

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, October 2, 2012

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
October 1 – October 8, 2012**

Monday, October 1

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

Tuesday, October 2

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

COW Economic Development Committee.....1:00 pm
Council Chambers – 2nd Floor Government Center

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

Wednesday, October 3

No Meetings

Thursday, October 4

No Meetings

Friday, October 5

No Meetings

Monday, October 8

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

URBAN COUNTY COUNCIL

WORK SESSION SUMMARY

TABLE OF MOTIONS

September 25th, 2012

Mayor Jim Gray called the meeting to order at 3:04pm. CM Myers and CM Martin were absent.

I. Public Comment – No

II. Requested Rezoning / Docket Approval

Motion by Lawless to place an ordinance changing the zone from a High Density Apartment (R-4) zone to a Lexington Center Business (B-2B) zone, for 1.86 net acres, for property located at 410 Patterson Street and 522 and 540 West Maxwell St. on the docket without a public hearing. Seconded by Ellinger. Motion passed without dissent.

Motion by Ellinger to approve the Docket. Seconded by Beard. Motion passed without dissent.

Motion by Crosbie to place an ordinance amending Article 23A-9(k) of the Zoning Ordinance to amend the requirements of the Community Center (CC) zone to allow a building to exceed 50,000 square feet in size on the docket without a public hearing. Seconded by Ellinger. Motion passed without dissent.

III. Approval of Summary

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

IV. Budget Amendments

Motion by Gorton to approve the Budget Amendments. Seconded by Ellinger. Motion passed without dissent.

V. New Business

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

VI. Continuing Business and Presentations

Motion by Gorton to approve the Neighborhood Development Funds. Seconded by Farmer. Motion passed without dissent.

Motion by Lawless to approve option three for the Quarry Ordinance revision, which would establish the quarry inspection fee based on costs incurred during the inspection the previous year. Seconded by Farmer. Motion passed without dissent.

VII. Council Reports

Motion by Gorton to place an update on the Distillery District floodplain study into the Environmental Quality Committee. Seconded by Blues. Motion passed without dissent.

VIII. Mayor's Report – No

IX. Public Comment – Issues Not on Agenda – No

X. Adjournment

Motion by Crosbie to adjourn. Seconded by Stinnett. Motion passed without dissent.

**Lexington-Fayette Urban County Government
Work Session Agenda
October 2, 2012**

- I. Public Comment - Issues on Agenda**
- II. Requested Rezoning/ Docket Approval – No**
- III. Approval of Summary – Yes p. 1 - 2**
- IV. Budget Amendments – Yes p. 8**
- V. New Business – Yes p. 9 - 34**
- VI. Continuing Business/ Presentations**
 - a** Neighborhood Development Funds - October 2, 2012 p. 35
 - b** Social Services & Community Development Summary 09-18-12
p. 36 - 38
 - c** Planning & Public Works Committee Summary 09-18-12 p. 39 - 43
- VII. Council Reports**
- VIII. Mayor's Report**
- IX. Public Comment - Issues Not on Agenda**
- X. Adjournment**

Administrative Synopsis - New Business Items

- a 0797-12** Authorization to execute a Lease Agreement with Metro Employees Credit Union for space within the front building at the Versailles Road Campus. (L797-12) (Hamilton)
This is a request to execute a Lease Agreement with Metro Employees Credit Union for space within the front building at the Versailles Road Campus. The initial term is for seven and one-half (7 ½) months, effective November 16, 2012 and ending June 30, 2013 with an option of automatic extension for four (4) additional one (1) year terms. p. 9-11
- b 0799-12** Authorization to execute a Lease Agreement with Metro Employees Credit Union for space within the Phoenix Building. (L799-12) (Hamilton)
This is a request to execute a Lease Agreement with Metro Employees Credit Union for space within the Phoenix Building. The agreement is for seven and one-half (7 ½) months, effective November 16, 2012 and ending June 30, 2013 with an option of automatic extension for four (4) additional one (1) year terms. p. 12-14
- c 0886-12** Authorization to execute agreement with Humana for the Senior Health Plan for City Employees Pension Fund. (L886-12) (Maxwell/Driskell)
This is a request to execute an agreement with Humana for the Senior Health Plan for City Employees Pension Fund effective for one (1) year beginning January 1, 2013. p. 15
- d 0887-12** Authorization to execute agreement with Humana for the Senior Health Plan for Police and Fire Retirees. (L-887-12) (Maxwell/Driskell)
This is a request to execute an agreement with Humana for the Senior Health Plan for Police and Fire Retirees effective for one (1) year beginning January 1, 2013. p. 16
- e 0925-12** Authorization to execute a Service Agreement with Ecolab Pest Services for monthly pest service at the Division of Community Corrections. (L925-12) (Ballard/Mason)
This is a request to execute a Service Agreement with Ecolab Pest Services for a total amount of \$4,940 for monthly pest service at the Division of Community Corrections for a ten (10) month period beginning September 1, 2012. Funds are budgeted. p. 17

- f 0985-12** Authorization to execute a Change Order No. 1 with Churchill McGee, LLC for renovation and addition of a stockroom for Division of Waste Management. (L985-12) (Feese/Moloney)
This is a request to execute a Change Order No. 1 with Churchill McGee, LLC for an amount of \$3,598 for renovation and addition of a stockroom for the Division of Waste Management located at 675 Byrd Thurman Drive. This increase brings the total new contract cost to \$65,448. Funds are budgeted. p. 18-19
- g 0986-12** Authorization to approve and adopt revised regulations for the procurement of personal/professional services on behalf of the Urban County Government through its Division of Central Purchasing. (L986-12) (Slatin/Driskell)
This is a request to approve and adopt revised regulations for the procurement of personal/professional services on behalf of the Urban County Government through its Division of Central Purchasing. An engineering design services approach that pre-qualifies firms in multiple design categories is recommended. There is no budgetary impact. p. 20
- h 0988-12** Authorization to amend Section 16-1(c)(51) of the Code of Ordinances to incorporate the Federal Pretreatment Streamlining Rule, which was signed by the US EPA on September 27, 2005. (L988-12) (Martin/Moloney)
This is a request to amend Section 16-1(c)(51) of the Code of Ordinances to incorporate the Federal Pretreatment Streamlining Rule, which was signed by the US EPA on September 27, 2005. The Kentucky Division of Water adopted the changes in November of 2008 and is now requiring the changes in local sewer use ordinances. There is no budgetary impact. p. 21
- i 0991-12** Authorization to approve Information Station Specialists, Inc., as a sole source vendor for purchase of equipment for the Emergency Advisory Radio System within the Division of Emergency Management. (L991-12) (Gooding/Mason)
This is a request to approve Information Station Specialists, Inc., as a sole source vendor for purchase of equipment in the amount of \$42,080 for the Emergency Advisory Radio System within the Division of Emergency Management. Funds are budgeted. p. 22
- j 0993-12** Authorization to execute a Claims Payment Agreement with Humana Insurance Company for health insurance plans. (L993-12) (Maxwell/Graham)
This is a request to execute a Claims Payment Agreement with Humana Insurance Company for health insurance plans for the period January 1, 2012 through December 31, 2012. Funds are budgeted. p. 23

