Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507

Action Docket

Thursday, April 26, 2012

6:00 PM

Council Chambers

Urban County Council

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

I. Roll Call

II. Invocation

III. Presentation

1. **0461-12** Proclamation: Purple Heart City, with Commander Irvin Lyons

IV. Ordinances – Second Reading (1, 2, 3, 4, 5, 7, 8, 9 GIVEN 2nd READING AND APPROVED; #6 AMENDED, GIVEN 1st READING, DUE BACK ON 5-10-2012, #10 Tabled to May 10, 2012 Council Meeting for 2nd Reading)

1. **0375-12** **0-44-2012-**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]

2. **0309-12** **0-45-2012-**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]

3. **0315-12** **0-46-2012-**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. 65, effective upon passage of Council. [Div. of Human Resources, Walters]

4. **0334-12** **0-47-2012 -** 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]

5. **0335-12** **0-48-2012-**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]

6. **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, or in certain emergency circumstances, 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]

7. **0395-12** **0-50-2012-**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]

8. **0397-12** **0-51-2012-**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]

9. **0398-12** **0-52-2012 -** 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. 64. [Div. of Budgeting, Barrow]

10. **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]

V. Ordinances – First Reading (ALL GIVEN 1st READING; #13 AMENDED, GIVEN SECOND READING AND APPROVED; #15 GIVEN SECOND READING AND APPROVED)

11. **0400-12** An Ordinance changing the zone from a High Density Apartment (R-4) zone to a Neighborhood Business (B-1) zone for 0.21 net (0.35 gross) acre, for property located at 175 and 185 Jefferson St. (Grey Goose, LLC). Approval 8-0 (To Be Heard by June 20, 2012) [Div. of Planning, King]

12. **0401-12** An Ordinance changing the zone from a Heavy Industrial (I-2) zone to a High Density Apartment (R-4) zone for 0.23 net and gross acre, for property located at 527 Angliana Ave. (a portion of) (Angliana P2 Development, LLC). Approval 8-0 (To Be Heard by June 20, 2012) [Div. of Planning, King]

13. **0402-12** **0-49-2012-**An Ordinance amending Articles 8 and 9 of the Zoning Ordinance to allow group residential projects in the High Rise Apartment (R-5) zone. Approval of the Staff Alternative Text 7-0 [Div. of Planning, King]

14. **0458-12** 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. 66. [Div. of Budgeting, Barrow]

15. **0459-12** **0-53-2012 -** An Ordinance creating Chapter XIII in Article 18 of the Code of Ordinances of the Lexington-Fayette Urban County Government to authorize Council designation of Pedestrian-Oriented Business Districts to eliminate or modify off-street parking requirements. [Council Office, Maynard]

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

1. **0287-12** **R-173-2012**-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

2. **0297-12** **R-174-2012**-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]

3. **0303-12** **R-175-2012**-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]

4. **0304-12** **R-176-2012**-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]

5. **0316-12** **R-177-2012**-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]

6. **0317-12** **R-178-2012**-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]

7. **0332-12** **R-179-2012**-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]

8. **0337-12** **R-180-2012**-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]

9. **0339-12** **R-181-2012**-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]

10. **0340-12** **R-182-2012**-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]

11. **0341-12** **R-183-2012**-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]

12. **0347-12** **R-184-2012**-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]

13. **0349-12** **R-185-2012**-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]

14. **0359-12** **R-186-2012**-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]

15. **0365-12** **R-187-2012**-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]

16. **0370-12** **R-188-2012**-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]

17. **0371-12** **R-189-2012**-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,

18. **0280-12** **R-190-2012**-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]

19. **0282-12** **R-191-2012**-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]

20. **0291-12** **R-192-2012**-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]

21. **0305-12** **R-193-2012**-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]

22. **0306-12** **R-194-2012**-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]

23. **0307-12** **R-195-2012**-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]

24. **0318-12** **R-196-2012**-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]

25. **0321-12** **R-197-2012**-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]

26. **0322-12** **R-198-2012**-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]

27. **0333-12** **R-199-2012**-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]

28. **0336-12** **R-200-2012**-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]

29. **0342-12** **R-201-2012**-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]

