

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS

July 1, 2008

Vice Mayor Gray chaired the meeting until Mayor Newberry arrived. All Council Members were present, except CM Crosbie.

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

A motion by CM Stevens to place on the docket for Thursday July 3, 2008 Council Meeting, an ordinance authorizing and directing the mayor to execute a contract addendum for FY 2008 with the Lexington-Fayette County Health Department for the Home Network Project at the Family Care Center, seconded by CM DeCamp, passed without dissent.

A motion by CM Blues to place on the docket for Thursday, July 3, an ordinance abolishing the Horse Patrol Commission, seconded by CM Beard, passed without dissent.

A motion by CM Lane to place on the docket for Thursday, July 3, 2008, a resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a deed for a temporary construction easement and permanent sanitary sewer easement for connection of the Blackford and Meadow Oak properties (6600 Man O War Boulevard) at no cost to the urban county government, seconded by CM Blevins, passed without dissent.

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

- III. Approval of Summary – Yes

A motion by CM Stevens to approve the summary of 6/24/08, seconded by CM Myers, passed without dissent.

IV. Budget Amendments-Yes

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

V. New Business

- A. Authorization of Change Order No. 1 to Contract with Free Contracting, Inc. Regarding the Lower Glendover West Drainage Improvements Project. (370-08) (Rayan/D. Kelly)
- B. Authorization of Change Order No. 1 to Contract with ATS Construction Regarding the East Reynolds Road and Lansdowne Drive Improvements Project. (FINAL) (386-08) (Rayan/D. Kelly)
- C. Authorization of Change Order No. 3 to Contract with Leak Eliminators, LLC Regarding the Wilderness Road Sanitary Sewer Project. (387-08) (P. King/D. Kelly)
- D. Authorization of Change Order No. 2 to Contract with Kenney, Inc. Regarding the Bracktown Sanitary Sewer Project. (388-08) (P. King/D. Kelly)
- E. Authorization of an Agreement By and Between LFUCG on Behalf of the Department of Public Works and Development, and the Fayette Fiscal Court and Sandra M. Varellas. (392-08) (Rayan/D. Kelly)
- F. Authorization of an Amendment to Resolution No. 672-2007 Regarding Property at 224 Forest Park Road for the Elizabeth Street Drainage Improvements Project. (371-08) (Martin/Taylor)
- G. *Authorization to Amend Ordinance No. 104-2008 and Submit Application and Accept Award (if Offered) to the Kentucky Division of Water Regarding the South Elkhorn Pump Station Project. (379-08) (P. King/Taylor)
- H. Authorization of Change Order No. 2 to Contract with Free Contracting Inc. Regarding the Solid Waste Facility Expansion Project. (380-08) (Taylor)
- I. Authorization of a Deed of Acquisition of Property Located at 4024 Lilydale Court Regarding the Whitemark Court Storm Water Improvements Project. (384-08) (Martin/Taylor)
- J. Authorization to Execute a Purchase of Service Agreement with Road to Homeownership, Inc. (381-08) (P. King/Koch)

- K. Authorization to Execute a Purchase of Service Agreement with the Urban League of Lexington-Fayette County. (382-08) (P. King/Koch)
- L. Authorization to Execute a Purchase of Service Agreement with the Lexington-Fayette Urban County Human Rights Commission. (383-08) (P. King/Koch)
- M. Authorization to Execute a HOME Agreement with Faith Community Housing Foundation, Inc. for Development of Rental Housing Project. (385-08) (P. King/Koch)
- N. Authorization to Accept Award from the Kentucky Housing Corporation on Behalf of the Department of Social Services, Division of Adult Services for Funds under the Emergency Shelter Grant Matching Funds Program – FY2009. (390-08) (P. King/Helm)
- O. Authorization for the Advertisement for Bids to Provide Electric Service within Fayette County. (372-08) (Starkweather/Cole)
- P. Authorization of a Release of Easement of Street Light Easements on Property in Gess Property, Unit 4-C. (389-08) (Askew)
- Q. Authorization of an Amendment to Agreement with Omni Architects Regarding the Public Safety Operations Center (PSOC). (376-08) (Lucas/Bennett)
- R. Authorization of a Contract with Messer Construction Company Regarding the Public Safety Operations Center (PSOC). (377-08) (Lucas/Bennett)
- S. Authorization of a Consultant Agreement with Ross & Baruzzini, Inc. Regarding the Public Safety Operations Center (PSOC). (378-08) (Lucas/Bennett)
- T. Authorization to Submit Application and Accept Award on Behalf of the US Attorney's Office – Eastern District of Kentucky for a 2008 Project Safe Neighborhoods (PSN) Grant – FY2009. (391-08) (P. King/ Bennett)
- U. Authorization of a New Salary Schedule for FY2009. (393-08) (Allen/Koch)
- V. Authorization to Amend Sections 21-5 and 22-5 of the Code of Ordinances Regarding the Reorganization within LFUCG. (394-08) (Allen/Koch)

***Denotes EPA Consent Decree, prior MP Recommendation or MP Recommendation**

A motion by CM Blevins to remove item 'H', seconded by CM James, passed without dissent.

