



CIF 120220 PW14A

**Louisville Metro Council City Agency Request**



**Capital Infrastructure Fund (CIF)  
Municipal Aid Program (MAP)  
Paving Fund (PAV)**

**Primary Sponsor:** Councilwoman Cindi Fowler

**Amount:** \$2,118.40 **Date:** 11-12-20

**Description of program/project including public purpose, additional funding sources, location of project/program and any external grantee(s):**  
Neighborhood Development Fund will be directed to Louisville Metro Public Works for pipe and asphalt installation at the following 4 addresses: 4303, 4305, 4307, and 4311 Blevins Gap Rd.

**City Agency:** Louisville Metro Public Works  
**Contact Person:** Jeff Brown  
**Agency Phone:** (502) 574-0065

**I have reviewed this request for an expenditure of city tax dollars, and have determined the funds will be used for a public purpose and have the attached documentation from the receiving department concerning the project/expenditure.**

14 Cindi Fowler \$2,118.40 11-12-20  
District # Council Member Signature Amount Date

**Approved by:** \_\_\_\_\_  
Appropriations Committee Chairman Date  
**Clerk's Office & OMB Use Only:**  
Request Amount: \_\_\_\_\_ Amended Amount: \_\_\_\_\_  
Reference # **CIF** 120210 PW14A To OMB: \_\_\_\_\_  
Budget Revision #: \_\_\_\_\_  
Account #: \_\_\_\_\_  
To Project Manager: \_\_\_\_\_ Completion Date: \_\_\_\_\_  
Actual Cost: \_\_\_\_\_ Funds Returned: \_\_\_\_\_

## NDF, CIF, MAP OR PAV INTERAGENCY CHECKLIST

<b>Interagency Name:</b> Louisville Metro Public Works	
<b>Program/Project Name:</b>	Pipe & Asphalt Installation
	Yes/No/NA
<b>Request Form:</b> Is the Request Signed by all Council Member(s) Appropriating Funding?	Yes
<b>Request Form:</b> If matching funds are to be used, are they disclosed with account numbers in the request form description?	NA
<b>Request Form:</b> If matching funds are to be used, does the amount of the request exclude the matching fund amount?	NA
<b>Request Form:</b> If other funds are to be used for this project, are they disclosed with account numbers in the request form description?	NA
<b>Funding Source:</b> If CIF is being requested, does Metro Louisville own/will own the real estate, building or equipment? If not, the funding source is probably NDF.	<input checked="" type="checkbox"/> YES
<b>Funding Source:</b> If CIF is being requested, does the project have a useful life of more than one year? If not, the funding source is probably NDF.	<input checked="" type="checkbox"/> YES
<b>Ordinance Required:</b> Is the NDF request to a Metro Agency greater than \$5,000? If so, an ordinance is required.	No
<b>Ordinance Required:</b> Is the request a transfer from NDF to cost center? If so, is the amount given for the fiscal year \$25,000 or less?	NA
<b>Supporting Documentation:</b> Does the attachment include a valid estimate and description of cost?	Yes

Submitted by: *Cindy Spenerman*

Date: 11-12-20

## Thieneman, Cindy L

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**From:** Brown, Jeffrey E  
**Sent:** Tuesday, November 10, 2020 3:53 PM  
**To:** Thieneman, Cindy L  
**Subject:** RE: 4303 Blevins Gap Road

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Public Works will accept the funds for the culvert replacement project.

