

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
January 19-January 26, 2009**

Monday, January 19

MLK Holiday-LFUCG Offices Closed

Tuesday, January 20

City Employees Pension Board Fund Meeting.....12:30 pm
Conference Room-12th Floor Government Center

Planning Committee Meeting.....1:30 pm
Council Chambers-2nd Floor Government Center

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

North Nicholasville Rd Small Area Plan Meeting.....6:30 pm
LFUCG Senior Center, 1530 Nicholasville Rd

Wednesday, January 21

Town & Gown Commission Meeting.....4:00 pm
Maxwell St Presbyterian Church, 180 E Maxwell St

Thursday, January 22

Storm Water Fee Task Force Meeting.....9:00 am
Basement Conference Room-Central Library

Mayor's Bicycle Task Force Meeting.....11:30 am
Conference Room-5th Floor Government Center

Dog Tethering Sub-Committee Meeting.....4:00 pm
Conference Room-5th Floor Government Center

Council Meeting.....7:00 pm
Council Chambers-2nd Floor Government Center

Public Meeting re: recreational trails project.....7:00 pm
Council Chambers-2nd Floor Government Center

Friday, January 23

No Meetings

Monday, January 26

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

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

South Nicholasville Rd Small Area Plan Meeting.....6:30 pm
Southern Acres Christian Church, Harvard Dr

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

January 20, 2009

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – Yes**
- III. Approval of Summary-Yes, January 13, 2009, pp.7-10**
- IV. Budget Amendments – Yes, pp.11-16**
- V. New Business, pp.19-37**
- VI. Continuing Business / Presentations**
 - A. Corridors Committee**
 - B. Intergovernmental Committee, pp.38-40**
 - C. Lexington & Fayette County Parking Authority Update
Gary A. Means, Executive Director**
- VII. Council Report**
- VIII. Mayor's Report – Yes**
- IX. Public Comment – Issues Not on Agenda**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. Authorization of an Agreement on Behalf of the Office of the Urban County Council to the Fraternal Order of Firefighters of Lexington Fire Department, Inc. (036-09) (Langston)
This request will authorize an agreement for the donation of \$10,000 to the Monument to the Fallen Capital Campaign on behalf of the Urban County Council to the Fraternal Order of Firefighters of Lexington Fire Department, Inc., to assist with the construction and maintenance of the Monument to the Fallen. Funds are from the General Fund Budget.**p.19**
- B. Authorization of a Memorandum of Agreement (MOA) with the University of Kentucky College of Social Work on Behalf of the 3rd District Councilmember. (043-09) (Langston)
This request will authorize a MOA with the University of Kentucky College Of Social Work for the placement of a non-paid student intern with the 3rd District Council under the cooperative educational practicum program for social work student of the University.**p.20**
- C. Authorization to Amend Section 23-5 of the Code of Ordinances Regarding the Department of Public Safety, Division of Police. (035-09) (Allen/Bennett)
This request will authorize an amendment to Section 23-5 of the Code of Ordinances to abolish one (1) position of sworn Police Captain and create one (1) position of sworn Police Lieutenant. The fiscal impact for this action is budget neutral.**p.21**
- D. Authorization of a Construction Operators' Cooperative Agreement with Kentucky American Water for Installation of a Waterline. (038-09) (Bastin/Bennett)
This request will authorize a Construction Operators' Cooperative Agreement for Stormwater Pollution Prevention with Kentucky American Water at a cost of \$14,500 for the development of property located at 2269 Old Frankfort Court and for the installation of a water connection to charge the sprinkler system for the new Technical Services Building. Funds are budgeted.**p.22**
- E. Authorization of a Facility Usage Contract with the Fayette County Board of Education (FCBE) on Behalf of the Department of Public Safety, Division of Police. (039-09) (Bastin/Bennett)
This request will authorize a Facility Usage Contract with FCBE at no cost to LFUCG on behalf of the Division of Police. The usage fee of \$106.50

will be paid by the Police Athletic League for their use of the Bryan Station High School facility, grounds, and equipment.**p.23**

- F. Authorization to Accept an Award from the Kentucky Office of Homeland Security on behalf of the Department of Public Safety, Division of Police. (042-09) (P. King/Bennett)

This request will authorize the acceptance of federal funds in the amount of \$10,000 from the Kentucky Office of Homeland Security on behalf of the Division of Police to enhance community security and overall preparedness within Fayette County. Funds will be used to support overtime costs for police officers serving as critical infrastructure specialists. No matching funds are required.**p.24**

- G. Authorization to Submit Grant Application to the US Department of Justice, National Institute of Justice, on Behalf of the Department of Public Safety, Division of Police. (050-09) (P. King/Bennett)

This request will authorize the submission of a grant application for federal funds in the amount of \$230,000 to the US Department of Justice, National Institute of Justice on behalf of the Division of Police, Major Crimes Cold Case Unit. Funds will be used for overtime, Kentucky State Police Crime Laboratory, training, and a dedicated prosecutor. No matching funds are required.**p.25**

- H. Authorization of an Agreement with Columbia Gas of Kentucky for Relocation of Utilities for the Clays Mill Road Improvements Project. (048-09) (P. King/Webb)

This request will authorize an Agreement with Columbia Gas of Kentucky for the relocation of utilities constructed and maintained by Columbia Gas in a .9 mile section between Higbee Mill Road and Keithshire Way for the Clays Mill Road Improvements Project. LFUCG is responsible for 75.13% (\$485,913) of the total cost for relocating these utilities. Funds are budgeted.**p.26**

- I. Authorization of an Agreement with Kentucky Utilities Company (KU) for Relocation of Utilities for the Clays Mill Road Improvements Project. (051-09) (P. King/Webb)

This request will authorize an Agreement with KU for the relocation of utilities constructed and maintained by KU for the utility phase of the Clays Mill Road Improvements Project, from New Circle Road to Twain Ridge Drive. LFUCG is responsible for 62.63% (\$126,085) of the total cost for relocating these utilities. Funds are budgeted.**p.27**

- J. Authorization to Amend Resolution No. 737-2008 Regarding Payment to Kentucky Utilities Company for the Liberty / Todds Road Project. (052-09) (P. King/Webb)

This request will authorize an amendment to Section 2 of Resolution No. 737-2008 dated December 9, 2008, that incorrectly named Kentucky

