



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

200 E. Main St
Lexington, KY 40507

Tuesday, March 6, 2012

3:00 PM

Council Chamber

PACKET

I. Public Comment - Issues on Agenda

Present 14 - Bill Farmer Jr., Chris Ford, Chuck Ellinger, Diane Lawless, Doug Martin, Ed Lane, George Myers, Jay McChord, Julian Beard, K.C. Crosbie, Kevin Stinnett, Peggy Henson, Steve Kay, and Tom Blues

Absent 1 - Council Member Linda Gorton

II. Requested Rezonings/ Docket Approval-Yes

III. Approval of Summary- Yes, February 28, 2012, pp. 1-5

IV. Budget Amendments - Yes, pp. 11-13

V. New Business - Yes, pp. 14-38

VI. Continuing Business/ Presentations

1. [0248-12](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with First Bracktown, Inc., (\$625), for the Office of the Urban County Council, at a cost not to exceed the sum stated. [Council Office, Maynard]

A motion was made by Council Member Chuck Ellinger, seconded by Council Member George Myers, that this Agenda Item be Approved., and sent to the Urban County Council to be returned by 3/8/2012. The motion PASSED by an unanimous vote.

2. [0224-12](#) Aquatics Management Plan, Reprogramming of Pools
By Brian Rogers, Parks & Recreations

Considered

VII. Council Reports

VIII. Mayor's Report - Yes

IX. Public Comment - Issues Not on Agenda

X. Adjournment

Administrative Synopsis - New Business Items

- A. [0155-12](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easements, releasing a portion of a utility easement and a portion of a storm sewer and drainage easement on property located at 4357 Victoria Ct. [Dept. of Law, Graham]
- A motion was made by Council Member Tom Blues, seconded by Council Member Julian Beard, that this Agenda Item be Approved., and sent to the Urban County Council to be returned by 3/8/2012. The motion PASSED by an unanimous vote.**
- B. [0208-12](#) A Resolution designating Lakeside Golf Course and Clubhouse, as a park and park facility where the Director of the Div. of Parks and Recreation may authorize the possession, sale, delivery and consumption of alcoholic beverages and apply for a malt beverage license for sale of malt beverages at the listed location. [Div. of Parks and Recreation, Hancock]
- A motion was made by Council Member Tom Blues, seconded by Council Member Julian Beard, that this Agenda Item be Approved., and sent to the Urban County Council to be returned by 3/8/2012. The motion PASSED by an unanimous vote.**
- C. [0209-12](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Mutual Aid Agreement with Safety Tec, Inc., for mutual aid related to emergency services, at no cost to the Urban County Government. [Div. of Fire & Emergency Services, Jackson]
- A motion was made by Council Member Tom Blues, seconded by Council Member Julian Beard, that this Agenda Item be Approved., and sent to the Urban County Council to be returned by 3/8/2012. The motion PASSED by an unanimous vote.**
- D. [0212-12](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation from Ms. Erika Smith of a ping pong table, for use at the Dunbar Community Center, at no cost to the Urban County Government. [Div. of Parks and Recreation, Hancock]
- A motion was made by Council Member Tom Blues, seconded by Council Member Julian Beard, that this Agenda Item be Approved., and sent to the Urban County Council to be returned by 3/8/2012. The motion PASSED by an unanimous vote.**
- E. [0213-12](#) An Ordinance closing Hamm Alley; determining that all property owners abutting the street to be closed have been identified, provided with written notice of the proposed closing and consented thereto in writing; and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Quitclaim Deed transferring the former right-of-way to the abutting owners, subject to the

reservation of easements for access and maintenance of existing utilities in the former right-of-way. [Office of the Chief Administrative Officer, Moloney]

A motion was made by Council Member Tom Blues, seconded by Council Member Julian Beard, that this Agenda Item be Approved., and sent to the Urban County Council to be returned by 3/8/2012. The motion PASSED by an unanimous vote.

F. [0223-12](#)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$100,010 Commonwealth of Ky. funds from the Law Enforcement Service Fee Program, are for support of the cost of Police overtime hours for a Traffic Alcohol Patrol, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. [Div. of Grants & Special Programs/Dept. of Public Safety, Gooding/Mason]

A motion was made by Council Member Tom Blues, seconded by Council Member Julian Beard, that this Agenda Item be Approved., and sent to the Urban County Council to be returned by 3/8/2012. The motion PASSED by an unanimous vote.

G. [0229-12](#)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Fayette County Cooperative Extension and AARP, for an educational seminar titled "Taking Charge: Your Medication, Your Heart", at a cost not to exceed \$125 for space for the seminar at the Fayette County Cooperative Extension Facility. [Dept. of Social Services, Mills]

A motion was made by Council Member Tom Blues, seconded by Council Member Julian Beard, that this Agenda Item be Approved., and sent to the Urban County Council to be returned by 3/8/2012. The motion PASSED by an unanimous vote.

