

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
October 24-October 31, 2011**

Monday, October 24

No Meetings

Tuesday, October 25

Nicholasville Rd Task Force Meeting.....9:00 am
Conference Room-5th Floor Government Center

Corridors Commission Meeting.....11:00 am
Council Chambers-2nd Floor Government Center

Budget & Finance Committee Meeting.....1:00 pm
Council Chambers-2nd Floor Government Center

Council Work Session.....3:00 pm
Council Chambers-2nd Floor Government Center

Mayor's Youth Council Meeting.....5:30 pm
Conference Room-5th Floor Government Center

Wednesday, October 26

Commission for Citizens with Disabilities Meeting.....9:15 am
Conference Room 4C-Main Library

MPO-Transportation Policy Committee (TPC) Meeting.....2:30 pm
Jessamine County Courthouse, 101 N. Main St, Nicholasville KY

Thursday, October 27

Council Meeting.....6:00 pm
Council Chambers-2nd Floor Government Center

Friday, October 28

No Meetings

Monday, October 31

No Meetings

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS

October 18, 2011

Mayor Gray chaired today's work session meeting, beginning at 3:00 pm. All Council Members were present, except CM Ford.

I. Public Comment – Issues on Agenda-Yes

Citizen, Diane Cahill, spoke about the railroads and gave a petition. VM Gorton asked a question and CM Stinnett said that he was already working on this issue. CMs Lawless and McChord also spoke. CM McChord suggested to Council and Mayor Gray that if they begin to bargain that they have leverage because the railroads can be obstinate.

II. Requested Rezoning / Docket Approval-None

III. Approval of Summary-Yes

A motion by CM Ellinger to approve the summary from October 11, 2011, seconded by CM Beard, passed without dissent.

VM Gorton stated that she had some corrections done to her Council report from 10.11.11.

IV. Budget Amendments-None

V. New Business

- A. Authorization to enter an agreement with Windstream to provide ISDN PRI services to 229 E. Third Street to the Division of Emergency Management/911. (370-11) (Lucas/Mason)

- B. Authorization to approve agreements with eight engineering firms deemed prequalified to provide limited engineering services for stormwater and sanitary sewer projects. (374-11) (Martin/Taylor)
- C. Authorization to execute memorandum of agreement between LFUCG and the Federal Emergency Management Agency Integrated Public Alert and Warning System. (368-11) (Dugger/Mason)
- D. Authorization to amend the management agreement with Meridian Management Corporation to include staff pricing that is not currently covered in the contract. (369-11) (Baradaran/Moloney)
- E. Authorization to purchase property at 416 Carlisle Ave. for the Meadows-Northland-Arlington Public Improvements Project. (372-11) (Gooding/Taylor)
- F. Authorization to approve 3rd Quarter street name changes and individual number changes within Council Districts 1, 2, 3, 4, 5 and 11. (373-11) (Lucas/Mason)

A motion by CM Blues to approve New Business, A-F, seconded by VM Gorton passed without dissent.

VI. Continuing Business / Presentations-Yes

A. 9.27.11 Social Services & Community Development Committee

This update was given by Chair CM Myers. He stated that there would be a mandatory meeting tomorrow for agencies who want to apply for funding from the Social Services Dept of the LFUCG at 4-5:30 pm at 469 Parkway Dr-Parks offices at Picadome.

B. 10.4.11 Planning & Public Works Committee

This update was given by Chair CM Farmer. One motion to come forward.

A motion by CM Farmer to approve the draft ordinance of the sidewalk specifications and regulations, seconded by VM Gorton, passed without dissent.

C. 10.11.11 Economic Development Committee of the Whole

This update was given by Chair CM Beard. There were no motions to come forward.

D. Presentation on Staffing Levels for Government Communications & Informational Technology

This presentation was given by Sheila Hupp and Melissa Luecker from the CAO Office. Several CMs asked questions. Mrs. Hupp said that we are moving forward to create a hybrid graphics need. Ms. Luecker stated that the study by Hannah research should be done by the end of the month. She also said that they are working on major projects in Water Quality, routing project in Waste Mgmt., and also focusing on infrastructure. CAO is working with updates from IT.

VM Gorton asked if Melissa would email to Council the IT projects that are on hold. CM Stinnett asked if we are planning to fill the 5 lost IT positions and who has replaced their daily duties? Mayor Gray answered his questions. CM Stinnett asked who, in PIO, is doing the graphics work. Mayor Gray answered again. Per Mrs. Hupp, Stacey Dimon is over graphic design. CM Stinnett clarified the reason for the presentation; he thanked the CAO, Sheila, and Melissa.

CM Farmer asked in respect to IT, what is the timeline and can this answer be given when the information from the study is given, also. CM Lane stated that his concern was with programming-each department should have separate programs; he also said that when outsourcing, there should be a long relationship becomes that makes for more efficiency.

CM Lane asked who could address this policy and bring the answer back to Council at the same time of the results from the Hannah

study. Mayor Gray said that this is Mr. Chad Cottle's area and yes he could bring the report back at that time.

CM Myers asked about some issues from the Latino Festival; he also asked about people who had left LFUCG being asked by present employees to do their work since they did not have any expertise-Mayor Gray answered.

Mayor Gray applauded Mrs. Hupp for her job well done and then said if anyone has ANY questions, then call him at 258-3112.

CM Beard asked how many in IT were getting supplemental pay-the answer given was 34 because 5 have left; he also offered his assistance with finding quality out-of-state outsources-since he has experience in this area.

E. Presentation on Updates for the Health Insurance Initiatives

This update was given by Briggs Cochran. He presented the health insurance options for calendar year 2012 for the LFUCG employees. All CMs had questions or made statements about this. Some were unaware of the options being presented.

VII. Council Report

CM Myers- Stated that his office will be getting an intern-VM Gorton asked some questions and CM Myers said that he will get Council a report; she also asked if there was a salary-he said yes, a stipend of \$500. CM Lane asked who would his intern report to-CM Myers said his office-not the Council Administrator.

A motion by CM Myers to place on the docket for October 27, 2011 Council Meeting a resolution authorizing the Mayor to execute a Clinical Education Agreement with the University of Kentucky's College of Nursing to provide an intern to perform services for the Urban County Council Office, seconded by CM McChord, passed without dissent.

CM Stinnett- Stated that there is a contest- Be Fire Smart- through Liberty Mutual Insurance- get on the website and vote for LFD and the fire dept. could win \$10K; asked VM Gorton about the Citizens Advocate office- she said that someone is coming in to work the office around Nov. 1st; VM Gorton said that she had a meeting with CAO Moloney and Pat Tatum of Lexcall and after tomorrow (10.19.11) the office calls will be forwarded to 311; the current acting Citizens Advocate is in the process of closing all cases; asked *CAO Moloney about the parking garage issue- he said he will have something within the next month; and asked Comm. Taylor if we have appealed to the state for help on repaving the larger roads.* CM McChord suggested that Comm. Taylor go through the MPO and write a letter of request.

CM Martin- Made a comment about an article in the Sacramento Bee, the sister paper to the H-L; it was about the fate of the California state Teachers Retirement system; *encouraged the administration to bring forward an estimate based on the new rules of what our liabilities would be and how we could plan for the new accounting standards that are coming.*

CM Blues- Announced Oakwood NA meeting on 10.24.11 at 7 pm at the Oakwood Community Center; on 11/2/11, at 6:30 pm at the Marlboro Park Community Center, the 2nd District will have a neighborhood transition meeting for the streets and neighborhoods that will be leaving Dist. 2 and going to Dist. 1, per the Redistricting Plan; CM Ford and his legislative aide, Tiffany Tatum, will be there.

