



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

200 E. Main St
Lexington, KY 40507

Tuesday, September 9, 2014

3:00 PM

Council Chamber

Packet

I. Public Comment - Issues on Agenda

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

Absent 2 - Linda Gorton, and Diane Lawless

II. Requested Rezonings/ Docket Approval

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

III. Approval of Summary

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Peggy Henson, that this Item be Approved. The motion PASSED by unanimous vote.

IV. Budget Amendments

[0942-14](#)

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, and sent to the Urban County Council to be returned by 09/11/2014. The motion PASSED by unanimous vote.

V. New Business

VI. Continuing Business/ Presentations

a [0940-14](#) Proclamation: Ovarian Cancer Awareness

Received and Filed

b [0936-14](#) Neighborhood Development Funds, September 9, 2014

A motion was made by Council Member Shevawn Akers, seconded by Council Member Chuck Ellinger, that this Agenda Item be Approved and Referred to the

Docket, and sent to the Urban County Council to be returned by 09/11/2014.
The motion PASSED by unanimous vote.

A motion was made by Council Member Peggy Henson, seconded by Council Member Shevawn Akers, that this Agenda Item be Amended to add two the neighborhoods of Gardenside and Colony to the Neighborhood Development Funds recipients. The motion PASSED by unanimous vote.

A motion was made by Council Member Chris Ford, seconded by Council Member Bill Farmer, Jr., that this Agenda Item be Amended to add the Robert H. Williams Cultural Center to the Neighborhood Development Funds recipients. The motion PASSED by an unanimous vote.

- c [0929-14](#) General Government Committee, August 12, 2014
- d [0930-14](#) Planning & Public Works Committee, August 12, 2014
- e [0931-14](#) Economic Development Committee of the Whole, August 19, 2014
- f [0932-14](#) Social Services & Community Development Committee, August 26, 2014
- g [0928-14](#) Presentation: Compensation Study Policy Update; By: Tammy Walters, Division of Human Resources

[0955-14](#) Compensation Study Policies and Procedures

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member George Myers, that the Compensation Study Policies and Procedures Ordinance be placed on the Docket, and sent to the Urban County Council to be returned by 09/11/2014. The motion PASSED by unanimous vote.

A motion was made by Council Member Peggy Henson, seconded by Council Member Jennifer Mossotti, that this Agenda Item be Amended to include policies and procedures for the appeals process. The motion PASSED by unanimous vote.

VII. Council Reports

VIII. Mayor's Report

- [0951-14](#)
 1. Recommending the appointment of Mr. John C. Cornett to the Administrative Hearing Board with term to expire 7/1/2018. The term of Mr. John Spires is expired.
 2. Per the Code of Ordinances §18C-13, personnel listed below from the Div. of Fire and Emergency Services have been appointed by the Fire Chief to the Emergency Medical Advisory Board with terms to expire September 1, 2018. Council confirmation isn't required.
 - (1) Ms. Mandy M. Arbogast, Student Member, Paramedic Program, Div. of Fire and Emergency Services;
 - (2) Ms. Leslie H. Fryman, Graduate, Paramedic Program, Div. of Fire and Emergency

- Services; (3) Ms. Patricia K. Howard, Faculty, Paramedic Program, Div. of Fire and Emergency Services; (4) Mr. Christofer J. Sweat, Div. of Fire and Emergency Services; and (5) Mr. Brian L. Wood, Div. of Fire and Emergency Services.
3. Recommending the appointment of Ms. Sharon L. Bogner as 4th District Council representative to the Environmental Commission with term to expire 10/1/2018.
 4. Recommending the reappointments of Ms. Elizabeth A. Frank, Mr. Omar Gayheart and Ms. Gale G. Reece to the Senior Services Commission with terms to expire 9/1/2018.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Shevawn Akers, that these Communications be Approved and Referred to the Docket, and sent to the Urban County Council to be returned by 09/11/2014. The motion PASSED by unanimous vote.

