

Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507



Docket

Thursday, March 2, 2017

6:00 PM

Council Chambers

Urban County Council

I. Roll Call**II. Invocation****III. Presentations**

[0237-17](#) Recognizing members of Lexington Fire Dept. and High Street YMCA

[0238-17](#) Recognizing National Social Work Month

[0239-17](#) Recognizing Altrusa 100th Anniversary

[0245-17](#) Recognizing Read Across America

IV. Ordinances – Second Reading

1. [0174-17](#) An Ordinance amending Articles 1, 3, 8, 11 and 23A of the Zoning Ordinance to define and regulate Market Gardens throughout Lexington-Fayette County. (Planning Commission). APPROVAL 9-0 [Div. of Planning, Duncan]

2. [0175-17](#) An Ordinance changing the zone from an Agricultural Urban (A-U) zone to a Professional Office (P-1) zone, for 1.5 net (2.12 gross) acres, for property located at 3280 Clays Mill Rd. (G. Davis, CCM; Council District 9). Approval 9-0 (To Be Heard By April 26, 2017) [Div. of Planning, Duncan]

3. [0176-17](#) An Ordinance changing the zone from an Interchange Service Business (B-5P) zone to a Highway Service Business (B-3) zone, for 0.75 net (1.36 gross) acres, for property located at 2167 N. Broadway. (David Meyers, Ky. Lodging and Development Co., Inc.; Council District 6). Conditional Approval 9-0 OBJECTORS (To Be Heard By April 26, 2017) [Div. of Planning, Duncan]

4. [0192-17](#) An Ordinance creating Section 14-106 of the Code of Ordinances of the Lexington-Fayette Urban County Government, requiring that the delivery of unsolicited written materials to a premises be placed on the front porch, through a mail slot, securely attached to the front door, between the exterior and interior front door, in a distribution box, or

personally with the owner; classifying a violation of this Ordinance as a civil offense; establishing administrative review procedures to contest citations; fixing a maximum civil penalty for violations in the amount of two hundred dollars (\$200) per violation; designating the Administrative Hearing Board as the code enforcement board having authority to determine whether a violation has occurred; and amending Subsection 14-10(f)(4) to designate citation officers; all effective sixty (60) days from passage. [Council Office, Maynard]

5. [0210-17](#) 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. 37. [Div. of Budgeting, Lueker]

6. [0168-17](#) An Ordinance amending the Classified Civil Service authorized strength by transferring one (1) position of Recreation Specialist Sr., Grade 516E, from the Div. of Parks and Recreation to the Div. of Aging and Disability Services, transferring the incumbent, effective the first payroll Monday following passage of Council. [Div. of Human Resources, Maxwell]

7. [0169-17](#) An Ordinance amending the Unclassified Civil Service authorized strength by abolishing one (1) position of Council Administrator, Grade 524E, and creating one (1) position of Council Administrator, Grade Z80; establishing the salary range for Grade Z80 with a minimum of \$2,484.08 biweekly and a maximum of \$4,121.20 biweekly; and reallocating the incumbent, in the Office of the Urban County Council, effective upon passage of Council. [Div. of Human Resources, Maxwell]

8. [0172-17](#) An Ordinance amending the Unclassified Civil Service authorized strength by abolishing one (1) position of Social Worker Sr., Grade 516E, and creating one (1) position of Family Service Center Manager, Grade 524E, and reclassifying the incumbent in the Div. of Family Services, effective the beginning of the next pay period following passage of Council. [Div. of Human Resources, Maxwell]

9. [0173-17](#) An Ordinance amending the Classified Civil Service authorized strength by abolishing one (1) position of Trades Worker, Grade 509N, and one (1) position of Public Service Worker Sr., Grade 509N, and creating one (1) position of Parks and Recreation

Superintendent, Grade 525E, in the Div. of Parks and Recreation, effective upon passage of Council. [Div. of Human Resources, Maxwell]

