



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

200 E. Main St  
Lexington, KY 40507

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Tuesday, April 23, 2013

3:00 PM

Council Chamber

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**Packet**

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

**Present** 15 - Linda Gorton, Chuck Ellinger, Steve Kay, Chris Ford, Shevawn Akers, Diane Lawless, Julian Beard, Bill Farmer Jr., Kevin Stinnett, Jennifer Scutchfield, George Myers, Jennifer Mossotti, Harry Clarke, Peggy Henson, and Ed Lane

**Absent** 0

**II. Requested Rezonings/ Docket Approval**

[0424-13](#)

Adoptng fund balance worksheet

**A motion was made by Council Member Linda Gorton, 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 4/25/2013. The motion PASSED by an unanimous vote.**

[0425-13](#)

Text amendment Zoning Ordinance - Mobile Food Vendors

**A motion was made by Council Member Shevawn Akers, seconded by Council Member Diane Lawless, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.**

[0426-13](#)

Multi-Way Stop - McDonald/Hiltonia

**A motion was made by Council Member Julian Beard, seconded by Council Member Linda Gorton, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.**

[0427-13](#)

Amend Section 2.201 Council Rules and Procedures

**A motion was made by Council Member Steve Kay, 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 4/25/2013. The motion PASSED by an unanimous vote.**

**III. Approval of Summary**

**A motion was made by Council Member Beard, seconded by Council Member Myers, that this be Approved. The motion Passed by the following vote:**

**Aye:** 15 - Linda Gorton, Chuck Ellinger, Steve Kay, Chris Ford, Shevawn Akers, Diane Lawless, Julian Beard, Bill Farmer Jr., Kevin Stinnett, Jennifer Scutchfield, George Myers, Jennifer Mossotti, Harry Clarke, Peggy Henson, and Ed Lane

**Nay:** 0

**Absent:** 0

[0399-13](#) Table of Motions April 16 2013

**IV. Budget Amendments**

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**V. New Business**

**VI. Continuing Business/ Presentations**

**a** [0405-13](#) Neighborhood Development Funds, April 23, 2013

**A motion was made by Council Member Gorton, seconded by Council Member Myers, that this Agenda Item be Approve and Refer to Docket., and sent to the Urban County Council, due back on 4/25/2013. The motion Passed by the following vote:**

**Aye:** 15 - Linda Gorton, Chuck Ellinger, Steve Kay, Chris Ford, Shevawn Akers, Diane Lawless, Julian Beard, Bill Farmer Jr., Kevin Stinnett, Jennifer Scutchfield, George Myers, Jennifer Mossotti, Harry Clarke, Peggy Henson, and Ed Lane

**Nay:** 0

**Absent:** 0

**b** [0384-13](#) General Government Committee Summary April 2013

**A motion was made by Council Member Kay, seconded by Council Member Ellinger, that this Summary be Amend. The motion Passed by the following vote:**

**VII. Council Reports**

*Jennifer Scutchfield called to speak. Shevawn Akers called to speak. Harry Clarke called to speak. Peggy Henson called to speak. Julian Beard called to speak. Kevin Stinnett called to speak. motion of performance bonds Linda Gorton called to speak. Chuck Ellinger called to speak. Chris Ford called to speak. Diane Lawless called to speak. Kevin Stinnett called to speak.*

**VIII. Mayor's Report**

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

**X. Adjournment**

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Linda Gorton, that this be Adjourn.. The motion PASSED by an unanimous vote.

