



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

200 E. Main St
Lexington, KY 40507

Tuesday, November 19, 2013

3:00 PM

Council Chamber

Packet

I. Public Comment - Issues on Agenda

None

Present 13 - Linda Gorton, Chuck Ellinger, Steve Kay, Chris Ford, Shevawn Akers, Julian Beard, Bill Farmer Jr., Kevin Stinnett, Jennifer Scutchfield, George Myers, Jennifer Mossotti, Harry Clarke, and Peggy Henson

Absent 2 - Diane Lawless, and Ed Lane

II. Requested Rezonings/ Docket Approval

A motion was made by Council Member George Myers, seconded by Council Member Chuck Ellinger, that this item be Approved. The motion PASSED by unanimous vote.

[1273-13](#)

An Ordinance pursuant to Section 2-1(a) of the Code of Ordinances of the Lexington-Fayette Urban County Government, adopting a schedule of meetings for the Council for the calendar year 2014.

A motion was made by Council Member Linda Gorton, seconded by Council Member Shevawn Akers, that this Agenda Item be Approved and Referred to the Docket of the Urban County Council to be returned on 11/21/13. The motion PASSED by an unanimous vote.

III. Approval of Summary

[1251-13](#)

Table offi MottonsNovember 12, 2013

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

IV. Budget Amendments

[1244-13](#)

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Harry Clarke, that this Agenda Item be Approved and Referred to the Docket of the Urban County Council to be returned on 11/21/13.. The motion PASSED by an unanimous vote.

V. New Business

VI. Continuing Business/ Presentations

a [1247-13](#) Neighborhood Development Funds November 19, 2013

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Jennifer Mossotti, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 11/21/2013. The motion PASSED by an unanimous vote.

Aye: 13 - Linda Gorton, Chuck Ellinger, Steve Kay, Chris Ford, Shevawn Akers, Julian Beard, Bill Farmer Jr., Kevin Stinnett, Jennifer Scutchfield, George Myers, Jennifer Mossotti, Harry Clarke, and Peggy Henson

Nay: 0

Absent: 2 - Diane Lawless, and Ed Lane

b [1248-13](#) Planning & Public Works, October 8, 2013 Summary

[1289-13](#) Approved changes to B1 zone in Zoning Ordinance, as recommended by the Planning and Public Works Committee

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Harry Clarke, that this be Approved and Referred to Docket., and sent to the Urban County Council to be returned by 11/21/2013. The motion PASSED by an unanimous vote.

[1298-13](#) A RESOLUTION INITIATING A TEXT AMENDMENT TO MODIFY THE SUBDIVISION REGULATIONS FOR PRIVATE STREETS IN RESIDENTIAL AREAS (URBAN COUNTY COUNCIL).

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Steve Kay, that this item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 11/21/2013. The motion PASSED by an unanimous vote.

c [1250-13](#) Presentation Lexington Jobs Fund By: Jamie Emmons, Chief of Staff Mayor's Office

d [1249-13](#) General Government Committee November 5, 2013 Summary

[1276-13](#) **A motion was made by Council Member Steve Kay, seconded by Council Member Linda Gorton, that this Agenda Item be placed on the Docket for the November 21, 2013 Council Meeting. The motion PASSED by an unanimous vote.**

[1300-13](#) Authorization of audit on employee dependents

A motion was made by Council Member Steve Kay, seconded by Council Member Linda Gorton, that this item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 11/21/2013. The motion PASSED by an unanimous vote.

VII. Council Reports

VIII. Mayor's Report

[1264-13](#)

1. Recommending the reappointment of Ms. Kimberly H. Bryant to the Address Enforcement Administrative Hearing Board, with term to expire 11/1/2015.
2. Recommending the reappointment of Mr. Jonathon H. Melton to the Address Enforcement Administrative Hearing Board, with term to expire 11/1/2016.
3. Recommending the appointment of Mr. Alex L. Scutchfield to the Human Rights Commission, with term to expire 1/1/2017. Mr. Scutchfield will fill the unexpired term of Ms. Sandra Canon.
4. Recommending the reappointment of Rev. Danny Everett to the Human Rights Commission, with term to expire 1/1/2018.

