Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky   May 27, 2010

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on May 27, 2010 at 7:00 P.M. Present were Mayor Newberry in the chair presiding, and the following members of the Council: Council Members Stinnett, Beard, Blues, Crosbie, Ellinger, Feigel, Gorton, Gray, Henson, Lane, Lawless, Martin, McChord, and Myers. Absent was Council Member James.

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

Ordinances No. 73-2010 thru 86-2010 inclusive and Resolutions No. 220-2010 thru 256-2010 inclusive were reported as having been signed and published, and were ordered to record.

Vice-Mayor Gray called the meeting to order in the absence of Mayor Newberry.

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The Invocation was given by Mr. Anthony Wright, Director of Economic Development.

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The Mayor resumed the chair of the meeting from Vice-Mayor Gray at 7: p.m.

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An Ordinance of the Lexington-Fayette Urban County Council relating to (I) the refunding of (A) the $4,000,000 Lexington-Fayette Urban County Government Adjustable Rate Industrial Building Revenue Bonds, Series 2000 (Roman Catholic Diocese of Lexington Project); (II) the financing of the acquisition, construction, equipping and installation of five new buildings on the Lexington Catholic High School Campus aggregating 7,127 square feet which will consist of storage facilities, restrooms and a press box; capital maintenance and repair to school facilities; and resurfacing and renovation of 3.4 acres of athletic fields and (III) the payment of costs of issuance (the "Project"); agreeing to undertake the issuance of Lexington-Fayette Urban County Refunding Revenue Notes in two series, in an aggregate amount not to exceed $5,100,000 (the "Notes")(IV) approving and authorizing the execution and delivery of (A) a loan agreement among the Lexington-Fayette Urban County Government, Roman Catholic Diocese of Lexington and PNC Bank, National Association (B) the Notes, and (C) any and all other related documents; and (V) authorizing the taking of other related action was on the docket for second reading with a public hearing being held.

The Mayor opened the public hearing.

There being no one to speak, the Mayor closed the public hearing.

The ordinance was given second reading. Upon motion of Mr. Martin, and seconded by Mr. Ellinger, the ordinance was approved by the following vote:

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

Nay: ---0
(Ms. Crosbie was absent when the vote was taken.)

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An Ordinance authorizing the issuance of up to $7,450,000 of Educational Building Revenue Refunding and Improvement Bonds, Series 2010 (Sayre College, Inc. Project) of the Lexington-Fayette Urban County Government, the proceeds of which shall be loaned to Sayre College, Inc. d/b/a Sayre School to finance the cost of refunding the Lexington-Fayette Urban County Government Variable Rate Educational Facilities Revenue Bonds (Sayre School), Series 2001, including penalties and/or premium, the proceeds of which were used to construct, install, renovate and equip certain capital improvements to the facilities of Sayre College, Inc. d/b/a Sayre School, located at 240 N. Limestone, Lexington, Ky., providing for the pledge of revenues for the payment of such Bonds, authorizing a Bond Purchase Agreement and a Loan Agreement appropriate for the protection and disposition of such revenues and to further secure such Bonds; recognizing the Bonds as qualified tax exempt obligations under I.R.C. § 265(b)(3)(G) (i) and (ii); and authorizing other actions in connection with the issuance of such Bonds was on the docket for second reading with a public hearing being held.

The Mayor opened the public hearing.

There being no one to speak, the Mayor closed the public hearing.

The ordinance was given second reading. Upon motion of Mr. Martin, and seconded by Mr. Ellinger, the ordinance was approved by the following vote:

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

Nay: ---0
(Ms. Crosbie was absent when the vote was taken.)

* * *

The following ordinances were given second reading. Upon motion of Mr. Martin, and seconded by Mr. Ellinger, the ordinances were approved by the following vote:

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

Nay: --0
(Ms. Crosbie was absent when the vote was taken.)

