

Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507



Docket

Tuesday, August 14, 2012

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

I. Public Comment - Issues on Agenda

II. Requested Rezoning/ Docket Approval

III. Approval of Summary

[0771-12](#) Work Session Table of Motions July 10 2012

IV. Budget Amendments

V. New Business

VI. Continuing Business/ Presentations

a [0836-12](#) Neighborhood Development Funds - August 8, 2012

b [0833-12](#) Itinerant Merchant Task Force Report Out

c [0786-12](#) Public Safety Committee Summary July 10 2012

d [0834-12](#) FY 2013 Ad Valorem Tax Rates Presentation

e [0832-12](#) Capacity Assurance Program (CAP) Presentation

VII. Council Reports

VIII. Mayor's Report

IX. Public Comment - Issues Not on Agenda

X. Adjournment

Administrative Synopsis - New Business Items

- a** [0565-12](#) Authorization to execute a Lease Agreement with Lexington-Fayette Urban County Human Rights Commission for space within the Annex Building. (Hamilton) (L565-12)
This is a request to execute a Lease Agreement with Lexington-Fayette Urban County Human Rights Commission for space within the Annex Building located at 162 East Main Street. The term is for one (1) year, effective July 1, 2012 and ending June 30, 2013 with an option of automatic extension for two (2) additional one (1) year terms. The average annual revenue over the entire term is \$15,794.90.
- b** [0696-12](#) Authorization to execute a Facility Usage Agreement with the Fayette County Board of Education for use of the Paul Laurence Dunbar Track for the Hershey's Track Meet. (L696-12) (Hancock/Hamilton)
This is a request to execute a Facility Usage Agreement with the Fayette County Board of Education for use of the Paul Laurence Dunbar Track for the Hershey's Track Meet for a fee of \$84.50. Funds are budgeted.
- c** [0739-12](#) Authorization to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Engineering Technician (Grade 111N) and one (1) position of Staff Assistant Sr. (Grade 108N) and creating one (1) position of Municipal Engineer Sr. (Grade 119E) in the Division of Engineering. (L739-12) (Walters/Moloney)
This is a request to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Engineering Technician (Grade 111N) and one (1) position of Staff Assistant Sr. (Grade 108N) and creating one (1) position of Municipal Engineer Sr. (Grade 119E) in the Division of Engineering. The total annual impact is a cost savings of \$23,672.66.
- d** [0740-12](#) Authorization to execute a Lease Agreement with Lexington Downtown Development Authority (LDDA) for space within the Phoenix Building. (L740-12) (Hamilton)
This is a request to execute a Lease Agreement with LDDA for space within the Phoenix Building. The term is for one (1) year, July 1, 2012 through June 30, 2013 with an option of automatic extension for two (2) additional one (1) year terms. The average

annual revenue over the entire term is &7,073.50.

- e** [0750-12](#) Authorization to execute Contract Modification No. 3 with CDP Engineers, Inc., for the Clays Mill Road Improvement Project. (L750-12) (Gooding/Paulsen)
This is a request to execute Contract Modification No. 3 in the amount of \$73,012 with CDP Engineers, Inc., for the Clays Mill Road Improvement Project. This increase brings the total new cost to \$1,140,739. Funds are budgeted.
- f** [0758-12](#) Authorization to amend Section 22-53.2 of the Code of Ordinances increasing the starting pay and salary increases for Traffic School Guards. (L758-12) (Walters/Mason)
This is a request to amend Section 22-53.2 of the Code of Ordinances increasing the starting pay and salary increases for Traffic School Guards. There is no budgetary impact.
- g** [0759-12](#) Authorization to execute Statement of Compliance regarding bridge weight limit posting requirements. (L759-12) (Rayan/Moloney)
This is a request to execute Statement of Compliance regarding bridge weight limit posting requirements. There is no budgetary impact.
- h** [0766-12](#) Authorization to accept award from the Kentucky Energy and Environment Cabinet under the Kentucky Recycling Grant Program for purchase of a sorting line. (L766-12) (Gooding/Moloney)
This is a request to accept award from the Kentucky Energy and Environment Cabinet under the Kentucky Recycling Grant Program in the amount of \$112,000 for purchase of a sorting line. A grant match of \$28,000 is required. Funds are budgeted.
- i** [0773-12](#) Authorization to execute Change Order No. 1 with Mitchell Construction Management for the improvement project at Fire Station 6. (L773-12) (Jackson/Mason)
This is a request to execute Change Order No. 1 with Mitchell Construction Management for an amount of \$2,100 for the improvement project at Fire Station 6. This increase brings the total new cost to \$56,100. Funds are budgeted.

