

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

November 17, 2011 – 6:00 P.M.

I. ROLL CALL

II. INVOCATION

III. PRESENTATION

Bronze Medalist of the 2011 World Fencing Championships, in Catania – Italy: Dunbar High School Senior – Lee Kiefer

IV. ORDINANCES – SECOND READING

1. 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. 43. **[Div. of Budgeting, Barrow]**
2. An Ordinance approving the Dept. of General Services' Policies and Procedures for usage of all facility space owned by the Lexington-Fayette Urban County Government; expressing the Urban County Council's authority to review and approval all leases and subleases and authorizing the Dept. of General Services to manage the leased facilities; providing that all tenants shall pay rent and enter into a standard lease for use of facilities owned by Lexington-Fayette Urban County Government; providing that the stated rental amount for all facilities shall be fair market value; providing that all tenants shall pay their operating expenses including, but not limited to, utilities, insurance, maintenance, janitorial services and repairs; providing that the Urban County Council shall consider grants and subsidies to tenants in the annual budgeting process and providing that all leases expire on the same date. **[Council Office, Williams]**
3. An Ordinance amending Section 21-5(2) of the Code of Ordinances, creating one (1) position of Safety Specialist, Grade 115E, and creating one (1) position of Administrative Specialist Sr., Grade 112N, in the Div. of Waste Management; and appropriating funds pursuant to Schedule 42. **[Div. of Human Resources, Jarvis]**

V. ORDINANCES – FIRST READING

4. 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. 45. **[Div. of Budgeting, Barrow]**
5. An Ordinance declaring portions of sidewalks in Hamburg Place Community, Phase I and Phase II of Shetlands Subdivision, to have been dedicated to the Lexington-Fayette Urban County Government as public ways, and accepting the dedication. **[Council Office, Maynard]**

6. An Ordinance closing the right-of-way located between the properties at 444 Fayette Park and 503 Willy St.; determining that all property owners abutting the portion of the walk way to be closed have been identified, provided with written notice of the proposed closing and consented thereto in writing; and authorizing and directing the Mayor, on behalf of the Urban County Government, 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. **[Dept. of Environmental Quality & Public Works, Bush]**
7. An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Director of Litigation, Grade 123E, and amending Section 22-5(2) of the Code of Ordinances, creating two (2) positions of Attorney, Grade 117E, from date of passage to December 31, 2015, all in the Dept. of Law. **[Div. of Human Resources, Jarvis]**
8. An Ordinance expanding and extending the Full Urban Services District #1 to provide street lighting, street cleaning and garbage and refuse collection, to include the area defined as certain properties on the following streets: Calypso Breeze Dr., Carducci St., Coroneo Ln., Falling Leaves Ln., Firethorn Place, Golden Bell Place, Greenville Terrace, Grey Lag Way, Hardwood Rd., Kiawah Dr., Magnolia Gardens Place, Polo Club Blvd., Sandhurst Cove, Seneca Park, Sir Barton Way, Sperling Dr., Sunflower St., Tea Olive Way, and Towne Square Park. **[Dept. of Environmental Quality & Public Works, Wente]**
9. An Ordinance 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: Blue Bonnet Ct., Blue Bonnet Dr., Golden Trophy Trail, Waveland Museum Ln., and Winthrop Dr. **[Dept. of Environmental Quality & Public Works, Wente]**
10. An Ordinance expanding and extending Partial Urban Services District #5 for the Urban County Government for the provision of garbage and refuse collection and street lighting, to include the areas defined as certain properties on the following streets: Albany Rd., Albemarle Rd., and Halifax Ct. **[Dept. of Environmental Quality & Public Works, Wente]**
11. An Ordinance amending Ordinance No. 218-2010 expanding and extending Partial Urban Services District #5 to remove certain properties on Springhill Dr. and changing the Urban Service Districts on said properties back to Urban Services District #2 and Urban Services District #4 respectively to correct a clerical error. **[Dept. of Environmental Quality & Public Works, Wente]**

