

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

January 10, 2008 – 7:00 P.M.

- I. ROLL CALL
- II. INVOCATION
- III. MINUTES OF THE PREVIOUS MEETINGS

December 4 & 7, 2007

IV. ORDINANCES - SECOND READING

- 1. An Ordinance changing the zone from a Professional Office (P-1) zone to a Highway Services Business (B-3) zone for 1.16 net (3.57 gross) acres of property located at 2374 Lake Park Road, subject to a certain use restriction imposed as a condition of granting the zone change. (Value Place Real Estate Services (AMD)) Conditional Approval 8-0 (To be heard by January 23, 2008.)
- 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 reappropriating funds, Schedule No. 110.
- 3. An Ordinance amending Section 21-5 of the Code of Ordinances creating two (2) positions of Equipment Operator Sr., Grade 109N, and abolishing two (2) positions of Public Service Worker, Grade 106N, and reclassifying the incumbents, in the Div. of Waste Management, to become effective retroactive to October 15, 2007, and appropriating funds pursuant to Budget Schedule No. 112.
- 4. An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Recreation Supervisor, Grade 110E, and creating one (1) position of Recreation Specialist Sr., Grade 113E, in the Div. of Parks and Recreation, and appropriating funds pursuant to Budget Schedule No. 114.
- 5. An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Operations Manager, Grade 116E, and creating one (1) position of Facility Manager, Grade 118E and reclassifying the incumbent, in the Div. of Building Maintenance and Construction, to become retroactive to May 28, 2007; and abolishing one (1) position of Skilled Trades Worker, Grade 111N, in the Div. of Building Maintenance and Construction, and appropriating funds pursuant to Budget Schedule No. 115.

6. An Ordinance authorizing a 6.544% stipend for the position of permanent sworn Battalion Chief, Grade 319E, in the Div. of Fire and Emergency Services, making the base salary of this position equal to other positions of the same rank, retroactive to June 25, 2007, appropriating funds pursuant to Schedule No. 89.
7. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Art's Electric, Inc., for a generator for the Government Center Building, increasing the contract price by the sum of \$2,191.00 from \$229,600.00 to \$231,791.00, and appropriating funds pursuant to Schedule No. 113.

V. ORDINANCES – FIRST READING

8. An Ordinance changing the zone from an Agricultural Urban (A-U) zone to an Expansion Area Residential-2 (EAR-2) zone for 8.63 net (8.96 gross) acres of property located at 2020 Russell Cave Road. (Richardson Todds Road, LLC) DISAPPROVAL 10-1 OBJECTORS (To be heard by February 27, 2008.) Public Hearing to be held at a Special Meeting on February 19, 2008 at 6:00 p.m.
9. An Ordinance changing the zone from a Professional Office (P-1) zone to a Highway Service Business (B-3) zone for 1.20 net (1.35 gross) acres of property located at 1537 North Limestone Street subject to certain use restrictions imposed as conditions of granting the zone change. (Bill Matthews) Conditional Approval 11-0 Objector (To be heard by February 27, 2008.)
10. An Ordinance changing the zone from an Agricultural Urban (A-U) zone to a Single Family Residential (R-1B) zone for 3.3 net (3.8 gross) acres of property located at 1960 (a portion of) and 1964 Shadybrook Lane and from a Single Family Residential (R-1C) to a Single Family Residential (R-1B) zone for 55.8 net (68.3 gross) acres of property located at 1803-1814 Lakehill Circle; 2128-2136 Lakeside Court; 2001-2213 Lakeside Drive; 2081-2093 Lakeside Place; and 2021 and 2025 Shadybrook Lane. (Urban County Planning Commission) Approval 11-0 (To be heard by February 27, 2008.)
11. An Ordinance changing the zone from a Two-Family Residential (R-2) zone to a Planned Neighborhood Residential (R-3) zone for 1.560 net (1.766 gross) acres of property located at 1516, 1516 ½, 1518, and 1520 Versailles Road. (Hope Center, Inc.) Approval 11-0 Objector (To be heard by March 12, 2008.)
12. An Ordinance changing the zone from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone for 0.3580 net (0.4821 gross) acres of property located at 611 Winchester Road subject to certain use restrictions imposed as conditions of granting the zone change. (Walker Properties) Conditional Approval 11-0 (To be heard by March 12, 2008.)

