

Lexington Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, March 6, 2012

3:00 PM

PACKET

Council Chamber

Urban County Council Work Session

CORRECTED

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
March 5-March 12, 2012**

Monday, March 5

Itinerant Merchant Task Force Meeting.....1:00 pm
Conference Room-5th Floor Government Center

Fayette County Rural Land Management Board Meeting.....3:00 pm
Conference Room-12th Floor Government Center

Tuesday, March 6

General Government Committee Meeting.....11:00 am
Council Chambers-2nd Floor Government Center

Public Safety 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
Mayor's Office-1st Floor Government Center

Wednesday, March 7

Infill & Redevelopment Committee Meeting.....10:00 am
Conference Room-7th Floor Phoenix Building

Town & Gown Quality of Life Subcommittee Meeting.....4:00 pm
Conference Room-5th Floor Government Center

Masterson Station Advisory Park Board Meeting.....6:00 pm
Lions Club Building, Masterson Station Park

Thursday, March 8

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

Friday, March 9

Mayor's Task Force on Health & Wellness Meeting.....10:00 am
Conference Room-5th Floor Government Center

Monday, March 12

No Meetings

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS
February 28, 2012

Mayor Gray chaired today's Work Session meeting. All Council Members were present except, CMs Crosbie, Farmer, Ford, Lane, Lawless, and Myers.

- I. Public Comment – Issues on Agenda –None
- II. Requested Rezoning / Docket Approval –None
- III. Approval of Summary – Yes

A motion by CM Beard to approve the summary of 2.21.12 Work Session was seconded by VM Gorton and passed without dissent.

- IV. Budget Amendments –None
- V. New Business

- A. Authorization to amend Section 21-5, 22-5 and 23-5 of the Code of Ordinances abolishing all unfunded positions. (L114-12) (Jarvis/Graham)
- B. Authorization to execute Change Order No. 1 with Advanced Mulching Tech dba ECOGRO for the McConnells Trace Greenway Restoration Project. (L140-12) (Marwan/Bush)
- C. Authorization to approve Thermo Eberline LLC as sole source vendor for purchase of equipment for the Division of Fire and Emergency Services under the 2011 State Homeland Security Grant Program. (L159-12) (Gooding/Mason)
- D. Authorization to accept a transfer of ownership for a Williams Foam Trailer from Winchester Fire/EMS to the Division of Fleet Services on behalf of the Division of Fire & Emergency Services. (L161-12) (Jackson/Mason)
- E. Authorization to execute Change Order No. 3 with Woodall Construction Company for the Clays Mill Road Improvements Project. (L165-12) (Gooding/Bush)
- F. Authorization to execute an agreement with University of Kentucky Albert B. Chandler Medical Center for the Sexual Assault Treatment Program. (L168-12) (Gooding/Mason)
- G. Authorization to amend Section 23-18 of the Code of Ordinances to administer the psychological screening after a conditional offer is approved by Council. (L175-12) (Jackson/Mason)

- H. Authorization to amend and reenact Ordinance No. 47-2010 to expand the Red Mile TIF Development Area to include additional property. (L180-12) (Atkins)
- I. Authorization to execute Consultant Services Agreement with Fitzsimons Office of Architecture for the Carver Community Center Renovation for the Newtown Pike extension. (L181-12) (Gooding/Bush)
- J. Authorization to submit a grant application to the U.S. Department of Homeland Security/Federal Emergency Management Agency under the Staffing for Adequate Fire and Emergency Response (SAFER) Grants Program. (L182-12) (Gooding/Mason)
- K. Authorization to submit application to the National Police Athletic League, and accept award if offered, for participation in the National Pal Mentoring Day for the Police Activities League in the Division of Police. (L183-12) (Gooding/Mason)
- L. Authorization to amend section 2-268 of the Code of Ordinances regarding 3 directors of the Lyric Theatre and Cultural Arts Center Corporation. (L185-12) (Emmons)

CMs Crosbie, Martin, and Myers are present.

A motion by CM Ellinger to approve the New Business items, seconded by CM Myers passed.

VI. Continuing Business/Presentations – Yes

A. 2.14.12 Social Services & Community Development Committee Update

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

CMs Ford and Lawless are present.

B. NDF List

A motion by CM Ellinger to approve the NDF list, seconded by CM Myers, passed without dissent.

CM Farmer is present.

C. User Fee Billing & Collections presentation

This presentation was given by Bill O'Mara, Dir. of Revenue. Many CMs asked questions and made comments. It was stated that September 2012 will be the first month for the separate bills-one from KAWC and LFUCG. It was also stated that the fees that will be on the LFUCG bill are sewer user fee, landfill

user fee, and the water quality fee. ***Dir. O'Mara said that he will look into whether or not there is a discount by have electronic billing.*** One CM asked if there was an incentive to the citizens for using this method of payment and if the convenience fee is under our control; he would defer to the Dept. of Law on this issue. ***Dir. O'Mara was also asked to look into best practices in other municipalities and see if they were giving discounts and if there is an advantage to them 1. In increased collection rate and 2. In savings and billing the other way and if that is the case, come back and present to Council and he (CM Myers) will author some legislation.*** Dir. O'Mara was asked if there was a fee to pay online or through EFT (electronic funds transfer) and he answered that neither LFUCG or the citizen are charged when they use EFT but there will be a convenience fee to the customer for paying online. Dir. O'Mara was also asked how many companies responded to the RFP, if they had considered a 2-month billing cycle, and billing half one month and then bill the other half the next month.

VII. Council Report

CM Stinnett-Reminded everyone of the public meeting tonight at 6 pm at Spencerian College referencing Constitution Pool Rehabilitation project.

Mayor Gray acknowledged the presence and welcomed Ann O'Keefe, from County Kildare, visiting on behalf of the Kildare Council, our Sister City for 25+ years.

CM Henson-Stated that she enjoyed the Fire Dept.'s award banquet on last Saturday; congratulated those who received awards and promotions; announced that on 4.28.12 there will be a Valley Park Stream Clean, a part of the Great American Cleanup; asked Mayor Gray if the scuba diver superhero could attend-he said that administration would ask the chief. On 3.5.12 at 6:30 pm the Pine Meadows/Mason Headley NA will have their annual meeting at Picadome Golf Clubhouse.

CM Kay-Reminded everyone of his public meeting tonight at the Public Library in conference room C on the lower level referencing community issues.

CM Martin-Announced the Southland NA meeting tonight at Oleika Temple; made a brief statement about how Council approved a new fire recruit class but no one has heard how they will paid.

CM Blues-Announced that on 2.29.12 there would be a 2nd District Presidents' and Homeowners' meeting in the O'Rear Center in Douglass Park with reception at 6:30 pm and meeting beginning at 7 pm.

CM Lawless-Congratulated the Lady Cats for winning the SEC regular season title; also stated that the WGPL NA was invited to the Southland NA meeting tonight at Oleika Temple.

CM Ford-Reminded everyone of the community meeting tonight at 6 pm at the Lyric Theater and that the monthly board meetings have been changed to the 4th Tuesday at 5:30 pm.

CM Myers-Stated recent events in District 8: last Tuesday was the 2nd meeting about Berry Hill Pool, this past Sunday, the skate park fundraiser, and last night, 2.27.12, a District 8 Presidents' meeting.

CM Farmer-Stated that he attended a ribbon-cutting ceremony this morning in District 5 for a new Huntington Band, located adjacent to McGee's and Kevin Atkins of the Mayor's Office was also in attendance; stated that he has received many emails about the Planning Commission Hearing on 3.8.12 because one of their items for discussion is adding a fueling station to the Kroger on Chinoe-there have been flyers given out on both sides of the issue and he looks forward to a healthy discussion and a good crowd at the hearing. He also spoke about a memo that he had just passed out about the creation of a subcommittee to review issues related to the harboring of animals in areas not zoned agricultural. He extended an invitation to the members of the Planning and Public Works Committee. The subcommittee will report back to the Planning and Public Works Committee by the 06/12/12 meeting date for further discussion and consideration.

CM Beard-Congratulated the Lady Cats for winning the regular season SEC title and mentioned another team at UK, the UK Men's team for also winning the SEC regular season title-this is only the 2nd time than any major school has had both men and women's team win a title in the same season-only LSU has done it, back in 2006; also mentioned that Transy's men's team won their conference title and that they will be hosting the first two rounds of the conference tournament.

VIII. Mayor's Report –Yes

A motion by CM Beard to approve the Mayor's Report, seconded by CM Henson, passed without dissent.

IX. Public Comment – Issues not on the agenda–None

CM Lane is absent.

X. Adjournment

A motion by CM Stinnett to adjourn, seconded by CM McChord, passed without dissent.

Work Session was adjourned at 4:05 pm.

