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

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

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

May 4, 2006 – 7:00 P.M.

I. ROLL CALL

II. INVOCATION

III. MINUTES OF THE PREVIOUS MEETINGS

April 20 and 25 (Special Meeting), 2006

IV. PRESENTATIONS

Better Hearing and Speech Month

Senior Hall of Fame Awards

V. ORDINANCES

SECOND READING

✓ 104-2006 – An Ordinance authorizing the Mayor 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 $228,717.00 Commonwealth of Ky. Funds, are for the Day Treatment Program ($153,717.00) and the Intensive Community Services Program ($75,000.00), the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2007 Schedule No. 11, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

✓ 105-2006 – An Ordinance authorizing the Mayor to execute and submit a Grant Application to the U.S. Dept. of Justice on behalf of the U.S. Attorney's Office, Eastern District of Ky., 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 $156,693.00 Federal funds, are for the support of new and expanded Project Safe Neighborhoods activities, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2007 Schedule No. 12, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

✓ 106-2006 – An Ordinance authorizing the Mayor to accept a Donation of $325.00 from the Fayette Co. Board of Education, for the Gainesway Community Empowerment Center to use at its discretion, and appropriating funds pursuant to Schedule No. 203.

✓ 107-2006 – An Ordinance authorizing the Mayor to execute an On-the-Job Training Agreement with Central Baptist Hospital, for the training of employees under the Workforce Investment Act Program, at a cost not to exceed $65,000.00, and appropriating funds pursuant to Schedule No. 204.

✓ 108-2006 – An Ordinance authorizing the Mayor to execute an On-the-Job Training Agreement with Trane Company, for the training of employees under the Workforce Investment Act Program, at a cost not to exceed $36,000.00 and appropriating funds pursuant to Schedule No. 204.

FIRST READING

● authorizing the Mayor to accept a donation of seventy-five hundred ($7,500.00) dollars, from Ky. Utilities an E-On Company for the purchase of golf course

scorecards and appropriating funds pursuant to Schedule No. 205.

- authorizing the Mayor to execute an Amendment to Agreement with the Fayette County Commonwealth Attorney's Office, for a reduction of $30,730.00 in funds provided to the Commonwealth Attorney's Office for the "Fast Track" Prosecution Program and to amend the end date of the Project from October 30, 2006 to June 30, 2006, at no cost to the Urban County Government, allocating reduced funds to the Div. of Police for equipment, and appropriating funds pursuant to Schedule No. 206.
- authorizing the Mayor to accept a Grant from the Ky. Justice and Public Safety Cabinet, which grant funds are in the amount of $2,200,200.00 Commonwealth of Ky. funds, are for police training incentive funds, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2007 Schedule No. 13, and authorizing the Mayor to transfer unencumbered funds within the grant budget.
- authorizing the Mayor to accept a Grant from the Firefighters' Training Incentive Program, which grant funds are in the amount of $2,111,875.00 Commonwealth of Ky. funds, are for training incentive funds for firefighters, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2007 Schedule No. 14, and authorizing the Mayor to transfer unencumbered funds within the grant budget.
- authorizing the Mayor to execute and submit a Grant Application to the Ky. Dept. of Education, Div. of School and Community Nutrition, 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 $53,000.00 Federal funds, are for operation of the nutrition program at the Family Care Center, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2007 Schedule No. 15, and authorizing the Mayor to transfer unencumbered funds within the grant budget.
- authorizing the Mayor to execute and submit a Grant Application to the Ky. Dept. of Education, 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 $47,000.00 in Federal funds and Commonwealth of Ky. funds, are for the National School Lunch Program – 2007, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2007 Schedule No. 16, and authorizing the Mayor to transfer unencumbered funds within the grant budget.
- amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and reappropriating funds, Schedule No. 207.
- accepting the proposal of Bluegrass Pride of Lexington, Ky., in the amount of $257,475, for consulting services for an Environmental Public Education Program, and appropriating funds pursuant to Schedule No. 208.
- authorizing the Mayor to accept a donation of five hundred ($500.00) dollars, from Partners for Youth for the Charles Young Dancers appropriating funds pursuant to Schedule No. 210.
- authorizing the Mayor to accept a Grant from the Ky. Div. of Emergency Management, which grant funds are in the amount of $4,304.00 Commonwealth of Ky. funds, are for a search and rescue project for the Div. of Fire, the acceptance of which obligates the Urban County Government for the expenditure of $4,304.00 as a local match, appropriating funds pursuant to Schedule No. 209, and authorizing the Mayor to transfer unencumbered funds within the grant budget.
- authorizing the Mayor to accept a Grant from the Lexington-Fayette County Health Dept., which grant funds are in the amount of $343,870.00 Federal funds, are for continuation of the Home Visitation Program at the Family Care Center, the acceptance of which obligates the Urban County Government for the

