



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

200 E. Main St  
Lexington, KY 40507

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Tuesday, September 24, 2013

3:00 PM

Council Chamber

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**Packet**

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

**Present** 14 - 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** 1 - Linda Gorton

**II. Requested Rezonings/ Docket Approval**

A motion was made by Council Member Kevin Stinnett, seconded by Council Member George Myers, that this be Approved. The motion PASSED by an unanimous vote.

**III. Approval of Summary**

[1032-13](#)

Table of Motions September 17, 2013

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

**IV. Budget Amendments**

[1057-13](#)

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Shevawn Akers, that these Items be Approved and Referred to the Docket of the Urban County Council to be returned on 09/26/13. The motion PASSED by an unanimous vote.

**V. New Business**

[1021-13](#)

Authorization to accept donation of a new canine for the Police Canine Unit from Larry Roberts, Fayette County Attorney. (L1021-13) (Bastin/Mason)

This is a request to accept donation of a new canine for the Police Canine Unit from Larry Roberts, Fayette County Attorney. The value of the donated canine is \$7,500. There is no cost to LFUCG.

A motion was made by Council Member Jennifer Scutchfield, seconded by Council Member Peggy Henson, that this Item be Approved and Referred to the Docket of the Urban County Council to be returned on 09/26/13. The motion PASSED by an unanimous vote.

[1060-13](#)

A Resolution authorizing the Mayor to execute a Memorandum of Agreement with the Office of the Kentucky Attorney General to accept \$759,125.00 in funds from a national mortgage foreclosure settlement.

A motion was made by Council Member Chuck Ellinger, seconded by Council Member Jennifer Mossotti, that this Item be Approved and Referred to the Docket of the Urban County Council to be returned by 09/26/13. The motion PASSED by an unanimous vote.

VI. Continuing Business/ Presentations

a [1048-13](#)

Neighborhood Development Funds, September 24, 2013

A motion was made by Council Member Peggy Henson, seconded by Council Member Harry Clarke, that these Items be Approved and Referred to the Docket of the Urban County Council to be returned on 09/26/13. The motion PASSED by an unanimous vote.

b [1031-13](#)

Public Safety Committee Summary September 2013

VII. Council Reports

VIII. Mayor's Report

[1054-13](#)

1. Recommending the appointment of Ms. Jeannette C. Lucas to the Carnegie Literacy Center Board of Directors, with a term to expire 9-1-2017. The term of Ms. Deborah Slaughter has expired.
2. Recommending the appointment of Mr. Martin Summers, as Preservation-Related Professional representative, and the reappointment of Ms. Billie Dollins, as Banking representative, to the Courthouse Area Design Review Board, with terms to expire 6-30-2017. The term of Mr. Mike Meuser has expired.
3. Recommending the appointments of Dr. Roger C. Cleveland, Ms. LeTonia A. Jones, and Ms. Brenda P. Mannino to the Human Rights Commission, with terms to expire 1-1-2016, 1-1-2014, and 1-1-2016, respectively. Dr. Cleveland will fill the unexpired term of Mr. Robert Murray, Ms. Jones will fill the unexpired term of Mr. Gaston Ngandu-Sankayi, and Ms. Mannino will fill the expired term of Mr. Eli Mertens.
4. Recommending the appointment of Mr. David R. Elsen, as At-Large representative, to the Keep Lexington Beautiful Commission. Mr. Elsen will fill the unexpired term of Ms. Jane

Eller.

5. Recommending the appointment of Mr. Jeff C. Binford to the Library Board of Advisors, with a term to expire 1-1-2014. Mr. Binford will fill the unexpired term of Ms. Sharon Williams.

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Steve Kay, that this Communication be Approve and Refer to Docket., and sent to the Urban County Council to be returned by 9/26/2013. The motion PASSED by an unanimous vote.**

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

**X. Adjournment**

**A motion was made by Council Member Kevin Stinnett, seconded by Council Member Jennifer Mossotti, that the work session be Adjourned. The motion PASSED by an unanimous vote.**

