

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

October 14, 2010 – 7:00 P.M.

- I. ROLL CALL
- II. INVOCATION
- III. PRESENTATIONS

Recognition of Mayor and Delegation from Lexington's Sister City, County Kildare, Ireland

State Auditor Crit Luallen

IV. ORDINANCES –SECOND READING

- 1. An Ordinance changing the zone from a Neighborhood Business (B-1) zone to a High Rise Apartment (R-5) zone, for 0.120 net (0.225 gross) acre, for property located at 165-167 Jefferson St.; and from a Neighborhood Business (B-1) zone to Planned Neighborhood Residential (R-3) zone, for 0.046 net (0.065 gross) acre, for property located at 163 Jefferson St., and requesting dimensional variances. (Lexington Home Ownership Commission, Inc. (AMD)) Approval 10-0 OBJECTOR (To be heard by November 24, 2010)
- 2. An Ordinance accepting the bid of Scheller's Fitness & Cycling, in the amount of \$39,030 for fitness facility equipment, for the Div. of Police, and appropriating funds pursuant to Schedule No. 44. (2 Non-Low)
- 3. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation of \$250 from Columbia Gas Transmission, LLC for the Div. of Fire and Emergency Services, and appropriating funds pursuant to Schedule No. 41.
- 4. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Transportation Cabinet, to amend the amount of funds budgeted for the various items for the Fiber Optic Cable Installation Program for FY2008, at no cost to the Urban County Government, and appropriating funds pursuant to Schedule No. 42.
- 5. 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. 43.
- 6. An Ordinance amending Subsection 13-5(a) of the Code of Ordinances, Lexington-Fayette Urban County Government, to add the word initial and the term if otherwise required; creating Subsection 13-6(L) of the Code to exempt individuals and sole proprietorships from payment of the annual minimum license fee after initial licensure if their reported gross income is \$4,400 or less; amending Section 13-9 of the Code to clarify the application of the minimum license fee, to require payment each year by no later than

the due date for the filing of net profit returns with licensure valid for the calendar year in which payment of the fee was submitted, and to delete the requirements of obtaining a separate license for each location and the posting of said licenses.

7. An Ordinance authorizing the issuance of Cultural and Recreational Revenue Refunding Bonds, Series 2010A (Centenary United Methodist Church Project), in the authorized principal amount of \$2,400,000 (the "Series 2010A Bond") and Cultural and Recreational Revenue Refunding Bonds, Series 2010B (Centenary United Methodist Church Project), in the authorized principal amount of \$1,100,000 (the "Series 2010B Bond") of the Lexington-Fayette Urban County Government, the proceeds of which shall be loaned to Centenary United Methodist Church, Inc. to finance the cost of the following: (I) Series 2010B Bond shall be used to refinance outstanding debt, including penalties and/or premiums, the proceeds of which were used to construct, install, renovate and equip certain capital improvements to the facilities of Centenary United Methodist Church, Inc., located at 2800 Bates Creek Rd., Lexington, Ky. 40502 (the "Main Campus"), including without limitation the construction of the Foundry, which consists of a Multi-Purpose Room used for fellowship and various instructional, cultural and recreational programs, and the installation of a new roof on the Main Campus, excluding, however, the Foundry, Sanctuary and Chapel; (II) Series 2010A Bond shall be used to refinance outstanding debt, including penalties and/or premiums, the proceeds of which were used to acquire approximately 100 acres located at 4701 Athens Boonesboro Rd., Lexington, Ky. 40509, which is used for athletic and recreational programs; and (III) to pay costs and expenses of issuance related to the foregoing, 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. **PUBLIC HEARING**

V. ORDINANCES – FIRST READING

8. An Ordinance amending Article 8-20(n) of the Zoning Ordinances to reduce the off-street parking requirements for bowling alleys and their accessory snack bar. Approval 7-0
9. An Ordinance amending Article 16-10 of the Zoning Ordinance to allow for parking reductions when Park & Ride lots are provided. Approval 7-0
10. An Ordinance relating to solid waste collection repealing Sections 16-16.4 and 16-16.5 of the Code of Ordinances.

