URBAN COUNTY COUNCIL

WORK SESSION SUMMARY

& TABLE OF MOTIONS

December 2, 2008

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

I. Public Comment – Issues on Agenda-None

II. Requested Rezonings / Docket Approval-Yes

A motion by CM DeCamp to place on the docket for the Thursday December 4, 2008, council meeting, a resolution authorizing the transfer of a potion of the property of the Henry Clay Estate back to the Henry Clay Memorial Foundation, seconded by CM Gorton, passed without dissent.

A motion by CM Lane to place on the docket for Thursday, December 4, 2008, an ordinance expanding and extending full urban services district #1 for the Urban County Government for the provision of street lighting, street cleaning and garbage and refuse collection, to include certain properties in the following subdivisions: Fortune Business Center, Blackford Property, Johnson Property, Myers Property, Ramsey/Sullivan Property, Chesapeake Equine, Gess Property, Clark Property, Writt Station, Masterson Hills, Tuscany, Sharkey Property, and Mullikin Property, seconded by CM Gorton, passed without dissent.

A motion by CM Lane to place on the docket for Thursday, December 4, 2008, an ordinance expanding and extending partial urban services district #3 for the urban county government for the provision of garbage an d refuse collection, to include certain properties in the following subdivisions: Sharkey Property, Lexingtonian Estates, Lochmere Estates (Maple Ridge), Higbee Mill Reserve , Richmond Woods, Newtown Springs, and Hamburg Place Farm, seconded by CM Gorton, passed without dissent.

A motion by CM Gorton to place on the docket for the Thursday, December 4, 2008, council meeting, an ordinance approving the 2009 calendar for the Urban County Council, seconded by CM Crosbie, passed without dissent.

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

III. Approval of Summary

A motion by CM Beard to approve the summary of 11/25/08, seconded by CM Myers, passed without dissent.

IV. Budget Amendments

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

V. New Business

A. Authorization to Accept a Deed of Temporary Construction Easement for the 3184 Trinity Road Storm Sewer Rehabilitation Project. (640-08) (Martin/Taylor)

B. Authorization for Approval of Change Order No. 1 with CR Cable Construction, Inc., for Fiber Cable Size Upgrade to 24-Pair Cable for the West Hickman Fiber Project. (641-08) (Martin/Taylor)

C. *Authorization to Amend Section 21-5 of the Code of Ordinances, Abolishing Three (3) Positions of Engineering Technician (Grade 111N) and Creating Three (3) positions of Environmental Inspector (Grade 113N) and Reclassifying the Incumbents Within the Division of Water Quality, Effective Upon Passage of Council. (646-08) (Allen/Taylor)

D. *Authorization to Amend Section 21-5 of the Code of Ordinances, Abolishing One (1) Position of Pre-Treatment Manager (Grade 117E) and Creating One (1) Position of Water Quality Manager (Grade 118E) and Reclassifying the Incumbent Within the Division of Water Quality, Effective Upon Passage of Council. (647-08) (Allen/Taylor)

E. Authorization to Approve Increase in the Funeral Benefit for Retirees in the City Employees Pension Fund from $5,000 to $7,500 Amending Section 6-64 of the Code of Ordinances. (642-08) (Lamb)

F. Authorization of Change Order Increasing the Bid of C&C Fire Sprinkler for Kenwick Community Center Fire Suppression System by $8,219.63 . This Increase is Necessary Due to Redesign by Contractor to Avoid Displacing or Damaging Adjoining Property Tree and Re-location of Fire Hydrant by LFUCG Fire Prevention. (643-08) (Hancock/Cole)

G. Authorization of Change Order No. 1-Final to the Construction Contract with The Allen Company, Inc. for the Appomattox Road Culvert Replacement Project (644-08) (Rayan/Webb)

H. Authorization to Execute HOME Agreement with First Presbyterian Church Apartments, LLLP, for Use of HOME Funds in the Development of Rental Housing Project. (645-08) (King/Koch)

I. Authorization to Amend Section 9 of Ordinance No. 330-2001, Extending the Provisions of Section 9 From January 1, 2009 to January 1, 2013, Effective Upon Passage of Council. (648-08) (Allen/Koch)

