

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

June 26, 2008

I. ROLL CALL

II. INVOCATION

III. PRESENTATION

In Memory of Jimmie Campbell

IV. ORDINANCES – SECOND READING

1. An Ordinance changing the zone from a Highway Service Business (B-3) zone with conditional zoning restrictions to a Highway Service Business (B-3) zone with modified conditional zoning restrictions for 2.04 net (2.77 gross) acres of property located at 3294 Richmond Road and 101 South Eagle Creek Drive (a portion of) subject to certain use restrictions imposed as conditions of granting the zone change. (Estes Property No. 1, LLC and Estes Property No. 2, LLC) Conditional Approval 10-0 (To be heard by August 20, 2008.)
2. An Ordinance changing the zone from a Two Family Residential (R-2) zone to a Single Family Residential (R-1E) zone for 0.2340 net (0.2977 gross) acre of property located at 422 Michigan Street. (Habitat for Humanity, Inc.) Approval 10-0 (To be heard by August 20, 2008.)
3. An Ordinance amending Articles 19-2, 19-3, 19-7(b), 19-7(c), 19-7(g)(3), 19-10, 19-10(c), and 19-10(d) of the Zoning Ordinance so as to change the effective date of the Flood Insurance Rate Maps, due to acceptance of new maps by FEMA, to provide a 60-day time limit for appeals to the Floodplain Appeals Committee, and to clarify the majority vote needed to decide an appeal. Approval 10-0
4. An Ordinance amending Articles 5-2(b), 5-4, 5-4(a)(1), 20-2, 20-3(a), 20-4(d), and 20-4(e) of the Zoning Ordinance and Article 4-6(a) of the Land Subdivision Regulations so as to transfer grading permit responsibilities to the Div. of Engineering. Approval 10-0
5. An Ordinance accepting the bid of Windstream Kentucky East LLC, in the amount of \$30,652.36 for a display board for LexCall and appropriating funds pursuant to Schedule No. 195. (3) Non-low
6. An Ordinance 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 \$74,400.00 Federal funds, are for continuing operation of the Truancy Assessment Center, the acceptance of which obligates the Urban County Government for the expenditure of \$37,236.00 as a local match, appropriating funds pursuant to FY 2009 Schedule No. 9, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

7. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Heritage Council, which Grant funds are in the amount of \$8,100.00 Federal funds, are for the Div. of Historic Preservation Survey and Planning Project, the acceptance of which obligates the Urban County Government for the expenditure of \$5,400.00 as a local match, appropriating funds pursuant to FY 2009 Schedule No. 10, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.
8. An Ordinance amending Section 21-5 of the Code of Ordinances abolishing two (2) positions of Engineering Aide, Grade 105N, and two (2) positions of Public Service Worker, Grade 106N, and creating one (1) position of Engineering Technician, Grade 111N, and two (2) positions of Public Service Worker, Sr., Grade 107N, in the Div. of Water and Air Quality.
9. An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Electronic Technician Sr., Grade 113N, and creating one (1) position of Radio/Electronics Specialist, Grade 117E, in the Div. of Fire & Emergency Services.
10. An Ordinance amending Section 23-5 of the Code of Ordinances abolishing one (1) position of Police Captain, and creating one (1) position of Police Lieutenant, in the Div. of Police.
11. An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$40,000.00 in the Div. of Parks and Recreation from the Council Capital Funds, and appropriating and re-appropriating funds, Schedule No. 192.
12. An Ordinance creating Sections 14-3.1 through 14-3.4 of the Code of Ordinances, Lexington-Fayette Urban County Government, pertaining to graffiti and providing: definitions of graffiti, graffiti implement(s), broad tipped marker, etching equipment, marker nibs, tips, or bits, paint stick, spray paint container, and spray paint nozzle; that it is unlawful to apply graffiti to any natural or manmade surface or property without consent; that additional criminal prosecution may result from such conduct; that it is unlawful to possess a graffiti implement on public property, or on private

property without consent, with exceptions for work, possession with consent, school, and transport; that it is unlawful to sell or offer to sell, or to give, deliver, furnish or transfer a spray paint container, spray paint nozzle, broad tipped marker, paint stick, marker nibs, tips, or bits, or etching equipment to a person under the age of eighteen (18) years who is not accompanied by an adult or legal guardian, with a defense provided for deception; that it is unlawful to display such implements for sale without a warning sign; and that a violation of this Ordinance constitutes a misdemeanor punishable by a fine of not less than fifty dollars (\$50.00), and not more than five hundred dollars (\$500.00), of up to thirty (30) days imprisonment, and the payment of a fifty dollar (\$50.00) fee to an Urban County Government or not-for-profit program that removes graffiti or provides rewards for the reporting of graffiti violations; Section 14-3.3 effective October 1, 2008, and all other Sections effective upon passage.