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 $1,550 from Neighborhood Development Funds for the Senior Intern Program, and appropriating and re-appropriating funds, Schedule No. 139.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the National Police Athletic League, 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 $8,000 Federal funds, are for continuation of the Police Athletic League Youth Enrichment Program (PALYEP), the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 140, 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. Div. of Forestry, which Grant funds are in the amount of $3,153 Federal funds, are for two Forestry employees to attend the 2010 International Society of Arboriculture Conference and Trade Show, the acceptance of which obligates the Urban County Government for the expenditure of $3,153 as a local match, appropriating funds pursuant to Schedule No. 141, 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. Transportation Cabinet, which Grant funds are in the amount of $365,000 Federal funds, are for the Illuminated Street Name Signs Project, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 142, 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. 143.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Commission on Fire Protection, Personnel, Standards and Education, which Grant funds are in the amount of $1,976,715 Commonwealth of Ky. funds, are for training incentive funds for firefighters, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2011 Schedule No. 12, 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. Justice and Public Safety Cabinet, which Grant funds are in the amount of $2,063,763 Commonwealth of Ky. funds, are for police training incentive funds, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2011 Schedule No. 13, 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 Article 1 of the Zoning Ordinance to modify the definitions of "boarding house," "lodging house," "family," "Dwelling, Single Family," and "Dwelling, Two-Family;" to add definitions of "functional family" and "fraternity or sorority house;" to add a new section to Article 7 pertaining to the process before the Board of Adjustment to obtain a conditional use permit as a functional family; and to amend Article 8-5(c) to eliminate the keeping of boarders as an acceptable accessory use.

An Ordinance authorizing the Div. of Revenue to implement a one-time Occupational License Fee Amnesty Program waiving penalties and interest for delinquent occupational license fees owed by applicants to the Program who have failed to file returns and/or pay occupational license fees which are delinquent as of June 1, 2010, and who voluntarily file returns and remit full payment or pay twenty-five percent (25%) of the delinquency and enter into acceptable Agreements to pay all delinquent taxes, said Program to run from the date of passage of this Ordinance through July 30, 2010.

An Ordinance amending Subsection 17-29(4) of the Code of Ordinances, Lexington-Fayette Urban County Government, pertaining to the definition of outdoor café, to allow for outdoor cafés to be located in B-1 zones.

An Ordinance authorizing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Fireman's Fund Insurance Co., 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 $5,000, are for purchase of an all-terrain EMS transport vehicle, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 144.

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. 145.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a modification to Neighborhood Stabilization Program Funding Agreement with the Ky. Dept. for Local Government, for expanded use of the funds for redevelopment of vacant and abandoned properties and decreasing the amount of funding to $1,000,000, and appropriating funds pursuant to Schedule No. 146.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $2,520 from Neighborhood Development Funds in the Div. of Parks and Recreation for installation of park benches in Kirklevington and

Meadowbrook Parks, and appropriating and re-appropriating funds, Schedule No. 147.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $200 from Neighborhood Development Funds in the Div. of Parks and Recreation for removal of a park bench, and appropriating and re-appropriating funds, Schedule No. 148.

An Ordinance repealing Chapter Two, Article XXII, Section 2-284 through 2-287, of the Code of Ordinances to abolish the One Parent One Family Facility Corporation.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, transferring one (1) position of GIS Programmer/Analyst, Grade 117E and one (1) position of GIS Specialist from the Div. of Computer Services to the Div. of Emergency Management/911 and transferring the incumbents.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, transferring one (1) position of Custodial Worker, Grade 102N, from the Dept. of Social Services to the Div. of Facilities and Fleet Management, transferring one (1) position of Custodial Worker, Grade 102N and one (1) position of Program Coordinator, Grade 109N, from the Div. of Family Services to the Div. of Facilities and Fleet Management, and amending Section 22-5(2) of the Code of Ordinances transferring one (1) position of Custodial Worker, Grade 102N, and one (1) position of Custodial Worker P/T, Grade 102N, from the Div. of Adult Services to the Div. of Facilities and Fleet Management and transferring three (3) positions of Custodial Worker P/T, Grade 102N, from the Div. of Family Services to the Div. of Facilities and Fleet Management, and transferring the incumbents.