13. An Ordinance changing the zone from an Agricultural Rural (A-R) zone to a Light Industrial (I-1) zone for 18.41 net (18.83 gross) acres of property and from an Agricultural Urban (A-U) zone to a Light Industrial (I-1) zone for 0.93 net (0.98 gross) acres of property located at 2850 Spurr Road subject to certain use restrictions imposed as conditions of granting the zone change. (TKM Properties, LLC) Conditional Approval 11-0 (To be heard by March 12, 2008.)
14. 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.
15. An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Public Service Worker Sr., Grade 107N, and creating one position of Arborist Technician, Grade 112N, in the Div. of Streets, Roads and Forestry, and appropriating funds pursuant to Budget Schedule No. 120.
16. An Ordinance amending section 21-5 of the Code of Ordinances creating one (1) position of Historic Preservation Specialist, Grade 114E, in the Div. of Historic Preservation.
17. An Ordinance amending Section 22-5 of the Code of Ordinances to correct a clerical error in the classification of the position of Program Coordinator in the Div. of Family Services.
18. An Ordinance amending Section 22-5 of the Code of Ordinances creating one (1) position of Administrative Specialist Principal, Grade 114E, in the Office of the Chief Information Officer.
19. An Ordinance amending Section 22-5 of the Code of Ordinances abolishing one (1) position of Community Advocate Sr., Grade 112N, and creating one (1) position of Administrative Specialist Sr., Grade 112N, in the Dept. of Social Services.
20. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Kentucky Transportation Cabinet, which Grant funds are in the amount of \$96,000.00 Federal funds, are for the South Limestone Multimodal Safety Study, the acceptance of which obligates the Urban County Government for the expenditure of \$24,000.00 as a local match, appropriating funds pursuant to Schedule No. 122, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.
21. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from Columbia Gas of Kentucky in the amount of \$10,000.00 for use in the destination 2040 Community Visioning Project, and appropriating funds pursuant to Schedule No. 118.

VI. RESOLUTIONS – FIRST READING

1. A Resolution accepting the bid of Zoll Medical Corporation, establishing a price contract for defibrillators, for the Div. of Fire and Emergency Services. (1)

