Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Action Docket

Thursday, April 12, 2012

6:00 PM

Council Chambers

Urban County Council

****See Section Headers for Action Detail****

I. Roll Call

II. Invocation

III. Presentations

1. 0361-12 Proclamation: Public Health Heroes, 2012 Winners

2. 0406-12 Proclamation: Animal Care & Control Officers Week

IV. Ordinances – Second Reading (1, 2, 3, 4, 6 GIVEN 2nd READING AND APPROVED; #5 AMENDED, GIVEN 1st READING, DUE BACK ON 4-26-2012)

1. 0270-12 **O-39-2012** - An Ordinance changing the zone from an Agricultural Rural (A-R) zone to a Planned Neighborhood Residential (R-3) zone for 1.56 net (2.04 gross) acres, with a conditional use permit, for property located at 1420 Greendale Rd., subject to certain use restrictions imposed as conditions of granting the zone change (Victory Apostolic Church). Conditional Approval 9-0 (To be Heard By May 23, 2012) [Div. of Planning, King]

2. 0200-12 **O-40-2012** - An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Enterprise Systems Developer Sr., Grade 118E and creating one (1) position of HCM Manager Enterprise Solutions, Grade 119E in the Div. of Enterprise Solutions, appropriating funds pursuant to Schedule No. 61, effective upon passage of Council. [Div. of Human Resources, Walters]

3. 0259-12 **O-41-2012 -** An Ordinance amending Section 23-5(a) of the Code of Ordinances, abolishing one (1) position of Sworn Police Captain, Grade 318E and creating one (1) position of Sworn Police Lieutenant, Grade 317E in the Div. of Police, appropriating funds pursuant to Schedule No. 63, effective upon passage of Council. [Div. of Human Resources, Walters]

4. 0261-12 **O-42-2012** -An Ordinance amending Section 22-5(2) of the Code of Ordinances, increasing the salary of the Coroner by two and nine tenths percent (2.9%) from $66,207.96 to $68,169.40, effective retroactive to January 2, 2012. [Div. of Human Resources, Walters]

5. 0311-12 An Ordinance creating Section 13-54.1 of the Code of Ordinances related to regulated scrap material to define ferrous metal, HVAC, nonferrous metal, plastics, regulated scrap material, **restricted metals**, scrap metal dealer, scrap metal seller, scrap metal dealer's license, scrap metal seller's license, transport vehicle, and vehicle; creating Section 13-54.2 of the Code of Ordinances related to regulated scrap material, to create the application and review process for a scrap metal dealer's license; creating Section 13-54.3 of the Code of Ordinances related to regulated scrap material

to create the license application and review process for scrap material sellers license; creating Section 13-54.4 of the Code of Ordinances related to regulated scrap material to define the administrative requirements of a scrap metal dealer; creating Section 13-54.5 of the Code of Ordinances related to regulated scrap material to create the retention requirements for purchased regulated scrap material; creating Section 13-54.6 of the Code of Ordinances related to regulated scrap material to define prohibited purchases by a scrap metal dealer; creating Section 13-54.7 of the Code of Ordinances related to regulated scrap material to provide for exemptions to the scrap metal seller's license requirement; creating Section 13-54.8 of the Code of Ordinances related to regulated scrap material to provide for penalties for violations of this section and to provide for an appeals process for anyone affected by this section. [Council Office, Maynard]

6. **0310-12** **O-43-2012** - 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. 62. [Div. of Budgeting, Barrow]

V. Ordinances – First Reading (ALL GIVEN 1st READING)

7. **0375-12** An Ordinance creating a Neighborhood Design Character Overlay (ND-1) zone for 113.87± net (150.90± gross) acres, to preserve existing neighborhood character for properties located at 200-368 Boiling Springs Dr.; 207-291 Burke Rd.; 1443-1602 N. Forbes Rd.; 216-352 Glendale Ave.; 212-353, 357 & 361 Hillsboro Ave.; 212-329 Larch Ln.; 1519-1649 Old Leestown Rd. (odd addresses only); 310-331 Leona Dr.; 1456-1650 Meadowthorpe Ave.; 1541 & 1545 Penrod Dr.; 215-267 Pepper Dr.; 209-340 Taylor Dr.; and 1442-1509 Townley Dr. (Urban County Planning Commission). Conditional Approval 6-3 OBJECTOR (To be heard by May 23, 2012) [Div. of Planning, King]

