

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, August 28, 2012

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
August 27 – September 3, 2012**

Monday, August 27

ZOTA Work Group.....1:30 pm
Conference Room – 5th Floor Government Center

Tuesday, August 28

Capacity Assurance Program Workshop.....11:00 am
Conference Room – 5th Floor Government Center

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

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

Wednesday, August 29

No Meetings

Thursday, August 30

Quarterly COW.....4:30 pm
Conference Room – 5th Floor Government Center

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

Friday, August 31

No Meetings

Monday, September 3

Offices Closed – Labor Day Holiday

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY

TABLE OF MOTIONS

August 21, 2012

Mayor Jim Gray called the meeting to order at 3:04pm. All Council Members were present.

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

Motion by Gorton to approve the August 14th, 2012 Work Session Summary. Seconded by Ellinger. Motion passed without dissent.

- IV. Budget Amendments – None

- V. New Business

Motion by Blues to approve New Business. Seconded by Beard. Motion passed without dissent.

- VI. Continuing Business/Presentations

Motion by Ford to approve the NDF list. Seconded by Myers. Motion passed without dissent.

- VII. Council Reports

Motion by Henson to place an ordinance considering a civil penalty for littering into the Environmental Quality Committee. Seconded by Gorton. Motion passed without dissent.

Motion by Ellinger to place the Airport stormwater quality management fee into the Environmental Quality Committee. Seconded by Lane. Motion passed without dissent.

VIII. Mayor's Report – None

IX. Public Comment

Motion by McChord to adjourn. Seconded by Ellinger. Motion passed without dissent.

**Lexington-Fayette Urban County Government
Work Session Agenda
August 28, 2012**

- I. Public Comment - Issues on Agenda**
- II. Requested Rezoning/ Docket Approval - Yes**
- III. Approval of Summary – Yes p. 1 - 2**
- IV. Budget Amendments – Yes p. 6 - 7**
- V. New Business – Yes p. 8 - 16**
- VI. Continuing Business/ Presentations**
 - a** Neighborhood Development Funds - August 28, 2012 p. 17
 - b** Planning & Public Works Committee Summary August 21, 2012
p. 18 - 21
 - c** Public Safety Committee Summary August 21, 2012 p. 22 - 25
 - d** Dr. Samuel Brown Health Center Six Month Review
By: Dave Demers & Dr. David French p. 26 - 37
 - e** Sign Enforcement Presentation
By: Chris King, Director, Division of Planning p. 38 - 44
- VII. Council Reports**
- VIII. Mayor's Report - Yes**
- IX. Public Comment - Issues Not on Agenda**
- X. Adjournment**

Administrative Synopsis - New Business Items

- a 0853-12 Authorization to execute agreement with the Kentucky Energy and Environmental Cabinet for operation of the 2012 Waste Tire Amnesty Program in Fayette County. (L853-12) (Gooding/Moloney)**

This is a request to execute agreement with the Kentucky Energy and Environmental Cabinet for operation of the 2012 Waste Tire Amnesty Program in Fayette County. There is no budgetary impact. p. 8
- b 0854-12 Authorization to extend the 800 MHz Radio System Maintenance Agreement with Lexington Call Mobile. (L854-12) (Jackson/Mason)**

This is a request to extend the 800 MHz Radio System Maintenance Agreement with Lexington Call Mobile for the period September 1, 2012 through August 31, 2013, for a cost of \$134,138.25. Funds are budgeted. p. 9
- c 0855-12 Authorization to accept a contribution from The Grainger Foundation to purchase supplies for the Community Emergency Response Team (CERT). (L855-12) (Dugger/Mason)**

This is a request to accept a contribution in the amount of \$3,000 from The Grainger Foundation to purchase supplies for CERT. p. 10
- d 0867-12 Authorization to submit application to the Kentucky Energy and Environment Cabinet, and accept award if offered, for the continuation of the Litter Abatement Grant Funding Program in Fayette County-FY 2013. (L867-12) (Gooding/Moloney)**

This is a request to submit application to the Kentucky Energy and Environment Cabinet, and accept award if offered, for the continuation of the Litter Abatement Grant Funding Program in Fayette County-FY 2013. An estimated award has not been provided. The amount awarded for FY 2012 was \$146,023.33. p. 11
- e 0869-12 Authorization to execute a Lease Agreement with Kentucky River Foothills Development Council, Inc. for space within the Central Kentucky Job Center. (L869-12) (Hamilton)**

This is a request to execute a Lease Agreement with Kentucky River Foothills Development Council, Inc. for space within the Central Kentucky Job Center. The initial term of the agreement will be for ten (10) months, effective September 1, 2012 and ending June 30, 2013, with an option of automatic extension for one (1) additional one (1) year term. There is no budgetary impact. p. 12 - 13

- f 0872-12** Authorization to advertise for bids for the purchase of Series 2012C General Obligation Notes. (L872-12) (Driskell)
 This is a request to advertise for bids for the purchase of Series 2012C General Obligation Notes for \$3,600,000. Amounts may be increased or decreased by an amount up to ten percent (10%). Funds are budgeted. p. 14
- g 0873-12** Authorization to issue Series 2012C General Obligation Notes for capital projects as approved in the FY2013 budget. (L873-12) (Driskell)
 This is a request to issue Series 2012C General Obligation Notes in the principal amount of \$3,600,000 for capital projects as approved in the FY2013 budget. Amounts may be increased or decreased by an amount up to ten percent (10%). Funds are budgeted. p. 15
- h 0878-12** Authorization to execute a Programmatic Agreement with Kentucky State Historic Preservation Officer and the Advisory Council on Historic Preservation for the administration of HUD-funded grants in the Division of Grants and Special Programs. (L878-12) (Gooding/Moloney)
 This is a request to execute a Programmatic Agreement with Kentucky State Historic Preservation Officer and the Advisory Council on Historic Preservation for the administration of HUD-funded grants in the Division of Grants and Special Programs. There is no budgetary impact. p. 16

BUDGET AMENDMENT REQUEST LIST

JOURNAL	62416-17	DIVISION	Parks and Recreation	Fund Name	General Fund
				Fund Impact	6,250.00
					6,250.00CR
					.00

To recognize funds received from a sponsorship from Don Jacobs to the Parks and Recreation Cultural Arts program.

