URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
August 18 through August 25, 2008

Monday, August 18

Human Rights Commission Community Relations Meeting ..... 4:30 pm

Tuesday, August 19

Corridors Committee Meeting.....11:30 am
Fifth Floor Conference Room, Government Center

Planning Committee Meeting.....1:00 pm
Council Chambers

Council Work Session..... 3:00 pm
Council Chambers

Mayor's Youth Council .....5:30 pm

Wednesday, August 20

Exaction Credit Committee Meeting .....9:00 am
Ninth Floor Conference Room, Phoenix Building

TIF .....1:00 pm
Fifth Floor Conference Room, Government Center

Greenspace Commission Board Meeting.....3:00 pm
Council Chambers

Town & Gown Commission Meeting .....4:00 pm
Maxwell St Presbyterian Church, 180 E Maxwell St

Thursday, August 21

Destination 2040 Progress Report.....5:30 pm
Central Library, Meeting Room A, 140 East Main Street

Council Meeting.....7:00 pm

Friday, August 22

No Meetings Scheduled

Monday, August 25

No Meetings Schedules

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

August 19, 2008

I. Public Comment – Issues on Agenda

II. Requested Rezonings / Docket Approval – None

III. Approval of Summary – Yes, August 12, 08 pp 4-7

IV. Budget Amendments – No

V. New Business pp 8-16

VI. Continuing Business / Presentations

- A. Fire Hydrant Presentation – Major Doug Ingram, Division of Fire and Emergency Services
- B. Bluegrass State Games – Commissioner Cole

VII. Council Report

VIII. Mayor's Report – Yes

IX. Public Comment – Issues Not on Agenda

ADMINISTRATIVE SYNOPSIS

New Business Items

A. Authorization to Amend Resolution No. 294-2008 to Correct the Neighborhood Development Funds (NDF) for Independence Place. (450-08) (Langston)
This request will authorize an amendment to Resolution No. 294-2008 to correct the funding amount of NDF for Independence Place from $600 to $500. There are no other changes associated with this amendment. **pp8**

B. Authorization of a Lease Agreement for Warehouse Space with Thoroughbred Hospitality LLC on Behalf of the Department of General Services, Division of Parks and Recreation. (451-08) (Hancock/Cole)
This request will authorize a Lease Agreement for Warehouse Space at a cost of $2,500 per month with Thoroughbred Hospitality LLC on behalf of the Division of Parks and Recreation. This agreement will allow the lease of the lower level of the existing storage warehouse of Campbell House Inn and Campbell House Golf Course to be used by the Gay Brewer, Jr. Golf Course at Picadome as a golf cart barn. The lease is from January 1, 2008 through December 31, 2010. The lease of the warehouse will be paid from the Golf Manager's budget. **pp9**

C. Authorization of a Facility Use Contract with the Fayette County Public Schools (FCPS) on Behalf of the Department of General Services, Division of Parks and Recreation. (452-08) (Hancock/Cole)
This request will authorize a Facility Use Contract with FCPS at a cost of $159.75 for the use of the Bryan Station High School Auditorium on behalf of the Division of Parks and Recreation for a public meeting on the Hisle Park Master Plan. Funds are budgeted. **pp10**

D. Authorization of Franchise Agreements with Kentucky Utilities Company, Blue Grass Energy Cooperative Corporation, and Clark Energy Cooperative, Inc. to Establish Electric Franchises in Fayette County on a Non-Exclusive Basis. (455-08) (Cole)
This request will authorize Franchise Agreements with Kentucky Utilities Company, Blue Grass Energy Cooperative Corporation, and Clark Energy Cooperative, Inc. to establish non-exclusive franchises in Fayette County. The agreements will be 3-year duration from final approval of Council and will provide a 3% franchise fee on gross revenues. **pp11**

