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

➢ Ordinances and Resolutions removed from the docket.

● = 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

December 7, 2006 – 7:00 P.M.

I. ROLL CALL

II. INVOCATION

III. MINUTES OF THE PREVIOUS MEETINGS

November 2 and 16, 2006

IV. PRESENTATION

Lafayette High School Marching Band–2006 Class 5A State Champions

V. ORDINANCES

SECOND READING

✓ 341-2006 – An Ordinance amending Articles 1-11, 8-1, 8-2, 8-3, 8-4 and 8-23 of the Zoning Ordinance to define "winery" and "small farm winery", to include wineries as a principal permitted agricultural use; to identify permitted accessory and conditional uses associated with wineries; and to add wineries as a principal use in the Heavy Industrial (I-2) zone. Approval 8-0

✓ 342-2006 – An Ordinance accepting the bid of Pearce-Blackburn Roofing in the amount of $63,800.00, for Kearney Hill Golf Links pro shop roof replacement, for the Div. of Parks, and appropriating funds pursuant to Schedule No. 102. (2)

✓ 343-2006 – An Ordinance accepting the bid of Schaefer Properties LLC in the amount of $289,749.00, for Coolavin Community Building construction for the Div. of Parks, and appropriating funds pursuant to Schedule No. 121. (3)

✓ 344-2006 – An Ordinance 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. 107.

✓ 345-2006 – An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to complete projects remaining in FY 2006 as approved at Work Session October 31, 2006, and appropriating and reappropriating funds, Schedule No. 111.

✓ 346-2006 – An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government for storm water projects as approved at Work Session October 31, 2006, and appropriating and reappropriating funds, Schedule No. 112.

✓ 347-2006 – An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government for backpay related to pay equity as approved at Work Session October 31, 2006, and appropriating and reappropriating funds, Schedule No. 113.

✓ 348-2006 – An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $600.00 from Neighborhood Development funds for the installation of speed humps in the Blueberry Hills neighborhood, and appropriating and reappropriating funds, Schedule No. 122.

✓ 349-2006 – An Ordinance amending certain of the budgets of the Lexington-

Fayette Urban County Government to reflect current requirements for funds in the amount of $211,000 for ADA compliant elevator and associated entryway and sidewalk reconfiguration at the Government Center entrance, and appropriating and reappropriating funds, Schedule No. 126.

- ✓ 350-2006 – An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Vehicle and Equipment Mechanic-Certified, Grade 111N, and creating one (1) position of Vehicle and Equipment Mechanic, Grade 110N, and reclassifying the incumbent, in the Div. of Streets, Roads and Forestry.

- ✓ 351-2006 – An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Staff Assistant Sr., Grade 108N, and creating one (1) position of Total Rewards Assistant, Grade 112N, and reclassifying the incumbent, in the Div. of Human Resources, to become effective retroactive to September 4, 2006, and appropriating funds pursuant to Schedule No. 117.

- ✓ 352-2006 – An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Associate Municipal Engineer, Grade 115E, and creating one (1) position of Municipal Engineer, Grade 117E, and reclassifying the incumbent, in the Div. of Engineering, to become effective retroactive to May 28, 2006, and appropriating funds pursuant to Schedule No. 118.

- ✓ 353-2006 – An Ordinance amending Section 21-5 of the Code of Ordinances reallocating one (1) position of Collection & Conveyance Manager from Grade 119E to Grade 122E, to become effective retroactive to October 2, 2006; reallocating one (1) position of Pre-Treatment Manager from Grade 116E to Grade 117E, to become effective retroactive to September 4, 2006; abolishing one (1) position of Staff Assistant, Grade 107N, and creating one (1) position of Administrative Specialist, Grade 110N, all within the Div. of Sanitary Sewers, and appropriating funds pursuant to Schedule No. 119.

- ✓ 354-2006 – An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Financial Coordinator, Grade 112N, and creating one (1) position of Accountant, Grade 113E, and reclassifying the incumbent, in the Div. of Community Development, to become effective retroactive to October 2, 2006, and appropriating funds pursuant to Schedule No. 120.

- ✓ 355-2006 – An Ordinance amending Section 22-5 of the Code of Ordinances abolishing one (1) position of Staff Assistant, Grade 107N, and creating one (1) position of Staff Assistant Sr., Grade 108N, and reclassifying the incumbent, in the Div. of Parks, and pursuant to Ordinance No. 197-2002 adjusting the salaries of two employees occupying the position of Staff Assistant Sr. in the Div. of Police and one employee occupying the position of Staff Assistant Sr. in the Div. of Engineering, all to become effective retroactive to September 4, 2006, and appropriating funds pursuant to Schedule No. 108.

- ✓ 356-2006 – An Ordinance amending Section 22-5 of the Code of Ordinances creating one (1) position of Life Skills Program Coordinator – PT, Grade 112E, in the Div. of Family Services, and appropriating funds pursuant to Schedule No. 109.

- ✓ 357-2006 – An Ordinance amending Section 22-5 of the Code of Ordinances creating two (2) positions of Victim's Advocate, Grade 112E, in the Div. of Police.

- ✓ 358-2006 – An Ordinance amending the title of Ordinance No. 302-2006 to correct a typographical error that created one position of Firefighter rather than abolishing that position, to become retroactive to October 19, 2006.

- ✓ 359-2006 – An Ordinance authorizing the Mayor to accept a Grant from the Ky. Governor's Office of Local Development, which grant funds are in the amount of $47,200.00 Federal funds under the 2006 Recreational Trails Program, are for construction of a portion of the Harrods Hill Park Trail, a portion of the Beaumont Preserve Trail, and a Trail at Raven Run, the acceptance of which obligates the Urban County Government for the expenditure of $47,200.00, as a local match,

appropriating funds pursuant to Schedule No.114, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

✓ 360-2006 – An Ordinance authorizing the Mayor to accept a Grant from the U.S. Dept. of Justice, which grant funds are in the amount of $11,249.03 Federal funds, are for the purchase of bullet proof vests for the Div. of Police ($10,549.00) and the Office of the Fayette County Sheriff ($700.00), the acceptance of which obligates the Urban County Government for the expenditure of $10,549.00 as a local match, appropriating funds pursuant to Schedule No. 115, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

✓ 361-2006 – An Ordinance authorizing the Mayor to accept a Grant from the Ky. Dept. of Homeland Security, which grant funds are in the amount of $137,800.00 Federal funds, are for the purchase of a PRISM System for the Central Ky. Blood Center, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 116, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

✓ 362-2006 – An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $7,840.00 in the Division of Police for bicycles by decreasing Council Capital Funds for Parks and Recreation for improvements to Gainesway Community Park, and appropriating and re-appropriating funds, Schedule No. 123.

✓ 363-2006 – An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $15,000.00 in the Council Office by decreasing Council Capital Funds for Parks and Recreation for a landscape buffer at Cardinal Run, and appropriating and re-appropriating funds, Schedule No. 0124.

➢ changing the zone from a Neighborhood Business (B-1) zone with conditional zoning restrictions, to a Neighborhood Business (B-1) zone with modified conditional zoning restrictions, for 4.17 net (5.16 gross) acres of property located at 3955 Harrodsburg Road. (Barry C. Mangold) **TO BE REMOVED - THE PUBLIC HEARING HAS BEEN RESCHEDULED TO JANUARY 11, 2007.**

<u>FIRST READING</u>

- accepting the bid of Contact One, Inc. in the amount of $677,626.00, for 911 Mapping Software, addressing database management system, and emergency notification system; authorizing the Mayor to execute a Service and Software Contract with Contact One, Inc., and appropriating funds pursuant to Schedule No. 131.
- accepting the bid of Kenney, Inc., in the amount of $1,176,939.65, for Bracktown Sanitary Sewer Improvement, for the Div. of Engineering, and appropriating funds pursuant to Schedule No. 146. (5)
- authorizing payment to reimburse the Ky. Transportation Cabinet for retrofitting of traffic signals with LED modules, pursuant to the Memorandum of Agreement with the Cabinet, in an amount not to exceed $98,564.12, and appropriating funds pursuant to Schedule No. 125.
- authorizing the Mayor to accept donations of thirty-four thousand five hundred ($34,500.00) dollars, from Ky. Utilities ($15,000.00); Keeneland ($5,000.00); Southern Belle ($3,500.00); National City Bank ($2,500.00); Sherman Carter Barnhart ($2,500.00); Bluegrass Towing ($2,500.00); Harp Enterprises ($2,500.00); and M & M Sanitation ($1,000.00) as sponsors for the Ky. Christmas Chorus, and appropriating funds pursuant to Schedule No. 134.