10. [0190-17](#) An Ordinance amending Sections 18-113.4(2)(a) and 18-113.4(4) of the Code of Ordinances of the Lexington-Fayette Urban County Government relating to accessible parking space signs, deleting the van accessible parking space sign requirement and creating a penalty for the van accessible aisle painting requirement. [Council Office, Maynard]

V. Ordinances – First Reading

11. [0226-17](#) 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. 38. [Div. of Budgeting, Lueker]
12. [0227-17](#) An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$18,000 in the Div. of Traffic Engineering from the Council Projects Funds for traffic calming measures along Richmond Ave. between Richmond Rd. and Cramer Ave. and appropriating and re-appropriating funds, Schedule No. 39. [Div. of Budgeting, Lueker]
13. [0228-17](#) An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$50,616 in the Div. of Traffic Engineering from the Council Projects Funds for driver and pedestrian safety improvements on Reed Ln. between Southport Dr. and Lafayette Pkwy. and appropriating and re-appropriating funds, Schedule No. 40. [Div. of Budgeting, Lueker]
14. [0249-17](#) 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 in the Div. of Facilities and Fleet Management from the Council Projects Funds for signage to rename the Downtown Arts Center to the Pam Miller Downtown Arts Center and appropriating and re-appropriating funds, Schedule No. 41. [Div. of Budgeting, Lueker]

VI. Resolutions – Second Reading

1. [0157-17](#) A Resolution accepting the bid of LMR Construction, LLC d/b/a LMR Custom Home Construction, in an amount not to exceed \$244,900, for LFD Hose Shop and Vehicle Storage Pre-Fabricated Building, for the Div. of Fire and Emergency Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with LMR Custom Home Construction related to the bid. (7 Bids, Low) [Chilton]

2. [0182-17](#) A Resolution accepting the bid of Fuel Band, LLC, in the amount of \$195,398, for the Martin Luther King Park Restrooms and Concession Stand, for the Div. of Parks and Recreation, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Fuel Band, LLC, related to the bid. (5 Bids, Low) [Conrad]

3. [0199-17](#) A Resolution accepting the bid of Herrick Co., Inc., in the amount of \$531,400, for the West Hickman Zone 2 Aeration Improvements, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute an Agreement with Herrick Co., Inc., related to the bid. (6 Bids, Low) [Martin]

4. [0196-17](#) A Resolution ratifying the Probationary Classified Civil Service Appointment of: Omer Cowherd, Public Service Supervisor, Grade 514N, \$19.780 hourly in the Div. of Streets and Roads, effective March 6, 2017; ratifying the Permanent Civil Service Appointments of: Dajuan Lewis, Public Service Worker, Sr., Grade 509N, \$14.027 hourly in the Div. of Streets and Roads, effective January 18, 2017, Casey Kaucher, Traffic Engineer Manager, Grade 527E, \$2,871.04 biweekly in the Div. of Traffic Engineering, effective February 22, 2017, Raymond Alexander, \$15.682 hourly, Ashley Cavendish, \$17.582 hourly, Zachary Greer, \$15.745 hourly, Rhea Hatfield, \$16.930 hourly and Oscar Overton, \$15.682 hourly, all Safety Officer, Grade 511N, effective January 11, 2017 and Rhonda Hatfield, Administrative Specialist, Grade 513N, \$22.557 hourly, effective February 22, 2017, all in the Div. of Police; ratifying the Unclassified Civil Service pay increases in the Office of the Urban County Council: Jamie Giles, from \$2,417.04 biweekly to \$2,560.00 biweekly, Shauntae Hall, from \$2,406.64 biweekly to \$2,480.76

biweekly, and Alicia Larmour, from \$1,730.77 biweekly to \$1,923.07 biweekly, all Aide to Council, Grade 518E, in the Office of the Urban County Council, effective February 20, 2017. [Div. of Human Resources, Maxwell]

