



**Lexington-Fayette Urban County  
Government  
Minutes - Final  
Urban County Council Work Session**

200 E. Main St  
Lexington, KY 40507

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Tuesday, August 28, 2012

3:00 PM

Council Chamber

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**Packet**

**I. Public Comment - Issues on Agenda**

**Present** 13 - Bill Farmer Jr., Chris Ford, Chuck Ellinger, Diane Lawless, Ed Lane, George Myers, Jay McChord, Julian Beard, Kevin Stinnett, Council Member Linda Gorton, Peggy Henson, Steve Kay, and Tom Blues

**Absent** 2 - Doug Martin, and K.C. Crosbie

**II. Requested Rezonings/ Docket Approval**

**Present** 13 - Bill Farmer Jr., Chris Ford, Chuck Ellinger, Diane Lawless, Ed Lane, George Myers, Jay McChord, Julian Beard, Kevin Stinnett, Council Member Linda Gorton, Peggy Henson, Steve Kay, and Tom Blues

**Absent** 2 - Doug Martin, and K.C. Crosbie

**III. Approval of Summary**

[0883-12](#)

Table of Motions Work Session August 21, 2012

**A motion was made by Council Member Julian Beard, seconded by Council Member Bill Farmer, Jr., that this Summary be Approved. The motion PASSED by an unanimous vote.**

**IV. Budget Amendments**

**V. New Business**

**VI. Continuing Business/ Presentations**

**a** [0894-12](#)

NDF List for August 28, 2012

**A motion was made by Council Member Linda Gorton, seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 8/30/2012. The motion PASSED by an unanimous vote.**

**b** [0888-12](#)

Sign Enforcement Presentation

**Considered**

**c**      [0893-12](#)      LFUCG 6 Month Marathon Update

Summary  
6 Month Update from Marathon

**Considered**

**d**      [0884-12](#)      Planning and Public Works Committee Summary August 21, 2012

**e**      [0896-12](#)      Public Safety Committee Summary August 21, 2012

[0916-12](#)

An Ordinance amending Chapter 9A of the Code of Ordinances of the Lexington-Fayette Urban County Government to prohibit the sale and use of certain fireworks and consumer fireworks in Fayette County and further amending Sections 9A-2, 9A-5, and 9A-6 of the Code of Ordinances to delete references to permanent fireworks retailers; amending Section 9A-3 of the Code of Ordinances to define the terms use and sale, to allow the use and sale of consumer fireworks as defined in KRS 227.702(1), and to require compliance with federal, state and local law; deleting Section 9A-4 of the Code of Ordinances in its entirety and renumbering Sections 9A-5 through 9A-9 of the Code; amending Section 9A-5 of the Code of Ordinances to delete certain permits and to change the seasonal retail fireworks fee to \$100.00 per location; amending Section 9A-6 of the Code of Ordinances to specify June 10th through July 7th as the time period for seasonal sales; and amending Section 9A-8 of the Code of Ordinances to increase the fine for companies to \$2,000.00, to provide for up to six (6) months imprisonment, and to establish minimum fines for use of fireworks in the amounts of \$250.00 for a first offense, \$500.00 for a second offense, and \$1,000.00 for a third or greater offense; all effective on date of passage. [Council Office, Maynard]

**A motion was made by Council Member Diane Lawless, seconded by Council Member Tom Blues, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 8/30/2012. The motion PASSED by an unanimous vote.**

[0918-12](#)

Partner Agency Funding Process FY2014

**A motion was made by Council Member George Myers, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 8/30/2012. The motion PASSED by an unanimous vote.**

[0919-12](#)

No funding cap on partner agencies

**A motion was made by Council Member George Myers, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 8/30/2012. The motion PASSED by an unanimous vote.**

VII. Council Reports

VIII. Mayor's Report

[0901-12](#)

1. Recommending the appointment of Mr. James Kyner, as area resident representative, to the Dunbar Neighborhood Center Board, with a term to expire 3-20-2016.
2. Recommending the appointment of Mr. Adam P. Sovkoplas, as Bracktown Neighborhood Association representative, to the Masterson Station Park Advisory Board, with a term to expire 5-1-2015. The term of Mr. Coleman Crawford has expired.