✓ 364-2006 – An Ordinance creating Article XXXXIII in Chapter 2 of the Code of Ordinances of the Lexington-Fayette Urban County Government to create the Commission for Citizens with Disabilities.

- ✓ 365-2006 – An Ordinance amending subsections (1) and (3) of 14-10(f) of the Code of Ordinances to replace the designated position titles in the Div. of Building Inspection with Director of Building Inspection, Deputy Director of Building Inspection, Building Inspection Supervisor, Building Inspector Senior, and Building Inspector employed in the Div. of Building Inspection, to remove Sections 17-2, 17-2.1, 17-3 and 17-4 of the Code of Ordinances from the ordinances to be enforced by the Div. of Building Inspection, and to grant citation authority to enforce Section 17-21 of the Code of Ordinances to personnel in the Div. of Engineering; and creating Section14-10(f)(11) of the Code to grant citation officer authority to the Commissioner of Public Safety, the Director Enhanced 911 and GIS Programmer/Analysts in the Dept. of Public Safety for the enforcement of Code of Ordinances Sections 17-2 through 17-4 and Section 6-8(k) of the Land Subdivision Regulations of the Zoning Ordinance.

- amending subsections (a)(1), (a)(3), (a)(4), (a)(5) of Section 17-2 of the Code of Ordinances to change the definitions of address, site number, building number, and principal building or structure; renumbering and amending subsection (d) of Section 17-2 of the Code to clarify criteria or standards for property identifications and to change the minimum site number height from three to four inches; amending subsections (a), (b), (c)(6), and (d) of Section 17-2.1 of the Code to add the word street, to change the word road to existing, to remove the word street from limestone street, and to change the number of street number digits from five to four; amending Section 17-4 of the Code to provide that enforcement of Sections 17-2 through 17-4 of the Code and Section 6-8(k) of the Land Subdivision Regulations of the Zoning Ordinance may be through the issuance of notices of violation and civil offense citations, that it is a violation to fail to affix an address or certain required numbers or parts thereof within five days of notice, to fail to notify the Dept. of Public Safety about the need for new or replacement fire gate numbers, to fail to erect regulation street signs within thirty days of approval, to maintain an address or certain required numbers or parts thereof so that they are not clearly visible and identifiable during daylight hours, to deface, move, or remove certain address or certain required numbers or parts thereof, to name a private access easement without prior approval, or to place any sign bearing a non-approved name in a private access easement, that the penalty shall be a fine of at least $50 but no more than $500 for each offense, with each day's continuance of a violation a separate offense, that civil fines of between $50 and $500 may be issued as an alternative for each offense, and that the Urban County Government is not prohibited from taking further action; creating Section 17-4.1 of the Code to establish notices of violation and civil citations to be issued by the Director Enhanced 911 or his representative which are to provide date and time of issuance, name and address of violator, date, time and facts constituting the offense, section of the Code or Zoning Ordinance violated, name of the issuer, period of time to correct if a notice of violation, warning statement regarding future citations if a notice of violation, maximum fine and lesser fine if not contested if a citation, procedure for payment or appeal if a citation, and a statement of waiver if not contested if a citation, methods of service of a notice of violation or citation, copies of citations to be provided to the board, written appeals within seven days of issuance of a citation, waiver and establishment of the violation and fine, fees, and costs if not contested, civil fines of $50 to $100 for the first offense, $100 to $200 for the second offense, $150 to $300 for the third offense, and $250 to $500 for the fourth or more offense within a twelve month period; creating Section 17-4.2 of the Code to establish a three member Address Enforcement Hearing Board to be appointed by the Mayor and to designate the Board as a Code Enforcement Board pursuant to the Local Government Code Enforcement Board Act; creating Section 17-4.3 of the Code to establish the powers of the board; creating Section 17-4.4 of the Code to establish a process for election of a chair, a meeting schedule, notice of meetings, a quorum, disclosure of disqualifying interest, that all meetings are open, and a requirement for minutes; creating Section 17-4.5 of the Code to establish the hearing appeal process and notice of the hearing; creating Section 17-4.6 of the Code to establish participation and representation at a hearing, attendance at a hearing, handling of testimony and evidence, determination of a

violation and issuance of an order, and staff assistance; creating Section 17-4.7 of the Code to establish timely appeals; creating Section 17-4.8 of the Code to establish the filing of liens on the violator's property for unpaid to civil citations to include an administrative fee of $75.00 and any additional costs incurred for each violation, civil collection actions and the execution and recording of lien releases; and creating Section 14-10(f)(11) of the Code to grant citation officer authority to the Commissioner of Public Safety, the Director Enhanced 911 and GIS Programmer/Analysts in the Dept. of Public Safety for the enforcement of Code Sections 17-2 through 17-4 and Section 6-8(k) of the Land Subdivision Regulations of the Zoning Ordinance; all effective on January 1, 2007.

- amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Administrative Specialist, Grade 110N, and creating one (1) position of Administrative Specialist Principle, Grade 114E, and reclassifying the incumbent, in the Div. of Police, and pursuant to Ordinance No. 197-2002 adjusting the salaries of one (1) employee occupying the position of Administrative Specialist Principle in the Div. of Police, and one (1) employee occupying the position of Administrative Specialist Principle in the Div. of Community Corrections, all to become effective retroactive to October 2, 2006, and appropriating funds pursuant to Schedule No. 130.

- amending Section 22-5(2) of the Code of Ordinances abolishing one (1) position of Program Specialist, Grade 112E, and creating one (1) position of Program Supervisor, Grade 115E, and reclassifying the incumbent, in the Dept. of General Services, to become effective retroactive to August 7, 2006, and appropriating funds pursuant to Schedule No. 129.

- expanding and extending Partial Urban Services District #3 for the Urban County Government for the provision of garbage and refuse collection, to include the area defined as certain properties on the following streets: Glen Creek (Dove Creek) Unit 3-B Sec 2, Appian Crossing Way; Denton Farms Inc Unit 1G, Branham Park; Weston Park; Gess Property (Chilesburg) Unit 2A, Castlebridge Lane; Gess Property (Chilesburg) Unit 2B, Castlebridge Lane; Gess Property (Chilesburg) Unit 2C, Durning Road; Dylan Place; Denton Farms Unit 4A (Ellerslie at Delong), Ellerslie Park Boulevard; Glen at Lochdale, Unit 4-D, Lochdale Terr @ Twin Spires, Johns Turn Trail; Millcreek Subdivision Unit 3 Lots 16 and 17, Leisure Creek Court; Glen at Lochdale, Unit 4-D, Lochdale Terr @ Twin Spires, Lochdale Terrace; McAtee Run, McAtee Lane, McAtee Run; NDC Property, Unit 1A, Lot 21, Meijer Way; Nadia Lane; Newmarket Prop., Phase 1, Unit 2-E, Oatlands Park; (Douglas and Richardson Prop), Polo Club Boulevard; Higbee Mill Reserve Sec 1, Reserve Court; Reserve Rd; Gess Property (Chilesburg) Unit 2B, Thadeus Court; Doris G. Phelps Property Unit 1 Sec 2, Tradition Way; Phelps Property Unit 1 Section 3, Tradition Way; Doris G. Phelps Property, Tradition Way; Phelps Property Unit 1 Sec 4, Tradition Way; Denton Farms Unit 4A (Ellerslie at Delong), Weston Park; Patchen Wilkes, Unit 1-A (1811 Winchester Rd.), Winchester Road; and Glen at Lochdale, Unit 4-D, Lochdale Terr @ Twin Spires, Winthrop Drive.

