

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
March 15-March 22, 2010**

Monday, March 15

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

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

Tuesday, March 16

Affordable Housing Trust Task Force Meeting.....9:00 am
Conference Room-5th Floor Government Center

Water Resources Oversight Committee Meeting.....11:00 am
Conference Room-5th Floor Government Center

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

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

Wednesday, March 17

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

Thursday, March 18

No Meetings

Friday, March 19

No Meetings

Monday, March 22

No Meetings

LEXINGTON-FAYETTE URBAN COUNTY COUNCIL

WORK SESSION AGENDA

March 16, 2010

- I. Public Comment – Issues on Agenda**
- II. Requested Rezoning / Docket Approval – None**
- III. Approval of Summary-Yes, March 9, 2010(separate, not in packet)**
- IV. Budget Amendments – None**
- V. New Business, pp.5-16**
- VI. Continuing Business / Presentations**
 - A. Special Council Planning Committee, pp.17-25**
 - B. Council Intergovernmental Committee, pp.26-28**
 - C. Corridors Commission, pp.29-30**
 - D. Enterprise Resource Planning Update
Mr. Rama Dhuwaraha, Chief Information Officer**
- VII. Council Report**
- VIII. Mayor's Report – None**
- IX. Public Comment – Issues Not on Agenda**

ADMINISTRATIVE SYNOPSIS

New Business Items

- A. Authorization of a Subrecipient Agreement with the Owensboro Police Department under LFUCG Agreement with the Kentucky Office of Homeland Security (KOHS) for Improvised Explosive Devices (IED) Training. (108-10) (P. King/ Bennett)
This request will authorize a Subrecipient Agreement with the Owensboro Police Department for the transfer of equipment purchased by LFUCG under terms of agreement with KOHS for IED Training. Owensboro will be responsible for the care and maintenance of equipment and all associated costs.**p.5**
- B. Authorization of a Professional Services Agreement with Jessica Barker, Sexual Assault Nurse Examiner (SANE), for Performance of Forensic Examinations. (109-10) (P. King/Bennett)
This request will authorize a Professional Services Agreement with Jessica Barker, SANE, to serve on an "on-call" basis for the performance of forensic examinations at the University of Kentucky Emergency Room. Federal funding is provided under the Violence Against Women Act from the Kentucky Justice Cabinet for the operation of the SANE program. The agreement is from March 1 through December 31, 2010. Funds are budgeted.**p.6**
- C. Authorization of Amendment No. 1 to Lease Agreement with WDKY, Inc. for Space on a Multi-Unit Broadcast Tower for the 800MHz Radio System. (112-10) (Hendricks/Bennett)
This request will authorize Amendment No. 1 in the amount of \$25,800 to renew agreement with WDKY, Inc. for lease of space on a multi-unit broadcast tower for the 800MHz Radio System. The amendment renews the agreement for three (3) years with an automatic renewal of three (3) additional 3-year terms and includes a termination clause. There are no other changes associated with this amendment. Funds are budgeted.**p.7**
- D. Authorization to Accept Donation from Cloud Concrete Products on Behalf of the Department of Public Safety, Division of Fire & Emergency Services. (113-10) (Hendricks/Bennett)
This request will authorize the acceptance of donated concrete materials from Cloud Concrete Products on behalf of the Division of Fire & Emergency Services to be used in building collapse training. There is no budgetary impact.**p.8**

- E. Authorization to Submit Applications to the Kentucky Transportation Cabinet (KYTC) under the Congestion Mitigation and Air Quality (CMAQ) Program for FY2011 Projects. (110-10) (P. King /Webb)

This request will authorize the submission of eight (8) applications for federal funds through the KYTC to the Federal Highway Administration for consideration of the following projects under the FY2011 CMAQ Program.**pp.9-10**

- Fiber Optic Cable Installation: Total project cost is \$400,000
- Lexington Area Air Quality Outreach: Total project cost \$100,000
- West Loudon Avenue: Total project cost \$451,000
- Liberty Road: Total project cost \$178, 000
- Brighton Rail Trail: Total project cost \$769,500
- Intersection Improvements – Man O’ War Blvd at Pink Pigeon Parkway: Total project cost \$440,000
- Intersection Improvements – Man O’ War Blvd at Alumni Drive: Total project cost \$760,000
- Division of Police – Vehicle Replacement Project: Total Project cost \$75,165

- F. Authorization to Approve Change Order No. 4 to Contract with Strand Associates, Inc. Regarding the Legacy Trail Project. (111-10) (Rayan/Webb)

This request will approve Change Order No. 4 to increase contract amount by \$55,000 with Strand Associates, Inc. regarding the Legacy Trail Project. This change order is for the design of a route of approximately 2,500 feet through Eastern State Hospital property to connect Legacy Trail Phase 2 to Legacy Trail Phase 3. Original contract amount was \$496,000. Total of previous change orders is \$882,100. New contract amount is \$1,373,100. Funds are budgeted.**pp.11-14**

- G. Authorization of an Amendment to Agreement Offered by the Kentucky Transportation Cabinet (KYTC) Regarding the Old Frankfort Pike / Alexandria Drive Stone Fence Project. (115-10) (P. King/Langston)

This request will authorize an amendment to agreement offered by KYTC to extend the completion date through June 30, 2011 for the Old Frankfort Pike / Alexandria Drive Stone Fence Project.**p.15**

- H. Authorization to Accept Donation of Concrete Planters from CMW Real Estate on Behalf of the Department of General Services, Division of Parks & Recreation. (119-10) (Hancock/Cole)

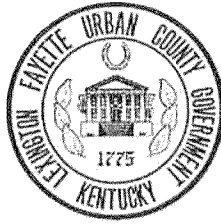
This request will authorize the acceptance of six (6) concrete planters donated by CMW Real Estate on behalf of the Division of Parks & Recreation. Planters will be placed on Vine Street and are valued at \$5,712.76.**p.16**

Budget Information For New Business Items

March 16, 2010 Work Session

4

Item	Number	Amount	Fund	Name / Description
A	108-10	NA		
B	109-10	59,670	3140	US Department of Justice
C	112-10	25,800	1101	General Services District Fund
D	113-10	NA		
E	110-10	NA		
F	111-10	55,000	2517	2008 Bond Projects
G	115-10	NA		
H	119-10	NA		



108-10

5

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

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

DATE: MARCH 2, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE
AGREEMENT WITH OWENSBORO POLICE DEPARTMENT
FOR IED TRAINING**

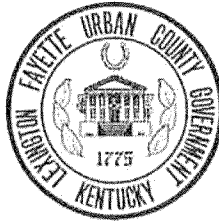
On December 4, 2008 (Ordinance # 260-2008), Council approved acceptance of federal funds in the amount of \$435,000 from the Kentucky Office of Homeland Security for IED Training for FBI Certified Bomb Squads in Lexington, Louisville, Owensboro, Paducah and Kentucky State Police.