30. **0346-12** **R-202-2012**-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]

31. **0350-12** **R-203-2012**-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]

32. **0351-12** **R-204-2012**-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]

33. **0352-12** **R-205-2012**-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]

34. **0353-12** **R-206-2012**-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 Grants and Special Programs, Gooding]

VII. Resolutions – First Reading (ALL GIVEN 1st READING; #44, #47, AND #65 GIVEN SECOND READING AND APPROVED)

35. **0377-12** A Resolution accepting the bids of Pearce-Blackburn Roofing, LLC, Kalkreuth Roofing and Sheet Metal, Inc., and Holland Roofing of Louisville, establishing price contracts for roofing repairs and maintenance, for the Div. of Facilities and Fleet Management. (4 Bids, Low) [Baradaran]

36. **0393-12** A Resolution accepting the bid of Vogelpohl Fire Equipment, establishing a price contract for heavy duty power rescue tools, for the Div. of Fire and Emergency Services. (2 Bids, Low) [Jackson]

37. **0425-12** A Resolution accepting the bid of Blue Grass Mailing Services, establishing a price contract for mailing services, for the Div. of Revenue. (1 Bid) [O'Mara]

38. **0430-12** A Resolution accepting the bid of Ovivo USA, LLC, establishing a price contract for Hydraulic Differential Clarifier, and authorizing the Mayor to execute any related agreement. (3 Bids, Non-Low) [Martin]

39. **0433-12** A Resolution accepting the bid of Industrial Products Corp., establishing a price contract for Hazardous Gas Detection System, and authorizing the Mayor to execute any related agreement. (4 Bids, Non-Low) [Martin]

40. **0437-12** A Resolution accepting the bid of NEFCO, Inc., establishing a price contract for FRP Weirs and Scum Baffles, and authorizing the Mayor to execute any related agreement. (3 Bids, Non-Low) [Martin]

41. **0368-12** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 3 with the Ky. Transportation Cabinet, for the acceptance of additional Federal funds for the Todds/Liberty Rd. Improvement Project in the amount of $400,000, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and making the Transportation Cabinet responsible for bidding and administration of the construction project. [Div. of Grants and Special Programs, Gooding]

42. **0369-12** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Lexington-Fayette County Health Dept., which Grant funds are in the amount of $460,560 Federal funds, are for the Home Network Project at the Family Care Center, 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]

43. **0376-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Dept. of Juvenile Justice, 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 $241,845 Commonwealth of Ky. funds, are for operation of the Day Treatment Program, for the Div. of Youth Services, 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]

44. **0389-12** **R-207-2012**-A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Dept. for Local Government, for extension of the Coolavin Rail Trail Project through June 30, 2013, at no cost to the Urban County Government. [Div. of Grants and Special Programs, Gooding]

45. **0405-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Captain Reginald Underwood Young Marines ($450), for the Office of the Urban County Council, at a cost not to exceed the sum stated. [Council Office, Maynard]

46. **0439-12** A Resolution supporting the "Empower Lexington" Energy Plan designed to reduce Fayette County's energy use by one percent (1%) annually through voluntary measures and supporting its implementation. [Council Office, Maynard]

47. **0442-12** **R-208-2012**-A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following probationary civil service appointment: Jennifer Bailey, HCM Manager Enterprise Solutions, Grade 119E, $2,550.72 bi-weekly, in the Div. of Enterprise Solutions, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following probationary sworn appointments: Christopher Young, Police Lieutenant, Grade 317E, $3,025.15 bi-weekly, in the Div. of Police effective upon passage of Council and Joe Anderson, Police Sergeant, Grade 315N, $28.588 hourly, in the Div. of Police, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following unclassified civil service appointments: Chance Clay, Childcare Program Aide P/T, Grade 107N, $10.690 hourly, in the Div. of Youth Services, effective upon passage of Council and John Cox, Deputy Coroner, Grade 112N $16.000 hourly, in the Office of the Coroner, effective upon passage of Council. [Div. of Human Resources, Walters]

