

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
October 5-October 12, 2009**

Monday, October 5

Special Planning Committee Meeting.....1:00 pm
Council Chambers-2nd Floor Government Center

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

Tuesday, October 6

Citizen's Advocate Work Group Meeting.....11:00 am
Conference Room-5th Floor Government Center

Services Committee Meeting.....1:00 pm
Council Chambers-2nd Floor Government Center

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

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

Wednesday, October 7

Courthouse Area Design Review Board Meeting.....2:00 pm
Council Chambers-2nd Floor Government Center

Noise Ordinance Task Force Meeting.....5:00 pm
Conference Room-5th Floor Government Center

Thursday, October 8

Parks & Recreation Funding Work Group Meeting.....5:00 pm
Parks' Picadome Office-469 Parkway Drive

Friday, October 9

Mayor's Task Force on Breast Cancer Meeting.....10:00 am
Conference Room-5th Floor Government Center

Monday, October 12

No Meetings

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL
WORK SESSION AGENDA

October 6, 2009

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – None**
- III. Approval of Summary-Yes, September 29, 2009, pp.4-9**
- IV. Budget Amendments – None**
- V. New Business, pp. 11-17**
- VI. Continuing Business / Presentations**
 - A. Water Resources Oversight Committee**
 - B. Outside Agency Oversight Committee**
 - C. Budget & Finance Committee, pp. 18-21**
 - D. Introduction of Junior Fire Chief**
 - E. Vacant Property Review Commission Report-Out
Councilmember K.C. Crosbie**
 - F. The Winner's Circle Presentation
Ms Pat Tatum, LexCall and Ms Susi Evans, Training
& Development / Employee Relations**
 - G. Upcoming 2010 Census,
Mr. Benjamin A. Johnson Jr., Kentucky Team Leader**
 - H. Downtown Streetscape Update – Phase 1
Mr. Harold Tate, President/Executive Director
of Lexington Downtown Development Authority &
Mr. Clete Benken, RLA, ASLA Principal,
Kinzelman Kline Gossman**
 - I. LFUCG Airport Board Report,
Mr. Robert Owens, Chair, LFUCG Airport Board**
- VII. Council Report**
- VIII. Mayor's Report – None**
- IX. Public Comment – Issues Not on Agenda**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. Authorization of a Deed of Acceptance for Property Located at 137 Northwood Drive under the Northwood Drive Storm Water Project. (599-09) (Martin/Taylor)
This request will authorize a deed of acceptance at a cost of \$113,200 for the acquisition of property located at 137 Northwood Drive under the Northwood Drive Storm Water Project. This acquisition will allow for positive storm water mitigation in the immediate area as well as downstream. Funds are budgeted.**p.11**
- B. Authorization to Amend Section 21-5 of the Code of Ordinances within the Department of Finance and Administration, Division of Central Purchasing. (594-09) (Allen/O'Mara)
This request will authorize an amendment to Section 21-5 of the Code of Ordinances to create one (1) position of Minority Program Coordinator (Grade 119E) within the Division of Central Purchasing to monitor, analyze, and coordinate compliance with the Disadvantaged Business Enterprise Program. The fiscal impact for FY2010 is \$50,019.43. Funds are budgeted.**p.12**
- C. Authorization to Accept a Donation from the Kentucky Division of Emergency Management (KYEM) on Behalf of the Department of Public Safety, Division of Emergency Management / 911. (595-09) (Dugger/ Bennett)
This request will authorize the acceptance of four (4) CasMed 740 Vital Sign Monitors on behalf of the Division of Emergency Management / 911 as part of a spending package through the Chemical Stockpile Emergency Preparedness Program. The Division will then transfer the items to the Division of Fire & Emergency Services.**p.13**
- D. Authorization to Amend Resolution No. 78-2009 Regarding Property Located at 640 Cindy Blair Way for the Clays Mill Road Improvements Project. (597-09) (P. King/Webb)
This request will authorize an amendment to Resolution No. 78, Sections 1 and 2 regarding the Clays Mill Road Improvements Project to change owner of record of property located at 640 Cindy Blair Way from Ronald and Crystal Graham to read Owner of Record at time of closing. There are no other changes associated with this amendment.**pp.14-15**
- E. Authorization to Approve Central Indiana Truck Equipment Corporation as a Sole Source Provider on Behalf of the Department of General Services, Division of Facilities and Fleet Management and the Department of Environmental Quality, Division of Waste Management. (598-09) (Loney/Cole)
This request will authorize the approval of Central Indiana Truck Equipment Corporation as a Sole Source Provider on behalf of the Division of Facilities and Fleet Management and Waste Management for procurement of five (5) Heil™ Python® MultiPack Refuse Truck waste collection bodies for residential collection at a cost of \$3,872,592. Heil™ is the only manufacturer that