- j** **0775-12** Authorization to submit application and accept award if offered, to the Kentucky Division of Waste Management for waste tire disposal/recycling. (L775-12) (Gooding/Moloney)
This is a request to submit application and accept award if offered, to the Kentucky Division of Waste Management requesting funds in the amount of \$3,000 for waste tire disposal/recycling. Funds are budgeted. No match required.
- k** **0776-12** Authorization to execute amendment to the agreement with the Kentucky Transportation Cabinet for the Bates Creek Road Sidewalk Improvements Project. (L776-12) (Gooding/Paulsen)
This is a request to execute amendment to the agreement with the Kentucky Transportation Cabinet for the Bates Creek Road Sidewalk Improvements Project providing for an extended performance period through June 30, 2013, and additional federal funding in the amount of \$250,000. This increase brings the total new cost to \$1,326,700. A local match of \$62,500 is required. Funds are budgeted.
- l** **0777-12** Authorization to execute a Facility Usage Contract with the Fayette County Board of Education for use of the Bates Creek Middle School Gym on Saturdays in June for activities in the Teen Initiative program. (L777-12) (Hancock/Hamilton)
This is a request to execute a Facility Usage Contract with the Fayette County Board of Education for use of the Bates Creek Middle School Gym on Saturdays in June for activities in the Teen Initiative program. The cost is \$633.75. Funds are budgeted.
- m** **0779-12** Authorization to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Administrative Specialist Sr. (Grade 112N) and one (1) position of Staff Assistant Sr. (Grade 108N) and creating two (2) positions of Administrative Specialist (Grade 110N) in the Division of Building Inspection. (L779-12) (Maxwell/Mason)
This is a request to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Administrative Specialist Sr. (Grade 112N) and one (1) position of Staff Assistant Sr. (Grade 108N) and creating two (2) positions of Administrative Specialist (Grade 110N) in the Division of Building Inspection. The total annual impact is a cost savings of \$9,708.55.

- n** [0780-12](#) Authorization to execute a Facility Usage Agreement with the Fayette County Board of Education for rental of the Tates Creek Middle School Gym for Saturdays in July and August 4, 2012 for Teen Initiative Activities. (L780-12) (Hancock/Hamilton)
This is a request to execute a Facility Usage Agreement with the Fayette County Board of Education for rental of the Tates Creek Middle School Gym for Saturdays in July and August 4, 2012 for Teen Initiative Activities. The cost is \$1,087.50. Funds are budgeted.
- o** [0781-12](#) Authorization to execute Change Order No. 1 with Lagco, Inc., for energy efficiency improvements to Black and Williams Community Center. (L781-12) (Gooding/Moloney)
This is a request to execute Change Order No. 1 in the amount of \$3,000 with Lagco, Inc., for energy efficiency improvements to Black and Williams Community Center under the Energy Efficiency and Conservation Block Grant. This increase brings the total new cost to \$429,040. A budget amendment is in process.
- p** [0782-12](#) Authorization to execute a Right-of-Way Agreement with Columbia Gas of Kentucky, Inc. allowing a pipeline with service connections over and through Masterson Station Park relating to widening of Leestown Road. (L782-12) (Hancock/Hamilton)
This is a request to execute a Right-of-Way Agreement with Columbia Gas of Kentucky, Inc. allowing a pipeline with service connections over and through Masterson Station Park relating to widening of Leestown Road. There is no budgetary impact.
- q** [0783-12](#) Authorization to execute a Facility Usage Contract with the Fayette County Board of Education for Parks and Recreation Extended School Program (ESP) and Recreational Enrichment and Learning (REAL) Program. (L783-12) (Hancock/Hamilton)
This is a request to execute a Facility Usage Contract with the Fayette County Board of Education for Parks and Recreation ESP and REAL Programs for the 2012-2013 school year. An honorarium is paid from the ESP fund in lieu of rental fees.
- r** [0785-12](#) Authorization to enter into an Agreement with Immediate Response Spill Technologies (IRST) for the Hazardous Materials and Supply Cost Recovery program. (L785-12) (Jackson/Mason)