expenditure of $33,260.00 as a local match, appropriating funds pursuant to FY 2007 Schedule No. 17, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

VI. RESOLUTIONS

SECOND READING

✓ 230-2006 – A Resolution accepting the bid of TP Mechanical Contractors, in the amount of $48,531.00, for HVAC controls system replacement for the Agricultural Extension Building.

✓ 231-2006 – A Resolution accepting the bids of Lexington Tree Service, A Professional Tree Service, and B & R Spraying Systems, LLC, establishing price contracts for tree removal for the Div. of Streets, Roads and Forestry.

✓ 232-2006 – A Resolution accepting the bid of Precision Products, LLC establishing a price contract for collision reconstruction hardware and software, for the Div. of Police.

✓ 233-2006 – A Resolution accepting the bid of Bobcat Enterprises, Inc., in the amount of $26,996.70, for one (1) skid steer loader for the Div. of Fleet Services.

✓ 234-2006 – A Resolution accepting the bid of Rehrig-Pacific Company establishing a price contract for yard waste roll carts, for the Div. of Solid Waste.

✓ 235-2006 – A Resolution authorizing the Mayor to execute a Customized Training Services Agreement with Fuller, Mossbarger, Scott & May Engineers, Inc., for Civil 3-D Essentials training for 12 employees, at a cost not to exceed $8,976.00.

✓ 236-2006 – A Resolution authorizing the Mayor to execute an Assignment of All Rights Agreement with Lester Boyd, doing business as Unity Marketing Group, Inc., for acquisition of all right, title and interest in and to the artwork used with the "Horse Capital of the World" trade/service mark, at a cost not to exceed $5,000.00.

✓ 237-2006 – A Resolution authorizing the Mayor to execute an Agreement with the Dept. for Corrections, Blackburn Correctional Complex, for mowing and baling hay at Masterson Station Park, at no cost to the Government.

✓ 238-2006 – A Resolution authorizing the Mayor to execute an Engagement Letter with Mountjoy & Bressler, LLP, for audit of the financial statements for the year ended June 30, 2006, at a cost not to exceed $92,500.00.

✓ 239-2006 – A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed for roadway improvements conveying a temporary construction easement from Jonathan Hensley and Lynetta Hensley, located at 660 East Loudon Avenue, for the Loudon Avenue Improvements Project, and authorizing payment in the amount of $375.00, plus usual and appropriate closing costs.

FIRST READING

- accepting the bid of Asphalt Paving & Maintenance, Inc., in the amount of $88,525.00, for Shillito Park parking lot expansion, for the Div. of Parks.
- accepting the bid of Randle-Davies Construction Co., in the amount of $46,440.00, for Dunbar Community Center parking lot expansion, for the Div. of Parks.
- accepting the bid of Galls, Inc., establishing a price contract for prisoner restraint cages, for the Div. of Police.
- accepting the bid of Safety Solutions establishing a price contract for hospital PPE kits, for the Div. of Environmental and Emergency Management.

✓ 240-2006 – A Resolution accepting the bid of ASL Excavating, Inc., in the amount of $127,913.45, for Crawley Lane Culvert Replacement.

- accepting the bids of Brandeis Machinery & Supply Co., Equipment Sales & Rentals, and Wilson Brothers Rental & Sales, Inc., establishing price contracts for equipment rental, for the various departments and divisions of the Urban County Government.
- accepting the bid of Speedway Super America, LLC establishing a price contract for fuel for Urban County Government vehicles, for the Div. of Fleet Services.

