



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

200 E. Main St
Lexington, KY 40507

Monday, November 26, 2012

3:00 PM

Council Chamber

Packet

I. Public Comment - Issues on Agenda

Present 13 - Bill Farmer Jr., Chris Ford, Chuck Ellinger, Diane Lawless, Doug Martin, Ed Lane, Jay McChord, K.C. Crosbie, Kevin Stinnett, Council Member Linda Gorton, Peggy Henson, Steve Kay, and Tom Blues

Absent 2 - George Myers, and Julian Beard

II. Requested Rezonings/ Docket Approval

[1285-12](#)

A Resolution approving the granting of an inducement to Delta T Corp. d/b/a Big Ass Fans, pursuant to the Ky. Business Investment Act (KRS Chapter 154.32), whereby the Lexington-Fayette Urban County Government agrees to forego the collection of one percent (1%) of the occupational license fees for a term of not longer than ten (10) years from the activation date, subject to the limitations contained in the Act and any Agreement Delta T Corp. d/b/a Big Ass Fans, has with the Ky. Economic Development Finance Authority related to the project, and taking other related action. [Mayor's Office, Atkins]

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Jay McChord, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 11/29/2012. The motion PASSED by an unanimous vote.

[1286-12](#)

Amending Section 4.506, Council Rules & Procedures, regarding confirmation of appointments

A motion was made by Council Member Linda Gorton, seconded by Council Member K.C. Crosbie, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 11/29/2012. The motion PASSED by an unanimous vote.

[1287-12](#)

Creating Section 2-3.2 of the Code of Ordinances, to establish procedures for redistricting

A motion was made by Council Member Linda Gorton, seconded by Council Member K.C. Crosbie, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 11/29/2012. The motion PASSED by an unanimous vote.

[1288-12](#)

Adopting a Schedule of Meetings for Calendar Year 2013

A motion was made by Council Member Linda Gorton, seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 11/29/2012. The motion PASSED by an unanimous vote.

III. Approval of Summary

IV. Budget Amendments

V. New Business

VI. Continuing Business/ Presentations

[1262-12](#) Neighborhood Development Funds - November 27, 2012

A motion was made by Council Member Linda Gorton, seconded by Council Member Doug Martin, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 11/29/2012. The motion PASSED by an unanimous vote.

a [1242-12](#) Public Safety Committee Summary November 13

[1289-12](#) Amend Section 14-72(8), Create Section 14-72(11), regarding noise from radios, etc.

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 11/29/2012. The motion PASSED by an unanimous vote.

b [1247-12](#) General Government Committee Summary November

c [1254-12](#) Presentation: Collective Bargaining Agreement with Corrections Lieutenants and Captains, By: Ed Gardner, Department of Law

Considered

d [1255-12](#) Presentation: E911 Funding, By: David Lucas, Director Enhanced 9-1-1

Considered

VII. Council Reports

- VIII. [1259-12](#)
1. Recommending the reappointment of Mr. Jesse L. Robbins, as at-large representative, to the Infrastructure Hearing Board, with a term to expire 2-1-2015.
 2. Recommending the reappointment of Council Member Ed Lane to the Internal Audit Board, with a term to expire 12-31-2014.

A motion was made by Council Member Tom Blues, seconded by Council Member Peggy Henson, that this Communication be Approved and Referred to the Urban County Council Docket, to be returned be 11/29/2012. The motion PASSED by an unanimous vote.