- expanding and extending the Full Urban Services District for the Urban County Government for the provision of street lighting, street cleaning and garbage and refuse collection, to include the area defined as certain properties on the following streets: Claridge Drive; Chesapeake Equine, Inc. Property Unit 4, Applecross Drive; Gess Property Units 4-E and 4-D, Arum Park; Gess Property Unit 4-A, Bacopa Place; Chesapeake Equine, Inc. Property Units 4 and 3, Baileys Row; Gess Property Unit 4-F, Banyan Cove; Gess Property Units 4-C and 4-F, Banyan Park; Beaumont Farm Unit 14-C Sec 2, Barnwell Lane; Highland Lakes Unit 8-D, Biltmore Place; Sebastian Property Unit 3A Sec 1, Black Water Lane; Blackford Property Phase 1, Unit 3A, Blackford Pass; Blackford Property Phase 1, Units 3A, 3B and 4A, Blackford Parkway; Blackford Property Phase 1, Unit 4E, Section 2 and Unit 4F, Section 2, Blackford Parkway; Chesapeake Equine, Inc Property Unit 4, Blarney Court; Blackford Property Phase 1 Unit 4A, Bledsoe Place; Gess Property Unit 5-A, Bower Lane; Denton Farms Unit 4B (Ellerslie at Delong), Branham Park; Sebastian Property Unit 3E Sec 1, Burnt Mill Road; Tuscany, Units 1-D, 1-E and 1-A, Carducci Street;

Beaumont Farm Unit 14-C Sec 2 and Sec 3, Cashiers Court; Greendale Hills Unit 3-A (Downing Property), Colter Pass; Tuscany, Unit 1-B, Sec. 2, Coroneo Lane; Tuscany, Unit 1-A, Coroneo Lane; Greendale Hills Unit 3G, Crescenzio Way; Magna Entertainment Corp. Phase 1, Section 2 (Konner Woods Subdivision), Danforth Drive; Newmarket Phase I, Unit 5, Deer Haven Lane; Gess Property Unit 4-B, Downy Park; Coventry (Belmont Farm) Unit 4-C Sec 1, Drummond Drive; Hamburg Place Farm Zone B069 Section 1, Elkhorn Road; Denton Farms Unit 4A (Ellerslie at Delong), Ellerslie Park Boulevard; M-886 2005-208F Denton Farms Inc, Unit 3B Sec 2, Ellerslie Park Boulevard; Greendale Hills Unit 3-F (Downing Property), Estrella Drive; Greendale Hills Unit 3G, Estrella Drive; Beaumont Farm Unit 14-C Sec 3, Fairfax Lane; North Point Unit 5 Sec 3, Fairgrounds Drive; Beaumont Farm Unit 14-C Sec 3, Feliciana Lane; Rabbit Run Subdivision, Fort Harrods Drive; Patchen Wilkes, Unit 1-B (1811 Winchester Rd.), General Warfield Way; Tuscany, Unit 1-B, Sec.2, Geppa Court; Patchen Wilkes, Units 1-C and 1-A (1811 Winchester Rd.), Goodpaster Way; Chesapeake Equine, Inc Property Units 3 and 4, Greendale Road; Hamburg Place Farm Zone B-69 Section 2, Grey Lag Way; Greendale Hills Unit 3-D (Downing Property), Halford Place; Richardson Property (Chilesburg Road), Hannah Todd Place; Chesapeake Equine, Inc Property Unit 3, Harrington Court; Highland Lakes Unit 8-D, Hawks Nest Point; Sunny Slope Farm, Unit 2-1, Hollyberry Lane; Coventry (Belmont Farm) Unit 4-A, Huntly Place; Clark Property Unit 1-B Sec 1 and Unit 1-A, Ice House Way; Gess Property Units 4-B, 3-C, And 4-A, Jouett Creek Drive; Denton Farms, Inc., Units 3-B and 3-A, Leighton Lane; Beaumont Farm Unit 14-C Sec 3, Linville Lane; Greendale Hills Unit 3-F (Downing Property), Lucille Drive; Greendale Hills Unit 3G, Lucille Drive; Little Property Unit 1A Lot 1, Mackinwood Drive; Blackford Property Phase 2, Unit 1C Section 2, Mahala Cove; Gess Property Units 5-B and 5-A, Maidencane Drive; Gess Property Unit 5-E Sec 1, Maidencane Drive; Gess Property Unit 5-D Sec 1 and Unit 5-A, Marlberry Place; Clark Property Unit 1-D, Millstone Cove; Clark Property Unit 1-C and 1-D, Millstone Way; Coventry (Belmont Farm) Units 4-B Sec 1 and 4-C Sec 1, Milsom Lane; Greendale Hills Unit 3G, Mulundy Way; Gess Property Unit 4-D, Natal Place; Sharkey Property Unit 2-A, Old Towne Walk; Sebastian Property Unit 3E Sec 1, Unit 38 Section 1 and Unit 3A Sec 1, Old Woolen Mill Lane; Denton Farms, Inc., Unit 3-A, Ormesby Place; Tuscany, Units 1-D, 1-E, and 1-A, Pascoli Place; Newmarket Phase I Unit 1C Section 2, Passage Mound Way; Pebble Brook Circle; Magna Entertainment Corp, Phase 2 (Konner Woods Subdivision), Polk Lane; Clark Property Unit 1-A, Polo Club Boulevard; Rabbit Run Subdivision, Rabbits Foot Trail; Greendale Hills Units 3-D, 3-B and 3-A (Downing Property) and Unit 3-C; Rockaway Place; Mulkin Property (Shady Hills), Shady Hills Drive; Greendale Hills Unit 1-B and Unit 3-A (Downing Property), Skyview Lane; Denton Farms, Inc., Units 3-B and 3-A, Somersly Place; Coventry (Belmont Farm) Unit 4-B Sec 1, Spurr Road; Gess Property Units 4-C, 4-D, 4-E and 4-F, Stonecrop Drive; Sunny Slope Farm, Units 2-J, 2-I, 2-H, 2-L and 2-K, Sunny Slope Trace; Clark Property Unit 1-B Sec 1, Unit 1-C and Unit 1-E Sec 1, Sweet Clover Lane; Sunny Slope Farm, Units 2-J and 2-K, Sweetspire Drive; Gess Property Unit 5-D Sec 1, Tallow Court; Sunny Slope Farm, Unit 2-H, Tiffanie Court; Sharkey Property Unit 2-A, Towne Center Drive, Towne Square Park; Gess Property Unit 5-B, Verbena Cover, Verbena Park; Coventry (Belmont Farm) Unit 4-B Sec 1 and Unit 4-A, Walcot Way; Doris G Phelps Property Unit 2, Walnut Creek Drive; NDC Property Unit 4 Sec 1 Lot 1, Wellington Way; Denton Farms Unit 4B (Ellerslie at Delong), Weston Park; Sebastian Property Unit 3A Sec 1 and Unit 3C Sec 1, White Oak Trace; Gess Prop., Unit 12-F, Willman Way; Patchen Wilkes, Unit 1-B (1811 Winchester Rd.), Winchester Road.

✓ 366-2006 – An Ordinance amending Section 3 of Ordinance No. 203-2006 to correct a typographical error in the subsection line number for ABC Administrator – Part-time, to become effective retroactive to June 26, 2006; and amending Section 1 of Ordinance No. 220-2006 to correct the subsection line number deleted and Section 2 of Ordinance No. 220-2006 to correct the subsection line number of Staff Assistant Sr., both to become effective retroactive to July 11, 2006.

- amending certain of the budgets of the Lexington-Fayette Urban County

Government to reflect current requirements for funds in the amount of $15,000.00 in the Dept. of Social Services from the Council Capital Funds for improvements to the Cardinal Valley Center, and appropriating and reappropriating funds, Schedule No. 132.

- amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $500.00 in the Div. of Police from the Neighborhood Development funds for Police Activities League 2006 Football Homecoming, and appropriating and reappropriating funds, Schedule No. 133.
- closing a portion of Rose Street; determining that all property owners abutting the portion of the street to be closed have been identified, provided with written notice of the proposed closing and consented thereto in writing; and authorizing the Mayor to execute a Quitclaim Deed transferring the former right-of-way to the abutting owner, subject to the reservation of easements for access and maintenance of existing utilities in the former right-of-way.

✓ 367-2006 – An Ordinance closing portions of Old Hurst Place and Clark Street; determining that all property owners abutting the portion of the street to be closed have been identified, provided with written notice of the proposed closing and consented thereto in writing; and authorizing the Mayor to execute a Quitclaim Deed transferring the former rights-of-way to the abutting owners, subject to the reservation of easements for access and maintenance of existing utilities in the former rights-of-way.

- directing the Lexington-Fayette Urban County Government Public Facilities Corp. to take certain formal actions as the agency and instrumentality and as the constituted authority of the Lexington-Fayette Urban County Government; specifically directing the issuance of and authorizing and approving Mortgage Revenue Refunding Bonds (Court Facilities Project), Series 2006 of Lexington-Fayette Urban County Government Public Facilities Corp. and appropriating funds pursuant to Schedule No. 128.

