



**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 11, 2012

3:00 PM

Council Chamber

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**Packet**

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

**Present** 14 - Bill Farmer Jr., Chris Ford, Chuck Ellinger, Diane Lawless, Ed Lane, George Myers, Jay McChord, Julian Beard, K.C. Crosbie, Kevin Stinnett, Council Member Linda Gorton, Peggy Henson, Steve Kay, and Tom Blues

**Absent** 1 - Doug Martin

**II. Requested Rezonings/ Docket Approval**

**III. Approval of Summary**

[0921-12](#)

Work Session Table of Motions August 28 2012

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

**IV. Budget Amendments**

**V. New Business**

**VI. Continuing Business/ Presentations**

**a** [0937-12](#)

Neighborhood Development Funds - September 11, 2012

**A motion was made by Council Member Chuck Ellinger, seconded by Council Member K.C. Crosbie, that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 9/13/2012. The motion PASSED by an unanimous vote.**

**b** [0917-12](#)

General Government Committee August 21 2012 Summary

**c** [0938-12](#)

Budget & Finance Committee Summary, August 28, 2012

**d** [0939-12](#)

Annual Sanitary Sewer Capacity, Management, Operations and Maintenance (CMOM) Implementation Services; Presented by: Charlie Martin, Director of Water & Air Quality

**Considered**

- e      [0940-12](#)      LFUCG 2013 Health Plan Renewal; Presented by: Benji Marrs, Benefit Insurance Marketing

**Considered**

**VII. Council Reports**

[0965-12](#)      A Resolution requesting that the Legislature amend KRS 512.080 to expressly authorize urban county governments and other local governments to issue civil fines for unlawfully posting advertisements, posters, notices or other matters to public property; and hereby notifying Governor Steve Beshear, Senate President David L. Williams, House Speaker Greg Stumbo, and Fayette County's legislators of this Resolution. [Council Office, Maynard]

**A motion was made by Council Member Myers, seconded by Council Member Ellinger, that this Agenda Item be Approved and Referred to the Urban County Council Docket, due back on 9/13/2012. 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, Kevin Stinnett, Council Member Linda Gorton, Peggy Henson, Steve Kay, and Tom Blues

**Nay:** 1 - K.C. Crosbie

**Absent:** 1 - Doug Martin

**VIII. Mayor's Report**

- [0944-12](#)
1. Recommending the appointments of Mr. Michael K. Ash, as Commerce Lexington representative, Mr. John N. Billings, as at-large representative, and Mr. Martin A. Rothchild, as Bluegrass Hospitality Association representative, to the Convention and Visitors Bureau Board of Directors, with terms to expire 9-9-2015, 9-9-2015 and 9-9-2014, respectively. The terms of Mr. Bob Hewett and Mr. Reginald Thomas will expire 9-9-2012, and the term of Ms. Kristi Yahn is expired.
  2. Recommending the appointment of Mr. Mark S. Newberg, as LFUCG Building Inspection representative, non-voting, to the Corridors Commission, with a term to expire 9-1-2015. The term of Mr. Bob Carpenter has expired.
  3. Recommending the appointment of Sen. Kathy Stein to the Domestic Violence Prevention Board, with a term to expire 1-1-2015. Sen. Stein will fill a vacancy.
  4. Recommending the reappointment of Ms. Deborah A. Majeed, as area resident, to the Dunbar Neighborhood Center Board, with a term to expire 3-20-2016.

5. Recommending the reappointments of Ms. Deborah D. Danner, Ms. Margaret J. McCoskey, and Mr. Bernie Vonderheide to the Senior Services Commission, with terms to expire 9-1-2016.
6. Recommending the appointment of Mr. Jeffrey N. Fugate to the Transit Authority Board, with a term to expire 6-30-2016. The term of Ms. Andrea Strassburg is expired.

**A motion was made by Council Member Linda Gorton, seconded by Council Member George Myers, that this Communication be Approved and Referred to the Urban County Council Docket, to be returned by 9/13/2012. The motion PASSED by an unanimous vote.**