E. Authorization to Execute an Agreement with the Commonwealth Attorney's Office for Provision of "Fast Track" Prosecutor Services under the Street Sales Drug Enforcement Project – FY2009 (453-08) (P. King/Bennett)
This request will authorize the execution of an agreement with the Commonwealth Attorney's Office to provide federal funds in the amount of $36,998 and LFUCG general funds in the amount of $12,333, to offset the

cost of the "Fast Track" and the Major Violator (Repeat Offender) prosecution programs under the Street Sales Drug Enforcement Project as part of a drug task force. Funds are used to support one (1) fulltime assistant prosecutor for a 1-year period. The source of the federal funds is the US Department of Justice, Edward Byrne Memorial Justice Assistance Grant Program, through the Kentucky Justice Cabinet, for continuation of this project. Total cost of this element of the project is $49,331. **pp12**

F. Authorization of an Additional Software License Agreement with New World Systems® on Behalf of the Department of Public Safety, Division of Police. (454-08) (Bastin/Bennett)

This request will authorize an Additional Software License Agreement in the amount of $91,500 with New World Systems on behalf of the Division of Police for Aegis® Law Enforcement Mobile Unit Software for data computers. Funds are budgeted. **pp13**

G. Authorization to Conduct a Trial Seasonal Automobile Restriction of Cheapside Street. (407-08) (Boland/J. Kelly)

This request will authorize a Trial Seasonal Automobile Restriction to be conducted on Cheapside Street. Cheapside Street is a one-way, one block street between West Short Street and West Main Street and located west of the Old Courthouse. Residents and merchants on Cheapside have requested a permanent closure for a better use of the area to the adjoining lawn of the Old Courthouse for public gatherings and events. A trial seasonal restriction of automobile traffic will be conducted for warm-weather months. Bollards would be used at both ends of the street to restrict automobile traffic but will allow for direct bike and pedestrian access. The temporary closure will affect eight (8) parking meters supported by the Parking Authority. During the cold-weather season, the bollards would be removed to allow vehicle traffic to resume. The proposed yearly closure would be April 15 – November 1 with closure for 2008 to begin on Council approval. A community assessment will be conducted at the end of the trial seasonal closure to continue the restriction period or to permanently close the street. **pp14-16**

URBAN COUNTY COUNCIL

WORK SESSION SUMMARY

August 12, 2008

Mayor Newberry chaired the meeting, calling it to order at 3:00pm. All Council Members were in attendance. Vice Mayor, Gray, absent.

I. Public Comment – Issues on Agenda

II. Requested Rezonings/Docket Approval

Motion by DeCamp to place zone change #1 on the docket Thursday, August 14, 2008 without a public hearing, seconded by Ellinger, motion passed.

Motion by Beard to place zone change #2 on the docket Thursday, August 14, 2008 without a public hearing, seconded by Ellinger, motion passed.

Motion by Lane to place on the docket for Thursday, August 14 a resolution authorizing and directing the Mayor, on behalf of the Urban County Government to execute an Engineering Services Agreement with Strand Associates, Inc. for development of the Salt Barn site, seconded by Ellinger, motion passed.

Motion by Beard to approve the docket as amended, seconded by Gorton, motion passed.

III. Approval of Summary

Motion by Blevins to approve amended summary with correction, seconded by Myers.

IV. Budget Amendments

Motion by Blues that Budget Journal #24859 in the amount of $540.00 on the budget amendment list be removed from consideration. A budget journal is not needed to for this purchase to be completed. Seconded by Blevins, motion passed.

V. New Business

Motion by Blevins to remove items II and JJ from new business, seconded by Gorton, motion passed.

Motion by Blevins to remove item KK from new business, seconded by Stevens, motion passed.

Motion by Stevens to approve new business as amended, seconded by DeCamp, motion passed.

VI. Continuing Business/Presentations

Intergovernmental Committee

Motion by James to approve creation of a sub-committee to review and approve the Citizen Advocate's office standard operating procedures/policies and appointing Myers as chair, seconded Gorton, motion passed.