- k 0998-12** Authorization to enter into a Lease Agreement with West End Community Empowerment Project of Lexington, Inc. (WECEP), for space within the Black & Williams gymnasium. (L998-12) (Hamilton)
This is a request to enter into a Lease Agreement with WECEP for space within the Black & Williams gymnasium. The agreement will be for eight (8) months, November 1, 2012 through June 30, 2013 with an option of automatic extension for two (2) additional one (1) year terms. The annual rental rate is \$12,975.42. p. 24-25
- l 1001-12** Authorization to accept a donation of electronic equipment from S & S Tire to support the Division of Emergency Management's new Emergency Operations Center (EOC). (L1001-12) (Dugger/Mason)
This is a request to accept a donation of electronic equipment valued at \$13,086.73 from S & S Tire to support the Division of Emergency Management's new EOC. There is no budgetary impact. p. 26
- m 1002-12** Authorization to amend Section 21-39(d) of the Code of Ordinances relating to disability leave. (L1002-12) (Graham)
This is a request to amend Section 21-39(d) of the Code of Ordinances relating to disability leave by removing the restriction that prohibits any outside employment for an employee who is on workers' compensation. p. 27-28
- n 1007-12** Authorization to apply for Low-Interest State Revolving Fund Loans for Sanitary and Storm Sewer Related Projects. (L1007-12) (Martin/Moloney)
This is a request to apply for Low-Interest State Revolving Fund Loans for Sanitary and Storm Sewer Related Projects totaling in excess of \$56,000,000. p. 29
- o 1008-12** Authorization to accept additional federal funds and to execute an amendment to Agreement with the Kentucky Transportation Cabinet for the Old Frankfort Pike/Alexandria Drive Stone Fence Project. (L1008-12) (Gooding)
This is a request to accept additional federal funds in the amount of \$120,000 and to execute an amendment to Agreement with the Kentucky Transportation Cabinet to extend the Old Frankfort Pike/Alexandria Drive Stone Fence Project through June 30, 2013. An additional local match of \$30,000 is required. This increase brings the total new project cost to \$275,000 (\$220,000 federal and \$55,000 local match). P. 30

- p 1013-12** Authorization to amend Section 21-5 of the Code of Ordinances, abolishing two (2) positions of Equipment Operator Sr. (Grade 109N) and creating one (1) position of Program Manager Sr. (Grade 120E) in the Division of Waste Management. (L1013-12) (Maxwell/Moloney)
This is a request to amend Section 21-5 of the Code of Ordinances, abolishing two (2) positions of Equipment Operator Sr. (Grade 109N) and creating one (1) position of Program Manager Sr. (Grade 120E) in the Division of Waste Management. The total annual impact will be a savings of \$18,748.18. p. 31-32
- q 1014-12** Authorization to approve Iron Armour, LLC as a sole source provider for purchase of Wavetronix Vehicle Detection Equipment as needed for the Division of Traffic Engineering. (L1014-12) (Woods/Moloney)
This is a request to approve Iron Armour, LLC as a sole source provider for purchase of Wavetronix Vehicle Detection Equipment as needed for the Division of Traffic Engineering. p. 33
- r 1020-12** Authorization to submit application and to accept award of funds from the Kentucky Board of Emergency Medical Services for purchase of EMS equipment-FY 2014. (L1020-12) (Gooding/Mason)
This is a request to submit application and to accept award of funds from the Kentucky Board of Emergency Medical Services for the amount of \$10,000 for purchase of EMS equipment-FY 2014. No matching funds are required. p. 34

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

8

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
1013-12	CB0091	Waste Management	To provide funds for one position of Program Manager Senior (120E) and abolishing two positions of Equipment Operator Senior (109N) in the Division of Waste Management. 1115 55,600.00 1115 68,140.00CR 11,540.00CR*

EFFECT ON FUND BALANCES

FUND 1115	11,540.00*	INCREASE TO:	URBAN SERVICES DISTRICT FUND
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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: September 18, 2012

RE: Lease Agreement with Metro Employees Credit Union – Versailles Road Campus

I am requesting Urban County Council approval to enter into a lease agreement with MECU for space located at 1306 Versailles Road within the Versailles Road Campus. The area is located on the first floor of the front building and consists of approximately 3,866 S/ft of space. The MECU is a non-profit entity that provides financial products and services to LFUCG employees, partner agencies, and their families and does not serve the general public. They also provide credit and financial counseling.

Council referred the initial lease proposal to the General Government Committee for further review. General Services presented a revised lease arrangement for a period of 5 years with an escalating rent. The initial term of the agreement will be for 7 ½ months and begin on November 16, 2012 and end on June 30, 2013 with an option of automatic annual renewal for four (4) additional one (1) year terms. Chief Administrative Officer Richard Moloney recommends that LFUCG receive an annual rental rate of \$18,977.16 during the first, \$25,608.44 during the second, \$29,587.21 during the third, \$33,565.98 during the fourth, and pay Fair Market Value of \$37,544.75 during the final year of the agreement for use of this space.

LEASE AGREEMENT OVERVIEW

Occupant: Metro Employee Credit Union

Location: Versailles Road Campus

Address: 1306 Versailles Road

OVERVIEW	
S/ft of space occupied	3,866
S/ft of shared space (occupant's pro-rata share)	0
Total S/ft	3,866
Annual pro-rata share of utilities, O&M and CIP (approx. \$2.85 S/ft)	\$11,019.62
Annual base (approx. \$6.86 S/ft)	\$26,525.13
YEAR 1 – O&M plus 30% of Base	
Established Annual Fair Market Value (\$/ft)	\$9.71
Annual Fair Market Value (FMV) of Space	\$37,544.75
Recommended Annual Adjustment to FMV	-\$18,567.59
RECOMMENDED ANNUAL RENTAL RATE	\$18,977.16
Current annual rental rate	\$0.00
Difference	\$18,977.16
YEAR 2 – O&M plus 55% of Base	
Established Annual Fair Market Value (\$/ft)	\$9.71
Annual Fair Market Value (FMV) of Space	\$37,544.75
Recommended Annual Adjustment to FMV	-\$11,936.31
RECOMMENDED ANNUAL RENTAL RATE	\$25,608.44
YEAR 3 – O&M plus 70% of Base	
Established Annual Fair Market Value (\$/ft)	\$9.71
Annual Fair Market Value (FMV) of Space	\$37,544.75
Recommended Annual Adjustment to FMV	-\$7,957.54
RECOMMENDED ANNUAL RENTAL RATE	\$29,587.21
YEAR 4 – O&M plus 85% of Base	
Established Annual Fair Market Value (\$/ft)	\$9.71
Annual Fair Market Value (FMV) of Space	\$37,544.75
Recommended Annual Adjustment to FMV	-\$3,978.77
RECOMMENDED ANNUAL RENTAL RATE	\$33,565.98
YEAR 5 – Fair Market Value	
Established Annual Fair Market Value (\$/ft)	\$9.71
Annual Fair Market Value (FMV) of Space	\$37,544.75
Recommended Annual Adjustment to FMV	-\$0.00
RECOMMENDED ANNUAL RENTAL RATE	\$37,544.75

