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

February 25, 2010 – 7:00 P.M.

I. ROLL CALL

II. INVOCATION

III. PRESENTATION

2010 UCA National Cheerleading Champs – The UK Cheer Team
Science Fair Award Winners – Ky. American Water Company

IV. ORDINANCES –SECOND READING

1. An Ordinance amending Section 21-5(2) of the Code of Ordinances, creating one (1) position of Treatment Plant Operator – Apprentice, Grade 107N and abolishing one (1) position of Treatment Plant Operator, Grade 113N, in the Div. of Water Quality and appropriating funds pursuant to Schedule No. 113.

2. An Ordinance amending the title of Ordinance No. 263-2009 correcting the pay grade of the Public Service Supervisor position from Grade 114E to Grade 111N, effective retroactive to December 8, 2009.

3. An Ordinance amending Sections 14 and 15 of Ordinance No. 202-2006 to move two Telecommunicator – P/T, Grade 111N positions from Chapter 21 to Chapter 22 and transferring the incumbents, effective retroactive to July 6, 2006.

4. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the U.S. Dept. of Homeland Security, which Grant funds are in the amount of $46,939 Federal funds, are for the purchase of a computer simulated full immersion training program (LEXFIT), for the Div. of Fire and Emergency Services, the acceptance of which obligates the Urban County Government for the expenditure of $11,734 as a local match, appropriating funds pursuant to Schedule No. 115, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

5. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Energy and Environment Cabinet, which Grant funds are in the amount of $3,390.69 Commonwealth of Ky. funds under the 2010 Illegal Open Dump Remediation Grant Program, are for the remediation of two dump sites, the acceptance of which obligates the Urban County Government for the expenditure of $1,130.23 as a local match, appropriating funds pursuant to Schedule No. 116, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

6. An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 117.

V. ORDINANCES – FIRST READING

7. An Ordinance changing the zone from a Two-Family Residential (R-2) zone to a High Rise Apartment (R-5) zone for 0.25 net (0.33 gross) acre, for property located at 333 S. Upper St., subject to certain use restrictions imposed as conditions of granting the zone change (RAS Land, Inc. (AMD.)). Conditional Approval 9-0 (To be heard by April 28, 2010)

8. An Ordinance amending Article 6-4(i) of the Land Subdivision Regulations to delete a portion referring to street addressing. Approval 9-0

9. An Ordinance amending Articles 5-2 and 5-4 of the Land Subdivision Regulations to provide for greater protection of cemeteries. Approval 9-0

10. An Ordinance authorizing the Div. of Police to purchase an upgrade to its Digital X-Ray System from Logos Imaging, Inc., a sole source provider, at a cost not to exceed $20,904.30, and appropriating funds pursuant to Schedule No. 118.

11. An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 119.

12. An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Engineering Technician, Grade 111N, and two (2) positions of Equipment Operator Sr., Grade 109N, and creating two (2) positions of Engineering Technician Sr., Grade 113E, in the Div. of Water Quality and appropriating funds pursuant to Schedule No. 120.

13. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation of $50 from Cynthia Beard for assisting teen mothers served by the Div. of Family Services, and appropriating funds pursuant to Schedule No. 121.

14. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation of $150 from the Alpha Delta Chapter of ADK for the purchase of enrichment materials for early child care teachers, and appropriating funds pursuant to Schedule No. 122.

15. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the State Farm Companies Foundation, which Grant funds are in the amount of $1,000, for implementation of the “Teen Express” project, for the Div. of Youth Services, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 123, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

16. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Cabinet for Health and Family Services, to provide any additional information requested in connection with this Grant Application, and to accept the Grant if the application is approved, which Grant funds are in the amount of $574,547 Federal funds, are for continuation of the New Chance Program ($448,036), the Mentoring Program ($46,811), and the Local Governance Council Project ($79,700), the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY11 Schedule No. 1, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

17. An Ordinance amending Section 15-1.3(6) of the Code of Ordinances related to a Clean Zone for the 2010 World Equestrian Games to include displays in the prohibition; amending Section 15-1.3(6)(b) to include temporary signage and displays in this section.

