Lexington-Fayette Urban County Government

200 E. Main St Lexington, KY 40507



Tuesday, August 21, 2012

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

URBAN COUNTY COUNCIL SCHEDULE OF MEETINGS August 20 – August 27, 2012

Monday, August 20

No Meetings				
Tuesday, August 21 Corridors Commission				
General Government Committee11:00 am Council Chambers – 2 nd Floor Government Center				
Public Safety Committee1:00 pm Council Chambers – 2 nd Floor Government Center				
Council Work Session3:00 pm Council Chambers – 2 nd Floor Government Center				
Wednesday, August 22 MPO-Transportation Policy Committee CANCELLED				
Thursday, August 23 Capacity Assurance Program Task Force				
Friday, August 24 No Meetings				
Monday, August 27 ZOTA Work Group				

URBAN COUNTY COUNCIL

WORK SESSION SUMMARY

TABLE OF MOTIONS

August 14, 2012

Mayor Jim Gray called the meeting to order at 2:59pm. All Council Members were present.

I. Requested Rezonings/Docket Approval

Motion by Lawless to place on the Docket for the August 16, 2012 council meeting, an ordinance changing the zone from a Wholesale and Warehouse Business (B-4) zone to a Professional Office (P-1) zone for 0.6478 net acre, with dimensional variances, for property located at 620 South Broadway without a public hearing. Seconded by Crosbie. Motion passed without dissent.

Motion by McChord to place on the Docket for the August 16, 2012 council meeting, a 4-Way Stop at the Wydham Hills and Boston Road intersection. Seconded by Myers. Motion passed without dissent.

Motion by Farmer to approve the amended Docket. Seconded by Gorton. Motion passed without dissent.

II. Approval of Summary

Motion by Beard to approve the July 10, 2012 Work Session summary. Seconded by Myers. Motion passed without dissent.

III. Budget Amendments

Motion by Myers to approve the Budget Amendments. Seconded by McChord. Motion passed without dissent.

IV. New Business

Motion by Henson to change item x to "authorization to re-name the Valley Park Neighborhood Building as the Jesse Higginbotham Neighborhood Center."

Seconded by Gorton. Motion passed without dissent.

Motion by Farmer to refer items cc and ee (Authorization to execute a Lease Agreement with the Metro Employees Credit Union for space within the front building at the Versailles Road Campus and Authorization to execute a Lease Agreement with Metro Employees Credit Union for a space within the Phoenix Building) to the General Government Committee. Seconded by McChord. Motion passed 14-1 (Martin voted no).

Motion by Gorton to approve the New Business. Seconded by Ellinger. Motion passed without dissent.

Lane voted no on item II
Beard voted no on item k
Lawless voted no on item m
Martin voted no on item II
Crosbie voted no on item k

V. Continuing Business/Presentations

Motion by Blues to adjust the agenda to discuss the FY2013 Ad Valorem Tax Rates Presentation first, followed by the Capacity Assurance Program (CAP) Presentation. Seconded by Gorton. Motion passed without dissent.

Motion by Lane to place on the docket for the August 16, 2012 Council meeting a separate ordinance levying the ad valorem tax for Street Lights in the Full or Partial Urban Services Districts at a rate of \$.034 on each One Hundred Dollars (\$100.00) of assessed value. A portion of this tax would be subject to recall petition and vote or reconsideration pursuant to KRS 132.017. Motion failed 3-11 (Lane, Myers, and Martin voted yes).

Motion by Farmer to call the question. Seconded by Martin. Motion passed without dissent.

Motion by Farmer to approve option 1 for the General Services Fund 1101 and Urban Services Fund 1105 which would keep all rates the same as last year.

Seconded by Gorton. Vote passed 12-1 (Martin voted no).

Motion by Ford to call the question. Seconded by Ellinger. Motion passed without dissent.

Motion by Farmer to approve the Health Department rate at the level recommended by the Administration. Seconded by Gorton. Motion passed without dissent.