combines an automated arm for collecting carts with a rear loader hopper for larger items. Funds are budgeted.**pp.16-17**

URBAN COUNTY COUNCIL
WORK SESSION SUMMARY
& TABLE OF MOTIONS

September 29, 2009

Mayor Newberry chaired today's work session meeting. All Council Members were present except CM Myers. Mayor Newberry welcomed our foreign visitors to Lexington and to the work session.

- I. Public Comment – Issues on Agenda-Bone
- II. Requested Rezoning / Docket Approval-Yes

A motion by CM Henson to place on the docket for Thursday, October 1, 2009 without a hearing, an ordinance changing the zone from a Two-Family Residential (R-2) zone to a High Density Apartment (R-4) zone for 1.288 net (1.49 gross) acres, for property located at 1612 Versailles Rd., subject to certain use restrictions imposed as conditions of granting the zone change (Homestead Nursing Center, LLC), seconded by CM Ellinger, passed without dissent.

A motion by CM Gorton to approve the amended docket, seconded by CM Beard, passed without dissent.

- III. Approval of Summary-Yes

A motion by CM McChord to approve the summary from September 22, 2009, seconded by CM Crosbie, passed without dissent.

CM Gorton asked that on page 9 the word be changed from committee to workshop.

- IV. Budget Amendments-Yes

A motion by CM Beard to approve the budget amendments, with BA 2478 added to the list, seconded by CM Gorton, passed without dissent.

- V. New Business

- A. Authorization of a Special Construction Agreement with BellSouth Telecommunications, Inc. (d/b/a AT&T Southeast) Regarding the South Limestone Streetscape Project - Phase 1. (571-09) (P. King/Webb)

- B. Authorization of Change Order No. 3 to Contract with Central Rock Mineral Company, LLC (ATS Construction) for the Loudon Avenue Improvements Project. **(FINAL)**. (575-09) (P. King/Webb)
- C. Authorization of a Deed of Acceptance for a Greenway Parcel at Property Located at 6500 Man O' War Boulevard as Part of the Expansion Area Master Plan. (580-09) (Rayan/Webb)
- D. Authorization of an Agreement with the Kentucky State Police (KSP) to Provide Improvised Explosive Device (IED) Response Equipment Training for FBI Credited Bomb Squads and for the Transfer of Equipment. (577-09) (P. King/Bennett)
- E. Authorization of an Agreement with the Kentucky State Police (KSP) to Provide Improvised Explosive Device (IED) Training for FBI Credited Bomb Squads and for the Transfer of Equipment. (578-09) (P. King/Bennett)
- F. Authorization to Accept an Award Offered by the US Department of Justice on Behalf of the Department of Public Safety, Division of Police, under the 2009 Recovery Act Edward Byrne Memorial Competitive Grant Program: Hiring of Civilian Staff in Law Enforcement Agencies. (583-09) (P. King/Bennett)
- G. Authorization to Accept an Award from the US Department of Justice, Office on Violence Against Women on Behalf of the Department of Public Safety, Division of Police for Continuation of the Arrest Policies Project and Execute Subrecipient Agreements. (584-09) (P. King/Bennett)
- H. Authorization of a Resolution for Reimbursement of Temporary Advances for Capital Expenditures on Behalf of the Department of Public Safety, Divisions of Police, Fire & Emergency Services, and Emergency Management / 911 for the Radio Interoperability Project. (581-09) (Lucas/Bennett)
- I. Authorization of a System Purchase Contract with Harris Corporation, RF Communications Division on Behalf of the Department of Public Safety for the Upgrade of the 800 MHz Radio System. (582-09) (Lucas/Bennett)
- J. Authorization to Purchase Property Located at 529 E Third Street for the Ann Street Acquisition Project and Transfer the Property to the HOPE IV Project. (572-09) (P. King/O'Mara)
- K. Authorization of a Revenue Enhancement Agreement (Tax Discovery / Recovery) with PRA Government Services, LLC (d/b/a RDS) for Collection of Unpaid Occupational License Taxes. (576-09) (O'Mara)