American Water Company instead of Kentucky Utilities Company regarding payment for the Liberty / Todds Road Project. There are no other changes associated with this amendment.**p.28**

- K. Authorization to Submit Nine (9) Grant Applications to the Kentucky Transportation Cabinet (KYTC) under the Congestion Mitigation and Air Quality (CMAQ) Program for FY2010 Projects. (053-09) (P. King /Webb)
This request will authorize the submission of applications of federal funds through the KYTC to the Federal Highway Administration for consideration of the following projects under the 2010 CMAQ Program.
- **Fiber Optic Cable Installation.** Total project cost is \$400,000.
 - **Lexington Area Air Quality Outreach.** Total project cost is \$100,000
 - **Loudon Avenue Sidewalk.** Total project cost is \$300,000.
 - **Georgian Way Pedestrian Bridge.** Total project cost is \$750,000
 - **Legacy Trail Phase 2.** Total project cost is \$3,000,000.
 - **Legacy Trail Phase 3.** Total project cost is \$2,420,000.
 - **Southland Drive Bike / Pedestrian Improvements.** Total project cost is \$300,000.
 - **Town Branch Trail Crossing.** Total project cost is \$525,000.
 - **Yellow Bike Program.** Total project cost is \$257,500.**pp.29-30**
- L. Authorization of a Claims Payment Agreement with Humana Insurance Company for Health Insurance Plans Platinum PPO, Gold PPO and Silver HDHP. (040-09) (Allen/Koch)
This request will authorize a Claims Payment Agreement with Humana Insurance Company for health insurance plans Platinum PPO, Gold PPO and Silver HDHP from January 1, 2009 through December 31, 2009. Funds are budgeted.**p.31**
- M. Authorization to Submit a Grant Application to the Kentucky Department for Local Government on Behalf of the Urban County Council under the Neighborhood Stabilization Program. (049-09) (P. King/Koch)
This request will authorize the submission of a grant application for federal funds in the amount of \$3,000,000 to the Kentucky Department for Local Government on behalf of the Urban County Council under the Neighborhood Stabilization Program. This program will establish a land bank for purchase of abandoned and foreclosed homes that includes acquisition, disposition and maintenance of properties until resold. Funds will also be used for demolition of blighted structures. Properties will be offered for redevelopment to low- and moderate-income households. Approximately 20 properties will be affected through this program. No matching funds are required.**p.32**

- N. Authorization to Amend Section 21-5 of the Code of Ordinances in the Department of Environmental Quality, Division of Waste Management and the Chief Information Officer, Division of Computer Services. (041-09) (Allen/Taylor)
This request will authorize an amendment to Section 21-5 of the Code of Ordinances to abolish one (1) position of Information Systems Specialist Sr. (Grade 114E) in the Division of Waste Management and create one (1) position of Computer Analyst (Grade 115E) in the Division of Computer Services. The fiscal impact for FY2009 is \$3,300.13 and will be funded from the Urban Services Fund balance.**p.33**
- O. Authorization of a Franchise Agreement with Level 3 Communications, LLC, for Telecommunications Franchise Services within Lexington-Fayette County. (044-09) (Cole)
This request will authorize a Franchise Agreement with Level 3 Communications, LLC, under Ordinance No. 240-2008, enacted October 23, 2008, to create a non-exclusive franchise for the privilege of constructing, erecting, operating and maintaining a telecommunications system in Lexington-Fayette County for a period not to exceed 3 years. There is no budgetary impact for LFUCG. All fees related to communications franchises are collected at the state level.**p.34**
- P. Authorization of a Franchise Agreement with TW Telecom of Kentucky, LLC for Telecommunications Franchise Services within Lexington-Fayette County. (045-09) (Cole)
This request will authorize a Franchise Agreement with TW Telecom of Kentucky, LLC, under Ordinance No. 240-2008, enacted October 23, 2008, to create a non-exclusive franchise for the privilege of constructing, erecting, operating and maintaining a telecommunications system in Lexington-Fayette County for a period not to exceed 3 years. There is no budgetary impact for LFUCG. All fees related to communications franchises are collected at the state level.**p.35**
- Q. Authorization of an Agreement with Ikon Office Solutions, Inc. on Behalf of the Council Clerk's Office. (046-09) (Lamb/Kelly)
This request will authorize an Agreement at a cost of \$2,780 with Ikon Office Solutions, Inc. on behalf of the Council Clerk's Office for additional accessories to upgrade the copier. The accessories will allow clerks to print directly to the copier instead of individual printers, allow larger documents to be scanned quicker for requests by Council during Council Meetings, and complies with the LFUCG's "Mission Green." Funds are budgeted.**p.36**

- R. Authorization of Engagement Letters with Terry Sellars of Henry Watz Gardner Sellars and Gardner, PLLC, and Keith Moorman of Frost Brown Todd, PLLC, as Counsel for LFUCG. (047-09) (Askew)

This request will authorize Engagement Letters with Terry Sellars of Henry Watz Gardner Sellars and Gardner, PLLC, and Keith Moorman of Frost Brown Todd, PLLC, as counsel to represent LFUCG in Vogel v. LFUCG, et al. Legal fees will be paid from the Self Insured Retention Fund.**p.37**

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS

January 13, 2009

Mayor Newberry chaired the meeting. All Council Members were present.

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

A motion by CM Gorton to approve the summary of 1/6/09, seconded by CM Myers, passed without dissent.

- IV. Budget Amendments-None
- V. New Business

- A. Authorization of a Deed of Acceptance of a Temporary Construction Easement for the 3184 Trinity Road Storm Sewer Rehabilitation Project. (029-09) (Martin/Taylor)
- B. Authorization of an Engineering Services Agreement with GRW Engineers, Inc. Regarding the Expansion Area 2A Pumping Station and Force Main Project. (032-09) (Martin/Taylor)
- C. Authorization of a Facility Usage Contract with the Fayette County Board of Education (FCBE) on Behalf of the Department of General Services, Division of Parks and Recreation. (031-09) (Hancock/Cole)
- D. Authorization to Change Street Names and Individual Address Numbers in Council Districts 3, 5, 6, 7 and 12 for the Enhanced 911 System. (030-09) (Lucas/Bennett)
- E. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Finance and Administration, Division of Revenue. (001-09) (Allen/Koch)

- F. Authorization of a Memorandum of Understanding (MOU) with Kentucky Utilities Company (KU) Regarding the Downtown Streetscape Project. (033-09) (Webb)
- G. Authorization to Submit Grant Application to the Kentucky Office for Local Government for Funds for the Coolavin Rail Trail. (034-09) (P. King/Webb)

A motion by CM Gorton to approve new business items A-G, seconded by CM Beard, passed without dissent.

