✓ = 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.

✓ = Boards and Commissions approved

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

October 13, 2011 – 6:00 P.M.

I. ROLL CALL

II. INVOCATION

III. ORDINANCES – SECOND READING

✓ 129-2011 - An Ordinance amending Section 14-10(f)(6) of the Code of Ordinances relating to citation authority to provide that Chapter 17B of the Code of Ordinances may be enforced by the Urban Forester, Arborist Technician, and Environmental Enforcement Specialist employed in the Div. of Environmental Policy. **[Div. of Environmental Policy, Bush]**

✓ 130-2011 - 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. **[Div. of Budgeting, Barrow]**

✓ 131-2011 - An Ordinance amending Section 21-5(2) of the Code of Ordinances abolishing one (1) position of Administrative Specialist Sr., Grade 112N; amending Section 22-5(2) of the Code of Ordinances extending the term of the temporary position of Program Manager Sr., Grade 120E, from July 1, 2012 to July 1, 2015, all in the Dept. of Environmental Quality and Public Works; and appropriating funds pursuant to Schedule No. 39. **[Div. of Human Resources, Jarvis]**

IV. ORDINANCES – FIRST READING

- 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. 40. **[Div. of Budgeting, Barrow]**
- An Ordinance redistricting the districts of the members of the Lexington-Fayette Urban County Council. **[Council Office, Williams]**
- An Ordinance amending Section 22-5(2) of the Code of Ordinances, abolishing one (1) position of Citizens' Advocate, Grade 118E and creating one (1) position of Citizens' Advocate P/T, Grade 115E in the Office of the Citizens' Advocate. **[Div. of Human Resources, Jarvis]**

V. RESOLUTIONS – SECOND READING

- ✓ 437-2011 - A Resolution accepting the bids of Hallmark Trophies, Inc. and Proforma Bluegrass Advertising Specialties, establishing price contracts for Trophies, Plaques and Silver, for the Div. of Parks and Recreation. (3 Bids, Low) **[Hancock]**

- ✓ 438-2011 - A Resolution accepting the bid of Gulf States Distributors, establishing a price contract for Patrol Rifles, for the Div. of Police. (5 Bids, Low) **[Bastin]**

- ✓ 439-2011 - A Resolution accepting the bids of Big Beaver Tree Service, Inc., Lexington Tree Service, Inc., and Swartz Mowing, Inc., establishing price contracts for tree removal, for the Div. of Streets and Roads. (3 Bids, Low) **[Williams]**

- ✓ 440-2011 - A Resolution accepting the bid of Graybar, in the amount of $43,704, for a variable frequency drive for Lower Cane Run Pump Station, for the Div. of Water Quality. (6 Bids, Low) **[Martin]**

- ✓ 441-2011 - A Resolution accepting the bid of Red Zone Robotics, Inc., establishing a price contract for rental of autonomous inspection equipment for small diameter pipe, for the Div. of Water Quality. (1 Bid) **[Martin]**

- ✓ 442-2011 - A Resolution establishing a Residential Parking Permit Program for the 600 block of Berry Ln., from 8:00 a.m. to 5:00 p.m., Monday through Friday, from August 1 through May 15 of each year; and waiving the provisions relating to the mechanics of designating residential parking permit areas adopted by Resolution No. 168-90 and amended by Resolution Nos. 450-91 and 433-2006. **[Council Office, Williams]**

- ✓ 443-2011 - A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Lexington Citizen Police Academy Alumni Association ($2,000), Clemens Heights Neighborhood Association ($1,050), and CKHHI, Inc. ($750), for the Office of the Urban County Council, at a cost not to exceed the sums stated. **[Council Office, Williams]**

- ✓ 444-2011 - A Resolution authorizing the Div. of Emergency Management/911 to obtain 911 software maintenance support services from 911 Data Master, Inc., a sole source provider, at a cost not to exceed $87,000, and authorizing the Mayor to execute any necessary documents. **[Div. of Emergency Management/911, Lucas]**