- L. Authorization to Approve ACL™ Services Ltd. as Sole Source Provider for AuditExchange Software and Programming Services for the Division of Internal Audit. (573-09) (Sahli/Kelly)
- M. Authorization of a Partial Release of Easement for a Portion of a Sanitary Sewer Easement at Property Located at 149 Old Towne Walk. (579-09) (Askew)
- N. Authorization to Accept Deeds of Easements from Record Property Owners for the Rookwood Parkway Stormwater Improvement Project. (574-09) (Martin/Taylor)
- O. Authorization of Change Order No. 1 to Contract with Dixon Electric, Inc. for the Town Branch Waste Water Treatment Plant (WWTP) Primary Effluent Pump Station Emergency Generator Project. **(FINAL)**. (585-09) (Martin/Taylor)
- P. Authorization of Change Order No. 2 to Contract with Herrick Company, Inc. for the Town Branch Waste Water Treatment Plant (WWTP) Chlorination Equipment Replacement Project. (586-09) (Martin/Taylor)
- Q. Authorization to Accept a Donation of Labor and Material by Cricket Communications, Inc. on Behalf of the Department of General Services, Division of Parks and Recreation. (587-09) (Hancock/Cole)
- R. Authorization of a Facility Usage Contract with the Fayette County Board of Education on Behalf of the Department of General Services, Division of Parks and Recreation for the Kiddie Kapers Program. (588-09) (Hancock/Cole)
- S. Authorization for the Issuance of Industrial Revenue Bonds (IRBs) to Anchor Baptist Church. (590-09) (Wright/Kelly)
- T. Authorization of a Memorandum of Understanding (MOU) with the Lexington-Fayette Urban County Housing Authority Regarding the Equestrian View Neighborhood. (591-09) (Askew)
- U. Authorization of Taxable Sewer System Revenue Bonds, for Reimbursement for Sewer Construction Projects, and to Acceptance of Successful Bids for Improvements to the Sewer Systems. (592-09) (O'Mara)

A motion by CM Crosbie to delete items H and I from the new business items list until after the presentation, seconded by CM McChord, passed without dissent.

A motion by CM Lawless to place on the docket for Thursday, October 1, 2009, a resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Definitive Relocation Agreement with Kentucky Utilities

Company for relocation of overhead facilities to underground in conjunction with the South Limestone Streetscape Project, at a cost not to exceed \$1,252,727, seconded by CM James, passed without dissent.

A motion by CM James to approve that a condition be placed in the MOU with the Lexington-Fayette County Housing Authority stating that the entrance sign for the Equestrian View neighborhood reads Equestrian View at East End, seconded by CM Gorton, passed without dissent.

A motion by CM Blues to place on the docket for the meeting on October 1 a resolution authorizing and directing the Mayor to execute an agreement with the Commonwealth of Kentucky for distribution of the assets of Fayette County Legal Aid, Inc, seconded by CM Beard, passed without dissent.

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

VI. Continuing Business / Presentations-Yes

A. Planning Committee Report

This report was given by Chair CM Gorton. There were no motions to come forward. CM Gorton welcomed our foreign visitors to work session.

B. Lyric Theatre Project Monthly Report

This report was given by Shaye Rabold, Mayor's Chief of Staff.

C. Water Quality Management Fee Implementation Status Report

This report was given by Charlie Martin, Dir. of Water Quality. Several CMs asked questions.

D. Radio Interoperability Project

This presentation was given by David Lucas, Dir. of Enhanced 911. Several CMs asked questions.