IX. Public Comment - Issues Not on Agenda

X. Adjournment

Administrative Synopsis - New Business Items

- a [1058-12](#) Authorization to execute a Product License Agreement with Unicom Systems, Inc/Macro4 for mainframe software. (L1058-12) (Nugent/Moloney)
This is a request to execute a Product License Agreement with Unicom Systems, Inc/Macro4 for mainframe software. This agreement will guarantee no fee increases through June 28, 2014. There is no budgetary impact.
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 11/29/2012. The motion PASSED by an unanimous vote.
- b [1176-12](#) Authorization to execute an agreement with Allylix, Inc. approving a 10-year local 1% wage assessment to participate in Kentucky Economic Development's Kentucky Business Investment Program. (L1176-12) (Atkins)
This is a request to execute an agreement with Allylix, Inc. approving a 10-year local 1% wage assessment to participate in Kentucky Economic Development's Kentucky Business Investment Program. There is no budgetary impact.
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 11/29/2012. The motion PASSED by an unanimous vote.
- c [1178-12](#) Authorization to execute an agreement with Nitto Denko Automotive Kentucky, INC. approving a 10-year local 1% wage assessment to participate in Kentucky Economic Development's Kentucky Business Investment Program. (L1178-12) (Atkins)
This is a request to execute an agreement with Nitto Denko Automotive Kentucky, INC. approving a 10-year local 1% wage assessment to participate in Kentucky Economic Development's Kentucky Business Investment Program. There is no budgetary impact.
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 11/29/2012. The motion PASSED by an unanimous vote.
- d [1179-12](#) Authorization to execute an agreement with PremierTox 2.0 Inc. approving a 10-year local 1% wage assessment to participate in Kentucky Economic Development's Kentucky Business Investment Program. (L1179-12) (Atkins)

This is a request to execute an agreement with PremierTox 2.0 Inc. approving a 10-year local 1% wage assessment to participate in Kentucky Economic Development's Kentucky Business Investment Program. There is no budgetary impact.

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 11/29/2012. The motion PASSED by an unanimous vote.

e [1180-12](#)

Authorization to execute an agreement with Xact Associates, LLC; dba Xact Communications approving a 10-year local 1% wage assessment to participate in Kentucky Economic Development's Kentucky Business Investment Program. (L1180-12) (Atkins)

This is a request to approve an agreement with Xact Communications approving a 10-year local 1% wage assessment to participate in Kentucky Economic Development's Kentucky Business Investment Program. There is no budgetary impact.

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 11/29/2012. The motion PASSED by an unanimous vote.

f [1217-12](#)

Authorization to execute an agreement with AT&T under the Western States Contracting Alliance (WSCA 1907) wireless communication services and equipment master price agreement. (L1217-12) (Nugent/Moloney)

This is a request to execute an agreement with AT&T under the Western States Contracting Alliance (WSCA 1907) wireless communication services and equipment master price agreement. There is no budgetary impact.

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 11/29/2012. The motion PASSED by an unanimous vote.

g [1218-12](#)

Authorization to execute an agreement with Sprint under the Western States Contracting Alliance (WSCA 1907) Wireless Communication services and equipment master price agreement. (L1218-12) (Nugent/Moloney)

This is a request to execute an agreement with Sprint under the Western States Contracting Alliance (WSCA 1907) Wireless Communication services and equipment master price agreement. There is no budgetary impact.

.Summary

Authorization to execute an agreement with Sprint under the Western States Contracting Alliance (WSCA 1907) Wireless Communication

services and equipment master price agreement. (L1218-12)
(Nugent/Moloney)

This is a request to execute an agreement with Sprint under the Western States Contracting Alliance (WSCA 1907) Wireless Communication services and equipment master price agreement. There is no budgetary impact.

Budgetary Implications: NO

Advance Document Review: Law

Fully Budgeted: NA

Account Number:

This Fiscal Year Impact: \$

Annual Impact: \$

Project:

Activity:

Budget Reference:

Current Balance: NA

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 11/29/2012. The motion PASSED by an unanimous vote.

h [1225-12](#)

Authorization to renew a Lease Agreement with Kentucky State Police for space within the Annex Building for administering the driver's license testing activity. (L1125-12) (Hamilton)

This is a request to renew a Lease Agreement with Kentucky State Police for space within the Annex Building for administering the driver's license testing activity. The agreement is for one (1) year, July 1, 2013 through June 30, 2014, with an option of automatic renewal for one (1) additional one (1) year term. The annual rental rate is \$15,421.50.

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 11/29/2012. The motion PASSED by an unanimous vote.

i [1226-12](#)

Authorization to renew a Lease Agreement with the Kentucky Transportation Cabinet for space within the Annex Building for administering the CDL testing activity. (L1126-12) (Hamilton)

This is a request to renew a Lease Agreement with the Kentucky Transportation Cabinet for space within the Annex Building for administering the CDL testing activity. The agreement is for one (1) year, July 1, 2013 through June 30, 2014, with an option of automatic renewal for one (1) additional one (1) year term. The annual rental rate is \$6,497.50.