- accepting the bid of C.E.D. Inc., establishing a price contract for PLC's and accessories, for the Div. of Sanitary Sewers.
- accepting the bid of Emergency Medical Supply, Inc. (EMS-USA), in the amount of $73,000.00, for mass casualty care/surge trailer, for the Div. of Fire.
- accepting the bid of Burns Machinery Moving & Installation, Inc., in the amount of $5,690.00, for installation of magnetic flow meters.
- accepting the bid of Arnold, Dugan & Meyers, LLC, in the amount of $620,000.00, for replacement of fine screen at Town Branch Wastewater Treatment Plant.
- amending Resolution No. 175-2006 to decrease the allocation of funding to Downtown Lexington Corp. from $1,000.00 to $778.00.
- accepting the donation of a mahogany display case, similar to one at Monticello, the home of Thomas Jefferson in Virginia, from Larry Wells and Hugh James, owners of Lexington Furniture Company.

✓ 241-2006 – A Resolution authorizing the Mayor to execute a Release of Easement, releasing a sanitary sewer easement at 4401 Tates Creek Road.

✓ 242-2006 – A Resolution authorizing the Mayor to execute a Memorandum of Understanding with the following: Bluegrass Area Development District; Bluegrass Community and Technical College Adult Education; Bluegrass Domestic Violence Program; Bluegrass Fayette Cabinet for Health and Family Services; the Bluegrass Rape Crisis Center; Bluegrass Regional Mental Health – Mental Retardation Board, Inc.; Bluegrass Technology Center; the Carnegie Center for Literacy and Learning; Child Care Council of Ky., Inc.; Chrysalis House, Inc.; Community Ventures Corporation; Employment Solutions; Faith in Action: Elder Outreach; God's Pantry Food Bank; Goodwill Industries of Ky.; Lexington Habitat for Humanity; Hope Center, Inc.; Ky. Housing Corporation; Ky. Job Corps; the Lexington-Fayette County Health Department; the Lexington-Fayette Urban County Human Rights Commission; Lexington Local Investment Commission, Inc.; LexTran; Manchester Center, Inc.; Office of Vocational Rehabilitation; Operation Read; Opportunity for Work and Learning, Inc.; Partners for Youth Foundation, Inc.; Shiloh Baptist Church; United Way of the Bluegrass; and, Urban League of Lexington Fayette County, Inc., to fulfill the Community and Supportive Services (CSS) requirements of the Bluegrass-Aspendale Hope VI Revitalization Grant, at no cost to the Urban County Government.

- authorizing the Mayor to execute Facility Agreements with Northern Cal Ripken, Eastern Little League, Dixie Youth Baseball, South Lexington Youth Baseball, Southwest Lexington Pony Baseball, Inc., Southeastern Cal Ripken, Gardenside Little League, Bluegrass Girls Fast Pitch, Southeastern Babe Ruth, Kirklevington Senior Baseball, South Lexington Babe Ruth and Northern Babe Ruth, for use of Government owned ball fields for the benefit of the youth in the community, at no cost to the Urban County Government.
- authorizing the Mayor to execute an additional Software License Agreement with New World Systems Corp., for expansion of the mobile data communications network in the Dept. of Public Safety and implementation of the mobile data communications network in the Fayette County Sheriff's Office, at a cost not to exceed $128,100.00.
- ratifying the probationary civil service appointments of: Michelle Riddle, Staff Assistant Sr., Grade 108N, $13.552 hourly, in the Div. of Police, effective April 17, 2006; Obie Sloan, Public Service Worker, Grade 106N, $12.042 hourly, in the Div. of Parks, effective May 1, 2006; Alecia Roby, Staff Assistant Sr., Grade 108N, $12.311 hourly, in the Div. of Building Maintenance and Construction, effective May 15, 2006; Lisa Berman, Clinical Services Manager, Grade 117E, $2,145.04 bi-weekly, in the Div. of Youth Services, effective June 26, 2006; Timothy Mitchell, Maintenance Mechanic, Grade 113N, $18.620 hourly, in the Div. of Sanitary Sewers, effective May 15, 2006; Dannie Walker, Maintenance Mechanic, Grade 113N, $16.005 hourly, in the Div. of Sanitary Sewers, effective May 1, 2006; Joseph David, GIS Specialist, Grade 114N, $17.725 hourly, in the Div. of Planning, effective April 17, 2006; Donna Lunsford, Custodial Worker, Grade 102N, $9.231 hourly, in the Div. of Building Maintenance and Construction, effective May 1, 2006;

