Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky February 11, 2010

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on February 11, 2010 at 7:00 P.M. Present were Mayor Newberry in the chair presiding, and the following members of the Council: Council Members Ellinger, Feigel, Gorton, Gray, Henson, James, Lane, Lawless, McChord, Stinnett, Beard, Blues and Crosbie. Absent were Council Members Martin and Myers.

The reading of the Minutes of the previous meeting was waived.

Ordinances No. 9-2010 thru 24-2010 inclusive and Resolutions No. 13-2010 thru 44-2010 inclusive were reported as having been signed and published, and were ordered to record.

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The Invocation was given by Mr. Keith Johnson, Elementary Spiritual Life Director, Lexington Christian Academy - East Campus.

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Upon motion of Mr. Blues, seconded by Ms. Crosbie, and passed by unanimous vote, the Minutes of the January 26 and 28, 2010 Council Meetings were approved.

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Upon motion of Ms. Gorton, seconded by Mr. McChord, and approved by unanimous vote, a Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Regional Bluegrass Armed Forces Community Covenant with the Bluegrass Area Development District for support of members in the Armed Forces and authorizing the Mayor and Council Members on behalf of the Urban County Government to execute the Local Armed Forces Community Covenant for Lexington-Fayette County was given first reading.

Ms. Gorton made some remarks explaining the resolution and what the Local Armed Forces Community Covenant would mean for military families.

Upon motion of Ms. Gorton, seconded by Mr. McChord, the rules were suspended by unanimous vote.

The resolution was given second reading. Upon motion of Ms. Gorton, and seconded by Mr. Beard, the resolution was approved by the following vote:

Aye: Ellinger, Feigel, Gorton, Gray, Henson,
James, Lane, Lawless, McChord, Stinnett,
Beard, Blues, Crosbie-------------------------------13

Nay: ---0

Ms. Gorton recognized Mr. Rick Curtis, Administrative Officer for the Dept of Public Safety, a former Command Sergeant Major of the U.S. Army, both active and reserve, and Mr. Lenny Stoltz, Executive Director of the Bluegrass Area Development District.

Mr. Curtis thanked the Mayor and Council for the opportunity to take part in this ceremony, and read the body of the Resolution. The Mayor and the Council signed the Covenant document.

Mr. Stoltz also thanked the Mayor and Council for their support, and explained that a regional committee would be appointed to work with local businesses in order to help the families of members of the military who have been deployed. Mr. Stoltz stated that the work of this committee would be unique, as many municipalities have similar covenants, but very few had an actual plan in place to help the families.

The Mayor thanked Ms. Gorton for her work in organizing the ceremony.

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Ms. Crosbie introduced the 2009 KHSAA Class 1A State Football Champion, Lexington Christian Academy. Ms. Crosbie read excerpts from an article about the team detailing their positive community activities, particularly in raising awareness about breast cancer in response to the cancer diagnosis of their head coach's wife.

The Mayor presented a Proclamation of congratulations to Head Coach Paul Rains. Coach Rains thanked the City of Lexington, the Mayor and the Council for the honor. He stated that he had coached the remarkable student-athletes since the 6th grade, and that he was very proud of them.

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The Mayor opened a public hearing on the Development Plan for the Red Mile Development Area.

Mr. Jeffrey Yost, Jackson Kelly, representing the Lexington Trots Breeders Association, LLC, spoke about the Red Mile Development Area Plan and their request to the Lexington-Fayette Urban County Government to participate in developing the Red Mile Development Area through Tax Increment Financing. He stated that the Plan had been filed with the Clerk of Council and the County Judge Executive, and advertised as required by law in the Lexington Herald-Leader. He introduced four firms who had been working on the project, and stated that representatives were in attendance.

Mr. Stan Harvey, Urban Collage, stated more specific details about the Development Area, and gave a presentation.

Mr. Bernard McCarthy, Harry Street, asked what specific streets were to be developed in the Development Plan, and about their connectivity with other area streets.