- ✓ 445-2011 - A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept the Home Depot's donation of landscaping material and supplies valued at $1,000 in honor of the 10th Anniversary of September 11, 2001, for use by Fire Station No. 16, at no cost to the Urban County Government. **[Div. of Fire & Emergency Services, Jackson]**

- ✓ 446-2011 - A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept Fayette Heating & Air's donation of an air conditioning unit and its installation, for use by Fire Station No. 2, at no

cost to the Urban County Government. **[Div. of Fire & Emergency Services, Jackson]**

✓ 447-2011 - A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a New Case Document, Amendment to Plan Management Agreement, and Amendment to Group Stop-Loss Policy Extension with Humana Insurance Co. for the administration of health care claims for the period of January 1, 2011 through December 31, 2011. **[Div. of Human Resources, Jarvis]**

✓ 448-2011 - A Resolution declaring as surplus and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute Deeds and any other necessary documents for the sale and transfer of .079 acres of the 2.3 acre tract known as 365 White Oak Trace. **[Dept. of General Services, Baradaran]**

✓ 449-2011 - A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 3 to the Contract with H. W. Lochner, Inc., for right-of-way services for Newtown Pike Extension Project Mitigation Area, increasing the contract price by the sum of $7,600.00 from $215,731.25 to $223,331.25. **[Div. of Grants & Special Programs/Dept. of Environmental Quality & Public Works, Gooding/Taylor]**

✓ 450-2011 - A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the U.S. Dept. of Justice, which Grant funds are in the amount of $77,639 Federal funds, are for Project Safe Neighborhoods Program, for the U.S. Attorney's Office for the Eastern District of Ky., 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 & Special Programs/Dept. of Public Safety, Gooding/Mason]**

✓ 451-2011 - A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet, 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 $50,000 Federal funds, and are for continuation of the Sexual Assault Nurse Examiner (SANE) Program, the acceptance of which obligates the Urban County Government for the expenditure of $28,150 as a local match, and authorizing the Mayor to transfer unencumbered funds with the Grant budget. **[Div. of Grants & Special Programs/Dept. of Public Safety, Gooding/Mason]**

✓ 452-2011 - A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation from UniverSoul Circus of 100 complimentary tickets for the Community Center Youth at no cost to the Urban County Government. **[Div. of Parks & Recreation, Hancock]**

- ✓ 453-2011 - A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Outgoing Loan Receipt with the William S. Webb Museum of Anthropology for the loan of artifacts to Raven Run Nature Center. **[Div. of Parks & Recreation, Hancock]**

- ✓ 454-2011 - A Resolution, pursuant to Code of Ordinances Section 18-66, designating the speed limit on Pepperhill Rd. between Montavesta Rd. to Chinoe Rd. as 25 miles per hour and authorizing and directing the Div. of Traffic Engineering to install proper and appropriate signs in accordance with the designation. **[Council Office, Williams]**