A motion by CM Myers to have a resolution drafted to require that any tower placement has to be approved by Council first, seconded by CM Gorton, passed without dissent.

VII. Council Report

CM Gorton-Announced the next Water Quality Incentive Group meeting will be on October 9th at 9:30 am at the Town Branch Wastewater Plant; reminded everyone about the confirmation on October 1 for Comm. of Finance nominee Linda Rumpke and October 15 at 6:30 pm for LaTaoi Mayo for the Ethics Commission; thanked CM Tom Blues for standing in for her at the Joint Planning workshop in her absence.

CM Feigel- A motion by CM Feigel to approve the NDF list, seconded by CM Myers passed without dissent.

CM Blues-Congratulated Historic Western Suburb NA on receiving an Environmental Commission Awards and also McConnell's Trace NA with Greenway Committee received a certificate of appreciation-awards will be given at the Green Breakfast on October 23rd; announced that on tomorrow at 6:30 pm he will be hosting the 2nd District President's meeting at the Community Center in Oakwood Park; on 10/5 Georgetown Street NA will meet at 6pm; at 7 pm Green Acres/Hollow Creek/Breckinridge NA will meet; career fair going on today at the VA Center on Leestown Rd from 8 am-8 pm.

CM Lawless-Asked again for an update on the library audit-Mayor Newberry answered and said that he already provided an update-there is no time frame on when it will be available; asked about a crosswalk on W Main and Vine Streets.

A motion by CM Lawless to place into the Services Committee, the issue of the crosswalk at W Main and Vine Streets, seconded by CM Henson, passed without dissent.

CM Martin-Stated that he had a good meeting with the neighbors around The Springs Inn/Southland Dr, city officials, and the owners of The Springs Inn; also met with Palomar NA and Comm. Webb about the resurfacing roads list.

A motion by CM Martin to refer to the Services Committee Sect. 4-2 (a) of the Code of Ordinances referring to the care and treatment of animals, seconded by CM Lane, passed without dissent.

VIII. Mayor's Report-Yes

A motion by CM Gorton to withdraw LaTai Mayo's name from the Ethics Commission nomination list, seconded by CM Crosbie, passed without dissent.

A motion by CM James to withdraw Grace Akers' name from the Social Services Advisory Board nomination list, seconded by CM Myers, passed without dissent.

A motion by CM Stinnett to approve the Housing Authority Board nomination, seconded by CM Lane passed without dissent.

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

Citizen, Lewis Cobb, Spoke.

X. Closed Session-Litigation

A motion by CM Henson to go into closed session pursuant to KRS 61.810(1)(c) for the purpose of discussing pending litigation, seconded by CM Crosbie, passed without dissent.

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

A motion by CM Myers to place on the docket for the Council Meeting on October 1, 2009 a resolution authorizing and directing the Dept. of Law to institute a declaration of rights action against the Lexington Herald-Leader in Fayette Circuit Court to determine the legality of the rates being charged by the Herald-Leader for statutorily required publishing and to seek other appropriate relief, seconded by CM McChord, passed without dissent.

A motion by CM Lane to adjourn, seconded by CM Ellinger passed without dissent.

Work session was adjourned at 5:10 pm.

Budget Information For New Business Items

October 6, 2009 Work Session

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Item	Number	Amount	Fund	Name / Description
A	599-09	113,200	2522	Public Works Projects Fund
B	594-09	50,019	1101	General Service District Fund
C	595-09	NA		
D	597-09	NA		
E	598-09	3,872,592	1115	Urban Service District Fund



599-09

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Mayor Jim Newberry
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Water Quality

MEMORANDUM

To: Mayor Jim Newberry
Urban County Council

From: James R. Wray
Engineering Technician Principal

Date: September 21, 2009

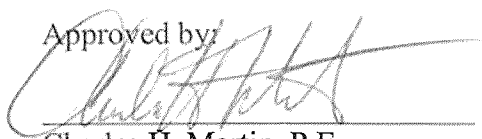
Re: Resolution Authorizing Acceptance of Deed
Project No: 558 – Northwood Drive Storm Water Project

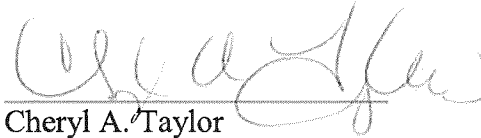
The purpose of this memorandum is to request a resolution authorizing the acceptance of a deed for the acquisition of 137 Northwood Drive. The deed will be from Joseph C. and Angelena M. Gullett at a cost of \$113,200.00 for the acquisition of the entire property. The purchase price is based on the appraisal obtained by the Division of Water Quality and the property owner.

