Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky   August 19, 2010

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on August 19, 2010 at 7:00 P.M. Present were Mayor Newberry in the chair presiding, and the following members of the Council: Council Members Gorton, Gray, Henson, James, Lane, Lawless, Martin, McChord, Myers, Stinnett, Beard, Blues, Crosbie, Ellinger and Feigel.

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

Ordinances No. 127-2010 thru 136-2010 inclusive and Resolutions No. 389-2010 thru 428-2010 inclusive were reported as having been signed and published, and were ordered to record.

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The Invocation was given by Brother David Danforth, Minister of Victory Fellowship.

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Upon motion of Ms. Gorton, seconded by Ms. James, the minutes of the June 10, 22, 24 and July 1 and 6, 2010 meetings were approved by unanimous vote.

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Ms. Feigel presented a commemoration honoring the accomplishments of Dr. Linda Jo Van Eldik, newly appointed director of the Sanders-Brown Center on Aging. She invited Dr. Marlene Helm, Commissioner of the Dept. of Social Services, and Mr. Lane, as former chair of the Sanders-Brown Center on Aging Foundation Board of Directors, to assist in the presentation. Ms. Carolyn Kurtz and Mr. Jim Kurz, members of the Sanders-Brown Center on Aging Foundation Board of Directors, and Ms. Lisa Deaton-Grier, Community Outreach Manager for University of Ky. Healthcare, were also invited to participate in the presentation. Dr. Van Eldik thanked everyone for the warm welcome to Lexington.

The Mayor extended a welcome to Dr. Van Eldik on behalf of the community.

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The Mayor invited Dr. Marlene Helm, Commissioner of the Dept. of Social Services, to give a presentation on the Summer Youth Employment Program. Dr. Helm asked Mr. Dylan Ratliff, participant in the program, and his mother, Ms. Debbie Ratliff, to come forward and comment on their experience with the program. Mr. Ratliff spoke about his experiences and thanked everyone. Ms. Ratliff also thanked everyone involved with the program and asked that it be renewed for the following year. Mr. Ratliff worked at Dogtown.

Dr. Helm also invited Mr. Frank Hall, Learning Curve Academy, to come forward as an employer in the program. Mr. Hall stated that the program was very valuable and that the youth involved with his business were great to work with.

Dr. Helm thanked the program staff, Ms. Mattie Morton, Ms. Priscilla Gales, and Ms. Stephanie Morton, Div.'s of Youth Services and Family Services, for their work on the program, as well as the Mayor and the Council for their support.

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

Aye: Gorton, Gray, Henson, James, Lane,
Lawless, Martin, McChord, Myers, Stinnett,
Beard, Blues, Crosbie, Ellinger, Feigel------------15

Nay: --0

An Ordinance amending Section 21-5(2) of the Code of Ordinances, transferring one (1) position of Financial Management Administrator, Grade 119E and one (1) position of Finance and Investment Analyst, Grade 116E, from the Div. of Accounting to the Dept. of Finance and Administration, transferring the incumbent, and appropriating funds pursuant to Schedule No. 26.

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. 27.

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

An Ordinance changing the zone from an Interchange Service Business (B-5P) zone to a Neighborhood Business (B-1) zone for 1.50 net (1.85 gross) acres, for property located at 1875 Pleasant Ridge Dr. (Brighton Animal Clinic, LLC).

An Ordinance changing the zone from a Light Industrial (I-1) zone to a Highway Service Business (B-3) zone for 0.3565 net (0.4943 gross) acres, for property located at 635 E. New Circle Rd., subject to certain use restrictions as conditions of granting the zone change (Virginia Bates).

An Ordinance levying ad valorem taxes for purposes of support of the Agricultural Extension Office for the fiscal year July 1, 2010 through June 30, 2011, on the assessed value of all taxable real and personal property within the taxing jurisdiction of the Lexington-Fayette Urban County Government (all taxes on each $100 of assessed valuation as of the January 1, 2010 assessment date), as follows: $.0032 on all taxable real property, including real property of public service companies, $.0035 on taxable personal property, including personal property of public service companies, noncommercial aircraft, and noncommercial watercraft, and excluding inventory in transit, insurance capital, tobacco in storage, and agricultural products in storage; and levying an ad valorem tax for purposes of support of the Agricultural Extension Office at the rate of $.0032 on each $100 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government as of the January 1, 2011 assessment date.

