

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

March 17, 2011 – 6:00 P.M.

I. ROLL CALL

II. INVOCATION

III. PRESENTATIONS

Ky. American Water Co. Science Fair Winners

Commonwealth Economics

IV. COMMITTEE REPORTS

V. ORDINANCES –SECOND READING

1. An Ordinance changing the zone from a Townhouse Residential (R-1T) zone to a Planned Neighborhood Residential (R-3) zone for 0.299 net (0.420 gross) acre, for property located at 412 S. Mill St. (a portion of), subject to certain use restrictions imposed as conditions of granting the zone change (WML Properties, LLC). Conditional Approval 8-0 (To Be Heard By April 27, 2011). [**Div. of Planning – King**]
2. 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. 99. [**Div. of Budgeting, Barrow**]
3. An Ordinance authorizing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Commonwealth of Ky. Office of Highway Safety, 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 \$25,000 Federal funds, are for “Click It or Ticket” Safety Belt Enforcement Mobilization, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 100, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. [**Div. of Community Development/Div. of Police, Gooding/Bastin, BS 065-11**]
4. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$100,000 Commonwealth of Ky. funds from the Law Enforcement Service Fee Program, are for support of the cost of police overtime hours for a Traffic Alcohol Patrol, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2012 Schedule No. 4, and authorizing the Mayor to

transfer unencumbered funds within the Grant budget. **[Div. of Community Development/Div. of Police, Gooding/Bastin, BS 079-11]**

5. An Ordinance authorizing the Mayor, on behalf of the Urban County Government, to execute an Addendum to the Lease Agreement with Gray Television Licensee, LLC d/b/a WKYT-TV, for an extension of the term of the leased space for the 800 megahertz trunked radio system effective January 1, 2011, at a cost not to exceed \$7,392 for the first year of the Addendum, and appropriating funds pursuant to Schedule No. 101. **[Div. of Fire & Emergency Services, Hendricks, BS 075-11]**
6. An Ordinance amending Section 22-5(2) of the Code of Ordinances, creating two (2) positions of Construction Supervisor P/T, Grade 118E, in the Div. of Waste Management, and appropriating funds pursuant to Schedule No. 97. **[Div. of Human Resources, Jarvis, BS 054-11]**
7. An Ordinance amending Section 22-5(2) of the Code of Ordinances, creating one (1) position of Project Engineering Coordinator, Grade 119E, for a three-year term, in the Div. of Water Quality, and appropriating funds pursuant to Schedule No. 98. **[Div. of Human Resources, Jarvis, BS 055-11]**
8. An Ordinance amending Section 2-151(b) of the Code of Ordinances to provide that members of the "Keep Lexington Beautiful Commission" may be employed in Fayette County to be eligible for board membership.

VI. ORDINANCES – FIRST READING (New Business)

9. An Ordinance accepting the bid of The Southern Group, Inc., in the amount of \$109,791 for Kearney Hills Golf Course Irrigation Replacement, for the Div. of Parks and Recreation, and appropriating funds pursuant to Schedule No. 108. **[Hancock]** (3 Bids, Non-Low)
10. An Ordinance ratifying the 2010 Div. of Community Corrections Policy and Procedure Manual and adopting it in lieu of the Policy and Procedure Manual adopted in Ordinance No. 133-2009, which provides procedures for general management, public information, inmate information system and inmate records, budgeting and accounting, inmate accounts, commissary, staffing, disciplinary actions, sworn status, appearance, code of ethics, court proceedings, personnel records, physical fitness, training requirements, off-duty employment, drug free workplace policy, employee assistance program, tobacco free/no smoking designation, admissions, commitment authority, inmate records, inmate searches, inmate property, orientation, transfer and release, objective classification, security assessments, custody assessments, disciplinary segregation, administrative segregation, inmate supervision, security procedures, inspections, searches, transportation of inmates, use of restraints, use of force, weapons, use of firearms, emergency procedures and operations, inmate health care, food service

procedures, equipment maintenance, control and use of dangerous materials, sanitation, hygiene, inmate services unit, statement of inmate rights, disciplinary offenses, hearing procedures, inmate grievance procedures, probation services unit, community alternative program-goals, drug testing unit, and community service unit. **[Div. of Community Corrections, Bishop, BS 068-11, p.]**