13. An Ordinance amending Section 22-5 of the Code of Ordinances abolishing one (1) position of Municipal Engineer, Sr., Grade 119E, and creating one (1) temporary position of Project Engineering Coordinator, Grade 119E for a term of four (4) years, ending April 24, 2012, in the Div. of Water and Air Quality.
14. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Transportation Cabinet, which Grant funds are in the amount of \$320,000.00 Federal funds, are for the Fiber Optic Cable Installation Program, the acceptance of which obligates the Urban County Government for the expenditure of \$80,000.00 as a local match, appropriating funds pursuant to Schedule No. 194, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.
15. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Lexington-Fayette County Health Department, which Grant funds are in the amount of \$343,368.00 Federal funds, are for continuation of the Home Visitation Program at the Family Care Center, the acceptance of which obligates the Urban County Government for the expenditure of \$109,300.00 as a local match, appropriating funds pursuant to FY 2009 Schedule No. 11, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.
16. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Division of Forestry, which Grant funds are in the amount of \$5,000.00 Federal funds, are for 2008 Ky. Urban and Community Forestry Program, the acceptance of which obligates the Urban County Government for the expenditure of \$5,000.00 as a local match,

appropriating funds pursuant to FY 2009 Schedule No. 12, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

17. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Dept. of Juvenile Justice, which Grant funds are in the amount of \$241,845.00 Commonwealth of Ky. funds, are for operation of the Day Treatment Program, for the Div. of Youth Services, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2009 Schedule No. 15, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.
18. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Dept. of Education, which Grant funds are in the amount of an additional \$80,000.00 Federal funds, are for year five of the After School and Parents Programs at Tates Creek Elementary School and Gainesway Community Empowerment Center (\$75,000.00) and a Summer Learning Program for Homework Huddle participants at the Gainesway Community Empowerment Center (\$5,000.00), the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2009 Schedule No. 16, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.
19. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Dept. of Education, Div. of School and Community Nutrition, 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 \$62,000.00 Federal funds, are for participation in the Child Care Food Program for operation of the Nutrition Program at the Family Care Center in FY 2009, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2009 Schedule No. 13, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.
20. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Dept. of Education, 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 \$35,500.00 in Federal funds and Commonwealth of Ky. funds, are for the National School Lunch Program – 2009, the acceptance of which does not obligate the

Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2009 Schedule No. 14, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

21. 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. 189.
22. An Ordinance accepting the bid of TP Mechanical Contractors, in the amount of \$495,846.00 for an HVAC project at the Family Care Center, and appropriating funds pursuant to Schedule No. 196. (1)
23. An Ordinance accepting the bid of Photoland, Inc., a Div. of Pakor, Inc., in the amount of \$107,618.07 for digital photo processing equipment, and appropriating funds pursuant to Schedule No. 193. (2)
24. An Ordinance appropriating the Revenues, Expenditures/Expenses and Interfund Transfers for the General Services District Fund, the Family Care Center Health Services Fund, the Urban Services Districts Fund, the Police Federal Confiscated Fund, the Police State Confiscated Fund, the Municipal Aid Program Fund, the County Road Aid Fund, the Public Safety Fund, the Spay and Neuter Fund, the Storm Water Fund, the Water Quality Revenue and Operating Fund, the Water Quality Construction Fund, the Landfill Fund, the Right-of-Way Program Fund, the City Employees' Pension Fund, the Policemen's and Firefighters' Retirement Fund of the Lexington-Fayette Urban County Government, the Extended School Program Fund, the LexVan Fund, the Enhanced 911 Fund, the Lexington-Fayette Urban County Government Public Facilities Corporation General Fund, the Lexington-Fayette Urban County Government Public Facilities Corporation Parks Projects Fund, the Lexington-Fayette Urban County Government Public Parking Corporation Fund, the Lexington-Fayette Urban County Government Public Library Corporation Fund, the Health and Dental Insurance Fund, the Workers' Compensation and General Insurance Fund, the FY 2005 Bond Projects Fund, the FY 2009 Bond Project Fund, and the Purchase of Development Rights Bond Fund, on a divisional level by four (4) control levels, for the fiscal year ending June 30, 2009, for the Lexington-Fayette Urban County Government and its agencies and instrumentalities; approving and adopting the Capital Improvement Program for fiscal years FY 2009 through FY 2014, as a portion of the fiscal year (FY) 2009 Annual Capital Improvements Budget; suspending Section 5(1) of the Economic Contingency Ordinance No. 78-2006 and approving funding for the Lexington-Fayette Urban County Tourist and

Convention Commission from the transient room tax, said funding to equal 99 1/2% of the revenue from the tax.