VI. Continuing Business / Presentations

A. Services Committee Update

This update was given by CM Ellinger. No motions came forward. CM Lane stated that CM Ellinger was re-elected Chair and CM Ellinger stated that CM Myers was elected Vice-Chair.

B. Destination 2040 Presentation

This presentation was given by Charlie Boland, recently retired from the Mayor's staff. Mayor Newberry and several CMs stated words of appreciation to Mr. Boland for his years of service and also to the other members of Destination 2040 for all their work.

A motion by CM Ellinger to refer Destination 2040 to the Planning Committee, seconded by CM Beard, passed without dissent.

VII. Council Report

CM Gorton-Reported on Storm Water Fee Task Force: met on 1/8/09; 2 decisions were made: 1. asked to use the 25 year storm event as a minimum for planning and 2. decided whether this should be a fee or tax-it will be a fee; the next meeting will be 1/15/09 at 9 am in Council Chambers; thanked Charlie Martin, Cheryl Taylor, Bill O'Mara, Ed Gardner, and Mike Sanner, for doing heavy duty work each week on this task force.

CM Blues-Announced 3 neighborhood meetings: 1/4/09 St Martins at 6 pm at the Whitney Young Park Community Center; 1/15/09 Speigle Heights at 7 pm at the Antioch Baptist Church and 1/19/08 Winburn at 6:30 pm at MLK Park Shelter.

CM Feigel-Yielded the floor to former CM Bill Farmer, Jr, who presented a signed petition against the new meters going up in the Chevy Chase area.

CM Lane-A motion by CM Lane to approve the NDF list for 1/13/09, seconded by CM James passed without dissent.

CM James-Asked if the Storm Water Fee Task Force meeting on 1/15 could be televised or taped; asked Mayor for information on the State of the Merged Government Address luncheon and an update on how the new meter machines were going; announced MLK Day events.

CM McChord-Congratulated our Police dept.-we will have 56 sworn officers participating in next week's historical Presidential Inauguration; reminded everyone of the Legacy Trail meeting tonight at 6 pm at the Loudon St YMCA; announced on 1/26/09, South Nicholasville Rd Small Area Plan will meet at Southern Acres Christian Church on Harvard Dr at 6:30-8:30 pm; A good thing for Lexington's economy-on last Wednesday, Sotheby's Auction house opened.

VM Gray-Commented on the continuing issue at the airport; stated that there should be continued praise for the free press and that the Council deserves tribute for calling for the independent audit; asked Council which day would be best for the next retreat-it was decided that 1/30 at 9 am would be best.

A motion by VM Gray to invite State Auditor to present the report on the airport board, when complete, seconded by CM Gorton, passed without consent.

CM Ellinger-Asked Former CM Bill Farmer questions about the new meters; CM Gorton asked when will they be installed; Mr. Farmer stated that they are there now just not turned on yet.

A motion by CM Feigel to ask Gary Means to come before the Council at the next Work Session, seconded by CM Stinnett, passed by dissent.

VIII. Mayor's Report-None

Mayor Newberry announced that tomorrow evening (1/14/09) because of the suspected approaching bad weather there will be 3 shelters open-Salvation Army, Hope Center and the Catholic Action Center.

IX. Public Comment-Issues not on the agenda-Yes

Citizens, Bill Farmer, Jr and Lewis Cobb, spoke.

X. Closed Session

A motion by VM Gray to enter into closed session pursuant to KRS 61.810(1)(c) to discuss and ratify settlement documents in Kentucky Public Service Commission Case No. 2008-00251, seconded by CM Crosbie, passed without dissent.

A motion by CM Lane to come back to open session, seconded by VM Beard, passed without dissent.

A motion by CM Feigel to place on the docket for Thursday, January 22, 2009 Council Meeting a resolution ratifying the Department of Law's execution of a settlement agreement, stipulation and recommendation, and any other necessary settlement documents in Kentucky Public Service Commission Case No. 2008-00251, pertaining to the rates of Kentucky Utilities Company, seconded by CM Blues, passed without dissent.

A motion by CM Myers to adjourn work session, seconded by CM Beard, passed without dissent.

BUDGET AMENDMENT REQUEST LIST

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JOURNAL	30239-40	DIVISION	Special Projects	Fund Name	General Fund
				Fund Impact	2,000.00
					2,000.00CR
					.00

To provide funds for Police and Streets and Roads expenses related to the Veteran's Day Parade and 3K race by recognizing a contribution for that purpose.

JOURNAL	29926-27	DIVISION	Traffic Engineering	Fund Name	General Fund
				Fund Impact	2,860.00
					2,860.00CR
					.00

To provide for signs, sign hardware, and other material by recognizing revenue deposits for that purpose.

JOURNAL	30036	DIVISION	Police	Fund Name	General Fund
				Fund Impact	6,000.00
					6,000.00CR
					.00

To provide funds for network components by decreasing funds in repair and maintenance account.

JOURNAL	30243-44	DIVISION	Special Projects	Fund Name	Donation Fund
				Fund Impact	1,200.00
					1,200.00CR
					.00

To provide funds for Sweet 16 operating by recognizing a contribution for that purpose.

JOURNAL	30237-38	DIVISION	Special Projects	Fund Name	Donation Fund
				Fund Impact	27,500.00
					27,500.00CR
					.00

To provide funds for Holiday events by recognizing revenue received for that purpose.

JOURNAL	30241-42	DIVISION	Special Projects	Fund Name	Donation Fund
				Fund Impact	915.00
					915.00CR
					.00

To provide funds for banner program operations by recognizing revenue for that purpose.

BUDGET AMENDMENT REQUEST LIST

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JOURNAL	30250-51	DIVISION	Social Services	Fund Name	Donation Fund
				Fund Impact	250.00
					250.00CR
					.00

To recognize a donation of \$250 from Richard and Judith Flewelling for the Cardinal Valley Center annual Christmas Party.