The purpose of the acquisition is for storm water management and mitigation to the existing watershed. Recommendation for the purchase comes from the Division of Water Quality staff. The DWQ staff concur that acquisition of the property would allow for positive storm water mitigation in the immediate area as well as downstream.

Funds for the payment are currently budgeted in 2522-303204-3334-92211.

Approved by:


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


Cheryl A. Taylor
Commissioner, Department of
Environmental Quality

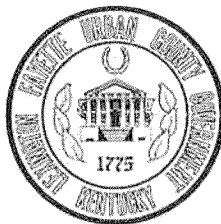
Attachments

c/w att: Darryl G. Bennett, P.E. Keith Horn Cassie Felty David Carrol, P.E. File

09.P558.406.bluesheet137northwooddr

H O R S E C A P I T A L O F T H E W O R L D

101 East Vine Street Lexington, KY 40507 (859) 425-2400 LexCall (859) 425-2255 www.lfucg.com



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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

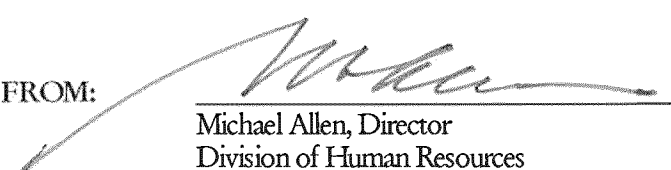
Jim Newberry
Mayor

William O'Mara
Acting Commissioner

MEMORANDUM

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

FROM:


Michael Allen, Director
Division of Human Resources

DATE: September 24, 2009

RE: Create Position— Division of Central Purchasing

The attached action amends Section 21-5 of the Code of Ordinances creating one (1) position of Minority Program Coordinator (Grade 119E) in the Division of Central Purchasing effective upon passage of Council.

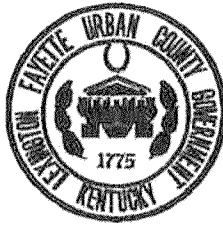
The position will be administrative professional work monitoring, analyzing and coordinating contractor's and L.F.U.C.G. divisional compliance with the Disadvantaged Business Enterprise program requirements that have been established by ordinance.

The fiscal impact for FY2010 is \$50,019.43 (16 pay periods) and includes benefits. This was included and funded in the adopted FY 10 budget.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/(Decrease)
Vacant	Minority Program Coordinator	\$0	\$60,837.40	\$60,837.40
Total Annual Impact/ Salary and Benefits \$81,281.57				

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

cc: William O'Mara, Acting Commissioner of Finance and Administration
Brian Marcum, Director, Division of Central Purchasing
Darrylyn Combs, HR Manager, Division of Human Resources
Jim Dodson, HR Analyst, Division of Human Resources
Log # 10-0013



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Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Newberry
Mayor

Tim Bennett
Commissioner

MEMORANDUM

TO: Jim Newberry, Mayor
Council Members

FROM: Patricia L Dugger, RS MPA, DEM Director

RE: Transfer of Assets

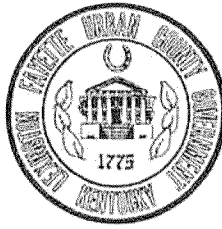
DATE: September 17, 2009

I am requesting the Urban County Council to authorize the Mayor to accept the items listed below as a donation from Kentucky's Division of Emergency Management. Ownership of these items was transferred to the Lexington Fayette Urban County Government as part of a spending package through the Chemical Stockpile Emergency Preparedness Program (CSEPP). All items will be transferred to the Division of Fire and Emergency Services. They will be tagged and tracked through the inventory system that is utilized by the Division of Emergency Management (DEM).

