



**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 9, 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 - Yes**

[0361-13](#)

Execute a Release of Easement for streetlight easements on property located at 284 Somersly Place.

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Ed Lane, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 4/11/2013. The motion PASSED by an unanimous vote.**

[0362-13](#)

Amending Council Calendar for 2013, Ordinance #162-2012

**A motion was made by Council Member Linda Gorton, seconded by Council Member Jennifer Mossotti, that this Agenda Item be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 4/11/2013. The motion PASSED by an unanimous vote.**

**III. Approval of Summary - Yes**

[0300-13](#)

Table of Motions, March 19, 2013

**A motion was made by Council Member George Myers, seconded by Council Member Harry Clarke, that this Summary be Approved. The motion PASSED by an unanimous vote.**

**IV. Budget Amendments - Yes**

**V. New Business - Yes**

**VI. Continuing Business/ Presentations**

- a [0315-13](#) Neighborhood Development Funds, April 9, 2013  
**A motion was made by Council Member Chuck Ellinger, 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 4/11/2013. The motion PASSED by an unanimous vote.**
- b [0299-13](#) Environmental Quality Committee Summary, March 2013  
**Considered**
- c [0310-13](#) Planning and Public Works Committee Summary March 2013  
**Considered**
- d [0317-13](#) Social Services & Community Development Summary, March 2013  
**Considered**
- e [0318-13](#) Budget & Finance Committee Summary, March 2013  
**Considered**
- f [0339-13](#) Presentation: I Know Expo ; By: Kristina Stambaugh, Dept. of Social Services  
**Considered**
- g [0332-13](#) Proclamation: Animal Care and Control Officers Appreciation Week  
**Considered**

VII. Council Reports

VIII. Mayor's Report - Yes

- [0351-13](#)
1. Recommending the appointment of Councilmember Julian Beard to the Commission for Citizens with Disabilities, with a term to expire 12-31-2014.
  2. Recommending the appointment of Councilmember Shevawn Akers to the Community Action Council Board, with a term to expire 12-31-2014. Councilmember Chris Ford is no longer serving.
  3. Recommending the reappointment of Ms. Eva C. Trout, as At-Large representative, to the Industrial Revenue Bond Review Committee, with a term to expire 3-5-2017.

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Ed Lane, that these Communications be Approved and Referred to the Docket, and sent to the Urban County Council, to be returned by 4/11/2013. The**

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motion PASSED by an unanimous vote.

IX. Public Comment - Issues Not on Agenda

X. Adjournment

Administrative Synopsis - New Business Items

- a [0240-13](#) Authorization to execute the designation of Applicant's Agent Resolution designating Cynthia A. Schuster as LFUCG's authorized agent for the purpose of obtaining certain federal financial assistance under the Disaster Relief Act or the President's Disaster Relief Fund. (L0240-13) (O'Mara)  
This is a request to execute the designation of Applicant's Agent Resolution designating Cynthia A. Schuster, Administration Officer Senior, Department of Finance, as LFUCG's authorized agent for the purpose of obtaining certain federal financial assistance under the Disaster Relief Act or the President's Disaster Relief Fund.  
**A motion was made by Council Member Jennifer Mossotti, 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 4/11/2013. The motion PASSED by an unanimous vote.**
- b [0255-13](#) Authorization to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Environmental Enforcement Specialist (Grade 115E) and creating one (1) position of Arborist Sr. (Grade 115E) in the Division of Environmental Policy. (L0255-13) (Maxwell/Moloney)  
This is a request to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Environmental Enforcement Specialist (Grade 115E) and creating one (1) position of Arborist Sr. (Grade 115E) in the Division of Environmental Policy. There is no budgetary impact.  
**A motion was made by Council Member Jennifer Mossotti, 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 4/11/2013. The motion PASSED by an unanimous vote.**
- c [0270-13](#) Authorization to execute an agreement awarding a Class B (Infrastructure) Stormwater Quality Projects Incentive Grant to The Southland Association, Inc. (L0270-13) (Martin/Moloney)  
This is a request to execute an agreement awarding a Class B (Infrastructure) Stormwater Quality Projects Incentive Grant to The Southland Association, Inc., at a total cost not to exceed \$50,000.00. Funds are budgeted.  
**A motion was made by Council Member Jennifer Mossotti, seconded by**

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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 4/11/2013. The motion PASSED by an unanimous vote.