48. **0443-12** A Resolution ratifying the probationary civil service appointments of: Di-Linh Cao-Nguyen, Laboratory Technician Sr., Grade 112N, $19.110 hourly, in the Div. of Water Quality, effective May 14, 2012, La Vada Green, Laboratory Technician Sr., Grade 112N, $23.262

hourly, in the Div. of Water Quality, effective May 14, 2012, Guy Stone, Equipment Operator Sr., Grade 109N, $18.129 hourly, in the Div. of Streets and Roads, effective April 23, 2012, Jeremy Asberry, Vehicle & Equipment Mechanic, Grade 110N, $13.908 hourly, in the Div. of Streets and Roads, effective April 23, 2012, Michael Foster, Maintenance Mechanic, Grade 113N, $19.227 hourly, in the Div. of Water Quality, effective May 7, 2012, and Rebecca Burke, Administrative Specialist Sr., Grade 112N, $21.333 hourly, in the Div. of Revenue, effective May 23, 2012; approving Council Leave for: Wanda Carole Siler, Administrative Officer P/T, Grade 118E, in the Div. of Waste Management, beginning May 7, 2012 thru August 7, 2012 and Dora Bryant, Administrative Specialist Sr., Grade 112N, in the Div. of Building Inspection, beginning April 16, 2012 thru June 15, 2012. [Div. of Human Resources, Walters]

49. **0354-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with North Central Area Health Education Center, for lease of space at the Black & Williams Neighborhood Center. [Div. of Facilities and Fleet Management, Baradaran]

50. **0357-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Nursing Home Ombudsman Agency of the Bluegrass, for lease of space at the Senior Citizen's Center. [Div. of Facilities and Fleet Management, Baradaran]

51. **0358-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Faith in Action: Elder Outreach, for lease of space at the Senior Citizen's Center. [Div. of Facilities and Fleet Management, Baradaran]

52. **0360-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Meals on Wheels of Lexington, Inc., for lease of space at the Senior Citizen's Center. [Div. of Facilities and Fleet Management, Baradaran]

53. **0362-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Blue Grass Community Action Partnership, for lease of space at the Senior Citizen's Center. [Div. of Facilities and Fleet Management, Baradaran]

54. **0364-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Blue Grass Community Action Partnership, for lease of space at the Black & Williams Neighborhood Center. [Div. of Facilities and Fleet Management, Baradaran]

55. **0366-12** A Resolution authorizing the Mayor, on behalf of the Urban County

Government, to execute a Lease Agreement with Legal Aid of the Bluegrass, for lease of space at the Black & Williams Neighborhood Center. [Div. of Facilities and Fleet Management, Baradaran]

56. **0392-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Use Agreement with various youth baseball and softball leagues, for youth baseball and softball participation. [Div. of Parks and Recreation, Hancock]

57. **0399-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation in the amount of $250 from Sharon Donahue to purchase C.E.R.T. backpacks for training. [Div. of Emergency Management/911, Dugger]

58. **0403-12** A Resolution approving and adopting a Substantial Amendment to the 2011 Consolidated Plan authorizing and directing the Mayor, on behalf of the Urban County Government, to accept additional funding from the U.S. Dept. of Housing and Urban Development, which Grant funds are in the amount of $51,927 Federal funds, are for the 2011 Emergency Shelter/Emergency Solutions Grant Program, the acceptance of which obligates the Urban County Government for the expenditure of $51,927 as a Local Match, and establishing and approving a new Community Development Block Grant project, renovation of The Hope Center Shelter located at 360 West Loudon Ave., and authorizing the Mayor to transfer unencumbered funds within the Grant Budget. [Div. of Grants and Special Programs, Gooding] **PUBLIC HEARING**

59. **0407-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Temporary Right of Entry Agreement with Marathon Pipe Line LLC, for preparatory work for a pipeline project, at no cost to the Urban County Government. [Div. of Water Quality, Martin]

60. **0408-12** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the Lexington-Fayette County Health Dept. for Fats, Oil and Grease (FOG) Training Services at a cost not to exceed $1,200. [Div. of Water Quality, Martin]

61. **0413-12** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the U.S. Dept. of Justice, 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 $252,727 Federal funds under the Edward Byrne Memorial Justice Assistance Grant Program, are for a Computer Network Overhaul Project, for the Div. of Police, the acceptance of which does not obligate the Urban County