The proposed agreement with Owensboro Police Department provides for the transfer of equipment purchased by the LFUCG with federal funds awarded by the Kentucky Office of Homeland Security. The Owensboro Police Department will use equipment for constructing training devices, explosive countermeasures, and remote handling equipment. The Owensboro Police Department will be responsible for care and maintenance of equipment and shall be responsible for all associated costs.

Council authorization to execute agreement with Owensboro Police Department is hereby requested.

Paula King
Director

Xc: Tim Bennett, Commissioner, Department of Public Safety



109-10

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor
TO:

**JIM NEWBERRY, MAYOR
URBAN COUNTY COUNCIL**

Linda L. Rumpke
Commissioner

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

DATE: MARCH 2, 2010

**SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE PROFESSIONAL SERVICES
AGREEMENT WITH JESSICA BARKER, SEXUAL ASSAULT NURSE EXAMINER
TO SERVE ON AN "ON-CALL" BASIS FOR THE PERFORMANCE OF FORENSIC
EXAMINATIONS**

The Lexington-Fayette Urban County Government has received continuation funding (Violence Against Women Act) from the Kentucky Justice Cabinet for the operation of a Sexual Assault Nurse Examiner program. The purpose of this program is to improve the collection of forensic evidence in sexual assault cases and to provide the victims of sexual assault more humane treatment during the investigation. Ultimately, higher rates of reporting will occur along with higher rates of prosecution and conviction. The Kentucky Crime Victims' Compensation Fund also provides financial support for forensic examinations.

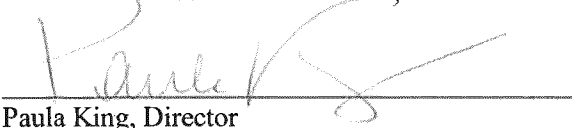
An approved element of the grant-funded project is contracting with certified Sexual Assault Nurse Examiners (S.A.N.E.s) to serve on call twenty-four hours a day to respond to calls for examinations at the University of Kentucky Emergency Room.

The attached Professional Services Agreement with Jessica Barker for the period of March 1, 2010, through December 31, 2010, outline the responsibilities and compensation. Funds for these services are budgeted as follows:

FUND	DEP ID	SECTION	PROJECT	ACTIVITY	BUD REF	ACCOUNT	AMOUNT
3140	505506	5561	SANE_2010	FED_GRANT	2010	71299	\$35,520
3140	505506	5561	SANE3_2010	STA_GRANT	2010	71217	\$24,150

The funds budgeted in SANE_2010 are for the purpose of paying contractual nurses for on-call duty and for reimbursement for liability insurance. The funds budgeted in SANE3_2010 are for payment of nurses for forensic examinations. These funds come from the state's Crime Victims Compensation Board.

Council authorization to execute the Professional Services Agreement with Jessica Barker is hereby requested.


Paula King, Director

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



112-10

7

Lexington-Fayette Urban County Government
DIVISION OF FIRE & EMERGENCY SERVICES

Jim Newberry
Mayor

Robert Hendricks
Chief

TO: Mayor Jim Newberry
Tim Bennett, Public Safety Commissioner
LFUCG Councilmembers

FROM: Paul See, Major
Paul See, Major

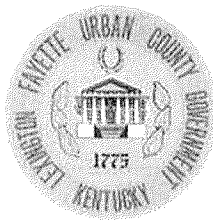
RE: Lease Agreement with WDKY, Inc.

DATE: February 25, 2010

This is a request to amend the existing lease agreement with WDKY, Inc. for the use of radio tower space and facilities. The current lease expires on April 15, 2010. The amendment would renew the current lease and extend the lease for three (3) years. Additionally, the amendment would implement an automatic lease renewal process for two (2) additional three (3) year terms.

This radio tower site is one (1) of the three (3) radio tower site locations used for LFUCG's 800MHz Radio System. This radio tower site provides coverage southeastern portions of Fayette County. This location has been in use since 2005.

The existing lease agreement is currently fully funded by the LFUCG budget for FY10 at a cost of \$25,800.00. The lease agreement contains provisions that increase the cost of the lease by five (5) percent per year (Section 5.01). The amendment would require continued funding for the terms indicated above. The lease agreement does contain provisions for the termination of the lease agreement if annual funding is not obtained (Section 4.02(ii)).



113-10

8

Lexington-Fayette Urban County Government
DIVISION OF FIRE & EMERGENCY SERVICES

Jim Newberry
Mayor

Robert Hendricks
Chief

Date: 02/24/2010

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

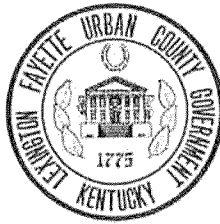
From: 
Battalion Chief Glendon Carlton

Re: Request for Council Action
Donated material for building collapse training

Requesting a resolution accepting the donation of concrete materials (rejects) from Cloud Concrete Products, 747 Allenridge Point, Lexington Kentucky 40510. This material will be used in upcoming building collapse training at 1375 Old Frankfort Road. The acceptance of this material has no budgetary impact to the Lexington Fayette Urban County Government.