H. [0230-12](#)

An Ordinance amending Subsections 16-60(a)(1), 16-60(a)(2), 16-60(a)(3), 16-60(a)(4), 16-60(a)(5), 16-60(a)(6), 16-60(a)(7), 16-60(a)(8), and 16-60(a)(9) of the Code of Ordinances relating to sanitary sewer tap-on fees to make clarifications to categories of properties and update fees and amending Section 5 of Ordinance No. 34-2008, which amended Subsection 16-60(a)(6), to correct a typographical error. [Div. of Water Quality, Martin]

A motion was made by Council Member Tom Blues, seconded by Council Member Julian Beard, that this Agenda Item be Approved., and sent to the Urban County Council to be returned by 3/8/2012. The motion PASSED by an unanimous vote.

- I. [0232-12](#) Authorization to amend Section 21-5 of the Code of Ordinances, transferring 1 position of Public Service Worker Sr. and its incumbent, and one vacant position of Trades Worker Sr., from the Division of Water Quality to the Division of Streets and Roads. (L232-12) (Jarvis/Moloney)

This is a request to amend Section 21-5 of the Code of Ordinances, transferring one (1) position of Public Service Worker Sr. (Grade 107N) and its incumbent, and one vacant position of Trades Worker Sr. (Grade 109N), from the Division of Water Quality to the Division of Streets and Roads. There is no budgetary impact.

A motion was made by Council Member Tom Blues, seconded by Council Member Julian Beard, that this Agenda Item be Approved., and sent to the Urban County Council to be returned by 3/8/2012. The motion PASSED by an unanimous vote.

- J. [0236-12](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$50,000 Federal funds, and are for continuation of the Street Sales Drug Enforcement Project, the acceptance of which obligates the Urban County Government for the expenditure of \$16,667 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. [Div. of Grants & Special Programs/Dept. of Public Safety, Gooding/Mason]

A motion was made by Council Member Tom Blues, seconded by Council Member Julian Beard, that this Agenda Item be Approved., and sent to the Urban County Council to be returned by 3/8/2012. The motion PASSED by an unanimous vote.

- K. [0237-12](#) Authorization to amend Section 21-5 and Section 22-5 of the Code of Ordinances, creating a new Department, reorganizing certain Departments and Divisions and transferring various positions and incumbents within LFUCG. (L237-12) (Jarvis/Moloney)

This is a request to amend Section 21-5 and Section 22-5 of the Code of Ordinances, creating a new Department of Planning, Preservation and Development, transferring the Divisions of Planning, Historic Preservation and Purchasing of Development Rights from the Office of the C.A.O. to the Department of Planning, Preservation and Development and transferring selected positions and incumbents. The budgetary impact is neutral.

A motion was made by Council Member Tom Blues, seconded by Council Member Julian Beard, that this Agenda Item be Approved., and sent to the Urban County Council to be returned by 3/8/2012. The motion PASSED by an unanimous vote.

- L. [0238-12](#) A Resolution authorizing and directing the Mayor, on behalf of the

Urban County Government, to execute and submit a Grant Application to the Ky. Dept. for Local Government and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$75,000 Federal funds, and are for construction of the Brighton Rail Trail Phase 4. [Div. of Grants & Special Programs, Gooding]

A motion was made by Council Member Tom Blues, seconded by Council Member Julian Beard, that this Agenda Item be Approved., and sent to the Urban County Council to be returned by 3/8/2012. The motion PASSED by an unanimous vote.

M. [0239-12](#)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Development Agreement with Lexington Habitat for Humanity, for transfer of properties acquired under the Neighborhood Stabilization Program for rehabilitation and construction by Habitat for homeownership for low-income households. [Div. of Grants & Special Programs, Gooding]

A motion was made by Council Member Tom Blues, seconded by Council Member Julian Beard, that this Agenda Item be Approved., and sent to the Urban County Council to be returned by 3/8/2012. The motion PASSED by an unanimous vote.

N. [0240-12](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) (Final) to the Contract with Grant's Excavating, Inc. for the Griffin Gate Pump Station Replacement Project, increasing the contract price by the sum of \$5,105 from \$173,000 to \$178,105. [Div. of Water Quality, Martin]

A motion was made by Council Member Tom Blues, seconded by Council Member Julian Beard, that this Agenda Item be Approved., and sent to the Urban County Council to be returned by 3/8/2012. The motion PASSED by an unanimous vote.

O. [0242-12](#)

Authorization to execute agreement with Harshaw Trane under the Energy Efficiency And Conservation Block Grant for provision of design and engineering services for the repair, modification and/or replacement of electrical and mechanical equipment at Police Headquarters. (L242-12) (Gooding/Moloney)

This is a request to execute agreement with Harshaw Trane, in the amount of \$97,117.73, under the Energy Efficiency And Conservation Block Grant for provision of design and engineering services for the repair, modification and/or replacement of electrical and mechanical equipment at Police Headquarters located at 150 E Main Street. Funds are budgeted.

A motion was made by Council Member Tom Blues, seconded by Council Member Julian Beard, that this Agenda Item be Approved., and sent to the Urban County Council to be returned by 3/8/2012. The motion PASSED by an unanimous vote.

0251-12

Kentucky American Water Company (KAWC) User Fee Billing & Collection Extension

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Peggy Henson, that this Agenda Item be Approved., and sent to the Urban County Council to be returned by 3/8/2012. The motion PASSED by an unanimous vote.

0249-12

User Fee & Billing Collection Services

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Peggy Henson, that this Agenda Item be Approved., and sent to the Urban County Council to be returned by 3/8/2012. The motion PASSED by an unanimous vote.