URBAN COUNTY COUNCIL

WORK SESSION SUMMARY

& TABLE OF MOTIONS

January 6, 2009

Mayor Newberry chaired the meeting. All Council Members were present, except CM Crosbie.

I. Public Comment – Issues on Agenda-None

II. Requested Rezonings / Docket Approval-Yes

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

III. Approval of Summary

A motion by CM Gorton to approve the summary of 12/9/08, seconded by CM Beard, passed without dissent.

IV. Budget Amendments

A motion by CM Henson to amend the budget journal number 29859-60 on the Budget Amendment Request List to change the dollar amounts from $100,000 to $37,050 to match actual deposits, seconded by CM Gorton, passed without dissent.

A motion by CM Henson to approve the budget amendments as amended, seconded by CM Gorton, passed without dissent.

V. New Business

A. Authorization to Amend Section 8 of Ordinance No. 183-2008. (005-09) (Allen/Koch)

B. Authorization to Amend Sections 21-5 and 22-5 of the Code of Ordinances within the Department of Law, Division of Risk Management, the Department of Finance and Administration, and the Divisions of Accounting and Human Resources. (011-09) (Allen/Koch)

C. Authorization to Accept an Award from the US Department of Housing and

Urban Development for the Continuation of the Housing Opportunities for Persons with AIDS (HOPWA) Grant Program. (016-09) (P. King/Koch)

D. Authorization of a Contract Amendment to the Neighborhood Action Match Agreement with Joyland Neighborhood Association. (017-09) (P. King/ Koch)

E. Authorization to Approve the Salary for the Temporary Appointment of Mary Fister as Acting Senior Advisor for Policy and Budget. (023-09) (Koch)

F. Authorization of a Deed of Acceptance for a Temporary Construction Easement for the 3184 Trinity Road Storm Sewer Rehabilitation Project. (003-09) (Martin/Taylor)

G. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Environmental Quality, Division of Environmental Policy. (004-09) (Allen/Taylor)

H. Authorization to Accept an Award from the Kentucky Infrastructure Authority for Expansion Area 2A Class A Pump Station and Trunk Sewer. (013-09) (P. King/Taylor)

I. Authorization to Accept an Award from the Department of Military Affairs, Kentucky Emergency Management Agency, for a Flood Mitigation Assistance Project. (014-09) (P. King/Taylor)

J. Authorization to Accept an Award from the Kentucky Infrastructure Authority for the Leesway Underserved Areas Project. (015-09) (P. King/Taylor)

K. Authorization of an Environmental Assessment License Agreement with Marathon Petroleum Company LLC (MPC) to Determine if their Contamination Impacts the Old Frankfort Pike Landfill. (019-09) (Taylor)

L. Authorization of an Amendment to a Consulting and Management Agreement with Fellon-McCord & Associates, Inc. on Behalf of the Department of Public Safety, Division of Community Corrections. (006-09) (Bishop/ Bennett)

M. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Public Safety, Division of Community Corrections. (027-09) (Bishop/Bennett)

N. Authorization to Accept an Offer from the Kentucky Office of Homeland Security on Behalf of the Department of Public Safety, Division of Emergency Management / 911, for Extension of the Portable Interoperable Communications Infrastructure Project. (007-09) (P. King/Bennett)

O. Authorization of an Agreement with the Kentucky Office of Homeland Security on Behalf of the Department of Public Safety, Division of Police for Extension of the Mobile Data Computer Network Project. (008-09) P. King/Bennett)

P. Authorization to Accept an Offer from the Kentucky Office of Homeland Security for Extension of the Regional 911 System Project. (009-09) (P. King/ Bennett)

Q. Authorization of a Lease Agreement with US Bancorp Business Equipment Finance Group on Behalf of the Department of Public Safety, Division of Emergency Management / 911. (010-09) (P. King/Bennett)

R. Authorization to Submit Application to the US Department of Homeland Security, Federal Emergency Management Agency on Behalf of the Department of Public Safety, Division of Fire and Emergency Services, for Two (2) Fire Prevention and Safety Projects. (021-09) (P. King/Bennett)

S. Authorization to Submit Application to the Kentucky State Police on Behalf of the Department of Public Safety, Division of Police, for the Enforcing Underage Drinking Laws (EUDL) Program. (022-09) (P. King/Bennett)

T. Authorization of a Memorandum of Understanding (MOU) with the District Fugitive Task Force (DTF) of the United States Marshals Service (USMS) on Behalf of the Department of Public Safety, Division of Police. (020-09) (Bastin/Bennett)

