



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

200 E. Main St  
Lexington, KY 40507

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Tuesday, May 29, 2012

3:00 PM

Council Chamber

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**Packet**

**I. Public Comment - Issues on Agenda**

**Present** 15 - Bill Farmer Jr., Chris Ford, Chuck Ellinger, Diane Lawless, Doug Martin, Ed Lane, George Myers, Jay McChord, Julian Beard, K.C. Crosbie, Kevin Stinnett, Council Member Linda Gorton, Peggy Henson, Steve Kay, and Tom Blues

**II. Requested Rezonings/ Docket Approval**

**III. Approval of Summary**

[0560-12](#)

Table of Motions  
Work Session  
May 15th, 2012

**A motion was made by Council Member Julian Beard, seconded by Council Member Tom Blues, that this Summary be Passed. The motion PASSED by an unanimous vote.**

**IV. Budget Amendments**

**V. New Business**

**VI. Continuing Business/ Presentations**

[0585-12](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Highlands Neighborhood Association, Inc. (\$500.00), Meadowthorpe Neighborhood Association, Inc. (\$300.00), Georgetown Neighborhood Association (\$1,625.00), Dove Creek Townhome Owner's Association (\$200.00), Lansdowne Neighborhood Association, Inc. (\$750.00), Southern Elementary P.T.A. Inc. (\$350.00), Central Kentucky Radio Eye (\$525.00), Sisters Road to Freedom, Inc. (\$100.00), Cardinal Valley Neighborhood Association (\$500.00), Downtown Lexington Corporation Foundation (\$800.00), Eastland Parkway Neighborhood Association, Inc. (\$500.00), The Cottages of Liberty Woods Neighborhood Association (\$500.00), Sweet Blessings, Inc. (\$250.00), Bryan Station Alumni Foundation, Inc. (\$2,000.00), Victory Christian Church (\$600.00),

Vineyard Neighborhood Corporation (\$2,780.00), Eastern Little League Baseball, Inc. (\$3,000.00), Visually Impaired Preschool Services (\$1,800.00), Institute 193 (\$250.00), Latitude, LLC (\$250.00), WGPL Neighborhood Association (\$500.00), Columbia Heights Neighborhood Association (\$500.00), Mentelle Park Neighborhood Association (\$500.00) and Cheapside Entertainment District (\$500.00), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

**A motion was made by Council Member Julian Beard, seconded by Council Member Linda Gorton, that this Agenda Item be Approved, and sent to the Urban County Council, to be returned by 6/7/2012. The motion PASSED by an unanimous vote.**

[0601-12](#)

Neighborhood Development Funds - June 7, 2012

**A motion was made by Council Member Steve Kay, seconded by Council Member Jay McChord, that this Agenda Item be Approved, and sent to the Urban County Council, to be returned by 6/7/2012. The motion PASSED by an unanimous vote.**

**A** [0574-12](#)

Environmental Quality Committee Summary

**B** [0582-12](#)

Franchise Agreements Update  
By David Barberie, Department of Law

**Considered**

**C** [0579-12](#)

Div. of Police Collective Bargaining Agreement  
By Don Crain, Attorney with Frost Brown Todd, LLC

**Considered**

**VII. Council Reports**

**VIII. Mayor's Report**

[0587-12](#)

1. Recommending the reappointment of Mr. Gregory E. Hosfield to the Board of Architectural Review, with a term to expire 6-30-2016.
2. Recommending the appointment of Ms. Gwendolyn R. Pinson, as at-large representative, recommended by the Urban County Council, to the Internal Audit Board, with a term to expire 12-1-2016.
3. Recommending the appointment of Ms. Susan W. Wright to the Library Board of Trustees, with a term to expire 7-20-2015. Ms. Wright will fill the unexpired term of Mr. John Stempel.
4. Recommending the reappointment of Mr. James H. Frazier to the Parking Authority Board, with a term to expire 6-1-2016.

A motion was made by Council Member K.C. Crosbie, seconded by Council Member Tom Blues, that these Communication be Passed, and sent to the Urban County Council, to be returned on June 7, 2012. The motion PASSED by an unanimous vote.