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL
W O R K S E S S I O N A G E N D A
March 6, 2012

- I. Public Comment - Issues on Agenda**

- II. Requested Rezoning/ Docket Approval-Yes**

- III. Approval of Summary-Yes, February 28, 2012, pp.1-5**

- IV. Budget Amendments-Yes, pp.11-13**

- V. New Business-Yes, pp.14-38**

- VI. Continuing Business/Presentations-Yes**
 - A. NDF List, p.39 (motion needed)**

 - B. Parks Presentation on Berry Hill & Constitution Pools-Jerry Hancock, Dir. of Parks & Recreation, pp.40-54**

- VII. Council Report**

- VIII. Public Comments-Issues Not on Agenda**

- IX. Mayor's Report**

- X. Adjournment**

ADMINISTRATIVE SYNOPSIS

March 6, 2012

New Business Items

- A. Authorization to approve a Partial Release of Easements releasing a portion of a utility easement and a portion of a storm sewer and drainage easement on property located at 4357 Victoria Court. (L155-12) (Graham)
This is a request to approve a Partial Release of Easements releasing a portion of a utility easement and a portion of a storm sewer and drainage easement on property located at 4357 Victoria Court. There is no budgetary impact.**p.14**

- B. Authorization to apply for a malt beverage license for sale of malt beverages at Lakeside Golf Course and Clubhouse. (L208-12) (Hancock/Hamilton)
This is a request to apply for a malt beverage license for sale of malt beverages at Lakeside Golf Course and Clubhouse. The Parks Advisory Board had approved the policy, which allows beer to be sold at the four big golf courses and at Athens.**pp.15-16**

- C. Authorization to execute a Mutual Aid Agreement with Safety Tec Inc. to define the roles and responsibilities between Lexington Fire EMS and Safety Tec Inc. (L209-12) (Jackson/Mason)
This is a request to execute a Mutual Aid Agreement with Safety Tec Inc. to define the roles and responsibilities between Lexington Fire EMS and Safety Tec Inc., which is required by Ky Administrative Regulation and Chapter 18C of the Code of Ordinances. There is no budgetary impact.**p.17**

- D. Authorization to accept a donation of a ping pong table for the Dunbar Community Center. (L212-12) (Hancock/Hamilton)
This is a request to accept a donation of a ping pong table valued at \$100.00 for the Dunbar Community Center and recognize Ms. Erika Smith of 748 Mill Ridge Road Lexington, Ky 40514 for this donation.**p.18**

- E. Authorization to transfer the Hamm Alley right-of-way to the adjacent property owners located at 525 and 527 Angliana Avenue. (L213-12) (Moloney)
This is a request to transfer the Hamm Alley right-of-way to the adjacent property owners located at 525 and 527 Angliana Avenue who will accept full responsibility of the maintenance and repair of the right-of-way. Division Directors and utility company representatives consent to this request. There is no budgetary impact.**pp.19-20**

- F. Authorization to submit application, and accept award if offered, to the Kentucky Justice and Public Safety Cabinet for Law

Enforcement Service Fee Grant Program. (L223-12)
(Gooding/Mason)

This is a request to submit application, and accept award in the amount of \$100,010.00 if offered, to the Kentucky Justice and Public Safety Cabinet for Law Enforcement Service Fee Grant Program for a Traffic Alcohol Patrol-FY 2013.**p.21**

- G. Authorization to enter into a Building Usage Agreement with the Fayette County Extension Facility and AARP for an educational seminar titled. (L229-12) (Mills)

This is a request to Requesting authorization to enter into an building usage agreement with the Fayette County Extension Facility and AARP, at a cost of \$125.00, for an educational seminar titled; Taking Charge: Your Medication, Your Health on April 17th, 2012. Funds are budgeted.**p.22**

- H. Authorization to approve various amendments to Section 16-60(a) of the Code of Ordinances that codify pre-existing policies and reflect current fees resulting from Consumer Price Index (CPI) adjustments and to amend Ordinance 34-2008 to correct a typographical error. (L230-12) (Martin/Moloney)

This is a request to approve various amendments to Section 16-60(a) of the Code of Ordinances that codify pre-existing policies and reflect current fees resulting from CPI adjustments and to amend Ordinance 34-2008 to correct a typographical error. These changes have no budgetary impact and will not result in any increases in fees above those being collected.**pp.23-27**

- I. Authorization to amend Section 21-5 of the Code of Ordinances, transferring 1 position of Public Service Worker Sr. and its incumbent, and one vacant position of Trades Worker Sr., from the Division of Water Quality to the Division of Streets and Roads. (L232-12) (Jarvis/Moloney)

This is a request to amend Section 21-5 of the Code of Ordinances, transferring one (1) position of Public Service Worker Sr. (Grade 107N) and its incumbent, and one vacant position of Trades Worker Sr. (Grade 109N), from the Division of Water Quality to the Division of Streets and Roads. There is no budgetary impact.**p.28**

- J. Authorization to submit application, and accept award if offered, to the Kentucky Justice and Public Safety Cabinet for the continuation of the Street Sales Drug Enforcement Project for FY 2013. (L236-12) (Gooding/Mason)

This is a request to submit application and accept award in the amount of \$50,000.00, if offered, to the Kentucky Justice and Public Safety Cabinet for the continuation of the Street Sales Drug Enforcement Project for FY 2013. A local cash match of 16,667.00 is required for a total project cost of \$66,667 to support overtime in the Division of Police and to support employment of an Assistant Prosecutor in the Fayette County Commonwealth Attorney's Office.**p.29**

- K. Authorization to amend Section 21-5 and Section 22-5 of the Code of Ordinances, creating a new Department, reorganizing certain Departments and Divisions and transferring various positions and incumbents within LFUCG. (L237-12) (Jarvis/Moloney)
This is a request to amend Section 21-5 and Section 22-5 of the Code of Ordinances, creating a new Department of Planning, Preservation and Development, transferring the Divisions of Planning, Historic Preservation and Purchasing of Development Rights from the Office of the C.A.O. to the Department of Planning, Preservation and Development and transferring selected positions and incumbents. The budgetary impact is neutral.**pp.30-31**
- L. Authorization to submit application to the Kentucky Department for Local Government requesting federal funds from the Recreational Trail Program for the construction of Brighton Rail Trail Phase 4. (L238-12) (Gooding/Moloney)
This is a request to submit application to the Kentucky Department for Local Government requesting federal funds in the amount of \$75,000 from the Recreational Trail Program for the construction of Brighton Rail Trail Phase 4. The project requires a 50% local match in the amount of \$100,000.00, which will come from the Municipal Aid Program.**p.32**
- M. Authorization to execute a Development Agreement with Lexington Habitat for Humanity and approval to convey properties acquired by LFUCG under the Neighborhood Stabilization Program. (L239-12) (Gooding/Moloney)
This is a request to execute a Development Agreement with Lexington Habitat for Humanity to acquire up to 15 properties and approval to convey properties acquired by LFUCG under the Neighborhood Stabilization Program. There is no budgetary impact.**pp.33-34**
- N. Authorization to execute Change Order No. 1 (Final) with Grant's Excavating Inc. for the Griffin Gate Pump Station Replacement project. (L240-12) (Martin/Moloney)
This is a request to execute Change Order No. 1 (Final) with Grant's Excavating Inc. that will increase the sum of the contract by \$5,105.00 for the Griffin Gate Pump Station Replacement project. This change order gives the revised total contract amount of \$178,105.00. Funds are budgeted.**pp.35-37**
- O. Authorization to execute agreement with Harshaw Trane under the Energy Efficiency And Conservation Block Grant for provision of design and engineering services for the repair, modification and/or replacement of electrical and mechanical equipment at Police Headquarters. (L242-12) (Gooding/Moloney)
This is a request to execute agreement with Harshaw Trane, in the

amount of \$97,117.73, under the Energy Efficiency And Conservation Block Grant for provision of design and engineering services for the repair, modification and/or replacement of electrical and mechanical equipment at Police Headquarters located at 150 E Main Street. Funds are budgeted.**p.38**

BUDGET AMENDMENT REQUEST LIST

JOURNAL	58469	DIVISION	Community Corrections	Fund Name	General Fund
				Fund Impact	36,356.67
					5,000.00CR
					31,356.67

To budget personnel recovery for Community Corrections and to decrease personnel recovery for Streets and Roads from the Kentucky Pride 2012 grant.

JOURNAL	58500-01	DIVISION	Parks and Recreation	Fund Name	General Fund
				Fund Impact	400.00
					400.00CR
					.00

To recognize a sponsorship from the Lexington Health Department to William Wells Brown Community Center for HIV Awareness Program.

JOURNAL	58502-03	DIVISION	Parks and Recreation	Fund Name	General Fund
				Fund Impact	1,300.00
					1,300.00CR
					.00

To recognize a donation to William Wells Brown Community Center from Partners for Youth.

JOURNAL	58554-55	DIVISION	Parks and Recreation	Fund Name	General Fund
				Fund Impact	600.00
					600.00CR
					.00

To recognize sponsorship for the Bluegrass Wheelchair Tournament from Superior Van & Mobility, Carolina Tarwheels and Midwest Wheelchair Sport and Social club.

JOURNAL	58557-58	DIVISION	Parks and Recreation	Fund Name	General Fund
				Fund Impact	374.88
					374.88CR
					.00

To recognize contributions to the William Wells Brown Community Center.

JOURNAL	58446-47	DIVISION	Grants and Special Programs	Fund Name	US Dept Of Justice
				Fund Impact	5,000.00
					5,000.00CR
					.00

To establish grant budget for national PAL Mentoring Day award.

JOURNAL	58450-51	DIVISION	Grants and Special Programs	Fund Name	US Dept Of Justice
				Fund Impact	1,500.00
					1,500.00CR
					.00

To budget revenue and expense for 2012 Sexual Assault Nurse Examiner training course conducted by SANE program manager under the SANE 2012 grant.

JOURNAL	58448-49	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept Of Transp 30,000.00 30,000.00CR .00
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To establish grant budget for Traffic Safety Supplemental award.