11. An Ordinance authorizing 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 \$400,000 Federal funds, are for the ITS/CMS (Intelligent Transportation System/Congestion Management System) Traffic Improvements Project, the acceptance of which obligates the Urban County Government for the expenditure of \$100,000 as a local match, appropriating funds pursuant to FY 2011, Schedule No. 45, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.
12. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the U.S. Dept. of Justice, Office on Violence Against Women, which Grant funds are in the amount of \$377,635 Federal funds, are for a Safe Havens Project (continuation of the Sunflower Kids Visitation Center, expansion of services to underserved populations, and partial funding of the Director of the Fayette County Violence Prevention Board), the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 46, authorizing the Mayor to transfer unencumbered funds within the Grant budget and authorizing the Mayor to execute an Agreement with Sunflower Kids, Inc., for operation of a visitation center, at a cost not to exceed \$338,975.
13. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$50,000 Federal funds, are for continuation of the Sexual Assault Nurse Examiner (SANE) Program, the acceptance of which obligates the Urban County Government for the expenditure of \$28,150 as a local match, appropriating funds pursuant to Schedule No. 47, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.
14. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Dept. of Military Affairs/Ky. Div. of Emergency Management, which Grant funds are in the amount of \$775,969 Federal funds, are for acquisition and demolition of seven residential properties on Ft. Sumter Dr., Gayle Dr., Parkside Dr., Cabot Dr. and Shandon Dr., the acceptance of which obligates the Urban County Government for the expenditure of \$134,501 as a local match, appropriating funds pursuant to Schedule No. 48, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.
15. An Ordinance authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 (Final) to the Contract with Marrillia Design and Construction, for the Lexington Streetscape Phase One Improvements, Cheapside Market Pavilion Project, increasing the contract price by the sum of \$20,103.85 from

\$715,977.02 to \$736,080.87, and appropriating funds pursuant to Schedule No. 49.

16. 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. 50.
17. An Ordinance amending Section 21-5(2) of the Code of Ordinances abolishing two (2) positions of Public Service Worker, Grade 106N, in the Div. of Waste Management and creating one (1) position of Computer Analyst Supervisor, Grade 117E, in the Div. of Computer Services and appropriating funds pursuant to Schedule No. 51.
18. An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Staff Assistant Sr., Grade 108N, and creating one (1) position of Engineering Technician, Grade 111N, in the Div. of Engineering, and appropriating funds pursuant to Schedule No. 52.
19. An Ordinance amending Section 22-5(2) of the Code of Ordinances creating one (1) temporary position of Microcomputer Support Specialist, Grade 113N, with a three (3) year term, within the Div. of Police.
20. 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 \$240,000 Federal funds, are for the Loudon Ave. Sidewalk Project, the acceptance of which obligates the Urban County Government for the expenditure of \$60,000 as a local match, appropriating funds pursuant to Schedule No. 53, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.
21. 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 \$240,000 Federal funds, are for the Southland Dr. Pedestrian Improvements Project, the acceptance of which obligates the Urban County Government for the expenditure of \$60,000 as a local match, appropriating funds pursuant to Schedule No. 54, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.
22. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the U.S. Dept. of Justice, which Grant funds are in the amount of \$143,243 Federal funds under the State Criminal Alien Assistance Program (SCAAP), are for reimbursement of costs related to the incarceration of undocumented criminal aliens, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 55, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

23. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Energy and Environmental Cabinet, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$141,452 Commonwealth of Ky. funds, are for continuation of the Litter Control Program, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 56, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.
24. An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 3 with the Ky. Transportation Cabinet, for the acceptance of additional Federal funds for the Clays Mill Rd. Improvements Project in the amount of \$4,200,000, the acceptance of which obligates the Urban County Government for the expenditure of \$15,000 as a local match, and appropriating funds pursuant to Schedule No. 57.

