Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky January 13, 2011

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on January 13, 2011 at 6:00 P.M. Present were Mayor Gray in the chair presiding, and the following members of the Council: Council Members Crosbie, Ellinger, Farmer, Ford, Gorton, Henson, Kay, Lane, Lawless, Martin, McChord, Myers, Stinnett, Beard, and Blues.

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

Ordinances No. 212-2010 thru 227-2010 inclusive and Resolutions No. 650-2010 thru 703-2010 inclusive were reported as having been signed and published, and were ordered to record.

Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky January 13, 2011

The Invocation was given by Pastor Bill Henard, Porter Memorial Baptist Church.

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The Mayor commented on the memorial service held on January 12, 2011, for the victims of the tragedy in Arizona.

He welcomed the new Council.

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Upon motion of Mr. Ellinger, seconded by Ms. Crosbie, the minutes of the December 9, 2010 Council meeting and the summary of the December 7, 2010 work session were approved by unanimous vote.

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Mr. Ellinger reported on the December 7, 2010 Council Services Committee meeting.

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Ms. Gorton reported on the January 11, 2011 Committee of the Whole Work Session.

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Ms. Gorton made a motion, seconded by Mr. Ellinger, and approved by unanimous vote, to remove an Ordinance amending Section 21-5(2) of the Code of Ordinances, creating two (2) positions of Telecommunicator Supervisor Sr., Grade 117E, and abolishing two (2) positions of Telecommunicator Supervisor, Grade 116E, and appropriating funds pursuant to Schedule No. 80 from the docket.

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Ms. Gorton made a motion, seconded by Ms. Crosbie, and approved by unanimous vote, to remove an Ordinance amending Section 21-5(2) of the Code of Ordinances abolishing one (1) position of Risk Management Analyst, Grade 115E, in the Div. of Risk Management and creating one (1) position of Risk Management Analyst, Grade 115E, in the Dept. of General Services; transferring the incumbent; and appropriating funds pursuant to Schedule No. 64 from the docket until May 1, 2011.

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Ms. Gorton made a motion, seconded by Mr. Blues, to refer the franchise agreements to the General Government Committee, to refer the Alltech World Equestrian Games reimbursement issue to the Public Safety and Public Works and

Development Committee, to ask the Chief Administrative Officer and the Div. of Streets, Roads and Forestry for a report and schedule for the Clays Mill Rd. Project, to ask the Chief Administrative Officer for an update on the Urban County Government's salt supply, and to refer the Building Inspection Task Force Report to the Planning and Zoning Committee.

Ms. Lawless asked for clarification about the referral of the World Equestrian Games reimbursement. Ms. Gorton and Ms. Crosbie responded.

Ms. Crosbie requested that Spotlight Lexington funding be added to the request to refer the Alltech World Equestrian Games reimbursement issue to the Public Safety and Public Works and Development Committee. Ms. Gorton accepted the amendment.

Ms. Crosbie made a motion, seconded by Mr. Ellinger, and approved by unanimous vote, to add the referral of the Urban County Government Snow Plan to the Public Safety and Public Works and Development Committee to the original motion.

Ms. Gorton's motion **passed** by unanimous vote.

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Mr. Martin made a motion, seconded by Ms. Henson, and approved by unanimous vote, to refer the consideration of additional bonding for the repaving of streets to the Budget and Finance Committee.

Mr. Beard and Ms. Crosbie asked for clarification of Mr. Martin's motion. Mr. Martin responded.

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

Aye: Crosbie, Ellinger, Farmer, Ford, Gorton,
Henson, Kay, Lane, Lawless, Martin,
McChord, Myers, Stinnett, Beard, Blues------15
Nay: --0

An Ordinance deleting Article 20 and amending Articles 5,8,21,23 and 26 of the Zoning Ordinance and amending Articles 4,5, and 6 of the Subdivision Regulations all relating to stormwater and erosion control.

