

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Docket

Thursday, January 12, 2012

6:00 PM

Docket

Council Chambers

Urban County Council

I. Roll Call**II. Invocation****III. Minutes of the Previous Meetings**

0047-12 October 13 and 27, November 3 and 17, and December 1 and 6, 2011

IV. Ordinance – Second Reading

- 1. 00531-11** 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. 49. [Div. of Budgeting, Barrow]

V. Ordinances – First Reading

- 2. 0020-12** An Ordinance changing the zone from a Wholesale and Warehouse Business (B-4) zone to a Light Industrial (I-1) zone for 3.18 net (3.82 gross) acres, for property located at 1133 Industry Rd. (SRC of Lexington, Inc.). Conditional Approval 7-0 (To be heard by February 15, 2012) [Div. of Planning, King]
- 3. 0019-12** An Ordinance changing the zone from a Wholesale and Warehouse Business (B-4) zone to a High Rise Apartment (R-5) zone for 8.54 net (8.83 gross) acres, and from an Agricultural Urban (A-U) zone to a High Rise Apartment (R-5) zone, for 2.06 net and gross acres, for property located at 843 S. Broadway and 1200 Red Mile Rd. (a portion of) (Hallmark Student Development Co., LLC). Conditional Approval 5-2 OBJECTOR (To be heard by February 15, 2012) [Div. of Planning, King]
- 4. 0021-12** An Ordinance changing the zone from a Light Industrial (I-1) zone to a Heavy Industrial (I-2) zone for 10.59 net and gross acres, for property located at 195 Lisle Industrial Ave. (a portion of), subject to certain use restrictions imposed as conditions of granting the zone change (Whayne Supply Co.). Conditional Approval 9-0 (To be heard by March 14, 2012) [Div. of Planning, King]

5. **00508-11** An Ordinance closing a portion of Evans St.; 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 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 owners, subject to the reservation of easements for access and maintenance of existing utilities in the former right-of-way. [Dept. of Environmental Quality and Public Works, Bush]
6. **00535-11** An Ordinance amending Section One (1) of Ordinance No. 163-2011 to correct a typographical error in the subsection line number relating to the position of Maintenance Mechanic. [Div. of Human Resources, Jarvis]
7. **0005-12** An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing two (2) positions of Public Service Worker, Grade 106N, in the Div. of Waste Management; and amending Section 21-5(2) of the Code of Ordinances creating one (1) position of Microcomputer Support Specialist, Grade 113N, in the Div. of Waste Management. [Div. of Human Resources, Jarvis]
8. **0006-12** An Ordinance amending Section 7-17(b) of the Code of Ordinances of the Lexington-Fayette Urban County Government to change the position authorized and directed to establish fees from the Chief Information Officer to the Chief Administrative Officer. [Div. of Enterprise Solutions, Cottle]
9. **0011-12** An Ordinance amending Section 22-5(2) of the Code of Ordinances extending the term of the temporary position of Staff Assistant, Sr., Grade 108N, from April 1, 2012 to April 1, 2015, and the temporary position of Project Engineering Coordinator, Grade 119E, from February 25, 2012 to February 25, 2015, all in the Div. of Water Quality, effective upon passage of Council. [Div. of Human Resources, Jarvis]
10. **0046-12** 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. 50. [Div. of Budgeting, Barrow]