CM Henson- A motion by CM Henson to move the Itinerant Merchant Task Force from the Public Safety Committee to the Planning & Public Works Committee, seconded by CM Crosbie, passed without dissent.

CM Beard- Asked about the flu shot program for this year- Ms. Luecker answered and said that Mary Lyle has some dates- Keith Horn, Dept. of Law, said the first round is to begin on 10/25/11.

VII. Mayor's Report-None

VIII. Public Comment-Issues not on the agenda (including the Redistricting Plan)-None

X. Adjournment

A motion by CM Lane to adjourn, seconded by CM Crosbie, passed without dissent.

Work session was adjourned at 5:30 pm.

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

October 25, 2011

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – Yes**
- III. Approval of Summary – Yes, October 18, 2011, pp. 1-6**
- IV. Budget Amendments – Yes, pp.11-13**
- V. New Business-Yes, pp. 14-30**
- VI. Continuing Business / Presentations**
 - A. 10.11.11 General Government Committee-CM Lane, pp.31-33**
 - B. 10.18.11 Social Services & Comm. Dev. Committee-CM Myers, pp.34-37**
 - C. 10.18.11 Public Safety Committee-CM Lawless, pp.38-40**
- VII. Council Reports**
- VIII. Mayor's Report –No**
- IX. Public Comment – Issues Not on Agenda (including the Redistricting Plan)**
- X. Adjournment**

ADMINISTRATIVE SYNOPSIS

October 25, 2011
New Business Items

- A. Authorization to enter into an agreement with Schrader & Robertson Commercial Auctioneers, LLC for the marketing and disposal of surplus property for the Department of General Services. (375-11) (Baradaran/Moloney)
This is a request to execute an agreement with Schrader & Robertson Commercial Auctioneers, LLC for the marketing and disposal of surplus property. The agreement enables the Department of General Services to dispose of surplus property when advertisements and disposals through the Division of Central Purchasing are not successful. The selling fee will be ten percent (10%) of the gross selling price.**p.14**
- B. Authorization to approve renewal agreement with Bluegrass PRIDE for recycling, waste management, storm water and sanitary sewer education and outreach services for the Divisions of Waste Management and Environmental Policy for \$562,234. (376-11) (Bush/Taylor)
This is a request to execute one year renewal agreement with Bluegrass PRIDE for recycling, waste management, storm water and sanitary sewer education and outreach services for schools, businesses and apartment complexes for the Divisions of Waste Management and Environmental Policy. The total costs for the contract renewal is not to exceed \$562,234. Funds are budgeted.**p.15**
- C. Authorization to execute memorandum of agreement between various parties regarding the development of the Eastern State Hospital Property for use as the Bluegrass Community Technical College for the Division of Historic Preservation. (377-11) (Kerr/Moloney)
This is a request to authorize the execution of a Memorandum of Agreement (MOA) between the Kentucky Finance and Administration Cabinet, The Kentucky Community Technical College System, Bluegrass Community College and the Kentucky State Historic Preservation Office (KSHPO), and the Lexington-Fayette Urban County Government as the certified local government for the KSHPO. The MOA reflects the

outcome of substantial reviews and discussions concerning the impact the redevelopment of the property will have on the historic property and the commitments that have been agreed upon.**pp.16-17**

- D. Authorization to amend the FY12 Purchase of Service Agreement with Chrysalis House to reallocate remaining funds. (378-11) (Mills)
This is a request to amend the FY2012 Purchase of Service Agreement with Chrysalis House. The agency has requested the reallocation of the remaining budget originally to be used for treatment to high-risk adolescents to be used for core programming, treating women with substance abuse and mental health disorders as a result of the loss of a major grant.**pp.18-19**
- E. Authorization to enter into an agreement with Advertising Vehicles for the production of "Smart911" transit advertisements to be posted in/on LexTran buses. (379-11) (Lucas/Mason)
This is a request to execute an agreement with Advertising Vehicles for the production of "Smart911" transit advertisements to be posted in/on LexTran buses for the Division of Emergency Management/911 at a cost not to exceed \$3,340. Funds are budgeted.**p.20**
- F. Authorization to enter into an agreement with Lamar Companies for the production and installation of "Smart911" billboard advertisements. (380-11) (Lucas/Mason)
This is a request to execute an agreement with Lamar Companies for the production and installation of "Smart911" billboard advertisements for the Division of Emergency Management/911 at a cost not to exceed \$5,650. Funds are budgeted.**p.21**
- G. Authorization to approve fixed price offer for natural gas supplied under Columbia Gas of Kentucky's SVGTS tariff. (381-11) (Bush/Taylor)
This is a request to approve the fixed-price offer for natural gas supplied under Columbia Gas of Kentucky's SVGTS tariff. The offer was obtained through a competitive bid process

conducted by Fellon McCord, consultant for the government on natural gas pricing.**p.22**

- H. Authorization to enter into an agreement with J. Stowe & Company, Inc. to conduct an audit of utility franchise fee revenues from Kentucky Utilities, Columbia Gas of Kentucky and Blue Grass Energy Cooperative for \$45,760. (382-11) (Bush/Taylor)

This is a request to enter into an agreement with J. Stowe & Company, Inc. to conduct an audit of utility franchise fee revenues from Kentucky Utilities, Columbia Gas of Kentucky and Blue Grass Energy Cooperative at costs not to exceed \$45,760. The existing franchise agreements allow the costs of the audit to be passed on to the utility companies. The initial funding will come from the CAO professional services budget and the utility reimbursements will be directed to the Franchise Fee budget. A budget amendment is in process to budget the funds.**p.23**

- I. Authorization to enter into a lease agreement with Nursing Home Ombudsman Agency for space located at 1530 Nicholasville Road, Senior Citizens Center. (383-11) (Baradaran/Moloney)

This is a request to execute a lease agreement with Nursing Home Ombudsman Agency for space located at 1530 Nicholasville Road, Senior Citizen Center. The initial rate is \$47.33 per month for 8 months, renewable for 3 years. Subsequent renewal rates will be adjusted upward. The current fiscal impact is \$3,386 in revenues.**pp.24-26**

- J. Authorization to amend Sections 4-12.3(e), 4-21(d) and 4-21.1 of the Code of Ordinances relating to Spay and Neuter Fund and grant program. (384-11) (Mason)

This is a request to amend sections 4-12.3(e), 4-21(d) and 4-21.1 of the Code of Ordinances relating to Spay and Neuter Fund and grant program, to permit an agency designated by the Department of Public Safety to operate and administer the program and to retain a portion of license and redemption fees for funding the program.**pp.27-30**

BUDGET AMENDMENT REQUEST LIST

JOURNAL	55770-71	DIVISION	CAO	Fund Name	General Fund
				Fund Impact	45,760.00
					45,760.00CR
					.00

To provide funds for Franchise Fee Audit by recognizing revenues to be received from utilities.

JOURNAL	55777-78	DIVISION	Streets and Roads	Fund Name	General Fund
				Fund Impact	2,990.94
					2,990.94CR
					.00

To provide funds for overtime by recognizing reimbursement for overtime worked during Pride Festival event.

JOURNAL	55834-35	DIVISION	Parks and Recreation	Fund Name	General Fund
				Fund Impact	3,500.00
					3,500.00CR
					.00

To recognize sponsorship from Kentucky Fish and Wildlife to Parks & Recreation maintenance fund for Hisle Archery Range.

