



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

200 E. Main St
Lexington, KY 40507

Tuesday, July 9, 2013

3:00 PM

Council Chamber

Packet

I. Public Comment - Issues on Agenda

Present 14 - Chuck Ellinger, Steve Kay, Chris Ford, Shevawn Akers, Diane Lawless, Julian Beard, Bill Farmer Jr., Kevin Stinnett, Jennifer Scutchfield, George Myers, Jennifer Mossotti, Harry Clarke, Peggy Henson, and Ed Lane

Absent 1 - Linda Gorton

II. Requested Rezonings/ Docket Approval

[0805-13](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 3 to the Contract with Triton Services, Inc., for HVAC and Piping Repair for the Phoenix Building, increasing the contract price by the sum of \$2,075 from \$232,495 to \$234,570. [Dept. of General Services, Reed]

A motion was made by Council Member Steve Kay, seconded by Council Member Bill Farmer, Jr., that this Agenda Item be Approve and Refer to Docket., and sent to the Urban County Council to be returned by 7/9/2013. The motion PASSED by an unanimous vote.

[0806-13](#)

A Resolution authorizing the Mayor and the Commissioner of Finance, on behalf of the Lexington-Fayette Urban County Government and its Dept. of Finance, to execute a Master Development Agreement and any other necessary related documents, with CentrepoinTE Parking Co., LLC, and its affiliates, for the Phoenix Park/Courthouse Project. [Council Office, Maynard]

A motion was made by Council Member Diane Lawless, seconded by Council Member Chuck Ellinger, that this Agenda Item be Approve and Refer to Docket., and sent to the Urban County Council to be returned by 7/9/2013. The motion PASSED by an unanimous vote.

[0807-13](#)

A Resolution expressing the Lexington-Fayette Urban County Council's support for the adoption of H.R. 2570 the "Valley View Ferry Preservation Act of 2013". [Council Office, Maynard]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Ed Lane, that this Agenda Item be Approve and Refer to Docket., and sent to the Urban County Council to be returned by 7/9/2013. The motion PASSED by an unanimous vote.

[0809-13](#)

A Resolution requesting that the President of the Ky. Senate and the Speaker of the Ky. House of Representatives take the necessary steps to refer to the Program Review and Investigation Committee examination of the following: the business practices of the Bluegrass Area Development District and all other Area Development Districts, the structure of the Area Development Districts, and the relevance of the Area Development Districts in today's economy; and directing that a copy of this Resolution be sent to the President of the Senate and the Speaker of the House. [Council Office, Maynard]

A motion was made by Council Member George Myers that this be Approve and Refer to Docket., and sent to the Urban County Council to be returned by 7/9/2013. The motion PASSED by an unanimous vote.

III. Approval of Summary

[0789-13](#)

Table of Motions July 2 2013

A motion was made by Council Member Julian Beard, seconded by Council Member George Myers, that this Summary be Approve.. The motion PASSED by an unanimous vote.

IV. Budget Amendments

[0802-13](#)

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 7. [Div. of Budgeting, Lueker]

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Chuck Ellinger, that this Agenda Item be Approve and Refer to Docket., and sent to the Urban County Council to be returned by 7/9/2013. The motion PASSED by an unanimous vote.

V. New Business

VI. Continuing Business/ Presentations

a [0790-13](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Repairers of the Breach, Inc. (\$650), Dunbar Advisory Council, Inc., (\$550), WGPL Neighborhood Association (\$1,275), North Lexington Babe Ruth Baseball, Inc. (\$500), Brucetown Neighborhood Association, Inc. (\$250), Georgetown Neighborhood Association, Inc. (\$250), and Community Relations Board at the Federal Prison (\$450), for the Office of the Urban County Council, at a cost not to exceed the sums stated. [Council Office, Maynard]

A motion was made by Council Member George Myers, seconded by Council Member Chuck Ellinger, that this Agenda Item be Amended to add \$450 to the

CRV Office, Inc.. The motion PASSED by an unanimous vote.