Government for the expenditure of funds, and authorizing the Mayorto transfer unencumbered funds within the Grant budget. [Div. of Grants and Special Programs, Gooding]

62. **0415-12** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with the Fayette County Commonwealth Attorney's Office, the Kenton County Commonwealth Attorney's Office and the Commonwealth Attorney, 28th Judicial Circuit, for services under the 2010 Project Safe Neighborhood Program, at a cost not to exceed $10,000 for the Fayette County Commonwealth Attorney's Office, $7,500 for the Kenton County Commonwealth Attorney's Office and $6,500 for the Commonwealth Attorney, 28th Judicial Circuit. [Div. of Grants and Special Programs, Gooding]

63. **0421-12** A Resolution accepting the response of Bullhorn, LLC. to RFP No. 46-2011 for the provision of Graphic Design Services to various Departments and Divisions of the Urban County Government, be and hereby is accepted and approved as to the specifications and amounts set forth in the terms of the response, with any future work to be performed at an hourly rate ranging from $59.00 to $74.00 (average rate of $65.31), dependent upon the type of work performed. [Mayor's Office, Shapiro]

64. **0426-12** A Resolution amending Resolution No. 164-2012 accepting the bids of multiple vendors and establishing Price Contracts for mowing, for the Div. of Parks and Recreation, to include McGee Springs, Inc., as a vendor. [Div. of Central Purchasing, Slatin]

65. **0440-12** **R-209-2012**-A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Columbia Heights Neighborhood Association, Inc. ($600) and Lafayette Wrestling Boosters Club, Inc. ($500) for the Office of the Urban County Council, at a cost not to exceed the sums stated. [Council Office, Maynard]

66. **0416-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Kenvirons, Inc., for consulting services and construction administration and quality assurance for the Haley Pike Landfill Closure, Phase 4, for the Dept of Environmental Quality and Public Works, at a cost not to exceed $241,000. [Dept. of Environmental Quality and Public Works, Moloney]

VIII. Communications from the Mayor (ALL APPROVED)

0441-12 1. Recommending the appointment of Mr. Daniel B. Wrenne, as citizen representative, to the Emergency Medical Advisory Board, with a term to expire 7-1-2013.

2. Recommending the appointment of Dr. Darius J. Fatemi to the Explorium of Lexington Board, with a term to expire 7-1-2014. Dr. Fatemi will fill the unexpired term of Ms. Christy Hruska.
3. Recommending the appointment of Mr. Gregory M. Butler, as land use planner representative, to the Greenspace Commission, with a term to expire 7-1-2015.
4. Recommending the appointments of Councilmember Julian Beard, Mr. Philip C. Holoubek, as housing industry representative, and Ms. Eva C. Lewis, as at-large representative, to the Industrial Revenue Bond Review Committee, with terms to expire 3-5-2015, 3-5-2015, and 3-5-2013, respectively.
5. Recommending the appointment of Mr. James L. Browder to the Sister Cities Program Commission, with a term to expire 1-28-2016.
6. Recommending the reappointment of Mr. Rory A. Kahly, as landscape architect representative, to the Tree Board, with a term to expire 4-19-2016.

IX. Communications from the Mayor (For Information Only)

0444-12

1. Acting assignment of Ashley Case, Human Resources Manager Sr., Grade 121E, in the Div. of Human Resources, effective April 9, 2012.
2. Reinstatement of Tonia Walters, Staff Assistant Sr., Grade 108N, in the Div. of Building Inspection, effective May 1, 2012.
3. Resignation of Mark Isaacs, Community Corrections Sergeant, Grade 112N, in the Div. of Community Corrections, effective March 30, 2012.
4. Resignation of Jon Bailey, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective March 29, 2012.
5. Resignation of Brandon Horseman, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective March 28, 2012.
6. Resignation of Jason Johnson, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective March 26, 2012.
7. Resignation of Samuel Collins, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective March 27, 2012.
8. Resignation of Tania Walker, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective March 26, 2012.

X. Report

1. **0455-12** Div. of Building Inspection Report for the 1st Quarter (January - March) of 2012

XI. Announcements

XII. Public Comments

Adjournment