Jeffrey Brown, PE  
Assistant Director  
Metro Public Works & Assets  
444 S 5th St, 4th Fl  
Louisville, KY 40202  
Office 502-574-0065  
Cell 502-773-3222  
[Jeffrey.Brown@LouisvilleKY.gov](mailto:Jeffrey.Brown@LouisvilleKY.gov)

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**From:** Thieneman, Cindy L <[Cindy.Thieneman@louisvilleky.gov](mailto:Cindy.Thieneman@louisvilleky.gov)>  
**Sent:** Tuesday, November 10, 2020 3:44 PM  
**To:** Brown, Jeffrey E <[Jeffrey.Brown@louisvilleky.gov](mailto:Jeffrey.Brown@louisvilleky.gov)>  
**Subject:** FW: 4303 Blevins Gap Road

Hello Mr. Brown,  
Do you accept the funds of \$2,118.40 to cover the cost for pipe and asphalt installation at the following 4 addresses:  
4303, 4305, 4307, and 4311 Blevins Gap Rd.

Thank you,  
Cindy Thieneman

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**From:** Walls, John A <[John.Walls@louisvilleky.gov](mailto:John.Walls@louisvilleky.gov)>  
**Sent:** Wednesday, October 21, 2020 4:40 PM  
**To:** Clyde, Barry <[Barry.Clyde@louisvilleky.gov](mailto:Barry.Clyde@louisvilleky.gov)>  
**Cc:** Thieneman, Cindy L <[Cindy.Thieneman@louisvilleky.gov](mailto:Cindy.Thieneman@louisvilleky.gov)>; Brown, Jeffrey E <[Jeffrey.Brown@louisvilleky.gov](mailto:Jeffrey.Brown@louisvilleky.gov)>;  
Rambo, Nicholas J <[Nicholas.Rambo@louisvilleky.gov](mailto:Nicholas.Rambo@louisvilleky.gov)>; Fowler, Cindi <[Cindi.Fowler@louisvilleky.gov](mailto:Cindi.Fowler@louisvilleky.gov)>  
**Subject:** Re: 4303 Blevins Gap Road

No, we are getting ready to do work in that area I am sitting on site now I am going to get this BUD located as well to take care of the issues at this location while we are here.

There are four driveways that are in need of pipe replacement. If the homeowners at 4303, 4305, 4307 and 4311 were to purchase the 15 inch metal corrugated pipe we would do the installation. Also 3 of the driveways are asphalt which someone would need to cover the cost of that as well. I have attached the price for the pipe and asphalt.

Cindi, if you would like to reach out to your constituents to see if any would like to purchase the pipe. They can purchase it through Harco Inc. at 7308 Grade Lane. Or if you have the money in your budget to cover the asphalt and pipe. Let me know.

## Thieneman, Cindy L

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**From:** Walls, John A  
**Sent:** Wednesday, October 21, 2020 4:40 PM  
**To:** Clyde, Barry  
**Cc:** Thieneman, Cindy L; Brown, Jeffrey E; Rambo, Nicholas J; Fowler, Cindi  
**Subject:** Re: 4303 Blevins Gap Road

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

No, we are getting ready to do work in that area I am sitting on site now I am going to get this BUD located as well to take care of the issues at this location while we are here.

There are four driveways that are in need of pipe replacement. If the homeowners at 4303, 4305, 4307 and 4311 were to purchase the 15 inch metal corrugated pipe we would do the installation. Also 3 of the driveways are asphalt which someone would need to cover the cost of that as well. I have attached the price for the pipe and asphalt.

Cindi, if you would like to reach out to your constituents to see if any would like to purchase the pipe. They can purchase it through Harco Inc. at 7308 Grade Lane. Or if you have the money in your budget to cover the asphalt and pipe. Let me know.

Thanks have a great day.

Blevins Gap Pipe Replacement			
		<b>Materials</b>	
4303	Blevins Gap	15 in Corugatted Pipe	\$319.60
4305	Blevins Gap	15 in Corugatted Pipe	\$319.60
4307	Blevins Gap	15 in Corugatted Pipe	\$319.60
4311	Blevins Gap	15 in Corugatted Pipe	\$319.60
		12 ton Asphalt	\$840
		<b>Total</b>	<b>\$2,118.40</b>

Sent from my iPad

On Oct 21, 2020, at 11:06 AM, Clyde, Barry <Barry.Clyde@louisvilleky.gov> wrote:

West District,  
Have you guys performed any ditch Maintenance along the frontage of this property?  
Near the intersection of Saw Mill Road.

