

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, March 12, 2013

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
March 11 – March 18, 2013**

Monday, March 11

Social Services Partner Agency Work Group.....11:00 am
Conference Room – 3rd Floor Government Center

Tuesday, March 12

Environmental Quality Committee.....11:00 am
Council Chamber – 2nd Floor Government Center

Planning & Public Works Committee.....1:00 pm
Council Chamber – 2nd Floor Government Center

Council Work Session.....3:00 pm
Council Chamber – 2nd Floor Government Center

Wednesday, March 13

Policemen's & Firefighters' Retirement Board.....9:00 am
Council Chamber – 2nd Floor Government Center

Transportation Technical Committee (TTC).....9:00 am
Conference Room – 7th Floor Phoenix Building

Infill & Redevelopment Committee.....10:30 am
Conference Room – 7th Floor Phoenix Building

Tree Board.....10:30 am
Conference Room – 5th Floor Government Center

Thursday, March 14

No Meetings

Friday, March 15

No Meetings

Monday, March 18

No Meetings

URBAN COUNTY COUNCIL

WORK SESSION SUMMARY

TABLE OF MOTIONS

March 5th, 2013

Mayor Jim Gray called the meeting to order at 3:03pm. Council Members present were VM Linda Gorton, Chuck Ellinger, Steve Kay, Chris Ford, Shevawn Akers, Julian Beard, Bill Farmer Jr., George Myers, Kevin Stinnett, Harry Clarke, Peggy Henson and Ed Lane. Council Members Jennifer Scutchfield, Jennifer Mossotti, and Diane Lawless were absent.

I. Public Comment Issues on Agenda – No

II. Requested Rezonings / Docket Approval – Yes

Motion by Ellinger to schedule a Special Council Meeting on March 12th, 2013 at 6:00pm. Seconded by Clarke. Motion passed without dissent.

Motion by Stinnett to approve the Docket for the March 7th, 2013 Council Meeting. Seconded by Myers. Motion passed without dissent.

III. Approval of Summary – Yes

Motion by Beard to approve the amended February 26th, 2013 Work Session summary. Seconded by Gorton. Motion passed without dissent.

IV. Budget Amendments – Yes

Motion by Farmer to approve the budget amendments. Seconded by Akers. Motion passed without dissent.

V. New Business – Yes

Motion by Beard to approve the new business items. Seconded by Gorton. Motion passed without dissent.

VI. Continuing Business / Presentations – Yes

Motion by Myers to approve the Neighborhood Development Funds list. Seconded by Ellinger. Motion passed without dissent.

VII. Council Reports – Yes

Motion by Gorton to cancel the Special Council Meeting scheduled for March 12th, 2013. Seconded by Kay. Motion passed without dissent.

Motion by Stinnett to refer a review of the LFUCG's Exaction Program into the Planning and Public Works Committee, specifically how rates are set as well as the accounting. Seconded by Henson. Motion passed without dissent.

VIII. Mayor's Report – Yes

Motion by Ellinger to approve the Mayor's Report. Seconded by Ellinger. Motion passed without dissent.

IX. Public Comment – Issues Not on Agenda – No

X. Adjournment – Yes

Motion by Stinnett to adjourn. Seconded by Ellinger. Motion passed without dissent.

**Lexington-Fayette Urban County Government
Work Session Agenda
March 12, 2013**

- I. Public Comment - Issues on Agenda**
- II. Requested Rezoning/ Docket Approval – No**
- III. Approval of Summary – Yes p. 1 - 2**
- IV. Budget Amendments – No**
- V. New Business – Yes p. 6 - 19**
- VI. Continuing Business/ Presentations**
 - a** Neighborhood Development Funds, March 12, 2013 p. 20 - 21
 - b** Public Safety Committee Summary March 2013 p. 22 - 23
 - c** Presentation: Annual Road Resurfacing Process; By: Kevin Wente, Department of Environmental Quality & Public Works p. 24 - 33
 - d** Presentation: Police & Fire Pension Reform Agreement; By: Scott Shapiro, Chris Bartley & Mike Sweeney p. 34 - 63
- VII. Council Reports**
- VIII. Mayor's Report – No**
- IX. Public Comment - Issues Not on Agenda**
- X. Adjournment**

Administrative Synopsis - New Business Items

- a** **0209-13** Authorization to extend the existing resurfacing contract with ATS Construction for one year. (L0209-13) (Moloney)
 This is a request to extend the existing resurfacing contract with ATS Construction for one year, through July 10, 2014. There is no budgetary impact. p. 6
- b** **0210-13** Authorization to accept award from LG&E and KU Energy LLC for tree planting project under The Plant for the Planet matching grant program. (L0210-13) (Gooding/Paulsen)
 This is a request to accept award in the amount of \$4,000 from LG&E and KU Energy LLC for tree planting project under The Plant for the Planet matching grant program. A 50% match of \$4,000 is required. Budget amendments are in process. p. 7
- c** **0212-13** Authorization to approve a permanent Ingress and Egress Easement granted to Kentucky American Water Company (KAWC) for the purpose of accessing KAWC's Jacobson Pumping Station. (L0212-13) (Martin/Moloney)
 This is a request to approve a permanent Ingress and Egress Easement granted to KAWC for the purpose of accessing KAWC's Jacobson Pumping Station. There is no budgetary impact.
 p. 8 - 15
- d** **0232-13** Authorization to accept donation of a MedReturn Drug Collection Box from the Citizen Police Academy Alumni Association (CPAAA) purchased with donated funds received from the Kentucky American Water Company (KAWC). (L0232-13) (Bastin/Mason)
 This is a request to accept donation of a MedReturn Drug Collection Box valued at \$695 from CPAAA purchased with donated funds received from the KAWC. There is no budgetary impact. p. 16
- e** **0234-13** Authorization to execute an agreement with ChipsRewards to comply with the requirements of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). (L0234-13) (Maxwell/Graham)
 This is a request to execute an agreement with ChipsRewards to comply with the requirements of HIPAA. There is no budgetary impact. p. 17
- f** **0235-13** Authorization to amend Section 22-5 of the Code of Ordinances creating one (1) position of Equipment Operator (Grade 108N) in the Division of Youth Services. (L0235-13) (Maxwell/Mills)

This is a request to amend Section 22-5 of the Code of Ordinances creating one (1) position of Equipment Operator (bus operator) (Grade 108N) in the Division of Youth Services. The impact for FY 2013 (4 pay periods) will be \$6,303.09. Funds are budgeted. p. 18

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0236-13

Authorization to execute a Catering Contract with Hyatt Regency Lexington to provide catering services for the Senior Intern Luncheon on Friday, June 14, 2013. (L0236-13) (Mills)

This is a request to execute a Catering Contract with Hyatt Regency Lexington for an amount not to exceed \$5,500, to provide catering services for the Senior Intern Luncheon on Friday, June 14, 2013. Funds are budgeted. p. 19



Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY & PUBLIC WORKS

Jim Gray
Mayor

Richard Moloney
Commissioner

MEMORANDUM

To: Mayor Jim Gray
Sally Hamilton, CAO
Richard Moloney, Commissioner
Urban County Council

From: Kevin Wenthe, Administrative Officer

Date: February 26, 2013

RE: Request to extend resurfacing contract, pursuant to renewal of procurement contract #405-2012

This memorandum is to request, by Urban County Council authorization, a one year extension of the existing resurfacing contract held by ATS Construction. Approval of this request will extend the contract expiration date to July 10, 2014. Enclosures for your consideration include a written agreement from ATS Construction as well as page 6, of the LFUCG Resurfacing Contract, noting the procedure to extend the contract. Should you have any questions regarding this request please feel free to contact me at 258-3407. Thank you for your time and consideration of this matter.



Mayor Jim Gray

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
Division of Grants and Special Programs

TO: JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

FROM: IRENE GOODING, DIRECTOR
DIVISION OF GRANTS AND SPECIAL PROGRAMS

DATE: FEBRUARY 26, 2013

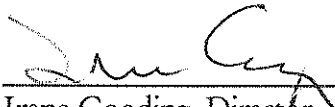
SUBJECT: REQUEST COUNCIL AUTHORIZATION TO ACCEPT AWARD
IN THE AMOUNT OF \$4,000 FROM LG&E AND KU ENERGY
LLC FOR TREE PLANTING PROJECT UNDER THE PLANT
FOR THE PLANET MATCHING GRANT PROGRAM

On December 11, 2012 (Resolution No. 744-2012), Council approved the submission of a grant application prepared by the Division of Environmental to the Plant for the Planet Matching Grant Program, requesting \$4,000 for a tree removal and replacement program at 1201 Man O'War Boulevard.

LG&E and KU Energy LLC has approved an award in the amount of \$4,000. A 50% match in the amount of \$4,000 is required. These matching funds will come from the Corridors Commission's 2013 General Fund budget (1101-162101-1602-90317). Total project cost is \$8,000.

Funds will be used to remove 14 large trees and to replant 34 native trees. This project will highlight the Right Tree, Right Place initiative. The Plant for the Planet Matching Grant Program is an initiative of LG&E and Kentucky Utilities.

Council authorization to accept the award is hereby requested.


Irene Gooding, Director

XC: Derek Paulsen, Commissioner of Department of Planning, Preservation, and Development

HORSE CAPITAL OF THE WORLD

200 East Main Street 6th Fl Lexington, KY 40507 PH (859)258-3070 FAX (859)258-3081 www.lexingtonky.gov

FAWP51/HCD/GRANTS/OTHER GRANTS/PLANT FOR THE PLANET/13.002.doc



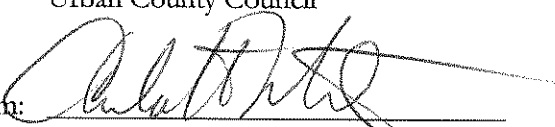
Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC WORKS & ENVIRONMENTAL QUALITY

Jim Gray
Mayor

Richard Moloney
Commissioner

To: Mayor Jim Gray
Urban County Council

From:


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

Date: February 25, 2013

RE: Grant of a Permanent Ingress and Egress Easement at 3316 Buckhorn Drive to Kentucky American Water Company (KAWC)

The purpose of this memorandum is to request approval of a permanent ingress and egress easement granted to KAWC for the purpose of accessing KAWC's Jacobson Pumping Station.