- ✓ 455-2011 - A Resolution changing the street names and property address numbers of 137 Cox St. to 126 Buchanan St., of 142 Cox St. to 809 Manchester St., of 585 E. Second St. to 245 Delmar Ave., of 2645 Kearney Creek Ln. to 3000 Locust Blossom Cove, of 305 Northland Dr. (Units A, G, H, B, E, C, F, and D) to 305 Ballpark Dr. (Units 101, 102, 103, 104, 201, 202, 203, and 204), of 309 Northland Dr. (Units A, G, H, B, E, C, F, and D) to 309 Ballpark Dr. (Units 101, 102, 103, 104, 201, 202, 203, and 204), of 313 Northland Dr. (Units A, G, H, B, C, E, F, and D) to 313 Ballpark Dr. (Units 101, 102, 103, 104, 201, 202, 203, and 204), of 315 Northland Dr. (Units F, G, H, J, K, L, M, N, O, G1, G2, G3, A, C, B, D, and E) to 315 Ballpark Dr. (Units 106, 107, 201, 202, 203, 204, 205, 206, 207, 1, 2, 3, 101, 102, 103, 104, and 105) of 3741 Sleepy Hollow Ln. to 1973 Deer Meadow Trace, of 1477 North Broadway (Units A, G, H, B, C, E, F, and D) to 301 Ballpark Dr. (Units 101, 102, 103, 104, 201, 202, 203 and 204); changing the property address numbers of 631 Bellaire Ave. to 633 Bellaire Ave., of 239 Shady Ln. to 241 Shady Ln., of 425 W. Second St. to 429 W. Second St., of 121 Church St. to 125 Church St., of 180 North Broadway to 182 North Broadway, of 2120 Deauville Dr. to 2168 Deauville Dr., and of 621 Burbank Ct. to 619 Burbank Ct.; and changing the street name of 836, 837, 840, 841, 844, 845, 848, 849, 852, 853, 856, 857, 860, and 861 Cedarwood Dr. to 836, 837, 840, 841, 844, 845, 848, 849, 852, 853, 856, 857, 860, and 861 Sugarcane Way, of 111 and 137 Cox St. to 111 and 137 Oliver Lewis Way, and of 949, 952, 954, 955, 960, 962, and 964 Pine St. to 949, 952, 954, 955, 960, 962, and 964 Tarr Trace, all effective thirty days from passage. **[Div. of Emergency Management/911, Lucas]**

- ✓ 456-2011 - A Resolution specifying the intention of the Urban County Council to expand and extend the Full Urban Services District #1 to provide street lighting, street cleaning and garbage and refuse collection; finding a need for these services in the area included; finding the ability of the Urban County Government to provide these services in this area, which area is defined as certain properties on the following streets: Calypso Breeze Dr., Carducci St., Coroneo Ln., Falling Leaves Ln., Firethorn Pl., Forest Spring Ct., Golden Bell Pl., Greenville Terrace, Grey Lag Way, Hardwood Rd., Kiawah Dr., Magnolia Gardens Pl., Polo Club Blvd., Sandhurst Cove, Seneca Park, Sir Barton Way, Sperling Dr., Sunflower St., Tea Olive Way, and Towne Square Park. **[Dept. of Environmental Quality & Public Works, Taylor]**

- ✓ 457-2011 - A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #3 to provide garbage and refuse collection; finding a need for this service in the area included; finding the ability of the Urban County Government to provide this service in this area, which area is defined as certain properties on the following streets: Blue Bonnet Ct., Blue Bonnet Dr., Golden Trophy Trail, Waveland Museum Ln., and Winthrop Dr. **[Dept. of Environmental Quality & Public Works, Taylor]**

- ✓ 458-2011 - A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #5 to provide street lighting and garbage and refuse collection; finding a need for these services in the area included; finding the ability of the Urban County Government to provide these services in this area, which area is defined as certain properties on the following streets: Albany Rd., Albemarle Rd., Halifax Ct., and Rosemont Garden. **[Dept. of Environmental Quality & Public Works, Taylor]**

- ✓ 459-2011 - A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. American Water Co. and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of $500 under the Ky. American Water Firefighting Support Grant, and are for the purchase of 25 Personal Protective Equipment Hoods, for the Div. of Fire and Emergency Services. **[Div. of Grants & Special Programs/Dept. of Public Safety, Gooding/Mason]**

- ✓ 460-2011 - A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute two (2) Partial Releases of Easements, releasing portions of sanitary sewer easements on property located at 1000 Jouett Creek Dr. and 1105 Jouett Creek Dr. **[Dept. of Law, Graham]**

- ✓ 461-2011 - A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Sanitary Sewer Easement, releasing a portion of a sanitary sewer easement on property located at 122 Somersly Place. **[Dept. of Law, Graham]**

- ✓ 462-2011 - A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement, releasing a portion of a sanitary sewer easement on property located at 4161 Victoria Ct. **[Dept. of Law, Graham]**