25. An Ordinance amending Sections 13-5 and 13-9 of the Code of Ordinances to establish an annual minimum license fee of one hundred dollars (\$100.00) for each business activity, plus twenty-five dollars (\$25.00) for each additional location after the first location; and to further provide that the fees shall be submitted with the appropriate documentation required by the Div. of Revenue, that each such location shall post its current license, that payments must be made in advance each year by no later than December 31, that the minimum license fee shall be a credit on the occupational license fee that otherwise applies, and that a twenty-five dollar (\$25.00) penalty may be assessed for conducting business without a license.

V. ORDINANCES – FIRST READING

26. An Ordinance 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 \$15,275.00 Federal funds under the Juvenile Accountability Block Grant Program, are for programs designed to promote greater accountability in the Juvenile Justice System, the acceptance of which obligates the Urban County Government for the expenditure of \$1,700.00 as a local match, appropriating funds pursuant to FY 2009 Schedule No. 17, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.
27. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 2 with the Ky. Transportation Cabinet, accepting a Grant in the amount of \$7,920.00 Federal funds and reallocating existing Federal funds in the amount of \$95,400.00 from the utilities phase to the right-of-way phase for the Loudon Avenue Improvements Project, the acceptance of which obligates the Urban County Government for the expenditure of \$1,980.00 as a local match, appropriating funds pursuant to FY 2009 Schedule No. 18, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.
28. An Ordinance closing a portion of Davis Alley; 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 owner, subject to the reservation of easements for access and maintenance of existing utilities in the former right-of-way.

29. An Ordinance closing a portion of Deerhaven Lane, a public way determining that all property owners abutting the road to be closed have been identified and have consented thereto in writing, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Quitclaim Deed and/or a Consolidation Plat transferring the former right-of-way to the abutting owner.
30. An Ordinance amending Ordinance No. 87-2008 to change the name of the sole source provider and payee from Solacom Technologies, Inc. to AK Associates, the authorized sales agent for Solacom Technologies, Inc., effective retroactive to April 30, 2008.
31. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the U.S. Dept. of 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 \$58,735.00 Federal funds, are for the purchase of equipment for the Crisis Negotiation Team and Emergency Response Unit and the Hazardous Devices Unit and the purchase of an Improvised Explosive Device (IED) Disablement Device, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2009 Schedule No. 22, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.
32. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Bluegrass Area Development District, which Grant funds are in the amount of \$100,000.00 Federal funds, are for an Out-of-School Youth Program, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2009 Schedule No. 23, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.
33. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Cabinet for Health and Family Services, which Grant funds are in the amount of \$410,940.00 Federal funds, are for the New Chance Program (\$328,040.00), the Local Governance Council Project (\$57,900.00) and the Mentoring Project (\$25,000.00), the acceptance of which obligates the Urban County Government for the expenditure of \$120,600.00 for the New Chance Program, \$19,190.00 for the Local Governance Council Project and \$20,160.00 for the Mentoring Project as a local match,

appropriating funds pursuant to FY 2009 Schedule No. 21, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

34. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Dept. of Juvenile Justice, which Grant funds are in the amount of \$46,410.00 Commonwealth of Ky. funds, are for support of the Lexington-Fayette Juvenile Delinquency Prevention Council, the acceptance of which obligates the Urban County Government for the expenditure of \$10,279.00 as a local match, appropriating funds pursuant to FY 2009 Schedule No. 19, and authorizing the Mayor to transfer unencumbered funds within the Grant budget, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Partners for Youth Foundation, Inc., for serving as the Local Delinquency Prevention Council, at a cost not to exceed \$45,278.00.
35. An Ordinance amending Section 21-5 of the Code of Ordinances, abolishing one (1) position of Director of Environmental Policy, Grade 122E, in the Div. of Environmental Policy.
36. An Ordinance amending Section 22-5 of the Code of Ordinances, creating one (1) position of Program Manager Sr., Grade 120E, for a term of four years, ending July 1, 2012, in the Dept. of Environmental Quality, and appropriating funds pursuant to Budget Schedule No. 20.
37. 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. 24.

VI. RESOLUTIONS – SECOND READING

1. A Resolution accepting the bid of Casey Creek Construction, Inc., in the amount of \$79,721.00, for structural repairs to Fire Station #5, for the Div. of Fire and Emergency Services. (3)
2. A Resolution accepting the bid of VeBridge, establishing a price contract for document imaging provider, for the Div. of Revenue. (3) Non-low
3. A Resolution accepting the bid of Mid-Continental Restoration Company, Inc., in the amount of \$38,547.00, for rear façade masonry repair – Kentucky Theatre, for the Div. of Building Maintenance and Construction. (3)
4. A Resolution accepting the bid of Alertus Technologies, LLC, in the amount of \$85,825.00, for a FM Emergency Alert System, for the Div. of Environmental and Emergency Management. (2)