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

**X. Adjournment**

**Administrative Synopsis - New Business Items**

- a      [0876-12](#)      Authorization to execute Change Order No. 1 with Judy Construction Company for additional work to the West Hickman WWTP Improvement Clarifier #8 Modifications/Repairs Project. (L876-12) (Martin/Moloney)  
This is a request to execute Change Order No. 1 with Judy Construction Company for an amount of \$9,431 for additional work to the West Hickman WWTP Improvement Clarifier #8 Modifications/Repairs Project. This increase brings the total new cost to \$240,931. Funds are budgeted.  
**A motion was made by Council Member Julian Beard, seconded by Council Member Bill Farmer, Jr., that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 9/13/2012. The motion PASSED by an unanimous vote.**
- b      [0877-12](#)      Authorization to execute Change Order No. 1 with LAGCO for the Anniston/Wickland Capital Storm Sewer Project Phase 2. (L877-12) (Martin/Moloney)  
This is a request to execute Change Order No. 1 with LAGCO for an amount of \$4,751.50 to make adjustments from estimated quantities to actual quantities for the Anniston/Wickland Capital Storm Sewer Project Phase 2. This increase brings the total new cost to \$658,578. Funds are budgeted.  
**A motion was made by Council Member Julian Beard, seconded by Council Member Bill Farmer, Jr., that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 9/13/2012. The motion PASSED by an unanimous vote.**
- c      [0880-12](#)      Authorization to execute a Mutual Aid Agreement with Rural/Metro Ambulance. (L880-12) (Jackson/Mason)  
This is a request to execute a Mutual Aid Agreement with Rural/Metro Ambulance which defines the rolls and responsibilities of each agency should the need arise to call on them for assistance or render assistance to them. There is no budgetary impact.  
**A motion was made by Council Member Julian Beard, seconded by Council Member Bill Farmer, Jr., that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 9/13/2012. The motion PASSED by an unanimous vote.**
- d      [0889-12](#)      Authorization to amend Resolution No. 91-2012 to increase the maximum amount of funding for the acquisition of fee simple right of way and temporary construction easements from owners of record needed for Meadows/Northland/Arlington Public Improvements Section 5A. (L889-12) (Gooding/Paulsen)  
This is a request to amend Resolution No. 91-2012 to increase the

maximum amount of funding for the acquisition of fee simple right of way and temporary construction easements from owners of record needed for Meadows/Northland/Arlington Public Improvements Section 5A from \$175,000 to \$180,000. Funds are budgeted.

**A motion was made by Council Member Julian Beard, seconded by Council Member Bill Farmer, Jr., that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 9/13/2012. The motion PASSED by an unanimous vote.**

**Aye:** 0

**Nay:** 0

**Absent:** 1 - Doug Martin

- e**      [0890-12](#)      Authorization to execute an amendment to the Agreement with Kentucky Transportation Cabinet for the Share the Road Media Campaign Project. (L890-12) (Gooding/Paulsen)

This is a request to execute an amendment to the Agreement with Kentucky Transportation Cabinet for extension of performance period through June 30, 2013, for the Share the Road Media Campaign Project. There is no budgetary impact.

**A motion was made by Council Member Julian Beard, seconded by Council Member Bill Farmer, Jr., that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 9/13/2012. The motion PASSED by an unanimous vote.**

- f**      [0891-12](#)      Authorization to execute an amendment to the Agreement with Kentucky Transportation Cabinet for the Gainesway Trail Project. (L891-12) (Gooding/Paulsen)

This is a request to execute an amendment to the Agreement with Kentucky Transportation Cabinet for extension of performance period through June 30, 2013 for the Gainesway Trail Project. There is no budgetary impact.

**A motion was made by Council Member Julian Beard, seconded by Council Member Bill Farmer, Jr., that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 9/13/2012. The motion PASSED by an unanimous vote.**

- g**      [0892-12](#)      Authorization to execute an amendment to the Agreement with Kentucky Transportation Cabinet for the Fiber Optic Cable 2009 Project. (L892-12) (Gooding/Moloney)

This is a request to execute an amendment to the Agreement with Kentucky Transportation Cabinet for extension of performance period through June 30, 2013, for the Fiber Optic Cable 2009 Project. There is no budgetary impact.

**A motion was made by Council Member Julian Beard, seconded by Council Member Bill Farmer, Jr., that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 9/13/2012. The motion**