- ✓ 463-2011 - A Resolution revoking Resolution No. 262-2010 and approving the granting of an Inducement to SIS Holding Co., Inc., and its affiliates SIS, LLC and VBS, LLC 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 instead be retained by the company and its affiliates 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 the company and/or its affiliates have with the Ky. Economic Development Finance Authority related to the Project; and taking other related action. **[Mayor's Office, Atkins]**

✓ 464-2011 - A Resolution of the Lexington-Fayette Urban County Council relating to the issuance by the Ky. Economic Development Finance Authority of Revenue Bonds to finance, among other things, costs incurred by Baptist Healthcare System, Inc., in constructing and acquiring certain hospital facilities in the Urban County; and waiving review by the Industrial Revenue Review Board. **[Mayor's Office, Atkins]**

✓ 465-2011 - A Resolution adopting the 2011 update of the Floodplain Management Plan. **[Div. of Planning, King]**

VI. RESOLUTIONS – FIRST READING

- A Resolution accepting the bid of Detroit Salt Co., establishing a price contract for treated rock salt, for the Div. of Streets and Roads. (2 Bids, Low) **[Williams]**

- A Resolution accepting the bid of Oldcastle Precast, Inc., establishing a price contract for concrete items, for the Div. of Water Quality. (1 Bid) **[Martin]**

- A Resolution ratifying the probationary civil service appointment of: Tamara McMullen, Program Coordinator, Grade 109N, $15.605 hourly, in the Div. of Family Services, effective October 24, 2011. **[Div. of Human Resources, Jarvis]**

- A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Southland Association ($100), LexArts ($1,900), Bluegrass Greenworks, Inc. ($300), Police Activities League ($575), for the Office of the Urban County Council, at a cost not to exceed the sums stated. **[Council Office, Williams]**

✓ 466-2011 - A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Line Extension and Facility Use Agreement with Columbia Gas of Ky., Inc., to install limited facilities for the Div. of Fire and Emergency Services related to fire training simulators, at no cost to the Urban County Government, in return for the limited use of such training simulators by Columbia Gas of Ky., Inc. **[Div. of Fire & Emergency Services, Jackson]**

- 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 $52,000 Federal funds, are for development of the Old Frankfort Pike Corridor Management Plan, the acceptance of which obligates the Urban County Government for the expenditure of $13,000 as a local match to be provided by Lexington-Frankfort Scenic Corridor, Inc., authorizing the Mayor to transfer unencumbered funds within the Grant budget, and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Lexington-Frankfort Scenic Corridor, Inc., for management of the project,

at a cost not to exceed $52,000. **[Div. of Grants & Special Programs, Gooding]**

- A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Fayette County Commonwealth Attorney's Office, for a 'Fast Track' prosecutor for the Street Sales Drug Enforcement Project, at a cost not to exceed $56,200. **[Div. of Grants & Special Programs/Dept. of Public Safety, Gooding/Mason]**

✓ 467-2011 - A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the U.S. Dept. of Justice, Office of Community Oriented Policing Services (COPS), which Grant funds are in the amount of $3,942,925 Federal funds, are for the employment of 25 entry level police officers for a period of three years, the acceptance of which does not obligate the Urban County Government to provide a local cash match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Grants & Special Programs/Dept. of Public Safety, Gooding/Mason]**

- A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Information Station Specialists, Inc., a sole source provider, for an AM Alert Station at a cost not to exceed $44,975. **[Div. of Grants & Special Programs/Dept. of Public Safety, Gooding/Mason]**

- A Resolution authorizing and directing the Mayor, on behalf of the Urban county Government, to accept a Grant from the U.S. Dept. of Justice, Office on Violence Against Women, which Grant funds are in the amount of $400,000 Federal funds from the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program and are for continuation of a project designed to hold offenders of domestic violence accountable for their actions through investigation, arrest and prosecution, the acceptance of which does not obligate the Urban County Government for the extension of funds, authorizing the Mayor to transfer unencumbered funds within the Grant budget, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Subrecipient Agreements with Bluegrass Domestic Violence Program ($52,000), Bluegrass Rape Crisis Center ($8,000), Legal Aid of the Bluegrass ($5,000), Fayette County Sheriff's Office ($8,000), Fayette County Commonwealth Attorney's Office ($42,000), and American Probation and Parole Association ($5,000), for services for the project. **[Div. of Grants & Special Programs/Dept. of Public Safety, Gooding/Mason]**