A motion was made by Council Member Shevawn Akers, seconded by Council Member George Myers, that this Agenda Item be Approve and Refer to Docket., and sent to the Urban County Council to be returned by 7/9/2013. The motion PASSED by an unanimous vote.

b [0755-13](#) Planning and Public Works Committee Summary June 2013

c [0792-13](#) Presentation Senior Citizens' Center Update By: Craig Bentz

Considered

VII. Council Reports

VIII. Mayor's Report

IX. Public Comment - Issues Not on Agenda

X. Adjournment

Administrative Synopsis - New Business Items

- a** [0656-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Addendum to the Renewal Maintenance Agreement with Routeware, Inc. for support of the routing project for the Div. of Waste Management, at no additional cost to the Urban County Government. [Div. of Waste Management, Feese]
- A motion was made by Council Member Kevin Stinnett, seconded by Council Member Jennifer Mossotti, that this Agenda Item be Approve and Refer to Docket., and sent to the Urban County Council to be returned by 7/9/2013. The motion PASSED by an unanimous vote.**
- b** [0660-13](#) A Resolution declaring as surplus and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute Deeds and any other necessary documents for the sale and transfer of property located at 302 Rosemont Garden. [Dept. of General Services, Reed]
- A motion was made by Council Member Kevin Stinnett, seconded by Council Member Jennifer Mossotti, that this Agenda Item be Approve and Refer to Docket., and sent to the Urban County Council to be returned by 7/9/2013. The motion PASSED by an unanimous vote.**
- c** [0740-13](#) An Ordinance amending Section 22-5(2) of the Code of Ordinances extending the term of the temporary position of Administrative Officer, P/T, Grade 118E, for a four (4) year term effective July 1, 2013, in the Div. of Waste Management, effective upon passage of Council. [Div. of Human Resources, Maxwell]
- A motion was made by Council Member Kevin Stinnett, seconded by Council Member Jennifer Mossotti, that this Agenda Item be Approve and Refer to Docket., and sent to the Urban County Council to be returned by 7/9/2013. The motion PASSED by an unanimous vote.**
- d** [0750-13](#) A Resolution approving the Response of RRC Company to RFP #19-2013 in the amount of \$395,000 for the Haley Pike Compost Pad Design Build for the Div. of Waste Management and authorizing the Mayor to execute an Agreement with RRC Company related to the RFP and services. [Div. of Waste Management, Feese]
- A motion was made by Council Member Kevin Stinnett, seconded by Council Member Jennifer Mossotti, that this Agenda Item be Approve and Refer to Docket., and sent to the Urban County Council to be returned by 7/9/2013. The motion PASSED by an unanimous vote.**
- e** [0752-13](#) An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Computer Analyst, Grade 115E, and creating one (1) position of Associate Traffic Engineer, Grade 115E, both in the Div. of Traffic Engineering and appropriating funds pursuant to Schedule No. 6. [Div. of Human Resources, Maxwell]

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Jennifer Mossotti, that this Agenda Item be Approve and Refer to Docket., and sent to the Urban County Council to be returned by 7/9/2013. The motion PASSED by an unanimous vote.

- f [0762-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with Central Indiana Truck Equipment, for a CNG Front Fuel Option omitted from original specifications in Resolution No. 291-2013, increasing the contract price by the sum of \$4,416 from \$1,689,976 to \$1,694,392. [Div. of Facilities and Fleet Management, Baradaran]

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Jennifer Mossotti, that this Agenda Item be Approve and Refer to Docket., and sent to the Urban County Council to be returned by 7/9/2013. The motion PASSED by an unanimous vote.