➢ accepting the bid of Integrity Document Solutions in the amount of $28,168.95, for printing the Fun Guide for 2007, for the Div. of Parks. (6)

- amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $3,000.00 in the Div. of Police for Red Light Running Enforcement at Nicholasville Road and Southland Drive by decreasing funds for Council District Four cost center operating accounts, and appropriating and re-appropriating funds, Schedule No. 144.
- authorizing the Mayor to execute Agreements with Asbury College, the Board of Education of Fayette County Kentucky, the Shelby County Fiscal Court, Kentucky State Police, the City of Shelbyville, the City of Richmond, and the City of Cynthiana, for services under the Anti-Gang Initiative Project, at a cost not to exceed $6,000.00 (Asbury College), $14,000.00 (Board of Education of Fayette County Kentucky), $17,540.00 (Shelby County Fiscal Court), $52,930.00 (Kentucky State Police), $13,686.00 (City of Shelbyville), $8,875.00 (City of Richmond), and $5,160.00 (City of Cynthiana), and appropriating funds pursuant to Schedule No. 138.
- authorizing the Mayor to accept a Grant from the Kentucky Office of Homeland Security, which grant funds are in the amount of $495,185.40 Federal funds, are for enhancement of the interoperable communications systems in the Div. of Police, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 141, 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 re-appropriating funds, Schedule No. 127.
- amending certain of the budgets of the Lexington-Fayette Urban County

Government for Committee of the Whole appropriations as approved at Work Session December 5, 2006, and appropriating and re-appropriating funds, Schedule No. 145.

- amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $5,000.00 in the Dept. of Social Services from the Council Capital Funds for improvements to the Cardinal Valley Center, and appropriating and re-appropriating funds, Schedule No. 147.
- amending certain of the budgets of the Lexington-Fayette Urban County Government Kentucky Central Settlement Funds (UDAG) in the amount of $1,938,460 as approved at Work Session December 5, 2006, and appropriating and re-appropriating funds, Schedule No. 150.
- amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Public Service Supervisor Senior, Grade 114E, one (1) position of Electrical Instrumentation Technician, Grade 113E, two (2) positions of Maintenance Mechanic, Grade 113N, four (4) positions of Public Service Worker, Grade 106N, and creating one (1) position of Safety Specialist, Grade 115E, one (1) position of Engineering Technician Principal, Grade 115E, one (1) position of Project Manager, Grade 114E, one (1) position of Engineering Technician Senior, Grade 113E, one (1) position of Engineering Technician, Grade 111N, and four (4) positions of Public Service Worker Senior, Grade 107N, in the Div. of Sanitary Sewers, and appropriating funds pursuant to Schedule No. 135.
- amending Section 22-5 of the Code of Ordinances creating one (1) position of Program Coordinator, Grade 109N, and creating three (3) positions of Custodial Worker-P/T, Grade 102N, in the Div. of Family Services, and appropriating funds pursuant to Schedule No. 136.
- amending Section 21-5 of the Code of Ordinances abolishing four (4) positions of Public Service Worker Senior, Grade 107N, and creating four (4) positions of Trades Worker Senior, Grade 109N and reclassifying the incumbents, in the Div. of Streets, Roads and Forestry, and pursuant to Ordinance No. 179-2002 adjusting the salaries of three (3) employees occupying the position of Trades Worker Senior, Grade 109N, in the Div. of Streets, Roads and Forestry, all to become effective retroactive to October 30, 2006, and appropriating funds pursuant to Schedule No. 142.
- amending Section 21-5 of the Code of Ordinances creating one (1) position of Community Service Program Manager, Grade 112N, in the Div. of Fire, and appropriating funds pursuant to Schedule No. 148.
- amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Administrative Specialist Senior, Grade 112N, and creating one (1) position of Accounts Payable Supervisor, Grade 115E, in the Div. of Accounting, and appropriating funds pursuant to Schedule No. 149.

✓ 368-2006 – An Ordinance notwithstanding Section 21-33(a) of the Code of Ordinances providing that employees holding the positions of Telecommunicator, Telecommunicator Senior, Telecomunicator Supervisor and PSAP Manager, in the Div. of Enhanced 911, may carry over accumulated vacation leave in excess of one hundred sixty-eight (168) hours at the end of calendar year 2006; providing that employees holding the positions of Telecommunicator, Telecommunicator Senior, Telecommunicator Supervisor and PSAP Manager, in the Div. of Enhanced 911, shall have their accumulated vacation hours reduced to one hundred sixty-eight (168) hours on March 31, 2007; and providing that employees holding the positions of Telecommunicator, Telecommunicator Senior, Telecommunicator Supervisor and PSAP Manager, in the Div. of Enhanced 911, who separate from employment with the Lexington-Fayette Urban County Government prior to March 31, 2007 shall be paid pursuant to Section 21-33(e) of the Code of Ordinances for no more than one hundred sixty-eight (168) hours plus those hours accumulated for service during calendar year 2007.

- ✓ 369-2006 – An Ordinance pursuant to Section 2-1(a) of the Code of Ordinances of the Lexington-Fayette Urban County Government, adopting a schedule of meetings for the Council for the calendar year 2007.
- adjusting the salary of Martin Ginocchio from $1,292.80 bi-weekly to $1,496.00 bi-weekly retroactive to June 17, 2002 and appropriating funds pursuant to Schedule No. 143.
- amending Section 25-19 of the Code of Ordinances to provide that no officer or employee shall directly supervise or manage the work of a relative; to define "directly supervise or manage"; to exempt Commissioners, the Chief Administrative Officer, Urban County Council Members and the Mayor; and to provide that an officer or employee shall not advocate, recommend, influence or attempt to influence any type of personnel action that would affect a relative; effective upon date of passage; and directing the Council Clerk to submit a copy of this ordinance and proof of publication to the Dept. of Local Government.
- amending Section 22-5 of the Code of Ordinances abolishing thirteen positions of Staff to Council II, two positions of Staff to Council II Part-Time, and two positions of Staff to Council I and creating fifteen Aide to Council positions; retaining certain incumbents; amending Section 22-45 of the Code of Ordinances providing that, with the advice of and monitoring by the Director of Human Resources, individual members of the Urban County Council may appoint an Aide to Council or two Part-Time Aides to Council, when such positions have been created and one Full-Time Aide to Council position has been abolished and the entire Council must ratify same; providing that an Aide(s) to Council shall serve at the will of the appointing Councilmember; providing that appointment to the position of Aide to Council shall be for the term of the Councilmember, not to exceed two (2) years; providing than an Aide to Council rehired by a Councilmember at the beginning of a new term shall continue to accrue benefits during the next two (2) year's employment as provided herein as if there had been no break in service, effective January 1, 2007; and appropriating funds pursuant to Schedule No. 137.
- amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $4,999.00 in the Div. of Parks from the Council Capital Funds for construction of a sidewalk at Castlewood Park, and appropriating and re-appropriating funds, Schedule No. 153.
- amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $4,200.00 in the Div. of Parks from the Council Capital Funds for Whitney Young Park barbeque pits and picnic tables, and appropriating and re-appropriating funds, Schedule No. 152.
- (I) authorizing the issuance by the Lexington-Fayette Urban County Government Educational, Cultural and Recreational Industrial Revenue Bonds, Series 2006 (Ashland Avenue Baptist Church Project) in the amount of up to $4,500,000 for the purposes of financing new facilities of Ashland Avenue Baptist Church, a qualified non-profit corporation ("Corporation"), qualified under Internal Revenue Code Section 501(c)(3); (II) providing for a pledge and assignment of revenues to the payment of said bonds; (III) authorizing the execution and delivery of a Bond Purchase and Loan Agreement; and (IV) taking any and all other related actions.
- authorizing the Mayor to execute and submit a Grant Application to the U.S. Dept. of Health and Human Services, 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 $50,000.00 Federal funds, are for continuation of the Healthy Tomorrows Program at the Family Care Center, the acceptance of which obligates the Urban County Government for the expenditure of $100,000.00 as a local match, appropriating funds pursuant to Schedule No. 140, and authorizing the Mayor to transfer unencumbered funds within the grant budget.
- authorizing the Mayor to accept a Grant from the Ky. Dept. of Juvenile Justice,

which grant funds are in the amount of $58,691.00 Federal funds, are for implementation of a Truancy Assessment Center, the acceptance of which obligates the Urban County Government for the expenditure of $33,864.00 as a local match, appropriating funds pursuant to Schedule No. 139, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