VI. RESOLUTIONS – SECOND READING

1. A Resolution accepting the bid of Staples Contract & Commercial, Inc., operating as Staples Advantage, establishing a price contract for office supplies, for all Departments and Divisions of Lexington-Fayette Urban County Government. (9 Bids, Low) **[Marcum]**
2. A Resolution accepting the bid of Advanced Mulching Technologies, Inc., d/b/a Eco Gro, in the amount of \$90,827.80, for the McConnell's Trace Greenways Restoration Project, for the Div. of Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Advanced Mulching Technologies, Inc., d/b/a Eco Gro, related to the bid. (1 Bid) **[Rayan]**
3. A Resolution accepting the bids of Municipal Equipment, Inc., Central Indiana Truck Equipment Corp., Refuse Parts Depot, LLC, E-Z Pack Manufacturing, LLC, establishing price contracts for refuse collection truck parts, for the Div. of Facilities and Fleet Management. (4 Bids, Low) **[Baradaran]**
4. A Resolution accepting the bid of Republic Services of Ky., LLC, establishing a price contract for transportation of leaf and yard waste, for the Div. of Waste Management. (2 Bids, Low) **[Feese]**
5. A Resolution ratifying the probationary civil service appointment of: Gerald Parker, Trades Supervisor, Grade 113N, \$25.013 hourly, in the Div. of Parks and Recreation, effective November 7, 2011; ratifying the probationary sworn appointments of: Clayton Roberts, Police Lieutenant, Grade 317E, \$3,025.14 bi-weekly, Matthew Greathouse, Police Sergeant, Grade 315N, \$28.588 hourly, Todd Phillips, Police Sergeant, Grade 315N, \$28.588 hourly, in the Div. of Police, effective upon passage of Council. **[Div. of Human Resources, Jarvis]**
6. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Bluegrass Community Action Partnership, Inc. (\$925), for the Office of the Urban County Council, at a cost not to exceed the sum stated. **[Council Office, Williams]**
7. A Resolution expressing the intent of the Urban County Government to accept Derby Landing into public right-of-way upon return of the amended subdivision plan with signatures of property owners and recording of the plan. **[Dept. of Environmental Quality & Public Works, Taylor]**
8. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two to the Contract with Marrillia Design and Construction, for the Lexington Streetscape Phase One, Vine St. Project, increasing the contract price by the sum of \$14,771.75 from \$1,764,083.82 to \$1,778,855.57. **[Dept. of Environmental Quality & Public Works, Taylor]**

9. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Energy and Environment 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 \$138,921.33 Commonwealth of Ky. funds, are for continuation of the Litter Abatement Program, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Grants & Special Programs/Dept. of Environmental Quality & Public Works, Gooding/Taylor]**
10. A Resolution 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 \$119,108.21 Federal funds, are for the support of emergency preparedness activities in Lexington-Fayette County, the acceptance of which obligates the Urban County Government for the expenditure of \$119,108.21 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Grants & Special Programs/Dept. of Public Safety, Gooding/Mason]**
11. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Group Sales Agreement with Hyatt Regency Lexington, for 2012 Bluegrass Invitational Tournament, at a cost not to exceed \$2,500. **[Div. of Parks & Recreation, Hancock]**
12. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Facility Usage Agreements with various youth fall baseball leagues, for youth baseball. **[Div. of Parks & Recreation, Hancock]**

VII. RESOLUTIONS – FIRST READING

13. A Resolution accepting the bid of Lagco, Inc., in the amount of \$426,040, for the Black & Williams Center Energy Efficiency Improvements, for the Div. of Environmental Policy, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Lagco, Inc., related to the bid. (2 Bids, Non-Low) **[Bush]**
14. A Resolution accepting the bids of Rhythm Engineering, LLC; Iron Armour, LLC; Signal Control Products, Inc.; and Path Master, Inc., establishing price contracts for adaptive traffic signal and control equipment, for the Div. of Traffic Engineering. (4 Bids, Low) **[Herrington]**
15. A Resolution accepting the bid of LexPress, establishing a price contract for Waste Management Newsletters, for the Div. of Waste Management. (8 Bids, Low) **[Feese]**