8. **0309-12** An Ordinance amending Section 23-18 of the Code of Ordinances related to Firefighter recruitment to delete the award preference points for EMT and Paramedics Certifications, in Section 1(f)(4). [Div. of Fire and Emergency Services, Jackson]

9. **0315-12** An Ordinance amending Section 23-5(a) of the Code of Ordinances, abolishing one (1) position of sworn Police Captain, Grade 318E and creating one (1) position of sworn Police Lieutenant, Grade 317E in the Div. of Police, appropriating funds pursuant to Schedule No. 65, effective upon passage of Council. [Div. of Human Resources, Walters]

10. **0334-12** An Ordinance granting a waiver to the Richmond Rd. Landscape Plan (Ordinance No. 213-83) for 2299, 2349 and 2399 Richmond Rd. [Council Office. Maynard]

11. **0335-12** An Ordinance amending Section 1 of Ordinance No. 13-2012 relating to discharges of surface or groundwater into the Urban County Sanitary Sewer System to correctly identify the Article of Chapter 16 of the Code of Ordinances within which Sections 16-111, 16-112, 16-113, 16-114, and 16-115 were created as Article XI. [Dept. of Law, Graham]

12. **0394-12** An Ordinance creating Section 18-40 of the Code of Ordinances of the Lexington-Fayette Urban County Government prohibiting the use of or operation of any engine brake, compression brake or mechanical exhaust device designed to aid in the braking or deceleration of any vehicle which results in a noise disturbance, except on limited-access highways, and establishing a fine for an offense of not less than fifty dollars ($50) nor more than five hundred dollars ($500) for each offense; all effective on July 1, 2012. [Council Office, Maynard]

13. **0395-12** An Ordinance amending Sections 18A-1, 18A-2, 18A-3, 18A-4, 18A-5, 18A-7, 18A-8, 18A-9, 18A-10, 18A-11, 18A-13, 18A-14, 18A-15, 18A-16, 18A-17, 18A-18, 18A-20, 18A-21, and 18A-24, renumbering 18A-25 as 18A-26 and amending same, and creating 18A-25 of the Code of Ordinances, relating to vehicles for hire to: correct capitalization; broaden what is included as compensation in the definition of “taxicab”; define “fare”; permit a designee of the Commissioner of Public Safety to hear appeals of denials of taxicab permits; require that changes in the number of vehicles be reported; provide that renewal shall be done each fiscal year; increase the fee for a driver to transfer to another company to fifteen dollars ($15); require that the driver report the transfer within ten (10) calendar days, and provide for suspension of the driver’s permit if the driver fails to report the transfer; permit a designee of the Commissioner of Public Safety to accept applications for drivers’ permits; increase the application fee for a driver’s permit to twenty-five dollars ($25); permit a designee of the Commissioner of Public Safety to hear an appeal if an application for a driver’s permit is rejected and require that such a hearing be requested within fourteen (14) days of the rejection; increase the number of days a driver’s permit may be suspended by the Chief of Police to three hundred sixty-five (365) and require that a hearing before the Commissioner of Public Safety or his designee concerning suspension or revocation of a driver’s permit be requested within fourteen (14) days; permit a designee of the Commissioner of Public Safety to suspend or revoke a driver’s permit for failure to comply with Urban County, State or Federal laws; permit

a designee of the Commissioner of Public Safety to establish random intervals for inspection of vehicles; provide for bi-annual inspections; provide that magnetic placards are not considered to be permanently affixed to a vehicle for identification purposes and that a light shall be placed on top of vehicle identifying it as a taxi; require that a vehicle not meeting the requirements for vehicle identification to be taken out of service until it is in compliance; increase to seven (7) days the time by which a vehicle with a modified design for a special event must be returned to its original color scheme and insignia; provide that during a traffic stop by Law Enforcement, a fare shall not be assessed fees during the duration of the traffic stop; require that the name of the driver appear on a receipt; require the Div. of Police to issue a citation upon discovering a violation of Chapter 18A; permit Law Enforcement to conduct random compliance inspections on taxicabs when a taxicab is occupied only by the operator, require the Officer to issue a citation if violations are found, require that the taxicab be placed out of service if the violations cannot be immediately remedied, provide that only the Commissioner of Public Safety or a designee may place a taxicab back into service, require the driver to secure alternate transportation for a fare if a fare is present when a taxicab is taken out of service, and provide that a fare shall not be responsible for any fees incurred up to the point of the taxicab being placed out of service; provide for service three hundred and sixty-five days a year; provide for the driver's picture identification to be visible in taxicabs and increase the minimum fine to one hundred dollars ($100) and permit imprisonment for up to thirty (30) days for violation of the provisions of Chapter 18A. [Council Office, Maynard]