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 $6,000 Federal funds, are for the Domestic Violence Prevention Board for printing informational materials for victims of domestic violence, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 76, 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 U.S. Dept. of Justice, which Grant funds are in the amount of $41,057.20 Federal funds, are for the purchase of bulletproof vests for the Div. of Police ($37,387) and the Office of the Fayette County Sheriff ($3,670), the acceptance of which obligates the Urban County Government for the expenditure of $37,387 as a local match, appropriating funds pursuant to Schedule No. 77, 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 funds in the amount of $116,236.74 for payment from Great American Insurance Co. due to contractor bond default and appropriating and re-appropriating funds, Schedule No. 78.

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Upon motion of Mr. Ford, seconded by Mr. Farmer, and approved by unanimous vote, an Ordinance changing the zone from a Single Family Residential (R1-C) zone to a Wholesale and Warehouse Business (B-4) zone for 2.52 net (2.73 gross) acres, for property located at 1528, 1532, and 1534 N. Limestone (James Waller) was placed on the docket without a public hearing.

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

* * *

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

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. 85.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Bluegrass Area

Development District, 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 $89,078 Federal funds, are for operation of the Senior Citizens Center in FY 2012, the acceptance of which obligates the Urban County Government for the expenditure of $160,146 as a local match, appropriating funds pursuant to FY 2012 Schedule No. 2, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

An Ordinance amending Section 22-5(2) of the Code of Ordinances, creating one (1) position of Senior Administrative Aide to the Mayor, Grade 120E and abolishing one (1) position of Senior Advisor, Grade 212E and appropriating funds pursuant to Schedule No. 86.

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with AMEC Earth & Environmental, Inc., for Brownfield Site Assessment Services, at a cost not to exceed $140,220 was given first reading.

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

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

Aye: Crosbie, Ellinger, Farmer, Ford, Gorton,
Henson, Kay, Lane, Lawless, Martin,
McChord, Myers, Stinnett, Beard, Blues---------15

Nay: --0

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

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: Crosbie, Ellinger, Farmer, Ford, Gorton,
Henson, Kay, Lane, Lawless, Martin,
McChord, Myers, Stinnett, Beard, Blues---------15

Nay: --0

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Grant Agreement with the Cabinet for Economic Development, the State Property and Buildings Commission, and Tiffany and Co., to accept Grant funds in the amount of $300,000 to be provided to Tiffany and Co. for expenditures related to its facility in Fayette County, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Blue Grass Energy Cooperative Corp., at a cost not to exceed $2,968, to install and monitor five LED Street Lights as part of the Government Retrofit activity services under the Energy Efficiency and Conservation Block Grant Program.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (Final) to the Contract with ADE Contracting, Inc., for Legacy Trail - Ky. Horse Park Trail Project, increasing the contract price by the sum of $8,509.10 from $166,931.50 to $175,440.60.

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

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

Aye: Crosbie, Ellinger, Farmer, Ford, Gorton,
Henson, Kay, Lane, Lawless, Martin,
McChord, Myers, Stinnett, Beard, Blues---------15

Nay: --0

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Commonwealth of Ky.'s Dept. of Housing, Buildings, and Construction, to provide Heating, Ventilation and Air Conditioning (HVAC) permitting and inspection services in Fayette County for the Dept. pursuant to KRS 198B.060 and KRS 198B.6673, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Settlement Agreement with the Ky. Transportation Cabinet and LaDonna L. Koebel and James F. Fields related to property located at 2701 Leestown Rd.

