

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Tuesday, September 1, 2015

3:00 PM

Packet

Council Chamber

Urban County Council Work Session

**URBAN COUNTY COUNCIL
SCHEDULE OF MEETINGS
August 31 – September 7, 2015**

Monday, August 31

No Meetings

Tuesday, September 1

General Government & Social Services Committee.....1:00 pm
Council Chamber – 2nd Floor Government Center

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

Wednesday, September 2

No Meetings

Thursday, September 3

No Meetings

Friday, September 4

Senior Services Commission.....8:30 am
Bluegrass Area Dev. District – 699 Perimeter Drive

Monday, September 7

Labor Day Holiday – Offices Closed

**Lexington-Fayette Urban County Council
Work Session Agenda
September 1, 2015**

- I. Public Comment - Issues on Agenda**
- II. Requested Rezoning/ Docket Approval - No**
- III. Approval of Summary - Yes**
 - a** Table of Motions, August 25, 2015 Work Session, p. 1-2
- IV. Budget Amendments - No**
- V. New Business - Yes**
- VI. Continuing Business/ Presentations**
 - a** Neighborhood Development Funds, September 1, 2015, p. 15
- VII. Council Reports**
- VIII. Mayor's Report - No**
- IX. Public Comment - Issues Not on Agenda**
- X. Adjournment**

Administrative Synopsis - New Business Items

- a** **1043-15** Authorization to execute a Purchase of Service Agreement and a Lease Agreement between the LFUCG and Lexington-Fayette Animal Care and Control, LLC for animal control services. The LFUCG contracts these services to Lexington-Fayette Animal Care and Control, LLC rather than operating them internally. The cost for fiscal year 2016 will be \$1,263,940. Funds are budgeted. (L1043-15)(Bastin) p. 3
- b** **1044-15** Authorization to execute Memorandum of Agreement, accepting federal funds in the amount of \$50,000 from the Kentucky Justice and Public Safety Cabinet, Kentucky State Police for Ticketing Aggressive Cars and Trucks grant program - FY 2016. A 20% local match is required, which will result in a \$12,500 commitment by the LFUCG. The total project cost will be \$62,500. Funds are budgeted for the match and a budget amendment is in process for the grant funds. (L1044-15)(Gooding/Bastin) p. 4
- c** **1071-15** Authorization to proceed through the annual Urban Service Legal Process for 2015. Kentucky Law requires that the Urban County Government notify each property owner by certified mail of a proposed increase in property tax and hold a public hearing. Per the attached schedule, the public hearing will be held at 3:00 p.m. on Tuesday, November 11, 2015, during Council Work Session. There is no budgetary impact. (L1071-15)(Holmes) p. 5-7
- d** **1076-15** Authorization to submit various applications to the Kentucky Transportation Cabinet--Office of Local Programs and to the Lexington Area Metropolitan Planning Organization requesting federal funds from the Transportation Alternatives Program (TAP). TAP projects in Lexington are the Brighton Rail Trail Bridge, the West Hickman Trail south , and the Legacy Trail Horse Park. If funded this project will begin in fiscal year 2017 and will require a 20% local match. The funds requested are \$6,122,623. The local match required will be \$557,652. (L1076-15)(Gooding/Paulsen) p. 8-10
- e** **1077-15** Authorization to execute Engineering Services Agreement with CMW Architects & Engineers, Inc. for the design of the Old Frankfort Pike Scenic Byway Viewing Area project. This project provides for design and construction of a visitor viewing facility at the east entry to Old Frankfort Pike. There is no design cost in future fiscal years. Construction costs have been approved for funding. The cost will be \$48,500 for design. Funds are budgeted. (L1077-15)(Gooding/Paulsen) p. 11-12
- f** **1078-15** Authorization to execute an agreement between the LFUCG and TDA, Inc. in the amount of \$48,464.03 for the completion of an Analysis of Impediments to Fair Housing Choice. The LFUCG is required to certify that it will "Affirmatively Further Fair Housing" for funding of CDBG and HOME funding. TDA was chosen by competitive bid. The cost will be \$48,464.03. A budget amendment is in process. (L1078-15)(Gooding/Hamilton) p. 13-14

**URBAN COUNTY COUNCIL
WORK SESSION
TABLE OF MOTIONS
August 25, 2015**

Vice Mayor Kay called the meeting to order at 3:00pm. Council Members Stinnett, Moloney, J. Brown, Gibbs, Lamb, Farmer, Evans, Scutchfield, F. Brown, Mossotti, Bledsoe and Henson were present. Council Member Akers was absent. The 12th District seat is currently vacant.

