

**Urban County Council  
Schedule of Meetings  
December 10, 2007 through December 17, 2007  
Council Winter Break December, 12-January 7, 2008**

**MONDAY, DECEMBER 10**

Internal Audit Board Quarterly Meeting . . . . . 11:40 am  
Conference Room-10<sup>th</sup> Floor Government Center

**TUESDAY, DECEMBER 11**

Infill & Redevelopment: Quality of Life Task Force Meeting . . . . . 8:30 am  
Conference Room-7<sup>th</sup> Floor Phoenix Building

Farmer's Market Task Force Meeting . . . . . 9:30 am  
Conference Room-5<sup>th</sup> Floor Government Center

Outside Agency Oversight Committee Meeting . . . . . 10:30 am  
Conference Room-5<sup>th</sup> Floor Government Center

Budget & Finance Committee Meeting . . . . . Cancelled

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

Special Council Meeting . . . . . 6:00 pm  
Council Chamber-2<sup>nd</sup> Floor Government Center

**WEDNESDAY, DECEMBER 12**

Infill & Redevelopment Committee Meeting. . . . . 8:30 am  
Conference Room-7<sup>th</sup> Floor Phoenix Building

Lexington & Fayette County Parking Authority Meeting. . . . . 11:00 am  
Conference Room-7<sup>th</sup> Floor Phoenix Building

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> Floor Government Center

Downtown Entertainment Task Force Meeting . . . . . 4:30 pm  
Commerce Lexington, 330 E. Main St

**THURSDAY, DECEMBER 13**

No Meetings

**FRIDAY, DECEMBER 14**

Mayor's Task Force Against Breast Cancer Meeting . . . . . 10:00 am  
Conference Room-5<sup>th</sup> Floor Government Center

**MONDAY, DECEMBER 17**

No Meetings

**LEXINGTON-FAYETTE URBAN COUNTY COUNCIL**

**WORK SESSION AGENDA**

**December 11, 2007**

- I. Public Comment – Issues on Agenda**
  - A. Employee Recognition**
- II. Requested Rezonings / Docket Approval – Yes**
- III. Approval of Summary-Yes, December 4, 2007** (separate-not in packet)
- IV. Budget Amendments – Yes, pp.6-9**
- V. New Business, pp.13-31**
- VI. Continuing Business / Presentations**
  - A. Services Committee Update, pp.32-38**
  - B. Snow and Ice Removal Plan Presentation – Kevin Wente**
- VII. Council Report**
- VIII. Mayor's Report – Yes**
- IX. Public Comment – Issues Not on Agenda**

## ADMINISTRATIVE SYNOPSIS

### New Business Items

- A. Authorization to Submit a Grant Application to the Kentucky Board of Emergency Medical Services on Behalf of the Division of Fire and Emergency Services. (696-07) (King/Bennett)  
 This request will authorize the submission of a grant application for \$10,000 to the Kentucky Board of Emergency Medical Services for the purchase of 8 to 10 bicycles outfitted with advanced life support equipment already owned by the Division. This will allow better access to persons needing emergency medical services during large-scale events such as foot races, parades, festivals, and Kentucky Horse Park events. No matching funds are required.**p.13**
- B. Authorization to Accept a Price Contract with M/A-COM, Inc. on Behalf of the Division of Fire and Emergency Services. (706-07) (Hendricks/Bennett)  
 This request will authorize the acceptance of a Price Contract with M/A-COM, Inc. for hardware, software, engineering and installation services for 800 MHz Radio Communications equipment on behalf of the Division of Fire and Emergency Services. M/A-Com, Inc. is the sole source provider for equipment currently utilized for 800 MHz Trunked Radio Communication equipment. This contract is based on RFP-800-070420-1 with the Madison County Emergency Management Agency.**p.14**
- C. Authorization to Submit Grant Application to the Federal Emergency Management Agency (FEMA) for a Hazard Mitigation Project – FY2009. (694-07) (King/D. Kelly)  
 This request will authorize the submission of a grant application to FEMA for federal funds of \$1,395,000 (75%) for the implementation of a flood hazard mitigation project for the Fort Sumter / Gayle Drives area. The source of federal funds is the Department of Homeland Security, FEMA, Hazard Mitigation Grant Project as authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988. This project includes the purchase of ten (10) single family houses frequently flooded. Funds will also allow for appraisals, surveys, closing costs, asbestos testing and abatement, and demolition. This project also includes state funds of \$223,200 (12%). A local match of \$241,800 (13%) is required and will be requested in the FY2009 General Fund budget. Total project cost is \$1,860,000.**p.15**

- D. Authorization of an Acceptance of a Deed of Temporary Construction Easement at 889 Star Shoot Parkway for the Star Shoot Parkway Extension Project. (699-07) (Rayan/D. Kelly)  
 This request will authorize an acceptance of a deed of a temporary construction easement at 889 Star Shoot Parkway of 2,008 square feet at a cost of \$1,310 for the Star Shoot Parkway Extension project. Funds are budgeted. **p.16**
- E. Authorization to Amend Section 21-5 of the Code of Ordinances within the Division of Waste Management. (702-07) (Allen/D. Kelly)  
 This request will authorize an amendment to Section 21-5 of the Code of Ordinances to create two (2) positions of Equipment Operator Sr. (Grade 109N) and abolish two (2) positions of Public Service Worker (Grade 106N) within the Division of Waste Management retroactive to October 15, 2007. The fiscal impact for FY2008 will be \$4,328 and will be funded from the Division's Personnel Contingency Account. Total annual impact will be \$5,923.13. **p.17**
- F. Authorization to Submit Project Profiles to the Kentucky Infrastructure Authority for Wastewater Projects. (701-07) (King/D. Kelly)  
 This request will authorize the submission of four (4) project profiles to the Kentucky Infrastructure Authority for a total of \$18,874,000 in state funding from the 2008 Kentucky General Assembly. The wastewater projects include the:
- East Hickman Pump Station Expansion and Rehabilitation for \$3,100,000;
  - Bluegrass Airport Pump Station Expansion for \$1,974,000;
  - Wolf Run Pump Station and Expansion for \$10,500,000; and,
  - Comprehensive Sanitary Sewer Project – Remaining Unsewered Areas, Phase III, for \$3,300,000. **p.18**
- G. Authorization of a Software Product License Agreement with Granicus, Inc. for the Council Chambers Voting System for the Remainder of FY2008. (697-07) (Damrell/Langston)  
 This request will authorize a Software Product License Agreement with Granicus, Inc. for \$15,600 for maintenance and support for the Legislative Management System used in the Council Chambers. A proposal by Granicus, Inc. for Phase 1 was accepted in May 2007. The proposal included technical and user support, monitoring of software and hardware, software upgrades, unlimited bandwidth and storage for 12 months of archiving of all public meetings. This agreement is renewable for three (3) years subject to future funding. Funds are budgeted for FY2008. **p.19**

H. Authorization of a Resolution for a Subordination Agreement of a Financial Assistance Program (FAP) Mortgage at 3109 Starling Drive. (698-07) (Askew)

This request will authorize a subordination agreement of a FAP mortgage at 3109 Starling Drive to Chase Bank to allow owners to refinance their first mortgage on this property for Sewer Tap-On Assistance.**p.20**