JOURNAL	CB075	DIVISION	Mayor's Office/CAO	Fund Name	General Fund
				Fund Impact	39,500.00
					56,170.00CR
					16,670.00CR

To provide funds for two Administrative Officer - PT (Grade 118E) in Office of CAO by reducing funds for one Administrative Aide To Mayor (Grade 118E).

JOURNAL	55725	DIVISION	Family Services	Fund Name	Donation Fund
				Fund Impact	503.50
					503.50

To recognize funds from Partners for Youth for purchase of Family Care Center Parent Education supplies.

JOURNAL	55772-73	DIVISION	Mayor's Office	Fund Name	Donation Fund
				Fund Impact	1,143.91
					175.00CR
					968.91

To provide funds for supplies and Lexington Center rental for the Celebration of Disability Expo.

JOURNAL	55774-75	DIVISION	Social Services	Fund Name	Donation Fund
				Fund Impact	1,985.00
					1,985.00CR
					.00

To provide catering funds for Sr. Intern program participants by recognizing revenues for the program.

JOURNAL	DIVISION	Various	Fund Name	General Fund
			Fund Impact	1,705,793.40
				335,104.00CR
				1,370,689.40

To provide funds in FY 2012 for grant match encumbrances remaining in FY 2011 by recognizing funds reserved for this purpose.

JOURNAL	DIVISION	Various	Fund Name	Urban Fund
			Fund Impact	21,940.22
				1,080.82CR
				20,859.40

To provide funds in FY 2012 for grant match encumbrances remaining in FY 2011 by recognizing funds reserved for this purpose.

JOURNAL	DIVISION	Various	Fund Name	MAP Fund
			Fund Impact	1,683,991.19
				205,132.94CR
				1,478,858.25

To provide funds in FY 2012 for grant match encumbrances remaining in FY 2011 by recognizing funds reserved for this purpose.

JOURNAL	DIVISION	Various	Fund Name	Sanitary Sewer Fund
			Fund Impact	16,421.00
				16,421.00

To provide funds in FY 2012 for grant match encumbrances remaining in FY 2011 by recognizing funds reserved for this purpose.

JOURNAL	DIVISION	Various	Fund Name	Water Quality Fund
			Fund Impact	108,161.38
				105.27CR
				108,056.11

To provide funds in FY 2012 for grant match encumbrances remaining in FY 2011 by recognizing funds reserved for this purpose.

JOURNAL	DIVISION	Various	Fund Name	Lexvan Fund
			Fund Impact	26,400.00
				26,400.00

To provide funds in FY 2012 for grant match encumbrances remaining in FY 2011 by recognizing funds reserved for this purpose.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1101	General Service District Fund	1,354,019.40
Fund	1103	Donation Fund	1,472.41
Fund	1136	Municipal Aid Program Fund	1,478,858.25
Fund	4002	Sanitary Sewer Revenue and Operating Fund	16,421.00
Fund	4051	Water Quality Management Fund	108,056.11
Fund	4205	Lexvan Fund	26,400.00



Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Gray
Mayor

Jamshid Baradaran
Director Facilities & Fleet

MEMORANDUM

TO: Mayor Jim Gray
Urban County Council

FROM: Jamshid Baradaran
Director Facilities & Fleet

DATE: October 13, 2011

RE: Contract with Schrader & Robertson Commercial Auctioneers, LLC

I am requesting Urban County Council approval to enter into an agreement for the marketing and disposal of surplus property by use of respondent Schrader & Robertson Commercial Auctioneers, LLC. The selling fee will be ten percent (10%) of the gross selling price. Authorization enables the Department of General Services to dispose of surplus property whereas advertisements and disposal through the Division of Central Purchasing are not successful.



Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY AND PUBLIC WORKS

Jim Gray
Mayor

Cheryl Taylor
Commissioner

TO: Jim Gray, Mayor
Urban County Council
Richard Moloney, CAO

FROM: _____
Cheryl Taylor, Commissioner

DATE: Oct. 11, 2011

RE: Requesting Authorization to Renew Contract for 1 year with Bluegrass PRIDE for recycling, waste management, stormwater and sanitary sewer education and outreach services for schools, businesses and apartment complexes for the Divisions of Waste Management and Environmental Policy.

The Department of Environmental Quality is requesting authorization to renew for 1 year the contact with Bluegrass PRIDE for the Divisions of Waste Management (DWM) and Environmental Policy (DEP). Bluegrass PRIDE will be responsible for management of environmental education efforts related to recycling, waste reduction (WasteBusters), anti-litter and composting in Fayette County.

Bluegrass PRIDE will work cooperatively with schools (public and private), businesses and apartment complexes on recycling as well as recycling at public events. Bluegrass PRIDE will also perform education and outreach regarding an anti-litter campaign as well as assist DWM in the compost pilot program.

Bluegrass PRIDE will also provide education and outreach with schools, apartment complexes and businesses regarding pollution prevention, stormwater, storm drain stenciling, and sanitary sewer issues such as Fats, Oil and Grease.

This is the last 1-year option to renew under the contract that will expire June 30, 2012.

For the services described, Bluegrass PRIDE shall be compensated for education and outreach at a total not to exceed \$562,234 as submitted in response to the RFP for the contract period, which extends through June 30, 2012.



377-11
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Lexington-Fayette Urban County Government
Division of Historic Preservation

Jim Gray
Mayor

MEMORANDUM

TO: Jim Gray, Mayor
Richard Moloney, CAO
Urban County Council Members

FROM: Bettie Kerr
Bettie Kerr, Director
Division of Historic Preservation

DATE: October 17, 2011

SUBJECT: Memorandum of Agreement per the development of Bluegrass
Community and Technical College at the property now occupied by
Eastern State Hospital, Newtown Pike, Lexington, Kentucky.

The attached Memorandum of Agreement is between The Kentucky Finance and Administration Cabinet, The Kentucky Community Technical College System, Bluegrass Community College and the Kentucky State Historic Preservation Office regarding the development of the Eastern State Hospital Property in Lexington for use as the Bluegrass Community and Technical College.

The Urban County Government is designated a Certified Local Government (CLG) by the Kentucky Heritage Council, the State Historic Preservation Office administering the Federal program for the same. In accordance with an ongoing Memorandum of Agreement between the Kentucky Heritage Council and the LFUCG, the Division of Historic Preservation reviews projects listed on, and/or determined eligible for listing on, the National Register of Historic Places that involve Federal funds. This is done on an ongoing basis and was done for the Eastern State/BCTC project in light of the fact that BCTC anticipates utilizing Federal funds and want to be in compliance with the Federal regulations in order to be eligible to receive such funds.

The role of the LFUCG as a consulting party was carried out in accordance with the National Historic Preservation Act, by the LFUCG Historic Preservation Officer/ Director of the Division of Historic Preservation. The consulting parties involved in this process, in addition to the LFUCG, included the Blue Grass Trust for Historic Preservation, the Eastern State Hospital Cemetery Preservation Project and Preserve Lexington.

The LFUCG has been a Consulting Party, as outlined in the fifth paragraph of the first page of the MOA, during the planning and negotiations concerning the development of the Eastern State property, which includes a number of historic structures and has been determined eligible for listing on the National Register of Historic Places.