Lexington Center Corporation Bond Request presentation by Bill Owens, President and CEO which was outlined in new business item H of the August 12, 2008 work session agenda.

Newtown Pike Extension Project Update by Andrew Grunwald, Div. of Engineering – Power Point presentation available upon request.

VII. Council Report

Motion by Blevins to approve the NDF List dated August 12, 2008, seconded by McChord, motion passed.

DeCamp, No report

McChord congratulated South Lexington All Star Team; spoke about city parks on the South end of town in reference to trails and the bike summit.

Lane gave an update on Saron Drive, telling the council the project is now complete and thanked Commission Don Kelly for his support on that project and wished him well on his retirement.

Crosbie also wished Commission Kelly good luck, announced a neighborhood association meeting and congratulated Mallory Shake's swim team record.

Ellinger, No report

Stevens thanked Commissioner Kelly for service to LFUCG.

Motion by Stevens to refer to the Services Committee to review and consider options regarding Man O War, US 27 intersection traffic restrictions, seconded by Myers, motion passed.

Motion by Stevens to refer to the Planning Committee to review and consider the proposed draft ordinance of the smoking ordinance, seconded by Gorton, motion passed.

Gorton extended thanks to Commissioner Don Kelly, announced registration of "Girls on the Run", Dog Parks 6th Annual Dog Paddle, Sept. 6, 2008 from 9:00 am-3:00 pm, and the Police Recruit Graduation.

Myers announced meetings of the Gainesway Neighborhood Association and Centre Parkway.

Beard, No report

Blues spoke about the Noise Ordinance Task Force, specifically the issue of truck noise.

Henson congratulated the efforts of the Back to School Rally, announced meeting of Golfview Estates Neighborhood Association and wished Commissioner Don Kelly well as he retired.

Stinnett echoed well wishes to Don Kelly, announced activation of Liberty Road project, thanking the Engineering Dept. and presented the Human Society's "Adopt Love" T-shirts to the Mayor and Council Members.

James announced the Martin Luther King Neighborhood Association meeting and the East End Reunion, August 16, 12:00 noon at Charles Young Park and shared with Council a replica of the highway marker dedicated by the Tuskegee Airmen to be placed on I75-South, she also said the Back to School Rally was a success.

Motion by James to place the Affordable Housing Trust Fund Task Force report into the Budget and Finance Committee, seconded by Lane, motion passed.

VIII. Mayor's Report

Motion by Stevens to approve the Mayor's Report, adding appointments to the docket, seconded by Lane, motion passed.

James asked a question about the selection process for the Environmental Committee. Mayor Newberry asked his staff to respond.

Motion by Gorton to add to four appointments confirmed at the August 12, 2008 confirmation hearings, seconded by Gorton, motion passed.

Mayor Newberry applauded Commissioner Don Kelly's service to LFUCG and extend well wishes for his retirement effective, August 15, 2008.

Mayor Newberry referred to the Management Partners Report advising the Council there would be a summary of recommendation forthcoming.

- Ellinger asked the Mayor for a brief update and status of the T.I.F. Task Force. The Mayor said outside consul and financial advisors have been retained. The task force is prioritizing recommendations and projects and hoped to have a formal report in a few weeks.

The Mayor extended support for Lexington native, Tyson Gay as he pursues gold at the 2008 Summer Olympics.

Motion by Stinnett pursuant to KRS 61.810(1)© to go into closed session for the purpose of discussing pending litigation matters involving the Lexington Fayette Urban County Government, seconded by Gorton, motion passed.

Meeting adjourned 4:48 pm

450-08

Lexington-Fayette Urban County Council

To: Pat Boots, Mayor's Office

From: Council Administrator

Date: 08-12-08

To amend resolution number 294-2008 and change total amount of the Neighborhood Development Fund to Independence Place from $600.00 to $500.00. The allocation was miscalculated and corrected when the NDF check was initiated however; this action is required in order to correct the resolution.