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 11/29/2012. The motion PASSED by an unanimous vote.

- j [1233-12](#) Authorization to execute a Collective Bargaining Agreement (CBA) with AFSCME Council 62, Local 2785 on behalf of Community Corrections Lieutenants and Captains. (L1233-12) (Graham)

This is a request to execute a CBA with AFSCME Council 62, Local 2785 on behalf of Community Corrections Lieutenants and Captains for a term of two and one half (2 ½) years, beginning January 1, 2013.

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 11/29/2012. The motion PASSED by an unanimous vote.

- k [1234-12](#) Authorization to execute a Release of Easement releasing a 15-foot sanitary sewer easement on property located at 761 Enterprise Drive. (L1234-12) (Graham)

This is a request to execute a Release of Easement releasing a 15-foot sanitary sewer easement on property located at 761 Enterprise Drive. There is no budgetary impact.

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 11/29/2012. The motion PASSED by an unanimous vote.

- l [1235-12](#) Authorization to execute the 2013 General Term Orders (GTO) for the Fayette County Clerk and the Fayette County Sheriff. (L1235-12) (O'Mara/Driskell)

This is a request to execute the 2013 GTO for the Fayette County Clerk and the Fayette County Sheriff. The GTO summarizes maximum annual expenditures for personnel, operating and capital and is used as a guideline for approval of reimbursement of expenditures. There is no budgetary impact.

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 11/29/2012. The motion PASSED by an unanimous vote.

- m [1238-12](#) Authorization to execute an agreement with Meridian Management Corporation to provide facility management services for the operation and maintenance of the Fayette County Courthouses. (L1238-12) (Hamilton)

This is a request to execute an agreement with Meridian Management Corporation to provide facility management services for the operation and maintenance of the Fayette County Courthouses. The term is for five (5) years, beginning January 13, 2013, with an option for five (5) annual extensions at LFUCG's discretion. The cost for FY 2013 is \$412,213. Funds are budgeted.

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 11/29/2012. The motion PASSED by an unanimous vote.

- n [1239-12](#) Authorization to accept award from the Kentucky Transportation Cabinet for the Fiber Optic Cable Installation Program. (L1239-12) (Gooding/Moloney)
This is a request to accept award in the amount of \$320,000 from the Kentucky Transportation Cabinet for the Fiber Optic Cable Installation Program. A 20% match of \$80,000 is required. Budget amendment is in process.

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 11/29/2012. The motion PASSED by an unanimous vote.

- o [1240-12](#) Authorization to execute a Purchase of Service Agreement with Bluegrass State Games, Inc. for the Bluegrass Summer Games to take place in July of 2013. (L1240-12) (Emmons)
This is a request to execute a Purchase of Service Agreement with Bluegrass State Games, Inc. for the Bluegrass Summer Games to take place in July of 2013, at a cost of \$52,500. Funds are budgeted.

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 11/29/2012. The motion PASSED by an unanimous vote.

- p [1241-12](#) Authorization to amend Article XV Section 2-201 of the Picnic with the Pops Commission Ordinance to replace the member representing the Kentucky Horse Park with a member to represent Keeneland, as the Picnic with the Pops event has made a permanent move to Keeneland. (L1241-12) (Emmons)

This is a request to amend Article XV Section 2-201 of the Picnic with the Pops Commission Ordinance to replace the member representing the Kentucky Horse Park with a member to represent Keeneland, as the Picnic with the Pops event has made a permanent move to Keeneland. There is no budgetary impact.

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 11/29/2012. The motion PASSED by an unanimous vote.

- q [1246-12](#) Authorization to ratify execution of a unanimous settlement agreement, stipulation and recommendation in Kentucky Public Service Commission Case No. 2012-00221, pertaining to the rates of the Kentucky Utilities Company. (L1246-12) (Graham)
This is a request to ratify execution of a unanimous settlement

agreement, stipulation and recommendation in Kentucky Public Service Commission Case No. 2012-00221, pertaining to the rates of the Kentucky Utilities Company.

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 11/29/2012. The motion PASSED by an unanimous vote.