

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, January 27, 2015

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
January 26 – February 2, 2015**

Monday, January 26

No Meetings

Tuesday, January 27

Budget, Finance & Economic Development Committee.....1:00 pm
Council Chamber – 2nd Floor Government Center

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

Wednesday, January 28

Commission for Citizens with Disabilities.....9:30 am
Central Library, Room B

Transportation Policy Committee.....2:30 pm
Council Chamber – 2nd Floor Government Center

Parks Advisory Board.....4:30 pm
Picadome Golf Course

Thursday, January 29

Workshop - KLC Legislative Agenda.....4:30 pm
Caucus Room – 2nd Floor Government Center

Council Meeting.....6:00 pm
Council Chamber – 2nd Floor Government Center

Friday, January 30

No Meetings

Monday, February 2

No Meetings

**URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
January 20, 2015**

Mayor Gray called the meeting to order at 3:03pm. All Council Members were present.

- I. Public Comment – Issues on Agenda
- II. Requested Rezoning/Docket Approval
- III. Approval of Summary

Motion by Scutchfield to approve the January 13, 2015 summary. Seconded by Akers. Motion passed without dissent.

- IV. Budget Amendments
- V. New Business

Motion by Farmer to approve new business. Seconded by Henson. Motion passed without dissent.

- VI. Continuing Business/Presentations
- VII. Council Reports
- VIII. Mayor's Report
- IX. Public Comment – Issues Not on Agenda
- X. Adjournment

Motion by Stinnett to adjourn at 3:20pm. Seconded by Gibbs. Motion passed without dissent.

**Lexington-Fayette Urban County Council
Work Session Agenda
January 27, 2015**

- I. Public Comment - Issues on Agenda**
- II. Requested Rezoning/ Docket Approval – Yes**
- III. Approval of Summary – Yes, p. 1**
- IV. Budget Amendments – Yes, p. 6-9**
- V. New Business – Yes, p. 10-33**
- VI. Continuing Business/ Presentations – No**
- VII. Council Reports**
- VIII. Mayor's Report – No**
- IX. Public Comment - Issues Not on Agenda**
- X. Adjournment**

Administrative Synopsis - New Business Items

- a** **0045-15** Authorization, pursuant to KRS 62.055 and Section 22-55.1 of the LFUCG Code of Ordinances, to purchase the Constitutional Officers' Performance Bond with Surety for Donald Blevins, Clerk of Fayette County, in the amount of \$400,000. (L0045-15)(Johnston)
This is a request to purchase the Constitutional Officers' Performance Bond with Surety for Donald Blevins, Clerk of Fayette County, in the amount of \$400,000. Premium cost for the four-year period is \$2,869.74. Funds are budgeted. p. 10
- b** **0066-15** Authorization to execute Professional Service Agreements with Carrie Barnett, Susanna Moberly, Angela Wallace, Lauren Vincent, Melissa Young-Flynn, and Brigitte Holleran, Sexual Assault Nurse Examiners, to serve on an "on-call" basis for the performance of forensic examinations-FY 2015 (Gooding/Bastin)
This is a request to to execute Professional Service Agreements with Carrie Barnett, Susanna Moberly, Angela Wallace, Lauren Vincent, Melissa Young-Flynn, and Brigitte Holleran, Sexual Assault Nurse Examiners, to serve on an "on-call" basis for the performance of forensic examinations-FY 2015. Funds are budgeted. p. 11
- c** **0067-15** Authorization to execute an agreement with Horizon Information Systems to provide Representative Payee Software for the Division of Adult and Tenant Services. (L0067-15)(Mills)
This is a request to execute an agreement with Horizon Information Systems to provide Representative Payee Software for the Division of Adult and Tenant Services in the amount of \$586.50. Funds are budgeted. p. 12
- d** **0070-15** Authorization to execute an agreement with the University of Kentucky Albert B. Chandler Medical Center for use of emergency room as clinical practice area for Sexual Assault Treatment Program for FY15. (l0070-15)(Gooding/Bastin)
This is a request to execute an agreement with the University of Kentucky Albert B. Chandler Medical Center for use of emergency room as clinical practice area for Sexual Assault Treatment Program for FY15 in the amount of \$3,000. Funds are budgeted. p. 13
- e** **0072-15** Authorization to revise the Purchase of Service Agreements and Addendums with Repairers of the Breach and Mission Lexington, Incorporated by moving the Faith Pharmacy Program from Repairers of the Breach to Mission Lexington, Incorporated, for Fiscal Year 2015 under Resolution #421-2014, replacing the original PSAs and Addendums. (L0072-15)(Mills)

This is a request to revise the Purchase of Service Agreements and Addendums with Repairers of the Breach and Mission Lexington, Incorporated by moving the Faith Pharmacy Program from Repairers of the Breach to Mission Lexington, Incorporated, for Fiscal Year 2015 under Resolution #421-2014, replacing the original PSAs and Addendums. There is no budgetary impact. p. 14

- f** **0073-15** Authorization to accept gift cards from Monkey Joe's, Gattitown, and Chuck E. Cheese, donated by those businesses to be used as client incentives for families served by the Division of Family Services programs. (L0073-15)(Rodes/Mills)
This is a request to accept gift cards from Monkey Joe's, Gattitown, and Chuck E. Cheese, donated by those businesses to be used as client incentives for families served by the Division of Family Services programs. There is no budgetary impact. p. 15
- g** **0076-15** Authorization to amend Section 2 of Resolution No. 744-2014 to correct the accounting for the Public Safety Operations Center (PSOC) Renovation Project at no cost to the Urban County Government (L0076)(Brown/Bastin)
This is a request to amend Section 2 of Resolution No. 744-2014 to correct the accounting for the Public Safety Operations Center (PSOC) Renovation Project at no cost to the Urban County Government. p. 16
- h** **0079-15** Authorization to execute a release of easement, releasing the LFUCG's interest in a utility easement and street light easement located at 3757 Branham Park. (L0079-15)(Martin/Holmes)
This is a request to execute a release of easement, releasing the LFUCG's interest in a utility easement and street light easement located at 3757 Branham Park. There is no budgetary impact. p. 17-21
- i** **0080-15** Authorization to accept a 15 foot sanitary sewer easement from Ball Homes, LLC needed for the installation of the sanitary sewer. (L0080)(Martin/Holmes)
This is a request to accept a 15 foot sanitary sewer easement from Ball Homes, LLC needed for the installation of the sanitary sewer. There is no budgetary impact. p. 22-27
- j** **0081-15** Authorization to execute a release of easement, releasing a sanitary sewer easement at 4053 Elora Lane lots 12-19. (L0081-15)(Martin/Holmes)
This is a request to execute a release of easement, releasing a sanitary sewer easement at 4053 Elora Lane lots 12-19. There is no budgetary impact. p. 28-32

k

0104-15

Authorization to execute an Engineering Services Agreement with Palmer Engineering Company, Inc. for engineering services related to design of the Wolf Run Watershed Water Quality Improvements Project, for the Division of Environmental Services. (L0104-15)(Martin/Holmes)