JOURNAL	30178	DIVISION	Waste Management	Fund Name	Urban Service District
				Fund Impact	207,500.00
					207,500.00

To provide funds the waste Stream Characterization study performed by GBB.

JOURNAL	30053-54	DIVISION	Community Development	Fund Name	US Dept of Justice
				Fund Impact	12,325.00
					12,325.00CR
					.00

To amend Cold Case Squad budget to provide for purchase of covert cellphone/receiver and for DNA testing services by decreasing overtime.

JOURNAL	30182-83	DIVISION	Community Development	Fund Name	US Dept of Transp.
				Fund Impact	2,010.00
					2,010.00CR
					.00

To reduce personnel and operating accounts in order to provide for increase in traffic signal equipment to complete the project.

JOURNAL	30180-81	DIVISION	Community Development	Fund Name	US Dept of Transp.
				Fund Impact	32,000.00
					32,000.00CR
					.00

To reduce funds for professional services and operating supplies to provide funds for radar data collection counters.

BUDGET AMENDMENT REQUEST LIST

13

JOURNAL	30185	DIVISION	Community Development	Fund Name	US Dept Homeland Sec.
				Fund Impact	2,940.00
					2,940.00CR
					.00

To increase equipment account by \$2,940 for purchase of digital imaging system for the State Homeland Security Project for the Division of Police.

BUDGET AMENDMENT REQUEST SUMMARY

Fund	1101	General Service District Fund	.00
Fund	1103	Donation Fund	.00
Fund	1115	Urban Service District Fund	207,500.00
Fund	3140	US Department of Justice	.00
Fund	3160	US Department of Transportation	.00
Fund	3200	US Department of Homeland Security	.00

BUDGET AMENDMENT REQUEST LIST

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Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number 30180
Requesting Division Community Development
Fund Name US Department of Transportation
Fund Number 3160
Contact for Additional Information Irene Gooding--3079

Description

Budget Amendment provides for decrease in Account # 71201 by \$30,000 and decrease in Account # 75101 by \$2,000 in order to increase Account # 91612 by \$32,000 to provide for the purchase of radar data collection counters and illuminated street name signs for the 2008 Traffic Control Project.

BUDGET AMENDMENT REQUEST LIST

15



Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number 30185
Requesting Division Community Development
Fund Name US Department of Homeland Security
Fund Number 3200
Contact for Additional Information Irene Gooding--3079
Description

Budget Amendment provides for additional \$2,940 in Account 96468 for purchase of Digital Imaging System. Original budgeted amount for item was \$20,000. The actual bid was in the amount of \$22,940. Account # 75801 was reduced by \$2,940 for this purchase.

BUDGET AMENDMENT REQUEST LIST



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Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Budget Journal Number 30182
Requesting Division Community Development
Fund Name US Department of Transportation
Fund Number 3160
Contact for Additional Information Irene Gooding--3079

Description

Budget Amendment decreases Account # 63411 (Longevity) by \$90.00 and Account # 75101 (Operating Supplies) by \$1,920 for the purpose of increasing Account # 91611 (Traffic Signal Equipment) by \$2,010 in order to complete the project. All personnel costs and operating costs needed for the project have been expended. These accounts are being closed in order to provide increased funding for capital equipment.

NEW BUSINESS ITEMS REQUIRING BUDGET AMENDMENTS

January 20, 2008 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
036-09	28308	Council Office	To provide funds from fund balance to the Fraternal Order of Firefighters for construction of a monument dedicated to fallen firefighters as approved by council.
A			1101 10,000 10,000*
041-09	CB 0016	Computer Services/ Waste Management	To provide funds for one position of Computer Analyst in Computer Services by abolishing funds for one position of Information Systems Specialist Senior in the Division of Waste Management.
M			1115 24,510.00 1115 21,200.00CR 3,310*
042-09	BA 1954	Community Development	To establish grant budget for the Critical Infrastructure Project in the Division of Police.
E			3200 10,000 3200 10,000CR 0*

EFFECT ON FUND BALANCES

FUND 1101	10,000*	DECREASE TO:	GENERAL SERVICES DISTRICT
FUND 1115	3,310*	DECREASE TO:	FULL URBAN SERVICES DISTRICT
FUND 3200	0*	NO EFFECT ON:	US DEPARTMENT OF HOMELAND SECURITY

Budget Information For New Business Items
January 20, 2009 Work Session

Item	Number	Amount	Fund	Name / Description
A	036-09	10,000	1101	General Service District – General Fund Budget Journal
B	035-09			
C	038-09	14,500	2517	2008 Bond Projects Fund
D	039-09	NA		
E	042-09	10,000	3200	US Department of Homeland Security Budget Journal
F	050-09	NA		
G	048-09	485,913	3160	US Department of Transportation
H	051-09	126,085	3160	US Department of Transportation
I	052-09	NA		
J	053-09	NA		
K	040-09	Budgeted	6002	Medical Insurance Fund
L	049-09	NA		
M	041-09	3,313	1115	Urban Services District Budget Journal
N	044-09	NA		
O	045-09	NA		
P	046-09	2,780	1101	General Service District – General Fund
Q	047-09	Undetermined	6021	Property and Casualty Claims Fund



Lexington-Fayette Urban County Council

036-09

19

Jim Gray
Vice-Mayor

Linda Gorton
At-Large Member

Chuck Ellinger
At-Large Member

Andrea James
1st District

Tom Blues
2nd District

Diane Lawless
3rd District

Julian Beard
4th District

Cheryl Feigel
5th District

Kevin Stinnett
6th District

K. C. Crosbie
7th District

George Myers
8th District

Jay McChord
9th District

10th District

Peggy Henson
11th District

Ed Lane
12th District

January 7, 2009

Request the passage of an Ordinance allowing the Mayor to execute the Agreement between the Urban County Government and the Fraternal Order of Firefighters of Lexington Fire Department, Inc. donating \$10,000.00 to assist with the construction and maintenance of the Lexington Fraternal Order of Firefighters' Monument to the Fallen.

Council has previously approved this expenditure.