VI. RESOLUTIONS – SECOND READING

1. A Resolution accepting the bid of Bluegrass Fire Equipment, establishing a price contract for fire hose, for the Div. of Fire and Emergency Services. (1)
2. A Resolution accepting the bid of Paul Miller Ford, Inc., establishing a price contract for reflective vehicle decals, for the Div. of Police. (2)
3. A Resolution accepting the bids of Vulcan Materials Co. and Lexington Quarry Co., establishing price contracts for rock, for the Div. of Streets, Roads and Forestry. (2)
4. A Resolution accepting the bid of Brock McVey Co., establishing a price contract for central air filters, for the Div. of Community Corrections. (10)
5. A Resolution accepting the bids of KOI Auto Parts; B.W. Rogers, Co. (Fluid Power Products Div.); Applied Industrial Technologies, Inc.; Superior Hose & Fittings, Inc.; General Parts, Inc.; and Power Train of Ky., establishing price contracts for hydraulic hose fittings, for the Div. of Facilities and Fleet Management. (6)
6. A Resolution accepting the bid of S & S Truck Tire Center, establishing a price contract for truck tire re-treading, for the Div. of Facilities and Fleet Management. (1)
7. A Resolution accepting the bids of Polydyne, Inc. and Atlanco, establishing price contracts for Polymer Flocculants, for the Div. of Water Quality. (5)
8. A Resolution accepting the bid of Radio Communications Systems, Inc. d/b/a RCS Communications, establishing a price contract for communication system and component maintenance, for the Div. of Police. (1)

9. A Resolution accepting the bids of Dixon Electric, Inc.; Hills Electric, LLC; Davis H. Elliott Construction Co., Inc.; and Arrow Electric Co.; establishing price contracts for underground electrical service installation, for the Div. of Parks and Recreation. (4)
10. A Resolution specifying the intention of the Urban County Council to expand and extend the Full Urban Services District #1 to provide street lighting, street cleaning and garbage and refuse collection; finding a need for these services in the area included; finding the ability of the Urban County Government to provide these services in this area, which area is defined as certain properties on the following streets: Blackhorse Ln., Georgetown St., Goodpaster Way, Lakewood Dr., McConnells Trace, New River Place, Orchard Grass Rd., Patchen Wilkes Dr., Pokeberry Park, Polo Club Blvd., Polo Club Ln., Rain Garden Way, Real Quiet Ln., Sand Lake Dr., Sewanee Ln., Shaker Run Circle, Sorrell Way, Sunningdale Dr., Sweet Clover Ln., and Toll Gate Rd.
11. A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #3 to provide garbage and refuse collection; finding a need for this service in the area included; finding the ability of the Urban County Government to provide this service in the area, which area is defined as certain properties on the following streets: Bracktown Rd., Bradley Ln., Leestown Rd., Standish Way, and Winston Ave.
12. A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #5 to provide street lighting and garbage and refuse collection; finding a need for these services in the area included; finding the ability of the Urban County Government to provide these services in this area, which area is defined as certain properties on the following streets: Athenia Dr., Branchwood Place, Hildean Dr., John Alden Ln., Monticello Blvd., Plymouth Rock Ct., Rebecca Dr., and Wallingford Dr.
13. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 3 to the Contract with Woodall Construction Co., Inc., for the Southend Park Temporary Housing Development for the Newtown Pike Extension Project, decreasing the contract price by the sum of \$50,181.91 from \$834,755.83 to \$784,573.92.
14. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Hustonville, LLC, for a Halloween event at Jacobson Park, September 23, 2011 through October 31, 2011.
15. A Resolution authorizing the Div. of Streets, Roads and Forestry to purchase a "Mr. Manhole" replacement cutter package and repair parts, from Critex, LLC, a sole source provider, at a cost not to exceed \$30,000.

16. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Bluegrass Regional Mental Health-Mental Retardation Board, Inc., d/b/a Comprehensive Care Center, for mental health services for inmates at the Detention Center, at a cost not to exceed \$834,755.68.
17. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with Amy Slatin, 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.
18. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with U.S. Geological Survey, for the continuing and ongoing maintenance and operation of existing stream flow and precipitation gauges, at a cost not to exceed \$67,680.
19. 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, for extension of the Healthway Trail Project through June 30, 2011, at no cost to the Urban County Government.
20. 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 359 E. Third St. and 950 Whitney Ave.
21. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with Bluegrass State Games, Inc., for organization and execution of the Bluegrass State Games, at a cost not to exceed \$52,500.
22. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 to the Contract with Free Contracting, for the Solid Waste Facility Expansion, decreasing the contract price by the sum of \$69,051.64 from \$1,208,101.20 to \$1,146,142.36.
23. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Contract for Like Kind Exchange with Big Ass Fans, Inc., for Isis Fans in exchange for admission and participation fees, in the Div. of Parks and Recreation.
24. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Ky. Utilities Co., for electric service, for the Limestone Streetscape Project, at a cost not to exceed \$31,920.24.

25. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Amendment No. 12 to the Contract with Entran (formerly known as American Consulting Engineers, PLC) for professional services for the Newtown Pike Extension Project, increasing the contract price by the sum of \$37,850.00 \$6,576,501.51 to \$6,614,351.51.
26. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to transfer property and temporary construction easements to the Ky. Transportation Cabinet and to execute Certificates of Consideration and any other necessary documents for the widening of Leestown Rd. along the south side of Leestown Rd. in the vicinity of the Bracktown Rd. intersection, at no cost to the Urban County Government.
27. A Resolution amending the following section of Appendix A, Rules and Procedures of the Lexington-Fayette Urban County Council: amending Section 2.101 relating to terms and appointments of chairs of committees; amending Section 2.102 providing the number of standing committees on which each councilmember shall serve and renaming and restructuring standing committees; amending Section 2.105 providing that the Committee of the Whole shall conduct work sessions; amending Section 2.202 providing that standing committees shall have no less than six regularly scheduled meetings per year; amending Section 2.204 removing the Mayor's authority to refer any item directly to a committee and providing that the Committee of the Whole shall not refer items to committee; amending Section 2.205 providing that permanent or standing committees shall report to the Committee of the Whole; replacing the words "work session" with "Committee of the Whole work session"; amending Section 3.103 to provide that Councilmembers may introduce legislation at any meeting of the Urban County Council; amending Section 4.102 to add committee reports to the order of business; amending Section 4.104 providing for the order of business at the Committee of the Whole work session; and providing that the restructuring shall be reviewed prior to June 30, 2011; effective January 1, 2011.

VII. RESOLUTIONS – FIRST READING

28. A Resolution accepting the bids of Light Bulb Depot of America, Brock McVey Co., Graybar Electric, and West-Lite Supply Co., Inc., establishing price contracts for bulbs and ballasts, for the Div.'s of Facilities and Fleet Management and Community Corrections. (9)
29. A Resolution accepting the bids of Henry Schein Matrix Medical; Kentron Health Care, Inc.; Bound Tree Medical LLC; and Midwest Medical Supply Co., establishing price contracts for emergency medical supplies, for the Div. of Fire and Emergency Services. (12)
30. A Resolution accepting the bid of Intec Building Services, Inc., establishing a price contract for custodial services – Central Ky. Job Center, for the Div. of Facilities and Fleet Management. (6 Non-Low)

31. A Resolution accepting the bids of Language Line Services and Masterworld Services, Inc., establishing price contracts for translation services, for the Div. of Emergency Management/911. (8)
32. A Resolution accepting the bids of Galls (an Aramark Co., LLC) and GT Distributors, Inc., establishing price contracts for police car consoles, for the Div. of Police. (2)
33. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration and accept a Deed conveying a greenway from the owner of record, for property located at 3278 Sweet Clover Ln., Unit 1-C, at no cost to the Urban County Government.
34. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with the Lexington Humane Society, for administration of the Spay and Neuter Grant Fund and Program.
35. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement and a Lease Agreement with Lexington-Fayette Animal Care and Control, LLC, for animal control services, at a cost not to exceed \$1,035,000.
36. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a LEAP Service Agreement with Neustar, Inc., to provide access to the Number Portability Administration Center in support of Enhanced 911 Services for a period of up to three years, subject to exercise of renewal option and sufficient funds being appropriated in future fiscal years, at a cost not to exceed \$2,000 in FY 2011.
37. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Environmental Protection Agency and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$200,000 Federal funds, and are for a Brownfield Assessment Project.
38. A Resolution authorizing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-86, to install multiway stop controls at Andover Forest Dr. and Brighton Place Dr.
39. A Resolution specifying the intention of the Urban County Council to expand and extend the Full Urban Services District #1 to provide street lighting, street cleaning and garbage and refuse collection; finding a need for these services in the area included; finding the ability of the Urban County Government to provide these services in this area, which area is defined as certain properties on the following street: Atwood Dr.