This is a request to execute an Engineering Services Agreement with Palmer Engineering Company, Inc. for engineering services related to design of the Wolf Run Watershed Water Quality Improvements Project, for the Division of Environmental Services at a cost not to exceed \$268,097.45. Funds are budgeted. p. 33

BUDGET AMENDMENT REQUEST LIST

JOURNAL	83771-72	DIVISION	Traffic Engineering	Fund Name	General Fund
				Fund Impact	6,563.02
					6,563.02CR
					.00

To provide funds for repairs and maintenance on traffic signal equipment by recognizing revenues received from metal recycling.

JOURNAL	83776	DIVISION	Environmental Policy	Fund Name	General Fund
				Fund Impact	108.70
					108.70CR
					.00

To provide funds for transfer to Energy Improvement projects in the General Fund Capital Projects Fund by decreasing funds for professional services.

JOURNAL	83784-85	DIVISION	Traffic Engineering	Fund Name	General Fund
				Fund Impact	3,462.13
					3,462.13CR
					.00

To recognize revenues to reimburse operating supplies for traffic signs.

JOURNAL	83786-87	DIVISION	Traffic Engineering	Fund Name	General Fund
				Fund Impact	10,000.00
					10,000.00CR
					.00

To provide funds for overtime by recognizing revenue reimbursement related to UK football.

JOURNAL	83788-89	DIVISION	Engineering	Fund Name	General Fund
				Fund Impact	5,400.00
					5,400.00CR
					.00

To provide funds for professional services for quarry inspections by recognizing revenues received for Quarry Occupancy Renewal.

JOURNAL	83817-18	DIVISION	Fire & Emergency Services	Fund Name	General Fund
				Fund Impact	500.00
					500.00CR
					.00

To provide funds for minor equipment for stove top replacement by recognizing revenues received for this purpose.

JOURNAL	83819	DIVISION	Community Corrections	Fund Name	General Fund
				Fund Impact	42,016.00
					42,016.00CR
					.00

To provide funds for transfer to General Fund Capital Project Fund for Community Corrections Energy Improvement projects by decreasing funds for sewer user fee that are not needed.

JOURNAL	83824-25	DIVISION	Fire & Emergency Services	Fund Name	General Fund
				Fund Impact	7,356.00
					7,356.00CR
					.00

To provide funds for Professional Services for Hazardous Materials spill clean up by recognizing reimbursement for clean up of spills that have occurred.

JOURNAL	83828-29	DIVISION	Fire & Emergency Services	Fund Name	General Fund
				Fund Impact	912.84
					912.84CR
					.00

To provide funds for repairs and maintenance for Fire Station maintenance by recognizing revenue received.

JOURNAL	83830-31	DIVISION	Fire & Emergency Services	Fund Name	General Fund
				Fund Impact	4,040.00
					4,040.00CR
					.00

To recognize the reimbursement for Immediate response spills and increasing the Hazardous Materials account for Operating Supplies and Expenses.

JOURNAL	83832-33	DIVISION	Fire & Emergency Services	Fund Name	General Fund
				Fund Impact	7,360.92
					7,360.92CR
					.00

To reimburse funds for operating expenses for Hazardous Material spills by recognizing revenues for this purpose.

JOURNAL	83533	DIVISION	Parks and Recreation	Fund Name	General Capital Fund
				Fund Impact	170,028.00
					170,028.00CR
					.00

To provide funds for Parks Fund Balance projects for tennis and basketball courts and community center ceiling replacement in Parks Maintenance by decreasing funds for these projects in Recreation.

JOURNAL	83778	DIVISION	Environmental Policy	Fund Name	General Capital Fund
				Fund Impact	108.70
					108.70CR
					.00

To recognize a transfer from General Fund for LED lighting projects.

JOURNAL	83820-21	DIVISION	Community Corrections	Fund Name	General Capital Fund
				Fund Impact	42,016.00
					42,016.00CR
					.00

To provide funds for Community Corrections energy improvement project by recognizing a transfer from the General Fund.

JOURNAL	83834	DIVISION	Finance	Fund Name	Bond Projects Fund
				Fund Impact	1,687,889.00
					1,687,889.00CR
					.00

To reallocate funds in the 2010A bond from the Distillery District project to the Sr. Citizens project. Funds for the Distillery District will be budgeted in a newer bond providing more time per bond covenants to determine use for funding.

JOURNAL	83813-14	DIVISION	Finance	Fund Name	2015 Bond Projects
				Fund Impact	27,976,552.75
					27,976,552.75CR
					.00

To recognize bond proceeds from the 2014B General Obligation Bonds and increase budget for Fire Station 2 from \$2.5 million to \$4 million as approved by Council.

JOURNAL	83836	DIVISION	Finance	Fund Name	2015 Bond Projects
				Fund Impact	1,687,889.00
					1,687,889.00CR
					.00

To reallocate funds in the 2015 bond from the Sr. Citizens project to the Distillery District project. This will comply with bond covenants and allow more time to determine use for funding in the Distillery District project.

JOURNAL	83809-10	DIVISION	Finance	Fund Name	QEC Bonds
				Fund Impact	2,900,000.00
					2,900,000.00CR
					.00

To establish budget for expense and revenue budget for the 2014C QECB Detention Center Bond issue.

JOURNAL	83526-27	DIVISION	Grants and Special Projects	Fund Name	US Dept of Homeland Sec
				Fund Impact	41,277.09
					41,277.09CR
					.00

To amend Emergency Management FY 2013 grant to reflect actual expenditures and revenue.

JOURNAL	83700	DIVISION	Grants and Special Projects	Fund Name	US Dept of Homeland Sec
				Fund Impact	22,378.00
					22,378.00CR
					.00

To amend Chemical Stockpile Emergency Preparedness Program - FY 2013 to provide for purchase of radio equipment.

JOURNAL	83524-25	DIVISION	Grants and Special Projects	Fund Name	Grants - State
				Fund Impact	1,141.18
					1,141.18CR
					.00

To correct the amount of repayment received from Tiffany and Company for economic development project.