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

Motion by Henson to approve the August 27, 2015 council meeting docket. Seconded by Farmer. Motion passed without dissent.

Motion by Moloney to schedule a public hearing, on September 22, 2015 at 6:00pm, for a zone change at 1551 Deer Haven Lane (ordinance #9). Seconded by Stinnett. Motion passed without dissent.

Motion by Farmer to enter closed session pursuant to KRS 61.810(1)(c) for potential litigation. Seconded by Stinnett. Motion passed without dissent.

Motion by Farmer to return from closed session. Seconded by Lamb. Motion passed without dissent.

- III. Approval of Summary

Motion by Farmer to approve the August 18, 2015 work session summary. Seconded by Henson. Motion passed without dissent.

- IV. Budget Amendments

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

- V. New Business

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

VI. Continuing Business/Presentations

Motion by Jennifer Mossotti to approve neighborhood development funds. Seconded by Henson. Motion passed without dissent.

VII. Council Reports

Motion by Farmer to refer downtown speed limits to the Environmental Quality & Public Works Committee. Seconded by F. Brown. Motion passed without dissent.

VIII. Mayor's Report

Motion by Henson to approve the Mayor's report. Seconded by Scutchfield. Motion passed without dissent.

IX. Public Comment – Issues Not on Agenda

Motion by Farmer, to enter closed session pursuant to KRS 61.810(1)(c) for the purpose of discussions regarding pending and potential litigation. Seconded by Henson. Motion passed without dissent.

Motion by F. Brown to return from closed session. Seconded by Henson. Motion passed without dissent.

Motion by Stinnett to place on the docket for the August 27th council meeting a resolution authorizing and directing the Department of Law to institute condemnation proceedings in Fayette Circuit Court to obtain one temporary construction easement and one permanent drainage easement across the property located at 1250 Deer Haven Lane for the Polo Club Boulevard Public Improvement Project. Seconded by Lamb. Motion passed without dissent.

X. Adjournment

Motion by Stinnett to adjourn at 5:32pm. Seconded by Moloney. Motion passed without dissent.

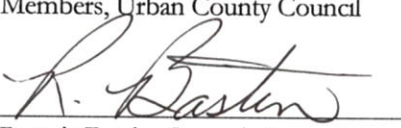


Lexington-Fayette Urban County Government
DEPARTMENT OF PUBLIC SAFETY

Jim Gray
Mayor

Ronnie Bastin
Commissioner

TO: Mayor Jim Gray
Members, Urban County Council

FROM: 
Ronnie Bastin, Commissioner
Department of Public Safety

DATE: August 14, 2015

SUBJECT: Purchase of Service Agreement with Lexington-Fayette Animal Care and Control, LLC

Request: To request approval of the Purchase of Service Agreement with Lexington-Fayette Animal Care and Control, LLC

Authorization to: Enter into a 12-month Purchase of Service Agreement and related Lease Agreement for animal control services with Lexington-Fayette Animal Care and Control, LLC, beginning on July 1, 2015

Why are you requesting? Lexington-Fayette Urban County Government provides funding to Lexington-Fayette Animal Care and Control, LLC

Department needs this action completed because: The contract expired June 30, 2015. Budget must be in place before preparing contract for new fiscal year

What is the cost in this budget year and future budget years?

The cost for this FY is: \$1,263,940

The cost for future FY is: Unknown. Based on future requests from Lexington-Fayette Animal Care and Control, LLC.

Are the funds budgeted? Yes

The funds are budgeted or a budget amendment is in process: Funds are budgeted for FY 2016

Account number: 1101-505002-0001-71299

File Number: 1043-15

Director/Commissioner: Ronnie Bastin, Commissioner



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: August 14, 2015

SUBJECT: Grant for Ticketing Aggressive Cars and Trucks

Request:

Request Council authorization to execute Memorandum of Agreement, accepting federal funds in the amount of \$50,000 from the Kentucky Justice and Public Safety Cabinet, Kentucky State Police for Ticketing Aggressive Cars and Trucks grant program – FY 2016

Why are you requesting?