In valuable consideration for this easement, LFUCG receives:

- A permanent sanitary sewer easement crossing KAWC property and serving the proposed Blue Sky force main.
- KAWC commitment to assist LFUCG in the relocation of an existing sanitary sewer easement serving LFUCG's Eastlake sanitary trunk sewer. Replacement of this trunk sewer is required by the Consent Decree and the relocation of the existing easement should reduce overall project costs substantially.

Questions regarding this agreement should be directed to Charles Martin at 425-2455.

INGRESS & EGRESS EASEMENT

KNOW ALL MEN BY THESE PRESENTS, on this _____ day of _____, 20____, that the undersigned Lexington-Fayette Urban County Government, a/k/a LFUCG, an urban county government of the Commonwealth of Kentucky pursuant to Chapter 67A of the Kentucky revised Statutes, with a mailing address of 200 E. Main Street, Lexington, KY 40507 ("GRANTOR"), owner of Parcel B of the Public Acquisition Minor Plat of record in Plat Cabinet I Slide 313 in the Fayette County Clerk's Office and certain real estate described in Deed Book 1195 Page 653, having acquired title to the aforementioned real estate by deeds recorded in Deed Book 1589 Page 238 and Deed Book 1195, Page 653 of the Fayette County Recorder's Office, for and in consideration of the sum of One Dollar (\$1.00) to them in hand paid by the Kentucky-American Water Company, a Kentucky corporation with offices located at 2300 Richmond Road, Lexington, KY 40502 ("GRANTEE"), the receipt of which is hereby acknowledged, and for other good and valuable considerations do by these presents grant, sell, convey, and confirm, unto GRANTEE, its successors and assigns, an easement for the purpose of ingress and egress on the strip or strips of ground described as shown hachured ///// on the attached "Easement Plat," marked Exhibit A ("Ingress & Egress Easement"), which is initialed by the undersigned and made a part hereof.

GRANTEE, its agents and contractors, shall have the right to use GRANTOR'S paved access road located within the limits of this Ingress & Egress Easement, with or without vehicles and equipment. GRANTEE, its agents and contractors, shall also have the right to install and maintain a driveway consisting of gravel, rock and/or pavement within the limits of this Ingress & Egress Easement that will connect and extend from said GRANTOR'S paved access road and will extend into GRANTEE'S property.

IN WITNESS WHEREOF, this instrument has been executed on this _____ day of _____, 20____.

LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

BY: _____
Jim Gray, Mayor

ATTEST:

Susan Lamb, County Council Clerk

[illegible]

On this _____ day of _____, 20____, before me appeared _____, to me known, who, being by me duly sworn did say that he is the Mayor of Lexington-Fayette Urban County Government, and that and that said instrument was signed in behalf of the Lexington-Fayette Urban County Government by authority of Ordinance/Resolution No. _____ passed _____, 20____.

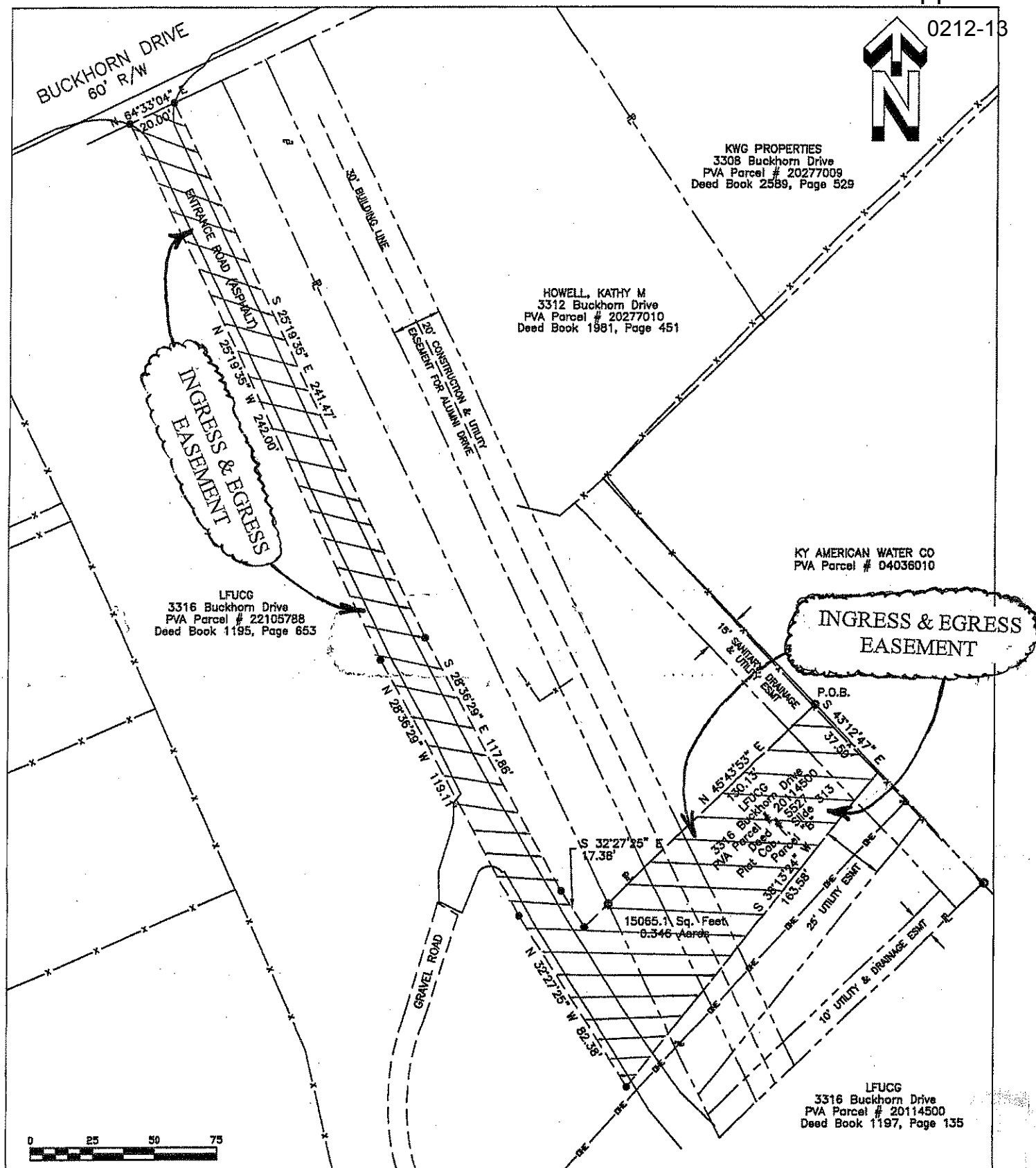
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal the day and year last above written.

My commission expires _____

Notary Public

Lindsey W. Ingram III
This Document prepared by:
Lindsey W. Ingram III
Stoll Keenon Ogden PLLC
300 W. Vine St. Suite 2100
Lexington, KY 40507

Reasonable care has been taken to redact any Social Security Numbers in this document.
When recorded please return to Zachery Dukes, 2300 Richmond Road, Lexington, KY 40502.



GRW PROJECT NO. 2078-837		CLIENT PROJECT NO. XXXX		DESIGNED: JWM	PERMANENT-ACCESS-EASEMENT LFUGG TO KENTUCKY AMERICAN WATER CO. 3316 BUCKHORN DRIVE LEXINGTON, KENTUCKY	 ENGINEERS - ARCHITECTS - PLANNERS www.grwinc.com ALL RIGHTS RESERVED THIS DOCUMENT IS THE PROPERTY OF GRW ENGINEERS, INC. AND SHALL NOT BE REPRODUCED IN WHOLE OR IN PART OR USED FOR CONSTRUCTION OF OTHER THAN THIS SPECIFIC PROJECT WITHOUT WRITTEN PERMISSION	DATE: FEB-5-2013
REVISIONS				DRAWN: JWM			SCALE: 1" = 50'
NO.	DESCRIPTION	DATE	BY	REVIEWED: LER			SHEET NO.
				APPROVED: LER			
SCALE CHECK: THIS MARK SHOULD MEASURE EXACTLY 10" WHEN PLOTTED							

EXHIBIT "A"

EXHIBIT "A"
EASEMENT DESCRIPTION
PERMANENT ACCESS EASEMENT
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT
TO
KENTUCKY AMERICAN WATER COMPANY
3316 BUCKHORN DRIVE
LEXINGTON, KENTUCKY

The herein described Permanent Access Easement is approximately 555.5 feet in length with variable width from 20 to 59 feet. The easement commences at the southeastern right-of-way of Buckhorn Drive, approximately 50 feet northeast of the intersection of Buckhorn Drive and Alumni Drive, then crosses the Lexington-Fayette Urban County Government (LFUCG) property (D.B.1195, P.653), being centered along an existing asphalt access road to a pump station and then across a parcel acquired by LFUCG by Deed # 5527 (Plat Cab. I, Slide 313 Parcel "B").