DEM has received the following items from Kentucky's Division of Emergency Management:

- 4 CasMed 740 Vital Sign Monitor. Total cost is \$12,320.

Cc: Tim Bennett, Public Safety Commissioner
Hazel Lambert, Administrative Specialist
CSEPP File



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Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

William O'Mara
Acting Commissioner

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

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

DATE: SEPTEMBER 22, 2009

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO AMEND RESOLUTION NO.
78-2009 TO CHANGE THE NAME OF THE SELLERS OF 640 CINDY
BLAIR WAY FROM RONALD AND CRYSTAL GRAHAM TO OWNERS OF
RECORD FOR THE CLAYS MILL ROAD IMPROVEMENTS PROJECT**

On February 12, 2009 (Resolution No. 78-2009), Council authorized the purchase of a temporary construction easement in the amount of \$1,625 from Ronald and Crystal Graham for the property located at 640 Cindy Blair Way for the Clays Mill Road Improvement Project. Before Division of Engineering was able to complete the purchase, Ronald and Crystal Graham sold the property.

Council authorization to amend Sections 1 and 2 of the resolution to change the names of the owners from Ronald and Crystal Graham to "Owners of Record at the time of closing," is hereby requested.

Paula King, Director

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

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR, ON BEHALF OF THE URBAN COUNTY GOVERNMENT, TO EXECUTE A CERTIFICATE OF CONSIDERATION AND ACCEPT A DEED CONVEYING A TEMPORARY CONSTRUCTION EASEMENT FROM RONALD AND CRYSTAL GRAHAM, FOR THE PROPERTY LOCATED AT 640 CINDY BLAIR WAY, FOR THE CLAYS MILL ROAD IMPROVEMENT PROJECT, AND AUTHORIZING PAYMENT IN THE AMOUNT OF \$1,625.00, PLUS USUAL AND APPROPRIATE CLOSING COSTS.

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

Section 1 - That the Mayor, on behalf of the Lexington-Fayette Urban County Government, be and hereby is authorized and directed to execute a Certificate of Consideration and to accept a Deed conveying a temporary construction easement from Ronald and Crystal Graham, for the property located at 640 Cindy Blair Way, for the Clays Mill Road Improvement Project.

Section 2 - That an amount, not to exceed the sum of \$1,625.00, be and hereby is approved for payment to Ronald and Crystal Graham, plus usual and appropriate closing costs, all from account # 3160 - 303201 - 91715, at the time of closing.

Section 3 - That this Resolution shall become effective on the date of its passage.

PASSED URBAN COUNTY COUNCIL: February 12, 2009

MAYOR

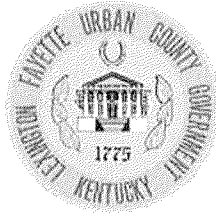


ATTEST:

CLERK OF URBAN COUNTY COUNCIL

Deputy Clerk

PUBLISHED: February 19, 2009-lt



598-09

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Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Newberry
Mayor

Kimra Cole
Commissioner

To: Mayor Jim Newberry
Urban County Council

From: David Loney, Deputy Director Fleet Services
Steve Feese, Director Waste Management

Date: September 29, 2009

Re: Sole Source Procurement for Heil Python MultiPack Refuse Truck Body

The Division of Waste Management's sole source purchase of waste collection bodies from Heil MultiPack is part of a plan to transition toward a uniform truck for the majority of residential collection services that will provide a number of operational efficiencies for the Waste Management Division.

The truck body features both an automated arm for collecting carts and a rear loader hopper for collecting larger items. Heil is the only manufacturer that combines both these features in the same truck body. We currently have five of these trucks in the fleet. A recent review of the operational cost of these vehicles on a per mile basis shows that they are less expensive to operate than other automated units in the fleet.