Regards,

Rebecca Langston (VJS)

Rebecca Langston

RPL/vjs

451-08

Jim Newberry, Mayor
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Parks & Recreation
Jerry Hancock, Director

RECEIVED
AUG - 7 2008
GENERAL SERVICES
COMMISSIONER'S OFFICE

MEMORANDUM

To: Jim Newberry, Mayor
Urban County Council Members
Joe Kelly, Senior Advisor to the Mayor

FROM: Jerry Hancock

RE: Lease Agreement

DATE: August 6, 2008

This is a request for Council approval of a lease agreement between the Throughbred Hospitality, LLC and the LFUCG Parks and Recreation.

The lease agreement provides for a lease of a building for use by the Gay Brewer, Jr. Golf Course at Picadome, as a cart barn.

The financial impact is $2,500.00 per month payable from the Golf Manager's budget.

Please contact me if there are any questions.

CC: Kimra Cole, Commissioner of General Services

JEH/bac

452-08

Jim Newberry, Mayor
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Parks & Recreation
Jerry Hancock, Director

MEMORANDUM

RECEIVED
AUG - 7 2008
GENERAL SERVICES
COMMISSIONER'S OFFICE

To: Jim Newberry, Mayor
Urban County Council Members
Joe Kelly, Senior Advisor to the Mayor

FROM: JE Hancock
Jerry Hancock

RE: Facility Usage Agreement

DATE: August 6, 2008

This is a request for Council approval of a facility agreement between the Fayette County Public Schools and the LFUCG Parks and Recreation.

The facility usage agreement provides for a reservation of the Bryan Station High School Auditorium for use on Wednesday August 6th, 2008 from 4:30 – 9:00 PM, for a public meeting to receive input from interested individuals regarding the Hisle Park Master Plan.

Please contact me if there are any questions.

CC: Kimra Cole, Commissioner of General Services

JEH/bac

455-08

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Department of General Services

To: Mayor Jim Newberry
Urban County Council

From: Kimra Cole
Commissioner General Services

Date: August 12, 2008

Re: Franchise Agreements – Electric Utilities

The administration recommends that the Urban County Government enter into franchise agreements with the following electric utilities, all of whom submitted timely and responsive bids to Ordinance No. 175-2008, which established a non-exclusive electric franchise: Kentucky Utilities Company, Blue Grass Energy Cooperative Corporation, and Clark Energy Cooperative, Inc.

The franchise agreements will each be for a 3 year duration from the time of final Council approval, and provide for a three percent (3%) franchise fee on gross revenues, which is the same as the current fee amount for these franchises.

Please contact me or David Barberie in the Department of Law should you have any questions related to these agreements.

200 East Main Street Lexington, KY 40507 (859) 258-3900 Fax (859) 258-3909

453-08

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Community Development

TO: **JIM NEWBERRY, MAYOR**
URBAN COUNTY COUNCIL

FROM: **PAULA KING, DIRECTOR**
DIVISION OF COMMUNITY DEVELOPMENT

DATE: **AUGUST 12, 2008**

SUBJECT: **REQUEST COUNCIL AUTHORIZATION TO EXECUTE AGREEMENT WITH THE COMMONWEALTH ATTORNEY'S OFFICE FOR PROVISION OF "FAST TRACK" PROSECUTOR SERVICES UNDER THE STREET SALES DRUG ENFORCEMENT PROJECT - FY 2009**

The Kentucky Justice Cabinet has awarded the Lexington-Fayette Urban County Government a grant for continuation of the Street Sales Drug Enforcement project. Source of funds is the U.S. Department of Justice, Edward Bryne Memorial Justice Assistance Grant Program.

The Street Sales Enforcement project includes funds to offset the cost of the "Fast Track" prosecution program and the Major Violator (Repeat Offender) prosecution program in the Commonwealth Attorney's Office, as part of a drug task force. Funds are used to support one full-time assistant prosecutor for a one-year period.