IX. Public Comment - Issues Not on Agenda

X. Adjournment

**Administrative Synopsis - New Business Items**

- A**     [0517-12](#)     A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Mutual Release Agreement with Gershman, Brickner & Bratton, Inc., Routeware, Inc., and C2Logix, Inc. and authorizing final payment to Gershman, Brickner & Bratton, Inc. for the Materials Recovery Facility Project and Waste Management Routing Project at a cost not to exceed \$45,000.
- A motion was made by Council Member Linda Gorton, seconded by Council Member Julian Beard, that this Agenda Item be Approved, and sent to the Urban County Council, to be returned by 6/7/2012. The motion PASSED by an unanimous vote.**
- B**     [0521-12](#)     A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with Vanhook Enterprises, Inc., for West Hickman Creek Waste Water Treatment Plant Solids Building Odor-HVAC improvements, increasing the contract price by the sum of \$5,830.18 from \$699,000.00 to \$704,830.18. [Div. of Water Quality, Martin]
- ..Summary**  
Authorization to execute an agreement with VanHook Enterprises, Inc. for Change Order No. 1 for additional work to the West Hickman WWTP Solids Bldg HVAC and Odor Control Improvements Project. (L521-12) (Martin/Moloney)
- This is a request to execute an agreement with VanHook Enterprises, Inc. for Change Order No. 1 for additional work to the West Hickman WWTP Solids Bldg HVAC and Odor Control Improvements Project. This Change Order is for an increase of \$5,830.18 and a six (6) week time extension. It brings the total contract amount to \$704,830.18. Funds are budgeted.
- Budgetary Implications: Yes  
Advance Document Review: Law/Risk Management  
Fully Budgeted: Yes  
Account Number: 4003-303403-0001-92711  
This Fiscal Year Impact:     \$5,830.18  
Annual Impact:     N/A  
Project: WHWTPODOR\_2010  
Activity: CONSTRUCT  
Budget Reference: 2010  
Current Balance: \$51,000.00
- A motion was made by Council Member Linda Gorton, seconded by Council Member Julian Beard, that this Agenda Item be Approved, and sent to the**

Urban County Council, to be returned by 6/7/2012. The motion PASSED by an unanimous vote.

- C      [0532-12](#)      A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Entry Permit with Marathon Pipe Line LLC, for access to a portion of the West Hickman Wastewater Treatment Plant property for a pipeline testing project, at no cost to the Urban County Government. [Div. of Water Quality, Martin]

**A motion was made by Council Member Linda Gorton, seconded by Council Member Julian Beard, that this Agenda Item be Approved, and sent to the Urban County Council, to be returned by 6/7/2012. The motion PASSED by an unanimous vote.**

- D      [0536-12](#)      A Resolution approving the renewal for one (1) year of the Contract for Services with Group CJ of Lexington, Ky., for stormwater public outreach and education, for the Div. of Environmental Policy, authorized by Resolution No. 201-2011, at a cost not to exceed \$209,000. [Div. of Environmental Policy, Bush]

**A motion was made by Council Member Linda Gorton, seconded by Council Member Julian Beard, that this Agenda Item be Approved, and sent to the Urban County Council, to be returned by 6/7/2012. The motion PASSED by an unanimous vote.**

- E      [0542-12](#)      A Resolution approving Professional Services Agreements for Landscape Architectural Services for the Div. of Water Quality with Perkins Landscape Architecture, LLC, M2D Design Group, PLLC, and Barrett Partners, Inc. for a one (1) year term, with five (5) one (1) year renewals at the discretion of the Urban County Government. [Div. of Water Quality, Martin]

**A motion was made by Council Member Linda Gorton, seconded by Council Member Julian Beard, that this Agenda Item be Approved, and sent to the Urban County Council, to be returned by 6/7/2012. The motion PASSED by an unanimous vote.**

- F      [0545-12](#)      A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the contract with Sensabaugh Design and Construction, for a pole barn storage building, increasing the contract price by the sum of \$3,275.00 from \$189,000 to \$192,275.00.

**A motion was made by Council Member Linda Gorton, seconded by Council Member Julian Beard, that this Agenda Item be Approved, and sent to the Urban County Council, to be returned by 6/7/2012. The motion PASSED by an unanimous vote.**

- G      [0546-12](#)      A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Modification to Agreement with the Ky. Div. of Emergency Management, for extension of the project to replace a generator at Fire Station One through June 13,

2014, at no cost to the Urban County Government. [Div. of Fire and Emergency Services/Dept. of Public Safety, Gooding/Mason]

**A motion was made by Council Member Linda Gorton, seconded by Council Member Julian Beard, that this Agenda Item be Approved, and sent to the Urban County Council, to be returned by 6/7/2012. The motion PASSED by an unanimous vote.**

**H**      [0548-12](#)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant application to the Ky. Cabinet for Health and Family Services, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$314,247 Federal funds, are for continuation of the New Chance Program in the Div. of Family Services, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. [Div. of Grants and Special Programs/Dept. of Social Services, Gooding/Mills]

**A motion was made by Council Member Linda Gorton, seconded by Council Member Julian Beard, that this Agenda Item be Approved, and sent to the Urban County Council, to be returned by 6/7/2012. The motion PASSED by an unanimous vote.**

**I**      [0549-12](#)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant application to the Ky. Dept. of Juvenile Justice, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$16,183 Federal funds under the Juvenile Accountability Block Grant Program, are for continuation of the Juvenile Surveillance Program, professional services, professional development, drug testing services and supplies, and educational materials, the acceptance of which obligates the Urban County Government for the expenditure of \$1,798 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. [Div. of Grants and Special Programs/Dept. of Social Services, Gooding/Mills]