The advantages of using this specific truck body include:

1. The MultiPack truck automated feature will replace our existing semi-automated collection vehicles which are more labor intensive. This will decrease our employee injury rates and increase the number of households serviced per route.
2. Replacing our existing automated collection trucks with the MultiPack trucks will enable DWM to eliminate our current bulky item trucks that retrace the automated collection routes (at a 3 to 1 ratio) to collect materials that the automated trucks cannot collect.
3. This MultiPack collection body can be assigned to any of the three collection streams: recycling, organics, or landfill bound waste as needed on any given day. This means that we will move from three different types of collection trucks that are currently being used to one type which will reduce the number of spare trucks needed and will streamline our maintenance needs and training requirements.

4. Achieving route efficiency will be easier because the MultiPack truck will enable DWM to service streets that would have otherwise been inaccessible with our existing automated trucks.

Heil Environmental Industries has produced waste collection vehicles for over 100 years and have approximately 70 of the MultiPack units in operation across the U.S.

The total cost presented by Central Indiana Equipment Corporation (C.I.T.E.) for a Heil Python MultiPack truck body is "not to exceed \$161,358 each".

The following documents are attached:

- a. Administrative review form (bluesheet)
- b. Price Sheet for Heil Python MultiPack
- c. Sole Source Procurement Certification



- cc. Kimra Cole, Commissioner of General Services
Cheryl Taylor, Commissioner of Environmental Quality
Jamshid Baradaran, Director Facilities & Fleet Management
Brian Marcum, Director Central Purchasing

BUDGET & FINANCE COMMITTEE MEETING 9-29-2009 SUMMARY

All committee members were present except Myers. Feigel attended as a non voting member. The meeting was called to order at 1:02 pm

1. Review & Discussion of FY2010 Financials – O'Mara & Fister
O'Mara showed the committee current unemployment rates saying even though they are the lowest in the state, they are still much higher than one year ago. They also saw building permits issued which O'Mara said are seasonal and would have to wait and see how these numbers track. He presented preliminary results of the top four revenue streams for August 2009, which are employee withholdings, net profit, insurance and franchise fees. He showed a graph of withholdings with dollar change year over year since Lane asked to see a calendar year comparison in order to show a trend line. He showed net profit revenue tracking OLT net profit calendar year to date down 13.6%, insurance premiums down \$250K.

There were no questions or discussion regarding this issue.

General Fund FY2010 Revenue & Expenditures as of August, 2009 – Fister
The revenue update was a month by month look at year to date actuals compared to the year to date budget. The report included a new format being introduced, which includes more expanded detail of the information. At the end of August, 2009 total revenue is \$990K less.

James asked about general fund expenditures and wanted more detail on personnel expenses and what makes up the numbers.

O'Mara explained we are strategically hiring people. These numbers project a slow-focused hiring level. He referred to hiring positions approved in the budget, saying we are running ahead of 5.9.

Stinnett asked about total operating expenses year to date, adding they are down noting, what is the difference?

The difference is debit service per O'Mara. He said he would re check one of the reports which refer to debt service.

Gray asked about interest on principle (referring to debt service?) or trying to confirm something about bonding.

James had a follow up question regarding personnel, asking O'Mara to provide budgeted position that have been filled or a prediction on hiring positions that were stipulated in the budget.

O'Mara replied he only has a tax analyst and does not have that type of prediction.

Lane had follow up question to Gray's earlier question regarding police and fire cost \$18K more, 53K less.

Fister explained the contribution budgeted did not include the contribution required; only the minimum contribution was made. Last years actuals did not include initial contribution, minimum was paid instead of the higher rate. Fister said police & fire did a better job this year of managing overtime budget.

General Fund "Unaudited" Preliminary Results for FY 2009- Fister Gave update only on fund number 1101 balance. The FY09 ending balance also includes contributions to other funds, such as undesignated fund balance which is approx. \$2.7 million, reserve for 27th payroll which occurs every 13 years, economic contingency, encumbrance reserve, and total fund balance. These are four categories that make up the total fund balance.

James asked about over expenditures and 27th payroll funds and was told this line item is reserved and can't be used elsewhere.

Fister explained how the economic contingency fund can be used.

Gorton wanted to know how we are investing referring to the economic contingency fund and was told earnings are 1.2%. She also asked Fister to double check the time frame for 27th payroll, thinking it was every 11 years.