14. **0397-12** An Ordinance amending Section 1 of Ordinance No. 158-2011 amending the schedule of meetings for the Lexington-Fayette Urban County Council for the calendar year 2012, to change the date of the Planning and Public Works Committee meeting scheduled for June 12 to June 19; to change the date of the Budget and Finance Committee meeting scheduled for June 19 to June 12 at 9:00 a.m.; to cancel the Social Services and Community Development Committee meeting scheduled for June 12; to add Committee of the Whole meetings on April 26 at 3:30 p.m., May 29 at 1:00 p.m., and June 7 at 3:00 p.m.; and to change the time of the quarterly Committee of the Whole meeting scheduled for May 17 to 3:00 p.m. [Council Office, Maynard]

15. **0398-12** 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. 64. [Div. of Budgeting, Barrow]

VI. Resolutions – Second Reading (ALL GIVEN 2nd READING AND APPROVED)

1. **0269-12** **R-139-2012**-A Resolution accepting the bid of Claunch Construction, in the amount of $184,000, for Green Acres/Hollow Creek Stormwater Treatment Units, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Claunch Construction, related to the bid. (8 Bids, Low) [Martin]

2. **0286-12** **R-140-2012**-A Resolution accepting the bid of Hach Co., establishing price contract for Luminescent Dissolved Oxygen Analyzer with Digital Controller, for the Div. of Water Quality, and authorizing the Mayor to execute any related agreement. (1 Bid) [Martin]

3. **0288-12** **R-141-2012**-A Resolution accepting the bids of Ky. Service Co., Inc. and Morgan Electric Motor Sales & Service, Inc., establishing price contracts for repair/replacement of electrical motors, pumps, and submersible pumps, for the Div. of Water Quality, and authorizing the Mayor to execute any related agreements. (3 Bids, Low) [Martin]

4. **0299-12** **R-142-2012**-A Resolution ratifying the unclassified civil service appointment of: Glenn Brown, Administrative Officer, Grade 118E, $2,884.62 bi-weekly, in the Office of the Chief Administrative Officer, effective March 12, 2012. [Div. of Human Resources, Walters]

5. **0241-12** **R-143-2012**-A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Catering Contract with the Hyatt Regency Lexington, for catering services for the Senior Intern Luncheon, at a cost not to exceed $5,500. [Dept. of Social Services, Mills]

6. **0243-12** **R-144-2012**-A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with Victoria Nash, as a Sexual Assault Nurse Examiner, to provide on-call forensic examinations under the Sexual Assault Nurse Examiner Program, at a cost not to exceed $40 for each scheduled on-call period, $230 for each completed forensic examination, $50 per case for professional testimony in court, and the reasonable cost of medical liability insurance. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]

7. **0244-12** **R-145-2012**-A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Four to the Contract with Woodall Construction Co., Inc., for the construction of Clays Mill Road Improvements Project, increasing the contract price by the sum of $18,487.72 from $3,655,884.57 to $3,674,372.29. [Div. of Grants and Special Programs, Gooding]

8. **0252-12** **R-146-2012**-A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the Knoxville Police Dept., for a Ride-Along Program, at no cost to the Urban County Government. [Div. of Police, Bastin]

9. **0255-12** **R-147-2012**-A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation in the amount of $2,500 from the Lexington Convention & Visitors Bureau for the Sweet 16 Basketball Tournament to be held in Lexington, Ky., March 14-17, 2012. [Mayor's Office, Emmons]

10. **0256-12** **R-148-2012**-A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation in the amount of $2,000 from the Ky. High School Athletic Association (KHSAA) for the Sweet 16 Basketball Tournament to be held in Lexington, Ky., March 14-17, 2012. [Mayor's Office, Emmons]

11. **0257-12** **R-149-2012**-A Resolution approving the granting of an inducement to A Great American Brand d/b/a A&W Restaurants, Inc., pursuant to the Ky. Business Investment Act created by House Bill 3 of the 2009 Extraordinary Legislative Session, whereby Lexington-Fayette Urban County Government agrees to forego the collection of one percent (1%) of the Occupational License fees that would otherwise be due to it, which shall be retained by A Great American Brand d/b/a A&W Restaurants, Inc., for a term of not longer than ten (10) years from the activation date established by the Ky. Business Investment Program, subject to the limitations contained in the Ky. Business Investment Act and any agreement A Great American Brand d/b/a A&W Restaurants, Inc., has with the Ky. Economic Development Finance Authority related to the project, and taking other related action. [Mayor's Office, Atkins]