I. Authorization of Change Order No. 1 to Contract with Art's Electric for the Installation of a Generator at the Government Center. (700-07) (Dhuwaraha)

This request will authorize Change Order No. 1 to contract with Art's Electric at an additional cost of \$2,191 for the installation of a Generator at the Government Center. The generator was planned to be installed on the parking garage roof. Because of the structural problems, CMTA Engineers have selected another site for the generator. Before the generator can be installed, older equipment will be removed, an existing concrete pad and fencing will be excavated, longer conduit and wiring (with labor) will be installed, and new insulated exhaust system will be installed at the new location. This generator will provide emergency power to the Division of Computer Services to keep the servers and routing equipment online and to the electronic doors monitored by Security. The original contract cost was \$229,600. New contract cost is \$231,791.**pp.21-22**

J. Authorization to Amend Section 21-5 of the Code of Ordinances within the Division of Parks and Recreation. (703-07) (Allen/Cole)

This request will authorize an amendment to abolish one (1) position of Recreation Supervisor (Grade 110E) and create one (1) position of Recreation Specialist Sr. (Grade 113E) within the Division of Parks and Recreation. The fiscal impact for FY2008 will be \$3,450 and is funded from the Division's Personnel Contingency Account. The annual impact will be \$8,142.05.**p.23**

K. Authorization to Amend Section 21-5 of the Code of Ordinances within the Division of Building Maintenance and Construction. (704-07) (Allen/Cole)

This request will authorize an amendment to Section 21-5 of the Code of Ordinances to abolish one (1) position of Operations Manager (Grade 116E) and create one (1) position of Facility Manager (Grade 118E), and reclassify the incumbent, retroactive to May 28, 2007; and abolish one (1) vacant position of Skilled Trades Worker (Grade 111N), effective on passage of Council, within the Division of Building Maintenance and Construction. The fiscal impact for FY2007 is \$930.95 and for FY2008 is \$8,963.23 for a total of \$9,894.18, and is funded from the Division's Personnel Contingency Account. The annual impact will be \$22,442.94.**p.24**

- L. Authorization of a Facility Agreement with Toyota Bluegrass Miracle League, Inc. (d/b/a Toyota Bluegrass Miracle League) for the Special Surface Ball Field at Shillito Park.. (705-07) (Hancock/Cole)  
 This request will authorize a Facility Agreement with Bluegrass Miracle League, Inc. (d/b/a Toyota Bluegrass Miracle League) for continued use of the recently constructed special surface ball field, pavilion and concession stand located at Shillito Park on behalf of the Division of Parks and Recreation. This agreement modifies the original agreement approved by Council on October 20, 2005. This special use facility was constructed primarily with donated funds and is valued at more than \$500,000. There is no budgetary impact for FY2008.**pp.25-29**
- M. Authorization of an Agreement with Volunteers of America (VOA) for Emergency Housing Services – FY2008. (695-07) (King/Koch)  
 This request will authorize an agreement with Volunteers of America to provide up to \$8,000 to support emergency housing for homeless families. In the past, Lexington-Fayette Urban County Housing Authority provided leased units well below the market rate in the Bluegrass-Aspendale. With the demolition of these housing units, VOA is leasing two (2) units from a private landlord at market rate. VOA and the Housing Authority are working together for an alternative plan. Funds are budgeted.**p.30**
- N. Authorization to Provide a Stipend for the Position of Permanent Sworn Battalion Chief in the Division of Fire and Emergency Services. (606-07) (Allen)  
 This request will authorize a 6.544% stipend for the position of Permanent Sworn Battalion Chief in the Division of Fire and Emergency Services. This position will receive a stipend that will make the base salary equal to that of other positions of the same rank as determined by collective bargaining retroactive to June 25, 2007. The fiscal impact for FY2008 is \$7,200 and will be funded from the Division's Repairs and Maintenance Account.**p.31**

# BUDGET AMENDMENT REQUEST LIST

<b>JOURNAL</b>	15694	<b>DIVISION</b>	Special Projects	<b>Fund Name</b>	General Fund
				<b>Fund Impact</b>	4,000.00
					4,000.00CR
					.00

To recognize transfer of IRB (Industrial Revenue Bond) fees and provide funding for SCORE rent through the end of December 2007.

<b>JOURNAL</b>	15695-96	<b>DIVISION</b>	Special Projects	<b>Fund Name</b>	IRB Fund
				<b>Fund Impact</b>	4,000.00
					4,000.00CR
					.00

To provide for SCORE building rent through December 2007 by recognizing IRB (Industrial Revenue Bond) fees.

<b>JOURNAL</b>	15909	<b>DIVISION</b>	Human Resources/ Special Events	<b>Fund Name</b>	General Fund
				<b>Fund Impact</b>	4,000.00
					4,000.00CR
					.00

To transfer funds from Human Resources budget to the Mayor's budget (Special Events) to share costs for the Employee Holiday Banquet.

<b>JOURNAL</b>	15917-18	<b>DIVISION</b>	Chief Information Officer	<b>Fund Name</b>	General Fund
				<b>Fund Impact</b>	2,191.00
					2,191.00CR
					.00

To provide additional funds for generator by decreasing funds for repairs and maintenance.

<b>JOURNAL</b>	15930	<b>DIVISION</b>	Revenue	<b>Fund Name</b>	Landfill Fund
				<b>Fund Impact</b>	3,145.00
					3,145.00CR
					.00

To reallocate remittance processing maintenance budget to purchase new remittance processing hardware and software. Replacement device will have additional functionality and annual maintenance costs will be significantly reduced.

<b>JOURNAL</b>	15931	<b>DIVISION</b>	Revenue	<b>Fund Name</b>	General Fund
				<b>Fund Impact</b>	16,855.00
					16,855.00CR
					.00

To reallocate remittance processing maintenance budget to purchase new remittance processing hardware and software. Replacement device will have additional functionality and annual maintenance costs will be significantly reduced.

## **BUDGET AMENDMENT REQUEST SUMMARY**

7

Fund	1101	General Services District – General Fund	.00
Fund	1135	Industrial Revenue Bond Fund	.00
Fund	4121	Landfill Fund	.00





Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

**Budget Journal Numbers**      15694-96                      **Budget Amendment Date**              11-28-2007  
**Requesting Division**              Budgeting  
**Fund Name**                      General Fund and Industrial Revenue Bond Fund  
**Fund Number**                      1101 and 1135  
**Contact for Additional Information**      Connie Underwood

**Description**

Funding for the SCORE (Service Corps Of Retired Executives) rent was overlooked in creating the FY 2008 budget. These budget amendments provide funding for the rent.



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

**Budget Journal Number**      15909                      **Budget Amendment Date**      11/28/07  
**Requesting Division**              HR  
**Fund Name**                      General Services District – General Fund  
**Fund Number**                      1101  
**Contact for Additional Information**      Nora Cheek 258-3034

**Description**

Transfer of funds from HR's budget to the Mayor's budget to share costs for the Employee Holiday Banquet.

# NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

10

December 11, 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
700-07	BA 1158	Computer Services	To provide funds for a change order to the contract for installation of a generator by reducing repairs and maintenance. The installation site must be changed from the garage roof to beneath the viaduct.
I			1101 1,200
			1101 1,200CR
			0*
700-07	BA 1159	Computer Services	To provide additional funds for a change order to the contract for installation of a generator by reducing repairs and maintenance. The installation site must be changed from the garage roof to beneath the viaduct.
I			1101 991
			1101 991CR
			0*
702-07	KC0027	Waste Management	To provide funds for the reclassification of two positions by reducing funds for the division's personnel contingency.
E			1115 4,330
			1115 4,330CR
			0*
703-07	KC0028	Parks and Recreation	To provide funds for the reclassification of one position by reducing funds for the division's personnel contingency.
J			1101 3,450
			1101 3,450CR
			0*
704-07	KC0029	Building Maintenance and Construction	To provide funds for the reclassification of one position by abolishing one position of Skilled Trades Worker and by reducing funds for the division's personnel contingency account.
K			1101 12,390
			1101 12,390CR
			0*

606-07

KC0019

Fire and  
Emergency  
Services

To provide funds for a 6.544% stipend for the position of permanent Sworn Battalion Chief that will make the base salary equal to that of other positions of the same rank as determined by collective bargaining. Funding will be provided by reducing funds for repairs and maintenance.

N

1101	7,200
1101	7,200CR
	0*

**EFFECT ON FUND BALANCES**

**FUND 1101**

0\* NO EFFECT ON: GENERAL SERVICES DISTRICT

**FUND 1115**

0\* NO EFFECT ON: URBAN SERVICES DISTRICT FUND

**Budget Information for New Business Items**

**December 11, 2007 Work Session**

<b>Item</b>	<b>Number</b>	<b>Amount</b>	<b>Fund</b>	<b>Name / Description</b>
A	696-07	NA		
B	706-07	NA		
C	694-07	NA		
D	699-07	1,310		
E	702-07	4,330	1115	Full Urban Services District Fund Budget Amendment
F	701-07	NA		
G	697-07	15,600	1101	General Services District Fund
H	698-07	NA		
I	700-07	2,191	1101	General Services District Fund Budget Amendments
J	703-07	3,450	1101	General Services District Fund Budget Amendment
K	704-07	9,894	1101	General Services District Fund Budget Amendment
L	705-07	NA		
M	695-07	8,000	1101	General Services District Fund
N	606-07	7,200	1101	General Services District Fund Budget Amendment



696-07

Mayor Jim Newberry  
**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**  
Division of Community Development

**TO: JIM NEWBERRY, MAYOR  
URBAN COUNTY COUNCIL**

**FROM: PAULA KING, DIRECTOR  
DIVISION OF COMMUNITY DEVELOPMENT**

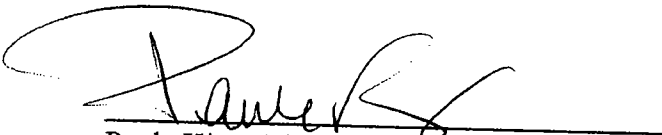
**DATE: NOVEMBER 29, 2007**

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT A GRANT  
APPLICATION TO THE KENTUCKY BOARD OF EMERGENCY  
MEDICAL SERVICES REQUESTING FUNDS FOR PURCHASE OF  
BICYCLES TO BE OUTFITTED WITH ADVANCED LIFE SUPPORT  
EQUIPMENT**

The Division of Fire and Emergency Services has prepared an application requesting funding from the Kentucky Board of Emergency Medical Services in the amount of \$10,000 for the purpose of bicycles to be outfitted with advanced life support equipment. The bicycles will provide the Division of Fire and Emergency Services with better access to persons needing emergency medical services during large scale events such as the foot races, parades, festivals, and Kentucky Horse Park events. It is anticipated that 8-10 bicycles can be purchased with these funds. The Division of Fire and Emergency Services already has the ALS equipment.

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

Council authorization to submit the application is hereby requested.

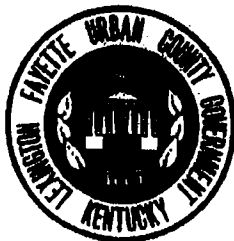
  
Paula King, Director

Xc: Tim Bennett, Commissioner, Department of Public Safety

**HORSE CAPITAL OF THE WORLD**

200 East Main Street 6<sup>th</sup> Fl Lexington, KY 40507 (859)258-3070 (859)258-3081 fax www.lfucg.com



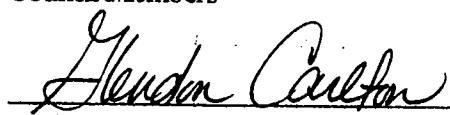


706-07

Mayor Jim Newberry  
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT  
Division of Fire and Emergency Services  
Robert G. Hendricks, Fire Chief

**Date:** 12/04/2007

**To:** Mayor Jim Newberry  
Joe Kelly, Senior Advisor  
Council Members

**From:**   
Assistant Chief Glendon Carlton

**Re:** Request for Council Action  
Price Contract for 800 MHz Radio Equipment (Ma-Com)

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We request a resolution accepting a price contract (MBP# 26369) with M/A-COM, Inc. for hardware, software, engineering and installation services for 800 MHz Radio Communications equipment. M/A-COM, Inc is the sole source provider for equipment currently being utilized for 800 MHz Trunked Radio Communication equipment for the Division of Fire and Emergency Services. This contract is based on RFP-800-070420-1 dated April 22, 2007 with the Madison County Emergency Management Agency and accepted October 30, 2007. A copy of the contract is available in the Council Clerks office for review.

This is at no cost to the Lexington Fayette Urban County Government.

**Cc:** Tim Bennett, Public Safety Commissioner  
Robert Hendricks, Fire Chief  
File

HORSE CAPITAL OF THE WORLD

219 East Third Street

Lexington, KY 40508

859-231-5600 (VOICE)

859-231-5652 (FAX)

[www.lfucg.com](http://www.lfucg.com)



694-07

Mayor Jim Newberry  
**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**  
Division of Community Development

**TO: JIM NEWBERRY, MAYOR**  
**URBAN COUNTY COUNCIL**

**FROM: PAULA KING, DIRECTOR**

**DATE: NOVEMBER 29, 2007**

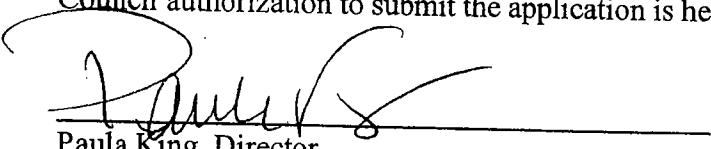
**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT**  
**APPLICATION TO THE FEDERAL EMERGENCY**  
**MANAGEMENT AGENCY REQUESTING FEDERAL FUNDING**  
**FOR A HAZARD MITIGATION PROJECT FOR FY 2009**

The Division of Engineering has prepared a grant application requesting federal funding from the Federal Emergency Management Agency for the implementation of a flood hazard mitigation project in the Fort Sumter Drive and Gayle Drive area.