BUDGET AMENDMENT REQUEST SUMMARY

1101	General Service District Fund	.00
1105	General Fund Capital Projects	.00
2600	Bond Projects Fund	.00
2604	2015 Bond Projects	.00
2605	QEC Bonds	.00
3200	US Department of Homeland Security	.00
3400	Grants – State	.00



LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT

Division of Risk Management

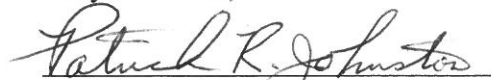
Jim Gray, Mayor

Sally Hamilton, CAO

MEMORANDUM

TO: Jim Gray, Mayor
LFUCG Council Members
Sally Hamilton, CAO

FROM:


Patrick R. Johnston
Director of Risk Management

DATE: December 22, 2014

RE: County Clerk's Performance Bond

Pursuant to KRS 62.055 and Section 22-55.1 of the LFUCG Code of Ordinance I am requesting Mayor and Council approval of the Constitutional Officers' Performance Bond for Donald Blevins, Clerk of Fayette County in the amount of \$400,000.

The following items are attached:

- Copy of letter and invoice from Donald Blevins dated 12/17/2014
- Copy of Donald Blevins \$400,000 Bond beginning 01/01/15 to 12/31/2018
- Copy of Oath of Office
- Copy of Power of Attorney
- Copy of LFUCG Ordinance Section 22-55.1, Local Constitutional Officers

I: mdocs/Admin/A&U/Bonds/DBlevins-20141219

HORSE CAPITAL OF THE WORLD



Lexington-Fayette Urban County Government
DIVISION OF GRANTS AND SPECIAL PROGRAMS

Jim Gray
Mayor
TO:

JIM GRAY, MAYOR
URBAN COUNTY COUNCIL

Sally Hamilton
CAO

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

DATE: JANUARY 13, 2015

SUBJECT: REQUEST COUNCIL AUTHORIZATION TO EXECUTE PROFESSIONAL
SERVICE AGREEMENTS WITH VARIOUS SEXUAL ASSAULT NURSE
EXAMINERS, TO SERVE ON AN "ON-CALL" BASIS FOR THE PERFORMANCE
OF FORENSIC EXAMINATIONS— FY 2015

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 Agreements with various nurses for the period of January 1, 2015, through December 31, 2015, 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_2015	FED GRANT	2015	71299	\$35,000
3140	505506	5561	SANE3_2015	STA GRANT	2015	71217	\$24,150

The funds budgeted in SANE_2015 are for the purpose of paying contractual nurses for on-call duty and for reimbursement for liability insurance and court appearances. The funds budgeted in SANE3_2015 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 Agreements with Carrie Barnett, Susanna Moberly, Angela Wallace, Lauren Vincent, Melissa Young-Flynn, and Brigitte Holleran is hereby requested.


Irene Gooding, Director

Xc: Ronnie Bastin, Commissioner of the Department of Public Safety



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0067-15

Lexington-Fayette Urban County Government
DEPARTMENT OF SOCIAL SERVICES

Jim Gray
Mayor

Beth Mills
Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Members of the Council

FROM: *Beth K. Mills*
Beth Mills, Commissioner of Social Services

DATE: January 12, 2015

SUBJECT: Horizon Information Systems Agreement

Request approval to authorize the Mayor to sign an agreement with Horizon Information Systems to provide Representative Payee Software for the Division of Adult and Tenant Services.

This agreement covers the fourth year of this five-year agreement, and is for the end user licenses and software maintenance for the software. The funds of the \$586.50 cost are budgeted.



Lexington-Fayette Urban County Government
DIVISION OF GRANTS AND SPECIAL PROGRAMS

Jim Gray
Mayor

Sally Hamilton
CAO

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

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

DATE: JANUARY 14, 2015

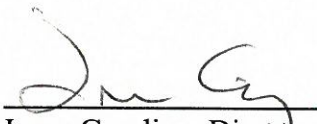
**SUBJECT: Request Council authorization to execute agreement with University
of Kentucky Albert B. Chandler Medical Center for use of emergency
room as clinical practice area for Sexual Assault Treatment
Program—FY 2015**

The Lexington-Fayette Urban County Government has been awarded federal funds under the Violence Against Women Act by the Kentucky Justice Cabinet for the continuation of the Sexual Assault Treatment Center in the Division of Police. This program provides for the use of specially trained Sexual Assault Nurse Examiners (S.A.N.E.s) for the performance of forensic examinations on the victims of sexual assault. In order to provide the victims of sexual assault with maximum privacy, only one area hospital emergency room will be used for all examinations. The University of Kentucky has agreed to continue its allocation of emergency room space to this program at a cost of \$250 per month for the year 2014. Total cost is \$3,000.

Funds are budgeted as follows:

FUND	DEPT ID	SECTION	PROJECT	BUD REF	ACCT	ACTIVITY
3140	505506	5561	SANE_2015	2015	71302	FED_GRANT

Council authorization to execute agreement is hereby requested.


Irene Gooding, Director

Xc: Ronnie Bastin, Commissioner of the Department of Public Safety



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0072-15

Lexington-Fayette Urban County Government
DEPARTMENT OF SOCIAL SERVICES

Jim Gray
Mayor

Beth Mills
Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Members of the Council

FROM: Beth K. Mills
Beth Mills, Commissioner of Social Services

DATE: January 13, 2015

SUBJECT: FY15 PSAs with Repairers Lexington and Mission Lexington, Inc. PSA and Addendum Revisions to Resolution #421-2014

The Department of Social Services requests to revise the Purchase of Service Agreements and their Addendums with Repairers of the Breach and Mission Lexington, Incorporated, in order to move the funded program, Faith Pharmacy, from the current fiscal agent Repairers of the Breach to their new fiscal agent, Mission Lexington, Incorporated.

These program revisions will reduce funds awarded to Repairers of the Breach and increase funds to Mission Lexington, Incorporated in order that the Faith Pharmacy services will not be affected, and revises the original PSAs and Addendums for these agencies under that Resolution #421-2014.

There is no fiscal impact to LFUCG associated with this request.



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0073-15

Lexington-Fayette Urban County Government
DEPARTMENT OF SOCIAL SERVICES

Jim Gray
Mayor

Beth Mills
Commissioner

MEMORANDUM

TO: Mayor Jim Gray
Members of the Council

FROM: *Beth K. Mills*
Beth Mills, Commissioner of Social Services

DATE: January 13, 2015

SUBJECT: Client Incentive Gift Card Donation

Request approval to accept the donations of gift cards from the following businesses to be used as client incentives for families served by Division of Family Services programs at the Family Care Center.

