URBAN COUNTY COUNCIL

WORK SESSION SUMMARY

& TABLE OF MOTIONS

June 10, 2008

Mayor Newberry chaired the meeting. All Council Members were present.

I. Public Comment – Issues on Agenda-None

II. Requested Rezonings / Docket Approval-Yes

A motion by CM James to place on the docket for 7/8//08 at 7 pm a public hearing for an ordinance changing the zone from a Single Family Residential (R-1E) zone to a Neighborhood Business (B-1) zone for 0.267 net (0.347 gross) acres of property located at 135-139 East Third Street subject to certain use restrictions imposed as conditions of granting the zone change, (GCL Properties, LLC), seconded by CM Myers, passed without dissent.

A motion by CM Crosbie to place on the docket for 6/12/08, without a hearing, an ordinance changing the zone from a Highway Service Business (B-3) zone with conditional zoning restrictions to a Highway Service Business (B-3) zone with modified conditional zoning restrictions for 2.04 net (2.77 gross) acres of property located at 3294 Richmond Rd and 101 South Eagle Creek Drive (a portion of) subject to certain use restrictions imposed as conditions of granting the zone change (Estes Property No. 1, LLC and Estes Property No. 2 LLC), seconded by CM Ellinger, passed without dissent.

A motion by CM Blues to place on the docket for 6/12/08, without a hearing, an ordinance changing the zone from a Two Family Residential (R-2) zone to a Single Family Residential (R-1E) zone for 0.2340 net (0.2977 gross) acre of property locates at 422 Michigan Street (Habitat for Humanity, Inc), seconded by CM Gorton, passed without dissent.

A motion by CM DeCamp to place on the docket for 8/19/08 at 6 pm a special meeting for a public hearing for an ordinance changing the zone from a Professional Office (P-1) zone to a Downtown Frame Business (B-2A) zone for 0.16 net (0.19 gross) acre, and from a Planned Neighborhood Residential (R-3) zone to a Downtown Frame Business (B-2A) zone for 0.24 net (0.42 gross) acre, for properties located at 522-528 East Main Street and 109 Kentucky Avenue, subject to certain use restrictions imposed as conditions of granting the zone

change (Hugh Bennett & Roland Vaughn), seconded by CM Crosbie, passed without dissent.

A motion by CM Stinnett to place on the docket for 6/12/08, without a hearing, an ordinance amending Articles 19-2, 19-3, 19-7(b), 19-7(c), 19-7(g)(3), 19-10, 19-10(c), and 19-10(d) of the Zoning Ordinance so as to change the effective date of the Flood Insurance Rate Maps, due to acceptance of new maps by FWMA, to provide a 60-day time limit for appeals to the Floodplain Appeals Committee, and to clarify the majority vote needed to decide an appeal, seconded by CM Gorton, passed without dissent.

A motion by CM Stevens to place on the docket on 6/12/08, without a hearing, an ordinance amending Articles 5-2(b), 5-4, 5-4(a)(1), 20-2, 20-3(a), 20-4(d), and 20-4(e) of the Zoning Ordinance and Article 4-6(a) of the Land Subdivision Regulations so as to transfer grading permit responsibilities to the Div. of Engineering, seconded by CM Gorton, passed without dissent.

A motion by CM Lane to place on the docket for Thursday June 12, 2008 Council Meeting, a resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Services Agreement with Kentucky World Trade Center Lexington, Inc for FY 2008, seconded by CM Ellinger, passed without dissent.

A motion by CM Stevens to place on the docket for 6/12/08, a resolution authorizing initiation of condemnation proceedings in Fayette Circuit Court by the law firm of Stites & Harbison PLLC on behalf of the Lexington-Fayette Urban County Airport Board, to obtain all or a portion of the property located at 4478 and 4480 Versailles Road, Lexington, Fayette County, Kentucky, with all costs associated with the condemnation to be borne by the Lexington Fayette Urban County Airport Board, seconded by CM DeCamp, passed without dissent.

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

III. Approval of Summary – Yes

A motion by CM Stevens to approve the summary of 6/3/08, seconded by CM Blues, passed without dissent.

IV. Budget Amendments-Yes

A motion by CM Blevins to approve the budget amendments, seconded by CM DeCamp, passed without dissent.