5. A Resolution accepting the bid of Emergency Equipment, establishing unit price contracts for deployable raker system, for the Div. of Fire and Emergency Services. (1)
6. A Resolution accepting the bid of Ecolab, Inc., establishing a price contract for laundry dispensing system and supplies, for the Div. of Community Corrections. (1)
7. A Resolution accepting the bid of Federal Signal Corporation, in the amount of \$22,246.15, for outdoor warning siren, for the Div. of Environmental and Emergency Management. (1)
8. A Resolution accepting the bids of Advanced Turf Solutions, Inc., Regal Chemical Company, Lesco, Inc., Turfgrass, Inc., and Harrell's (formerly Turf Specialities), establishing price contracts for golf course horticultural products, for the Div. of Parks and Recreation. (5)
9. A Resolution accepting the bid of Wesco Distribution, establishing a price contract for electrical items, for the Divisions of Building Maintenance and Construction, and Parks and Recreation. (4)
10. A Resolution accepting the bid of A & B Industrial Sheet Metal, in the amount of \$22,656.00, for the replacement of the rooftop-makeup air unit, Town Branch Waste Water Treatment Plant, for the Div. of Water and Air Quality. (5)
11. A Resolution accepting the bid of Monthie Mechanical, in the amount of \$23,682.34, for replacement of the rooftop HVAC system at Castlewood Community Center, for the Div. of Parks and Recreation. (5)
12. A Resolution accepting the bid of Scan Technology, Inc., establishing a price contract for hand-held scanners, for the Div. of Police. (11)
13. A Resolution accepting the bid of QX.NET, in the amount of \$24,000.00, for internet access, for the Div. of Computer Services. (2)
14. A Resolution accepting the bid of D.M. Anderson, Inc., establishing a price contract for area velocity flow modules, for the Div. of Water and Air Quality. (1)
15. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Kathy H. Witt, Sheriff of Fayette County, for the collection of the Urban Service District taxes for the 2008 property tax year, at a cost not to exceed \$350,000.00, with payment net from collections.
16. 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 Div. of Police's

Mobile Computer Network Project through December 31, 2008, at no cost to the Urban County Government.

17. 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 Portable Interoperable Communications Tower Project through December 31, 2008, at no cost to the Urban County Government.
18. 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 Regional 911 System Project through December 31, 2008, at no cost to the Urban County Government.
19. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Antioch Missionary Baptist Church, Inc. (\$200.00) for the Office of the Urban County Council, at a cost not to exceed the sum stated.
20. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. Two with Commonwealth of Ky. Transportation Cabinet, Dept. of Highways, to reimburse the Urban County Government up to \$1,198,883.00 for right-of-way acquisition and utility relocation for the widening and reconstruction of Todds Road/Liberty Road-Section Two Project.
21. A Resolution accepting the proposal of Tetra Tech, Inc., to perform Annual Program Management Services related to the EPA Consent Decree, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Tetra Tech, Inc., for performance of such services and authorizing initial payment of funds in an amount not to exceed \$250,000.00, and further payments pursuant to the terms of the Agreement.
22. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with Lose & Associates, for an update to the 1998 Parks Master Plan and provide a Master Plan for Hisle Park, at a cost not to exceed \$125,000.00.
23. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Lease Renewal Agreements with Commonwealth of Ky., for the rental of space from the Urban County Government, at the Annex Building (162 E. Main Street) for use by the State Police and the Transportation Cabinet.
24. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of

Agreement with Regional Organized Crime Information Center, for sharing of information with the Div. of Police, at no cost to the Urban County Government.

25. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Murray State University, Ky. Institute for International Studies, for Spanish language instructional hours, for the Div. of Police, at an initial cost not to exceed \$4,995.00, and authorizing future payments under the Agreement, as appropriated by the Urban County Council.
26. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the Dept. of Veterans Affairs and Federal Bureau of Investigation, for responses and investigations involving Dept. of Veterans Affairs property and the Div. of Police, at no cost to the Urban County Government.
27. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute fourteen (14) Memorandums of Understanding with the following law enforcement agencies: Clark County Sheriff's Office, Georgetown Police Dept., Jessamine County Sheriff's Dept., Ky. Motor Vehicle Enforcement, Ky. State Police, Nicholasville Police Dept., Paris Police Dept., Richmond Police Dept., Scott County Sheriff's Office, Transylvania University Police, University of Ky. Police Dept., Versailles Police Dept., Winchester Police Dept., and Woodford County Sheriff's Office, for provision of Mutual Aid, by and for the Div. of Police, at no cost to the Urban County Government.
28. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Third Amendment to Health Services Agreement with Correctional Medical Services, Inc., for amendment of the agreement for the provision of health care services to inmates at the Detention Center to provide additional hours for an Administrative Assistant and to delete references to the Juvenile Detention Facility, at no additional cost to the Urban County Government.
29. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Thorobilt Construction for the Gratz Park kitchen roof, increasing the Contract price by the sum of \$1,150.00 from \$29,875.00 to \$31,025.00.
30. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract No. 921 with Louisville Paving Co. at the Douglas Park

Basketball Courts (726 Georgetown Street), increasing the contract price by the sum of \$10,075.00 from \$465,200.00 to \$475,275.00.