- Monkey Joe's – 5 admission passes valued at \$48
- Gattitown – 2 free adult passes, 2 game cards valued at \$10, 2 buy-1-get-1-free kids buffet valued at \$50.
- Chuck E. Cheese – 2 passes valued at \$60.

There is no fiscal impact associated with acceptance of this donation.

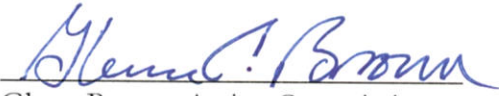


16
0076-15

Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

TO: Mayor Jim Gray
Members, Urban County Council

FROM: 
Glenn Brown, Acting Commissioner
Department of Public Safety

DATE: January 15, 2015

RE: Request Council Authorization to Amend Section 2 of Resolution No. 744-2014 to make changes in the accounting for the PSOC Renovation Project

This is to request a resolution authorizing the Mayor to make changes in Section 2 of Resolution No. 744-2014, to correct the accounting for the Public Safety Operations Center Renovation Project. This is for accounting purposes only, and there is no budgetary impact.

cc: Rick Curtis, Dept. of Public Safety Project Manager



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0079-15

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

Jim Gray
Mayor

David Holmes
Commissioner

TO: Mayor Jim Gray
Urban County Council

FROM: Charles Martin, P.E., Director *CM*
Division of Water Quality

DATE: January 9, 2015

SUBJECT: RELEASE OF EASEMENT 3757 Branham Park

The purpose of this memorandum is to request a resolution authorizing the Mayor on behalf of the Lexington-Fayette Urban County Government to execute a release of easement, releasing the LFUCG'S interest in a Utility Easement and Street Light Easement located at 3757 Branham.

The easements are no longer needed because there were never any utilities installed within these easements.

Consequently, the easements are no longer used or needed and the easements may be released back to the individual property owner.

All other utility companies have reviewed and released their interest in these easements

If you have any questions or need additional information, please contact Pat McFadden, Division of Water Quality.

Attachments: Easement Release Document

PJM

C: Pat McFadden
Steve Farmer, PE

RELEASE OF EASEMENTS

THIS RELEASE OF EASEMENTS, made and entered into this ____ day of _____, 2014, by LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT, an urban county government of the Commonwealth of Kentucky, 200 East Main Street, Lexington, Kentucky 40507, party of the first part, in favor of DELONG ESTATES DEVELOPMENT LLC, a Kentucky limited liability company, 3445 Richmond Road, Lexington, Kentucky 40509, party of the second part.

WITNESSETH:

That for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the adequacy and sufficiency of which is hereby acknowledged, the party of the first part does hereby release and quitclaim unto the party of the second part, its successors and assigns forever, all of its right, title and interest in and to that certain 15' wide Utility Easement and 6' wide Street Light Easement located upon certain real property located at 3757 Branham Park, Lexington, Kentucky, which easements are more particularly described as follows, to wit:

15' Utility Easement and 6' Street Light Easement

That certain 15' Utility Easement and that certain 6' Street Light Easement being centered on the original common line of Lots 11 and 12, Block "F", Unit 4B, Denton Farms, Inc. (Ellerslie at DeLong) as shown on the Final record plat thereof recorded in Plat Cabinet "M", Slide 874, in the Fayette County Clerk's Office, and now being located entirely on Lot 11 (Parcels 1 and 2), Block "F", Unit 4B, Denton Farms, Inc. (Ellerslie at DeLong) as shown on the Consolidation Minor Subdivision Plat thereof of record in Plat Cabinet "N", Slide 878, in the Fayette County Clerk's Office, said easements being more particularly described on Exhibit "A" attached hereto, and depicted on Exhibit "B" attached hereto.

The said party of the first part does hereby release, relinquish and quitclaim unto the said party of the second part, its successors and assigns forever, all of its right, title and interest in and to the above-described easements, including all exemptions as may be allowed by law, with no covenants or warranties as to said right, title and interest. It is the intent of the party of the first part to forever extinguish that certain Utility Easement and that certain Street Light Easement above described and that the party of the second part, its successors and assigns, shall hereinafter have and use said premises free and absolutely discharged from said easements.

IN WITNESS WHEREOF, the party of the first part has hereunto caused its name to be affixed hereto by and through its duly authorized officer, on this the day and year first above written.

LEXINGTON-FAYETTE URBAN
COUNTY GOVERNMENT

Attest:

By: _____

Its: _____

STATE OF KENTUCKY
COUNTY OF FAYETTE

The foregoing instrument was subscribed, sworn to and acknowledged before me this ____ day of _____, 2014, by _____ as _____, of Lexington-Fayette Urban County Government, an urban county government, for and on behalf of said government.

MY COMMISSION EXPIRES:

NOTARY PUBLIC, State of
Kentucky at Large

PREPARED BY:



W. RODES BROWN
JACKSON KELLY PLLC
175 E. Main Street, Suite 500
P.O. Box 2150
Lexington, KY 40588-2150
Telephone: (859) 255-9500