Beginning at the northeastern property corner of the LFUCG property, a common corner to LFUCG and Kathy Howell (D.B. 1981, P.451), a found rebar and cap stamped "LFUCG" in the property line with Kentucky American Water Company property, having Kentucky North Zone Coordinates NAD83 (NSRS 2007) of N: 174,455.61 (USFt), E: 1,582,081.27 (USFt);

Thence with the said common property line of LFUCG and Kentucky American Water Company, South 43 degrees 12 minutes 47 seconds East a distance of 37.50 feet to the northwest line of an existing 25-foot utility easement across the LFUCG property (Parcel "B") ;

Thence with the northwestern line of the existing 25-foot utility easement and crossing the existing access road, South 38 degrees 13 minutes 24 seconds West a distance of 163.58 feet to a point in southwestern line of the new permanent access easement;

Thence with the southwestern line of the permanent access easement, being southwest of the existing access road, for three calls:

1. North 32 degrees 27 minutes 25 seconds West a distance of 82.38 feet to a point;
2. North 28 degrees 36 minutes 29 seconds West a distance of 119.11 feet to a point;
3. North 25 degrees 19 minutes 35 seconds West a distance of 242.00 feet to a point in the southeastern right-of-way of Buckhorn Drive;

Thence with the right-of-way of Buckhorn Drive, North 64 degrees 33 minutes 04 seconds East a distance of 20.00 feet to a point;

Thence with the northeastern line of the permanent access easement, being northeast of the existing access road for three calls:

1. South 25 degrees 19 minutes 35 seconds East a distance of 241.47 feet to a point;
2. South 28 degrees 36 minutes 29 seconds East a distance of 117.86 feet to a point;
3. South 32 degrees 27 minutes 25 seconds East a distance of 17.38 feet to a point along the extended common property line of LFUCG and Kathy Howell (D.B. 1981, P.451);

Thence along the extended common property line of LFUCG and Kathy Howell (D.B. 1981, P.451), North 45 degrees 43 minutes 53 seconds East, passing a found rebar at 13.50 feet, a common corner to LFUCG and Kathy Howell (D.B. 1981, P.451), then continuing a total distance of 130.13 feet to a found rebar and cap, the true point of beginning, containing 15,065.11 square feet or 0.346 acres, more or less.

Subject to all legal easements, rights of way, and restrictions of record.



Exp. 6.7.20

**MUTUAL SUPPORT AGREEMENT
KENTUCKY AMERICAN WATER COMPANY (KAWC)
LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT (LFUCG)
INTERIM AND LONG-TERM ACCESS TO 3316 BUCKHORN DRIVE**

Terms and Conditions

1. LFUCG Division of Water Quality agrees to allow KAWC access to its facilities, as shown, in Exhibit A, until the requested easement is signed by the mayor.
2. LFUCG agrees to maintain the paved access, as shown on Exhibit A, at equal or better condition, at its sole expense, for the duration of the granted easement.
3. KAWC agrees, upon being granted the requested easement, to grant LFUCG the following:
 - A. Based upon the drawing submitted by Bell Engineering to KAWC on behalf of LFUCG and using KAWC's standard easement document, will grant LFUCG a sewer easement in the location as specified on said drawing for the installation of the Blue Sky sewer main.
 - B. The privilege of relocating an existing sanitary sewer and sanitary sewer easement as shown in Exhibit B.
4. Except emergencies, including water main breaks, LFUCG and KAWC agree to mutually not conduct operations that impede reasonable and timely access to infrastructure owned and/or operated by either party, for the duration of the granted easement.

SIGNED

Kentucky American Water Company

2/22/13

Date

LFUCG - Division of Water Quality

2/22/13

Date

**LEXINGTON DIVISION OF POLICE****150 East Main Street • Lexington, KY 40507 • (859) 258-3600**

TO: Mayor Jim Gray
Urban County Council

FROM: Chief Ronnie Bastin
Division of Police

DATE: February 28, 2013

RE: CPAAA Donation – MedReturn Drug Collection Box

Please find attached letter from the Citizen Police Academy Alumni Association (CPAAA) in regards to their intent to donate a MedReturn Drug Collection Box purchased from donated funds received from the Kentucky American Water Company (KAWC). The box will be utilized to provide citizens a location to dispose of unused medications. The unit will be located in the lobby of the Division of Police Headquarters. The box is valued at \$695.00. There will be no cost incurred.

This is being forwarded for Mayor and Council approval.

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

A handwritten signature in cursive script that reads "R. Bastin".

Ronnie Bastin
Chief of Police

RB/rmh

cc: Clay Mason, Commissioner of Public Safety



Lexington-Fayette Urban County Government
DIVISION OF HUMAN RESOURCES

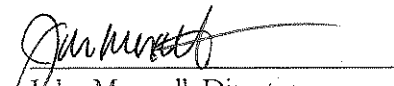
Jim Gray
Mayor

Janet Graham
Commissioner

M E M O R A N D U M

TO: Jim Gray, Mayor
Sally Hamilton, Chief Administrative Officer
Council Members

FROM:


John Maxwell, Director
Division of Human Resources

DATE: March 4, 2013

RE: **ChipsRewards Agreement**

The attached action authorizes the Mayor to execute an agreement with ChipsRewards to comply with the requirements of the Health Insurance portability and Accountability Act of 1996 ("HIPAA") effective upon passage of Council.

This Agreement with ChipRewards is necessary in order to ensure compliance with the Health Insurance Portability and Accountability Act (HIPAA) and the requirements of the Health Information Technology for Economic and Clinical Health Act (HITECH) as it relates to the use of personal health information pursuant to the CHIP Rewards program.

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

Attachments

DF/

13-0055



Lexington-Fayette Urban County Government
DIVISION OF HUMAN RESOURCES

Jim Gray
Mayor

Janet Graham
Commissioner

M E M O R A N D U M

TO: Jim Gray, Mayor
Sally Hamilton, Chief Administrative Officer
Council Members

FROM: 
John Maxwell, Director
Division of Human Resources

DATE: March 4, 2013

SUBJECT: Create position – Division of Youth Services

The attached action amends Section 22-5 of the Code of Ordinances creating one (1) position of Equipment Operator (Grade 108N) in the Division of Youth Services, effective upon passage of Council.

This position will be dedicated to transportation of youth to and from Day Treatment Program for their education and treatment services allowing clinical Social Workers to have more time to document case notes, contacting community partner agencies and parents to monitor youth's treatment goals instead of driving the van before and after school. This position will also aide program needs such as assist with behavior management implementation and monitor "time -outs".

The fiscal impact for FY2013 (4 pay periods) will be \$6,303.09 and will be funded out of the divisions Unclassified Civil Service Salaries Account. All costs include benefits.

Name	Position Title	Annual Salary Before	Annual Salary After	Annual Increase/Decrease
Vacant	Equipment Operator (Bus Driver)	\$0	\$27,036.36	\$27,036.36
Total Annual Impact/ Salary and Benefits \$40,970.09				

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

Attachment

cc: Beth Mills – Commissioner, Department of Social Services
Stephanie Hong – Director of Youth Services
Log #13-0054



Lexington-Fayette Urban County Government
DEPARTMENT OF SOCIAL SERVICES

Jim Gray
Mayor

Beth Mills
Commissioner

MEMORANDUM

TO: SALLY HAMILTON, CAO
MAYOR JIM GRAY
URBAN COUNTY COUNCIL

FROM: 
BETH MILLS, COMMISSIONER
SOCIAL SERVICES

DATE: MARCH 04, 2013

SUBJECT: CATERING CONTRACT FOR THE SENIOR INTERN ALUMNI
LUNCHEON

Requesting council approval to enter into a Catering Contract with the Hyatt Regency Lexington for the Intern Luncheon on Friday, June 14, 2013

The cost of the catering will be no less than \$3000.00 depending on the number of participants will not exceed \$5500.00.

This is a fully funded expense in the Department of Social Services. However, we have a sponsor who will offset this cost fully.

**Neighborhood Development Funds
March 12, 2013
Work Session**

Amount	Recipient	Purpose
\$ 800.00	Friends for Skateparks P.O. Box 363 Lexington, KY 40588-0363 Jonathan Ware	To provide funding for a community engagement and outreach program
\$ 2,025.00	FoodChain 148 Woodland Avenue Lexington, KY 40502 Rebecca Self	To provide funds for educational programming
\$ 600.00	Southern Heights Neighborhood Association, 1820 Nicholasville Road Lexington, KY 40503 Laura Stouffer	To provide funding for operating costs for the association
\$ 250.00	Forest Ridge Maintenance Association, Inc. 3410 Spangler Drive, #22 Lexington, KY 40517 Pat Bellairs	To provide funds to hire an arborist to professionally trim trees and remove dead trees or branches
\$ 350.00	Pinnacle Homeowners Association, Inc. 4509 Alverstone Place Lexington, KY 40515 Mark Stringer	To provide funding to add a play structure to the playground
\$ 1,150.00	Lansdowne Neighborhood Association 3289 Bellefonte Drive Lexington, KY 40502 James Wray	To provide funding for a project on the West Hickman Creek tributary
\$ 425.00	Foster Care Council of LexKy, Inc. 1048 Crimson Creek Lexington, KY 40509 Cassie Slone	To provide funding to support the Educational Advancement/Mentoring program
\$ 700.00	Young Marines Captain Reginald Underwood 1702 Cameron Court Lexington, KY 40505 Lynn Garrison-Buck	To provide funding to defray the costs of sending Lexington's Young Marines to Jr. Leadership School

\$	800.00	Chrysalis House, Inc. 1589 Hill Rise Drive Lexington, KY 40504 Lisa Minton	To provide funds to purchase equipment to use in group sessions, training, meetings and presentations
\$	1,430.00	Traffic Engineering 101 East Vine Street, Suite 300 Lexington, KY 40507 1101-303602-3604-75521	To provide funds for improvements at intersection of Pleasant Ridge & Plaudit Place and Winchester Rd. & Sir Barton Dr.



Public Safety Committee

March 5th, 2013

Summary and Motions

Chair Peggy Henson called the meeting to order at 1:05pm. Council Members Kevin Stinnett, Chuck Ellinger, Shevawn Akers, Bill Farmer Jr., George Myers, Harry Clarke, and Ed Lane were present. Diane Lawless and Jennifer Mossotti were absent.

1. Approval of Summary

Motion by Ellinger to approve the summary. Seconded by Akers. Motion passed without dissent.

2. 24-Hours Nuisance Abatement Form

David Jarvis, the Director of Code Enforcement, came to the podium to present the updated 24-Hour Nuisance Abatement Form. The Council Members approved of the revised form. Farmer asked Jarvis to print it in a bright orange hue to make it noticeable to homeowners and tenants.