An Ordinance levying ad valorem taxes for municipal purposes for the fiscal year July 1, 2010 through June 30, 2011, on the assessed value of all taxable property within the taxing jurisdictions of the Lexington-Fayette Urban County Government (all taxes on each $100 of assessed valuation as of the January 1, 2010 assessment date), as follows: General Services District, $.0800 on real property, including real property of public service companies, $.0990 on personal property, including personal property of public service companies, noncommercial aircraft, and noncommercial watercraft, $.1500 on insurance capital, $.0150 on tobacco in storage, and $.0450 on agricultural products in storage; Full Urban or Partial Urban Services Districts based on urban services available on real property, including real property of public service companies, $.1431 for refuse collection, $.0210 for street lights, $.0094 for street cleaning, $.0920 on insurance capital, $.0150 on tobacco in storage, $.0450 on agricultural products in storage; and levying an ad valorem tax for municipal purposes at the rate of $.0880 on each $100 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government as of the January 1, 2011 assessment date.

An Ordinance, pursuant to a request received from the Lexington-Fayette County Health Dept., levying an ad valorem tax for purposes of support of the Lexington-Fayette County Health Dept. for the fiscal year July 1, 2010 through June 30, 2011, on the assessed value of all taxable real and personal property within the taxing jurisdiction of the Lexington-Fayette Urban County Government, including real and personal property of public service companies, noncommercial aircraft, noncommercial watercraft, and inventory in transit, and excluding insurance capital, tobacco in storage, and agricultural products in storage, at the rate of $.028 on each $100 of assessed value as of the January 1, 2010 assessment date; and levying an ad valorem tax for purposes of support of the Lexington-Fayette County Health Dept. at the rate of $.028 on each $100 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government, as of the January 1, 2011 assessment date.

An Ordinance levying ad valorem taxes for purposes of support of the Soil and Water Conservation District for the fiscal year July 1, 2010 through June 30, 2011, on the assessed value of all taxable real property within the taxing jurisdiction of the Lexington-Fayette Urban County Government, including real property of public service companies, at a rate of $.000416 on each one hundred dollars ($100) of assessed valuation as of the January 1, 2010 assessment date, with the tax bills computed and collected at a rate of $.0004 on each one hundred dollars ($100) of assessed valuation.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract Addendum for FY 2010 with the Lexington-Fayette County Health Dept., accepting additional funding in the amount of $50,000, for the Home Network Project at the Family Care Center, and appropriating funds pursuant to Schedule No. 28.

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 $100,000 Federal funds, for the continuation of the Street Sales Drug Enforcement Project, the acceptance of which obligates the Urban County Government for the expenditure of $33,333 as a local match, appropriating funds pursuant to Schedule No. 29, authorizing the Mayor to transfer unencumbered funds within the Grant budget, and authorizing the Mayor to execute an Agreement with the Fayette County Commonwealth Attorney's Office for a 'Fast Track' prosecutor at a cost not to exceed $52,703.

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 $25,000 Federal funds, are for the Ticketing Aggressive Cars and Trucks (TACT) Program, the acceptance of which obligates the Urban County Government for the expenditure of $6,250 as a local match, appropriating funds pursuant to Schedule No. 30, 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 execute and submit a Grant Application to the Ky. Heritage Council, 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 $12,000 Federal funds, are for the Div. of Historic Preservation's Survey and Planning Project, the acceptance of which obligates the Urban County Government for the expenditure of $8,000 as a local match, appropriating funds pursuant to Schedule No. 31, 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 execute and submit a Grant Application to the Ky. State Police, 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 $75,000 Federal funds, are for continuation of the Motor Carrier Safety Assistance Program (MCSAP) in the Div. of Police, the acceptance of which obligates the Urban County Government for the expenditure of $18,750 as a local match, appropriating funds pursuant to Schedule No. 32, 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 execute a HOME Agreement with Fayette County Local Development Corp., for use of HOME funds for development of a rental housing project at the Russell School property, at a cost not to exceed $300,000, and appropriating funds pursuant to Schedule No. 33.

