URBAN COUNTY COUNCIL

WORK SESSION SUMMARY

& TABLE OF MOTIONS

SEPTEMBER 9, 2008

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

I. Public Comment – Issues on Agenda-None

Laurie Daugherty, attorney with background in commercial real estate, finance and development spoke on TIF.

II. Requested Rezonings / Docket Approval

A motion by Dr. Stevens to place on the docket for the Council meeting on Thursday, September 11, 2008, a resolution authorizing and directing the Mayor to execute a Purchase of Service Agreement with Blue & Co., LLC, for a comprehensive financial audit of the Division of Family Services Health Care Clinic at the Family Care Center at a cost not to exceed $47,500, seconded by CM Gorton, passed without dissent.

A motion by CM Blues to place on the docket for the Council meeting on Thursday, September 11, 2008, a resolution approving a form lease of horses from the Friends of the Lexington Mounted Police, Inc. and authorizing the execution of such leases with the Friends of the Lexington Mounted Police, Inc. on an as needed basis, seconded by CM Beard, passed without dissent.

A motion by CM Myers to place on the docket for the Council meeting on Thursday, September 11, 2008, a resolution authorizing the execution of an agreement with W.S. Farish, the Carnegie Center, Inc., and the Board of Trustees of the Lexington Public Library for funding of the Carnegie Center at a cost not to exceed $36,000, seconded by CM DeCamp, passed without dissent.

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

III. Approval of Summary

A motion by CM Blevins to approve the summary of 8/26/08 with one change, seconded by Dr Stevens, passed without dissent.

IV. Budget Amendments

A motion by CM Ellinger to add budget journal 26695 to the budget amendment list, seconded by CM Blevins, passed without dissent.

A motion by CM McChord to approve the budget amendments, seconded by CM Myers, passed without dissent.

V. New Business

A. Authorization to Amend Sections 8, 10 and 12 of Ordinance No. 183-2008. (470-08) (Allen/Koch)

B. Fayette County Sheriff's Settlement of 2007 Taxes. (472-08) (Koch)

C. Authorization to Execute a Special Warranty Deed Transferring Title to the Julia R. Ewan Elementary School Property to the Fayette County Board of Education in Consideration of the Payment in Full of Bonds Previously Issued by the County of Fayette. (484-08) (Sledd/Askew)

D. Authorization to Amend Section 21-5 of the Code of Ordinances, within the Division of Waste Management. (485-08) (Allen/Taylor)

E. Authorization to Enter into an Agreement Between Judy Construction Co. and the LFUCG for Clarifier #8 Repair at the West Hickman Wastewater Treatment Plant. (489-08) (Martin/Taylor)

F. Authorization to Execute a Facility Usage Agreement Between LFUCG Parks and Recreation and the Hyatt Regency for Guests and Participants to the 2009 Bluegrass Invitational Wheelchair Tournament. (473-08) (Hancock/Cole)

G. Authorization to Accept Monetary Donations in Memorial of Ms. Hilda Ecton for Improvements to Ecton Park. (474-08) (Hancock/Cole)

H. Authorization for Award of Engineering Services Agreement for Design to Construct the McConnell Springs Stormwater Quality Wetland Pond (476-08) (Martin/Cole)

I. Authorization to Approve the 2008 – 2009 Work Plan with Simon & Company, Inc. on Behalf of LFUCG. (471-08) (Sheehy/Webb)

J. Authorization to Allocate Funds to Kinzelman Kline Gossman LLC Regarding the Design of Sidewalks and Streetscape Improvements for Downtown. (478-08) (P. King/Webb)

K. Authorization of an Affiliation Agreement with UK HealthCare Programs on Behalf of the Department of Public Safety, Division of Fire and Emergency Services. (469-08) (Hendricks/Bennett)

L. Authorization to Approve a Renewed Agreement of Affiliation with Bluegrass Crime Stoppers, Inc. on Behalf of the Department of Public Safety, Division of Police. (475-08) (Bastin/Bennett)

M. Authorization to Amend Section 21-5 of the Code of Ordinances, within the Division of Emergency Management/911. (486-08) (Allen/Bennett)

N. Authorization of a Resolution to Change Street Names and Individual Addresses within Council Districts 2, 6, 7, and 8 for the Enhanced 9-1-1 System. (488-08) (Lucas/Bennett)

O. Authorization to Execute a Lease Agreement Between Employment Solutions, Inc. and the LFUCG for the East Sector Roll Call Facility. (487-08) (Bastin/Bennett)

P. Authorization to Execute a Memorandum of Agreement (MOA) with Kentucky Department of Juvenile Justice Regarding the Juvenile Delinquency Prevention Program and Execute an Agreement with Croney & Clark, Inc. for the Operation of Truancy Reduction Initiative for FY2009. (477-08) (P. King/Helm)

Q. Authorization of a Mental Health Services Agreement Between LFUCG & Bluegrass Mental Health/Mental Retardation, Inc. for Court Ordered Mental Health Evaluations of Clients Referred to the Division of Youth Services. (483-08) (Gales/Helm)

R. Authorization to Execute Supplemental Agreement No. 5 to Agreement with the Kentucky Transportation Cabinet (KYTC) Regarding the Richmond Road Multi-Use Path. (479-08) (P. King/Webb)

S. Authorization to Execute Supplemental Agreement No. 2 to Agreement with the Kentucky Transportation Cabinet (KYTC) Regarding the Clays Mill Road Improvements Project. (480-08) (P. King/Webb)

T. Authorization to Proceed with the Annual Urban Service Legal Process for 2008. (482-08) (Webb)

<u>A motion by CM Blevins to modify the docket for Thursday, September 11, 2008 to include discussion of UDAG fund status, seconded by Dr. Stevens, passed without dissent.</u>

A motion by CM Ellinger to approve new business items A-T, seconded by CM Gorton, passed without dissent.

