

# Lexington-Fayette Urban County Government

200 E. Main St  
Lexington, KY 40507



## Minutes

Tuesday, October 8, 2013

3:00 PM

Packet

Council Chamber

**Urban County Council Work Session**

I. Public Comment - Issues on Agenda

II. Requested Rezonings/ Docket Approval

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

III. Approval of Summary

October 1, 2013 Work Session Table of Motions

A motion was made by Council Member Julian Beard, seconded by Council Member Chuck Ellinger, that this item be approved and referred to the docket of the Urban County Council to be returned on 10/10/13. The motion PASSED by an unanimous vote.

IV. Budget Amendments

A motion was made by Council Member Bill Farmer, seconded by Council Member Kevin Stinnett, that this item be approved and referred to the docket of the Urban County Council to be returned on 10/10/13. The motion PASSED by an unanimous vote.

V. New Business

VI. Continuing Business/ Presentations

a Neighborhood Development Funds October 8, 2013

A motion was made by Council Member George Myers, seconded by Council Member Chuck Ellinger, that these items be approved and referred to the docket of the Urban County Council to be returned on 10/10/13. The motion PASSED by an unanimous vote.

b Environmental Quality Committee Summary, September 17, 2013

Motion to adopt the definition of Adult Day Care as follows: Adult day care facility which provides part-time care, day or night, but less than twenty-four (24) hours, to at least four (4) adults, who are not related to the operator by blood, marriage, or adoption. The operator must be certified or licensed by a state public agency and may include personal care assistance, administering and/or assistance with medication, and social recreational activities.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Shevawn Akers, that this item be Approved and Referred to the Docket of the Urban County Council to be returned on 10/10/13. The motion PASSED by an unanimous vote.

c Planning\_and\_Public\_Works\_Committee\_Summary\_(September\_2013)1

**VII. Council Reports**

**VIII. Mayor's Report**

1. Recommending the appointment of Mr. John Tacket to the Administrative Hearing Board, with a term to expire 7-1-2016.
2. Recommending the appointments of Ms. Stephanie Nallia and Dr. Timothy Sineath to the Library Board of Advisors, with terms to expire 1-1-2014 and 1-1-2017, respectively. Mr. Nallia will fill the unexpired term of Mr. Joshua Douglas, and Dr. Sineath will fill the unexpired term of Ms. Timi Goodman.
3. Recommending the appointments of Ms. Lydia Jacobs and Ms. Lindsay Mattingly to the Social Services Advisory Board, with terms to expire 3-3-2015 and 9-1-2017, respectively. Ms. Jacobs will fill the unexpired term of Mr. Robynn Pease, and Ms. Mattingly will fill the expired term of Ms. James Adams.

**A motion was made by Council Member Steve Kay, seconded by Council Member Peggy Henson, that this item be Amended. The motion PASSED by an unanimous vote.**

**A motion was made by Council Member Kevin Stinnett, seconded by Council Member Steve Kay, that this item be Approved and Referred to the Docket of the Urban County Council to be returned on 10/10/13. The motion PASSED by an unanimous vote.**

**IX. Public Comment - Issues Not on Agenda**

Motton tto place on tthe dockett a resolutton inittatng tthe Planning Commission tto review and recommend tthe rezoning offi approximatel16.16 acres offi property locatted at 20 Cittatton Boulevard ffirm a Planned Neighborhood Residentt(P-3) zone tto an Office Indussty Research Par(P-2) zone.

**A motion was made by Council Member Shevawn Akers, seconded by Council Member Chuck Ellinger, that this Item be Approved and Referred to the Docket of the Urban County Council to be returned on 10/10/13. The motion PASSED by an unanimous vote.**

**X. Adjournment**

**A motion was made by Council Member George Myers , seconded by Council Member Julian Beard, that the work session be adjourned. The motion PASSED by an unanimous vote.**