JUSTIFICATION FOR WAIVER

Chief Administrative Officer Richard Moloney recommends that the following rent schedule be used for lease of space to Metro Employee Credit Union:

- Year one – Pay all of the O&M costs plus 30% of the base rent
- Year two – Pay all of the O&M costs plus 55% of the base rent
- Year three – Pay all of the O&M costs plus 70% of the base rent
- Year four – Pay all of the O&M costs plus 85% of the base rent
- Year five – Pay Fair Market Value for the space

Metro Employees Credit Union is a non-profit organization

MECU serves as a benefit to LFUCG employees by providing them a service that can't be received at other financial institutions

MECU spent \$7,319.38 for the Phoenix building renovation and in 2006 they spent \$225,376.48 in renovations for the space at the Versailles Road Campus

MECU provides free checking accounts to low income citizens as part of the LFUCG Representative Payee Program and they also provide free check cashing for the 150 youth in the Summer Youth Employment Program

MECU currently pays no annual rent for use of space and the rental schedule allows an opportunity to budget and transition to Full Market Value.



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: September 18, 2012

RE: Lease Agreement with Metro Employees Credit Union (MECU) – Phoenix Building

I am requesting Urban County Council approval to enter into a lease agreement with MECU for space located at 101 East Vine Street within the Phoenix Building. The area is located on the first floor of the building and consists of approximately 604 S/ft of space. The MECU is a non-profit entity that provides financial products and services to LFUCG employees, partner agencies, and their families and does not serve the general public. They also provide credit and financial counseling.

Council referred the initial lease proposal to the General Government Committee for further review. General Services presented a revised lease arrangement for a period of five (5) years with an escalating rent. The initial term of the agreement will be for 7 ½ months and begin on November 16, 2012 and end on June 30, 2013 with an option of automatic annual renewal for four (4) additional one (1) year terms. Chief Administrative Officer Richard Moloney recommends that LFUCG receive an annual rental rate of \$5,650.97 during the first, \$7,065.35 during the second, \$7,913.98 during the third, \$8,762.62 during the fourth, and pay Fair Market Value of \$9,611.25 during the final year of the agreement for use of this space.

LEASE AGREEMENT OVERVIEW

Occupant: Metro Employee Credit Union

Location: Phoenix Building

Address: 101 East Vine Street

OVERVIEW	
S/ft of space occupied	604
S/ft of shared space (occupant's pro-rata share)	0
Total S/ft	604
Annual pro-rata share of utilities, O&M and CIP (approx. \$6.55 S/ft)	\$3,953.71
Annual base (approx. \$9.37 S/ft)	\$5,657.54
YEAR 1 – O&M plus 30% of Base	
Established Annual Fair Market Value (\$/ft)	\$15.91
Annual Fair Market Value (FMV) of Space	\$9,611.25
Recommended Annual Adjustment to FMV	-\$3,960.28
RECOMMENDED ANNUAL RENTAL RATE	\$5,650.97
Current annual rental rate	\$0.00
Difference	\$5,650.97
YEAR 2 – O&M plus 55% of Base	
Established Annual Fair Market Value (\$/ft)	\$15.91
Annual Fair Market Value (FMV) of Space	\$9,611.25
Recommended Annual Adjustment to FMV	-\$2,545.89
RECOMMENDED ANNUAL RENTAL RATE	\$7,065.35
YEAR 3 – O&M plus 70% of Base	
Established Annual Fair Market Value (\$/ft)	\$15.91
Annual Fair Market Value (FMV) of Space	\$9,611.25
Recommended Annual Adjustment to FMV	-\$1,697.26
RECOMMENDED ANNUAL RENTAL RATE	\$7,913.98
YEAR 4 – O&M plus 85% of Base	
Established Annual Fair Market Value (\$/ft)	\$15.91
Annual Fair Market Value (FMV) of Space	\$9,611.25
Recommended Annual Adjustment to FMV	-\$848.63
RECOMMENDED ANNUAL RENTAL RATE	\$8,762.62
YEAR 5 – Fair Market Value	
Established Annual Fair Market Value (\$/ft)	\$15.91
Annual Fair Market Value (FMV) of Space	\$9,611.25
Recommended Annual Adjustment to FMV	-\$0.00
RECOMMENDED ANNUAL RENTAL RATE	\$9,611.25

JUSTIFICATION FOR WAIVER

Chief Administrative Officer Richard Moloney recommends that the following rent schedule be used for lease of space to Metro Employee Credit Union:

- Year one – Pay all of the O&M costs plus 30% of the base rent
- Year two – Pay all of the O&M costs plus 55% of the base rent
- Year three – Pay all of the O&M costs plus 70% of the base rent
- Year four – Pay all of the O&M costs plus 85% of the base rent
- Year five – Pay Fair Market Value for the space

Metro Employees Credit Union is a non-profit organization

MECU serves as a benefit to LFUCG employees by providing them a service that can't be received at other financial institutions

MECU spent \$7,319.38 for the Phoenix building renovation and in 2006 they spent \$225,376.48 in renovations for the space at the Versailles Road Campus

MECU provides free checking accounts to low income citizens as part of the LFUCG Representative Payee Program and they also provide free check cashing for the 150 youth in the Summer Youth Employment Program

MECU currently pays no annual rent for use of space and the rental schedule allows an opportunity to budget and transition to Full Market Value.



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, Chief Administrative Officer
Council Members

FROM: _____
John Maxwell, Director
Division of Human Resources

DATE: August 22, 2012

SUBJECT: Agreement for Senior Health Plan for City Employees Pension Fund

Attached please find a contract for the Senior Health Plan for City Employees Pension Fund with Humana effective for one (1) year beginning January 1, 2013.

There is no charge to the Lexington-Fayette Urban County Government.

Log 13-0014



16
0887-12

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, Chief Administrative Officer
Council Members

FROM: _____
John Maxwell, Director
Division of Human Resources

DATE: August 22, 2012

SUBJECT: Agreement for Senior Health Plan for Police and Fire Retirees

Attached please find a contract for the Senior Health Plan for Police and Fire Retirees with Humana effective for one (1) year beginning January 1, 2013.

There is no charge to the Lexington-Fayette Urban County Government.

Log 13-0015



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0925-12

Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

Clay Mason
Commissioner

To: Richard Moloney, CAO
Mayor Jim Gray
Councilmembers

From: Rodney Ballard, Director *RB*
Division of Community Corrections

Date: August 30, 2012

Subject: Approval of Service Agreement with Ecolab Pest for Pest Elimination Services

Requesting approval of a service agreement between the Division of Community Corrections and Ecolab Pest Services for the monthly pest service at the Division of Community Corrections beginning September 1, 2012. The Division requested informal quotes for these services, Ecolab was the only responder.

