

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

May 7, 2009 – 7:00 P.M.

I. ROLL CALL

II. INVOCATION

III. PRESENTATION

Kentucky Teacher of the Year Award – Karen Gill

IV. ORDINANCES –SECOND READING

1. An Ordinance changing the zone from a Two-Family Residential (R-2) zone to a Downtown Center Business (B-2B) zone for 0.4789 net (0.5859 gross) acre; and from a High Density Apartment (R-4) zone to a Downtown Center Business (B-2B) zone for 0.9066 net (0.9846 gross) acre, for property located at 200 West High Street (a portion of); 318 South Mill Street; and 323 and 327 South Upper Street, subject to certain use restrictions imposed as conditions of granting the zone change (Trustees of the First United Methodist Church of Lexington, Kentucky). Conditional Approval 8-2 OBJECTORS (To be heard by June 24, 2009)
2. An Ordinance amending Articles 17, 8, 23a, 27, and 28 of the Zoning Ordinance to expand the allowable signage in and near downtown, in some mixed use zones, and to relocate all sign regulations to Article 17. Approval 8-0
3. An Ordinance amending Articles 1-5 and 4-7(d)(9)(c) of the Land Subdivision Regulations for waivers regarding infill and redevelopment and sidewalks, and to update the Subdivision Plan procedure listing. Approval 9-0
4. 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 \$147,210.00 Federal funds, are for the 2009 Summer Food Service Program, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 130, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.
5. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from the School for the Creative and Performing Arts in the amount of \$350.00 for the Reforest the Bluegrass Project and appropriating funds pursuant to Schedule No. 131.

6. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from Ky.-American Water Co. in the amount of \$3,933.25 for the Reforest the Bluegrass Project and appropriating funds pursuant to Schedule No. 132.
7. An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$775.00 for the Div. of Historic Preservation from Neighborhood Development Funds for Historic Preservation Week activities, and appropriating and re-appropriating funds, Schedule No. 133.
8. 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 \$301,664.00 (FHWA Planning), and \$40,000.00 (Federal Transit Administration Section 5303) Federal funds, are for the Div. of Planning Unified Work Program – FY 2010, the acceptance of which obligates the Urban County Government for the expenditure of \$56,562.00 (FHWA Planning), and \$10,000 (Federal Transit Administration) as a local match, subject to sufficient funds being appropriated in FY 2010, appropriating funds pursuant to FY 2010 Schedule No. 4, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.
9. 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. 134.
10. An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements in the Council Office for funds in the amount of \$2,125.00 from Neighborhood Development Funds for the Senior Intern Program, and appropriating and re-appropriating funds, Schedule No. 135.
11. 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 \$348,000.00 Federal funds, are for the ITS/CMS (Intelligent Transportation System/Congestion Management System) Traffic Improvements Project, the acceptance of which obligates the Urban County Government for the expenditure of \$87,000 as a local match, appropriating funds pursuant to FY 2010, Schedule No. 5, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