**Administrative Synopsis - New Business Items**

- a**     [0975-13](#)            Authorization to execute Service Agreement with Otis Elevator Company for elevator maintenance at the Division of Community Corrections. (L0975-13) (Ballard/Mason)  
This is a request to execute Service Agreement with Otis Elevator Company for elevator maintenance at the Division of Community Corrections. The cost for FY 2014 is \$1,844.40. Funds are budgeted.  
**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Item be Approved and Referred to the Docket and sent to the Urban County Council to be returned on 09/26/13. The motion PASSED by an unanimous vote.**
- b**     [0995-13](#)            Authorization to amend Res. No. 291-2013, which authorized the purchase of 8 Heil Multipack Garbage Packers from Central Indiana Truck Equipment, to include the cost of a larger CNG fuel tank. (L0995-13) (Baradaran/Reed)  
This is a request to amend Res. No. 291-2013, which authorized the purchase of 8 Heil Multipack Garbage Packers from Central Indiana Truck Equipment, to include the cost of a larger CNG fuel tank for an amount of \$52,000. This increase brings the new contract total cost to \$1,746,392. Funds are budgeted.  
**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Item be Approved and Referred to the Docket and sent to the Urban County Council to be returned on 09/26/13. The motion PASSED by an unanimous vote.**
- c**     [0997-13](#)            Authorization to execute Memorandum of Understanding (MOU) with the Federal Bureau of Investigation and Department of Veterans Affairs relative to Division of Police response in "emergency tactical situations" due to close proximity and response time. (L0997-13)
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(Basin/Mason)

This is a request to execute MOU with the Federal Bureau of Investigation and Department of Veterans Affairs relative to Division of Police response in "emergency tactical situations" due to close proximity and response time. There is no budgetary impact.

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Item be Approved and Referred to the Docket and sent to the Urban County Council to be returned on 09/26/13. The motion PASSED by an unanimous vote.**

d [0998-13](#)

Authorization to submit application to the U.S. Department of Homeland Security under the 2013 Assistance to Firefighters Grant Program, requesting federal funds for replacement of a front line fire engine and to replace 12 lead automated external defibrillators.

(L0998-13) (Gooding/Mason)

This is a request to submit application to the U.S. Department of Homeland Security under the 2013 Assistance to Firefighters Grant Program, requesting federal funds in the amount of \$900,000 for replacement of a front line fire engine and to replace 12 lead automated external defibrillators. A local match of \$100,000 (10%) is required.

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Item be Approved and Referred to the Docket and sent to the Urban County Council to be returned on 09/26/13. The motion PASSED by an unanimous vote.**

e [0999-13](#)

Authorization to accept award of funds from the Bluegrass Community Foundation for construction of Isaac Murphy Memorial Art Garden.

(L0999-13) (Gooding/Paulsen)

This is a request to accept award of funds in the amount of \$25,000 from the Bluegrass Community Foundation for construction of Isaac Murphy Memorial Art Garden. No matching funds are required. Budget amendment in process.

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Item be Approved and Referred to the Docket and sent to the Urban County Council to be returned on 09/26/13. The motion PASSED by an unanimous vote.**

f [1001-13](#)

Authorization to submit application and accept award of funds from the Kentucky Board of Emergency Medical Services for purchase of EMS equipment-FY 2015-2016. (L1001-13) (Gooding/Mason)

This is a request to submit application and accept award of funds in the amount of \$20,400 from the Kentucky Board of Emergency Medical Services for purchase of EMS equipment-FY 2015-2016. No matching funds are required.

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Item be Approved and Referred to the Docket and sent to the Urban County Council to be returned on 09/26/13. The motion**

PASSED by an unanimous vote.

- g**     [1002-13](#)     Authorization to accept a Deed of Easement from Transylvania University for relocation of an air release valve. (L1002-13) (Martin/Moloney)  
This is a request to accept a Deed of Easement from Transylvania University for relocation of an air release valve. There is no budgetary impact.  
**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Item be Approved and Referred to the Docket and sent to the Urban County Council to be returned on 09/26/13. The motion PASSED by an unanimous vote.**
- h**     [1003-13](#)     Authorization to submit application to the Kentucky Division of Emergency Management requesting federal funds under the Federal Emergency Management Agency's Flood Mitigation Assistance/Pre-Disaster Mitigation programs. (L1003-13) (Gooding/Moloney)  
This is a request to submit application to the Kentucky Division of Emergency Management requesting federal funds in the amount of \$1,422,000 under the Federal Emergency Management Agency's Flood Mitigation Assistance/Pre-Disaster Mitigation programs. A local match of \$474,000 (25%) is required.  
**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Item be Approved and Referred to the Docket and sent to the Urban County Council to be returned on 09/26/13. The motion PASSED by an unanimous vote.**
- i**     [1004-13](#)     Authorization to execute Change Order No. 3 with Churchill McGee, LLC, for the Carver Community Center renovation for the Newtown Pike Extension Project. (L1004-13) (Gooding/Reed)  
This is a request to execute Change Order No. 3 in the amount of \$20,477.84 with Churchill McGee, LLC, for the Carver Community Center renovation for the Newtown Pike Extension Project. This increase brings the new contract total cost to \$1,121,059.25. Funds are budgeted.  
**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Item be Approved and Referred to the Docket and sent to the Urban County Council to be returned on 09/26/13. The motion PASSED by an unanimous vote.**
- j**     [1005-13](#)     Authorization to execute Change Order No. 1 with Fitzsimons Office of Architecture for additional design services for Carver Community Center renovation for the Newtown Pike Extension Project. (L1005-13) (Gooding/Reed)  
This is a request to execute Change Order No. 1 for an amount of \$7,800 with Fitzsimons Office of Architecture for additional design services for Carver Community Center renovation for the Newtown

