

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY

October 21, 2008

Mayor Newberry chaired the meeting, calling it to order at 3:00 pm. All Council Members were present.

I. Public Comment – Issues on Agenda - None

II. Requested Rezonings/Docket Approval – Yes

Motion by Blevins to place item 14 on the docket for Thursday, October 23, 2008 without a public hearing, seconded by Gorton, motion passed without dissent.

Motion by Stevens to place item 16 on the docket for Thursday, October 23, 2008 without a public hearing, seconded by Gorton, motion passed with Beard, Crosbie & Ellinger voting nay.

Motion by Ellinger to place item 15 on the docket for Thursday, October 23, 2008 without a public hearing, seconded by Gorton, motion passed with Lane voting nay.

Motion by DeCamp to approve the docket as amended, seconded by Gray passed without dissent.

Motion by McChord to place a resolution on the Docket for Thursday, October 23, 2008 authorizing the execution of the Federal Equitable Sharing Agreement and Certification with the Federal Government, Department of Justice, seconded by Gorton, motion passed without dissent.

III. Approval of Summary - Yes

Motion by Gorton to approve the October 14, 2008 work session summary, seconded by DeCamp motion passed without dissent.

IV. Budget Amendments – Yes

Motion by Henson that budget journal no. 28132-33 on the Budget Amendment Request list be removed from consideration. This Budget Journal for UGA stream/precipitation gauge program duplicates a Budget Journal being approved as part of a New Business Item accepting funds for removal and reinstallation of a stream/precipitation gauge. Because the Budget Journal is directly related to the acceptance of these funds it is

more appropriate to be considered as part of the New Business item and not as part of the Budget Amendment Request list, seconded by Gorton, motion passed without dissent.

V. New Business

Motion by Blevins to amend new business item W authorization to renew excess liability insurance from the KLC agent for insurance company of the State of Pennsylvania from \$638,117 to \$588,117, seconded by Stevens, motion passed without dissent.

Motion by Blevins to amend new business item B authorization of a facility usage contact with Fayette County Board of Education on behalf of the Dept. of General Services of Parks & Recreation for rental of the Jesse Clark Middle School Gymnasium for the Boys Youth Basketball Program should read \$4307.76, seconded by Gorton, motion passed without dissent.

Motion by Myers to approve new business as amended, seconded by McChord, motion passed without dissent.

VI. Continuing Business/Presentations

Intergovernmental Committee Update - was given by James with one motion coming forward:

Motion by James to direct the administration to cease delivery of this class (Staying Union Free) until such time state law changes to allow unionization or some other pressing need comes before them to deliver this information, seconded by Blues, passed without dissent.

The Japan/Kentucky Cultural Exchange Presentation – Glen Krebs, Chair, Japan/America Society of Kentucky

Mr. Krebs spoke about the importance of cultural exchange and global understanding, telling the council Kentucky was chosen for participation in this program. The members will be visiting Kentucky, Wednesday, October 22, 2008 with Vice Mayor Gray and others scheduled to speak. There is a party scheduled for 6:00 pm at the Keene Barn with the closing ceremony being held in Louisville.

Airport Board of General Obligation Bond Issuance – John C. Merchant, Bond Counsel, Peck Shaffer

Mr. Merchant explained there would be bonds issued for approx. \$85 million. He talked about letter of credit, security and explained who will be issuing the bonds.

Stinnett asked for confirmation that these bonds would not affect project plans for a new government center or the public safety operations facility.

Comm. Koch replied that even though this is a change to the way LFUCG does bonds in the past, this would not affect either of those projects.

Beard asked about revenue to support this bonding and if it might impact any internal bonds

Lane asked for the amount the airport receives from state and federal dollars and was told the amount was approx. \$9 million respectively. He also asked about improvements being made. Planned improvements include, runway property, \$10 million for relocation of the terminal, parking and increased sanitary sewer capacity.

Motion by Stevens to place a resolution on Thursday, October 23, 2008 dockets to approve the documents regarding general obligation bonds for the airport funding plan, seconded by DeCamp, passed with out dissent.

Mayor Newberry asked the staff and director, Paula King of Community Development to come forward and be recognized for being honored by the Urban League for their many accomplishments and continuing service to the community.

Council Report

Gorton congratulated Community Development and announced the grand opening of the Wellington Dog Park, Sunday, October 26, 2008 at 2:00 pm.

Motion by Blevins to approve the NDF List dated October 21, 2008, seconded by Beard, motion passed without dissent.

McChord reminded everyone of the Legacy Trail Ride, Saturday, Oct. 25, 2008 at 8:00 am from Cheapside to Coldstream. He talked about the Clays Mill 32 acre park & trail saying the goal was to have it complete in time for the 2010 WEG. He also mentioned the ribbon cutting ceremony for the Wellington Dog Park.

Blues announced two neighborhood association meetings tonight, Green Acres at Bracktown Church and one at Master Station Clubhouse @ 7:00 pm. He also announced a public meeting for all neighborhoods surrounding the location of the public safety operations center to be held Monday, October 27, 2008 at the House of God Church.

Lane referred to the draft of the clean air/smoking ban ordinance saying he has contacted the LFUCG Law Dept. (Mike Sanner) and is recommending changes to more

specifically define some of the terminology. The changes included the definition of temporary structures, tents with sides, private organizations and recommended adding "or members", public transportation facilities and enclosures in order to make the ordinance more enforceable and expanding the definition for smoking in hospital or hospice rooms.

Motion by Lane to amend the clean air act ordinance to reflect the changes outlined, seconded by Beard, passed without dissent.

James announced the United Way kick off, Thursday, October 23, 2008 and invited all to attend.

Beard announced a meeting to discuss placement of the bicycle path to be held 6:00 pm Wednesday, October 22, 2008.

Stevens talked about grant from Transportation Enhancement for sidewalks on Tates Creek Pike. He said there would be a public meeting; however no date is confirmed yet. He said there should be an announcement in the newspaper once a date is set.

Gray announced a meeting about the Police & Fire Pension Fund, Wednesday, October 23, 2008 at 3:00 pm at Commerce Lexington.

Myers refereed to the meeting of neighborhood association presidents, saying there was a great turn out and thanked all who attended. He reminded everyone of the upcoming Neighborhood Summit and publicly apologized to Comm. Joe Kelly for his comments earlier during the Planning Committee meeting.

Motion by Myers to amend the clear air act ordinance to include not only all buildings leased, owned or maintained by LFUCG, but all vehicles, seconded by Stevens, passed without dissent.

Lane had a question about how to make the addition of vehicles enforceable and what if any penalties would be attached. Myers said perhaps there would have to be a personnel policy adopted to address enforcement and penalties.

McChord asked about the upcoming public meeting on TIF, saying he had received a number of comments and there was some confusion among the public about the projects.

Comm. Askew responded saying Mr. Parson's, attorney consultant retained by LFUCG would attend the TIF public meeting to assist with any questions.

Mayors Report - None

Public Comment – Issues Not on Agenda

One citizen addressed the council regarding TIF

A motion by Lane to enter into closed session pursuant to KRS 61.810(1) for purposes of discussing proposed litigation on behalf of the Lexington-Fayette Urban County Government, seconded by Stinnett motion passed without dissent.

Motion by Myers to return to open session, seconded by Beard, passed without dissent.

Motion by Blues to place on the docket a resolution authorizing the engagement of the law firm of Landrum & Shouse, LLP to represent the interests of the Urban County Government in an insurance coverage dispute, seconded by Gorton passed without dissent.

Work Session adjourned 4:45 pm