12. An Ordinance amending Sections 21-33 and 21-34 of the Code of Ordinances allowing employees to use their accumulated vacation and sick leave in any increment; amending Sections 21-33 and 21-37.1 of the Code of Ordinances providing that employees may use accumulated compensatory and holiday time with verbal approval; amending Sections 21-33(A), 21-34(A) and 21-38(B)(2) converting leave time accruals from days to hours.
13. An Ordinance amending Section 22-59 of the Code of Ordinances providing that seasonal employees shall no longer accrue vacation and sick leave or be eligible to purchase health insurance; providing that part time employees shall work twenty-four continuous months in order to accrue vacation and sick leave and shall no longer be required to work eighty-hours for two consecutive pay periods in order to be eligible; providing that part time employees shall work twenty-four continuous months in order to be eligible to purchase health insurance; providing that part time employees shall accrue vacation and sick leave a rate of five (5) hours a month for each; providing that part time employees may use vacation and sick leave in any increment; providing that supervisors shall no longer be required to keep records relating to leave time accruals and expenditures; providing that part time employees may obtain verbal approval to use vacation time; and deleting Section 22-59(C).
14. An Ordinance amending Section 21-5(2) of the Code of Ordinances changing the job title of one (1) position of Nutritionist, Grade 113N to one (1) position of Nutrition Coordinator, Grade 113N, in the Div. of Family Services.
15. An Ordinance creating Article XIV of Chapter 16 of the Code of Ordinances to establish a system of water quality management fees; defining terms relating to the water quality management fees; imposing a water quality management fee on every parcel of land in Fayette County except undeveloped parcels, railroad tracks, state and federal roads, Urban County Government streets and roads, and private streets used exclusively for access to single-family residential properties; providing that "Class A Properties: Single Family and Farm Properties" shall pay \$4.32 per month for each parcel and that the charge for "Class B Properties: All Other Parcels" shall be based on the amount of impervious surface, expressed in equivalent residential units (ERUs), determined to be 2,500 square ft. of impervious surface, multiplied by \$4.32 per month but in no event shall any parcel pay less than \$4.32 per month; providing that water quality management fees shall be adjusted annually each fiscal year beginning July 1, 2011, in accordance with the Consumer Price Index for all urban consumers; providing for monthly billing and providing that the owner, tenant, or person responsible for payment of water service and/or sewer service charges is also responsible for payment of the water quality management fees; providing for allocation of fees among multiple occupants for shopping centers, apartments, condominiums, etc., with the owner remaining fully responsible for

payment of all water quality management fees; providing for collection of fees, including establishing a penalty of ten percent (10%) and interest of one percent (1%) per calendar month on bills remaining unpaid for more than thirty (30) days, and authorizing and directing the Dept. of Law to institute legal proceeding for collection of fees; establishing a thirty percent (30%) discount program for qualifying senior citizens and disabled citizens; to establish a Grant program providing for qualifying customers to receive a fifty percent (50%) adjustment to their bill for water quality management fees; providing that all monies collected through water quality management fees shall be separately identified and accounted for and all expenses relating to the Urban County Government's Stormwater Program shall be separately identified and administered; providing an appeal process for persons who consider that fees applied are inaccurate; establishing a Water Quality Fees Board to review denials of requests for adjustment of sanitary sewer user fees and decisions on applications for adjustment to water quality management fees, providing that the Board shall be composed of five (5) citizens appointed by the Mayor and an ex officio member from the Dept. of Law, and providing that no two citizen members may reside in the same Council District; providing that a formal review and audit of the water quality management fees shall be performed on or before November 30, 2014 and every five (5) years thereafter and providing that at least one public hearing shall be held every time the review and audit is performed; establishing a Stormwater Quality Projects Incentive Grant Program to provide cost-sharing assistance for eligible projects that will improve water quality; and repealing Section 16-63(c) relating to the Sanitary Sewer User Fee Appeals Board.

V. ORDINANCES – FIRST READING

16. An Ordinance amending Article 6-4(c) to authorize the Planning Commission to review variances and conditional use permits associated with zone changes at the zone change public hearings. Approval 8-0
17. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. League of Cities, which Grant funds are in the amount of \$922.50 under the 2009 Safety and Liability Grant Program, are for the purchase of personal protective safety jackets for traffic technicians, the acceptance of which obligates the Urban County Government for the expenditure of \$922.50 as a local match, appropriating funds pursuant to Schedule No. 137, 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 execute and submit a Grant Application to the Governor's Highway Safety Program in the Ky. Transportation Cabinet, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$65,000.00 Federal funds, are for continuation of the Traffic Safety Program for FY 2010, the acceptance of which obligates the Urban County Government for the expenditure of \$65,000.00 as a local match, appropriating funds pursuant to FY 2010 Schedule No. 6, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.
19. 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. 138.
20. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Office of Highway Safety, which Grant funds are in the amount of \$15,000.00 Federal funds, are for participation in the May 2009 Click It or Ticket Safety Belt Enforcement Mobilization Program, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 139, and authorizing the Mayor to transfer unencumbered funds with in the Grant budget.
21. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Contract with Metaformers, Inc., for additional services related to the implementation of Peoplesoft, at a cost not to exceed \$1,343,168.00, and appropriating funds pursuant to Schedule No. 140.
22. An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$2,800.00 in the Div. of Parks and Recreation from the Council Capital Funds for installation of trees in Martin Luther King Park, and appropriating and reappropriating funds, Schedule No. 142.
23. An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$10,000.00 in the Div. of Parks and Recreation from the Council Capital Funds for playground equipment and trail construction in Masterson Station Park, and appropriating and re-appropriating funds, Schedule No. 143.

