

THE OFFICE OF LINDA GORTON, RN

VICE MAYOR

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT



MEMORANDUM

TO: Council Members

FROM: Linda Gorton
Linda Gorton, Vice Mayor

CC: Jim Gray, Mayor
Stacey Maynard, Council Administrator
Janet Graham, Law Commissioner
Shauntae Hall, Boards and Commissions
Dr. Augusta Julian, President of Bluegrass Community Technical College

DATE: February 9, 2012

SUBJECT: Changes to Town and Gown Commission Ordinance

I will be making a motion at the February 14th, 2012 Work Session to revise Article XXXIX, Chapter 2 of the Code of Ordinances "Town and Gown Commission" to add Bluegrass Community and Technical College (BCTC) representation and to change the makeup and requirements for representation on the Commission. This revision reflects changes in the demographics downtown with the construction of the new BCTC Newtown Pike Campus.

The Town and Gown Commission began revising the Ordinance in September of 2011 and has completed their recommended changes. The draft Ordinance is attached for your review.

MOTION

I move to place on the docket for the February 16, 2012 Council meeting an ordinance amending Article XXXIX, Chapter 2 of the Code of Ordinances "Town and Gown Commission" to add Bluegrass Community and Technical College representation and otherwise change the makeup and requirements for representation on the Commission.

Council Member

Motion to be made at the February 14, 2012 Work Session

ORDINANCE NO. ____-2012

AN ORDINANCE AMENDING ARTICLE XXXIX, CHAPTER 2 OF THE CODE OF ORDINANCES "TOWN AND GOWN COMMISSION" TO ADD BLUEGRASS COMMUNITY AND TECHNICAL COLLEGE REPRESENTATION, AND MORE SPECIFICALLY, AMENDING SUBSECTION 2-421(b) AND SECTION 2-427 OF THE CODE TO PLURALIZE THE TERM UNIVERSITY AND ADD THE TERM COLLEGE; AMENDING SECTION 2-422 OF THE CODE TO DECREASE THE NUMBER OF APPOINTED MEMBERS FROM EIGHTEEN TO SIXTEEN AND TO INCREASE THE NUMBER OF EX-OFFICIO MEMBERS FROM THREE TO EIGHT, TO ADD PROXIMITY TO THE UNIVERSITIES AND COLLEGE AS A CONSIDERATION, TO REDUCE THE APPOINTED URBAN COUNTY COUNCIL MEMBERS FROM TWO TO ONE, TO ADD THE FIRST DISTRICT COUNCILMEMBER, THE COMMISSIONER OF PUBLIC SAFETY OR HIS OR HER DESIGNEE, AND THE STUDENT GOVERNMENT PRESIDENTS OR THEIR DESIGNEES AS EX OFFICIO MEMBERS, AND TO ADD A BLUEGRASS COMMUNITY AND TECHNICAL COLLEGE APPOINTED BOARD MEMBER WHILE ELIMINATING ONE UNIVERSITY OF KENTUCKY STUDENT REPRESENTATIVE; AND AMENDING SECTION 2-423 OF THE CODE TO PROVIDE FOR REPLACEMENT OF THE PUBLIC SAFETY COMMISSIONER UPON TERMINATION OF EMPLOYMENT.

BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 - That subsection 2-421(b) of the Code of Ordinances be and hereby is amended to read as follows:

* * * * *

- (b) The commission is established for the purpose of pursuing the recommendations of the 1999 University of Kentucky Neighborhoods Committee; improving communication between the University of Kentucky, Transylvania University, and the Bluegrass Community and Technical College (hereinafter collectively referred to as the "Universities and College") [~~university~~] and other community elements including neighborhoods, local government, students, business community and others; and to analyze issues of common concern and develop recommendations for consideration by the mayor of the urban county government and the Presidents of the Universities and College [~~University of Kentucky~~].

Section 2 - That Section 2-422 of the Code of Ordinances be and hereby is amended to read as follows:

Sec. 2-422. Membership.

