URBAN COUNTY COUNCIL

WORK SESSION SUMMARY

& TABLE OF MOTIONS

November 18, 2008

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

I. Public Comment – Issues on Agenda-None

II. Requested Rezonings / Docket Approval

A motion by CM Blues to place on the docket for November 20, 2008, without a public hearing, an ordinance changing the zone from a High Density Apartment (R-4) zone to a Wholesale and Warehouse Business (B-4) zone, for 6.73 net (9.59 gross) acres, for property located at 201 Price Road, subject to certain use restrictions imposed as conditions of granting the zone change. (Lexington Lofts, LLC), seconded by CM Blevins, passed without dissent.

A motion by CM Blues to place on the docket for a special meeting public hearing for January 13, 2009 at 6 pm, an ordinance changing the zone from a Neighborhood Business (B-1) zone to a Wholesale and Warehouse Business (B-4) zone, for 208650 net (3.4609 gross) acres, for property located at 1447 Antique Drive, subject to certain use and buffering restrictions imposed as conditions of granting the zone change. (Southern Industrial, LLC), seconded by CM Crosbie, passed without dissent.

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

III. Approval of Summary

A motion by CM Stevens to approve the summary of 11/18/08, seconded by CM Ellinger, passed without dissent.

IV. Budget Amendments

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

V. New Business

A. Authorization to Approve Thomson West as Vendor for the Department of Law for Legal Publication and On-Line Research. (618-08) (Sledd/Askew)

B. Authorization to Submit Application to Kentucky Office of Homeland Security on Behalf of the Department of Public Safety, Division of Police, under the Law Enforcement Protection Program – FY2009. (617-08) (P. King/ Bennett)

C. Authorization of a Biometrics Maintenance and Support Agreement with Motorola, Inc. on Behalf of the Department of Public Safety, Division of Police, Regarding the LiveScan Portable Station (LSS-P). (625-08) (Bastin/Bennett)

D. Authorization of an Agreement with the Young Men's Christian Association (YMCA) of Central Kentucky, Inc. to Participate in the 21st Century Community Learning Center Program. (623-08) (P. King/Helm)

E. Authorization to Submit an Application to the US Department of Health and Human Services on Behalf of the Department of Social Services, Family Care Center's Children's Clinic, for the Continuation of the Healthy Tomorrows Project – FY2009 (627-08) (P. King/Helm)

F. Authorization to Amend Resolution No. 510-2008 to Restrict Automobile Traffic Year-Round on Cheapside Street. (619-08) (Boland/Kelly)

G. Authorization of a Rental Agreement for the Bluegrass Ballrooms and Thoroughbred Rooms with the Lexington Center Corporation for the 2009 Minority Business Expo and Conference. (622-08) (Wright/Kelly)

H. Authorization of a Purchase of Service Agreement (PSA) with Commerce Lexington, Inc. (628-08) (Wright/Kelly)

I. Authorization for an Amended Deed of Easement – Sanitary Sewer with the Jessamine-South Elkhorn Water District (JSEWD) on Behalf of the Department of Environmental Quality, Division of Water Quality. (620-08) (Martin/Taylor)

J. Authorization of a Site Specific Agreement with the Jessamine-South Elkhorn Water District (JSEWD) and Collins Ford of Lexington LLC, on Behalf of the Department of Environmental Quality, Division of Water Quality. (621-08) (Martin/Taylor)

K. Authorization to Approve the Temporary Housing Occupant Agreement Format for Use Between LFUCG and Displaced Residents of the Newtown Pike Extension Project Mitigation Area and Approve the Mayor to Sign Agreements as Needed. (624-08) (Rayan/ Webb)

L. Authorization of Amendment No. 2 to Engineering Services Agreement with CDP Engineers, Inc. Regarding the West Hickman Trail Project. (626-08) (P. King/Webb)

M. *Authorization to Approve Proposed Ordinance Regarding the Stormwater Service Charges and Fees to be Effective April 1, 2009. (629-08) (Taylor)

N. Authorization to Approve the Phoenix Park / Courthouse District Tax Increment Financing (TIF) and the Lexington Distillery District TIF. (630-08) (Askew)

A motion by CM Stinnett to move item M into a task force for up until 60 days, seconded by CM Ellinger, passed without dissent.

A motion by CM Stinnett to postpone the Stormwater Management Fee presentation, seconded by CM Ellinger, passed with a 13-2 vote.

A motion by CM Blevins to split item N for the November 20 docket: N will represent the Phoenix Park/Courthouse District TIF and O represents the Lexington Distillery District TIF, seconded by CM Gorton, passed without dissent.

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

A motion to approve item N as the Phoenix Park/Courthouse District TIF passed by a 9-6 vote.

A motion to approve item O as the Lexington Distillery District TIF passed with 1 recusal: CM Lane.

VI. Continuing Business / Presentations

A. Intergovernmental Committee Update

CM DeCamp gave this update. No motions came forward.

B. Stormwater Management Fee Implementation

This presentation was postponed because the new business item regarding it was placed in a task force for up to 60 days.

C. LexTran Presentation

This presentation was done by Rocky Burke, GM of LexTran. Several CMs spoke; some expressing concern about para transit and other comments about the Art in Motion program.

VII. Council Report

CM Gorton-Reminded CMs of the Newtown Pike Update workshop at 5:30 pm today.

CM Blevins-A motion by CM Blevins to approve the NDF list for 11/18/08, seconded by CM Gorton passed without dissent.

CM James-A motion by CM James to bring forward the Standing Committee Review subcommittee report to the COW on 11/25/08, seconded by CM Myers passed without dissent.

CM Stevens-Stated that at the next Budget & Finance meeting to be held on 11/25/08, there will be a report from the Equine Task Force; also mentioned how excited he was about the attendance at Emmanuel Baptist Church regarding installing sidewalks on Tates Creek Rd-between Lakewood and New Circle; stated that he was grateful for the article by Michelle Ku for getting the information out to our citizens; CM Stevens stated that he will be bringing a resolution forward on this issue.

CM Henson-Announced that Holiday Hills and Valley Heights NA will meet tonight at 7 pm at the Valley Park Shelter; Thursday at noon, the Cardinal Crossings Apt .Mgrs. Assoc. will meet-please bring your lunch; also stated that the Labyrinth at Port Royal has been completed; very unique and CMs should try to see it since NDF money was donated.

CM Crosbie-Spoke about the increased Sanitary Sewer fees that were implemented earlier this year. She then asked the question: because of the large deficit, if the money has not been spent, only budgeted, why should we have a sunset clause?

CM Lane-Brought up the issue of our collective bargaining agreements. A discussion occurred. A motion was made by CM Lane and then a different one by CM Ellinger.

A motion by CM Lane to approve a resolution establishing the procedure for approval of collective bargaining agreements by the Lexington Fayette Urban County Council, seconded by CM Stevens was made.

A motion by CM Ellinger to table to previous motion on collective bargaining, seconded by CM Beard, failed by a 6-8 vote.

The original motion came back to the floor and was a tied vote (CM James was absent). Mayor Newberry voted in favor of the motion. The motion passed by an 8-7 vote.

CM Gorton announced that the workshop scheduled for today that was previously mentioned, has been cancelled.

VIII. Mayor's Report-Yes

A motion by CM Gorton to approve the Mayor's report, seconded by CM Blevins, passed without dissent.

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

A motion by CM Gorton to adjourn work session, seconded by CM Blevins, passed without dissent.

Work Session adjourned at 5:27 p.m.