EXHIBIT A

20

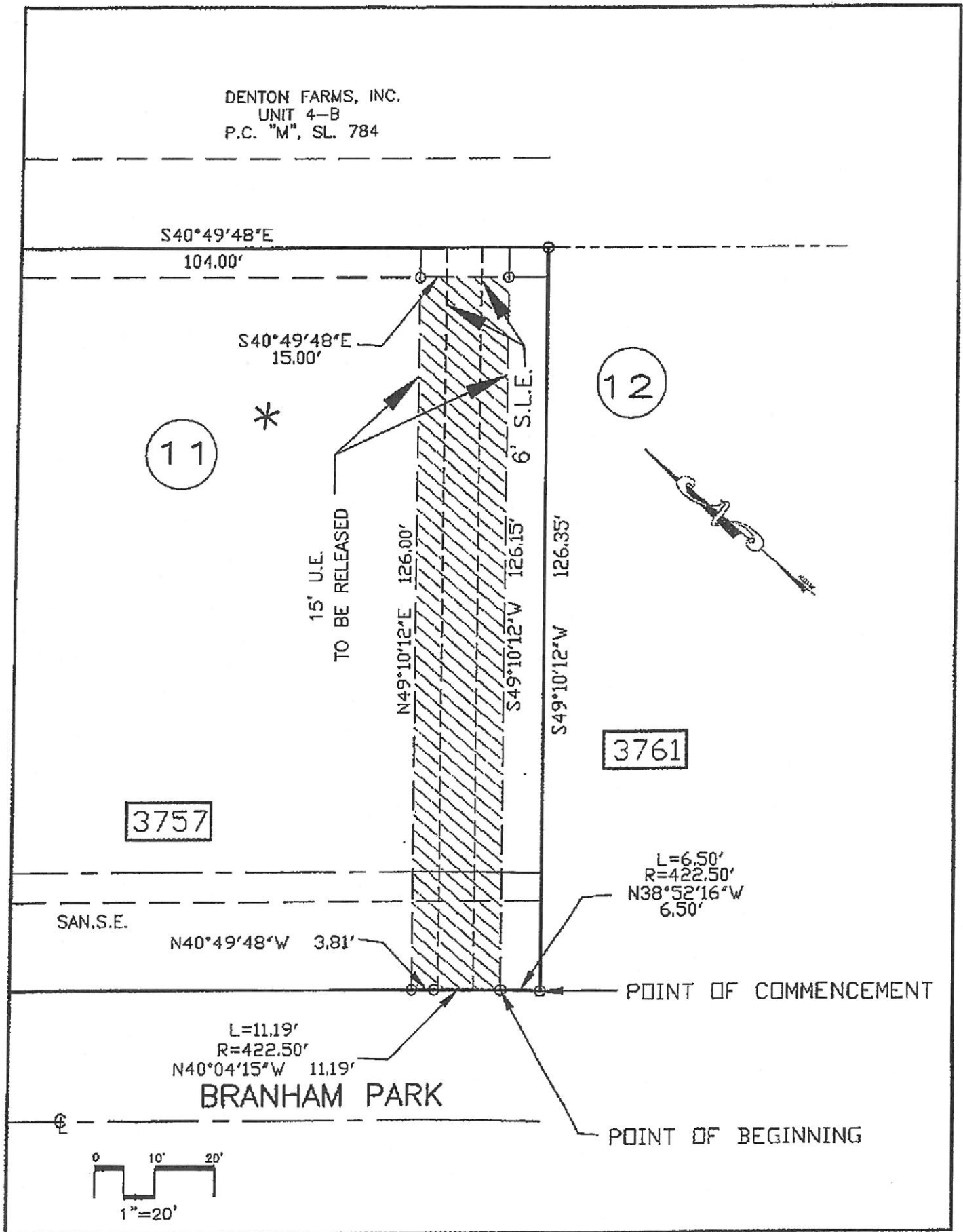
0079-15

Commencing at a point along the right-of-way of Branham Park, said point being the Southeast corner of Lot 11 of Denton Farms, Inc., Unit 4-B, (P.C. "N", Sl. 878), said point also being a common corner to Lot 12 of Denton Farms, Inc., Unit 4-B, (P.C. "N", Sl. 878); thence along the right-of-way of Branham Park along a curve to the left, having a chord of, N38°52'16"W 6.50', with a radius of 422.50' and an arc length of 6.50' to the True Point of Beginning; thence, continuing along the right-of-way and curve to the left, having a radius of 422.50', an arc length of 11.19' and a chord of N40°04'15"W 11.19' to a point; thence, continuing along said right-of-way N40°49'48"W 3.81' to a point; thence, leaving the right-of-way of Branham Park, N49°10'12"E 126.00' to a point; thence, S40°49'48"E 15.00' to a point; thence, S49°10'12"W 126.15' to the True Point of Beginning and Containing 1,815.25 Sq. Ft.

End of Description

EXHIBIT B

21
0079-15





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

Jim Gray
Mayor

David Holmes
Commissioner

TO: Mayor Jim Gray
Urban County Council

FROM: Charles Martin, P.E., Director *CHM*
Division of Water Quality

DATE: January 8, 2015

SUBJECT: Easement Acquisition for 4053 Elora Lane

The purpose of this memorandum is to request a resolution authorizing the acceptance of a 15 foot sanitary sewer easement from Ball Homes, LLC needed for the installation of the sanitary sewer. This new easement is a result of a change in the layout of the proposed subdivision.

There will be no budget impact associated with this request.

If you have any questions or need additional information, please contact Pat McFadden, Division of Water Quality.

Attachments: Deed of Sewer Easement Document

PJM

C: Pat McFadden
Steve Farmer, PE

DEED OF SANITARY SEWER EASEMENT

THIS DEED OF SANITARY SEWER EASEMENT, is made and entered into on this the _____ day of _____, 2014, by and between **BALL HOMES, LLC**, a Kentucky limited liability company, with a mailing address of 3609 Walden Drive, Lexington, Kentucky 40517 (hereinafter "Ball") and **RML CONSTRUCTION, LLP**, a Kentucky registered limited liability partnership with a mailing address of 3609 Walden Drive, Lexington, Kentucky 40517 (hereinafter "RML") (Ball and RML are also referred to collectively hereinafter as "Grantor") and the **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, an urban county government pursuant to KRS 67A, with a mailing address of 200 East Main Street, Lexington, Kentucky 40507 (hereinafter "Government" or "Grantee").

WITNESSETH:

THAT for and in consideration of Ten (\$10.00) and other good and valuable consideration, receipt of which is hereby acknowledged, Grantor does hereby give, grant and convey unto Government, its successors and assigns, the right to build, install, maintain, operate, service, repair, reconstruct, replace and remove a sanitary sewer line and appurtenances thereto, which sewer line and appurtenances shall be of such dimension, character, construction and use as determined by the Government, along, through, under and across the tract of land located in Lexington, Fayette County, Kentucky and is described in Exhibit "A", which is attached hereto and incorporated herein by reference.

Being a portion of the same property conveyed to Ball by deed dated March 28, 2014 and of record at Deed Book 3225, page 205 in the office of the Fayette County Clerk and a portion of the same property conveyed to RML by deed dated March 3, 2000 and of record at Deed Book 2151, page 348 in the aforesaid clerk's office.

Together with the right to use such additional land adjoining the above-described easement during the time the sewer line is being built, installed, maintained, repaired, replaced or reconstructed which is reasonably necessary to complete such work, with the right of ingress and egress upon said easement as may reasonably be necessary for the maintenance of said sanitary sewer line and any appurtenances thereto.

TO HAVE AND TO HOLD said easement unto the Government, its successors and assigns, for the purpose and uses herein designated, with Covenant of **GENERAL WARRANTY**.

Grantor shall have the full right to use the surface of the land lying over said easement for any purpose desired, provided such use will not interfere with Government's free use of the easement herein granted and provided further that no building or structure shall be erected upon, across, over or through said easement without first obtaining the written consent of Government.

This easement runs with the land and is binding upon the successors and assigns of Grantor.

Government agrees that, after reconstruction, maintenance and repair within the easement, the property will be restored to its original surface condition.

IN WITNESS WHEREOF, the Grantor and Grantee have hereby caused their corporate name to be affixed by their duly authorized officer, on this the day and year first above written.