The fiscal impact for FY2013 will be \$4,940. Funds are budgeted in 1101-505401-5412-76101.

cc: Clay Mason, Commissioner
Department of Public Safety



Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY

Jim Gray
Mayor

Richard Moloney
Acting Commissioner

MEMORANDUM

TO: Jim Gray, Mayor
City Council

FROM: _____
Richard Moloney
Acting Commissioner

DATE: August 14, 2012

RE: Change order #1 to Bid #46-2012

We are recommending acceptance of a change order #1 to bid #46-2012. This bid was for the renovation and addition of a stockroom at waste management's location at 675 Byrd Thurman Drive per the design and specification package for Bid #46-2012. Churchill McGee, LLC, was the successful bidder on the project, and they are requesting a change in the amount of \$3,598. This represents a 6% increase in their original contract price of \$61,850 as shown on the contract history form.

The budget money for this change order will be fund #1115-303501-0001-71299. This is the same fund that was used for the original contract on LF96300.

This change order was necessary due to two specific items:

1. Supply weather proofing above the bar joist along the east side of the building - \$1725.00.
2. Replace the entry ramp into the facility with a more gentle slope than was designed to meet building code requirements - \$1,873.

CONTRACT HISTORY FORMContractor: Churchill McGee, LLCProject Name: Waste Management Stock RoomContract Number and Date: Bid 46-2012Responsible LFUCG Division: Waste ManagementCHANGE ORDER DETAILSSummary of Previous Change
Orders To DateDollar AmountPercent Change to
Original ContractA. Original Contract Amount: \$ 61,850.00E. Cumulative Amount of
Previous Change Orders: \$ 0.000% %
(Line E / Line A)C. Total Contract Amount
Prior to this Change Order: \$ 61,850.00Current Change OrderD. Amount of This Change Order: \$ 3,598.006% %
(Line D / Line A)E. New Contract Amount
Including this Change Order: \$ 65,448.00106% %
(Line E / Line A)SIGNATURE LINESProject Manager: Kevin HumpDate: 8/28/12Reviewed by: St. BmDate: 8/28/12Division Director: Steven B. LaneDate: 8/28/12



Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Gray
Mayor

Jane C. Driskell
Commissioner

TO: Mayor Jim Gray
Urban County Council

FROM: Todd Slatin, Acting Director, Division of Central Purchasing

DATE: September 14, 2012

SUBJECT: Procurement Regulations Source Selection: Professional Services

The purpose of this memorandum is to request modification of the Purchasing Procurement Regulation Source Section: Personal/Professional Services.

The Sanitary Sewer Remedial Measures Plan (RMP) capital improvement list currently has over 70 discrete projects, which over the next 11 – 13 years will require professional engineering design services. The Division of Central Purchasing in conjunction with the Division of Water Quality recommends an engineering design services approach that pre-qualifies firms in multiple design categories. This approach will lessen the administrative burden within multiple areas of government.

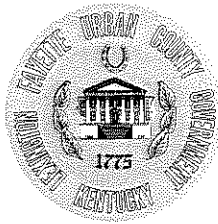
In developing the documents needed to begin the Request for Qualifications phase of RMP procurement, it has become apparent that the current procurement regulations were mute toward this approach in selecting professional services. The enclosed documents represent the recommended modifications to the current regulations.

The primary recommended changes are as follows:

1. Allow for the selection of multiple qualified firms within a similar category when there is a certainty that there will be multiple projects that are similar in nature. An example of this situation occurs in FY13 where six (6) gravity sewer designs are budgeted to occur. The schedule for FY14 through FY23 has a similar pattern. A single procurement with multiple qualified firms appears to be a more efficient approach.
2. Allow for competitive cost proposals between qualified firms. The recommended approach is to select firms based on their qualifications. Once selected, all firms within a particular category would be ranked. When a design project is ready for design, the top three firms would be given the opportunity to propose a fee. LFUCG would then negotiate a final fee with the firm submitting with the lowest fee consistent with the overall project scope. If that firm were awarded the project, they would then move to the bottom of the list. If a reasonable fee could not be negotiated with the firm submitting the lowest fee, LFUCG then would begin negotiation with the 2nd lowest, with the first firm retaining their place on the list. A firm on the list moves up as projects are awarded and only moves down the list when they are awarded a contract or have consistently been overpriced in comparison to their peers on the list.

The Division of Central Purchasing believes that the recommend modifications are consistent with state statues and will provide the LFUCG with the best value possible in implementing the capital project design phases of the overall Remedial Measures Plan.

If you have any questions or need additional information, please contact me at extension 3328.

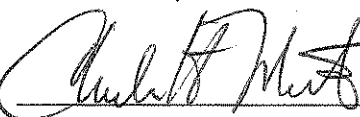


Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY AND PUBLIC WORKS

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: September 10, 2012

Re: Ordinance revisions to incorporate the Federal Pretreatment Streamlining Rule

Budget Impact: \$0

The purpose of this memorandum is to request approval of ordinance revisions to incorporate the Federal Pretreatment Streamlining Rule, which was signed by the US Environmental Protection Agency (EPA) on September 27, 2005, and published on October 14, 2005, in the Federal Register. The Kentucky Division of Water adopted the changes in November of 2008 and is now requiring the changes in local sewer use ordinances.

The Pretreatment Streamlining Rule was designed by the US EPA to reduce the burden on local control authorities and industries. The proposed changes have been conditionally approved by the Kentucky Division of Water for adoption into Lexington-Fayette Urban County Government's local ordinance.



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: SEPTEMBER 17, 2012

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO APPROVE
INFORMATION STATION SPECIALISTS, INC., AS A SOLE SOURCE
VENDOR FOR PURCHASE OF EQUIPMENT FOR THE EMERGENCY
ADVISORY RADIO SYSTEM

The Division of Emergency Management/911 is requesting approval of a sole source purchase for an expansion to the AM Emergency Advisory Radio System from Information Station Specialists, Inc., in the amount of \$42,080.

LFUCG receives federal funds from the Kentucky Department of Military Affairs, Division of Emergency Management for the continuation of the Chemical Stockpile Emergency Preparedness Program (CSEPP) for Fiscal Year 2010. The source of federal funds is the Department of Homeland Security/Federal Emergency Management Agency. CSEPP funds are used to support emergency preparedness activities in a nine county area that surrounds the Blue Grass Army Depot in Richmond, the site of a stockpile of chemical weapons.

An approved CSEPP purchase is an additional ALERT AM station for the LFUCG's existing emergency advisory radio system. Information Station Specialists, Inc., (ISS, Inc.) was the vendor for the existing system, which was purchased in 2009. Sole source certification is requested on the basis that other vendors' equipment would not be compatible with the existing system. The cost of the equipment is \$42,080.

Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	BUD REF	ACTIVITY	PROJECT	AMOUNT
3200	505201	0001	96468	2010	KY-FAY-454	CSEPP 2010	\$3,083
3200	505201	0001	96468	2011	KY-FAY-457	CSEPP 2011	\$5,540.41
3200	505201	0001	96468	2012	KY-FAY-457	CSEPP 2012	\$33,456.59

Council authorization to certify Information Station Specialists, Inc., as a sole source vender for emergency advisory radio system equipment 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



23
0993-12

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, Chief Administrative Officer
Council Members

FROM: _____
John Maxwell, Director
Division of Human Resources

DATE: September 19, 2012

RE: **Health Insurance Agreement—Humana Insurance**

The attached action authorizes the Mayor to execute a Claims Payment Agreement with Humana Insurance Company for health insurance plans for the period beginning January 1, 2012 through December 31, 2012.