JOURNAL	58505-06	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept Of Transp 128.79 128.79CR .00
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To reallocate budget in Fiber Optic - 2007 to correspond with actual expenditures and revenue.

JOURNAL	58507	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept Of Transp 38,180.05 38,180.05CR .00
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To reallocate budget for Fiber Optic 2009 to provide for additional purchase of fiber optic equipment for installation.

JOURNAL	58453	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept Of HHS 6,000.00 6,000.00CR .00
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To budget overtime for Home Network 2011 grant for purpose of providing coverage of cases receiving ongoing services during staff shortage.

JOURNAL	58556	DIVISION	Grants and Special Programs	Fund Name Fund Impact	US Dept of Energy 66,893.79 66,893.79CR .00
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To rebudget Energy Efficiency and Conservation Block Grant 2010 to provide for consultant agreement for design and retrofit at Police headquarters and to correct account numbers for agreement with Bluegrass Pride.

JOURNAL	58466	DIVISION	Grants and Special Programs	Fund Name Fund Impact	Grants State 639.12 639.12CR .00
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To budget additional funds for the Adopt-A-Spot program in the Kentucky Pride 2012 grant.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1101	General Service District Fund	31,356.67
Fund	3140	US Department of Justice	.00
Fund	3160	US Department of Transportation	.00
Fund	3190	US Department of Health and Human Services	.00
Fund	3210	US Department of Energy	.00
Fund	3400	Grants - State	.00

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

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If the New Business item listed below is on the Agenda, approval includes approval of the attached Budget Amendment. These Budget Amendments are not voted upon as part of section IV on the Agenda and are for information only.

NEW BUSINESS ITEM	BUDGET JOURNAL	DIVISION	DESCRIPTION OF REQUEST
232-12	CB082	Water Quality/ Streets and Roads	To transfer one position of Public Service Worker Sr. and its incumbent and one vacant Trades Worker Sr. from Division of Water Quality to Streets and Roads.
I			4051 23,140.00
			4051 23,140.00CR
			.00*
237-12	RA001	CAO/Planning, Preservation and Development	To create the Department of Planning, Preservation and Development and transfer various positions and incumbents to reflect the new department structure.
K			1101 129,553.00
			1101 129,553.00CR
			.00*

EFFECT ON FUND BALANCES

FUND 1101	.00*	NO IMPACT TO:	GENERAL SERVICE DISTRICT FUND
FUND 4051	.00*	NO IMPACT TO:	WATER QUALITY MANAGEMENT FUND



155-12

Lexington-Fayette Urban County Government
DEPARTMENT OF LAW

Jim Gray
Mayor

Janet M. Graham
Commissioner

TO: Jim Gray, Mayor
Members, Urban County Council

FROM: Department of Law

DATE: February 3, 2012

RE: Partial Release of Easement
4257 Victoria Court

This memo is to request a Resolution authorizing the Mayor to sign a Partial Release of Easements releasing a portion of a utility easement and a portion of a storm sewer and drainage easement on property located at 4257 Victoria Court.

The proposed Release has been reviewed and approved by the Divisions of Engineering, Water Quality, and Traffic Engineering and the Department of Law. This action has no budgetary implication for LFUCG.

Edward W. Gardner
Attorney Sr.

Enclosure

cc: Richard Moloney, CAO
Council Office

This memorandum is intended to remain confidential pursuant to the attorney-client privilege as it contains privileged or confidential information.

X:\Cases\WATER-AIR\12-CC0051\MEMO\00333483.DOC

MEMORANDUM

To: Mayor Jim Gray
Urban County Council Members

From: Jerry Hancock, Director of Division of Parks and Recreation

Date: February 1, 2012

Subj: Permission to apply for Retail Beer License at Lakeside Golf Course

LFUCG Ordinance 313-2000 allows for the sale and consumption of beer at Kearney Hill and the Gay Brewer Jr., Golf Course at Picadome. In the spring of 2011 Council approved the sale of beer at Tates Creek Golf Course and the Athens Softball Complex on Athens-Boonesboro Road via Ordinance 177-2011. We did not request permission to sell beer at Lakeside Golf Course at the time because the deed had not yet transferred to LFUCG. This is a request to apply for a license to sell beer at Lakeside Golf Course.

Ordinance 63-2010 allows Parks to sell beer directly rather than through a commissioned concessionaire, (which was our practice from 2000 to 2010) which has allowed us to increase our profitability on beer sales, which we propose to do at Lakeside. This permission is included in the attached resolution language which was drafted by the Law Department.

The Parks Advisory Board has discussed and approved this policy allowing for beer sales at the four big golf courses and at Athens.

Please call me if there are any questions on this issue.

RESOLUTION NO. _____ 2012

A RESOLUTION DESIGNATING LAKESIDE GOLF COURSE AND CLUBHOUSE, AS A PARK AND PARK FACILITY WHERE THE DIRECTOR OF THE DIVISION OF PARKS AND RECREATION MAY AUTHORIZE THE POSSESSION, SALE, DELIVERY AND CONSUMPTION OF ALCOHOLIC BEVERAGES AND APPLY FOR A MALT BEVERAGE LICENSE FOR SALE OF MALT BEVERAGES AT THE LISTED LOCATION.

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

Section 1 – That, pursuant to Section 14-62(c)(1) of the Code of Ordinances, Lakeside Golf Course is hereby designated as a park and park facility where the Director of the Division of Parks and Recreation may authorize the possession, sale, delivery and consumption of malt beverages (beer).

Section 2 – That, pursuant to Section 14-62(c)(1) of the Code of Ordinances, Lakeside Golf Course Clubhouse, is hereby designated as park and park facility where the Director of the Division of Parks and Recreation may authorize the possession, sale, delivery and consumption of malt beverages (beer).

Section 3 – That, the Director of the Division of Parks and Recreation be and hereby is authorized to apply for a malt beverage license for sale of malt beverages at Lakeside Golf Course and Clubhouse.

Section 4 – That, this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF THE URBAN COUNTY COUNCIL

MRS:208-12:X:\Cases\PARKS\11-CC0141\LEG\00334042.DOC



17

209-12

Lexington-Fayette Urban County Government
DIVISION OF FIRE & EMERGENCY SERVICES

Jim Gray
Mayor

Keith Jackson
Interim Fire Chief

TO: Mayor Jim Gray
Clay Mason, Public Safety Commissioner
LFUCG Councilmembers

FROM: 
Michael Gribbin, Assistant Chief

RE: Mutual Aid Agreement

DATE: February 24, 2012

This request is to execute a mutual aid agreement with Safety Tec Inc... The agreement would define the rolls and responsible of each agency, should the need arise to call on Safety Tec for assistance or render assistance to them.

Mutual aid agreements are required by Kentucky Administrative Regulation (202 KAR 7:501, Section 6) for all agencies operating in the same county. It is also required by LFUCG Chapter 18C of the Code of Ordinances

There will be no budgetary impact in this agreement as there are no additional resources required.




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212-12

Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Gray
Mayor

Richard Moloney
Chief Administrative Officer

To: Jim Gray, Mayor
Urban County Council Members

FROM: 
Jerry Hancock, Director of Parks and Recreation

RE: Donation of trees at Belleau Wood Park

DATE: February 21, 2012

This is a request for Council approval of a donation to Parks and Recreation Dunbar Community Center of a Ping Pong Table valued at \$100.00 and to recognize Ms. Erika Smith of 748 Mill Ridge Road Lexington, Ky. 40514 for her kind donation.

Please contact me if there are any questions.

CC: Sally Hamilton, Commissioner of General Services

JEH/bac



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213-12

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

Jim Gray
Mayor

Susan Bush
Commissioner

MEMORANDUM

To: Mayor Jim Gray
Urban County Council
Richard Maloney, CAO
Susan Bush, Commissioner

From: Kevin Wentz, Administrative Officer *KW*

Date: February 21, 2012

RE: Request for transfer of right-of-way via Quit Claim Deed – Hamm Alley

This memorandum is to request Urban County Council approval to transfer Hamm Alley right-of-way to the adjacent property owners located at 525 and 527 Angliana Ave. LFUCG Division Directors and utility company representatives have responded with comments and consented to this request. The adjacent property owners will accept full responsibility of the maintenance and repair of the right-of-way. The Consent Certificates have been signed, and submitted to the Law Department. I am requesting Council authorization of the closure as presented and execution of all related documents. Should you have any questions regarding this request please feel free to contact me at 258-3407.

20

213-12

BENNETT

PORTER

ANGLIANA

HANN



DE



21
223-12

Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Grants and Special Programs

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: FEBRUARY 22, 2012

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT
APPLICATION TO, AND ACCEPT AWARD, IF OFFERED,
FROM THE KENTUCKY JUSTICE AND PUBLIC SAFETY
CABINET FOR LAW ENFORCEMENT SERVICE FEE GRANT
PROGRAM - FY 2013

The Division of Police has prepared an application for submission to the Kentucky Justice and Public Safety Cabinet requesting funding in the amount of \$100,010 from the Law Enforcement Service Fee Program. If approved, these funds will be used to support overtime costs of approximately 2,800 police officer overtime hours for a Traffic Alcohol Patrol. The source of funds is the Law Enforcement Service Fee Fund.

No matching funds are required.

Council authorization to submit the application and accept the award, if offered, is hereby requested.