5. [0129-17](#) A Resolution establishing Kraus Associates d/b/a AK Associates, as a sole source provider of telephone technology and equipment manufactured by Solacom Technologies Inc., for the Div. of Emergency Management/911 and authorizing the Mayor or his designee, on behalf of the Urban County Government, to execute any necessary agreements with Kraus Associates d/b/a AK Associates, related to the procurement of these goods and services. [Div. of Emergency Management/911, Dugger]

6. [0138-17](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 to the Agreement with Paradigm Engineers and Constructors, PLLC, for design services for the West Hickman Waste Water Treatment Plant Electrical Shop Project, increasing the contract price by the sum of \$5,299 from \$62,910 to \$68,209. [Div. of Water Quality, Martin]

7. [0139-17](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute the second renewal of the Engineering Services Agreement with Tetra Tech, Inc., to provide annual Program Management Services for Consent Decree Implementation and MS4 Permit Compliance, at a cost not to exceed \$816,000. [Div. of Water Quality, Martin]

8. [0141-17](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Southland Association, for construction of a public space prototype for Retrofitting the RETRO: Southland Drive Case Study, at a cost not to exceed \$9,000. [Div. of Engineering, Burton]

9. [0145-17](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. One (1) to the Engineering Service Agreement with Strand Associates, Inc., for design of the Town Branch Trail Phase VI Project, increasing the contract price by the sum of \$744,174, from \$286,600 to \$1,030,774. [Div. of Engineering, Burton]

10. [0149-17](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Education Fund for Handicapped Children, which Grant funds are in the amount of \$10,000 Commonwealth of Ky. funds, are for therapeutic recreation activities and programs for disabled persons and the acceptance of which does not obligate the Lexington-Fayette Urban County Government for the expenditure of funds. [Div. of Parks and Recreation, Conrad]
11. [0154-17](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to donate obsolete television studio production equipment formerly used by GTV3 to Fayette County Public Schools. [Div. of Government Communications, Edwards]
12. [0155-17](#) A Resolution authorizing the Div. of Emergency Management/911, on behalf of the Urban County Government, to purchase emergency outdoor warning siren system and upgrades from Federal Signal and Security Systems/Alerting and Notification, a sole source provider, at a cost not to exceed \$28,716.93. [Div. of Emergency Management/911, Dugger]
13. [0156-17](#) A Resolution authorizing the Div. of Emergency Management/911, on behalf of the Urban County Government, to purchase a new emergency outdoor warning siren system for Raven Run Park from Federal Signal and Security Systems/Alerting and Notification, a sole source provider, at a cost not to exceed \$30,850.35. [Div. of Emergency Management/911, Dugger]
14. [0159-17](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Group Contract with the Ky. Dept. of Parks for use of Jenny Wiley State Park facilities and services for the Div. of Parks and Recreation's therapeutic recreation program, at a cost not to exceed \$1,600 in received Grant funds. [Div. of Parks and Recreation, Conrad]
15. [0161-17](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant to Bluegrass Greensource, Inc., for stormwater quality projects, at a cost not to exceed \$29,336. [Div. of Water Quality, Martin]
16. [0166-17](#) A Resolution authorizing and directing the Mayor, on behalf of

the Urban County Government, to execute an extension of the annual price contract with FATPOT Technologies, LLC, for maintenance of mobile data software, at a cost not to exceed \$36,000. [Div. of Fire and Emergency Services, Chilton]

17. [0167-17](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Gardenside Neighborhood Association, Inc., for stormwater quality projects, at a cost not to exceed \$16,100. [Div. of Water Quality, Martin]
18. [0180-17](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with Free Contracting, Inc., for the Rose St. Bike Lane Project, increasing the contract price by the sum of \$27,154.42 from \$253,220.10 to \$280,374.52. [Div. of Engineering, Burton]

