



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

200 E. Main St
Lexington, KY 40507

Tuesday, December 4, 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, K.C. Crosbie, Kevin Stinnett, Council Member Linda Gorton, Peggy Henson, Steve Kay, and Tom Blues

Absent 1 - Julian Beard

II. Requested Rezonings/ Docket Approval - Yes

1320-12

Authorizing the Mayor to execute certificates of consideration for 700 Alumni Drive sanitary sewer project

A motion was made by Council Member K.C. Crosbie, seconded by Council Member Bill Farmer, Jr., that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 12/6/2012. The motion PASSED by an unanimous vote.

1322-12

Pursuant to Section 18-86, designating speed limits on Della Drive as 25 MPH

A motion was made by Council Member Peggy Henson, seconded by Council Member Linda Gorton, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 12/6/2012. The motion PASSED by an unanimous vote.

1312-12

Request Council authorization to execute Supplemental Agreement No. 4, accepting additional federal funding in the amount of \$2,480,000 from the Kentucky Transportation Cabinet for additional design and for construction of the Clays Mill Road Improvements Project

A motion was made by Council Member Jay McChord, seconded by Council Member George Myers, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 12/6/2012. The motion PASSED by an unanimous vote.

III. Approval of Summary - Yes, November 20 & 27, 2012, p.

1265-12

Table of Motions November 20

A motion was made by Council Member Linda Gorton, seconded by Council Member George Myers, that this Summary be Approved. The motion PASSED

by an unanimous vote.

[1291-12](#)

Table of Motions November 27 2012

A motion was made by Council Member Linda Gorton, seconded by Council Member George Myers, that this Summary be Approved. The motion PASSED by an unanimous vote.

IV. Budget Amendments - Yes, p.

V. New Business - Yes, p.

VI. Continuing Business/ Presentations

a. [1296-12](#)

Neighborhood Development Funds - December 4, 2012

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Peggy Henson, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 12/6/2012. The motion PASSED by an unanimous vote.

b. [1292-12](#)

Planning and Public Works Committee Summary November 20

c. [1298-12](#)

Social Services and Community Development Committee Summary
November 20

d. [1301-12](#)

CAP Project Status Update - Charlie Martin, Director, Div. of Water Quality

Considered

e. [1282-12](#)

2012 PDR and Courthouse Area Design Overlay Zone Annual Reports, By:
Billy Van Pelt, Director Purchase Development Rights Program

Considered

VII. Council Reports

VIII. Mayor's Report - Yes

[1311-12](#)

1. Recommending the reappointment of Council Member Peggy Henson to the City Employees' Pension Fund Board, with a term to expire 12-31-2014.
2. Recommending the appointments of Mr. Jeffery L. Anderson, as Herald Leader representative, and Ms. Sarayarose E. Brewer, Dr. Everett D. McCorvey, and Mr. Robert A. Morris, as at-large representatives, to the Picnic with the Pops Commission, with terms to expire 7-1-2014, 7-1-2014, 7-1-2016, and 7-1-2016, respectively. Ms. Brewer will fill the unexpired term of Mr. Kevin Weaver. Also,

recommending the reappointment of Mr. Scott A. Terrell, as Lexington Philharmonic representative, to the Picnic with the Pops Commission, with a term to expire 7-1-2016.

3. Recommending the reappointment of Council Member Peggy Henson to the Social Services Advisory Board, with a term to expire 12-31-2014.

A motion was made by Council Member Linda Gorton, seconded by Council Member Tom Blues, that this Communication be Approved and Referred to the Urban County Council Docket, to be returned by 12/6/2012. The motion PASSED by an unanimous vote.