Rebecca Langston
Council Administrator





Lexington-Fayette Urban County Council

04-3-09

January 13, 2009

Jim Gray
Vice-Mayor

Linda Gorton
At-Large Member

Chuck Ellinger
At-Large Member

Andrea James
1st District

Tom Blues
2nd District

Diane Lawless
3rd District

Julian Beard
4th District

Cheryl Feigel
5th District

Kevin Stinnett
6th District

K. C. Crosbie
7th District

George Myers
8th District

Jay McChord
9th District

Don Blevins
10th District

Peggy Henson
11th District

Ed Lane
12th District

Request Mayor's signature on a Memorandum of Agreement between the University of Kentucky College of Social Work and the Lexington-Fayette Urban County Government. This will facilitate the placement of a non-paid student intern with the LFUCG Third District Council Office.



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035-09

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: January 7, 2009

SUBJECT: Abolish/Create Position—Division of Police

The attached action amends Section 23-5 of the Code of Ordinances, abolishing one (1) position of sworn Police Captain, and creating one (1) position of sworn Police Lieutenant effective upon passage of Council.

The Division of Police requests this action to reorganize and restructure the Division in order to serve the public in a more efficient and effective manner. The first of this restructure was passed by council in Ordinance 26-2008.

The fiscal impact for this action change from Captain to Lieutenant is budget neutral.

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

Attachment

cc: Tim Bennett, Commissioner of Public Safety
Ronnie Bastin, Chief, Division of Police
Darrylyn Combs, Human Resources Manager, Division of Human Resources
Jim Dodson, Human Resources Analyst, Division of Accounting

Log # 09-0044



LEXINGTON DIVISION OF POLICE

038-09

22

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

TO: Mayor Jim Newberry
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: January 6, 2009

RE: Kentucky American Water Company Service Contract

Please find attached the blue sheet and service contract between the Kentucky American Water Company and Lexington-Fayette Urban County Government. This contract allows for having the water connection installed to charge the sprinkler system in the new Technical Services Building located at 2269 Frankfort Court. The attached contract requires the Mayor's signature.

This service contract is fully budgeted. Budgetary impact for FY09 will be \$14,500.

Due to timeframe of project, we are requesting this contract to be presented at the January 13th Work Session, with two readings at the January 22nd Council Meeting.

Upon approval and signing, please forward original agreement to the Chief's Office to acquire additional signatures.

If you have any question or require additional information, please contact my office.

A handwritten signature in cursive script, appearing to read "R. Bastin".

Ronnie Bastin
Chief of Police

RB/rmh

Attachment

cc: Tim Bennett, Commissioner of Public Safety



LEXINGTON DIVISION OF POLICE

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

039-09

23

TO: Mayor Jim Newberry
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: January 6, 2009

RE: Facility Usage Contract

Please find attached the blue sheet and facility usage contract between the Fayette County Board of Education and Lexington-Fayette Urban County Government. This contract allows the Lexington Division of Police usage of the District facility, grounds and/or equipment for non-commercial activities during non-instructional time either before the commencement or after the conclusion of the school day. Participants in the Police Athletic League will be required to sign Waivers of Liability. The attached contract requires the Mayor's signature.

Maintenance fee for use of facility will be paid by the Police Athletic League.

Upon approval and signing, please forward original agreement to the Chief's Office to acquire additional signature.

If you have any question or require additional information, please contact my office.

Ronnie Bastin
Chief of Police

RB/rmh

Attachment

cc: Tim Bennett, Commissioner of Public Safety



042-09

24

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: JANUARY 8, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD
FROM THE KENTUCKY OFFICE OF HOMELAND SECURITY
FOR PARTICIPATION IN ASSESSMENTS OF CRITICAL
INFRASTRUCTURE IN FAYETTE COUNTY**

The Kentucky Office of Homeland Security has offered the Lexington-Fayette Urban County Government an award of federal funds in the amount of \$10,000 for the purpose of enhancing community security and overall preparedness by completing information collection and assessments for identified critical infrastructure/key resources within Fayette County. Funds will be used by the Division of Police to support overtime costs for police officers who will serve as critical infrastructure specialists. No matching funds are required.

Source of funds is the Federal Department of Homeland Security.

Council authorization to accept the award is hereby requested.

Paula King, Director

Xc: Tim Bennett, Commissioner, Department of Public Safety

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050-09

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**

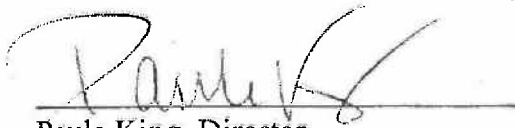
DATE: JANUARY 12, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION TO
THE U.S. DEPARTMENT OF JUSTICE/NATIONAL INSTITUTE OF
JUSTICE UNDER THE SOLVING COLD CASES WITH DNA PROGRAM**

The Division of Police has prepared a grant application for submission to the U.S. Department of Justice/National Institute of Justice requesting federal funds under the Solving Cold Cases with DNA Program for the Major Crimes Cold Case Unit. The purpose of the program is to identify, review, and investigate "violent crime cold cases" that have the potential to be solved using DNA analysis and to locate and analyze biological evidence associated with these cases. Experience has shown that cold case programs can solve a substantial number of violent crime cold cases, including homicides and sexual assaults. Advances in DNA technologies have substantially increased the successful DNA analysis of aged, degraded, limited, or otherwise compromised biological evidence. As a result, crime scene samples once thought to be unsuitable for testing may now yield DNA profiles. Additionally, samples that previously generated inconclusive DNA results may now be successfully analyzed using newer methods.

Federal funds in the amount of \$230,000 are requested. These funds will be used for overtime, Kentucky State Police Crime Laboratory, training, and a dedicated prosecutor. No matching funds are required.

Council authorization to submit the application is hereby requested.


Paula King, Director

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

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048-09

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: JANUARY 13, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE AGREEMENT
WITH COLUMBIA GAS OF KENTUCKY FOR RELOCATION OF
UTILITIES FOR THE CLAYS MILL ROAD IMPROVEMENTS PROJECT**

On September 18, 2008 (Ordinance # 213-2008), the LFUCG executed Supplemental Agreement No. 2 with the Kentucky Transportation Cabinet for the utilities phase of the Clays Mill Road Improvements Project from New Circle Road to Twain Ridge Drive.

An agreement has been negotiated with Columbia Gas of Kentucky for relocation of utilities constructed and maintained by Columbia Gas in the .9 mile section between Higbee Mill Road and Keithshire Way. The agreement provides for Columbia Gas of Kentucky to make the necessary removal, alterations or adjustments to its facilities to accommodate the proposed highway construction. The LFUCG shall be responsible for 75.13% (\$485,913) of the total costs of relocating these utilities.