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A Resolution ratifying the probationary civil service appointments of: Gregory Sheffer, Public Service Worker Sr., Grade 107N, $14.217 hourly, in the Div. of Water Quality, effective November 22, 2010, Conni Hayes, Staff Assistant Sr., Grade 108N, $16.000 hourly, in the Div. of Purchasing, effective January 17, 2011, Kathleen Hicks, Administrative Specialist Sr., Grade 112N, $22.213 hourly, in the Div. of Revenue, effective January 3, 2011, Vincent Davis, Public Service Worker Sr., Grade 107N, $13.299 hourly, in the Div. of Streets, Roads and Forestry, effective upon passage of Council, Lamories Adams, Custodial Worker, Grade 102N, $10.913 hourly, in the Div. of Facilities and Fleet Management, effective upon passage of Council; ratifying the permanent civil service appointments of: Reginald Lyons, Tim Hafley, Larry Green, Lesa Spillman, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective December 28, 2010, Michael LeMaster, Enforcement Officer, Grade 110N, in the Div. of Waste Management, effective November 24, 2010; approving the unclassified civil service appointments of: John Walker, Eligibility Counselor, Grade 110E, $1,615.52 bi-weekly, in the Div. of Family Services, effective upon passage of Council, Karen Colbert, Eligibility Counselor, Grade 110E, $1,309.84 bi-weekly, in the Div. of Adult and Tenant Services, effective upon passage of Council, Jamie Emmons, Executive Assistant to the Mayor, Grade 122E, $3,461.54 bi-weekly, in the Office of the Mayor, effective January 3, 2011, Susan Straub, Senior Administrative Aide to Mayor, Grade 120E, $3,192.31 bi-weekly, in the Office of the Mayor, effective January 3, 2011, Geoff Reed, Senior Administrative Aide to Mayor, Grade 120E, $3,192.31 bi-weekly, in the Office of the Mayor, effective January 3, 2011, Jennifer Mossotti, Senior Administrative Aide to Mayor, Grade 120E, $3,192.31 bi-weekly, in the Office of the Mayor, effective January 3, 2011, Marian Zeitlin, Administrative Aide to Mayor, Grade 118E, $2,192.31 bi-weekly, in the Office of the Mayor, effective January 3, 2011, Melissa Lueker, Administrative Aide to Mayor, Grade 118E, $2,500.00 bi-weekly, in the Office of the Mayor, effective January 3, 2011, Maureen Watson, Administrative Aide to Mayor, Grade 118E, $2,307.69 bi-weekly, in the Office of the Mayor, effective January 3, 2011, Linda Taylor, Administrative Specialist Principal, Grade 114E, $1,846.15 bi-weekly, in the Office of the Mayor, effective January 3, 2011, Lori Houlihan, Administrative Specialist Sr., Grade 112N, $20.481 hourly, in the Office of the Mayor, effective January 3, 2011; Hilary Perrine, Administrative Specialist Sr., Grade 112N, $18.481 hourly, in the Office of the Mayor, effective January 3, 2011, John Wilkinson, Administrative Specialist Sr., Grade 112N, $19.952 hourly, in the Office of the Mayor, effective January 3, 2011, Shauntae Hall, Administrative Specialist Sr., Grade 112N, $18.481 hourly, in the Office of the Mayor, effective January 3, 2011; approving the unclassified civil service appointments to the Office of the Urban County Council of: Tiffany Tatum, Aide to Council, Grade 000E, $2,000.00 bi-weekly, in the Council Office, effective January 3, 2011, Melynda Milburn-Jamison, Aide to Council, Grade 000E, $2,000.00 bi-weekly, in the Council Office, effective January 3, 2011, Andrea James, Aide to Council, Grade 000E, $2,057.69 bi-weekly, in the Council Office, effective January 18, 2011, Ralph Coldiron, Aide to Council, Grade 000E, $2,057.69 bi-weekly, in the Council Office, effective January 3, 2011 was on the docket for first reading.

Mr. Ellinger made a motion, seconded by Ms. Gorton, and approved by unanimous vote, to amend the resolution to remove ratifying the probationary civil service appointment of Lamories Adams, Custodial Worker, Grade 102N, $10.913 hourly, in the Div. of Facilities and Fleet Management.