An Ordinance amending Section 23-5(b) of the Code of Ordinances abolishing one (1) position of Police Captain, and creating one (1) position of Police Lieutenant, in the Div. of Police, and appropriating funds pursuant to Schedule No. 34.

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. 35.

An Ordinance closing right-of-way reserved for extension of Spring Grove Ave.; determining that all property owners abutting the portion of the right-of-way to be closed have been identified, provided with written notice of the proposed closing and consented thereto in writing; and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Quitclaim Deed transferring the former right-of-way to the abutting owner, subject to the reservation of easements for access and maintenance of existing utilities in the former right-of-way.

An Ordinance closing a portion of a service road located between Richmond Rd. and the property located at 3292 Richmond Rd.; determining that all property owners abutting the portion of the service road to be closed have been identified, provided with written notice of the proposed closing and consented thereto in writing; and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Quitclaim Deed transferring the former right-of-way to the abutting owner, subject to the reservation of easements for access and maintenance of existing utilities in the former right-of-way.

An Ordinance relating to stormwater discharges from construction sites creating Subsections 16-1(f)(48) through 16-1(f)(66) of the Code of Ordinances defining terms; creating Sub-article E of Article X of Chapter 16 of the Code of Ordinances (Sections 16-99 through 16-105 and Section 16-107 and 16-108) to ensure adequate control of stormwater where construction sites are located; amending Section 16-207 of the Code of Ordinances relating to inspections; amending Section 14-60 of the Code of Ordinances related to transportation and re-location of dirt and debris by re-numbering it as Section 16-106; and providing the Ordinance will not become effective until after Article 20 of the Zoning Ordinance is repealed or amended.

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Strand Associates, Inc., for the Distillery District Public Improvements Program, Streetscape Design, Trail Design and Construction, at a cost not to exceed $1,659,091 was on the docket for second reading.

Mr. Blues made a motion, seconded by Mr. Martin, to remove the resolution relating to an Engineering Services Agreement with Strand Associates, Inc., for the Distillery District Public Improvements Program in that the proposed action on the item was now listed under Resolutions for First Reading.

Mr. Beard spoke on the resolution.

Mr. Lane stated that he had intended to recuse himself from the vote at the August 17, 2010 Council Work Session which placed a Resolution accepting the response of Strand Associates, Inc., to RFP No. 17-2010, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Strand Associates, Inc., for design related services for the Distillery District Public Improvements, at a cost not to exceed $508,000.

The motion passed by a majority vote of 14-0 (Mr. Lane recused himself at the time the vote was taken).

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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 Ms. Gorton, and seconded by Mr. Myers, the resolutions were approved by the following vote:

Aye: Gorton, Gray, Henson, James, Lane,
Lawless, Martin, McChord, Myers, Stinnett,
Beard, Blues, Crosbie, Ellinger, Feigel-------------15

Nay: --0

A Resolution accepting the bid of Spectrum Contracting Services, Inc., in the amount of $39,936.92, for Glendover West Boardwalk Railing Remediation, for the Div. of Water Quality.

A Resolution authorizing the Div. of Emergency Management/911, on behalf of the Urban County Government, to purchase equipment for the Emergency Radio System from Information Station Specialists, Inc., a sole source provider, at a cost not to exceed $38,580.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit two (2) Grant Applications to the U.S. Dept. of Housing and Urban Development and to provide any additional information requested in connection with these Grant Applications, which Grant funds are in the amount of $750,000 Federal funds under the Community Challenge Planning Grant Program, and are for the North Lexington Gateway Plan ($500,000) and the Land Banking Plan ($250,000).

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements, awarding EcoArt Grants to Pat Banks ($5,000), Bluegrass

Greenworks, Inc. ($3,270), Carnegie Center ($5,000), Chrysalis House, Inc. ($1,000), Dixie Magnet Elementary School ($5,000), FCPS Gear Up ($5,000), Lafayette High School Orchestra ($5,000), Lansdowne Elementary ($4,250), Lexington Art League ($1,950), Lexington Philharmonic ($5,000), Living Arts and Science Center ($5,000), Robert Morgan ($5,000), Mary Rezny ($4,550), St. Peter and Paul Regional Catholic School ($4,669), and UK Art Museum ($3,584), at a cost not to exceed the sums stated.