The Council asked questions of Mr. Harvey, and Mr. John Farris, Commonwealth Economics.

Ms. James requested that Mr. Harvey respond to Mr. McCarthy's questions.

The Council continued to ask questions of Mr. Harvey.

There be no other speakers, the Mayor declared the public hearing closed at 7:45 p.m.

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An Ordinance amending Section 22-5(2) of the Code of Ordinances creating one (1) temporary position of Administrative Officer, Grade 118E, ending four years from the effective date of passage of this Ordinance, within the Div. of Waste Management, and appropriating funds pursuant to Schedule No. 112 was given second reading.

Ms. Lawless asked for an explanation about the need for the position listed in the ordinance.

Ms. Cheryl Taylor, Commissioner of the Dept. of Environmental Quality, responded and stated why the position was needed. Ms. Taylor stated that Mr. Rich Miller was holding the position.

Ms. Lawless asked additional questions of Ms. Taylor.

Upon motion of Ms. Crosbie, and seconded by Ms. Feigel, the ordinance was approved by the following vote:

Aye: Ellinger, Feigel, Gorton, Gray, Henson
James, Lane, Lawless, McChord, Stinnett,
Beard, Blues, Crosbie--------------------------------13

Nay: ---0

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The following ordinances were given second reading. Upon motion of Ms. Crosbie, and seconded by Ms. Feigel, the ordinances were approved by the following vote:

Aye: Ellinger, Feigel, Gorton, Gray, Henson
James, Lane, Lawless, McChord, Stinnett,
Beard, Blues, Crosbie--------------------------------13

Nay: ---0

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Ky. Transportation Cabinet, for $177,350 in State funds for infrastructure improvements for the Isaac Murphy Memorial Garden, and appropriating funds pursuant to Schedule No. 109.

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. 107.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Energy and Environment Cabinet, which Grant funds are in the amount of $174,125 Federal funds, for the Wolf Run Creek Watershed Based Plan, the acceptance of which obligates the Urban County Government for the expenditure of $116,083 as a local match, appropriating funds pursuant to Schedule No. 111, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

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The following ordinances were given first reading and ordered placed on file two weeks for public inspection.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, creating one (1) position of Treatment Plant Operator - Apprentice, Grade 107N and abolishing one (1) position of Treatment Plant Operator, Grade 113N, in the Div. of Water Quality and appropriating funds pursuant to Schedule No. 113.

An Ordinance amending the title of Ordinance No. 263-2009 correcting the pay grade of the Public Service Supervisor position from Grade 114E to Grade 111N, effective retroactive to December 8, 2009.

An Ordinance amending Sections 14 and 15 of Ordinance No. 202-2006 to move two Telecommunicator - P/T, Grade 111N positions from Chapter 21 to Chapter 22 and transferring the incumbents, effective retroactive to July 6, 2006.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the U.S. Dept. of Homeland Security, which Grant funds are in the amount of $46,939 Federal funds, are for the purchase of a computer simulated full immersion training program (LEXFIT), for the Div. of Fire and Emergency Services, the acceptance of which obligates the Urban County Government for the expenditure of $11,734 as a local match, appropriating funds pursuant to Schedule No. 115, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Energy and Environment Cabinet, which Grant funds are in the amount of $3,390.69 Commonwealth of Ky. funds under the 2010 Illegal Open Dump Remediation Grant Program, are for the remediation of two dump sites, the acceptance of which obligates the Urban County Government for the expenditure of $1,130.23 as a local match, appropriating funds pursuant to Schedule No. 116, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

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. 117.

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The following resolutions were given second reading. Upon motion of Mr. Beard, and seconded by Ms. Henson, the resolutions were approved by the following vote:

Aye: Ellinger, Feigel, Gorton, Gray, Henson,
James, Lane, Lawless, McChord, Stinnett,
Beard, Blues, Crosbie--------------------------------13

Nay: ---0

A Resolution accepting the bid of ITT WWW U.S.A., establishing a price contract for submersible sewage pump and electrical motor repairs, for the Div. of Water Quality.