**Administrative Synopsis - New Business Items**

- a**     [0313-13](#)            Authorization to amend Section 16-16 of the Code Ordinances to create Schedule E, setting the solid waste-landfill fee for dumpster containers (2CY). (L0313-13) (Feese/Moloney)  
This is a request to amend Section 16-16 of the Code Ordinances to create Schedule E, setting the solid waste-landfill fee for dumpster containers (2CY) at \$12.05 per container per month.  
**A motion was made by Council Member Kevin Stinnett, seconded by Council Member Harry Clarke, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.**
- b**     [0331-13](#)            Authorization to execute Facility Usage Agreements with various youth baseball Leagues. (L0331-13) (Hancock/Reed)  
This is a request to execute Facility Usage Agreements with various youth baseball Leagues for the purpose of providing youth sports for the period March 1 - July 31, 2013. There is no budgetary impact.  
**A motion was made by Council Member Kevin Stinnett, seconded by Council Member Harry Clarke, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.**
- c**     [0333-13](#)            Authorization to execute an agreement awarding a Class B (Infrastructure) Stormwater Quality Projects Incentive Grant to The Fountains at Andover Brookfield, LLC. (L0333-13) (Martin/Moloney)  
This is a request to execute an agreement awarding a Class B (Infrastructure) Stormwater Quality Projects Incentive Grant to The Fountains at Andover Brookfield, LLC, at a total cost not to exceed \$203,944.00. Funds are budgeted.  
**A motion was made by Council Member Kevin Stinnett, seconded by Council Member Harry Clarke, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.**
- d**     [0342-13](#)            Authorization to accept award of federal funds from The National Council on Crime and Delinquency for a Prison Rape Elimination Project in the Division of Community Corrections. (L-0342-13) (Gooding/Mason)  
This is a request to accept award of federal funds in the amount of \$33,134 from The National Council on Crime and Delinquency for a Prison Rape Elimination Project in the Division of Community Corrections. Budget amendment in process.  
**A motion was made by Council Member Kevin Stinnett, seconded by Council Member Harry Clarke, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 4/25/2013. The**

motion PASSED by an unanimous vote.

- e [0343-13](#) Authorization to accept a donation from the Citizen Police Academy Alumni Association (CPAAA) to cover the cost of expenses for the Motorcycle Unit to travel to Police Memorial Week in Washington, D.C. the week of May 11 - 16, 2013. (L0343-13) (Bastin/Mason)  
This is a request to accept a donation from the CPAAA to cover the cost of expenses for the Motorcycle Unit to travel to Police Memorial Week in Washington, D.C. the week of May 11 - 16, 2013. The value of the donation is \$7,512.80. There is no budgetary impact.  
**A motion was made by Council Member Kevin Stinnett, seconded by Council Member Harry Clarke, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.**
- f [0352-13](#) Authorization to change street names and/or individual property address numbers within various Council Districts in order to eliminate problem addresses and to insure the proper operation of the Enhanced 9-1-1 system. (L0352-13) (Lucas/Mason)  
This is a request to change street names and/or individual property address numbers within various Council Districts in order to eliminate problem addresses and to insure the proper operation of the Enhanced 9-1-1 system. There is no budgetary impact.  
**A motion was made by Council Member Kevin Stinnett, seconded by Council Member Harry Clarke, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.**
- g [0354-13](#) Authorization to accept deeds of easement from the owners of record for the Fourth and Jefferson Signalization Project. (L0354-13) (Bayert/Paulsen)  
This is a request to accept deeds of easement from the owners of record for the Fourth and Jefferson Signalization Project, at a cost not to exceed \$4,000.00. Funds are budgeted.  
**A motion was made by Council Member Kevin Stinnett, seconded by Council Member Harry Clarke, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.**
- h [0355-13](#) Authorization to execute agreement with Kentucky Office of Homeland Security for extension of performance period for the Metropolitan Medical Response System Project. (L0355-13) (Gooding/Mason)  
This is a request to execute agreement with Kentucky Office of Homeland Security for extension of performance period for the Metropolitan Medical Response System Project through December 31, 2013. There is no budgetary impact.  
**A motion was made by Council Member Kevin Stinnett, seconded by Council Member Harry Clarke, that this Agenda Item be Approved and Referred to the**

Docket, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.

- i [0359-13](#) Authorization to execute a Release of Easement releasing a temporary pump station easement on property located at 2108 Stedman Way. (L0359-13) (Graham)

This is a request to execute a Release of Easement releasing a temporary pump station easement on property located at 2108 Stedman Way. There is no budgetary impact.

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Harry Clarke, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.

- j [0360-13](#) Authorization to execute a Partial Release of Easement releasing a portion of a drainage easement on property located at 821 Lochmere Place. (L0360-13) (Graham)

This is a request to execute a Partial Release of Easement releasing a portion of a drainage easement on property located at 821 Lochmere Place. There is no budgetary impact.

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Harry Clarke, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.

- k [0370-13](#) Authorization to execute an agreement with Davey Resource Group to perform a tree canopy survey and develop a planting plan for the urban service area. (L0370-13) (Bush/Moloney)

This is a request to execute an agreement with Davey Resource Group in the amount of \$42,300 to perform a tree canopy survey and develop a planting plan for the urban service area. Funds are budgeted.

