

**Urban County Council  
Schedule of Meetings  
November 12, 2007 through November 19, 2007**

**MONDAY, NOVEMBER 12**

No Meetings

**TUESDAY, NOVEMBER 13**

Outside Agency Oversight Committee Meeting . . . . . 10:00 am  
Conference Room-5<sup>th</sup> Floor Government Center

Sanitary Sewers Oversight Committee Meeting. . . . . 11:30 am  
Conference Room-5<sup>th</sup> Floor Government Center

Inter-Governmental Committee Meeting . . . . . 1:00 pm  
Council Chambers-2<sup>nd</sup> Floor Government Center

Confirmation Hearing of John Cubine-Senior Advisor for Policy & Budget . . . . . 2:30 pm  
Conference Room-5<sup>th</sup> Floor Government Center

Council Work Session . . . . . 3:00 pm  
Council Chambers-2<sup>nd</sup> Floor Government Center

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

**WEDNESDAY, NOVEMBER 14**

Infill & Redevelopment: Quality of Process Task Force Meeting . . . . . 8:30 am  
Conference Room-5<sup>th</sup> Floor Government Center

Lexington & Fayette County Parking Authority Meeting . . . . . 11:00 am  
Conference Room-12<sup>th</sup> Floor Government Center

Live Where You Work Meeting . . . . . 12:00 pm  
Conference Room-6<sup>th</sup> Floor Government Center

Tree Board Meeting . . . . . 3:30 pm  
Conference Room-5<sup>th</sup> Government Center

**THURSDAY, NOVEMBER 15**

Council Meeting . . . . . 7:00 pm  
Conference Room-5<sup>th</sup> Floor Government Center

**FRIDAY, NOVEMBER 16**

No Meetings

**MONDAY, NOVEMBER 19**

Human Rights Commission Community Relations Meeting . . . . . 4:30 pm  
Conference Room-5<sup>th</sup> Floor Government Center

Human Rights Commission Monthly Meeting . . . . . 5:30 pm  
Conference Room-5<sup>th</sup> Floor Government Center

**LEXINGTON-FAYETTE URBAN COUNTY COUNCIL**

**WORK SESSION AGENDA**

**November 13, 2007**

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – Yes**
- III. Approval of Summary-Yes, October 30, 2007, pp.9-12**
- IV. Budget Amendments – Yes. pp.13-25**
- V. New Business, pp.30-73**
- VI. Continuing Business / Presentations**
  - A. Services Committee, pp.74-75**
- VII. Council Report**
- VIII. Mayor's Report – Yes**
- IX. Public Comment – Issues Not on Agenda**

## ADMINISTRATIVE SYNOPSIS

### New Business Items

- A. Authorization to Create an Ordinance to Extend Carryover of Vacation Hours within the Division of Enhanced 911. (611-07) (Allen/Bennett)  
This request will authorize to extend the carryover of vacation hours under Section 21-33(a) of the Code of Ordinances for positions of Telecommunicator, Telecommunicator Senior, Telecommunicator Supervisor, and PSAP Manager within the Division of Enhanced 911 to allow carryover of accumulated vacation leave in excess of 168 hours at the end of CY2007. There is no budgetary impact.**p.30**
- B. Authorization to Amend Section 21-5 of the Code of Ordinances within the Division of Police. (612-07) (Allen/Bennett)  
This request will authorize an amendment to Section 21-5 of the Code of Ordinances to abolish one (1) position of Staff Assistant (Grade 107N) and create one (1) position of Administrative Specialist (Grade 110N) within the Division of Police. The fiscal impact for FY2008 is \$3,403 and will be funded from the Operating Supplies account.**p.31**
- C. Authorization of a Memorandum of Agreement (MOA) with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). (615-07) Beatty/Bennett)  
This request will authorize a MOA with ATF for reimbursement of overtime salary costs and other costs incurred by LFUCG in providing resources to assist ATF in joint law enforcement operations and / or tasks forces operations. This MOA will terminate on September 30, 2012.**pp.32-36**
- D. Authorization to Accept Award from the US Department of Justice on Behalf of the Division of Police and the Office of the Fayette County Sheriff. (616-07) (King/Bennett)  
This request will authorize the acceptance of an award of \$13,608.23 from the US Department of Justice. Funds of \$9,526.23 will be used to purchase bulletproof vests for the Division of Police. A 50% match (\$9,526.23) is required. The division will be able to purchase twenty-six (26) vests at a unit price of \$733. The Office of the Fayette County Sheriff will receive \$4,082. The match for this portion will come from the Office of the Sheriff. This office will be able to purchase twelve (12) vests. The source of federal funding is the Bulletproof Vest Partnership Grant Act of 2000.**p.37**

- E. Authorization to Submit Application and if Offered, Accept Award from the Kentucky Justice Cabinet under the Violence Against Women Act (VAWA). (617-07) (King/Bennett)  
 This request will authorize the submission of an application and if offered, accept an award of \$1,350 from the Kentucky Justice Cabinet under the VAWA for participation in the Ending Sexual Assault and Domestic Violence Conference. Federal funds will support the registration fees of six (6) employees of the Division of Police (five (5) officers and the SANE Manager). A 25% (\$450) match is required and will be documented for personnel costs of employees attending the conference. Total project cost is \$1,800.**p.38**
- F. Authorization of an Agreement with Kentucky Office of Homeland Security for Extension of the Metropolitan Medical Response System (MMRS) Project – FY2008. (620-07) (King/Bennett)  
 This request will authorize an agreement with Kentucky Office of Homeland Security to extend the original agreement for the MMRS Project from October 31, 2007 to June 30, 2008. This program provides funding and support to jurisdictions to develop plans, conduct training and exercises, and to acquire pharmaceuticals and equipment to achieve the capability necessary to respond to a mass casualty event. The source of federal funds is the Federal Emergency Management Agency in the US Department of Homeland Security. Funds in the amount of \$220,713.50 were accepted by Council on October 4, 2007.**p.39**
- G. Authorization to Accept a Donation from Windstream on Behalf of the Division of Fire and Emergency Services. (624-07) (Hendricks/Bennett)  
 This request will authorize the acceptance of a “Buzz E. Smoke Alarm” donated by Windstream to be used for a fire safety educational tool within the Division of Fire and Emergency Services.**p.40**
- H. Authorization to Accept a Donation from State Farm Insurance on Behalf of the Division of Fire and Emergency Services. (625-07) (Hendricks/Bennett)  
 This request will authorize the acceptance of \$2,750 from State Farm Insurance to be used for public educational programs within the Division of Fire and Emergency Services.**p.41**
- I. Authorization to Accept a Donation from Sam’s Club, through the Wal-Mart Foundation, on Behalf of the Division of Fire and Emergency Services. (626-07) (Hendricks/Bennett)  
 This request will authorize the acceptance of \$2,000 from Sam’s Club, through the Wal-Mart Foundation, to be used for public educational programs within the Division of Fire and Emergency Services.**p.42**

- J. Authorization of an Amendment to Agreement with Community Action Council (CAC) for use of Community Development Block Grant (CDBG) Grant Funds. (607-07) (King/Koch)  
This request will authorize an amendment to an agreement with CAC for use of CDBG Grant Funds to extend the agreement for six months through December 31, 2007 for the operation of the Young Builders Program. This program is a construction skills training program for youth between 16 and 24 who have not completed high school and whose families have incomes less than 80% of area median income. No additional funds are required.**p.43**
- K. Authorization of Amendments to Chapter 13 of the Code of Ordinances Regarding Occupational License Tax Provisions. (632-07) (O'Mara/Koch)  
This request will authorize amendments to Chapter 13 of the Code of Ordinances to bring occupational license tax provisions in compliance with State Statutes by July 2008 under KRS 67.750-795. Changes include: Establishing requests for refund are limiting to two (2) years; penalty for failure to file or pay is 5% per month, with a minimum of \$25 and a maximum of 25%; changing for codifying annual payroll reconciliations changed to February 28 of each year; confidentiality rules for reviewing and / or releasing tax information is codified with penalties and imprisonment for violation; and, updating the initial registration for new business to \$25 and requiring business to file copies of Form 1099 with LFUCG.**pp.44-45**
- L. Authorization of a Purchase of Service Agreement (PSA) with the Lexington Center Corporation. (610-07) (Boland/J. Kelly)  
This request will authorize a PSA with the Lexington Center Corporation for \$50,000 in support of facility / operation-related economic development initiatives. Funds are budgeted.**pp.46-51**
- M. Authorization of a Purchase of Service Agreement (PSA) with Commerce of Lexington, Inc. (631-07) (Boland/J. Kelly)  
This request will authorize a PSA with Commerce of Lexington, Inc. for \$620,000 to support a number of economic development activities and initiatives that include Brain Gain / Education Initiatives, Expansion of Minority Business Program, Start-up / Existing Business / Recruitment, Unified Business Set-up, and Airport Equipment. Funds are budgeted.**p.52**
- N. Authorization of a Lease Agreement with Lexington Center Corporation for the 2008 Minority Business Expo. (623-07) (Boland/J. Kelly)  
This request will authorize a lease agreement with Lexington Center Corporation for \$5,900 for the 2008 Minority Business Expo to be held July 29 – 30, 2008. The leased space and other incidental charges will be paid by event sponsors. There is no budgetary impact to LFUCG.**p.53**

- O. Authorization to Adopt the FY2008 – 2010 Trails Capital Improvement Plan (CIP) and the FY2008 Project Listing. (635-07) (Boland/J. Kelly)  
This request will authorize the adoption of the FY2008 – 2010 CIP for bike and pedestrian trails in the community. The plan includes a breakdown by fiscal year of FY projects and a specific spending plan for the \$2 million in bond funding in the FY2008 budget. This plan also includes all other planned facilities and associated funding sources for FY2008, and projections for FY2009 and FY2010.**pp.54-55**
- P. Authorization of Urban Development Action Grant (UDAG) Project for HOPE VI Affordable Housing Development. (637-07) (Boland/J. Kelly)  
This request will authorize the use of a portion of last year's recaptured UDAG funds for HOPE VI affordable housing development. This development project would be conducted in partnership with the Housing Authority. The Housing Authority will provide the engineering design services for the site including site development plans, design of infrastructure improvements, and shepherding the property through the normal development plan process. LFUCG will provide funding from available UDAG funds for actual site development costs and construction of the infrastructure improvements. This will basically involve geotechnical and other engineering investigations, site grading, construction of a standard cul-de-sac approximately 400 feet in length and sewer improvements, subdividing the land into lots, and recording the final record plat. The property will then be turned over to the Housing Authority in fulfillment of LFUCG's HOPE VI obligation, to be assigned to area non-profits such as Habitat for Humanity, Urban League, Faith community Housing Foundation, etc. for the construction of affordable housing. The goal is to make these lots available in July 2008, so a large portion of the next construction season can be utilized.**pp.56-58**
- Q. Authorization to Amend Section 22-5 of the Code of Ordinances within the Division of Waste Management. (613-07) (Allen/D. Kelly)  
This request will authorize an amendment to Section 22-5 of the Code of Ordinances to create ten (10) temporary positions of Equipment Operator Sr. (Grade 109N) within the Division of Waste Management. The positions will begin December 10, 2007 and end May 25, 2008. The fiscal impact for FY2008 will be \$124,884 of which \$100,000 will be funded from the Professional Services account and the remainder amount is budgeted.**p.59**
- R. Authorization to Amend Section 21-5 of the Code of Ordinances within the Division of Planning. (614-07) (Allen/D. Kelly)  
This request will authorize an amendment to Section 21-5 of the Code of Ordinances to abolish one (1) position of Staff Assistant (Grade 107N) and create one (1) position of Administrative Specialist (Grade 110N), and reclassify the incumbent, within the Division of Planning. The fiscal impact

for FY2008 will be \$7,836 and will be funded from the division's operating fund.p.60

- S. Authorization of a Facility Usage Contract with the Fayette County Board of Education on Behalf of the Division of Parks and Recreation. (609-07) (Hancock/Cole)

This request will authorize a Facility Usage Contract with the Fayette County Board of Education for the use of Tates Creek High School for the Division of Parks and Recreation's Kiddie Kapers Program Dance Recital scheduled for December 1, 2007 at a cost of \$470. Funds are budgeted.p.61

- T. Authorization of a Professional Services Agreement with McIlwain and Associates for the Design of the Shillito Park Trail Project. (622-07) (Hancock/Cole)

This request will authorize a Professional Services Agreement with McIlwain and Associates for the design of the Shillito Park Trail at a cost of \$38,030. The services will include site survey, geotechnical engineering report, and project design. This trail is one section of the Healthway Trail system for pedestrians and bicyclists in southwest Fayette County. The source of federal funds is the Transportation Enhancement Program. Funds are budgeted.p.62