18. An Ordinance amending Articles 17-3(18), 17-4(d), and 17-6(c) of the Zoning Ordinance to modify the provisions for commercial real estate signs.

VI. RESOLUTIONS– SECOND READING

1. A Resolution accepting the bids of Bowen Excavating, Claunch Construction, LLC, Environmental Resources, Inc., Gibson Timber, LLC, Solid Rock Construction Services, LLC, Superior Demolition, Inc., and ZKB Construction Services, LLC, establishing price contracts for UPC – Demolition of Residential Structures, for the Div. of Water Quality. (7)

2. A Resolution accepting the bid of Worldwide Equipment, in the amount of $113,464, for Front End Loader Chassis, for the Div. of Facilities and Fleet Management. (2)

3. A Resolution accepting the bid of Brownstown Electric Supply Co., Inc., establishing a price contract for Rain Suits for Waste Management, for the Div. of Waste Management. (3)

4. A Resolution accepting the bids of Lexington Winnelson, H D Supply Waterworks and Hayes Pipe Supply, establishing price contracts for sanitary sewer repair materials, for the Div. of Water Quality. (3)

5. A Resolution accepting the bids of City Electric Motor Co. and Delaney & Associates, establishing price contracts for Pump Station Parts – Wolf Run, for the Div. of Water Quality. (2)

6. A Resolution accepting the bid of Bluegrass Electrical Consultants, Inc., in the amount of $62,625, for traffic signal rebuild at Nicholasville Rd. and Man O'War Blvd., for the Div. of Traffic Engineering. (4)

7. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the State Farm Companies Foundation and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of $1,000, and are

for a Global Youth Service Grant for implementation of the “Teen Express” project, for the Div. of Youth Services.

8. A Resolution authorizing necessary repairs to the police helicopter by RJ Corman Aircraft Maintenance, LLC, a sole source provider, at a cost not to exceed $27,541.

9. A Resolution authorizing the purchase of three (3) smart speed monitoring awareness radar trailers from Kustom Signals, Inc., a sole service provider, at a cost not to exceed $38,357.25.

10. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Mutual Aid Agreement with the University of Ky. (Emergency Transport Operating Division), for mutual aid related to ambulance services, at no cost to the Urban County Government.

11. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from Cloud Sealcoating and Stripping, Inc., of Lexington, of six Futsal soccer goals, materials and installation, for use at the Cardinal Valley Park, at no cost to the Urban County Government.

12. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Donation Agreement with Lexington History Museum, for donation of materials, at no cost to the Urban County Government.

13. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract with the Lexington Legends Professional Baseball Club, for public education about environmental quality, at a cost not to exceed $24,000.

14. A Resolution authorizing the Dept. of Environmental Quality to purchase Rain Tainers from budgeted funds for creation of the “Lily” program, a green infrastructure project, to assist in fulfilling the Urban County Government obligation to implement supplemental environmental projects for the EPA Consent Decree at a cost not to exceed $26,586.

15. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with CDP Engineers, Inc., for contract operations services for the Blue Sky Wastewater Treatment Plant, for the Div. of Water Quality, at a cost not to exceed $69,600.

16. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with MAC Construction, for the South Elkhorn Force Main Project, for the Div. of Water Quality, increasing the contract price by the sum of $132,408.22 from $10,994,864.00 to $11,127,272.22.

17. A Resolution providing that Leverage Partners, Inc., Software Information Systems, LLC and the RFP Co. shall be held on a three year retainer and engaged as needed to provide consulting services for technology solutions selection and requirements gathering.

18. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Steven Mosca, d/b/a Silver Warehouse & Boutique, for space located at 126 N. Broadway St., a/k/a The Broadway Shoppes.

19. A Resolution amending Sections 1 and 3 of Resolution No. 816-2009 to allow the Fayette County Attorney's Office to participate in the medical insurance plans provided by the Urban County Government until December 31, 2010.

20. A Resolution ratifying the probationary civil service appointments of: Shawn Copher, Equipment Operator Sr., Grade 109N, $13.912 hourly, in the Div. of Waste Management, effective February 15, 2010; Jean Walker, Computer Analyst, Grade 115N, $24.043 hourly, in the Div. of Water Quality, effective February 15, 2010; Robert Thomas, Custodial Worker, Grade 106N, $11.687 hourly, in the Div. of Facilities and Fleet Management, effective February 15, 2010; approving the unclassified civil service appointment of: Melissa Polley, Microcomputer Support Specialist, Grade 113N, $20.993 hourly, in the Div. of Police, effective February 15, 2010.