- 11. 0063-12** An Ordinance amending Section 1 of Ordinance No. 158-2011 amending the Schedule of Meetings for the Lexington-Fayette Urban County Council for the Calendar Year 2012, to change the time of the Public Safety Committee meetings on June 26 and July 10 to 11:00 a.m. and the time of the Environmental Quality Committee meeting on June 26 to 1:00 p.m. [Council Office, Maynard]
- 12. 0064-12** An Ordinance relating to discharges of surface or groundwater into the Urban County sanitary sewer system and creating Article VIII of Chapter 16 of the Code of Ordinances (Sections 16-111 through 16-115) to ensure adequate enforcement to deter and prevent introduction of surface or ground water into the Urban County sanitary sewer system; to prohibit discharge of surface or ground water into the sewer system as a condition of initial or continued sanitary sewer service; to provide that Urban County Government representatives shall have access at all reasonable times to enter properties for inspections; to provide for notice of prohibited discharges to owners or occupants of property and require abatement; to provide for a supplementary sanitary sewer user charge in the amount of \$75.00 on all sanitary sewer user charge billings for those properties that do not permit Urban County Government representatives to inspect and those that do not abate an unauthorized condition within sixty (60) days until the inspection is permitted or the condition is abated; to provide that failure to abate such condition may subject property owners to civil or criminal penalties; and to provide that the supplementary user charge is in addition to any fines or other penalties imposed under applicable law. [Council Office, Maynard]

VI. Resolutions – First Reading

- 1. 0001-12** A Resolution accepting the bid of Top Dogs Police Canine Academy, LLC, establishing a price contract for detection and patrol canines, for the Div. of Police. (3 Bids, Low) [Bastin]
- 2. 0002-12** A Resolution accepting the bids of Helgen Industries d/b/a DeSantis Holster, U.S. Calvary, Kiesler Police Supply, Inc., Ky. Uniforms, Inc., Galls (An Aramark Co., LLC), and Bluegrass Uniforms, establishing price contracts for police recruit equipment, for the Div. of Police. (7 Bids, Low) [Bastin]

3. **0003-12** A Resolution accepting the bid of Saffire Cleaning Service, LLC, establishing a price contract for Custodial Services - Versailles Rd. Campus, for the Div. of Facilities and Fleet Management. (11 Bids, Low) [Baradaran]
4. **0010-12** A Resolution accepting the bid of C.W. Nielsen Manufacturing Corp., establishing a price contract for police badges, for the Div. of Police. (2 Bids, Low) [Bastin]
5. **0022-12** A Resolution accepting the bid of Dubya J. Brands LLC d/b/a Man O'War Harley-Davidson, LLC, establishing a price contract for police motorcycles, for the Div. of Police. (1 Bid) [Bastin]
6. **0023-12** A Resolution accepting the bid of J. Edinger & Son, Inc., in the amount of \$27,994, for a V-box salt spreader, for the Div. of Facilities and Fleet Management. (3 Bids, Non-Low) [Baradaran]
7. **0024-12** A Resolution accepting the bids of Recreation Supply Co., Inc., Recreonics, Inc., EMSCO d/b/a OP Aquatics, and Aquatic Technology, Inc., establishing price contracts for swimming pool supplies, for the Div. of Parks and Recreation. (4 Bids, Low) [Hancock]
8. **0025-12** A Resolution accepting the bid of Jack Doheny Supplies, Inc., in the amount of \$374,975, for a combination sewer cleaning unit, for the Div. of Water Quality. (1 Bid) [Martin]
9. **0027-12** A Resolution accepting the bid of G4S Justice Services, LLC, establishing a price contract for electronic monitoring of inmates, for the Div. of Community Corrections. (5 Bids, Low) [Sabbatine]
10. **0029-12** A Resolution accepting the bid of Cornerstone Institutional, LLC, establishing a price contract for mattresses, for the Div. of Community Corrections. (5 Bids, Low) [Sabbatine]
11. **0030-12** A Resolution accepting the bid of Superior Demolition, Inc., in the amount of \$120,600, for the demolition of the Phoenix Parking Structure, for the Div. of General Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Superior Demolition, Inc., related to the bid. (4 Bids, Low) [Hamilton]