The Kentucky State Police has received high priority Motor Carrier Safety Assistance Program funds from the United States Department of Transportation, Federal Motor Carrier Safety Administration for continuation of TACT (“Ticketing Aggressive Cars and Trucks”) Grant Program in Kentucky. The Kentucky Justice and Public Safety Cabinet has offered the Lexington-Fayette Urban County Government’s Division of Police funds to conduct TACT activities.

What is the cost in this budget year and future budget years?

Federal funding in the amount of \$50,000 will be provided by Kentucky Justice and Public Safety Cabinet to LFUCG for officer overtime in the performance of TACT activities. A 20% match is required. The match of \$12,500 will come from existing budgeted staff salaries in the Division of Police. Total cost of the project is now \$62,500.

Are the funds budgeted? Budget amendments are in process.

File Number: 1044-15

Director/Commissioner: Barnard/Bastin

Irene Gooding, Director
200 East Main Street

Lexington, KY 40507

(859) 425-2255

www.lexingtonky.gov

HORSE CAPITAL OF THE WORLD



Lexington-Fayette Urban County Government
CHIEF ADMINISTRATIVE OFFICE

Jim Gray
Mayor

Sally Hamilton
CAO

TO: Mayor Jim Gray
Urban County Council

FROM: Chester Hicks

CC:

DATE: September 3, 2015

SUBJECT: Schedule for 2015 Urban Services Changes

Request

Authorization to:

The Department of Environmental Quality & Public Works requests your approval, of the attached schedule, to proceed through the annual Urban Service Legal Process for 2015.

Why are you requesting?

Department needs this action completed because:

Before properties are developed within the Fayette County urban service boundary, they are generally taxed solely for Police and Fire protection (Tax District 02 - General Services). However, once a property is recorded, divided and platted for new development, the new properties are moved to the appropriate tax district for other provided services. For example, properties on public streets are placed in the full service (01) tax district that provides refuse collection, streetlights, and street sweeping. Private streets are placed within the 03 tax district, which only includes refuse collection given that property owners maintain their own streets and provide their own streetlights if desired.

Kentucky Law requires that the Urban County Government notify each property owner by certified mail of a proposed increase in property tax and hold a public hearing. Per the attached schedule, the public hearing will be held at 3:00 p.m. on Tuesday, November 11, 2015, during Council Work Session.

What is the cost in this budget year and future budget years?

The cost for this FY is: N/A

The cost for future FY is: N/A

Are the funds budgeted?

The funds are budgeted or a budget amendment is in process:

Account number: N/A

File Number:

Director/Commissioner: David L. Holmes

URBAN SERVICES CHANGES 2015 SCHEDULE

Administrative Review (Blue Sheet)	September 3, 2015
Work Session Discussion	September 15, 2015
Certified Mail to USC Voters	Week of September 23, 2015
Resolution First Reading	September 24, 2015
Resolution Second Reading	October 8, 2015s
Publish	October 13, 2015
Publish	October 20, 2015
Publish	October 27, 2015
Certified Mail New Development	Week of October 27, 2015
USC Voting Deadline	October 25, 2015
Pre-Work Session Meeting Public Works Conference Room	November 10, 2015 1:00 p.m. to 3:00 p.m.
Work Session Public Hearing on Urban Service Changes	November 10, 2015 3:00 p.m.
Documents due to Law Department	November 12 - 16, 2015
Ordinance First Reading	December 3, 2015
Ordinance Second Reading	December 8, 2015
Documentation to PVA / Budgeting	December 15, 2015



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: AUGUST 21, 2015

SUBJECT: Transportation Alternatives Program (TAP)

Request

Request Council authorization to submit various applications to the Kentucky Transportation Cabinet--Office of Local Programs and to the Lexington Area Metropolitan Planning Organization requesting federal funds from the Transportation Alternatives Program (TAP)

Why are you requesting?