Motion by Farmer to approve the Soil and Water Conservation rate at .000433 as indicated. Seconded by Ford. The motion passed 12-1 (Myers voted no).

Motion by Stinnett to change the Extension rate to .0033. Seconded by Beard. The motion passed 11-1 (Myers voted no).

Motion by Stinnett to amend the motion to a ratio of 4%. Seconded by Lane. Motion passed 11-1 (Myers voted no).

Motion by Gorton to approve the NDF list. Seconded by Kay. Motion passed without dissent.

Motion by Ford to amend Gorton's motion adding the East End Reunion

Committee to the NDF list for the August 16, 2012 docket. Seconded by Kay.

The amended motion passed without dissent.

Motion by Henson to place the Itinerant Merchant Ordinance into the Planning and Public Works Committee. Seconded by Kay. Motion passed without dissent.

Motion by Henson to place the Itinerant Merchant Program Pilot Program into the Economic Development Committee. Seconded by Gorton.

Motion by Gorton to place both items into the Economic Development Committee. Seconded by Kay. The motion passed without dissent.

VI. Mayor's Report

Motion by Gorton to approve the Mayor's Report. Seconded by Beard. Motion passed without dissent.

VII. Adjournment

Motion by Stinnett to adjourn. Seconded by Ellinger. The motion passed without dissent.

Lexington-Fayette Urban County Government Work Session Agenda August 21, 2012

- I. Public Comment Issues on Agenda
- II. Requested Rezonings/ Docket Approval No
- III. Approval of Summary Yes p. 1 3
- IV. Budget Amendments No
- V. New Business Yes p. 8 18
- VI. Continuing Business/ Presentations
 - a Neighborhood Development Funds August 21, 2012 p. 19
- VII. Council Reports
- VIII. Mayor's Report No
- IX. Public Comment Issues Not on Agenda
- X. Adjournment

Administrative Synopsis - New Business Items

a 0801-12

Authorization to submit application and accept award of federal funds from the Kentucky State Police-Commercial Vehicle Enforcement Division for operation of a Motor Carrier Safety Assistance Program - FY 2013. (L801-12) (Gooding/Mason)

This is a request to submit application and accept award of federal

This is a request to submit application and accept award of federal funds in the amount of \$75,000 from the Kentucky State Police-Commercial Vehicle Enforcement Division for operation of a Motor Carrier Safety Assistance Program - FY 2013. A match of \$18,750 is required. Funds are budgeted. p. 8

b 0829-12

Authorization to execute Purchase of Service Agreement and related Lease Agreement for animal control services with Lexington-Fayette Animal Care and Control, LLC. (L829-12) (Mason)

This is a request to execute Purchase of Service Agreement and related Lease Agreement for animal control services with Lexington-Fayette Animal Care and Control, LLC. in the amount of \$1,095,980 to the Humane Society. Funds are budgeted. p. 9

c 0831-12

Authorization to execute a Commercial Services Agreement with Insight Business for broadband cable Internet service at 2269 Frankfort Court. (L831-12) (Bastin/Mason)

This is a request to execute a Commercial Services Agreement with Insight Business for broadband cable Internet service at 2269 Frankfort Court, at a cost of \$3,540 per year. Funds are budgeted. p. 10

d 0840-12

Authorization to execute a Memorandum of Agreement with the Center for Family and Community Services to provide facility management and programs and services at the Charles Young Community Center. (L840-12) (Hamilton)

This is a request to execute a Memorandum of Agreement with the Center for Family and Community Services to provide facility management and programs and services at the Charles Young Community Center. These services are provided at no cost to LFUCG. p. 11

e 0841-12

Authorization to execute a Memorandum of Agreement with Community Action Council to provide programs and services at the Charles Young Community Center. (L841-12) (Hamilton)