21. A Resolution approving and adopting the Ten Year Plan to end homelessness.

22. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Conditions for Donation of Services and Space Agreements with the U.S. Census Bureau, for space for Census Questionnaire Assistance Centers at Black & Williams Center, Cardinal Valley Center, Senior Citizens Center, Castlewood Community Center, Gainesway Park Community Center, Central Ky. Job Center and Third St. Fire Station.

23. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Agreement with Fayette County Board of Education, for the use of Sandersville, Meadowthorpe and Booker T. Washington school gyms, at no cost to the Government.

24. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Federal Medical Center, for mutual aid in emergencies, at no cost to the Government.

25. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Georgetown Police Dept., for mutual aid, at no cost to the Government.

26. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with Metaformers, Inc., for the performance of additional services related to the Peoplesoft Systems and as provided in the Statement of Work, effective December 15, 2009, at an additional cost not to exceed $399,700.

27. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Walnut Creek Home Owners Association, Inc. ($1,000), First Bracktown, Inc. ($1,050), Independence Place, Inc. ($100), Center for Women, Children and Families ($300), and Bluegrass Trust for Historical Preservation ($250), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

28. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Behavioral Medicine Network, Inc., for the Employee Assistance Program Services, at a cost not to exceed $43,218.

29. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Seniors Plan Master Contract with Anthem Health Plans of Ky., Inc., for the Police and Firefighters Senior Plan, at no cost to the Urban County Government.

30. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the FY10 Purchase of Service Agreement with Bluegrass Sports Commission, Inc., formerly known as Lexington Area Sports Authority, for services related to the Bluegrass State Games, at a cost not to exceed $13,500, effective retroactive to July 1, 2009.

31. A Resolution authorizing and directing the Commissioner of Public Works and Development, on behalf of the Urban County Government, to execute all Performance Agreements with non-governmental agencies and entities represented on the Land Subdivision Technical Committee, at no cost to the Urban County Government.

VII. RESOLUTIONS – <u>FIRST READING</u>

32. A Resolution accepting the bid of Cover-All of Wisconsin, LLC, in the amount of $305,500, for Tensioned Fabric Structure for the Recycling Center, for the Div. of Waste Management. (1)

33. A Resolution accepting the bid of Landmark Sprinkler, Inc., in the amount of $26,800, for design & construction services for the installation of a Dry Pipe Sprinkler at the Recycling Center, for the Div. of Waste Management. (1)

34. A Resolution accepting the bid of Timberlake Computer, establishing a price contract for Media Storage Tape Cartridges, for the Div. of Computer Services. (8)

35. A Resolution accepting the bid of Brenntag Mid-South, establishing a price contract for Sulfur Dioxide – Liquid, for the Div. of Water Quality. (3)

36. A Resolution authorizing the Div. of Fire and Emergency Services to purchase equipment, parts and related upgrades for use in emergency responses to structural collapses, from Hilti, Inc., a sole source provider, at a cost not to exceed $20,888.94.

37. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Ad-Success, for the Mobility Office Marketing Campaign, at a cost not to exceed $40,400.

38. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Three to the Contract with Strand Associates, Inc., for the Legacy Trail Project, for the Div. of Engineering, increasing the contract price by the sum of $208,100 from $1,110,000 to $1,318,100.

39. A Resolution providing that Devomni, Kizan Technologies, LLC, Software Information Systems, LLC, Sullivan Technology Services, LLC and Swova shall be held on a three year retainer and engaged as needed to provide information technology consulting services.

