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

May 12, 2011 – 6:00 P.M.

I. ROLL CALL

II. INVOCATION

III. PRESENTATION

Commemorations of Dr. Moosnick and Dr. Kelley

IV. COMMITTEE REPORTS – Committee of the Whole – VM Gorton

V. ORDINANCES –SECOND READING

1. An Ordinance amending Ordinance No. 105-2009, the Newtown Pike Extension Ordinance, disapproving a request to amend to apply standards only to commercial development and approving a request to waive the bulk plane and parking lot standards applied in Section 10 for property located at 502-526 South Broadway, 320 Pine St., and 319 Cedar St. (Jeff Morgan). Disapproval of the Requested Change A and Approval of the Requested Changes B & C 6-0 **[Div. of Planning, King]**

2. An Ordinance changing the zone from a Professional Office (P-1) zone to a High Rise Apartment (R-5) zone for 0.376 net (0.42 gross) acre, with dimensional variances, for property located at 407 Marquis Ave., subject to certain use restrictions imposed as conditions of granting the zone change (FEDE, LLC). Conditional Approval 9-0 (To Be Heard by June 22, 2011.) **[Div. of Planning, King]**

3. 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. 116. **[Div. of Budgeting, Barrow]**

4. An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $1,547 from Neighborhood Development funds in the Div. of Parks and Recreation for personnel expenses related to William Wells Brown Community Center summer programs, and appropriating and re-appropriating funds, Schedule No. 117. **[Council Office, Williams]**

5. An Ordinance amending Sections 2-442, 2-443, 2-444, and 2-447 of the Code of Ordinances, relating to the Internal Audit Board, to increase the number of members of the board from five (5) to seven (7); to require that the two additional members be appointed from the community at large; to require that appointment of two (2) members be based on recommendations of the Urban County Council; to provide that members may be removed only for cause after a hearing; to limit the number of consecutive terms members may serve to three full terms; to require that the chairman and vice-

chairman be elected from the members from the community at large; and to require the Board to adopt bylaws. **[Council Office]**

6. An Ordinance amending Section 21-5(2) of the Code of Ordinances abolishing one (1) position of Risk Management Analyst, Grade 115E, in the Div. of Risk Management and creating one (1) position of Risk Management Analyst, Grade 115E, in the Dept. of General Services; transferring the incumbent; and appropriating funds pursuant to Schedule No. 64. **[Div. of Human Resources, Jarvis]**

VI. ORDINANCES – FIRST READING (New Business)

7. 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. 118. **[Div. of Budgeting, Barrow]**

8. An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements in the Div. of Traffic Engineering for funds in the amount of $637.60 from Neighborhood Development Funds for traffic calming signs in the Third Council District, and appropriating and re-appropriating funds, Schedule No. 120. **[Council Office, Williams]**

VII. RESOLUTIONS – SECOND READING

1. A Resolution accepting the bid of R & B Cleaning Services, establishing a price contract for Custodial Services – Phoenix Building, for the Div. of Facilities and Fleet Management. **[Baradaran]** (12 Bids)

2. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and other necessary documents, and to accept Deeds for easements needed for Phase 3D of the Meadows-Northland-Arlington Neighborhood Improvement Project, at a cost not to exceed $2,000. **[Div. of Community Development/Div. of Engineering, Gooding/Rayan, BS 143-11]**

3. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and other necessary documents, and to accept deeds for property interests needed for the Lafayette Parkway Stormwater Project, at a cost not to exceed $1,600,000. **[Div. of Community Development/Dept. of Environmental Quality, Gooding/Tayor, BS 135-11]**

4. 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 the Loudon Ave. Sidewalk Project to include the project budget as part of the Agreement, at no cost to the Urban County Government. **[Div. of Community Development/Dept. of Public Works & Development, Gooding/Taylor, BS 140-11]**

5. A Resolution approving, pursuant to KRS 62.055 and Section 22-55.1 of the Code of Ordinances, the bond with surety of Donald W. Blevins, Jr., Fayette County Clerk, in the amount of $400,000, and directing the Dept. of Law to record the bond, with surety, along with a certified copy of this Resolution, in the Office of the Fayette County Clerk. **[Dept. of Law, Graham, BS 141-11]**