31. A Resolution amending Resolution No. 413-2006 relating to the Capital Expenditure Fund Program to delete authorization to execute an Agreement with Georgetown Neighborhood Association, Inc., and the accompanying allocation.
32. 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 temporary construction easement from Frank and Norma Richmond, for the property located at 1000 Della Drive, for the Appomattox Road Culvert Replacement Project, and authorizing payment in the amount of \$699.00, plus usual and appropriate closing costs.
33. 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 temporary construction easement from Micha Hutsell, for the property located at 989 Holly Springs Drive, for the Appomattox Road Culvert Replacement Project, and authorizing payment in the amount of \$758.00, plus usual and appropriate closing costs.
34. 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 temporary construction easement from David and Ruby James, for the property located at 993 Holly Springs Drive, for the Appomattox Road Culvert Replacement Project, and authorizing payment in the amount of \$252.00, plus usual and appropriate closing costs.
35. 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 temporary construction easement from Fayette County Public Schools, for the property located at 1901 Appomattox Road, for the Appomattox Road Culvert Replacement Project, and authorizing payment in the amount of \$941.00, plus usual and appropriate closing costs.
36. 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 temporary construction easement from James F. Drummer, Richard Drummer and James E. Caton, for the property located at 1008 Eastland Drive, for the Loudon Avenue Improvements Project, and authorizing payment in the amount of \$275.00, plus usual and appropriate closing costs.

37. A Resolution authorizing the Div. of Human Resources to internally advertise for an Administrative Specialist Sr. position in the Dept. of Environmental Quality.
38. A Resolution ratifying the probationary civil service appointments of: Jennifer Myatt, Program Specialist, Grade 112E, \$1,206.48 bi-weekly, in the Div. of Water and Air Quality, effective June 9, 2008; Thomas Hilbrand, Treatment Plant Operator, Grade 113N, \$24.208 hourly, in the Div. of Water and Air Quality, effective June 9, 2008; ratifying the permanent civil service appointments of: Oliver Steele, Nuisance Control Officer, Grade 111N, in the Div. of Code Enforcement, effective June 10, 2008; Robert Harris, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective May 26, 2008; approving leave of absence for: Tracey Stephenson, Human Resources Manager Sr., Grade 121E, in the Div. of Human Resources, requests a 90 day Council approved leave without pay from June 17, 2008 to September 19, 2008.
39. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Office of 911 Coordinator, Commercial Mobile Radio Service Board, and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$371,200.00 Commonwealth of Ky. funds, and are for expansion of the Central Ky. 911 Network to include additional jurisdictions (Hardin, Casey, Garrard, Perry, Estill, Meade, Boyd, Rockcastle, Lincoln and Taylor Counties).
40. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Statement of Affiliation, for the establishment of the Div. of Fire and Emergency Services' Special Operations Technical Rescue Team as the only recognized rescue squad/team in Fayette County under KRS Chapter 39F, at no cost to the Urban County Government.
41. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with OPS Systems, Inc., for operations software and services for the wastewater treatment plants and the lab, at a cost not to exceed \$62,200.00.
42. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Strand Associates, Inc., for investigation and design services for the screw pump replacement at Town Branch WWTP, at a cost not to exceed \$64,000.00.
43. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Potter &

Company, LLP, for the Fayette County Sheriff's 2008 Property Tax Settlement Audit, at a cost not to exceed \$12,560.00.

44. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Tetra Tech, Inc., for development of a Sanitary Sewer Fats Oils, and Grease Program as part of the EPA Consent Decree, at a cost not to exceed \$50,000.00.
45. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with I/O Solutions, Inc., for testing applicants for the positions of Lieutenant, Captain and Major in the Div. of Fire and Emergency Services, at a cost not to exceed \$13,500.00.
46. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Ky. World Trade Center Lexington, Inc., for the provisions of services, at a cost not to exceed \$115,000.00 FY 2008.
47. A Resolution amending Section 2 of Resolution No. 291-2008 authorizing execution of an Agreement with the Board of Education of Fayette County, Ky., for preparation and delivery of meals for the 2008 Summer Food Service Program to correct the amount to be paid for each snack.
48. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Lexington Veteran Affairs Medical Center (\$2,000.00), Gainesway Community Empowerment Center Volunteer Board, Inc. (\$644.00), Gainesway Neighborhood Association, Inc. (\$575.00), Tateswood Neighborhood Association, Inc. (\$575.00), Centre Parkway Neighborhood Association, Inc. (\$575.00), Park Place Neighborhood Association, Inc. (\$575.00), Bluegrass Community Foundation, Inc. (\$8,200.00), Northern Cal Ripken, Inc. (\$900.00), Northern Cal Ripken, Inc. (\$250.00), and Shetlands Homeowners Association, Inc. (\$749.00) for the Office of the Urban County Council, at a cost not to exceed the sums stated.
49. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Lease with MES Enterprises, LLC, for the lease of space for Project Synergy, at a cost not to exceed \$97,383.00.
50. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Clark-Central, LLC, for parking and storage at 203 East Third Street, Lexington, Ky., for the Div. of Fire and Emergency Services, at a cost not to exceed \$3,000.00.

51. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Governor's Office of Local Development, for extension of the Gainesway Park Development Project through June 30, 2009, at no cost to the Urban County Government.
52. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Fifth 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, 2009, at an additional cost not to exceed \$30,000.00.
53. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Governor's Office of Local Development, for extension of the Survivors II Project through June 30, 2009, at no cost to the Urban County Government.
54. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Governor's Office of Local Development, for extension of the Aviation Museum of Ky. Project through June 30, 2009, at no cost to the Urban County Government.
55. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Amendment No. 8 to the Contract with Entran (formerly known as American Consulting Engineers, PLC) for professional services for the Newtown Pike Extension Project, increasing the Contract price by the sum of \$752,396.00 from \$4,708,720.51 to \$5,461,116.51.
56. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Asphalt Paving & Maintenance, for the Southland Park Parking Improvements, increasing the Contract price by the sum of \$2,501.00 from \$69,987.75 to \$72,488.75.
57. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 3 to the Contract with BCD, Inc., for the Gainesway Community Center Project, increasing the Contract price by the sum of \$15,150.94 from \$827,454.46 to \$842,605.40.
58. A Resolution amending Resolution No. 94-2008 which authorized and directed the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration and accept a Deed conveying a temporary construction easement, from Joe and Lori Adams, to change the address from 227 Floral Park to 227 Forest Park Road.

59. 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 temporary construction easement from Cora Spence Carrick, for the property located at 1118 North Broadway, for the Twelfth Street Neighborhood Improvements Project, and authorizing payment in the amount of \$975.00, plus usual and appropriate closing costs.
60. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration and to accept a Deed for the property located at 805 Farra Court from R. Rogers Properties, LLC, for the Radcliffe Road Stormwater Improvements Project, and authorizing payment in the amount of \$107,500.00, plus usual and appropriate closing costs.
61. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration and to accept a Deed for the property located at 809 Farra Court from Deborah Coleman Wigginton, for the Radcliffe Road Stormwater Improvements Project, and authorizing payment in the amount of \$111,581.19, plus usual and appropriate closing costs.
62. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept the proposals for FY 2009 from Ky. League of Cities for and on behalf of New York Marine for excess workers' compensation insurance at a cost not to exceed \$247,338.00; and for and on behalf of Public Entity Property Insurance Program for excess property insurance at a cost not to exceed \$246,000.00; and with Marsh USA on behalf of Ace USA for the international package insurance at a cost not to exceed \$4,060.00, subject to a premium audit, and subject to sufficient funds being appropriated for the purposes and authorizing payment to Ky. League of Cities on behalf of New York Marine and Public Entity Property Insurance Program and Marsh USA on behalf of Ace USA; and authorizing and directing the Mayor to execute all relevant documents to cancel the current contract with Underwriter's Safety and Claims (US&C).
63. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Clinical Services Agreements with the University of Ky., Chandler Medical Center, College of Medicine, Dept. of Pediatrics, to extend the current Agreement for the provision of health care services to clients of the Family Care Center through June 30, 2009, at a cost not to exceed \$303,184.00, and with the University of Ky., College of Nursing, for nurse practitioner services at the Family Care Center, at a cost not to exceed \$327,600.00.