The total cost of this element of the project is $49,331. Federal funds are in the amount of $36,998. The Lexington-Fayette Urban County Government's general fund provides $12,333 to the project. Budget amendment is in process providing funding for the project as follows:

FUND NO.	DEPT ID	SECT	ACCT	BUD REF	PROJECT
3140	112006	0001	71101	2009	STREET SALES

Council authorization to execute the agreement is hereby requested.

Paula King, Director

Xc: Tim Bennett, Commissioner, Department of Public Safety

LEXINGTON DIVISION OF POLICE
OFFICE OF THE CHIEF

454-08[13]

TO: Mayor Jim Newberry
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: August 11, 2008

RE: New World Systems – Additional Software License Agreement

Please find attached documentation and blue sheet requesting approval of the attached Additional Software License Agreement between the Lexington-Fayette Urban County Government and New World Systems. The agreement is for the software licensing of 50 mobile data computers. The attached agreement requires the Mayor's signature.

The software license agreement is fully budgeted. Budgetary impact for FY09 will be $91,500.00.

Upon approval and signing, please forward the original document to my office.

R. Bastin

Ronnie Bastin
Chief of Police

Attachment

cc: Tim Bennett, Commissioner of Public Safety

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407-08

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Office of the Senior Advisor for Management

MEMORANDUM

To: Mayor Jim Newberry
Joseph Kelly, Sr. Advisor for Management
Urban County Councilmembers

From: Charlie Boland, Administrative Officer Sr.

Date: July 2, 2008

Re: Trial Seasonal Restriction of Cheapside Street

LFUCG has received a request from the property owners and merchants of Cheapside Street to permanently restrict automobile traffic on the street, in the effort to better utilize the area and the adjoining lawn of the Old Courthouse for various public gatherings and events. Rather than a permanent restriction, I think it more prudent to conduct a trial seasonal restriction for the warm-weather months, and then make an assessment afterward as to the positive / negative impacts to the community. I offer the following reasons in support of this proposal.

The Downtown Lexington Corporation and Downtown Development Authority are both highly supportive, as they have programmed regular warm-weather events in this location for several years, and understand how well it naturally functions as an outdoor community gathering site. As we approach 2010, it in intended to provide such areas in our downtown for the attendees of the world equestrian games to socialize and enjoy community festivities, and this trial period would give a greater sense of what will work for that and other future events.

Cheapside Street is a one way street just west of the Old Courthouse, only one block in length, running between West Short Street and West Main Street. An aerial photo is attached for reference. Automobile traffic on the street is minimal and a restriction would not pose undue burden on the driving public, as this same block can be traversed by either Mill Street or Upper Street, only one block in either direction from Cheapside Street. The only real impact to drivers would be the loss of 8 metered parking spaces, which is supported by the Parking Authority.

The automobile restriction would be accomplished by the installation of temporary bollards at either end of the street, which would still allow for direct bike and pedestrian access. No other physical construction would be undertaken, and automobile use would be restored during the cold weather season by removing the bollards. I propose that the typical automobile restriction period