The membership of the commission shall be composed of sixteen (16) [~~eighteen (18)~~] appointed members and eight (8) [~~three (3)~~] ex officio members, as follows:

- (1) Eight (8) [~~Nine (9)~~] of the members shall be appointed by the Mayor of the Lexington-Fayette Urban County Government, subject to confirmation by a majority of urban county council members, as follows:
 - a. One (1) member from the administration of the urban county government;
 - b. Three (3) landlord/business community representatives, each of whom own residential rental property or business concerns in the immediate area of the main campuses of one of the Universities and College [~~the University of Kentucky~~];
 - c. Three (3) neighborhood organization representatives, selected from among nominees to be submitted to the mayor by incorporated neighborhood associations whose recognized boundaries are contiguous to the border of the main campuses of one of the Universities and College [~~the University of Kentucky~~];
 - d. One (1) [~~Two (2)~~] at large urban county council member[s].
- (2) The ex officio members shall consist of the urban county council member from the First District, the urban county council member from the Third District, the urban county council member from the Eleventh District, [and] the Executive Director of the Downtown Development Authority, the Lexington-Fayette Urban County Commissioner of Public Safety, or his or her designee, and the Student Government Presidents, or their designees, from each of the respective Universities and College.
- (3) Six (6) [~~Seven (7)~~] of the members shall be appointed by the President of the University of Kentucky, [~~and~~] one (1) [~~two (2)~~] of the members shall be appointed by the President of Transylvania University, and one (1) of the members shall be appointed by the President of Bluegrass Community Technical College System for their respective entities [~~universities~~], as follows:
 - a. Four (4) University of Kentucky administration representatives, [~~and~~] one (1) Transylvania University administration representative, and one (1) Bluegrass Community Technical College System administration representative; and
 - b. Two (2) [~~Three (3)~~] University of Kentucky student representatives, [one (1) Transylvania University student representative,] enrolled at [~~their respective~~] university [~~universities~~] at the time of appointment. Discontinuation of enrolled-student status shall disqualify the incumbent and be cause for a new appointment to be made.

Section 3 - That Section 2-423 of the Code of Ordinances be and hereby is amended to read as follows:

Sec. 2-423. Terms.

Terms of members shall be four (4) years from the date of appointment, provided the terms of those originally appointed shall be staggered so that five (5) members shall be appointed for one (1) year, three (3) members shall be appointed for two (2) years, five (5) members shall be appointed for three (3) years, and five (5) members shall be appointed for four (4) years. The term rotation shall be established so that at least one (1) term expires each year for: LFUCG council/administration; landlord/business community representatives; university administrators; student representatives; and neighborhood representatives. Vacancies shall be filled in the same manner as the original appointment and the successor shall be appointed for the unexpired terms. The membership of the urban county council members shall be deemed to have been terminated when their respective term of office on the urban county council ends, the membership of the Executive Director of the Downtown Development Authority shall be deemed to have terminated when his or her employment as the director ends, and the membership of the Lexington-Fayette Urban County Commissioner of Public Safety shall be deemed to have terminated when his or her employment as commissioner ends. The first members of the commission shall assume their duties effective November 1, 1999.

Section 4 - That Section 2-427 of the Code of Ordinances be and hereby is amended to read as follows:

Sec. 2-427. Powers and duties.

The commission may consider issues of common concern relating to the mutual health and benefit of the Universities and College [university] and the community, including but not limited to the condition and availability of affordable housing and its relationship to the presence of on-campus housing; public transit opportunities; respective roles of the Universities and College [university] and community in the regulation of parking, traffic, student behavioral issues, maintenance and renovation of surrounding properties and infrastructure; matters of common concern affecting zoning, land use, and the environment; and exploring private/public development and grant funding opportunities.

Section 5 - That this Ordinance shall become effective on passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

00318235

ORDINANCE NO. ____-2012

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 - c. Three (3) neighborhood organization representatives, selected from among nominees to be submitted to the mayor by incorporated neighborhood associations whose recognized boundaries are contiguous to the border of the main campuses of one of the Universities and College;
 - d. One (1) at large urban county council member.
- (2) The ex officio members shall consist of the urban county council member from the First District, the urban county council member from the Third District, the urban county council member from the Eleventh District, the Executive Director of the Downtown Development Authority, the Lexington-Fayette Urban County Commissioner of Public Safety, or his or her designee, and the Student Government Presidents, or their designees, from each of the respective Universities and College.
- (3) Six (6) of the members shall be appointed by the President of the University of Kentucky, one (1) of the members shall be appointed by the President of Transylvania University, and one (1) of the members shall be appointed by the President of Bluegrass Community Technical College System for their respective entities, as follows:

- a. Four (4) University of Kentucky administration representatives, one (1) Transylvania University administration representative, and one (1) Bluegrass Community Technical College System administration representative; and
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PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

00331158