- 12. 0045-12** A Resolution accepting the bids of Pennington Seed and Spill Management Products, Inc., establishing price contracts for baseball field drying conditioners, for the Div. of Parks and Recreation. (4 Bids, Low) [Hancock]
- 13. 0037-12** A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following: Cristie Taylor, Police Analyst, Grade 111N, \$17.530 hourly, in the Div. of Police; Eric Gentry, Public Service Worker, Grade 106N, \$12.181 hourly, in the Div. of Water Quality; Richard Draper, Treatment Plant Operator, Grade 113N, \$16.189 hourly, in the Div. of Water Quality; Allen Caldwell, Service Writer, Grade 109N, \$16.815 hourly, in the Div. of Facilities and Fleet Management and Daro Handy, Public Service Worker, Grade 106N, \$12.181 hourly, in the Div. of Parks and Recreation, authorizing the beginning of the probationary civil service probationary period upon successful completion of a physical or medical examination as required, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following: Jacob Walbourn, Attorney, Grade 117E, \$1,884.62 bi-weekly, in the Dept. of Law and Michael Cravens, Attorney, Grade 117E, \$1,730.77 bi-weekly, in the Dept. of Law, effective upon passage of Council. [Div. of Human Resources, Jarvis]
- 14. 0038-12** A Resolution ratifying the probationary civil service appointments of: Cory House, Engineering Technician, Grade 111N, \$18.087 hourly, in the Div. of Traffic Engineering, effective January 16, 2012 and Horace Miles, Equipment Operator, Grade 108N, \$15.002 hourly, in the Div. of Water Quality, effective January 16, 2012; ratifying the probationary sworn appointment of: David Sullivan, Fire Lieutenant, Grade 315N, \$17.740 hourly, in the Div. of Fire and Emergency Services, effective December 14, 2011. [Div. of Human Resources, Jarvis]
- 15. 00441-11** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with Red River Ranch, LLC, for Haley Pike Landfill Compost Pad, increasing the contract price by the sum of \$2,985 from \$103,361 to \$106,346. [Div. of Waste Management, Feese]

16. **00510-11** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Health Services Agreement with Corizon, Inc., for the provision of medical care services to inmates at the Detention Center, at a cost not to exceed \$2,883,924. [Div. of Community Corrections, Sabbatine]
17. **00517-11** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. American Water Co., which Grant funds are in the amount of \$500 under the Ky. American Water Firefighting Support Grant Program, are for the purchase of 25 Personal Protective Equipment Hoods, and the acceptance of which does not obligate the Urban County Government for the expenditure of funds. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]
18. **00525-11** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Lexington-Fayette Urban County Airport Board for the upgrade of the Blue Grass Field Sanitary Pumping Station, with the parties equally sharing the project costs, at a cost to the Urban County Government not to exceed \$600,000. [Div. of Water Quality, Martin]
19. **00532-11** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Office of Homeland Security, for extension of the Metropolitan Medical Response System (MMRS) Project through May 31, 2012, at no cost to the Urban County Government. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]
20. **00537-11** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with CDP Engineers, Inc., for the design of the Southland Dr. Bike Lane Project (Nicholasville Rd. to Rosemont Gardens), at a cost not to exceed \$49,886. [Div. of Grants and Special Programs/Dept. of Environmental Quality and Public Works, Gooding/Bush]

21. **0008-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Omnisource Integrated Supply, LLC, for WebEOC Coordinator services, at a cost not to exceed \$57,041.22. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]
22. **0009-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Omnisource Integrated Supply, LLC, for temporary employees at the Div. of Emergency Management/911, at a cost not to exceed \$15,000. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]
23. **0012-12** A Resolution approving and adopting a Program Amendment for use of Community Development Block Grant-Recovery (CDBG-R) funds in the 2008 Consolidated Plan to establish a new project, the restoration/rehabilitation of the Charles Young Community Center (\$173,000), and to permit use of all remaining allocated CDBG-R funds for all housing rehabilitation activities, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. [Div. of Grants and Special Programs, Gooding]
PUBLIC HEARING
24. **0016-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Routeware Support Plan with Routeware, for software upgrades and support, at a cost not to exceed \$55,500. [Div. of Waste Management, Feese]
25. **0017-12** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Mental Health Services Agreement with Bluegrass Regional Mental Health - Mental Retardation Board, Inc., for court ordered mental health evaluations of clients referred to the Div. of Youth Services, at a cost not to exceed \$2,000. [Dept. of Social Services, Mills]
26. **0028-12** A Resolution accepting the response of Utility Planning Network to RFP No. 43-2011, for project management and consulting services related to the implementation of a new user fee billing system, for the Div. of Revenue, and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute a Consulting Services Agreement with Utility Planning Network, at an hourly rate of \$140 to \$170, dependent upon travel, with funds budgeted for Fiscal Year 2012 in the amount of \$350,000. [Div. of Revenue, O'Mara]