JOURNAL	62418-19	DIVISION	Emergency Management	Fund Name	General Fund
				Fund Impact	3,000.00
					3,000.00CR
					.00

To provide funds to support and purchase equipment and supplies for CERT trainings by recognizing a contribution from the Grainger Foundation.

JOURNAL	62581	DIVISION	Grants and Special Programs	Fund Name	General Fund
				Fund Impact	18,750.00
					18,750.00CR
					.00

To establish match and personnel recovery for Motor Carrier Safety Assistance Program - FY 2013.

JOURNAL	62529	DIVISION	Grants and Special Programs	Fund Name	Urban Fund
				Fund Impact	86,380.00CR
					86,380.00CR

To budget personnel recovery for Kentucky Pride - FY 2013.

JOURNAL	62558	DIVISION	Traffic Engineering	Fund Name	Municipal Aid Fund
				Fund Impact	31,200.00
					31,200.00CR
					.00

To provide funds for vehicle detection equipment resulting from resurfacing damages by transferring funds for resurfacing in accordance with LFUCG policy.

JOURNAL	62522-23	DIVISION	Grants and Special Programs	Fund Name	US Dept of HUD
				Fund Impact	1,730.00
					1,730.00CR
					.00

To budget additional federal funds and local match for HOME – FY 2013 in accordance with actual grant award.

JOURNAL	62290	DIVISION	Grants and Special Programs	Fund Name	US Dept of Transportation
				Fund Impact	2,000.00
					2,000.00CR
					.00

To provide for purchase of software for Motor Carrier Safety Assistance Program – FY 2012.

JOURNAL	62525	DIVISION	Grants and Special Programs	Fund Name Fund Impact	Grants – State 70,433.05 70,433.05CR .00
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To rebudget Kentucky Pride – 2010 to eliminate negative balances.

JOURNAL	62626	DIVISION	Grants and Special Programs	Fund Name Fund Impact	Grants – State 40,847.79 40,847.79CR .00
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To rebudget Kentucky Pride – 2011 to eliminate negative balances.

JOURNAL	62527-28	DIVISION	Grants and Special Programs	Fund Name Fund Impact	Grants – State 146,023.33 146,023.33CR .00
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To establish grant budget for Kentucky Pride – FY 2013.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1101	General Service District Fund	.00
Fund	1115	Urban Service District Fund	86,380.00CR
Fund	1136	Municipal Aid Program Fund	.00
Fund	3120	US Department of Housing and Urban Development	.00
Fund	3160	US Department of Transportation	.00
Fund	3400	Grants – State	.00



Mayor Jim Gray

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

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

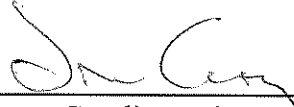
FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: AUGUST 14, 2012

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
AGREEMENT WITH THE KENTUCKY ENERGY AND
ENVIRONMENTAL CABINET FOR OPERATION OF THE 2012
WASTE TIRE AMNESTY PROGRAM IN FAYETTE COUNTY

The Kentucky Energy and Environmental Cabinet/Division of Waste Management has offered the Lexington-Fayette Urban County Government an agreement for implementation of a Waste Tire Amnesty Program in Fayette County. The Cabinet will select a contractor to transport waste tires from approved central staging areas and be responsible for payments to the contractor. The LFUCG, with its own resources, has the responsibility of conducting a multi-media advertising campaign to promote the program and to enlist the cooperation of other agencies having an interest in resolving the waste tire program. LFUCG shall also provide a minimum of four staff persons to assist with collection of waste tires. The 2012 Waste Tire Amnesty Program is scheduled for November 1, 2, and 3.

Council authorization to execute the agreement 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

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

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

Jim Gray
Mayor

Keith L. Jackson
Interim Chief

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

FROM: Paul See, Battalion Chief

RE: Extension of the 800MHz Radio System Maintenance Agreement with Lexington Call Mobile

DATE: August 14, 2012

This is a request to extend the 800 MHz Radio System Maintenance Agreement with Lexington Call Mobile. The current agreement has been in place since 2007 and will expire on August 31, 2012. We are seeking a one (1) year extension on the current agreement. The cost of the maintenance from September 1, 2012 through August 31, 2013 will be \$134,138.25. This amendment will provide for the option extend maintenance two (2) additional years if required.

Lexington Call Mobile is a sole source and has provided the maintenance on the existing 800MHz radio system since the system was installed in 1994. They are the local authorized service center for the manufacturer of the current radio system.

**Lexington-Fayette Urban County Government**

Department of Public Safety
Division of Emergency Management

Jim Gray
Mayor

Clay Mason
Public Safety Commissioner
Patricia L. Dugger, RS MPA
Emergency Management Director

MEMORANDUM

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

FROM: Patricia L. Dugger, RS, MPA, Director DEM

RE: Acceptance of Contribution for CERT from The Grainger Foundation

DATE: August 14, 2012

This request is to authorize the Mayor to accept a contribution of 3,000.00 from The Grainger Foundation, W.W. Grainger, Inc. These funds are for the Community Emergency Response Team (CERT) program which develops community based teams to be neighborhood responders. These funds will be used to purchase training supplies and materials for each team member to be able to carry with them when a response is requested.

There is no cost to the LFUCG and therefore, there is no budgetary impact.

If you have any questions or need any additional information, please contact me at 425-2490.

Attachment

xc: Commissioner Clay Mason, Public Safety



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**

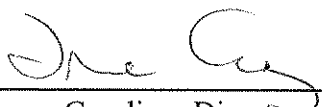
DATE: AUGUST 15, 2012

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT
APPLICATION TO THE KENTUCKY ENERGY AND
ENVIRONMENT CABINET, AND ACCEPT AWARD IF
OFFERED, FOR THE CONTINUATION OF THE LITTER
ABATEMENT GRANT FUNDING PROGRAM IN FAYETTE
COUNTY—FY 2013**

The 2002 Kentucky General Assembly enacted legislation (House Bill 174) providing for litter cleanups to be conducted two times each year on city streets as part of each county's solid waste management plan. The bill created a source of revenue for eligible cities and counties to address roadside litter. The revenue to each county is based upon a formula using the county's miles of public roads, the county's rural population, and the county's total population as a proportion of the state's total miles of public roads, rural population, and total population.