3. FEMA Hazard Mitigation Grant Program Update

Pat Dugger, the Director of the Division of Emergency Management, came to the podium to present an update on the FEMA Hazard Mitigation Grant. She started by reminding Council Members that it is Severe Storms Awareness month.

Dugger said that FEMA has approved the grant application pending the approval of the Urban County Council. Dugger said that with their approval of the grant, she can then move forward on projects her division has been working on, including the tornado facility on the Versailles Road campus.

Dugger said that FEMA is now making mitigation money available for residential single and multi-family dwellings to retrofit their homes for wind resistance.

Farmer asked that information on the mitigation money be emailed to him. Dugger said that FEMA does a cost benefit analysis on your home before awarding mitigation money. She said that she is not aware if anyone in Kentucky has applied for the money yet. Dugger said that there is not a specific pool of money for wind resistance.

Henson asked Dugger about citizens who reside in mobile home parks. Dugger said that they work independently with the management of individual mobile home parks. She has also worked with individual families.

Henson asked Dugger to send the FEMA information to all Council Members. Dugger agreed to send them the information.

Dugger said that the item was on the Docket for first reading.

4. Items Referred to Committee

Motion by Myers to remove fleet management services from the items referred list. Seconded by Lane. Motion passed without dissent.

Motion by Lane to remove the creation of a policy for systematically replacing and maintaining vehicles, apparatuses, and other reoccurring costs that are critical to public safety divisions from the items referred list. Seconded by Farmer. Motion passed without dissent.

Motion by Lane to remove the amendment of subsection 14-72(6)(a) from the items referred list. Seconded by Farmer. Motion passed without dissent.

Motion by Lane to remove the hazardous materials ordinance from the items referred list. Seconded by Myers. Motion passed without dissent.

Motion by Lane to remove the public nuisance ordinance from the items referred list. Seconded by Farmer. Motion passed without dissent.

Henson said that abandoned housing, vehicle replacement and tenant transition and household disposal will be heard at the April 2013 meeting.

Motion by Farmer to adjourn. Seconded by Myers. Motion passed without dissent.

Respectfully submitted by Jenifer Benningfield, Council Administrative Specialist.



Annual Road Resurfacing Process

Urban County Council Work Session

March 12, 2013



24

Department of Environmental Quality & Public Works



Road maintenance flow chart

Every LFUCG-maintained street is evaluated once every two years to document road surface conditions.

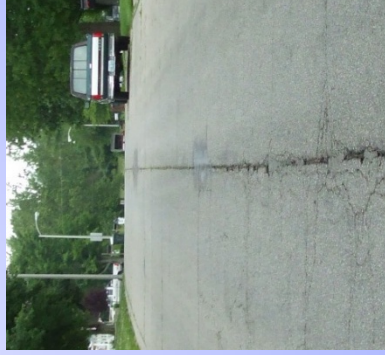
Surface Irregularities



Block Cracking



Joint Deterioration



Alligator Cracking



Rutting



Base Failure





Road maintenance flow chart

Road maintenance consists of a variety of functions
- Division of Streets & Roads



Road Resurfacing
Annual maintenance activity



Base failure repair
Determined prior to resurfacing



Road Coring
Base failure forecasting



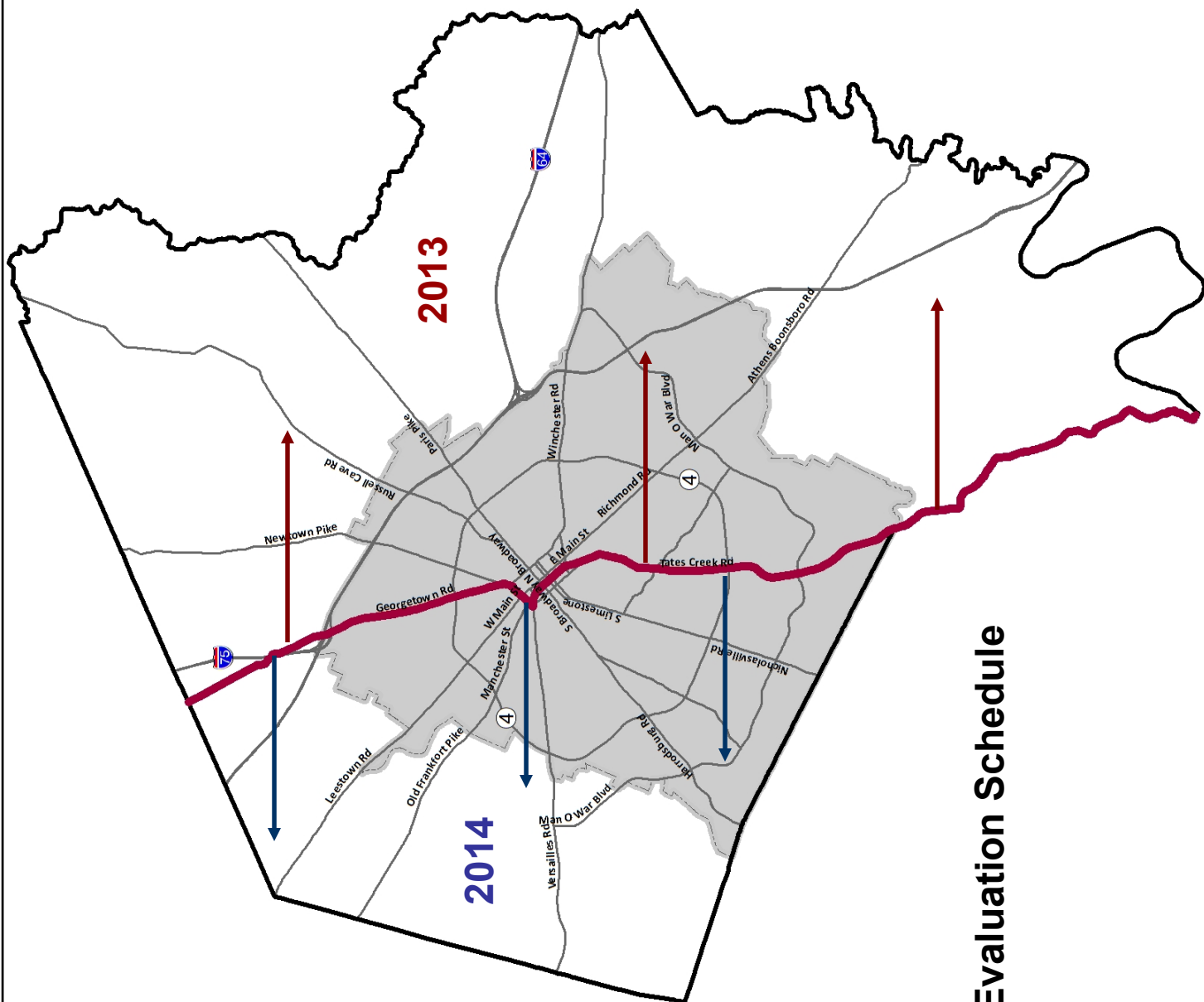
Pot hole repair
Driven by Citizen Complaint



Crack seal
5 years post resurfacing



**Road Rejuvenation
& slurry seal**
County Maintenance



Pavement Evaluation Schedule





Road maintenance flow chart

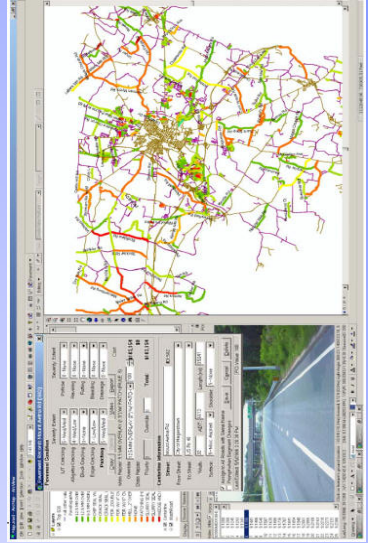
Pavement Management System updated



- Division of Engineering / DEQPW

The annual assessments are generally completed by July / August

Determine from the collected data, the total square footage of pavement rated 65 or less within the Urban Service Area.



- DEQPW



Road maintenance flow chart

From the calculated total square footage, within the Urban Service Area, we determine the percentage of pavement (rated 65 or less) within each Council District.

DISTRICT	PERCENT	BOND ALLOCATION	BUDGET ALLOCATION (FY13)
CD1	11%		\$1,364,000
CD2	4%	\$301,800	\$486,000
CD3	7%	\$117,635	\$868,000
CD4	6%	\$229,860	\$744,000
CD5	12%	\$193,235	\$1,488,000
CD6	8%	\$376,540	\$992,000
CD7	10%	\$244,225	\$1,240,000
CD8	6%	\$291,420	\$744,000
CD9	7%	\$188,525	\$868,000
CD10	16%	\$225,830	\$1,984,000
CD11	9%	\$507,790	\$1,116,000
CD12	4%	\$276,735	\$486,000
		\$126,390	

- DEQPW

*** NOTE: This percentage equates to the percentage of monies (bonded or budgeted) each Council District receives for resurfacing to target roads in greatest need of repair. This process was approved by the Urban County Council in 2010.

Allocate resurfacing funds by the percentage of paving need per Council District.

- DEQPW

*** NOTE: Beginning 2013, the allocation of resurfacing funds, bonded or budgeted, will be requisitioned within PeopleSoft, per Council District, to track invoices and monitor available funds.





Road maintenance flow chart

Provide Council a list of all roads (highlighting those with a rating of 65 and less) for final development of prioritization list.