Pike Extension Project. This increase brings the new contract total cost to \$92,800. Funds are budgeted.

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Item be Approved and Referred to the Docket and sent to the Urban County Council to be returned on 09/26/13. The motion PASSED by an unanimous vote.**

**k**     [1007-13](#)

Authorization to approve and adopt revised regulations for the procurement of personal/professional services on behalf of the Urban County Government through its Division of Central Purchasing. (L1007-13) (Slatin/O'Mara)

This is a request to approve and adopt revised regulations for the procurement of personal/professional services on behalf of the Urban County Government through its Division of Central Purchasing allowing the use of the design-build method and similar methods for the procurement of construction services.

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Item be Approved and Referred to the Docket and sent to the Urban County Council to be returned on 09/26/13. The motion PASSED by an unanimous vote.**

**I**     [1010-13](#)

Authorization to execute Federal Equitable Sharing Agreement and Certification with the Department of Justice and Department of the Treasury. The agreement covers requirements for participation in the federal equitable sharing program and restrictions upon the use of federally forfeited cash, property, proceeds, and any interest, which are equitably shared with participating law enforcement agencies. (L1010-13) (Bastin/Mason)

This is a request to execute Federal Equitable Sharing Agreement and Certification with the Department of Justice and Department of the Treasury. The agreement covers requirements for participation in the federal equitable sharing program and restrictions upon the use of federally forfeited cash, property, proceeds, and any interest, which are equitably shared with participating law enforcement agencies. There is no budgetary impact.

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Item be Approved and Referred to the Docket and sent to the Urban County Council to be returned on 09/26/13. The motion PASSED by an unanimous vote.**

**m**     [1014-13](#)

Authorization to execute Amendment to Sublease and Management Agreement with LexArts, Inc. for the management of the Downtown Arts Center (DAC). (L1014-13) (Atkins)

This is a request to execute Amendment to Sublease and Management Agreement with LexArts, Inc. for management of the DAC for an amount of \$109,250. Funds are budgeted.

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council**

Member Chuck Ellinger, that this Item be Approved and Referred to the Docket and sent to the Urban County Council to be returned on 09/26/13. The motion PASSED by an unanimous vote.

n [1016-13](#)

Authorization to amend Resolution No. 286-2011 which grants a local Occupational License Fee (OLF) inducement to Lockheed Martin Corp., to also include its affiliate, Lockheed Martin Operations Support, Inc. (L1016-13) (Atkins)

This is a request to amend Resolution No. 286-2011 which grants a local Occupational License Fee (OLF) inducement to Lockheed Martin Corp., to also include its affiliate, Lockheed Martin Operations Support, Inc. There is no budgetary impact.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Item be Approved and Referred to the Docket and sent to the Urban County Council to be returned on 09/26/13. The motion PASSED by an unanimous vote.

o [1019-13](#)

Authorization to execute Facility Usage Agreements with various youth baseball leagues to provide youth sports for the community by utilizing Park facilities. (L1019-13) (Hancock/Reed)

This is a request to execute Facility Usage Agreements with various youth baseball leagues to provide youth sports for the community by utilizing Park facilities. There is no budgetary impact.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Item be Approved and Referred to the Docket and sent to the Urban County Council to be returned on 09/26/13. The motion PASSED by an unanimous vote.

p [1020-13](#)

Authorization to execute Construction Easement Agreement with R. J. Corman Railroad Property, LLC for a temporary construction easement needed to construct sidewalk along W. Fourth Street on the Fourth Street Improvements Project. (L1020-13) (Frazier/Paulsen)

This is a request to execute Construction Easement Agreement with R. J. Corman Railroad Property, LLC for a temporary construction easement needed to construct sidewalk along W. Fourth Street on the Fourth Street Improvements Project for a cost not to exceed \$500.00. Funds are budgeted.

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chuck Ellinger, that this Item be Approved and Referred to the Docket and sent to the Urban County Council to be returned on 09/26/13. The motion PASSED by an unanimous vote.