V. New Business

A. Authorization to Amend Resolution No. 413-2006 Regarding the Georgetown Street Neighborhood Association. (291-08) (Blues/Langston)

B. Authorization to Rescind a Portion of Resolution No. 413-2006 Regarding the Masterson Station Neighborhood Association. (292-08) (Blues/Langston)

C. Authorization to Amend Resolution No. 413-2006 Regarding the Winburn Neighborhood Association. (293-08) (Blues/Langston)

D. Authorization to Amend Resolution 413-2006 regarding the Oakwood Neighborhood Association. (294-08) (Blues/Langston)

E. Authorization of a Lease Agreement Between LFUCG and MES Enterprises, LLC for Unit 3 of the Triangle Center Condominiums at 325 W. Main Street. (284-08) (Cole)

F. Authorization of a Memorandum of Agreement (MOA) with the Kentucky Governor's Office of Local Development to Extend the Gainesway Park Development Project. (296-08) (P. King/Cole)

G. Authorization of an Ordinance to Advertise for Bids to Provide Natural Gas Franchise in Fayette County. (304-08) (Starkweather/Cole)

H. Authorization of Change Order No. 3 to Contract with BCD, Inc. Regarding the Gainesway Community Center Improvements Project. (311-08) (Hancock/Cole)

I. Authorization of Change Order No. 1 to Contract with Asphalt Paving and Maintenance Regarding the Southland Park Parking Lot Improvements Project. (312-08) (Hancock/Cole)

J. Authorization to Amend Resolution No. 291-2008 regarding a Clerical Error to the 2008 Summer Food Service Program. (295-08) (P. King/Koch)

K. Authorization of a Memorandum of Agreement (MOA) with the Kentucky Governor's Office of Local Development to Extend the Aviation Museum of Kentucky Project. (313-08) (P. King/Koch)

L. Authorization of a Memorandum of Agreement (MOA) with the Kentucky Governor's Office of Local Development to Extend the Survivors II Project. (314-08) (P. King/Koch)

M. Authorization of an Amendment No. 5 to Agreement with Amerinational Community Services, Inc. for Loan Servicing for the HOME and Community

Development Block Grant (CDBG) Housing Rehabilitation and Homeownership Programs. (315-08) (P. King/Koch)

N. Authorization to Accept Scope of Work Detail and Cost Proposal from Potter & Company, LLP Regarding the Fayette County Sheriff's 2008 Property Tax Settlement. (316-08) (Koch)

O. Authorization of an Independent Contractor Agreement Between LFUCG and I/O Solutions, Inc. to Test Applicants Applying for Lieutenant, Captain and Major Within Fire and Emergency Services. (317-08) (Allen/Koch)

P. Authorization to Accept Award from the Kentucky Division of Forestry on behalf of the Department of Public Works and Development, Division of Streets, Roads and Forestry under the 2008 Kentucky Urban and Community Forestry Program. (298-08) (P. King/D. Kelly)

Q. Authorization of a Deed of Acceptance for a Temporary Construction Easement for the Twelfth Street Neighborhood Improvements Project. (299-08) (Rayan/D. Kelly)

R. Authorization of Amendment No. 8 to Contract with ENTRAN (f/k/a American Consulting Engineers, PLC) Regarding the Newtown Pike Extension Project – FY2008. (321-08) (P. King/D. Kelly)

S. Authorization to Accept Award from the Lexington-Fayette County Health Department for Continuation of the Home Visitation Program at the Family Care Center – FY2009 (297-08) (P. King/Helm)

T. Authorization to Submit Application to the Kentucky Department of Education, and Accept Award if Offered, for Participation in the Child Care Food Program on behalf of the Department of Social Services, Family Care Center – FY2009. (305-08) (P. King/Helm)

U. Authorization to Submit Application to the Kentucky Department of Education, and Accept Award if Offered, on behalf of the Department of Social Services, Divisions of Youth Services and Family Services for Operation of the National School Lunch Program – FY2009. (306-08) (P. King/Helm)

V. Authorization to Accept Additional Funding from the Kentucky Department of Education / 21st Century Community Learning Center Program for Summer Programming for Year Five of the Programming. (310-08) (P. King/Helm)

W. Authorization to Accept Award from the Kentucky Department of Juvenile Justice on Behalf of the Department of Social Services, Division of Youth Services for Operation of the Day Treatment Program – FY2009. (318-08) (P. King/Helm)

X. Authorization of an Agreement with the Kentucky Office of Homeland Security (KOHS) for Continuation of the Metropolitan Medical Response System (MMRS) Project. (303-08) (P. King/Bennett)

Y. Authorization of a Lease Agreement Between LFUCG and Clark-Central LLC on behalf of the Department of Public Safety, Division of Fire and Emergency Services for Purpose of Parking and Storage at 203 E. Third Street. (320-08) (Hendricks/Bennett)

Z. Authorization to Submit Application to the Kentucky Office of the 911 Coordinator / Commercial Mobile Radio Service Board on Behalf of the Department of Public Safety, Division of Enhanced 911 for Improvements to the Regional 911 System. (322-08) (P. King/Bennett)