An Ordinance amending Section 3 of Ordinance No. 202-2006 to remove the deletion of the Communications Officer - P/T position from Chapter 21, effective retroactive to July 6, 2006.

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A Resolution changing the street name and property address number of 560 Wilson Downing Rd. to 3824 Camelot Dr., of 2580 Spurr Rd. to 2440 Innovation Dr., of 337-339 Richmond Ave. to 948 National Ave., and of 269

Ellerslie Park Blvd. to 460 Weston Park; changing the property address numbers of 118-136 and 165-173 N. Ashland Ave. to 124 and 163 N. Ashland Ave., of 112 Ashton Dr. to 114 Ashton Dr., of 4940 Athens Boonesboro Rd. to 4980 Athens Boonesboro Rd., of 112-114 Brown Ave. to 112 Brown Ave., of 2218-2222 Coburn Blvd. to 2222 Coburn Blvd., of 942-944 Dayton Ave. to 944 Dayton Ave., of 1415-1421 and 960-974 Delaware Ave. to 1421 and 968 Delaware Ave., of 110 N. Eagle Creek Dr. to 120 N. Eagle Creek Dr., of 449-453 Glen Arvin Ave. to 453 Glen Arvin Ave., of 160-162 N. Hanover Ave. to 162 N. Hanover Ave., of 1795 and 929-935 Liberty Rd. to 1793 and 933 Liberty Rd., of 393-395 S. Limestone to 395 S. Limestone, of 340-345 Longview Plaza to 352 Longview Plaza, of 229 Miller St. to 227 Miller St., of 909 National Ave. to 905 National Ave., of 1460 E. New Circle Rd. to 1450 E. New Circle Rd., of 809 and 807 Oak Hill Dr. to 807 and 809 Oak Hill Dr., of 138-140 Owsley Ave. to 138 Owsley Ave., of 681 and 691 Reno Dr. to 68 and 69 Reno Dr., of 189-191 Richmond Ave. to 191 Richmond Ave., of 236-238 Sherman Ave. to 238 Sherman Ave., of 2013 St. Michael Dr. to 2015 St. Michael Dr., of 105-111, 199-201, and 228 Walton Ave. to 107, 201, and 226 Walton Ave., and of 610-622 Winchester Rd. to 610 Winchester Rd.; all effective thirty days from passage was given second reading.

Ms. Lawless asked a question about several of the addresses included in the resolution. The Mayor asked if Ms. Lawless had a chance to speak with Mr. Mike Webb, Commissioner, Dept. of Public Works and Development, about the addresses. She stated that she had not but would like to have the chance to speak with him.

Upon motion of Ms. Lawless, seconded by Mr. Lane, the resolution was tabled by a majority vote of 12-1 (Ms. Crosbie was absent when the vote was taken and Mr. Blues voted **no**.)

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A Resolution approving the granting of an inducement to Tiffany and Co. Jewelers, Inc., pursuant to the Ky. Business Investment Act created by House Bill 3 of the 2009 Extraordinary Legislative Session, whereby Lexington-Fayette Urban County Government agrees to forego the collection of the one percent (1%) of the occupational license fees that would otherwise be due to it, which shall be retained by Tiffany and Co. Jewelers, Inc., for a term of not longer than ten (10) years from the activation date established by the Ky. Business Investment Program, subject to the limitations contained in the Ky. Business Investment Act, and any Agreement Tiffany and Co. Jewelers, Inc., has with the Ky. Economic Development Finance Authority related to the project; and taking other related action was given second reading.

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

Aye: Stinnett, Beard, Blues, Ellinger, Feigel,
Gorton, Henson, Lane, Lawless, Martin,
McChord, Myers-------------------------------------12

Nay: --0
(Ms. Crosbie was absent and Mr. Gray recused himself when the vote was taken.)

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

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

Nay: --0
(Ms. Crosbie was absent when the vote was taken.)