The Kentucky Energy and Environment Cabinet has not provided Fayette County with an estimated award for 2013 Litter Abatement Grant Funding. The amount of \$146,023.33 is the amount awarded in 2012. If approved, the state financial assistance will be used to support personnel costs of employees whose jobs include the picking up of roadway litter (Division of Waste Management), the costs of inner-city and rural Adopt-A-Spot programs, and educational programs. The application is due November 1.

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



Irene Gooding, Director

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

HORSE CAPITAL OF THE WORLD



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 of General Services

DATE: August 14, 2012

RE: Lease Agreement with Kentucky River Foothills Development Council, Inc.

I am requesting Urban County Council approval to enter into a lease agreement with Kentucky River Foothills Development Council, Inc. for space located at 1055 Industry Road within the Central Kentucky Job Center. The area is located on the first floor of the building and consists of approximately 82 S/ft of space. The agency will use the office space for the Community Collaboration for Children Program (CCFC), a grant-funded program that is provided by the U.S. Department of Health and Human Services, Administration for Children and Families that is passed through the Kentucky Cabinet for Health and Family Services.

The term of this agreement will be for a period of ten (10) months, beginning September 1, 2012 and ending on June 30, 2013 with an option of automatic annual renewal for one (1) additional one (1) year term. The Department of Social Services recommends that no annual rental rate is charged for use of this space. The grant-funded program does not allow the agency to pay for office space and utilities and requires a federal in-kind match in Fayette County whereas a portion of the match is obtained through donated office space and utilities.

LEASE AGREEMENT OVERVIEW

Occupant: Kentucky River Foothills Development Council, Inc.

Location: Central Kentucky Job Center

Address: 1055 Industry Road

OVERVIEW	
S/ft of space occupied	82
S/ft of shared space (occupant's pro-rata share)	0
Total S/ft	82
Annual pro-rata share of utilities, O&M and CIP (approx. \$3.70/ft)	\$303.44
Annual base (approx. \$3.74 S/ft)	\$306.82
Year 1	
Established Annual Fair Market Value (\$/ft)	\$7.44
Annual Fair Market Value (FMV) of Space	\$610.27
Recommended Annual Adjustment to FMV	-\$610.27
RECOMMENDED ANNUAL RENTAL RATE	\$0.00
Current annual rental rate	\$0.00
Difference	\$0.00
Year 2	
Recommended Annual Adjustment to FMV	-\$610.27
RECOMMENDED ANNUAL RENTAL RATE	\$0.00
Current annual rental rate	\$0.00
Difference	\$0.00

JUSTIFICATION FOR WAIVER

Commissioner Beth Mills recommends that Community Collaboration for Children Program (CCFC), a program of the Kentucky River Foothills Development Council, Inc. pays no rent for use of office space in the Central Kentucky Job Center.

- The agency has recently lost office space due to the closure of another social service program which provided free office space & utilities.
- The HHS grant (2 year award) which funds the CCFC requires a \$63,987 in-kind match from Fayette County. A large portion of this match comes from a grant requirement which mandates donated office space and utilities.
- The space at 1055 Industry Road has been vacated as a result of the loss of a three year grant program and as a result, the Division of Adult & Tenant Services has no immediate need for this space.



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Gray
Mayor

Jane Driskell
Commissioner

MEMORANDUM

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

FROM: Jane Driskell, Commissioner of Finance

DATE: August 17, 2012

SUBJECT: Resolution authorizing the advertisement for bids for Series 2012C General Obligation Notes

Attached is the Resolution authorizing the advertisement for bids for the purchase of Series 2012C General Obligation Notes for \$3,600,000.00 (which amounts may be increased or decreased by an amount up to ten percent (10%).

Financial advisors and bond counsel have reviewed the documents and are available to answer any questions.



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Gray
Mayor

Jane Driskell
Commissioner

MEMORANDUM

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

FROM: Jane Driskell, Commissioner of Finance

DATE: August 17, 2012

SUBJECT: Series 2012C General Obligation Notes

Attached is the Ordinance authorizing the issuance of Series 2012C General Obligation Notes in the principal amount of \$3,600,000.00 for capital projects as approved in the FY2013 budget (which amounts may be increased or decreased by an amount up to ten percent (10%))

Financial advisors and bond counsel have reviewed the documents and are available to answer any questions.



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 20, 2012

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
PROGRAMMATIC AGREEMENT WITH KENTUCKY STATE
HISTORIC PRESERVATION OFFICER AND THE ADVISORY
COUNCIL ON HISTORIC PRESERVATION FOR THE
ADMINISTRATION OF HUD-FUNDED GRANTS IN THE DIVISION OF
GRANTS AND SPECIAL PROGRAMS**

The Lexington-Fayette Urban County Government, as a grantee of federal funds from the U.S. Department of Housing and Urban Development for the HOME Investment Partnerships program, the Community Development Block Grant (CDBG) program, and the Emergency Solutions Grants (ESG) program, has responsibility for completion of Environmental Review Procedures pursuant to 24 CFR Part 58. Since the administration of these programs could have an effect on properties included in or eligible for inclusion in the National Register of Historic Places, the LFUCG, in completing its environmental review responsibilities in accordance with Section 106 of the National Historic Preservation Act, has consulted with the Kentucky State Historic Preservation Officer and the Advisory Council on Historic Preservation.

This consultation has resulted in a Programmatic Agreement that defines the responsibilities of the government in complying with Section 106 requirements for all individual undertakings of these federal programs. Final approval of the Programmatic Agreement rests with the Advisory Council on Historic Preservation and Kentucky State Historic Preservation Officer.

Council authorization to execute the Programmatic Agreement is hereby requested.