Funds are budgeted.

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

Attachments
DF/

13-0020



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: September 17, 2012

RE: Lease Agreement with West End Community Empowerment Project of Lexington, Inc. (WECEP) for space within the Black and Williams Gymnasium

I am requesting Urban County Council approval to enter into a lease agreement with WECEP for space located at 498 Georgetown Street within the Black & Williams Gymnasium. The area is located on the first floor of the building and consists of approximately 4,416 S/ft of space. They have been a partner agency and located within this facility for at least 16 years. The agency provides day care, summer camp, and meals to low-income children in the Georgetown Street area.

The initial term of this agreement will begin on November 1, 2012 and end on June 30, 2013 with an option of automatic annual renewal for two (2) additional one (1) year terms. Commissioner Beth Mills recommends that LFUCG receive an annual rental rate of \$12,795.42 for use of this space, or, \$1,066.29 per month.

LEASE AGREEMENT OVERVIEW

Occupant: West End Community Empowerment Project of Lexington, Inc.
(WECEP)

Location: Black & Williams Gymnasium

Address: 498 Georgetown Street

OVERVIEW	
S/ft of space occupied (current)	4,416
S/ft of shared space (occupant's pro-rata share)	0
S/ft change (addition or reduction)	0
Total S/ft	4,416
Annual pro-rata share of utilities, O&M and CIP (approx. \$2.90 S/ft)	\$12,795.42
Annual base (approx. \$1.10 S/ft)	\$4,868.58
Established Annual Fair Market Value (\$/ft)	\$4.00
Annual Fair Market Value (FMV) of Space	\$17,664.00
Recommended Annual Adjustment to FMV	-\$4,868.58
RECOMMENDED ANNUAL RENTAL RATE	\$12,795.42
Current annual rental rate	\$0.00
Difference	\$12,795.42

JUSTIFICATION FOR WAIVER

Commissioner Beth Mills recommends that West End Community Empowerment Project of Lexington, Inc. (WECEP) pay all of the pro-rata share of O&M for use of the space with adjusted annual rent in the amount of \$12,795.42.

- Agency has been a partner agency at Black & Williams Community Center for at least sixteen years.
- Agency has total annual revenues of the program of less than \$100,000.00 per year.
- Agency serves 42 children in day care
- Agency meets Urban County need and provides day care, summer camp, and meals to low-income children in the Georgetown Street area
- Recommend rent be paid for the pro-rata share of O&M



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 *P145*

RE: Acceptance of Donation to the Fayette County EOC from S & S Tire

DATE: September 18, 2012

This request is to authorize the Mayor to accept a donation of audio/visual equipment valued at \$13,806.73 from S & S Tire. Mr. Tim Nicholson with S & S Tire approached the Fayette Emergency Planning Committee regarding a potential donation related to a Supplemental Environmental Project that S&S had the opportunity to do for Environmental Protection Agency (EPA). S & S Tire had been cited by the Emergency Planning Community Right to Know Act Branch (EPCRA) of the EPA for failure to submit Tier II documents.

The Division of Emergency Management inquired whether S & S would be willing to donate equipment to support the new Emergency Operations Center (EOC) at 115 Cisco Road and they agreed. Equipment was suggested that would enhance our EOC in Fayette County. The equipment list is attached.

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



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

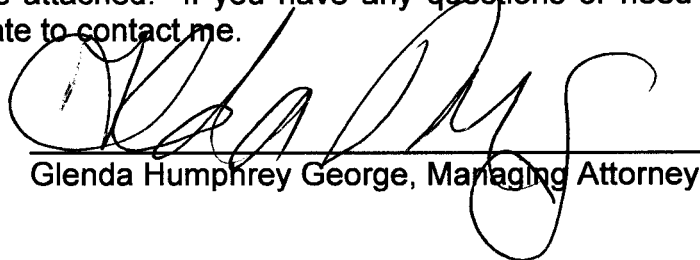
DATE: September 11, 2012

RE: Code of Ordinances Section 21-39

Council authorization is requested to amend Section 21-39(d) of the Code of Ordinances relating to disability leave. This change will potentially permit savings to LFUCG while at the same time not reducing benefits to the employee.

The amendment removes the current restriction that prohibits any outside employment for an employee who is on workers' compensation. Currently, employees who have second jobs are prohibited from working while on workers' compensation. This restriction requires LFUCG to have our workers' compensation payments to an injured employee include both their urban county government salary as well as the second employment salary. Removal of this restriction will be a cost savings to the urban county government because if this provision is removed, LFUCG's workers compensation payments will be reduced because LFUCG will not have to pay the salary of the second job under the Workers Compensation coverage.

A draft of the changes is attached. If you have any questions or need additional assistance, please do not hesitate to contact me.



Glenda Humphrey George, Managing Attorney

cc: Richard Moloney, CAO
Council Office

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Draft
9/18/12

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 21-39(D) OF THE CODE OF ORDINANCES, RELATING TO DISABILITY LEAVE TO REMOVE THE RESTRICTION ON SECOND EMPLOYMENT WHILE AN EMPLOYEE IS ON DISABILITY LEAVE.

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

Section 1 – That Section 21-39(d) of the Lexington-Fayette Urban County Government Code of Ordinances be and hereby is amended to read as follows:

Upon a determination of permanent disability by competent medical authority, the employee will be instructed to apply to the appropriate pension fund for disability retirement benefits. Failure to so apply or commencement of disability retirement benefits will terminate disability leave short of the twelve (12) months. Disability leave shall also be terminated early if such medical authority determines that the employee is able to return to duty and perform the same or substitute work at the same salary. ~~No employee who is engaged in any gainful outside employment is, under any circumstances, eligible for disability leave.~~ *

Section 3 – That this Ordinance shall become effective upon its date of passage.

PASSED URBAN COUNTY COUNCIL:

MAYOR

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

GHG X:\Cases\HR\11-MS0002\LEG\00309353.DOC

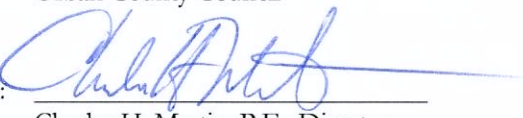


Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY AND PUBLIC WORKS

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: September 19, 2012

Re: Request Approval of Resolution Authorizing the Lexington-Fayette Urban County Government (LFUCG) to Apply for Low-Interest State Revolving Fund Loans for Sanitary and Storm Sewer Related Projects.

The LFUCG has received invitations to apply for twelve (12) sanitary and/or storm sewer construction projects totaling in excess of \$56,000,000. We recommend bundling these projects into five (5) separate loan requests to streamline the process and create efficiency both for the Kentucky Infrastructure Authority and LFUCG.