- d [0273-13](#) Authorization to extend the timeline of completion for the 2012 Sanitary Sewer Cleaning Program project to May 3, 2013. (L0273-13) (Martin/Moloney)  
This is a request to extend the timeline of completion for the 2012 Sanitary Sewer Cleaning Program project to May 3, 2013. There will be no changes to the contract cost.  
**A motion was made by Council Member Jennifer Mossotti, 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 4/11/2013. The motion PASSED by an unanimous vote.**
- e [0275-13](#) Authorization to accept deeds of easement from the owners of record on properties needed for the relocation and reconstruction of the Newtown Pike/Fourth Street Sanitary Sewer Improvements. (L0275-13) (Martin/Moloney)  
This is a request to accept deeds of easement from the owners of record on properties needed for the relocation and reconstruction of the Newtown Pike/Fourth Street Sanitary Sewer Improvements for a cost not to exceed \$35,100. Funds are budgeted.  
**A motion was made by Council Member Jennifer Mossotti, 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 4/11/2013. The motion PASSED by an unanimous vote.**
- f [0276-13](#) Authorization to execute an agreement with Delaney & Associates for replacement parts for the #2 Dewatering Pump at Town Branch Wastewater Treatment Plant. (L0276-13) (Martin/Moloney)  
This is a request to execute an agreement with Delaney & Associates for replacement parts for the #2 Dewatering Pump at Town Branch Wastewater Treatment Plant for a cost of \$28,371. Funds are budgeted.  
**A motion was made by Council Member Jennifer Mossotti, 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 4/11/2013. The motion PASSED by an unanimous vote.**
- g [0277-13](#) Authorization to execute Amendment No. 1 to the engineering contract with Bell Engineers for the Blue Sky Pump Station and Force Main Project. (L0277-13) (Martin/Moloney)  
This is a request to execute Amendment No. 1 to the engineering contract with Bell Engineers in the amount of \$66,500.00 for the Blue Sky Pump Station and Force Main Project. This increase brings the total new project cost to \$223,995. Funds are budgeted.

A motion was made by Council Member Jennifer Mossotti, 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 4/11/2013. The motion PASSED by an unanimous vote.

- h**     [0279-13](#)     Authorization to execute agreement with Hilton Lexington/Downtown for the 2013 FEMA Chemical Stockpile Emergency Preparedness Annual Meeting on June 17-19. (L0279-13) (Gooding/Mason)  
This is a request to execute agreement with Hilton Lexington/Downtown for the 2013 FEMA Chemical Stockpile Emergency Preparedness Annual Meeting on June 17-19, using \$16,000 awarded under the Chemical Stockpile Emergency Preparedness Program (CSEPP). Funds are budgeted.  
**A motion was made by Council Member Jennifer Mossotti, 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 4/11/2013. The motion PASSED by an unanimous vote.**
- i**     [0280-13](#)     Authorization to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Records Management Analyst (Grade 111N) and creating one (1) position of Deputy Council Clerk (Grade 116E) in the Office of the Clerk of the Urban County Council. (L0280-13) (Maxwell/Hamilton)  
This is a request to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Records Management Analyst (Grade 111N) and creating one (1) position of Deputy Council Clerk (Grade 116E) in the Office of the Clerk of the Urban County Council. The impact for FY2013 (3 pay periods) will be \$1,809.89.  
**A motion was made by Council Member Jennifer Mossotti, 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 4/11/2013. The motion PASSED by an unanimous vote.**
- j**     [0281-13](#)     Authorization to amend Section 22-5 of the Code of Ordinances, abolishing one (1) position of Administrative Specialist Sr. (Grade 112N) in the Department of Environmental Quality and Public Works and creating one position of Administrative Officer (Grade 118E) in the Office of the Chief Administrative Officer; this action also transfers two positions of Administrative Officer P/T (Grade 118E) and the incumbents from the Office of the Chief Administrative Officer to the Department of Environmental Quality and Public Works. (L-0281-13) (Maxwell/Hamilton)  
This is a request to amend Section 22-5 of the Code of Ordinances, abolishing one (1) position of Administrative Specialist Sr. (Grade 112N) in the Department of Environmental Quality and Public Works and creating one position of Administrative Officer (Grade 118E) in the Office of the Chief Administrative Officer; this action also transfers two positions of Administrative Officer P/T (Grade 118E) and the