<image001.png>

-----Original Message-----

From: Thieneman, Cindy L <Cindy.Thieneman@louisvilleky.gov>

## Thieneman, Cindy L

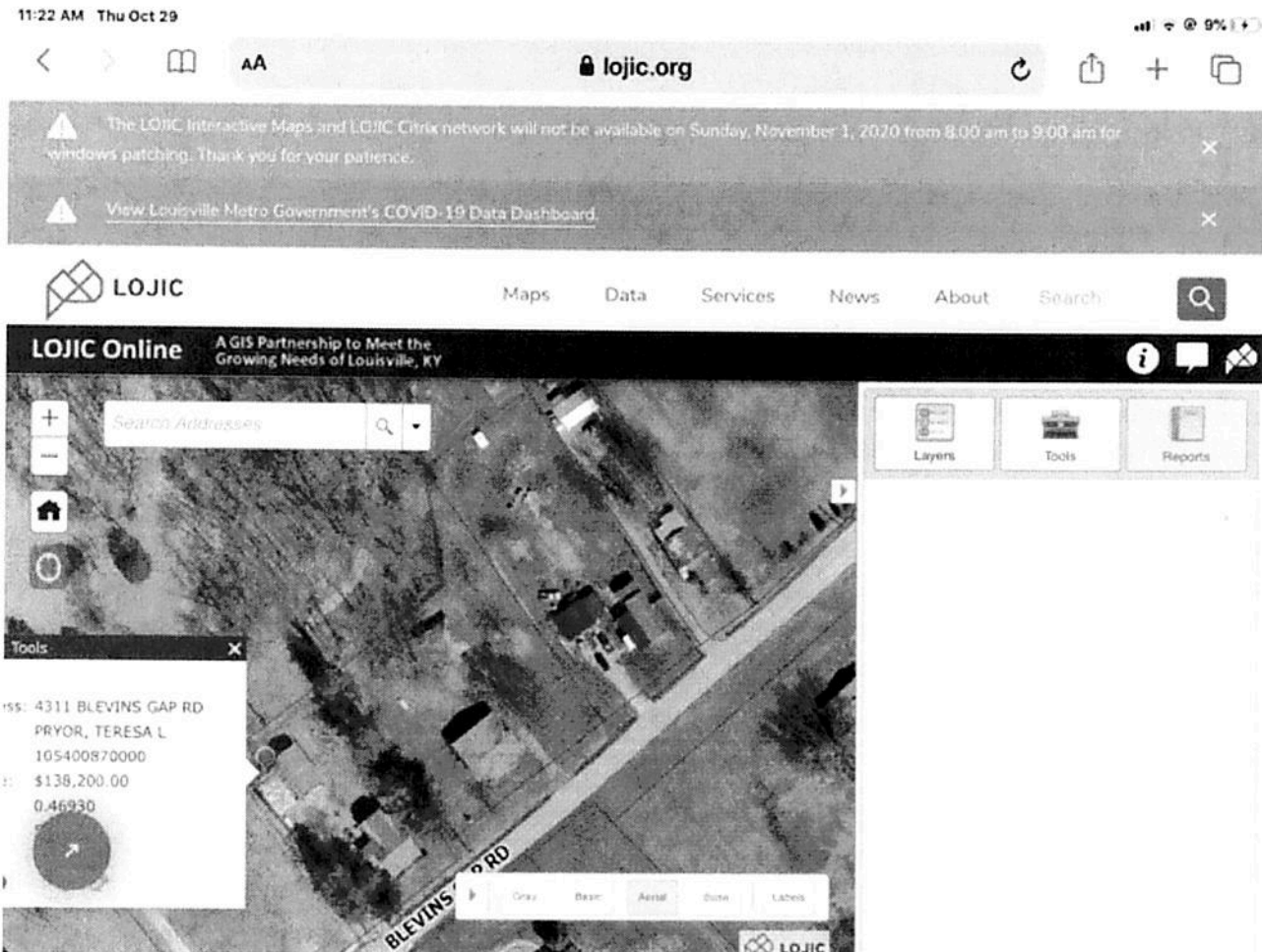
**From:** Fowler, Cindi  
**Sent:** Thursday, October 29, 2020 11:28 AM  
**To:** Walls, John A  
**Cc:** Clyde, Barry; Thieneman, Cindy L; Brown, Jeffrey E; Rambo, Nicholas J; Burns, Vanessa; Joseph Exely  
**Subject:** Re: 4303 Blevins Gap Road

