Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky April 14, 2011

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on April 14, 2011 at 6:00 P.M. Present were Mayor Gray in the chair presiding, and the following members of the Council: Council Members Myers, Stinnett, Beard, Blues, Ellinger, Farmer, Ford, Gorton, Henson, Kay, Lane, Lawless, Martin and McChord. Absent was Council Member Crosbie.

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

Ordinances No. 25-2011 thru 32-2011 inclusive and Resolutions No. 97-2011 thru 121-2011 inclusive were reported as having been signed and published, and were ordered to record.

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Lexington, Kentucky April 14, 2011

The Invocation was given by Rev. Cynthia Cain, Unitarian Universalist Church of Lexington.

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Upon motion of Mr. Ellinger, seconded by Ms. Gorton, the minutes of the February 3 and 17, and March 3 and 17, 2011 Council Meetings were approved by unanimous vote.

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The Mayor introduced Mr. Howard Rupert, Mayor's Alliance on Substance Abuse, and presented him with a Proclamation proclaiming April, 2011, as Alcohol Awareness Month. Mr. Rupert thanked the Mayor and Council for their support of programs to reduce underage drinking.

The Mayor introduced Ms. Donna Wiesenhahn, Director of the Bluegrass Prevention Center, who spoke about the 'Parents Who Host Lose the Most' campaign to help prevent underage drinking. Ms. Wiesenhahn then introduced Mr. Arthur Rouse, with the 'Keep it Real' video campaign.

Mr. Rouse spoke about the goals of the program, and then introduced and showed some winning videos in the campaign: 1) "Masked" by Samantha Ball, Lance Hagan, Marianne Gallegos, Sean Nethery, Lauren House, et al, Elizabethtown High School ; 2) "It's Not Gonna" by Keanu Jones, Henry Clay High School; 3) "The Bucket List" by Kelly Sanders, McKayla Barry, Gabby Purdy, Morgan McEldown, Paul Lawrence Dunbar High School; and 4) "Stethoscope" by Mr. Louis Sanford, Lexington Day Treatment Center. Mr. Sanford, winner of the Most Original award in the video campaign, spoke about his experience and thanked everyone for their support.

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Mr. Gary Means, Lexington Parking Authority, spoke about the Lexington Downtown Parking Demand Study that had been conducted, and showed a presentation.

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Ms. Gorton reported that the Summary from the Committee of the Whole Work Session for March15, 2011 was approved.

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Ms. Gorton reported that there was a positive motion in the Committee of the Whole Work Session for the Council to move forward with the posting of the job description for the Council Administrator position.

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Ms. Gorton reported that there was a positive motion in the Committee of the Whole Work Session to hear reports from the Fayette County Sheriff, the Div. of Emergency Management/911, and the Div. of Community Corrections at the Committee of the Whole Work Session on May 10, 2011.

Ms. Lawless asked for clarification on the reports to be given, and asked that the budget information that had been requested from the Fayette County Sheriff be included in the report.

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Upon motion of Mr. Ellinger, seconded by Mr. Blues, and approved by unanimous vote, the Council Budget Links Schedule for 2011 was accepted.

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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 $490,000 Federal funds, are for the Lexington Traffic Movement and Revitalization Study, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 103, and authorizing the Mayor to transfer unencumbered funds within the Grant budget was given second reading.

Mr. Blues asked questions of Mr. Chris King, Director of the Div. of Planning, regarding potential changes in the allocations listed in the ordinance. Mr. King responded.

Mr. Beard asked questions of Mr. King regarding Main St. and Vine St.

Upon motion of Mr. Ellinger, and seconded by Mr. Stinnett, the ordinance was approved by the following vote:

Aye: Myers, Stinnett, Beard, Blues, Ellinger,
Farmer, Ford, Gorton, Henson, Kay,
Lane, Lawless, Martin, McChord------------14

Nay: --0

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

Aye: Myers, Stinnett, Beard, Blues, Ellinger,
Farmer, Ford, Gorton, Henson, Kay,
Lane, Lawless, Martin, McChord------------14

Nay: ---0

An Ordinance accepting the bid of The Southern Group, Inc., in the amount of $109,791 for Kearney Hills Golf Course Irrigation Replacement, for the Div. of Parks and Recreation, and appropriating funds pursuant to Schedule No. 108.