ROAD NAME	MI	STATUS	DATE	TIME	BY	REMARKS
1000 S. 1000 E.	1.0	65	10/1/2011	10:00	DEQ	PAVED
1000 S. 1000 E.	1.0	65	10/1/2011	10:00	DEQ	PAVED
1000 S. 1000 E.	1.0	65	10/1/2011	10:00	DEQ	PAVED
1000 S. 1000 E.	1.0	65	10/1/2011	10:00	DEQ	PAVED
1000 S. 1000 E.	1.0	65	10/1/2011	10:00	DEQ	PAVED
1000 S. 1000 E.	1.0	65	10/1/2011	10:00	DEQ	PAVED
1000 S. 1000 E.	1.0	65	10/1/2011	10:00	DEQ	PAVED
1000 S. 1000 E.	1.0	65	10/1/2011	10:00	DEQ	PAVED
1000 S. 1000 E.	1.0	65	10/1/2011	10:00	DEQ	PAVED
1000 S. 1000 E.	1.0	65	10/1/2011	10:00	DEQ	PAVED

- DEQPW

Focus resurfacing funds on roads in greatest need of repair.



- Urban County Council and Division of Streets & Roads



Points of Interest

- New resurfacing contract (July 2012)
- GIS application for Pavement Management (2013)
- Pavement Management updates
 - Last updated July 2012 (Assessments will begin in May)
 - Bike lane modifications review / consideration
- Concrete vs. Asphalt
- \$3,080,000 allocated for resurfacing within the Urban Service Area – FY13
- \$700,000 allocated for County Road resurfacing / maintenance
- \$13,000,000 bonded for additional resurfacing – March 2013
- Percentage of fund allocation per Council District:

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CD1	11%	\$1,364,000	\$301,800
CD2	4%	\$496,000	\$117,635
CD3	7%	\$868,000	\$229,850
CD4	6%	\$744,000	\$193,235
CD5	12%	\$1,488,000	\$376,540
CD6	8%	\$992,000	\$244,225
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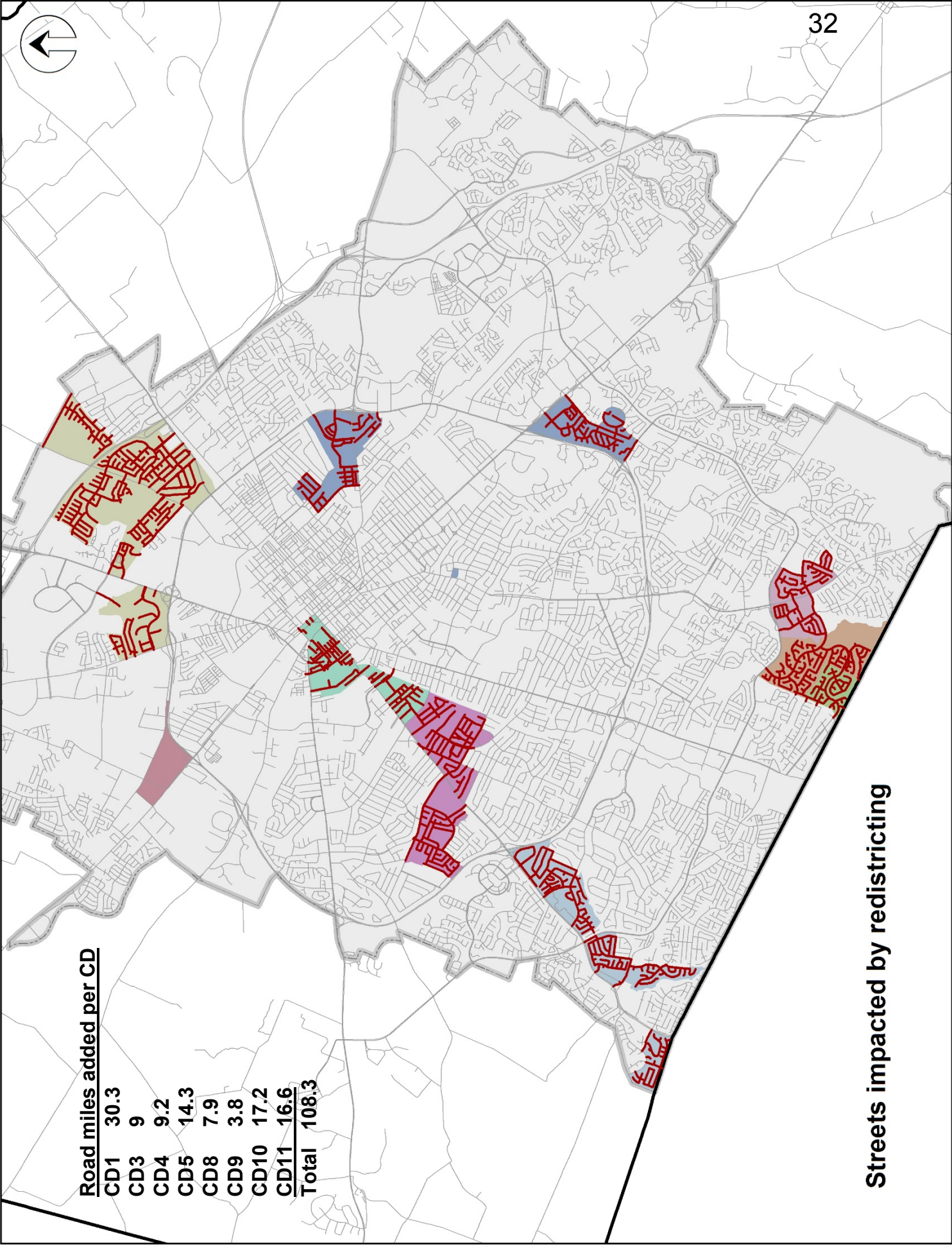
- Resurfacing estimates are based upon milling and resurfacing 1 ½ inches in depth
- Tiered contract price for asphalt is \$82.00 - \$104 depending on tonnage required





Road miles added per CD

CD1	30.3
CD3	9
CD4	9.2
CD5	14.3
CD8	7.9
CD9	3.8
CD10	17.2
CD11	16.6
Total	108.3



Streets impacted by redistricting



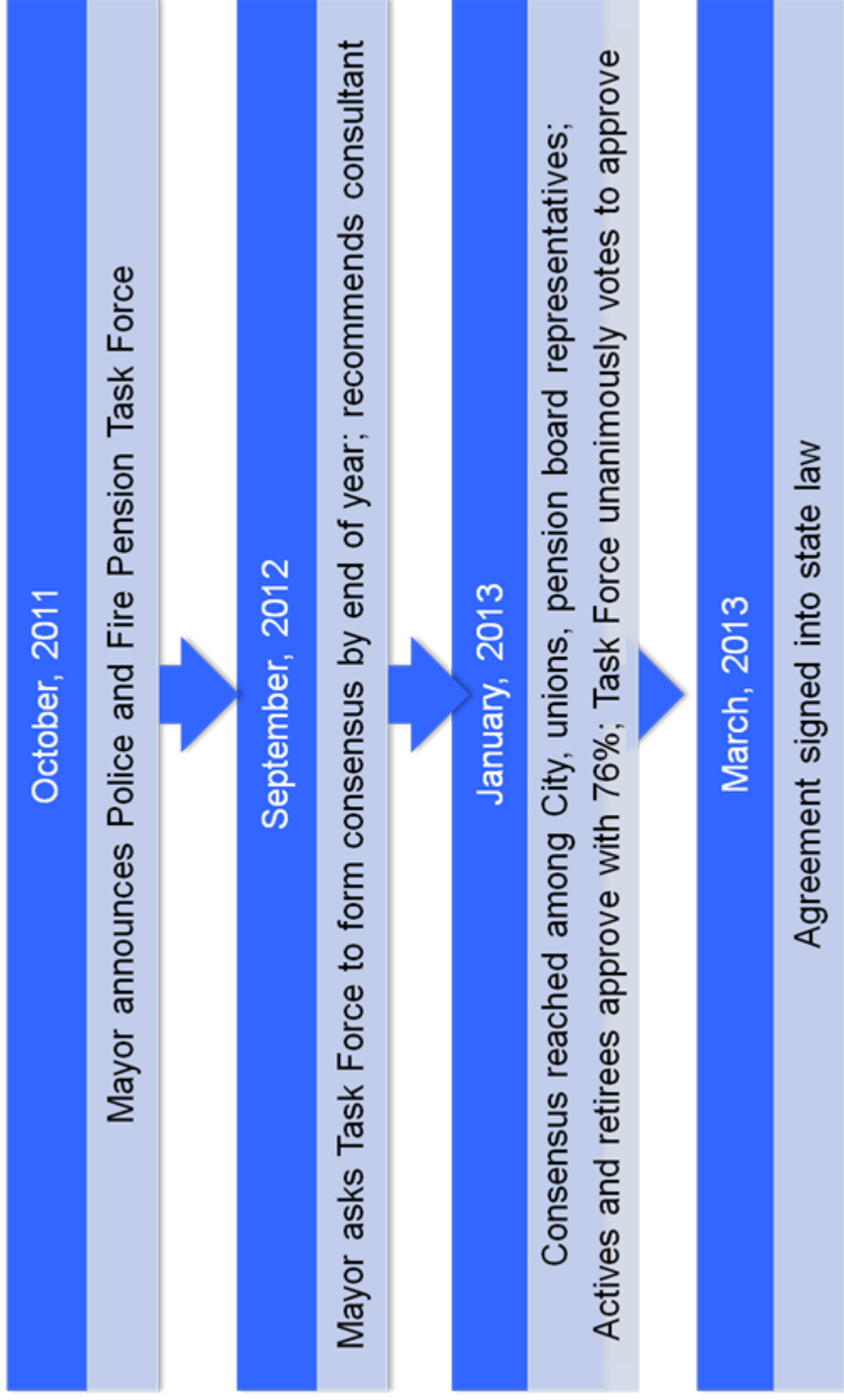
QUESTIONS?



Police and Fire Pension Reform Agreement

Presentation to Council
March 12, 2013

The road to reform



Consensus

“The proposed changes to Lexington’s Police and Fire Pension in this presentation put the fund on solid ground for the first time in a generation. These common-sense reforms represent shared sacrifice, with the city as well as active, retired and new public safety workers all contributing to create a sustainable plan that provides dignified retirements for the long-term.”