24. An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$975.00 from Neighborhood Development Funds in the Div. of Streets, Roads, and Forestry for the purchase and installation of trees in the Belleau Woods Park, and appropriating and re-appropriating funds, Schedule No. 144.
25. 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 2010 Schedule No. 7, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.
26. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Bluegrass Area Development District, 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 \$84,660.00 Federal funds, are for operation of the Senior Citizens Center in FY 2010, the acceptance of which obligates the Urban County Government for the expenditure of \$151,910.00 as a local match, appropriating funds pursuant to FY 2010 Schedule No. 8, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.
27. An Ordinance approving and adopting a substantial amendment to the 2008 Consolidated Plan for use of funds from the Homelessness Prevention and Rapid Re-Housing Program (HPRP), and 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 Housing and Urban Development, 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 \$849,668.00 Federal funds, are for operation of the Homelessness Prevention and Rapid Re-Housing Program, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2010 Schedule No. 9, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

VI. RESOLUTIONS – SECOND READING

1. A Resolution accepting the bid of Univar USA, Inc., establishing a price contract for liquid chlorine, for the Div. of Water Quality. (3)
2. A Resolution accepting the bid of Mary's Cleaning Service, establishing a price contract for Custodial Services – Central Ky. Job Center, for the Div. of Facilities and Fleet Management. (6)

3. A Resolution accepting the bid of National Workwear, establishing a price contract for work shoes, for the Div. of Waste Management. (1)
4. A Resolution accepting the bid of E.C. Matthews Co., Inc., in the amount of \$181,460.00, for the Versailles Rd. Corridor Enhancement, for the Div. of Community Development and the Mayor's Office, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with E.C. Matthews Co., Inc., related to the bid. (2)
5. A Resolution accepting the bid of E.C. Matthews Co., Inc., in the amount of \$20,939.00, for wheelchair lift replacement, for the Div. of Facilities and Fleet Management, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with E.C. Matthews Co., Inc., related to the bid. (4)
6. A Resolution accepting the bid of Churchill McGee, LLC, in the amount of \$261,750.00, for the Masterson Station Tack Barn, for the Div. of Parks and Recreation, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Churchill McGee, LLC, related to the bid. (7)
7. A Resolution accepting the bids of VF Imagewear, Inc.; Ky. Uniforms, Inc.; Galls; and U.S. Cavalry, establishing price contracts for uniforms, for the Div. of Community Corrections. (6 Non-Low)
8. A Resolution accepting the bid of Bluegrass Mailing, Data & Fulfillment Services, establishing a price contract for the distribution of Fun Guide, for the Div. of Parks and Recreation. (2)
9. A Resolution accepting the bids of Lawmen's & Shooters' Supply, Inc.; Galls; Ky. Uniforms, Inc.; and Bluegrass Fire Equipment, establishing price contracts for Fire Recruit Equipment (2009), for the Div. of Fire and Emergency Services. (5 Non-Low)
10. A Resolution accepting the bid of Mary's Cleaning Service, establishing a price contract for Custodial Services – Public Safety, for the Div. of Facilities and Fleet Management. (7)
11. A Resolution accepting the bid of Bluegrass Towing, Inc., establishing a price contract for towing services for the Divisions of Police and Code Enforcement, the Dept. of General Services, and the Parking Authority. (1)
12. A Resolution accepting the bid of Mac Tire Recyclers, Inc., establishing a price contract for tire loading, transporting, and recycling, for the Div. of Environmental Policy. (1)
13. A Resolution accepting the bid of Pro-Tech Security Sales, establishing a price contract for Ballistic Shields, for the Divisions of Community Development and Police. (5 Non-Low)

14. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amended and Restated Grant Agreement with the Cabinet for Economic Development, the State Property and Buildings Commission and Belcan Engineering Group, Inc., to include additional terms and to replace the original Grant Agreement as approved pursuant to Ordinance No. 325-2005 and amended by Resolution No. 697-2008, at no cost to the Government.
15. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Trail Design Agreement with CDP Engineers, Inc., for design of the Veterans Park Mountain Bike Trail, at a cost not to exceed \$22,354.00.
16. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Trail Design Agreement with Third Rock Consultants, LLC, for design of Masterson Station Trails, at a cost not to exceed \$40,930.00.
17. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Div. of Emergency Management and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$133,720.00 Federal Funds under the Federal Emergency Management Agency's Hazard Mitigation Grant Program, and are for replacing the generator and upgrading the electrical service at Fire Station 1.
18. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the University of Ky., for space in the University of Ky. Hospital emergency room for use as a clinical practice area for the Sexual Assault Treatment Program, at a cost not to exceed \$3,000.00.
19. A Resolution 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 and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$119,587.00 Federal funds under the State Criminal Alien Assistance Program (SCAAP), and are for reimbursement of costs related to the incarceration of undocumented criminal aliens.
20. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Deed of Easement with Ky.-American Water Co., for permanent and temporary construction easements across the property located at 2500 Flying Ebony Dr. (810 Star Shoot Pkwy.), for a water line, for the sum of \$19,778.00 for the permanent easement and \$275.00 per month for the temporary construction easement.

21. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Lafayette High School Baseball Boosters, Inc. (\$575.00), Lexington Tree Foundation, Inc. (\$600.00), and Henry Clay Memorial Foundation (\$950.00) for the Office of the Urban County Council, at a cost not to exceed the sums stated.
22. A Resolution ratifying the probationary civil service appointment of: T.J. Taylor, Sewer Line Maintenance Superintendent, Grade 116E, \$2,406.40 bi-weekly, in the Div. of Water Quality, effective April 13, 2009; ratifying the permanent sworn appointments of: Kenneth Raglin, Fire Captain, Grade 316N, in the Div. of Fire & Emergency Services, effective March 1, 2009; Jeremy Wheatly, Fire Lieutenant, Grade 315N, in the Div. of Fire & Emergency Services, effective March 1, 2009; Shaun Brown, Fire Major, Grade 318E, in the Div. of Fire & Emergency Services, effective March 1, 2009; approving the unclassified civil service appointment of: Harry Ashby, Public Service Worker, Grade 106N, \$13.287 hourly, in the Div. of Waste Management, effective April 27, 2009, Daryle Owens, Public Service Worker, Grade 106N, \$11.560 hourly, in the Div. of Waste Management, effective April 27, 2009, Eric Higgins, Jr., Public Service Worker, Grade 106N, \$11.460 hourly, in the Div. of Waste Management, effective April 27, 2009, Marshawn Cowan, Public Service Worker, Grade 106N, \$11.560 hourly, in the Div. of Waste Management, effective April 27, 2009, Brendan Scott, Public Service Worker, Grade 106N, \$10.364 hourly, in the Div. of Waste Management, effective April 27, 2009, Ernest Beatty III, Public Service Worker, Grade 106N, \$10.862 hourly, in the Div. of Waste Management, effective April 27, 2009.
23. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Energy and Environment Cabinet and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$113,154.00 Commonwealth of Ky. Funds under the Ky. Household Hazardous Waste Management Grant Program, and are for support of a one-day household hazardous waste recycling event for Lexington-Fayette County.
24. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Energy and Environment Cabinet and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$14,035.00 Commonwealth of Ky. Funds under the Ky. Recycling and Household Hazardous Waste Grant Program, and are for support of a partnership with Habitat for Humanity to establish a program to collect, bulk and resell leftover latex-based paint to generate revenue and reduce hazardous, landfill-bound waste.

25. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Todd Johnson Contracting, for Phase 2D of the Meadows/Northland/Arlington Public Improvements Project, increasing the contract price by the sum of \$7,978.86 from \$666,372.41 to \$674,351.27.
26. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Ky. State Police, for reimbursement of overtime expenditures for lab personnel for conducting forensic examinations for the Cold Case Squad Project, at a cost not to exceed \$4,000.00 in Grant funds.
27. 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 Metropolitan Medical Response Systems (MMRS) Project through June 30, 2009, 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 an Agreement with the Inocon Group, LLC, for development of an "All Hazards" disaster preparedness plan for the 2010 World Equestrian Games, at a cost not to exceed \$22,000.00.
29. 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 2009 Urban County Government funds, at a cost not to exceed \$115,450.00.
30. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Statement of Work Agreement with Metaformers, Inc., for infrastructure performance management support for Project Synergy, at a cost not to exceed \$60,000.00.
31. A Resolution amending Sections 1 and 2 of Resolution 544-2006, which authorized and directed the Mayor, on behalf of the Urban County Government, to execute Agreements for various public projects for the Office of the Urban County Council, deleting the allocation to Hollywood-Mt. Vernon Neighborhood Association, Inc. (\$10,000.00).

VII. RESOLUTIONS – FIRST READING

32. A Resolution accepting the bid of Marrillia Design and Construction in the amount of \$354,226.55, for the McConnell Springs Wetland Demonstration Area, for the Div.'s of Community Development and Water Quality, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute any Agreement related to the bid. (7)

33. A Resolution accepting the bid of Gall's, establishing a price contract for Soft Body Armor, for the Div. of Police. (3 Non-Low)
34. A Resolution accepting the bid of Tactical Medical Solutions, establishing a price contract for Gun Shot Trauma Kits, for the Div.'s of Community Development and Police. (5)
35. A Resolution accepting the bid of Independent Concrete Pipe Co., Inc., in the amount of \$319,000.00, for Vaughn's Branch Flood Hazard Mitigation Project (Materials Only), for the Div.'s of Community Development and Water Quality. (1)
36. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Blackburn Correctional Complex, for the provision of emergency response assistance to Blackburn Correctional Complex, at no cost to the Urban County Government.
37. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Previstar, Inc., for software application services, at a cost not to exceed \$2,500.00.
38. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Chaucer Group, LLC, for completion of an analysis of impediments to fair housing choice, at a cost not to exceed \$19,000.00.
39. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with Susan Noel, as a Sexual Assault Nurse Examiner, to provide on-call forensic examinations under the Sexual Assault Nurse Examiner Program, at a cost not to exceed \$40.00 for each scheduled on-call period, \$230.00 for each completed forensic examination, \$50.00 per case for professional testimony in court, and the reasonable cost of medical liability insurance.
40. A Resolution changing the street name and property address number of 459 and 457 Belt Line Ave. to 600 and 602 W. 5th St., of 5886, 5840, and 5888 Jacks Creek Pike to 3785, 3885, and 3990 Raven Run Way, of 3229 Iron Works Pike to 3401 Sports Horse Ln., and 3677 Newtown Pike to 3232 Spy Coast Lane; changing the property address numbers of 447 Campbell St. to 449 Campbell St., of 743-745 Charles Ave. to 745 Charles Ave., of 372 Glen Arvin Ave. to 370 Glen Arvin Ave., of 1588 Hill View Place to 1586 Hill View Place, of 214-230 Jefferson St. to 218 Jefferson St., of 1800 Mason Headley Rd. to 975 Mason Headley Rd., of 505-507 Newtown Pike to 505 Newtown Pike, of 712-714 W. 3rd St. to 714 W. 3rd St., of 540 Toner St. to 539 Toner St., of 130 W. Vine St. to 108 W. Vine St., and of 134-166 W. Vine St. to 110 W. Vine St.; and changing the street name of 209 Todds Rd. Units 10101, 10102, 10103, 10104, 10105, 10106, 10107, 11101, 11102, 3103, 4102, 7106, 8101, 8102, 8103, 8104, 8105, 9101, 9102, 9103, 9104, 9105, 9106, 9107, and 9108 to

209 Old Todds Rd. Units 10101, 10102, 10103, 10104, 10105, 10106, 10107, 11101, 11102, 3103, 4102, 7106, 8101, 8102, 8103, 8104, 8105, 9101, 9102, 9103, 9104, 9105, 9106, 9107, and 9108; all effective thirty days from passage.

41. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Fayette County Commonwealth Attorney's Office, for reduction of the funding for a "Fast Track" prosecutor for the Street Sales Drug Enforcement Project from \$49,331.00 to \$31,331.00.
42. A Resolution acknowledging the work of the Destination 2040 Project participants and expressing the Urban County Council's support in adoption of the value statements derived from the work of Destination 2040 visioning process.
43. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Surgery on Sunday, Inc. (\$1,000.00), and Lafayette High School Girls Booster Club, Inc. (\$1,000.00) for the Office of the Urban County Council, at a cost not to exceed the sums stated.
44. 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 Robin Hollar, for the property located at 1400 Higbee Mill Rd., for the Clays Mill Rd. Improvement Project, and authorizing payment in the amount of \$5,625.00, plus usual and appropriate closing costs.
45. 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 Velma and William Anderson, for the property located at 3474 Clays Mill Rd., for the Clays Mill Rd. Improvement Project, and authorizing payment in the amount of \$575.00, plus usual and appropriate closing costs.
46. 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 sidewalk easement and a temporary construction easement from Clarence and Mary Bledsoe, for the property located at 548 Georgetown St., for the Georgetown St. Sidewalk Project, and authorizing payment in the amount of \$325.00, plus usual and appropriate closing costs.
47. 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 sidewalk easement and a temporary construction easement from Colored Orphan Independent Home, for the property located at 644 Georgetown St., for the Georgetown St. Sidewalk Project, and authorizing payment in the amount of \$250.00, plus usual and appropriate closing costs.

48. 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 sidewalk easement and a temporary construction easement from Larry and J.L. Hanley, for the property located at 681 Georgetown St., for the Georgetown St. Sidewalk Project, and authorizing payment in the amount of \$100.00, plus usual and appropriate closing costs.
49. 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 sidewalk easement and a temporary construction easement from Larry and J.L. Hanley, for the property located at 689 Georgetown St., for the Georgetown St. Sidewalk Project, and authorizing payment in the amount of \$250.00, plus usual and appropriate closing costs.
50. 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 sidewalk easement and a temporary construction easement from Corinne Warfield, for the property located at 695 Georgetown St., for the Georgetown St. Sidewalk Project, and authorizing payment in the amount of \$125.00, plus usual and appropriate closing costs.
51. A Resolution ratifying the probationary civil service appointments of: James Bush, Environmental Program Manager, Grade 117E, \$2,208.72 bi-weekly, in the Div. of Environmental Policy, effective May 18, 2009, Robert Smith, Maintenance Supervisor, Grade 115E, \$2,381.84 bi-weekly, in the Div. of Water Quality, effective April 27, 2009; ratifying the leave of absence of: Lori Rowland (Susanka), Telecommunicator, Grade 111N, requests 37 day Council approved leave without pay from April 18, 2009 to May 24, 2009, in the Div. of Emergency Management/911; approving the unclassified civil service appointments of: Elizabeth McKinney, Probation Officer, Grade 110N, \$17.195 hourly, in the Div. of Community Corrections, effective April 27, 2009; Charles Morton, Public Service Worker, Grade 106N, \$12.182 hourly, in the Div. of Waste Management, effective April 28, 2009.
52. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with GRW Engineers, Inc., for the investigation and design of the Expansion Area 2A pumping station and force main, increasing the contract price by the sum of \$45,000.00 from \$380,000.00 to \$425,000.00.
53. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement for Services with Wallace Roberts & Todd, LLC, for the Complete Streets Manual Project, at a cost not to exceed \$150,000.00.

54. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the contract with Ky. Utilities Co., for Town Branch Treatment Plant Redundant Power, increasing the contract price by the sum of \$60,356.61 from \$275,160.00 to \$335,516.61.
55. A Resolution adopting a process flow chart for conversion of any one-way street into a two-way street.
56. A Resolution authorizing a feasibility study of Short Street and Second Street for possible conversion into two-way streets.
57. A Resolution authorizing and directing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-86, to install multiway stop controls at Beaumont Center Ln. and Roswell Dr./Malone Dr.
58. A Resolution authorizing and directing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-86, to install multiway stop controls at Providence Ln. and Colony Blvd.
59. A Resolution pursuant to Code of Ordinances Section 18-66, designating the speed limit on Kiddville Ln. as 35 miles per hour and authorizing and directing the Div. of Traffic Engineering to install proper and appropriate signs in accordance with the designation.
60. A Resolution approving the following Neighborhood Development and/or Redevelopment Bond issue projects: Green Acres Park Upgrades (door replacement), Meadowthorpe and Marlboro (tree planting), Martin Luther King Shelter (new roof), Highlands Backstop, Woodland Projects (tennis court and gateway), Douglas Park Path (Sidewalk Replacement), Douglas Park Signage (Dirt Bowl Memorial Sign), Gainesway Projects (construction), Roland Rail (guard rail on Roland Dr.), Deep Springs Neighborhood Association Signage (beautification), Cove Haven Cemetery (tree maintenance and removal), Isaac Scott Hathaway (site improvements), Lansdowne Median (beautification), and Art in Motion (artistic bus shelter).
61. A Resolution reducing the scope of the Contract with Claunch Construction, LLC for the Bluegrass Aspendale Collector Street – Phase 2 to eliminate the remaining street construction between Third St. and Midland Ave.
62. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Contract with the Fayette County Board of Education, for use of the Tates Creek High School Track, at a cost not to exceed \$355.00.
63. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Special Warranty Deed conveying a certain tract or parcel of land known as the Bryan Station Middle School Property to the Board of Education of Fayette County, Ky., in consideration of the payment in full of School Building Revenue Bonds issued by the Urban County Government for the construction of improvements to said property.

64. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Meadows-Loudon Neighborhood Association, Inc. (\$500.00), Lafayette High School Girls Booster Club, Inc. (\$1,000.00), MASH Services of the Bluegrass, Inc. (\$750.00), LFUCG Div. of Streets, Roads, and Forestry (\$975.00), Highlands Neighborhood Association, Inc. (\$500.00), Marehaven Homeowner's Association, Inc. (\$400.00), Townley Park Homeowner's Association, Inc. (\$400.00), Hill-N-Dale Neighborhood Association, Inc. (\$500.00), and Bryan Station Alumni Association, Inc. (\$600.00) for the Office of the Urban County Council, at a cost not to exceed the sums stated.
65. A Resolution authorizing and approving the transfer by the Lexington Center Corp. of a portion of property along Cox St. to the Commonwealth of Ky., and declaring as surplus property and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Deed and Certificate of Consideration transferring the property located at 906 W. High St. to the Commonwealth of Ky., for the Newtown Pike Extension Project.
66. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Trail Design Agreement with CDP Engineers, Inc., for the Town Branch Trail Phases 3 and 4, at cost not to exceed \$195,739.00.
67. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Herrick Co., Inc., for the Town Branch Wastewater Treatment Plant Chlorination Equipment Replacement, increasing the contract price by the sum of \$9,843.00 from \$248,500.00 to \$258,343.00.
68. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2, to the Contract with Arnold, Dugan & Meyers, for West Hickman Wastewater Treatment Plant Aerated Sludge Holding Tank Improvements, increasing the contract price by the sum of \$60,829.00 from \$600,462.00 to \$661,291.00.

VIII. COMMUNICATION FROM THE MAYOR

1. Recommending the appointments of Ms. Tammy A. Fagley, as League of Women Voters of Lexington representative, and Mr. Bruce W. Pieratt, as Better Business Bureau representative, to the Ethics Commission, with terms to expire 3-1-2013.

IX. ANNOUNCEMENTS

X. PUBLIC COMMENTS