IX. Public Comment - Issues Not on Agenda

X. Adjournment

A motion was made by Council Member Chuck Ellinger, seconded by Council Member Kevin Stinnett, that this be Adjourned. The motion PASSED by unanimous vote.

Administrative Synopsis - New Business Items

- a [0867-14](#) Authorization to create section 9-20.1 of the Code of Ordinances prohibiting the use of sky lanterns (also known as Chinese lanterns, kongming lanterns, wish lanterns, sky candles and fire balloons) and providing for a penalty in an amount not to exceed \$250.00 effective (30) days from passage. (L0867-14)(Jackson/Mason)
This is a request to create section 9-20.1 of the Code of Ordinances prohibiting the use of sky lanterns (also known as Chinese lanterns, kongming lanterns, wish lanterns, sky candles and fire balloons) and providing for a penalty in an amount not to exceed \$250.00 effective (30) days from passage. There is no budgetary impact.
A motion was made by Council Member Harry Clarke, seconded by Council Member Jennifer Scutchfield, that this Agenda Item be Referred to the Public Safety Committee. The motion PASSED by an unanimous vote.
- b [0869-14](#) Authorization to submit an application to the Kentucky Division of Emergency Management requesting federal funds under the Federal Emergency Management Agency's Flood Mitigation Assistance/Pre-Disaster Mitigation Programs in the amount of \$871,537.50 for purchase and demolition of six residential properties along Eastland Park Tributary. (L0869-14)(Gooding/Holmes)
This is a request to submit an application to the Kentucky Division of Emergency Management requesting federal funds under the Federal Emergency Management Agency's Flood Mitigation Assistance/Pre-Disaster Mitigation Programs in the amount of \$871,537.50 for purchase and demolition of six residential properties along Eastland Park Tributary. A 25% local match is required. Funds are budgeted.
A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member George Myers, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned by 09/11/2014. The motion PASSED by unanimous vote.
- c [0886-14](#) Authorization to amend the lease agreement with Ann Tower Gallery, LTD. to change the gallery space utilized by Ann Tower Gallery within the Downtown Arts Center located at 141-143 East Main Street from both the first and second floors to only the second floor. (L0886-14) (Reed)
This is a request to amend the lease agreement with Ann Tower Gallery, LTD. to change the gallery space utilized by Ann Tower Gallery within the Downtown Arts Center located at 141-143 East Main

Street from both the first and second floors to only the second floor.
The fiscal terms of the agreement remain the same.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member George Myers, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned by 09/11/2014. The motion PASSED by unanimous vote.

- d [0898-14](#) Authorization to amend Section 21-5 of the Code of Ordinances by transferring one (1) position of Information Systems Specialist Sr. (Grade 114E) and its incumbent from the Division of Waste Management to the Division of Computer Services effective upon passage by Council. (L0898-14)(Holmes/Valicenti)
This is a request to amend Section 21-5 of the Code of Ordinances by transferring one (1) position of Information Systems Specialist Sr. (Grade 114E) and its incumbent from the Division of Waste Management to the Division of Computer Services effective upon passage by Council.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member George Myers, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned by 09/11/2014. The motion PASSED by unanimous vote.

- e [0899-14](#) Authorization to approve the Facility Usage Agreement between the Lexington-Fayette Urban County Government, Kiddie Kapers Program and Fayette County Board of Education for use of the Norsworthy Auditorium on December 6. (L0899-14)(Chambers/Reed)
This is a request to approve the Facility Usage Agreement between the Lexington-Fayette Urban County Government, Kiddie Kapers Program and Fayette County Board of Education for use of the Norsworthy Auditorium on December 6 at a cost of \$1,466.85. Funds are budgeted.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member George Myers, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned by 09/11/2014. The motion PASSED by unanimous vote.

- f [0900-14](#) Authorization to amend Ordinance 78-210 relating to the Turfland Town Center Development Area and to approve submission of the amended Turfland Town Center application to the Kentucky Economic Development Finance Authority. (L0900-14)(Atkins)
This is a request to amend Ordinance 78-210 relating to the Turfland Town Center Development Area and to approve submission of the amended Turfland Town Center TIF application to the Kentucky Economic Development Finance Authority. There is no budgetary

impact.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member George Myers, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned by 09/11/2014. The motion PASSED by unanimous vote.