These projects included are listed below. Each project is preceded with a number, (1), (2), etc. indicating which bundle it belongs to.

Upon receipt of applications, the KIA and its Board reviews the projects and the community's financial status and either grants or denies the loan. The interest rate tied to those loans approved for this round is 1.75%. These loan rates are significantly lower than what the LFUCG could obtain through our bonding process, and if we are successful in securing these loans it will reduce the cost of these projects.

I can be reached at 425-2455 should you have questions or require additional information.

Project Name	WRIS Identifier	Loan Request
(1) Expansion Area 2A Class A Pump Station and Trunk Sewer	SX21067006	\$6,000,000
(2) Town Branch Wastewater Treatment Flow Equalization Storage Tanks-Phase I	SX21067041	\$21,641,030
(3) Century Hills Trunk Sewer Replacement	SX21067039	\$1,630,843
(3) Eastlake Trunk Sewer Replacement	SX21067037	\$807,432
(3) West Hickman Trunk Sewer Replacement – Project A	SX21067040	\$4,476,997
(3) Woodhill Trunk Sewer Replacement	SX21067043	\$3,279,149
(4) Wolf Run Flow Equalization Storage Tank	SX21067042	\$9,428,670
(4) Bob-O-Link Trunk Sewer Replacement	SX21067038	\$1,925,226
(4) Wolf Run Trunk Sewer Replacement - Phase A	SX21067044	\$2,320,406
(5) Various Stormwater Management Projects – Phase 1	SX21067046	\$447,032
(5) Various Stormwater Management Projects – Phase 2	SX21067047	\$3,524,500
(5) Anniston-Wickland SW Improvement – Phase 3	SX21067045	\$926,000



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: SEPTEMBER 19, 2012

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT ADDITIONAL
FEDERAL FUNDS AND TO EXECUTE AMENDMENT TO AGREEMENT
WITH THE KENTUCKY TRANSPORTATION CABINET FOR THE OLD
FRANKFORT PIKE/ALEXANDRIA DRIVE STONE FENCE PROJECT

On October 19, 2006 (Ordinance No. 296-2006), Council approved acceptance of federal funds from the Kentucky Transportation Cabinet for the construction of a stone fence, approximately 1000 feet, at the intersection of Old Frankfort Pike and Alexandria Drive.

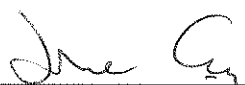
The source of federal funds (\$100,000) is the Transportation Enhancement Program, as authorized by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) in P.L. 109-59. Federal funds allocated to this project are in the amount of \$100,000. Match of \$25,000 was required. Total cost is \$125,000.

On April 8, 2010 (Resolution No. 176-2010), Council approved execution of Amendment to Agreement extending period of performance through June 30, 2011.

On June 9, 2011 (Resolution No. 224-2011), Council approved execution of Amendment to Agreement extending period of performance through June 30, 2012. This project was advertised for bid during the performance period, however, no bids received were within the budget.

The Kentucky Transportation Cabinet has offered the LFUCG an Amendment to the Agreement extending this project through June 30, 2013. KYTC has also offered the LFUCG additional federal funding in the amount of \$120,000 to complete the project and to expand the scope of work. This will require additional local match in the amount of \$30,000. Match will come from account 1101-162101-1602-90317. New total \$275,000 (\$220,000 federal and \$55,000 local match). KYTC requires execution of a Resolution approving the Amendment.

Council authorization to accept additional federal funds and to execute the Amendment to Agreement is hereby requested.



Irene Gooding, Director

XC: Stacey Maynard, Council Administrator

HORSE CAPITAL OF THE WORLD



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, Chief Administrative Officer
Council Members

FROM: _____
John Maxwell, Director
Division of Human Resources

DATE: September 19, 2012

SUBJECT: Abolish/Create positions – Division of Waste Management

The attached action amends Section 21-5 of the Code of Ordinances, abolishing two (2) positions of Equipment Operator Sr. (Grade 109N) and creating one (1) position of Program Manager Sr. (Grade 120E) in the Division of Waste Management, effective upon passage by Council.

This position would be responsible for overseeing operational support including the enforcement and education efforts related to waste management for the entire community, in addition to the container management program (over 200,000 containers), the Division's safety program, special events, litter management, and construction support services.

With the development of the OEB routing and customer service initiatives over the last 12 months, the level of management required on the part of the collection services management team has increased dramatically. This includes the development of a centralized dispatch system and daily task completion verification, using a variety of technology tools. These systems (and this level of management) did not previously exist at DWM. This position will allow us to better balance the work load and provide more focused education and efforts that are needed to make the new initiatives more effective to handle the myriad of duties required for the routing implementation in the Division.

The fiscal impact for FY2013 (16 pay periods) will be a savings of \$11,537.34 to fund 1115. All costs include benefits. This amount does not include lapse which has been included in the attached Budget Amendment.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Vacant	Program Manager Sr.	\$0	\$67,085.72	\$67,085.72
Vacant	Equipment Operator Sr. (actual budget)	\$37,919.18	\$0	\$(37,919.18)
Vacant	Equipment Operator Sr. (actual budget)	\$38,755.34	\$0	\$(38,755.34)

**Total Annual Impact/
Salary and Benefits
\$(18,748.18)**

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

Attachment

cc: Richard Moloney, Acting Commissioner - Department of Environmental Quality and Public Works
Steve Feese, Director – Division of Waste Management

Log #13-0013



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

Jim Gray
Mayor

Richard Moloney
Acting Commissioner

Memorandum

To: Jim Gray, Mayor
Urban County Council

From: Jim Woods, P.E., Acting Director
Division of Traffic Engineering

Date: September 25, 2012

Subject: Authorization To Establish A Sole Source Provider Contract With Iron Armour, LLC
For Purchase Of Wavetronix Vehicle Detection Equipment For The Division Of Traffic
Engineering.

The purpose of this memorandum is to request approval to establish a sole source provider contract with Iron Armour, LLC, for the purchase of Wavetronix Smartsensor Vehicle Detection Equipment to include Technical and Customer Support, Preassembled Backplates and Contact Closure Cards, Vehicle Sensors, Mounting Brackets and Splice Boxes, Sensor Pigtailes and Bulk Cable, Modules, Spare Parts and Accessories.

Sole Source approval is requested based upon results that Wavetronix is a useful alternative vehicle detection sensor that is more durable and reliable, providing an increased margin of safety for motorists approaching signalized intersections on high speed approach highways. Iron Armour, LLC is the only company in Kentucky that is authorized to distribute the Wavetronix system of detection.

Council authorization to approve Iron Armour, LLC, as a sole source provider of Wavetronix Vehicle Detection Equipment, and accessory devices, is hereby requested.

Jim Woods, P.E., Acting Director

c: Richard P. Moloney, CAO, Acting Commissioner, Department of Environmental Quality and Public Works
Todd Slatin, Director, Central Purchasing
Steve Cummins, P.E., Traffic Engineering Manager



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: SEPTEMBER 21, 2012

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION
AND TO ACCEPT AWARD OF FUNDS FROM THE KENTUCKY
BOARD OF EMERGENCY MEDICAL SERVICES FOR PURCHASE OF
EMS EQUIPMENT—FY 2014**

The Division of Fire and Emergency Services has prepared an application requesting funding from the Kentucky Board of Emergency Medical Services in the amount of \$10,000 for the purchase of EMS equipment to include purchase of stretchers for use in ambulances. Purpose of this program is to improve services.