Total project cost is \$1,860,000. Federal amount requested is 75% (\$1,395,000) with state amount of \$223,200 (12%). Local match of 13% (\$241,800) is required. Local match will be requested in the 2009 general fund budget. The source of federal funds is the Department of Homeland Security, Federal Emergency Management Agency, Hazard Mitigation Grant Program as authorized by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988.

Project activities include purchase of ten single family houses on Fort Sumter Drive and Gayle Drive. These properties experience frequent flooding. Other project expenses include appraisals, surveys, closing costs, asbestos testing and abatement, and demolition. At project completion lots will remain vacant and be used as open space.

Council authorization to submit the application is hereby requested.

  
Paula King, Director

Xc: Don Kelly, Acting Commissioner of the Department of Environmental Quality

**HORSE CAPITAL OF THE WORLD**

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699-07

Mayor Jim Newberry

## LEXINGTON - FAYETTE URBAN COUNTY GOVERNMENT

Division of Engineering

## MEMORANDUM

To: Jim Newberry, Mayor  
Urban County Council


From: Mary Bennett *MB*  
Engineering Technician


Date: November 30, 2007

Re: Resolution Authorizing Acceptance of Deed  
Project No. 472 - Star Shoot Parkway Extension

The purpose of this memorandum is to request a resolution authorizing the acceptance of a deed of temporary easement for the Star Shoot Parkway Extension project. The deed will be from the Shetlands Homeowners Association, Inc. at a cost of \$1,310.00 for the acquisition of 2,008 square feet (0.046 acre) of temporary easement from the property located at 889 Star Shoot Parkway.

Approved by:

  
Marwan A. Rayan, P.E.  
Urban County Engineer

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

## Attachments

c: Robert Bayert, P.E.    D. Keith Lovan, P.E.    Glenda George    Yvonne Stone    File

08.P472.406.bluesheet889starshoot

HORSE CAPITAL OF THE WORLD

101 East Vine Street 4th Floor    Lexington, KY 40507    (859) 258-3410    Fax: (859) 258-3458    www.lfucg.com



702-07

Jim Newberry, Mayor

**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**  
Division of Human Resources**MEMORANDUM**

**TO:** Mayor Jim Newberry  
Joe Kelly, Senior Advisor  
Councilmember's

**FROM:** \_\_\_\_\_  
Michael Allen, Director  
Division of Human Resources

**DATE:** November 30, 2007

**RE:** Abolish/Create position – Division of Waste Management

The attached action amends Section 21-5 of the Code of Ordinances, creating two (2) positions of Equipment Operator Sr. (Grade 109N) and abolishing two (2) positions of Public Service Worker (Grade 106N) reclassifying the incumbents all in the Division of Waste Management to become effective retroactive to October 15, 2007.

Based on the policy between the Division of Human Resources and the Division of Solid Waste, once an employee receives a Commercial Driver's License (CDL) and successfully completes the Solid Waste in-house training course, the employee will be reclassified to an Equipment Operator Senior.

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 FY 2008 (19 pay periods) will be \$4,328 and will be funded from the Personnel Contingency Account balance. All costs include benefits.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Willetta Mitchell	Equipment Operator Sr	\$27,591.20	\$30,322.24	\$2,731.04
Kenneth Johnson	Equipment Operator Sr	\$20,498.40	\$22,547.20	\$2,048.80
Total Annual Impact with benefits \$5,923.13				

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

**Attachment**

cc: Don Kelly, P.E., Commissioner, Department of Public Works  
Kevin Bennett, Acting Director, Division of Waste Management  
Darrylyn Combs, Human Resources Manager, Division of Human Resources  
Jim Dodson, Human Resources Analyst, Division of Human Resources

Log #08-0057



701-07

Mayor Jim Newberry  
**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**  
Division of Community Development

**TO: JIM NEWBERRY, MAYOR**  
**URBAN COUNTY COUNCIL**

**FROM: PAULA KING, DIRECTOR**  
**DIVISION OF COMMUNITY DEVELOPMENT**

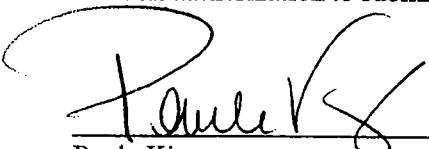
**DATE: DECEMBER 3, 2007**

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT PROJECT**  
**PROFILES TO THE KENTUCKY INFRASTRUCTURE AUTHORITY**  
**REQUESTING STATE FUNDING FROM THE 2008 KENTUCKY**  
**GENERAL ASSEMBLY FOR WASTEWATER PROJECTS**

The Division of Water and Air Quality has prepared four project profiles for submission to the Kentucky Infrastructure Authority for consideration for state funding by the 2008 Kentucky General Assembly. These wastewater projects are:

- East Hickman Pump Station Expansion and Rehabilitation in the amount of \$3,100,000
- Bluegrass Airport Pump Station Expansion in the amount of \$1,974,000
- Wolf Run Pump Station and Expansion in the amount of \$10,500,000
- Comprehensive Sanitary Sewer Project—Remaining Unsewered Areas, Phase III in the amount of \$3,300,000.

Council authorization to submit project profiles is hereby requested.

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

Xc: Don Kelly, Acting Commissioner of the Department of Environmental Quality

**HORSE CAPITAL OF THE WORLD**

200 East Main Street 6<sup>th</sup> Fl Lexington, KY 40507 (859)258-3070 (859)258-3081 fax [www.lfucg.com](http://www.lfucg.com)



Lexington  
Fayette  
Urban  
County  
Government



OFFICE OF THE COUNCIL CLERK

697-07

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

**FROM:** Susan Lamb, Deputy Council Clerk  
Council Clerk's Office

**DATE:** November 28, 2007

**SUBJECT:** Request Council Authorization to execute a Software Product License Agreement with Granicus, Inc. for maintenance and support in the amount of \$15,600 for the remainder of FY 2008

Lexington-Fayette Urban County Government accepted a proposal by Granicus, Inc. on May 3, 2007 for Phase I of the Legislative Management System. This proposal included a Monthly Managed Service Fee (\$2,600 per month) which includes technical and user support, monitoring of software and hardware, software upgrades, unlimited bandwidth and storage for 12 months of archiving of all public meetings.

Funds have been budgeted for FY 2008. This Agreement is renewable for three years subject to sufficient funds being made available in future fiscal years.

  
\_\_\_\_\_  
Susan Lamb, Deputy Council Clerk



698-07

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT  
Department of Law

TO: Jim Newberry, Mayor  
Members, Urban County Council

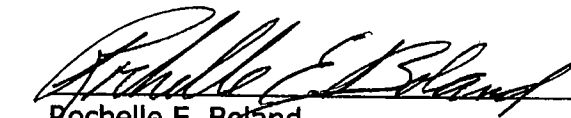
FROM: Department of Law

DATE: November 27, 2007

RE: Resolution Authorizing Subordination of a FAP Mortgage  
On 3109 Starling Drive

The owners of the property at 3109 Starling Drive, Mary Kathryn Garner-Wilson and Edward Norman Wilson, have requested that we subordinate our Financial Assistance Program mortgage to Chase Bank so that they can refinance their first mortgage on this property. Our mortgage was originally subordinate to a first mortgage on the property so this agreement will not alter the status of our lien on the property. Attached is a letter from the property owners requesting this subordination.