VII. RESOLUTIONS – FIRST READING

64. A Resolution accepting the bid of Myers Fence, LLC, in the amount of \$76,178.00, for the Brighton East Rail Trail Fence Project, for the Div. of Community Development and the Div. of Engineering. (4)
65. A Resolution accepting the bid of Cargill Deicing Technology, establishing a price contract for treated rock salt, for the Div. of Streets, Roads and Forestry. (3)
66. A Resolution accepting the bid of CIM Audio Visual, in the amount of \$15,873.00, for a PTZ camera system for GTV3. (6)
67. A Resolution accepting the proposal of M2D Design Group, in the amount of \$26,000.00, for administration of the Corridor Enhancement Grant for the Newtown Pike Landscaping Project.
68. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Letter of Agreement Amendment with the Ky. Heritage Council, for extension of the Div. of Historic Preservation's Survey and Planning Project through August 1, 2009, at no cost to the Urban County Government.
69. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Office of Homeland Security, for extension of the wireless system for the Div. of Fire and Emergency Services Project through September 30, 2008, at no cost to the Urban County Government.
70. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Office of Homeland Security, for extension of the Regional 911 System Project through November 30, 2008, at no cost to the Urban County Government.
71. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Amendments to Agreements with the Ky. Transportation Cabinet, for extension of the Bicycle Lane Restriping and Feasibility Study and the Wellington Area Bicycle-Pedestrian Facility Projects through June 30, 2009, at no cost to the Urban County Government.
72. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Governor's Office of Local Development, for extension of the 2006 Recreational Trails Project through June 30, 2009, at no cost to the Urban County Government.
73. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amended Purchase of Service Agreement with the Downtown Lexington Corporation, to

allow two raffles for charity at 101 East Vine Street per fiscal year with all other provisions of the Agreement to remain the same, at no additional cost to the Urban County Government.

74. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Leak Eliminators, LLC, for construction of the Old Paris Road Sanitary Sewer and Pump Station Project, increasing the Contract price by the sum of \$2,765.00 from \$97,425.00 to \$100,190.00.
75. 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 temporary construction easement from Lance and Karen Handel, for the property located at 415 Morgan Avenue, for the Meadows-Northland-Arlington Neighborhood Improvement Project Phase 3B, and authorizing payment in the amount of \$100.00, plus usual and appropriate closing costs.
76. A Resolution authorizing and directing the Dept. of Law, on behalf of the Urban County Government, to accept a Quitclaim Deed from Commonwealth Development Company, LLC and Ball Homes, LLC, for a detention area at 928 Calypso Breeze Drive and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Quitclaim Deed to certify the consideration, at no cost to the Urban County Government.
77. A Resolution ratifying the probationary civil service appointments of: Roger Cotton, Equipment Operator Sr., Grade 109N, \$13.242 hourly, in the Div. of Waste Management, effective July 7, 2008; Ed Hershey, Engineering Technician Sr., Grade 113E, \$1,936.64 bi-weekly, in the Div. of Water Quality, effective June 9, 2008; Charles Stine, Environmental Inspector, Grade 113N, \$21.294 hourly, in the Div. of Water Quality, effective July 7, 2008; Larry Leach, Environmental Inspector, Grade 113N, \$24.208 hourly, in the Div. of Water Quality, effective June 23, 2008; Stephen Mulligan, Accountant, Grade 113E, \$1,640.00 bi-weekly, in the Div. of Accounting, effective July 7, 2008; Rickie Hall, Engineering Technician Sr., Grade 113E, \$1,400.32 bi-weekly, in the Div. of Water Quality, effective June 23, 2008; Elizabeth Johnson, Telecommunicator, Grade 113N, \$17.493 hourly, in the Div. of Enhanced 911, effective July 7, 2008; Jennifer Begley, Telecommunicator Supervisor, Grade 116E, \$1,642.88 bi-weekly, in the Div. of Enhanced 911, effective July 7, 2008; ratifying the permanent civil service appointments of: Chris Cunningham, Computer Analyst, Grade 115E, in the Div. of Computer Services, effective May 26, 2008; Robert Ledford, Trades Supervisor, Grade 113N, in the Div. of Parks and Recreation, effective July 21, 2008;

approving the unclassified civil service salary increase for Melynda Milburn, Aide to Council, Grade 000E, from \$1,878.24 bi-weekly to \$1,942.31 bi-weekly, in the Office of the Urban County Council, effective June 9, 2008.

78. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration and a Deed conveying a permanent non-exclusive utility easement to AT&T Corporation over various tracts in the McConnell's Trace Subdivision for payment in the amount of \$38,000.00.
79. A Resolution accepting the proposal of Strand Associates, Inc., to prepare Sanitary Sewer Pumping Station Design & Equipment Condition Adequacy Evaluation and Pump Station Operation Plan for Outages Reports, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Strand Associates, Inc., for performance of such services and authorizing payment of funds in an amount not to exceed \$265,000.00.
80. A Resolution accepting the proposal of Robert Charles Lesser & Co., LLC, to perform professional consulting services related to the preparation of a housing market study, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Robert Charles Lesser & Co., LLC, for performance of such services, and authorizing payment of funds in an amount not to exceed \$116,000.00.
81. 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 Forestry and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$15,000.00 Federal funds, and are for support of public education and fire prevention efforts for citizens living in the rural and limited access areas of Lexington-Fayette County.
82. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit an Application to the U.S. Dept. of Homeland Security, and to provide any additional information requested in connection with this Application, for an Advanced Vehicle Tracking System (AVTS) under the Commercial Equipment Direct Assistance Program (CEDAP).
83. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept the following as a donation from the Citizen's Police Academy Alumni Association (CPAAA) for use by the Div. of Police; framed motivational/character prints (\$1,200.00); digital cameras for West Sector, 2nd shift (\$2,000.00);