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A Resolution ratifying the probationary civil service appointments of: Rosemary Wilkins, Budget Analyst Sr., Grade 118E, $2,240.48 bi-weekly, in the Div. of Budgeting, effective August 2, 2010; Ethan Simpson, Electronic Computer Controls Specialist, Grade 113N, $16.189 hourly, in the Div. of Water Quality, effective August 16, 2010; John Carey, Telecommunicator Supervisor, Grade 116E, $1,681.44 bi-weekly, in the Div. of Emergency Management/911, effective August 30, 2010; John McElroy, Treatment Plant Operator Apprentice, Grade 107N, $13.898 hourly, in the Div. of Water Quality, effective August 23, 2010; Brian Hayes, Municipal Engineer Sr., Grade 119E, $2,542.56 bi-weekly, in the Div. of Water Quality, effective August 23, 2010; Kendra Wasch, Family Support Worker Sr., Grade 112N, $16.884 hourly, in the Div. of Family Services, effective August 23, 2010; Joseph Bell, Systems Administrator - Enterprise Solutions, Grade 118E, $2,449.15 bi-weekly, in the Div. of Enterprise Solutions, effective August 16, 2010; Jason Eason, Telecommunicator, Grade 111N, $14.579 hourly, in the Div. of Emergency Management/911, effective August 30, 2010; Kevin Owens, Telecommunicator, Grade 111N, $16.977 hourly, in the Div. of Emergency Management/911, effective August 30, 2010; ratifying the permanent civil service appointments of: Charles Cottle, Director of Enterprise Solutions, Grade 123E, in the Div. of Enterprise Solutions, effective June 7, 2010; Christopher Schapley, Traffic Signal Technician Sr., Grade 112N, in the Div. of Traffic Engineering, effective May 9, 2010; Chris Quan, Traffic Signal Technician Sr., Grade 112N, in the Div. of Traffic Engineering, effective May 9, 2010; Casey Kaucher, Associate Traffic Engineer, Grade 115E, in the Div. of Traffic Engineering, effective June 28, 2010; Richard Fowler, Traffic Signal Technician Sr., Grade 112N, in the Div. of Traffic Engineering, effective May 9, 2010; Jesse Lambert, Keith Thomas, Fred Crouch, James Stengel, and Ronricus Henry, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective August 1, 2010; Anthony Morton, Christopher Fulz, Timothy Burnett, and Jonathan Covey, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective August 15, 2010; ratifying the probationary sworn appointments of: Mark Hart, Fire Lieutenant, Grade 315N, $17.786 hourly, in the Div. of Fire and Emergency Services, effective July 26, 2010; William M. McCord, Fire Captain, Grade 316N, $23.039 hourly, in the Div. of Fire and Emergency Services, effective July 26, 2010; approving the Council Leave of: Michael Allen, Director of Human Resources, Grade 123E, in the Div. of Human Resources, requests ninety days Council approved leave without pay from July 28, 2010 through October 28, 2010; Michael Roland, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, requests ninety days Council approved leave without pay from June 12, 2010 through September 12, 2010; approving the unclassified civil service appointment to the Office of the Urban County Council of: Allison Hallett, Aide to Council, Grade 000E, $1,942.32 bi-weekly, in the Urban County Council Office, effective June 28, 2010 was given first reading.

Ms. Lawless asked a question regarding the appointments to the Div. of Emergency Management/911 in the resolution. Mr. Tim Bennett, Commissioner of the Dept. of Public Safety, responded.

The resolution was ordered placed on file one week for public inspection.