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. 110. **[Div. of Budgeting, Barrow, p.**
12. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Transportation Cabinet, which Grant funds are in the amount of \$320,320 (FHWA Planning), \$48,400 (Federal Transit Administration Section 5303), \$102,000 (Mobility Office (SLX)), \$54,000 (Air Quality Planning (SLX)), \$67,200 (Congestion Management (SLX)) and \$52,800 (Bike/Ped (SLX)) Federal funds, are for the Div. of Planning Unified Work Program – FY 2012, the acceptance of which obligates the Urban County Government for the expenditure of \$60,060 (FHWA Planning), \$12,100 (Federal Transit Administration), \$25,500 (Mobility Office (SLX)), \$13,500 (Air Quality Planning (SLX)), \$16,800 (Congestion Management (SLX)), and \$13,200 (Bike/Ped (SLX)) as a local match, subject to sufficient funds being appropriated in FY 2012, appropriating funds pursuant to FY 2012 Schedule No. 6, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Community Development, Gooding, BS 082-11, p.]**
13. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Transportation Cabinet, which Grant funds are in the amount of \$500,000 Federal funds, are for the Lexington Traffic Movement and Revitalization Study, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 103, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Community Development, Gooding, BS 089-11, p.]**
14. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the National Association of Police Athletic/Activities League, Inc., 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 \$30,000 Federal funds, are for a juvenile mentoring program 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. 102, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Community**

Development/Dept. of Public Safety, Gooding/Mason, BS 080-11, p.]

15. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Emergency Management Agency, which Grant funds are in the amount of \$98,700 Federal funds and \$15,792 Commonwealth of Ky. funds, are for the Lexington-Fayette County Comprehensive Hazard Mitigation Plan, the acceptance of which obligates the Urban County Government for the expenditure of \$17,108 as a local match, appropriating funds pursuant to Schedule No. 104, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 091-11, p.]**
16. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Div. of Emergency Management, which Grant funds are in the amount of \$97,125 Federal funds and \$15,540 Commonwealth of Ky. funds, are for replacement of a generator at Fire Station One, the acceptance of which obligates the Urban County Government for the expenditure of \$16,835 as a local match, appropriating funds pursuant to Schedule No. 105, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 092-11, p.]**
17. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Dept. of Military Affairs, Div. of Emergency Management, which Grant funds are in the amount of \$388,400 Federal funds, are for continuation of the Chemical Stockpile Emergency Preparedness Program (CSEPP), the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 106, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 093-11, p.]**
18. 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 this Grant if the application is approved, which Grant funds are in the amount of \$448,036 Federal funds, are for continuation of the New Chance Program in the Div. of Family Services, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2012 Schedule No. 5, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Community Development/Dept. of Social Services, Gooding/Mills, BS 081-11, p.]**

19. An Ordinance amending Section 22-5(2) of the Code of Ordinances, creating one (1) position of Administrative Specialist P/T, Grade 110N, in the Div. of Emergency Management/911 and appropriating funds pursuant to Schedule No. 107. **[Div. of Human Resources, Jarvis, 087-11, p.]**

VII. RESOLUTIONS – SECOND READING

1. A Resolution accepting the bid of PIE Management, LLC, establishing a price contract for temporary labor, for the Dept. of General Services and the Div. of Parks and Recreation. **[Hancock]** (5 Bids)
2. A Resolution accepting the bid of Chesapeake Bay Coatings, in the amount of \$10,609.40, for pool paint, for the Div. of Parks and Recreation. **[Hancock]** (6 Bids)
3. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$270,000 Federal funds, and are for continuation of the Street Sales Drug Enforcement Project for FY 2012. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 056-11]**
4. 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. **[Div. of Community Development/Dept. of Public Safety, Gooding/Mason, BS 067-11]**
5. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Amendment No. 13 to the Contract with Entran (formerly known as American Consulting Engineers, PLC) for professional services for the Newtown Pike Extension Project, increasing the contract price by the sum of \$241,964.00 from \$6,614,351.51 to \$6,856,315.51. **[Div. of Community Development/Dept. of Public Works & Development, Gooding/Taylor, BS 057-11]**
6. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Young Marines Captain Reginald Underwood Unit, Inc. (\$550), Bryan Station High School PTSA, Inc. (\$200), for the Office of the Urban County Council, at a cost not to exceed the sums stated. **[Council Office, Williams]**
7. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Amendment No. 3, to Contract #5797 (Res. No. 693-2006) with Ky. Theatre Management Group, Inc., extending the term of management for an additional seven

months, through October 31, 2011. **[Div. of Facilities & Fleet Management, Baradaran, BS 066-11]**

8. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two to the Contract with Architectural Graphics, Inc., for the Lexington Wayfinding Program, increasing the contract price by the sum of \$14,096.39 from \$389,145.79 to \$403,242.18. **[Dept. of Public Works & Development, Taylor, BS 058-11]**
9. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Chestnut Health System, Inc.'s GAIN Coordination Center, for data storage and data sharing for the purpose of assessing youth substance abuse, for the Div.'s of Youth and Family Services, at a cost not to exceed \$820. **[Dept. of Social Services, Mills, BS 078-11]**
10. A Resolution authorizing the Div. of Water Quality, on behalf of the Urban County Government, to purchase three (3) mixing compressors for the Town Branch Wastewater Treatment Plant from Sihi Pumps, Inc. c/o KY Sherman & Schroder Equipment Co., a sole source provider, at a cost not to exceed \$40,689. **[Div. of Water Quality, Martin, BS 061-11]**
11. A Resolution authorizing and directing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-86, to install multiway stop signs at Ridgecane Rd. and Sebastian Ln.

