

Lexington-Fayette Urban County Government

*200 E. Main St
Lexington, KY 40507*



Docket

Thursday, June 7, 2012

6:00 PM

Council Chambers

Urban County Council

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

- 0595-12 Minutes of the January 12, 24 (11:30 a.m.), 24 (6:00 p.m.), and 26, February 16 and 23, and March 8, 2012 Council Meetings.

IV. Presentations

- 0629-12 Proclamation: Bryan Station High School Boys Track Team - State Champions
- 0630-12 Roll for the Cure by Jon Woodall

V. Ordinances – Second Reading

1. 0481-12 An Ordinance amending Ordinance No. 37-2012, relating to the creation of the Dept. of Planning, Preservation and Development, to correct a typographical error in Section 4 to reflect the correct number of staff assistant positions. [Div. of Human Resources, Walters]
2. 0518-12 An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of HCM Manager Enterprise Solutions, Grade 119E and creating one (1) position of Information Systems Service Level Manager, Grade 121E in the Div. of Enterprise Solutions. [Div. of Human Resources, Walters]
3. 0554-12 An Ordinance of the Lexington-Fayette Urban County Government authorizing the issuance of its Industrial Building Revenue Bonds, Series 2012 (Transylvania University Project) in an aggregate principal amount not to exceed \$10,350,000, and the loan of the proceeds thereof to Transylvania University for the purpose of financing various additions and improvements to the campus of the University; authorizing the execution and delivery on behalf of the Urban County Government of (1) a Trust Indenture pursuant to which the Bonds will be issued, (2) a Loan Agreement between the Urban County Government, as Lender, and Transylvania University, as Borrower, providing for loan repayments sufficient to pay the principal of and interest on the Bonds as the same become due, (3) a Bond Purchase Agreement providing for the sale of the Bonds on a negotiated basis, and (4) an Official Statement relating to the Bonds; and taking other related action. [Mayor's Office, Atkins] **PUBLIC HEARING**

4. 0559-12 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. 71. [Div. of Budgeting, Barrow]
5. 0561-12 An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$2,000 in the Div. of Code Enforcement from the Neighborhood Development funds for sidewalk repair and replacement match grant fund for property owners in the Fourth Council District, and appropriating and re-appropriating funds, Schedule No. 72. [Council Office, Maynard]

VI. Ordinances – First Reading

6. 0555-12 An Ordinance amending Section 24-51 of the Code of Ordinances relating to inmate medical fees to increase the co-payment an inmate pays for medical care from five dollars (\$5.00) to fifteen dollars (\$15.00), to require an inmate to pay the cost of prescription medication if the prescription is fourteen dollars and ninety-nine cents (\$14.99) or less and to pay a co-payment of fifteen dollars (\$15.00) if the prescription costs more than fourteen dollars and ninety-nine cents (\$14.99), to include a booking fee of thirty-five dollars (\$35.00), and to provide that any fees received shall be used to help offset the costs of operating the detention center. [Div. of Community Corrections, Ballard]
7. 0570-12 An Ordinance amending Section 2-180 of the Code of Ordinances of the Lexington-Fayette Urban County Government to add the Commissioner of Finance or his or her designee as an ex-officio, voting member of the Board of Commissioners of the Lexington and Fayette County Parking Authority effective July 1, 2012. [Dept. of General Services, Hamilton]
8. 0625-12 An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$750 for the Div. of Parks and Recreation from Neighborhood Development Funds for the Better Bites Concessions Program, and appropriating and re-appropriating funds, Schedule No. 75. [Council Office, Maynard]

9. 0626-12 An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$1,225 for the Div. of Parks and Recreation from Neighborhood Development Funds for the purchase of new bleachers for the Kenwick Community Center, and appropriating and re-appropriating funds, Schedule No. 74. [Council Office, Maynard]
10. 0650-12 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. 73. [Div. of Budgeting, Barrow]