A Resolution accepting the bid of Central Ready Mix, establishing a price contract for Wet Mix Concrete, for the Div. of Streets, Roads and Forestry.

A Resolution accepting the bid of Harrod Concrete and Stone Co., establishing a price contract for Wet Mix Concrete - Supplemental, for the Div. of Streets, Roads and Forestry.

A Resolution accepting the bid of Mignone Communications, Inc. d/b/a Phillips Brothers Printers, establishing a price contract for printing of 2010 Fun Guide, for the Div. of Parks and Recreation.

A Resolution accepting the bid of Bluegrass International Trucks, establishing a price contract for Heavy Duty Cab and Chassis for Snow Removal Dump Trucks, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of ODB, establishing a price contract for Sweeper Brooms, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Tri-County Ford Mercury, Inc., in the amount of $97,014, for Pickup Trucks equipped with Snow Removal Equipment, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Stoltzfus Steel Mfg., establishing a price contract for Open Top Roll Recycling Containers, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bids of East Jordan Iron Works, Inc., and JR Hoe & Sons, establishing price contracts for Iron Casting, for the Div. of Water Quality.

A Resolution accepting the bids of Arrow Magnolia Int'l, Inc., Aulick Chemical Solutions, Inc., Biomagic, Inc.; Siemens Water Technologies Corp., Source Technologies, LLC, and U.S. Peroxide, LLC, establishing price contracts for Odor Removal Products for Wastewater Treatment, for the Div. of Water Quality.

A Resolution accepting the bid of People Plus, Inc., establishing a price contract for temporary labor for various divisions, 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 People Plus, Inc., related to the bid.

A Resolution accepting the bid of Nor-Com, Inc., establishing a price contract for Security Cameras and Equipment, for the Dept. of General Services.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Rural and Inner City Adopt-A-Spot Program Agreements with Christ United Methodist Church, BSA #220 ($1,304.12); Christ Centered Church, BSA #59 ($1,567.20); Immanuel Baptist Church, BSA #41 ($1,231.68); Rosemont Baptist Church, BSA #98 ($1,157.40); Beaumont Presbyterian, BSA #279 ($1,038.28); Greater Faith Apostolic Church, BSA #238 ($1,103.60); First Alliance Church ($1,265.40); Bluegrass Chapter Order of Demolay ($1,332.32); Christian Youth Fellowship ($1,942.51); Phillips Memorial Church ($2,191.56); Brown & Brown Assoc. ($772.00); Boy Scout Troop #103 ($298.85); Boy Scout Troop #13 ($1,992.32); Boy Scout Troop #186 ($273.95); Boy Scout Troop #382 ($448.27); Girl Scout Troop #336 ($636.12); and Tates Creek Presbyterian Church BS Troop 226 ($921.44); for participation in the Adopt-A-Spot Roadway Cleanup Program, at a cost not to exceed $20,000.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Rayna Ortwein, d/b/a Simply Love Studio, LLC, for space located at 128 N. Broadway St., a.k.a. The Broadway Shoppes.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two (Final) to the Contract with Spectrum Construction Services, Inc., for the Gainesway Pond and Educational Trail Project, for the Div. of Water Quality, increasing the contract price by the sum of $11,136.68 from $857,668.37 to $868,805.05.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with Garney Construction, Inc., for the North Elkhorn Force Main Project, for the Div. of Water Quality, increasing the contract price by the sum of $316,910.38 from $11,451,451.00 to $11,768,361.38.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Professional Services Agreement with Berkley Appraisal Co., for appraisal services for Citation Blvd. Phase II, for the Div. of Community Development, increasing the Professional Services Agreement price by the sum of $2,750 from $50,550 to $53,300.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Blue Grass Council of Boy Scouts of America, Inc. ($650), for the Office of the Urban County Council, at a cost not to exceed the sum stated.