Irene Gooding, Director

Xc: Clay Mason, Commissioner of Public Safety

HORSE CAPITAL OF THE WORLD

MEMORANDUM

TO: RICHARD MALONEY, CAO
MAYOR JIM GRAY
URBAN COUNTY COUNCIL

FROM: _____
BETH MILLS, COMMISSIONER
SOCIAL SERVICES

DATE: 2-24-2012

SUBJECT: BUILDING USAGE AGREEMENT WITH FAYETTE COUNTY
EXTENSION FACILITY AND PROGRAM AGREEMENT WITH AARP

Requesting the authority to enter into a building usage agreement with Fayette County Extension Facility and AARP for an educational seminar titled; Taking Charge: Your Medication Your Health on April 17, 2012

As part of this agreement the Government will pay for the use of the Facility, provide a Certificate of Insurance, GTV3 will video tape and my office will help promote the event. The direct costs to the government is \$125.00 for the space, this is a budgeted expense.

Keith Horn in Law has reviewed and approved electronic signature from AARP




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

Jim Gray
Mayor

Richard Moloney
Acting Commissioner

To: Mayor Jim Gray
Urban County Council

From: 
Charles H. Martin, P.E., Director
Division of Water Quality

Date: February 22, 2012

RE: Amendments to Code of Ordinances Section 16-60(a) and Ordinance No. 34-2008

The Division of Water Quality, which was assigned responsibility for the sanitary sewer tap-on desk on July 1, 2011, is requesting several amendments to Section 16-60(a) of the Code of Ordinances that codify pre-existing policies and reflect current fees resulting from Consumer Price Index (CPI) adjustments calculated annually by the Division of Revenue per the 2008 amendment. The division is also requesting that a typographical error in Ordinance No. 34-2008, which previously amended Section 16-60, be corrected at this time.

None of these recommended changes will result in any increase in fees above those currently being collected.

The specific amendments are as follows:

- Subsection 16-60(a)(1) amended to clarify that town homes and duplex units are treated as single-family residences;
- Subsection 16-60(a)(2) amended to clarify that condominiums, hospitals, and nursing homes are charged tap-on fees for their residential units under that subsection;
- Subsection 16-60(a)(6) amended to clarify that “restaurants, business, professional, commercial and industrial buildings” which are located within hospital or nursing home developments are charged a tap-on fee under that subsection;
- Subsection 16-60(a)(7) amended to clarify that warehouses and distribution facilities are treated as “storage areas”; and;
- Subsection 16-60(a)(9) amended to clarify that “school establishments” means non-profit educational facilities.

All fees under these subsections [and Subsections 16-60(a)(3) through 16-60(a)(5) and Subsection 16-60(a)(8)] will be updated to reflect current fees after CPI adjustments were applied based on Section 16-57.1 of the Code of Ordinances.

It is further requested that Ordinance No. 34-2008, passed on February 21, 2008, be amended to correct a typographical error. That Ordinance amended several sections of the Code of Ordinances to increase various sanitary sewer fees. Section 16-60(a), which sets forth applicable “tap-on fees” for nine different types of properties was one of the sections amended in 2008. Subsection 16-60(a)(6), which applies to “[r]estaurants, business, professional, commercial and industrial buildings”, provides for calculation of the applicable tap-on fee based on the square footage of floor space and provides for a minimum fee. Although the minimum fee listed therein was correctly increased in Ordinance No. 34-2008, the “per square foot” fees were inadvertently stated incorrectly because a decimal point was placed in the wrong place (.071 instead of 0.71 and .096 instead of 0.96).

Consistent with the increased tap-on fees that have been charged for all other types of property since 2008, appropriately increased fees have also been charged for properties subject to Subsection 16-60(a)(6). Nevertheless, Ordinance No. 34-2008 should be amended to correct the typographical error.

Questions regarding this agreement should be directed to Charles Martin at 425-2455 or Ed Gardner at 258-3500.

CC: Richard Moloney, CAO
Janet Graham, Department of Law
William O'Mara, Division of Revenue
Susan Bush, Division of Environmental Quality
Marwan Rayan, Division of Engineering
Edward Gardner, Department of Law
Brad Stone, Department of Environmental Quality & Public Works
Julie Mantrom, Division of Water Quality
Candice Deininger, Division of Revenue
Mike Lambert, Division of Water Quality

ORDINANCE NO. _____-2012

AN ORDINANCE AMENDING SUBSECTIONS 16-60(a)(1), 16-60(a)(2), 16-60(a)(3), 16-60(a)(4), 16-60(a)(5), 16-60(a)(6), 16-60(a)(7), 16-60(a)(8), AND 16-60(a)(9) OF THE CODE OF ORDINANCES RELATING TO SANITARY SEWER TAP-ON FEES TO MAKE CLARIFICATIONS TO CATEGORIES OF PROPERTIES AND UPDATE FEES AND AMENDING SECTION 5 OF ORDINANCE NO. 34-2008, WHICH AMENDED SUBSECTION 16-60(a)(6), TO CORRECT A TYPOGRAPHICAL ERROR.

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

Section 1 – That Subsection 16-60(a)(1) of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is amended to read as follows:

(1) Single-family residences, town homes, and duplexes (per unit) occupying lots:

	<u>Effective July 2011</u>
Of 1/4 acre or less . . .	<u>\$ 857.11</u>
From 1/4 to 1/2 acre . .	<u>1,591.62</u>
From 1/2 to 3/4 acre . .	<u>2,328.18</u>
From 3/4 to 1 acre . . .	<u>3,185.29</u>
Larger than 1 acre . . .	<u>4,042.39</u>

Section 2 - That Subsection 16-60(a)(2) of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is amended to read as follows:

(2) Apartments, condominiums, hospitals, and nursing homes:

	<u>Effective July 2011</u>
Each efficiency unit . . .	<u>343.25</u>
Each 1-bedroom unit . . .	<u>636.44</u>
Each 2-bedroom unit . . .	<u>832.59</u>
3- or 4-bedroom unit . . .	<u>1,029.75</u>
Minimum for each	
Apartment building . . .	<u>1,714.21</u>

Section 3 - That Subsection 16-60(a)(3) of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is amended to read as follows:

(3) Motels:

	<u>Effective July 2011</u>
Each living unit...	<u>636.44</u>

Section 4 - That Subsection 16-60(a)(4) of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is amended to read as follows:

(4) Trailer parks:

	<u>Effective July 2011</u>
Each trailer or space...	<u>857.11</u>

Section 5 - That Subsection 16-60(a)(5) of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is amended to read as follows:

(5) Service stations:

	<u>Effective July 2011</u>
Each station...	<u>4,899.50</u>

Section 6 - That Subsection 16-60(a)(6) of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is amended to read as follows:

(6) Restaurants, business, professional, commercial and industrial buildings, including such facilities in hospitals or nursing homes:

	<u>Effective July 2011</u>
A fee to be per square foot of floor space . . .	<u>\$ 0.98</u>
Minimum fee for each urban county government sewer connection . . .	<u>857.11</u>

Section 7 - That Subsection 16-60(a)(7) of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is amended to read as follows:

(7) Storage areas, warehouses, and distribution centers:

	<u>Effective July 2011</u>
A fee to be per square foot of floor space . . .	<u>0.204</u>
Minimum fee for each urban county government sewer connection . . .	<u>857.11</u>

Section 8 - That Subsection 16-60(a)(8) of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is amended to read as follows:

(8) Swimming pools:

	<u>Effective July 2011</u>
For the erection of each swimming pool, a fee 100 cubic feet...	<u>1.471</u>

Section 9 - That Subsection 16-60(a)(9) of the Code of Ordinances, Lexington-Fayette Urban County Government, be and hereby is amended to read as follows:

(9) Non-profit School school establishments:

	<u>Effective July 2011</u>
The fee for each urban county government sewer connection, per square foot of floor space . . .	<u>0.490</u>

Section 10 – That Section 5 of Ordinance No. 34-2008 be and hereby is amended by amending Subsection 16-60(a)(6) to read as follows:

(6) Restaurants, business, professional, commercial and industrial buildings:

	<u>Through June 30, 2009</u>	<u>July 1, 2009</u>
A fee to be per square foot of floor space . . .	<u>-.0740.71</u>	<u>-.0960.96</u>

Minimum fee for each urban county government sewer connection . . .	622.00	839.00
--	--------	--------

Section 11 - That this Ordinance shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:



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232-12

Lexington-Fayette Urban County Government
DIVISION OF HUMAN RESOURCES

Jim Gray
Mayor

Janet Graham
Commissioner

M E M O R A N D U M

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

FROM: _____
Leslie Jarvis, Acting Director
Division of Human Resources

DATE: February 23, 2012

SUBJECT: Transfer Positions—Division of Water Quality to the Division of Streets and Roads

The attached action amends Section 21-5 of the Code of Ordinances, transferring one (1) position of Public Service Worker Sr. (Grade 107N), and its incumbent and one vacant position of Trades Worker Sr. (Grade 109N), from the Division of Water Quality to the Division of Streets and Roads, effective upon passage of Council.

As part of the reorganization of the Department of Environmental Quality and Public Works in June 2011, several positions were moved from the Division of Streets and Roads to the Division of Water Quality and their duties. Over the past several months, it has become apparent that moving two of these positions back to the Division of Streets and Roads would provide the most effective operation of the Department of Environmental Quality and Public Works.

There is no fiscal impact associated with this action.

If you have questions or need additional information, please contact Daniel H. Fischer at 258-3030.

