



Lexington-Fayette Urban County Government Minutes - Final

200 E. Main St
Lexington, KY 40507

Urban County Council Work Session

Tuesday, February 16, 2016

3:00 PM

Council Chamber

Packet

I. Public Comment - Issues on Agenda

Present 12 - Steve Kay, Shevawn Akers, Bill Farmer Jr., Kevin Stinnett, Jennifer Scutchfield, Peggy Henson, Fred Brown, Angela Evans, Susan Lamb, Jake Gibbs, Amanda Bledsoe, and Richard Moloney

Absent 3 - Jennifer Mossotti, Russell Hensley, and James Brown

II. Requested Rezonings/ Docket Approval

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Shevawn Akers, that the Docket be approved. The motion PASSED by unanimous vote.

III. Approval of Summary

a [137-16](#) Table of Motions, February 9, 2016 Work Session

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Steve Kay, that this Summary be Approved. The motion PASSED by unanimous vote.

IV. Budget Amendments

[153-16](#)

WITH ADDENDUM

ORDINANCE NO. _____

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. 0027.

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Bill Farmer, Jr., that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned on 2/18/2016. The motion PASSED by an unanimous vote.

V. New Business

VI. Continuing Business/ Presentations

a [131-16](#) Approval of Committee Summary

Received and Filed

[12-16](#)

An Ordinance amending Article III, Chapter 12 of the Code of Ordinances, relating to riparian areas, riparian buffer zones, and riparian buffer permits, as follows: amending Section 12-71(1) of the Code to include naturalized detention basin bottoms in the definition of riparian area; amending Section 12-71(3) of the Code to authorize a maximum buffer zone of twenty-five (25) feet from the edge of naturalized detention basin bottoms; and amending Sections 12-71, 12-72, and 12-73 of the Code to provide that the Div. of Environmental Services or its designee shall have the authority to issue riparian buffer permits, approve riparian vegetation, and inspect riparian areas for compliance with the terms and conditions of riparian buffer permits. [Council Office, Maynard]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 02/18/2016. The motion PASSED by an unanimous vote.

[1086-15](#)

A Resolution requesting and encouraging the Ky. Transportation Cabinet (KYTC) to designate the speed limit for various sections of streets on the state route system in downtown Lexington-Fayette County as 25 miles per hour. [Council Office, Maynard]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to Docket, and sent to the Urban County Council to be returned on 02/18/2016. The motion PASSED by unanimous vote.

VII. Council Reports

VIII. Mayor's Report

[114-16](#)

1. Recommending the appointments of Mr. Malcom Ferguson, as Code Enforcement Representative, and Ms. Susan Plueger, as Environmental Quality Representative, and the reappointments of Ms. Louise Caldwell-Edmonds, as At Large Representative, and Ms. Amy Sohner, as Bluegrass Pride Representative, to the Keep Lexington Beautiful Commission with terms expiring February 1, 2018, February 4, 2020, February 4, 2020 and February 4, 2020 respectively. Mr. Ferguson will fill the unexpired term of Mr. Thad Scott.
2. Recommending the appointment of Ms. Ann Bakhaus to the

- Downtown Development Authority Board of Directors, with term to expire February 18, 2020.
3. Recommending the appointment of Mr. Woodford Webb as Entertainment/Hospitality Representative to the Downtown Management District Board of Directors, with term to expire February 18, 2020.
 4. Recommending the appointments of Mr. Kenneth Cooke, Mr. Charles Denham, and Mr. Bernie Fields to the Environmental Hearing Board, with terms to expire February 18, 2019.
 5. Recommending the correction of the appointment of Mr. John Hackworth, as Historic Preservation Representative (Voting) to the Greenspace Commission, with term to expire August 27, 2019.
 6. Recommending the appointment of Mr. James Millard as Farming Representative to the Greenspace Commission, with term to expire July 18, 2019.
 7. Recommending the appointment of Mr. P.G. Peebles as At Large Member to the Lexington Convention & Visitors Bureau Board of Directors, filling the unexpired term of Mr. Geoff Reed, with term to expire September 9, 2017.
 8. Recommending the appointment of Mr. James Pendergast to the Paris Pike Corridor Commission, with term to expire February 18, 2020.
 9. Recommending the appointment of Council Member Jennifer Scutchfield to the Parks and Recreation Advisory Board, with term to expire February 18, 2020.
 10. Recommending the appointment of Mr. Thomas Sweeney as Resident Over 60 Representative to the Senior Services Commission with term to expire February 18, 2020.