VII. Resolutions – First Reading

19. [0183-17](#) A Resolution accepting the bid of ZKB Service, LLC, in the amount of \$26,500, for Concrete Pad for Tornado Shelter, for the Div. of Emergency Management/911. (5 Bids, Low) [Stack]
20. [0188-17](#) A Resolution accepting the bid of OMNI Commercial, LLC, in the amount of \$109,097, for the Newtown Pike Welcome Sign Project, for the Div. of Environmental Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Omni Commercial, LLC, related to the bid. (3 Bids, Low) [Plueger]
21. [0200-17](#) A Resolution accepting the bid of Lagco, Inc., in the amount of \$88,764, for Bluegrass Regional Transfer Station Pump Station Improvements, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Lagco, Inc., related to the bid. (1 Bid) [Martin]
22. [0213-17](#) A Resolution accepting the bid of Tri-State Roofing and Sheet Metal Co., in the amount of \$207,890, for Black and Williams Center Roof Replacement and Repairs, for the Dept. of General Services. (4 Bids, Low) [Reed]
23. [0230-17](#) A Resolution ratifying the Probationary Classified Civil Service

Appointments of: Michael Thomas, Project Manager, Grade 517N, \$24.267 hourly in the Div. of Streets and Roads and Christopher Holtzclaw, Environmental Inspector, Grade 516N, \$20.640 hourly in the Div. of Water Quality, both effective March 6, 2017; ratifying the Permanent Civil Service Appointments of: Elizabeth Sebren, Program Specialist, Grade 513E, \$1,639.60 biweekly in the Div. of Water Quality, effective December 13, 2016, Eric Hobson, Security Supervisor, Grade 514N, \$21.939 hourly in the Dept. of Public Safety, effective February 24, 2017, Calvin Ball, \$19.593 hourly and Charity Russell, \$17.946 hourly, both Telecommunicator, Grade 514N, in the Div. of Emergency Management/911, effective February 22, 2017. [Div. of Human Resources, Maxwell]

24. [0231-17](#) A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Classified Civil Service Appointments: Steven Beatty, Equipment Operator, Grade 510N, \$14.578 hourly in the Div. of Water Quality, effective March 20, 2017, Glen Davis, Public Service Worker, Grade 507N, \$13.929 hourly in the Div. of Waste Management, and Serenity Wright, Accreditation Manager, Grade 521E, \$2,269.23 biweekly in the Div. of Police, both effective upon passage of Council. [Div. of Human Resources, Maxwell]
25. [0202-17](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with RRC Co., LLC, for construction services for the Waste Transfer Station Repairs Project, increasing the contract price by the sum of \$127,205.11 from \$412,302.81 to \$539,507.92. [Dept. of Environmental Quality and Public Works, Thurman]
26. [0246-17](#) A Resolution authorizing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-51, to install traffic calming devices on Richmond Ave., between Richmond Rd. and Cramer Ave. [Council Office, Maynard]
27. [0058-17](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Reeve Foundation, which Grant funds are in the amount of \$7,800 under the Quality of Life Grant Program, are for the purchase of three (3) recreational basketball wheelchairs, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the

Mayor to transfer unencumbered funds within the Grant Budget. [Div. of Parks and Recreation, Conrad]