Attachment

cc: Charlie Martin, Director-Division of Water Quality
Sam Williams, Director-Division of Streets and Roads

Log 12-0035



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236-12

Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Grants and Special Programs

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS

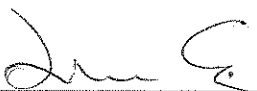
DATE: FEBRUARY 23, 2012

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION AND
ACCEPT AWARD, IF OFFERED, TO THE KENTUCKY JUSTICE AND PUBLIC
SAFETY CABINET FOR THE CONTINUATION OF THE STREET SALES
DRUG ENFORCEMENT PROJECT FOR FY 2013

The Division of Police has prepared a grant application for submission to the Kentucky Justice and Public Safety Cabinet requesting federal funding for continuation of the Street Sales Drug Enforcement project for Fiscal Year 2013. The Kentucky Justice and Public Safety Cabinet has indicated that jurisdictions may not request awards in excess of the previous year's award; LFUCG is requesting federal funds in the amount of \$50,000 to continue the activities of the Lexington-Fayette Urban County Government's Division of Police and the Fayette County Commonwealth Attorney's Office in their attempts to arrest and convict the street level drug dealers. A local match of 25% (\$16,667) is required. Match is included in the Division of Police's 2013 General Fund budget. Total project cost is \$66,667.

The Division of Police will use these funds for overtime expenses, and the Commonwealth Attorney will use funds to support the employment of a full-time assistant prosecutor. The source of these federal funds is the Edward Byrne Memorial Justice Assistance Grant Program in the U.S. Department of Justice.

Council authorization to submit application and accept the award of federal funds, if offered, is hereby requested.



Irene Gooding, Director

Xc: Clay Mason, Commissioner of Public Safety

HORSE CAPITAL OF THE WORLD

200 East Main Street 6th Fl Lexington, KY 40507 PH (859)258-3070 FAX (859)258-3081 www.lexingtonky.gov

F:\WP51\HCD\GRANTS\FEDERAL\US DEPT OF JUSTICE\STREET SALES\FY 13\12-000.doc



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237-12

Lexington-Fayette Urban County Government
DIVISION OF HUMAN RESOURCES

Jim Gray
Mayor

Janet Graham
Commissioner

M E M O R A N D U M

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

FROM: _____
Leslie Jarvis, Acting Director
Division of Human Resources

DATE: February 23, 2012

RE: Government Reorganization

The attached action amends Section 21-5 and Section 22-5 of the Code of Ordinances, creating a new Department and reorganizing certain Departments and Divisions within the Lexington-Fayette Urban County Government (LFUCG) and transferring positions and incumbents, to become effective upon passage of Council.

To effect these changes, the following LFUCG department will be created:

- Department of Planning, Preservation and Development.

The following divisions will be transferred-along with all authorized positions and incumbents-as follows:

- Division of Planning, the Division of Historic Preservation and the Division of Purchase of Development Rights from the Office of the C.A.O. to the Department of Planning, Preservation and Development.

Further, various individual classified civil service positions and their incumbents, if applicable, will be transferred, as follows*:

- transfer one (1) position of Staff Assistant (Grade 107N), one (1) position of Staff Assistant Sr. (Grade 108N), four (4) positions of Building Inspector (Grade 113N) and one (1) position of Building Inspector Sr. (Grade 114E) from the Division of Building Inspection to the Division of Planning;

As well, certain unclassified civil service positions and their incumbents will be transferred as follows*:

- transfer one (1) position of Commissioner of Planning (Grade 210E) from the Office of the CAO to the Department of Planning, Preservation and Development and change the position title to Commissioner of Planning, Preservation and Development.

**please see the attached sheets for an entire listing of specific individual employee transfers.*

The fiscal impact for FY2012 will be budget neutral.

If you have questions or need additional information, please contact Daniel H. Fischer at 258-3030.

Attachment

cc: Clay Mason, Commissioner – Department of Public Safety
Derek J. Paulsen, Commissioner – Department of Planning, p\Preservation and Development
Dewey Crowe, Director – Division of Building Inspection
Chris King, Director – Division of Planning

12-0034



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Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Grants and Special Programs

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: FEBRUARY 24, 2012

SUBJECT REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION
TO THE KENTUCKY DEPARTMENT FOR LOCAL GOVERNMENT
REQUESTING FEDERAL FUNDS FROM THE RECREATIONAL
TRAIL PROGRAM FOR BRIGHTON RAIL TRAIL PHASE 4

The Division of Engineering has prepared a grant application for submission to the Kentucky Department for Local Government, requesting federal funding in the amount of \$75,000 for construction of Brighton Rail Trail Phase 4, a ten foot wide, 2,200 foot long trail with an asphalt surface that will provide multi-modal access along an abandoned CSX railroad corridor. The proposed trail lies between Liberty Road and Man o' War Boulevard on the east side of Lexington. The Brighton Rail Trail Phase 4 is a continuation of the countywide greenway system. This trail is on the north side of Man O' War Boulevard across from the Brighton East Rail Trail. Brighton Phase 4 is a segment of the Big Sandy Greenway Trail, which is designated a primary trail in the adopted Greenway Master Plan.

This project requires a 50% local match. Local match in the amount of \$100,000 will come from the Municipal Aid Program. Total project cost is \$175,000.

The source of federal funds is the Federal Highway Trust Fund, and represents a portion of the motor fuel excise tax collected from nonhighway recreational fuel use.

Council authorization to submit application is hereby requested.

Irene Gooding, Director

Xc: Richard Moloney, Acting Commissioner of the Department of Environmental Quality and Public Works

HORSE CAPITAL OF THE WORLD



Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Grants and Special Programs

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: FEBRUARY 27, 2012

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
DEVELOPMENT AGREEMENT WITH LEXINGTON HABITAT FOR
HUMANITY CONVEYING PROPERTIES ACQUIRED BY THE LFUCG
UNDER THE NEIGHBORHOOD STABILIZATION PROGRAM

On June 25, 2009 (Ordinance No. 123-2009), Council approved the acceptance of federal funds from the Kentucky Department for Local Government under the Neighborhood Stabilization Program for operation of a Land banking project. This included the acquisition, disposal, and maintenance of distressed homes and demolition of blighted structures. The source of funds was the U.S. Department of Housing and Urban Development. Funds for this program were appropriated by Congress in the Housing and Economic Recovery Act of 2008.

In October 2011, the Division of Grants and Special Programs issued a request for applications from entities interested in new construction and rehabilitation of existing single family residential units in low-income census tracts for rental and homeownership for low- and moderate-income households. Habitat for Humanity expressed an interest in acquiring fifteen of the properties for rehabilitation and construction for homeownership for low-income households. Properties will be conveyed to Habitat for Humanity for as low as \$1.00; however, the Kentucky Department for Local Government ultimately determines sales prices for properties. All net proceeds from sale of properties must be returned to the Kentucky Department for Local Government.

Council authorization to execute Development Agreement and to convey up to fifteen properties to Habitat for Humanity is hereby requested.



Irene Gooding, Director

Xc: Richard Moloney, Chief Administrative Officer

EXHIBIT A - page 1 of 1

12-31-2013

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Activity #	Address	Use	Budget	Lead Abatement	Structural Repair	Increase in Demo Cost	Revised Budget	Fair Mkt Value	NSP Dev Sub	Completed by
1 043-1-043	224 Savoy Rd	E	\$91,019	\$7,500			\$98,519	\$86,500	\$12,019	12/31/2012
2 043-1-015	723 Whitney Ave	E	\$13,697				\$13,697	\$6,000	\$7,697	12/31/2012
3 043-1-016	721 Whitney Ave	E	\$8,791				\$8,791	\$6,000	\$2,791	12/31/2012
4 043-1-012	453 Breckenridge St	D	\$12,934			\$3,270	\$16,204			
043-1-012	453 Breckenridge St	E	\$19,434				\$19,434			
							<u>\$35,638</u>	\$6,500	\$29,138	12/31/2012
5 043-1-011	201 Savoy Rd	C	\$72,001	\$8,500			\$80,501	\$63,500	\$17,001	12/31/2014
6 043-1-026	2581 Cashel Ct	C	\$122,001				\$122,001	\$114,500	\$7,501	12/31/2014
7 043-1-034	2486 Plumtree Ct	C	\$71,807	\$7,500			\$79,307	\$62,500	\$16,807	12/31/2014
8 043-1-004	424 Price Rd	C	\$41,406				\$41,406			
043-1-004	424 Price Rd	D	\$10,344				\$10,344			
							<u>\$51,750</u>	\$8,500	\$43,250	12/31/2014
9 043-1-009	111 Forston Ave	C	\$14,463				\$14,463	\$12,500	\$1,963	12/31/2014
10 043-1-010	109 Forston Ave	C	\$14,105				\$14,105	\$12,500	\$1,605	12/31/2014
11 043-1-037	120 Glenn Pl	C	\$85,359	\$7,500	\$7,500		\$100,359	\$70,000	\$30,359	12/31/2014
12 043-1-001	349 Ohio St	C	\$30,314				\$30,314			
043-1-001	349 Ohio St	D	\$7,595				\$7,595			
							<u>\$37,909</u>	\$6,000	\$24,314	12/31/2014
13 043-1-005	425 Ohio St	C	\$27,190				\$27,190			
043-1-005	425 Ohio St	D	\$7,568				\$7,568			
							<u>\$34,758</u>	\$7,000	\$20,190	12/31/2014
14 043-1-008	443 Ash St	C	\$15,724				\$15,724			
043-1-008	443 Ash St	D	\$5,753				\$5,753			
							<u>\$21,477</u>	\$6,000	\$9,724	12/31/2014
15 043-1-023	758 Florida St	C	\$20,662			\$784	\$20,662			
043-1-023	758 Florida St	D	\$5,081				\$5,865	\$6,000	\$14,662	12/31/2014
							<u>\$26,527</u>			