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A Resolution declaring as surplus and authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute Deeds and any other necessary documents for the sale and transfer of property located at 296 E. Sixth St., 762 Florence Ave., 464 Kenton St., 124 Eddie St., 951 Valley Ave., 1140 Winburn Dr., 510-512 E. Third St., 221-223 W. Seventh St., 824 E. Seventh St., 313 Newtown Pike, 315 Newtown Pike, 317-319 Newtown Pike, 4951 Tates Creek Rd., 1974 Alice Dr., 1970 Alice Dr., and 520 E. Third St., and declaring as surplus and authorizing and directing the Mayor, on behalf of the Urban County Government and the Lexington-Fayette Urban County Government Public Facilities Corp., to execute a Deed and any other necessary documents, for the sale and transfer of property located at 262 E. Fifth St. was given first reading.

Mr. Beard asked a question about the process for the dispensation of the surplus properties. Ms. Kimra Cole, Commissioner of the Dept. of General Services, responded with the steps for the process.

Mr. Martin asked questions of Ms. Cole regarding minimum bids on the surplus properties.

Ms. Lawless asked questions of Ms. Cole regarding the process. Ms. Cole responded.

The resolution was ordered placed on file one week for public inspection.

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A Resolution accepting the response of Strand Associates, Inc., to RFP No. 17-2010, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Strand Associates, Inc., for design related services for the Distillery District Public Improvements, at a cost not to exceed $508,000 was given first reading.

Ms. Lawless asked that the Div. of Purchasing provide a report clarifying the ‘mandate vs. guideline’ issue by the time the resolution was given second reading.

The resolution was ordered placed on file one week for public inspection.

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

A Resolution accepting the bid of Blackhawk Enterprises, Inc., establishing a price contract for video equipment, for the Div. of Traffic Engineering.

A Resolution accepting the bid of Nugent Sand Co., establishing a price contract for sand for golf courses, for the Div. of Parks and Recreation.

A Resolution accepting the bid of Southern Rebinding, Inc., establishing a price contract for record keeping supplies for the County Clerk’s Office.

A Resolution accepting the bid of Aramsco, Inc., establishing a price contract for Decontamination Adult & Pediatric Patient Kits, for the Div. of Emergency Management/911.

A Resolution accepting the bid of Federal Signal Corporation, in the amount of $22,467, for replacement siren, for the Div. of Emergency Management/911.

A Resolution accepting the bids of Traffic Control Products, Inc., Path Master, Inc., Southeastern Safety Systems, Inc., Quality Traffic Systems, Traffic Parts, Inc., and Baldwin & Sours, Inc., establishing price contracts for Traffic Signal and Control Equipment, for the Div. of Traffic Engineering.

A Resolution accepting the bids of Central Equipment Co., Montgomery Tractor Sales, and Bobcat Enterprises, Inc., establishing price contracts for tractor and mower parts, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bids of Graybar Electric, Wesco Distribution, Inc., Consolidated Electrical Distribution, Ky. Lighting & Supply, Inc., Malone Industrial Products, and Rexel, Inc., establishing price contracts for electrical items, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Grogan's Healthcare, establishing a price contract for alternate care equipment and supplies, for the Div. of Emergency Management/911.

A Resolution accepting the bid of Schroeder Construction, Inc., in the amount of $672,135 for the Beverly Ave. Sanitary Sewer Project, for the Div. of Engineering/ Dept. of Public Works and Development, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Schroeder Construction, Inc., related to the bid.

A Resolution accepting the bid of Gateway Press, Inc., establishing a price contract for Waste Management Guide, for the Div. of Waste Management.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with CarFax, for information sharing.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Ky. Fire Commission, for use of an Elliptical Pro 3700 piece of fitness equipment, 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 the Louisville Police Dept., for the transfer of equipment used for IED training, purchased with funds awarded by the Ky. Office of Homeland Security, to the Louisville Police Dept.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with Brigette Ganahl, as a Sexual Assault Nurse Examiner, to provide on-call forensic examinations under the Sexual Assault Nurse Examiner Program, at a cost not to exceed $40 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 a Quit Claim Deed, and all other documents necessary, transferring right-of-way from the Urban County Government to the Fayette County Board of Education for construction of a turn lane into the entrance of Keithshire Elementary.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Architectural Graphics, Inc., for the LFUCG Wayfinding Program, increasing the contract price by the sum of $5,227.79 from $383,918.00 to $389,145.79.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and any other necessary documents, and to accept deeds for easements needed for the Grimes Mill Bridge Rehabilitation Project, at a cost not to exceed $3,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Kathy H. Witt, Sheriff of Fayette County, for the collection of the Urban Service District Taxes for the 2010 property tax year, at a cost not to exceed $350,000, with payment net from collections.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Awesome Labs, LLC for the Downtown Touch Screen Network, at no cost to the Urban County Government.