Irene Gooding, Director

Xc: Bettie Kerr, Director of the Division of Historic Preservation
Richard Moloney, Chief Administrative Officer

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**Neighborhood Development Funds
August 28, 2012
Work Session**

Amount	Recipient	Purpose
\$ 1,100.00	Central KY Housing & Homeless Initiative 4844 Brennen Drive Lexington, KY 40515 David Christiansen	Stand Down on October 18, 2012
\$ 425.00	TREE Fund 552 S. Washington Street Suite 109 Naperville, IL 60540 Jillian Piet	To support John Saylor to ride in the 2012 Tour de Trees
\$ 500.00	Historic Woodward Heights Neighborhood Assoc. 327 Merino Street Lexington, KY 40508-2527 Fred Mills	Removal and replacement of dead street trees
\$ 500.00	Pralltown Neighborhood Association, Inc. 195 Prall Street Lexington, KY 40508 Betty Boyd	Annual Pralltown Day events

Planning and Public Works Committee

August 14, 2012

Summary and Motions

CM Bill Farmer chaired the meeting and called it to order at 1:00pm. All Committee members were present.

Exploring the Use of Alternative Fuel Resources

Chair Farmer began discussing the potential use of Compressed Natural Gas (CNG) for LFUCG's fleet. He mentioned opportunities with LFUCG refuse trucks, LexTran buses, and Fayette County Public School (FCPS) buses.

There were members of the public that spoke about CNG and potential locations for fueling stations. A large map was displayed that showed numerous CNG stations in the western and eastern areas of the United States as well as in Pennsylvania. It was noted that there was a void in the Kentucky, with only one fueling station in Louisville Kentucky. The experts in the audience said that location is important when determining if a fueling station should be built.

They discussed pipelines and the gas fields in eastern and western Kentucky. Lawless mentioned fracking, the process of drilling and injecting fluid into the ground at a high pressure to fracture the shale rocks to release the gas. Seth Brewer, an audience member, said that Kentucky has a lot of natural gas and encouraged the committee members to explore using it in Fayette County.

There are 12 million CNG vehicles around the world, with more than 100,000 of them in the United States. A member of the public mentioned that CNG costs are approximately \$2.00/gallon less than petroleum. He said that it makes more sense to have our heavy equipment use CNG. There is a premium to purchase a light pickup truck that uses CNG.

Chris King, LFUCG's Director of Planning, came to the podium and began a discussion on which zones prohibit CNG and which zones would allow it. King said that it would be a conditional use in I-1 zone (BOA approval needed) and a principal use in an I-2 zone. King said that it would also be a conditional use in a B-3 zone.

King told committee members that there are almost 6300 acres within the Urban Service Area that could be potential locations for CNG fueling stations.

Martin mentioned propane tanks that are sold at various locations around Fayette County. Martin said that we need to update our zoning regulations to reflect what has

become common practice. He noted that the distribution system for natural gas has modernized. Martin mentioned that LFUCG could have a fueling station for a CNG fleet.

Chair Farmer said that the issue will stay in Committee and will be discussed again in September or October.

Re-Paving Update

Kevin Wentz from the Department of Environmental Quality and Public Works came to the podium to give a paving update. He said that each street is surveyed at least once every two years and any surface changes are recorded. Interns from the University of Kentucky assist with this. He said that they then update the pavement management system and that the annual assessments are generally completed by July/August.

Wentz mentioned issues surrounding base failure repairs. Wentz said that once they resurface, the roads should last 12-15 years. After the last presentation on paving to the Planning and Public Works Committee, Wentz met with staff from the Mayor's office to outline the processes of resurfacing and pothole repairs.

Wentz mentioned that the Pavement Management System has been updated to reflect changes due to redistricting. The following road miles were added per CD:

CD1	30.3
CD3	9
CD4	9.2
CD5	14.3
CD8	7.9
CD9	3.8
CD10	17.2
CD11	16.6

Wentz mentioned that there is a new resurfacing contract as of July 2012.

He also said that they are transferring a position from Computer Services into Public Works. This person will be working on pavement management updates and will calculate base failures. His office is also looking to implement a GIS application for Pavement Management. Wentz is also looking at the cost of concrete vs. asphalt.

Wentz said that there is just over \$3M allocated for resurfacing within the Urban Service Area with \$700,000 allocated for County Road resurfacing and maintenance. He mentioned that the current contract price for asphalt is \$82-\$104 depending on the tonnage required.

Blues asked Wente about the 15% up charge for each potential project. Wente said that they do this in case they run into additional issues when they are resurfacing and there are additional repairs needed.

Blues told Wente how much money he would need to resurface all streets below 65. He said that he is very concerned because he has one of the largest geographical areas.

Wente said that if it was split evenly, each district would get \$257,000. He mentioned the impact of redistricting and said that he always willing to work with the Council to calculate the fund allocation how they see fit.

Blues said that he is concerned long term. He said that each district could face problems with more failures if this trend continues.

Stinnett said that we have \$27M paving need. Redistricting has changed the outlook of Council. Stinnett said that in 2005 the new formula was put in place to even the score.

Wente said that they finished the western half of Fayette County in mid-July and they were able to start back in the eastern half of Fayette County.

Martin said he would like to see something in writing that the Council can adopt that has some objective criteria as to how resurfacing and base failure repair is done. He would like to see specifications for base failures.

Martin mentioned that he made a motion during the budget process to issue a bond for this. Just 11.4% of the roads rated below 65 are being paved this year.

Beard said that we reached a tipping point years ago and agreed with Martin about the need to bond this project. He asked Wente how much it would cost to do everything for everyone to do all roads under 55. Wente agreed to provide that number to Beard.

Henson asked Wente if we are making headway each year and Wente said that we are. We are taking on more roads and still making progress. Sam Williams, Director of Streets and Roads, said that he has historical data that illustrates improvements. The average pothole calls to LexCall were 1500/year but it was 600 for FY11-FY12.

Williams said that \$6-8M for paving each season is reasonable. Stinnett asked if the paving could be done in one year if they were to issue a \$27M bond. Williams said that it would take 2-3 years. Martin said that he believes the number should be closer to \$12M/year.