IX. Public Comment - Issues Not on Agenda

X. Adjournment

Administrative Synopsis - New Business Items

- a. [1150-12](#) Authorization to amend Section 22-5 of the Code of Ordinances, creating one (1) position of Aging Services Program Manager (Grade 116E) in the Department of Social Services. (L1150-12)
(Maxwell/Mills)
This is a request to amend Section 22-5 of the Code of Ordinances, creating one (1) position of Aging Services Program Manager (Grade 116E) in the Department of Social Services. The impact for FY2013 (14 pay periods) is \$37,420.90. Funds are budgeted.
A motion was made by Council Member Tom Blues, seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 12/6/2012. The motion PASSED by an unanimous vote.
- b. [1236-12](#) Authorization to execute an agreement with Kentucky Transportation Cabinet/Division of Maintenance for provision of equipment for the
Tates Creek Road Sidewalk Improvements Project. (L1236-12)
(Gooding/Paulsen)
This is a request to execute an agreement with Kentucky Transportation Cabinet/Division of Maintenance for provision of equipment for the Tate's Creek Road Sidewalk Improvements Project for an amount of \$54,033.48. Funds are budgeted.
A motion was made by Council Member Tom Blues, seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 12/6/2012. The motion PASSED by an unanimous vote.
- c. [1237-12](#) Authorization to execute an agreement with Group CJ, LLP, for
Mobility Office Marketing Campaign for Fiscal Year 2013. (L1237-12)
(Gooding/Paulsen)
This is a request to execute an agreement with Group CJ, LLP, for Mobility Office Marketing Campaign for Fiscal Year 2013 for an amount of \$44,400. Funds are budgeted.
A motion was made by Council Member Tom Blues, seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 12/6/2012. The motion PASSED by an unanimous vote.
- d. [1252-12](#) Authorization to execute Change Order No. 1 (Final) with W. Rogers
Co. for the Deep Springs Pump Station and Force Main Upgrade.
(L1252-12) (Martin/Moloney)
This is a request to execute Change Order No. 1 (Final) with W. Rogers Co. for the Deep Springs Pump Station and Force Main Upgrade for an amount of \$42,104.04. This increase brings the total new project cost to \$1,828,104.04. Funds are budgeted.

A motion was made by Council Member Tom Blues, seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 12/6/2012. The motion PASSED by an unanimous vote.

- e. [1256-12](#) Authorization to execute a Memorandum of Understanding (MOU) with Fayette County Public Schools for the provision of bus transportation services for the Family Care Center's enrolled students and their children. (L1256-12) (Mills)

This is a request to execute a MOU with Fayette County Public Schools for the provision of bus transportation services for the Family Care Center's enrolled students and their children for the remainder of the 2012-2013 school year. The cost is \$427 per day for up to 92 days. Funds of \$40,000 are budgeted.

A motion was made by Council Member Tom Blues, seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 12/6/2012. The motion PASSED by an unanimous vote.

- f. [1257-12](#) Authorization to execute an agreement with Tetra Tech Engineering and Architecture Services to prepare the Construction Progress Report for the closure of CP1, CP2, CP3, and associated facilities at the Haley Pike Landfill. (L1257-12) (Moloney)

This is a request to execute an agreement with Tetra Tech Engineering and Architecture Services to prepare the Construction Progress Report for the closure of CP1, CP2, CP3, and associated facilities at the Haley Pike Landfill for a cost of \$32,875.00. Funds are budgeted.

A motion was made by Council Member Tom Blues, seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 12/6/2012. The motion PASSED by an unanimous vote.

- g. [1260-12](#) Authorization to accept awards from the Kentucky Office of Homeland Security for a Hazardous Devices Training Project and a Structural Collapse Technician Certification Training Course under the 2012 State Homeland Security Grant Program. (L1260-12) (Gooding/Mason)

This is a request to accept awards from the Kentucky Office of Homeland Security for a Hazardous Devices Training Project for an amount of \$55,000 and a Structural Collapse Technician Certification Training Course for an amount of \$53,000 under the 2012 State Homeland Security Grant Program. Budget amendments in process.

A motion was made by Council Member Tom Blues, seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 12/6/2012. The motion PASSED by an unanimous vote.