incumbents from the Office of the Chief Administrative Officer to the Department of Environmental Quality and Public Works. The impact for FY2013 will be \$5,900.

**A motion was made by Council Member Jennifer Mossotti, 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 4/11/2013. The motion PASSED by an unanimous vote.**

k [0286-13](#)

Authorization to execute Letter of Agreement with the Lexington Air Traffic Control Tower to designate discrete transponder codes and radiotelephony call signs for Lexington Police Department aircraft operating within the Lexington, KY Approach Control Airspace. (L0286-13) (Bastin/Mason)

This is a request to execute Letter of Agreement with the Lexington Air Traffic Control Tower to designate discrete transponder codes and radiotelephony call signs for Lexington Police Department aircraft operating within the Lexington, KY Approach Control Airspace. There is no budgetary impact.

**A motion was made by Council Member Jennifer Mossotti, 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 4/11/2013. The motion PASSED by an unanimous vote.**

l [0287-13](#)

Authorization to execute amendment to Memorandum of Agreement (MOA) with the Bureau of Alcohol, Tobacco, Firearms and Explosives for the reimbursement of overtime expenses to correct the start date of operations to November 14, 2012. (L0287-13) (Bastin/Mason)

This is a request to execute amendment to MOA with the Bureau of Alcohol, Tobacco, Firearms and Explosives for the reimbursement of overtime expenses to correct the start date of operations to November 14, 2012. There is no budgetary impact.

**A motion was made by Council Member Jennifer Mossotti, 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 4/11/2013. The motion PASSED by an unanimous vote.**

m [0303-13](#)

Authorization to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Administrative Officer (Grade 118E), one (1) position of Engineering Technician (Grade 111N) and one (1) position of Maintenance Mechanic (Grade 113N) and creating one (1) position of CAP Operations Manager (Grade 118E), two (2) positions of Project Manager (Grade 114N), one (1) position of Engineering Technician Sr. (Grade 113E) and one (1) position of Program Specialist (Grade 112E) in the Division of Water Quality. (L0303-13) (Maxwell/Moloney)

This is a request to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Administrative Officer (Grade 118E), one (1) position of Engineering Technician (Grade 111N) and one (1)

position of Maintenance Mechanic (Grade 113N) and creating one (1) position of CAP Operations Manager (Grade 118E), two (2) positions of Project Manager (Grade 114N), one (1) position of Engineering Technician Sr. (Grade 113E) and one (1) position of Program Specialist (Grade 112E) in the Division of Water Quality. The impact for FY2013 (3 pay periods) will be \$11,054.46.