VI. RESOLUTIONS

SECOND READING

✓ 699-2006 – A Resolution accepting the bid of Triple O Electric, LLC, in the amount of $79,800.00 for installing and providing 2" innerduct conduit, for the Div. of Traffic Engineering. (4)

✓ 700-2006 – A Resolution accepting the bid of Chesley Associates, Inc., establishing a price contract for pump station parts – Wolf Run, for the Div. of Sanitary Sewers. (6)

✓ 701-2006 – A Resolution accepting the bid of Boerger LLC, in the amount of $67,290.00, for rotary lobe sludge pumps with custom flangs, for the Div. of Sanitary Sewers. (6) Non-low

✓ 702-2006 – A Resolution accepting the bid of Ky. Uniforms, Inc., establishing a price contract for uniforms, for the Div. of Community Corrections. (3) Non-low

✓ 703-2006 – A Resolution accepting the bids of Vogelpohl Fire Equipment, Bluegrass Fire Equipment, America's Bravest Equipment Co., Emergency Equipment, and Wynn Fire & Rescue Equipment, establishing price contracts for fire equipment, for the Div. of Fire. (5)

✓ 704-2006 – A Resolution accepting the bid of Free Contracting, Inc., in the amount of $469,853.00, for Lower Glendover West Drainage Improvements, for the Div. of Engineering. (2)

✓ 705-2006 – A Resolution authorizing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-66, designating the speed limit on Deauville Drive as 25 miles per hour and authorizing the Div. of Traffic Engineering to install proper and appropriate signs in accordance with the designation.

✓ 706-2006 – A Resolution authorizing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-66, designating the speed limit on Dunkirk Drive as 25 miles per hour and authorizing the Div. of Traffic Engineering to install proper and appropriate signs in accordance with the designation.

✓ 707-2006 – A Resolution establishing a Residential Parking Permit Program for Summit Avenue between Montclair Drive and Cooper Drive eight a.m. to four p.m., Monday through Friday; waiving the provisions relating to the mechanics of designating residential parking permit areas adopted by Resolution No. 168-90 and amended by Resolutions Nos. 450-91 and 433-2006.

✓ 708-2006 – A Resolution naming the unnamed right of way located between 563 Benton Road and 559 Benton Road to Benton Place to its terminus; changing the street name and property address numbers of 159 Chantilly Street to 116 Sutton Place, of 2260 Buena Vista Road to 2296 Thunderstick Drive, of 727 Georgetown Street to 467 Lindberg Drive, of 2400 Nicholasville Road to 100 Malabu Drive, of 3396 Old Frankfort Pike to 1110 Barbarika Drive, of 1857 Plaudit Place to 3001 Pink Pigeon Parkway, of 559 and 561 Benton Road to 1860 and 1870 Benton Place, of 1595 Mercer Road, Unit 140 to 420 Fairman Road, of West Tiverton Court from its intersection with West Tiverton Way to its terminus and its locations at 3981, 3992, and 3993 West Tiverton Court to Mall Road and 3851, 3882 and 3885 Mall Road, of Tynebrae Road from its intersection with Kenesaw Drive to its terminus and its locations at 4900, 4904, 4908, 4912, and 4920 Tynebrae Road to Weldon Court and 1128, 1124, 1120, 1116, and 1114 Weldon Court, of 3461 and 3535-3543 Van Meter Road to 3550 and 3721 Ladys Secret Drive, and of 4125 Van Meter Road to 1811 Miss Alleged Drive; changing the property address numbers of 3450 Huffman Mill Pike to 3360 Huffman Mill Pike, of 129-131 Eddie Street to 131 Eddie Street, of 4174

Nicholasville Road to 4280 Nicholasville Road, of 216 Blue Grass Avenue to 220 Blue Grass Avenue, of 1546 La Salle Road to 1547 La Salle Road, of 900 West Main Street to 874 West Main Street, of 1501, 1564, 1586, 1600, and 1620 Ferguson Road to 1490, 1565, 1585, 1601, and 1625 Ferguson Road, of 3501 and 3269 Jacks Creek Pike to 3275 and 3155 Jacks Creek Pike, of 1595 Mercer Road, Unit 180 to 1595 Mercer Road, Unit 150, and of 3675 Van Meter Road to 3901 Van Meter Road; changing the street name of Tucker Alley between its intersection with Pine Street and its intersection with West Maxwell Street to Annie Alley, and of 1945, 1949, 1953, 1954, 1950, 1946, and 1942 Wickland Circle to 1945, 1949, 1953, 1954, 1950, 1946, and 1942 Wickland Drive; all effective thirty days from passage.

✓ 709-2006 – A Resolution authorizing the Dept. of Law to accept a Deed of Easement from Curtis Reams and North Forty Properties, LLC, for a temporary construction easement and a permanent sanitary sewer easement at 3109 Owls Head Lane and authorizing the Mayor to execute the Deed of Easement to certify the consideration, at no cost to the Urban County Government.

✓ 710-2006 – A Resolution authorizing the Mayor to execute a Letter Agreement with the U.S. of America, acting by and through the Dept. of Army, U.S. Army Engineer District, Louisville, for administrative services associated with the acquisition of permanent sanitary sewer and temporary construction easements across the property located at 1051 Russell Cave Road, for the North Elkhorn Force Main Project, at a cost not to exceed $500.00.

✓ 711-2006 – A Resolution Telephone Supply Co. establishing a price contract for fiber optic cable and control equipment, for the Div. of Traffic Engineering.

✓ 712-2006 – A Resolution rescinding Resolution No. 553-2006 relating to allocation of Neighborhood Development funds as the allocations were duplicated in Resolution No. 581-2006.

FIRST READING

✓ 713-2006 – A Resolution accepting the bid of Myers Printing, Inc., establishing a price contract for printing of training announcements, for the Div. of Human Resources. (13) Non-low

✓ 714-2006 – A Resolution accepting the bid of Leak Eliminators, LLC, in the amount of $1,812,247.00, for Wilderness Road/Woodward Lane Sanitary Improvement, for the Div. of Engineering. (2)

✓ 715-2006 – A Resolution accepting the bid of Bachman Auto Group in the amount of $26,899.04, for a coroner's express cargo van, for the Div. of Fleet Services. (1)

✓ 716-2006 – A Resolution accepting the bid of Seimens Water Technologies Corp., establishing a price contract for odor removal products, for the Div. of Sanitary Sewers. (2)

✓ 717-2006 – A Resolution accepting the bid of Creations Sportswear, a Div. of Gaddco, Inc., establishing a price contract for DARE t-shirts, for the Div. of Police. (18)

✓ 718-2006 – A Resolution accepting the bid of Hach/CKM Industrial Sales, establishing a price contract for luminescent dissolved oxygen sensors, for the Div. of Sanitary Sewers. (2) Non-low

✓ 719-2006 – A Resolution authorizing the Mayor to accept a donation from Lexmark, for a C532 Color Laser Printer, at no cost to the Urban County Government.

✓ 720-2006 – A Resolution authorizing the Mayor to accept donations of one thousand three hundred thirty eight dollars and sixty three cents ($1,338.63) from Central Baptist ($225.00); Canon ($50.00); Commonwealth of Ky. ($270.00); Lions Club ($150.00); Junior League ($150.00); Ryder ($163.63); Meridian

($150.00) and Concours E'legance ($180.00) for installation and removal of banners in the downtown area.

- ✓ 721-2006 – A Resolution authorizing the Mayor to execute an Instrument of Transfer with Lexington-Fayette Urban County Airport Board, for a Live Scan Station, at no cost to the Urban County Government.

- ✓ 722-2006 – A Resolution authorizing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-86, to install multi-way stop controls at Trailwood Lane, Chestnut Ridge Drive, McConnells Trace and White Oak Drive.

- ✓ 723-2006 – A Resolution authorizing and adopting an updated filing fee schedule for Planning Commission and Board of Adjustment applications, eliminating fees associated with certificates of land use restriction.

- ✓ 724-2006 – A Resolution approving pursuant to Section 22-55.1 of the Code of Ordinances the bond with surety of Andrew Lynn, Second District Constable ($10,000.00) and directing the Div. of Risk Management to record the bond with surety, along with a certified copy of this Resolution, in the Office of the Fayette County Clerk.