A motion was made by Council Member Stinnett, seconded by Council Member Henson, that this Communication be Approved and Referred to the Docket, and sent to the Urban County Council, due back on 2/18/2016. The motion Passed by the following vote:

Aye: 12 - Steve Kay, Shevawn Akers, Bill Farmer Jr., Kevin Stinnett, Peggy Henson, Fred Brown, Angela Evans, Susan Lamb, Jake Gibbs, Amanda Bledsoe, Richard Moloney, and James Brown

Nay: 1 - Jennifer Scutchfield

Absent: 2 - Jennifer Mossotti, and Russell Hensley

IX. Public Comment - Issues Not on Agenda

X. Adjournment

Adjourn

Administrative Synopsis - New Business Items

- a** [14-16](#) Authorization to approve a Memorandum of Agreement between the Lexington-Fayette Urban County Government and the Fayette County Board of Education that would enable FCPS to extend sanitary sewer service from Edythe J. Hayes Middle School to their adjacent 39-acre property on Athens-Boonesboro Road that is outside the Urban Service Area. Access to the 39-acre site, including the new elementary school and the athletic complex, will be from Athens-Boonesboro Road. The new school is projected to open in August 2018. No design or construction plans for the athletic complex, which would serve several middle schools, have been determined. There are existing soccer fields on the site that could be used by FCPS at this time. No budgetary implications. (L14-16) (Duncan/Paulsen)
- A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned on 2/18/2016. The motion PASSED by unanimous vote.**
- b** [66-16](#) Authorization to approve a sole source purchase with Johnson Controls, Inc. for parts for the York Air Handlers at the Division of Community Corrections. The cost is not to exceed \$35,100. Funds are budgeted. (L66-16) (Ballard/Bastin)
- A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned on 2/18/2016. The motion PASSED by unanimous vote.**
- c** [70-16](#) Authorization to accept the proposal submitted by Fitzsimons Office of Architecture for Architectural and Engineering Services for assessment and renovation plans for the Castlewood Community Center. The cost is \$18,000.00. Funds are budgeted. (L70-16) (Conrad/Reed)
- A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned on 2/18/2016. The motion PASSED by unanimous vote.**
- d** [71-16](#) Authorization to accept the proposal submitted by Fitzsimons Office of Architecture for Architectural and Engineering Services for assessment and renovation plans for the Kenwick Community Center. The cost is \$21,000.00. Funds are budgeted. (L71-16) (Conrad/Reed)
- A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned on 2/18/2016. The motion PASSED by unanimous vote.**
- e** [81-16](#) Authorization to enter into a reimbursement agreement with the

Kentucky Horse Park for the purchase and installation of an ultrasonic flow meter system, meter vault and related electrical modifications at the Horse Park sanitary pump station. The flow meter will more accurately determine the actual flows from the pump station as opposed to using the pump run time method. Total project cost is estimated at \$11,000.00. Funds are budgeted and will be reimbursed to the LFUCG from the Kentucky Horse Park. (L81-16)
(Martin/Hoskins-Squier)

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned on 2/18/2016. The motion PASSED by unanimous vote.

- f [82-16](#) Authorization for the sole source purchase of a Cues, Inc. sewer video camera and related adaptive equipment. In order to ensure compatibility with existing audio visual equipment, it is necessary to purchase a Cues, Inc. manufactured camera. Eye-Tronics is the Cues sole source supplier for Kentucky and has submitted a quote of \$30,732.60 for the specified equipment. Funds are budgeted. (L82-16) (Martin/Hoskins-Squier)

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned on 2/18/2016. The motion PASSED by unanimous vote.

- g [83-16](#) Authorization to request approval of a FY16 (Class A) Stormwater Quality Projects Incentive Grant for The Colony Neighborhood Association in the amount of \$6,507.50. The project seeks to improve water quality and provide storm water education to Colony neighborhood residents as well as nearby community members. Funds are budgeted. (L83-16) (Martin/Hoskins-Squier)

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned on 2/18/2016. The motion PASSED by unanimous vote.

- h [84-16](#) Authorization to execute an agreement awarding a FY16 Class B (Education) Stormwater Quality Projects Incentive to The Living Arts and Science Center, Inc. (LASC) in the amount of \$34,920.00. This project will develop new and build existing curricula of LASC programs that focus on water quality, storm water issues and water conservation. Funds are budgeted. (L84-16) (Martin/Hoskins-Squier)

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned on 2/18/2016. The motion PASSED by unanimous vote.

- i [91-16](#) Authorization to enter into a Memorandum of Agreement with

Bluegrass Sports Commission, Inc. to perform services related to a sports complex feasibility study for Cardinal Run Park. The study will include preliminary geotechnical investigation, plan study for the park and any sports that may be recommended for the site, development of a strategy for raising funds for park improvement, and publicizing LFUCG's capital campaign to raise funds for park improvements. The cost is \$50,000.00. Funds are budgeted. (L91-16) (Reed)

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned on 2/18/2016. The motion PASSED by unanimous vote.