A motion was made by Council Member Linda Gorton, seconded by Council Member Harry Clarke, that these items be Approved and Referred to the Docket of the Urban County Council to be returned on 11/21/13. The motion PASSED by an unanimous vote.

IX. Public Comment - Issues Not on Agenda

none

X. Adjournment

A motion was made by Council Member Chuck Ellinger, seconded by Council Member Linda Gorton, that this meeting be Adjourned. The motion PASSED by an unanimous vote.

Aye: 11 - Linda Gorton, Chuck Ellinger, Steve Kay, Chris Ford, Julian Beard, Bill Farmer Jr., Kevin Stinnett, George Myers, Jennifer Mossotti, Harry Clarke, and Peggy Henson

Nay: 0

Absent: 4 - Shevawn Akers, Diane Lawless, Jennifer Scutchfield, and Ed Lane

Administrative Synopsis - New Business Items

- a [1201-13](#) Authorization to submit application to the National Police Athletic/Activities Leagues, Inc., and accept award if offered, for participation in the National PAL Mentoring Program in the Division of Police. (L1201-13) (Gooding/Mason)
This is a request to submit application for an amount of \$27,500 to the National Police Athletic/Activities Leagues, Inc., and accept award if offered, for participation in the National PAL Mentoring Program in the Division of Police. No local match is required.
A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Docket of the Urban County Council to be returned on 11/21/13. The motion PASSED by an unanimous vote.
- b [1209-13](#) Authorization to execute agreement with IBM Business Continuity and Recovery Services (BCRS) for disaster recovery services. (L1209-13) (Nugent/Hamilton)
This is a request to execute agreement with IBM BCRS for disaster recovery services for a cost not to exceed \$84,360. Funds are budgeted.
A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Docket of the Urban County Council to be returned on 11/21/13. The motion PASSED by an unanimous vote.
- c [1214-13](#) Authorization to execute Facility Rental Agreement with the Lexington Convention Center and Catering Contract with the Hyatt Regency for the Annual Police Awards Banquet. (L1214-13) (Bastin/Mason)
This is a request to execute Facility Rental Agreement with the Lexington Convention Center and Catering Contract with the Hyatt Regency for the Annual Police Awards Banquet to be held on Tuesday, May 6, 2014. There is no budgetary impact as the banquet will be funded by ticket sales.
A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Docket of the Urban County Council to be returned on 11/21/13. The motion PASSED by an unanimous vote.
- d [1215-13](#) Authorization to execute Memorandum of Understanding (MOU) with Transylvania University outlining the procedure to be followed by the requesting and responding agencies in the event of a request for assistance. (L1215-13) (Bastin/Mason)
This is a request to execute MOU with Transylvania University outlining the procedure to be followed by the requesting and responding agencies in the event of a request for assistance. The Lexington

Division of Police will have primary responsibility for handling police related events occurring within the Campus as requested for crimes of violence resulting in significant injury or death and matters relating to public safety, maintenance of order, and the investigation of crimes. There is no budgetary impact.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Docket of the Urban County Council to be returned on 11/21/13. The motion PASSED by an unanimous vote.

e [1221-13](#)

Authorization for the Department of Environmental Quality and Public Works in collaboration with LexArts to provide funding for EcoART projects. (L1221-13) (Martin)

This is a request to authorize the Department of Environmental Quality and Public Works in collaboration with LexArts to provide \$100,000 in funding for EcoART projects. Funds are budgeted.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Docket of the Urban County Council to be returned on 11/21/13. The motion PASSED by an unanimous vote.

f [1225-13](#)

Authorization to approve a tiered supplement to retirees and beneficiaries of the City Employees' Pension Fund (CEPF). (L1225-13) (Nelson/Hamilton)

This is a request to approve a tiered supplement to retirees and beneficiaries of the CEPF. The one-time adjustments are based on the current annual pension and years of service (at retirement) of each pensioner or beneficiary. The estimated impact is \$581,740.50 over the remaining life of the fund (never more than \$80,698.98 on an annual basis). The impact for FY 2014 is \$74,200. Funds are budgeted.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Docket of the Urban County Council to be returned on 11/21/13. The motion PASSED by an unanimous vote.