A motion by CM Blevins to approve new business items A-V, except 'H' and the 5th bullet under item 'V' seconded by CM James, 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 Gorton-Asked if the date for the bonding discussion had been set yet; suggested that dates be sent to the Council Administrator; publicly welcomed JT Ice, her former Legislative Aide, back home from Costa Rica where he is the Vice Consul @ the US Embassy.

CM James-Spoke about the Bluegrass Aspendale Phase III project groundbreaking/grand opening today; "it was a great display of affordable housing in action."

CM Stinnett-Reminded the CMs that they have until next Tuesday to get their list of roads to Leo or Leo will be deciding which streets will be paved; thanked Comm. Taylor for the Environmental Quality review that was received.

CM Ellinger-A motion by CM Ellinger to place the issue of fake speed humps into the Services Committee, seconded by CM Myers, passed without dissent.

CM Stevens-Spoke about newly constructed houses on 3rd Street, in the Historic District.

A motion by CM Stevens to place into the Inter Governmental Committee the issue of temporary permits issued in historic zones to be reviewed with the Planning Commission, Historic Preservation, and LFUCF Dept. of Law.

CM DeCamp-Spoke about the memo given to CMs referencing the TIF application for the Centre Point project.

A motion by CM DeCamp to place on the docket a Resolution prohibiting the approval of a tax increment financing application for

the block bounded by Main Street, Vine Street, Limestone Street, and Upper Street unless (a) no structures bounded by those streets have been demolished prior to Council action on the application; and (b) the applicant has demonstrated to Council that all necessary financing is secured to construct the project and the project will proceed upon all necessary approvals of the application and the issuance of all necessary permits, seconded by CM Blues, died due to a new substitute motion made by CM Myers.

Several CMs spoke on this issue of TIF. Also speaking was John Farris, former Sec. of Finance under the Fletcher Admin and Darby Turner, attorney for the Centre Point project.

CM Myers-A motion by CM Myers to substitute the current motion with a motion to place a resolution on the docket to encourage the developers to apply for Tax Increment Financing (TIF) in order to facilitate public improvements, seconded by CM Beard, passed by an 8-5 vote, with CM Dr. Stevens absent from the vote.

Several CMs spoke about this substitute motion. VM Gray clarified the statement made that he was the LFUCG contact that had been speaking with Darby Turner. He stated that he had had conversations regarding the design competition but was not the person that had been Mr. Turner's contact; Mr. Turner stated that his contacts in the Administration were Mayor Newberry and Joe Kelly.

CM McChord- Stated that he appreciated all the work done by Computer Services to get us all back online; thanked Police Chief Bastin for the innovative ways to conserve fuel; also congratulated the local persons who are commenting and participating in the 2008 Olympic Trials.

A motion by CM McChord to include the matrix handed out last week in the PSA for Commerce Lexington and have it as part of their report out to Council, seconded by CM James, passed without dissent.

CM Blues-Made a public appeal to all Lexington neighbors to contribute to the FCC inmates who make products and distribute them to the needy, especially during holiday time. You can call his office at 258-3217 or Sally Grunfeld, Chair of Community Relations Board, at 263-8707; also announced 2 neighborhood meetings: on 7/7 at 6 pm, Georgetown Street Area at the O'Rear Center and at 7 pm, Green Acres-Hollow Creek-Breckinridge will meet at the shelter.

VIII. Mayor's Report-None

Mayor Newberry stated that in Dec. 2006, there was a bid approved for property for a new fire station. FCPS is interested in putting a teaching farm on a portion of this property. Administration will come back to Council to modify the resolution to include FCPS; stated that Lexington was fortunate to have a delegation from Japan visiting at Thursday night's Council Meeting; wanted to give an update of the computer system. Rama Dhuwaraha, CIO, gave the update. Some CMs asked questions and gave thanks for the work done.

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

A motion by CM Ellinger to adjourn work session, seconded by CM Myers, passed without dissent.