The division of Engineering is preparing applications for submission to the Lexington Area Metropolitan Planning Organization (MPO) and the Kentucky Transportation Cabinet (KYTC) requesting federal funds from the Transportation Alternatives Program (TAP). Authorized under the Moving Ahead for Progress in the 21st Century Act (MAP-21), TAP provides funding for programs and projects defined as transportation alternatives, including on- and off-road pedestrian and bicycle facilities, infrastructure projects for improving non-driver access to public transportation and enhanced mobility, community improvement activities, and environmental mitigation; recreational trail program projects; safe routes to school projects; and projects for planning, designing, or constructing boulevards and other roadways largely in the right of way of former Interstate System routes or other divided highways. Only local and state government agencies can serve as sponsors for these projects. After Lexington Area Metropolitan Planning Organization (MPO) has reviewed and ranked these requests, the applications will be forwarded to the KYTC and the Federal Highway Administration for consideration. The projects list includes total cost and anticipated source of local match. All TAP applications are 80% federal funds and 20% local match.

What is the cost in this budget year and future budget years?

The total cost for FY16 is \$0. If funded, this project will begin in FY17. The total federal funds being requested is \$6,122,623 with a required local match from the General Fund in the amount of \$557,652.

Are the funds budgeted? No Budget Amendment is needed at this time. We are submitting the applications only. Grant match in the amount of \$557,652 will be requested in the FY2017 budget.

Account number: N/A

File Number: 1076-15

Director/Commissioner: Derek Paulsen

The following table summarizes all projects for which applications have been prepared.

Division/Organization	Project Title	Federal Amount	Match Amount and Source	Total Project Cost
Engineering	Brighton Rail Trail Bridge	\$2,219,902	\$367,475 2017 General Fund	\$2,587,377
Engineering	West Hickman Trail South	\$760,710	\$190,177 2017 General Fund	\$950,887
Engineering	Legacy Trail Horse Park	\$2,494,575	\$647,436 KY Horse Park	\$3,142,011
TOTALS		\$6,122,623	\$557,652—2017 General Fund	\$6,680,275

The Department of Planning, Preservation, and Development has prepared four (4) applications requesting funding under the TAP.

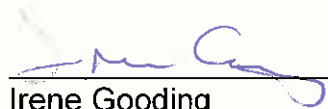
Brighton Rail Trail Bridge. Total Cost: \$2,587,377. Federal Funds: \$2,219,902. Local match of \$367,475 will be requested in the FY 2017 General Fund budget. This project will link the Brighton rail trails on the east and west sides of Man-O-War Boulevard with a 160 foot span, providing for increased safety for cyclists and pedestrians who are using the trail. The Brighton Rail Trail is a portion of the Big Sandy Primary Trail, as identified in the LFUCG Greenway Master Plan.

West Hickman Trail South. Total Cost: \$950,887. Federal Funds: \$760,710. Local match of \$190,177 will be requested in the FY 2017 General Fund budget.

The West Hickman Trail South is a proposed 4,000 foot shared use trail within Veterans Park in southern Fayette County. The proposed 12 foot wide trail is an extension of an existing shared use trail within the Park that connects to an elementary school. The new trail will connect neighborhoods to the school, and replace an older section of Park trail popular with neighbors. The project includes a crossing over a tributary stream to the West Hickman Creek.

Legacy Trail Kentucky Horse Park Extension Project. Total Cost: \$3,142,011. Federal Funds: \$2,494,575. Local match of \$647,436 is being provided by the Kentucky Horse Park. No match will be requested in the FY 2017 General Fund budget. The Kentucky Horse Park Legacy Trail Extension Fayette County is a proposed 1.8 mile shared use path located along the southern and western property boundaries of The Kentucky Horse Park. The proposed trail will connect to the existing northern terminus of the Legacy Trail located along Campground Rd in the Kentucky Horse Park and extend north connecting to the proposed Georgetown Scott County Legacy Trail Extension at the county line.

Council authorization to submit the applications to the Kentucky Transportation Cabinet-Office of Local Programs and to the Lexington Area Metropolitan Planning Organization is hereby requested.



Irene Gooding
Director



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: AUGUST 24, 2015

**SUBJECT: Engineering Services Agreement for Old Frankfort Pike Scenic Byway
Viewing Area**

Request:

Council authorization to execute Engineering Services Agreement with CMW Architects & Engineers, Inc. in the amount of \$48,500 for the design of the Old Frankfort Pike Scenic Byway Viewing Area project

Why are you requesting?