If you have any questions related to this matter feel free to contact my office at 859-231-5600

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



110-10

9

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

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

DATE: MARCH 2, 2010

**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 2011**

The Lexington Area Metropolitan Planning Organization (MPO) has received a total of eight (8) applications for funding of LFUCG projects under the 2011 Congestion Mitigation Air Quality (CMAQ) program. 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. Congestion Mitigation and Air Quality is a transportation improvement program focused on reducing emissions in designated areas. Federal funding is available to government agencies for projects that will contribute greatly to air quality improvements and decreases in traffic congestion.

Fiber Optic Cable Installation Total Cost \$400,000. Federal Request of \$320,000. Local match of \$80,000 will be requested in the FY 2011 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. The proposal is to install fiber optic cable along Man o' War Boulevard from Nicholasville Road to Ft. Harrods Drive. This project would fund Year 10 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.

West Loudon Avenue Total project cost is \$451,000. Federal funds are requested in the amount of \$360,800. Local match will be requested from the FY 2011 General Fund in the amount of \$90,200. This project will complete missing sidewalk segments on the north and south side of the 100 block of West Loudon Avenue between N Broadway and N Limestone. The project compliments sidewalk improvements

planned by Lextran at Loudon/Limestone and was identified as a high priority project in the 2007 Bicycle & Pedestrian Master Plan. Total project cost is \$451,000. Federal funds are requested in the amount of \$360,800. Local match will be requested from the FY 2011 General Fund in the amount of \$90,300.

Liberty Road Total project cost is \$178,000. Federal funds are requested in the amount of \$142,400. Local match will be requested from the FY2011 General Fund in the amount of \$35,600. This project will construct 1,200 feet of sidewalk on the north side of Liberty Rd from New Circle Rd to Fortune Dr. The project includes pedestrian improvements to the intersection of Liberty Rd at New Circle Rd. The project improves pedestrian access to public transit and was identified as a high priority project in the 2007 Bicycle & Pedestrian Master Plan.

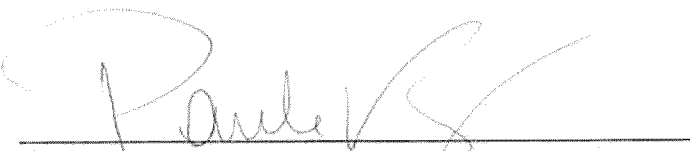
Brighton Rail Trail Total project cost is \$769,500. Federal funds are requested in the amount of \$615,600. Local match is from the Trail Bond fund in the amount of \$153,900. This project will construct Phase 4 of the Brighton Rail Trail, which connects the Liberty Park Trail to the funded pedestrian bridge at Man O War Blvd. The project will construct 2000 feet of the 3 mile existing and funded Brighton Rail Trail corridor, completing the off-road connection between Liberty Park, Pleasant Ridge Park and Deerhaven Park.

Intersection Improvements, Man O' War Blvd at Pink Pigeon Parkway Total project cost is \$440,000. Federal funds are requested in the amount of \$352,000. Local match of \$88,000 will come from Municipal Aid Program. Widen Man o' War Boulevard at the Pink Pigeon Parkway intersection, by removing a portion of the Man o' War median, to provide for dual left turns from northeast bound Man o' War Boulevard, onto Pink Pigeon Parkway. This will provide more left turn lane length, to help remove queued vehicles from the through lanes of northeast bound Man o' War. Widen and re-stripe Pink Pigeon Parkway as required to accommodate the new dual movement.

Intersection Improvements, Man O' War Blvd at Alumni Drive Total project cost is \$760,000. Federal funds are requested in the amount of \$608,000. Local match of \$152,000 will come from Municipal Aid Program. Widen Man o' War Boulevard at Alumni Drive, to lengthen the right turn lane from southwest bound Man o' War to inbound Alumni Drive. This will provide more storage for vehicles making the right turn movement and will help remove these queued vehicles from the Man o' War through lanes. Widen and re-stripe outbound Alumni Drive west of the intersection, to provide dual left turn lanes from Alumni Drive to northeast bound Man o' War. Widen Man o' War Boulevard south of the intersection, to provide for dual left turn lanes from northeast bound Man o' War to inbound Alumni Drive.

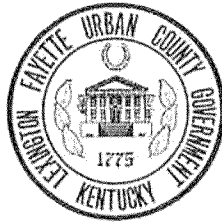
Division of Police, Vehicle Replacement Project Total Project cost is \$75,165. Federal funds are requested in the amount of \$60,132. The match amount of \$15,033 will come from bond revenue—equipment. The project will provide for the purchase of 15 Camry Hybrid vehicles to replace older inefficient 2003-2006 Ford Crown Victorias. Hybrid vehicles will be used by administrative positions where high-speed vehicle performance is not a factor. CMAQ funds can only be used to support the difference between the cost of the hybrid vehicle and a comparable conventional gasoline model.

Council authorization to submit the applications is hereby requested.



Paula King
Director

Xc: James M. Webb, Commissioner of the Department of Public Works and Development



111-10 11

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

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

DATE: MARCH 1, 2010

**SUBJECT REQUEST COUNCIL AUTHORIZATION TO EXECUTE CHANGE ORDER NO. 4
TO ENGINEERING SERVICES AGREEMENT WITH STRAND ASSOCIATES,
INC., FOR DESIGN OF TEMPORARY ROUTE THROUGH EASTERN STATE
HOSPITAL PROPERTY AS PART OF THE LEGACY TRAIL PROJECT**

On October 2, 2008 (Resolution No. 573-2008), Council accepted proposal submitted by Strand Associates, Inc., in the amount of \$496,000 in response to RFP 28-2008, for the feasibility study and engineering design of the Legacy Trail Project. The Legacy Trail is a shared-use greenway trail that will connect downtown Lexington with area neighborhoods, parks, and historic sites as it follows a northward course to the Kentucky Horse Park.

Change Order No. 1 in the amount of \$573,300 was approved by Council on June 25, 2009 (Resolution No. 450-2009).

Change Order No. 2 in the amount of \$40,700 was approved by Council on November 5, 2009 (Resolution No. 693-2009).