2. A Resolution accepting the bid of Metamap, Inc., in the amount of \$41,140.00, for a tactical airborne and mobile mapping system for the Div. of Police. (2)
3. A Resolution accepting the bids of Adamson Industries Corp. and 10-4 Warning Equipment, establishing price contracts for emergency equipment, for the Div. of Police. (3)
4. A Resolution accepting the bids of ADAPCO Environmental Solutions, Aulick Chemical Solutions, Inc., Siemens Water Technologies Corp., Source Technologies, LLC, and US Peroxide, LLC (hydrogen peroxide only), establishing price contracts for odor removal products, for the Div. of Water and Air Quality. (6)
5. A Resolution accepting the bid of Hurst Office Suppliers, establishing a price contract for recycled content copier paper, for the Div. of Central Purchasing. (4)
6. A Resolution accepting the bid of Cricket Communications, establishing a price contract for wireless phone service, for the Div. of Parks and Recreation. (2)
7. A Resolution ratifying the probationary civil service appointments of: Oliver Steele, Nuisance Control Officer, Grade 111N, \$18.504 hourly, in the Div. of Code Enforcement, effective January 7, 2008; Jeffrey Estes, Customer Service Specialist, Grade 110N, \$16.220 hourly, in the Div. of Government Communications, effective January 7, 2008, Nelson Wright, Equipment Operator Sr., Grade 109N, \$15.970 hourly, in the Div. of Streets, Roads and Forestry, effective January 7, 2008, Susan Lamb, Council Clerk, Grade 118E, \$2,600.00 bi-weekly, in the Council Clerk's Office, effective January 1, 2008, Syglenda Faulkner, Equipment Operator Sr., Grade 109N, \$17.679 hourly, in the Div. of Waste Management, effective February 4, 2008, Thomas Hager, Equipment Operator Sr., Grade 109N, \$16.977 hourly, in the Div. of Waste Management, effective January 7, 2008, Jay West, Equipment Operator Sr., Grade 109N, \$14.604 hourly, in the Div. of Waste Management, effective February 4, 2008, Harrison Burrus, Equipment Operator Sr., Grade 109N, \$12.762 hourly, in the Div. of Waste Management, effective January 7, 2008, Alan Wells, Treatment Plant Operator/Apprentice, Grade 113N, \$21.752 hourly, in the Div. of Water and Air Quality, effective January 21, 2008, Terry Shelton, Equipment Operator Sr., Grade 109N, \$18.244 hourly, in the Div. of Waste Management, effective January 7, 2008, Sondra Sanchez, Equipment Operator Sr., Grade 109N, \$16.274 hourly, in the Div. of Waste Management, effective January 7, 2008, Martreshia Pendleton, Customer Service Specialist, Grade 110N, \$17.717 hourly, in the Div. of Government Communications, effective January 7, 2008, James Wray, Engineering Technician Principal, Grade 115E, \$2,207.12 bi-weekly, in the Div. of Engineering, effective January 7, 2008, ratifying the permanent civil service appointment of: Dale Holman, Traffic Signal Technician Sr., Grade 112N, in the Div. of Traffic Engineering, effective October 16, 2007; ratifying the permanent sworn appointments of: Shawna Blevins, Nicholas Bodkin, William Chaffins, Sean Davenport, Brett Gavin, Frank Handshoe,

William Keebortz, Kristofer Nelson, Robert Perkins, Christopher Rudd, Jordan Saas, Donald Sexton III, Brian Wilbur, Firefighter, Grade 311N, in the Div. of Fire and Emergency Services, effective December 15, 2007; approving leave of absence for: Arnold Sidney, Custodial Worker, Grade 102N, in the Div. of Building Maintenance and Construction, requests a 42 day Council approved leave without pay from January 16, 2008 to February 26, 2008; approving the unclassified civil service appointments of: Darrell Turley, Equipment Operator Sr., Grade 109N, \$18.244 hourly, in the Div. of Waste Management, effective December 24, 2007; Timothy Edwards, Equipment Operator Sr., Grade 109N, \$18.244 hourly, in the Div. of Waste Management, effective December 24, 2007, David Jett, Equipment Operator Sr., Grade 109N, \$18.147 hourly, in the Div. of Waste Management, effective December 24, 2007, Linda Hughes, Custodial Worker, Grade 102N, \$7.766 hourly, in the Div. of Family Services, effective December 19, 2007; Nicole Parker, Staff Assistant Sr., Grade 108N, \$11.281 hourly, in the Div. of Family Services, effective January 7, 2008; Eric Clemens, Mark Evans, Robert Fraser, Christopher Harris, Aaron Sharrard, Marcus Sell, Nicholas Whitcomb, Police Trainee, Grade 311N, in the Div. of Police, effective December 10, 2007.

8. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Letter Agreement, which is attached hereto and incorporated herein by reference, amending the current Joinder Agreement between the Lexington-Fayette Urban County Government and Kentucky Public Employees Deferred Compensation Authority to provide for the offering of DEEMED IRA'S through the Kentucky Public Employees 401K Deferred Compensation Plan, at no cost to the Government.
9. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Letter Agreement amending the existing Joinder Agreement between the Lexington-Fayette Urban County Government and the ICMA-RC to provide for payroll deducted Individual Retirement Accounts, at no cost to the Government.
10. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Facility Usage Agreement with Fayette County Board of Education, for use of facilities of Millcreek Elementary, Yates Elementary and Jessie Clark Middle School for basketball, at a cost not to exceed \$13,598.00.
11. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with T-Mobile Central, LLC, and Powertel Memphis, Inc. d/b/a T-Mobile, for the provision of 3-1-1 service, at no cost to the Urban County Government.
12. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration and accept a Deed conveying a permanent storm sewer and drainage easement and temporary construction easement from Jeffrey and Amy Wills, for the property located at 211 Floral Park, for the Elizabeth Street Drainage

Project, and authorizing payment in the amount of \$22,000.00, plus usual and appropriate closing costs.

13. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration and accept a Deed conveying a permanent storm sewer easement, temporary construction easement and access easement from Joseph and Therese Higdon, for the property located at 220 Floral Park, for the Elizabeth Street Drainage Project, and authorizing payment in the amount of \$21,150.00, plus usual and appropriate closing costs.
14. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Quitclaim Deed conveying a portion of the property located at 3055 Todds Road which is adjacent to the property located at 705 Caden Lane (former Rosenwald School), from East End Church of Christ, Inc. to the Urban County Government, at no cost to the Urban County Government.
15. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement, releasing a sanitary sewer easement on property located at 3101 Richmond Road.
16. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Federal Emergency Management Agency and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$334,320.00 Federal funds, and are for the flood hazard mitigation project on Shandon Drive.
17. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with One World Films Inc. (\$1,950.00), Metropolitan Woman's Club, Inc. (\$450.00), Northeast Lexington Initiative, Inc. (\$625.00), Berea College (\$450.00), Batesbrook Neighborhood Assoc. Inc. (\$250.00), Bates Creek High School PTSA, Inc. (\$1,066.00), and First Bracktown, Inc. (\$800.00) for the Office of the Urban County Council, at a cost not to exceed the sums stated.

VII. COMMUNICATIONS FROM THE MAYOR

1. Recommending the reappointment of Frank Penn to the Agricultural Extension District Board with a term to expire 1-1-2011.

Also, recommending the appointment of Nancy Lathram Rawlings to the Agricultural Extension District Board with a term to expire 1-1-2011.
2. Recommending the reappointment of Roszaly Akins to the Airport Board with a term to expire 1-1-2012.
3. Recommending the reappointments of Malinda Davis, Veterinarian representative, and Calvin Powell, Code Enforcement representative, to the Animal Care and Control Oversight Committee with terms to expire 1-1-2012.

Also, recommending the appointment of Susan Malcomb, President of Lexington Humane Society, as ex-officio to the Animal Care and Control Oversight Committee with a term to expire 1-1-2012.

4. Recommending the appointment of Terrence Schneider to the Arboretum Advisory Committee with a term to expire 1-1-2012.
5. Recommending the appointment of Chief Ronnie Bastin to the Community Partnership Action Council with a term to expire 1-1-2012.
6. Recommending the appointment of Chief Ronnie Bastin to the LFUCG Criminal Justice Commission with a term to expire 1-1-2012.
7. Recommending the appointment of Chief Ronnie Bastin to the Downtown Events Committee with a term to expire 1-1-2012.
8. Recommending the appointment of Chief Ronnie Bastin to the Police and Fire Retirement Fund Board with a term to expire 1-1-2012.
9. Recommending the reappointment of Kimra Cole to the Sister Cities Program Commission with a term to expire 1-28-2012.

VIII. COMMUNICATIONS FROM THE MAYOR (For Information Only)

1. Resignation of Andrea Weddle, Attorney Sr., Grade 121E, in the Dept. of Law, effective January 2, 2008.
2. Resignation of Olivia Loyd, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective December 23, 2007.
3. Resignation of Czackery Roe, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective December 17, 2007.
4. Resignation of Russell Bostick, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective December 23, 2007.
5. Resignation of Clinton Bollinger, Police Trainee, Grade 311N, in the Div. of Police, effective December 12, 2007.
6. Resignation of Matthew Basanta, Police Trainee, Grade 311N, in the Div. of Police, effective December 11, 2007.
7. Resignation of Jonathan Holliday, Police Trainee, Grade 311N, in the Div. of Police, effective December 11, 2007.

IX. ANNOUNCEMENTS

X. PUBLIC COMMENT