- U. Authorization of a Professional Services Agreement with McIlwain and Associates for the Design of the Lafayette Trail Project. (619-07) (King/Cole)

This request will authorize a Professional Services Agreement with McIlwain and Associates for the design of the Lafayette Trail that will connect the South Elkhorn Trail to the northern entrance of Shillito Park at a cost of \$19,270. The services will include site survey, geotechnical engineering report, and project design. This trail is one section of the Healthway Trail system for pedestrians and bicyclists in southwest Fayette County. The source of federal funds is the Transportation Enhancement Program. Funds are budgeted.p.63

- V. Authorization to Submit Application to the Governor's Office for Local Development under the Get Healthy Kentucky Grant Program – FY2008. (630-07) (King/Cole)

This request will authorize the submission of an application to the Governor's Office for Local Development for state funds of \$18,500 for construction of a 1,950 foot walking trail to connect the Day Treatment Center property with Addison Park. A match of \$7,500 will come from the 2007 budget funds that were set aside for trail construction. Total project cost is \$26,000.p.64

- W. Authorization to Submit Application to the Bluegrass Area Development District (BGADD) and Accept Award, if Offered, on Behalf of the Division of

Parks and Recreation for the Allocation of Area Development Funds – FY2008. (629-07) (King/Cole)

This request will authorize the submission of an application to the BGADD for \$12,872 in Area Development Funds and accept the award, if offered, for the purchase of a portable air compressor for the Division of Parks and Recreation. The air compressor will power the sandblasting equipment used for the removal of graffiti from brick and other porous surfaces.**p.65**

X. Authorization of a Deed of Temporary Construction Easement for the Elizabeth Street Drainage Improvements Project. (618-07) (Martin/D. Kelly)

This request will authorize a deed of temporary construction easement of 752 square feet at 213 Floral Park at a cost of \$300 for the Elizabeth Street Drainage Improvements Project. Funds are budgeted.**p.66**

Y. Authorization to Amend Section 21-5 of the Code of Ordinances within the Division of Building Maintenance and Construction. (621-07) (Allen/Cole)

This request will authorize an amendment to Section 21-5 of the Code of Ordinances to abolish two (2) positions of Operations Manager (Grade 116E) and create two (2) positions of Facility Manager (Grade 118E); abolish three (3) positions of Skilled Trades Worker Sr. (Grade 112N) and create three (3) positions of Electrical Instrumentation Tech (Grade 113N); abolish one (1) position of Trades Supervisor (Grade 113N) and create one (1) position of Electrical Instrumentation Tech Sr. (Grade 114E); and reallocate one (1) position of Director of Building Maintenance and Construction (Grade 120E) to Director of Building Maintenance and Construction (Grade 121E), and reclassify the incumbents, within the Division of Building Maintenance and Construction effective May 28, 2007. The fiscal impact for FY2007 is \$5,995.61 and for FY2008 is \$79,934.87 for a total of \$85,930.48. Funding will come from personnel contingency. Funds are budgeted.**p.67**

Z. Authorization to Amend Sections 26-1(6) and 26-1(7) Regarding the Purchase of Development Rights (PDR) Program. (627-07) (Van Pelt/D. Kelly)

This request will authorize amendments to Sections 26-1(6) and 26-1(7) of the PDR Ordinance to change the definitions of "Conservation Easement Value" and "Development Rights." These changes will bring the Ordinance in-line with current Federal Farm and Ranch Lands Protection Program conservation easement appraisal requirements and Uniform Standards of Professional Appraisal Practice.**p.68**

AA. Authorization to Submit Application to the Bluegrass Area Development District (BGADD) on Behalf of the Department of Social Services for an Out-of-School Youth Program. (628-07) (King/Helm)

This request will authorize the submission of an application to BGADD on behalf of the Department of Social Services under the Bluegrass Workforce Investment Board for federal funds of \$40,000 for project



planning from January 1, 2008 through June 30, 2008 for an Out-of-School Youth. This program targets youth between 16 and 18, who are low-income, and deficient in one of three categories: basic literacy skills; a school dropout, or homeless or runaway; or foster child, pregnant or parenting; or an offender or an individual who requires additional assistance to complete an education program or secure or hold employment. Once planning activities are completed, an additional \$40,000 will be available for project implementation. An unspecified non-federal match of cash or in-kind is required. LFUCG will provide a local match in the form of personnel costs of existing employees. **p.69**

**BB. Authorization of a Resolution Rejecting a Right-of-Way off of James Court. (634-07) (Askew)**

This request will authorize a resolution rejecting a right-of-way of 10 feet alley off James Court and quitclaim any interest of LFUCG to the property owner upon which the alley is located. The alley was never constructed, used, maintained, or formally accepted by LFUCG. It has been determined there is no need for the right-of-way except for the dedication of utility easements if necessary. There is no budgetary impact to LFUCG. **p.70**

**CC. Authorization of an Amendment to Resolution No. 544-2007 to Correct Payee's Name in Section 2. (636-07) (Askew)**

This request will authorize an amendment to Resolution No. 544-2007 regarding an agreement with Kentucky Utilities Company for the relocation of utilities from the temporary housing site for residents displaced by the construction of the Newtown Pike extension. The agreement incorrectly listed a payee in Section 2 which should have read KU. There is no budgetary impact. **p.71**

**DD. Authorization of a Resolution to Rescind Resolution No. 334-2007 Regarding Shelbourne, LLC. (638-07) (J. Kelly)**

This request will authorize the rescission of Resolution No. 334-2007 regarding tax abatements to Shelbourne, LLC for the Shelbourne Plaza project due to reduction of retail space and the elimination of underground parking. The project will continue without state or local incentives. **pp.72-73**

URBAN COUNTY COUNCIL  
WORK SESSION SUMMARY  
& TABLE OF MOTIONS

October 30, 2007

Mayor Newberry chaired the meeting, calling it to order at 3:00 pm. All Council Members were present.

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

A motion by CM DeCamp to place on the docket without a public hearing an Ordinance changing the zone from a two family residential (R-2) zone to a Townhouse Residential (R-1T) zone for 0.27 net (0.35 gross) acre of property located at 419 South Upper Street and 422-426, 428, 432, and 436 Lawrence Street, seconded by CM Blevins, passed unanimously.

A motion by CM Gorton to approve the docket, seconded by CM Blevins, passed unanimously.

- III. Approval of Summary – Yes

A motion by CM Blevins to approve the summary from October 23, 2007 was seconded by CM Gorton, passed unanimously.

- IV. Budget Amendments-Yes

A motion by CM DeCamp to approve the budget amendments, seconded by CM Blevins, passed unanimously.

- V. New Business

- A. **Authorization of a Facility Usage Contract with the Fayette County Board of Education on behalf of the Division of Parks and Recreation for the use of Dunbar High School Facilities, Grounds, Personnel and Equipment. (589-07) (Cole)**
- B. **Authorization of a Standard Software Maintenance Agreement with New World Systems Corporation (New World) on behalf of the Division of Police. (590-07) (Bennett)**

- C. Authorization of a Purchase of Service Agreement (PSA) with the Kentucky Humanities Council, Inc. for the Abraham Lincoln Bicentennial Celebration. (597-07) (Helm)
- D. Authorization of a Purchase of Service Agreement (PSA) with Simon and Company, Inc. (595-07) (Sheehy/Rabold)
- E. Authorization of a Change Order No. 2 to Contact with GRW Engineers, Inc. for the Comprehensive Sanitary Sewer Project. (596-07) (D. Kelly)
- F. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of General Services. (594-07) (Allen/Cole)
- G. Authorization of an Agreement with Sunflower Kids, Inc. regarding services under the Supervised Visitation and Safe Exchange Program. (598-07) (King/Koch)
- H. Authorization of an Engineering Services Agreement with CDP Engineers, Inc. for a Neighborhood Study and Evaluation Phase of the Green Acres Storm Sewer / Sanitary Sewer Project. (599-07) (King/Koch)
- I. Authorization of an Agreement with Kentucky Utilities (KU) regarding the West Hickman Wastewater Treatment Plant. (602-07) (D. Kelly)
- J. Authorization of an Agreement with Kentucky Utilities (KU) regarding the Town Branch Wastewater Treatment Plant. (603-07) (D. Kelly)**
- K. Authorization of a Permanent Storm Sewer, Drainage, Sanitary Sewer Easement and a Temporary Construction Easement at 226 Forest Park Road for the Elizabeth Street Drainage Improvements Project. (592-07) (D. Kelly)
- L. Authorization of a Reimbursement Agreement with C Brothers LLC and Hillenmeyer Properties LLC for the Lower Town Branch (LTB) Sanitary Sewer Extension. (604-07) (D. Kelly)
- M. Authorization a Deed of Temporary Construction Easement and a Permanent Sanitary Sewer Easement with Hi Acres Development Co., Inc. and C Brothers LLC for the Lower Town Branch (LTB) Sanitary Sewer Extension. (605-07) (D. Kelly)
- N. Authorization of a Resolution for a Partial Sanitary Sewer Easement at 4501, 4513, 4517, 4521, and 4525 Arum Park. (593-07) (Askew)**
- O. Authorization of Changes to Street Names and Individual Numbers to Addresses within Council Districts 2, 3, 5, 6, 7, 9, 10 and 12 for the Enhanced 9-1-1 System. (591-07) (Bennett)**

- P. Authorization of a Release of a Utility Easement on Mullikin Property (Shady Hills), Unit 1. (600-07) (Askew)
- Q. Authorization of a Release of a Utility Easement and Sanitary Sewer Easement at 2553 Nicholasville Road (Regency Point Development). (601-07) (Askew)

A motion by CM Gorton to amend item L, seconded by CM Stinnett, passed unanimously.

A motion by CM Stevens to approve new business items A-Q, seconded by CM Ellinger, passed unanimously.

## VI. Continuing Business / Presentations

### A. Budget & Finance Committee Update

This update was given by Chair CM Dr. Stevens. There were no motions to come forward from this meeting.

### B. Widening of Newtown Pike from New Circle Road to Interstate 75

This presentation was done by Charles Ramer, project manager. Several CMs made comments.

### C. Employee Benefits Update

This presentation was done by Michael Allen, Director of Human Resources. Several CMs made statements and asked questions.

## VII. Council Report

**CM Blues-**A motion by CM Blues to amend the NDF list for 10/23/07 to change the name of the recipient of the Elderly Nutrition Program from Black & Williams Center and Dunbar Seniors to the Bluegrass Community Action Agency.

Announced that on 11/5/07 there will be several neighborhood association meetings: Georgetown Street at 6 pm at the O'Rear Ctr; Brookfield Chase, new association off Russell Cave Road, will also meet at 6 pm at the Green Acres Park Shelter; and Green Acres/Hollow Creek will meet at the shelter at 7 pm.

**CM McChord-**Thanked constituents along Clays Mill Road for their patience during the repaving; stated that last Friday night was a great night for Lafayette alums-Tyson Gay was honored at the football game; invited everyone to the Jesus Prom @ Southland Christian Church on 11/9/07; also congratulated a constituent-Grace Shafner, who won

a state championship for Academy Riders.

CM Gorton-(for CM Stevens) A motion by CM Gorton to place into the Services Committee the issue of speeding on Chinoe Rd between Gainesway and Lakewood Dr, seconded by CM Beard, passed unanimously.

(for CM Stevens) A motion by CM Gorton to place into the Services Committee a traffic study in relation to stop signs on Romany, Cochran, and Providence Roads and Colony Blvd. seconded by CM Crosbie, passed unanimously.

CM Blevins- A motion by CM Blevins to approve the NDF list dated October 30, 2007, seconded by CM Crosbie passed unanimously.

Gave update on Stream Construction Restoration Task Force-results mixed; thanked Bluegrass Partnership for a Green Community, Friends of Wolf Run, and Parks; will reconvene in 6 months; asked the Mayor for assistance with a disagreement in the Engineering Dept. on how to enforce the existing laws-asked for Commissioners Askew and Kelly to get together and come up with some answers.

CM Crosbie-Announced that Andover Hills will hold their meeting on 11/1 at 7 pm at Crossroads Christian Church; also watch out for all the little ones on tomorrow night (Halloween).

CM Myers-A motion by CM Myers to place into the Services Committee the traffic study regarding a traffic light at Mt. McKinley Way and Man-O-War Blvd, seconded by CM Ellinger, passed unanimously.

#### VIII. Mayor's Report-Yes

A motion by VM Gray to approve the Mayor's report, seconded by CM Gorton, passed unanimously.

#### IX. Public Comment-Issues not on the agenda-None

A motion by CM Blevins to adjourn, seconded by CM Gorton, passed unanimously.

Work Session was adjourned at 5:00 pm.