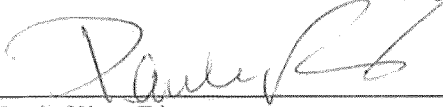
Change Order No. 3 in the amount of \$208,100 is in process of being approved by Council

Change Order No. 4 in the amount of \$55,000 is proposed for the design of the temporary route through Eastern State Hospital property, which will connect the Legacy Trail Phase 2 at the Northside YMCA to Legacy Trail Phase 3. The trail extension is approximately 2,500 feet and goes from Loudon Avenue to Fourth Street. New total will be \$1,373,100.

Funds for Change Order No. 4 in the amount of \$55,000 are budgeted as follows:

FUND	DID	SECT	ACCT	PROJECT	BUD REF	ACTIVITY	AMOUNT
2517	707601	7211	90311	PARKPROJ_2009A	2008	BRIDGETRL	\$55,000

Council authorization to execute Change Order No. 4 is hereby requested.



Paula King, Director

Xc: Mike Webb, Commissioner, Department of Public Works and Development

CONTRACT HISTORY FORM

Project Name Legacy Trail Project
Contractor: Strand Associates Inc
Contract Number and Date: 6252 October 2, 2008
Responsible LFUCG Division: Engineering

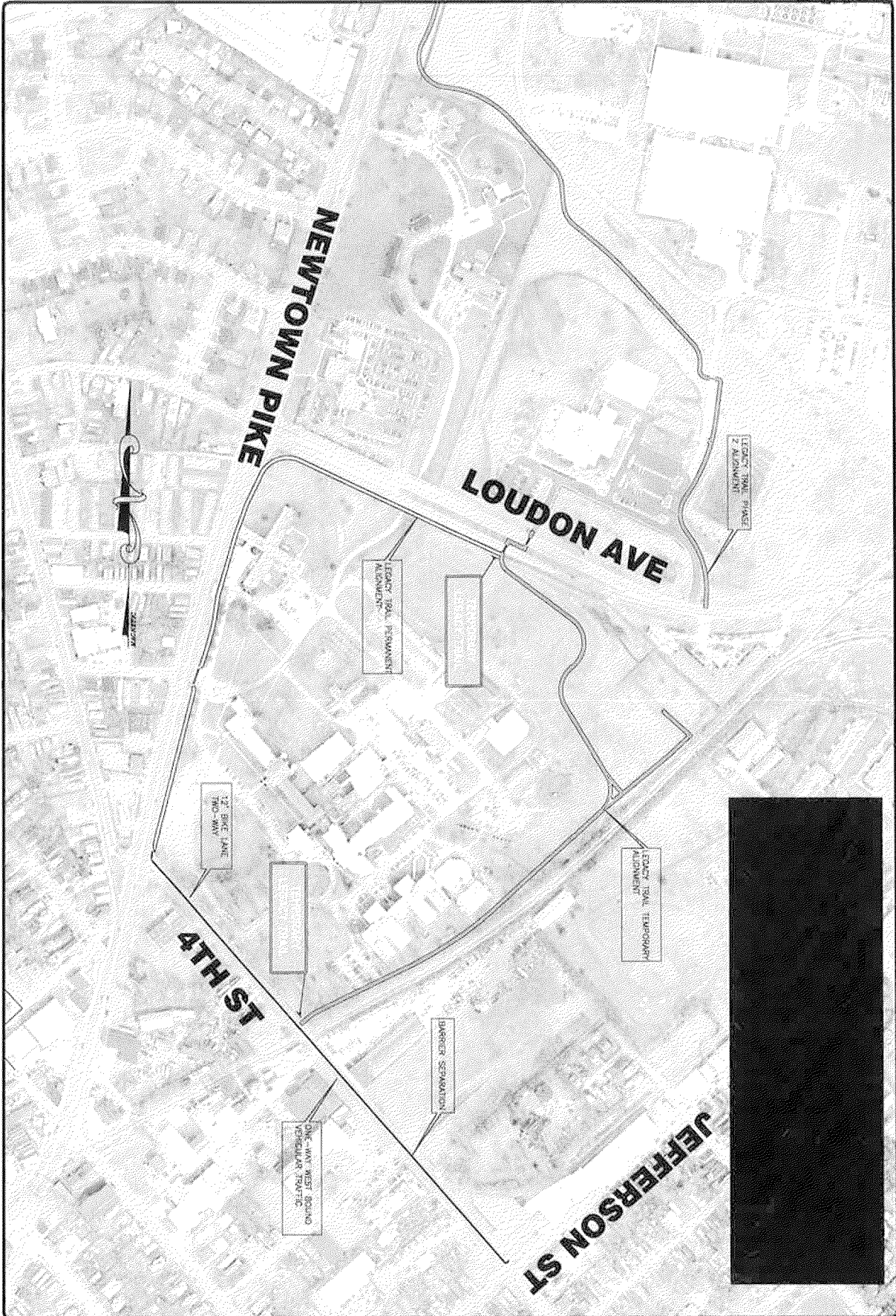
CONTRACT AND CHANGE ORDER DETAILS

A. Original Contract Amount:	\$	<u>496,000.00</u>	
Next Lowest Bid Amount:			
<u>NA</u>			
B. Amount of Selected Alternate or Phase:	\$	<u></u>	
C. Cumulative Amount of All Previous Alternates or Phases:	\$	<u>496,000.00</u>	
D. Amended Contract Amount:	\$	<u>496,000.00</u>	
E. Cumulative Amount of All Previous Change Orders:	\$	<u>822,100.00</u>	<u>165.7%</u> (Line E / Line D)
F. Amount of This Change Order:	\$	<u>55,000.00</u>	<u>11.1%</u> (Line F / Line D)
G. Total Contract Amount:	\$	<u>1,373,100.00</u>	

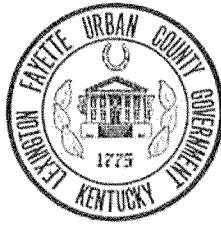
SIGNATURES

Project Manager:	<u>Keith Loren</u>	Date: <u>2/18/10</u>
Reviewed by:	<u>RA Bayot</u>	Date: <u>2/18/10</u>
Division Director:	<u>MA King</u>	Date: <u>2/19/10</u>