Jim Gray, Mayor
Richard Moloney, CAO
Urban County Council Members
Page 2

The attached MOA reflects the outcome of substantial reviews and discussions concerning the impact the redevelopment of the property will have on the historic Eastern State Hospital property and the commitments that have been agreed upon concerning the same. The redevelopment will be administered in accordance with the attached MOA agreement and future decisions specified in the master plan will be made in accordance with the State Historic Preservation Office (Kentucky Heritage Council) as noted in this agreement and in accordance with the National Historic Preservation Act (NRHP).

The attached MOA reflects the determination that the overall development will have an adverse effect on the historic property and outlines the mitigation actions that will occur. This includes the preservation and re-use of two historic buildings, full documentation of the several significant historic structures to be demolished, appropriate care and record keeping of the cemetery located on the grounds and the re-interment in that cemetery of any human remains discovered in the future, and other additional important considerations, as noted in the MOA.

Please let me know if you have questions. Thank you.

**378-11****18**

Lexington-Fayette Urban County Government
DEPARTMENT OF SOCIAL SERVICES

Jim Gray
Mayor

Beth Mills
Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Members of the Council

FROM: 
Beth Mills, Commissioner

DATE: October 17, 2011

SUBJECT: Amendment to Approved Purchase of Service Agreement ("PSA") – Chrysalis House

Chrysalis House has requested an amendment to the Addendum to the approved FY12 Partner Agency PSA. This amendment is necessitated by the loss of Substance Abuse and Mental Health Services Administration (SAMHSA) grant funding in the amount of \$500,000, which represents about 20% of the agency's total budget. As a result, Chrysalis House is seeking other funding sources and making adjustments to existing programming.

Chrysalis House was provided with \$33,300 in Partner Agency funding for FY12, which has been used to provide treatment to high-risk adolescents. They request Council approval to use the remaining \$19,425 of these funds to help maintain their core programming – treating women with substance abuse and mental health disorders. A revised Addendum is attached for Council approval.

ADDENDUM

Service Agreement October, 2011

Lexington-Fayette Urban County Government and Chrysalis House

Specific use of funds:

The funds provided by LFUCG to Chrysalis House will be used to pay a majority of the salary of a Certified Alcohol and Drug Counselor specializing in the treatment of women's issues.

New admissions to Chrysalis will be met by their therapist who will lead her treatment team at the facility in which the new client will reside. All Chrysalis therapists maintain degrees and certification/licensure to provide therapeutic services or are supervised by experienced and qualified professionals while working toward certification. Thorough mental health and substance abuse assessment begins at this initial meeting and continues over the first 48 hours. Following this extensive diagnostic interview, review of medical records from previous treatment episodes, and psychological testing, mental health diagnoses are rendered if applicable. Clients will receive a minimum of weekly individual and group therapy to address mental health difficulties. Treatment for mental health disorders is fully integrated with substance abuse treatment and continues throughout residential treatment, usually 6-8 months. Within 7 days of admission, the therapist will also work with the client to develop an individualized treatment plan to address problems with substance dependence, mental disorders, and medical problems, and other difficulties. The treatment plan includes goals and objectives for resolving problems and a timeline of completion for each goal and objective. The treatment plan is reviewed monthly or as situations change.

It has been estimated that 37% of alcohol abusers and 53% of drug abusers also have at least one serious mental illness. Conversely, it has been estimated that 29% of all people diagnosed as mentally ill abuse either alcohol or drugs. At Chrysalis the incidence of co-occurring disorders is over 80% of the population served, therefore we offer the highest level of care.

Outcomes

Long Term:

- Clients receiving services will experience a reduction in relapse and recidivism.
- Clients will report improvement in physical and mental health.
- Pregnant clients will deliver healthy babies.

Short Term:

- Clients receive substance abuse and mental health services, meeting individually and in a group setting with a mental health professional.
- Pregnant clients receive pre- and post-natal care.
- Clients receive case management services, working toward improved wellness, employment, parenting, housing, and self-sufficiency.
- Clients receive frequent and random urine tests.



Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

Clay Mason
Commissioner

October 17, 2011

TO: Mayor Jim Gray and Urban County Council

FROM: David S Lucas, Director of Enhanced 9-1-1

RE: Agreement with Advertising Vehicles

This request will authorize the mayor to enter an agreement with Advertising Vehicles for the production of 'Smart911' transit advertisements to be posted in/on LexTran buses.

The total cost for the fiscal year is \$3,340 and all funds are budgeted within the Division of Enhanced 911.

The following documents are attached:

1. Administrative review form. (Blue sheet)
2. Advertising Vehicles contract.

Please return completed documents to my attention for final disposition.



380-11
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Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

Clay Mason
Commissioner

October 17, 2011

TO: Mayor Jim Gray and Urban County Council

FROM: David S Lucas, Director of Enhanced 9-1-1

RE: Agreement with Lamar Companies

This request will authorize the Mayor to enter an agreement with Lamar Companies for the production and installation of 'Smart911' billboard advertisements.

The total cost for the fiscal year is \$5,650 and all funds are budgeted within the Division of Enhanced 911.

The following documents are attached:

1. Administrative review form. (Blue sheet)
2. Lamar Companies contract.

Please return completed documents to my attention for final disposition.



381-11
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Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Gray
Mayor

Cheryl Taylor
Commissioner

October 14, 2011

To: Mayor Jim Gray
Council Members

From: Cheryl A. Taylor, Commissioner
Environmental Quality & Public Works

Subject: Natural Gas Bid Recommendation

Requesting approval of the fixed-price offer for natural gas supplied under Columbia Gas of Kentucky's SVGTS tariff. The offer is valid for two weeks and was obtained through competitive bid process conducted by Fellon McCord, consultant for LFUCG on natural gas pricing. The price and term of the offer are set forth in the terms of the bid.

Under the SVGTS tariff, LFUCG can aggregate its natural gas consumption in order to solicit fixed-price bids from eligible CHOICE Marketers. This process is expected to result in lower gas costs over the term of the contract than if LFUCG were to purchase gas on an account-by-account basis using the monthly variable rate. In addition, the fixed-priced method provides more accuracy in estimating and budgeting for natural gas utility costs. The term of the offer is set to expire in June in order to align with the fiscal year.

**382-11****23**

Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Gray
Mayor

Cheryl A. Taylor
Commissioner

October 12, 2011

To: Mayor Jim Gray
Council Members

From: Cheryl A. Taylor, Commissioner
Environmental Quality & Public Works

Subject: Bid Recommendation #5-2011

Requesting approval of a contract with J. Stowe & Co., Inc. to conduct an audit of utility franchise fee revenues received from Kentucky Utilities, Columbia Gas of Kentucky and Blue Grass Energy Cooperative. The review committee found that J. Stowe & Co. submitted the best overall response to the RFP among four (4) responses.

The scope of work was refined and a contract negotiated with J. Stowe & Co. to provide the Audit of Franchise Fees for an amount not to exceed forty-five thousand seven hundred and sixty dollars (\$45,760.00).

Per LFUCG's existing franchise fee agreements, the cost of the audit may be passed on to the utility companies. Initial funding for the project will come from the CAO Professional Services budget shown below. A budget amendment has been entered to transfer the necessary funds from the Franchise Fee budget to the CAO. Utility reimbursements will be directed to the Franchise Fee budget.