- **Captain Chris Bartley**, IAFF President Local 526
- **Detective Larry Kinnard**, pension board member
- **Detective Rob Sarrantonio**, Vice President of FOP
- **Captain Drew Short**, pension board member, IAFF 526 Second-Shift Representative
- **Detective Mike Sweeney**, FOP President
- **Mayor Jim Gray**



Team effort

Mayor Jim Gray and staff

Council Members

Pension Task Force: Tim Kelly, Gene Vance and others
Commerce Lexington / Lexington Industrial Foundation

Mike Sweeney, Rob Sarrantonio, Larry Kinnard

Chris Bartley, Drew Short

Rep. Ruth Ann Palumbo, the state legislature and the
Governor

Dozens of others



The big picture

Lexington's Police and Fire pension system had spiraled out of control
but, pension benefit changes + guarantee of more money from the city
took the unfunded liability from \$296M to \$161M
which lowered the city's annual payment to an affordable amount
enabling the city to pay down the liability over the next 30 years
(with no more bonding)

which makes the fund sustainable and affordable, while maintaining a dignified retirement for policemen and firefighters.



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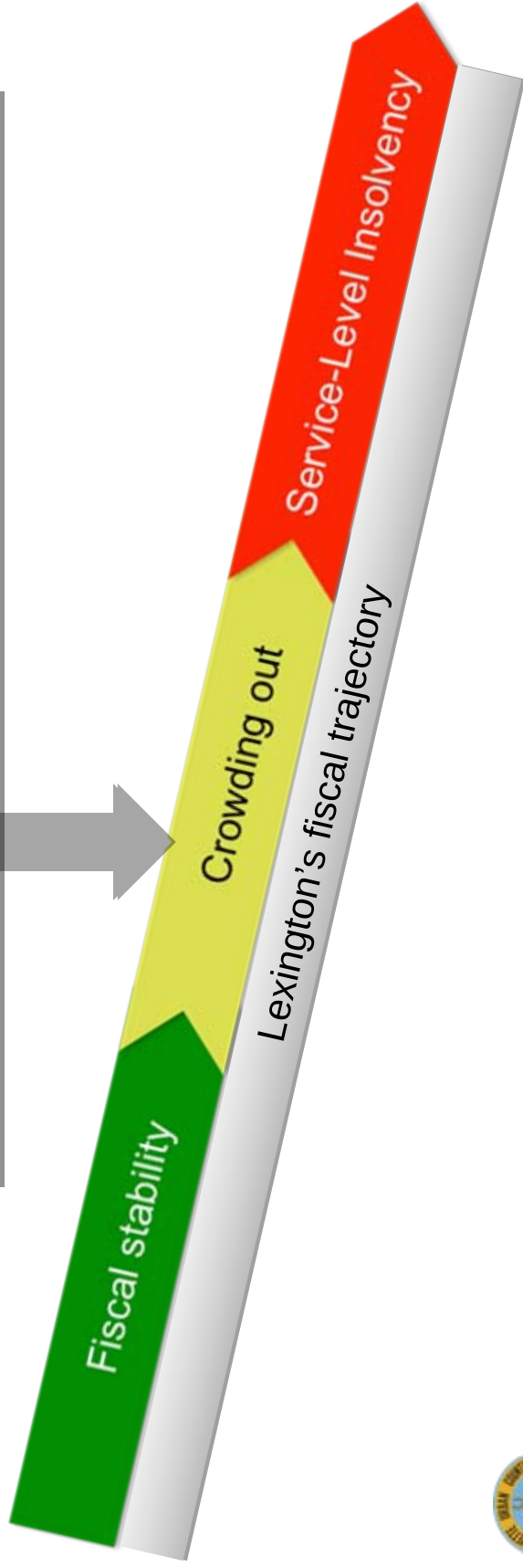
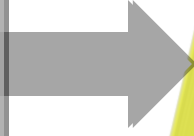
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PFRF spiraling out of control

- Annual required contribution to police and fire pension quadrupled from 2000 to 2012, from \$7M to \$29M
- \$18M hole in budget
- Hitting bonding ceiling
- Underfunding core items like Social Services
- \$900M in infrastructure needs
- Little room for investment



Pension Costs (PFRF + CERS)

2000	2012
7% of General Fund	22% of General Fund



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Pension Changes: New Hires

- 25 years of service
- 50 year minimum age to draw pension
- 12% contribution rate
- 50% annuity for disability with current scale for catastrophic injuries
- Ghost time for military service only, up to four years
- 2.25% benefit factor

Cont'd...



Pension Changes: New Hires

- Cost of Living Adjustments

Annual Pension Income	COLA Benefit
Up to \$39,999	2.0%
\$40,000 to \$74,999	1.5%
\$75,000 to \$99,999	1.0%

- If the fund exceeds 85% funding level, the COLA rate of between 0% and 3% may be reinstated by the pension board, provided that the given COLA does not reduce the funding level below 85%

Pension Changes: Actives

- Increase employee contribution from 11% to 12%
- Establish 41-year minimum retirement age
- Reduce disability pension from 60% of pay to 50% with current scale for catastrophic injuries
- As actives retire, they receive no COLAs for five years or until age 50, whichever is sooner
- Increase line-of-duty death benefit from 60% to 75%

Cont'd...



Pension Changes: Actives

- Cost of Living Adjustments

Annual Pension Income	COLA Benefit
Up to \$39,999	2.0%
\$40,000 to \$74,999	1.5%
\$75,000 to \$99,999	1.0%
\$100,000 +	0.0% from July 1, 2013 to January 1, 2016, then 1.0%

- If the fund exceeds 85% funding level, the COLA rate of between 0% and 3% may be reinstated by the pension board, provided that the given COLA does not reduce the funding level below 85%

Pension Changes: Retirees

- Cost of Living Adjustments

Annual Pension Income	COLA Benefit
Up to \$39,999	2.0%
\$40,000 to \$74,999	1.5%
\$75,000 to \$99,999	1.0%
\$100,000 +	0.0% from July 1, 2013 to January 1, 2016, then 1.0%

- If the fund exceeds 85% funding level, the COLA rate of between 0% and 3% may be reinstated by the pension board, provided that the given COLA does not reduce the funding level below 85%

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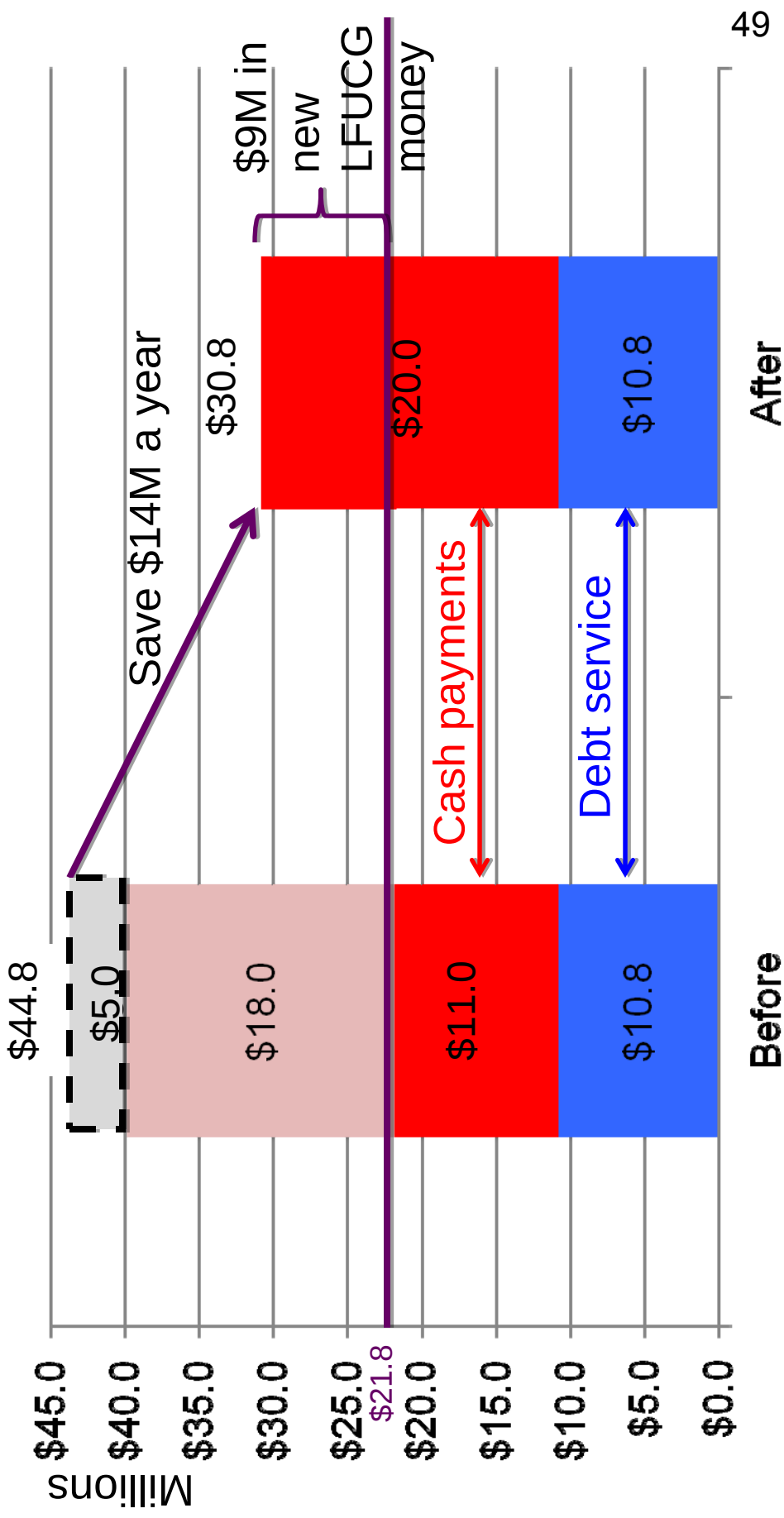
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More money from LFUCG