This is a request to enter into an Agreement with IRST for the Hazardous Materials and Supply Cost Recovery program. There is no cost to LFUCG for this service.

- s** [0787-12](#) Authorization to approve a resolution allowing Providence Montessori School's Industrial Revenue Bond (IRB) to allow for the refinancing of their current tax-exempt loan outstanding with the City of Midway serving as the issuer of their Educational Facilities Refunding Bonds. (787-12) (Atkins)
This is a request to approve a resolution allowing Providence Montessori School's IRB to allow for the refinancing of their current tax-exempt loan outstanding. The City of Midway will serve as the issuer so the school can obtain a bank qualified interest rate for the Educational Facilities Refunding Bonds in an amount not to exceed \$1,250,000.
- t** [0788-12](#) Authorization to execute an agreement with the Commonwealth Attorney's Office for provision of "Fast Track" prosecutor services under the Street Sales Drug Enforcement Project--FY 2013. (L788-12) (Gooding/Mason)
This is a request to execute an agreement in the amount of \$57,914 with the Commonwealth Attorney's Office for provision of "Fast Track" prosecutor services under the Street Sales Drug Enforcement Project--FY 2013. An amount of \$43,436 is from federal funds and \$14,478 is from LFUCG general funds. Funds are budgeted.
- u** [0789-12](#) Authorization to execute Supplemental Agreement No. 2 with Kentucky Transportation Cabinet for construction of Brighton East Trail using SLX funds. (L789-12) (Gooding/Paulsen)
This is a request to execute Supplemental Agreement No. 2 with Kentucky Transportation Cabinet for an amount of \$256,000 for construction of Brighton East Trail using SLX funds. Matching funds of \$64,000 will come from the Municipal Aid Program. Funds are budgeted.
- v** [0790-12](#) Authorization to execute a Lease Agreement with Downtown Lexington Corporation for space within the Phoenix Building. (L790-12) (Hamilton)
This is a request to execute a Lease Agreement with Downtown Lexington Corporation for space within the Phoenix Building. The term is for one (1) year, effective July 1, 2012 and ending June 30, 2013 with an option of automatic extension for two (2)

additional one (1) year terms. The average annual revenue over the entire term is \$9,486.11.