A Resolution accepting the response of Metaformers, Inc., to RFP No. 37-2010, and authorizing the Mayor, on behalf of the Urban County Government, to execute a Consulting Services Agreement with Metaformers, Inc., to provide assistance to the

Div.'s of Enterprise Solutions and Human Resources with open enrollment for benefits, at a cost not to exceed $105,709.60.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County government, to execute a System Improvement Design and Construction Memorandum with Virgie Hager and Ball Homes, LLC, providing for donation of property at 375 Chilesburg Rd. for a public park and for transfer of $430,000 in exaction credits to Ball Homes, LLC.

A Resolution amending Section 1 of Resolution No. 371-2010 correcting the salary of Esther Moberly, Program Specialist, Grade 112E, from $1,634.64 bi-weekly to $1,775.76, in the Div. of Waste Management, effective June 28, 2010.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Administrative Services Agreement with the University of Ky. - Jesse G. Harris, Jr. Psychological Services Center for firefighter recruit psychological screening testing, at a cost not to exceed $300 for each screening.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Part D Advisors, Inc., for assistance with the Medicare Early Retirement Subsidy Program, retroactive to May 21, 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 an Amendment to the Agreement with REACH, Inc., for the Douglas Heights Redevelopment Project to clarify eligible uses of Neighborhood Stabilization Program funds for the project.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Modification #2 to the Neighborhood Stabilization Program Funding Agreement with the Ky. Dept. for Local Government, for addition of "funding out," 30-day cancellation, and access to records provisions, revision of amounts to be expended within the eligible uses of funds, and addition of a loan servicing agreement.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and other necessary documents, and to accept Deeds for easements needed for the Della Dr. Storm Sewer Rehabilitation Project, at a cost not to exceed $10,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements awarding Class A (Neighborhood) Grants for stormwater quality projects to Autumn Ridge Homeowners Association, Inc. ($11,183.75) and Gainesway Neighborhood Association, Inc. ($10,255.00), 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 Third Rock Consultants, Inc., for consulting services for the development of a Watershed Based Plan for the Wolf Run Watershed, at a cost not to exceed $177,200.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Bluegrass Contracting Corp., for the Vaughn's Branch Flood Hazard Mitigation Project, increasing the contract price by the sum of $26,657.50 from $1,225,006.25 to $1,251,663.75.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Tree Fund ($550), Russell Cave Church of Christ, Inc. ($500), Lexington Fast-Pitch Softball, Inc. ($500), and Cottages of Liberty Woods Neighborhood Association ($500), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

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Upon motion of Ms. Crosbie, seconded by Mr. Lane, and passed by unanimous vote, the Communications from the Mayor were approved and are as follows: (1) Recommending the reappointment of Ms. Karen J. Ekstrom to the Alarm Advisory Board, with a term to expire 7-1-2013; (2) Recommending the appointment of Ms. Deborah L. Slaughter to the Carnegie Literacy Center Board of Directors, with a term to expire 9-1-2013. Ms. Slaughter will fill the unexpired term of Ms. Merrie Winfrey; (3) Recommending the reappointments of Ms. Donna Robinson-Wilson and Mr. David Winters to the Civil Service Commission, with terms to expire 4-1-2014; (4) Recommending the appointments of Ms. Barbara B. Cowden, Ms. Deborah D. Danner, Mr. Steven M. Gaunce, Ms. Minna K. Katz-Brown, Mr. Robert L. McClelland, Ms. Margaret J. McCoskey, Ms. Shirlyne S. Mosley, and Mr. Bernie Vonderheide to the Commission on Community Services for Older Persons, with terms to expire 9-1-2012. Also, recommending the appointments of Mr. Paul V. Brooks, Mr. Rocky A. Burke, Ms.