A Resolution accepting the bid of Flav-O Rich Dairies, LLC, establishing a price contract for dairy products, for the Div. of Family Services.

A Resolution accepting the bid of Speedway SuperAmerica, LLC, establishing a price contract for commercial fuel, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bids of Agrium Advanced Technologies; Advanced Turf Solutions, Inc.; Regal Chemical Co.; Harrell's, LLC; The Hill Co.; and John Deere Landscapes, establishing price contracts for Golf Course Horticulture Products, for the Div. of Parks and Recreation.

A Resolution approving the granting of an inducement to U.S. Equestrian Federation, Inc., pursuant to the Ky. Business Investment Act created by House Bill 3 of the 2009 Extraordinary Legislative Session, whereby Lexington-Fayette

Urban County Government agrees to forego the collection of the one percent (1%) of the occupational license fees that would otherwise be due to it, which shall be retained by U.S. Equestrian Federation, Inc., for a term of not longer than ten (10) years from the activation date established by the Ky. Business Investment Program, subject to the limitations contained in the Ky. Business Investment Act, and any agreement U.S. Equestrian Federation, Inc., has with the Ky. Economic Development Finance Authority related to the project; and taking other related action.

A Resolution approving the granting of an inducement to Summit Biosciences, Inc., pursuant to the Ky. Business Investment Act created by House Bill 3 of the 2009 Extraordinary Legislative Session, whereby Lexington-Fayette Urban County Government agrees to forego the collection of the one percent (1%) of the occupational license fees that would otherwise be due to it, which shall be retained by Summit Biosciences, Inc., for a term of not longer than ten (10) years from the activation date established by the Ky. Business Investment Program, subject to the limitations contained in the Ky. Business Investment Act, and any agreement Summit Biosciences, Inc., has with the Ky. Economic Development Finance Authority related to the project; and taking other related action.

A Resolution approving the granting of an inducement to SIS Holding Co., Inc., pursuant to the Ky. Business Investment Act created by House Bill 3 of the 2009 Extraordinary Legislative Session, whereby Lexington-Fayette Urban County Government agrees to forego the collection of the one percent (1%) of the occupational license fees that would otherwise be due to it, which shall be retained by SIS Holding Co., Inc., for a term of not longer than ten (10) years from the activation date established by the Ky. Business Investment Program, subject to the limitations contained in the Ky. Business Investment Act, and any agreement SIS Holding Co., Inc., has with the Ky. Economic Development Finance Authority related to the project; and taking other related actions.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Agreement with ICMA Retirement

Corp., ending the payroll deduction option for loan repayments and providing for online loan requests and ACH debit repayments.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 5 to the Contract with Strand Associates, Inc., for design of the Legacy Trail increasing the contract price by the sum of $40,000 from $1,318,100 to $1,358,100.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Lexington Public Library, to attach communication equipment to Library facilities.

A Resolution authorizing 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 $707.75.

A Resolution authorizing 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 Millcreek Elementary School Gym, at a cost not to exceed $3,398.13.

A Resolution ratifying the probationary civil service appointment of: Michael LeMaster, Enforcement Officer, Grade 110N, $15.213 hourly, in the Div. of Waste Management, effective April 24, 2010; ratifying the permanent civil service appointments of: Tracey Thurman, Administrative Officer, Grade 118E, in the Dept. of General Services, effective April 6, 2010; David B. Stone, Administrative Officer Sr., Grade 120E, in the Dept. of Environmental Quality, effective December 18, 2009.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with Bluegrass Electrical Consultants, Inc., for traffic signal rebuild at Nicholasville Rd. and Man O' War Blvd., for the Div. of Traffic Engineering, increasing the contract price by the sum of $8,552.77 from $62,625.00 to $71,177.77.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with G & G

Paving, for Coolavin Parking Lot, increasing the contract price by the sum of $9,599 from $18,900 to $28,499.