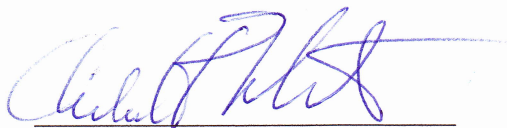
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240-12

Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Gray
Mayor

Richard Moloney
Acting Commissioner

To: Mayor Jim Gray
Urban County Council

From: 
Charles H. Martin, P.E., Director
Division of Water Quality

Date: February 8, 2012

Subject: Change Order # 1 (Final) Griffin Gate #2 Pump Station Replacement

The Division of Water Quality requests approval of Change Order #1 (final) with Grant's Excavating Inc. for the Griffin Gate Pump Station Replacement project. The original amount of this project was \$173,000.00. Change Order #1 is for \$5,105.00. Change Order #1 gives a revised total contract amount of \$178,105.00. The sum of this Change Order amounts to 3% of the original contract amount.

Description of Change Order

1. Upgrade transducer to meet current pump station maintenance requirements.
Add \$1,000.00
2. Locating existing force main and lay additional 80LF of new 6" DIP force main.
Add \$4,105.00

Total Cost of Change Order #1: \$ 5,105.00



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240-12

Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Gray
Mayor

Susan Bush
Commissioner

Change Order

Change Order No.1 (Final)
Griffin Gate #2 Pump Station Replacement
Lexington Fayette-Urban County Government
Division of Water Quality

Owner: Lexington Fayette-Urban County Government
200 East Main Street
Lexington KY, 40507

Contractor: Grant's Excavating Inc.
PO Box 298
312 Jason Drive Suite 6
Richmond, KY 40476

SUMMARY OF INFORMATION

Date of Change Order:	01/26/2012
Date of Contract:	12/09/2010
Date of Notice to Proceed:	03/11/2011
Date of Contract Completion:	09/16/2011
Change in Contract Time (Calendar Days):	0
Original Contract Amount:	\$173,000.00
Previous Change Order Total:	\$0
Current Contract Amount:	\$173,000.00
Change Order # 1 Amount:	\$5,105.00
New Contract Amount Including Change Orders:	\$178,105.00
Percent of Change from Original Contract Amount:	3%



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240-12

Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Gray
Mayor

Susan Bush
Commissioner

CONTRACT HISTORY FORM

Contractor: Grant's Excavating Inc.

Project Name: Griffin Gate #2 Pump Station Replacement

Contract Number and Date: # 681-2010

Responsible LFUCG Division: Division of Water Quality

CHANGE ORDER DETAILS

<u>Summary of previous Change Orders to Date</u>	<u>Dollar Amount</u>
A. Original Contract Amount:	<u>\$173,000.00</u>
B. Cumulative Amount of Previous Change Orders:	<u>\$0</u>
C. Total Contract Amount Prior to this Change Order:	<u>\$173,000.00</u>
<u>Current Change Order</u>	
D. Amount of this Change Order:	<u>\$5,105.00</u>
E. New Contract Amount Including this Change Order:	<u>\$178,105.00</u>

SIGNATURE LINES

Project Manager: [Signature]

Reviewed By: [Signature]

Division Director: [Signature] 2/27/12



Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Grants and Special Programs

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: FEBRUARY 28, 2012

SUBJECT REQUEST COUNCIL AUTHORIZATION TO EXECUTE AGREEMENT WITH HARSHAW TRANE UNDER THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT FOR PROVISION OF DESIGN AND ENGINEERING SERVICES FOR THE REPAIR, MODIFICATION AND/OR REPLACEMENT OF ELECTRICAL AND MECHANICAL EQUIPMENT AT POLICE HEADQUARTERS LOCATED AT 150 E MAIN ST, LEXINGTON — RFP 1-2012

On November 19, 2009 (Ordinance No. 243-2009), Council approved acceptance of federal funds from the U.S. Department of Energy under the Energy Efficiency and Conservation Block Grant, authorized by the American Recovery and Reinvestment Act of 2009. The approved grant application provides for energy retrofits for government buildings.

RFP 1-2012 was issued for solicitation of consulting services design and engineering services for the repair, modification and/or replacement of electrical and mechanical equipment at Police Headquarters located at 150 E Main Street. The main objective of the project is to evaluate the condition of the existing pneumatic HVAC control system and to coordinate the repair and/or replacement with direct digital controls (DDC). Two proposals were received. Harshaw Trane was selected based upon qualifications, capacity, experience, and estimated cost of services.

The total cost of the contract, to proceed on a task order basis, is not to exceed ninety-seven thousand, one hundred seventeen dollars and seventy-three cents (\$97,117.73).

Funds are budgeted as follows:

FUND	DID	SECT	ACCOUNT	BUD REF	PROJECT	ACTIVITY
3210	313201	3093	91012	2010	EEBCG R 2010	E GV RETRO

Council authorization to execute agreement with Harshaw Trane in the amount of \$97,117.73 is hereby requested.


Irene Gooding, Director

Xc: Richard Moloney, Acting Commissioner of the Department of Environmental Quality and Public Works

HORSE CAPITAL OF THE WORLD

Neighborhood Development Funds
March 6, 2012
Work Session

Amount	Recipient	Purpose
\$ 625.00	First Bracktown, Inc. 3016 Bracktown Road Lexington, KY 40511 Roszalyn Akins	Funding to take BMW Academy students on educational trips.

PARKS & RECREATION LEXINGTON, KY

FY 2012 - 2013

Aquatics Management Plan

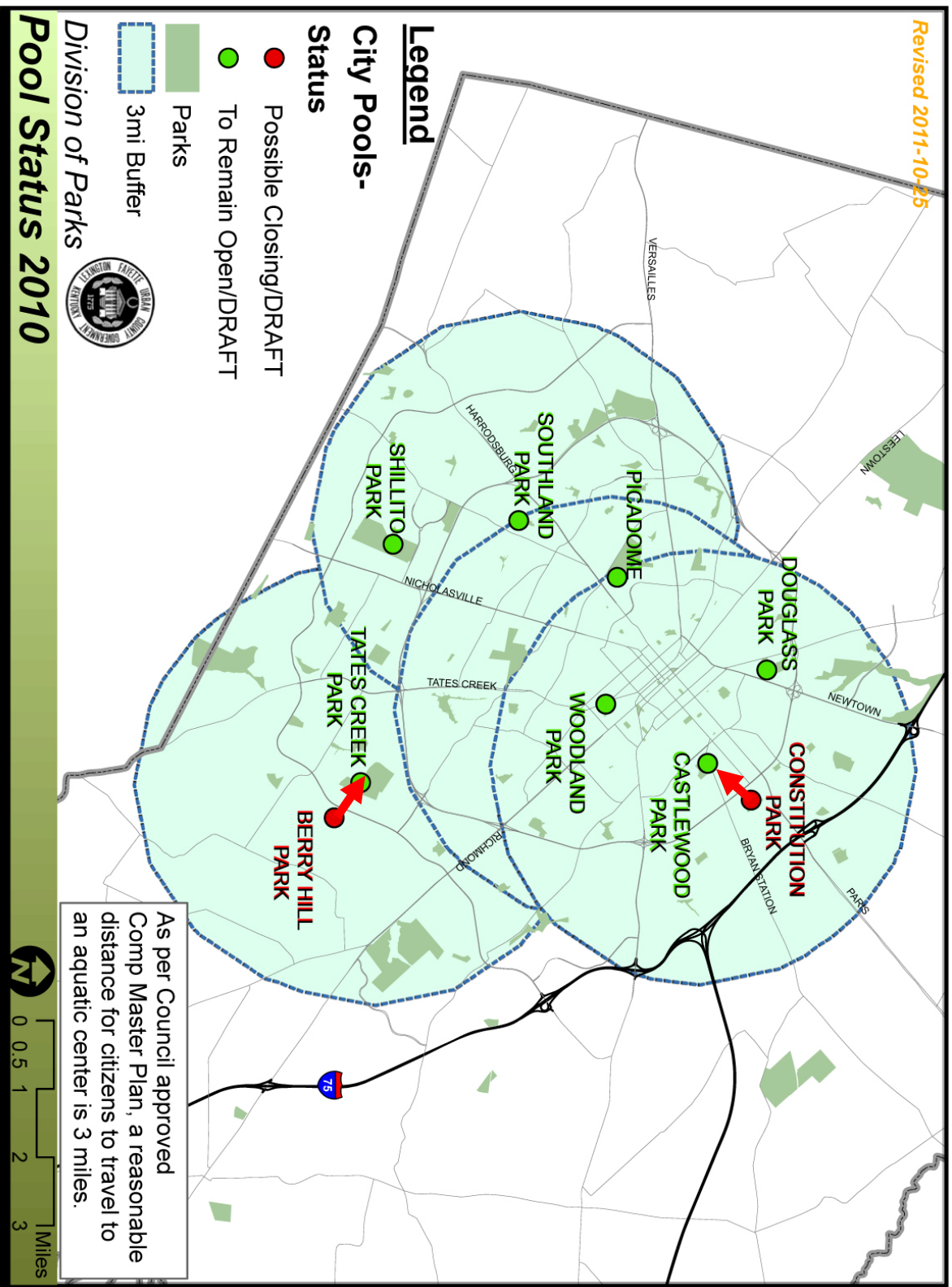
Focus: Reprogramming of **Berry Hill and
Constitution Pools**