Fund	Dept ID	Section	Account
1101	155001	0001	71299



383-11
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Lexington-Fayette Urban County Government
DEPARTMENT OF SOCIAL SERVICES

Jim Gray
Mayor

Beth Mills
Commissioner Social Services

MEMORANDUM

TO: Mayor Jim Gray
Urban County Council

FROM: Beth Mills
Commissioner Social Services

DATE: October 12, 2011

RE: Lease Agreement

I am requesting Urban County Council approval to enter into a lease agreement with Nursing Home Ombudsman Agency for space located within the Senior Citizens Center at 1530 Nicholasville Road. The space that will be occupied is offices in Areas 33, 34, 35, 36 and a pro-rata share of the multi-use office (Area 32). The total space is approximately 605 sq. ft. and the associated CAM area is 341 sq. ft. The space will be used as office space for the purpose of oversight and direction of the services provided by the agency. The initial term of this agreement will be for a period of eight (8) months, automatically renewable for three (3) subsequent terms of one year each. All renewal terms shall commence on July 1 and end the following year on June 30th. An early termination without penalty provision has been built into the terms of the agreement and the lease is not assignable.

LFUCG will receive an initial rate of \$47.33 per month for use of this space. During subsequent renewal terms of this Lease Agreement the rental rate shall be adjusted upward. LFUCG will receive an annual rate of \$3,386.00 for FY 2013, \$4,454.00 for FY 2014, and \$5,522.00 for FY 2015. The annual rental rate and monthly payments are defined within the agreement.

EXHIBIT A

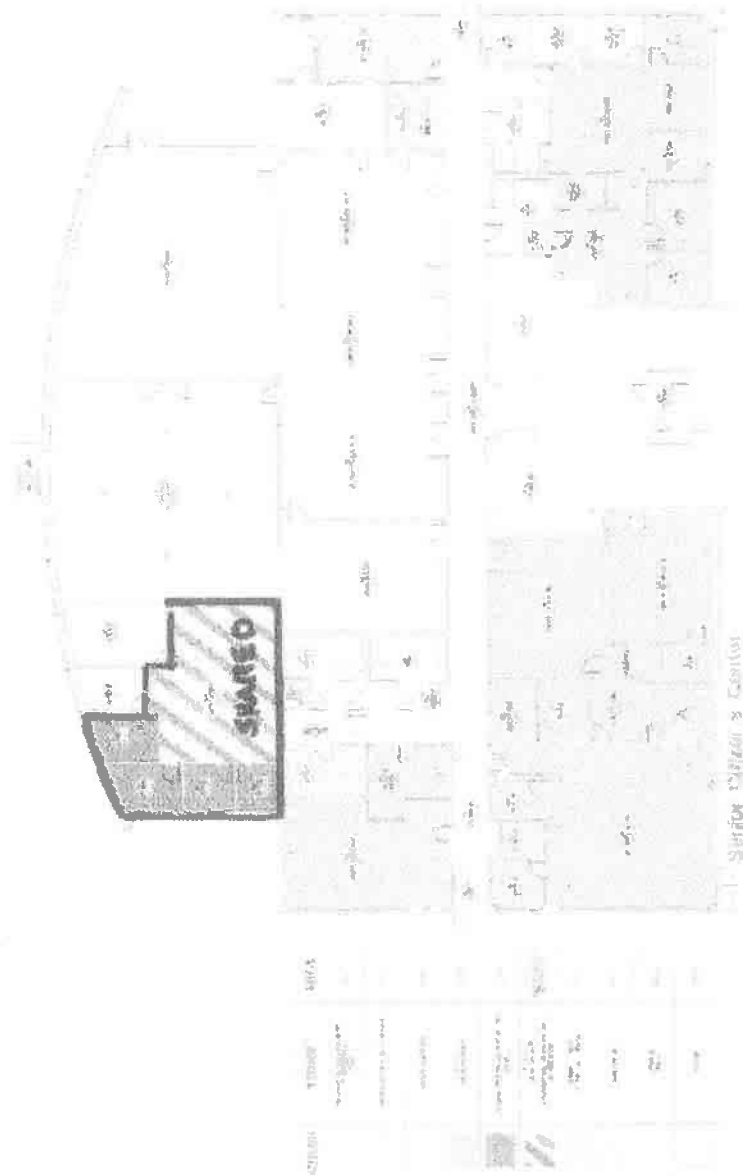


EXHIBIT B
RENT SCHEDULE
 1530 Nicholasville Road
 Senior Citizens Center
NURSING HOME OMBUDSMAN AGENCY

ANNUAL RENTAL RATE SCHEDULE
***NEW RATE BECOMES EFFECTIVE JULY 1st EACH YEAR**

	FY 2012	FY 2013	FY 2014	FY 2015
Base (534 sf)	\$0.00	\$2,136.00	\$3,204.00	\$4,272.00
Change (71sf @ \$8.00)	\$568.00	\$568.00	\$568.00	\$568.00
CAM area (341sf @ \$2.00)	\$0.00	\$682.00	\$682.00	\$682.00
Total Lease:	\$568.00	\$3,386.00	\$4,454.00	\$5,522.00
Monthly Rental Due	\$47.33	\$282.17	\$371.17	\$460.17

Payments shall be forwarded to the Owner at the following:
 Lexington-Fayette Urban County Government
 Department of General Services
 200 East Main Street
 Lexington, KY 40507




384-11
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Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

Clay Mason
Commissioner

To: Mayor Jim Gray
Richard Moloney, CAO
Urban County Council

From: Rick Curtis, Administrative Officer
Department of Public Safety 

Date: October 6, 2011

Re: Blue Sheet Spay & Neuter Grant Program Ordinance Amendment

This is to request an amendment to the Code of Ordinances, Section 4-12.3(e), 4-21(d) and 4-21.1 relating to the spay and neuter grant fund program, to permit an agency designated by the Department of Public Safety to operate and administer the program and to retain a portion of the license and redemption fees for funding the program.

As proposed, funds designated by ordinance for the Spay & Neuter Grant Program (Program) from pet licensing and reclaimed animal redemption fees will continue to be collected by Lexington-Fayette Animal Care and Control (LFACC) and then—instead of being sent to LFUCG—transferred into the Lexington Humane Society's (LHS) spay/neuter account. Money from this account will be used to fund qualifying Program surgeries performed through LHS's Spay'sTheWay program.

Summary of current ordinance process:

1. Revenue collected by LFACC from fees
2. Fees transferred into LHS spay/neuter account
3. Spay'sTheWay invoices the account for Program surgeries performed
4. Any invoice balance not covered by the account is covered by Spay'sTheWay

Ordinance Amendment positives:

1. Reflects a cost-cutting action by LFUCG
 - a. LHS will provide all administrative and accounting activities for the Program at no cost to LFUCG
 - i. LFACC contract with LFUCG is testimony to the organization's sound administrative and accounting practices
 - ii. LHS has managed majority of the Program on behalf of Public Safety for six years
2. Eliminates LFUCG's monthly administrative and accounting role necessary for the Program
 - a. Benefitting several departments: Public Safety, Revenue, Finance
 - b. LFUCG time-savings and improved efficiency

3. Eliminates LFUCG's annual budget line item for the Program
 - a. LFUCG time-savings and improved efficiency
4. Allows LHS to be reimbursed in a more timely manner through the Program
 - a. Eliminates lag time in LHS's receipt of payment
 - i. Time between surgery provision and receipt of payment has often spanned several months, lag time has been a drain on LHS resources, which have been necessary to cover Program expenses
5. Ensures every dollar collected for the Program is used for Program services
 - a. Over the years, LFUCG funds have not rolled over from one fiscal year to the next and Program resources have been lost
 - b. Translates into more Program surgeries being performed and more unwanted litters prevented which when program started was original purpose

ORDINANCE _____

AN ORDINANCE AMENDING SECTIONS 4-12.3(e), 4-21(d) AND 4-21.1 OF THE CODE OF ORDINANCES, RELATING TO THE SPAY AND NEUTER FUND AND GRANT PROGRAM, TO PERMIT AN AGENCY DESIGNATED BY THE DEPARTMENT OF PUBLIC SAFETY TO OPERATE AND ADMINISTER THE PROGRAM AND TO RETAIN A PORTION OF LICENSE AND REDEMPTION FEES FOR FUNDING THE PROGRAM.