John,

While I understand your points and perspective on the drainage issues in front of these addresses, I don't understand why if the ditch and drive apron/culvert are within the public ROW why PWs is not responsible for the work. I also would like to know if any of the needed ditch line work needed along Blevins Gap will be addressed after the paving job is complete? There several areas that were identified when i met on site with Jeff Brown a couple years back that were problematic for over flows into the roadway during large rain events that were contributing to the deterioration of the road surfaces. Just don't want to see all this investment without properly addressing some of the causes of the deterioration in the first place. Thanks so much for all your work, planning and implementation! It is very much appreciated. Just these two questions if you please.

Cindi

11:22 AM Thu Oct 29



Sent from my iPad  
Cindi Fowler  
D14 Councilwoman



## Thieneman, Cindy L

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**From:** Walls, John A  
**Sent:** Thursday, October 29, 2020 9:14 AM  
**To:** Fowler, Cindi  
**Cc:** Clyde, Barry; Thieneman, Cindy L; Brown, Jeffrey E; Rambo, Nicholas J; Burns, Vanessa  
**Subject:** RE: 4303 Blevins Gap Road

Yes ma'am that is a good estimate for everything.

**John Walls** | Labor Supervisor  
**Louisville Metro Public Works & Assets**  
502-710-1452 | [john.walls@louisvilleky.gov](mailto:john.walls@louisvilleky.gov)



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**From:** Fowler, Cindi <[Cindi.Fowler@louisvilleky.gov](mailto:Cindi.Fowler@louisvilleky.gov)>  
**Sent:** Wednesday, October 28, 2020 5:45 PM  
**To:** Walls, John A <[John.Walls@louisvilleky.gov](mailto:John.Walls@louisvilleky.gov)>  
**Cc:** Clyde, Barry <[Barry.Clyde@louisvilleky.gov](mailto:Barry.Clyde@louisvilleky.gov)>; Thieneman, Cindy L <[Cindy.Thieneman@louisvilleky.gov](mailto:Cindy.Thieneman@louisvilleky.gov)>; Brown, Jeffrey E <[Jeffrey.Brown@louisvilleky.gov](mailto:Jeffrey.Brown@louisvilleky.gov)>; Rambo, Nicholas J <[Nicholas.Rambo@louisvilleky.gov](mailto:Nicholas.Rambo@louisvilleky.gov)>; Burns, Vanessa <[Vanessa.Burns@louisvilleky.gov](mailto:Vanessa.Burns@louisvilleky.gov)>  
**Subject:** Re: 4303 Blevins Gap Road

John,  
Please advise as to whether the estimate you sent is correct. If so we will use it to get the transfer process going. Thanks John  
Cindi

Sent from my iPad  
Cindi Fowler  
D14 Councilwoman

On Oct 27, 2020, at 9:29 AM, Walls, John A <[John.Walls@louisvilleky.gov](mailto:John.Walls@louisvilleky.gov)> wrote:

Cindi,

Good morning, I have attached the ordinances that pertain to this situation. It is the homeowners responsibility to maintain their entrances to any public roadway. The work that was performed south of this location I cannot find anything in our system showing that we performed any work for pipe replacements in that area. West district does have four locations in for Utility locates and will be completing several feet of ditch cleaning to improve the drainage in that area.