- j [97-16](#) Authorization to execute contract with New Life Day Center to operate a Rental/Deposit Assistance program for people experiencing homelessness. Project will pay deposit and first month's rent for up to 10 people experiencing homelessness who have income to pay ongoing rent. This is seed funding for what will ultimately be a privately supported program. This project was reviewed and approved by the Homelessness Prevention & Intervention Board. The cost is \$10,000.00. Funds are budgeted. (L97-16) (Lanter/Hamilton)

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned on 2/18/2016. The motion PASSED by unanimous vote.

- k [104-16](#) Authorization to approve an amendment to the current Water Usage Data and Sewer Shut Off Agreement, between the LFUCG and the KAWC (Resolution 433-2012). The amendment will ensure timely payment of delinquent sewer fees, by increasing the number of shut offs performed per week. There will be no budgetary implications to this agreement. (L104-16)(Cook/O'Mara)

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned on 2/18/2016. The motion PASSED by unanimous vote.

- l [105-16](#) Authorization to enter into a Purchase of Service Agreement with The Lexington History Museum, Inc. for services as specified within the agreement, including placement and storage of its collections, providing special exhibits, offering other programs for the benefit & education of the public, and for providing educational outreach programs with Fayette County's public and private schools. The cost is \$60,000.00. Funds are budgeted. (L105-16) (Reed)

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned on 2/18/2016. The motion PASSED by unanimous vote.

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- m [110-16](#) **Authorization to sign an agreement between Lexington-Fayette Urban County Government and Speedway LLC authorizing Speedway access to Johnson Heights Park located at 846 Johnsdale Drive, Lexington, Kentucky. Speedway needs access to sample soil, surface water and ground water for contamination if any due to Underground Storage Tanks located on property owned by Speedway. No budgetary impact. (L110-16) (Conrad/Reed)**
- A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned on 2/18/2016. The motion PASSED by unanimous vote.**
- n [115-16](#) Authorization to execute change order No. 1 for \$15,937.88 with C G Concepts, Lexington, Kentucky for the Furniture for the Replacement Senior Citizen Center project. The new contract total is \$285,570.44. (L115-16) (Baradaran/Reed)
- A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned on 2/18/2016. The motion PASSED by unanimous vote.**
- o [117-16](#) Authorization to approve a professional services agreement with Bluegrass Valuation Group, LLC Real Estate Appraisers to provide services for the acquisition of sanitary and storm sewer easements and/or real property relating to the Sanitary and Storm Sewer Capital Improvement Programs. Funds for these services are included in each of the individual project budgets. (L117-16) (Martin/Hoskins-Squier)
- A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned on 2/18/2016. The motion PASSED by unanimous vote.**
- p [118-16](#) Authorization to abolish and create positions in order to conform with the Fair Labor Standards Act (FLSA) and transferring all incumbents from exempt to non-exempt status, effective the first payroll Monday following passage of Council. After further review of the classifications' duties in accordance with the U.S. Department of Labor's FLSA regulations, the Division of Human Resources has determined that the following classifications and the incumbents will change from exempt to non-exempt status. While base salaries remain the same, there may be a potential fiscal impact due to the fact that these employees become eligible for overtime pay. (L118-16) (Maxwell/Hamilton)
- A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned on 2/18/2016. The motion PASSED by unanimous vote.**
- q [120-16](#) Authorization to establish a TIF for the Thistle Station Lexington

Development Area and execute the Local Participation Agreement and Master Development Agreement. The initial step in this process is the establishment of the development district and the submission of the Local Participation Agreement to the state. The Development Area is not reasonably expected to be developed without public assistance. It is estimated that the total cost of public infrastructure improvements needed within the Development Area to successfully redevelop the site as an urban mixed-use development is at least \$2.7 million. The total private investment is estimated to reach \$31.3 million. (L120-16)(Atkins)

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned on 2/18/2016. The motion PASSED by unanimous vote.

r [122-16](#)

Authorization to abolish three (3) classified positions of Child Care Program Aide (Grade 508N), five (5) unclassified positions of Child Care Program Aide (Grade 508N) and create three (3) classified positions of Educational Program Aide (Grade 508N), five (5) unclassified positions of Education Program Aide (Grade 508N); reclassifying the incumbents within the Division of Youth Services, effective upon passage of Council. Human Resources conducted a classification study on the requested positions of Child Care Program Aide held by multiple employees within the Division of Youth Services. The positions were analyzed by staff using the whole job rank and factor comparison methods. As a result, a recommendation for the title change is described in this action. There will be no change in salaries. This will not have a 12-month future impact cost. (L122-16) (Maxwell/Hamilton)

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Steve Kay, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned on 2/18/2016. The motion PASSED by unanimous vote.