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	LEGACY TRAIL EXHIBIT TEMPORARY EASTERN STATE HOSPITAL ALIGNMENT		DATE: DES: [] CHK: []	NO. REVISIONS	DATE:



115-10

15

Lexington-Fayette Urban County Government
DEPARTMENT OF FINANCE & ADMINISTRATION

Jim Newberry
Mayor

Linda L. Rumpke
Commissioner

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

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

DATE: MARCH 9, 2010

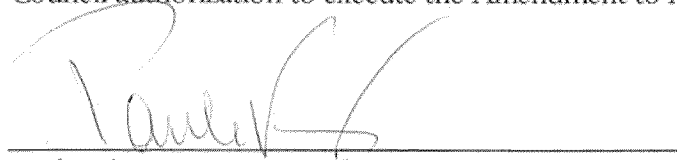
**SUBJECT REQUEST COUNCIL AUTHORIZATION TO EXECUTE
AMENDMENT TO AGREEMENT WITH THE KENTUCKY
TRANSPORTATION CABINET FOR THE OLD FRANKFORT
PIKE/ALEXANDRIA DRIVE STONE FENCE PROJECT**

On October 19, 2006 (Ordinance No. 296-2006), Council approved acceptance of federal funds from the Kentucky Transportation Cabinet for the construction of a stone fence at the intersection of Old Frankfort Pike and Alexandria Drive. Approximately 1000 feet of stone fence will be constructed after the Kentucky Department of Highways makes improvements to this intersection.

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

The Kentucky Transportation Cabinet has offered the LFUCG an Amendment to the Agreement extending this project through June 30, 2011.

Council authorization to execute the Amendment to Agreement is hereby requested.



Paula King
Director

XC: Rebecca Langston, Council Administrator



119-10 16

Lexington-Fayette Urban County Government
DEPARTMENT OF GENERAL SERVICES

Jim Newberry
Mayor

Kimra Cole
Commissioner

MEMORANDUM

To: Jim Newberry, Mayor
Urban County Council Members
Joe Kelly, Senior Advisor to the Mayor

FROM: 
Jerry Hancock

RE: Donation

DATE: November 30, 2009

This is a request for Council approval of a donation to Parks and Recreation of six concrete planters by CMW Real Estate, LLC. Planters are to be placed on Vine Street between Rose and Main.

The planters are valued at \$5,712.76.

Please contact me if there are any questions.

CC: Kimra Cole, Commissioner of General Services

JEH/bac

SPECIAL PLANNING COMMITTEE SUMMARY 3-2-2010

Chair Gorton called the meeting to order at 11:00 am. All committee members present except James. Henson attended as a non voting member.

1. Moratorium Related Issues

- a. Residential Zone Issues - Stinnett
- b. Residential Additions - Lawless

Gorton told the committee the Mayor held a meeting on 3-1-2010 with neighborhood associations, some council members and citizens concerned about student housing, the moratorium issue and plans to hold another meeting.

Lawless asked who attended the Mayor's meeting. Logan Askew, Commissioner of Law Dept. said if the question is, was it a public meeting the answer is no.

Gorton referred to a list of seven possible ordinance amendments to consider, asking Rochelle Boland, Law Dept. to provide details of each and answer any questions.

Motion by Blues to accept combined and modified definition of boarding or lodging house and move forward to full council as a text amendment, seconded by Gray, passed without dissent.

Discussion:

Feigel asked about zones for boarding or lodging houses. Boland explained R3, is permitted use if you have 8 or less and is not allowed in R1 or R2.

Stinnett asked Boland to display the current ordinance to highlight proposed changes.

Boland covered current definitions of boarding or lodging house and family.

Stinnett asked how many properties this would affect if we adopt these text amendments. Boland said if properties with more than 5 people living there and show some of these characteristics might be affected. Feigel tried to clarify grandfathering.

Motion by Blues to accept adding definition of congregate living facility and move forward to full council as a text amendment, seconded by Gray, passed without dissent.

Discussion:

Stinnett asked about not for profit homes and how they fall under these changes. Boland said there is no change.

Feigel questioned zoning ordinances and permitted use. Boland said this is not intended to create a new category.

Gorton referred to adding a new term and definition of sorority/fraternity houses asking Chris King, Director of Planning to expound.

Feigel had a question about sorority/fraternity house definition, asking about zones and permitting. King explained how this definition would fall out of congregate living facility.

King explained about zones and criteria applicable to sorority/fraternity houses. Feigel asked if the board of adjustment can deny and not grant a conditional use permit and how grandfathering would work.

Lawless also asked King a question about conditional use for lodging houses and if it is currently grandfathered in. King said not sure lodging house is permitted in any case.

Motion by Lawless to accept definition of, fraternity or sorority house and move forward to full council as a text amendment, seconded by Blues, passed without dissent.

There was lengthy discussion about revising definition of family, comparing the revised definition to original versions.

Gorton opened the floor to public comment asking speakers to limit comments to the proposed new definition of family.

Kay Savage, Dick Murphy and Craig Hardin were among the speakers.

Lawless asked Boland about R3 is a lodging house limited to 8 people and was told its considered principle permitted use but if it's over 8 people, must be conditional use.

Feigel said we need to do something to address problems around university. Now however this has developed into redefining family all over town.

Motion by Feigel to postpone items 3, 4 and 5 of proposed changes & definitions of family until Mayor's meetings with concerned citizens are concluded, seconded by Ellinger, motion failed .

Discussion:

Lawless commented about postponing the proposal of changing definitions, saying it's important for this committee to move forward. She stated she will not support the motion.

Blues commented on slowing the process down, and recapped problems in regard to property values, neighborhood deterioration, etc.

Gray agreed delaying decisions on this issue is not appropriate. This is about sustainability; quality of life, now is not the time to halt this process

Motion by Blues to approve revised definition of item 3" family" and move forward to the full council for initiation of a text amendment, seconded by Lawless, passed with 5 favor, 4 opposed.