This is a request to execute a Memorandum of Agreement with Community Action Council to provide programs and services at the Charles Young Community Center. These services are provided at no cost to LFUCG. p. 12

f 0842-12 Authorization to execute a Memorandum of Agreement with the Department for Social Services to provide programs and services at the Charles Young Community Center. (L842-12) (Hamilton) This is a request to execute a Memorandum of Agreement with the Department for Social Services to provide programs and services at the Charles Young Community Center. p. 13 0843-12 Authorization to execute a Memorandum of Agreement with g Professional Life Coach, LLC to provide programs and services at the Charles Young Community Center. (L843-12) (Hamilton) This is a request to execute a Memorandum of Agreement with Professional Life Coach, LLC to provide programs and services at the Charles Young Community Center. These services are provided at no cost to LFUCG. p. 14 0844-12 Authorization to purchase (2) 12" Full Flare - Weir End - WEMCO h Hydrogritters for Headworks located at the Town Branch WWTP from Weir Specialty Pumps c/o Sullivan Environmental Technologies. (L844-12) (Martin/Moloney) This is a request to purchase (2) 12" Full Flare - Weir End -WEMCO Hydrogritters for Headworks located at the Town Branch WWTP from Weir Specialty Pumps c/o Sullivan Environmental Technologies, at a cost not to exceed \$81,000. Funds are budgeted. p. 15 0845-12 i Authorization to renew agreement with Hazen and Sawyer for annual Sanitary Sewer Capacity, Management, Operations and Maintenance (CMOM) Implementation Services - CONSENT DECREE (L845-12) (Martin/Moloney) This is a request to renew agreement with Hazen and Sawyer for annual Sanitary Sewer CMOM Implementation Services. amount budgeted for FY 2013 is \$500,000. p. 16 j 0847-12 Authorization to amend Section 22-5 of the Code of Ordinances,

(Maxwell/Moloney)

creating one (1) position of Administrative Specialist Principal (Grade 114E) and three (3) positions of Administrative Specialist (Grade 110N) in the Division of Water Quality. (L847-12)

This is a request to amend Section 22-5 of the Code of Ordinances, creating one (1) position of Administrative Specialist Principal (Grade 114E) and three (3) positions of Administrative Specialist (Grade 110N) in the Division of Water Quality for a term

to expire September 23, 2014. There is no budgetary impact as funds were included in the adopted FY2013 budget. p. 17

k 0849-12

Authorization to accept a payment adjustment owed to employees of Tobacco Rose Farm due to prevailing wage requirements. (L849-12) (Martin/Moloney)

This is a request to accept a payment adjustment in the amount of \$5,419.70 owed to employees of Tobacco Rose Farm due to prevailing wage requirements. This is a follow-up to the payment made to the Kentucky State Treasurer in February 2012. Funds are budgeted. p. 18



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:

AUGUST 1, 2012

SUBJECT:

REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION AND ACCEPT AWARD OF FEDERAL FUNDS IN THE AMOUNT OF

\$75,000 FROM THE KENTUCKY STATE POLICE—COMMERCIAL VEHICLE ENFORCEMENT DIVISION FOR OPERATION OF A MOTOR CARRIER SAFETY ASSISTANCE PROGRAM – FY 2013

The Division of Police has prepared an application for submission to the Kentucky State Police-Commercial Vehicle Enforcement Division to continue operation of the Motor Carrier Safety Assistance Program (MCSAP) in the Division of Police for FY 2013. Federal funding in the amount of \$75,000 will be used for officer overtime, professional development, and minor equipment and operating supplies. A 20% match is required. The match of \$18,750 will come from existing budgeted staff salaries in the Division of Police. Total cost of the project is \$93,750. The source of federal funds is the Federal Highway Administration.

The program was begun in FY95 to reduce the number of commercial vehicle collisions and the deaths and injuries associated with these collisions. The program will continue to conduct motor carrier inspections on interstate and non-interstate highways; expand database as it relates to inspections, collisions, fatalities and vehicles taken out of service; training of new officers for the MCSAP; and the entry of inspection results into computerized system for submission to the Kentucky State Police.