27. **0031-12** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. State Police, Commercial Vehicle Enforcement Division, which Grant funds are in the amount of \$75,000 Federal funds are for continuation of the Motor Carrier Safety Assistance Program (MCSAP), the acceptance of which obligates the Urban County Government for the expenditure of \$18,750 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]
28. **0034-12** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Modification to Agreement with the Ky. Dept. of Military Affairs, Div. of Emergency Management, for extension of the Agreement for funds for the Chemical Stockpile Emergency Preparedness Program (CSEPP) for FY 2009 through March 31, 2012 at no cost to the Urban County Government. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]
29. **0035-12** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Modification to Agreement with the Ky. Dept. of Military Affairs, Div. of Emergency Management, for extension of the Agreement for funds for the Chemical Stockpile Emergency Preparedness Program (CSEPP) for FY 2010 through September 30, 2012, at no cost to the Urban County Government. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]

VII. Communications from the Mayor

0048-12

1. Recommending the appointments of Ms. Carrie J. Johnson and Ms. Sherry E. Maddock to the Agricultural Extension District Board, with terms to expire 1-1-2015. The terms of Mr. Jim Mahan and Ms. Mary Witt have expired.
2. Recommending the reappointment of Ms. Ellen M. Sam to the Animal Care and Control Oversight Committee, with a term to expire 10-30-2015.
3. Recommending the appointment of Mr. James R. Rogers to the CASA Board, with a term to expire 6-11-2012. Mr. Rogers will fill the unexpired term of Ms. Karla Groves.
4. Recommending the appointment of Mr. Bob Estes to the Downtown Development Authority Board of Directors, with a term to expire 1-15-2016.

5. Recommending the reappointment of Mr. Arthur Wrobel, as Conservation/Environmental Community representative, to the Greenspace Commission, with a term to expire 7-18-2015.
6. Recommending the appointment of Ms. Natalie L. Barrett to the Lyric Theatre and Cultural Arts Center Corporation, with a term to expire 12-8-2013. Ms. Barrett will fill the unexpired term of Ms. Danielle Adair.
7. Recommending the appointment of Ms. Susan S. Beard, as At-Large representative, to the Raven Run Citizens Advisory Board, with a term to expire 1-13-2016. Also, recommending the reappointments of Ms. Diana G. Clewett, as Sierra Club representative, and Ms. Karen K. Fisher, as Garden Club representative, to the Raven Run Citizens Advisory Board, with terms to expire 1-13-2016 and 1-13-2014, respectively.
8. Recommending the appointment of Mr. Kenneth L. Demus to the Social Services Advisory Board, with a term to expire 9-1-2015. The term of Ms. Katheryn Heinz has expired.

VIII. Communications from the Mayor (For Information Only)

0039-12

1. Approving the voluntary demotion of Gordon Gilliam, Public Service Worker Sr., Grade 107N, \$16.481 hourly, in the Div. of Parks and Recreation, effective February 2, 2012.
2. Approving the acting assignment as Computer Systems Manager Sr., of Allen Hinkle, Grade 120E, in the Div. of Computer Services, effective September 12, 2011.
3. Resignation of Newellynn Ferrell, Staff Assistant Sr., Grade 108N, in the Div. of Engineering, effective January 3, 2012.

IX. Announcements

X. Public Comments