BE IT ORDAINED BY THE COUNCIL OF THE LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT:

Section 1 – That Section 4-12.3(e) of the Lexington-Fayette Urban County

Government Code of Ordinances be and hereby is amended to read as follows:

- (e) The designated license facility may retain six dollars (\$6.00) of the fee from each license issued for an altered dog or cat and ten dollars (\$10.00) for each license issued for an unaltered dog or cat. Twenty-five dollars (\$25.00) of the fee from each license issued for an unaltered dog or cat shall be retained by the agency designated by the Department of Public Safety and used solely to fund the spay and neuter grant program established by section 4-21.1 of this Code ~~[paid into a special urban county government fund, which shall be designated as the "Spay and Neuter Fund."]~~

Section 2 – That Section 4-21(d) of the Lexington-Fayette Urban County

Government Code of Ordinances be and hereby is amended to read as follows:

- (d) In addition to the requirements in subsection (c) above, any owner, custodian or other person entitled to the possession of an impounded dog or cat may redeem the animal by paying a redemption fee. For the first impound within a twelve-month period, the fee is twenty-five dollars (\$25.00) for an altered dog or cat and seventy-five dollars (\$75.00) for an unaltered dog or cat. For the second and each subsequent impound within a twelve-month period, the fee shall be doubled. Twenty-five dollars (\$25.00) of the redemption fee ~~[from each impound fee for an unaltered dog or cat]~~ shall be paid into the general fund and the balance shall be retained by the agency designated by the Department of Public Safety and used solely to fund the spay and neuter grant program established by section 4-21.1 of this Code ~~[paid into the spay and neuter fund]~~. In lieu of paying the redemption ~~[impound]~~ fee for an unaltered animal, the owner may elect to have the animal spayed or neutered by a licensed veterinarian provided by the Lexington Humane Society, at a cost not exceeding the sum of fifty dollars (\$50.00).

Section 3 – That Section 4-21.1 of the Lexington-Fayette Urban County

Government Code of Ordinances be and hereby is amended to read as follows:

- (a) The dog and cat spay and neuter grant program is hereby established~~[, subject to annual appropriations by the urban~~

- ~~county council,~~] to provide grants to qualified residents of the urban county who own unaltered dogs or cats.
- (b) A qualified animal owner may receive a grant of up to one hundred (100) percent of the reasonable cost of spaying and neutering his or her dog or cat and a partially qualified animal owner may receive a grant of up to eighty (80) percent of the reasonable cost of spaying or neutering his or her dog or cat.
- (c) The agency designated by the Department of Public Safety ~~[commissioner of the department of public safety]~~ shall be responsible for operating and administering the grant program consistent with the provisions of this chapter, and shall file, at least annually, with the Commissioner of the Department of Public Safety a report of all funds received and expended for the program.
- (d) The dog and cat spay and neuter grant program shall be funded by fees retained by the above-referenced agency for funding of the program ~~[deposited into the spay and neuter fund, annual appropriations by the urban county council]~~ and donations ~~[made to the fund]~~.

Section 4 – That this Ordinance shall be effective as of July 1, 2011.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

General Government Committee
October 11, 2011
Summary & Motions

CM Ed Lane chaired the meeting and called it to order a 10:07 am. Committee members present were McChord, Gorton, Kay, Ford, Blues, Myers and Martin. CM Beard arrived at 11:00am. CM Crosbie was absent.

Approval of Summary from September 13, 2011 meeting.

A MOTION by CM McChord to Approve, seconded by CM Blues, the motion passed without dissent.

**General Services Link Recommendations to General Government Committee
Facilities Use Policy Work Group Update**

Director of Facilities and Fleet Management Jamshid Baradaran briefly gave an overview of the items in the committee packet which included: List of all real estate owned parcels and associated reports; Lease payments as of January, 2011; Lease template; and, LFUCG facility data (GSF, occupancy, associated financial data, Fair Market Value (FMV) calculations).

Attorney Senior Mike Sanner joined Jamshid at the podium to assist in answering questions on the draft ordinance that "...approves the Department of General Services Policies and Procedures for usage of all facilities owned by the Lexington-Fayette urban County Government...".

CM Blues asked how the establishment of the FMV would be affected by the budget process. Jamshid said the rates would be set at \$4, \$6 and \$8 over the next three years for partner agencies to cover the actual costs of maintenance, utilities and security. That does not mean that the agencies will actually pay those amounts as council may subsidize some agencies or have a legal mandate to provide some agencies with free space. This is a method to properly reflect real costs and support that is provided to agencies by LFUCG.

VM Gorton asked when agencies will be notified of the new procedure. Jamshid said in the next couple of months. VM Gorton asked if this means agencies may have to cut services. Jamshid stated that determination will be made by council in the lease review process since all leases will come to council for approval.

In response to a question from CM Kay Jamshid gave examples of what agencies would have to pay under this procedure.

CM Martin stated that this is an attempt to modernize LFUCG's accounting system and making it more business-like and accountable.

CM McChord spoke about how the Partner Agency Oversight Committee chaired by CM Myers recognized the need to have a full understanding of what LFUCG gives agencies and how the city's facilities are actually utilized. He thanked General Services for "corralling the information" and applauds the efforts to date.

CM Ford expressed his desire to split the list of properties between commercial and institutional such as the Government Center and neighborhood centers. CM Ford does not believe that there is a fair market demand for many of the LFUCG properties and a hardship may be imposed on many agencies if the rent were set at FMV.

Chair Lane said we have to look at the process as a way to allocate city funding in a responsible manner because there has not been adequate management of the facilities and the controls on maintenance, utility costs or even allocation of space. In the past, agencies have moved into other spaces and subleased without the knowledge of General Services. The result has been the city "running up a big tab" and leaving LFUCG liable for activities in its properties for which it has no knowledge. In response to a question from Chair Lane, Jamshid said that Partner Agencies occupy about 342,000 sq.ft. Chair Lane pointed out that just maintenance, utilities, janitorial services and management adds up to millions of dollars per year, not even including rent.

CM Myers asked if there was an estimate of the cost of deferred maintenance. Jamshid said that the estimate for the downtown campus is approx. \$25 Million. This process will assist in preparing for maintenance in the long term.

CM Kay suggested that the FMV for LFUCG be set and then during committee meetings and budget process the amount of the subsidy/grant be determined based on service needs. VM Gorton said that Mr. Kay articulated a very good approach. We have to keep in mind that there are social needs that council and the community believe must be met. CM Myers added that facilities/buildings need to be maintained in this process.

CM Blues asked about the process to determine the rental rate. In response to CM Blues, Mr. Sanner read an amendment to the draft ordinance proposed by CM Martin that stated: "The Urban County Council shall, through Standing Committees, consider grants and subsidies for tenants of facilities owned by Lexington-Fayette Urban County Government as part of the Council's annual budgeting process." CM Lane asked CM Myers if he would comment on the issue as the Chair of the Social Services Committee which is working on this issue.