- g [0765-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Dept. of Fish and Wildlife Resources, which Grant funds are in the amount of \$50,000 Federal funds, for enhancement of the Archery Range at the Hisle Farm Park, 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 Parks and Recreation, Hancock]

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Jennifer Mossotti, that this Agenda Item be Approve and Refer to Docket., and sent to the Urban County Council to be returned by 7/9/2013. The motion PASSED by an unanimous vote.

- h [0767-13](#) An Ordinance amending Section 22-5(2) of the Code of Ordinances, creating one (1) position of Treatment Plant Operator Apprentice, Grade 107N, one (1) position of Treatment Plant Operator Apprentice Class I, Grade 109N and one (1) position of Treatment Plant Apprentice Class II, Grade 110N, all in the Div. of Water Quality, effective July 1, 2013. [Div. of Human Resources, Maxwell]

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Jennifer Mossotti, that this Agenda Item be Approve and Refer to Docket., and sent to the Urban County Council to be returned by 7/9/2013. The motion PASSED by an unanimous vote.

- i [0768-13](#) An Ordinance amending Subsections 16-16.2(c)(1), 16-64(c)(1), and 16-404(4)(a) of the Code of Ordinances of the Lexington-Fayette Urban County Government to provide for a penalty for unpaid bills after seventeen (17) days. [Dept. of Finance, O'Mara]

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Jennifer Mossotti, that this Agenda Item be Approve and Refer to Docket., and sent to the Urban County Council to be returned by 7/9/2013. The

motion **PASSED** by an unanimous vote.

- j [0769-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a FY2014 Purchase of Service Agreement with Lexington Children’s Museum, Inc. d/b/a Explorium of Lexington, to provide education and cultural experience for children and their caregivers, at a cost not to exceed \$246,950, subject to sufficient funds being appropriated. [Dept. of Finance, O’Mara]
- A motion was made by Council Member Kevin Stinnett, seconded by Council Member Jennifer Mossotti, that this Agenda Item be Approve and Refer to Docket., and sent to the Urban County Council to be returned by 7/9/2013. The motion PASSED by an unanimous vote.**
- k [0770-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with the Bluegrass State Games, Inc., for services related to the Bluegrass Summer Games, at a cost not to exceed \$52,500. [Mayor’s Office, Emmons]
- A motion was made by Council Member Kevin Stinnett, seconded by Council Member Jennifer Mossotti, that this Agenda Item be Approve and Refer to Docket., and sent to the Urban County Council to be returned by 7/9/2013. The motion PASSED by an unanimous vote.**
- l [0772-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and other necessary documents, and to accept Deeds for property interests needed for the Blue Sky Pump Station Force Main Project, at a cost not to exceed \$160,525. [Div. of Water Quality, Martin]
- A motion was made by Council Member Kevin Stinnett, seconded by Council Member Jennifer Mossotti, that this Agenda Item be Approve and Refer to Docket., and sent to the Urban County Council to be returned by 7/9/2013. The motion PASSED by an unanimous vote.**
- m [0774-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with Kalkreuth Roofing and Sheet Metal, for Phoenix Building Roof Replacement, increasing the contract price by the sum of \$2,800.43 from \$163,982.00 to \$166,782.43. [Dept. of General Services, Reed]
- A motion was made by Council Member Kevin Stinnett, seconded by Council Member Jennifer Mossotti, that this Agenda Item be Approve and Refer to Docket., and sent to the Urban County Council to be returned by 7/9/2013. The motion PASSED by an unanimous vote.**
- n [0775-13](#) An Ordinance amending Section 3-12(3) of the Code of Ordinances related to alcoholic beverage licenses to create a Wholesale Distillers Spirit and Wine License; amending Section 3-12(4) of the Code of Ordinances related to alcoholic beverage licenses to create a Quota Retail Package License; amending Section 3-12(5) of the Code of