Animal Ordinance

Kay began his presentation on the updated draft ordinance. He said that he wanted to address the concerns that committee members had raised at the last Planning and Public Works Committee meeting.

Kay mentioned the reasons why goats should be allowed: high quality, fresh organic milk, the waste from goats can be used for compost or for fertilizer. Kay went on to mention communities that do allow pigs and goats with and without restrictions.

Kay stated that there would be a minimum space requirements and size restrictions.

Various Council Members expressed concerns about enforcement. Rick Curtis, Administrative Officer in LFUCG's Public Safety Division, said that we have 10 animal care and control officers for Fayette County who already get 11,000 calls per year.

There was a brief conversation about communicable diseases and an audience member said that rabies is transferable between goats, pigs, dogs, and cats. Vice Mayor Gorton mentioned a recent report from the Center for Disease Control (CDC) that cautions about the possibility of a swine flu transmission.

Kay made a motion to move the draft animal ordinance forward to the full Council. Lawless seconded the motion. The motion failed 4-5. Kay, Blues, Ford and Lawless voted yes. Henson, Martin, Gorton, Ellinger and Farmer voted no.

The meeting adjourned at 3:00pm.

Submitted by Jenifer Benningfield, Council Administrative Specialist



Public Safety Committee

August 21st, 2012

Summary and Motions

CM Diane Lawless called the meeting to order at 1:00pm. Council Member Crosbie was absent.

Approval of Summary

Henson made a motion to approve the summary from the July 10th, 2012 Public Safety Committee meeting. Seconded by Ellinger. Motion passed without dissent.

Fireworks

Blues introduced the draft fireworks ordinance to Committee members. Blues began his presentation with definitions of consumer fireworks as defined by KRS 227.702. Blues spoke about three categories of fireworks: ground and hand-held sparkling devices, aerial devices, and audible ground devices. Blues' draft would prohibit categories two and three. These categories of fireworks currently cannot be fired within 200 feet of any person or structure. You must be at least 18 years old to use them. Blues said that display fireworks would be allowed pending a permit from the Commissioner of Public Safety or his/her designee.

Blues mentioned that these categories of fireworks are a nuisance throughout the year, not just in July. He said that because of Lexington's density, it is almost impossible to use category two and three fireworks legally.

Various Council Members spoke about reports of noise, danger, and frequency of late night fireworks disturbing sleep patterns and animals. There was a general consensus that the fines need to be increased if there is a violation of the fireworks ordinance.

Stinnett noted that the Council had changed the law in 2010 in response to changes to KRS. He said that because of a few violators, the Council is now being forced to act. Stinnett asked Blues if the draft ordinance was the same as the last ordinance. Blues said that they are similar, but the draft does not allow for tent sales. There would be no seasonal sales. Blues said that representatives from the Division of Fire may support keeping tent sales.

Stinnett also said that he had received complaints from citizens about E-911. The complainants said that E-911 operators were not interpreting the ordinance properly and were not reporting the ordinance changes appropriately to people who called to report violations.

Commissioner Clay Mason said that there were 301 calls to report violations five years ago and over 2000 calls in 2012. Mason agreed that fines need to be stricter. Mason said that they issued 30 citations

this year. Stinnett noted that the State of Kentucky gets the money from the fines. Mason also assured Committee members that the E-911 operators have been educated on the ordinance. Mason said that a simpler ordinance would assist E-911 operators.

Stinnett suggested forming a tactical team to deal with enforcing the ordinance and the implementation of a public awareness campaign.

Council Members discussed the importance of educating the public if the draft ordinance presented by Blues passed.

Henson asked about the citation process and was told by the Public Safety officials that they have to catch the perpetrator in the act of setting off the fireworks. Henson told Committee members that there were police specifically assigned to enforce the ordinance.

Martin said that he had concerns about the ordinance not being enforceable. He said that he supports the draft, but thinks that now that categories two and three have been allowed, it might take years to get it under control. He expressed great concern with enforcement. Mason stressed the importance of educating the public on changes to the ordinance.

McChord said that it is very difficult to legislate personal responsibility.

Stinnett asked Mason if he would be open to pulling together a group of Police and Fire staff to educate the public and enforce the ordinance. Mason said that he needs to look at staffing but is open to the idea and could potentially have something in place before January 1st, 2013.

There was a long discussion about the sale of fireworks. Public Safety officials said that retailers with business permits can sell fireworks. Mason noted that people will drive to other counties if category two and three fireworks are not sold in Fayette County. He said that the Division of Police inspects tents regularly. Currently, the fee to have a tent is \$500. Banning tent sales could open LFUCG up to legal ramifications.

Lawless asked Mason about the potential for the County Attorney to prosecute those who have violated the ordinance and gave the example of taking a photo of a violator for proof. He said that someone could bring an issue to the County Attorney. The Division of Police, however, would not cite based on photographs.

Lawless agreed that the fines must be high and would like the effective date of the ordinance to be 'upon passage.'

David Barberie said that the draft would allow for category one fireworks, ground and hand-held sparkling devices. Barberie said that legally, LFUCG may want to consider allowing tents so that they do not open LFUCG up to equal protection arguments. The tents could only sell category one fireworks.

Henson made a motion to move the Ordinance forward to full Council with amended penalties of \$250 for first violation, \$500 for second violation, and \$1000 for third violation and effective upon passage. Seconded by Farmer.

Stinnett made a friendly amendment to include temporary structures and for the administration to recommend a fee for the temporary structure. Seconded by McChord.

Henson accepted Stinnett's friendly amendment.

Martin asked Barberie about 9A-4. Barberie said that he can add the catch-all back in. Martin asked if they need a reference to distances from structures. Barberie deferred to Fire staff. Barberie said that they can put a distance in. Martin said that he wanted to put the language in the motion. Blues said that categories 2 and 3 are the ones that require a buffer of 200 feet.

Martin made a friendly amendment that the ordinance include a statement that permitted fireworks be handled, stored, used, possessed, and sold in accordance with applicable state and local laws. Seconded by Ellinger.

Henson's motion passed 9-0.