40. A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #5 to provide street lighting and garbage and refuse collection; finding a need for these services in the area included; finding the ability of the Urban County Government to provide these services in this area, which area is defined as certain properties on the following streets: Aldershot Dr., Blueberry Rd., Dellwood Dr., Potomac Dr., Springhill Dr., Sweetbriar Circle, and Worcester Rd.
41. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Catholic Charities of the Diocese of Lexington, Inc. (\$500), South Lexington Babe Ruth, Inc. (\$1,000), Girls on the Run Lexington Corp. (\$425), Step by Step, Inc. (\$375), Downtown Lexington Corp. (\$1,200), Brenda D. Cowen Coalition for Ky., Inc. (\$325), Shriners Neighborhood Association, Inc. (\$1,360), Lakeshore Village Homeowners Association, Inc. (\$1,732), Chenault Rd. Neighborhood Association, Inc. (\$350), Fairway Neighborhood Association, Inc. (\$500), for the Office of the Urban County Council, at a cost not to exceed the sums stated.
42. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Copperfield Neighborhood Association, Inc. (\$400), Temple of Prayer Church of God in Christ, Inc. (\$250), Cardinal Valley Neighborhood Association, Inc. (\$1,000), for the Office of the Urban County Council, at a cost not to exceed the sums stated.
43. A Resolution ratifying the probationary civil service appointments of: Shandra McCauley, Stores Clerk, Grade 107N, \$14.499 hourly, in the Div. of Streets, Roads and Forestry, effective October 25, 2010, Charles Burchett, Computer Analyst, Grade 115E, \$1,760.00 bi-weekly, in the Div. of Computer Services, effective October 25, 2010, Robert Austin, Kenneth Newby, Equipment Operator Sr., Grade 109N, \$17.354 hourly, in the Div. of Water Quality, effective October 25, 2010, Colleen West, Social Worker, Grade 111E, \$1,732.64 bi-weekly, in the Div. of Adult and Tenant Services, effective October 25, 2010, Joe Anderson, Operations Manager, Grade 116E, \$2,200.00 bi-weekly, in the Div. of Waste Management, effective October 25, 2010, James McCarthy, Public Service Supervisor, Grade 111N, \$18.839 hourly, in the Div. of Waste Management, effective October 25, 2010, Darrell Hager, Public Service Supervisor, Grade 111N, \$15.116 hourly, in the Div. of Parks and Recreation, effective October 4, 2010, Debbie Barnette, Engineering Technician Sr., Grade 113E, \$1,348.40 bi-weekly, in the Div. of Water Quality, effective October 25, 2010; ratifying the probationary sworn appointments of: William Appleget, Tim Belcher, Patrick Bolzenius, Adam Cramer, Christopher Crowe, Adam Day, Derrick Desimone, Bryan Duty, Joshua Elam, Ricky Euler, Bradley Farkas, Zachary Ferguson, Andrew Hatfield, Casey Hogue, Russell Jones, Stephen Kinney, Kenny Kulpa, Joshua Lile, Christopher MacFarlane, Jeff Miles, Kevin Pletzke, James Praria,