12. **0258-12** **R-150-2012**-A Resolution initiating a Text Amendment to Section 13-4(b)(4) of the Zoning Ordinance to replace the member of Historic Preservation Commission nominated by Board of the Land and Nature Trust with a member nominated by the Bluegrass Conservancy. [Mayor's Office, Emmons]

13. **0271-12** **R-151-2012**-A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with YMCA of Central Ky. ($650) and Glendover Neighborhood Association ($300), for the Office of the Urban County Council, at a cost not to exceed the sums stated. [Council Office, Maynard]

14. **0260-12** **R-152-2012**-A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with Burdette Construction, Inc. for relocating and reassembling of the Warfield Place Stone Entrance Wall, increasing the contract price by the sum of $7,395.20 from $59,730.00 to $67,125.20. [Div. of Engineering, Rayan]

15. **0262-12** **R-153-2012**-A Resolution authorizing the Mayor, on behalf of the Urban County Government, to approve the renewal of an Agreement with OmniSource Integrated Supply, LLC, for temporary employees at the Div. of Emergency Management/911, at a cost not to exceed $30,000. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]

16. **0263-12** **R-154-2012**-A Resolution amending Resolution No. 92-2012 to change the name of the sole source entity from which the equipment is being acquired from Thermo Fisher Scientific to Ahura Scientific. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]

17. **0265-12** **R-155-2012**-A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the University of Ky. College of Social Work and Martin School of Public Policy and Administration, for conducting a needs assessment for the partner agency funding process, at a cost not to exceed $35,000, provided that funds are budgeted for FY 2013. [Dept. of Social Services, Mills]

18. **0268-12** **R-156-2012**-A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Transportation Cabinet, for extension of the Town Branch Trail Phase III project through June 30, 2013, at no cost to the Urban County Government. [Div. of Grants and Special Programs, Gooding]

19. **0273-12** **R-157-2012**-A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 1 to the Agreement with the Ky. Transportation Cabinet for design and construction of the Isaac Murphy Memorial Garden, to permit the Urban County Government to use $117,902.25 of the grant funds as the local match for the Legacy Trail Enhancements Project. [Div. of Grants and Special Programs, Gooding]

20. **0275-12** **R-158-2012**-A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Transportation Cabinet, for $589,511.25 for infrastructure improvements for the Legacy Trail Enhancements Project. [Div. of Grants and Special Programs, Gooding]

21. **0276-12** **R-159-2012**-A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Addendum to the Agreement granting additional responsibility pursuant to KRS 198b.060(5), with the Commonwealth of Ky. Dept. of Housing, Buildings, and Construction, specifying the enforcement responsibilities within Lexington-Fayette County, at no cost to the Urban County Government. [Div. of Building Inspection, Crowe]

22. **0277-12** **R-160-2012**-A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Transportation Cabinet, which Grant funds are in the amount of $335,200 (FHWA Planning), $48,400 (Federal Transit Administration Section 5303), $102,000 (Mobility Office (SLX)), $54,000 (Air Quality Planning (SLX)), $67,200 (Congestion Management (SLX)) and $52,800 (Bike/Ped Planning (SLX)) Federal funds, are for the Div. of Planning Unified Work Program - FY 2013, the acceptance of which obligates the Urban County Government for the expenditure of $62,850 (FHWA Planning), $12,100 (Federal Transit Administration), $25,500 (Mobility Office (SLX)), $13,500 (Air Quality Planning (SLX)), $16,800 (Congestion Management (SLX)) and $13,200 (Bike/Ped Planning (SLX)) as a local match, subject to sufficient funds being appropriated in FY 2013, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. [Div. of Grants and Special Programs, Gooding]

23. **0279-12** **R-161-2012**-A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Volunteers of America of Ky., Inc., for support of emergency housing for homeless families, at a cost not to exceed $8,000. [Div. of Grants and Special Programs, Gooding]

24. **0283-12** **R-162-2012**-A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Dept. of Military Affairs, Div. of Emergency Management, which Grant funds are in the amount of $580,700 Federal funds, are for continuation of the Chemical Stockpile Emergency Preparedness Program (CSEPP) for FY 2012, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencum-bered funds within the Grant budget. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]

25. **0313-12** **R-163-2012**-A Resolution initiating Zoning Ordinance text amendments to authorize changes to the notice requirements for certain Board of Adjustment hearings and to include Neighborhood or Homeowner's Associations. [Council Office, Maynard]