Irvin Stewart, Engineering Aide Sr., Grade 109N, $13.248 hourly, in the Div. of Sanitary Sewers, effective May 1, 2006; Beverly Higgins, Administrative Specialist Sr., Grade 112N, $20.442 hourly, in the Dept. of General Services, effective May 1, 2006; Carol Drury, Staff Assistant, Grade 107N, $12.502 hourly, in the Div. of Parks, effective May 1, 2006; John Bryant, Building Inspector Supervisor, Grade 116E, $2,152.80 bi-weekly, in the Div. of Building Inspection, effective May 1, 2006; Jeffery Levy, GIS Specialist, Grade 114N, $18.271 hourly, in the Div. of Enhanced 911, effective May 8, 2006; ratifying the permanent civil service appointments of: Stephen Parker, Municipal Engineer Sr., Grade 119E, in the Div. of Engineering, effective April 17, 2006; Cheryl Bryant, Budget Technician, Grade 112N, in the Div. of Budgeting, effective April 30, 2006; Joseph Hutchinson, Equipment Operator Sr., Grade 109N, in the Div. of Streets, Roads & Forestry, effective April 12, 2006; Samuel Patrick, Joseph Hagan, William Thomason, Martin Harley, Eva Hood, Tony Weber, Howard Ellison, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective March 5, 2006; Bryan Helton, Building Inspector, Grade 113N, in the Div. of Building Inspection, effective April 30, 2006; Rosemary Olive, Administrative Specialist, Grade 110N, in the Div. of Risk Management, effective April 30, 2006; Sean Simmons, Engineering Technician, Grade 111N, in the Div. of Engineering, effective April 24, 2006; Brandon Dunstan, Graphic Assistant, Grade 109N, in the Div. of Parks, effective May 14, 2006; John Napier, Building Inspector, Grade 113N, in the Div. of Building Inspection, effective May 14, 2006; Robert Harris, Public Service Worker Sr., Grade 107N, in the Div. of Parks, effective May 14, 2006; ratifying the probationary sworn appointments of: Roger Smith, Fire Lieutenant, Grade 315N, $14.749 hourly, in the Div. of Fire, effective March 9, 2006; Sheryl Daniel, Fire Captain, Grade 316N, $19.498 hourly, in the Div. of Fire, effective March 9, 2006; ratifying the permanent sworn appointments of: Kelven Eden, Police Officer, Grade 311N, in the Div. of Police, effective March 8, 2006; Jonathan Bastian, Christopher Cooper, David DeWolfe, David Flannery, Devan Gales, Benjerman Hallock, Thomas Perkins, Nathan Williams, Brandy Johnson, Kati Rhea, James Mitchell, Kyle Toms, Anthony Bottoms, Police Officer, Grade 311N, in the Div. of Police, effective March 15, 2006; Christopher Schnelle, Police Sergeant, Grade 315N, in the Div. of Police, effective May 14, 2006; approving the unclassified civil service appointment of: Diana Caldwell, Social Worker, Grade 111E, $1,043.04 bi-weekly, in the Dept. of Social Services, effective May 15, 2006.

- changing the street name and property address numbers of 559 West Fifth Street to 500 Jefferson Street, and of 5602 Versailles Road to 5925 Parkers Mill Road; changing the street name of 953, 957, 960, and 961 Firethorn Drive to 953, 957, 960 and 961 Firethorn Place, and 252 Mount Tabor Road to 252 Old Mount Tabor Road; and changing the property address numbers of 3311 Paris Pike to 3223 Paris Pike, of 2946 Liberty Road to 2950 Liberty Road, of 4003 Mount Horeb Pike to 4001 Mount Horeb Pike, of 252 Old Mount Tabor Road to 250 Old Mount Tabor Road, of 300 West Loudon Avenue to 250 West Loudon Avenue, of 634 and 630 Sayre Avenue to 637 and 633 Sayre Avenue, of 1450 Meadowthorpe Avenue to 1457 Meadowthorpe Avenue, of 1116 Winchester Road to 1110 Winchester Road, and of 267 South Limestone to 275 South Limestone; all effective thirty days from passage.