Discussion:

McChord stated he has problems with item 3. Feigel stated she agreed and the real discussion should take place at full council but is concerned about the impact. She said the moratorium task force is a smaller group and perhaps the Mayor's meetings include a larger group for input.

Beard agreed with Feigel about waiting for results of Mayor's work group on this matter.

Lawless talked about work of moratorium task force saying its time to move forward. She will support the motion.

Stinnett asked what council members are involved with the Mayor's meetings on this issue and who is represented. Feigel explained saying she thought there was some compromises being made. Gorton also commented saying the Mayor's meeting is not an official committee and is more about conversation around the issue, more of a dialog group.

Stinnett said changing definition of family does not affect the main problems such as trash, structure issues, etc. and is not an across the board solution. He asked Boland about handling enforcement. She explained options property owners would have and how enforcement of violations might be handled. Stinnett said the building inspection task force committee may have changes in process that might affect this issue.

Gray replied to Stinnett's comments about trash, noise, calling for problem solving. He said when he toured these neighborhoods he saw symptoms of decay, and economic destruction. The root cause is not density. It is time to move on and take the steps set in this motion.

Feigel said she was confused if this is about student housing or density. She said we must be clear about the definition of family and what we are proposing today, since it has a much broader meaning and will be implemented city-wide. She mentioned there is a proposal on the table to address the parking issue and continued to urge waiting on results of Mayor's meeting.

Gray commented to Feigel these symptoms are translated to other neighborhoods

Lawless, Gray and Feigel debated the need to postpone or move forward with the revised definitions of family. \

Motion by Lawless accept and move forward to the full council for initiation of a text amendment , item 4(new term and definition of “family, functional”)and item 5 (new section pertaining to the board of adjustment)move forward, seconded by Blues, motion passed with 5 in favor, 4 opposed.

Boland explained item 7 “eliminate the keeping of roomers, boarders” by a resident family as a permitted accessory use in the single family and two family zones.

Motion by Blues to accept item 7 and move forward to the full council for initiation of a text amendment, seconded by Lawless, passed with one opposing vote.

Motion by Ellinger to adjourn at 12:57 pm

2. Items Referred to Committee –were not reviewed at today’s meeting due to lack of time.

March 2, 2010

Special Planning Committee Packet

POSSIBLE ORDINANCE AMENDMENTS TO CONSIDER:

1. COMBINE AND MODIFY DEFINITION AS FOLLOWS:

Boarding or Lodging House: A residential building or part thereof for adults living together, not as a family, but in a congregate living arrangement. In identifying this use, the following factors shall be considered:

- a) sleeping rooms are for hire for five (5) or more persons;
- b) meals and/or food costs are typically not shared;
- c) 5 or more rooms, excluding bathrooms, which are lockable from the exterior;
- d) rent is established by leases to individuals or rents are based on charges assessed to each individual;
- e) individual mailboxes are provided;
- f) multiple utility meters or connections are present.

2. ADD THE FOLLOWING DEFINITION:

Congregate Living Facility: A building or part thereof that contains sleeping units where residents share bathrooms or kitchen facilities. The term includes but is not limited to boarding or lodging houses, and fraternity and sorority houses.

3. REVISE THE DEFINITION OF "FAMILY" TO READ AS FOLLOWS:

Family: A person living alone, or any of the following groups living together as a single housekeeping unit and sharing common living, sleeping facilities, and kitchen:

- a. Any number of person related by blood, marriage, adoption, guardianship, or other duly authorized custodial relationship;
- b. Four or fewer unrelated persons;
- c. Two unrelated persons and any children related to either of them or under their care through a duly authorized custodial relationship;
- d. Not more than eight persons who are:
 - 1. Residents of a "home-like" residence as defined in KRS 216B.450
 - 2. "Handicapped" as defined in the Fair Housing Act, 42 U.S.C. Section 3602(h). This definition does not include those currently illegally using or addicted to a "controlled substance" as defined in the Controlled Substances Act, 21 U.S.C. Section 802(6).
- e. A functional family as defined and regulated herein.

4. ADD THE FOLLOWING NEW TERM AND DEFINITION:

Family. Functional: A group of five (5) or more persons not otherwise meeting the definition of "family" who desire to live as a stable and permanent single housekeeping unit and who have received a conditional use permit from the Board of Adjustment.

"Functional family" does not include:

- a. residents of a boarding or lodging house;
- b. fraternity, sorority or dormitory;
- c. any lodge, combine, federation, coterie or like organization;
- d. any group of individuals whose association is temporary or seasonal in nature;
- e. any group of individuals who are in a group living arrangement as a result of criminal offenses.

5. ADD A NEW SECTION PERTAINING TO THE BOARD OF ADJUSTMENT (7-6(a)(8)):

- 8) The granting of a conditional use permit for a "functional family" shall be based upon application of the following considerations by the Board:
 - a. Members of the family will share a strong bond or commitment to a single purpose (e.g., religious orders);
 - b. Members of the family are not legally dependent on others not part of the functional family;
 - c. Members can establish a legal domicile as defined by Kentucky law;
 - d. Members share a single household budget;
 - e. Members prepare food and eat together regularly;
 - f. Members share in the work to maintain the premises;
 - g. Members legally share in the ownership or possession of the premises;
 - h. Members demonstrate stability in the arrangement as opposed to transient living arrangements.

6. ADD THE FOLLOWING NEW TERM AND DEFINITION:

Fraternity or Sorority House: a congregate living facility used as living and/or gathering quarters for students of a college, university, or seminary who are members of a fraternity or sorority that has been officially recognized by the college, university or seminary; or their guests.

7. ELIMINATE "the keeping of roomers or boarders" by a resident family as a permitted accessory use in the single family and two family zones

**PROPOSED CHANGES TO ZONING ORDINANCE AS PER COUNCIL
PLANNING COMMITTEE ON MARCH 2, 2010**

NOTE: Existing ordinance text to be removed shown stricken though; text to be added shown underlined.