These are state funds pursuant to KRS 311A.155. No matching funds are required.

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

Irene Gooding, Director

Xc: Clay Mason, Commissioner, Department of Public Safety

HORSE CAPITAL OF THE WORLD

**Neighborhood Development Funds
October 2, 2012
Work Session**

Amount	Recipient	Purpose
\$ 300.00	Pasadena Neighborhood Association 705 Nakomi Drive Lexington, KY 40503 Helen Baer	For the purchase and installation of neighborhood watch signs.
\$ 500.00	Cardinal Valley Neighborhood Association PO Box 8776 Lexington, KY 40533 Billie Offutt	For "Fright Night" and community maintenance.
\$ 100.00	Temple of Prayer Church of God in Christ 549 Parkside Drive Lexington, KY 40505 Cherie Jones	For a fall festival to provide children a safe alternative to trick-or-treating in neighborhoods.

Social Services & Community Development Committee
September 18, 2012
Summary & Motions

Chair Myers called the meeting to order at 1:02 PM. Members present were CM Henson, CM Ellinger, CM Kay, CM Ford, CM Lawless, CM Stinnett and CM Crosbie. Absent were CM McChord and CM Lane.

8.14.12 Committee Summary

On a motion by CM Ellinger, second CM Crosbie the 8.14.12 Social Services & Community Development minutes and motions were approved.

Social Services Needs Assessment

Commissioner Mills made a presentation on the social services' needs assessment. She stated that this will be a joint effort between Social Services and the University of Kentucky (UK) College of Social Work. She stated that she anticipates 3-4 students will be assigned to work on this project in addition to support from faculty. She stated that the project will encompass 3 four month periods and the work will be completed by December 2013. The 1st phase will include reviewing existing needs assessments and interviewing the partner agencies to identify existing services, emerging themes and service gaps.

CM Myers asked about asset mapping and he referred to an asset mapping project he completed in St. Louis.

CM Henson asked about family services needs. She stated that we should emphasize parenting skills and family resources.

CM Lawless asked about the shift from emergency sheltering to emergency solutions.

CM Myers asked about poverty, education and financial literacy needs.

Ms. Mills stated that the students and UK faculty will be meeting with Councilmember's on Wednesday September 19 to receive additional input.

2013 Consolidated Plan Update

Community Development Director Gooding provided an update on the 2013 Consolidated Plan process. She stated that emergency shelter has shifted to a more comprehensive emergency solutions category. She stated that Social Services will independently review the applications for the emergency solutions grant.

CM Stinnett asked about unspent Community Development Block Grant (CDBG) funds. In response Ms. Gooding stated that LFUCG Engineering has been slow to spend project

funds but that has generally been a function of the time spent acquiring easements and right of way.

CM Stinnett also asked about the process to notify the public and interested parties about the process and funding. In response Ms. Gooding stated that her office notifies organizations via mail. CM Stinnett suggested that the Mayor's Office send a press release explaining the CDBG program and availability of program funding.

CM Myers asked about documentation regarding performance of agencies and their programs. He also asked about follow up surveys with the agencies receiving the funding.

CM Henson commented that many citizens do not know about the CDBG process or funding possibilities.

CM Ford asked about funding history. In response Ms. Gooding stated that the federal dollars are decreasing. She noted annually Lexington used to receive \$3 million in CDBG HOME funds. Now Lexington receives \$1 million in HOME Funds.

CM Ford stated that the community leaders need to do a better job making their case for additional federal support.

Ms. Gooding stated that if Councilmember's have a project in their respective neighborhoods, they should direct that information to the Department of Social Services.

CM Myers stated that Lexington needs a better understanding of the CDBG program, what its purpose is, and how it can be utilized.

Jack Burch with Community Action spoke about a CDBG funded home furnace project that was started when the need became evident. He also identified a playground site at the Russell School site that was funded through the CDBG program.

CM Ford stated that LFUCG should improve public outreach. He also asked how Councilmembers can interact in the process and assist in getting projects established.

Billy Mallory spoke about the East End Small Area Plan. She stated that she was not aware that the CDBG funds could be used to implement the economic development components of that Plan. She mentioned that she would like Community Development to address Central Kentucky Housing and Homeless Initiative and how they could utilize CDBG funds to address homelessness and housing needs.

Commissioner Mills stated that her staff can make a future presentation on the Emergency Solutions component at an upcoming meeting

Other Business

CM Myers asked about the scope of the needs assessment. In response Commissioner Mills stated that there are six functional areas of concentration: basic needs, healthcare, violence prevention, aging, community development and substance abuse. CM Myers asked where financial literacy would fit. In response Commissioner Mills stated that it would be within the basic needs category.

CM Fords asked about the issue of work force investment. He stated that he did not believe that Lexington-Fayette County was receiving adequate support from the Bluegrass Workforce Investment Board. In response Paul Schoninger reviewed the method to refer an item to committee. He also stated that 2 members of the State Workforce Investment Board, Rick Chrisman and Ed Holmes, were from Lexington and they would be supportive of efforts to obtain more training within Fayette County.

Committee Referrals

On a motion by CM Ellinger second CM Crosbie the CDBG Consolidated Plan item was removed from the committee list without dissent.

On a motion by CM Ford second CM Henson the Section 108 loan program item was removed from the committee list without dissent.

The meeting was adjourned at 12:25PM

Planning and Public Works Committee
September 18th, 2012
Summary and Motions

CM Bill Farmer chaired the meeting and called it to order at 1:00pm. CM Lawless and CM Martin were absent. CM Stinnett attended the meeting as a non-voting member.

1. Approval of August 14th, 2012 Summary

Farmer noted that the summary had already been approved by the full council at the previous Work Session.

2. Exploring the Use of Alternative Fuel Resources

Chris King from the Division of Planning was called to the podium to speak on the CNG fueling stations. He presented two options:

- CNG and LNG facilities are considered no differently than traditional automobile service stations from a zoning standpoint. CNG and LNG facilities being principal permitted uses in the B-1, B-2, B-2A, B-3, B-4, B-5P, B-6P, P-2, I-1, and I-2 zoning categories.
- CNG and LNG facilities would receive a separate definition and would be regulated by zone differently than traditional “automobile service stations.” Such facilities would be ‘conditional use’ subject to BOA review and approval in the B-1, B-2, B-2A, B-3, B-4, B-5P, B-6P, P-2, I-1, and I-2 zoning categories.

King said that they are less dangerous than a traditional service station.

King said that they could also blend the two options and build a hybrid. Gorton mentioned the size of the types of vehicles that would be using CNG and suggested that a hybrid approach might be best. She said that she wants to move something forward to the full Council.

King said that if you look at zones such as B-3, B-4, I-1, I-2, and B5-P, the fueling stations could be principal permitted uses in those zones.