Funds are budgeted as follows:

FUND	DID	SECT	ACCOUNT	PROJECT	BUD REF	ACTIVITY
3160	303202	3222	91715	CLAYS MILL ROAD	2004	DEFAULT

Council authorization to execute agreement with Columbia Gas of Kentucky is hereby requested.

Paula King, Director

Xc: Mike Webb, Acting Commissioner of the Department of Public Works

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051-09

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: JANUARY 7, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE AGREEMENT
WITH KENTUCKY UTILITIES COMPANY FOR RELOCATION OF
UTILITIES FOR THE CLAYS MILL ROAD IMPROVEMENTS PROJECT**

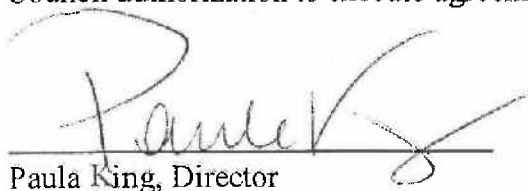
On September 18, 2008 (Ordinance # 213-2008), the LFUCG executed Supplemental Agreement No. 2 with the Kentucky Transportation Cabinet for the utilities phase of the Clays Mill Road Improvements Project from New Circle Road to Twain Ridge Drive.

An agreement has been negotiated with Kentucky Utilities Company for relocation of utilities constructed and maintained by Kentucky Utilities. The agreement provides for Kentucky Utilities Company to make the necessary removal, alterations or adjustments to its facilities to accommodate the proposed highway construction. The LFUCG shall be responsible for 62.63% (\$126,085) of the total costs of relocating these utilities.

Funds are budgeted as follows:

FUND	DID	SECT	ACCOUNT	PROJECT	BUD REF	ACTIVITY
3160	303202	3222	91715	CLAYS MILL ROAD	2004	DEFAULT

Council authorization to execute agreement with Kentucky Utilities Company is hereby requested.



Paula King, Director

Xc: Mike Webb, Acting Commissioner of the Department of Public Works

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052-09

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: JANUARY 12, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO CORRECT RESOLUTION
NO 737-2008**

On December 9, 2008, Council approved Resolution No. 737-2008, authorizing the execution of an agreement with Kentucky Utilities Co., for relocation of utilities for the Liberty/Todds Raod Project. The resolution incorrectly provided for payment to Kentucky American Water Company.

Council authorization is requested to correct Section 2 of the resolution to read as follows:

"That an amount, not to exceed the sum of \$27,348.27, be and hereby is approved for payment to Kentucky Utilities Co., from account # 3160-303201-91715, pursuant to the terms of the agreement."

Paula King, Director

Xc: Mike Webb, Acting Commissioner of the Department of Public Works

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053-09

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: JANUARY 13, 2009

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT VARIOUS APPLICATIONS TO THE KENTUCKY TRANSPORTATION CABINET REQUESTING FEDERAL FUNDS FROM THE CONGESTION MITIGATION AND AIR QUALITY (CMAQ) PROGRAM FOR VARIOUS PROJECTS IN FISCAL YEAR 2010

The Lexington Area Metropolitan Planning Organization (MPO) has received a total of nine (9) applications for funding of LFUCG projects under the 2010 Congestion Mitigation Air Quality (CMAQ) program. The deadline for the final applications to the Kentucky Transportation Cabinet (KYTC) is February 28, 2009. After Urban County Council and Transportation Policy Committee (TPC) approvals are given, the applications will be forwarded to the KYTC and the Federal Highway Administration for consideration. The projects list includes total cost and whether the local match is from LFUCG funds. All CMAQ applications are 80% federal funds and 20% local match.

Fiber Optic Cable Installation Total Cost \$400,000. Federal Request of \$320,000. Local match of \$80,000 will be requested in the FY 2010 General Fund budget. This project continues the very important installation of fiber optic cables to benefit the computerized traffic signal system in Fayette County. Fiber optic cable provides a more reliable communication medium for the system and greatly reduces maintenance requirements on the existing, aging communication infrastructure and interruption of service due to electrical storms and power surges. Enhanced communication with the traffic signal system improves traffic management and helps to lessen traffic congestion and vehicle delay thus improving air quality. This project would fund Year 9 of a 10-year community-wide plan.

Lexington Area Air Quality Outreach Total cost \$100,000. Federal Request of \$80,000. Local match of \$20,000 will be provided through the documentation of Public Service Announcements. The project will establish an air quality information and outreach program for the Lexington area which will be implemented through advertising and marketing.

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053-09

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Loudon Ave Sidewalk Total Cost: \$300,000. Federal Funds: \$240,000. Local Funds: \$60,000. Source: MAP funds. Construct 4,000 ft of a 5 foot wide sidewalk on the south side of Loudon Ave from Newtown Pike to Russell Cave Road. Applicant: LFUCG.

Georgian Way Pedestrian Bridge Total Cost: \$750,000. Federal Funds: \$600,000. Local Funds: \$150,000. Source: Trail Bond Fund. Construct a 200 foot pedestrian bridge over New Circle Road from Beaumont Trail to Georgian Way.

Legacy Trail Phase 2 Total Cost: \$3,000,000. Federal Funds: \$2,400,000. Local Funds: \$600,000. Source: Value of Land & Trail Bond Fund. Construct 2 miles of a shared use path from Citation Boulevard to Loudon Avenue.

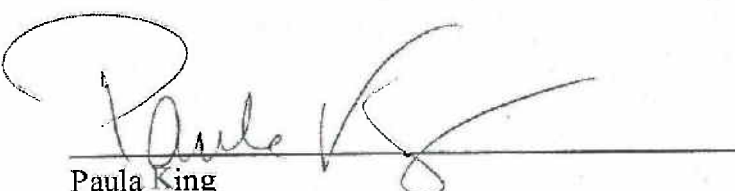
Legacy Trail Phase 3 Total Cost: \$2,420,000. Federal Funds: \$1,936,000. Local Funds: \$484,000. Source: Trail Bond Fund. Construct 14 intersection improvements from Loudon Avenue to downtown.

Southland Drive Bike/Pedestrian Improvements Total Cost: \$300,000. Federal Funds: \$240,000. Local Funds: \$60,000. Source: MAP funds (\$30,000) & Southland Drive Business Association (\$30,000). Construct 1 mile of bike lanes from Rosemont Garden to Nicholasville Rd. Construct pedestrian access under railroad bridge.