g [1228-13](#)

Authorization to approve a 10-year agreement with Alliance Coal, LLC to participate in the Kentucky Business Investment (KBI) Program. (L1228-13) (Atkins)

This is a request to approve a 10-year agreement with Alliance Coal, LLC to participate in the KBI Program, which allows for the recovery of up to 100% of start-up and building costs through Kentucky corporate income tax credits and wage assessment fee of up to 4%. There is no budgetary impact.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Docket of the Urban County Council to be returned on 11/21/13. The motion PASSED by an unanimous vote.

- h** [1229-13](#) Authorization to approve a 10-year agreement with NOHMs Technologies, Inc. to participate in the Kentucky Business Investment (KBI) Program. (L1229-13) (Atkins)
This is a request to approve a 10-year agreement with NOHMs Technologies, Inc. to participate in the KBI Program which allows recovery up to 100% of start-up and building costs through Kentucky corporate income tax credits and wage assessment fee of up to 4%. There is no budgetary impact.
- A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Docket of the Urban County Council to be returned on 11/21/13. The motion PASSED by an unanimous vote.**
- i** [1230-13](#) Authorization to adopt a resolution supporting Sayre Christian Village Nursing Home's County Health Facilities Revenue Bonds application. (L1230-13) (Atkins)
This is a request to adopt a resolution supporting Sayre Christian Village Nursing Home's County Health Facilities Revenue Bonds application in the aggregate amount of \$17,500,000 for the purpose of refinancing a line of credit and a term loan with Central Bank & Trust Company. LFUCG will incur no expenses related to this action.
- A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Docket of the Urban County Council to be returned on 11/21/13. The motion PASSED by an unanimous vote.**
- j** [1231-13](#) Authorization to execute a Memorandum of Agreement (MOA) with the United States Special Operations Command, Program Executive Office Special Operations Forces Support Activity (PEO SOFSA), located at 5751 Briar Hill Road, which defines the roles and responsibilities of the parties in providing security and emergency response in the event of a terrorist threat and/or attack to that facility. (L1231-13) (Bastin/Mason)
This is a request to execute a MOA with the United States Special Operations Command, Program Executive Office Special Operations Forces Support Activity (PEO SOFSA), located at 5751 Briar Hill Road, which defines the roles and responsibilities of the parties in providing security and emergency response in the event of a terrorist threat and/or attack to that facility. There is no budgetary impact.
- A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Docket of the Urban County Council to be returned on 11/21/13. The motion PASSED by an unanimous vote.**
- k** [1234-13](#) Authorization to create the Central Kentucky 911 Network (a.k.a. CKy911net or CKy911) program to formally design, develop,

implement and manage the multi-jurisdiction 9-1-1 infrastructure system to the benefit of LFUCG and partnering agencies. (L1234-13) (Mason)

This is a request to create the Central Kentucky 911 Network (a.k.a. CKy911net or CKy911) program to formally design, develop, implement and manage the multi-jurisdiction 9-1-1 infrastructure system to the benefit of LFUCG and partnering agencies.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Docket of the Urban County Council to be returned on 11/21/13. The motion PASSED by an unanimous vote.

I [1235-13](#)

Authorization to amend the Industrial Revenue Bond Review Committee Ordinance to create the Economic Development Investment Board. (L1235-13) (Emmons)

This is a request to amend the Industrial Revenue Bond Review Committee Ordinance to create the Economic Development Investment Board, which will review incentive package applications and make recommendations for the Lexington Job Fund Program. There is no budgetary impact.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Docket of the Urban County Council to be returned on 11/21/13. The motion PASSED by an unanimous vote.

m [1237-13](#)

Authorization to create the JOBS Fund, a local economic development program to attract and expand companies within Fayette County. (L1237-13) (Emmons)

This is a request to create the JOBS Fund, a local economic development program to attract and expand companies within Fayette County by allowing companies to apply for incentive dollars to increase the number of jobs provided by their company.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Docket of the Urban County Council to be returned on 11/21/13. The motion PASSED by an unanimous vote.