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



Lexington-Fayette Urban County Government DEPARTMENT OF PUBLIC SAFETY

Jim Gray Mayor

Clay Mason Commissioner

TO:

Mayor Jim Gray

Members, Urban County Council

FROM:

Clay Mason, Commissioner

Department of Public Safety

DATE:

August 8, 2012

RE:

Purchase of Service Agreement with

Lexington-Fayette Animal Care and Control, LLC

Attached is the annual Purchase of Service Agreement and related Lease Agreement for animal control services with Lexington-Fayette Animal Care and Control, LLC. The proposed agreement incorporates compensation in the amount of \$1,095,980 to the Humane Society as authorized in the FY 2013 budget.

I recommend approval of these Agreements with the Lexington-Fayette Animal Care and Control, LLC for FY 2013 and the funds are budgeted.

Attachment



LEXINGTON DIVISION OF POLICE

150 East Main Street • Lexington, KY 40507 • (859) 258-3600

TO:

Mayor Jim Gray

Urban County Council

FROM:

Chief Ronnie Bastin

Division of Police

DATE:

August 8, 2012

RE:

Insight Business - Commercial Services Agreement

Please find attached Commercial Services Agreement between Insight Business and Lexington-Fayette Urban County Government.

This agreement covers broadband cable Internet service at 2269 Frankfort Court. We are currently utilizing an 8MB service at this location and are requesting the bandwidth upgrade to supplement an existing bonded T1 line dedicated to mobile data communications. The Commercial Service Agreement covers the terms of service as defined by the provider, as well as price and other standard details regarding equipment and support. Cost incurred for this service will be \$295/per month.

Upon approval and signing, please forward a copy of the agreement to my office.

Ronnie Bastin Chief of Police

RB/rmh

Attachment

cc: Clay Mason, Commissioner of Public Safety



Lexington-Fayette Urban County Government DEPARTMENT OF GENERAL SERVICES

Jim Gray Mayor Sally Hamilton Commissioner

MEMORANDUM

TO: Mayor Jim Gray

Urban County Council

FROM: Sally Hamilton, Commissioner

Department of General Services

Date: August 9, 2012

RE: Approval of the Charles Young Community Center Memorandum of Agreement -

Center for Family and Community Services

With the recommendation of the Charles Young Center Advisory Board, I am requesting Urban County Council approval authorizing the Mayor to execute a Memorandum of Agreement with the Center for Family and Community Services to provide facility management and programs and services at the Charles Young Community Center.

Based on responses received from a request for proposal, the Charles Young Center Advisory Board recommends Center for Family and Community Services to provide programs and services at the Community Center. The Board also recommends Dr. Regina Berry, Executive Director of the Center for Family and Community Services, to serve as the Facility Manager of the Charles Young Community Center.



Lexington-Fayette Urban County Government DEPARTMENT OF GENERAL SERVICES

Jim Gray Mayor Sally Hamilton Commissioner

MEMORANDUM

TO: Mayor Jim Gray

Urban County Council

FROM: Sally Hamilton, Commissioner

Department of General Services

Date: August 9, 2012

RE: Approval of the Charles Young Community Center Memorandum of Agreement -

Community Action Council

With the recommendation of the Charles Young Center Advisory Board, I am requesting Urban County Council approval authorizing the Mayor to execute a Memorandum of Agreement with Community Action Council to provide programs and services at the Charles Young Community Center.

Based on responses received from a request for proposal, the Charles Young Center Advisory Board recommends Community Action Council to provide programs and services at the Community Center.



Lexington-Fayette Urban County Government DEPARTMENT OF GENERAL SERVICES

Jim Gray Mayor Sally Hamilton Commissioner

MEMORANDUM

TO: Mayor Jim Gray

Urban County Council

FROM: Sally Hamilton, Commissioner

Department of General Services

Date: August 9, 2012

RE: Approval of the Charles Young Community Center Memorandum of Agreement -

Department of Social Services

With the recommendation of the Charles Young Center Advisory Board, I am requesting Urban County Council approval authorizing the Mayor to execute a Memorandum of Agreement with the Department of Social Services to provide programs and services at the Charles Young Community Center.