The purpose of this memorandum is to request the necessary resolution to allow the FAP mortgage to be subordinated through execution of a Subordination Agreement.

  
Rochelle E. Boland  
Corporate Counsel

ATTACHMENT

REB/WORKS/07-CC1914/00145640

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



700-07

Mayor Jim Newberry  
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT  
Division of Computer Services

To: Jim Newberry, Mayor

From: Rama Dhuwaraha, Chief Information Officer

Date: 12-3-2007

Subject: Generator relocation change order.

In June 2007, Arts Electric was awarded the bid to install a generator for the LFUCG for the purpose of emergency power to Computer Services to keep the servers and routing equipment alive as well as Security for all of the electronic doors. The Cost of the project was \$229,600.00. The generator was to be mounted on the roof of the Government Center parking garage. Since the generator can not be installed in this location due to the structure integrity of the garage, an alternate site has been found by CMTA engineers. The new site involves removing older equipment, so the new generator can be installed in its place, and a small design change in the new generator. Part of the design change involves excavation of an existing concrete pad and fencing, installing longer conduits and wiring with labor, and installing a new insulated exhaust system because of the location of the new generator.

The cost difference would only be an additional \$2,191.00. We have already completed the budget amendment from the CIO's Maintenance fund to cover the cost.

HORSE CAPITAL OF THE WORLD

200 East Main Street Lexington, KY 40507 Mainframe Services/Information Technology/GIS-Applications  
(859) 258-3330 FAX (859) 258-3399

700-07

## CONTRACT HISTORY FORM

Contractor: Art's Electric

Project Name: Generator for Government Center Building

Contract Number and Date: \_\_\_\_\_

Responsible LFUCG Division: \_\_\_\_\_

CHANGE ORDER DETAILS

A. Original Contract Amount: \$229,600

Next Lowest Bid Amount: \$239,340

B. Amount of Current Selected Alternate or Phase: \_\_\_\_\_

C. Cumulative Amount of All Previous Alternates or Phases: \_\_\_\_\_

D. Amended Contract Amount: \$ 229,600.00

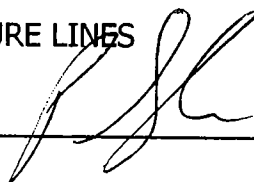
E. Cumulative Amount of All Previous Change Orders: \$ - 0%  
Line E/Line D

F. Amount of This Change Order: \$2,191.00 1%  
Line F/Line D

G. Total Contract Amount: \$ 231,791.00

## SIGNATURE LINES

Project Manager:

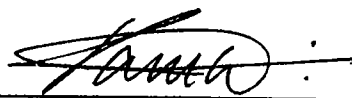
12-3-07  
Date

Reviewed by:

\_\_\_\_\_

Date

Division Director:

12/3/07  
Date



703-07

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 by DHF*  
Michael Allen, Director  
Division of Human Resources

DATE: December 3, 2007

RE: **Abolish/Create Positions – Division of Parks and Recreation**

The attached action amends Section 21-5 of the Code of Ordinances, as follows: abolishing one (1) position of Recreation Supervisor (Grade 110E) and creating one (1) position of Recreation Specialist Sr. (Grade 113E); effective upon passage by Council.

The department requests this action as a result of the increase in responsibility and duties of this position. This position specializes in the organizing and directing the activities of Senior Adults aged 50 and older including those with disabilities. This population in Lexington has grown by 4.1% since 2000.

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 the remainder of FY2008 (11 pay periods) will be \$3,445 and will be funded using monies from the Division's operating accounts. The annual fiscal impact will be \$8,142. All costs include benefits.

Name	Title	Bi-weekly Salary Before	Bi-weekly Salary After	Change
Vacant	Recreation Supervisor	\$1,122.52	\$0	\$(1,122.52)
Vacant	Recreation Specialist Sr.	\$0	\$1,375.23	\$1,375.23
Total Annual Fiscal Impact = \$8,142.05 includes benefits				

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

Attachment  
TS/dhf

cc: Kimra Cole, Commissioner, Department of General Services  
Darrylyn Combs, Human Resources Manager, Division of Human Resources  
Jim Dodson, Human Resources Analyst, Division of Human Resources

Log # 08-0053





704-07

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 by DNZ  
Michael Allen, Director  
Division of Human Resources

**DATE:** November 30, 2007

**RE:** **Reclassify/Abolish Positions—Division of Building Maintenance and Construction**

The attached action amends Section 21-5 of the Code of Ordinances, abolishing one (1) position of Operations Manager (Grade 116E) and creating one (1) position of Facility Manager (Grade 118E) and reclassifying the incumbent within the Division of Building Maintenance and Construction, effective May 28, 2007; and abolishing one position of Skilled Trades Worker (Grade 111N) effective upon passage of council.

The Division requests this action due to increased and licensing requirements for the effected position.

The fiscal impact for FY2007 is \$930.95 (2 pay periods) and for FY2008 is \$8,963.23 (26 pay periods and credit for 11 pay periods for the abolished position) for a total of \$9,894.18 including benefits. Funding for this action is from the Division's personnel contingency.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Vacant	Skilled Trades Worker	\$31,189.34	\$0	(\$31,189.34)
Bernard Turpin	Facility Manger	\$47,557.12	\$70,000.06	\$22,442.94
<b>Total Impact/ Salary and Benefits FY 08 \$8,963.23</b>				

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 # 07-1021a



705-07

Mayor James Newberry  
**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**  
Division of Parks and Recreation

**Jerry E. Hancock, Director**

**MEMORANDUM**

To: Mayor Jim Newberry  
Urban County Council Members

From: Jerry Hancock, Director of Parks and Recreation

Date: December 3, 2007

Subj: Donation and Facility Agreement for Toyota Bluegrass Miracle League

Attached please find a Facility Agreement between LFUCG's Division of Parks and Recreation and the Bluegrass Miracle League, Inc. d/b/a Toyota Bluegrass Miracle League, which covers continued use of the newly constructed special surface ball field, pavilion and concession stand located at Shillito Park. The agreement modifies slightly a similar agreement the Urban County Council approved on October 20, 2005. The new agreement is for the same term and conditions, and effectively removes language that pertained primarily to the construction phase of the project. The field and pavilion and concession and restroom buildings have all been constructed, along with sewer and parking improvements, and have been used since last spring, by a wide variety of special needs youth and adults, from across our community.

The resolution also encompasses the donation of the Toyota Bluegrass Miracle League field, concession/restroom facility and pavilion to the Urban County Government, which will be managed in part by the YMCA and maintained by Parks and Recreation. This special use facility, the first of its kind in the area, was constructed primarily with donated funds, and is valued at more than \$500,000.00. Notable contributors are the Toyota Motor Manufacturing, Kentucky, Inc., BB&T Bank, the Lexington Rotary Club and several others.

This significant donation is an excellent example of a public-private partnership working together to satisfy community needs. There are no budgetary impacts for FY 2008, although as with all facilities, there will be regular ongoing maintenance expenses in future years.

If you have any questions please feel free to contact me by phone at 288.2965 or [jhancock@lfucg.com](mailto:jhancock@lfucg.com).