**Administrative Synopsis - New Business Items**

- a**                    Authorization to execute renewal Software Maintenance Agreement with NetMotion Wireless, Inc., for Division of Police software licenses for use on Mobile Data Computers and desktops and laptops for the network. (L1036-13) (Bastin/Mason)  
This is a request to execute renewal Software Maintenance Agreement with NetMotion Wireless, Inc., for an amount of \$26,015 for Division of Police software licenses for use on Mobile Data Computers and desktops and laptops for the network. Funds are budgeted.  
**A motion was made by Council Member Julian Beard, seconded by Council Member Chuck Ellinger, that this item be approved and referred to the docket of the Urban County Council to be returned on 10/10/13. The motion PASSED by an unanimous vote.**
- b**                    Authorization to execute Amendment No. 1 to agreement with Kentucky Infrastructure Authority reducing funding for sanitary sewer services in the Leesway area and adding funding to the Unsewered Areas Phase II Project. (L1063-13) (Gooding/Moloney)  
This is a request to execute Amendment No. 1 to agreement with Kentucky Infrastructure Authority reducing funding in the amount of \$283,184.92 for sanitary sewer services in the Leesway area and adding it to funding for the Unsewered Areas Phase II Project. There is no budgetary impact.  
**A motion was made by Council Member Julian Beard, seconded by Council Member Chuck Ellinger, that this item be approved and referred to the docket of the Urban County Council to be returned on 10/10/13. The motion PASSED by an unanimous vote.**
- c**                    Authorization to execute Memorandum of Agreement (MOA) with the Military Police Company Alpha to provide a rapid armed response unit in the event of a security breach of weapons and/or ammunition. (L1067-13) (Bastin/Mason)  
This is a request to execute MOA with the Military Police Company Alpha to provide a rapid armed response unit in the event of a security breach of weapons and/or ammunition. There is no budgetary impact.  
**A motion was made by Council Member Julian Beard, seconded by Council Member Chuck Ellinger, that this item be approved and referred to the docket of the Urban County Council to be returned on 10/10/13. The motion PASSED by an unanimous vote.**
- d**                    Authorization to execute Change Order No. 2 with Oracle Elevator for the Phoenix/Police HQ Elevator Renovation Project. (L1068-13) (Reed)  
This is a request to execute Change Order No. 2 with Oracle Elevator for an amount of \$1,667.60 for the Phoenix/Police HQ Elevator

Renovation Project. This increase brings the new contract total cost to \$572,739.91. Funds are budgeted.

**A motion was made by Council Member Julian Beard, seconded by Council Member Chuck Ellinger, that this item be approved and referred to the docket of the Urban County Council to be returned on 10/10/13. The motion PASSED by an unanimous vote.**

- e Authorization to execute a Memorandum of Understanding (MOU) with the Lexington Humane Society and the Lexington Fayette Animal Care and Control to provide framework for providing care and shelter needs for domestic animals in a disaster. (L1069-13) (Dugger/Mason)

This is a request to execute a MOU with the Lexington Humane Society and the Lexington Fayette Animal Care and Control to provide framework for providing care and shelter needs for domestic animals in a disaster. There is no budgetary impact.

**A motion was made by Council Member Julian Beard, seconded by Council Member Chuck Ellinger, that this item be approved and referred to the docket of the Urban County Council to be returned on 10/10/13. The motion PASSED by an unanimous vote.**

- f Authorization to execute a Statement of Affiliation establishing the Division of Fire and Emergency Services Special Operations Technical Rescue Team as the only recognized rescue squad in Fayette County. (L1070-13) (Dugger/Mason)

This is a request to execute a Statement of Affiliation establishing the Division of Fire and Emergency Services Special Operations Technical Rescue Team as the only recognized rescue squad in Fayette County. There is no budgetary impact.

**A motion was made by Council Member Julian Beard, seconded by Council Member Chuck Ellinger, that this item be approved and referred to the docket of the Urban County Council to be returned on 10/10/13. The motion PASSED by an unanimous vote.**

- g Authorization to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Administrative Officer and creating one (1) position of Administrative Officer Senior in the Planning Commissioner's Office. (L1071-13) (Maxwell/Graham)

This is a request to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Administrative Officer and creating one (1) position of Administrative Officer Senior in the Planning Commissioner's Office. The impact for FY 2014 (17 pay periods) is a cost of \$5,333.71.

**A motion was made by Council Member Julian Beard, seconded by Council Member Chuck Ellinger, that this item be approved and referred to the docket of the Urban County Council to be returned on 10/10/13. The motion PASSED by an unanimous vote.**

- h Authorization to execute agreement with Humana to renew the Senior

Health Plan for City Employees Pension Fund effective for one (1) year beginning January 1, 2014. (L1072-13) (Maxwell/Graham)

This is a request to execute agreement with Humana to renew the Senior Health Plan for City Employees Pension Fund effective for one (1) year beginning January 1, 2014. There is no budgetary impact.