- h. [1261-12](#) Authorization to execute a Memorandum of Agreement, accepting

federal funds from the Kentucky Justice and Public Safety Cabinet, Kentucky State Police for Ticketing Aggressive Cars and Trucks Grant Program. (L1261-12) (Gooding/Mason)

This is a request to execute a Memorandum of Agreement, accepting federal funds in the amount of \$40,000 from the Kentucky Justice and Public Safety Cabinet, Kentucky State Police for Ticketing Aggressive Cars and Trucks Grant Program. A 20% match of \$10,000 is required. Budget amendments in process.

A motion was made by Council Member Tom Blues, seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 12/6/2012. The motion PASSED by an unanimous vote.

i. [1263-12](#)

Authorization to execute a Lease/Purchase Agreement with Lynn Imaging for two iPlan tables & two Contex CSCX3615R scanners with touch screens, Repro Software, Stands and ipf765 Canon printers. (L1263-12) (Bayert/Paulsen)

This is a request to execute a five (5) year Lease/Purchase Agreement with Lynn Imaging for two iPlan tables & two Contex CSCX3615R scanners with touch screens, Repro Software, Stands and ipf765 Canon printers for the Divisions of Engineering and Planning. The monthly cost per division is \$405.79 with warranties for one (1) year. Warranties will cost each division an additional \$2,900 per year afterwards. Funds are budgeted.

A motion was made by Council Member Tom Blues, seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 12/6/2012. The motion PASSED by an unanimous vote.

j. [1264-12](#)

Authorization to accept award from the National Police Athletic/Activities League for operation of a National Police Activities League Football Program. (L1264-12) (Gooding/Mason)

This is a request to accept award from the National Police Athletic/Activities League for an amount of \$1,800 for operation of a National Police Activities League Football Program. No match is required. Budget amendment in process.

A motion was made by Council Member Tom Blues, seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 12/6/2012. The motion PASSED by an unanimous vote.

k. [1269-12](#)

Authorization to execute an amendment to agreement with Aids Volunteers, Inc. for use of Home Investment Partnerships Funds for support of Tenant Based Rental Assistance Project. (L1269-12) (Gooding/Moloney)

This is a request to execute amendment to agreement with Aids Volunteers, Inc. to extend the performance period for use of Home Investment Partnerships Funds for support of Tenant Based Rental

Assistance Project through December 31, 2013. There is no budgetary impact.

A motion was made by Council Member Tom Blues, seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 12/6/2012. The motion PASSED by an unanimous vote.

- I. [1274-12](#) Authorization to execute an agreement with Access Wellness Group to provide employee assistance for a one (1) year term beginning January 1, 2013. (L1274-12) (Maxwell/Graham)

This is a request to execute an agreement with Access Wellness Group to provide employee assistance for a one (1) year term beginning January 1, 2013 at a cost in the amount of \$56,700.

A motion was made by Council Member Tom Blues, seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 12/6/2012. The motion PASSED by an unanimous vote.

- m. [1275-12](#) Authorization to amend Resolution No. 557-2012 for purchase of Lucas II CPR devices for the Division of Fire and Emergency Services. (L1275-12) (Gooding/Mason)

This is a request to amend Resolution No. 557-2012 for purchase of Lucas II CPR devices for the Division of Fire and Emergency Services for an amount of \$75,000.25. Budget amendments in process.

A motion was made by Council Member Tom Blues, seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 12/6/2012. The motion PASSED by an unanimous vote.

- n. [1276-12](#) Authorization to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Data Base Administrator, (Grade 117E) and creating one (1) position of Information Systems Business Analyst (Grade 120E) in the Division of Enterprise Solutions. (L1276-12) (Maxwell/Moloney)

This is a request to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Data Base Administrator, (Grade 117E) and creating one (1) position of Information Systems Business Analyst (Grade 120E) in the Division of Enterprise Solutions. Impact for FY 2013 (13 pay periods) is \$14,605.54. Budget amendment in process.

A motion was made by Council Member Tom Blues, seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 12/6/2012. The motion PASSED by an unanimous vote.