March 6, 2012

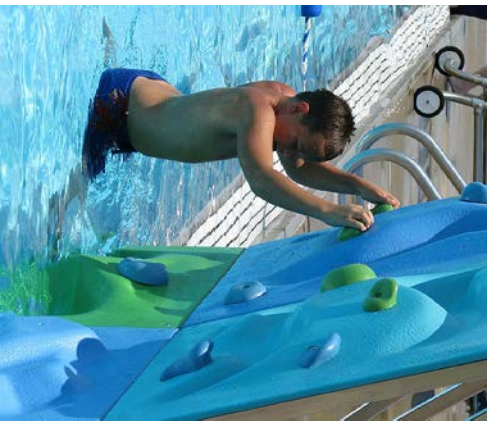
Work Session of Urban County Council

Layout of Current Aquatic Facilities

Revised 2011-10-25



Reprogramming **Berry Hill** and **Constitution Pools**



- Proposals include the following
 - Demo both pools and the bath house at Constitution from FY 12 and 13 operating budgets
 - Combined Operating Reduction:
FY12 Operating Reduction: \$32,800
FY13 Operating Reduction: \$71,700
Total: \$104,500
 - Identify funds to construct:
 - Softball Field at **Constitution**
 - Skate Park at **Berry Hill**

Demolition Estimates

- **Berry Hill Pool**
 - Demolition Costs: \$53,300
 - Includes removal of concrete
 - Fills baby pool to leave concrete pad
 - Existing Bath House remains

Demolition Estimates con't.

- **Constitution Pool**
 - Projected Demolition Cost was \$34,500
 - Site limitations increased estimate to \$67,700
 - Remove Bath House
 - Remove concrete (not bury)
 - Demolish / remove baby pool

Demolition costs exceed FY12 and FY13 pool operating savings

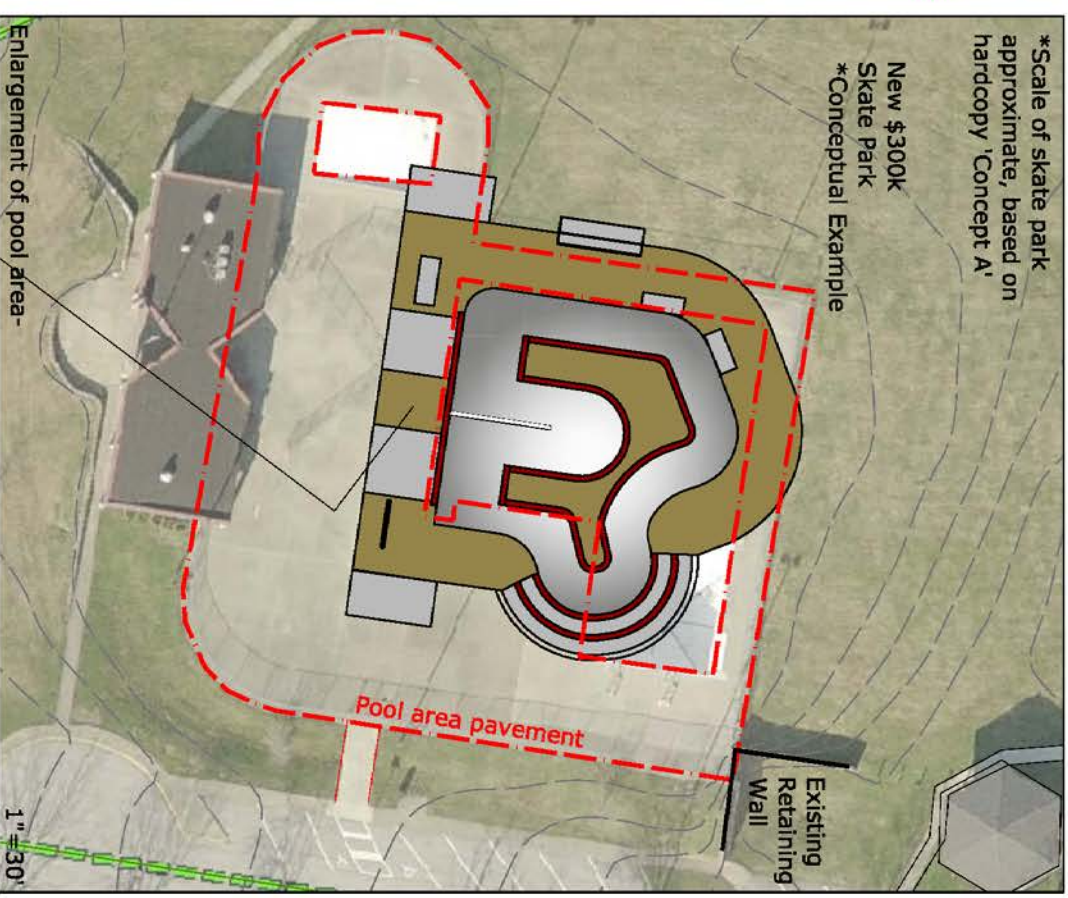
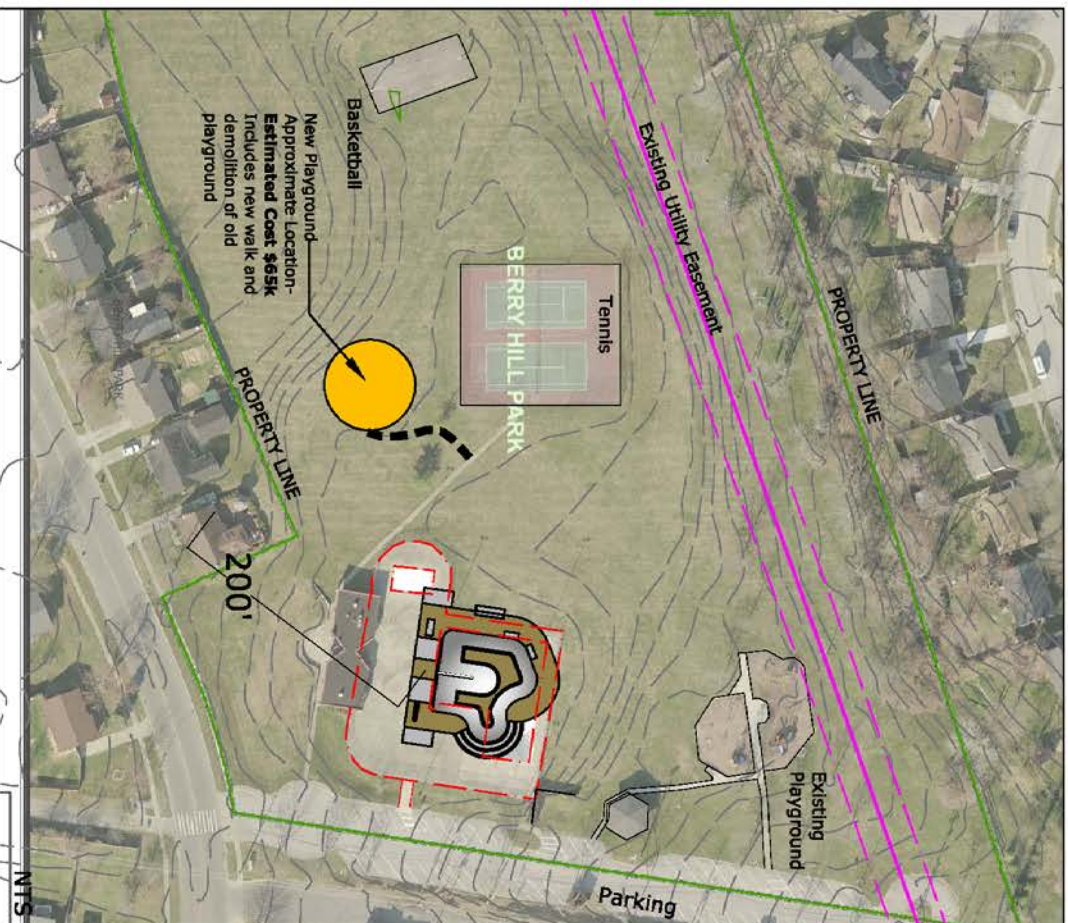
	<u>Berry Hill</u>	<u>Constitution</u>	<u>Total</u>
<u>Demo estimate (Jan 2012)</u>	<u>\$53,300</u>	<u>\$67,700</u>	<u>\$121,000</u>
<u>Operating Reductions</u>			
FY 2012 May/June 2012	\$16,200	\$16,600	\$32,800
FY 2013 Full Year	\$35,400	\$36,300	<u>\$71,700</u>

Total Operating Reduction: \$104,500

Made up from Parks Budget: \$16,500

Total available from the FY12 and FY 13 Pool Operating
Budgets, plus amount which will come from Parks FY12
budget \$121,000