VII. Resolutions – Second Reading

1. 0529-12 A Resolution accepting the bid of W. Rogers Company, in the amount of \$4,313,000.00, for the Wolf Run Pump Station Relocation - Contract A, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with W. Rogers Company, related to the bid. (9 Bids, Low) [Martin]
2. 0530-12 A Resolution accepting the bid of J.R. Horn Co., LLC, establishing a price contract for sandblasting and painting of existing final clarifier mechanisms, for the Div. of Water Quality, and authorizing the Mayor to execute any related agreement. (5 Bids, Low) [Martin]
3. 0543-12 A Resolution accepting the bid of Windstream Communications, Inc., establishing a price contract for telephone maintenance, for the Div. of Facilities and Fleet Management. (2 Bids, Low) [Baradaran]
4. 0547-12 A Resolution accepting the bid of Herrick Co., Inc., in the amount of \$244,650, for the West Hickman Thickener #2 Replacement, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute an Agreement with Herrick Co., Inc., related to the bid. (4 Bids, Low) [Martin]
5. 0503-12 A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute four Agreements with the Ky. Office of Homeland Security, for extension of the Special Operations, Hazardous Materials and Technical Rescue

Equipment Project; the Hazmat Training Project; the Hazardous Devices Unit Robot Upgrade Project; and the Dynamic Entry Training Project through December 31, 2012, at no cost to the Urban County Government. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]

- 6. 0504-12** 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 FY 2012 Metropolitan Medical Response System (MMRS) Project through December 31, 2012, at no cost to the Urban County Government. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]
- 7. 0505-12** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Eighth Amendment to Agreement with AmeriNational Community Services, Inc., for loan servicing for the HOME and CDBG Housing Rehabilitation and Homeownership Programs to extend the agreement through June 30, 2014, at an additional cost not to exceed \$60,000. [Div. of Grants and Special Programs, Gooding]
- 8. 0507-12** 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 FY 2011 Metropolitan Medical Response System (MMRS) Project through December 31, 2012, at no cost to the Urban County Government. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]
- 9. 0509-12** 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 Newtown Pike Landscaping Project through June 30, 2013, at no cost to the Urban County Government. [Div. of Grants and Special Programs, Gooding]
- 10. 0510-12** 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 Safe Routes to School Project through June 30, 2013, at no cost to the Urban County Government. [Div. of Grants and Special Programs, Gooding]

- 11.** **0511-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation from former Planning Commission Chair Walter May of seven planning related books and publications, for use by the Div. of Planning, at no cost to the Urban County Government. [Div. of Planning, King]
- 12.** **0513-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with ABR Construction, Inc., for the Lexington Mall Sanitary Sewer Trunk Realignment, increasing the contract price by the sum of \$6,028.06 from \$555,431.65 to \$561,459.71. [Div. of Water Quality, Martin]
- 13.** **0514-12** 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 \$115,740. [Div. of Water Quality, Martin]
- 14.** **0515-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. 1 to the Engineering Services Agreement with Strand Associates, Inc., for the Lexington Distillery District Improvements Program Feasibility Study, for streetscapes improvements and the Town Branch Trail along the corridor from Oliver Lewis Way to S. Forbes Rd., increasing the contract amount by the sum of \$83,202 from \$418,000 to \$501,202. [Div. of Engineering, Rayan]
- 15.** **0516-12** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Development Agreement with the Fayette County Local Development Corporation, for transfer of properties located at 440 and 445 Chestnut St., acquired under the Neighborhood Stabilization Program, for rehabilitation and construction by the Corporation for rental housing for low-income households. [Div. of Grants and Special Programs, Gooding]
- 16.** **0519-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Thomson West, for on-line legal research and publications, for the Dept. of Law, at a cost not to exceed \$35,000 on an annual basis. [Dept. of Law, Graham]

- 17. 0557-12** A Resolution establishing a Residential Parking Permit Program for the 1200 block of Kastle Rd. for the following addresses only: 1211 - 1231, on the west side and 1216 - 1240 on the east side, from 8:00 a.m. to 4:00 p.m., Monday through Friday; from September 1 through May 31; and waiving the provisions relating to the mechanics of designating residential parking permit areas adopted by Resolution No. 168-90 and amended by Resolution Nos. 450-91 and 433-2006. [Council Office, Maynard]
- 18. 0558-12** A Resolution amending Appendix A, Rules and Procedures of the Lexington-Fayette Urban County Council, amending Section 2.204 providing that the Council may consider and act on any matter referred to a Council committee. [Council Office, Maynard]
- 19. 0562-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Lansdowne Elementary School PTA, Inc. (\$575) and Southern Heights Neighborhood Association (\$770), for the Office of the Urban County Council, at a cost not to exceed the sums stated. [Council Office, Maynard]