A Resolution accepting the proposal of Gila Corp. d/b/a Municipal Services Bureau, to provide collection services related to delinquent fees, fines, or taxes, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Municipal Services Bureau, for performance of such services, at a cost based upon contingency fees on amounts collected pursuant to the Agreement at a maximum rate not to exceed thirty-eight percent (38%).

A Resolution accepting the proposal of Hedgehog, Inc., to provide reverse auction services, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Hedgehog, Inc., for performance of such services, at no direct cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Agreement with Ruby E. Bailey Family Services Center, Inc., for facility use for the Police Athletics League, C.L.E.A.R. Unit and Div. of Youth Services, at a cost not to exceed $2,137 for phone and cable installation.

A Resolution approving the FY 2011 Budget of the Transit Authority of the Lexington-Fayette Urban County Government (LexTran) pursuant to KRS 96A.360 and requesting that the Commissioner of Finance authorize the Fayette County Sheriff's Office to disburse the funds to LexTran collected from the ad valorem tax approved by voters on November 9, 2004.

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The following resolutions were given first reading. Upon motion of Mr. Lane, seconded by Ms. Lawless, the rules were suspended by majority vote (Ms. Crosbie was absent when the vote was taken.)

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

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

Nay: ---0
(Ms. Crosbie was absent when the vote was taken.)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Transportation Cabinet, providing additional Federal funds in the amount of $54,000 for the Air Quality Planning Project, which obligates the Urban County Government for the expenditure of $13,500 as a local match, and $102,000 for the Mobility Coordination Project, which obligates the Urban County Government for the expenditure of $25,500 as a local match, and extending the projects through June 30, 2011.

A Resolution accepting the proposal of Group CJ to provide marketing services related to the collection of occupational license fees, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Group CJ for performance of such services, at a cost not to exceed $70,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Green Quest Energy Awareness Sponsor License Agreement with Energy Cap, Inc., for an Energy Awareness website under the Energy Efficiency and Conservation Block Grant, at a cost not to exceed $8,100.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the Ky. Justice and Public Safety Cabinet, Dept. of Criminal Justice Training, for extension of the Cold Case Resolution Project through December 31, 2010, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Office of Homeland Security and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of $18,000 Federal funds, and are for the purchase of structural collapse rescue equipment, for the Div. of Fire and Emergency Services.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Amendments to two (2) Agreements with the Ky. Transportation Cabinet for ITS/CMS (Intelligent Transportation System/Congestion Management System) Traffic Improvements Projects, extending the performance periods for the Agreements to June 30, 2011, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Radcliffe-Marlboro Neighborhood Association ($300), Joyland Neighborhood Association, Inc. ($300), Clemens Heights/Clemens Grove Neighborhood Association, Inc. ($400), Bluegrass Community Foundation, Inc. ($2,785), Northern Cal Ripken, Inc. ($500), Kennedy Landing Homeowners Association, Inc. ($1,000), Lexington Citizen Police Academy Alumni Association, Inc. ($500), Bryan Station High School PTSA, Inc. ($250), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution authorizing the Div. of Human Resources to internally advertise for all vacant positions from the date of passage of this Resolution through June 30, 2010 and authorizing the Div. of Human Resources to advertise externally if a qualified internal applicant pool does not exist within the first week of any internal advertisement.

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

A Resolution accepting the bids of West Publishing Corp. d/b/a West, A Thompson Reuters Business, and Matthew Bender & Co., Inc., d/b/a LexisNexis establishing price contracts for Law Publications, for the Div. of Community Corrections.

A Resolution accepting the bid of Hutton Comms., Inc., establishing a price contract for Mobile Antennas, for the Div. of Police.