**A motion was made by Council Member Julian Beard, seconded by Council Member Chuck Ellinger, that this item be approved and referred to the docket of the Urban County Council to be returned on 10/10/13. The motion PASSED by an unanimous vote.**

i Authorization to execute agreement with Humana to renew the Senior Health Plan for Police and Fire Retirees effective for one (1) year beginning January 1, 2014. (L1073-13) (Maxwell/Graham)

This is a request to execute agreement with Humana to renew the Senior Health Plan for Police and Fire Retirees effective for one (1) year beginning January 1, 2014.

**A motion was made by Council Member Julian Beard, seconded by Council Member Chuck Ellinger, that this item be approved and referred to the docket of the Urban County Council to be returned on 10/10/13. The motion PASSED by an unanimous vote.**

j Authorization to execute a Site Lease Agreement with Powertel/Memphis Inc. (T-Mobile) for cell tower site 9LV0253A located on the rooftop of the Government Center building. (L1077-13) (Reed)

This is a request to execute a Site Lease Agreement with T-Mobile for cell tower site 9LV0253A located on the rooftop of the Government Center building. The rental rate is \$24,000 per year with annual increases of 4%. The impact for FY 2014 is \$2,560.80 (revenue).

**A motion was made by Council Member Julian Beard, seconded by Council Member Chuck Ellinger, that this item be approved and referred to the docket of the Urban County Council to be returned on 10/10/13. The motion PASSED by an unanimous vote.**

k Authorization to execute modifications to agreements with the Kentucky Department of Military Affairs, Division of Emergency Management for federal funds under the Chemical Stockpile Emergency Preparedness Program (CSEPP), FY 2011 and FY 2012, extending the performance period through September 30, 2014. (L1084-13) (Gooding/Mason)

This is a request to execute modifications to agreements with the Kentucky Department of Military Affairs, Division of Emergency Management for federal funds under the Chemical Stockpile Emergency Preparedness Program (CSEPP), FY 2011 and FY 2012, extending the performance period through September 30, 2014. There is no budgetary impact.

**A motion was made by Council Member Julian Beard, seconded by Council Member Chuck Ellinger, that this item be approved and referred to the docket of the Urban County Council to be returned on 10/10/13. The motion PASSED**

by an unanimous vote.

- I** Authorization to accept donation of two (2) Canine Protective Vests from the Citizen Police Academy Alumni Association (CPAAA) purchased from donated funds received from the Corvette Club of the Bluegrass and Bates Security. (L1085-13) (Bastin/Mason)

This is a request to accept donation of two (2) Canine Protective Vests from the CPAAA purchased from donated funds received from the Corvette Club of the Bluegrass and Bates Security. The vests are valued at \$1,700. There is no budgetary impact.

**A motion was made by Council Member Julian Beard, seconded by Council Member Chuck Ellinger, that this item be approved and referred to the docket of the Urban County Council to be returned on 10/10/13. The motion PASSED by an unanimous vote.**

- m** Authorization to execute Memorandum of Agreement (MOA) with the Blue Grass Community Foundation to provide funds for improvements to the Kentucky Theatre. (L1087-13) (Emmons)

This is a request to execute MOA with Blue Grass Community Foundation to provide funds in the amount of \$250,000 for improvements to the Kentucky Theatre. Funds are budgeted.

**A motion was made by Council Member Julian Beard, seconded by Council Member Chuck Ellinger, that this item be approved and referred to the docket of the Urban County Council to be returned on 10/10/13. The motion PASSED by an unanimous vote.**

- n** Authorization to submit grant application and accept award, if offered, to the Lumina Foundation for a Latina education support project at the Family Care Center. (L1088-13) (Gooding/Mills)

This is a request to submit grant application and accept award, if offered, to the Lumina Foundation requesting funds in the amount of \$34,100 for a Latina education support project at the Family Care Center. A local match of \$16,998 is required.

**A motion was made by Council Member Julian Beard, seconded by Council Member Chuck Ellinger, that this item be approved and referred to the docket of the Urban County Council to be returned on 10/10/13. The motion PASSED by an unanimous vote.**

- o** Authorization to submit various applications to the Kentucky Transportation Cabinet requesting federal funds from the Transportation Alternatives Program (TAP). (L1089-13) (Gooding/Paulsen)

This is a request to submit applications to the Kentucky Transportation Cabinet requesting federal funds totaling \$3,713,514 from TAP for the Brighton Rail Trail Bridge, West Loudon Ave. Sidewalk, Town Branch Trail Phase 4, and West Hickman Trail South.