## BUDGET AMENDMENT REQUEST LIST

<b>JOURNAL</b>	14762-63	<b>DIVISION</b>	Social Services	<b>Fund Name</b>	Donation Fund
				<b>Fund Impact</b>	8,770.00
					8,770.00CR
					.00

To increase funds operating supplies at the Senior Center by recognizing contributions to the center.

<b>JOURNAL</b>	14765	<b>DIVISION</b>	Community Development	<b>Fund Name</b>	Grants - Other
				<b>Fund Impact</b>	20,000.00
					20,000.00CR
					.00

To amend Building Bluegrass Bridges Project to provide an additional \$20,000 for Non-Civil Service Salaries and decreasing salaries for Part-Time employees.

<b>JOURNAL</b>	14760	<b>DIVISION</b>	Community Development	<b>Fund Name</b>	US Dept of Homeland Security
				<b>Fund Impact</b>	13,705.00
					13,705.00CR
					.00

To amend the 2006 Assistance to Firefighters Grant to purchase personal protective equipment and fire prevention/safety materials. Funds remaining after installation of air exhaust equipment in fire stations will be the source of funding.

<b>JOURNAL</b>	15061	<b>DIVISION</b>	Engineering	<b>Fund Name</b>	Sanitary Sewers
				<b>Fund Impact</b>	450,000.00
					450,000.00

To provide funds for Developer Reimbursement for construction of OPSS trunk sewer (along Sandersville Road) for Lower Town Branch (LTB - 1) by reducing funds in the Sanitary Sewer Revenue and Operating Fund fund balance.

<b>JOURNAL</b>	15071	<b>DIVISION</b>	Streets, Roads Forestry	<b>Fund Name</b>	General Fund
				<b>Fund Impact</b>	880.00
					880.00CR
					.00

To reimburse Council District 6 for Council Capital funds granted for a project that was not completed. Original amount granted to Streets, Roads, and Forestry was \$12,000; however, \$880 was spent on an unrelated project.

<b>JOURNAL</b>	15053-54	<b>DIVISION</b>	Streets, Roads Forestry	<b>Fund Name</b>	General Fund
				<b>Fund Impact</b>	8,322.69
					8,322.69CR
					.00

To provide funds for repairs and salaries by recognizing a reimbursement from the state Environmental and Public Protection Cabinet, Division of Waste Management (Resolution # 546-2007) for illegal and open dump clean up.

<b>JOURNAL</b>	15057	<b>DIVISION</b>	Community Development	<b>Fund Name</b>	US Dept of Trans.
				<b>Fund Impact</b>	8,317.90
					8,317.90CR
					.00

To decrease funds for overtime and provide funds for computer equipment and professional development for the Motor Carrier Safety Assistance Program (MCSAP) - FY 2007.

<b>JOURNAL</b>	15080-81	<b>DIVISION</b>	PDR	<b>Fund Name</b>	US Dept of Ag.
				<b>Fund Impact</b>	975.00
					975.00CR
					.00

To provide funds for Round 6 PDR Conservation Easement Acquisition by recognizing additional revenue from the Federal Farm and Ranch Lands Protection Program.

<b>JOURNAL</b>	15162	<b>DIVISION</b>	Adult Services	<b>Fund Name</b>	General Fund
				<b>Fund Impact</b>	6,000.00
					6,000.00CR
					.00

To provide funds to purchase a key fob system to be installed at the Central KY Job Center by reducing funds for operating supplies.

<b>JOURNAL</b>	15155-56	<b>DIVISION</b>	Family Services	<b>Fund Name</b>	General Fund
				<b>Fund Impact</b>	10,000.00
					10,000.00CR
					.00

To provide funds for continuation of Life Skills Program Coordinator position for New Leaf Project by recognizing income from the Family Care Center Board.

<b>JOURNAL</b>	15160-61	<b>DIVISION</b>	Community Development	<b>Fund Name</b>	Grants - Other
				<b>Fund Impact</b>	383.58
					383.58CR
					.00

To amend the HOME Network Research Project to correct negative balances within the personnel accounts.

JOURNAL	15155-00	DIVISION	Social Services	Fund Name	Donation Fund
				Fund Impact	1,074.33
					1,074.33CR
					.00

To provide funds for operating supplies by recognizing a contribution from the United Way for the Domestic Violence Prevention Board.

JOURNAL	15174	DIVISION	Community Development	Fund Name	US Dept Homeland Security
				Fund Impact	7,230.78
					7,230.78CR
					.00

To correct budget in personnel accounts and to realign personnel accounts with actual expenditures for the Metropolitan Medical Response System (MMRS) - FY 2006.

JOURNAL	15176	DIVISION	Community Development	Fund Name	US Dept of Transp.
				Fund Impact	13,400.00
					13,400.00CR
					.00

To amend the Traffic Safety - FY 2008 budget to provide for approved professional development and to move the public safety specialized equipment from capital to minor equipment.

#### BUDGET AMENDMENT REQUEST SUMMARY

Fund	1101	General Services District – General Fund	.00
Fund	1103	Donation Fund	.00
Fund	3100	US Department of Agriculture	.00
Fund	3160	US Department of Transportation	.00
Fund	3200	US Department of Homeland Security	.00
Fund	3300	Grants – Other	.00
Fund	4002	Sanitary Sewer Revenue and Operating Fund	450,000.00





Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number      14765      Budget Amendment Date      10/22/2007  
Requesting Division      Community Development  
Fund Name      Grants—Other  
Fund Number      3300  
Contact for Additional Information      Irene Gooding

**Description**

Budget amendment decreases the amount of funds for temporary salaries by \$20,000 and increases the amount of funds for non-civil service salaries by \$20,000 for the Building Bluegrass Bridges project.



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number      14760      Budget Amendment Date      10.23.2007  
Requesting Division      Community Development  
Fund Name      US Department of Homeland Security  
Fund Number      3200  
Contact for Additional Information      Irene Gooding--3079

**Description**

2006 Assistance to Firefighters Grant Program provided for the retrofitting of fifteen fire stations with exhaust extraction systems for air quality improvement and for the purchase of a fixed breathing air compressor. All approved items have now been purchased. Of the funds remaining, the Division of Fire and Emergency Services, with the approval of FEMA, have requested that \$5,000 be expended for personal protective equipment and \$8,720 be expended for fire prevention and safety education materials.



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number      15061      Budget Amendment Date      10/24/07  
Requesting Division      Engineering  
Fund Name      Sanitary Sewers Revenue and Operating Fund  
Fund Number      4002  
Contact for Additional Information      Marwan A. Rayan or Hillard Newman

**Description**

To provide funds to reimburse C. Brothers, LLC for the construction of a 21 inch sanitary sewer trunk in the lower Town Branch OPSS. LFUCG has plans to construct this trunk line in the future to provide sanitary sewer service to development in that area. The future extension of this trunk line will allow LFUCG to eliminate a sanitary sewer pump station in that area.



19

Mayor Jim Newberry  
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number      15071      Budget Amendment Date      10-25-07

**Requesting Division** Streets, Roads & Forestry

Fund Name	General Fund
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Fund Number 1101

Contact for Additional Information      Leo McMillen, Director – Ext. 2810  
   Annette Cook, Adm. Spec. Sr. – Ext. 2811

### Description

To reimburse Council District # 6 the sum of \$880.00. In May of 2006, Council District # 6 transferred \$12,000.00 to Streets, Roads & Forestry for work to be done on Laclede Road. The transfer was not complete by the end of the Fiscal Year; therefore, a reappropriation request was made. When the funds were reappropriated, only \$11,120.00 was budgeted.

In May 2007, by a directive of Councilmember Stinnett, the \$11,120.00 was transferred to Parks & Recreation (BA # 774).

This budget request is to balance out the original dollars requested to be transferred to Streets, Roads & Forestry.



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number 15053-54 Budget Amendment Date 11-2-07

Requesting Division Streets, Roads & Forestry

Fund Name General Fund

Fund Number 1101

Contact for Additional Information Annette L. Cook – ext. 2811  
Leo McMillen – ext. 2810

**Description**

This budget amendment is to accept reimbursement of funds from the State (KY Pride) for monies used for clean up of illegal dump site.



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number 15080-81 Budget Amendment Date 10/15/07

Requesting Division Purchase of Development Rights

Fund Name US Department of Agriculture

Fund Number 3100

Contact for Additional Information Sharon Haggard

**Description**

To accept additional USDA grant funds from the Federal Farm and Ranch Lands Protection Program for FY2008 Purchase of Development Rights Conservation Easement Acquisition.



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number      15162      Budget Amendment Date      10/24/07  
Requesting Division      Adult Services  
Fund Name      General Fund  
Fund Number      1101  
Contact for Additional Information      Cheryl Lewis x3818

**Description**

To provide funds to purchase a key fob system to be installed at the Central Kentucky Job Center. The key fob system will allow staff to enter and exit building as well as provide security. The current key system was deactivated and needs to be replaced.



23

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Numbers 15100-01 Budget Amendment Date 10-23-2007

**Requesting Division** Community Development

**Fund Name** Grants—Other

**Fund Number** 3300

Contact for Additional Information Irene Gooding

**Description**

Budget amendment corrects negative balances in the personnel accounts for the HOME Network Research Project as follows:

Adds 278.92 to Non Civil Service salaries

Subtracts 2.14 from Other Pay

Adds 78.09 to Pension Cont

Subtracts 381.44 from Fringe Benefits

Adds 26.57 to Other Benefits





Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number      15174      Budget Amendment Date      11/02/2007  
Requesting Division      Community Development  
Fund Name      US Department of Homeland Security  
Fund Number      3200  
Contact for Additional Information      Irene Gooding

**Description**

Budget Amendment corrects errors in the personnel accounts and realigns personnel accounts for actual expenditures for the MMRS—2006 project. The budget amendment deletes \$5,000 (incorrect) from the longevity account, reduces the amount in Fringe Benefits by \$1,847.00, reduces the amount in Other Benefits by \$383.78, increases the amount in Non-civil Service Salaries by \$4,528.63, and increases the amount in Pension Contribution by \$2,702.15.



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number 15170 Budget Amendment Date 11.02.2007  
Requesting Division Community Development  
Fund Name US Department of Transportation  
Fund Number 3160  
Contact for Additional Information Irene Gooding

**Description**

The approved grant application provides for the expenditure of \$400 for attendance at the Kentucky Lifesavers conference—this \$400 is being taken from the overtime account. Budget amendment also moves \$13,000 from capital account to account for purchase of equipment less than \$5,000, as the per unit price of the radar equipment is less than \$5,000.

## November 13, 2007 Work Session

If the item listed below is on the Agenda, approval of the listed Item 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
612-07  B	KC 0020	Police	To provide funds for the reclassification of one vacant position by reducing funds for operating supplies and expenditures. 1101 3,400 1101 3,400CR 0*
613-07  Q	KC 0021	Waste Management	To provide additional funds for ten temporary positions of Equipment Operator Senior from December 10, 2007, through May 25, 2008, by reducing funds for professional and contract services. 1115 100,000 1115 100,000CR 0*
614-07  R	KC 0022	Planning	To provide funds for the reclassification of one position by reducing funds for operating supplies and expenditures. 1101 7,840 1101 7,840CR 0*
616-07  D	BA 1087	Community Development	To establish grant budget for the Bulletproof Vest Program – FY 2008. 3140 27,216.46 3140 27,216.46CR 0*
617-07  E	BA 1094	Community Development	To establish grant budget for participation in the Ending Domestic Violence Conference – FY 2008. 3140 1,800 3140 1,800CR 0*
617-07  E	BA 1095	Community Development	To establish personnel recovery and grant match for the Ending Domestic Violence Conference – FY 2008. 1101 450 1101 450CR 0*

		Maintenance	seven positions by reducing contingency funds budgeted for this purpose.
Y			1101 85,930
			1101 85,930CR
			0*
625-07/626-07	BA 1101	Fire	To provide funds for operating supplies for the Public Education Programs from contributions made from Wal-Mart and State Farm.
H			1101 4,750
			1101 4,750CR
			0*
629-07	To Be Determined	Community Development	To establish grant budget for Bluegrass Area Development District – FY 2008.
W			3400 12,872
			3400 12,872CR
			0*
637-07	BA 1118	Community Development	To establish budget for development of property at 898 Georgetown Street for Hope VI Affordable Housing Project.
P			3300 500,000
			500,000*

EFFECT ON FUND BALANCES			
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FUND 1101	0*	NO EFFECT ON:	GENERAL SERVICES DISTRICT
FUND 1115	0*	NO EFFECT ON:	FULL URBAN SERVICES DISTRICT
FUND 3140	0*	NO EFFECT ON:	US DEPARTMENT OF JUSTICE
FUND 3300	500,000*	DECREASE TO:	GRANTS – OTHER
FUND 3400	0*	NO EFFECT ON:	GRANTS - STATE