**A motion was made by Council Member Jennifer Mossotti, 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 4/11/2013. The motion PASSED by an unanimous vote.**

n [0305-13](#)

Authorization to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Engineering Technician Principal (Grade 115E) and one (1) position of Public Service Worker Sr. (Grade 107N) and creating one (1) position of Associate Municipal Engineer (Grade 115E); and to amend Section 22-5 of the Code of Ordinances abolishing one (1) position of Administrative Officer Sr., (Grade 120E) and creating one (1) position of Administrative Specialist Principal (Grade 114E), one (1) position of Environmental Inspector (Grade 113N) and one position of Staff Assistant Sr. (Grade 108N) in the Division of Water Quality. (L0305-13) (Maxwell/Moloney)

This is a request to amend Section 21-5 of the Code of Ordinances, abolishing one (1) position of Engineering Technician Principal (Grade 115E) and one (1) position of Public Service Worker Sr. (Grade 107N) and creating one (1) position of Associate Municipal Engineer (Grade 115E); and to amend Section 22-5 of the Code of Ordinances abolishing one (1) position of Administrative Officer Sr., (Grade 120E) and creating one (1) position of Administrative Specialist Principal (Grade 114E), one (1) position of Environmental Inspector (Grade 113N) and one position of Staff Assistant Sr. (Grade 108N) in the Division of Water Quality. The impact for FY2013 (3 pay periods) will be a savings of \$2,123.74.

**A motion was made by Council Member Jennifer Mossotti, 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 4/11/2013. The motion PASSED by an unanimous vote.**

o [0306-13](#)

Authorization to execute a standardized agreement with Woodford County Fiscal Court, and other local governments, for Exchange of Occupational License Fee Information Agreement. (L0303-13) (O'Mara)

This is a request to execute a standardized agreement with Woodford County Fiscal Court, and other local governments, for the Exchange of Occupational License Fee Information Agreement. There is no budgetary impact.

**A motion was made by Council Member Jennifer Mossotti, seconded by Council Member Linda Gorton, that this Agenda Item be Approved and**

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Referred to the Docket, and sent to the Urban County Council, to be returned by 4/11/2013. The motion PASSED by an unanimous vote.

p [0311-13](#)

Authorization to submit application to the Kentucky Department for Local Government requesting federal funds from the 2013 Land and Water Conservation Fund for construction of Berry Hill Skate Park. (L0311-13) (Gooding/Reed)

This is a request to submit application to the Kentucky Department for Local Government requesting federal funds in the amount of \$75,000 from the FY 2013 Land and Water Conservation Fund for construction of Berry Hill Skate Park. The total cost of the project is \$260,000 and a 50% local match is required.

A motion was made by Council Member Jennifer Mossotti, 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 4/11/2013. The motion PASSED by an unanimous vote.

q [0314-13](#)

Authorization to execute agreement with Living Arts and Science Center for expansion of the center. (L0314-13) (Gooding/Hamilton)

This is a request to execute agreement in the amount of \$80,000 with Living Arts and Science Center for expansion of the center. Funds are budgeted.

A motion was made by Council Member Jennifer Mossotti, 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 4/11/2013. The motion PASSED by an unanimous vote.

r [0316-13](#)

Authorization to amend Section 22-5 of the Code of Ordinances, extending one (1) temporary position of Project Engineering Coordinator (Grade 119E) for a term of four (4) years beginning June 25, 2013 and ending June 25, 2017 within the Division of Water Quality. (L0316-13) (Maxwell/Moloney)

This is a request to amend Section 22-5 of the Code of Ordinances, extending one (1) temporary position of Project Engineering Coordinator (Grade 119E) for a term of four (4) years beginning June 25, 2013 and ending June 25, 2017 within the Division of Water Quality. This position is fully funded for FY 2013.

A motion was made by Council Member Jennifer Mossotti, 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 4/11/2013. The motion PASSED by an unanimous vote.

s [0319-13](#)

Authorization to submit 2013 Consolidated Plan, accept awards of federal funds for Community Development Block Grant Program, Home Investment Partnerships Program, and Emergency Solutions Grants Program, from the U.S. Department of Housing and Urban Development for FY 2014, and to authorize execution of agreements with subrecipients in accordance with approved plan. (L0319-13)



(Gooding/Hamilton)

This is a request to submit 2013 Consolidated Plan, accept awards of federal funds for Community Development Block Grant Program, Home Investment Partnerships Program, and Emergency Solutions Grants Program, from the U.S. Department of Housing and Urban Development for FY 2014, and to authorize execution of agreements with subrecipients in accordance with approved plan. Budget amendment in process.