**A motion was made by Council Member Linda Gorton, seconded by Council Member Julian Beard, that this Communication be Approved and Referred to the Docket, to be returned by 8/30/2012. The motion PASSED by an unanimous vote.**

IX. Public Comment - Issues Not on Agenda

X. Adjournment

**Administrative Synopsis - New Business Items**

**Present** 13 - Bill Farmer Jr., Chris Ford, Chuck Ellinger, Diane Lawless, Ed Lane, George Myers, Jay McChord, Julian Beard, Kevin Stinnett, Council Member Linda Gorton, Peggy Henson, Steve Kay, and Tom Blues

**Absent** 2 - Doug Martin, and K.C. Crosbie

- a**     [0853-12](#)     Authorization to execute agreement with the Kentucky Energy and Environmental Cabinet for operation of the 2012 Waste Tire Amnesty Program in Fayette County. (L853-12) (Gooding/Moloney)  
This is a request to execute agreement with the Kentucky Energy and Environmental Cabinet for operation of the 2012 Waste Tire Amnesty Program in Fayette County. There is no budgetary impact.  
**A motion was made by Council Member Chuck Ellinger, seconded by Council Member Julian Beard, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 8/30/2012. The motion PASSED by an unanimous vote.**
- b**     [0854-12](#)     Authorization to extend the 800 MHz Radio System Maintenance Agreement with Lexington Call Mobile. (L854-12) (Jackson/Mason)  
This is a request to extend the 800 MHz Radio System Maintenance Agreement with Lexington Call Mobile for the period September 1, 2012 through August 31, 2013, for a cost of \$134,138.25. Funds are budgeted.  
**A motion was made by Council Member Chuck Ellinger, seconded by Council Member Julian Beard, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 8/30/2012. The motion PASSED by an unanimous vote.**
- c**     [0855-12](#)     Authorization to accept a contribution from The Grainger Foundation to purchase supplies for the Community Emergency Response Team (CERT). (L855-12) (Dugger/Mason)  
This is a request to accept a contribution in the amount of \$3,000 from The Grainger Foundation to purchase supplies for CERT.  
**A motion was made by Council Member Chuck Ellinger, seconded by Council Member Julian Beard, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 8/30/2012. The motion PASSED by an unanimous vote.**
- d**     [0867-12](#)     Authorization to submit application to the Kentucky Energy and Environment Cabinet, and accept award if offered, for the continuation of the Litter Abatement Grant Funding Program in Fayette County-FY 2013. (L867-12) (Gooding/Moloney)  
This is a request to submit application to the Kentucky Energy and Environment Cabinet, and accept award if offered, for the continuation of the Litter Abatement Grant Funding Program in Fayette County-FY 2013. An estimated award has not been provided. The amount

awarded for FY 2012 was \$146,023.33.

**A motion was made by Council Member Chuck Ellinger, seconded by Council Member Julian Beard, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 8/30/2012. The motion PASSED by an unanimous vote.**

e [0869-12](#)

Authorization to execute a Lease Agreement with Kentucky River Foothills Development Council, Inc. for space within the Central Kentucky Job Center. (L869-12) (Hamilton)

This is a request to execute a Lease Agreement with Kentucky River Foothills Development Council, Inc. for space within the Central Kentucky Job Center. The initial term of the agreement will be for ten (10) months, effective September 1, 2012 and ending June 30, 2013, with an option of automatic extension for one (1) additional one (1) year term. There is no budgetary impact.

**A motion was made by Council Member Chuck Ellinger, seconded by Council Member Julian Beard, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 8/30/2012. The motion PASSED by an unanimous vote.**

f [0872-12](#)

Authorization to advertise for bids for the purchase of Series 2012C General Obligation Notes. (L872-12) (Driskell)

This is a request to advertise for bids for the purchase of Series 2012C General Obligation Notes for \$3,600,000. Amounts may be increased or decreased by an amount up to ten percent (10%). Funds are budgeted.

**A motion was made by Council Member Chuck Ellinger, seconded by Council Member Julian Beard, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 8/30/2012. The motion PASSED by an unanimous vote.**

g [0873-12](#)

Authorization to issue Series 2012C General Obligation Notes for capital projects as approved in the FY2013 budget. (L873-12) (Driskell)

This is a request to issue Series 2012C General Obligation Notes in the principal amount of \$3,600,000 for capital projects as approved in the FY2013 budget. Amounts may be increased or decreased by an amount up to ten percent (10%). Funds are budgeted.

**A motion was made by Council Member Chuck Ellinger, seconded by Council Member Julian Beard, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 8/30/2012. The motion PASSED by an unanimous vote.**

h [0878-12](#)

Authorization to execute a Programmatic Agreement with Kentucky State Historic Preservation Officer and the Advisory Council on Historic Preservation for the administration of HUD-funded grants in the Division of Grants and Special Programs. (L878-12)

(Gooding/Moloney)

This is a request to execute a Programmatic Agreement with Kentucky State Historic Preservation Officer and the Advisory Council on Historic Preservation for the administration of HUD-funded grants in the Division of Grants and Special Programs. There is no budgetary impact.

**A motion was made by Council Member Chuck Ellinger, seconded by Council Member Julian Beard, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 8/30/2012. The motion PASSED by an unanimous vote.**