Examining Quarry Ordinance to Ensure Revenue Neutral

Barberie came to the podium and told Committee members that the item had been referred to the Public Safety Committee by the Public Safety Link. Barberie gave the Committee members three options. The first would add a COLA provision and/or ability to assess additional costs. Option two would allow the Division of Engineering to issue a nontransferable mining/quarrying permit following the approval of the application. The permit fee would be \$50.00. The mine operator would have to provide, at their cost, an inspection performed within the last 30 days. Option three would be similar to option two, except that the Division of Engineering would procure payment for a permit fee based upon the total of the costs incurred by LFUCG in performing the annual inspections required in section 8-9 of the previous year. The fee would be assessed on a per acre basis for the land to be affected in the next ensuing year. If the formula overcharges the mine owner, the mine owner would receive a refund.

Barberie suggested that the Council get buy-in from the Division of Engineering, as they would be the enforcers.

Stinnett asked how much revenue we generate. Mason said it was \$2254.00 in FY12. The expenses are approximately \$5000.00 per year.

Henson said that the Link simply wants to ensure that the process is revenue neutral. She does not want to wait until the next budget cycle to make a change to the ordinance.

Beard made a motion to keep the item in Committee until the Division of Engineering can be present. Seconded by Ellinger. The motion passed without dissent.

Lawless said that she will review the items in Committee and will do her best to get the item on the agenda for next month.

Items Referred to Committee

Lawless removed fireworks and public safety disability claims from the referral list.

Farmer made a motion to remove Paramedic Training from the Committee. Seconded by Martin. The motion passed without dissent.

Henson made a motion to remove the Chronic Nuisance Ordinance from the Committee. Seconded by Ellinger. Motion passed without dissent.

Farmer made a motion to remove Best Practices for Paramedic Staffing from the Committee. Seconded by Lawless. Motion passed without dissent.

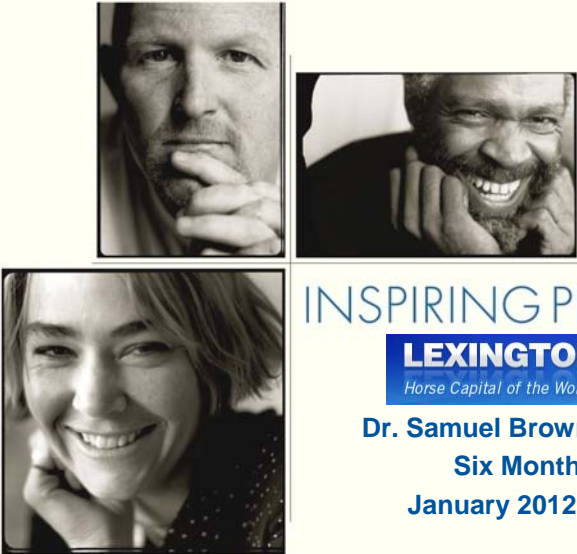
Farmer made a motion to remove Horses Running at Large from the Committee. Beard seconded the motion. The motion passed without dissent.

Farmer renamed 'Compiling a list of safe places people can go in times of weather or emergency needs' to 'Tornado Safe Rooms.'

Henson and Stinnett would like for the recommendations from the Links to be worked on and direction given to Chair Lawless on how to proceed with them.

Farmer made a motion to adjourn. Seconded by Beard. Motion passed without dissent.

Submitted by Jenifer Benningfield, Council Administrative Specialist



INSPIRING PEOPLE

LEXINGTONKY.GOV
Horse Capital of the World

Dr. Samuel Brown Health Center
Six Month Review
January 2012 – July 2012

Marathon *health*
For life.

Agenda

- Health Center objectives
- Health Center first 6 months
- Health Center utilization
 - Top 20 diagnoses
 - Utilization by member type
- Case histories
- Customer satisfaction
- Patient testimonials
- Health Center next 6 months

Health Center Objectives

- Deliver high quality health care to employees and families of LFUCG
- Help people improve their health and reduce their risk of disease
- Provide occupational health care services
- Improve the health status of the population overall

3


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Health Center First 6 Months

- 1,210 unique patients served, 2,873 encounters
- Additionally 1,243 patients screened
- Acute care provided to 746 unique patients
- Health coaching provided to 464 unique patients
- 272/850 at risk patients made measureable health improvements
- \$1.1 M savings from health improvement and care delivered
 - \$344,000 from redirected care
 - \$817,000 from risk reduction
- Very good feedback from those receiving care

4


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Health Center Utilization – Top 20 Diagnoses

Top Risks Currently Identified:

- Blood Pressure/HTN
- High Cholesterol
- Blood Sugar / Diabetes
- Obesity
- Tobacco Use
- High Stress Levels
- Inadequate Sleep

Patient Diagnoses - Top 20	
Description	Total
Sinusitis, acute	270
Hypertension	242
Diet and exercise counseling	184
Comprehensive Health Review	171
Upper respiratory infections	155
Bronchitis, acute	125
Physical exam (annual, work, camp or school)	112
Pharyngitis, acute	100
Prophylact immunotherapy	100
Elevated blood pressure without hypertension	78
Otitis media / ear infection	74
Allergic rhinitis	67
Diabetes mellitus, without complication	59
Hyperlipidemia	57
Cough	49
Urinary tract infection	39
Anxiety disorder, generalized	38
Dysfunction of Eustachian tube	37
Contact dermatitis due to plants	36
Back pain, lower	35
All Other	1948
Total	3976

5

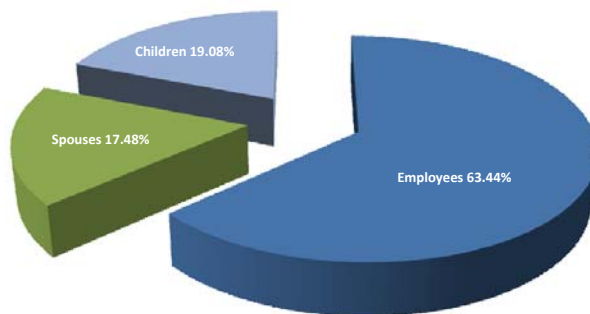
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Health Center Utilization – Encounters by Member Type

