✓ = Ordinances and Resolutions approved and marked with the official ordinance or resolution number at the beginning of each item.

● = Ordinances and Resolutions that were given first reading and are scheduled to get second reading at the next Council Meeting.

DOCKET-REGULAR MEETING-LEXINGTON-FAYETTE URBAN COUNTY GOVERNMENT COUNCIL MEETING

September 9, 2010 – 7:00 P.M.

I. ROLL CALL

II. INVOCATION

III. PRESENTATION

Regional & National Champions Kiddie Kapers and Company Dance, Dance Attack Competition Team – CM Crosbie

IV. ORDINANCES –SECOND READING

✓ 156-2010 - An Ordinance closing the service road ("Hiltonia Park Frontage Rd.") at Nicholasville Rd. and Hiltonia Park; determining that all property owners abutting the service road to be closed have been identified, provided with written notice of the proposed closing and consented thereto in writing; and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Quitclaim Deed transferring the former right-of-way to the abutting owners, subject to the reservation of easements for access and maintenance of existing utilities in the former right-of-way.

✓ 157-2010 - An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 37.

✓ 158-2010 - An Ordinance authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Bluegrass Community Foundation, for construction of the Flight 5191 Memorial at the Arboretum, at a cost not to exceed $25,000, and appropriating and re-appropriating funds pursuant to Schedule No. 40.

V. ORDINANCES – FIRST READING

- An Ordinance amending Section 21-27(b) of the Code of Ordinances to provide that employees in the Div. of Enterprise Solutions shall receive standby pay for any pay period during which said employee is required to be on twenty-four-hour standby status for the emergency servicing of computer equipment, and appropriating funds pursuant to Schedule No. 36.

- An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept an amended Grant award from the Ky. Div. for Air Quality, which Grant funds are in the increased amount of $204,947

Federal funds, are for the retrofit of refuse haulers, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 39, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

- An Ordinance amending Section 18-65.1(c) of the Code of Ordinances relating to parking meters to allow for signage for no parking tow zones, and creating Section 18-65.1(d) of the Code of Ordinances to authorize towing of vehicles parked at a meter or other designated paid parking spaces that have been covered with a bag or posted as restricted parking by authorization of the Lexington and Fayette County Parking Authority or the Div. of Police.

- An Ordinance amending Section 22-5(2) of the Code of Ordinances creating one (1) temporary position of Administrative Specialist Principal, Grade 114E, and three (3) positions of Administrative Specialist, Grade 110N, ending two (2) years from the effective date of passage of this Ordinance, within the Div. of Water Quality.

WALK-ONS

- An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 38.

✓ 159-2010 - An Ordinance amending Section 18A-1 of the Code of Ordinances, related to vehicles for hire, creating a definition for "Temporary Permit," and creating Section 18A-14.1 establishing the requirements for applying for a temporary permit.

VI. RESOLUTIONS – SECOND READING

✓ 472-2010 - A Resolution accepting the bid of Gooch Construction Co., Inc., in the amount of $94,422, for 1036 Della Dr. Pipe Rerouting Project, for the Div.'s of Water Quality and Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Gooch Construction Co., Inc., related to the bid. (4)

✓ 473-2010 - A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with BCD, Inc. (Final), for the LFUCG MRF Renovation Project, increasing the contract price by the sum of $30,746.15 from $419,500.01 to $450,246.16.

✓ 474-2010 - A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Modifications to Agreements with the Ky. Dept. of Military Affairs, Div. of Emergency Management, for extension of the Agreements for funds for the Chemical Stockpile Emergency Preparedness Program (CSEPP) for FY 2007, 2008, 2009 and 2010 through December 31, 2010 for FY 2007 and 2008, September 30, 2010 for FY 2009, and September 30, 2011 for FY 2010, at no cost to the Urban County Government.

- ✓ 475-2010 - A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Bluegrass Fraternal Order of Police Lodge IV ($625), for the Office of the Urban County Council, at a cost not to exceed the sum stated.

- ✓ 476-2010 - A Resolution approving the Fayette County Sheriff's Settlement – 2009 taxes, for taxes collected as of April 30, 2010, and granting the Sheriff a Quietus.