Beard asked about safety and King said that there are standards and the State Fire Marshall signs off on the fueling stations. He went on to say that the Council could make the language more restrictive if that is their prerogative.

Blues asked Farmer for the context of the demand. Farmer said that there is a large quantity of natural gas in Kentucky and Lexington's location, between two major interstates, would allow for several fleets to use the fueling station.

Stinnett said that he wants to look at vehicle dealers to gauge interest in the private sector. He also suggested working with LexTran.

Gorton made a motion to initiate a text amendment that would use a hybrid option so the Council could move it to the Planning Commission for review and then back to the Council. Seconded by Beard. Motion passed without dissent.

3. Repaving

Stinnett talked about options available to provide funding for paving. He asked Commissioner Jane Driskell if they could use MAP money for debt service payments. She said that it is permissible as long as the proceeds from the bond are used in the same way. She said that they need to look at appropriations because some of the money is used for operating, as those costs inflate naturally. She suggested a split between on going maintenance and the initial investment. It would be a general obligation debt.

Kevin Wenthe said that they could use seven million dollars a year.

Driskell said that a short term note has one percent interest. Stinnett said that they must remember that they would be obligating future MAP money and this will impact future Councils. Stinnett suggested considering a cap on the use of MAP money.

Kay asked Driskell about the terms of the loan. Kay also asked Wenthe about the conditions of the roads. Wenthe said the biggest need is for roads rated between 55 and 65. We could reduce the percentage of roads and continue to keep them out of that category by allocating this amount of money.

Ryan Barrow told CMs that there are direct personnel allocations that are paid out of the MAP proceeds. Barrow said that if the work is done internally the costs go up, but if they contract the work, the cost would not go up. It is correlative to the amount individual people work, not the amount of money received.

Henson asked Wenthe if we are catching up with resurfacing in Fayette County. Wenthe said that last year they did do some catching up due to the mild winter. Wenthe said that there was \$800,000 available in the MAP funds last year.

Stinnett mentioned that they also used MAP money for matching funds for other projects. Stinnett said that the Council does not always need to use MAP money to pay debt obligations to balance the budget. They could choose to use other sources.

Kay asked for MAP fund allocations. Ryan said that the MAP fund allocation varies. \$5M a year used for capital construction and personnel for dedicated projects.

Wente said that when they resurface, they look to have the roads last at least 12-15 years.

Barrow said that in addition of the MAP money that went to resurfacing, there was \$1.5M that went to other capital infrastructure projects in FY13.

Stinnett asked for estimated revenue for FY13 MAP. Barrow said he would get that number for Stinnett.

Farmer said that it is going to be the Administration's prerogative to put \$3M a year into resurfacing. We will be looking to bond \$4M three times or \$12M one time.

Stinnett said that they should not delay sending in their paving lists based on the conversation of bonding. Stinnett said that it should not take more than a week to get the numbers. He said that if the numbers are not ready by the report out, they could call a special meeting. Farmer was in agreement with this suggestion.

CAO Richard Moloney asked the CMs to turn in their lists. He said that they need to work with what they have now.

4. Adult Day Care Centers

Stinnett said that he needs clarification on the language in the ZOTA. He mentioned grandfathering and parking specifically.

Ford told the CMs that he had brought this forward last spring. The Planning Commission then held a hearing on July 12th, 2012. It was then brought back to the full Council. Ford told Farmer that the Planning staff was present to provide a background on the issue.

Bill Sallee said that the Planning Commission held a hearing and the ZOTA would create a new definition for adult day care centers. He said that the proposed text amendment would make adult day care centers a conditional use in the P-1, B-1, B-2, and P-2 zones when proposed to be closer than 500 feet to a residential zone, which will allow for notification to neighbors and a public hearing before the BOA prior to sitting an adult day care center in these locations.

Sallee said that there are two types of centers: medical need and social. Medical need centers require a permit from Frankfort, Kentucky.

Sallee said that the Planning Commission recommended the text amendment back to the Council as presented.

Sallee then discussed parking requirements. Sallee said they are similar to an assisted living facility.

Gorton asked Sallee if B2-A is mostly downtown. Sallee said it is basically from Martin Luther King to the Midland Avenue area. West from there is the B2-B zone.

Gorton asked about the non-medical facilities. She asked if there was a tie with the State for non-medical facilities. Sallee said that he didn't believe there was. Gorton went on to tell Sallee that there is a list for schools and daycare facilities through the Emergency Management team.

Kay asked if there was a timeline for approval. Sallee said no. Kay also asked Sallee about the conversation that surrounded parking requirements. Sallee said that he did not recall any substantive conversation about parking requirements.

Henson asked how they arrived at this definition and not that of a community center. Sallee mentioned other communities that they reviewed. They did not find a pure definition anywhere else in the County. The presented definition is a hybrid.

Henson said that our population is aging and we need to be friendlier towards our seniors. She also mentioned that most people who use the adult day care centers do not drive.

Stinnett asked what is allowed now. Sallee said the closest current regulation is a community center. Sallee said that what prompted this ZOTA was when an adult day care center opened in a business zone near a residential zone without notifying the neighbors.

Stinnett also mentioned parking. He said that parking should be one parking space for every 10 attendees. Assisted living allows for overnight accommodations and adult day care centers do not.

Stinnett asked about 500 foot distance from residential area. Sallee said that this language is no longer in the amendment. They would be conditional uses in all zones. This language would allow the BOA to make a decision on each case. Stinnett found this troubling.

Ford said that a shelter that accommodates underprivileged and homeless members of our society opened. It was properly zoned and is still operating. He asked if the CMs think it is important for neighbors to be engaged. He said that it is an attempt to keep neighborhoods safe and engaged and also an attempt to clean up the zoning ordinance.

Ford said that he does not think the legislation is intrusive. Ford asked Sallee about the zones that would allow adult day care centers as conditional uses. Sallee said that this use would not be permitted in any other zones other than those listed.

Kay said that he thinks the parking requirement is too restrictive. If it could be amended he would support it.

Beard asked about churches. Sallee said that churches in residential zones are conditional uses. In other zones, a church is a principle use. If the church was to conduct this type of activity, they would need to get BOA approval.

Henson said that she has a problem with the definition because it calls for the BOA to make the right decision based on the facts they are presented. She said that she understands that the adult day care should not be in residential zones, but thinks that they should be allowed in business zones.

Gorton mentioned notification of the opening of an adult day care center. She asked if notification is always needed for childcare centers. Sallee said that notification of those types of entities is not always required.

Gorton went on to say that she would be agreeable to an amendment to the parking regulation.

Blues said that he thinks there is concern that the definition includes any elderly population. He said that there may be confusion between homeless shelters and adult day care centers. Sallee said that homeless shelters have been permitted as community centers under the zoning ordinance.

Motion by Ford to forward the ZOTA with the amendment to the parking requirement (1 to 10 ratio) to the full Council. Seconded by Gorton. Motion passed 8-1 (Henson voted nay).

Motion to adjourn by Gorton. Seconded by Ford. Motion passed without dissent.