BALL HOMES, LLC

BY: [Signature]
ITS: _____

RML CONSTRUCTION, LLP

BY: [Signature]
ITS: _____

LEXINGTON-FAYETTE URBAN
COUNTY GOVERNMENT

BY: _____
ITS: _____

STATE OF KENTUCKY)
COUNTY OF FAYETTE)

The foregoing instrument was acknowledged before me by Lisa Ball,
as Vice-President of Ball Homes, LLC, a Kentucky limited liability company, on
this 15th day of December, 2014.

My Commission expires: 4-24-17

Berna M. Misernan, # 488023
NOTARY PUBLIC

STATE OF KENTUCKY)
COUNTY OF FAYETTE)

The foregoing instrument was acknowledged before me by Lisa Ball,
as Partner of RML Construction, LLP, a Kentucky registered limited
liability partnership, on this 15th day of December, 2014.

My Commission expires: 4-24-17

Berna M. Misernan, # 488023
NOTARY PUBLIC

STATE OF KENTUCKY)
COUNTY OF FAYETTE)

The foregoing instrument was acknowledged before me by _____,
as _____ of the Lexington-Fayette Urban County Government, an
urban county government pursuant to KRS 67A on this _____ day of
_____, 2014.

My Commission expires: _____

NOTARY PUBLIC

THIS INSTRUMENT PREPARED BY:

Rena G. Wiseman
RENA G. WISEMAN, ESQ.
3609 Walden Drive
Lexington, Kentucky 40517
(859) 268-1191

EA Partners, PLLC



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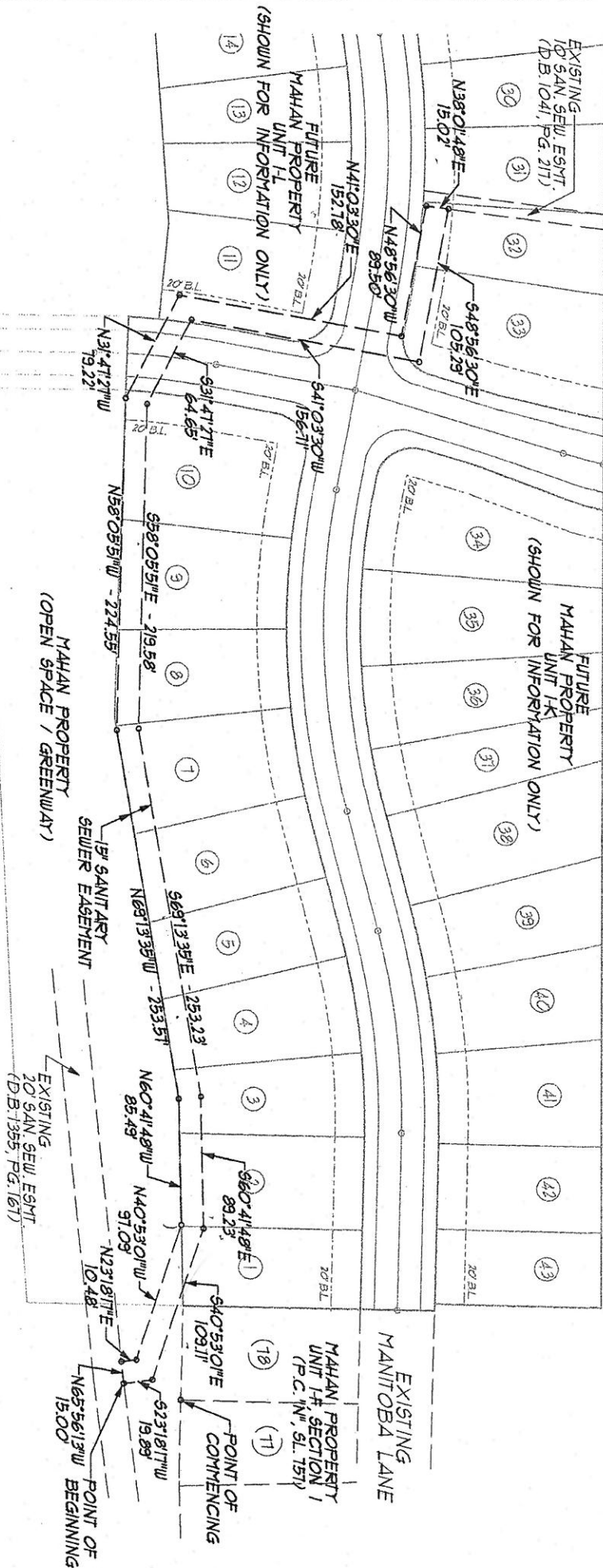
November 4, 2014

15' Sanitary Sewer Easement
Mahan Property
4053 Elora Lane
Lexington, Fayette County Kentucky

COMMENCING AT A POINT in the southern line of Mahan Property, Unit 1-F, Section 1, said point also lying in the common line of Lots 77 and 78, as shown on Plat Cabinet N, Slide 757 of record in the Fayette County Clerk's Office; thence South 46 degrees 21 minutes 43 seconds West, 40.79 feet to a point in a existing 20' sanitary sewer easement of record in Deed Book 1355, Page 167 in the office of the Fayette County Clerk. Said point also being the **TRUE POINT OF BEGINNING**; thence with said sanitary sewer easement North 65 Degrees 56 Minutes 13 Seconds West, 15.00 feet to a point; thence leaving said sanitary sewer easement for the following eight (8) calls: North 23 Degrees 18 Minutes 17 Seconds East, 10.48 feet to a point; thence North 40 Degrees 53 Minutes 01 Seconds West, 97.09 feet to a point; thence North 60 Degrees 41 Minutes 48 Seconds West, 85.49 feet to a point; thence North 69 Degrees 13 Minutes 35 Seconds West, 253.57 feet to point; thence North 58 Degrees 05 Minutes 51 Seconds West, 224.55 feet to a point; thence North 31 degrees 47 Minutes 27 Seconds West, 79.22 feet to a point; thence North 41 Degrees 03 Minutes 30 Seconds East, 152.78 feet to a point; thence North 48 Degrees 56 Minutes 30 Seconds West, 89.50 feet to a point in a existing 10' sanitary sewer easement of record in Deed Book 1041, Page 217 in the office of the Fayette County Clerk; thence with said sanitary sewer easement North 38 Degrees 01 Minutes 48 Seconds East, 15.02 feet to a point; thence leaving said sanitary sewer easement for the following eight (8) calls: South 48 degrees 56 minutes 30 seconds East, 105.29 feet to a point; thence South 41 degrees 03 minutes 30 seconds West, 156.71 feet to a point; thence South 31 degrees 47 minutes 27 seconds East, 64.65 feet to point; thence South 58 degrees 05 minutes 51 seconds East, 219.58 feet to a point; thence South 69 degrees 13 minutes 35 seconds East, 253.23 feet to a point; thence South 60 Degrees 41 Minutes 48 Seconds East, 89.23 feet to a point; thence South 40 Degrees 53 Minutes 01 Seconds East, 109.11 feet to a point; thence South 23 Degrees 18 Minutes 17 Seconds West, 19.89 feet to the **POINT OF BEGINNING** and containing 0.35 acres (15,076 square feet).