A Resolution authorizing the Director of Parks and Recreation to apply for a Malt Beverage License for sale of malt beverages at Kearney Hill Links Golf Course and the Gay Brewer, Jr., Golf Course at Picadome.

A Resolution ratifying the probationary civil service appointments of: Leroy Edwards, Equipment Operator Sr., Grade 109N, $12.459 hourly, in the Div. of Waste Management, effective February 1, 2010; Jesse Lambert, Equipment Operator Sr., Grade 109N, $12.097 hourly, in the Div. of Waste Management, effective February 1, 2010; Keith Thomas, Equipment Operator Sr., Grade 109N, $16.500 hourly, in the Div. of Waste Management, effective February 1, 2010; Fred Crouch, Equipment Operator Sr., Grade 109N, $16.500 hourly, in the Div. of Waste Management, effective February 1, 2010; Anthony Morton, Equipment Operator Sr., Grade 109N, $12.581 hourly, in the Div. of Waste Management, effective February 1, 2010; Christopher Fulz, Equipment Operator Sr., Grade 109N, $12.459 hourly, in the Div. of Waste Management, effective February 1, 2010; James Stengel, Equipment Operator Sr., Grade 109N, $13.186 hourly, in the Div. of Waste Management, effective February 1, 2010; Shelia Lewis-Collins, Environmental Inspector, Grade 113N, $17.511 hourly, in the Div. of Water Quality, effective January 18, 2010; Demetria Kimball, Environmental Inspector, Grade 113N, $18.075 hourly, in the Div. of Water Quality, effective February 22, 2010; Timothy Burnett, Equipment Operator Sr., Grade 109N, $18.750 hourly, in the Div. of Waste Management, effective February 1, 2010; Joseph Higgins, Equipment Operator Sr., Grade 109N, $13.307 hourly, in the Div. of Waste

Management, effective February 1, 2010; Jonathan Covey, Equipment Operator Sr., Grade 109N, $16.500 hourly, in the Div. of Waste Management, effective February 1, 2010; Ronricus Henry, Equipment Operator Sr., Grade 109N, $18.363 hourly, in the Div. of Waste Management, effective February 1, 2010; Gordon Mitchell, Public Service Worker, Grade 106N, $15.434 hourly, in the Div. of Waste Management, effective February 1, 2010; Glen Vanzant, Public Service Worker, Grade 106N, $11.262 hourly, in the Div. of Waste Management, effective February 1, 2010; Ronald Warner, Enforcement Supervisor, Grade 113N, $19.723 hourly, in the Div. of Waste Management, effective January 18, 2010; Jada Griggs, Environmental Initiatives Specialist, Grade 115E, $1,746.56 bi-weekly, in the Div. of Environmental Policy, effective February 1, 2010; Casey Kaucher, Associate Traffic Engineer, Grade 115E, $1,700.00 bi-weekly, in the Div. of Traffic Engineering, effective December 28, 2009; Randall Rowady, Nuisance Control Officer, Grade 111N, $19.394 hourly, in the Div. of Code Enforcement, effective December 21, 2009; Dora Bryant, Administrative Specialist Sr., Grade 112N, $19.394 hourly, in the Div. of Building Inspection, effective January 18, 2010; ratifying the probationary sworn appointments of: Christopher Cox, John Walker, Patrick Goltz, Landon Berry Jr., Marion Wells III, Brian Gordon, Sean Staples, Mary Duerson, Fire Lieutenant, Grade 315N, $17.268 hourly, in the Div. of Fire and Emergency Services, effective January 4, 2010; Kenneth Henke, Gregory Lengal, Fire Lieutenant, Grade 315N, $17.268 hourly, in the Div. of Fire and Emergency Services, effective January 18, 2010; Jason Tuttle, John Gosper, Kevin Devine, Mark Harvey, Fire Captain, Grade 316N, $22.368 hourly, in the Div. of Fire and Emergency Services, effective January 4, 2010; William Norton, Fire Captain, Grade 316N, $22.368 hourly, in the Div. of Fire and Emergency Services, effective January 18, 2010; Christopher Ward, Keith Jackson, Fire Major, Grade 318E, $3,427.53 bi-weekly, in the Div. of Fire and Emergency Services, effective January 4, 2010; approving the unclassified civil service appointment of: Marquerite Criswell, Child Care Program Aide, Grade 107N, $10.691 hourly, in the Div. of Youth Services, effective January 11, 2010.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with Community Action Council of Lexington-Fayette, Bourbon, Harrison and Nicholas Counties, Inc., for modification of the scope of work and extension of the Agreement for use of HOME Investment Partnership Program funds for a tenant based rental assistance program to June 30, 2011, at no additional cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Letter of Commitment and Application to be submitted by the Downtown Lexington Corp. to the Ky. Heritage Council for continuation of the Lexington Main St. Program.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Eastern Ky. University, for space in the building located at 1306 Versailles Rd. for operation of the Bluegrass Community Health Center.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with the Ky. Chinese American Association, Inc. ($250), and Retired Professional Football Players of Ky., Inc. ($1,070), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution amending Section 2 of Resolution No. 473-2009 regarding an Agreement with Coplogic, Inc., to change the accounting line from 1101-210101-71229 to 1131-505501-71299 in an amount not to exceed $29,700.