- o. [1277-12](#) Authorization to accept award from Kentucky Department of Military Affairs, Division of Emergency Management for FY 2013 Emergency Management Assistance Project. (L1277-12) (Gooding/Mason)

This is a request to accept award from Kentucky Department of

Military Affairs, Division of Emergency Management for an amount of \$105,456.81 for FY 2013 Emergency Management Assistance Project. A 50% local match of \$105,456.81 is required. Funds are budgeted.

A motion was made by Council Member Tom Blues, seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 12/6/2012. The motion PASSED by an unanimous vote.

p. [1278-12](#)

Authorization to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Life Skills Program Instructor (Grade 110E) and one (1) position of Community Corrections Lieutenant (Grade 114E); creating one (1) position of Life Skills Program Specialist, (Grade 113E) and one (1) position of Community Reentry Coordinator (Grade 115E) in the Division of Community Corrections. (L1278-12) (Maxwell/Mason)

This is a request to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Life Skills Program Instructor (Grade 110E) and one (1) position of Community Corrections Lieutenant (Grade 114E); creating one (1) position of Life Skills Program Specialist, (Grade 113E) and one (1) position of Community Reentry Coordinator (Grade 115E) in the Division of Community Corrections. The impact for FY 2013 (16 pay periods) is a cost savings of \$9,133.34. Budget amendment in process.

A motion was made by Council Member Tom Blues, seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 12/6/2012. The motion PASSED by an unanimous vote.

q. [1279-12](#)

Authorization to accept the report of the Capacity Assurance Task Force, adopting the recommendations of the Capacity Assurance Program Task Force, and providing for immediate implementation of recommendations for Use of Record, CAP Entry Point and Grandfathering. (L1279-12) (Martin/Moloney)

This is a request to accept the report of the Capacity Assurance Task Force, adopting the recommendations of the Capacity Assurance Program Task Force, and providing for immediate implementation of recommendations for Use of Record, CAP Entry Point and Grandfathering. There is no budgetary impact.

A motion was made by Council Member Tom Blues, seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 12/6/2012. The motion PASSED by an unanimous vote.

r. [1280-12](#)

An Ordinance authorizing the issuance of up to \$3,850,000 of Cultural and Recreational Revenue Bonds, Series 2012 (Anchor Baptist Church, Inc. Project) of the Lexington-Fayette Urban County Government, the proceeds of which shall be loaned to Anchor Baptist Church, Inc. to refinance the commercial loan dated November 26,

2012 between Anchor Baptist Church, Inc. and Fifth Third Bank in which loan refinanced the Lexington-Fayette Urban County Government Cultural and Recreation Revenue Bonds, Series 2009 (Anchor Baptist Church, Inc. Project) which refinanced the Lexington-Fayette Urban County Government Adjustable Rate Demand Industrial Building Revenue Bonds, Series 2007, including penalties and/or premium, the proceeds of which were used to construct, install, acquire, renovate, and equip certain capital improvements to the facilities of Anchor Baptist Church, Inc., providing for the pledge of revenues for the payment of such Bonds, authorizing a Bond Purchase and Loan Agreement appropriate for the protection and disposition of such revenues and to further secure such Bonds; recognizing the Bonds as qualified tax exempt obligations under I.R.C. Section 265(b)(3)(g) (i) and (ii); and authorizing other actions in connection with the issuance of such Bonds. [Mayor's Office, Atkins]

A motion was made by Council Member Tom Blues, seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 12/6/2012. The motion PASSED by an unanimous vote.

s. [1281-12](#)

Authorization to execute agreements with HDR, GRW, Tetra Tech and Stantec to provide engineering services for wastewater equalization tanks or basins related to the Consent Decree Remedial Measures Projects. (L1281-12) (Martin/Moloney)

This is a request to execute agreements with HDR, GRW, Tetra Tech and Stantec to provide engineering services for wastewater equalization tanks or basins (Category #1 of RFP #33-2012) related to the Consent Decree Remedial Measures Projects.

A motion was made by Council Member Tom Blues, seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 12/6/2012. The motion PASSED by an unanimous vote.