- ✓ 725-2006 – A Resolution authorizing the Mayor to execute and submit a Grant Application to the Ky. Transportation Cabinet and to provide any additional information requested in connection with this grant application, which grant funds are in the amount of $152,000.00 Federal Congestion Mitigation and Air Quality (CMAQ) funds for construction of the Town Branch Trail.

- ✓ 726-2006 – A Resolution authorizing the Mayor to execute and submit a Grant Application to the Ky. Governor's Office of Local Development and to provide any additional information requested in connection with this grant application, which grant funds are in the amount of $51,000.00 Commonwealth of Ky. funds, and are for electronic health record implementation at the Family Care Center.

- ✓ 727-2006 – A Resolution authorizing the Mayor to execute a Public Acquisition Plat accepting the dedication of right-of-way for the Bluegrass-Aspendale Blvd. and the East Sixth Street Extension and to execute public acquisition plats relating to future dedications of right-of-way for the construction of the boulevard.

- ✓ 728-2006 – A Resolution authorizing the Mayor to execute a Partial Release of Easement, releasing a portion of a sanitary sewer easement on property located on Walnut Grove Lane.

- ✓ 729-2006 – 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 Merryman Investment, VI, LLC, located at 700 East Seventh Street, for the Seventh Street Railroad Crossing Removal Project, and authorizing payment in the amount of $175.00, plus usual and appropriate closing costs.

- ✓ 730-2006 – A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed for roadway improvements conveying fee simple right-of-way and temporary construction easements from Thomas B. Richmond, III and Catherine R. Crawford, located at 800 Warfield Place, for the Loudon Avenue Improvements Project, and authorizing payment in the amount of $1,900.00, plus usual and appropriate closing costs.

- ✓ 731-2006 – A Resolution authorizing the Mayor to execute a Certificate of Consideration and accept a Deed conveying fee simple title to the properties located at 2916 Trailwood Lane and 365 White Oak Trace from Lees2826, LLC, for the Town Branch Trail North, Phase I, at no cost to the Government.

- ✓ 732-2006 – A Resolution authorizing the Mayor to execute a Certificate of Consideration and accept a Deed conveying permanent sanitary sewer and temporary construction easements from Dan Pendygraft and Rita Pendygraft, husband and wife, for property located at 261 Broadview Drive, for the North

Elkhorn Force Main Project, and authorizing payment in the amount of $4,800.00, plus usual and appropriate closing costs.

- ✓ 733-2006 – A Resolution authorizing the Mayor to execute an Engineering Services Agreement with Tetra Tech, Inc., for evaluation of the Lower Cane Run Sanitary Sewer Conveyance System, at a cost not to exceed $26,710.00.

- ✓ 734-2006 – A Resolution authorizing the Mayor to execute an Engineering Services Agreement with Quest Engineers, Inc., for design of the Star Shoot Parkway Extension, at a cost not to exceed $106,500.00.

- ✓ 735-2006 – A Resolution authorizing the Mayor to execute a Contribution Agreement with C. M. Gatton Trust, Haymaker Development Co., LLC, and the Board of Education of Fayette County, Ky., for acceptance of escrowed funds and for construction of Star Shoot Parkway Extension and rescinding Resolution No. 113-2006.

- ✓ 736-2006 – A Resolution authorizing the Mayor to execute a Rental Agreement with Lexington Center Corp., for rental of the Lexington Opera House for the Kiddie Kaper's Program Recital, at a cost not to exceed $6,000.00.

- ✓ 737-2006 – A Resolution authorizing the Mayor to execute a Memorandum of Agreement with Bluegrass Farmworker Health Center, for assuring collaboration and cooperation in providing services to clients of the Health Center, at no cost to the Urban County Government.

- ✓ 738-2006 – A Resolution authorizing the Mayor to execute a Sales Agreement with Baron Services, Inc., for "Threat Net Plus", a web based weather service, at a cost not to exceed $6,000.00.

- ✓ 739-2006 – A Resolution authorizing the Mayor to execute a Lease Agreement with Central Business Systems, for a mailing machine (folder/inserter), at a cost not to exceed $258.94/month, for sixty (60) months subject to sufficient funds being appropriated in future fiscal years.

- ✓ 740-2006 – A Resolution authorizing the Mayor to execute a Memorandum of Agreement with Blackburn Correctional Complex, for incident situation response, at no cost to the Urban County Government.

- ✓ 741-2006 – A Resolution authorizing the Mayor to execute a Professional Services Agreement with Cynthia Maupin, 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 $40.00 for each scheduled on-call period, $220.00 for each completed forensic examination, $50.00 per case for professional testimony in court, and the reasonable cost of medical liability insurance.

- ✓ 742-2006 – A Resolution authorizing the Mayor to execute the Reconfiguration Agreement with Nextel Partners Operating Corp. and Nextel West Corp., for reconfiguration of Police MDT frequencies, at no cost to the Urban County Government.

- ✓ 743-2006 – A Resolution authorizing the Mayor to execute Agreements with American Red Cross Bluegrass Area Chapter c/o United Way of the Bluegrass, Inc. ($700.00), Friends of Penmoken Park Neighborhood Association, Inc. ($500.00), Fayette County Neighborhood Council ($1,000.00), Suburban Woman's Club of Lexington, Inc. ($400.00) and Black & Williams Neighborhood Center ($135.00) for the Office of the Urban County Council, at a cost not to exceed the sums stated.

- ✓ 744-2006 – A Resolution authorizing the Mayor to execute Agreements with Southern Elementary PTA, Inc., ($400.80), Central Ky. Radio Eye, Inc. ($1,000.00), YMCA of Central Ky., Inc. ($1,000.00), African American Forum, Inc. ($500.00), ACT Ministries, Inc. ($500.00), The Urban League of Lexington, Fayette County, Inc. ($500.00), and Blue Grass Community Action Partnership,

Inc. ($325.00) for the Office of the Urban County Council, at a cost not to exceed the sums stated.

- ✓ 745-2006 – A Resolution authorizing the Mayor to execute an Amended Memorandum of Understanding with Federal Prison Industries, Inc. (d/b/a Unicor), for recycling of electronic waste, at a cost not to exceed $10,000.00.

- ✓ 746-2006 – A Resolution authorizing the Mayor to execute a Fourth Amendment to Agreement with AmeriNational Community Services, Inc., for extension of the Agreement to June 30, 2008, at a cost not to exceed $40,000.00.

- ✓ 747-2006 – A Resolution authorizing the Mayor to execute Change Order No. 1 to the Contract with Randle-Davies Construction Co., for Dunbar community Center parking lot expansion, increasing the contract price by the sum of $3,419.00 from $46,400.00 to $49,819.00.

- ✓ 748-2006 – A Resolution authorizing the Mayor to execute an Extension to the Contract with Hargis Engineering, Inc., for additional design for the Elizabeth Street Drainage Improvements Project, at a cost not to exceed $70,000.00.

- ✓ 749-2006 – A Resolution accepting the bid of Toyota on Nicholasville, establishing a price contract for Toyota Camry hybrids, for the Div. of Fleet Services. (2)

- ✓ 750-2006 – A Resolution accepting the bid of Bluegrass Mailing, Data & Fulfillment Services, establishing a price contract for distribution of the 2007 Fun Guide, for the Div. of Parks. (1)