Budget Information for New Business Items  
November 13, 2007 Work Session

Item	Number	Amount	Fund	Name / Description
A	611-07	NA		
B	612-07	3,400	1101	General Services District Fund Budget Amendment
C	615-07	NA		
D	616-07	27,216	3140	US Dept Of Justice Budget Amendment
E	617-07	1,350 450	3140 1101	US Dept Of Justice General Services District Fund Budget Amendments
F	620-07	NA		
G	624-07	NA		
H	625-07	2,750	1101	General Services District Fund Budget Amendment
I	626-07	2,000	1101	General Services District Fund Budget Amendment
J	607-07	NA		
K	632-07	NA		
L	610-07	50,000	1101	General Services District Fund
M	631-07	620,000	1101	General Services District Fund
N	623-07	NA		
O	635-07	NA		
P	637-07	450,000	3300	Grants - Other Budget Amendment (put \$500,000 in place)

Budget Information for New Business Items  
November 13, 2007 Work Session

29

Q	613-07	124,884	1115	Full Urban Services District Fund Budget Amendment (\$24,884 is budgeted)
R	614-07	7,836	1101	General Services District Fund Budget Amendment
S	609-07	470	1101	General Services District Fund
T	622-07	38,030	2517	2008 Bond Projects Fund
U	619-07	19,270	3160	US Dept Of Transportation
V	630-07	NA		
W	629-07	12,872	3400	Grants - State Budget Amendment
X	618-07	300	2522	Public Works
Y	621-07	85,930	1101	General Services District Fund Budget Amendment
Z	627-07	NA		
AA	628-07	NA		
BB	634-07	NA		
CC	636-07	NA		
DD	638-07	NA		



611-07

Jim Newberry, Mayor  
 LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT  
 Division of Human Resources

## M E M O R A N D U M

TO: Mayor Jim Newberry  
 Joe Kelly, Senior Advisor  
 Council Members

FROM:

*M. Allen*  
 Michael Allen, Director  
 Division of Human Resources

DATE: October 29, 2007

RE: Request to Extend Vacation—Division of Enhanced 911

The attached action creates an ordinance, notwithstanding Section 21-33(a) of the Code of Ordinances, providing that employees, holding the positions of Telecommunicator, Telecommunicator Senior, Telecommunicator Supervisor, and PSAP Manager—all within the Division of Enhanced 911—may carry over accumulated vacation leave in excess of one hundred sixty-eight (168) hours at the end of calendar year 2007; providing that the employees shall have their accumulated vacation hours reduced to one hundred sixty-eight (168) hours on March 31, 2008; and, providing that the employees who separate from employment with the Urban County Government before March 31, 2008 shall be paid pursuant to Section 21-33(e) of the Code of Ordinances for no more than one hundred sixty-eight (168) hours plus those hours accumulated for service during calendar year 2008.

Normally, classified civil service employees are allowed to carry over one hundred sixty-eight (168) vacation hours from one calendar year to the next. However, due to the recent staffing problems faced by the Division of Enhanced 911, employees holding the aforementioned position titles have been required to work mandatory overtime and have been unable to use their vacation leave.

There is no fiscal impact associated with this action.

If you have questions or need additional information, please contact Tracey Stephenson at 258-3030.

cc: Tim Bennett, Commissioner of Public Safety  
 David Lucas, Director of Enhanced 911  
 Darrylyn Combs, Human Resources Manager, Division of Human Resources  
 Jim Dodson, Human Resources Analyst, Division of Human Resources

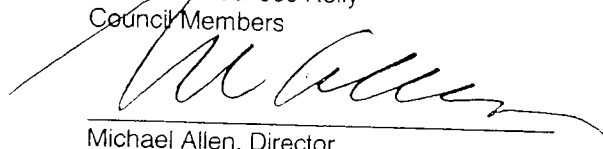
Log # 08-0052

31  
612-07

Jim Newberry, Mayor  
Lexington-Fayette Urban County Government  
Division of Human Resources

## MEMORANDUM

TO: Mayor Jim Newberry  
Senior Advisor Joe Kelly  
Council Members

FROM:   
Michael Allen, Director  
Division of Human Resources

DATE: October 29, 2007

RE: Abolish/Create Position—Division of Police

The attached action amends Section 21-5 of the Code of Ordinances, abolishing one (1) position of Staff Assistant (Grade 107N); and creating one (1) position of Administrative Specialist (Grade 110N) within the Division of Police, effective upon passage by Council.

The Division requests this action as a result of increased duties in the Chiefs office. This position serves as administrative support to the Chief of Police, office staff and assist with the Fiscal Office duties.

The duties described on the PAQ fall within the existing job description for this classification; therefore, this action will be reported as *information only* to the Mercer Job Evaluation Committee.

The fiscal impact for FY2008 (14 pay periods) results in a cost of \$3,403.00 and will be funded from the Operating Supplies account. All costs include benefits.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Vacant	Staff Assistant	\$24,086.66	\$0	\$(24,086.66)
Vacant	Administrative Specialist	\$0	\$29,185.52	\$29,185.52
<b>Total Annual Impact/ Salary and Benefits \$6,318.46</b>				

If you have questions or need additional information, please contact Tracey Stephenson at 258-3030.

## Attachment

cc: Tim Bennett, Commissioner, Department of Public Safety  
Darrylyn Combs, Human Resources Manager, Division of Human Resources  
Jim Dodson, Human Resources Analyst, Division of Human Resources

Log #07-1127





## MEMORANDUM

Lexington, Kentucky

September 14, 2007

615 -07

COP:  
07/0916

To:

Jim Newberry, Mayor  
Urban County Council

SUBJECT:

Request for Council Action (Blue Sheet)  
Memorandum of Agreement  
Bureau of Alcohol, Tobacco  
and Firearms and LFUCGAnthony Beatty  
Chief of Police

Please find attached documentation and blue sheet requesting approval of the Memorandum of Agreement between the Lexington-Fayette Urban County Government and the Bureau of Alcohol, Tobacco, Firearms and Explosives, in regards to the reimbursement of overtime salary costs and other costs, including but not limited to travel, fuel, training and equipment. The attached agreement requires the Mayor's signature.

Upon approval and signing, please forward original documents to my office. There will be no budgetary impact.

  
Anthony Beatty  
Chief of Police

AB/rmh

Attachment

cc: Tim Bennett, Commissioner

Washington, DC 20226

www.atf.gov

## MEMORANDUM OF AGREEMENT

Between the  
**Bureau of Alcohol, Tobacco, Firearms and Explosives**  
And  
**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**  
for  
Reimbursement of Overtime Salary Costs  
Associated with  
**ATF TASK FORCE**

\*\*\*\*\*

This Memorandum of Agreement (MOA) is entered into by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and the Lexington-Fayette Urban County Government for the purpose of reimbursement of overtime salary costs and other costs, with prior ATF approval, including but not limited to travel, fuel, training, and equipment, incurred by the Lexington-Fayette Urban County Government in providing resources to assist ATF.

Payments may be made to the extent they are included in ATF's Fiscal Year Plan and the monies are available to satisfy the requests(s) for reimbursable overtime expenses.

**I. DURATION OF THIS MEMORANDUM OF AGREEMENT**

This MOA is effective with the signatures of all parties and terminates at the close of business on September 30, 2012, subject to Section VII of the MOA.

**II. AUTHORITY**

This MOA is established pursuant to the following provisions:

1. Title 28, U.S.C., Section 524(c), the Department of Justice Assets Forfeiture Fund, which provides for the reimbursement of certain expenses of local, county, or State law enforcement agencies incurred as participants in joint operations/task forces with a Department of the Justice law enforcement agency.

2. Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Bill, which provides for the reimbursement of overtime salary costs of local, county, or State law enforcement agencies incurred while assisting ATF in joint law enforcement operations;
3. Title 31, U.S.C., Section 9703, the Treasury Forfeiture Fund Act of 1992, which provides for the reimbursement of certain expenses of local, county, or State law enforcement agencies;

If available, the funding for fiscal year 2008, 2009, 2010, 2011 and 2012 is contingent upon annual appropriation laws, Title 28, U.S.C., Section 524(c), annual appropriations, and Title 31, U.S.C., Section 332.

If available, funding allocations for reimbursement of expenses will be transmitted through a separate document.

**This Memorandum of Agreement (MOA) is not a funding allocation document.**

### **III. PURPOSE OF THIS MEMORANDUM OF AGREEMENT**

This MOA establishes the procedures and responsibilities of both the Lexington-Fayette Urban County Government and ATF for the reimbursement of certain overtime and other pre-approved expenses incurred pursuant to the authority in Section II.

### **IV. NAME OF JOINT OPERATION/TASK FORCE (if applicable)**

The name of this joint operation/task force: ATF TASK FORCE

### **V. CONDITIONS AND PROCEDURES**

- A. **The Lexington-Fayette Urban County Government shall assign officer(s) to assist ATF in investigations of Federal, state, and local laws. To the maximum extent possible, the officer(s) will be assigned on a dedicated, rather than a shared basis. The Lexington-Fayette Urban County Government shall provide ATF with the name(s), title(s), and employee identification number(s) of the officer(s) assigned to the investigation.**
- B. **The Lexington-Fayette Urban County Government shall provide ATF, within 10 days of the signing of this MOA, with a contact name, title, telephone number and address. The Lexington-Fayette Urban County Government shall also provide the name of the official responsible for providing audit information under paragraph VI of this MOA, and the name of the official authorized to submit an invoice to ATF under E.**

- C. The Lexington-Fayette Urban County Government shall provide ATF, within ten (10) calendar days of the signing of this agreement, with the financial institution where the law enforcement agency wants the Electronic Funds Transfer (EFT) payment deposited for reimbursement. The mechanism for this is the SF 3881, ACH Vendor/Miscellaneous Payment Enrollment Form, which is Attachment A.   
Forensic & Seized Property Branch, Bureau of Alcohol, Tobacco, Firearms and Explosives, 500 M Street, Arlington, VA 22204-5001, (703) 688-6000, <http://www.atf.gov>, 20226.
- D. The Lexington-Fayette Urban County Government may request reimbursement for payment of overtime expenses and other costs with prior ATF approval, including but not limited to travel, fuel, training, and equipment, directly related to work performed by an officer(s) assigned as members of a joint operation task force with ATF for the purpose of conducting an official investigation.
- E. Invoices submitted to ATF for the payment of expenses must be submitted on the appropriate forms as provided by ATF. The invoice shall be signed by an authorized representative of the Lexington-Fayette Urban County Government and submitted to ATF field office for signature and verification of the invoice.
- F. **The Lexington-Fayette Urban County Government will submit all requests for reimbursable payments, together with the appropriate documentation to ATF by the 10th day of each subsequent month that the agency is seeking reimbursement.**
- (1) If the reimbursement request is not received by the ATF field office by the 10th of the subsequent month, the ATF field office will advise the agency, in writing, that the reimbursement request is late, and if the reimbursement request is not received within the next 10 working days, the overtime costs **will not be reimbursed.**
- (2) No waivers or extensions will be granted or honored. The Lexington-Fayette Urban County Government will submit the request for reimbursement to ATF, ATTN: Richard Putnam, 1040 Monarch Street, Suite 200, Lexington, Kentucky 40513.
- G. **The ATF Supervisor shall be responsible for certifying that the request is for overtime expenses incurred by the Lexington-Fayette Urban County Government for participation with ATF during the joint operation/task force. The responsible State or local official shall also certify that requests for reimbursement of expenses have not been made to other Federal law enforcement agencies.**
- H. **The Lexington-Fayette Urban County Government acknowledges that they remain**

fully responsible for their obligations as the employer of the officer(s) assigned to the joint operation/task force and are responsible for the payment of the overtime earnings, withholdings, insurance coverage, and all other requirements by law, regulations, ordinance or contract regardless of the reimbursable overtime charges incurred.

- I. All reimbursable hours of overtime work covered under this MOA must be
- J. The ATF will be responsible for all expenses for law enforcement officers of the Special Agent in Charge, Asset Forfeiture and Seized Property Branch, for payment.
- K. **This document does not obligate funds.** Funding authority, with maximum reimbursement costs to any one law enforcement officer during the fiscal year (October 1 – September 30), will be provided through other documents

#### VI. **PROGRAM AUDIT**

This MOA and its procedures are subject to audit by ATF, the Department of Justice, Office of Inspector General, the Government Accountability Office, and other auditors authorized by the Federal government. The Lexington-Fayette Urban County Government agrees to permit such audits and agrees to maintain all records relating to these transactions for a period of not less than three years; and in the event of an on-going audit, until such time as the audit is completed.

These audits include reviews of any and all records, documents, reports, accounts, invoices, receipts, or expenditures relating to this agreement; as well as, the interview of any and all personnel involved in these transactions.