Town Branch Trail Crossing Total Cost \$525,000. Federal Funds: \$420,000. Local Funds: \$105,000. Source: Trail Bond Funds. Construct trail crossing, including sight distance improvements, on Old Frankfort Pike from Town Branch Trail Phase 3 to McConnell Springs Road and Park.

Yellow Bike Program Total Cost: \$257,500. Federal Funds: \$206,000. Local Funds: \$51,500. Source of local match will be In-kind promotions and value of rental property. Expand yellow bike program to include automated checkout stations and bicycles; a store-front for customer service, storage and maintenance; promotion of the program; and customer service staff. Subrecipient agency will be the Downtown Lexington Corporation.

Council authorization to submit the applications is hereby requested.



Paula King
Director

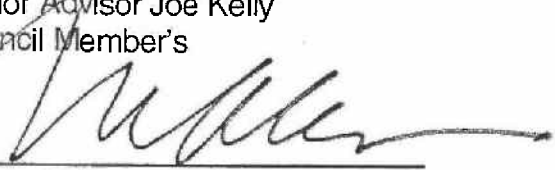
Xc: Michael Webb, Acting Commissioner of the Department of Public Works and Development



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040-09

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

TO: Mayor Jim Newberry
Senior Advisor Joe Kelly
Council Member's

FROM: 
Michael Allen, Director
Division of Human Resources

DATE: January 8, 2009

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

The attached action authorizes the Mayor to execute a Claims Payment Agreement with Humana Insurance Company for health insurance plans—Platinum PPO, Gold PPO and Silver HDHP health insurance plans—for the period beginning January 1, 2009 through December 31, 2009.

Funds are budgeted.

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

Attachment
DF/

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

09-0045



049-09

32

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**

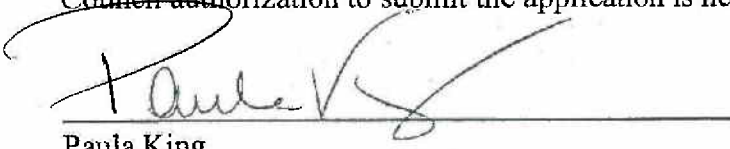
DATE: JANUARY 13, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO SUBMIT APPLICATION
TO THE KENTUCKY DEPARTMENT FOR LOCAL GOVERNMENT
REQUESTING FEDERAL FUNDS UNDER THE NEIGHBORHOOD
STABILIZATION PROGRAM**

The Commonwealth of Kentucky has announced that it will accept grant applications under the Neighborhood Stabilization Program. These funds were authorized by the Housing and Economic Recovery act of 2008 for the purpose of assisting in the redevelopment of abandoned and foreclosed homes. The Commonwealth of Kentucky is receiving \$37,408,788 from the U.S. Department of Housing and Urban Development for this program.

The Division of Community Development has prepared an application requesting funding in the amount of \$3 million for the purpose of establishing a land bank for purchase of distressed homes that have been foreclosed upon and for redevelopment of foreclosed and abandoned properties. The eligible land bank activities include acquisition, disposition, and maintenance of properties until resold. Funds will also be requested for demolition of blighted structures. Eligible redevelopment activities include acquisition and redevelopment, either rehabilitation or new construction. Properties acquired through this project (both land bank and redevelopment) will be offered to developers for redevelopment for homeownership opportunities for low- and moderate-income households. It is estimated that as many as 40 properties will be affected through this program. This project does not require matching funds.

Council authorization to submit the application is hereby requested.



Paula King
Director

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

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041-09

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

MEMORANDUM

TO: Mayor Jim Newberry
Joe Kelly, Senior Advisor
Council Member's

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

DATE: January 12, 2009

RE: **Abolish/Create positions – Division of Waste Management /Division of Computer Services**

The attached action amends Section 21-5 of the Code of Ordinances, abolishing one (1) position of Information Systems Specialist Sr. (Grade 114E) in the Division of Waste Management and create one position of Computer Analyst (Grade 115E) in the Division of Computer Services, effective upon passage by Council.

The skills and responsibilities required of the position are more in line with a programmer (Computer Analyst) than a Systems Specialist. New projects and applications such as Garbage Routing, Automated Vehicle Location, Pre/Post trip inspections, scale systems, and other existing programs will require custom programming, database integration, and custom report building. Specifically, the appropriate candidate should have knowledge and experience with VB, C#, and .net, along with strong database and report writing skills. Existing positions with the LFUCG requiring the same skill sets are classified as Computer Analysts.

The fiscal impact for FY2009 (9 pay periods, including benefits) is \$3,300.13 includes supplemental, and will be funded from the Urban Services fund balance.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/(Decrease)
Vacant	Information Systems Specialist Sr.	\$45,657.04	\$0	(\$45,657.04)
Vacant	Computer Analyst	\$0	\$53,535.77	\$53,535.77
Total Annual Impact with benefits \$9,568.67 includes supplemental				

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

Attachment

cc: Rama Dhuwaraha, Chief Information Officer
Cheryl Taylor, Commissioner, Department of Environmental Quality
Mike Nugent, Director-Division of Computer Services
Steve Fees, Director-Division of Waste Management
Darrylyn Combs, HR Manager, Division of Human Resources
Jim Dodson, HR Analyst, Division of Human Resources

Log # 09-0046



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044-09

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Department of General Services

To: Mayor Jim Newberry
Urban County Council

From: Kimra Cole *VC*
Commissioner of General Services

Date: January 12, 2009

Re: Franchise Agreement bids - Telecommunications

In October the Council renewed the Telecommunications Ordinance and authorized a new round of bids for non-exclusive franchise agreements for telecommunications service in Fayette County.

We received two additional bids - TW Telecom of Kentucky, LLC and Level 3 Communications, LLC. These bids were awarded based on a re-advertisement of the ordinance that was done based upon interest shown by the companies. We need Council authorization to accept these bids; there is no financial impact since all fees related to communications franchises are collected at the State level.

Please contact me or David Barbarie in the department of Law should you have any questions related to these agreements.