Based on responses received from a request for proposal, the Charles Young Center Advisory Board recommends the Department of Social Services to provide programs and services at the Community Center.



Lexington-Fayette Urban County Government DEPARTMENT OF GENERAL SERVICES

Jim Gray Mayor Sally Hamilton Commissioner

MEMORANDUM

TO: Mayor Jim Gray

Urban County Council

FROM: Sally Hamilton, Commissioner

Department of General Services

Date: August 9, 2012

RE: Approval of the Charles Young Community Center Memorandum of Agreement –

Professional Life Coach, LLC

With the recommendation of the Charles Young Center Advisory Board, I am requesting Urban County Council approval authorizing the Mayor to execute a Memorandum of Agreement with Professional Life Coach, LLC to provide programs and services at the Charles Young Community Center.

Based on responses received from a request for proposal, the Charles Young Center Advisory Board recommends Professional Life Coach, LLC to provide programs and services at the Community Center.



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

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:

August 6, 2012

Re:

Request Approval for the purchase of (2) 12" Full Flare - Weir End - WEMCO Hydrogritters for Headworks located at the Town Branch WWTP from Weir Specialty Pumps c/o Sullivan Environmental Technologies.

The Division of Water Quality requests approval for the purchase of two (2) 12" Full Flare - Weir End - WEMCO Hydrogritters from Weir Specialty Pumps c/o Sullivan Environmental Technologies, to be installed inside the Headworks Building located at the Town Branch WWTP. The currently installed Hydrogritters inside Headworks are both over 20 years old, inefficient, heavily rusted and need to be replaced. The Hydrogritters are used for removing inorganic objects from plant influent.

Enclosed are recent photos of the two existing WEMCO Hydrogritters currently installed at Town Branch WWTP, general arrangement drawings, as well as, other options from Delaney & Associates and Huber Technology. The Weir Specialty Pumps c/o Sullivan Environmental Technologies equipment is the only equipment that will fit without difficult design changes and modification to the existing piping.

Sole source documentation is also provided for Wier Specialty Pumps c/o Sullivan Environmental Technologies, which is the only appointed distributor authorized to sell WEMCO HYDROGRITTER grit separation system products within the Lexington area.

The total cost of the project will not exceed \$81,000 and is fully budgeted at 4002-303402-0001-91017.

Please contact me at 425-2455 should you have questions or need further information.

Attachment

Pc: Richard Moloney, CAO, Acting Commissioner, Department of Environmental Quality and Public Works
Todd Slatin, Acting Director of Central Purchasing
Mark Stager, Plant Superintendent Town Branch WWTP



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

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:

August 9, 2012

Re:

Renewal of Annual Sanitary Sewer Capacity, Management, Operations and Maintenance (CMOM)

Implementation Services - CONSENT DECREE

The Agreement for CMOM (Capacity, Management, Operations and Maintenance) with Hazen and Sawyer approved last year—Resolution #555-2011, provided for two annual renewals. The Division of Water Quality is recommending the first of two renewal options.

The Agreement with Hazen and Sawyer is to continue deliverables associated with LFUCG's Consent Decree related to successfully meeting all the CMOM obligations and deadlines. The specific scope of services associated with these deliverables will be allocated via a series of written task orders. Lump sum fees will be assigned to each approved task order pursuant to the Agreement.

Deliverables associated with this renewal include operational implementation of the:

- CMOM Self-Assessment
- Pump Station Backup Power Plan
- Gravity Line Preventative Maintenance Plan
- Sanitary Sewer Quarterly/Annual Reporting

In FY 2013, \$500,000 has been budgeted in account 4003 303401 3425 71205 CMOMPRMGR_2013 CONSENT_DE for CMOM task orders. The budget is an amount not to exceed, and funds will only be encumbered for task orders on an as needed basis.

Questions regarding this agreement should be directed to Charles Martin at 425-2455.