- g** [0901-14](#) Authorization to accept quote from Federal Signal Safety and Security System as a sole source vendor for the outdoor warning sirens at a cost of \$30,000. (L0901-14)(Dugger/Mason)

This is a request to accept quote from Federal Signal Safety and Security System as a sole source vendor for the outdoor warning sirens at a cost of \$30,000. Funds are budgeted.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member George Myers, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned by 09/11/2014. The motion PASSED by unanimous vote.

- h** [0903-14](#) Authorization to approve an updated Exchange of Information Agreement with The Kentucky Revenue Cabinet allowing for the sharing of information needed for official government purposes. (L0903-14)(Cook/O'Mara)

This is a request to approve an updated Exchange of Information Agreement with The Kentucky Revenue Cabinet allowing for the sharing of information needed for official government purposes. There is no budgetary impact.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member George Myers, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned by 09/11/2014. The motion PASSED by unanimous vote.

- i** [0904-14](#) Authorization to submit an application to the Kentucky Energy and Environment Cabinet, and accept award if offered, for the continuation of the Litter Abatement Grant Funding Program in Fayette County-FY 2015. (L0904-14)(Gooding/Holmes)

This is a request to submit an application to the Kentucky Energy and Environment Cabinet, and accept award if offered, for the continuation of the Litter Abatement Grant Funding Program in Fayette County-FY 2015. Budget Amendments 5954,5955 and 5956 are in process.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member George Myers, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned by 09/11/2014. The motion PASSED by unanimous vote.

- j** [0905-14](#) Authorization to enter into Memorandum of Understanding for transportation services between FCPS and LFUCG Division of Family

Services for transportation for students and their pre-school children for the current school year. (L0905-14)(Mills)

This is a request to enter into Memorandum of Understanding for transportation services between FCPS and LFUCG Division of Family Services for transportation for students and their pre-school children for the current school year at a cost not to exceed \$85,643.22. Funds are budgeted.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member George Myers, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned by 09/11/2014. The motion PASSED by unanimous vote.

k [0906-14](#)

Authorization to accept a deed of easement at 256 Southland Drive from Central Bank for the installation of a traffic signal pole for the Southland/Regency Traffic Signal Rebuild Project. (L0906-14) (Hoskins-Squier/Holmes)

This is a request to accept a deed of easement at 256 Southland Drive from Central Bank for the installation of a traffic signal pole for the Southland/Regency Traffic Signal Rebuild Project at a cost not to exceed \$350.00. Funds are budgeted.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member George Myers, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned by 09/11/2014. The motion PASSED by unanimous vote.

l [0910-14](#)

Authorization to enter into an agreement with SDGblue, LLC for Phase 1 of the implementation of the new LFUCG Occupational Tax System. (L0910-14)(Cook/O'Mara)

This is a request to enter into an agreement with SDGblue, LLC for Phase 1 of the implementation of the new LFUCG Occupational Tax System at a cost of \$131, 250. Funds are budgeted.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member George Myers, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned by 09/11/2014. The motion PASSED by unanimous vote.

m [0912-14](#)

Authorization for the issuance and sale of Sewer System Revenue Refunding Bonds - Series 2014A in an aggregate principal amount not to exceed \$32,000,000 for the purpose of currently refunding the series 2009 bonds; and authorizing the issuance and sale of Sewer System Revenue Refunding Bonds - Series 2014B in a aggregate principal amount not to exceed \$13,000,000 for the purpose of advance refunding the series 2010 bonds. (L0912-14)(O'Mara)

This is a request to authorize the issuance and sale of Sewer System Revenue Refunding Bonds - Series 2014A in an aggregate principal amount not to exceed \$32,000,000 for the purpose of currently refunding the series 2009 bonds; and authorizing the issuance and sale of Sewer System Revenue Refunding Bonds - Series 2014B in an aggregate principal amount not to exceed \$13,000,000 for the purpose of advance refunding the series 2010 bonds. Funds are budgeted.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member George Myers, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned by 09/11/2014. The motion PASSED by unanimous vote.