U. Authorization to Accept Donations from the Kentucky Division of Emergency Management on Behalf of the Department of Public Safety, Division of Emergency Management / 911. (028-09) (Dugger/Bennett)

V. Authorization to Accept a Donation from the American Water Company on Behalf of the Dunbar Community Center. (002-09) (Hancock/Cole)

W. Authorization of a GEI Calgraph Service Agreement on behalf of the Department of General Services, Division of Parks and Recreation. (012-09) (Hancock/Cole)

X. Authorization to Submit an Application to the Kentucky Transportation Cabinet on Behalf of the Department of Public Works and Development, Division of Planning, for the Freight Study. (018-09) (P. King/Webb)

Y. Authorization of a Right-of-Way Encroachment Agreement with the Transit Authority of the Lexington-Fayette Urban County Government (LexTran), Art in Motion, Inc. and LFUCG. (024-09) (Askew)

Z. Authorization to Allow the Commissioner of Public Works and Development, to Execute the Right-of-Way Encroachment Agreement with the Transit Authority of the Lexington-Fayette Urban County Government (LexTran) for Placement of a Bus Shelter at 845 Red Mile Rd. and Authorize the Commissioner to Execute Future Encroachment Agreements with LexTran Regarding Bus Shelters. (025-09) (Askew)

AA. Authorization of an Addendum to Master Agreement with Computer Science Corporation (CSC) (026-09) (Askew)

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

VI. Continuing Business / Presentations

A. Budget & Finance Committee Update

This update was given be CM Lane.

VII. Council Report

CM Gorton-Welcomed new CMs; reported that the storm water fee task force met in December and a second meeting will be 1/8/09 at 1 pm in the 5th floor conference room; asked about the reports on the agencies that get the dedicated tax rate- extension services; Comm. Koch answered and said the information will be forthcoming by the end of this week.

VM Gray-A motion by VM Gray requesting a resolution calling for the Lexington-Fayette Urban County Airport Board Chairman to resign as chair and suspend all activities with the Lexington-Fayette Urban County Airport Board and Airport management until after the audit by the Kentucky State Auditor is complete; urging the Lexington-Fayette Urban County Airport Board to suspend approval of all non-essential out-of-state travel for all board members and airport staff until after the audit by the Kentucky State Auditor is complete; and recommending to the Mayor that no new appointments to the Lexington-Fayette Urban County Airport Board be made until after the audit by the Kentucky State Auditor is complete, seconded by CM Gorton, passed without dissent.

A motion by VM Gray to merge the members of the Storm Water and Sanitary Sewer Oversight Committees and change the name to Water Resources Oversight Committee, seconded by CM Gorton, passed without dissent.

CM McChord-Announced that on 1/13 at 6 pm, there will be a Legacy Trail meeting at the Northside YMCA; asked Mayor Newberry to speak to President-elect Obama's proposed stimulus package; stated that there will be a QBS-Quality Based Selection workshop or meeting to come.

CM Blues-Underlined the announcement to attend the feasibility study on the Legacy Trail.

CM Beard-Spoke about the President-elect's proposed stimulus package, also; asked if there is something to cover other employees who will be in trouble.

CM Ellinger-Welcomed new CMs; spoke about not knowing that Charlie Boland had retired and hopes that something will be done for him in the future.

CM Myers-Stated that some Outside Agencies were concerned about the deadline for application date being before the new President takes office; Comm. Koch stated that the application can be updated if the agency receives something from the stimulus plan. CM Myers asked the VM to appoint a task force for Day Treatment.

A motion by CM Myers requesting VM Gray appoint a task force to study the Day Treatment and its feasibility and keeping it where it is, seconded by CM Beard, passed without dissent.

VIII. Mayor's Report-Yes

A motion by CM Gorton to table the airport board from the Mayor's Report, seconded by CM James, passed without dissent.

A motion by CM Gray to approve the Mayor's Report as amended, seconded by CM Ellinger passed without dissent.

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

X. Closed Session-Litigation

A motion by CM Gorton to go into closed session pursuant to KRS 61.810(1)(c) to discuss pending and proposed litigation, the public discussion of which would jeopardize the Government's tactics, evidence, and legal position, seconded by CM McChord, passed without dissent.

A motion by CM Gorton to come back to open session, seconded by VM Gray, passed without dissent.

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