Thanks

John Walls  
Labor Supervisor  
West District Public Works

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**From:** Fowler, Cindi <[Cindi.Fowler@louisvilleky.gov](mailto:Cindi.Fowler@louisvilleky.gov)>  
**Sent:** Thursday, October 22, 2020 10:21 PM  
**To:** Walls, John A <[John.Walls@louisvilleky.gov](mailto:John.Walls@louisvilleky.gov)>  
**Cc:** Clyde, Barry <[Barry.Clyde@louisvilleky.gov](mailto:Barry.Clyde@louisvilleky.gov)>; Thieneman, Cindy L <[Cindy.Thieneman@louisvilleky.gov](mailto:Cindy.Thieneman@louisvilleky.gov)>; Brown, Jeffrey E <[Jeffrey.Brown@louisvilleky.gov](mailto:Jeffrey.Brown@louisvilleky.gov)>; Rambo, Nicholas J <[Nicholas.Rambo@louisvilleky.gov](mailto:Nicholas.Rambo@louisvilleky.gov)>; Burns, Vanessa <[Vanessa.Burns@louisvilleky.gov](mailto:Vanessa.Burns@louisvilleky.gov)>  
**Subject:** Re: 4303 Blevins Gap Road

John,

Thank you for this update. When I asked for PWS to check out this ditch line that was standing in slime over two years ago, I was told it would be addressed. I am not sure why it was not but now I am told it is either the homeowners responsibility or D14s to pay for the culverts. I really thought this kind of work would need to be addressed prior to the paving of BG after discussions about the cause of the pavement failure in places. I may have misunderstood the scope of work of late. Can you tell me why it is the homeowners responsibility to pay for the culverts on a PW maintained ditch line? The work south of there that was done over 2 years ago, were the homeowners charged for culverts? I thought the ditch lines were public works maintained ROW and the responsibility of PWs. I appreciate your help in explaining this to me. Your work and planning is greatly appreciated. I just need to have an explanation on why these homeowners and not those down the street. Thanks so much!!

Cindi

Sent from my iPad  
Cindi Fowler  
D14 Councilwoman

On Oct 21, 2020, at 4:39 PM, Walls, John A <[John.Walls@louisvilleky.gov](mailto:John.Walls@louisvilleky.gov)> wrote:

No, we are getting ready to do work in that area I am sitting on site now I am going to get this BUD located as well to take care of the issues at this location while we are here. There are four driveways that are in need of pipe replacement. If the homeowners at 4303, 4305, 4307 and 4311 were to purchase the 15 inch metal corrugated pipe we would do the installation. Also 3 of the driveways are asphalt which someone would need to cover the cost of that as well. I have attached the price for the pipe and asphalt.

Cindi, if you would like to reach out to your constituents to see if any would like to purchase the pipe. They can purchase it through Harco Inc. at 7308 Grade Lane. Or if you have the money in your budget to cover the asphalt and pipe. Let me know.

**179.380 Approaches to be kept in repair by owner or tenant.**

- (1) The owner or tenant of lands fronting on a public road shall construct and keep in repair all approaches or driveways to and from the public road under the direction of the county engineer.
- (2) No owner or tenant shall fill up any ditch or place anything in any ditch so as to interfere with the purposes for which it was made.

**Effective:** October 1, 1942

**History:** Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 4356b.



## **603 KAR 1:020. Driveway approaches, entrances; construction and maintenance.**

RELATES TO: KRS 176.050, 177.106

STATUTORY AUTHORITY: KRS 174.080, 176.050(1)(g)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 176.050(1)(g) authorizes the Department of Highways to prescribe rules and administrative regulations for the care and maintenance of roads after they have been constructed. This administrative regulation is adopted to prescribe standards for the construction and maintenance of driveway approaches and entrances on the rights-of-way of the Department of Highways.