LFUCG Total Encounters By Member Type

January 11 - July 31, 2012

1,210 Unique Patients and 2,873 Encounters



6

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Our Goals for Patients

- Give patients the time they need
- Understand them holistically
- Help them take greater control
- Provide the information, guidance, support and tools they need to make positive changes
- Provide immediate feedback and alter care management strategies as necessary
- Make small steps lead to great things

7


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Patient 1: 53 Year Old Male

Time 1

- Obesity, hypertension
- Sleep apnea
- Poor food choices
- No portion control
- BP 130/110
- Fasting glucose 110
- Triglycerides 252
- Depression

Time 2

- Now walks 5 times a week
- Food choices and portion control
- Lost 18 pounds
- BP 118/80
- Fasting glucose 95
- Triglycerides 172
- Sleeping better, more energy, better outlook

8


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Patient 2: 34 Year Old Female

Time 1

- Overweight
- Fatigue and depression
- High stress
- Poor food choices

Time 2

- Focused on fruits, vegetables and lean proteins
- Daily food log and portion control
- Lost 12 pounds
- Energized, encouraging family and friends

9


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Patient 3: 49 Year Old Male

Time 1

- Chronic G/I issues
- Work loss days
- Marked discomfort
- Diagnosed with wheat allergy

Time 2

- Adopted new diet
- Loss 7 pounds
- Making better food choices
- G/I issues completely resolved
- Chronic discomfort eliminated
- Work loss days reduced

10


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Patient 4: 72 Year Old Male

Time 1

- Overweight
- Shortness of breath
- Limited mobility

Time 2

- Careful program of ramped up activity on a daily basis
- Lost 32 pounds
- Improved cardiovascular health
- Quality of life improved considerably

11


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Patient 5: 51 Year Old Male

Time 1

- Overweight
- Smoker
- Sedentary
- Heavy coffee drinker

Time 2

- Set a plan and began walking daily at lunch
- Smoking cessation using Chantix
- Lost 9 pounds
- Reduced caffeine intake

12


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Patient 6: 37 Year Old Male

Time 1

- Overweight
- Pre-diabetic
- High cholesterol
- History of failed fad diets

Time 2

- Set a goal and began daily exercise (walking or biking)
- Altered food choices and started portion control
- Lost 27 pounds in 4 months
- FG to normal
- Lowered cholesterol and Triglycerides 25%

13


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Patient 7: 47 Year Old Male

Time 1

- BP 164/110
- BMI 58.6
- Wanted help but not sure what to do
- Got a CHR at the SBHC: "Eye opening experience"

Time 2

- Set goals and began simple program of daily activity
- Altered food choices
- Weekly coaching and plan alterations
- Lost 45 pounds
- BMI 39
- BP 126/80
- Huge improvement in attitude and energy

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Patient 272

Time 1

- 850 at risk patients
- Increased likelihood of becoming seriously ill
- High likelihood of incurring significant medical costs

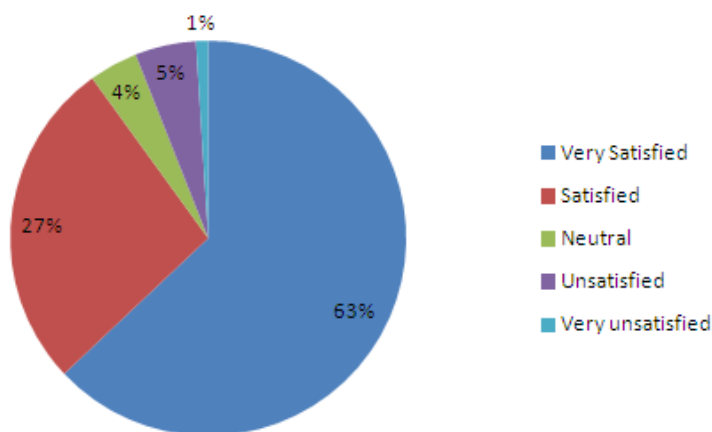
Time 2

- 272 patients who made measureable improvements on their health status
- Lower risk of becoming seriously ill
- Reduced need for emergency and hospital care

15

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Health Center Survey: 90% Satisfied



N=177 Respondents

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Patient Feedback

Praise

- Dr French and staff have far exceeded my expectations. My health is better because of them. I tell every employee to go!
- The reception and treatment was better than I've experienced in Lexington since I've lived here, in 30 years.
- I have been very impressed with the service, the facility, and the professionalism of the staff.
- Extremely helpful, friendly, and caring. I was very pleased with both the medical center and the pharmacy.
- There are a lot of people with a negative attitude about the Wellness Center I was one of them before it opened. I was pleasantly surprised of how nice and efficient they were and my daughter said that was the best doctors appointment she has ever had. She said they listened to her problems and they took action to try to help her. I have passed the word of how great they are and I hope they are around for along time.
- These people are wonderful. They take stock in every patient and care about what happens. Have had very good experiences and everyone treats me and my son like family. THANKS to each and everyone.
- Extremely pleased with the City Pharmacy.

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Patient Feedback (Cont.)

- I just can't thank the medical staff enough for working at Marathon Health and for changing my entire world. I have never felt this healthy and proud of myself in 34 years.
- Took 11 year old in for a sports physical. Brandi Caldwell was excellent with her. Went beyond just the physical and talked to her about health/nutrition in general and pre-teen issues.

Suggestions

- Location of the building
- Need more locations
- Need X-Ray machine

Concerns

- Didn't get the medicine I needed
- Being referred to my regular doctor
- Doesn't reduce my cost for specialty or hospital care

18


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Patient Testimonial #1

"I've been a city employee for 44 years. City employees have always gotten the short end of the stick. I was more skeptical of the health clinic than anyone in government. I have been very surprised, pleased and enthusiastic about the clinic. Have been recommending it to everyone that I see in the government!"

"On March 1st, I was at the bottom of the barrel. Because of my health, I thought all that was left was to retire, go sit in my chair and wait to die."