VII. Resolutions – First Reading (ALL GIVEN 1ST READING; #28 AMENDED AND GIVEN 1st READING; #28, 33, 45, 48, 64, 65, 66, 67 GIVEN 2nd READING AND APPROVED)

26. **0287-12** A Resolution accepting the bids of Kenway Distributors, Baumman Paper, Pyramid School Products, Xpedx/Saafeld, Unipak Corp., Interboro Packaging Corp., HP Products Corp., and Southwest Jefferson, Inc., establishing price contracts for janitorial chemicals and supplies, for various departments and divisions. (18 Bids, Low) [Marcum]

27. **0297-12** A Resolution accepting the bid of Churchill McGee, LLC, in the amount of $138,850, for structural repairs and exterior renovations to Fire Station No. 5, for the Div. of Fire and Emergency Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary agreement with Churchill McGee, LLC, related to the bid. (9 Bids, Low) [Jackson]

28. **0298-12** **R-164-2012**-A Resolution accepting the bids of BJ Mowing; Central Ky. Turf, Inc.; Gainesway Services; Gault's Lawn Care, Inc.; Happy's General Contracting Maintenance; ~~**J&S Turf Mowing, Inc**~~.; **Wright's Farm Services, Inc.;** Landscape Supply and Design; Lexington Turf Maintenance; Lexlawn, LLC; Mow Edge Blow; Scina Lawncare Services, LLC; Somethin Bloomin; Wright's Home Improvement & Mowing, LLC; and ZKB Construction Services, LLC, establishing price contracts for Mowing - City Areas, Medians, Nuisance and Downtown Parks, for the Div. of Parks and Recreation. (27 Bids, Low and Non-Low) [Hancock]

29. **0303-12** A Resolution accepting the bid of Mitchell Construction Management, LLC, in the amount of $54,000, for exterior renovations to Fire Station No. 6, for the Div. of Fire and Emergency Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary agreement with Mitchell Construction Management, LLC, related to the bid. (4 Bids, Low) [Jackson]

30. **0304-12** A Resolution accepting the bids of Apollo Oil Co. and Elite Petroleum, Inc., establishing price contracts for 5w20 and 15w40 Oil Consumption, for the Div. of Facilities and Fleet Management. (4 Bids, Low) [Baradaran]

31. **0316-12** A Resolution accepting the bid of Truckers Lighthouse, establishing a price contract for Police Emergency Equipment - Lighting, for the Div. of Police. (5 Bids, Low) [Bastin]

32. **0317-12** A Resolution accepting the bids of EMSCO d/b/a OP Aquatics and Brenntag Mid-South, Inc., establishing price contracts for swimming pool chemicals, for the Div. of Parks and Recreation. (2 Bids, Low) [Hancock]

33. **0330-12** **R-165-2012**-A Resolution accepting the bid of Davis H. Elliot Construction Co., Inc., in the amount of $386,229.25, for fiber-optic pathway and cable installation, for the Div. of Traffic Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary agreement with Davis H. Elliot Construction Co., Inc., related to the bid. (2 Bids, Low) [Herrington]

34. **0332-12** A Resolution accepting the bid of INTEC Building Services, Inc., establishing a price contract for Custodial Services (Waste Management), for the Div. of Facilities and Fleet Management. (13 Bids, Non-Low) [Baradaran]

35. **0337-12** A Resolution accepting the bid of Republic Services of Ky., LLC, establishing a price contract for Crushed Glass Transport, for the Div. of Waste Management. (1 Bid) [Feese]

36. **0339-12** A Resolution accepting the bid of Uniforms Manufacturing, Inc., establishing a price contract for rain suits, for the Div. of Waste Management. (3 Bids, Low) [Feese]

37. **0340-12** A Resolution accepting the bid of Saf-T-Guard International, Inc., establishing a price contract for Disposable Gloves, for the Div. of Community Corrections. (23 Bids, Low) [Ballard]

38. **0341-12** A Resolution accepting the bid of Hydro Controls, Inc., establishing a price contract for fabricated stainless steel slide gates, for the Div. of Water Quality. (1 Bid) [Martin]

39. **0347-12** A Resolution accepting the bid of Speedway, LLC, establishing a price contract for commercial fuel, for the Div. of Facilities and Fleet Management. (1 Bid) [Baradaran]