28. [0077-17](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Professional Services Agreements with Angela Wallace, Carrie Barnett, and Susanna Moberly, as Sexual Assault Nurse Examiners, to provide on-call forensic examinations and services under the Sexual Assault Nurse Examiner Program, at a cost not to exceed \$40 for each scheduled on-call period, \$230 for each completed forensic examination, \$50 per case for professional testimony in court, and the reasonable cost of medical liability insurance. [Div. of Police, Barnard]
29. [0148-17](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Transfer of Title Agreement with Jesse Rivera and Dan Dutton, for the artwork called the "Blue Cat" and a Memorandum of Understanding with the Hope Center Recovery Program for Women, LLC, for placement and maintenance of the "Blue Cat" on the property located at 1524 Versailles Rd., Lexington, Ky., 40504. [Office of the Chief Administrative Officer, Hamilton]
30. [0177-17](#) A Resolution accepting the response of Environmental Enterprises, Inc. to RFP No. 02-2017 Hazardous Household Waste Collection Event Spring 2017, establishing a price contract with an amount not to exceed \$78,781.50 for FY 2017, and authorizing the Mayor, on behalf of the Urban County Government, to execute any additional necessary agreements with the vendor related to the RFP. [Div. of Waste Management, Thurman]
31. [0178-17](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Energy and Environment Cabinet/Div. of Waste Management, 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 \$78,784 Commonwealth of Ky. funds, are for a Hazardous Waste Recycling Event, the acceptance of which obligates the Urban County Government for the expenditure of \$19,696 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget. [Div. of Waste Management, Thurman]

32. [0179-17](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Subrecipient Agreement with Lexington Community Land Trust, for construction of up to eight (8) units of affordable housing as part of the Newtown Pike Extension Project, at a cost not to exceed \$210,833. [Div. of Grants and Special Programs, King]
33. [0181-17](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 8 to the Contract with Olympic Construction, LLC, for the Replacement Fire Station #2 Project, increasing the contract price by the sum of \$36,113.91 from \$4,645,173.92 to \$4,681,287.83, and adding ten (10) calendar days to the construction schedule. [Div. of Facilities and Fleet Management, Baradaran]
34. [0204-17](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the United States Office of Juvenile Justice and Delinquency Prevention and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$333,000 Federal funds under the 2017 Safe and Thriving Communities Planning and Collaboration Program, and are for the development of a comprehensive 5-year plan to address youth violence, for the Div. of Youth Services. [Div. of Youth Services, Hong]
35. [0220-17](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with LexArts (\$1,000), Living Arts and Science Center (\$475), Carnegie Center for Literacy & Learning (\$725) Phoenix Rising of Lexington Ky, Inc. (\$900), The Lexington Woman's Club, Inc. (\$500), Squire Oak Home Owner's Association (\$775), Seedleaf (\$2,250) and United Way of the Bluegrass (\$625) for the Office of the Urban County Council, at a cost not to exceed the sums stated. [Council Office, Maynard]

VIII. Communications From the Mayor

- [0229-17](#) (1) Recommending the term correction of Mr. William "Harry" Clarke to the Board of Adjustment, with term expiring June 30, 2018;
- (2) Recommending the appointment of Mr. Zach Miller as District 7 Representative to the Environmental Commission, with

term expiring March 2, 2021;

(3) Recommending the appointments of Ms. Elizabeth Jenson and Mr. Joe Kane, both as At-Large Members, to the Greenspace Commission, with terms expiring March 2, 2021; and

(4) Recommending the appointment of Mr. Ian Hoffman, as Fayette County Resident Representative, and Mr. Daniel Stever, as Horticulture Professional Representative, to the Tree Board, both filling unexpired terms, with terms expiring April 7, 2020.

IX. Communications From the Mayor (For Information Only)

0232-17

(1) Resignation of Merri E. Reis, Telecommunicator Sr., Grade 517N, Div. of Emergency Management/911, effective February 5, 2017;

(2) Resignation of Benjamin Krebs, Municipal Engineer Sr., Grade 525E, Div. of Water Quality, effective February 3, 2017;

(3) Resignation of Miller Owens, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective February 6, 2017;

(4) Resignation of Alex Oliver Tysver, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective February 8, 2017;

(5) Resignation of William D. Christopher, Engineering Technician, Grade 514N, Div. of Engineering, effective February 16, 2017;

(6) Resignation of Vanna Brittain, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective February 14, 2017; and

(7) Resignation of Kelly Anne Webster, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective February 13, 2017.

X. Announcements

XI. Public Comments

Adjournment