VII. RESOLUTIONS – FIRST READING

- ✓ 477-2010 - A Resolution ratifying the Dept. of Law's execution, on behalf of the Urban County Government, of a Settlement Agreement, Stipulation, and Recommendation, and any other necessary documents, in Public Service Commission Case No. 2010-00204, pertaining to the transfer of control of Ky. Utilities Co.

- ✓ 478-2010 - A Resolution authorizing the Avon Golf Course to remain open until November 30, 2010.

- A Resolution approving the Citizens' Advocate Professional Standards and Citizens' Advocate Policy and Procedures Manual.

- A Resolution temporarily appointing Paula Campbell to the interim position of Acting Citizens' Advocate effective upon date of passage of this Resolution and continuing until a permanent appointment is made, and approving a ten percent (10%) salary increase.

- A Resolution rescinding Resolution No. 168-2010, accepting the bid of ZKB Construction Services, LLC, in the amount of $100,000, for the installation and construction of sidewalk ramps, for the Div. of Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with ZKB Construction Services, LLC, related to the bid.

- A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with Claunch Construction, LLC, for increased quantities of materials for the West Hickman Trail Project, increasing the contract price by the sum of $69,737.70 from $407,605.70 to $477,343.40.

- A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the World Games 2010 Foundation, Inc., for products and services for the 2010 World Equestrian Games.

- A Resolution approving and adopting Guidelines for the Community Energy Retrofit Program; authorizing Bluegrass PRIDE to issue a Funding Opportunity Announcement, to accept applications and to select recipients; and authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with successful applicants.

- A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with Bluegrass PRIDE, Inc., for additional Energy Efficiency and Conservation

Block Grant funds in the amount of $57,000 for the purchase of educational materials and supplies, costs of travel in program management, and the purchase and installation of LED exit signs for the Community Energy Awareness Program.

- A Resolution amending Section 2 of Resolution No. 282-2010 which authorized the Mayor, on behalf of the Urban County Government, to execute Agreements with various organizations, decreasing the allocation to Bluegrass Community Foundation, Inc., from $2,785 to $2,004 for the Office of the Urban County Council.
- A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute additional Software License Agreement with New World Systems, for mobile unit software, at a cost not to exceed $4,246.
- A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Addendums 1 and 2 to the Pole Attachment Agreement with Ky. Utilities, to attach radio nodes to utility poles.
- A Resolution changing the street name of Hilo St. to Durman Dr. in memory of the late Officer Bryan J. Durman; effective thirty days from passage.
- A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation from the Ky. Div. of Emergency Management of 4 Moulage Kits ($1,754.08), 2 Rescue Randy Manikins ($2,697.52), and 29 Boxes of Wristbands ($1,943.00), for use by the Div. of Emergency Management/911, at no cost to the Urban County Government.

✓ 479-2010 - A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an extension to the Administrative Services Agreement with EyeMed Vision Care, for Group Vision Care Insurance covering active Urban County Government employees for the period beginning January 1, 2011 through December 31, 2011, at no cost to the Government.

✓ 480-2010 - A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an extension to the Administrative Services Contract with Delta Dental Plan of Ky., Inc., for administration of dental insurance plans, both Premier and PPO, covering active Urban County Government employees for the period January 1, 2011 to December 31, 2011.

✓ 481-2010 - A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute extensions to the Claim Payment Agreements for Platinum PPO, Gold PPO and Silver HDHP, with Humana Insurance Co. for the administration of health care claims for the period of January 1, 2011 through December 31, 2011.

- A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with Columbia Gas of Ky., for increased labor and materials for the relocation of utilities for the Clays Mill Rd. Improvement Project, increasing the contract price by the sum of $87,535.70 from $485,913.00 to $573,448.70.

- ✓ 482-2010 - A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Fraternal Order of Police, Bluegrass Lodge IV, Inc. ($250), and Firebrook Estates Homeowners Association, Inc. ($1,000), for the Office of the Urban County Council, at a cost not to exceed the sums state.

WALK-ONS

- ✓ 483-2010 - A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an agreement with Internal Revenue Service, for reimbursement of Joint Operations.