#### VII. **REVISIONS**

The terms of this MOA may be amended upon written approval by the original parties, or their designated representatives. Any amendment to this MOA becomes effective upon the date of approval as stated in the amendment. Either party can cancel this MOA upon 60-calendar days written notice to the other party. The ATF will only process request for overtime for overtime incurred before the date of cancellation, absent a specific written agreement to the contrary.

#### VIII. **NO PRIVATE RIGHT CREATED**

This is an internal government agreement between ATF and the Lexington-Fayette Urban County Government and is not intended to confer any right or benefit to any private person or party.

\*\*\*\*\*



616-07 37

Mayor Jim Newberry

Division of Community Development

TO: JIM NEWBERRY, MAYOR

FROM: PAULA KING, DIRECTOR  
DIVISION OF COMMUNITY DEVELOPMENT

DATE: OCTOBER 26, 2007

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD OF  
FEDERAL FUNDS FROM THE U.S. DEPARTMENT OF JUSTICE FOR THE  
PURCHASE OF BULLETPROOF VESTS--2008

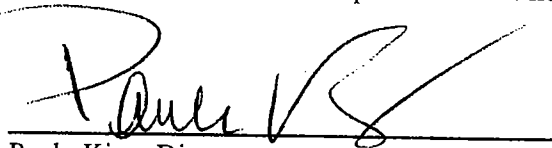
On May 24, 2007 (Resolution No. 227-2007), the Urban County Council approved the submission of an application to the U.S. Department of Justice, requesting federal funds for the purchase of bulletproof vests for the Division of Police and for the Office of the Fayette County Sheriff. The U.S. Department of Justice has approved an award in the amount of \$13,608.23.

Based upon the proportion of funds requested, \$9,526.23 will be used to purchase bulletproof vests in the Division of Police. The project requires a 50% match. Match in the amount of \$9,526.23 is budgeted in the Division of Police's 2008 general fund budget for this purpose. At a per unit price of \$733, it is estimated that 26 vests can be purchased.

The Office of the Sheriff will receive \$4,082. The match for this portion of funds will come from the Office of the Sheriff. This will purchase twelve vests.

The source of funds is the Bulletproof Vest Partnership Grant Act of 2000, the purpose of which is to save the lives of law enforcement officers by helping state and local governments equip their law enforcement officers with armored vests.

Council authorization to accept the award is hereby requested.



Paula King, Director

Xc: Tim Bennett, Commissioner of the Department of Public Safety



617-07

38

Mayor Jim Newberry

Division of Community Development

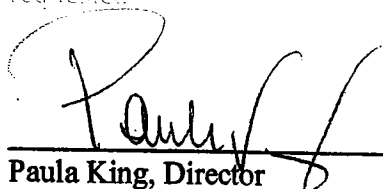
TO: HONORABLE MAYOR  
URBAN COUNTY COUNCILFROM: PAULA KING, DIRECTOR  
DIVISION OF COMMUNITY DEVELOPMENT

DATE: OCTOBER 30, 2007

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION  
AND ACCEPT AWARD, IF OFFERED, FROM THE KENTUCKY  
JUSTICE CABINET UNDER THE VIOLENCE AGAINST WOMEN ACT  
PROGRAM TO SUPPORT PARTICIPATION IN THE ENDING SEXUAL  
ASSAULT AND DOMESTIC VIOLENCE CONFERENCE--FY 2008

The Division of Police has prepared an application for submission to the Kentucky Justice Cabinet requesting federal funds in the amount of \$1,350 from the Violence Against Women Act (VAWA) Program for participation in the Ending Sexual Assault & Domestic Violence Conference. This conference is sponsored by Kentucky Association of Sexual Assault Programs, Kentucky Domestic Violence Association, Kentucky Cabinet for Health and Family Services, Child Victims' Trust Fund, and Kentucky Justice and Public Safety Cabinet. Federal funds will support the registration fees of six employees of the Division of Police (five officers and the Sexual Assault Nurse Examiner Manager). Match in the amount of \$450 (25%) is required. This match will be documented in the form of personnel costs of the employees attending the conference. Total project cost is \$1,800.

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

  
Paula King, Director

Xc: Tim Bennett, Commissioner of the Department of Public Safety



620-07

39

Mayor Jim Newberry

Division of Community Development

URBAN COUNTY COUNCIL

FROM: PAULA KING, DIRECTOR  
DIVISION OF COMMUNITY DEVELOPMENT

DATE: NOVEMBER 1, 2007

SUBJECT: AUTHORIZATION TO EXECUTE AGREEMENT WITH THE  
KENTUCKY OFFICE OF HOMELAND SECURITY FOR EXTENSION  
OF THE METROPOLITAN MEDICAL RESPONSE SYSTEM  
PROJECT—FY 2008

On October 4, 2007, the Urban County Council approved acceptance of award from the Kentucky Office of Homeland Security of federal funds in the amount of \$220,713.50 for continuation of the Metropolitan Medical Response System (MMRS). This program provides funding and support to jurisdictions to develop plans, conduct training and exercises, and to acquire pharmaceuticals and equipment to achieve the capability necessary to respond to a mass casualty event. One of the MMRS program's priorities is to assist with the integration of first responder, medical treatment, public health and emergency management components of a community. These are federal funds that originate from the Federal Emergency Management Agency in the U.S. Department of Homeland Security.

The original agreement provided by Kentucky Office of Homeland Security expired on October 31, 2007. The attached agreement provides for an expiration date of June 30, 2008. No other changes are proposed.

Council authorization to agreement with the Kentucky Office of Homeland Security for extension of the Metropolitan Medical Response System (MMRS) project is hereby requested.

Paula King  
Director

Xc: Tim Bennett, Commissioner of the Department of Public Safety





624-07

Mayor Jim Newberry

Division of Fire & Emergency Services  
Charles Fowler, Assistant Chief

TO: Mayor Jim Newberry  
Urban County Council

FROM:

A handwritten signature in cursive script, reading "Chuck Fowler".

Chuck Fowler, Assistant Chief  
Division of Fire & Emergency Services

DATE: November 1, 2007

RE: Donation Blue Sheet

I would like to request authorization for LFUCG to accept a donation of a "Buzz E. Smoke Alarm" fire safety education tool from Windstream. This will be used in conjunction with the Division of Fire and Emergency Services' Hazard House.

cc: Robert Hendricks, Fire Chief



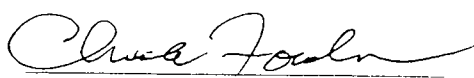
41  
625 - 07

Mayor Jim Newberry

Division of Fire & Emergency Services  
Charles Fowler, Assistant Chief

**TO:** Mayor Jim Newberry  
Urban County Council

**FROM:**

  
Chuck Fowler, Assistant Chief  
Division of Fire & Emergency Services

**DATE:** November 1, 2007

**RE:** Donation Blue Sheet

I would like to request authorization for LFUCG to accept a donation of \$2750.00 from State Farm Insurance. The funds are to be used for Division of Fire and Emergency Services Public Education programs.

cc: Robert Hendricks, Fire Chief

LEXINGTON CAPITAL OF THE WORLD



626 -07

Mayor Jim Newberry

Division of Fire & Emergency Services  
Charles Fowler, Assistant Chief

TO: Mayor Jim Newberry  
Urban County Council

FROM: Chuck Fowler  
Chuck Fowler, Assistant Chief  
Division of Fire & Emergency Services

DATE: November 1, 2007

RE: Donation Blue Sheet

I would like to request authorization for LFUCG to accept a donation of \$2000.00 from Sam's Club through the Wal-Mart Foundation. The funds are to be used for Division of Fire and Emergency Services Public Education programs.

cc: Robert Hendricks, Fire Chief



43  
607-07

Mayor Jim Newberry

Division of Community Development

TO: JIM NEWBERRY, MAYOR  
URBAN COUNTY COUNCIL

FROM: PAULA KING, DIRECTOR  
DIVISION OF COMMUNITY DEVELOPMENT

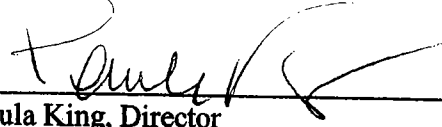
DATE: OCTOBER 23, 2007

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE  
AMENDMENT TO AGREEMENT WITH COMMUNITY ACTION  
COUNCIL FOR USE OF COMMUNITY DEVELOPMENT BLOCK  
GRANT FUNDS TO SUPPORT A YOUNG BUILDERS PROGRAM

On August 21, 2006 (Ordinance # 101-2006), Council approved execution of an agreement with Community Action Council providing an allocation of \$56,600 in Community Development Block Grant funds, in accordance with the 2006 Consolidated Plan, for operation of the Young Builders Program, a construction skills training program for Fayette County youth between the ages of 16 and 24, who have not completed high school and whose families have incomes less than 80% of area median income.

The amendment to agreement provides for a six-month extension to the performance period for project completion, through December 31, 2007. No additional funds are needed.

Council authorization to execute the amendment to agreement is hereby requested.

  
Paula King, Director

Xc: Kyna Koch, Commissioner, Department of Finance and Administration



44  
632-07

Mayor Jim Newberry

URBAN COUNTY GOVERNMENT  
Division of Revenue

To: Mayor Jim Newberry  
Urban County Councilmembers

From: Bill O'Mara

Date: November 5, 2007

Subject: Revisions to Chapter 13 of the Code of Ordinance  
Occupational License Tax

The Kentucky General Assembly passed state statutes in 2004 and 2005 which standardized the calculation of the occupational license tax used by local governments in Kentucky. The standardization statutes are designed to ease the burden on businesses to be in compliance with local **taxing requirements**. **Currently there are over 190 separate local jurisdictions which assess an occupational tax.**

The statute protected home rule by continuing the right of the local jurisdiction to decide if they wish to have an occupational tax, set the rate, and determine who might be exempt. Once a tax is enacted locally, the statute standardizes some of the measurement and reporting of the tax liability.

The provisions of KRS 67.750-795 require local occupational license tax ordinances to be in **compliance with the state statute by July 2008**. Fortunately for Lexington, our occupational ordinance was referred to extensively when the legislative bills were being drafted, and minimal changes are needed. A summary of changes include:

- Definitions of terms are changed to be in compliance with the statute.
- Requests for refund are limited to two years, compared to the current period of five years.
- **Penalty for failure to file or pay is 5% per month, with a minimum of \$25.00 and a maximum of 25%. Currently our penalty is up to 4.5% per month with no minimum and no maximum.**
- **Due date for annual payroll reconciliations is February 28<sup>th</sup> each year, compared to January 1<sup>st</sup> of each year.**
- **Confidentiality rules for reviewing and/or releasing tax information is codified with penalties and imprisonment for violation.**
- **In addition, the proposed amendment updates the initial registration for new businesses from the 1970 level of \$10.00 to \$25.00, and requires businesses to file copies of their Form 1099 with LFUCG.**

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200 East Main Street, Lexington, KY 40507 (859)258-3340 LexCall 859-425-2255

FAX 859-258-3352

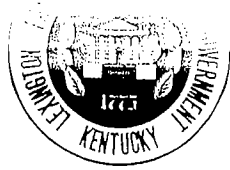
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632-07

The attached revisions to Chapter 13 of the Code of Ordinance will bring our occupational ordinance in compliance with state statutes for all reporting periods beginning on or after January 1, 2008. This effective date allows all payroll reporting to be for the calendar year and allows all business net profit returns to be phased in with their next full year return. A copy of Chapter 13 of the Code of Ordinance with all wording changes is available for your review.

It is requested the proposed amendments be accepted and effective January 1, 2008. If you have questions or need additional information, please contact me.

CC: Kyna Koch



610-07

Mayor Jim Newberry

LEXINGTON, KENTUCKY

Office of the Senior Advisor for Management

MEMORANDUM

To: Mayor Jim Newberry  
Joseph Kelly, Senior Advisor for Management  
Urban County Councilmembers

From: Charlie Boland, Administrative Officer Sr.  
Mayor's Office

Date: October 16, 2007

Re: Lexington Center Corporation Purchase of Service Agreement – FY 2008

Please find attached the FY 2008 Purchase of Service Agreement with the Lexington Center Corporation. The agreement is in the amount of \$50,000 and funding is to be used in support of facility operations-related economic development initiatives.