Annual Required Contribution + Debt Service



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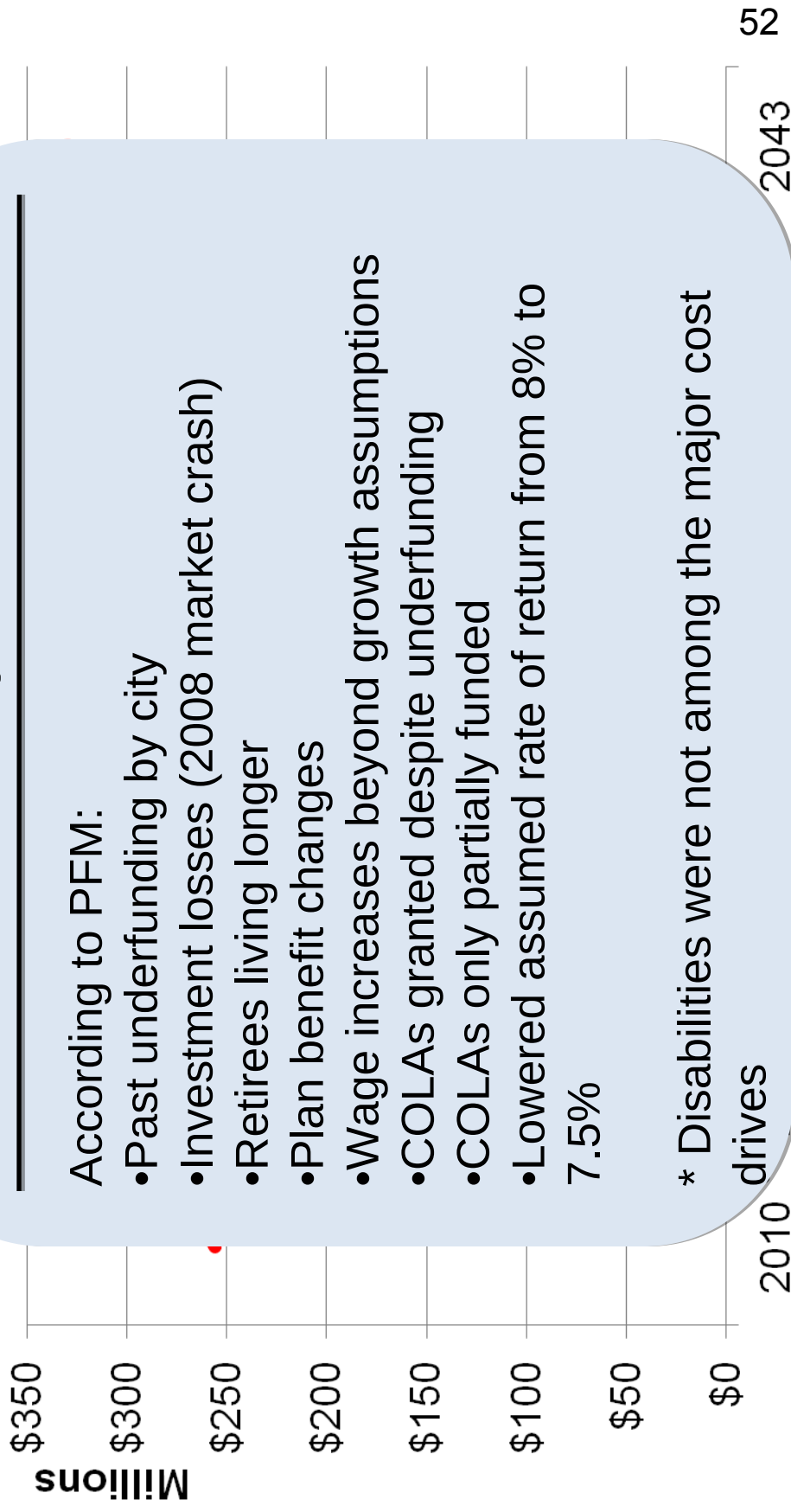
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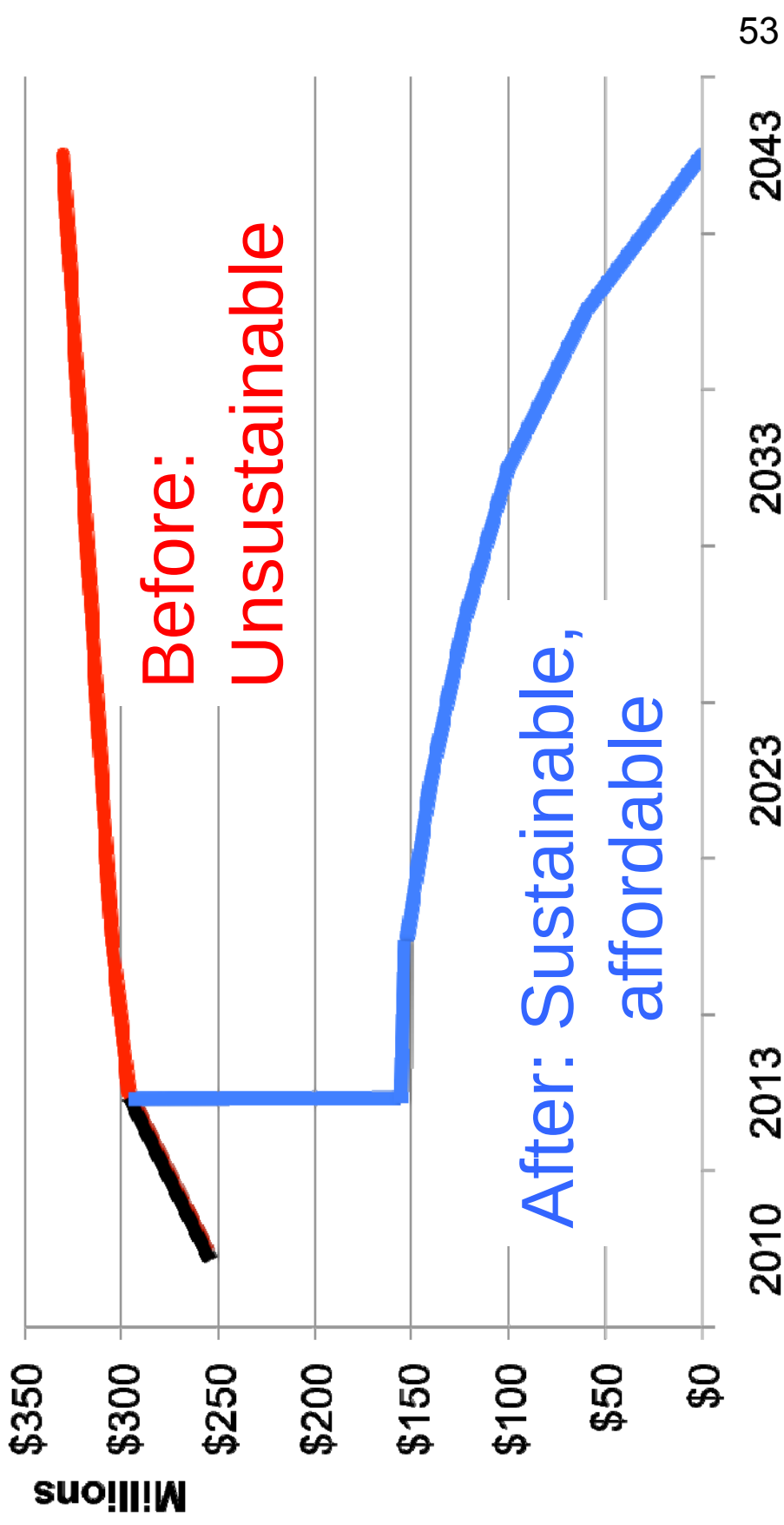
The unfunded liability