VIII. Resolutions – First Reading

- 20. 0517-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Mutual Release Agreement with Gershman, Brickner & Bratton, Inc., Routeware, Inc., and C2Logix, Inc. and authorizing final payment to Gershman, Brickner & Bratton, Inc. for the Materials Recovery Facility Project and Waste Management Routing Project at a cost not to exceed \$45,000. [Div. of Waste Management, Feese]
- 21. 0521-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with Vanhook Enterprises, Inc., for West Hickman Creek Waste Water Treatment Plant Solids Building Odor-HVAC improvements, increasing the contract price by the sum of \$5,830.18 from \$699,000.00 to \$704,830.18. [Div. of Water Quality, Martin]
- 22. 0532-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Entry Permit with Marathon Pipe Line LLC, for access to a portion of the West Hickman Wastewater Treatment Plant property for a pipeline testing project, at no cost to the Urban County Government. [Div. of Water Quality, Martin]

- 23.** **0536-12** A Resolution approving the renewal for one (1) year of the Contract for Services with Group CJ of Lexington, Ky., for stormwater public outreach and education, for the Div. of Environmental Policy, authorized by Resolution No. 201-2011, at a cost not to exceed \$209,000. [Div. of Environmental Policy, Bush]
- 24.** **0542-12** A Resolution approving Professional Services Agreements for Landscape Architectural Services for the Div. of Water Quality with Perkins Landscape Architecture, LLC, M2D Design Group, PLLC, and Barrett Partners, Inc. for a one (1) year term, with five (5) one (1) year renewals at the discretion of the Urban County Government. [Div. of Water Quality, Martin]
- 25.** **0545-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with Sensabaugh Design and Construction, for a pole barn storage building, increasing the contract price by the sum of \$3,275 from \$189,000 to \$192,275. [Div. of Police, Bastin]
- 26.** **0546-12** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Modification to Agreement with the Ky. Div. of Emergency Management, for extension of the project to replace a generator at Fire Station One through June 13, 2014, at no cost to the Urban County Government. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]
- 27.** **0548-12** A Resolution 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 \$314,247 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, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. [Div. of Grants and Special Programs/Dept. of Social Services, Gooding/Mills]
- 28.** **0549-12** 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. of Juvenile Justice, 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 \$16,183 Federal funds under the Juvenile Accountability Block Grant Program, are for continuation of the Juvenile Surveillance Program, professional services, professional development, drug testing services and supplies, and educational materials, the acceptance of which obligates the Urban County Government for the expenditure of \$1,798 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. [Div. of Grants and Special Programs/Dept. of Social Services, Gooding/Mills]

- 29.** **0550-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a contract with the Verdin Co., a sole source provider, for restoration of the historic Skuller's Street Clock, at a cost not to exceed \$25,415. [Div. of Historic Preservation, Kerr]
- 30.** **0563-12** A Resolution accepting the Collective Bargaining Agreement with Bluegrass Fraternal Order of Police, Lodge No. 4 on behalf of Police Officers and Sergeants in the Div. of Police. [Dept. of Law, Graham]
- 31.** **0566-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with West End Community Empowerment Project of Lexington, Inc., for lease of space at the Black & Williams Neighborhood Center at 498 Georgetown Street. [Dept. of General Services, Hamilton]
- 32.** **0567-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Affiliation Agreement with the University of Ky., designating the University as the affiliate sponsor for a Paramedic Education Program for the Div. of Fire and Emergency Services, at no cost to the Urban County Government. [Div. of Fire and Emergency Services, Jackson]
- 33.** **0569-12** A Resolution of the Lexington-Fayette Urban County Government authorizing and acknowledging the execution and delivery of (1) a Third Amendment to Bond Purchase and Loan Agreement among the Lexington-Fayette Urban County Government, Central Bank & Trust Co., a Ky. Banking Corp., and the Lexington Christian Academy, Inc. and (2) any and all other related documents necessary thereto. [Mayor's Office, Atkins]