n [0913-14](#)

Authorization to enter into Facility Usage Agreements between the Lexington-Fayette Urban County Government and various youth baseball leagues. (L0913-14)(Chambers/Reed)

This is a request for LFUCG to enter into Facility Usage Agreements with various youth baseball leagues. There is no budgetary impact.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member George Myers, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned by 09/11/2014. The motion PASSED by unanimous vote.

o [0921-14](#)

Authorization to approve Federal Equitable Sharing Agreement and Certification with the Department of Justice and the Department of the Treasury for participation in the federal equitable sharing program and the restrictions upon the use of federally forfeited cash, property, proceeds, and any interest, which are equitably shared with participating law enforcement agencies. (L0921-14)(Bastin/Mason)

This is a request to approve the Federal Equitable Sharing Agreement and Certification with the Department of Justice and the Department of the Treasury for participation in the federal equitable sharing program and the restrictions upon the use of federally forfeited cash, property, proceeds, and any interest, which are equitably shared with participating law enforcement agencies. There is no budgetary impact.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member George Myers, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned by 09/11/2014. The motion PASSED by unanimous vote.

p [0922-14](#)

Authorization to execute an agreement awarding Class B (Infrastructure) Stormwater Quality Projects Incentive Grant to Lexmark International, Inc., at a total cost not to exceed \$350,000.00. (L0922-14)(Martin/Holmes)

This is a request to execute an agreement awarding Class B (Infrastructure) Stormwater Quality Projects Incentive Grant to Lexmark International, Inc., at a total cost not to exceed \$350,000.00. Funds are budgeted.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member George Myers, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned by 09/11/2014. The motion PASSED by unanimous vote.

- q [0924-14](#) Authorization to approve the Property Tax Collection Agreement between LFUCG and the Fayette County Sheriff for collection of ad valorem urban services tax collection services at a cost of \$350,000. (L0924-14)(O'mara)

This is a request to approve the Property Tax Collection Agreement between LFUCG and the Fayette County Sheriff for ad valorem urban services tax collection services at a cost of \$350,000. Funds are budgeted.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member George Myers, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned by 09/11/2014. The motion PASSED by unanimous vote.

- r [0925-14](#) Authorization to execute an agreement with Free Contracting for Change Order #1 for the Ecton Park Sanitary Sewer Replacement Project for an amount of \$47,930 increasing the total contract amount to \$737,437.50. (L0925-14)(Martin/Holmes)

This is a request to execute an agreement with Free Contracting for Change Order #1 for the Ecton Park Sanitary Sewer Replacement Project for an amount of \$47,930 increasing the total contract amount to \$737,437.50. Funds are budgeted.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member George Myers, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned by 09/11/2014. The motion PASSED by unanimous vote.

- s [0927-14](#) Authorization to execute a Facility Usage Contract with the Fayette County Board of Education for the LFUCG Parks and Recreation, Extended School Program (ESP) and Recreational Enrichment and Learning (REAL) program. (L0927-14)(Chambers/Reed)

This is a request to execute a Facility Usage Contract with the Fayette County Board of Education for the LFUCG Parks and Recreation, Extended School Program (ESP) and Recreational Enrichment and Learning (REAL) program at a cost not to exceed \$203,000. Funds are budgeted.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member George Myers, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned by 09/11/2014. The motion PASSED by unanimous vote.

- t [0934-14](#) Authorization to execute an agreement with the Hilton Lexington for

the location and catering services for the Kentucky Cyber Security Summit hosted in partnership with the Department of Homeland Security. (L0934-14)(Cottle/Valicenti)

This is a request to execute an agreement with the Hilton Lexington for the location and catering services for the Kentucky Cyber Security Summit hosted in partnership with the Department of Homeland Security at a cost not to exceed \$12,000.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member George Myers, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council to be returned by 09/11/2014. The motion PASSED by unanimous vote.