A Resolution ratifying the probationary civil service appointments of: Gregory Sheffer, Public Service Worker Sr., Grade 107N, $14.217 hourly, in the Div. of Water Quality, effective November 22, 2010, Conni Hayes, Staff Assistant Sr., Grade 108N, $16.000 hourly, in the Div. of Purchasing, effective January 17, 2011, Kathleen Hicks, Administrative Specialist Sr., Grade 112N, $22.213 hourly, in the Div. of Revenue, effective January 3, 2011, Vincent Davis, Public Service Worker Sr., Grade 107N, $13.299 hourly, in the Div. of Streets, Roads and Forestry, effective upon passage of Council; ratifying the permanent civil service appointments of: Reginald Lyons, Tim Hafley, Larry Green, Lesa Spillman, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective December 28, 2010, Michael LeMaster, Enforcement Officer, Grade 110N, in the Div. of Waste Management, effective November 24, 2010; approving the unclassified civil service appointments of: John Walker, Eligibility Counselor, Grade 110E, $1,615.52 bi-weekly, in the Div. of Family Services, effective upon passage of Council, Karen Colbert, Eligibility Counselor, Grade 110E, $1,309.84 bi-weekly, in the Div. of Adult and Tenant Services, effective upon passage of Council, Jamie Emmons, Executive Assistant to the Mayor, Grade 122E, $3,461.54 bi-weekly, in the Office of the Mayor, effective January 3, 2011, Susan Straub, Senior Administrative Aide to Mayor, Grade 120E, $3,192.31 bi-weekly, in the Office of the Mayor, effective January 3, 2011, Geoff Reed, Senior Administrative Aide to Mayor, Grade 120E, $3,192.31 bi-weekly, in the Office of the Mayor, effective January 3, 2011, Jennifer Mossotti, Senior Administrative Aide to Mayor, Grade 120E, $3,192.31 bi-weekly, in the Office of the Mayor, effective January 3, 2011, Marian Zeitlin, Administrative Aide to Mayor, Grade 118E, $2,192.31 bi-weekly, in the Office of the Mayor, effective January 3, 2011, Melissa Lueker, Administrative Aide to Mayor, Grade 118E, $2,500.00 bi-weekly, in the Office of the Mayor, effective January 3, 2011, Maureen Watson, Administrative Aide to Mayor, Grade 118E, $2,307.69 bi-weekly, in the Office of the Mayor, effective January 3, 2011, Linda Taylor, Administrative Specialist Principal, Grade 114E, $1,846.15 bi-weekly, in the Office of the Mayor, effective January 3, 2011, Lori Houlihan, Administrative Specialist Sr., Grade 112N, $20.481 hourly, in the Office of the Mayor, effective January 3, 2011; Hilary Perrine, Administrative Specialist Sr., Grade 112N, $18.481 hourly, in the Office of the Mayor, effective January 3, 2011, John Wilkinson, Administrative Specialist Sr., Grade 112N, $19.952 hourly, in the Office of the Mayor, effective January 3, 2011, Shauntae Hall, Administrative Specialist Sr., Grade 112N, $18.481 hourly, in the Office of the Mayor, effective January 3, 2011; approving the unclassified civil service appointments to the Office of the Urban County Council of: Tiffany Tatum, Aide to Council, Grade 000E, $2,000.00 bi-weekly, in the Council Office, effective January 3, 2011, Melynda Milburn-Jamison, Aide to Council, Grade 000E, $2,000.00 bi-weekly, in the Council Office, effective January 3, 2011, Andrea James, Aide to Council, Grade 000E, $2,057.69 bi-weekly, in the Council Office, effective January 18, 2011, Ralph Coldiron, Aide to Council, Grade 000E, $2,057.69 bi-weekly, in the Council Office, effective January 3, 2011 was given first reading as amended.

Upon motion of Ms. Lawless, seconded by Mr. Farmer, the rules were suspended by unanimous vote.

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

Aye: Crosbie, Ellinger, Farmer, Ford, Gorton,
Henson, Kay, Lane, Lawless, Martin,
McChord, Myers, Stinnett, Beard, Blues---------15

Nay: ---0

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Upon motion of Ms. Gorton, seconded by Mr. Blues, and approved by unanimous vote, a Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Palomar Hills Community Association, Inc., ($1,000), for the Office of the Urban County Council, at a cost not to exceed the sum stated was placed on the docket and given first reading.