Ordinances related to alcoholic beverage licenses to create a Quota Retail Drink License; amending Section 3-12(6) of the Code of Ordinances related to alcoholic beverage licenses to create a Special Temporary License; amending Section 3-12(7) of the Code of Ordinances related to alcoholic beverage licenses to create a Nonquota Type One Retail Drink License; amending Section 3-12(8) of the Code of Ordinances related to alcoholic beverage licenses to create a Nonquota Type Two Retail Drink License; amending Section 3-12(9) of the Code of Ordinances related to alcoholic beverage licenses to create a Nonquota Type Three Retail Drink License; amending Section 3-12(10) of the Code of Ordinances related to alcoholic beverage licenses to create a Distilled Spirits and Wine Special Temporary Auction License; amending Section 3-12(11) of the Code of Ordinances related to alcoholic beverage licenses to create a Special Sunday Retail Drink License; amending Section 3-12(12) of the Code of Ordinances related to alcoholic beverage licenses to create an Extended Hours Supplemental License; amending Section 3-12(13) of the Code of Ordinances related to alcoholic beverage licenses to create a Caterer's License; amending Section 3-12(14) of the Code of Ordinances related to alcoholic beverage licenses to create a Bottling House Storage License; creating Section 3-12(15) of the Code of Ordinances related to alcoholic beverage licenses to create a Limited Restaurant License; creating Section 3-12(16) of the Code of Ordinances related to alcoholic beverage licenses to create a Limited Golf Course License; amending Section 3-13(4) of the Code of Ordinances related to Malt Beverage Licenses to create a Nonquota Retail Malt Beverage Package License; amending Section 3-13(5) of the Code of Ordinances related to malt beverage licenses to create a Nonquota Type Four Retail Malt Beverage Drink License; amending Section 3-13(6) of the Code of Ordinances related to malt beverage licenses to create a Malt Beverage Brew on Premises License; deleting Section 3-13(7) of the Code of Ordinances related to malt beverage licenses deleting Section 3-13.1 of the Code of Ordinances related to Special Convention Extended Hours and Horse Race Track Licenses. [Div. of Police, Bastin]

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Jennifer Mossotti, that this Agenda Item be Approve and Refer to Docket., and sent to the Urban County Council to be returned by 7/9/2013. The motion PASSED by an unanimous vote.

o [0776-13](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute five (5) Releases of Easements, releasing streetlight easements on properties located at 1056, 1057, 1061, 1068, and 1076 Bridlewood Ln. [Dept. of Law, Graham]

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Jennifer Mossotti, that this Agenda Item be Approve and Refer to Docket., and sent to the Urban County Council to be returned by 7/9/2013. The

motion PASSED by an unanimous vote.

- p** [0777-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Four to the Contract with GRW Engineers, Inc., for the investigation and design of the Expansion Area 2A Pumping Station and Force Main, increasing the contract price by the sum of \$5,200 from \$500,190 to \$505,390. [Div. of Water Quality, Martin]
- A motion was made by Council Member Kevin Stinnett, seconded by Council Member Jennifer Mossotti, that this Agenda Item be Approve and Refer to Docket., and sent to the Urban County Council to be returned by 7/9/2013. The motion PASSED by an unanimous vote.**
- q** [0779-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with Ky. Classical Theatre Conservatory (KCT), to produce two (2) plays as part of Summerfest 2014, at a cost not to exceed \$9,000. [Mayor's Office, Emmons]
- A motion was made by Council Member Kevin Stinnett, seconded by Council Member Jennifer Mossotti, that this Agenda Item be Approve and Refer to Docket., and sent to the Urban County Council to be returned by 7/9/2013. The motion PASSED by an unanimous vote.**
- r** [0780-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with LexArts, Inc., for various services related to creative arts in Lexington-Fayette County, at a cost not to exceed \$450,000. [Mayor's Office, Emmons]
- A motion was made by Council Member Kevin Stinnett, seconded by Council Member Jennifer Mossotti, that this Agenda Item be Approve and Refer to Docket., and sent to the Urban County Council to be returned by 7/9/2013. The motion PASSED by an unanimous vote.**