The agreement is fully budgeted for FY 2008 and I request Council authorization for the Mayor to execute the agreement as presented. Thank you for your consideration.

c. Bill Owen, President – Lexington Center Corporation

HORSE CAPITAL OF THE WORLD

200 East Main Street Lexington, KY 40507 859-258-3155 www.lfucg.com

610-07

**PURCHASE OF SERVICE AGREEMENT**

THIS PURCHASE OF SERVICE AGREEMENT is made and entered into on the \_\_\_\_ day of \_\_\_\_\_, 2007, by and between the **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, an urban county government of the Commonwealth of Kentucky, pursuant to KRS Chapter 67A (hereinafter "Government") on behalf of the Office of the Mayor (hereinafter "Sponsor"), and the **LEXINGTON CENTER CORPORATION**, a Kentucky non-profit corporation (hereinafter "Organization"), with offices located at 430 West Vine Street, Lexington, Kentucky 40507;

**WITNESSETH:**

That for and in consideration of the mutual promises and covenants herein expressed, Government and Organization agree as follows:

1. Government hereby employs Organization for the period beginning on July 1, 2007, and continuing for a period of twelve (12) months from that date.
2. Government shall pay Organization the sum of Fifty Thousand Dollars (\$50,000.00), the receipt and sufficiency of which is hereby acknowledged, for the services required by this Agreement, said services being more particularly described in paragraph 3 hereinbelow.
3. Organization shall facilitate and assist the Urban County Government with economic development projects, including economic incentives designed to generate employment through the relocation of new businesses within Fayette County.
4. Organization shall keep itself informed of all national and state laws and all municipal ordinances and regulations in any manner affecting the work or performance of this Agreement, and shall at all times observe and comply with such laws, ordinances and regulations, whether or not such laws, ordinances or regulations are mentioned herein.



610-07

and shall indemnify Government, its officers, agents and employees against any claim or liability arising from and based on the violations of any such laws, ordinances or regulations.

5. Organization represents that it has filed federal, state and local income tax returns required by law in the legally prescribed time and manner. Upon request, Organization will provide copies of all of the executed originals of the aforementioned tax returns filed for Organization's most recent or current tax year.

6. Organization shall, at the end of each month and by no later than the tenth (10th) working day of the succeeding month, on such forms as the Sponsor shall provide, submit to Sponsor: a report containing, for each of the services enumerated in the Addendum attached hereto, which were provided in the preceding month, (a) a description of the services provided, including the quantity and quality of the services provided, and (b) any monies collected or distributed for or on behalf of the Urban County Government with an invoice requesting payment.

7. Books of accounts related to this Agreement shall be kept by Organization and entries shall be made therein of all money, goods, effects, debts, sales, purchases, receipts, payments and any other transactions of Organization. The books of accounts, together with all bonds, notes, bills, letters and other writings belonging to Organization, shall be maintained at the principal place of business of Organization set forth in this Agreement. Government shall have free and complete access to the books, papers and affairs of Organization at all reasonable times and, if it desires, it may have the books and papers of Organization audited and examined by auditors, accountants or attorneys. Any examination shall be at the expense of the Government.

8. Government may designate such persons as may be necessary to monitor

and evaluate the services rendered by Organization. Government shall have reasonable access to all places where or in which the services required hereunder are being carried on and conducted. Inspection and monitoring of the work by these authorities shall in no manner be presumed to relieve in any degree the responsibility or obligations of Organization nor to constitute Organization an agent of the Government.

9. Organization shall provide equal opportunity in employment for all qualified persons, shall prohibit discrimination in employment because of race, color, creed, national origin, sex, age, sexual orientation or gender identity, or handicap, and shall promote equal opportunity in employment through a positive, continuing program of equal opportunity employment. This program of equal employment opportunity shall apply to every aspect of its employment policies and practices.

10. Organization shall adopt a written sexual harassment policy, which shall, at a minimum, contain a statement of current law; a list of prohibited behaviors; a complaint process; and a procedure that provides for a confidential investigation of all complaints. The policy shall be given to all employees and shall be posted at all locations where Organization conducts business. The policy shall be submitted to the Sponsor for review within thirty (30) days of the execution of this Agreement.

11. This instrument and the Addendum incorporated herein contain the entire agreement between the parties and no statement, promise or inducement made by either party or agent of either party that is not contained in this written Agreement shall be valid and binding; and this Agreement may not be enlarged, modified or altered except in writing signed by the parties and endorsed thereon.

12. Organization agrees that it shall apply all funds received by it from Government in accordance with the following investment policy guidelines:

6/0-07

- A. Objectives--Capital preservation with surety of income. Reasonable competitive income consistent with high investment quality and purpose of funds. All investments shall conform with state and local law and regulations and these Policies.
- B. Investment Funds Management--The governing board may elect to either:

(1) manage its investment through its executive director where the size or complexity of funds to be managed is deemed by the board to be within the training, expertise and/or available time capacity of the executive director and the operating staff;

-or-

- (2) utilize the professional investment management facilities of a local bank trust department acting in a fiduciary capacity within the same approved investment policies and federal, state, local and trust laws and regulations. The trust department may utilize its regular short-term 100% U.S. Treasury Fund for daily funds investment. The election of option 1 or 2 should be made consistent with the relative cost incurred and in the case of option 2 the cost shall be competitive among local trust departments.

C. Investment Policies--Safety and Prudence.

- (1) Short-term liquidity funds shall be invested in "riskless" investments, i.e., deposits in Kentucky commercial banks or savings and loan associations that are fully federally insured or **deposits collateralized by U.S. Treasury securities with a current market value of at least 100%, or in direct obligations of U.S. Treasury securities.**

Investments shall be diversified according to maturity in order to meet projected cash flow needs.

**Collateral pledged to secure uninsured deposits shall be held at a federal reserve bank with the receipt providing absolute control by the agency.**

- (2) **Retirement funds, endowment funds, long-term capital reserve funds and any other special funds may be held and invested by a local bank trust department under investment objectives and diversification in accordance with the individual nature of the funds and pursuant to the "prudent man" investment rule**

- (3) All investments shall be reviewed monthly by a finance or investment committee of the agency.
- (4) Local brokerage firms may hold and invest funds provided that investments are located within Kentucky and are fully insured.

LEXINGTON-FAYETTE URBAN  
COUNTY GOVERNMENT

LEXINGTON CENTER CORPORATION

BY: JIM NEWBERRY, MAYOR

BY: William B. Owen  
WILLIAM B. OWEN, PRESIDENT

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

COMMONWEALTH OF KENTUCKY )  
COUNTY OF FAYETTE )

The foregoing Purchase of Service Agreement was acknowledged before me on this 22<sup>nd</sup> day of October, 2007, by William B. Owen, as President of the Lexington Center Corporation, for and on behalf of the Corporation.

My commission expires: September 30, 2008

Caroline M. Puteland  
NOTARY PUBLIC, KY, STATE-AT-LARGE



631-07

Mayor Jim Newberry

Office of the Senior Advisor for Management

## MEMORANDUM

To: Mayor Jim Newberry  
Joseph Kelly, Senior Advisor for Management  
Urban County Councilmembers

From: Charlie Boland, Administrative Officer Sr.  
Mayor's Office

Date: November 6, 2007

Re: Commerce Lexington, Inc. Purchase of Service Agreement -- FY 2008

Please find attached the FY 2008 Purchase of Service Agreement with Commerce Lexington, Inc. The agreement is in the amount of \$620,000 and funding is to be used in support of a number of economic development activities and initiatives. An addendum has been developed with regard to the agreement that will allow for performance measurement along several lines of focus, and provide a guide for Commerce Lexington as it reports information and progress related to their efforts. These efforts include Brain Gain / Education Initiatives, Expansion of Minority Business Programs, Start-up / Existing Business / Recruitment, Unified Business Set-up (for Commerce Lexington, UK, and LFUCG), and Airport Equipment.

The agreement is fully budgeted for FY 2008 and I request Council authorization for the Mayor to execute the agreement as presented. Thank you for your consideration.

c. Bob Quick, President -- Commerce Lexington, Inc

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623-07



Mayor Jim Newberry

Office of the Senior Advisor for Management

To: Mayor Jim Newberry  
Senior Advisor for Management  
Urban County Councilmembers

From: Charlie Boland, Administrative Officer Sr. 

Date: November 5, 2007

Re: Authorization of Lease Agreement for 2008 Minority Business Expo

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This is to request authorization of a lease agreement with Lexington Center Corporation for the 2008 Minority Business Expo. The 2008 Minority Business Expo will be held July 29-30, 2008 at the Lexington Convention Center. This agreement is being requested now in order to lock in the dates in advance. The lease expense is \$5,900 for the space. The facility space lease and other incidental charges will be paid by event sponsors. There is no fiscal impact to LFUCG.

The 2008 Minority Business Expo will provide an opportunity for area minority-owned businesses to showcase their unique products and services, and educate the owners about available business opportunities with local government, universities, and the corporate community.

I appreciate your consideration of this item and request your approval.

c. Pat Tatum, Division of Government Communications

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200 East Main Street

Lexington, KY 40507

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635-07

Mayor Jim Newberry

Office of the Senior Advisor for Management

## MEMORANDUM

To: Mayor Jim Newberry  
Joseph Kelly, Sr. Advisor for Management  
Urban County Councilmembers

From: Charlie Boland, Sr. Administrative Officer

Date: November 7, 2007

Re: Adoption of FY 2008-2010 Trails CIP

On November 1, 2007 a workshop was held for the Urban County Council to present a new capital improvement plan (CIP) for bike and pedestrian trails in the community. The plan included a breakdown by fiscal year of projects to be undertaken, and included a specific spending plan for the \$2 million in bond funding included in the FY 2008 budget. The plan also includes all other planned facilities and the associated funding sources for FY 2008, and projections for FY 2009 and 2010. The plan was well received in the workshop setting, and I am now requesting Council adoption of the Trails CIP that was presented, to provide an official plan for moving forward.

It is anticipated that a similar exercise will be undergone each fiscal year in the future, to refine and adjust the trails project list for the upcoming year. As you know, many of our trails projects are funded by state and federal grants, which are applied for and received on an annual basis. I propose that at the conclusion of each grant funding award cycle (usually in the Spring months), when the amount of grant funding LFUCG will receive for the next fiscal year is known, that staff update the Trails CIP for the next fiscal year and present the revised plan to Council for discussion and approval. In this way, a surer and more detailed set of expectations will be in place for the community regarding the timing and delivery of trails projects.

Additional steps are being taken to improve LFUCG's coordination and delivery of trails projects, that include:

- Assignment of a position in the government that will coordinate greenways and trails projects, with the ability to work across several departmental and divisional lines to enhance LFUCG's delivery of trails projects. No new funding will be required for this position, and placement within the organization is still being determined at this time.

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635-07

- Development of an Interactive Trails Map through GIS resources, that will be available to citizens on our web site by January 1, 2008, which includes the entire trails network, current status of completion, project descriptions, anticipated timing of future construction, and allows the community to see how the completed trails network will ultimately connect.
- Improved public communications and education regarding trails. This includes wayfinding, navigational, and naming considerations for those using the trails system, to make it user friendly. This effort has already been started through the DPW's "Trails 101" program.
- Development and utilization of unit price contracting for construction of "off the shelf" trail sections that have been developed, and for trails design services where possible. These actions will reduce the overall timetable for completion of a trails project.

A dedicated, forward-thinking internal team comprised of Planning, Parks, Community Development, Engineering, and the Departments of General Services and Public Works / Administration has worked diligently over the past two months to bring forth this plan, and will continue to work on the items detailed above to produce this ambitious set of trails projects for FY 2008. **This step forward in how LFUCG plans and produces trails projects will bring about new facilities in a more coordinated and streamlined fashion, and new opportunities for community use.**

I appreciate the Council's past support for trails, and request that you adopt the Trails CIP as presented to help move our organization and the community to the next level. Members of the internal team will be available to answer your questions.





637-07

Mayor Jim Newberry

Office of the Senior Advisor for Management

MEMORANDUM

To: Mayor Jim Newberry  
Joseph Kelly, Sr, Advisor for Management  
Urban County Councilmembers

From: Charlie Boland, Sr. Administrative Officer

Date: November 5, 2007

Re: HOPE VI Affordable Housing Development

This is to request authorization of HOPE VI Affordable Housing Development utilizing a portion of Urban Development Action Grant (UDAG) funds recaptured last year. The following project meets all requirements for reuse of UDAG funds, and will help complete LFUCG's obligation for off-site affordable housing sites under the Bluegrass-Aspendale HOPE VI grant.

As part of the Lexington Fayette Urban County Housing Authority's successful HOPE VI grant application, LFUCG agreed to provide the Housing Authority with land enough for 48 off-site affordable housing units over a 4-year period, or 12 units per year. A listing of potential properties was approved, along with an "option and assignment" mechanism for transferring any properties to the Housing Authority that were selected. In the event land is not available, LFUCG annually has the option to pay the Housing Authority \$8,000 per unit not provided.

The intent of the agreement is to meet the legitimate community need for sites for new affordable housing construction. However, there is a dire shortage of sites that can be obtained at a reasonable cost and effort. Excessive legal title fees or acquisition costs associated with a piece of property make it no longer feasible for affordable housing. While LFUCG could meet its HOPE VI obligation by paying out, the shortage of sites remains a serious obstacle that limits real affordable housing opportunities. This proposed development represents a chance for LFUCG to make a positive impact on that situation.