1. COMBINE AND MODIFY DEFINITIONS AS FOLLOWS:

~~BOARDING HOUSE – A residential building, or part thereof, with sleeping rooms available for hire with or without meals to five (5) or more persons, primarily not transients. Where kitchen facilities, cooking equipment or provisions for the same are included in a sleeping room, such room shall be deemed a dwelling unit.~~

~~LODGING HOUSE – A residence for adults living together, not as a family, but in a congregate living arrangement, characterized by one or more of the following:~~

- ~~(a) meals and food costs are not shared;~~
- ~~(b) residents do not have unrestricted access to all parts of the residence;~~
- ~~(c) bedrooms comprise sixty percent (60%) or more of the space within the residence;~~
- ~~(d) bedroom doors have keyed locks or deadbolt locks; and~~
- ~~(e) rent is pooled by the residents and paid to the owner or owner's agent. (The owner or owner's agent may or may not be one of the residents.)~~

BOARDING OR LODGING HOUSE: A residential building or part thereof for adults living together, **not as a family**, but in a congregate living arrangement. In identifying this use, the following factors shall be considered:

- a) sleeping rooms are for hire for five (5) or more persons;
- b) meals and/or food costs are typically not shared;
- c) 5 or more rooms, excluding bathrooms, which are lockable from the exterior;
- d) rent is established by leases to individuals or rents are based on charges assessed to each individual;
- e) individual mailboxes are provided;
- f) multiple utility meters or connections are present.

2. ADD THE FOLLOWING DEFINITION:

CONGREGATE LIVING FACILITY: A building or part thereof that contains sleeping units where residents share bathrooms or kitchen facilities. The term includes but is not limited to boarding or lodging houses, and fraternity and sorority houses.

3. REVISE THE DEFINITION OF “FAMILY:”

~~FAMILY – A person living alone, or two or more persons customarily living together as a single housekeeping unit and using common kitchen facilities, but not including a group occupying a hotel; club; boarding, lodging, fraternity or sorority house; nursing home; rest home; orphanage; community residence; rehabilitation home or other similar building.~~

FAMILY: A person living alone, or any of the following groups living together as a single housekeeping unit and sharing common living, sleeping facilities, and kitchen:

- a. Any number of persons related by blood, marriage, adoption, guardianship, or other duly authorized custodial relationship;
- b. Four or fewer unrelated persons;
- c. Two unrelated persons and any children related to either of them or under their care through a duly authorized custodial relationship;
- d. Not more than eight persons who are:
 - 1. Residents of a “home-like” residence as defined in KRS 216B.450
 - 2. “Handicapped” as defined in the Fair Housing Act, 42 U.S.C. Section 3602(h). This definition does not include those currently illegally using or addicted to a “controlled substance” as defined in the Controlled Substances Act, 21 U.S.C. Section 802(6).
- e. A functional family as defined and regulated herein.

4. *ADD THE FOLLOWING NEW TERM AND DEFINITION:*

FAMILY, FUNCTIONAL: A group of five (5) or more persons not otherwise meeting the definition of “family” who desire to live as a stable and permanent single housekeeping unit and who have received a conditional use permit from the Board of Adjustment. “Functional family” does not include:

- a. residents of a boarding or lodging house;
- b. fraternity, sorority or dormitory;
- c. any lodge, combine, federation, coterie or like organization;
- d. any group of individuals whose association is temporary or seasonal in nature;
- e. any group of individuals who are in a group living arrangement as a result of criminal offenses.

5. *ADD A NEW SECTION PERTAINING TO THE BOARD OF ADJUSTMENT (7-6(a)(8)):*

- 8) The granting of a conditional use permit for a “functional family” shall be based upon application of the following considerations by the Board:
 - a. Members of the family will share a strong bond or commitment to a single purpose (e.g., religious orders);
 - b. Members of the family are not legally dependent on others not part of the functional family;
 - c. Members can establish a legal domicile as defined by Kentucky law;
 - d. Members share a single household budget;
 - e. Members prepare food and eat together regularly;
 - f. Members share in the work to maintain the premises;
 - g. Members legally share in the ownership or possession of the premises;
 - h. Members demonstrate stability in the arrangement as opposed to transient living arrangements.

6. ***ADD THE FOLLOWING NEW TERM AND DEFINITION:***

Fraternity or Sorority House: a congregate living facility used as living and/or gathering quarters for students of a college, university, or seminary who are members of a fraternity or sorority that has been officially recognized by the college, university or seminary; or their guests.

7. ***ELIMINATE “THE KEEPING OF ROOMERS OR BOARDERS” BY A RESIDENT FAMILY AS A PERMITTED ACCESSORY USE IN THE SINGLE FAMILY AND TWO-FAMILY ZONES:***

8-5(c) Accessory Uses (Uses and structures which are customarily accessory, clearly incidental and subordinate to permitted uses.)

1. Private garages, storage sheds, and parking areas.
2. Living quarters, without cooking facilities and not rented, for guests and employees of the premises.
3. Swimming pools and tennis courts.
4. ~~Keeping of not more than two roomers or boarders by a resident family, except where a bed and breakfast facility is provided; then no roomers or boarders shall be permitted.~~
5. ~~4.~~ Agricultural uses, excluding commercial stock raising.
6. ~~5.~~ Private, non-commercial parks and open space.
7. ~~6.~~ Home office.
8. ~~7.~~ A ground mounted satellite dish antenna, as regulated by Article 15-8.
9. ~~8.~~ Family child care for up to six (6) children, provided that the total number of children living or being cared for on the premises shall not exceed six (6).

INTERGOVERNMENTAL COMMITTEE SUMMARY

March 9, 2010

Chair James called the meeting to order at 1:00 pm. All committee members present with Stinnett attending as a non voting member.

1. Social Services Needs Assessment – James

Commissioner Helm gave an update. She covered the mission statement, values and key recommendations from the original report. James asked Helm to provide background on the original report before she continued with today's update.

Key recommendations: 1. Youth czar 2. One stop social services model 3. Centralized rental assistance 4. Service provider summit 5. Independent living programs/services 6. Mental health & substance abuse services 7. Navigator concept and enhanced case management 8. Unity council 9. Affordable housing trust & land bank.