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Harry Clarke, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.

- l [0372-13](#) Authorization to execute an agreement with Red River Ranch, LLC for composting services for yard waste and organics at Haley Pike Composting Facility. (L0372-13) (Feese/Moloney)

This is a request to execute an agreement with Red River Ranch, LLC for composting services for yard waste and organics at Haley Pike Composting Facility.

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Harry Clarke, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.

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- m     [0376-13](#)     Authorization to execute a Memorandum of Agreement (MOA) with the Commonwealth of Kentucky Office of the Governor Department for Local Government for the administration of the grant, and accept funds, approved for the Lexington Downtown Redevelopment project. (L376-12) (Atkins)  
This is a request to execute a MOA with the Commonwealth of Kentucky Office of the Governor Department for Local Government for the administration of the grant approved for the Lexington Downtown Redevelopment project and accept funds in the amount of \$2,500,000.  
**A motion was made by Council Member Kevin Stinnett, seconded by Council Member Harry Clarke, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.**
- n     [0377-13](#)     Authorization to execute a Memorandum of Agreement (MOA) with the Lexington Center Corporation for the management of the expenditures approved for the planning and design of Rupp Arena as part of the Lexington Downtown Redevelopment project. (L377-13) (Atkins)  
This is a request to execute a MOA with the Lexington Center Corporation for the management of the expenditures approved for the planning and design of Rupp Arena as part of the Lexington Downtown Redevelopment Planning & Design capital project. Funds are budgeted.  
**A motion was made by Council Member Kevin Stinnett, seconded by Council Member Harry Clarke, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.**
- o     [0379-13](#)     Authorization to amend Resolution No. 288-2011 to reduce the length of time for the Tempur-Pedic International inducement from ten years to five years. (L379-13) (Atkins)  
This is a request to amend Resolution No. 288-2011 to reduce the length of time for the Tempur-Pedic International Inc. inducement from ten years to five years to match the length of the state inducement. There is no budgetary impact.  
**A motion was made by Council Member Kevin Stinnett, seconded by Council Member Harry Clarke, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.**
- p     [0380-13](#)     Authorization to amend Resolution No. 146-2013, correcting one clerical error to become effective retroactive to April 11, 2013. (L0380-13) (Maxwell/Graham)  
This is a request to amend Resolution No. 146-2013, correcting one clerical error to become effective retroactive to April 11, 2013. The hourly rate stated as \$16.438 for Telecommunicator Grade 111N should have been \$17.401. There is no budgetary impact.

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Harry Clarke, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.

q [0381-13](#)

Authorization to execute an agreement awarding a Class B (Infrastructure) Stormwater Quality Projects Incentive Grant to J. M. Smucker, LLC. (L0381-13) (Martin/Moloney)

This is a request to execute an agreement awarding a Class B (Infrastructure) Stormwater Quality Projects Incentive Grant to J. M. Smucker, LLC, at a total cost not to exceed \$350,000. Funds are budgeted.

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Harry Clarke, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.

r [0383-13](#)

Authorization to execute an agreement awarding a Class B (Infrastructure) Stormwater Quality Projects Incentive Grant to Habitat for Humanity, Inc. (L0383-13) (Martin/Moloney)

This is a request to execute an agreement awarding a Class B (Infrastructure) Stormwater Quality Projects Incentive Grant to Habitat for Humanity, Inc., at a total cost not to exceed \$148,169. Funds are budgeted.

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Harry Clarke, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.

s [0387-13](#)

Authorization to offer a short term telecommunications ordinance for an initial period of time not to exceed one year, in order to allow an appropriate period of time to negotiate longer term franchises. (L0387-13) (Hamilton)

This is a request to offer a short term telecommunications ordinance for an initial period of time not to exceed one year, in order to allow an appropriate period of time to negotiate longer term franchises. The existing franchises expire in June 2013. There is no budgetary impact.

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Harry Clarke, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.

t [0404-13](#)

Authorization to add \$1,380,023.54 in funding to the purchase order for ATS Construction (PO#LF00098056) to be used to complete the paving schedule for FY13. (L0404-13) (Moloney)

This is a request to add \$1,380,023.54 in funding to the purchase order for ATS Construction (PO#LF00098056) to be used to complete the paving schedule for FY13. Funds are budgeted.



A motion was made by Council Member Kevin Stinnett, seconded by Council Member Harry Clarke, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.