A Resolution accepting the bid of Precision Painting, in the amount of $47,445, for exterior painting of the Phoenix Building, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of the Marr Co., Inc., in the amount of $77,090, for Garage Repairs - Annex and Transit Center, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Municipal Equipment, Inc., in the amount of $250,954, for 2011 International 4300 Series Cab & Chassis with 11 yard Rear Loading Refuse Body, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Paul Miller Ford, in the amount of $121,552.40, for F550 Trucks, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Municipal Equipment, Inc., in the amount of $79,611, for Front Loading Refuse Body, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bids of Tom Chesnut Excavation & Construction, LLC; Jason Tate Contractor, Inc.; ASL Excavating, Inc.; Gooch Construction, Inc.; Sensabaugh Design & Construction; L-M Asphalt Partners LTD d/b/a ATS Construction; Lenco Excavation Co., Inc.; Randle-Davies Construction Co.; The Allen Co., Inc.; Bluegrass Contracting Corp.; and Woodall Construction, establishing Construction Unit Price Contracts, for the Div. of Engineering.

A Resolution ratifying the probationary civil service appointments of: Brandon Hall, Maintenance Mechanic, Grade 113N, $17.788 hourly, in the Div. of Water Quality, effective June 1, 2010; Theodore Prince, Maintenance Mechanic, Grade 113N, $17.788 hourly, in the Div. of Water Quality, effective June 1, 2010; Rick Bowman, Engineering Technician Sr., Grade 113E, $1,722.56 bi-weekly, in the Div. of Water Quality, effective June 1, 2010; David Smith, Engineering Technician, Grade 111N, $17.309 hourly, in the Div. of Water Quality, effective May 24, 2010; ratifying the permanent civil service appointments of: Joyce Thomas, Administrative Officer Sr., Grade 120E, in the Dept. of General Services, effective April 26, 2010; Jamshid Baradaran, Director of Facilities & Fleet Management, Grade 123E, in the Div. of Facilities & Fleet Management, effective March 1, 2010; David Loney, Deputy Director of Fleet, Grade 120E, in the Div. of Facilities & Fleet Management, effective March 1, 2010; Bernard

Turpin, Deputy Director of Building Maintenance, Grade 121E, in the Div. of Facilities & Fleet Management, effective March 15, 2010; Dustin Baker, GIS Specialist, Grade 114N, in the Div. of Computer Services, effective May 10, 2010; Shainey McFarland, Social Worker, Grade 111E, in the Div. of Youth Services, effective March 28, 2010; Charles Napier, Security Officer, Grade 106N, in the Div. of Facilities & Fleet Management, effective March 29, 2010; Jayson Barker, Administrative Specialist, Grade 110N, in the Div. of Waste Management, effective May 9, 2010; ratifying the probationary sworn appointments of: Michael Runnels, Fire Major, Grade 318E, $3,427.53 bi-weekly, in the Div. of Fire and Emergency Services, effective May 3, 2010; Michael Garber, Fire Captain, Grade 316N, $22.368 hourly, in the Div. of Fire and Emergency Services, effective May 3, 2010; David Johnston, Fire Lieutenant, Grade 315N, $17.268 hourly, in the Div. of Fire and Emergency Services, effective May 3, 2010; approving Council leave: Norma Brack, Staff Assistant Sr., Grade 108N, in the Div. of Revenue, requests sixty days Council approved leave without pay from March 29, 2010 through May 27, 2010; approving the unclassified civil service appointments of: Hilori Morgan, Administrative Specialist Principal, Grade 114E, $1,749.60 bi-weekly, in the Div. of Water Quality, effective April 12, 2010; Larry Cox, Landfill Inspector P/T, Grade 108N, $12.50 hourly, in the Div. of Waste Management, effective June 1, 2010.

A Resolution accepting the Mayor's proposed increase for fees at golf courses, and not approving the Mayor's proposed increase for fees at swimming pools.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation from the Ky. Horse Park of meeting rooms, for use by Public Safety for WEG Training Courses, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Adopt-A-Spot Program Agreement with Greater Faith Apostolic Church Troop 238, for services, at a cost not to exceed $522.98.

A Resolution authorizing the Lexington-Fayette Urban County Government Historic Preservation Commission to solicit and accept donations, up to $25,000, for the restoration of the historic street clock located in front of the property at 115 W. Main St.