Lexington-Fayette Urban County Government  
 Division of Parks and Recreation  
 469 Parkway Drive  
 Lexington, Kentucky 40504

705-07

FACILITY AGREEMENT

It is Urban County Government Policy that Facility Agreements may be established with incorporated non-profit organizations for the express purpose of providing youth sports for the youth of our community. This agreement provides for use of governmental resources by the organization for the benefit of youth in the community. Therefore all proceeds from the Youth Sports Program must be used to benefit the designated Youth Program and, in this case, to support other programs to be determined by Bluegrass Miracle League, Inc. that provide recreational opportunities for persons with disabilities of all ages and the elderly.

This agreement is made and entered into between the Lexington-Fayette Urban County Government and Bluegrass Miracle League, Inc., hereinafter referred to as the League, for the express purpose of providing playing facilities for a youth program for the participants of the above mentioned League and for providing recreational opportunities for all persons with disabilities and the elderly. This League is a non-profit organization. Any proceeds above League expenses for the period of this agreement must be designated in one of the following manners: proceeds to be used for these programs during the remained of this facility agreement and/or the next facility agreement period; proceeds to be used for reduction of existing League debts; proceeds to be used to build additional League facilities; or proceeds to be deposited in a League endowment for such purposes.

As part of this Agreement, Bluegrass Miracle League, Inc. hereby donates and Lexington-Fayette Urban County Government accepts ownership of improvements made to Shillito Park by Bluegrass Miracle League, Inc., namely a special surface ball field ("Toyota Bluegrass Miracle League Field"), concession/restroom facility ("BB::&T Building") and picnic pavilion ("Mack Albright/Rotary Pavilion") (cumulatively "facilities" or "facility"). As owner, Lexington-Fayette Urban County Government accepts responsibility for maintenance and repairs of the facilities and shall include the donated facilities in the Urban County Government's customary insurance/self-insured risk pool for property and casualty risks and public liability risks. Bluegrass Miracle League, Inc. will maintain med pay or other personal injury insurance for all participants during league games and activities and will name the Lexington-Fayette Urban County Government as an additional insured at the league's expense.

In the event the League terminates and the organization has a fund balance after paying its debits, the League shall distribute its remaining funds only to qualified 501(c)(3) charitable organizations providing recreational opportunities to the same constituency as the League or the Lexington-Fayette Urban County Government and the facilities (except for any moveable appliances, public address systems and audio/visual equipment, which shall remain the property of the League) shall remain the property of the Lexington-Fayette Urban County Government. All required field improvements must be submitted to the Division of Parks and Recreation in writing for approval prior to implementation of any action.

For the purposes of this agreement, "Government" shall be the Lexington-Fayette Urban County Government, "Division" shall be the Lexington-Fayette Urban County Government Division of Parks and Recreation, and "Director" shall be the director of the Lexington-Fayette Urban County Government Division of Parks and Recreation.

GENERAL TERMS

1. Each program shall conduct Criminal Records Checks on all volunteers before volunteers are assigned specific duties. All Leagues are required to enforce Lexington-Fayette Urban County Government's minimum standards for prospective volunteers in positions dealing with children. Individuals found to have a history of any of the following are ineligible to participate in youth programs.

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- Any illegalities dealing with children/minors.
- Any illegalities of a sexual nature.
- Drug related convictions within 2 years.
- Drug trafficking convictions within 5 years.
- Any crimes of violence within 2 years.
- Any pattern of alcohol-related convictions leading up to the present.

All leagues are required to keep accurate up-to-date records and will be subject to demonstrating record checks have been done on any volunteer specified by the Lexington-Fayette Urban County Government.

2. The facility agreement only provides usage of the park facility at the location designated herein from 10:00 AM – 11:00 PM Monday – Friday, 8:00 AM – 11:00 PM Saturday and 1:00 PM – 11:00 PM Sunday.

#### A. FACILITY

- 1 Name of the League: **Toyota Bluegrass Miracle League**  
 Name of Park(s): **Shillito Park**  
 Name/location of Field #1: **Shillito Field " 3 "**  
 Name/location of Facility #2: BB&T Building (concession/restroom facility)  
 Name/location of Facility #3: Mack/Albright Rotary Pavilion (picnic pavilion)  
 Name/location of Field #4: \_\_\_\_\_  
 Name/location of Field #5: \_\_\_\_\_  
 Name/location of Field #6: \_\_\_\_\_
- 2 Length of Contract: From October 1, 2007 to October 1, 2020 for the consideration of \$10.00 agreed rent, receipt and sufficiency of which are acknowledged by the Government, to automatically renew for three (3) additional terms of five (5) years each, unless either party provides written notice of its intent not to renew at least ninety (90) days before the beginning of such option term.

#### B. MAINTENANCE AND CONSTRUCTION OF FIELDS AND STRUCTURES

- 1 Normal maintenance and safety-related maintenance is the responsibility of the Government. Such maintenance requested by the League will be provided as the Division's budget allows provided that no maintenance, repair or changes to the field's synthetic surface shall be performed in violation of any warranty or guarantee provided by the surface manufacturer and/or installer.
- 2 Any request for pre-season maintenance repairs must be submitted in writing to the Superintendent of Parks Maintenance by October 1 or March 1 to allow for these projects to be reviewed and/or scheduled into the normal work periods, budget permitting.
- 3 No coach, manager, player or league official shall use Divisional equipment or supplies at any time unless specifically authorized in writing by the Division director or his/her

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designee.

- 4 Any permanent improvement(s) the League desires to add, build, etc. must be presented to the Director of the Division in writing (to include plans & specifications, etc.) and must have prior written approval of the Director of Parks and Recreation. All proposed capital improvements exceeding \$10,000 in value must be bonded (letter of credit acceptable) for the total value of the improvement.

C GRANT APPLICATION INFORMATION (If funds are appropriated, the Division will offer the Opportunity for leagues to apply for grants.)

- 1 The League must submit an application to the Division for consideration of any requested Financial support. Application forms are available at the Division of Parks and Recreation's athletic section. Completed forms shall be returned to: Recreation Superintendent, Division of Parks and Recreation, 545 N. Upper Street, Lexington, KY 40508.
- 2 The application must be accompanied by: a statement of how the funds (if allocated) will be used; a statement defining the number of males and females in the program; a statement defining the types of fields being used and who is using them; a statement at the end of the season explaining the impact the funds made on the particular program; and a financial statement for the previous year of operation.

D MISCELLANEOUS

- 1 The League will be responsible for securing all umpires and scorekeepers to officiate their games.
- 2 The League must submit a schedule of regular season games (to include make-up days for rainouts, etc.) to the Division no later than two weeks in advance of the first game. League must notify the Division of any schedule changes 24 hours in advance.
- 3 The League must submit a schedule of the teams practice times to the Division no later than two weeks in advance of the first practice.
- 4 In addition to youth sports programs, the League's facilities can be used for other sports programs and recreational activities for persons with disabilities of all ages and the elderly. Such use of the facility must be approved by Government and the Bluegrass Miracle League, Inc. board of directors and must serve the express purpose of providing sports programs and recreational opportunities for persons with disabilities and the elderly. No person, entity or organization may use the League facilities without the written approval of the Bluegrass Miracle League, Inc. board of directors and the Government.
- 5 The League president or his/her designee will be the only contact with the Division.
- 6 Due to the cost of the League's special field surface, the League's field may be locked at all times it is not being used for League play or other events/activities approved by

the Government and Bluegrass Miracle League, Inc. board of directors. The Division shall be provided keys to all such locks.