Upon motion of Ms. Lawless, seconded by Mr. Farmer, the rules were suspended by unanimous vote.

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

Aye: Crosbie, Ellinger, Farmer, Ford, Gorton,
Henson, Kay, Lane, Lawless, Martin,
McChord, Myers, Stinnett, Beard, Blues---------15

Nay: ---0

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Upon motion of Mr. Stinnett, seconded by Mr. McChord, and approved by unanimous vote, a Resolution authorizing the Mayor or his designee, on behalf of the Urban County Government, to submit applications and execute any necessary Agreements with the Federal Communications Commission for use of various VHF frequencies by the Div. of Fire and Emergency Services, at a cost not to exceed $1,000 was placed on the docket and given first reading.

Upon motion of Ms. Lawless, seconded by Mr. Farmer, the rules were suspended by unanimous vote.

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

Aye: Crosbie, Ellinger, Farmer, Ford, Gorton,
Henson, Kay, Lane, Lawless, Martin,
McChord, Myers, Stinnett, Beard, Blues---------15

Nay: ---0

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Upon motion of Mr. McChord, seconded by Ms. Crosbie, and approved by unanimous vote, a Resolution accepting the bid of Woodall Construction Co., Inc., in the amount of $3,569,321.10, for the Clays Mill Rd. Improvement Project Section 2A, for the Dept. of Public Works and Development, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Woodall Construction Co., Inc., related to the bid was placed on the docket and given second reading.

Upon motion of Ms. Lawless, seconded by Mr. Farmer, the rules were suspended by unanimous vote.

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

Aye: Crosbie, Ellinger, Farmer, Ford, Gorton,
Henson, Kay, Lane, Lawless, Martin,
McChord, Myers, Stinnett, Beard, Blues---------15

Nay: ---0

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Upon motion of Mr. McChord, seconded by Mr. Farmer, and approved by unanimous vote, a Resolution accepting the bid of W. Rogers Co., in the amount of $55,750, for Secondary Digester Demolition and Removal, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with W. Rogers Co., related to the bid was placed on the docket and given first reading.

Upon motion of Ms. Lawless, seconded by Mr. Farmer, the rules were suspended by unanimous vote.

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

Aye: Crosbie, Ellinger, Farmer, Ford, Gorton,
Henson, Kay, Lane, Lawless, Martin,
McChord, Myers, Stinnett, Beard, Blues---------15

Nay: ---0

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Upon motion of Mr. McChord, seconded by Mr. Blues, and approved by unanimous vote, a Resolution accepting the bid of Central Indiana Truck Equipment Corp., in the amount of $149,914, for Rear Loading Truck Mounted Refuse Body, for the

Div. of Facilities and Fleet Management was placed on the docket and given first reading.

Upon motion of Ms. Lawless, seconded by Mr. Farmer, the rules were suspended by unanimous vote.

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

Aye: Crosbie, Ellinger, Farmer, Ford, Gorton,
Henson, Kay, Lane, Lawless, Martin,
McChord, Myers, Stinnett, Beard, Blues---------15

Nay: --0

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A Resolution accepting the bid of United Mail, establishing a price contract for the distribution of Fun Guide 2011, for the Div. of Parks and Recreation was given first reading.

Ms. Lawless asked a question about the resolution. Mr. Jamshid Baradaran, Director of the Div. of Facilities and Fleet Management, responded. Ms. Lawless asked for additional information before the resolution received second reading.

The resolution was ordered placed on file two weeks for public inspection.

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A Resolution accepting the bid of Cricket Communications, Inc., establishing a price contract for wireless phone service, for the Div. of Parks and Recreation was given first reading.

Mr. Myers asked for additional information on the number of cell phone companies doing business with the Urban County Government. Mr. Jamshid Baradaran, Director of the Div. of Facilities and Fleet Management, responded that he would provide the information.

The resolution was ordered placed on file two weeks for public inspection.