**A motion was made by Council Member Jennifer Mossotti, 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 4/11/2013. The motion PASSED by an unanimous vote.**

t [0320-13](#)

Authorization to execute franchise agreements with all of the utilities that are selected pursuant to the bidding of the electric and natural gas franchise ordinances. (L0320-13) (Hamilton)

This is a request to execute franchise agreements with all of the utilities that are selected pursuant to the bidding of the electric and natural gas franchise ordinances.

**A motion was made by Council Member Jennifer Mossotti, 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 4/11/2013. The motion PASSED by an unanimous vote.**

u [0321-13](#)

Authorization to accept award from the Kentucky Department of Military Affairs, Division of Emergency Management under the Chemical Stockpile Emergency Preparedness Program (CSEPP)-FY 2013. (L0321-13) (Gooding/Mason)

This is a request to accept award from the Kentucky Department of Military Affairs, Division of Emergency Management of federal funds in the amount of \$857,300 under the CSEPP-FY 2013. No matching funds are required. Budget amendment in process.

**A motion was made by Council Member Jennifer Mossotti, 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 4/11/2013. The motion PASSED by an unanimous vote.**

v [0322-13](#)

Authorization to execute Amendment No. 1 to agreement with Bluegrass Area Development District providing for additional federal funds for operation of the Senior Citizens Center in FY 2013. (L0322-13) (Gooding/Mills)

This is a request to execute Amendment No. 1 to agreement with Bluegrass Area Development District providing for additional federal funds in the amount of \$5,256 for operation of the Senior Citizens Center in FY 2013. This increase brings the total new project cost to \$88,357. Budget amendment in process.

**A motion was made by Council Member Jennifer Mossotti, 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 4/11/2013. The motion PASSED by an unanimous vote.

w [0323-13](#)

Authorization to execute Change Order No. 3 to agreement with GRW Engineers, Inc., for the Investigation and Design for Expansion Area 2A Pumping Station and Force Main. (L0323-13) (Martin/Moloney)  
This is a request to execute Change Order No. 3 to agreement with GRW Engineers, Inc., for an amount not to exceed \$37,840 for the Investigation and Design for Expansion Area 2A Pumping Station and Force Main. This increase brings the total new project cost to \$500,190. Funds are budgeted.

A motion was made by Council Member Jennifer Mossotti, 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 4/11/2013. The motion PASSED by an unanimous vote.

x [0325-13](#)

Authorization to execute an Encroachment Agreement allowing an encroachment on a utility easement on property located at 1676 McGrathiana Parkway. (L0325-13) (Graham)  
This is a request to execute an Encroachment Agreement allowing an encroachment on a utility easement on property located at 1676 McGrathiana Parkway. There is no budgetary impact.

A motion was made by Council Member Jennifer Mossotti, 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 4/11/2013. The motion PASSED by an unanimous vote.

y [0326-13](#)

Authorization to accept awards, if offered, for FY 2014 Transportation Planning Activities, including FHWA Planning, Transit Planning, Mobility Office Operation, Air Quality Planning, Congestion Management Planning, and Bike/Ped Planning. (L0326-13) (Gooding/Paulsen)

This is a request to accept awards in the amount of \$843,500, if offered, for FY 2014 Transportation Planning Activities, including FHWA Planning, Transit Planning, Mobility Office Operation, Air Quality Planning, Congestion Management Planning, and Bike/Ped Planning. A local match of \$146,800 is required. Budget amendment in process.

A motion was made by Council Member Jennifer Mossotti, 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 4/11/2013. The motion PASSED by an unanimous vote.