CM Myers said the committee is still working on the process but it is envisioned that the administration will make budget recommendations to the standing committees that have oversight of particular agencies and the committee would in turn make a recommendation on the level of support that agency receives based on needs and services.

Members of the committee next reviewed the draft ordinance and offered suggestions to amend several sections to clarify the intent and process, and to set the FMV effective July 1, 2012.

While Mr. Sanner was preparing a marked up copy of the ordinance for the committee's review Chair Lane asked Mr. Hancock to come forward to discuss the future schedule of presentations.

Items in Committee

After considerable discussion on which items need to be presented before the end of the year CM Myers made a MOTION to hear the Aquatics and Golf master Plans in November and have a Special Committee Meeting in December for follow-up discussion, seconded by Chair Lane, the motion passed without dissent.

CM Myers made a MOTION to Approve the Facilities Use Policies and Procedures draft ordinance, seconded by CM Beard, passed without dissent.

CM Ford made a MOTION to adjourn, seconded by VM Gorton, passed without dissent.

There being no further business the meeting was adjourned at 12:08 pm



Social Services and Community Development Committee

October 18, 2011

10:00 AM, Council Chambers

Minutes & Motions

Members of the Social Services and Community Development Standing Committee in attendance were Chair George Myers, Vice Chair Peggy Henson, Councilmember Chris Ford, Councilmember Diane Lawless, Councilmember Steve Kay, Councilmember Jay McChord, Councilmember Kevin Stinnett, Councilmember Chuck Ellinger, Councilmember K.C. Crosbie, and Councilmember Ed Lane

Approval of Minutes and Motions

A motion by Kevin Stinnett to Approve Minutes from September 27, 2011, seconded by Ed Lane, the motion passed without dissent.

Continuation of Discussion on How to Leverage New Money for Partner Agency Funding

At the last meeting two motions were discussed: leverage money by working with a third-party agency to pursue new funds for partner agencies; and initiate a comprehensive community needs assessment. CM Myers asked the Committee whether there is interest in going after new funding sources, and if so, how it should be done.

CM Kay framed the issue as a question of whether partner agencies are interested in pursuing extra funds and if they are, how the government should go about doing this. A few options would include the government hiring a grant writer or a cooperative effort to work with other agencies that have grant writers.

CM Myers opened the floor to citizens that wish to speak to the issue of how additional money should be leveraged. No citizens chose to speak.

CM McChord asked Chair Myers what he would like to see the Committee bring forward as it relates to pursuing outside funds. CM Myers stated that there have been conversations about either working with a third-party to pursue additional money or hiring someone in-house in order to prevent further cuts to partner agencies. He said part of making a case in the future not to cut partner agencies requires having analytical data to show the positive aspects of funding the partner agencies. CM Myers stated that at the end of the day his goal is to bring more money to the partner agencies and it seems that money will need to come from outside sources as the economy continues to contract.

Discussion with UK around needs assessment

CM Kay asked for Commissioner Beth Mills to provide an assessment as to where the city stands with the needs assessment.

Com. Beth Mills introduced Dean Bill Hoyt, PhD from the University of Kentucky's Martin School of Public Policy, as well as Dean Ike Adams, PhD, and Associate Dean Karen Badger, PhD from the University of Kentucky's College of Social Work.

CM Kay asked Com. Mills for an overview of the studies and data that are already available. Com. Mills said that there are several studies available and she proposes that a starting point for performing a needs assessment would be to have the students do an inventory of all the data that is available in the community.

Dr. Adams, Director of the UK College of Social Work said that he and Dr. Badger previously met to discuss the needs assessment and the use of students within the framework of the partner agency funding proposal. Dr. Adams said that rather than talking about the needs assessment at this meeting, he preferred to discuss the role of the University and how the College of Social Work looks for learning opportunities for the students. One of the reasons he was initially interested in the idea is because he thinks the proposed approach would be an excellent learning opportunity for the students. They have certain requirements according to the Commission of Accreditation that the College of Social Work must abide by when placing students. One requirement is students must be supervised by someone who has an MSW and more than two years of social work experience. That agency will agree to abide by certain learning objectives. Dr. Adams said that his students can make a significant contribution if they have a supervisor that is monitoring the objectives of the needs assessment. He said that graduate students can make a significant contribution with the appropriate supervisors and the educational experience will be of high quality if it is through a partnership with the Martin School which brings certain expertise to the table as well.

Dr. Hoyt, Director of the UK Martin School of Public Policy said that when the discussion initially started the two programs were thinking interns from both programs could contribute to the proposal. Dr. Hoyt said that certain requirements have to be met and he was a little concerned because it look liked faculty could potentially be supervising the internship when the real idea of an internship would be to get students out in the field and mentored outside of the classroom rather than by their professors directly. The professors may give some suggestions but should not be the direct supervisors in the internship.

Dr. Hoyt said in terms of the structure for the curriculum their classes are all in the evening and many of the internships take place in the summer with the two-year program. However, he is currently working on a one-year program which will have to be structured differently and it will still require an internship component. The one year program would be an obvious candidate for this type of internship. Dr. Hoyt has no intention of seeking compensation for internships because they would not be working full-time.

Dr. Hoyt said the difference between using students over faculty is that faculty would require compensation because they have contracts and other obligations. Dr. Hoyt stated that he does not want his students involved in deciding outcomes. Dr. Hoyt said his students can be involved in collecting data but it strikes him that the outcomes would need to be decided by the Council.

CM Myers asked Com. Mills if the Department of Social Services, the UK College of Social Work and the UK Martin School of Public Policy could work within the framework that the Deans described to put a proposal together. Com. Mills stated that she thinks she can work within that framework but the timeframe will be the decision of the University.

CM Myers asked if Dr. Badger, Associate Dean of the UK College of Social Work had anything to add. Dr. Badger stated that the College of Social Work graduate students complete 600 hours in the field between practicums and internships. In the advanced standing model where students have met certain criterion, they do their internships in the spring and summer semesters. Students take a community needs and assessment course prior to entering the field and Dr. Badger said she sees this as a nice opportunity for students to apply their education in a meaningful way.

A motion by Steve Kay to Approve a recommendation to the full Council to support the Commissioner in working with the Deans from the University of Kentucky College of Social Work and Martin School of Public Policy to determine a way forward with regards to conducting a needs assessment with the use of student interns that would meet the University of Kentucky's needs as well as the needs of government, seconded by Jay McChord, the motion passed without dissent.

CM Lane asked Com. Mills how many organizations would need to have needs assessments conducted for them. Com. Mills stated that this would not be agency specific but needs would be assessed community wide.

CM Lane asked Com. Mills if she feels that all of the assessments needs to be done simultaneously or if they can be staggered between years. Com. Mills said she thinks that might be prudent.

CM Lane asked if the interns can be paid and expressed his support for paying them as well as paying the professors to ensure that the result is high-quality information. CM Myers stated he is always in support of paying the interns.

Public Comment

The Chair opened the floor to public comment. Corey Dunn called to speak. Mr. Dunn asked about the needs assessment and stated that if government is using the college students, they can also work with the

public school system which also employs social workers. The student that he worked with at his program learned a lot by working with the school students.

CM Myers asked Com. Mills when she talks to UK if they can consider how they can work with the local public schools. Com. Mills stated that when they are doing an inventory...