40. **0349-12** A Resolution accepting the bid of Davis H. Elliot Construction Co., Inc., establishing a price contract for Inductive Loop Vehicle Detection & Installation, for the Div. of Traffic Engineering. (1 Bid) [Herrington]

41. **0359-12** A Resolution accepting the bid of Accent Wire, establishing a price contract for Baling Wire, for the Div. of Waste Management. (3 Bids, Low) [Feese]

42. **0365-12** A Resolution accepting the bid of Woodall Construction Co., Inc., in the amount of $422,020.08, for the Anniston/Wickland Capital Storm Sewer Improvements - Phase I, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary agreement with Woodall Construction Co., Inc., related to the bid. (4 Bids, Low) [Martin]

43. **0370-12** A Resolution accepting the bid of G & K Services, establishing a price contract for the rental of entrance mats, for the Div. of Facilities and Fleet Management. (2 Bids, Low) [Baradaran]

44. **0371-12** A Resolution ratifying the probationary civil service appointments of: Aaron Johnson, Trades Worker Sr., Grade 109N, $15.605 hourly, in the Div. of Water Quality, effective April 9, 2012, Justin Mullannix, Golf Pro Supervisor, Grade 117E, $1,972.64 bi-weekly, in the Div. of Parks and Recreation,

effective April 9, 2012, Damon Griggs, Microcomputer Support Specialist, Grade 113N, $18.623 hourly, in the Div. of Waste Management, effective April 9, 2012, Mary Lyle, Human Resources Manager, Grade 119E, $2,664.15 bi-weekly, in the Div. of Human Resources, effective April 16, 2012; ratifying the probationary sworn appointments of: Christopher Toombs, Adam Moss, Jerrod Stump, Wesley West, Dwayne Tyree Community Corrections Sergeant, Grade 112N, $23.190 hourly, in the Div. of Community Corrections, effective April 9, 2012; ratifying the permanent sworn appointments of: Mark Brand, Police Lieutenant, Grade 317E, in the Div. of Police, effective March 20, 2012, Thomas Perkins, Police Sergeant, Grade 315N, in the Div. of Police, effective March 19, 2012; ratifying the unclassified civil service appointment of: Mary Shaye Rabold, Administrative Aide to Mayor Sr., Grade 120E, $3,192.31 bi-weekly, in the Office of the Mayor, effective April 5, 2012. [Div. of Human Resources, Walters]

45. **0372-12** **R-166-2012**-A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following probationary civil service appointments: Radi Dahnon, Equipment Operator Sr., Grade 109N, $14.836 hourly, in the Div. of Waste Management, effective upon passage of Council, Willie Meads, Equipment Operator Sr., Grade 109N, $18.851 hourly, in the Div. of Waste Management, effective upon passage of Council, Antwan Benton, Equipment Operator Sr., Grade 109N, $12.459 hourly, in the Div. of Waste Management, effective upon passage of Council, James Stevens, Equipment Operator Sr., Grade 109N, $12.459 hourly, in the Div. of Waste Management, effective upon passage of Council, Brad Pennington, Electrician, Grade 114N, $21.356 hourly, in the Div. of Water Quality, effective upon passage of Council, Michael Smith, GIS Specialist, Grade 114N, $18.844 hourly, in the Div. of Computer Services, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following unclassified civil service appointment: Stephanie Love, Child Care Program Aide P/T, Grade 107N, $10.691 hourly, in the Div. of Youth Services, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following unclassified civil service appointment to the Office of the Urban County Council: Mark Scott, Aide to Council, Grade 000E, $2,089.60 bi-weekly, in the Office of the Urban County Council, effective upon passage of Council. (Div. of Human Resources, Walters)

46. **0280-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute renewal leases with various Lexington-Fayette Urban County Government employees, for renewal of leases on Parks owned property for employees who perform security and maintenance duties. [Div. of Parks and Recreation, Hancock]

47. **0282-12** A Resolution approving, pursuant to KRS 67.720 and Section 22-55.1 of the Code of Ordinances, the bond with surety of Jon Larson, County Judge/Executive, in the amount of $10,000, and directing the Dept. of Law to record the bond, with surety, along with a certified copy of this Resolution, in the Office of the Fayette County Clerk. [Dept. of Law, Graham]

48. **0290-12** **R-167-2012**-A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 4 with the Ky. Transportation Cabinet, accepting a Grant in the amount of $65,000 Federal funds, for the Loudon Ave. Improvements Project, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. [Div. of Grants and Special Programs, Gooding]