Mary Crowley-Schmidt, Mr. Omar Gayheart, Ms. Terri L. Kanatzar, Ms. Rosa E. Martin, Ms. Gale Reece, and Ms. Nancy J. Stiles to the Commission on Community Services for Older Persons, with terms to expire 9-1-2014. Also, recommending the appointments of Council Member Linda Gorton and Council Member Peggy Henson to the Commission on Community Services for Older Persons, as ex-officio members; (5) Recommending the appointment of Ms. Tracy Dennis to the Human Rights Commission, with a term to expire 1-1-2014. Ms. Dennis will fill the unexpired term of Ms. Melanie Tyner-Wilson; (6) Recommending the appointments of Ms. Jane W. Eller, as at-large representative, Ms. Connie J. Miller, as at-large representative, and Mr. Farley R. Schalk, as beverage/food industry representative, to the Keep Lexington Beautiful Commission, with terms to expire 2-1-2014; (7) Recommending the reappointment of Mr. Jerry Hancock to the Picnic with the Pops Commission, with a term to expire 7-1-2014; and (8) Recommending the appointment of Ms. Kristin Clark to the Rural Land Management Board, with a term to expire 4-1-2013. Ms. Clark will fill the unexpired term of Mr. Frank Penn.

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The following Communications from the Mayor were received for information only: (1) Voluntary demotion of Kenneth Goble, Public Service Worker Sr., Grade 107N, $11.557 hourly, in the Div. of Water Quality, effective August 16, 2010; (2) Resignation of Melynda Milburn Jamison, Aide to Council, Grade 000E, in the Urban County Council Office, effective June 9, 2010; (3) Resignation of Jamie Bloyd, Aide to Council, Grade 000E, in the Urban County Council Office, effective June 29, 2010; and (4) Termination of probationary appointment of Alvin Callaway, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective July 19, 2010.

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Mr. McChord congratulated South Lexington Babe Ruth Baseball 14-year-olds who were on their way to Virginia to compete in the World Series.

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Ms. Feigel announced that on Monday, August 23, 2010, at 7:00 p.m., at Emmanuel Baptist Church, the third 5th District district-wide meeting would take place.

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Mr. Gray suggested that the Committee of the Whole meeting scheduled for August 24, 2010, be changed to September 9, 2010.

Mr. Ellinger made a motion, seconded by Ms. Lawless, and approved by a majority vote of 13-2 (Crosbie and Lane vote **no**), to change the Council of the Committee of the Whole meeting from August 24, 2010, to September 9, 2010 at 5:00 p.m.

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Mr. Martin announced that the University of Ky. Women's Basketball Team would be having an event at the Moondance at Midnight Pass amphitheater in Beaumont on August 20, 2010.

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Ms. Lawless announced that on Saturday, August 21, 2010 the Aurora Street Block Party would be held. She thanked the Div. of Streets, Roads and Forestry for their help in preparation for the party, and noted for the public that the process for applying to hold a block party had changed.

She also gave an update on the Maxwell Street project.

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Mr. Blues announced that the Ad Hoc Committee tasked with naming the new Newtown Pike extension had narrowed the list of possibilities to five. He stated that the five possibilities were available on the website, www.lexingtonky.gov, and would be voted on by the public. He thanked everyone who sent in suggestions for the name.

The Mayor asked Mr. Rama Dhuwaraha, Chief Information Officer, to come forward to clarify the dates and procedure for voting online at www.lexingtonky.gov. Mr. Dhuwaraha stated that the voting would last for a week beginning August 20, 2010.

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Mr. Mark Leach, attorney with Stites and Harbison, spoke about the Distillery District Project, and about qualification-based selection of contractors. He stated that a re-bid would be beneficial to the project.

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Mr. Bernard McCarthy, Harry St., spoke about his objection to the government's release of public rights-of-way. He also stated his concern that dead-end streets should be changed to thru streets.

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Upon motion of Ms. Crosbie, seconded by Mr. Myers, and approved by unanimous vote, the meeting adjourned at 8:04 p.m.

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Clerk of the Urban County Council