"Pharmacy has been a great benefit. I went from paying \$160 per month, to \$110 every THREE months."

"73 years old and no one had ever told me what I learned through the clinic!"

"Overall health is so much better. I work better, customer service is better. Whole lifestyle has changed. Not only me but my entire family's lifestyle has changed."

Patient Testimonial #2

Hello. My name is XXXXX and my husband is an employee here in Lexington. When we found out about the change in the city's insurance recently we were both very upset. Then when my husband came home and told me about the new "FREE Clinic" we had to start going to I was even more upset. I did the wrong thing and assumed that it would be a poorly ran place that wasn't going to be any good.

Like I said, I ASSUMED which was the wrong thing to do. After going to the clinic and meeting Brandy Caldwell I cannot say enough good things about the clinic and her. The staff are knowledgeable and very nice and welcoming. It is nice to be able to walk into a smaller area where people know you as a person and not just as someone else off the street. They are always nice and accommodating to my children when I have to bring them and very understanding.

I absolutely love the website and the ease of using it and keeping track of my medical information. The thing I love the most is the ease of scheduling and changing your own appointments on line.

I love having the Pharmacy right there so that when I leave the doctor's office I can pick up my medications and other items that I might need without having to drag my children into a huge department store and wait in a line. The prices are also very affordable.

Now onto the real reason of why I love this place so much. I was very unhealthy and miserable. I have been to all kinds of specialist and doctors over the past several years to try to find out what was going on with me and my body. Some doctors would try to guess what it was and just order lots of blood work and say that they would get back to me. Only to receive a piece of paper in the mail stating that all my blood work came back ok and they wished me luck in my future. No help, just a piece of paper.

Patient Testimonial #2 (Cont.)

I was at my wits end. I have 3 very active boys ages 2, 4, and 6. They deserved a mother who was happy and healthy. I was looking at them one day and I thought to myself, you are almost 35...you have a family history of early heart disease and heart attacks, you are overweight, unhealthy, moody, tired all the time, ran down, no motivation, basically living as a roommate with my husband, tired of not being able to fit in any of my clothes, and not even wanting to look at myself in a mirror anymore. The final breaking point was when I was looking at pictures with my husband and I asked him who the lady was with our kids. He told me that it was me in the picture and I wouldn't believe him. There it was in my face.... I didn't even notice who that person was in that picture because I knew it didn't look like the person I wanted to be. I knew at that point I had to make a change.

That is when XXXXX mentioned that they had a program at the clinic that had to deal with losing weight. So I immediately jumped on the website and scheduled the appointment. The day I went in was the day I met my guardian angel, Brandy Caldwell. When I went in to see her I was fed up with my life and needed a change. She listened to me and then did something different. She didn't say let's just do some blood work and see what it says. She said she could help me and she did. She immediately started me off with showing me the website and how to add in everything I needed from what food I was eating to tracking my progress and setting goals. She was the only medical professional who found that I had a sensitivity to wheat products. She didn't just tell me that I needed to work out and lose weight she told me how to lose weight by changing my lifestyle and learning how to eat correctly.

Patient Testimonial #2 (Cont.)

That was the most important part. I didn't want a quick fix that I wouldn't keep up with. I didn't want a fad diet to follow. I needed a change in my life and I needed something that I would stick with to save my life and that is what she did. She had me come in once a week and then every 2 weeks to help me get started and to keep me accountable. She made me excited about life again. I kept following her guidelines and before I knew it I was 45 lbs. lighter within 3 months. I was active with my children, happier with my life all over, and found my relationship with my husband again. She has helped change my life forever. I am very thankful to have her and the clinic in my life. I try not to think back of all the years that I wasted going from doctor to doctor having test after test ran over and over again. I know that I am blessed to have been given this opportunity to live a healthier life and I owe everything to Brandy. It is truly amazing how the right medical professional can change your entire outlook on life.

I would just like to finish by saying thank you to Brandy and thank you to the Dr. Samuel Brown Health Center and their staff. I would also like to add that as of today I have now lost a total of 50 lbs and continue improving my lifestyle.

Health Center Next 6 Months

- Continue screening
- Launch incentives program
- Begin occupational health services
- Build the number of engaged patients
- Continue to support patients who want to improve their health!

Sign Enforcement Report 2012

Division of Planning
Council Presentation
August 28, 2012



Sign Enforcement: General

- Zoning Ordinance Enforcement (including signs) Transferred from Building Inspection to Planning as of January 1, 2012
- “Nuisance” signs in rights-of-way are handled by the Division of Code Enforcement

Sign Enforcement: General

- Staffing – **four** inspectors for all Zoning Enforcement – no one inspector dedicated to sign issues
- **Complaint-driven** process at present (but working toward proactive enforcement programs)

Sign Enforcement “By-the Numbers” January 1-August 16 2012



- Total Cases/Complaints Investigated:

319 Total Zoning Violation Cases;

33 Sign-Related (10.3 %)
(Plus 5 cases carried over from 2011)



- **15** Sign Cases Currently “Open” (**11** of those **15** first reported **August 15**)
- **63** Notices Issued for Sign Violations

Types of Sign Complaints



- Yard Sale/"For Rent" **(1)**
- Banners/Temporary Signs **(16)**
- Obsolete Business Signs **(1)**
- Dilapidated - Structural Issues **(1)**
- Illegal Business Signs **(3)**
- Off-premises advertising **(9)**
- Neon Signs **(1)**
- Painted Wall Signs **(1)**
- Right of Way **(410)** Removed by Code Enforcement as of 8/14)



Future of Zoning Enforcement- What are We Working On?

- **"System-izing"** Enforcement Program (Research, Data, Review of Past Practices, Standardizing Procedures, etc.)
- **Analysis** of Priorities, Capacity, "Geography" of Complaints, etc.
- Identifying **Barriers** to Effective Enforcement (Vague Ordinances, Ineffective Penalties, Lack of Abatement Authority and Funding, etc.)
- Moving Toward a Program that **Blends Complaint-Driven** Enforcement with **Proactive** Enforcement Efforts

Sign Enforcement Report 2012

Questions?