16. A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following: Michelle Long, Records Management Analyst, Grade 111N, \$17.500 hourly, in the Council Clerk's Office, effective upon passage of Council. **[Div. of Human Resources, Jarvis]**
17. A Resolution ratifying the probationary civil service appointments of: Winona Embry, Payroll Manager, Grade 119E, \$2,586.96 bi-weekly, in the Div. of Accounting, effective December 7, 2011, and Karen Beatty, Administrative Specialist Sr., Grade 112N, \$22.213 hourly, in the Div. of Traffic Engineering, effective November 21, 2011; ratifying the permanent civil service appointment of: Connie Hayes, Staff Assistant Sr., in the Div. of Purchasing, effective July 17, 2011. **[Div. of Human Resources, Jarvis]**
18. A Resolution accepting the response of Denham-Blythe Co., Inc., to Bid No. 100-2011, and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute a Lease Agreement with Denham-Blythe Co., Inc., for a period of three (3) years for space located at 100 Trade St., Lexington, Ky., to be used as a Wellness Center, for an amount not to exceed \$7,877.40 per month plus utilities. **[Chief Administrative Officer, Moloney]**
19. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Humanitarium (\$475) for the Office of the Urban County Council, at a cost not to exceed the sum stated. **[Council Office, Maynard]**
20. A Resolution of the Lexington-Fayette Urban County Council, simultaneously and jointly with the Louisville Metro Council, endorsing and supporting the Bluegrass Economic Advancement Movement (BEAM), and urging members of the Lexington-Fayette County and Jefferson County communities to fully participate in the project and to use this as an opportunity to further the collective goals of both cities as economic engines for all of Kentucky and to provide economic and educational opportunities to its citizens. **[Council Office, Maynard]**
21. A Resolution authorizing the Mayor, the Fire Chief, and the Director, Div. of Emergency Management/911, on behalf of the Urban County Government and pursuant to KRS Chapter 39F, to execute a Statement of Affiliation pertaining to the establishment and designation of the Urban County Government's Div. of Fire and Emergency Services' Special Operations Technical Rescue Team as the recognized Rescue Squad for Fayette County, at no cost to the Urban County Government. **[Div. of Emergency Management/911, Dugger]**
22. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two to the Contract with Woodall Construction Co., Inc., for the Lexington Streetscape Phase One Improvements, E. Main St. Streetscape Project, increasing the contract price by the sum of \$60,601.05 from

\$2,646,542.45 to \$2,707,143.50. **[Dept. of Environmental Quality & Public Works, Bush]**

23. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Three to the Contract with Woodall Construction Co., Inc., for the Lexington Streetscape Phase One Improvements, E. Main St. Streetscape Project, increasing the contract price by the sum of \$55,938.35 from \$2,707,143.50 to \$2,763,081.85. **[Dept. of Environmental Quality & Public Works, Bush]**
24. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two, to the Contract with Charles Deweese Construction, for the Lexington Streetscape Phase One W. Main St. Project, decreasing the contract price by the sum of \$3,272.25 from \$1,930,561.75 to \$1,927,289.50. **[Dept. of Environmental Quality & Public Works, Bush]**
25. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two to the Contract with Woodall Construction Co., Inc., for the construction of Clays Mill Rd. Improvements Project, Section 2A, increasing the contract price by the sum of \$23,405.43 from \$3,611,285.52 to \$3,634,690.95. **[Dept. of Environmental Quality & Public Works, Bush]**
26. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Regulator Easement and Right of Way Agreement with Columbia Gas of Ky., Inc., granting a pipeline easement. **[Div. of Facilities & Fleet Management, Baradaran]**
27. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Paramedic Training Program Agreement, with Jessamine County Emergency Medical Service, for paramedic training, at no cost to the Urban County Government. **[Div. of Fire and Emergency Services, Jackson]**
28. 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 for FY 2012, at a cost not to exceed \$44,400. **[Div. of Grants & Special Programs, Gooding]**
29. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with AMEC Environment and Infrastructure, Inc. (formerly known as AMEC Earth & Environmental, Inc.), for additional Brownfield Site Assessment Services, at a cost not to exceed an additional \$246,430. **[Div. of Grants & Special Programs/Dept. of Environmental Quality & Public Works, Gooding/Bush]**

30. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 (Final) to the Contract with Marrillia Design & Construction, for the Maxwell St. Sidewalk and Bike Lane Project, increasing the contract price by the sum of \$52,480.53 from \$308,438.21 to \$360,918.74. **[Div. of Grants & Special Programs/Dept. of Environmental Quality & Public Works, Gooding/Bush]**
31. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Office of Homeland Security, which Grant funds are in the amount of \$267,609 Federal funds, are for the continuation of the Metropolitan Medical Response System (MMRS), the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Grants & Special Programs/Dept. of Public Safety, Gooding/Mason]**
32. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Div. of Emergency Management, Dept. of Military Affairs, 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 \$8,000 Commonwealth of Ky. funds, and are for the purchase of equipment for the Dive/Water Rescue Program, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Grants & Special Programs/Dept. of Public Safety, Gooding/Mason]**
33. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept four (4) Grants from the Ky. Office of Homeland Security, which Grant funds are in the amount of \$360,800 Federal funds under the 2011 State Homeland Security Grant Program, are for the purchase of Special Operations, Hazardous Materials and Technical Rescue Equipment (\$121,000); a specialized training class for HazMat units (\$23,800); the purchase of equipment for the Hazardous Devices Unit (\$161,000); and training in dynamic entry for the Ky. Explosive Incident Response Task Force (\$55,000), the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Grants & Special Programs/Dept. of Public Safety, Gooding/Mason]**
34. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Board of Emergency Medical 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 \$11,000

Commonwealth of Ky. funds, and are for the purchase of EMS equipment, the acceptance of which does not obligate the Lexington-Fayette Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. **[Div. of Grants & Special Programs/Dept. of Public Safety, Gooding/Mason]**

35. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Statement of Work and Master Services Agreement with Global Compliance Services, Inc., for installation and administration of the Fraud Tip Line, at a cost not to exceed \$5,175. **[Office of Internal Audit, Sahli]**
36. A Resolution ratifying the Dept. of Law's execution, on behalf of the Urban County Government, of a Settlement Agreement, Stipulation, and Recommendation, and any other necessary documents, in Public Service Commission Case No. 2011-00161, pertaining to approval of Ky. Utilities Co.'s Environmental Surcharge Recovery. **[Dept. of Law, Graham]**
37. 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 Winburn Middle School Gymnasium, at a cost not to exceed \$285.05. **[Div. of Parks & Recreation, Hancock]**
38. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Pilgrim Baptist Church, for parking, at a cost not to exceed \$1,000. **[Div. of Parks & Recreation, Hancock]**
39. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a National Safety Council DDC Private Sub-Agency Training Agreement with the Tennessee Regional Safety Council, Inc., establishing the Div. of Risk Management as an authorized agent to teach training programs to employees, at an annual cost not to exceed \$55. **[Div. of Risk Management, Johnston]**
40. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Xavus Solutions, LLC, for the purchase and maintenance of a data collection program for the Senior Center, at a cost not to exceed \$7,500. **[Dept. of Social Services, Mills]**
41. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Hazen & Sawyer, P.S.C., to provide for Sanitary Sewer Capacity, Management, Operations and Maintenance Program (CMOM) deliverables for Consent Decree Implementation, at a cost not to exceed \$287,500. **[Div. of Water Quality, Martin]**

VIII. COMMUNICATIONS FROM THE MAYOR (FOR INFORMATION ONLY)

1. Resignation of James Smith, Community Corrections Officer, Div. of Community Corrections, effective October 27, 2011.
2. Resignation of Adrienne M. Jones, Community Corrections Officer, Div. of Community Corrections, effective October 3, 2011.
3. Resignation of Melody Spriggs, Community Corrections Officer, Div. of Community Corrections, effective October 20, 2011.
4. Resignation of Bryan C. Richardson, Community Corrections officer, Div. of Community Corrections, effective October 14, 2011.
5. Resignation of Mackenzie Montgomery, Community Corrections Officer, Div. of Community Corrections, effective September 26, 2011.
6. Resignation of Charles A. Bradburn, Community Corrections Officer, Div. of Community Corrections, effective October 26, 2011.
7. Resignation of Adam Tuska, Community Corrections Officer, Div. of Community Corrections, effective November 3, 2011.

IX. ANNOUNCEMENTS

X. PUBLIC COMMENT