CM Henson recused from item O.

VI. Continuing Business / Presentations

A. Budget & Finance

Dr. Stevens gave an update of the items discussed during the Budget & Finance committee on August 26, 2008.

At the request of the Budget & Finance committee, Clete Benken, Kinzelman Kline and Gossman, gave a Powerpoint presentation today on "LFUCG Downtown Facilities Site Evaluation Review".

Several council members asked questions.

A motion by Dr. Stevens to amend Thursday, September 11, 2008 docket to include a resolution to retain FM Solutions to prepare a RFP for determining the location and design of the new government center with a task force appointed by the Vice Mayor to work with the consultants, seconded by CM McChord, passed without dissent.

B. UK Proposed Seizure Trial in Fayette County

Dr. Roger Humphries, Chair, U.K. Dept of Emergency Medicine, gave a Powerpoint presentation of the proposed seizure trial.

Several council members asked questions.

C. Consent Decree Update

Charlie Martin gave an update of the consent decree.

VII. Council Report

CM Myers spoke regarding why he made the motion last week to table the proposed resolution of intent to move the TIF process forward. He stated the reason for setting up the delegation was to put together a TIF district boundary and a list of projects that would be looked at down the road to do as a TIF and then to be voted up or down. He stated the resolution that was brought forward did not do that. He stated after that meeting he asked Commissioner Askew to go on and prepare the applications and the three attachments.

Commissioner Askew gave an update as to where they are at this time.

CM Myers asked how long it would take to get the development plan ready.

Mr. Parsons, attorney with the firm of Taft, Hollister stated the actual writing of the plan will not take that long. He stated the issue is working with staff and getting the information that goes into the plan. He stated assuming they can get the information it should be ready to go by the first week of October.

Darby Turner gave an update as to where they are now. He stated they have signed an investment agreement with investors. A major US law firm has agreed to act as trustees for those funds. He stated JW Marriott has signed on as the hotel. Mr. Turner stated Bovis has been selected as the contractor. He stated they expect to sign a contract with Bovis within the next 30 to 45 days.

A motion by CM Myers to remove from the table the discussion of the resolution relating to the TIF Delegation recommendations and the TIF process that was tabled at the September 2, 2008 work session and further move to substitute the new resolution for one previously submitted, seconded by CM Beard, passed.

Several council members spoke regarding the TIF.

A motion by CM Myers to place the substituted resolution on Thursday, September 11, 2008 docket, seconded by CM Beard, passed with a vote of 8-7. Yea: McChord, Beard, Myers, Crosbie, Ellinger, Lane, Stevens, and Stinnett. Nay: Blevins, Blues, DeCamp, Gray, Gorton, Henson and James.

A motion by CM Myers for the Division of Planning to present to Planning Committee concerning their request for changes in the state law governing special districts and penalties for violations of zoning ordinance, seconded by CM McChord, passed without dissent.

A motion by CM Stinnett to place on the docket for the Council meeting on Thursday, September 11, 2008 the issue of a multi - way stop at Star Shoot Pkwy and Pink Pigeon Pkwy, seconded by CM Myers, passed without dissent.

CM Gorton announced that on September 26th McConnell Springs will be having their Fall Fling from 5:30 p.m. until 9:00 p.m. She also thanked the 822 dogs that came out to the dog paddle on Saturday.

A motion by CM DeCamp to place the sign ordinance into Services Committee for review, seconded by CM Myers, passed without dissent.

CM McChord stated the Friends of the Dog Park are finalizing a fenced in paddock in Wellington Park. He thanked those involved for what they do.

CM Blues announced the Northside Library grand opening is on Friday, September 12th at 11:00 a.m. He announced the Highland Neighborhood Assoc will meet on Thursday, September 11th at 7:00 p.m. and Winburn Neighborhood Assoc will meet on Monday, September 15th at 6:30 p.m. He also wished Fred Mills well.

A motion by CM Beard to approve the NDF list, seconded by CM Lane, passed without dissent.

A motion by CM Ellinger to refer the matter of the budget surplus to the Budget & Finance committee, seconded by CM Crosbie, passed without dissent.

VIII. Mayor's Report-None

Mayor Newberry stated the report was modified on Monday to remove the CASA appointments.

A motion by CM Crosbie to approve the Mayor's report as modified, seconded by CM Blues, passed without dissent.

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

Mr. Lewis Cobb spoke.

Ms. Jan Eisenhower spoke regarding the Carnegie Center.

A motion by CM McChord to adjourn work session, seconded by Dr. Stevens, passed without dissent.

Work Session adjourned at 7:05 p.m.