Items in Committee

CM Kay asked about the recommendation regarding partner agencies that give raises and if there would be more information about non-Social Services partner agencies and the way that they are funded. CM Myers stated that when the Committee is ready to start working on that they will have staff gather information and bring it back to the Committee to have a discussion about how all of the agencies are operating, then have a discussion within the Committee about whether they want to make a recommendation to the full Council. CM Myers said that he will work on getting that for the next Committee meeting.

CM Myers asked Com. Mills if she has any thoughts on the recommendation for the Vice Mayor putting together a task force and working on the Senior Citizens Center.

Com. Mills said that there is a Senior Service Commission comprised of 22 members and four ex-officio members that deal in aging services. Com. Mills stated that she is not sure whether the Vice Mayor intends to appoint a separate task force but she is the Chair of that committee. Com. Mills believes that if a new senior citizen center comes forth, it will come from that Commission. Com. Mills stated that she the group is using an AARP model called "Ask Lexington" where they go into neighborhoods and ask questions similar to a needs assessment. Currently they are training facilitators to do the Ask Lexington questions. After that the group will go into any willing neighborhood to identify the aging needs in the community.

CM Myers stated that at the next meeting he will try to have the issue about the partner agencies and raises as well as the Community Development Block Grant on the agenda.

A motion by Ed Lane to Approve adjourn, seconded by K.C. Crosbie, the motion passed without dissent.

**Public Safety Committee
October 18, 2011
Summary & Motions**

CM Lawless chaired the meeting and called it to order at 1:08pm. Committee members present were Martin, Ellinger, Ford, Beard, Farmer, Stinnett, Crosbie, McChord, Henson. CM Kay and CM Blues attended as nonvoting members.

CM Lawless announced that the news had mistakenly identified this meeting as one addressing the Noise Ordinance. She announced that the Public Safety Committee will hear the proposed changes to the Noise Ordinance on November 15th.

Chronic Nuisance Ordinance

Keith Gaines with Triflection Consulting presented on the proposed changes to the Nuisance Ordinance relating to aggravated public nuisances, Sections 12-60 through 12-70 of the Code of Ordinances.

CM Henson expressed her appreciation for Mr. Gaines extensive work on this issue. She stated that she considers the amendments to the ordinance allowing for a warning and not a threat. Mr. Gaines agreed. She referenced the Days Motel presentation and said she sees a noticeable difference there. She stressed that she sees the draft ordinance as a way to make a safer community and does not want anyone or any organization to feel as if they are being shut down. She also said that communication is key. CM Henson said she has spoken with Ginny Ramsey with the Catholic Action Center to encourage the communication.

CM Stinnett questioned Mr. Gaines about commercial versus residential and its distinction. Mr. Gaines said that commercial is listed as non-residential in the draft ordinance. CM Stinnett expressed concern about documentation of complaints. He is concerned about spite calls from neighbors being used as nuisance violation.

Mr. Gaines shared about the use of a Field Investigation Form which could be modified to identify possibility of a chronic nuisance. These are forms used by officers when an arrest is not made or no evidence of criminal activity.

CM Stinnett asked about the appeals process and suggested that whatever that process is it needs to be spelled out in the text of the draft ordinance clearly. Keith Gaines said the same Appeals Board used by Code Enforcement will be utilized.

CM Crosbie expressed concern about documentation. She also asked why there was a reference to “on or near property”. Mr. Gaines discussed some complaints come from when businesses disperse and the nuisance trickles to adjoining properties.

CM Lawless also commented on this section of the draft giving an example of a residential area.

CM Beard discussed the need to define chronic. He also expressed a concern about loopholes created by unclear terminology. Mr. Gaines discussed his interpretation of the word chronic as it relates to the draft ordinance.

CM Beard asked if church events, such as Questapalooza would be considered chronic nuisance. Mr. Gaines stated that because of church event annual, biannual timing, it would not fit the definition of chronic.

CM Kay asked about Section 12-62 relating to the words recklessly, knowingly, or negligently. He asked if all words were needed. Michael Sanner, with the Department of Law stated that in all research all three words were used in order to include all potential violators. CM Kay also asked for clarification on Section 12-67 relating to hotels, motels or other places of lodging. Mr. Gaines stated that because of their temporary lodging tendencies, there was a need to separate.

CM Martin discussed his concern about clarification of violations and documentations. He is concerned that property owners of low-income apartment buildings would be subjected to undue punishment because of the behavior of their tenants. CM Martin asked for further explanation of nuisance as it pertains to someone practicing an instrument in a basement of a residential area. Mr. Gaines expressed the need for an officer to have discretion and judgment but expressed that if there is a violation, it could be cited.

Mr. Gaines also made a point to state that the draft ordinance says that if a property owner calls for assistance themselves, they will not be cited under this ordinance. If they are making a good faith effort to fix the problem, they are doing exactly what the intention of the draft ordinance is.

CM Lawless asked about whether other divisions of government would fall under this. She gave an example of waste management citations for repetitive offenders. Mr. Gaines stated that the last section of the draft addresses this particular issue. Mr. Gaines also stated that he would be relying on the Commissioner of Public Safety to bring divisions together to discourage the silos that have existed in the past.

CM Lawless thanked Mr. Gaines for his work on this draft.

CM Henson asked about tenants who may have been told to not call the police for nuisance issues. Mr. Gaines said the draft ordinance allows for anyone to call. The only issue that is not included is domestic violence.

CM Martin suggested that the real estate community and apartment association be included in discussion of the draft ordinance. CM Martin also asked about repeat individual offenders on rented property. Mr. Gaines says that if an person is committing a crime, it would be covered under existing laws and not necessary to include in this ordinance. CM Martin said that he worries this ordinance change will affect the attractiveness of low-income housing. CM Martin stated he felt it would be unfair to the apartment complexes with higher numbers of units. Mr. Gaines referred him to the section addressing the variables depending on the number of units.

Several members of the audience addressed the committee regarding this ordinance.

CM Henson suggested to keep this item in committee, allowing for time to contact the Apartment Association, and work with the Law Department and Keith Gaines to make some changes based on comments made at the meeting.

CM Lawless asked if CM Henson could be complete with changes by November 1st. CM Henson said she believed she could. CM Lawless said in the interim, if there were any additional suggestions for committee members to contact CM Henson.

CM Ellinger said he had expected some others to attend the meeting to discuss this issue, but knows one had a family emergency.

CM Martin expressed concern that November 1st would not allow for enough time to contact others.

CM Henson said she believed enough media attention and time had been given already. She felt as if November 1st would be a good time to present.

Fireworks Ordinance

CM Stinnett recapped the substance of the Fireworks Ordinance which had been presented at the Public Safety Committee last month. He invited Public Safety to speak on the issue.

Sgt. Clayton Roberts with Hazardous Devices Unit detailed the Public Safety position on the Fireworks Ordinance.

CM Martin said he had received numerous calls from his constituents who want to have fireworks banned completely. He said he would not be able to support this because he has clear instructions from his constituents to ban fireworks.

CM McChord said he has also received the same types of calls CM Martin has; however, because his district is directly over the county line where they would be sold regardless, he has to do something.

CM Blues has had the same complaints. He appreciates the 200 foot rule, which he says is consistent with the state law. CM Blues stated that Council can always review this ordinance for its effectiveness.

CM Stinnett made a motion, receiving a second by CM McChord to move the Fireworks Ordinance to the full council. The motion passed with one dissention by CM Martin.

There was a motion to adjourn by CM Crosbie, seconded by CM Martin. The motion passed without dissent.

The meeting adjourned at 2:53pm.