AA. Authorization to Submit Application to the US Department of Justice, Office of Justice, Office of Justice Programs on Behalf of the Department of Public Safety, Division of Police for Implementation of a Safe Highway Initiative. (323-08) (P. King/Bennett)

BB. Authorization of a Statement of Affiliation on Behalf of the Department of Public Safety, Division of Fire and Emergency Services under KRS Chapter 39F. (324-08) (Dugger/Bennett)

CC. Authorization of a Deed of Acceptance for Property at 805 Farra Court for the Radcliffe Road Stormwater Improvements Project. (300-08) (Martin/Taylor)

DD. Authorization of a Deed of Acceptance for Property at 809 Farra Court for the Radcliffe Road Stormwater Improvements Project. (301-08) (Martin/Taylor)

EE. Authorization of an Engineering Services Agreement Between LFUCG and OPS Systems, Inc. on behalf of the Department of Environmental Quality, Division of Water and Air Quality. (302-08) (Martin/Taylor)

FF. Authorization to Amend Resolution No. 94-2008 to Correct a Clerical Error Regarding the Address for the Elizabeth Street Drainage Improvements Project. (307-08) (Martin/Taylor)

GG. *Authorization of an Engineering Services Agreement Between LFUCG and Tetra Tech, Inc. on Behalf of the Department of Environmental Quality, Division of Water and Air Quality Regarding the Sanitary Sewer Fats, Oils and Grease (FOG) Program. (309-08) (Martin/Taylor)

HH. Authorization of an Engineering Services Agreement Between LFUCG and Strand Associates, Inc. on behalf of the Department of Environmental Quality, Division of Water and Air Quality Regarding the Investigation and Design

Services for Screw Pump Replacement at the Town Branch Wastewater Treatment Plant (WWTP). (308-08) (Martin/Taylor)

II. Authorization to Submit Application to the Environmental Protection Agency (EPA) on Behalf of the Department of Environmental Quality Under the Southeast Diesel Collaborative (SEDC) Program. (319-08) (P. King/Taylor)

JJ. *Authorization to Amend Section 22-5 of the Code of Ordinances Within the Department of Environmental Quality, Division of Water and Air Quality. (325-08) (Allen/Taylor)

KK. Authorization to Accept Award from the Kentucky Transportation Cabinet (KYTC) for the Fiber Optic Cable Installation Program – FY2008. (326-08) (P. King/D. Kelly)

*** Denotes EPA Consent Decree**

A motion by CM DeCamp to approve new business items A-KK, seconded by CM Blevins, passed without dissent.

VI. Continuing Business / Presentations

A. Services Committee Update

This update was given by Chair CM Ellinger. There were 3 motions to come forward from this meeting.

A motion by CM Ellinger to place the ordinance creating section 14-3.1 through section 14-3.3 on the docket, seconded by CM Crosbie, passed without dissent.

A motion by CM Ellinger to make the effective date of section 14-3.3 be October 1, 2008, seconded by CM Myers, passed without dissent.

A motion by CM Ellinger for the administration to come back with a policy that affirms the needs they have such as rental car aspects and for employees to carpool to meetings when they can and defer action on ordinance for now, seconded by CM Myers, passed without dissent.

B. Habitat for Humanities Presentation

This presentation was done by Rachel Childress, Executive Director. Several CMs asked questions about this program.

VII. Council Report

CM Blevins-A motion by CM Blevins to approve the NDF list for 6/10/08 plus 3 additional items from CM Stinnett, seconded by CM Myers, passed without dissent.

CM Gorton-Announced an ongoing coalition between UCG, Central Baptist Hospital and UK-Buckle Up Bluegrass; asking all aspiring song writers, 25 and under, to compose a clear seatbelt message song; for more information, see buckleupbluegrass.com.

CM Blues-Announced the Winburn NA meeting on 6/16 at 6:30 pm at the MLK Park shelter.

CM James-Announced that tonight the Central Sector Small Area Plan public meeting will at the Dunbar Ctr at 6:30 pm; on Thursday, the East End Small Area Plan will meet at 5:30 pm at the Charles Young Ctr and also on Saturday at 9 am at Charles Young Ctr.

VIII. Mayor's Report-Yes

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

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

Citizens, Neil Chethik, Debbie Tester, Lewis Cobb, Clive Pohl, and John Michler, spoke. CMs Gorton, Lane Blues, DeCamp Beard, and VM Gray also spoke.

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

A motion by CM Lane to reconvene the COW meeting in 5 minutes after the adjournment of the work session, seconded by CM Crosbie, passed without dissent.