- 7 Leagues that operate a concession stand(s) at a park must enter into a concession agreement with the Lexington-Fayette Urban County Government for this privilege and adhere to the Division's vendor agreements for such things as concession items and soft drink products.
- 8 Leagues must have telephones at league sites. Phone service must be set up by the League and under the League's name, with the League assuming full responsibility for all costs relating to establishing and continuing service on site. Note: availability of cell phones does not meet this requirement. Shared use with other leagues is permissible as long as access is possible at all times during Miracle League play.
- 9 All leagues are required to follow the Parks and Recreation Severe Weather policy.
- 10 The Division hereby agrees to provide all utilities for the League's facilities at no cost to the League.
- 11 The League shall not sell sponsorships or naming rights to business that derive the majority of their income from the sale of alcohol or tobacco, that are involved in pornography/adult entertainment, or that are in direct competition with a business that has an exclusive sponsorship agreement with the Division. Otherwise, the League may sell sponsorships for amounts and durations it deems acceptable and may sell naming rights to the League itself and to any permanent structures it constructs as part of the facility. The names of individuals or businesses purchasing naming rights from the League may be placed on the permanent structures and all signs denoting the League at the League's discretion. The League shall provide to the Division copies of any agreements and/or other documentation that conveyed any naming rights.
- 12 League shall be familiar with and comply with all Lexington-Fayette Urban County Government policies and ordinances and federal and state laws relating to discrimination.
- 13 The Division shall not promote the Mack Albright/Rotary Pavilion as available to the general public for activities unrelated to approved users of the field.



695-07

Mayor Jim Newberry

**LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**

Division of Community Development

**TO: JIM NEWBERRY, MAYOR**

**FROM: PAULA KING, DIRECTOR**  
**DIVISION OF COMMUNITY DEVELOPMENT**

**DATE: NOVEMBER 30, 2007**

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE**  
**AGREEMENT WITH VOLUNTEERS OF AMERICA FOR**  
**FINANCIAL SUPPORT OF EMERGENCY HOUSING SERVICES -**  
**FY 2008**

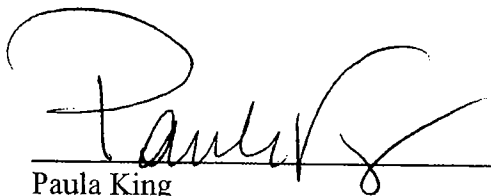
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The FY 2008 General Fund budget provides for the use of \$8,000 to support the costs of emergency housing for homeless families with Volunteers of America.

Volunteers of America is currently leasing 2 units with a private landlord for use as emergency housing for homeless families at market rate. This program in the past was able to lease units well below the market rate from the Lexington-Fayette Urban County Housing Authority, but with the demolition of the public housing units in Bluegrass-Aspendale this option is not available. However, the Agency and the Housing Authority are working together for an alternative plan to serve this population.

Funds are budgeted in account #1101-160201-0001-71300.

Council authorization to execute agreement is hereby requested.



---

Paula King  
Director

**HORSE CAPITAL OF THE WORLD**200 East Main Street 6<sup>th</sup> Fl Lexington, KY 40507 (859)258-3070 (859)258-3081 fax [www.lfucg.com](http://www.lfucg.com)

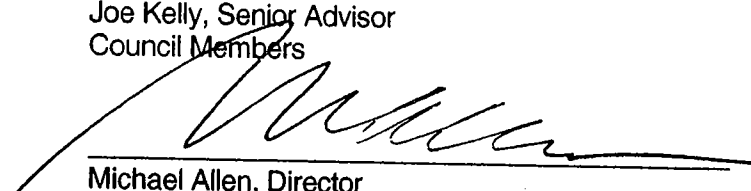


606-07

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

**MEMORANDUM**

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

**FROM:**   
Michael Allen, Director  
Division of Human Resources

**DATE:** December 6, 2007

**SUBJECT:** Salary Adjustment/Battalion Chief

Council authorization is requested to provide a 6.544% stipend for the position of Permanent Sworn Battalion Chief in the Division of Fire and Emergency Services. This position will receive a stipend that will make the base salary equal to that of other positions of the same rank as determined by collective bargaining retroactive to June 25, 2007.

The fiscal impact associated with this action (26 pay periods) is \$7,204.48 includes benefits and will be funded from the Divisions Repairs and Maintenance account.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Randy Gilliam	Battalion Chief	\$88,842.78	\$94,656.64	\$5,813.86
Total Annual Impact with benefits \$7,204.48				

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

Attachment

cc: Darrylyn Combs, Human Resources Manager, Division of Human Resources  
Jim Dodson, Human Resources Analyst, Division of Human Resources

Log # 0830



## SERVICES COMMITTEE SUMMARY

DECEMBER 4, 2007

Mr. Ellinger chaired the committee meeting. The meeting was called to order at 1:00 p.m. All committee members were in attendance. CM Gorton and Dr. Stevens were present also.

### I. Smoking Ban in Hospitals

CM James handed out a press release from Kentucky Hospital Association and an article that was in the Lexington Herald Leader. She stated she had several questions as to whether this item would come forward since hospitals have made a decision to make all of their campuses tobacco free by November 20, 2008. She stated she felt there was a need to have the item in committee for full discussion.

Dr. Omer Shedd, Cardiology Associates, did a PowerPoint presentation to the committee. He stated they want to promote healthcare. He stated himself and other doctors started talking to hospital administrators about coming up with a way to make the campuses smoke free. He stated after they discussed presenting this to the committee the hospital administration became very interested in it. Dr. Shedd stated then a few weeks later the Kentucky Hospital Association came up with coalition to ban smoking in all the local hospitals. He stated he would like the council to help support them in their effort.

Dr. Elizabeth Cobb, Kentucky Hospital Association, stated they have been hearing this issue for about a year. She stated the hospitals in the Lexington area have formed a Tobacco Free Healthcare Collaborative and have welcomed all hospitals in the state to join. She stated they are sharing resources and education as they all move forward to adopt the tobacco free campuses on November 20, 2008. Dr. Cobb stated there are 8 hospitals that have made the announcements about going tobacco free.

CM Blues asked if other medical institutions will be involved with this.

Dr. Cobb stated they have not had any non hospital clinics sign on yet. She stated any property or buildings owned by a hospital that is planning on implementing the policy will go under it as well.

Dr. Melinda Rowe, Fayette County Health Dept., thanked the Council for passing the smoking ordinance. She stated this is the next logical step to make our city healthier. She stated they support this effort.

CM Gorton asked how many hospitals are there involved with the Kentucky Hospital Association.

Dr. Cobb stated there are 127 hospitals.

CM Gorton asked how the information has been disbursed to the hospitals about the new collaborative.