Section 1. (1)(a) The owner or occupant of property, who desires to construct new or additional private farm or single family dwelling driveway approaches, shall make formal application in writing, to the District Engineer of the Department of Highways. If the District Engineer approves the application, paragraph (b) of this subsection shall apply.

(b) The applicant shall furnish at his own expense, all drainage pipe, tile, or other drainage structure required. The department will participate in the construction of the entrance in an amount not to exceed \$300 by providing equipment, labor and/or materials for the installation of the drainage structure, the grading and surfacing with traffic bound material within the right-of-way limits.

(2)(a) The owner or occupant of property, used for commercial or any purpose other than farming or single family dwelling, who desires to construct new or additional driveway entrance approaches, to relocate, or make other changes in existing driveway entrance approaches thereto, shall make application for a permit to the District Engineer of the Department of Highways upon standard forms furnished by the Transportation Cabinet.

(b) All work involved is to be done wholly at the expense of the permittee and in accordance with the approved permit and plans. A copy of the approved permit and plans authorizing the work must be in the possession of the person(s) or contractor doing the work at the work site. Failure of the person doing the work to produce the permit upon request by a representative of the department or a law enforcement officer will result in cancellation of the permit and/or appropriate legal action.

(3) Driveway entrance approaches to properties used for, or intended to be used for commercial or any purpose other than farming or single family dwelling shall be constructed in accordance with the following administrative regulations:

(a) All driveways and approaches shall be so constructed that they shall not interfere with the drainage of the highway. All drainage structures used shall meet the approval of the Department of Highways as to type, quality, size and length.

(b) Any corner island, safety island, property line island or pump island shall be so located as to insure the conduction of activities or business associated with the establishment, on private property and not on roadway right-of-way. To insure the safety of the highway user and to protect highway facilities against damage, the entrance approach shall be constructed or installed as shown on the permit, documents and plans approved by the Department of Highways.

Section 2. The District Engineer shall have authority to approve or to disapprove applications for driveway entrance approaches in accordance with such authority delegated to the District Engineer by the Secretary of the Transportation Cabinet.

Section 3. (1) No indemnity bond or other type security will be required with permit applications for the construction of a farm or single family dwelling driveway entrance approach except when the estimated cost of the construction within the right-of-way limits exceeds \$300.

(2) Indemnity bonds or other types of security will be required with applications for the construction of any driveway entrance approach that is not intended to serve farm or single family

dwelling property. The amount of such security shall be determined by the District Engineer and shall be sufficient to guarantee proper restoration of the right-of-way, roadway and surfacing.

Section 4. (1) Normally all driveway entrance approaches are to be maintained by the owner and at the expense of the owner but the Department of Highways shall do sufficient work from the edge of the roadway pavement to the normal width of the roadway shoulder only, to provide safe passage for the traveling public.

(2) In situations where a determination is made by the District Engineer, that a farm or single family dwelling driveway entrance approach is causing damage to the roadway or is dangerous to the public, the District Engineer may authorize the department to perform maintenance work and supply materials within the right-of-way beyond the normal shoulder width. (HIWA-319; 1 Ky.R. 809; eff. 5-14-1975; 6 Ky.R. 125; eff. 10-3-1979; Crt eff. 2-11-2019.)

## Dearing, Connie M.

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**From:** Bell, LaTonya J.  
**Sent:** Thursday, November 19, 2020 12:56 PM  
**To:** Brown, Jeffrey E; Dearing, Connie M.  
**Cc:** Thieneman, Cindy L  
**Subject:** RE: D14's CIF120220PW14A Request

Jeff, thank you!

Connie, please include this email in the scanned and hard copy CIF120220PW14A packets. Thanks.