VIII. RESOLUTIONS – FIRST READING (New Business)

12. A Resolution accepting the bid of R & B Cleaning Services, establishing a price contract for Custodial Services – Recycling Center, for the Div. of Facilities and Fleet Management. **[Baradaran]** (8 Bids, Non-Low)
13. A Resolution accepting the bid of Compumetric Engineering, Inc. d/b/a Securr, establishing a price contract for trash and recycling containers, for the Div. of Parks and Recreation. **[Hancock]** (4 Bids)
14. A Resolution accepting the bids of Herb Geddes Fence Co., Inc.; S and T Fencing, Inc.; Rio Grande Fence; Shuck Fence Co., Inc.; Myers Fence, LLC; and A&W Fence Co., Inc., establishing price contracts for fencing, for the Div. of Parks and Recreation. **[Hancock]** (7 Bids)
15. A Resolution accepting the bid of Global Environmental Solutions, LLC, establishing a price contract for electronics waste recycling, for the Div. of Waste Management. **[Feese]** (3 Bids)
16. A Resolution accepting the bid of Machinex Technologies, Inc., in the amount of \$106,440 for Eddy Current Separator – Thompson Rd. Material Recovery Facility, for the Div. of Waste Management. **[Feese]** (6 Bids)

17. A Resolution accepting the bid of Amteck, in the amount of \$84,750 for electrical upgrades – Thompson Rd. Recycling Center, for the Div. of Waste Management. **[Feese]** (3 Bids)
18. A Resolution accepting the bid of Allied Technical Services, Inc., establishing a price contract for temporary pumping services, generators and emergency waste water treatment plant equipment rental, for the Div. of Water Quality. **[Martin]** (1 Bid)
19. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Volunteers of America of Ky., Inc., for support of emergency housing for homeless families, at a cost not to exceed \$8,000. **[Div. of Community Development, Gooding, BS 085-11, p.]**
20. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Transportation Cabinet, for extension of the Versailles Rd. Corridor Enhancements Project through June 30, 2011, at no cost to the Urban County Government. **[Div. of Community Development/Council Office, Gooding/Williams, BS 084-11, p.]**
21. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 7 to the Contract with Nesbit Engineering, Inc., for design of the Meadows/Northland/Arlington Public Improvements Project, Subphase 3D, increasing the contract price by the sum of \$3,200.00 from \$260,458.78 to \$263,658.78, and amending Resolution 411-2010 related to Change Order No. 6 for the project to reflect that the correct subphase is Subphase 3D. **[Div. of Community Development/Div. of Engineering, Gooding/Rayan, BS 090-11, p.]**
22. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Dept. for Local Development and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$75,000 Federal funds, and are for improvements for Hisle Farm Park. **[Div. of Community Development/Div. of Facilities & Fleet Management, Gooding/Baradaran, BS 101-11, p.]**
23. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract Modification to the Engineering Services Agreement with GRW Engineers, Inc., for design of the Liberty Rd./Todds Rd. Section 2 Public Improvement Project, increasing the contract price by the sum of \$271,053 from \$399,992 to \$671,045. **[Div. of Community Development/Dept. of Public Works & Development, Gooding/Taylor, BS 099-11, p.]**

24. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Blue Grass Community Foundation (\$450), Big Brothers Big Sisters of the Bluegrass (\$450), Lexington Dolphins, Inc. (\$300), and Girls on the Run (\$450), for the Office of the Urban County Council, at a cost not to exceed the sums stated. **[Council Office, Williams, p.]**
25. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the University of Ky., for parking at UK Polk-Dalton Clinic, at no cost to the Urban County Government. **[Div. of Facilities and Fleet Management, Baradaran, BS 083-11, p.]**
26. A Resolution ratifying the probationary civil service appointments of: Demetria Kimball, Environmental Inspector II, Grade 117E, \$1,914.56 bi-weekly, Kevin Lyne, Environmental Inspector II, Grade 117E, \$1,897.84 bi-weekly, Bennie Begley, Sewer Line Maintenance Superintendent, Grade 116E, \$2,430.48 bi-weekly, in the Div. of Water Quality, effective March 7, 2011; ratifying the permanent civil service appointments of: John Carey, Telecommunicator Supervisor, Grade 116E, Jason Eason, Kevin Owens, Telecommunicator, Grade 111N, in the Div. of Emergency Management/911, effective February 28, 2011; ratifying the unclassified civil service appointment to the Office of the Urban County Council of: Leah Boggs, Aide to Council, Grade 000E, \$2,057.69 bi-weekly, in the Council Office, effective February 28, 2011; ratifying the unclassified civil service pay increases in the Office of the Urban County Council of: Melynda Milburn Jamison, Aide to Council, Grade 000E, increase from \$2,000.00 biweekly to \$2,057.69 bi-weekly, Scott Seymour, Aide to Council, Grade 000E, increase from \$1,942.31 bi-weekly to \$2,057.69 bi-weekly, effective February 28, 2011; ratifying the temporary appointment in the Office of the Urban County Council of: Donna Jeannette Williams, Council Administrator, Grade 121E, \$2,249.92 bi-weekly, effective February 21, 2011. **[Div. of Human Resources, Jarvis, p.]**
27. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Donald L. Crain, Esq., attorney with Frost Brown & Todd, LLC, for collective bargaining negotiations, at a cost not to exceed \$60,000. **[Dept. of Law, Graham, BS 000-11, p.]**
28. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Grant Award Agreement awarding a Class A Incentive Grant for a stormwater quality project to Bluegrass PRIDE, Inc., in the amount of \$19,200. **[Div. of Water Quality, Martin, BS 094-11, p.]**
29. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Grant Award Agreement awarding a Class A Incentive Grant for a stormwater quality project to WGPL Neighborhood Association, Inc., in the amount of \$7,700. **[Div. of Water Quality, Martin, BS 095-11, p.]**

30. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Grant Award Agreement awarding a Class A Incentive Grant for a stormwater quality project to the Colony Unit Four Community Association, Inc., in the amount of \$35,248.10. **[Div. of Water Quality, Martin, BS 096-11, p.]**
31. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Grant Award Agreement awarding a Class A Incentive Grant for a stormwater quality project to Ky. River Watershed Watch, Inc., in the amount of \$1,800. **[Div. of Water Quality, Martin, BS 097-11, p.]**
32. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Modification to the Agreement awarding a Class A (Neighborhood) Incentive Grant for a stormwater quality project to Southern Heights Neighborhood Association, Inc., increasing the grant amount by the sum of \$9,369.60 from \$40,630.40 to \$50,000. **[Div. of Water Quality, Martin, BS 098-11, p.]**
33. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Assignment of Easement and an Amendment to License Agreement with the Cincinnati New Orleans and Texas Pacific Railway Co. and Don Jacobs, Inc., at a cost not to exceed \$4,350. **[Div. of Water Quality, Martin, BS 100-11, p.]**

IX. COMMUNICATIONS FROM THE MAYOR

1. Recommending the appointments of Ms. Brittany Blackburn Koch and Ms. Morgan Hall to the CASA, with terms to expire 6-11-2013.
2. Recommending the appointments of Councilmember Bill Farmer, representing 3rd, 5th, or 11th Districts, Mr. Matthew A. Bland, and Mr. Logan K. Baker to the Corridors Commission, with terms to expire 8-1-2015, 8-1-2013, and 8-1-2011, respectively. Mr. Bland will fill the unexpired term of Mr. Jarrod Stanley, and Mr. Baker will fill the unexpired term of Mr. Wesley Raney.
3. Recommending the reappointments of Mr. Chauncey Curtz, as Chamber of Commerce representative, and Mr. Christopher Goode, as Fayette County Bar Association representative, to the Ethics Commission, with terms to expire 3-1-2015.
4. Recommending the appointment of Councilmember Diane Lawless to the Special Events Commission, with a term to expire 6-1-2015.
5. Recommending the appointment of Vice Mayor Linda Gorton, as LFUCG Co-Chair, to the Town and Gown Commission.

Also, recommending the appointment of Ms. Melissa Lueker to the Town and Gown Commission, with a term to expire 2-1-2013. Ms. Lueker will fill the unexpired term of Ms. Penny Ebel.

X. COMMUNICATIONS FROM THE MAYOR (FOR INFORMATION ONLY)

WORK COPY

1. Temporary appointment of Jamshid Baradaran, Commissioner of General Services, Grade 210E, \$4,230.77 bi-weekly, in the Dept. of General Services, effective March 3, 2011.
2. Temporary appointment of Jimmy Ross, Program Coordinator, Grade 109N, \$13.121 hourly, in the Div. of Facilities and Fleet Management, effective March 1, 2011.

XI. ANNOUNCEMENTS

XII. PUBLIC COMMENTS