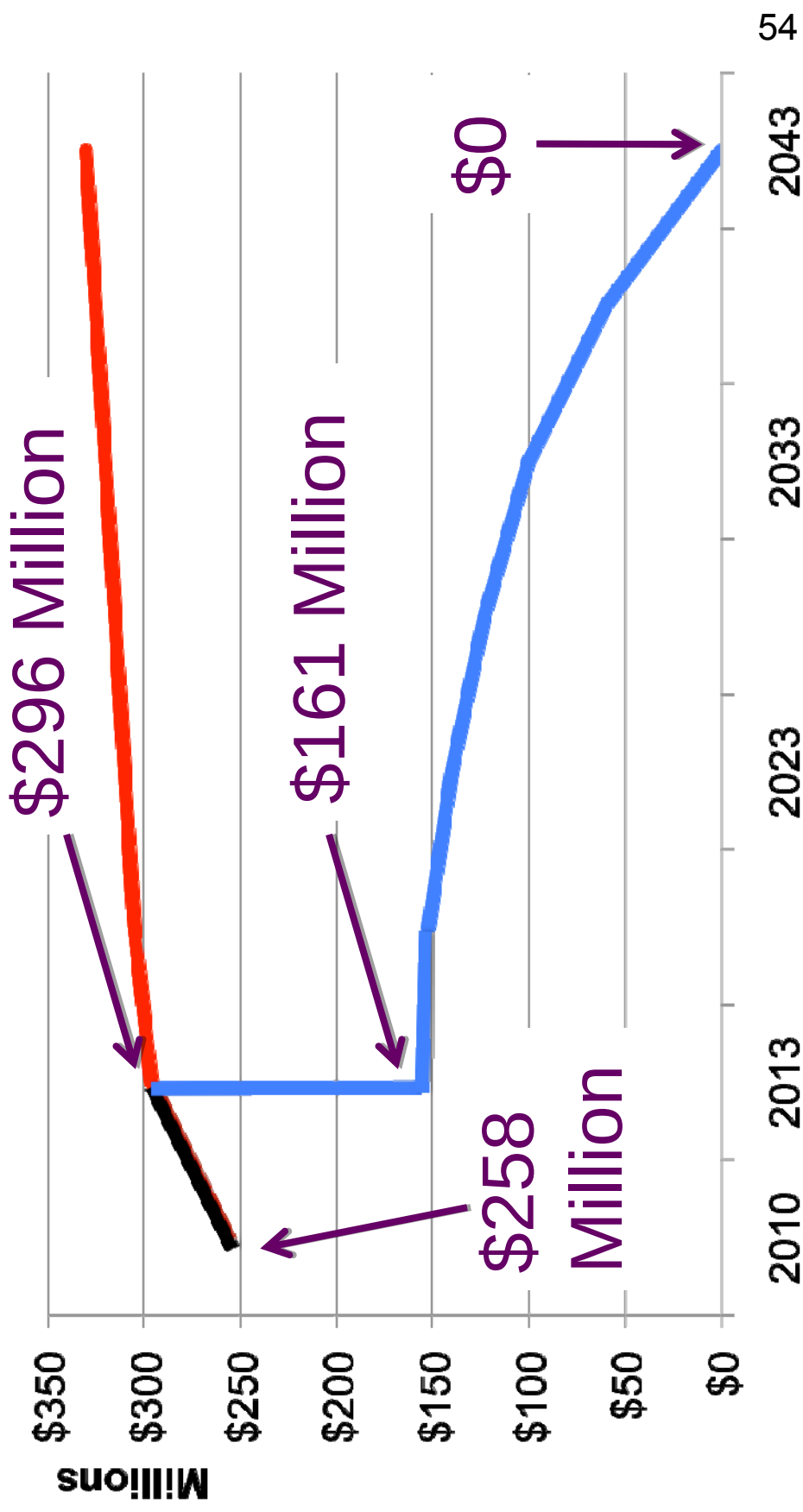
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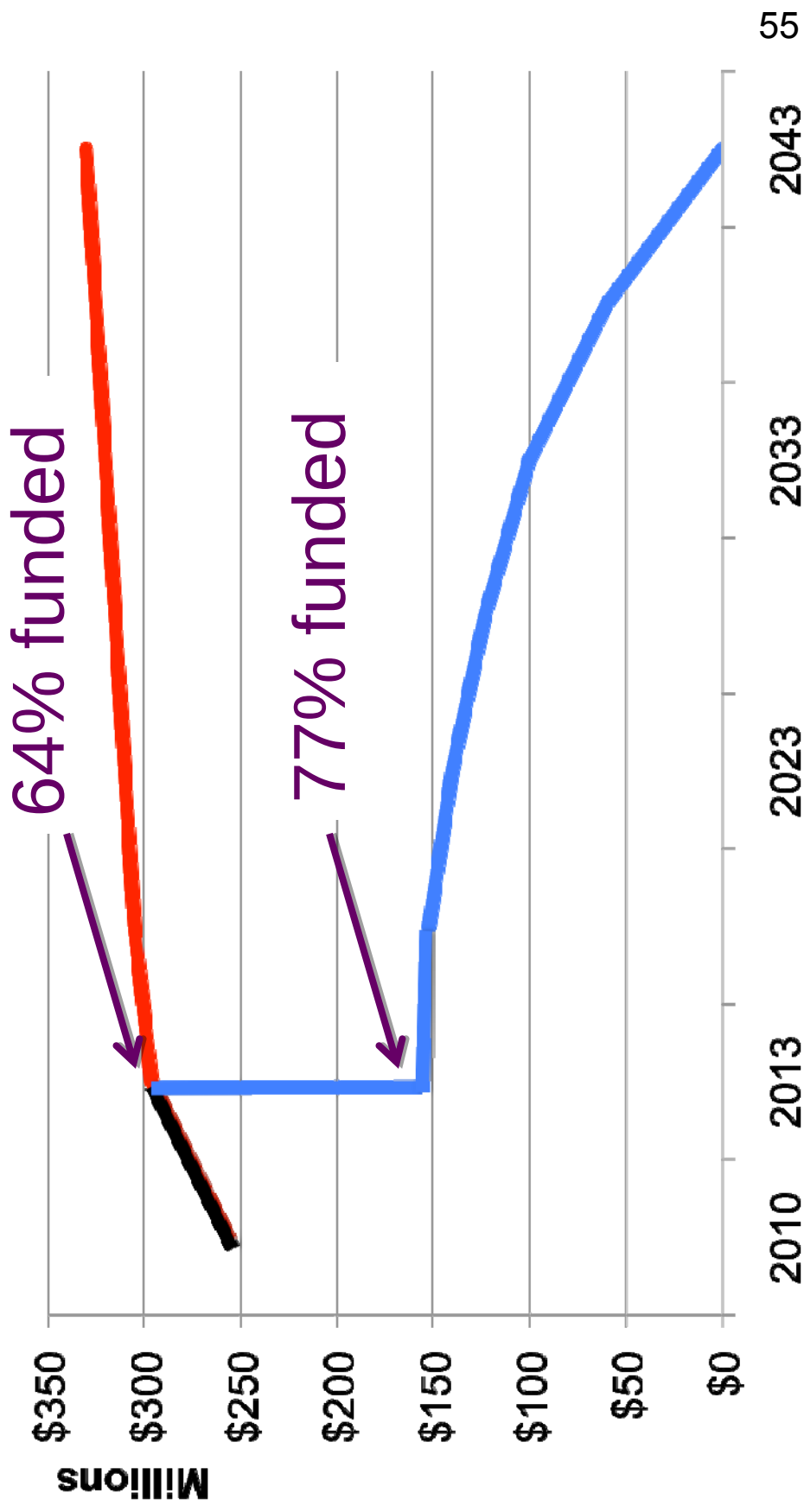
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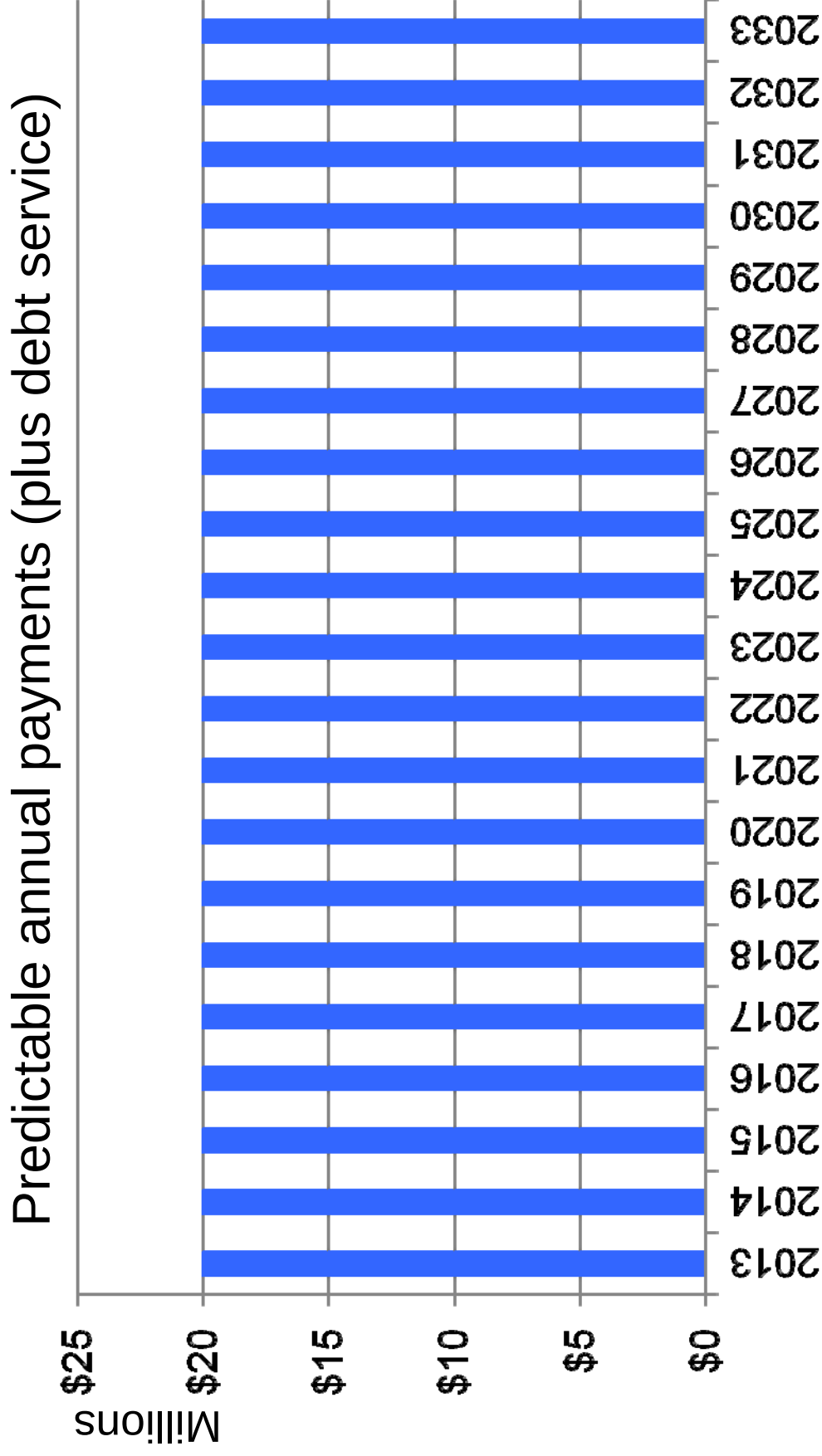
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Conservative “Level Dollar” method



LFUCG Commitment

In KRS, LFUCG must pay at least \$20 million per year to the police and fire pension



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Bonding limit avoided

- With the \$34 million pension bond budgeted for this year, Lexington had been scheduled to exceed the threshold recommended by ratings agencies
- With this agreement, no bond will need to be issued
- Preliminary feedback from ratings agencies is very positive



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Things to think about

- Employers hold all the market risk with defined benefit plans
 - Assumed rate of return: 7.5%
 - In last 17.5 years, for which we have records, rate of return has been 8.125%, but past performance does not guarantee future results
- Losses and gains are smoothed over the rest of the amortization, which can make payments more volatile in later years
- GASB changes
- Disability issue improved; more work needs to be done
- Vesting options a likely addition to the plan

Questions?