- ✓ 751-2006 – A Resolution ratifying the probationary civil service appointments of: Thomas Gibbs and Edyth Dabney, Community Corrections Major, Grade 117E, $2,478.40 bi-weekly, in the Div. of Community Corrections, effective October 30, 2006; John Walker, Public Service Worker Sr., Grade 107N, $12.664 hourly, in the Div. of Parks, effective November 13, 2006; Cornell Burbage, Recreation Supervisor, Grade 110E, $1,117.68 bi-weekly, in the Div. of Parks, effective January 8, 2007; Steve Stuart, Computer Analyst, Grade 115E, $1,604.08 bi-weekly, in the Div. of Computer Services, effective October 30, 2006; Zhiqiang Yu, Computer System Manager Sr., Grade 120E, $2,983.00 bi-weekly, in the Div. of Computer Services, effective October 30, 2006; Penny McFadden, Administrative Officer Sr., Grade 120E, $2,884.62 bi-weekly, in the Dept. of Public Works, effective November 27, 2006; Scott Vogt, Internal Auditor, Grade 118E, $1,790.48 bi-weekly, in the Div. of Internal Audit, effective December 4, 2006; Donald Mott, Public Service Worker, Grade 106N, $9.485 hourly, in the Div. of Parks, effective December 25, 2006; Michael Patton, Security Officer, Grade 103N, $9.427 hourly, in the Dept. of General Services, effective December 11, 2006; Yvonne Martinez, Staff Assistant Sr., Grade 108N, $12.638 hourly, in the Div. of Code Enforcement, effective November 27, 2006; approving the permanent civil service appointments of: Alvaro Polanco, Building Inspector, Grade 113N, in the Div. of Building Inspection, effective December 26, 2006; Jonathan Sutton, Property and Evidence Technician, Grade 111N, in the Div. of Police, effective December 5, 2006; Paul Smith, Public Service Worker, Grade 106N, in the Div. of Fleet Services, effective December 19, 2006; Louis Weckerling, Trades Supervisor, Grade 113N, in the Div. of Building Maintenance and Construction, effective December 26, 2006; Kristie Snead, Staff Assistant Sr., Grade 108N, in the Div. of Parks and Recreation, effective November 15, 2006; Arthur Craig, Engineering Technician, Grade 111N, in the Div. of Engineering, effective November 15, 2006; Bernard Menshouse, Engineering Technician, Grade 111N, in the Div. of Engineering, effective November 29, 2006; Donna Byrum, Engineering Technician, Grade 111N, in the Div. of Engineering, effective November 29, 2006; Sarah Hendrix, Deputy Director-Family Services, Grade 118E, in the Div. of Family Services, effective December 26, 2006; approving the probationary sworn appointments of: Robert Stowers, Police Sergeant, Grade 315N, $25.131 hourly, in the Div. of Police, effective November 7, 2006; Brian Wallace, Police Sergeant, Grade 315N, $25.131 hourly, in the Div. of Police, effective October 16, 2006; Edward Hart, Police

Lieutenant, Grade 317E, $2,544.47 bi-weekly, in the Div. of Police, effective November 7, 2006; Craig Sorrell, Police Lieutenant, Grade 317E, $2,544.47 bi-weekly, in the Div. of Police, effective October 16, 2006; approving leave of absence for: James Gibson, Firefighter, Grade 311N, in the Div. of Fire, requests a 90 day Council approved leave without pay from October 16, 2006 through January 13, 2007; Brenda Glancy, Cook, Grade 103N, in the Div. of Family Services, requests a 90 day Council approved leave without pay from October 16, 2006 through January 13, 2007; Judith Campbell, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, requests a 43 day Council approved leave without pay from October 25, 2006 through December 6, 2006; John Walker, Custodial Worker, Grade 102N, in the Div. of Building Maintenance and Construction, requests a 90 day Council approved leave without pay from October 2, 2006 through December 30, 2006; approving the unclassified civil service salary increase for: Dina Melvin, Staff to Council II, Grade 000E, from $1,397.36 bi-weekly to $1,615.39 bi-weekly, in the Office of the Urban County Council, effective November 13, 2006; Joseph Schuler, Staff to Council II, Grade 000E, from $1,774.64 bi-weekly to $1,923.08 bi-weekly, in the Office of the Urban County Council, effective November 13, 2006.

- ✓ 752-2006 – A Resolution changing the street name and property address number of 2754 Research Park Drive to 2010 World Games Way and naming the access driveway located between Research Park Drive and the structure on the property World Games Way; all effective December 1, 2006.

- ✓ 753-2006 – A Resolution authorizing the Mayor to execute a Release of Easement, releasing two (2) drainage easements on property located on McAtee Run.

- ✓ 754-2006 – A Resolution authorizing the Mayor to execute a Release of Easement, releasing a portion of a sanitary sewer easement on property located at 2600 Gribbin Drive.

- ✓ 755-2006 – A Resolution authorizing the Mayor to execute an Amendment to Agreements with Community Action Council for Lexington-Fayette, Bourbon, Harrison and Nicholas Counties, Inc., for transfer of remaining funds ($8,248.00) from the planning phase of the unfinished portion of the Winburn Neighborhood Center to the Weatherization Enhancement Program for low-income homeowners, at no cost to the Urban County Government.

- ✓ 756-2006 – A Resolution authorizing the Mayor to execute an Agreement with Missionary Baptist Ministerial Fellowship Organization, Inc., for operation of the Survivors II Project, at a cost not to exceed $70,000.00 ($35,000.00 FY 2007 and $35,000.00 FY 2008).

- ✓ 757-2006 – A Resolution authorizing the Mayor to execute and submit a Bid to the Federal Emergency Management Agency (FEMA) for conveyance of 40 acres of surplus Federal Government property on Leestown Road in consideration of construction of a fire station and future fire training complex, to provide any additional information requested in connection with the bid, and further authorizing the Mayor to execute the Certificate of Consideration and to accept a Deed, from the Federal Government for the surplus property.

- ✓ 758-2006 – A Resolution authorizing the Mayor to execute Agreements with Waterford II Homeowners Association, Inc. ($4,000.00); Bluegrass Miracle League, Inc. ($2,500.00); Ashland Neighborhood Association, Inc. ($1,217.00); Shriners Neighborhood Association, Inc. ($2,000.00); Highlands Neighborhood Association, Inc. ($2,150.00); Southland Association, Inc. ($7,596.00); Brucetown Neighborhood Association, Inc. ($3,396.00); Brucetown Neighborhood Association, Inc. ($2,000.00); Black & Williams Center ($4,999.00); Act Ministries, Inc. ($1,200.00); St. Martin Village Neighborhood Assoc. ($2,956.00); Georgetown Street Area Neighborhood Association, Inc. ($3,000.00); Dunbar Community Center ($4,999.00) and Charles Young Center ($4,000.00) for various public projects for the Office of the Urban County Council, at a cost not to exceed the sums stated.

- ✓ 759-2006 – A Resolution authorizing the Mayor to execute an Agreement with Lexington Center Corporation, for the Martin Luther King, Jr. Holiday Memorial Program to be held on January 15, 2007 at Heritage Hall, at a cost not to exceed $9,995.00, which will be paid by the Martin Luther King, Jr. Holiday Planning Committee.
- ✓ 760-2006 – A Resolution authorizing the Mayor to execute a Contract with Parr Recovery, Inc., for collection services, for the Div. of Revenue, with fee to be payable only from funds recovered.
- ✓ 761-2006 – A Resolution authorizing the Mayor to execute an Amendment to a Lease Agreement with Toshiba Business Solutions, for a copy machine for the Council Chamber Caucus Room, to add a non-appropriation clause, a representation clause, and a tax exemption clause.
- ✓ 762-2006 – A Resolution authorizing the Mayor to execute Change Order No. 1 to the contract with NAC Heavy Highway, Inc., for upgrades to Town Branch Wastewater Treatment Plant Screw Pump Station Odor Control Improvements, increasing the contract price by the sum of $3,555.07 from $89,000.00 to $92,555.07.
- ✓ 763-2006 – A Resolution authorizing the Mayor to execute the 2007 General Term Orders for the Fayette County Clerk and the Fayette County Sheriff, establishing the number of deputies and assistants allowed to each and the compensation allowed to each deputy and assistant, subject to the limits for each category as specified in the General Term Orders and subject to the fees collected by the officers respectively in their seventy-five percent (75%) accounts pursuant to KRS 64.350(1), and amending Resolution No. 706-2005 authorizing the Mayor to execute the 2006 General Term Orders for the Fayette County Sheriff to move $407,347 in unexpended funds from the personnel category and $1,079,645 in surplus funds to the operating and equipment categories for the Fayette County Sheriff.
- ✓ 764-2006 – A Resolution making a Declaration of Official Intent with respect to reimbursement from subsequent borrowings of temporary advances made for capital expenditures for the site acquisition, design and construction of a Regional Emergency Operations Center in an approximate aggregate amount of $1,435,000.00.
- ✓ 765-2006 – A Resolution amending Resolution No. 690-2006, pertaining to a Moratorium on land use applications, demolition and building permits within the proposed Hollywood Terrace and Mt. Vernon Historic Districts (H-1 Overlay Zone), to authorize the Div. of Planning to process a final record plat for property located at 468 Ashland Terrace.
- ✓ 766-2006 – A Resolution making a Declaration of Official Intent with respect to reimbursement from subsequent borrowings of temporary advances made for capital expenditures for the Purchase of Development Rights (PDR) Program in an approximate amount of $2,000,000.00.
- ✓ 767-2006 – A Resolution authorizing the Mayor to execute a Release of Easement, releasing a sanitary sewer and utility easement on property located at 2285 Versailles Road.
- ✓ 768-2006 – A Resolution authorizing the Mayor to execute a Deed of Easement – Sanitary Sewer to the Jessamine-South Elkhorn Water District for construction of sanitary sewer improvements at West Hickman Wastewater Treatment Plant at no cost to the Urban County Government.
- dismissing Lena Campbell, Staff to Council II, in the Office of the Urban County Council, effective on passage.
- ✓ 769-2006 – A Resolution authorizing the Mayor to execute Agreements with Bryan Station High School PTSA, Inc. ($400.00), Winburn Neighborhood Association, Inc. ($300.00), Ashland Park Neighborhood Association, Inc.