new evidence markers and a “bootie box” for the Evidence Collection Unit (\$238.00); conference registration, travel, lodging and meals for two (2) Drug Recognition Expert Officers to attend the DRE Conference in Indiana (\$1,080.00); GPS device for detectives in Personal Crimes Unit to use when traveling out of Fayette County for investigations (\$400.00); and Ky. Criminal Law Pocket Guides for detectives (\$283.00), all at no cost to the Urban County Government.

84. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Datacenter Hosting Services Contract with the Center for Rural Development, for hosting and management services for software and data for the Emergency Operations Center, at an annual cost not to exceed \$8,820.00.
85. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Letter Agreement with Mountjoy & Bressler, LLC, for performance of professional financial auditing services of all FY 2008 Urban County Government funds, at a cost not to exceed \$115,450.00.
86. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the University of Ky., for the establishment of a Wireless Internet Communications Network, at no cost to the Urban County Government.
87. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Div. of Emergency Management, for extension of the Tornado Safe Shelter at Suburban Mobile Home Park Project through June 30, 2010, at no cost to the Urban County Government.
88. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Purchase of Service Agreements with Baby Health Services (\$18,000), Big Brothers, Big Sisters (\$10,290), Bluegrass Community Action Agency (\$30,000), Bluegrass Domestic Violence Program, Inc. (\$75,000), Bluegrass Rape Crisis Center (\$75,000), Bluegrass Technology Center, Inc. (\$3,000), Center for Women, Children & Families (\$50,000), Chrysalis House, Inc. (\$40,000), Bluegrass Comprehensive Care Center (\$234,750), Community Action Council (\$180,000), Hope Center, Inc. (\$740,000), M.A.S.H. Services of the Bluegrass, Inc. (\$158,000), Moveable Feast Lexington, Inc. (\$40,000), Nursing Home Ombudsman Agency of the Bluegrass, Inc. (\$50,000), Salvation Army (\$200,000), Sunflower Kids (\$25,000) and YMCA of

Central Ky. (\$100,000) to provide services to the public, at a cost not to exceed \$2,029,040.00.

89. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Lexington-Fayette County Health Dept., for extension of the Agreement for establishment of a Medical Reserve Corps through March 31, 2009, at no cost to the Urban County Government.
90. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Woodall Construction Co., Inc. for provisions of services and materials related to the Southend Park Redevelopment Temporary Housing Project, increasing the Contract price by the sum of \$7,587.53 from \$785,158.00 to \$792,745.53.
91. 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 temporary construction easement and permanent sanitary sewer easement from Ball Homes, LLC and Bruce Properties, Inc., located at 3393 Sanibel Drive, at no cost to the Urban County Government.
92. A Resolution authorizing and directing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-86, to install multiway stop controls at Saron Drive and Forest Lake Drive.
93. A Resolution rescinding Resolution No. 238-2008, accepting the bid of Security Cameras Direct, LP, in the amount of \$15,786.00, for the PTZ Camera System for GTV3.
94. A Resolution authorizing and directing the Dept. of Law to institute condemnation proceedings in Fayette Circuit Court to obtain fee simple title to the property located at 1426 Bryan Avenue for the Meadows-Northland-Arlington Phase 3B Improvements Project.
95. A Resolution authorizing the Dept. of Environmental Quality to purchase Rain Tainers from budgeted funds for creation of the "Lily" Program, a Green Infrastructure Project, from Four Water, LLC, to assist in fulfilling the Urban County Government obligation to implement supplemental environmental projects for the EPA Consent Decree at a cost of \$75,880.00.
96. A Resolution changing the street name of Jimmie Drive to Jimmie Campbell Drive in memory of the late Jimmie L. Campbell, former Director of the Div. of Sanitary Sewers; effective thirty days from passage.
97. A Resolution in Memoriam honoring Jimmie L. Campbell.

VIII. COMMUNICATIONS FROM THE MAYOR (For Information Only)

1. Resignation of Vivian Fergerson, Child Care Program Aide, Grade 107N, in the Div. of Family Services, effective May 30, 2008.
2. Resignation of Timothy Hurtt, Police Trainee, Grade 311N, in the Div. of Police, effective June 10, 2008.
3. Resignation of Linguenda Miggelbrink, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective June 9, 2008.

IX. ANNOUNCEMENTS

X. PUBLIC COMMENT