49. **0291-12** A Resolution approving, pursuant to KRS 62.055 and Section 22-55.1 of the Code of Ordinances, the bond with surety of Donald W. Blevins, Jr., County Clerk ($400,000), and directing the Dept. of Law to record the bond with surety, along with a certified copy of this Resolution, in the Office of the Fayette County Clerk. [Dept. of Law, Graham]

50. **0305-12** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Billing Agreement with Central Kentucky Interpreter Referral, Inc., for American Sign Language interpreting services for the Celebration of Disability Expo, at a cost not to exceed $600. [Dept. of Social Services, Mills]

51. **0306-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Grant Award Agreement awarding a Class A Incentive Grant for a stormwater quality project to The Friends of Wolf Run, Inc., in the amount of $4,185. [Div. of Water Quality, Martin]

52. **0307-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Burlington's Heights, LLC, for a land swap to relocate Burley Park. [Div. of Parks and Recreation, Hancock]

53. **0318-12** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit two (2) Grant Applications to the Ky. Transportation Cabinet, to provide any additional information requested in connection with these Grant Applications, and to accept the Grants if the applications are approved, which Grant funds are in the amount of $160,000 Federal funds, are for the Traffic Safety Program ($135,000) and the Speed Enforcement Project ($25,000), the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]

54. **0321-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Grant Award Agreement awarding a Class B Education Incentive Grant for a Stormwater Quality Project to UK Research Foundation, in the amount of $17,514. [Div. of Water Quality, Martin]

55. **0322-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements awarding Class B Infrastructure (Construction Only) Incentive Grants for stormwater quality projects to the Living Arts and Science Center, Inc. ($60,440) and the Community Montessori School, Inc., ($360,160), and the Board of Education of Fayette County ($320,400), and awarding Class B Infrastructure (Feasibility) Incentive Grants to the Board of Education of Fayette County ($12,000) and Lexmark International, Inc. ($34,000), at a cost not to exceed the sums stated. [Div. of Water Quality, Martin]

56. **0333-12** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Dept. for Local Government and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of $75,000 Federal funds, and are for construction of a new trail at Raven Run Nature Sanctuary. [Div. of Grants and Special Programs/Dept. of General Services, Gooding/Hamilton]

57. **0336-12** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit the 2012 Consolidated Plan/Grant Application to the U.S. Dept. of Housing and Urban Development, to provide any additional information requested in connection with this Grant Application, and to accept the Grant if the application is approved, which Grant funds are in the amount of $3,103,820 Federal funds, are for FY 2013 Community Development Block Grant Program ($1,993,717), HOME Program ($945,184), and Emergency Solutions Grant Program ($164,919), the acceptance of which obligates the Urban County Government for the expenditure of $268,636 from various funding sources as local cash match and $98,950 in-kind match; authorizing the Mayor to transfer unencumbered funds within the Grant budget; and authorizing the Mayor to execute Agreements for the approved plan. [Div. of Grants and Special Programs, Gooding]

58. **0342-12** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a HOME agreement with National Housing Associates, Inc., for use of HOME funds for rehabilitation of Salem Village Apartments, at a cost not to exceed $400,000. [Div. of Grants and Special Programs, Gooding]

59. **0346-12** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Bluegrass Area Development District, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of $83,101 Federal funds, are for operation of the Senior Citizens Center in FY 2013, the acceptance of which obligates the Urban County Government for the expenditure of $160,146 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. [Div. of Grants and Special Programs/Dept. of Social Services, Gooding/Mills]

60. **0350-12** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Safe Transportation Training Specialists, for Cargo Tank Emergency Response Training for hazmat units throughout the state, at a cost not to exceed $23,800. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]

61. **0351-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Transfer Agreement with Lexington and Fayette County Parking Authority, for transfer of operations of various parking facilities and The Broadway Shops. [Dept. of General Services, Hamilton]

62. **0352-12** A Resolution accepting the extension of the time of completion of the SSA Group 2/3 Sewershed Field Activities - Raising Manholes - Contract 4 with Tobacco Rose Farm Construction and Development Services to May 2012 at no additional cost to the Urban County Government. [Div. of Water Quality, Martin]

63. **0353-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with CDP Engineers, Inc., for design of Town Branch Trail Phase III, for the Div. of Water Quality, at a cost not to exceed $71,450. [Div. of Water Quality, Martin]

64. **0355-12** **R-168-2012**-A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation in the amount of $1,000 from the Downtown Development Authority to purchase hanging flower baskets for Main Street. [Mayor's Office, Emmons]