A Resolution approving the granting of an inducement to HFL Sport Science, Inc., pursuant to the Ky. Business Investment Act created by House Bill 3 of the 2009 Extraordinary Legislative Session, whereby Lexington-Fayette Urban County Government agrees to forego the collection of the one percent (1%) of the occupational license fees that would otherwise be due to it, which shall be retained by HFL Sport Science, Inc., for a term of not longer than ten (10) years from the activation date established by the Ky. Business Investment Program, subject to the limitations contained in the Ky. Business Investment Act, and any Agreement HFL Sport Science, Inc., has with the Ky. Economic Development Finance Authority related to the Project; and taking other related action.

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 permanent and temporary construction easements from Clive and Elisabeth Pohl, for the property located at 813 Sherwood Dr., for the Sherwood Dr./Robin Rd. Stormwater Improvement Project, and authorizing payment in the amount of $22,350, plus usual and appropriate closing costs.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration, and any other documents necessary, and to accept a Deed for the property located at 1457 Huntsville Dr., for the Dixie Pump Station Upgrade Project, and authorizing payment in the amount of $97,000, plus usual and appropriate closing costs.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and other necessary documents, to acquire property interests needed for the Expansion Area 2A Pumping Station and Force Main Project, at a cost not to exceed $540,945.29.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with the University of Ky. and UK Arboretum, for water quality workshops, at a cost not to exceed $50,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Professional Services Agreements with Rosemary Dailey and Susanna Moberly, as Sexual Assault Nurse Examiners, to provide on-call forensic examinations under the Sexual Assault Nurse Examiner Program, at a cost not to exceed $40.00 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.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Catering Sales Agreement with the Lexington Downtown Hotel & Conference Center, for catering services for the Senior Intern Luncheon, at a cost not to exceed $4,200.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Three to the Contract with Schaefer Properties, for the Coolavin Community Building, increasing the contract price by the sum of $3,361.00 from $371,169.44 to $374,530.44.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with Spectrum Contracting Services, Inc., for the Castlewood Picnic Shelter, decreasing the contract price by the sum of $1,485.72 from $129,444.00 to $127,958.28.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with BCD, Inc., for the Raven Run Visitors Center, increasing the contract price by the sum of $36,199.12 from $1,723,013.00 to $1,759,212.12.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to hire Risk Management Services Corp. for third party claims administration services for liability and workers’ compensation claims, at a cost not to exceed $199,200 FY2011, subject to sufficient funds being appropriated in following years.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement, releasing a portion of a sanitary and storm sewer easement on property located at 137 Owsley Ave.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with Claunch Construction, LLC, for the Shillito Park Paved Trail, increasing the contract price by the sum of $7,958 from $951,604 to $959,562.

A Resolution approving and authorizing an Assistance Agreement between the Lexington-Fayette Urban County Government and the Ky. Infrastructure Authority to provide $17,208,000 of Loan funds for Wastewater System improvements.

A Resolution authorizing the purchase of a scale management system from Mettler-Toledo, Inc. and authorizing the Mayor, on behalf of the Urban County Government, to execute a Contract with Mettler-Toledo, Inc. and all related documents, for the Div. of Waste Management, at a cost not to exceed $130,507.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Amendment No. 3 to the Contract with Tetra Tech, Inc., for the Sugar Mill Hazard Mitigation Grant Project, increasing the contract price by the sum of $31,250 from $531,953 to $563,203.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with CDP Engineers, Inc., for the Deep Springs Pump Station and Force Main Improvements, at a cost not to exceed $109,575.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Environmental Services Agreement with Shield Environmental Associates, Inc., for Environmental Consulting Services for the Div. of Facilities & Fleet Management, the cost to be reimbursed by the Ky. Petroleum Storage Tank Environmental Assurance Fund.

A Resolution amending Sections 1 and 2 of Resolution No. 235-2010, which authorized the Mayor, on behalf of the Urban County Government, to execute Agreements with various organizations to delete the allocation to LexLinc ($200).