J:\0610\unit_1_ph2\phase4\plats\san-sew-esmte-1.doc

EXHIBIT "A" (p. 17)



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EXHIBIT "A" (p. 2)
15' SANITARY SEWER EASEMENT
MAHAN PROPERTY
4053 ELORA LANE
LEXINGTON, FAYETTE COUNTY, KENTUCKY
NOVEMBER 2014



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

Jim Gray
Mayor

David Holmes
Commissioner

TO: Mayor Jim Gray
Urban County Council

FROM: Charles Martin, P.E., Director *CM*
Division of Water Quality

DATE: January 8, 2015

SUBJECT: RELEASE OF EASEMENT 4053 Elora Lane lots 12-19

The purpose of this memorandum is to request a resolution authorizing the Mayor on behalf of the Lexington-Fayette Urban County Government to execute a release of easement, releasing a sanitary sewer easement at 4053 Elora Lane lots 12-19.

These easements are no longer needed because easements and the lines were relocated to the rear of the lots.

If you have any questions or need additional information, please contact Pat McFadden, Division of Water Quality.

Attachments: Easement Release Document

PJM

C: Pat McFadden
Steve Farmer, PE

PARTIAL RELEASE OF EASEMENT

THIS PARTIAL RELEASE OF EASEMENT, is made and entered into on this the _____ day of _____, 2014, by and between the **LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT**, an urban county government pursuant to KRS 67A, with an address of 200 East Main Street, Lexington, Kentucky 40507 (hereinafter "Government" or "First Party"), and **BALL HOMES, LLC**, a Kentucky limited liability company, with an address of 3609 Walden Drive, Lexington, Kentucky 40517 (hereinafter "Owner" or "Second Party");

WITNESSETH:

WHEREAS, through the Deed of Easement dated March 23, 1972 and of record at Deed Book 1041, page 217 in the Fayette County Clerk's office, the Bluegrass Disposal Corporation, a Kentucky corporation, (hereinafter "Bluegrass") acquired a sanitary sewer easement over and across certain property located in Lexington-Fayette, County, Kentucky (the "Property"); and

WHEREAS, the Property is now owned by Second Party pursuant to the deed dated March 28, 2014 and of record at Deed Book 3225, page 205 in the aforesaid clerk's office; and

WHEREAS, Bluegrass was dissolved by an Article of Dissolution dated July 24, 1989 and filed with the Kentucky Secretary of State on August 2, 1989; and

WHEREAS, the Government succeeded to all of Bluegrass' rights and interests in the above-referenced sanitary sewer easement; and

WHEREAS, Second Party has requested, and Government has agreed, that portions of such sanitary sewer easement shall be released and extinguished as set forth herein.

NOW, THEREFORE, for valuable consideration, receipt of which is hereby acknowledged, Government does hereby release, relinquish and quitclaim unto Second Party, its successors and assigns, all of its right, title and interest, if any, in and to the portions of the sanitary sewer easement described herein.

NOW, THEREFORE, for and in consideration of the sum of \$1.00 and other good and valuable consideration, the receipt of which is hereby acknowledged, the Government hereby RELEASES AND QUITCLAIMS unto Second Party, its successors and assigns forever, from the terms of such sanitary sewer easement, all of its right, title and interest in and to the real property located in Fayette County, Kentucky, which is more particularly described in Exhibit "A" hereto.

It is the intention of the Government to forever extinguish its easement interests in the areas described above, and the Second Party, its successors and assigns forever, shall hereafter have and enjoy said property free and discharged from the interest of Government. It is understood that in making this Release, all other portions of such sanitary sewer easement remain unaffected and shall continue in full force and effect.

IN WITNESS WHEREOF, the Government and Second Party have hereby caused its corporate name to be affixed by its duly authorized officer, on this the day and year first above written.

LEXINGTON-FAYETTE URBAN
COUNTY GOVERNMENT

BY: _____
ITS: _____

BALL HOMES, LLC

BY: _____
ITS: _____

STATE OF KENTUCKY)
COUNTY OF FAYETTE)

The foregoing instrument was acknowledged before me by _____,
as _____ of Lexington-Fayette Urban County Government, an urban
county government pursuant to KRS 67A, on behalf of said government, on this _____ day of
_____, 2014.

My Commission expires: _____

NOTARY PUBLIC

STATE OF KENTUCKY)
COUNTY OF FAYETTE)

The foregoing instrument was acknowledged before me by Lisa Ball,
as Vice-President of Ball Homes, LLC, a Kentucky limited liability company, on
this 15th day of December, 2014.

My Commission expires: 4-24-17

Rena G. Wiseman, # 488023
NOTARY PUBLIC

THIS INSTRUMENT PREPARED BY:

Rena G. Wiseman
RENA G. WISEMAN, ESQ.
3609 Walden Drive
Lexington, Kentucky 40517
(859) 268-1191

EA Partners, PLLC

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PHONE (859) 296-9889
FACSIMILE (859) 296-9887