A Resolution ratifying the probationary civil service appointment of: Thad Scott, Nuisance Control Officer, Grade 111N, $15.958 hourly, in the Div. of Code Enforcement, effective February 1, 2010.

* * *

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Dept. for Local Government and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of

$100,000 Federal funds, and are for the Jacobson Park Trail was on the docket for first reading.

The Mayor opened a public meeting on the Grant Application to the Ky. Dept. for Local Government.

There being no speakers, the Mayor declared the public meeting closed.

The resolution was given first reading.

Ms. James asked for a clarification about the rules for allowing a suspension of the rules and a second reading of the resolution. Ms. Susan Lamb, Council Clerk, responded that it was allowed.

Upon motion of Ms. Gorton, seconded by Mr. Blues, the rules were suspended by unanimous vote.

The resolution was given second reading.

Ms. Feigel asked a question about the ownership of Jacobson Park.

The Mayor responded that it would become Urban County Government property in 2011.

Ms. Feigel asked additional questions. Mr. Beard responded with more information on Jacobson Park.

Upon motion of Mr. McChord, and seconded by Ms. Crosbie, the resolution was approved by the following vote:

Aye: Ellinger, Feigel, Gorton, Gray, Henson,
James, Lane, Lawless, McChord, Stinnett,
Beard, Blues, Crosbie------------------------------13

Nay: ---0

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The following resolutions were given first reading. Upon motion of Ms. Gorton, seconded by Mr. Blues, the rules were suspended by unanimous vote.

The resolutions were given second reading. Upon motion of Mr. McChord, and seconded by Ms. Crosbie, the resolutions were approved by the following vote:

Aye: Ellinger, Feigel, Gorton, Gray, Henson,
James, Lane, Lawless, McChord, Stinnett,
Beard, Blues, Crosbie------------------------------13

Nay: ---0

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Professional Services Agreements with Sharon McCartt, Susan Noel, Carrie Barnett, Jessica Collins and Lianne McBride, as Sexual Assault Nurse Examiners, to provide on-call forensic examinations 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.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements, on behalf of the Urban County Government, awarding EcoArt Grants to Millcreek Elementary School ($4,150), Hui Chi Lee ($2,000), Lafayette High School Orchestra ($5,000), Murray Dwertman ($2,000), Providence Montessori School and John Martin ($3,440), Meadowthorpe Elementary School and Brad Clark ($4,400), Kevin Sweeney and Citizens Create ($2,000), Pat Banks and Ky. River Keepers ($5,000), Chrysalis House and Lisa Minton ($1,000), Living Arts and Sciences Center and Heather Lyons ($5,000), Robert Morgan and Institute 193 ($5,000), Blake Eames and Claudia Michler ($5,000), Erika Strecker ($5,000), Jan Durham and the Insightful Knitter ($3,545), Nanci Barnhart and Sts. Peter and Paul Regional Catholic School ($4,000), Ryan Koch and Luella Pavey ($4,956), Jodie Koch and Repairers Lexington/East 7th St. Community Center ($5,000), Thomas Leonard and Ky. Young Writers Connection ($5,000), and Bluegrass Homeschool Learning Cooperative, Inc. and Wendi Womack ($3,800), at a cost not to exceed the sums stated.