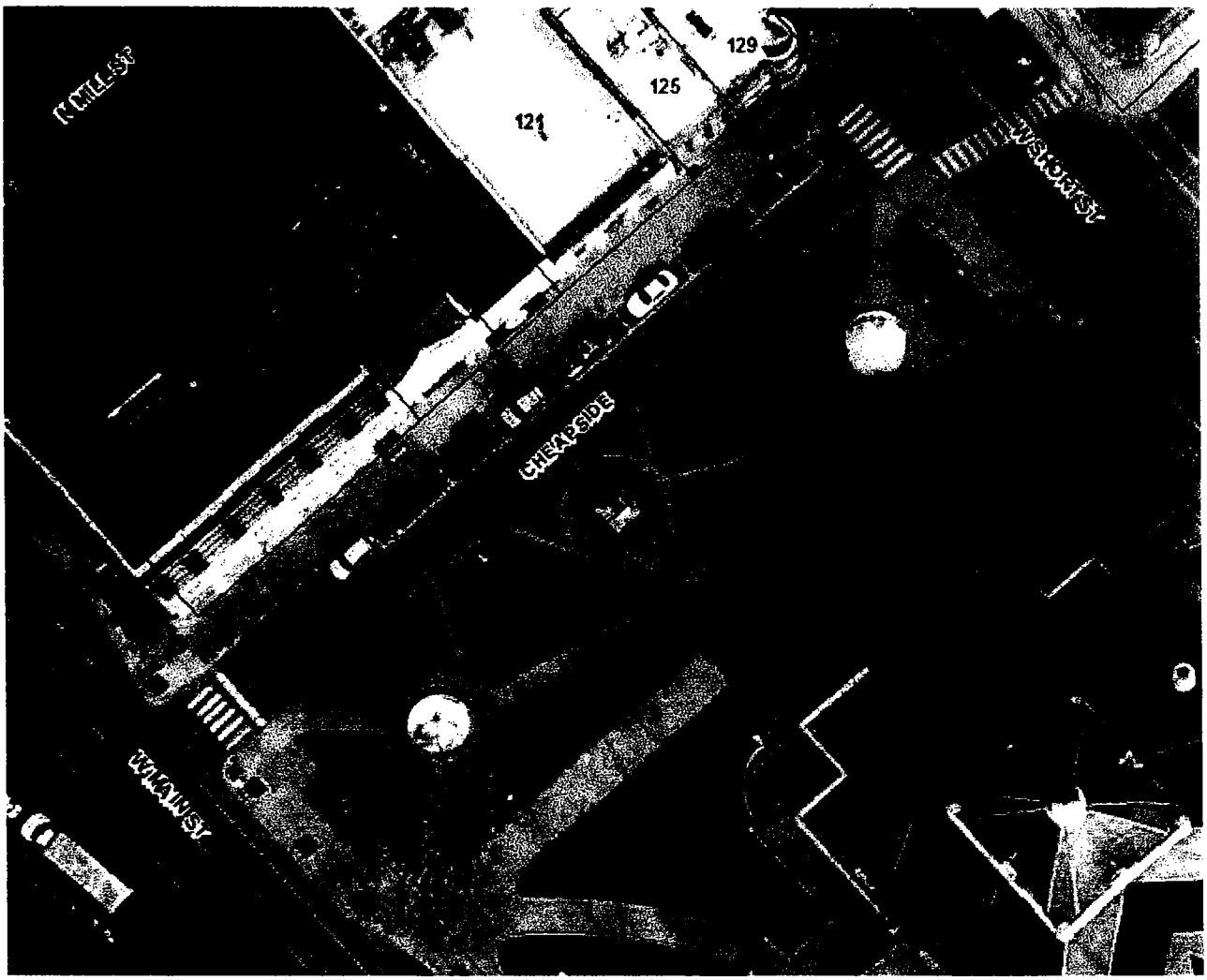
would be April 15-November 1. Since we are past the April 15 date, I propose that the trial begin immediately this summer for the remaining warm weather season and extend until November 1, 2008. The impact of the closure would be evaluated at that time by the appropriate mechanism, and a decision made as to whether to continue the temporary closure in future years.

The appropriate divisions of government and the utility companies have reviewed and consented to the temporary restriction, subject to protecting access to their existing facilities in the area.

This is a proposed trial restriction of automobile traffic only, and no right-of-way is being closed or permanently barricaded – the street will be restored to full use at the end of the trial period. However, we have followed the same review process required by street closure or barricading procedures to evaluate the idea prior to making this recommendation.

Based on the support expressed by the adjacent property owners and merchants, and those who organize public events for the community, I request Council authorization of the trial automobile restriction as presented and execution of any related documents. Please address any questions to me in advance or at the Council Work Session when this matter is presented. Thank you.

407-08



Cheapside Street

Proposed Trial Restriction

July 2, 2008

Scale: 1 inch = 47 feet