**A motion was made by Council Member Linda Gorton, seconded by Council Member Julian Beard, that this Agenda Item be Approved, and sent to the Urban County Council, to be returned by 6/7/2012. The motion PASSED by an unanimous vote.**

**J**      [0550-12](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a contract with the Verdin Co., a sole source provider, for restoration of the historic Skuller's Street Clock, at a cost not to exceed \$25,415. [Div. of Historic Preservation, Kerr]

**A motion was made by Council Member Linda Gorton, seconded by Council**

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**Member Julian Beard, that this Agenda Item be Approved, and sent to the Urban County Council, to be returned by 6/7/2012. The motion PASSED by an unanimous vote.**

**K**      [0555-12](#)      Authorization to amend Section 24-51 of the Code of Ordinances relating to inmate medical fees at the detention center. (L555-12) (Ballard/Mason)

This is a request to amend Section 24-51 of the Code of Ordinances relating to inmate medical fees at the detention center. The amendment will increase the co-payment an inmate pays for medical care from \$5 to \$15, require an inmate to pay the cost of prescription medication if the prescription is \$14.99 or less and to pay a co-payment of \$15 if the prescription costs more than \$14.99, include a booking fee of \$35, and provide that any fees received shall be used to help offset the costs of operating the detention center.

**A motion was made by Council Member Gorton, seconded by Council Member Beard, that this Agenda Item be Approved., and sent to the Urban County Council, due back on 6/7/2012. The motion Passed by the following vote:**

**Aye:** 13 - Bill Farmer Jr., Chris Ford, Chuck Ellinger, Diane Lawless, Ed Lane, George Myers, Jay McChord, Julian Beard, K.C. Crosbie, Council Member Linda Gorton, Peggy Henson, Steve Kay, and Tom Blues

**Nay:** 2 - Doug Martin, and Kevin Stinnett

**L**      [0563-12](#)      Authorization to accept the Collective Bargaining Agreement with Bluegrass Fraternal Order of Police, Lodge No. 4 on behalf of Police Officers and Sergeants Unit. (L563-12) (Graham)

This is a request to accept the Collective Bargaining Agreement with Bluegrass Fraternal Order of Police, Lodge No. 4 on behalf of Police Officers and Sergeants Unit. Approximate savings for the four (4) year term July 1, 2012 - June 30, 2016 is \$4,475,500.

**A motion was made by Council Member Linda Gorton, seconded by Council Member Julian Beard, that this Agenda Item be Approved, and sent to the Urban County Council, to be returned by 6/7/2012. The motion PASSED by an unanimous vote.**

**M**      [0566-12](#)      A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with West End Community Empowerment Project of Lexington, Inc., for lease of space at the Black & Williams Neighborhood Center at 498 Georgetown Street.

**A motion was made by Council Member Linda Gorton, seconded by Council Member Julian Beard, that this Agenda Item be Approved, and sent to the Urban County Council, to be returned by 6/7/2012. The motion PASSED by an unanimous vote.**

**N**      [0567-12](#)      A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Affiliation Agreement with the University of

Ky., designating the University as the affiliate sponsor for a Paramedic Education Program for the Div. of Fire and Emergency Services, at no cost to the Urban County Government. [Div. of Fire and Emergency Services, Jackson]

**A motion was made by Council Member Linda Gorton, seconded by Council Member Julian Beard, that this Agenda Item be Approved, and sent to the Urban County Council, to be returned by 6/7/2012. The motion PASSED by an unanimous vote.**

- O     [0569-12](#)     Authorization to adopt a resolution allowing an amendment to Lexington Christian Academy's (LCA) Industrial Revenue Bond (IRB) based upon it obtaining a more favorable interest rate on the loan. (L569-12) (Atkins)

This is a request to adopt a resolution allowing an amendment to LCA's IRB based upon it obtaining a more favorable interest rate on the loan. LFUCG will incur no expenses related to this action and all risk or repayment of the loan and IRB bond is borne by LCA.

**A motion was made by Council Member Linda Gorton, seconded by Council Member Julian Beard, that this Agenda Item be Approved, and sent to the Urban County Council, to be returned by 6/7/2012. The motion PASSED by an unanimous vote.**

- P     [0570-12](#)     An Ordinance amending Section 2-180 of the Code of Ordinances of the Lexington-Fayette Urban County Government to add the Commissioner of Finance or his or her designee as an ex-officio, voting member of the Board of Commissioners of the Lexington and Fayette County Parking Authority effective July 1, 2012.

**A motion was made by Council Member Linda Gorton, seconded by Council Member Julian Beard, that this Agenda Item be Approved, and sent to the Urban County Council, to be returned by 6/7/2012. The motion PASSED by an unanimous vote.**