A Resolution establishing a Residential Parking Permit Program for Beaumont Ave. and the 700 block of Melrose Ave., from 9:00 a.m. to 4:00 p.m., Monday through Friday; waiving the provisions relating to the mechanics of designating residential parking permit areas adopted by Resolution No. 168-90 and amended by Resolution Nos. 450-91 and 433-2006.

A Resolution establishing a Residential Parking Permit Program for the first 300 feet of the north end of the 1200 block of Eldemere Rd., from 8:00 a.m.

to 4:00 p.m., Monday through Friday, September through April; waiving the provisions relating to the mechanics of designating residential parking permit areas adopted by Resolution No. 168-90 and amended by Resolution Nos. 450-91 and 433-2006.

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A Resolution providing that Leverage Partners, Inc., Software Information Systems, LLC and the RFP Co. shall be held on a three year retainer and engaged as needed to provide consulting services for technology solutions selection and requirements gathering was on the docket for first reading.

Ms. Lawless asked that additional information about the entities listed in the resolution be provided to her before the resolution received second reading.

The resolution was given first reading and ordered placed on file two weeks for public inspection.

* * *

The following resolutions were given first reading and ordered placed on file two weeks for public inspection.

A Resolution accepting the bids of Bowen Excavating, Claunch Construction, LLC, Environmental Resources, Inc., Gibson Timber, LLC, Solid Rock Construction Services, LLC, Superior Demolition, Inc., and ZKB Construction Services, LLC, establishing price contracts for UPC - Demolition of Residential Structures, for the Div. of Water Quality.

A Resolution accepting the bid of Worldwide Equipment, in the amount of $113,464, for Front End Loader Chassis, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Brownstown Electric Supply Co., Inc., establishing a price contract for Rain Suits for Waste Management, for the Div. of Waste Management.

A Resolution accepting the bids of Lexington Winnelson, H D Supply Waterworks and Hayes Pipe Supply, establishing price contracts for sanitary sewer repair materials, for the Div. of Water Quality.

A Resolution accepting the bids of City Electric Motor Co. and Delaney & Associates, establishing price contracts for Pump Station Parts - Wolf Run, for the Div. of Water Quality.

A Resolution accepting the bid of Bluegrass Electrical Consultants, Inc., in the amount of $62,625, for traffic signal rebuild at Nicholasville Rd. and Man O'War Blvd., for the Div. of Traffic Engineering.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the State Farm Companies Foundation and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of $1,000, and are for a Global Youth Service Grant for implementation of the "Teen Express" project, for the Div. of Youth Services.

A Resolution authorizing necessary repairs to the police helicopter by RJ Corman Aircraft Maintenance, LLC, a sole source provider, at a cost not to exceed $27,541.

A Resolution authorizing the purchase of three (3) smart speed monitoring awareness radar trailers from Kustom Signals, Inc., a sole service provider, at a cost not to exceed $38,357.25.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Mutual Aid Agreement with the University of Ky. (Emergency Transport Operating Division), for mutual aid related to ambulance services, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from Cloud Sealcoating and Stripping, Inc., of Lexington, of six Futsal soccer goals, materials and installation, for use at the Cardinal Valley Park, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Donation Agreement with Lexington History Museum, for donation of materials, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract with the Lexington Legends

Professional Baseball Club, for public education about environmental quality, at a cost not to exceed $24,000.