65. **0356-12** **R-169-2012-**A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation in the amount of $2,000 from the DLC Foundation for streetscape beautification. [Mayor's Office, Emmons]

66. **0367-12** **R-170-2012**-A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Girls on the Run ($550), WGPL Neighborhood Association, Inc. ($650), The Southland Association, Inc. ($500), Vineyard Neighborhood Corporation ($500), Martin Luther King Neighborhood Association ($550) and Bluegrass Chapter of the American Red Cross ($575) for the Office of the Urban County Council, at a cost not to exceed the sums stated. [Council Office, Maynard]

67. **0396-12** **R-171-2012**-A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Farm and Garden Market Cooperative Association, Inc., d.b.a. Lexington Farmers' Market to provide fresh produce at the Government Center as part of a pilot program. [Council Office, Maynard]

68. WALK-ON **R-172-2012**-A Resolution authorizing the Mayor and Council Members to sign a letter to be sent to the Bluegrass Area Development District (BGADD) expressing concerns about the program planned by BGADD for the property located at 1393 Trent Blvd.; directing that the letter, along with a petition signed by concerned citizens, be sent to BGADD, the Bluegrass Workforce Investment Board, the Ky. Workforce Investment Board, the President of the Senate and the Speaker of the House; and requesting that BGADD enter into a Memorandum of Understanding with the Urban County Government related to operation of the program. [Council Office, Maynard]

VIII. Communications from the Mayor (APPROVED)

1. Recommending the appointment of Mr. Matthew W. Boyd to the Administrative Hearing Board, with a term to expire 7-1-2015.
2. Recommending the appointment of Ms. Sandra N. Canon, as at-large representative, to the Board of Health, with a term to expire 6-30-2016.
3. Recommending the appointment of Ms. Elizabeth L. Pattengill, as Federated Garden Club representative, and the reappointment of Mr. Robin A. Hammons, as MPO representative, non-voting, to the Corridors Commission, with terms to expire 8-1-2015.
4. Recommending the appointment of Ms. Patricia J. Knight, as Lexington Convention and Visitors Bureau representative, to the Greenspace Commission, with a term to expire 7-18-2015.
5. Recommending the appointment of Mr. James W. Pendergest, as equine community representative, to the Keep Lexington Beautiful Commission, with a term to expire 2-1-2016.

6. Recommending the appointments of Ms. Freda H. Meriwether, as at-large representative, and Ms. Melissa M. Murphy, as business community representative, to the Lyric Theatre and Cultural Arts Center Corporation, with terms to expire 12-8-2015.
7. Recommending the appointments of Ms. Kimberly R. Eldridge, as Council District 5 representative, and Mr. Kenneth L. Tate, as Fayette County Public Schools representative, to the Parks and Recreation Advisory Board, with terms to expire 1-14-2014 and 1-14-2015, respectively. Also, recommending the reappointment of Mr. William J. Huffman, as Council District 6 representative, to the Parks and Recreation Advisory Board, with a term to expire 1-14-2016.
8. Recommending the reappointment of Ms. Ann K. Bowe, as horticulture representative, to the Tree Board, with a term to expire 4-19-2016.

IX. Communications from the Mayor (For Information Only)

1. Acting assignment of Michael Kirkland, Public Service Supervisor, Grade 111N, in the Div. of Facilities and Fleet Management, effective February 27, 2012.
2. Acting assignment of Susan Bush, Commissioner of Environmental Quality and Public Works, effective November 14, 2011 through February 14, 2012.
3. Reinstatement of Lesa Spillman, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective April 9, 2012.
4. Resignation of Leslie Jarvis, Human Resources Manager Sr., Grade 121E, in the Div. of Human Resources, effective March 14, 2012.
5. Resignation of Charles Elliott, Public Service Worker, Grade 106N, in the Div. of Waste Management, effective March 12, 2012.
6. Resignation of Justin Parsons, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective March 13, 2012.
7. Resignation of James Wilson, Administrative Officer, Grade 118E, in the Div. of Facilities and Fleet Management, effective March 22, 2012.
8. Resignation of Keith Thomas, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective March 12, 2012.
9. Resignation of Donald Myers, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective March 18, 2012.
10. Resignation of Geoff Reed, Administrative Aide to Mayor Sr., Grade 120E, in the Office of the Mayor, effective April 27, 2012.
11. Retirement of Mark Sayre, Police Officer, in the Div. of Police, effective April 3, 2012.

X. Announcements

XI. Public Comments

Adjournment