40. A Resolution ratifying the probationary civil service appointments of: Brian Rogers, Deputy Director of Enterprise, Grade 120E, $2,999.12 bi-weekly, in the Div. of Parks and Recreation, effective March 1, 2010; Timothy Jones, Public Service Worker, Grade 106N, $11.262 hourly, in the Div. of Waste Management, effective March 22, 2010; Cynthia Relford, Enforcement Officer, Grade 110N, $19.080 hourly, in the Div. of Waste Management, effective March 1, 2010; ratifying the probationary sworn appointment of: Ryan Hogsten, Fire Captain, Grade 316N, $22.368 hourly, in the Div. of Fire and Emergency Services, effective February 15, 2010; approving the unclassified civil service appointments of: James Dennis, Police Analyst, Grade 111N, $17.530 hourly, in the Div. of Police, effective March 1, 2010; Sherell Roberts, Public Information Officer, Grade 118E, $2,500.00 bi-weekly, in the Div. of Police, effective March 4, 2010, Carisa Kelsey, Family Support Worker Sr., Grade 112N, $16.884 hourly, in the Div. of Family Services, effective March 1, 2010.

41. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the U.S. Dept. of Justice, Office on Violence Against Women, and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of $400,000 Federal funds and are for continuation of the Safe Havens Project, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with all other service agencies participating in the project.

42. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the University of Ky., for space in the University of Ky. Hospital emergency room for use as a clinical practice area for the Sexual Assault Treatment Program, at a cost not to exceed $3,000.

43. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Sole Source Procurement with Toter, Inc., a sole source provider, for lifting units and spare parts.

44. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Sole Source Procurement with Kustom Signals, a sole source provider, for radar equipment.

45. A Resolution pursuant to Code of Ordinances Section 18-66, designating the speed limit on Bowman Mill Rd. as 40 miles per hour and authorizing and directing the Div. of Traffic Engineering to install proper and appropriate signs in accordance with the designation.

46. A Resolution authorizing and directing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-86, to install multiway stop controls at Old Georgetown St. and W. Short St.

47. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 4 to the Contract with HDR Quest Engineering, Inc., for Liberty Todds Rd. Improvements Project, Section 1, for the Div. of Engineering, increasing the contract price by the sum of $11,212 from $1,005,706 to $1,016,918.

48. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the U.S. Marshal's Service, for participation in the District Fugitive Task Force.

49. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Addendum to the current Drug Enforcement Administration Agreement, with the U.S. Dept. of Justice Drug Enforcement Administration, for decreasing assigned agents.

50. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an UltraCare Agreement with ABDick/KopyKat, for the lease of a Bizhub 601 Digital Imaging Unit for up to five years, subject to sufficient funds being appropriated in future fiscal years, at a cost not to exceed $1,205.90 in FY 2010.

VIII. COMMUNICATIONS FROM THE MAYOR

1. Recommending the appointment of Ms. Kelley Sloane to the Airport Board, with a term to expire 1-1-2014. The term of Mr. James Boyd has expired.

   Also, recommending the reappointment of Mr. J. Robert Owens to the Airport Board, with a term to expire 1-1-2014.

2. Recommending the reappointment of Mr. Bill Rhoads to the Bluegrass Crime Stoppers Board, with a term to expire 3-21-2014.

3. Recommending the reappointment of Mr. Cecil Dunn to the Lexington Center Corporation Board of Directors, with a term to expire 2-28-2013.

4. Recommending the appointment of Mr. Wilbur W. Frye, as Lion's Club representative, to the Masterson Station Park Advisory Board, with a term to expire 5-1-2012. Mr. Frye fills the unexpired term to Mr. Mike Massey.

5. Recommending the appointment of Mr. Scott Terrell, as Lexington Philharmonic representative, to Picnic with the Pops Commission, with a term to expire 7-1-2012. The term of Mr. George Zack has expired.

6. Recommending the appointment of Ms. Diana Clewett, as Sierra Club representative, to the Raven Run Nature Sanctuary Advisory Board, with a term to expire 1-13-2012. Ms. Clewett fills the unexpired term of Ms. Terese Pierskalla.

7. Recommending the appointment of Mr. Gregory A. Bibb, as Commerce Lexington representative, to the Rural Land Management Board, with a term to expire 4-1-2012. Mr. Bibb fills the unexpired term to Mr. William Thomason.

8. Recommending the appointment of Mr. Fred D. Jones, as Landlord/Business Community representative, to the Town and Gown Commission, with a term to expire 2-1-2014.

IX. ANNOUNCEMENTS

X. PUBLIC COMMENTS