- w** [0791-12](#) Authorization to amend Section 21-5 of the Code of Ordinances, transferring one (1) position of Engineering Technician (Grade 111N) and its incumbent, from the Division of Computer Services to the Division of Engineering. (L791-12) (Maxwell/Moloney)
This is a request to amend Section 21-5 of the Code of Ordinances, transferring one (1) position of Engineering Technician (Grade 111N) and its incumbent, from the Division of Computer Services to the Division of Engineering. There is no budgetary impact.
- x** [0792-12](#) Authorization to re-name the Valley Park Neighborhood Building as the Jesse Higginbotham Community Center. (L792-12) (Hancock/Hamilton)
This is a request to re-name the Valley Park Neighborhood Building as the Jesse Higginbotham Community Center. This has been approved by the Parks Advisory Board.
- y** [0793-12](#) Authorization to amend Ordinance No. 91-2012 Sections 3, 4 and 5 retroactive to July 2, 2012, to remove pay increases for part-time employees in the FY2013 budget. (L793-12) (Maxwell/Graham)
This is a request to amend Ordinance No. 91-2012 Sections 3, 4 and 5 retroactive to July 2, 2012, to remove pay increases for part-time employees in the FY2013 budget. There is no budgetary impact.
- z** [0794-12](#) Authorization to execute a Lease Agreement with Lexington & Fayette County Parking Authority for space within the Phoenix Building. (L794-12) (Hamilton)
This is a request to execute a Lease Agreement with Lexington & Fayette County Parking Authority for space within the Phoenix Building. The term is for one (1) year, effective July 1, 2012 and ending June 30, 2013 with an option of automatic extension for two (2) additional one (1) year terms. The average annual revenue over the entire term is \$8,169.72.
- aa** [0795-12](#) Authorization to execute Data and Shut-off Agreement with Kentucky-American Water Co. (KAWC). (L795-12) (O'Mara/Driskell)

This is a request to execute Data and Shut-off Agreement with KAWC. The FY2013 estimated cost is \$34,500, with an annual cost estimated at \$41,400. Funds are budgeted.

- bb** [0796-12](#) Authorization to execute a Contract with VeBridge for document imaging services through September 2014. (L796-12) (O'Mara/Driskell)

This is a request to execute a contract with VeBridge, a sole source provider, for document imaging services through September 2014. An amount of \$55,000 has been budgeted for this fiscal year.

- cc** [0797-12](#) Authorization to execute a Lease Agreement with Metro Employees Credit Union for space within the front building at the Versailles Road Campus. (L797-12) (Hamilton)

This is a request to execute a Lease Agreement with Metro Employees Credit Union for space within the front building at the Versailles Road Campus. The initial term is for seven and one-half (7 ½) months, effective November 16, 2012 and ending June 30, 2013 with an option of automatic extension for two (2) additional one (1) year terms. The average annual revenue over the entire term is \$27,878.21.

- dd** [0798-12](#) Authorization to approve the compilation of the Lexington-Fayette Urban County Government Sheriff's Settlement - 2011 taxes, and granting the Sheriff a Quietus. (L798-12) (O'Mara/Driskell)

This is a request to approve the compilation of the Lexington-Fayette Urban County Government Sheriff's Settlement - 2011 taxes, and granting the Sheriff a Quietus. There is no budgetary impact.

- ee** [0799-12](#) Authorization to execute a Lease Agreement with Metro Employees Credit Union for space within the Phoenix Building. (L799-12) (Hamilton)

This is a request to execute a Lease Agreement with Metro Employees Credit Union for space within the Phoenix Building. The agreement is for seven and one-half (7 ½) months, effective November 16, 2012 and ending June 30, 2013 with an option of automatic extension for two (2) additional one (1) year terms. The average annual revenue over the entire term is \$7,349.07.