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, to assist in fulfilling the Urban County Government obligation to implement supplemental environmental projects for the EPA Consent Decree at a cost not to exceed $26,586.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with CDP Engineers, Inc., for contract operations services for the Blue Sky Wastewater Treatment Plant, for the Div. of Water Quality, at a cost not to exceed $69,600.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with MAC Construction, for the South Elkhorn Force Main Project, for the Div. of Water Quality, increasing the contract price by the sum of $132,408.22 from $10,994,864.00 to $11,127,272.22.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Steven Mosca, d/b/a Silver Warehouse & Boutique, for space located at 126 N. Broadway St., a/k/a The Broadway Shoppes.

A Resolution amending Sections 1 and 3 of Resolution No. 816-2009 to allow the Fayette County Attorney's Office to participate in the medical insurance plans provided by the Urban County Government until December 31, 2010.

A Resolution ratifying the probationary civil service appointments of: Shawn Copher, Equipment Operator Sr., Grade 109N, $13.912 hourly, in the Div. of Waste Management, effective February 15, 2010; Jean Walker, Computer Analyst, Grade 115N, $24.043 hourly, in the Div. of Water Quality, effective February 15, 2010; Robert Thomas, Custodial Worker, Grade 106N, $11.687 hourly, in the Div. of Facilities and Fleet Management, effective February 15, 2010; approving the unclassified civil service appointment of: Melissa Polley, Microcomputer Support Specialist, Grade 113N, $20.993 hourly, in the Div. of Police, effective February 15, 2010.

A Resolution approving and adopting the Ten Year Plan to end homelessness.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Conditions for Donation of Services and Space Agreements with the U.S. Census Bureau, for space for Census Questionnaire Assistance Centers at Black & Williams Center, Cardinal Valley Center, Senior Citizens Center, Castlewood Community Center, Gainesway Park Community Center, Central Ky. Job Center and Third St. Fire Station.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Agreement with Fayette County Board of Education, for the use of Sandersville, Meadowthorpe and Booker T. Washington school gyms, at no cost to the Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Federal Medical Center, for mutual aid in emergencies, at no cost to the Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Georgetown Police Dept., for mutual aid, at no cost to the Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with Metaformers, Inc., for the performance of additional services related to the Peoplesoft Systems and as provided in the Statement of Work, effective December 15, 2009, at an additional cost not to exceed $399,700.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Walnut Creek Home Owners Association, Inc. ($1,000), First Bracktown, Inc. ($1,050), Independence Place, Inc. ($100), Center for Women, Children and Families ($300), and Bluegrass Trust for Historical Preservation ($250), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Behavioral Medicine Network, Inc., for the Employee Assistance Program Services, at a cost not to exceed $43,218.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Seniors Plan Master Contract with Anthem Health Plans of Ky., Inc., for the Police and Firefighters Senior Plan, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the FY10 Purchase of Service Agreement with Bluegrass Sports Commission, Inc., formerly known as Lexington Area Sports Authority, for services related to the Bluegrass State Games, at a cost not to exceed $13,500, effective retroactive to July 1, 2009.

A Resolution authorizing and directing the Commissioner of Public Works and Development, on behalf of the Urban County Government, to execute all Performance Agreements with non-governmental agencies and entities represented on the Land Subdivision Technical Committee, at no cost to the Urban County Government.