On March 17, 2015 (Resolution No. 110-2015), Council approved acceptance of federal funds under the Transportation Alternatives Program from the Kentucky Transportation Cabinet Office of Local Programs for enhancements to Old Frankfort Pike. Authorized under the Moving Ahead for Progress in the 21st Century Act (MAP-21), this project provides for design and construction of a visitor viewing facility at the east entry to Old Frankfort Pike.

The Kentucky Transportation Cabinet's Office of Local Programs has approved the use of CMW Architects & Engineers, Inc., a firm included on the Kentucky Finance Cabinet's Master Agreement list of consultants.

What is the cost in this budget year and future budget years?

The cost for this Fiscal Year is \$48,500.

There is no design cost in future fiscal years. Construction costs have been approved for funding.

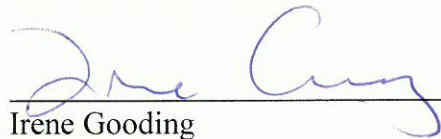
Are funds budgeted?

The funds are budgeted as follows:

FUND	DEPT ID	SECT	ACCT	ACTIVITY	BUD REF	PROJECT
3160	160201	0001	90511	DESIGN_A	2015	TAP_OFF_2015

File Number: 1077-15

Director/Commissioner: Frazier/Paulsen



Irene Gooding
Director



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: AUGUST 24, 2015

**SUBJECT: AGREEMENT WITH TDA, INC. FOR COMPLETION OF AN
ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE**

Request

Request Council authorization to execute agreement with TDA, Inc. in the amount of \$48,464.03 for the completion of an Analysis of Impediments to Fair Housing Choice

Why are you requesting?

As a formula city for Community Development Block Grant funding and HOME Investment Partnerships funding, the LFUCG is required to certify that it will "Affirmatively Further Fair Housing" and enforce "Compliance with Anti-discrimination laws." The U.S. Department of Housing and Urban Development (HUD) requires its grantees to complete an Analysis of Impediments to fair housing choice. LFUCG's most recent Analysis of Impediments was completed August, 2009. RFP #29-2015 was issued on June 23, 2015 requesting proposals from interested firms to complete an updated Analysis of Impediments to Fair Housing. A total of five firms responded with proposals. A selection committee composed of representatives from Divisions of Purchasing and Grants and Special Programs; Office of Homelessness, Intervention and Prevention; Office of Affordable Housing, and Council.

TDA, Inc. received the highest score from the selection committee and was therefore selected to complete an Analysis of Impediments which will include a review of local regulations and policies and their effect on fair housing choice.

What is the cost in this budget year and future budget years?

An agreement with TDA, Inc. in the amount of \$48,464.03 has been proposed. The total cost for FY16 is \$48,464.03.

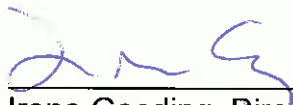
Are the funds budgeted? A Budget Amendment is in process.

Account number:

FUND	DEPT ID	SECT	ACCT	PROJECT	BUD REF	ACTIVITY	AMOUNT
3120	160201	0001	71299	CDBG_2013	2013	C21A	\$30,353.12
3120	160201	0001	71299	CDBG_2014	2014	C21A	\$18,110.91

File Number: 1078-15

Director/Commissioner: Gooding/Hamilton



Irene Gooding, Director

**Neighborhood Development Funds
September 1, 2015
Work Session**

Amount	Recipient	Purpose
\$ 500.00	Gardenside NA, Inc. 1933 Beacon Hill Road Lexington, KY 40504 Susan Spalding	To provide support with sending the first issue of their newsletter.
\$ 900.00	Athens-Chilesburg Elementary PTA 930 Jouett Creek Drive Lexington, KY 40509 Carla Jackson	To provide support for students to attend the Washington, DC field trip.
\$ 850.00	Breckinridge Elementary School PTA 2101 St. Mathilda Drive Lexington, KY 40502 Sandra Ballew-Barnes	To provide support for the Breckenridge Born Learning Academy.
\$ 250.00	Lyric Theatre & Cultural Arts Center 300 East Third Street Lexington, KY 40508 Donald Mason	To provide assistance with expenses associated with the Antonio Franklin, Jr. Violence Intervention Project for Mr. & Mrs. Essence Pageant.