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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 bid of Bulk Plants, Inc., establishing a price contract for Bulk Fuel, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Riley Oil Co., establishing a price contract for Commercial Fuel - Diesel, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Saffire Cleaning Service, LLC, establishing a price contract for Custodial Services - Police Headquarters, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Saffire Cleaning Service, LLC, establishing a price contract for Custodial Services - General Services, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Democrat Printing and Litho, establishing a price contract for Fun Guide 2011 Printing, for the Div. of Parks and Recreation.

A Resolution accepting the bid of Advanced Interactive Systems, Inc., in the amount of $58,379, for a Police Firearms Training Simulator, for the Div. of Police.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract Amendment with Southern Heights Neighborhood Association, for extension of the completion date of the Neighborhood Action Match Project to September 30, 2011.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Claunch Construction, LLC, for the Meadows/Northland/Arlington Public Improvements Project, increasing the contract price by the sum of $45,508.15 from $977,250.85 to $1,022,759.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Rural and Inner City Adopt-A-Spot Program Agreements with Christ United Methodist Church, BSA #220 ($1,304.12); Christ Centered Church, BSA #59 ($1,567.20); Immanuel Baptist Church, BSA #41 ($1,231.68); Rosemont Baptist Church, BSA #98 ($1,157.40); Beaumont Presbyterian, BSA #279 ($1,038.28); Greater Faith Apostolic Church, BSA #238 ($1,103.60 and $522.98); First Alliance Church ($1,265.40); Bluegrass Chapter Order of Demolay ($1,332.32); Christian Youth Fellowship ($1,942.51); Phillips Memorial Church ($2,191.56); Brown & Brown Assoc. ($772.00); Boy Scout Troop #103 ($298.85); Boy Scout Troop #13 ($1,992.32); Boy Scout Troop #186 ($273.95); Boy Scout Troop #382 ($448.27); and Tates Creek

Presbyterian Church BS Troop 226 ($921.44); for participation in the Adopt-A-Spot Roadway Cleanup Program, at a cost not to exceed $20,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Ad-Success, for the Mobility Office Marketing Campaign, at a cost not to exceed $44,400.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 3 (Final) to the Contract with Free Contracting, for the Solid Waste Facility Expansion, decreasing the contract price by the sum of $12,364.50 from $1,146,142.36 to $1,133,777.86.

A Resolution approving the unclassified civil service appointment of: Richard Moloney, Chief Administrative Officer, Grade 213E, $4,615.39 bi-weekly, in the Office of the CAO, effective January 3, 2011.

A Resolution amending Resolution No. 307-2010, which authorized the Mayor to hire Risk Management Services Corp. for third party claims administration for liability and workers' compensation claims, to increase the cost for FY2011 from $199,200 to $203,600, to include administration of workers' compensation claims that arose prior to July 1, 2008, and cancelling the contract with current administrator.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Rental Agreement with the Lexington Center Corp., for the Kiddie Kapers Program, at a cost not to exceed $10,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Amendment No. 2 to the Contract with Sherman Carter Barnhart PSC, for the Anniston/Wickland Stormwater Project, for the Div. of Water Quality, increasing the contract price by the sum of $8,750 from $136,950 to $145,700 for additional design services.

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Ms. Gorton made a motion, seconded by Mr. Blues, to place a Resolution amending Section 2.102 of Appendix A, Rules and Procedures of the Lexington-Fayette Urban County Council, increasing the number of members on the Budget and Finance Committee from nine (9) Councilmembers to ten (10) Councilmembers and providing that the tenth (10th) Councilmember shall be appointed by the Vice Mayor on the docket.

Mr. Myers spoke about the amendment to the Council Rules & Procedures, and the changes that had just been implemented. He requested additional information on the amendment.

Mr. Farmer asked for clarification on discussion of the amendment. Mr. Myers and Ms. Gorton responded.

The Council continued to discuss the motion.

Ms. Gorton responded to concerns about the motion, and withdrew the motion. She asked that the issue be placed on the list of issues to be reviewed during the probationary period for the new Council Rules & Procedures.