($792.00), and Shriners Neighborhood Association ($3,208.00) for the Office of the Urban County Council, at a cost not to exceed the sums stated.

- ✓ 770-2006 – A Resolution authorizing the Mayor to execute Change Order No. 1 (Final) to the contract with Bluegrass Stream, LLC, for Roland Avenue Stream Rehabilitation, increasing the contract price by the sum of $14,722.00 from $52,281.00 to $67,003.00.

- ✓ 771-2006 – A Resolution authorizing the Mayor to execute Change Order No. 1 to the contract with Judy Construction Co., for upgrades to the West Hickman Wastewater Treatment Plant Screw Pump Replacement Project, increasing the contract price by the sum of $19,032.00 from $1,061,900.00 to $1,080,932.00.

- ✓ 772-2006 – A Resolution authorizing the Mayor to execute Change Order No. 2 to the contract with Tetra Tech, for construction management of the closure of the Haley Pike Landfill, increasing the contract price by the sum of $83,050.00 from $878,950.00 to $962,000.00.

- ✓ 773-2006 – A Resolution authorizing the Mayor to execute Change Order No. 1 to the contract with W. Rogers Co., for North Elkhorn Pump Station Sanitary Sewer Project, increasing the contract price by the sum of $71,710.00 from $4,006,000.00 to $4,077,710.00.

- amending Sections 1.102, 1.104 and 1.105 of the Rules and Procedures of the Lexington-Fayette Urban County Council, which were adopted by Resolution No. 55-79, as amended, providing that it shall be the intent of the Urban County Council to create full-time classified civil service Council Office core staff positions; that the Council Office core staff positions shall be defined as: Council Administrator, Administrative Specialist Sr., Research Analyst and Staff Assistant Sr., and any other positions as deemed necessary by the Urban County Council to support its full Council; that the incumbents who are currently filling those positions in the unclassified civil service system shall remain in said positions until said positions are filled pursuant to the classified civil service system; providing that each Councilmember may appoint his or her Aide to Council or two Part-Time Aides to Council, when such positions have been created and a Full-time Aide position has been abolished, or may agree to share a Full-time Aide to Council, providing that the Aides to Council shall be full time temporary employees in the unclassified civil service; providing that the persons holding the position of Aide to Council shall serve a term of two years unless reemployed by any Councilmember; to provide that Councilmembers may appoint, discipline and dismiss their own Aides to Council with the advice and approval of the Director of Human Resources and the Council shall ratify such actions; to provide that in the event two Councilmembers share an Aide to Council and one Councilmember is not reelected or for some other reason no longer desires to work with Aide to Council, the Aide employee shall continue to work for the remaining Councilmember unless the other Councilmember agrees to dismiss the Aide to Council; providing that the Council Administrator shall be responsible for the discipline of the core staff, shall exercise administrative control over all employees in the Office, and shall enact standard operating procedures to address work flow; and providing that no core staff or Aide to Council may engage in or be asked to engage in political activity while on duty; correcting nonsubstantive typographical errors, providing that the portions of this resolution which relate to the creation of the Council Office core staff shall become effective upon the date of passage of the Ordinance creating the positions in Section 21-5 of the Code of Ordinances; providing that the remaining portions of this Resolution shall be retroactive to July 1, 2005.

- ✓ 774-2006 – A Resolution authorizing the issuance of up to $5,200,000 principal amount of "Lexington-Fayette Urban County Government Adjustable Rate Demand Industrial Building Revenue Bonds, Series 2006 (First Bracktown, Inc. Project)"; authorizing the execution and delivery of a Loan Agreement; authorizing the execution and delivery of a Trust Indenture securing such bonds; authorizing the execution and delivery of a Tax Regulatory Agreement with respect to such bonds; authorizing the execution and delivery of a Bond

Purchase Agreement with respect to such bonds and other documents and taking other related action. PUBLIC HEARING WAS HELD

- ✓ 775-2006 – A Resolution authorizing the Mayor to execute an Agreement with Jarboe Construction, Inc., General Corporation, for architectural services for the Gainesway Park Community Building, at a cost not to exceed $23,250, for the Div. of Parks.

- ✓ 776-2006 – A Resolution authorizing the Mayor to execute a Facility Usage Contract with Fayette County Public Schools, for the Youth Basketball Program, at a cost not to exceed $14,996.38 for the Div. of Parks.

- ✓ 777-2006 – A Resolution authorizing the Mayor to execute a Lease Agreement with Eastern Kentucky University, for space for the Bluegrass Farmworkers Health Center at 1306 Versailles Road, at no cost to the Urban County Government.

- ✓ 778-2006 – A Resolution authorizing the Mayor to execute an Agreement with Faith Community Housing Foundation, Inc., for a home-ownership program for first-time homebuyers, at a cost not to exceed $90,000.00 in HOME Investment Partnerships Program funds.

- ✓ 779-2006 – A Resolution authorizing the Mayor to execute an Amendment to an Agreement with the U.S. Golf Association, for hosting a national golf event at Kearney Hill Golf Links from June 19 through June 24, 2007, at no additional cost to the Urban County Government, for the Div. of Parks.

- ✓ 780-2006 – A Resolution renewing golf course dedicated fees, applying such fees to all six public golf courses, and providing for the permanent dedication of a portion of the revenue raised from golf fees for golf course improvements as provided for in Resolution No. 277-92 and Resolution No. 351-97.

WALK-ONS

- ✓ 781-2006 – A Resolution accepting the bid of Integrity Document Solutions in the amount of $28,168.95, for printing the Fun Guide for 2007, for the Div. of Parks. (6)

- ✓ 782-2006 – A Resolution A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Reconfiguration Agreement and any other necessary documents with Nextel West Corporation, for reconfiguration of certain 800 mhz frequencies used for Public Safety Radio Communications, at no cost to the Urban County Government.

- ✓ 783-2006 – A Resolution A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Sewer Lines Stipulations and a Temporary Permit with the United States of America Federal Bureau of Prisons, related to the acquisition of permanent sanitary sewer and temporary construction easements across the property located at 3301 Leestown Road, for the Bracktown Sanitary Sewer Project, at no cost to the Urban County Government.

- ✓ 784-2006 – A Resolution A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Rental Agreement with Kentucky Horse Park, for rental of the Club Lounge for a Management Retreat, at a cost not to exceed $1,000.00.

- ✓ 785-2006 – A Resolution A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Rental Agreement with Lexington Center Corporation, for rental of the Bluegrass Ballroom for the 2007 Inauguration Ceremony, at a cost not to exceed $3,850.00.

- ✓ 786-2006 - A Resolution changing the property address number of 250 West Main Street, Suite 1450 to 250 West Main Street, Suite 1400.

VII. COMMUNICATIONS FROM THE MAYOR (For Information Only)

1. Resignation of Demetraia Bright, Police Officer, Grade 311N, in the Div. of Police, effective December 8, 2006.
2. Resignation of Monica Santa-Teresa, Staff Assistant Sr., Grade 108N, in the Office of the Coroner, effective November 17, 2006.
3. Resignation of Margaret Campbell, Police Officer, Grade 311N, in the Div. of Police, effective November 22, 2006.
4. Resignation of Mark Grimes, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective October 15, 2006.
5. Termination of probationary appointment of Russell McFarland, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective November 28, 2006.

VIII. REPORTS

1. Div. of Building Inspection for the month of October, 2006.
2. Div. of Sanitary Sewers for the month of October, 2006.

IX. ANNOUNCEMENTS

X. PUBLIC COMMENT