- ✓ 484-2010 - A Resolution ratifying the probationary sworn appointments of: Harold Faulconer, Police Lieutenant, Grade 317E, $3,025.15 bi-weekly in the Div. of Police, effective August 30, 2010; John Huddleston, Police Sergeant, Grade 315N, $28.588 hourly, in the Div. of Police, effective August 30, 2010.

- A Resolution ratifying the probationary civil service appointments of: Thomas D'Andrea, Enterprise System Developer Sr., Grade 118E, $2,039.77 bi-weekly, in the Div. of Enterprise Solutions, effective September 27, 2010; Debra Miller, Telecommunicator, Grade 111N, $16.977 hourly, in the Div. of Emergency Management/911, effective October 25, 2010; ratifying the permanent civil service appointments of: Christopher Doerge, GIS Programmer Analyst, Grade 117E, in the Div. of Computer Services, effective August 23, 2010, Robert Thomas, Custodial Worker, Grade 102N, in the Div. of Facilities and Fleet Management, effective August 22, 2010; ratifying the probationary Community Corrections Officer appointments of: Dennis Barrows, Davion Benjamin, Charles Bradburn, Brian Brookshire, David Brumfield, Robin Carr, Terrica Cayson, Jamaica Charters, Harvey Cloyd, Stacie Cochran, Frederick Cotton, Michael Dixon, Shirlondda Dixon, Christopher Foote, Andrew Frederick, Michelle Gentry, Sarah Gerardi, Robert Graff, Eric Hindenrite, Kirk Hoffman, Douglas Jackson, Rhonda Keemle, Carolyn Keemle, Angela Martin, Beth Melton, Jason Payton, Joshua Puckett, Mia Reed, John Rheaume, Ron Robinson, Paula Roe, Eric Rumpler, John Rutkowitz, Don Salchi, Gregory Stewart, Clayton Stocker, Adam Tuska, Aaron Wagner, Peter Williams, Roger Williams, James York, Ryan Casteel, Michael Coleman, Jr., Fannie Cooley, David Dillon, Kelli Fee, Michael Harris, Chad May, Ryan Morrison, Betty Murray, Cassie Peters, Yetivia Wattenberger, Community Corrections Officer, Grade 110N, $14.34 hourly, in the Div. of Community Corrections, effective September 7, 2010; approving the unclassified civil service appointment of: Robert Sebring, Skilled Trades Worker P/T, Grade 000N, $20.769 hourly, in the Div. of Community Corrections, effective September 10, 2010.

- ✓ 485-2010 - A Resolution accepting the bid of Proforma Bluegrass Advertising Specialties, establishing a price contract for promotional magnets for waste management, for the Div. of Waste Management.

- ✓ 486-2010 - A Resolution accepting the bid of Orr Safety Corp. and Bluegrass Uniforms, Inc., establishing price contracts for breathing apparatus, for the Div. of Fire and Emergency Services.

- ✓ 487-2010 - A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Contract with Kroger Limited Partnership I to supply influenza vaccine and administer vaccinations to Lexington-Fayette Urban County Government employees, at a cost of eighteen dollars ($18.00) per employee for one thousand or more employees or twenty dollars ($20.00) per employee for less than one thousand employees, and at a cost not to exceed $43,350.

- ✓ 488-2010 - A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Drug Enforcement Administration, for continuation of the State and Local Task Force.

- ✓ 489-2010 - A Resolution accepting the bid of Tennis Technology, Inc., in the amount of $113,653, for tennis court repair and color coat, for the Div. of Parks and Recreation.

- ✓ 490-2010 - A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the University of Ky., for assistance with traffic and crowd control, and reimbursement for UK football events.

- ✓ 491-2010 - A Resolution postponing any final action by the Urban County Council on the Special Investigative Committee's Final Report until interested parties including Bruce Sahli of the Office of Internal Audit have an opportunity to submit written comments on the report and appear before the Council to make additional comments and answer questions from the Council.

- ✓ 492-2010 - A Resolution authorizing the payment of legal fees incurred by Council Member George Myers relating to the litigation instituted by the Internal Audit Board and authorizing continued legal representation by Roger Crittenden.

VIII. ANNOUNCEMENTS

IX. PUBLIC COMMENTS