- ff** **0802-12** Authorization to amend Section 21-5 of the Code of Ordinances, creating one (1) position of Skilled Trades Worker (Grade 111N) and amend Section 22-5 abolishing two (2) positions of Skilled Trades Worker (Grade 000N) in the Division of Community Corrections. (L802-12) (Maxwell/Mason)
This is a request to amend Section 21-5 of the Code of Ordinances, creating one (1) position of Skilled Trades Worker (Grade 111N) and amend Section 22-5, abolishing two (2) positions of Skilled Trades Worker (Grade 000N) in the Division of Community Corrections. The total annual impact is a cost increase of \$1,913.80.
- gg** **0803-12** Authorization to execute Change Order No. 1 with Disponette Service Co. Inc., for improvements to Charles Young Center. (L803-12) (Gooding/Hamilton)
This is a request to execute Change Order No. 1 with Disponette Service Co. Inc., in the amount of \$2,800 for improvements to Charles Young Center. This increase brings the total new cost to \$185,400. Funds are budgeted.
- hh** **0806-12** Authorization to execute a Building Usage Agreement with St. Luke United Methodist Church for the Meeting the Challenges and Opportunities of Aging Conference. (L806-12) (Mills)
This is a request to execute a Building Usage Agreement with St. Luke United Methodist Church for the Meeting the Challenges and Opportunities of Aging Conference on May 15-16, 2013. There is no budgetary impact.
- ii** **0807-12** Authorization to accept award of federal funds from the U.S. Department of Homeland Security/Federal Emergency Management Agency under the Staffing For Adequate Fire And Emergency Response (SAFER) Grants Program. (L807-12) (Gooding/Mason)
This is a request to accept award of federal funds in the amount of \$2,621,304 from the U.S. Department of Homeland Security/Federal Emergency Management Agency under the SAFER Grants Program. No match is required. Funds are budgeted.
- jj** **0808-12** Authorization to accept deeds of easement from the owners of record on properties needed for the relocation and construction of the Andover Trunk Sewer. (L808-12) (Martin/Moloney)
This is a request to accept deeds of easement from the owners

of record on properties needed for the relocation and construction of the Andover Trunk Sewer. The cost to restore disturbed and destroyed landscaping and cart paths at the Andover Golf Course is expected to be \$57,261.06. Funds are budgeted.

- kk** [0809-12](#) Authorization to accept a permanent drainage easement from the owners of record at 721 Roland Avenue needed for work associated with the Roland Avenue Stream Stabilization Project. (L809-12) (Martin/Moloney)
This is a request to accept a permanent drainage easement from the owners of record at 721 Roland Avenue needed for work associated with the Roland Avenue Stream Stabilization Project. There is no budgetary impact.
- ll** [0810-12](#) Authorization to execute agreement with the University of Kentucky for cost sharing on the relocation of sanitary sewer lines in the 400 block of Rose Lane. (L810-12) (Martin/Moloney)
This is a request to execute agreement with the University of Kentucky for cost sharing up to \$103,000 on the relocation of sanitary sewer lines in the 400 block of Rose Lane. Funds are budgeted.
- mm** [0811-12](#) Authorization to amend Ordinance No. 44-2012 correcting the restrictions associated with the ND-1 overlay zoning created for the Meadowthorpe neighborhood. (L811-12) (King/Paulsen)
This is a request to amend Ordinance No. 44-2012 correcting the restrictions associated with the ND-1 overlay zoning created for the Meadowthorpe neighborhood. There is no budgetary impact.
- nn** [0812-12](#) Authorization to execute amendment to the Billing & Collection Services Agreement with Greater Cincinnati Water Works and to execute two agreements with J P Morgan Chase, Paymentech, LLC and Link2Gov, Corp. (L812-12) (O'Mara/Driskell)
This is a request to execute amendment to the Billing & Collection Services Agreement with Greater Cincinnati Water Works and to execute two agreements with J P Morgan Chase, Paymentech, LLC and Link2Gov, Corp. to allow multiple payment options for customers to pay the sewer, landfill and water quality fees. There is no budgetary impact.