Trends and emerging issues were highlighted, growing senior population, kin care, re-entry (foster care, prison, shelters, etc) and financial literacy. Central intake, positive youth programs and services, enhanced awareness were other items talked about under trends and emerging issues.

Discussion:

Henson asked about clearing house and central intake and tracking like 311 which is a system designed to follow up are there programs that look at the entire scope of a problem, such as rent assistance, unemployment, etc. Helm said this type of assistance is available.

Blues asked about priority needs and how they are determined. Helm explained the navigator concept might help with knowing what needs are important

Feigel asked how long as 211 been operational and if the types of request have been tracked over the years? Helm said she thought 211 has been in operation for approx. 10 years adding 211 received 20, 000 calls. Request for food, rent and tax assistance are typically the top three. United Way takes all of those calls. Limits are dependent on each agency that provides a service.

James added more information on how 211 works.

Martin remarked about 211 and how many agencies it entails. It's a great organization and can be checked out via GTV3.

Myers suggested adding assistance with utility payments. Helm explained how other agencies are used, adding utilities might be something we need to back away from and let other agencies assist with that. Myers talked about affordable housing and another type of program. Is there a way to improve homes to make them more energy efficient? Helm replied Community Action is very strong in that area. Myers asked about asset management.

James asked Helm what can the council do to help with needs assessment and moving forward with recommendations. Myers told Helm he would like to see an actual plan regarding the needs assessment recommendations, instead of a presentation.

2. Creating one (1) position of Administrative Officer, the Div. of Youth Services - Myers

Myers asked what duties the position would be responsible for. Helm said we're not quite sure yet. Day treatment needs someone so 40% of the job would be there. She said the position is approved and funded in their budget and that the other 40% of the position would be for partner agencies. He asked about specifics of job classification, part time, full time, and who the position would report to.

James referred to the administrative review form (blue sheet) and the cover memo with it. Feigel asked about budget and positions, reducing personnel and how this request fits into that consideration.

Motion by Myers, seconded by Henson to place position of Administrative Officer- Div. of Youth Services back on the docket for approval, motion passed without dissent. .

3. E 911 Call Center Management- Lawless

Dave Lucas referred the committee to information in today's packet. He covered that info and opened the floor to questions. He showed vacation leave hours 2009, leave extension, 2010 vacation & holiday leave usage, and He said there are approx. one dozen employees that accrue maximum amounts. He addressed questions from the last presentation regarding hiring and the process that is followed, such as testing, background checks etc. He touched on training and talked about retention rate or turnover.

Discussion:

Lawless asked about a bar chart and organization chart included in the packet. Lucas said it displayed the number of employees and temporary employees. Lawless asked about supervisors at E911 adding she thinks there is a pretty big problem with management. She asked about performing exit interviews. Supervisor evaluations and the average time on the job. She asked about a specific employee working at E911, adding she would like to hire an outside consultant to look into E911.

Crosbie asked about part time employees and certification wanting to know if firefighters take calls. She referred to a specific incident. She asked for clarification on training so the committee can better understand them. She commented she's hearing conflicting reports regarding certification and using people for staff meeting coverage. Crosbie asking about supplying call takers information.

Lucas said fire fighters are only allowed to take administrative calls not 911 calls. He clarified what he told the committee during the last presentation, the KSP requirements and what positions fall under them.

James asked Lucas to provide KSP requirements.

Henson referred to turnover chart and average staffing of 64.7 asking if staffing is lower than it should be. Lucas said yes, staffing is the number one problem.

Lawless do we keep a record of calls and who takes them. Lucas said calls are not tracked that way; they are tracked by length of call. Lawless and Myers talked about outside consultant; Myers suggested referral to our internal auditor.

Lawless suggested a motion to refer E911 to the office of internal auditor for further review, but was advised a motion is not necessary; she would just need to submit a letter of request. Lawless indicated her intention to ask Internal Auditing to review E911 management procedures, etc.

Motion to adjourn 2:58 pm

4. Legal Bills Review Services – Crosbie – Due to lack of time this item was not covered at today's committee meeting.

5. Update on Committee Item – Due to lack of time this item was not covered at today's committee meeting.

Corridors Commission Meeting
Executive Summary
March 9, 2010

Voting Members Attending: Councilmember Tom Blues, 2nd District; Councilmember Julian Beard, 4th District; Councilmember Doug Martin, 10th District; Councilmember-At-Large Charles Ellinger; Darcy Everett, Bluegrass PRIDE; Karen Angelucci, Tree Board; Dorothea Oatts; Jarrod Stanley, Kentucky Transportation Cabinet

Non Voting Members Attending: Kenzie Gleason, Division of Planning; Kevin Wentz, Department of Public Works; Tracey Thurman, Department of General Services; Bob Carpenter, Division of Building Inspection; Tim Queary, Division of Streets, Roads & Forestry; Susan Bush, Department of Environmental Quality

Others Attending: Mike Sanner, Law Department; Jamie Bloyd, Council Office; Willy Fogle, Council Office; Paul Schoninger, Council Office

February 9 Summary

The summary of the February 9 meeting was approved.

FY 10 Budget Discussion

The following projects were approved by the Commission for funding

Ashe Borer Treatment	\$ 6,000
Wildflower Demonstration	\$ 5,000
Tates Creek Tree Replacement	\$ 2,500
Chevy Chase Re-Design Engineering	\$ 25,000
Versailles Rd Mowing	\$ 3,000
Flag Project Extended	\$ 10,000
Newtown Pike Art/Shelter	\$ 10,000
No Broadway Planting	\$ 15,000

Chevy Chase Re-Design

Steve Austin made a presentation on the re-design of the High-Tates Creek-Euclid-Fontaine intersection. He stated that the roadway needed to be safer while accommodating both vehicular and pedestrian/bicycle traffic.

Bicycle/Pedestrian Report

Kenzie Gleason gave the monthly bicycle pedestrian report.

Other Business

It was announced that the Mayor's Office is holding a board training session on Monday March 22.

The meeting was adjourned at 12:05 PM.

The next Corridors Commission meeting is scheduled for Tuesday April 13 at 11:00 AM.

Pas 03/10/10