Casey Sparrow, James Thompson, William Willett, Firefighter, Grade 311N, \$17.510 hourly, in the Div. of Fire and Emergency Services, effective November 1, 2010; approving the permanent civil service appointments of: Jeffery Burk, Heavy Equipment Technician, Grade 113N, in the Div. of Facilities and Fleet Management, effective October 12, 2010, Candace Wafford, Financials Manager Enterprise Solutions, Grade 119E, in the Div. of Enterprise Solutions, effective September 15, 2010, Timothy Bailey, Technical Manager Enterprise Solutions, Grade 120E, in the Div. of Enterprise Solutions, effective September 15, 2010, Michelle Gunter, HCM Manager Enterprise Solutions, Grade 119E, in the Div. of Enterprise Solutions, effective September 15, 2010, Jeff Giles, Public Service Supervisor, Grade 111N, in the Div. of Parks and Recreation, effective September 10, 2010, Paul Smith, Fleet Parts Specialist, Grade 109N, in the Div. of Facilities and Fleet Management, effective September 15, 2010, Tracey McElroy, Staff Assistant, Grade 107N, in the Div. of Waste Management, effective September 22, 2010; approving the unclassified civil service appointments of: George Milligan, Administrative Officer, Grade 118E, \$2,681.68 bi-weekly, in the Dept. of General Services, effective November 16, 2009, Carey Mason-Engleman, Probation Officer, Grade 110N, \$13.882 hourly, in the Div. of Community Corrections, effective October 25, 2010.

44. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with Marrillia Design and Construction, for the Lexington Streetscape Phase One Cheapside Site Improvements Project (Final), decreasing the contract price by the sum of \$45,429.00 from \$1,767,879.10 to \$1,722,450.10.
45. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with M.A.S.H. Services of the Bluegrass, Inc., for operation of the M.A.S.H. Drop Inn Facility, at a cost not to exceed \$180,000 in Grant funds from the U.S. Dept. of Health and Human Services.
46. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agency Participation Agreement with the Ky. Housing Corp., for participation in the Ky. Homeless Management Information System, for the Div. of Adult and Tenant Services, at a cost not to exceed \$1,800 annually.
47. A Resolution authorizing the Aging Services Administrator in the Dept. of Social Services to execute Exhibition of Artwork Agreements with artists for display of works of art at the Lexington Senior Center, at no cost to the Urban County Government.
48. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Federal Equitable Sharing Agreement with the Dept. of Justice and the Dept. of the Treasury, for participation in the Federal Equitable Sharing Program.

49. 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 access to the Burkewood Dr. Detention Basin, at no cost to the Urban County Government.
50. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements awarding Class A (Neighborhood) Incentive Grants for stormwater quality projects to Eastland Parkway Neighborhood Association, Inc. (\$7,408) and Southern Heights Neighborhood Association, Inc. (\$40,630.40), at a cost not to exceed the sums stated.
51. A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements awarding Class B Incentive Grants for stormwater quality projects to the Board of Education of Fayette County (Henry Clay High School) (\$2,500), the Trane Co. (\$4,677.19), Transylvania University (\$4,878.75), and the Board of Education of Fayette County (Rosa Parks Elementary School) (\$6,700) at a cost not to exceed the sums stated.
52. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Agreement with Fayette County Board of Education, for ESP and REAL Programs.
53. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Agreement with Fayette County Board of Education, for use of Jesse Clark Middle School Gym, at a cost not to exceed \$5,670.
54. A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Subordination Agreement with Central Bank and Trust, to allow Central Bank to be primary lien holder for items financed.
55. A Resolution of the Urban County Council withdrawing the subpoena issued by the Urban County Council Special Investigative Committee to Bruce Sahli, Director of the Office of Internal Audit; requesting that the parties to the litigation challenging the authority of the Committee to issue subpoenas dismiss the action; and directing that no further Urban County Government funds be expended for any legal services provided after October 14, 2010, in connection with the litigation, except for those associated with dismissal of the action.

VIII. COMMUNICATIONS FROM THE MAYOR (FOR INFORMATION ONLY)

1. Resignation of Michael Roland, Equipment Operator Sr., Div. of Waste Management, effective September 21, 2010.
2. Termination of probationary appointment of Tim Jones, Public Service Worker, Div. of Waste Management, effective September 17, 2010.

IX. REPORT

1. Div. of Building Inspection for the 3rd Quarter (July-September) of 2010.

X. ANNOUNCEMENTS

XI. PUBLIC COMMENTS