✓ 243-2006 – A Resolution authorizing the Mayor to make a donation of eight thousand dollars ($8,000.00) to USA Cares, Inc. from the Uniformed Services Account and to be presented at the Armed Forces Event.

✓ 244-2006 – A Resolution authorizing the Mayor to execute and submit a Grant Application to the Ky. State Fire Commission and to provide any additional information requested in connection with this grant application, which grant funds are in the amount of $10,000.00 Commonwealth of Ky. funds under the 2006 State Fire Commission Training Facility Grant Program, and are for refurbishing the fire pump drafting pit at the Fire Training Center.

✓ 245-2006 – A Resolution authorizing the Mayor to execute and submit a Grant Application to the U. S. Dept. of the Interior, National Park Service, on behalf of the Gratz Park Neighborhood Association, and to provide any additional information requested in connection with this grant application, which grant funds are in the

amount of $60,000.00 Federal funds, and are for a comprehensive plan for Gratz Park.

- authorizing the Mayor to execute a Relocation of Easement, Release of Easement and Dedication of Easement, releasing and relocating a streetlight easement at 780 Miles Point Way.
- establishing Bullard Manufacturing as a sole source provider for the purchase of thermal image cameras, for the Div. of Fire.

✓ 246-2006 – A Resolution authorizing the Mayor to execute an Agreement with the Southland Association, to co-sponsor the Southland Jamboree, at no cost to the Government.

✓ 247-2006 – A Resolution authorizing the Mayor to execute the Purchase Agreement with Transit Authority of the Lexington-Fayette Urban County Government (LexTran), to purchase bus passes and/or bus tokens for Bluegrass Aspendale residents who are receiving community and supportive services through the Bluegrass-Aspendale Hope VI Grant Project, at no cost to the Urban County Government.

✓ 248-2006 – A Resolution authorizing the Mayor to execute a Purchase of Services Agreement with the University of Ky. Research Foundation, to design and implement the Community and Support Services evaluation plan for the Bluegrass Aspendale Revitalization Hope VI Grant, at no cost to the Urban County Government.

✓ 249-2006 – A Resolution authorizing the Mayor to execute an Agreement with Cove Haven Cemetery, for grant funds from the Governor's Office of Local Development for improvements to Cove Haven Cemetery, at a cost not to exceed $25,000.00.

- authorizing the Mayor to execute a Professional Services Agreement with Carrie Lynn Dunaway, as a Certified Sexual Assault Nurse Examiner, to provide on-call forensic examinations under the Sexual Assault Nurse Examiner Program, at a cost not to exceed $40.00 for each scheduled on-call period, $220.00 for each completed forensic examination and the reasonable cost of medical liability insurance.
- authorizing the Mayor to execute a Memorandum of Understanding with the Bluegrass Regional Mental Health-Mental Retardation Board, Inc., for telephonic behavioral health triage service, as part of the jail mental health crisis network, at the Detention Center, at no cost to the Urban County Government.
- authorizing the Mayor to execute a Memorandum of Agreement with Chrysalis House, Inc., for educational opportunities and communication between Chrysalis House families and the Div. of Police, at no cost to the Urban County Government.
- authorizing the Mayor to execute an Amendment to the Agreement with the Bluegrass Area Development District for Workforce Investment Act funds, decreasing the dislocated worker allocation by $154,495.00 and increasing the adult allocation by the same amount, at no cost to the Urban County Government.

✓ 250-2006 – A Resolution authorizing the Mayor to execute Change Order No. 1 to the Contract with Central Rock Mineral Co., LLC, for Valley Park Sanitary Sewer Improvements, increasing the contract price by the sum of $52,000.00 from $81,331.09 to $133,331.09.

VII. COMMUNICATIONS FROM THE MAYOR (For Information Only)

1. Resignation of Daniel Shlernitzauer, Police Officer, Grade 311N, in the Div. of Police, effective April 11, 2006.
2. Resignation of Mark Williams, Public Service Worker, Grade 106N, in the Div. of Solid Waste, effective April 6, 2006.
3. Resignation of John Ice, Staff to Council II, Grade 000E, in the Office of the Urban County Council, effective April 30, 2006.

VIII. REPORT

1. Div. of Sanitary Sewers for the month of March, 2006.

IX. ANNOUNCEMENTS

X. PUBLIC COMMENT