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**From:** Brown, Jeffrey E <[Jeffrey.Brown@louisvilleky.gov](mailto:Jeffrey.Brown@louisvilleky.gov)>  
**Sent:** Thursday, November 19, 2020 12:48 PM  
**To:** Bell, LaTonya J. <[LaTonya.Bell2@louisvilleky.gov](mailto:LaTonya.Bell2@louisvilleky.gov)>  
**Cc:** Thieneman, Cindy L <[Cindy.Thieneman@louisvilleky.gov](mailto:Cindy.Thieneman@louisvilleky.gov)>  
**Subject:** RE: D14's CIF120220PW14A Request

Yes, it is for a public purpose because the pipes under the driveways convey the public water from the roadway and we can't replace the pipe without disturbing the driveway. By State statute, property owners are responsible for the driveway but we are responsible for the drainage which is why we have the compromise that if the property owner, or in this case the councilperson, provides the material, Public Works will provide the labor to replace the pipe and restore the driveway within the public right-of-way. We will not be doing any work on the private property portion of the driveway.

Jeffrey Brown, PE

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**From:** Bell, LaTonya J. <[LaTonya.Bell2@louisvilleky.gov](mailto:LaTonya.Bell2@louisvilleky.gov)>  
**Sent:** Thursday, November 19, 2020 12:45 PM  
**To:** Brown, Jeffrey E <[Jeffrey.Brown@louisvilleky.gov](mailto:Jeffrey.Brown@louisvilleky.gov)>  
**Cc:** Thieneman, Cindy L <[Cindy.Thieneman@louisvilleky.gov](mailto:Cindy.Thieneman@louisvilleky.gov)>  
**Subject:** RE: D14's CIF120220PW14A Request

Do you consider this project to be for Public Purpose since the driveway drains impact the main public drain?

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**From:** Brown, Jeffrey E <[Jeffrey.Brown@louisvilleky.gov](mailto:Jeffrey.Brown@louisvilleky.gov)>  
**Sent:** Thursday, November 19, 2020 12:40 PM  
**To:** Bell, LaTonya J. <[LaTonya.Bell2@louisvilleky.gov](mailto:LaTonya.Bell2@louisvilleky.gov)>  
**Cc:** Thieneman, Cindy L <[Cindy.Thieneman@louisvilleky.gov](mailto:Cindy.Thieneman@louisvilleky.gov)>  
**Subject:** RE: D14's CIF120220PW14A Request

That is correct

Jeffrey Brown, PE

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**From:** Bell, LaTonya J. <[LaTonya.Bell2@louisvilleky.gov](mailto:LaTonya.Bell2@louisvilleky.gov)>  
**Sent:** Thursday, November 19, 2020 12:37 PM  
**To:** Brown, Jeffrey E <[Jeffrey.Brown@louisvilleky.gov](mailto:Jeffrey.Brown@louisvilleky.gov)>

**Cc:** Thieneman, Cindy L <[Cindy.Thieneman@louisvilleky.gov](mailto:Cindy.Thieneman@louisvilleky.gov)>

**Subject:** D14's CIF120220PW14A Request

Good afternoon,

Please confirm our conversation from this morning. If I misinterpreted any information please provide the correct information. Attached is the CIF request. Again, thank you.

The culvert replacement project (pipe and asphalt installation) will occur in a public right- of-way. The public right-of-way is located in the driveways at 4303, 4305, 4307 and 4311 Blevins Gap Road. D14 plans to appropriate \$2,118.40 CIF funds for the project materials and Public Works will conduct the work. The ditch/drainage in the four driveways leads to a main public water drainage.

Normally, if the pipe and asphalt needed to be replaced the residents would pay for the project materials and Public Works would perform the work.

Thanks,

LaTonya



**LaTonya J. Bell** | Council Financial Analyst  
Louisville Metro Council  
601 W. Jefferson Street, 2<sup>nd</sup> floor | Louisville, KY 40202  
**Phone:** (502) 574-1351  
**Email:** [LaTonya.Bell2@louisvilleky.gov](mailto:LaTonya.Bell2@louisvilleky.gov)