In order to provide actual affordable housing opportunities, LFUCG recommends that a currently unutilized property be used for new single-family affordable housing development. The property is located at 898 Georgetown Street, and is 3.11 acres in size. Two structures are currently standing on the property which have been or are being vacated by non-LFUCG functions (former location of ARC of the Bluegrass). These structures have been examined and cleared for any historical significance, and would be demolished to clear the site. Several large trees on the property would be preserved. The property is currently zoned A/U and would need to be rezoned for single family residential use. The resulting tract would provide up to 19 individual lots for affordable housing construction.

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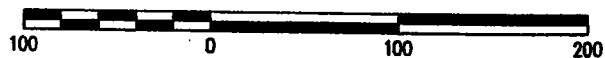
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637-07

The development project would be conducted in partnership with the Housing Authority. The Housing Authority will provide the engineering design services for the site including site development plans, design of infrastructure improvements, and shepherding the property through the normal development plan process. LFUCG will provide funding from available UDAG funds for actual site development costs and construction of the infrastructure improvements. This will basically involve geotechnical and other engineering investigations, site grading, construction of a standard cul-de-sac approximately 400' in length and sewer improvements, subdividing the land into lots, and recording the final record plat. The property will then be turned over to the Housing Authority in fulfillment of LFUCG's HOPE VI obligation, to be assigned to area non-profits such as Habitat for Humanity, Urban League, Faith Communities, etc. to build and manage the construction of affordable housing. The goal is to make these lots available in July, 2008, so a large portion of the next construction season can be utilized.

Estimated total costs for LFUCG to construct the improvements for this development have been calculated by Sherman Carter Barnhart, PSC at \$450,000. LFUCG may be able to utilize internal resources to reduce some of that cost. However, I request that this amount be approved for use from the \$1.7 million in available UDAG funds to pursue this development, help meet LFUCG's HOPE VI obligation in a truly meaningful way, and provide much-needed opportunities for new affordable housing in the community. In addition, I request Council initiation of the needed zone change for the property.

Thank you, and I will be available for any questions you may have.





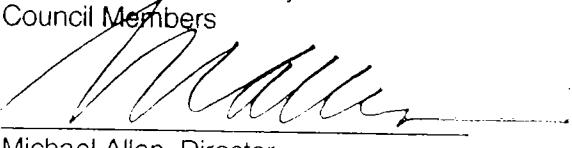
613-07

Jim Newberry, Mayor

Division of Human Resources

## MEMORANDUM

TO: Mayor Jim Newberry  
Senior Advisor Joe Kelly  
Council Members

FROM:   
Michael Allen, Director  
Division of Human Resources

DATE: October 29, 2007

RE: Create Position—Division of Waste Management

The attached action amends Section 22-5 of the Code of Ordinances, creating ten (10) temporary positions of Equipment Operator Sr. (Grade 109N). The term of the position will be for five months, beginning December 10, 2007 and ending May 25, 2008 within the Division of Waste Management, effective upon passage by Council.

The Division requests this action as a result of a staffing shortage. The ten (10) temporary Equipment Operators Sr. positions will provide a bridge of staffing until permanent employees are ready. The temporary employees all have prior service as drivers in the Division.

The duties described on the PAQ fall within the existing job description for this classification; therefore, this action will be reported as *information only* to the Mercer Job Evaluation Committee.

The fiscal impact for FY2008 (9 pay periods) results in a cost of \$124,883.82. One hundred thousand (\$100,000.) will be funded from the Professional Services account and the balance is budgeted in the Other Salaries account. All costs include benefits.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Vacant	Equipment Operator Sr. (10 positions)	\$0	\$243,526.40	\$243,526.40

If you have questions or need additional information, please contact Tracey Stephenson at 258-3030.

## Attachment

cc: Don Kelley, P.E., Acting Commissioner, Department of Environmental Quality  
Darrylyn Combs, Human Resources Manager, Division of Human Resources  
Jim Dodson, Human Resources Analyst, Division of Human Resources  
Log #08-0008



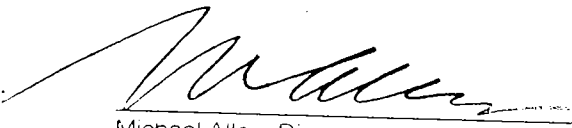
614-07

Jim Newberry, Mayor

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT  
Division of Human Resources

# MEMORANDUM

TO: Mayor Jim Newberry  
Joe Kelly, Senior Advisor  
Councilmembers

FROM:   
Michael Allen, Director  
Division of Human Resources

DATE: October 29, 2007

RE: Reclassify Position-Division of Planning

The attached action amends Section 21-5 of the Code of Ordinances: abolishing one (1) position of Staff Assistant (Grade 107N); creating one (1) position of Administrative Specialist (Grade 110N); and, reclassifying the incumbent within the Division of Planning, effective retroactively to August 20, 2007.

The division requests the reclassification as a result of significant increase in complexity and scope of duties. The main responsibility of the position is the duties for the Long Range Planning Section. The incumbent processes collections of approximately \$240,000 per year and maintains reports to be made available to the Director as required.

Based on staff analysis, which includes whole job rank, factor comparison and review by the Mercer Job Evaluation Committee, it is recommended that this position be classified as stated above.

The fiscal impact for FY2008 (22 pay periods) will be \$7,836 including benefits and will be funded from the division's operating fund. All costs include benefits.

Name	Title	Annual Salary Before	Annual Salary After	Annual Increase
Pam Whitaker	Administrative Specialist	\$33,178.08	\$40,651.52	\$7,473.44

If you have questions or need additional information, please contact Tracey Stephenson at 258-3030.

Attachment  
TS/dhf

cc: Don Kelley, P.E., Commissioner, Department of Public Works  
Chris King, Director, Division of Planning  
Darrylyn Combs, Human Resources Manager, Division of Human Resources  
Jim Dodson, Human Resources Analyst, Division of Human Resources

Log # 07-1036b




609-07

Mayor Jim Newberry

Division of Parks and Recreation

Fayette County Council Members

FROM:

  
Jerry Hancock, Director  
Parks and Recreation

SUBJECT: Facility Usage Contract

DATE: October 25, 2007

This is a request for Council's approval of a Facility Usage Contract between the Fayette County Board of Education and the LFUCG Parks and Recreation. This contract is for the purpose of using FCPS facilities – Bates Creek High School for a Dance Recital. The dance is scheduled for Saturday, December 01, 2007 between 9:00 am – 2:30 pm for the Kiddie Kapers program.

Please contact me if there are any questions.

Cc: Kimra Cole, Commissioner of General Services

JH:msm

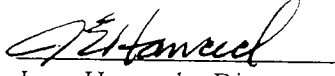
HORSE CAPITAL OF THE WORLD



622-07

Mayor Jim Newberry  
Division of Parks and Recreation

Mayor Jim Newberry  
Liberty Center Council Members

FROM:   
Jerry Hancock, Director  
Parks and Recreation

OCT 31 2007  
REC'D

SUBJECT: Agreement for Professional Services  
Shillito Park Trail Project

DATE: October 30, 2007

This is a request for Council's approval of an agreement for professional services to design the Shillito Park Trail. This agreement is between the LFUCG and Morgan C. McIlwain, ASLA, d.b.a. McIlwain + Associates. **The amount of the design fee is \$38,030.00 and is fully funded in 2517-707601-7211-90310.**

Please contact me if there are any questions.

Cc: Kimra Cole, Commissioner of General Services

JH:msm

HORSE CAPITAL OF THE WORLD



619-07

Mayor Jim Newberry

## Division of Community Development

TO: JIM NEWBERRY, MAYOR  
URBAN COUNTY COUNCILFROM: PAULA KING, DIRECTOR  
DIVISION OF COMMUNITY DEVELOPMENT

DATE: NOVEMBER 1, 2007.

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE  
PROFESSIONAL SERVICES AGREEMENT WITH MCILWAIN +  
ASSOCIATES FOR DESIGN OF LAFAYETTE TRAIL

On November 2, 2006 (Ordinance No. 318-2006), the Urban County Council approved the acceptance of federal funds for the construction of the Healthway Trail system for pedestrians and bicyclists in southwest Fayette County. One section of this trail, the Lafayette Trail, will connect the South Elkhorn Trail to the northern entrance of Shillito Park.

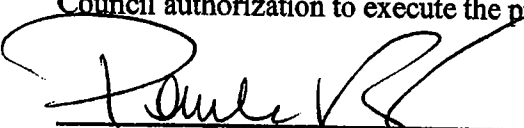
For design services, RFP No. 20-2007 was issued on June 21, 2007. Nine firms responded with proposals. In accordance with CAO policy a selection committee was convened to review the responses to the RFP. McIlwain + Associates was selected as the firm best meeting the selection criteria. Cost of professional services to include site survey, geotechnical engineering report, and project design is \$19,270.

The source of federal funds is the Transportation Enhancement Program, a required set-aside from the Surface Transportation Program, authorized by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) in the U.S. Department of Transportation.

Funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCOUNT	ACTIVITY	BUD REF	PROJECT
3160	303202	3225	90310	DEFAULT	2007	HEALTHWAY

Council authorization to execute the professional services agreement is hereby requested.



Paula King, Director

Xc: Kimra Cole, Commissioner, Department of General Services  
200 East Main Street 6<sup>th</sup> Fl. Lexington, KY 40507 (859)258-3070 (859)258-3081 fax www.lfucg.com





630-07

Mayor Jim Newberry

Division of Community Development

TO: JIM NEWBERRY, MAYOR

FROM: PAULA KING, DIRECTOR  
DIVISION OF COMMUNITY DEVELOPMENT

DATE: NOVEMBER 6, 2007

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION  
TO THE GOVERNOR'S OFFICE FOR LOCAL DEVELOPMENT FOR  
DEVELOPMENT OF A PEDESTRIAN TRAIL UNDER THE GET  
HEALTHY KENTUCKY GRANT PROGRAM--FY 2008

The Governor's Office of Wellness and Physical Activity has announced the availability of funds for implementation of built environment initiatives (walking trails are examples) in Kentucky communities. These state funds are authorized by the 2007 Kentucky General Assembly's House Bill 646, the Governor's Wellness and Physical Activity Initiative. A cash match is required that is equal to 40% of the amount of state funds requested.

An application has been prepared requesting state funds in the amount of \$18,500 for construction of a 1950 foot walking trail connecting the Day Treatment Center property with Addison Park. Total cost of trail is \$26,000. The required match in the amount of \$7,500 will come from funds in the 2007 budget that were set aside for trail construction.

Day Treatment is a community-based treatment program operated by the LFUCG for juveniles between the ages of 12 and 17. The program mission is to treat delinquent youth in their home community, hereby preventing institutionalization, and to keep predelinquent youth out of the juvenile justice system. Components of the program include education (provided by Fayette County Public Schools), counseling, and social work services. Program managers have begun to emphasize physical fitness as an important component of the program.

Council authorization to submit grant application is hereby requested.

Paula King  
Director

Xc: Kimra Cole, Commissioner of General Services





629-07

Mayor Jim Newberry

Division of Community Development

TO: JIM NEWBERRY, MAYOR  
LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

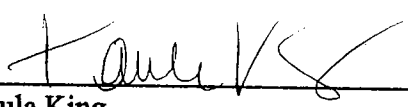
FROM: PAULA KING, DIRECTOR  
DIVISION OF COMMUNITY DEVELOPMENT

DATE: NOVEMBER 6, 2007

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT  
APPLICATION, AND ACCEPT AWARD IF OFFERED, TO THE  
BLUEGRASS AREA DEVELOPMENT DISTRICT FOR  
ALLOCATION OF AREA DEVELOPMENT FUND—FY 2008

Bluegrass Area Development District has announced that the Lexington-Fayette Urban County Government is eligible to receive an allocation of \$12,872 in Area Development Fund dollars for Fiscal Year 2008. These are state general fund dollars approved by the Legislature that may only be used for capital projects. The project for which the LFUCG will be making application for this year is the purchase of a portable air compressor which will be used by the Division of Parks and Recreation to power the sand blasting equipment used for removing graffiti from brick and porous type surfaces. The policy is to remove graffiti within 24-48 hours. Currently, the Division of Parks and Recreation has to rent air compressors for operation of the equipment.

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

  
\_\_\_\_\_  
Paula King  
Director

Xc: Kimra Cole, Commissioner of General Services



66  
618-07

Mayor Jim Newberry

Division of Engineering

To: Jim Newberry, Mayor  
Urban County Council

From: Mary Bennett *MB*  
Engineering Technician

Date: October 16, 2007

Re: Resolution Authorizing Acceptance of Deed  
Project No. 384 – Elizabeth Street Drainage Improvements

The purpose of this memorandum is to request a resolution authorizing the acceptance of a deed of temporary construction easement for the Elizabeth Street Drainage Improvements project. The deed will be from Susan Y. and Walter Miller at a cost of \$300.00 for the acquisition of 752 square feet of temporary construction easement from the property located at 213 Floral Park.