- 34. 0585-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Highlands Neighborhood Association, Inc. (\$500), Meadowthorpe Neighborhood Association, Inc. (\$300), Georgetown Neighborhood Association (\$1,625), Dove Creek Townhome Owner's Association (\$200), Lansdowne Neighborhood Association, Inc. (\$750), Southern Elementary P.T.A. Inc. (\$350), Central Kentucky Radio Eye (\$525), Sisters Road to Freedom, Inc. (\$100), Cardinal Valley Neighborhood Association (\$500), Downtown Lexington Corporation Foundation (\$800), Eastland Parkway Neighborhood Association, Inc. (\$500), The Cottages of Liberty Woods Neighborhood Association (\$500), Sweet Blessings, Inc. (\$250), Bryan Station Alumni Foundation, Inc. (\$2,000), Victory Christian Church (\$600), Vineyard Neighborhood Corporation (\$2,780), Eastern Little League Baseball, Inc. (\$3,000), Visually Impaired Preschool Services (\$1,800), Institute 193 (\$250), Latitude, LLC (\$250), WGPL Neighborhood Association (\$500), Columbia Heights Neighborhood Association (\$500), Mentelle Park Neighborhood Association (\$500) and Cheapside Entertainment District (\$500), for the Office of the Urban County Council, at a cost not to exceed the sums stated. [Council Office, Maynard]

IX. Communications from the Mayor

- 0587-12**
1. Recommending the reappointment of Mr. Gregory E. Hosfield to the Board of Architectural Review, with a term to expire 6-30-2016.
 2. Recommending the appointment of Ms. Gwendolyn R. Pinson, as at-large representative, recommended by the Urban County Council, to the Internal Audit Board, with a term to expire 12-1-2016.
 3. Recommending the appointment of Ms. Susan W. Wright to the Library Board of Trustees, with a term to expire 7-20-2015. Ms. Wright will fill the unexpired term of Mr. John Stempel.
 4. Recommending the reappointment of Mr. James H. Frazier to the Parking Authority Board, with a term to expire 6-1-2016.

X. Communications from the Mayor (For Information Only)

- 0610-12**
1. Civil service salary adjustment of Joseph Bryant, Building Inspector, Grade 113N, from \$21.453 hourly to \$25.013 hourly, in the Div. of Building Inspection, effective May 21, 2012.
 2. Acting assignment of Gerald Slatin, Director of Purchasing, Grade 121E, effective April 23, 2012.
 3. Reinstatement of Chad May, Community Corrections Officer, Grade 110N, effective May 21, 2012.

4. Resignation of Brian Hayes, Municipal Engineer, Grade 119E, in the Div. of Water Quality, effective May 4, 2012.
5. Resignation of George Guyn, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective May 21, 2012.
6. Resignation of Tammy Hayden, Telecommunicator, Grade 111N, in the Div. of Emergency Management/911, effective May 14, 2012.
7. Resignation of Michael Stidham, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective April 22, 2012.
8. Resignation of Ronald Ball, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective May 4, 2012.
9. Resignation of Joseph Higgins, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective May 28, 2012.
10. Resignation of Kenneth Benson, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective April 20, 2012.
11. Resignation of Kellie Stidham, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective May 20, 2012.
12. Resignation of Eli Johnston, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective May 17, 2012.
13. Resignation of Rebecca Simpson, Internal Auditor, Grade 118E, in the Office of Internal Audit, effective May 4, 2012.
14. Resignation of David Dillon, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective April 29, 2012.
15. Resignation of Johnas Newsome, Telecommunicator, Grade 111N, in the Div. of Emergency Management/911, effective May 11, 2012.
16. Resignation of Jason Nehmer, Staff to Council, Grade 000E, in the Council Office, effective May 1, 2012.
17. Resignation of Adrienne Coffey, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective May 3, 2012.
18. Resignation of Ryan Ashcraft, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective April 23, 2012.

XI. Announcements

XII. Public Comments

Adjournment