✓ 468-2011 - 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) per employee for one thousand or more employees, and at a cost not to exceed $24,000. **[Div. of Human Resources, Jarvis]**

- A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement, releasing a streetlight

easement on property located at 2387 Merluna Dr. **[Dept. of Law, Graham]**

- A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Quitclaim Deed and Release of Easement, releasing a utility easement on property located at 2010 Harrodsburg Rd. **[Dept. of Law, Graham]**
- A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with Bluegrass State Games, Inc., for operation of the Bluegrass State Games, at a cost not to exceed $47,250. **[Mayor's Office, Emmons]**
- A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Concession/Donation Agreement with Fayette County Cooperative Extension District Board, for acceptance of an Agricultural Building and Concession Agreement. **[Div. of Parks & Recreation, Hancock]**
- A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Contract with Fayette County Board of Education, for Kiddie Kapers at Norsworthy Auditorium, at a cost not to exceed $1,299. **[Div. of Parks & Recreation, Hancock]**

✓ 469-2011 - A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with Gooch Construction for the Dixie Pump Station and Force Main Upgrade, increasing the contract price by the sum of $99,443 from $258,000 to $357,443. **[Div. of Water Quality, Martin]**

WALK-ONS

- Appointing Ad Hoc Citizen's Committee to recommend candidates for position for position of Citizen's Advocate.

✓ 470-2011 - A Resolution approving the unclassified civil service appointment of Stacey Maynard, Council Administrator, Grade 121E, $2,769.23 bi-weekly, in the Office of the Urban County Council, effective November 14, 2011.

VII. COMMUNICATIONS FROM THE MAYOR

✓ Recommending the appointment of Mr. Scott White, as At-Large member, to the Board of Health, with a term to expire 6-30-2012. Mr. White will fill the unexpired term of Mr. Jamshed Kanga.

✓ Recommending the appointment of Ms. Amanda B. Stubblefield to the CASA Board, with a term to expire 6-11-2015.

✓ Recommending the appointment of Dr. Jeffrey M. Violette, as ER Physician, Lexington VA Medical Center representative, to the Emergency Medical Advisory Board, with a term to expire 7-1-2015.

✓ Recommending the appointment of Mr. Jordan L. Parker to the Library Board of Advisors, with a term to expire 1-1-2014. Mr. Parker will fill the unexpired term of Ms. Stephanie Spires.

- ✓ Recommending the appointment of Mr. Jeffrey D. Crabb, as Masterson Station Neighborhood Association representative, to the Masterson Station Park Advisory Board, with a term to expire 5-1-2015.
- ✓ Recommending the reappointment of Ms. Cordelia Harbut to the Parking Authority Board, with a term to expire 6-1-2015.
- ✓ Also, recommending the appointment of Ms. Patricia Featherston to the Parking Authority Board, with a term to expire 6-1-2014. Ms. Featherston will fill the unexpired term of Ms. Jennifer Shah.
- ✓ Recommending the appointment of Mr. Michael L. Slagle to the Tree Board, with a term to expire 4-19-2015.

VIII. COMMUNICATIONS FROM THE MAYOR (FOR INFORMATION ONLY)

1. Transfer of Paula Campbell, Administrative Specialist Sr., from the Citizens Advocate Office to the Div. of Youth Services, effective October 24, 2011.
2. Resignation of Letitia P. Chancellor, Telecommunicator Sr., Div. of Emergency Management/911, effective September 26, 2011.
3. Resignation of Wendy Thompson, Community Corrections Sergeant, Div. of Community Corrections, effective September 21, 2011.
4. Resignation of Darren Lizer, Equipment Operator Sr., Div. of Streets & Roads, effective September 23, 2011.

IX. ANNOUNCEMENTS

X. PUBLIC COMMENT