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The report for the Div. of Building Inspection for the 4th Quarter (October – December) of 2010 was received and ordered filed.

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The following Communications from the Mayor were received for information only: (1) Reinstatement of Tonya Jones, Community Corrections Officer, Grade 110N, $14.560 hourly, in the Div. of Community Corrections, effective upon passage of Council; and (2) Transfer of Derrick Ingram, Public Service Worker Sr., Grade 107N, from the Div. of Parks and Recreation to the Div. of Streets, Roads and Forestry, effective January 4, 2011.

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Mr. Beard made a request for a report on the sale of Urban County Government properties.

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Mr. Stinnett thanked the employees at the Div. of Water Quality for their assistance with snow removal.

Mr. Sam Williams, Director of the Div. of Streets, Roads, and Forestry, also thanked the employees of the Div. of Facilities and Fleet Management for their help in the snow removal.

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Mr. Martin thanked all divisions for their good work on the snow removal.

He also congratulated Mayor Gray on his first meeting.

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Ms. Lawless thanked all the employees for their work on snow removal. She also stated that the Code of Ordinances requires that property owners clear their sidewalks within a certain time period after a snow event.

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Ms. Gorton added her comments and concerns about people blowing snow off of the sidewalks and into the streets which had recently been cleared.

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Mayor Gray thanked everyone for the work on snow removal.

He also thanked everyone for their help in implementing the new Council Rules & Procedures, especially Ms. Jennifer Mossoti, Mayor's Office, Ms. Susan Lamb, Council Clerk's Office, and Ms. Glenda George, Dept. of Law.

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Assistant Chief David Boggs, Div. of Police, stated that Officer Jon C. Tucker had committed the offense of Operation of Vehicles, in violation of KRS 95.450 and General Order 73-2/H, Operational Rules, Section 1.13, in that on the 1st day of August, 2010, he was involved in an injury collision. Collision Reconstruction Unit Investigators determined Officer Jon C. Tucker was not at fault but their investigation revealed Officer Tucker was not wearing his safety belt at the time of the collision. General Order 73-3/M, Operation & Maintenance of Home Fleet, Section (C), Use of Home Fleet Vehicles, (#16), advises officers are required to use seat belts (in accordance with KRS 189.125) while driving or riding in a vehicle belonging to the Division, and that the appropriate punishment is a Written Reprimand and Loss of Home Fleet Privileges for Eighty (80) Hours.

Upon motion of Mr. Ellinger, seconded by Ms. Gorton, the disciplinary action was approved by unanimous vote.

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Assistant Chief David Boggs, Div. of Police, stated that Officer Kevin G. Jones had committed the offense of Operation of Vehicles in violation of KRS 95.450 and General Order 73-2/H, Operational Rules, Section 1.13, in that on the 5th day of September, 2010, he was involved in an injury collision. Collision Reconstruction Unit Investigators determined Officer Kevin G. Jones was not at fault but their investigation revealed Officer Jones was not wearing his safety belt at the time of the collision.

General Order 73-3/M, Operation & Maintenance of Home Fleet, Section (C), Use of Home Fleet Vehicles, (#16), advises officers are required to use seat belts (in accordance with KRS 189.125) while driving or riding in a vehicle belonging to the Division, and that the appropriate punishment for this conduct is a Written Reprimand and Loss of Home Fleet Privileges for Eighty (80) Hours.

Upon motion of Ms. Gorton, seconded by Ms. Crosbie, the disciplinary action was approved by unanimous vote.

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Mr. Robert Dalton, Douglas Avenue, spoke about Veterans Assistance House Bill 202, currently before the State Legislature. He stated his concerns about the Bill and encouraged the Council to participate in supporting the Bill.

He also commended Ms. Crosbie for her work on the Council.

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Upon motion of Ms. Crosbie, seconded by Mr. Myers, and approved by unanimous vote, the meeting adjourned at 8:21 p.m.

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Clerk of the Urban County Council