Pc: Richard Moloney, Acting Commissioner, Department of Environmental Quality Rod Chervus, Division of Water Quality

Ed Gardner, Department of Law

LaJoyce Mullins-Williams, Division of Water Quality

Jon Schubarth, Hazen and Sawyer, PC



Lexington-Fayette Urban County Government DIVISION OF HUMAN RESOURCES

Jim Gray Mayor

Janet Graham Commissioner

MEMORANDUM

TO: Jim Gray, Mayor

Richard Moloney, CAO

Council Members

FROM:

John Maxwell, Director Division of Human Resources

DATE: August 10, 2012

RE: Create Positions—Division of Water Quality

The attached action amends Section 22-5 of the Code of Ordinances, creating one (1) position of Administrative Specialist Principal (Grade 114E) and three (3) positions of Administrative Specialist (Grade 110N) in the Division of Water Quality for a term to expire September 23, 2014 effective upon passage of Council.

The original positions were established by Ordinance number 163-10 for a two year term. As part of the ongoing work related to the new billing procedures for the Sanitary Sewer Fee, the Water Quality Management Fee, and the Landfill Fee to take effect in September 2012, the Division of Water Quality and Department of Environmental Quality & Public Works request the extension of the term for four temporary positions.

In addition to the duties these positions provide to support continued implementation of the Water Quality Management Fee, they will be working directly with the Division of Revenue on the implementation of the new fee collection system. Their duties will include, but not be limited to:

- detailed and technical assistance to callers referred by LexCall,
- with GIS staff, the update, maintenance and submittal of the monthly Water Quality Management Fee billing file
- record various types of adjustments into Customer Suite
- record sump pump fee to accounts as identified by Division of Water Quality and monitor account activity by either adding or deleting fees as necessary
- other support duties as may be required once billing system is in production

The fiscal impact is budget neutral. These positions were included in the adopted FY2013 budget.

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

Charlie Martin, Director-Division of Water Quality Log 13-0012

200 East Main Street

Lexington, KY 40507 www.lexingtonky.gov

(859) 425-2255



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

Jim Gray Mayor

Richard Moloney Acting Commissioner

To:

Mayor Iim Gray

Urban County Council

From:

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

Date:

August 9, 2012

Re:

Kentucky Labor Cabinet - Tobacco Rose Farm Payroll Audit (SSA Group 1)

The purpose of this memorandum is to request a resolution authorizing the acceptance of a payment adjustment, in the amount of \$5,419.70, owed to employees of Tobacco Rose Farm, due to prevailing wage requirements (SSA Group 1 sewershed field activities-manhole raising). An audit conducted by the Kentucky Labor Cabinet determined that LFUCG erroneously awarded the SSA Group 1 contract as a professional services contract when it should have been classified as a skilled labor contract, which requires prevailing wage rates when the contract value exceeds \$250,000.

This is a follow-up to the payment made to Kentucky State Treasurer in February 2012. Kentucky Labor Cabinet personnel discovered that during the original audit they had missed one of the employees affected and have just recently requested payment.

Actual payment should be made to the Kentucky State Treasurer. Funds are budgeted in 4003-303401-3425-71205 Project: SSAGROUP1_2009 and Activity: CONSENT_DE.

Questions regarding this agreement should be directed to LaJoyce Mullins-Williams at 425-2580.

Cc: Richard Moloney, CAO, Acting Commissioner, Department of Environmental Quality Rodney Chervus, P.E., Collection and Conveyance Manager, Division of Water Quality Todd Slatin, Acting Director, Central Purchasing LaJoyce Mullins-Williams, Project Engineering Coordinator, Division of Water Quality

Neighborhood Development Funds August 21, 2012 Work Session

Amount	Recipient	Purpose
\$ 900.00	Kentucky Humanities Council, Inc.	Funding to support the Kentucky
	206 E. Maxwell St.	Chautauqua program.
	Lexington, KY 40508	
	Virginia Carter	
\$ 475.00	The ALS Association Kentucky Chapter, Inc.	Funding to support the Walk to Defeat
	2807 Amsterdam Rd	ALS.
	Villa Hills, KY 41017	
	Mari Bacon	