Dr. Cobb stated it started late in 2006 when they started preparing a resource kit for hospitals wanting to adopt a tobacco free policy. She stated this is on their website and is updated regularly. She stated it is presented at the KHA meetings they hold twice a year. She stated they have been giving information to hospitals as well.

CM Gorton asked if this would include the new UK parking garage.

Dr. Cobb stated she can not speak to what each hospital will do. She stated the idea is that all the property owned by a hospital would be tobacco free.

CM Gorton asked if this is a state law in Arkansas.

Dr. Shedd stated it is a state law in Arkansas that was passed in October 2005.

CM Gorton asked how it is enforced.

Dr. Shedd stated he can not speak specifically to how they actually enforce it. He stated St Joseph has hired a security officer to enforce this.

CM Gorton asked if the Tobacco Free Collaborative has talked to state legislatures.

Dr. Cobb stated no they have not.

CM Gorton stated it would seem to her that it would be a good idea to pursue it at the state level if enough hospitals are involved in the collaborative.

Dr. Cobb stated there are several hospitals in Eastern Ky that are involved with being tobacco free. She stated by the end of the year they will probably have 40 to 50 hospitals that will have signed on.

Dr. Stevens stated he sees no reason to pass legislation on this. He stated he would support the resolution that he just received.

CM Lane asked what the current smoke ordinance states.

Dr. Stevens stated in any enclosed space you can not smoke. CM James stated she is hearing there is a concern for the smokers as well and she applauds those efforts. She stated she has heard some concerns about health insurance covering medications to help kick the habit. CM James asked KHA and the hospitals that part of the negotiations with healthcare for employees to try and make this part of the contract and push pharmaceutical companies to offer those pharmaceuticals that will help get people off the tobacco habit. CM James stated in the proposed resolution that was passed around she has received a request to strengthen the 5<sup>th</sup> paragraph by saying "to regulate smoking and support" instead of "to regulate smoking and wishes to support".

A motion by CM James "to move what is in front of you as a resolution to go forward to council for a vote", seconded by CM Myers, passed without dissent.

CM Ellinger stated the motion will include the change in the 5<sup>th</sup> paragraph from "wishes to" to "and".

CM James request Elizabeth come back in October 2008 and report out as to how things have been going.

## II. Transit Buses on Local Residential Streets

CM Blevins stated the issue before the committee is having regular bus routes down a residential street. CM Blevins gave the committee an example of a residential street (Spring Ridge) with regular bus routes. He stated the distance from curb to curb is 27 feet which leaves a little over 13 feet between cars. He stated it is a tight fit when a bus goes through. He stated the residents have asked the bus route be rerouted away from this street. CM Blevins asked if there is anyway to restrict bus routes away from truly residential streets. CM Blevins asked where the list of streets in the packet came from.

Paul Schoninger stated the list came from the transportation section of the Division of Planning. He stated it is a list of local streets that LexTran goes over.

Brad Frazier, Traffic Engineering, stated residential is the location where the road is with houses. He stated local destination is the characteristics of a road. He stated collector streets are typically wider. He stated current ordinances stipulate that parking is permitted on both sides of the street as long as there is a minimum of 10' width for pass through.

CM Blevins stated he wants to look at dedicated bus routes going down narrow residential streets. He stated there are about 78 streets listed in the packet some of these streets are commercial.

The committee heard from Elizabeth Johnson a resident of Spring Ridge Dr. She stated buses are speeding down the street. She stated this is a safety concern due to kids playing in the area. She stated she has called the bus station repeatedly. Ms Johnson stated residents on Spring Ridge signed a petition to have the bus route removed from their street.

Terri Garcia Crews, LexTran, did a PowerPoint presentation for the committee. She stated they want to be good community partners. She stated they have to go through some particular corridors.

The committee heard from a LexTran Board member who is a bus rider.

Joseph David, Lexington Area MPO, did a PowerPoint presentation for the committee regarding LexTran routes.

CM Blevins stated there is a list of approximately 78 streets in the packet that come under local. He stated he hoped via the Traffic Engineering definition to get a much smaller list. CM Blevins stated he will work with LexTran and other interested people to see what they can come up with.

CM James stated about 5 or 6 roads in the packet are 1<sup>st</sup> district streets and she does not want those considered for removing routes from.

CM DeCamp stated they should come down hard on those bus drivers speeding. He stated for public safety reasons we should have parking on one side of the street without a petition.

CM Blues asked if it would be possible to impose stricter speed limits for buses on a residential street.

Ms. Crews stated they take speeding very serious and has supervisors out monitoring the speeds of their buses. She stated with 28 checks they had one violation.

Mr. Frazier stated they have a right to limit parking on both sides if it becomes a public safety issue.

CM McChord stated they are hearing from neighbors can somebody slow this traffic down. He asked how we can put money into traffic engineering to solve some of these problems for neighbors. He stated an immediate solution can be selective enforcement.

A motion by CM McChord for the Chair to establish an ad hoc committee to address issue of speeding throughout neighborhoods, failed due to lack of a second.

The meeting adjourned at 2:30 pm.

RESOLUTION NO. \_\_\_\_\_

DRAFT 11-30-07

A RESOLUTION SUPPORTING THE EFFORTS OF CENTRAL BAPTIST HOSPITAL, ST. JOSEPH HEALTHCARE, UK HEALTHCARE ALBERT B. CHANDLER HOSPITAL, UK HEALTHCARE GOOD SAMARITAN AND THE OTHER MEMBERS OF THE TOBACCO-FREE HEALTHCARE COLLABORATIVE IN THEIR EFFORTS TO ELIMINATE SMOKING FROM HOSPITAL CAMPUSES AS WELL AS FACILITIES OWNED OR LEASED BY THE HOSPITALS.

Whereas, statistics indicate that Kentucky has the highest smoking rate in the United States and that the state's incidence and death rates for cancer, cardiovascular disease, respiratory disease and other cancer-related diseases exceed the national average; and

Whereas, earlier this year the Joint Commission on the Accreditation of Healthcare Organizations recommended that health care facilities adopt smoke free campuses; and

Whereas, Central Baptist Hospital, St. Joseph Healthcare, UK HealthCare Albert B. Chandler Hospital and UK HealthCare Good Samaritan are joining with hospitals in Paris, Versailles, Maysville and Georgetown to found the Tobacco-free Healthcare Collaborative; and

Whereas, the Tobacco-free Healthcare Collaborative is committed to going tobacco-free by eliminating smoking from the hospital campuses as well as any facility owned or leased by the hospitals; and

Whereas, the Lexington-Fayette Urban County Government passed Ordinance No. 171-2003, effective April 27, 2004, to regulate smoking and ~~wish to~~ support the Tobacco-free Healthcare Collaborative in its efforts to become tobacco-free.

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

Section 1 – That the Council of the Lexington-Fayette Urban County Government supports the efforts of Central Baptist Hospital, St. Joseph Healthcare, UK HealthCare Albert B. Chandler Hospital, UK HealthCare Good Samaritan and the other members of the Tobacco-free Healthcare Collaborative in their efforts to eliminate smoking from hospital campuses as well as facilities owned or leased by the hospitals.

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

PASSED URBAN COUNTY COUNCIL:

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CLERK OF URBAN COUNTY COUNCIL

PUBLISHED:

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