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Upon motion of Mr. Lane, seconded by Ms. Gorton, and passed by unanimous vote, the Communications from the Mayor were approved and are as follows: (1) Recommending the appointment of Mr. Roy N. Booker, as Resident representative, to the Black and Williams Neighborhood Community Center Board, with a term to expire 1-1-2014; (2) Recommending the appointments of Ms. Christina Briggs and Ms. Meghan Mando to the Bluegrass Crimestoppers Board, with terms to expire 3-21-2014. Also, recommending the reappointments of Ms. Dottie Carter, Ms. Sherry Cutshaw, Mr. Edward Fuller, Mr. John Wagner, and Mr. Joseph M. Wilson to the Bluegrass Crimestoppers Board, with terms to expire 3-21-2014; (3) Recommending the reappointment of Mr. Larry R. Rhodes to the Environmental Commission, with a term to expire 10-1-2013; (4) Recommending the appointment of Ms. Amanda Plakosh-Angeles to the Environmental Hearing Commission, with a term to expire 6-1-2011; (5)

Recommending the appointments of Mr. Michael L. Ades, Ms. Pamela M. Duncan, and Mr. Douglas Vowels to the Human Rights Commission, with terms to expire 1-14-2014. The terms of Mr. Luis Sanchez, Ms. Gwendolyn Godfrey and Ms. Jenny Sutton-Amr have expired; (6) Recommending the reappointment of Mr. Ed Holmes, as Lexington Industrial Foundation representative, to the Industrial Revenue Bond Review Commission, with a term to expire 3-5-2013; (7) Recommending the appointments of Ms. Rhonda S. Beck, Ms. Debbie Goodman, Ms. Nancy Hoffman, Mr. Matthew A. Holt, and Ms. Lynda M. Thomas to the Library Board of Advisors, with terms to expire 1-1-2014. The terms of Ms. Joyce Hahn, Ms. Candy Zaluski, Mr. David Fleenor, Mr. Jeremy Horton and Mr. William Wilson have expired; (8) Recommending the appointment of Ms. Janet S. Cabaniss, as Fayette County Neighborhood Council representative, to the Masterson Station Park Advisory Board, with a term to expire 5-1-2010; (9) Recommending the appointment of Mr. Michael L. Crain, as 11th District representative, to the Parks and Recreation Advisory Board, with a term to expire 1-14-2012. Also, recommending the reappointment of Mr. Louis Proctor, as 8th District representative, to the Parks and Recreation Advisory Board, with a term to expire 1-14-2014; (10) Recommending the reappointment of Mr. W. John Baggerman, as Trails representative, to the Raven Run Nature Sanctuary Advisory Board, with a term to expire 1-13-2014. Also, recommending the reappointment of Ms. Phyllis R. Hasbrouck, as Bluegrass Tomorrow representative, to the Raven Run Nature Sanctuary Advisory Board, with a term to expire 1-13-2014. Ms. Hasbrouck will fill the expired term of Ms. Mary Friesen; (11) Recommending the appointment of Ms. Helen Alexander, as Ky. Thoroughbred Association representative, to the Rural Land Management Board, with a term to expire 4-1-2012. Ms. Alexander will fill the unexpired term of Mr. Don Robinson; and (12) Recommending the appointments of Ms. Penny Ebel, as LFUCG Administration representative, and Mr. John W. Hampton, as Neighborhood representative, to the Town and Gown Commission, with terms to expire 2-1-2013. Also, recommending the appointment of Judge David Hayse, as Neighborhood representative, to the Town and Gown Commission, with a term to expire 2-1-2014.

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Mr. Bernard McCarthy, Harry Street, requested that maps and exhibits be made available in the future when public meetings or hearings were held.

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Mr. McChord announced that on Monday, February 15, 2010, at 6:00 p.m., the dedication of the Firefighters' Memorial in Phoenix Park would take place, with a reception afterwards at the Lexington Public Library.

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Ms. Lawless made a motion, seconded by Ms. Gorton, and approved by unanimous vote to go into closed session pursuant to KRS 61.810 (1)(c) for the purpose of discussing pending and proposed litigation.

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Upon motion of Mr. Blues, seconded by Ms. Gorton, and approved by unanimous vote, the Council returned to open session at 9:02 p.m. with the same members present.

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Upon motion of Ms. Crosbie, seconded by Ms. Gorton, and approved by unanimous vote, the meeting adjourned at 9:03 p.m.

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Clerk of the Urban County Council