- oo** [0813-12](#) Authorization to execute Purchase of Service Agreement with The Arboretum for stormwater education and outreach workshops for the Division of Environmental Policy. (L813-12) (Bush/Moloney)
This is a request to execute Purchase of Service Agreement with The Arboretum for stormwater education and outreach workshops for the Division of Environmental Policy at a cost not to exceed \$50,000. Funds are budgeted.
- pp** [0814-12](#) Authorization to execute Purchase of Service Agreement with Roots and Heritage Festival, Inc. (L814-12) (Moloney)
This is a request to execute Purchase of Service Agreement with Roots and Heritage Festival, Inc. for an amount of \$35,415. Funds are budgeted.
- qq** [0815-12](#) Authorization to execute a contract amendment with Third Rock Consultants for completion of the Wolf Run Watershed Plan project. (L815-12) (Bush/Moloney)
This is a request to execute a contract amendment with Third Rock Consultants for an amount not to exceed \$13,500 for completion of the Wolf Run Watershed Plan project. This increase brings the new total cost to \$190,700. Funds are budgeted.
- rr** [0818-12](#) Authorization to execute a Memorandum of Agreement with Fayette County Public Schools for the provision of meals to students at the Day Treatment and Family Care Centers. (L818-12) (Mills)
This is a request to execute a Memorandum of Agreement with Fayette County Public Schools for the provision of meals to students at the Day Treatment and Family Care Centers, for an amount not to exceed \$5,000. Funds are budgeted.
- ss** [0819-12](#) Authorization to execute a Federal Equitable Sharing Agreement and Certification with the Department of Justice, The Department of the Treasury. (Bastin/Mason) (L819-12)
This is a request to execute a Federal Equitable Sharing Agreement and Certification with the Department of Justice, The Department of the Treasury. This agreement sets forth the requirements 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 will

be no budgetary impact.

- tt** [0820-12](#) Authorization to execute Agreement with the Internal Revenue Service, Criminal Investigation. (Bastin/Mason) (L820-12)
This is a request to execute Agreement with the Internal Revenue Service, Criminal Investigation. This agreement allows for the reimbursement of certain expenses to the Division of Police for costs incurred as participants in joint operations/task forces (Financial Crimes Task Force) with a Department of the Treasury law enforcement agency.
- uu** [0821-12](#) Authorization to amend Section 21-5 of the Code of Ordinances, creating a position of Deputy Director of Recreation (Grade 120E) which was funded and approved in the FY 13 budget process, to become effective July 2, 2012. (L821-12) (Maxwell/Graham)
This is a request to amend Section 21-5 of the Code of Ordinances, creating a position of Deputy Director of Recreation (Grade 120E) which was funded and approved in the FY 13 budget process, to become effective July 2, 2012. There is no budgetary impact.
- vv** [0822-12](#) Authorization to accept funding from Kentucky Utilities Company as approved by Kentucky Clean Fuels Coalition for purchase of an electric vehicle and charging station. (L822-12) (Gooding/Hamilton)
This is a request to accept funding in the amount of \$26,017 from Kentucky Utilities Company as approved by Kentucky Clean Fuels Coalition for purchase of an electric vehicle and charging station. Budget amendment in process.
- ww** [0824-12](#) Authorization to execute Change Order No. 1 with Harshaw Trane for energy efficiency improvements to Police Headquarters under the Energy Efficiency and Conservation Block Grant. (L824-12) (Gooding/Moloney)
This is a request to execute Change Order No. 1 with Harshaw Trane, in the amount of \$726.27 for energy efficiency improvements to Police Headquarters under the Energy Efficiency and Conservation Block Grant. This increase brings the new total cost to \$97,844. Funds are budgeted.
- xx** [0825-12](#) Authorization to execute Change Order No. 1 with Paladin, Inc. under the Energy Efficiency and Conservation Block Grant for

provision of energy assessment services for Energizing the Arts Activity. (L825-12) (Gooding/Moloney)

This is a request to execute Change Order No. 1 with Paladin, Inc. in the amount of \$1,987.50 under the Energy Efficiency and Conservation Block Grant for provision of energy assessment services for Energizing the Arts Activity. This increase brings the new total cost to \$48,170. Funds are budgeted.

yy **0826-12**

Authorization to execute a Lease Agreement with Lynn Imaging for a Wide-Format Scanner/Printer/Copier for the Division of Water Quality. (L826-12) (Martin/Moloney)

This a request to execute a Lease Agreement with Lynn Imaging for a Wide-Format Scanner/Printer/Copier for the Division of Water Quality. The term is for three (3) years and the annual cost is \$1,920 plus \$0.25 per sq. ft. for copies and prints. Funds are budgeted.