Funds for the payment are currently budgeted. Acceptance of the deed in payment of the consideration is recommended.

Approved by:

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

Don C. Kelly, P.E., Commissioner  
Department of Public Works and Development

**Attachments**

c: Robert Bayert, P.E.    David Carroll, P.E.    Glenda George    Yvonne Stone    File

08.P384.406.blue213floralpk

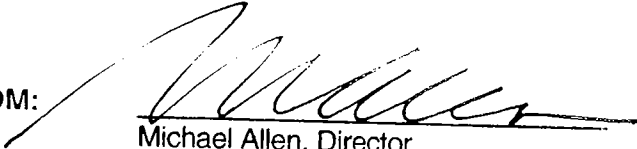
67  
621-07

Jim Newberry, Mayor

Division of Human Resources

## MEMORANDUM

TO: Mayor Jim Newberry  
Joe Kelly, Senior Advisor  
Councilmembers

FROM:   
Michael Allen, Director  
Division of Human Resources

DATE: October 31, 2007

RE: Reclassify Positions—Division of Building Maintenance and Construction

The attached action amends Section 21-5 of the Code of Ordinances, abolishing two (2) positions of Operations Manager (Grade 116E) and creating two (2) positions of Facility Manager (Grade 118E); abolishing three (3) positions of Skilled Trades Worker Sr. (Grade 112N) and creating three (3) positions of Electrical Instrumentation Tech (Grade 113N); abolishing one (1) position of Trades Supervisor (Grade 113N) and creating one (1) position of Electrical Instrumentation Tech Sr. (Grade 114E); and reallocating one position of Director of Building Maintenance and Construction (Grade 120E) to Director of Building Maintenance and Construction (Grade 121E), reclassifying the incumbents within the Division of Building Maintenance and Construction, effective May 28, 2007.

The Division requests this action due to increased and licensing requirements for the effected positions. The reallocation puts the Directors job more in line with the increased responsibilities of the position.

The fiscal impact for FY2007 is \$5,995.61 (2 pay periods) and for FY2008 is \$79,934.87 (26 pay periods) for a total of \$85,930.48 includes benefits. Funding for this action is from personal contingency, and is budgeted.

If you have questions or need additional information, please contact Tracey Stephenson at 258-3030.

Attachment

cc: Kimra Cole, Commissioner of General Services  
Wayne Wilson, Director-Division of Building Maintenance and Construction  
Darrylyn Combs, HR Manager, Division of Human Resources  
Jim Dodson, HR Analyst, Division of Human Resources

Log # 07-1021



627-07

Mayor Jim Newberry

## Division of Purchase of Development Rights Program

November 5, 2007

## MEMORANDUM

TO: Mayor Jim Newberry  
Joseph Kelly - Senior Advisor for Management  
Urban County Council

FR: Billy F. Van Pelt, RLA, ASLA – PDR Director

RE: PDR Ordinance

The purpose of this PDR Ordinance amendment is to change the definitions of 'Conservation Easement Value' and 'Development Right'.

**'Conservation Easement Value'**-The existing references to the unrestricted value 'as of August 26, 1998' and the moratorium on ten acre tracts were included based on the timing of the adoption of the original Ordinance.

**'Development Right'**-The existing references to the ability to subdivide a ten acre tract and that one ten acre tract represented a development right were based on the timing of the adoption of the original Ordinance.

When the Ordinance was adopted, the minimum lot size in the Rural Service Area had recently been increased to forty acres. Over the last seven years, the reference to the August 26, 1998 date and the reference to the ten acre development right have become obsolete when appraising the value of PDR conservation easements.

The proposed changes will bring the Ordinance up to date with the current Federal Farm and Ranch Lands Protection Program conservation easement appraisal requirements and those set forth by the Uniform Standards of Professional Appraisal Practice. Currently, the PDR conservation easement appraisals reflect the values set forth by the Ordinance and the proposed text. By updating the Ordinance, the PDR conservation easement appraisals would only have one valuation, as defined in the proposed attached text.

Attachment

C: File

## HORSE CAPITAL OF THE WORLD

200 East Main Street Lexington, KY 40507 (859) 425-2220 Facsimile (859) 258-3839 [www.lfucg.com/pdr](http://www.lfucg.com/pdr)

69'  
628-07

Mayor Jim Newberry

TO: Division of Community Development  
JIM NEWBERRY, MAYOR  
URBAN COUNTY COUNCIL

FROM: PAULA KING, DIRECTOR  
DIVISION OF COMMUNITY DEVELOPMENT

DATE: NOVEMBER 6, 2007

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION TO  
THE BLUEGRASS AREA DEVELOPMENT DISTRICT FOR FEDERAL  
FUNDING FOR AN OUT OF SCHOOL YOUTH PROGRAM

The Department of Social Services has prepared an application for submission to the Bluegrass Workforce Investment Board (Bluegrass Area Development) requesting federal funds for the development of an out-of-school youth program. This program will address youth who are between the ages of 16 and 18, are low-income and are within one of the three categories: deficient in basic literacy skills, school dropout, or child, runaway, or foster child, pregnant or parenting, offender, or is an individual who requires additional assistance to complete an education program or secure and hold employment.

If approved, the LFUCG will be awarded \$40,000 for project planning for the period of January 1, 2008 through June 30, 2008. Once planning activities are completed, \$40,000 will be available for project implementation. Services that will be provided include assistance with obtaining either high school diploma or GED and employability skills to secure and retain employment. Other program elements include leadership development, paid and unpaid work experiences, alternative secondary school services, supportive services, adult mentoring, follow-up services, and counseling, including drug and alcohol abuse counseling. Not all services will be provided directly through grant funds, many services will be provided by existing community partners. Existing personnel from the Division of Youth Services will also be responsible for project performance. Up to \$60,000 in additional funds can be earned by the LFUCG based on individual youth attainment of performance measures. An unspecified non-federal match in the form of cash or in-kind is required. The LFUCG will provide match in the form of personnel costs of existing employees.

Federal funds are from the U.S. Department of Labor as authorized by the Workforce Investment Act.

Council authorization to approve the submission of the application is hereby requested.

Paula King  
Director

Xc: Marlene Helm, Commissioner of Social Services



634-07

Mayor Jim Newberry

Department of Law

TO: Jim Newberry, Mayor  
Members, Urban County Council

FROM: Department of Law

DATE: November 6, 2007

RE: Rejection of Alley Right-of-Way  
Druid Hills Subdivision

This memo is to request a Resolution rejecting right-of-way shown as a 10-foot alley off James Court, running parallel to Helm Street, by a plat of Druid Hills Subdivision of record in the Fayette County Clerk's Office, provided any appropriate **utility easements are dedicated**. It is further requested that **the Mayor be authorized to sign a Quitclaim Deed** quitclaiming any interest of LFUCG to said right-of-way.

The owner of the property upon which the alley is shown has requested that the Urban County Government reject the right-of-way. The alley was never constructed, used, maintained, or formally accepted by the Urban County Government and it has been determined there is no need for the right-of-way except for the dedication of utility easements, if necessary.

This action has no budgetary implication for LFUCG.

Edward W. Gardner  
Corporate Counsel

Enclosure

cc: Joe Kelly, Mayor's Office  
Council Office

G:EWG/mem110607RejectionROW  
00141985.DOC

HORSE CAPITAL OF THE WORLD

\*\*P. O. Box 34028 Lexington, KY 40588-4028 (859) 258-3500 Fax: (859)258-3538 [www.lfucg.com](http://www.lfucg.com)

**\*\*Please note new mailing address**



71  
636-07

Mayor Jim Newberry

Department of Law

To: Jim Newberry, Mayor  
Urban Court Council

From: Department of Law

Date: November 8, 2007

Re: Amendment of Resolution No. 544-2007

On October 18, 2007, the Council passed the above-referenced resolution which authorized an agreement with Kentucky Utilities Company for the relocation of utilities from the temporary housing site for residents displaced by the construction of the Newtown Pike extension. The agreement provides for payment of \$5,949 to KU for the relocation. The resolution listed an incorrect payee in Section 2. It is necessary to **amend Section 2 of the resolution to list KU as the payee. The amendment does not impact the cost associated with the agreement.**

If you have any questions, please let me know.

Keith Horn, Attorney Sr.

00143625

HORSE CAPITAL OF THE WORLD

\*\*P. O. Box 34028 Lexington, KY 40588-4028 (859) 258-3500 Fax: (859)258-3538 [www.lfucg.com](http://www.lfucg.com)

**\*\*Please note new mailing address**



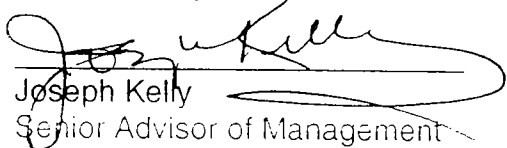


638-07

# Lexington-Fayette Urban County Government

Jim Newberry, Mayor

TO: Mayor Newberry  
Urban County Council

FROM:   
Joseph Kelly  
Senior Advisor of Management

DATE: November 8, 2007

RE: Rescinding of Resolution Approving Tax Abatements for  
Shelbourne Plaza Project.

Following the approval by Council of Resolution No. 334-2007 allowing for tax abatements to Shelbourne, LLC the scope of the project was materially altered by the project owners. A major retail anchor for the Shelbourne Plaza project withdrew causing Shelbourne, LLC to have to significantly alter the project design. The redesign resulted in a reduction of retail space, the elimination of underground parking as well as other changes.

Given the change in the scope of the project the tax abatements approved by Council are no longer applicable. The Shelbourne project continues to be viable and is moving forward with no state or local incentives.

638-07

A RESOLUTION RESCINDING RESOLUTION NO. 334-2007, WHICH AUTHORIZED AN AGREEMENT IN LIEU OF TAXES WITH THE BOARD OF EDUCATION OF FAYETTE COUNTY, KENTUCKY AND BP SHELBOURNE, LLC, FOR THE SHELBOURNE PLAZA INDUSTRIAL REVENUE BOND PROJECT.

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

Section 1 - That Resolution No. 334-2007, which authorized an Agreement in Lieu of Taxes with the Board of Education of Fayette County, Kentucky and BP Shelbourne, LLC, for the Shelbourne Plaza Industrial Revenue Bond Project, be and hereby is rescinded.

Section 2 - That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL:

ATTEST:

CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

G:ALW/Res358  
\* C:\655\140EE107\CC0567\LEG\00142907.DOC

## SERVICES COMMITTEE SUMMARY

October 30, 2007

Mr. Ellinger chaired the committee meeting. The meeting was called to order at 1:00 p.m. All committee members were in attendance.

**Motion by CM McChord to reduce the speed limit on Kavanaugh Dr and Speed Limit Reduction Kavanaugh Ln.**

Brad Frazier, Traffic Engineering, stated there are six criteria for speed limit reduction based on Federal Highway Administration. He stated based on the criteria Traffic Engineering does not have any objection to lowering the speed limit to 25 mph. He stated their findings for multi-way stop at this time found traffic volume to be very low. He stated there haven't been any collisions at this intersection in the last three years. He stated with this information this area doesn't warrant a multi-way stop at this time. Mr. Frazier stated they can go back and look at possibly adding some signage in the area.

A motion by CM McChord to reduce the speed limit on Kavanaugh Ln to 25 mph, seconded by CM Myers, passed without dissent.

### II. Items in Committee

Brad Frazier stated he will take the items in committee that regard traffic calming and check into the status of them. He will then report the information back to the requesting Council Member.

A motion by CM Blues to remove the item of Implementing a Hands Free Cell Phone Ordinance from Services Committee, seconded by CM DeCamp, passed without dissent.

A motion by CM DeCamp to combine the issues of Car Radio Noise, School Event Noise, and Special Events Noise Ordinance into one item to be discussed, seconded by CM Myers, passed without dissent.

A motion by CM Blues to remove the item of Zoning Ordinance Review re: Issuance of Liquor License from Services Committee, seconded by CM Myers, passed without dissent.

A motion by CM Blues to remove the item of Neighborhood Assistance Office from Services Committee, seconded by CM Myers, passed without dissent.

A motion by CM McChord to remove the Willow Oak Subdivision Traffic Issues from Services Committee, seconded by CM Myers, passed without dissent.

A motion by CM Beard to remove the item of Multi-Way Stop Malibu Dr/Bellefonte Rd from Services Committee, seconded by CM McChord, passed without dissent.

The meeting adjourned at 1:15 pm.