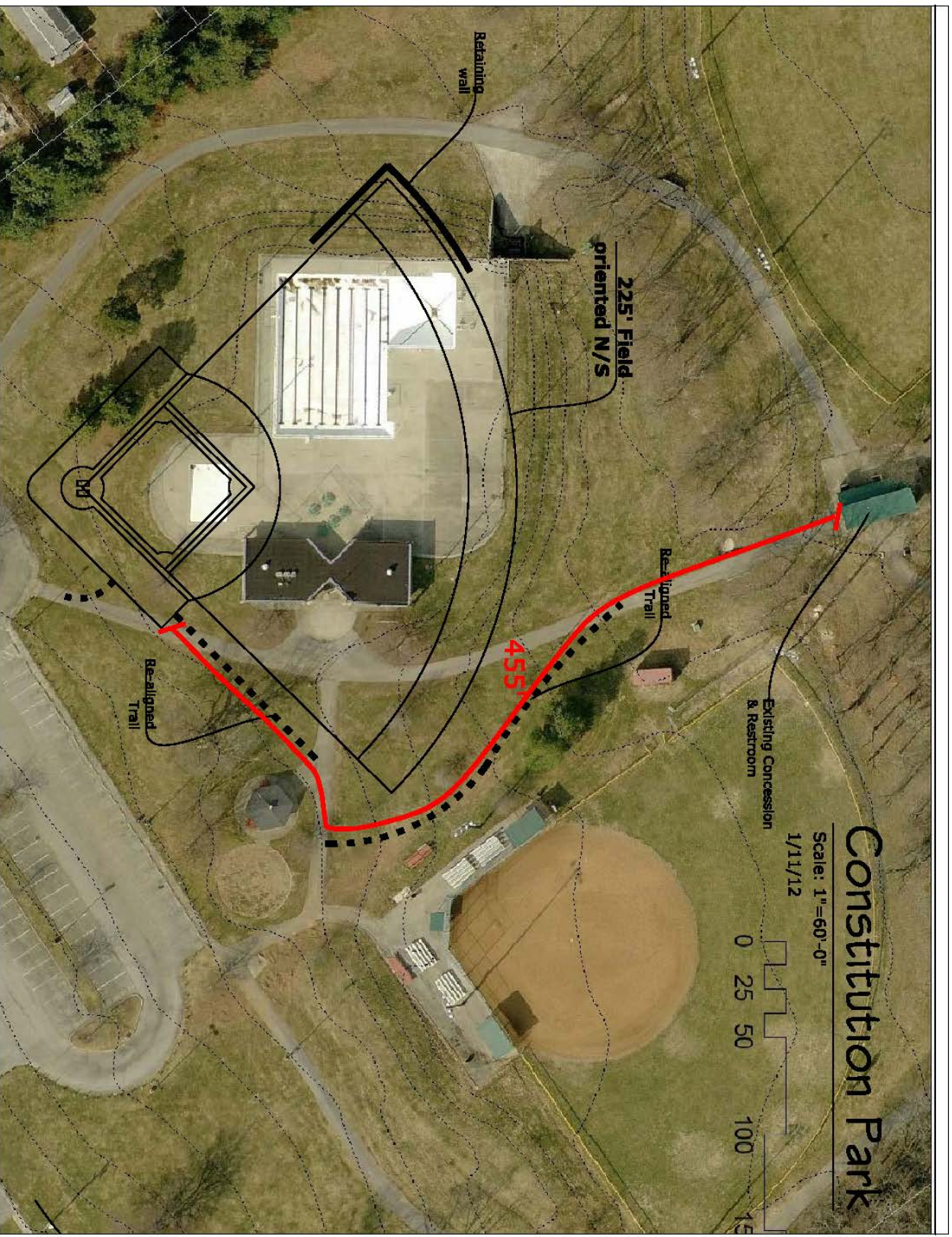
46 Proposed skate park, playground layout at **Berry Hill Park**



Reprogramming **Berry Hill Pool**

- Proposed 'intermediate' Skate Park
 - Friends for Skate Parks being formed
 - Cost: Playground relocation @ \$50,000
 - New location adds \$15 K sidewalks
 - Skate Park Construction: @ \$300,000
 - Both included in Parks' CIP for 2013
- Public meeting held Feb 21, 2012

Proposed Layout at **Constitution**



Reprogramming Constitution Pool

- New ballfield layout requires removal of bath house and baby pool
 - Existing bathrooms/concession stand only 150 yards away.
 - Requires grading, irrigation, retaining wall and new trail
 - Projected Cost: \$237,500
 - Included in FY 13 Parks CIP
- Public Meeting held on February 28, 2012

2011 Pool Season Attendance and

Cash Flow

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<u>Pool Name</u>	<u>Attendance</u>	<u>Revenue</u>	<u>Expense</u>	<u>Cash Flow</u>	<u>Cost/Patron</u>
Castlewood	13,210	\$27,825	\$69,033	(\$41,208)	(\$3.12)
Tates Creek	36,157	\$107,858	\$113,182	(\$5,324)	(\$0.15)
Southland	62,780	\$249,705	\$179,942	\$69,763	\$1.11
Woodland	40,551	\$166,463	\$172,843	(\$6,380)	(\$0.16)
Constitution	3,525	\$6,240	\$24,517	(\$18,277)	(\$5.18)
Berry Hill	3,597	\$9,480	\$26,185	(\$16,705)	(\$4.64)
Douglass	2,444	\$2,104	\$26,111	(\$24,007)	(\$9.82)
Shillito	12,210	\$31,560	\$53,428	(\$21,868)	(\$1.79)
Picadome	<u>2,279</u>	<u>\$5,252</u>	<u>\$22,535</u>	<u>(\$17,283)</u>	<u>(\$7.58)</u>
Total Pool Specific	176,753	606,487	687,776	(\$81,289)	(\$0.46)
Civil Service Maintenance			\$172,214		
Non-Pool Specific Seasonal Labor & Pool Coordinators			\$48,291		
Other, non-assigned Operating Expense			\$46,215		
Utilities			<u>\$248,700</u>		
Totals	176,753	\$606,487	\$1,203,196	(\$596,709)	(\$3.38)

Total Operating Cost Recovery = Revenue / Expense =

50%

We expect a modest revenue increase from these changes:

- Use of both pools is made up of paying customers and patrons of Parks' camps/programs that use the pool at no additional charge.
 - All of Parks program patrons will transfer to Castlewood or Tates Creek.
 - It is estimated that 75% of paying customers will migrate to Castlewood or Tates Creek, whose admission fees are \$1 higher.
 - It is estimated that all transferred patrons will spend \$2 in concessions.

	2011 Paying <u>Customers</u>	75% will <u>Migrate</u>	75% of 2011 <u>Revenue</u>	Plus \$1 Higher <u>Cost</u>	100% of Transfers @ \$2 <u>Concessions</u>	Expected Total <u>Revenue</u>
Constitution	1,529	1,147	\$4,680	\$1,147	\$2,294	\$8,121
Berry Hill	1,689	1,267	\$7,110	\$1,267	\$2,534	\$10,911

- Net Revenue overall should see an increase of about \$3,000

	2011 <u>Revenue</u>	2012 Expected <u>Revenue</u>	NET Revenue to Castlewood and Tates Creek
Constitution	\$6,240	\$8,121	\$1,881
Berry Hill	\$9,480	\$10,911	\$1,431
	\$15,720	\$19,032	\$3,312

Projected 2012 Attendance and Cash Flow

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WITH 75% PATRON TRANSFER FROM **CONSTITUTION** TO CASTLEWOOD
AND **BERRY HILL** TO TATES CREEK

<u>Pool Name</u>	<u>Attendance</u>	<u>Revenue</u>	<u>Expense</u>	<u>Cash Flow</u>	<u>Cost/Patron</u>
Castlewood	15,854	\$35,946	\$69,033	(\$33,087)	(\$2.09)
Tates Creek	38,855	\$118,769	\$113,182	\$5,587	\$0.14
Southland	62,780	\$249,705	\$179,942	\$69,763	\$1.11
Woodland	40,551	\$166,463	\$172,843	(\$6,380)	(\$0.16)
Douglass	2,444	\$2,104	\$26,111	(\$24,007)	(\$9.82)
Shillito	12,210	\$31,560	\$53,428	(\$21,868)	(\$1.79)
Picadome	<u>2,279</u>	<u>\$5,252</u>	<u>\$22,535</u>	(\$17,283)	(\$7.58)
Total Pool Specific	174,973	\$609,799	\$637,074	(\$27,275)	(\$0.16)
Civil Service Maintenance			\$172,214		
Non-Pool Specific Seasonal Labor & Pool Coordinators			\$48,291		
Other, non-assigned Operating Expense (\$5,000)			\$41,215		
Utilities(combined reduction BH & CON \$15,998)			<u>\$232,702</u>		
Totals	174,973	\$609,799	\$1,131,496	(\$521,697)	(\$2.98)

Total Operating Cost Recovery = Revenue / Expense =

54%

2011 Pool Season cash flow (-596,709) improves by \$75,012 under this plan

Parks Proposes that the Council

- Agree to the closing of **Berry Hill & Constitution pools** and to the funding of the demolition from FY2012 and FY2013 operating reductions.
- Agree to re-program those sites to include a proposed softball field at **Constitution** and a Skate Park at **Berry Hill**.
- Permit the demolition of both pools in the summer of calendar year 2012 and reprogram when funds become available.

PARKS & RECREATION LEXINGTON, KY