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045-09

35

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Department of General Services

To: Mayor Jim Newberry
Urban County Council

From: Kimra Cole *KL*
Commissioner of General Services

Date: January 12, 2009

Re: Franchise Agreement bids - Telecommunications

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Please contact me or David Barbarie in the department of Law should you have any questions related to these agreements.

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046-09

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Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Council Clerk's Office

TO: Jim Newberry, Mayor
Urban County Council
Joe Kelly, Senior Advisor of Management

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

DATE: January 13, 2009

RE: Council Clerk's Office Copier Network Printing and Scanning Accessories

Attached please find the Sales Order/Service Order Form, Work Order Form and State and Local Government Master Agreement with Ikon Office Solutions, Inc. that need to be executed by the Mayor in order to upgrade the copier in the Council Clerk's Office. The accessories will allow the Council Clerk's Office to cut costs by printing to the copier instead of individual printers, scan larger documents quicker in order to comply with the request of the Urban County Council to provide substantiating documents for all ordinances and resolutions during council meetings and also comply with the Urban County Government's "Mission Green".

The cost of these accessories is \$2,780 including parts and installation which is available in the Council Clerk's Office budget.

In an effort to expedite these documents as quickly as possible, I would appreciate the Council consider approving this issue at the January 22, 2009 Council Meeting.

If you have any questions regarding this request, please let me know.

Susan Lamb, Council Clerk

Attachments

HORSE CAPITAL OF THE WORLD

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37
047-09

Mayor Jim Newberry

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Department of Law

TO: Jim Newberry, Mayor
Members of the Urban County Council

FROM: Department of Law

DATE: January 13, 2009

RE: Approval of Engagement Letters with Frost, Brown & Todd and
Henry, Watz, Gardner, Sellars and Gardner

In the case of Vogel v. LFUCG et. al., the Department of Law has been advised by an Ethics Hotline attorney that a conflict exists and the Department of Law must withdraw from representation of the parties in the case.

The Department of Law recommends Keith Moorman of Frost, Brown & Todd and Terry Sellars of Henry, Watz, Gardner, Sellars and Gardner for representation of the multiple government defendants in this matter. The legal fees will be paid from the Self Insured Retention Fund.

This Memorandum is requesting approval for execution of the engagement letters with these respective law firms. If you have any questions, please contact me.

Logan Askew
Commissioner of Law

cc: Rebecca Langston, Council Administrator

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**Please note new mailing address

URBAN COUNTY COUNCIL
Inter-Governmental Committee

January 13, 2009

The meeting was called at 1:04 P.M. with the first order of business to nominate and elect a new chair person. Present were" CM Crosbie, Lawless, James, Myers, Beard, Blues, Feigel, Henson, Vice Mayor Gray and Paul Schoninger, Council Staff.

Motion by CM Myers to nominate and elect CM Andrea James as chair person for Inter-Governmental Committee, with no other nominations coming forward, the motion was seconded by CM Blues and passed without dissent.

I. Citizen's Advocate Working Group

CM Myers who led the working group commented he was pleased with the work and outcome of the group, adding the resulting documents were currently being reviewed by the Law Department to insure compliance with the charter, code of ordinances and council rules and procedures.

Joan Beck, Citizen's Advocate told the committee the mission of the working group was to review and standardize the form and function of her office. They used two documents as models to establish an SOP manual. Beck explained the importance of adopting these documents to establish a more accurate job description for the Citizen's Advocate position and provide a framework for creating more accurate reporting, guidance and execution.

Discussion:

CM Beard asked if the documents in question had ever been presented or discussed via Committee of the Whole. Schoninger told the committee C.O.W. had not reviewed the documents but the Citizen's Advocate was presenting quarterly reports to them.

CM Henson was impressed with the professional standards and SOP manual asking when the next quarterly report was scheduled. Beck replied once a routine was established for quarterly reporting to COW, she would check the 2009 calendar.

CM James suggested submitting the first quarterly report via email or hard copy.

CM Henson wanted to make sure the public was aware of the services provided by the Citizen's Advocate office.

Motion by CM Myers directing Citizen's Advocate office to work with CIO to produce a periodic program on GTV3 in order to let citizens know they have an impartial venue to report problems or complaints, seconded by CM Beard passed without dissent.

A motion was brought forward by CM Myers to direct Citizen's Advocate office to work with CIO and council office staff to identify software solutions to log and track data which could also be used by council members and staff.

Discussion:

CM Blues asked for specifics about tracking and case files and if procurement of software was in FY09 budget.

Beck told the committee the software would control dates case by case basis and was a complaint management system. She said the software was requested in previous year's budgets with no success.

CM Blues asked cost of software to which Beck replied, depending on the number of users required, approx. cost \$7000.00.

CM Beard expressed concern about opening up software data, asking what would happen if complaints were logged against the council office. Beck said data sets would be segmented, adding her office doesn't not have jurisdiction to investigate council office and that any issues or complaints are routed directly to council members.

CM Blues said he has a problem with endorsing a costly item especially in light of the current budget constraints and suggested this issue be addressed as part of the next budget discussions.

CM Myers explained the motion on the table was only to review, not procure available software.

Motion by Myers to direct Citizens Advocate office to work with CIO and council office staff to identify software solutions for logging and tracking data which could also be used by council members and staff, seconded by CM Henson, passed with one dissenting vote by CM Blues.

II. Boards & Commissions Reporting

Motion by CM Myers requiring all outside boards/commissions to submit annual reports, and meeting minutes to the LFUCG Administration for publication on the LFUCG web-site, seconded by Blues, passed without dissent.

Discussion:

CM Blues said this was an important step in providing information to the public who may want to participate or serve on a board or commission.

CM Beard asked about details regarding board/commission members political affiliations. Shaye Rebold told the committee that information was removed from all forms at the request of council.

CM Crosbie asked about status of the Deteriorated Property Commission and was told it was not currently active but had not been abolished. It was mentioned the Land Bank board/commission work could overlap.

CM Crosbie said events were happening in the community, such as fires, etc and expressed concern that some situations outside the Land Bank may prevail saying LFUCG hands might be tied due to the lack of an active ordinance.

CM James added for confirmation purposes, the Mayor's office/Administration would be responsible for maintains and uploading of board/commission reporting to the LFUCG web-site.

I. Update on Committee Items

No motions came from this item.

Motion by CM Myers to adjourn, seconded by CM Crosbie, passed without dissent.

The meeting adjourned at 2:09 p.m.