Stinnett asked about flat 25%, asking difference from \$4 million to \$3.6 million? He added today's numbers are not actually \$2.7 million.

Fister said it actually is 25%, but explained calculations used, referring to different funds defined as general fund. Fister went over a list of recent budget amendments, confirming the number is now \$2.1 million.

James asked how we can take care of expenses such as \$177K for inversion pay on the front end. She would like to see what's affecting the numbers and fix it ahead of time. She asked Fister if was possible to provide council with a list of ordinances/resolutions requiring budget actions before budget preparations begin each year.

Gorton echoed need for this, saying it would be very helpful.

Feigel asked what's the amount needed for 27th payroll.

Fister did not have that information but would advise, adding its set up by ordinance.

2. Business & Occupation License Fee Discussion

There were no comments from the public. However, James asked if today would be the only opportunity. Stinnett said no, he would be glad to hear comments at a future Budget & Finance Committee meeting.

Stinnett asked O'Mara to explain history behind this fee. O'Mara said the ordinance has been in existence since the 1950's but have just recently attached a fee of \$100.00.

Lane wanted an idea of how many people are associated with this business & occupation license fee. O'Mara said 26, 400 people have active licenses and \$1.9 million has been collected to date. Lane asked about contractors working on LFUCG projects such as sanitary sewers, etc. and how fees are applied.

James asked about the portion of the ordinance accessing penalties and if we are addressing. O'Mara stated there are two full time license fee inspectors who oversee that aspect.

Henson expressed concern with burden placed on small businesses such as newspaper carriers, who have routes just to earn extra income and if there were any complaints about them.

Feigel asked for clarification on the number (11,900) that paid no license fee.

O'Mara explained out of almost 27K active business licenses registered, 11.9K that did not pay before the fee was in place, reported a tax loss.

Gray spoke to the same concern as Henson, adding \$100.00 fee may pose hardship on some small businesses.

Gorton said the fee gets deducted from what they would owe in taxes. O'Mara agreed we reply on businesses to file taxes, we don't go looking for these business even though there are efforts to find people most are voluntary.

James asked what contractors awarded bids by LFUCG. O'Mara said the successful bidder must obtain a business license. She asked what a business owner gets for \$100.00 fee. She said she would like to see other options explored, like a tier fee and open discussions that are more pro small business.

O'Mara responded it goes to the general fund which provides police, fire, traffic, sewer and all other services of LFUCG. O'Mara said gross receipts tax is the only possible option he is aware of and tiered options on industry or volume, but is a major shift in our current tax structure and would warrant a very large change.

Feigel reiterated, of 27,700 active businesses, 11, 900 did not make a taxable profit saying she felt this was unusual. O'Mara explained what a taxable profit is depending on industry or type of business. That number of business did not qualify under tax code to take a deduction.

3. General List of Recommendations from Council Links – Stinnett

Stinnett asked each link chair for updates on council link recommendations. James, Public Works & Environmental Quality Chair referred to urban service fund, an issue with item C of recommendations, stating need to be referring to ordinances and laws during the entire budget process, insuring there is a checklist as we go through the links process.

Gorton also stated need to have a list before council starts work on the budget, saying it would be helpful to receive it March.

Fister confirmed council would like to address ordinances in relation to the budget and any dollar amount associated with each.

Lane went over General Services Link recommendations, having no new information/updates.

Henson, Finance, Budgeting, Social Services, Outside Agencies, said there was nothing new, but would follow up and provide any updates at the next meeting.

Stinnett reported for Crosbie on Public Safety budget links and called for public comment.

A citizen from Westwood Court addressed public safety recommendations and lack of officers and resources. He was shocked at recommendation for police radar. Stinnett explained the recommendation is not for actual officers, but are radar trailers.

Gray said he was recently in the Westwood Court neighborhood looking into issues of concern and agreed needs in this area are significant.

Stinnett summarized saying several items presented at today's Work Session are about bonding. He asked O'Mara for a presentation on bonding at a future work session since critical decisions need to be made. He would like to see list of bonds already approved but not yet bonded. O'Mara confirmed he is working on it.

There were no motions coming forward from today's meeting.

Motion to adjourn 2:30 pm