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two to the Contract with Schroeder Construction, Inc., for the Cadentown/Versailles Rd. Sanitary Sewer Improvements Project, decreasing the contract price by the sum of $31,956 from $816,457.24 to $784,501.24.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an upgrade of the Document Management System Agreement with Hyland Enterprise Content Management System, to upgrade the document management system from LibertyNet to OnBase, at a cost not to exceed $46,884.75 in FY 2011 and being subject to funds being appropriated in future years.

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Upon motion of Ms. Gorton, seconded by Mr. Beard, and passed by majority vote (Ms. Crosbie was absent when the vote was taken), the Communications from the Mayor were approved and are as follows: (1) Recommending the reappointments of Dr. Patricia V. Burkhart and Dr. Nat H. Sandler to the Board of Health, with terms to expire 6-30-2012; (2) Recommending the reappointment of Ms. Karla R. Groves to CASA, with a term to expire 6-11-2012; (3) Recommending the appointments of Lt. Scott Blakely, as Div. of Police representative, Ms. Patricia J. Knight, as tourism industry representative, Ms. Amy L. Sohner, as Bluegrass PRIDE representative, Ms. Frances F. Taylor, as equine community representative, and Mr. Mark H. York, as Dept. of Environmental Quality representative, to the Keep Lexington Beautiful Commission, with terms to expire 2-1-2012. Also, recommending the appointments of Ms. Angela P. Dossett, educational institution representative, Mr. Clinton T. Graham, as neighborhood association representative, Councilmember Peggy Henson, as Councilmember representative, and Mr. David Jarvis, as Div. of Code Enforcement representative, to the Keep Lexington

Beautiful Commission, with terms to expire 2-1-2014; (4) Recommending the reappointments of Mr. Greg Padgett, as HBAL representative, and Mr. Thomas J. Thornbury, as Ky. Thoroughbred Association representative, to the Rural Land Management Board, with terms to expire 4-1-2014; and (5) Recommending the reappointments of Ms. Penny Ebel and Mr. Leo McMillen to the Special Events Commission, with terms to expire 6-1-2014.

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The following Communications from the Mayor were received for information only: (1) Resignation of Scott Vogt, Internal Auditor, Grade 118E, in the Div. of Internal Audit, effective April 23, 2010; (2) Resignation of Tanya Newcomb, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective April 9, 2010; (3) Resignation of James Begley, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective April 26, 2010; (4) Resignation of Allison Webster, Aide to Council, in the Council Office, effective April 30, 2010; (5) Transfer of Angelia Dixon, Administrative Specialist Sr., Grade 112N, from the Dept. of Law to the Div. of Streets, Roads and Forestry, effective April 15, 2010; and (6) Transfer of Janet Lair, Staff Assistant Sr., Grade 108N, from the Div. of Risk Management to the Div. of Code Enforcement, effective June 1, 2010.

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Ms. Gorton recognized Ms. Melynda Milburn-Jamison for her service to the government, and wished her well in her future endeavors. She summarized some of Ms. Milburn-Jamison's accomplishments over the years.

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Mr. Myers requested time to make a report on the Social Services and Finance Links Committee meeting which had been held on the afternoon of May 27, 2010. Mr. Stinnett stated that it would be more appropriate to make the report at the next Committee of the Whole meeting. The Mayor stated that he would not have a problem with Mr. Myers making a short report.

Mr. Myers briefly summarized the actions of the Links Committee.

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Mr. Stephen Rader, President of Kentuckians Against Drunk Driving, gave some background on the group, which provides a non-profit bus service for those who are too intoxicated to drive. He stated that the Ky. Transportation Cabinet now requires a letter of support from the Lexington-Fayette Urban County Government in order to remain in business.

The Mayor suggested that Mr. Rader meet with Mr. Keith Horn, Dept. of Law, in order to discuss legislative questions, and whether formal support from the Urban County Council would be necessary.

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Upon motion of Mr. Stinnett, seconded by Mr. Myers, and approved by unanimous vote, the meeting adjourned at 8:00 p.m.

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Clerk of the Urban County Council