J. Authorization to Amend Section 21-5 of the Code of Ordinances Abolishing One (1) Position of Administrative Officer Sr. (Grade 120E) and Creating One (1) Position of Budget Officer Sr. (Grade 120E), Effective Upon Passage of Council. (649-08) (Allen/Koch)

K. Authorization to Amend Section 21-37.1 and 21-38 of the Code of Ordinances to Accommodate Changes in Time Keeping and Award of Holiday Swing Hours Needed for PeopleSoft Implementation. (650-08) (Koch)

L. Authorization for Approval of 2009 General Term Orders for Fayette County Sheriff and Fayette County Clerk. (652-08) (Koch)

M. Authorization to Execute Change Order No. 1 to the Construction Contract with Central Rock Mineral Company, LLC (ATS Construction for the Loudon Avenue Improvements Project). (651-08) (King/Webb)

*Denotes Consent Decree

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

VI. Continuing Business / Presentations

A. Budget & Finance Committee Update

CM Dr. Stevens gave this update. He stated that they will review the recommendations from the Equine Task Force study at next week's meeting. No motions came forward.

B. 2009 Purchase of Development Rights Presentation

This presentation was given by Billy Van Pelt, Program Director. Several CMs spoke; asking questions about why there are negative points listed, having explained that this is a voluntary program, explaining the similarities with the Infill & Redevelopment program, does LFUCG require a report of how the money is spent to thanks to Mr. Van Pelt for his services.

C. Courthouse Area Design Review Update

This update was given by Mike Moyser, Chair of the review board. Several people spoke.

A motion by CM Stevens to approve referring the recommendations from the Courthouse Area Design Review Board to the Planning Committee, seconded by CM Ellinger, passed without dissent.

VIII. Mayor's Report-No

Mayor Newberry announced the retirement of Leo McMillen, Director of Streets, Roads, & Forestry effective Jan. 1, 2009. The Mayor thanked Mr. McMillen for his years of service

VII. Council Report

CM Gorton-Announced the reception on 12/9/08 after work session for the outgoing CMs.

A motion by CM Gorton to approve the NDF list for 12/2/08, seconded by CM Blues, passed without dissent.

CM Blues-Announced that there will be a meeting concerning the Distillery District plans in Irishtown on 12/8/08 at 6 pm at Nathaniel Mission on DeRoode St.

CM Myers-Expressed thanks to EC Unit #8, especially Steve Lewis, Jordan Sash, and Joe Nugent, for taking such good care of his wife and daughter who were in an accident on Sunday morning.

CM McChord-Stated that he spoke in Louisville at the Metro Government Council meeting; there will be a meeting of the 2 councils in February in Louisville. Also, thanked Leo McMillen and Bob Drakeford for their many years of Service.

CM Henson-Thanked Parks for organizing the holiday events on this past Saturday.

VM Gray-Stated that the past weekend activities were very festive; discussed Bluegrass Airport, several CMs joined in this discussion; named the Storm Water Fee Task Force members- CM Gorton, Chair, CMs Stinnett, Blues, Blevins, and James-after a structure decision, a broader representation of the community will be announced.

A motion by VM Gray stating that the Council of the Lexington Fayette Urban County Government invites the Kentucky State Auditor, whose resources are appropriate to assist the City, to examine any issues related to the administration of Bluegrass Airport so as to confirm the public trust and integrity in the Airport, its Board of Directors, and its governance and accountability systems, seconded by CM Beard, passed by a 11-4 vote. (There was a motion by CM Dr. Stevens to table this issue but it failed for lack of a second).

CM Lane-A motion by CM Lane to correct a typographic error in a previous motion, seconded by CM Gorton, passed without dissent. (I entered the correction on the original motion instead of typing the entire motion over).

CM Crosbie-Announced that there will be a Management Audit Sub Committee meeting on 12/4/08 at 6:30 pm in the Caucus Room; invitees VM Gray, CM Beard, Paul Schoninger, Joe Kelly or Comm. Koch (whichever will be representing the Administration).

IX. Public Comment-Issues not on the agenda-Yes

Lewis Cobb and Eric Patrick Marr, citizens, spoke.

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

Work Session adjourned at 4:22 p.m.