November 4, 2014

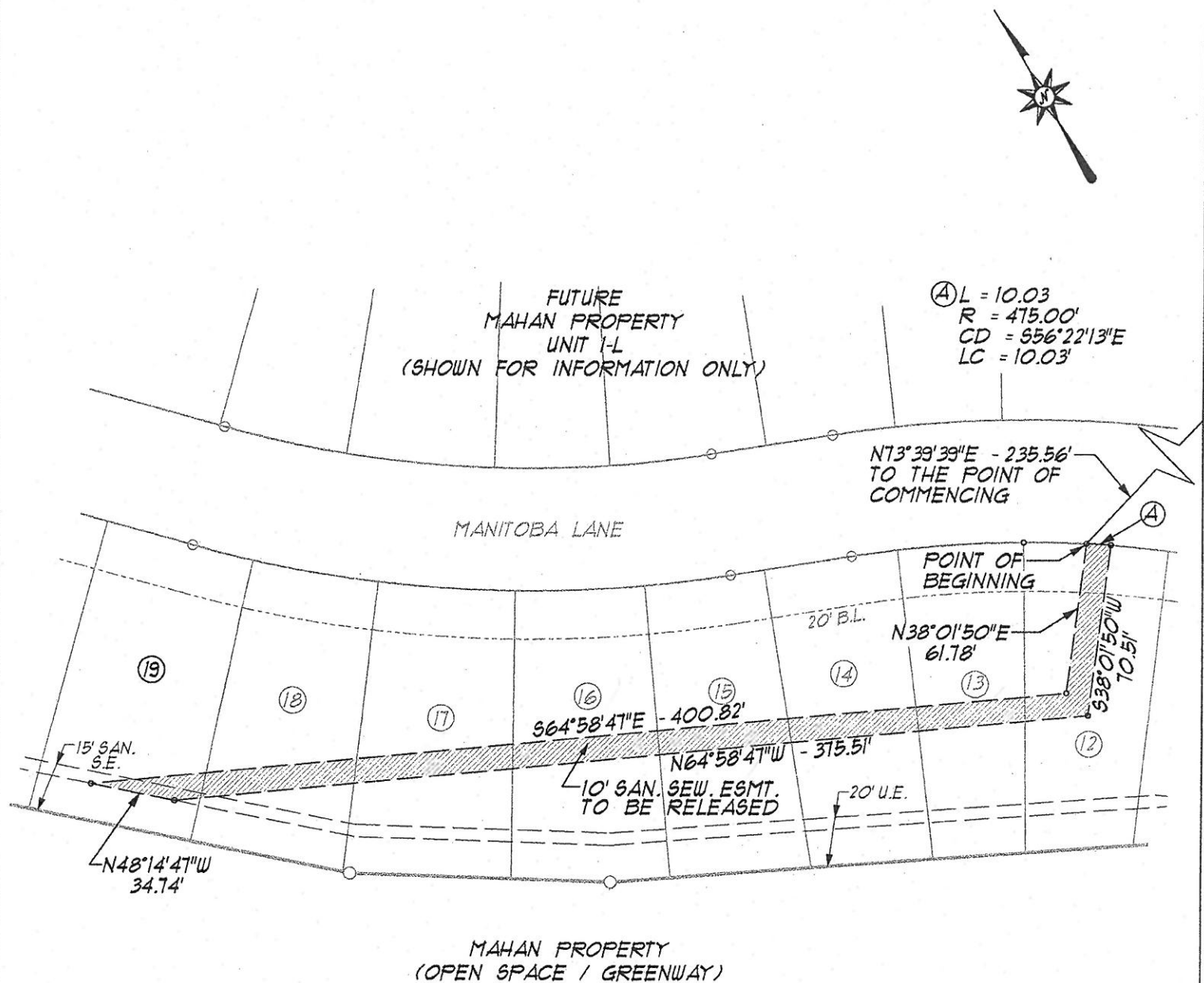
10' Sanitary Sewer Easement Release
Mahan Property
4053 Elora Lane
Lexington, Fayette County Kentucky

COMMENCING AT A POINT in the existing northwestern right of way of Elora Lane, said point also lying in the common line of Pickway Subdivision, Unit 1-C, Section 2 and Mahan Property, Parcel 3 as shown on Plat Cabinet N, Slide 638 of record in the Fayette County Clerk's Office; thence South 73 degrees 39 minutes 39 seconds West, 235.56 feet to the **TRUE POINT OF BEGINNING**; thence 10.03 feet along a curve to the right having a radius of 475.00 feet and a chord which bears South 56 degrees 22 minutes 13 seconds East, 10.03 feet to a point; thence South 38 degrees 01 minutes 50 seconds West, 70.51 feet to a point; thence North 64 degrees 58 minutes 47 seconds West, 375.51 feet to a point; thence North 48 degrees 14 minutes 47 seconds West, 34.74 feet to point; thence South 64 degrees 58 minutes 47 seconds East, 400.82 feet to a point; thence North 38 degrees 01 minutes 50 seconds East, 61.78 feet to the **POINT OF BEGINNING** and containing 0.10 acres (4,544 square feet).

Being a portion of the 10' sanitary sewer easement of record in Deed Book 1041, Page 217 in the Fayette County Clerk's Office.

J:\0610\unit_1_ph2\phase4\plats\san-sew-esmt-release-2.doc

PARENT DOCUMENT : PLAT CABINET N, SLIDE 638

**EA Partners, PLLC**

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EXHIBIT "A"(p.2)
SANITARY SEWER EASEMENT RELEASE
MAHAN PROPERTY
4053 ELORA LANE
LEXINGTON, FAYETTE COUNTY, KENTUCKY
NOVEMBER 2014

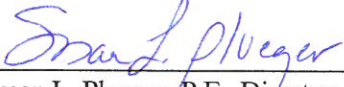


Lexington-Fayette Urban County Government
DEPARTMENT OF ENVIRONMENTAL QUALITY AND PUBLIC WORKS

Jim Gray
Mayor

David L. Holmes
Commissioner

TO: Mayor Jim Gray
Urban County Council

FROM: 
Susan L. Plueger, P.E., Director
Division of Environmental Services

DATE: January 16, 2015

RE: **Contract for Professional Engineering/Design Services for the Wolf Run Watershed Water Quality Improvements Project; RFP #61-2014**

The purpose of this memorandum is to request a resolution authorizing an agreement between the Lexington-Fayette Urban County Government (LFUCG) and Palmer Engineering Company, Inc. (Palmer) for an amount not to exceed \$268,097.45. The contract with Palmer will provide for dam geotechnical evaluations, survey, design, hydraulic modeling, permitting, and construction assistance services for the Wolf Run Watershed Water Quality Improvements Project. This project involves water quality related improvements to the pond at Cross Keys Park, as well as sinkhole remediation and stream improvements at the Picadome Golf Course.

On December 23, 2014, a Request for Proposal (RFP) selection committee reviewed seven proposals for providing engineering services submitted in response to RFP #61-2014. The committee scored each proposal according to the criteria advertised in the RFP and unanimously recommended Palmer Engineering for the project.

Funding for this project is provided in part by \$600,000 in §319(h) Nonpoint Source Implementation Grants from the U.S. Environmental Protection Agency (USEPA) through the Kentucky Division of Water. An additional \$400,000 is fully allocated for LFUCG match. The grant periods extend until December 31, 2016.

The project is fully budgeted and funds are located in the following account:

3170-313201-3091-71299	WOLFRUN 2010	MS GRANT 2010
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Questions regarding this agreement should be directed to me at 425-2888 or to Demetria Mehlhorn at 425-2554.