**A motion was made by Council Member Julian Beard, seconded by Council Member Chuck Ellinger, that this item be approved and referred to the docket**

of the Urban County Council to be returned on 10/10/13. The motion PASSED by an unanimous vote.

- p Authorization to execute Lease Agreement with FRM Lawson LLC for property located at 900 Enterprise Drive for relocation of Division of Water Quality Maintenance Operations. (L1090-13) (Martin/Moloney)  
This is a request to execute Lease Agreement with FRM Lawson LLC for property located at 900 Enterprise Drive for relocation of Division of Water Quality Maintenance Operations. The initial term is for 48 months and annual rent is \$170,318.40. Funds are budgeted.

A motion was made by Council Member Julian Beard, seconded by Council Member Chuck Ellinger, that this item be approved and referred to the docket of the Urban County Council to be returned on 10/10/13. The motion PASSED by an unanimous vote.

- q Authorization to submit various applications to the Kentucky Transportation Cabinet requesting federal funds from the Congestion Mitigation and Air Quality (CMAQ) Program. (L1091-13) (Gooding/Paulsen)

This is a request to submit applications to the Kentucky Transportation Cabinet requesting federal funds totaling \$6,901,524 from the CMAQ Program for Fiber Optic Cable Installation, Compressed Natural Gas Fueling Station, Pine Needles Lane and Man-O-War Boulevard turn lane, Mercer Road at Greendale Road left turn lane, Manchester Street at South Forbes Road left turn lane, Brighton Rail Trail Bridge, West Loudon Avenue Sidewalk, Town Branch Trail Phase 4, and West Hickman Trail South.

A motion was made by Council Member Julian Beard, seconded by Council Member Chuck Ellinger, that this item be approved and referred to the docket of the Urban County Council to be returned on 10/10/13. The motion PASSED by an unanimous vote.

- r Authorization to submit application and accept award, if offered, from the Kentucky Justice Cabinet under the Violence Against Women Act Program for the continuation of a S.A.N.E. program In FY 2014. (L1092-13) (Gooding/Mason)

This is a request to submit application and accept award, if offered, from the Kentucky Justice Cabinet under the Violence Against Women Act Program for federal funds in the amount of \$45,123 for the continuation of a S.A.N.E. program in FY 2014. A local match of \$28,150 is required. The total project cost is \$94,273 and it is anticipated that the remaining \$21,000 will be provided from the state's Crime Victims Compensation Fund. Funds are budgeted.

A motion was made by Council Member Julian Beard, seconded by Council Member Chuck Ellinger, that this item be approved and referred to the docket of the Urban County Council to be returned on 10/10/13. The motion PASSED by an unanimous vote.



- s** Authorization to execute Memorandum of Understanding (MOU) with the Commonwealth of Kentucky Transportation Cabinet Department of Highways and Lexington Community Land Trust for transfer of property acquired for Phase I Mitigation Area of the Newtown Pike Extension Project. (L1093-13) (Gooding/Paulsen)

This is a request to execute MOU with the Commonwealth of Kentucky Transportation Cabinet Department of Highways and Lexington Community Land Trust for transfer of property acquired for Phase I Mitigation Area of the Newtown Pike Extension Project. There is no budgetary impact.

**A motion was made by Council Member Julian Beard, seconded by Council Member Chuck Ellinger, that this item be approved and referred to the docket of the Urban County Council to be returned on 10/10/13. The motion PASSED by an unanimous vote.**

- t** Authorization to execute agreement with czb, LLC for the purpose of developing a Comprehensive Affordable Housing Strategy. (L1095-13) (Emmons)

This is a request to execute agreement with czb, LLC for the purpose of developing a Comprehensive Affordable Housing Strategy for a cost not to exceed \$49,698. Funds are budgeted.

**A motion was made by Council Member Jennifer Scutchfield, seconded by Council Member Jennifer Mossotti, that this item be tabled, and sent to the Urban County Council Work Session on 11/05/13. The motion PASSED by 13:2 vote. Council Member Bill Farmer and Council Member Shevawn Akers voted against the motion.**