process be sent to the Planning Committee.

A motion by CM Myers to approve the NDF list for 3/25/08, seconded by CM Blevins, passed without dissent.

CM Stinnett-Requested a list of bonds and personnel on capital projects from Comm. Koch; thanked Charlie Martin for his quick response to a call concerning the flooding on last Friday (4/4/08); thanked Comm. Don Kelly and Streets Dept. for filling a large pot hole on Liberty Rd that came from the snow storm in March; announced the Elkhorn Park NA meeting tonight at 7 pm;

CM McChord-Announced Higbee Woods neighborhood meeting on Sunday April 13th at 3 pm; congratulated Dunbar for winning the Governor's Cup for Academics; congratulated Streets Dept. for the work that was done after the March snow storm; stated that item 'D' would have a huge impact on our community-asked Kerry Gilihan, President and CEO of Cardinal Hill, to speak on the item.

CM Lane-Asked Reena Wiseman, attorney for Keeneland Association, and Luke Matheson, Environmental Health, to speak on the support of amending of a deed easement at Keeneland.

A motion by CM Lane to approve the CPF list dated 4/8/08, seconded by CM Crosbie, passed without dissent.

A motion by CM to place on the docket on 4/10/08, a resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amended Agreement and an Amended Deed of Permanent Easement with Keeneland Association, Inc. related to providing sanitary sewer service for facilities owned by Keeneland Association, Inc, seconded by CM Crosbie, passed without dissent.

CM Crosbie-A motion by CM Crosbie requesting that Management Partners return for a questioning and answering session (2 people in person and others needed on conference call), seconded by CM Gorton, passed without dissent.

CM DeCamp-A motion by CM DeCamp to place into the Services Committee the review of section 16 of the refuse collection ordinance, seconded by CM Blues passed without dissent.

A motion by CM DeCamp to place into the Planning Committee the review of the Downtown Master Plan, seconded by CM McChord, passed without dissent.

CM Gorton-Stated that everyone needs to go to Artsplace to see the art from pour employees and their relatives; reminded Council of the meeting date swap between Planning and Inter-Governmental: Planning Committee will meet on 4/15 and IG will meet on 4/22; stated that the new Noise Ordinance Task Force will have a public meeting in Council Chambers on 4/30 at 6pm.

VIII. Mayor's Report-None

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

X. Closed Session-Proposed Litigation

A motion by CM Blevins pursuant to KRS 61.810(1)(c) to go into closed session for the purpose of discussing pending litigation against the Lexington-Fayette Urban County Government, seconded by CM Lane, passed without dissent.

A motion by CM McChord to go back into open session, seconded by CM DeCamp, passed without dissent.

A motion by CM Stinnett to place on the docket for 4/10/08 a resolution authorizing and directing the Department of Law to institute condemnation proceedings in Fayette Circuit Court to obtain permanent sanitary sewer and temporary

construction easements across the properties located at 1637 and 1645 Old Paris Road for the North Elkhorn Force Main Project, seconded by CM McChord, passed without dissent.

A motion by CM Stevens to adjourn, seconded by CM Blevins, passed without dissent.

Work Session was adjourned at 5:18 pm.