**PASSED by an unanimous vote.**

- h**      [0902-12](#)      Authorization to execute an amendment to the Agreement with Kentucky Theater Management Group, Inc. for operation and management of the Kentucky and State Theaters. (L902-12) (Hamilton)  
This is a request to execute an amendment to the Agreement with Kentucky Theater Management Group, Inc. for extension of the term through October 31, 2013, for operation and management of the Kentucky and State Theaters.  
**A motion was made by Council Member Julian Beard, seconded by Council Member Bill Farmer, Jr., that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 9/13/2012. The motion PASSED by an unanimous vote.**
- i**      [0903-12](#)      Authorization to amend Section 22-5 of the Code of Ordinances, creating one (1) position of Program Supervisor P/T (Grade 106N) in the Department of Social Services for a term to expire September 1, 2014. (L903-12) (Maxwell/Mills)  
This is a request to amend Section 22-5 of the Code of Ordinances, creating one (1) position of Program Supervisor P/T (Grade 106N) in the Department of Social Services for a term to expire September 1, 2014. Funds are included in the FY 2013 adopted budget.  
**A motion was made by Council Member Julian Beard, seconded by Council Member Bill Farmer, Jr., that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 9/13/2012. The motion PASSED by an unanimous vote.**
- j**      [0909-12](#)      Authorization to execute an Agreement with the Institute of Police Technology and Management (IPTM) for a Burglary Investigations course. (L909-12) (Bastin/Mason)  
This is a request to execute an Agreement with the IPTM for a Burglary Investigations course to be provided January 14-16, 2013, for a cost of \$11,500 for a 40 person class. Funds are budgeted.  
**A motion was made by Council Member Julian Beard, seconded by Council Member Bill Farmer, Jr., that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 9/13/2012. The motion PASSED by an unanimous vote.**
- k**      [0910-12](#)      Authorization to execute a Memorandum of Understanding (MOU) with the Kentucky State Police, Kentucky Internet Crimes Against Children Task Force. (L910-12) (Bastin/Mason)  
This is a request to execute a MOU with the Kentucky State Police, Kentucky Internet Crimes Against Children Task Force to allow for the continuation of the Kentucky Internet Crimes Against Children Task Force through June 30, 2014.  
There is no budgetary impact.

**A motion was made by Council Member Julian Beard, seconded by Council Member Bill Farmer, Jr., that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 9/13/2012. The motion PASSED by an unanimous vote.**

- I**      [0911-12](#)      Authorization to execute a Memorandum of Understanding (MOU) with the Internal Revenue Service, Criminal Investigation (IRS-CI). (L911-12) (Bastin/Mason)

This is a request to execute a MOU with the IRS-CI to allow for the continuation of the Financial Crimes Task Force to investigate money laundering operations for a period of two (2) years. There is no budgetary impact.

**A motion was made by Council Member Julian Beard, seconded by Council Member Bill Farmer, Jr., that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 9/13/2012. The motion PASSED by an unanimous vote.**

- m**      [0915-12](#)      Authorization to execute a Partial Release of Easement releasing a portion of a sanitary sewer easement on property located at 249 Towne Square Park. (L915-12) (Graham)

This is a request to execute a Partial Release of Easement releasing a portion of a sanitary sewer easement on property located at 249 Towne Square Park. There is no budgetary impact.

**A motion was made by Council Member Julian Beard, seconded by Council Member Bill Farmer, Jr., that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 9/13/2012. The motion PASSED by an unanimous vote.**

- n**      [0924-12](#)      Authorization to accept additional federal funding from the Kentucky Energy and Environment Cabinet for the Wolf Run Creek Watershed Based Plan. (L924-12) (Gooding/Moloney)

This is a request to accept additional federal funding in the amount of \$300,000 from the Kentucky Energy and Environment Cabinet for the Wolf Run Creek Watershed Based Plan. A 40% local match of \$200,000 is required. Funds are budgeted.

**A motion was made by Council Member Julian Beard, seconded by Council Member Bill Farmer, Jr., that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 9/13/2012. The motion PASSED by an unanimous vote.**

- o**      [0927-12](#)      Authorization to execute amendment to Agreement with Disponette Service Co. Inc., for improvements to Charles Young Center. (L927-12) (Gooding/Hamilton)

This is a request to execute Amendment to Agreement with Disponette Service Co. Inc., for improvements to Charles Young Center. No

additional funds are needed for this contract.

**A motion was made by Council Member Julian Beard, seconded by Council Member Bill Farmer, Jr., that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 9/13/2012. The motion PASSED by an unanimous vote.**

p [0928-12](#)

Authorization to execute an Agreement with the Fayette County Sheriff for collection of 2012 ad valorem urban services property taxes. (L928-12) (Driskell)

This is a request to execute an Agreement with the Fayette County Sheriff for collection of 2012 ad valorem urban services property taxes for an amount not to exceed \$350,000. Funds are budgeted.

**A motion was made by Council Member Julian Beard, seconded by Council Member Bill Farmer, Jr., that this Agenda Item be Approved and Referred to the Urban County Council Docket, to be returned by 9/13/2012. The motion PASSED by an unanimous vote.**