6. A Resolution designating Tates Creek Golf Course and Clubhouse, and Athens Softball Complex Concession Stand/Pavilion as parks and park facilities where the Director of the Div. of Parks and Recreation may authorize the possession, sale, delivery and consumption of alcoholic beverages and apply for a malt beverage license for sale of malt beverages at the listed locations. **[Div. of Parks and Recreation, Hancock, BS 136-11]**

7. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the Federal Bureau of Investigation, Dept. of Veterans Affairs, for jurisdiction at the Dept. of Veterans Affairs. **[Div. of Police, Bastin, BS 137-11]**

8. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Minnifield Enterprize, Inc., for West Sector Roll Call Renovation, increasing the contract price by the sum of $8,370 from $58,964 to $67,334. **[Div. of Police, Bastin, BS 144-11]**

9. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Contract with Fayette County Board of Education, for use of the William Wells Brown Elementary School for the final resource fair of the Hope VI Housing Project, at a cost not to exceed $671.70. **[Dept. of Social Services, Mills, BS 138-11]**

VIII. RESOLUTIONS – FIRST READING (New Business)

10. A Resolution accepting the bid of Aramsco, Inc., establishing a price contract for hospital PPE kits, for the Div. of Emergency Management/911. (4 Bids, Low) **[Dugger]**

11. A Resolution accepting the bid of Bluegrass Towing, Inc., establishing a price contract for towing, for the Dept. of General Services, the Div.'s of Police and Code Enforcement, and the Parking Authority. (2 Bids, Low) **[Baradaran, Bastin, Jarvis, Means]**

12. A Resolution accepting the bid of L&P Wire Tie Systems in the amount of $25,030 for a wire tie system for the Recycling Center, for the Div. of Waste Management. (1 Bid) **[Feese]**

13. A Resolution accepting the bid of Lagco, Inc., in the amount of $653,826.50, for the Anniston/Wickland Capital Storm Sewer Improvements Phase II, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Lagco, Inc., related to the bid. (8 Bids, Low) **[Martin]**

14. 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 modification of the scope of work and extension of the Newtown Pike Landscaping Project through June 30, 2012, at no cost to the Urban County Government. **[Div. of Community Development, Gooding, BS 146-11]**

15. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Bluegrass Council of Boy Scouts of America, Inc. ($700) and Thursday's Child, Inc. ($375), for the Office of the Urban County Council, at a cost not to exceed the sums stated. **[Council Office, Williams]**

16. A Resolution authorizing and directing the Div. of Parks and Recreation to keep all Lexington-Fayette Urban County Government swimming pools open on Mondays for FY 2011 and FY 2012 during the regular swimming season. **[Council Office]**

17. A Resolution authorizing and directing the Div. of Parks and Recreation to keep Berryhill and Constitution pools open for FY 2011 and FY 2012 during the regular swimming season. **[Council Office]**

18. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Software License Agreement and Software Maintenance Agreement with FATPOT Technologies, LLC, to provide software maintenance and support of the mobile data software used by the Div. of Fire and Emergency Services for an initial term of one (1) year, and with up to five (5) annual renewals of one year each, subject to sufficient funds being appropriated in future fiscal years, at a cost not to exceed $30,000 in FY 2011. **[Div. of Fire and Emergency Services, Jackson, BS 158-11]**

19. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Lease Agreement with Community Action Council for Lexington-Fayette, Bourbon, Harrison, and Nicholas Counties, Inc., for 522 Patterson St., at a cost not to exceed $3,100. **[Dept. of General Services, Baradaran, BS 145-11]**

20. A Resolution ratifying the probationary civil service appointments of: Ernest Clark, Public Service Supervisor, Grade 111N, $19.539 hourly, in the Div. of Streets, Roads and Forestry, effective May 9, 2011; ratifying the permanent civil service appointments of: Darrell Hager, Public Service Supervisor, Grade 111N, in the Div. of Parks

and Recreation, effective March 25, 2011, Debra Sue Miller, Telecommunicator, Grade 111N, in the Div. of Emergency Management/911, effective April 25, 2011; ratifying the unclassified civil service appointment to the Office of the Urban County Council of: Elizabeth Chatterton, Aide to Council, Grade 000E, $2,089.60 bi-weekly, in the Council Office, effective April 18, 2011. **[Div. of Human Resources, Jarvis]**

21. A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following: Stephanie Hong, Director of Youth Services, Grade 120E, $3,228.24 bi-weekly, in the Div. of Youth Services, effective June 1, 2011, Joanna Rodes, Director of Family Services, Grade 120E, $2,894.96 bi-weekly, in the Div. of Family Services, effective upon passage, and authorizing the beginning employment upon successful completion of a physical or medical examination as required. **[Div. of Human Resources, Jarvis]**

22. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Seniors Plan Master Contract with Humana, for the Police and Firefighters Senior Plan, at no cost to the Urban County Government. **[Div. of Human Resources, Jarvis, BS 149-11]**

23. 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. **[Div. of Human Resources, Jarvis, BS 150-11]**

24. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Authorized Provider Agreement with American Red Cross, allowing the Urban County Government to provide training courses offered by the American Red Cross, for one (1) year beginning January 1, 2011, at no cost to the Urban County Government. **[Div. of Human Resources, Jarvis, BS 151-11]**

25. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute three (3) Partial Releases of Easements, releasing portions of utility easements on property located at 1786 Battery St., 1791 Battery St., and 2413 Patchen Wilkes Dr. **[Dept. of Law, Graham, BS 153-11]**

26. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Purchase of Service Agreement with Downtown Lexington Corp., to include event management responsibilities for the July 4th Festival, Ky. Christmas Chorus, Winter Festival and Holiday Market, Official Tree Lighting, and Vintage Ky. Wine Festival, at a cost not to exceed $120,000. **[Mayor's Office, Emmons, BS 133-11]**

27. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Contract with Fayette County Board of Education, for use of the William Wells Brown Gymnasium for Parks Athletic Programs, at a cost not to exceed $1,326.25. **[Div. of Parks and Recreation, Hancock, BS 154-11]**

28. A Resolution rescinding Resolution No. 74-2011 and authorizing the Div. of Waste Management to pay for labor and equipment rental and related peripherals for relining the baler at the Materials Recovery Facility from IPS Balers Manufacturing, Inc., a sole source provider, at a cost not to exceed $28,000. **[Div. of Waste Management, Feese, BS 147-11]**

29. A Resolution authorizing the Div. of Waste Management to purchase a Heil Dualift Combination Cable and Hook Lift Hoist from Central Indiana Truck Equipment Corp., a sole source provider, at a cost not to exceed $60,170. **[Div. of Waste Management, Feese, BS 152-11]**

30. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with U.S. Geological Survey, for the continuing and ongoing maintenance and operation of existing stream flow and precipitation gauges, at a cost not to exceed $90,240. **[Div. of Water Quality, Martin, BS 155-11]**

31. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant for a stormwater quality project to Neighbors United for South Elkhorn Creek, Inc., at a cost not to exceed $5,470. **[Div. of Water Quality, Martin, BS 156-11]**

IX. COMMUNICATIONS FROM THE MAYOR

1. Recommending the appointment of Ms. Debbie Wimsatt to the Alarm Advisory Board, with a term to expire 7-1-2015.

2. Recommending the reappointments of Ms. Anna Greene, Ms. Alice Jackson, Mr. Henry Kenion, and Mr. Ben Turpin to the Black and Williams Neighborhood Community Center Board, with terms to expire 1-27-2015.

3. Recommending the reappointment of Mr. Robert Magrish to the Board of Architectural Review, with a term to expire 6-30-2014.

   Also, recommending the appointment of Mr. Graham Pohl to the Board of Architectural Review, with a term to expire 6-30-2014.

4. Recommending the appointments of Mr. Joe Schuler and Ms. Annemarie Margaret Vandervort to the CASA, with terms to expire 6-11-2013.

5. Recommending the appointments of Mr. Salvador Rangel and Ms. Renee Sloan Reynolds to the Human Rights Commission, with terms to expire 1-1-2015.

6. Recommending the reappointment of Mr. Francis (Sandy) Collins-Camargo to the Infrastructure Hearing Board, with a term to expire 2-1-2015.

7. Recommending the appointments of Vice Mayor Linda Gorton, as Ex-Officio member, Mr. Brent Rice and Mr. Craig Turner to the Lexington Center Corporation Board of Directors, with terms to expire 2-28-2015. Vice-Mayor Gorton, Mr. Rice and Mr. Turner will replace Mayor Jim Gray, Mr. William Bishop, and Mr. Ed Holmes, who are no longer serving.

8. Recommending the reappointment of Ms. Janet Cabaniss to the Masterson Station Park Advisory Board, with a term to expire 5-1-2015.

X. ANNOUNCEMENTS

XI. PUBLIC COMMENTS