An Ordinance ratifying the 2010 Div. of Community Corrections Policy and Procedure Manual and adopting it in lieu of the Policy and Procedure Manual adopted in Ordinance No. 133-2009, which provides procedures for general management, public information, inmate information system and inmate records, budgeting and accounting, inmate accounts, commissary, staffing, disciplinary actions, sworn status, appearance, code of ethics, court proceedings, personnel records, physical fitness, training requirements, off-duty employment, drug free workplace policy, employee assistance program, tobacco free/no smoking designation, admissions, commitment authority, inmate records, inmate searches, inmate property, orientation, transfer and release, objective classification, security assessments, custody assessments, disciplinary segregation, administrative segregation, inmate supervision, security procedures, inspections, searches, transportation of inmates, use of restraints, use of force, weapons, use of firearms, emergency procedures and operations, inmate health care, food service procedures, equipment maintenance, control and use of dangerous materials, sanitation, hygiene, inmate services unit, statement of inmate rights, disciplinary offenses, hearing procedures, inmate grievance procedures, probation services unit, community alternative program-goals, drug testing unit, and community service unit.

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. 110.

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 $320,320 (FHWA Planning), $48,400 (Federal Transit Administration Section 5303), $102,000 (Mobility Office (SLX)), $54,000 (Air Quality Planning (SLX)), $67,200 (Congestion Management (SLX)) and $52,800 (Bike/Ped (SLX)) Federal funds, are for the Div. of Planning Unified Work Program - FY 2012, the acceptance of which obligates the Urban County Government for the expenditure of $60,060 (FHWA Planning), $12,100 (Federal Transit Administration), $25,500 (Mobility Office (SLX)), $13,500 (Air Quality Planning (SLX)), $16,800 (Congestion Management (SLX)), and $13,200 (Bike/Ped (SLX)) as a local match, subject to sufficient funds being appropriated in FY 2012, appropriating funds pursuant to FY 2012 Schedule No. 6, 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 National Association of Police Athletic/Activities League, Inc., 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 $30,000 Federal funds, are for a juvenile mentoring program in the Div. of Police, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 102, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Emergency Management Agency, which Grant funds are in the amount of $98,700 Federal funds and $15,792 Commonwealth of Ky. funds, are for the Lexington-Fayette County Comprehensive Hazard Mitigation Plan, the acceptance of which obligates the Urban County Government for the expenditure of $17,108 as a local match, appropriating funds pursuant to Schedule No. 104, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Div. of Emergency Management, which Grant funds are in the amount of $97,125 Federal funds and $15,540 Commonwealth of

Ky. funds, are for replacement of a generator at Fire Station One, the acceptance of which obligates the Urban County Government for the expenditure of $16,835 as a local match, appropriating funds pursuant to Schedule No. 105, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Dept. of Military Affairs, Div. of Emergency Management, which Grant funds are in the amount of $388,400 Federal funds, are for continuation of the Chemical Stockpile Emergency Preparedness Program (CSEPP), the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 106, 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. Cabinet for Health and Family Services, 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 $448,036 Federal funds, are for continuation of the New Chance Program in the Div. of Family Services, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2012 Schedule No. 5, 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 Administrative Specialist P/T, Grade 110N, in the Div. of Emergency Management/911 and appropriating funds pursuant to Schedule No. 107.

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Upon motion of Ms. Gorton, seconded by Mr. Farmer, and approved by unanimous vote, the following ordinances were placed on the docket without public hearings, given first reading, and ordered placed on file two weeks for public inspection:

An Ordinance changing the zone from a Wholesale and Warehouse Business (B-4) zone to a Neighborhood Business (B-1) zone for 0.74 net (1.07 gross) acre, for property located at 369 Codell Dr. (a portion of) (Equity Alliance of Lexington, LLC).

An Ordinance changing the zone from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone for 0.594 net (0.829 gross) acre, for property located at 1389 Alexandria Dr. (W. Nelson McMakin).

An Ordinance changing the zone from a Highway Service Business (B-3) zone to a Wholesale & Warehouse Business (B-4) zone for 1.083 net and gross acres, for property located at 763 and 779 Newtown Pike (portions of), subject to certain use restrictions imposed as conditions of granting the zone change (SCW Newtown, LLC).

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An Ordinance approving and adopting an Amendment to the 2010 Consolidated Plan to include the purchase of two residential units, relocation of the residents and demolition of the units in the Meadows/Northland/Arlington Project was on the docket for first reading with a public hearing being held.

The Mayor opened the public hearing.

There being no citizens to appear before the Council, the Mayor closed the public hearing.

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

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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. 112.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit the 2011 Consolidated Plan/Grant Application to the U.S. Dept. of Housing and Urban Development, to provide any additional information requested in connection with this Grant Application, and to accept the Grant if the application is approved, which Grant funds are in the amount of $3,641,000 Federal funds, are for FY2012 Community Development Block Grant Program ($2,050,000), HOME Program ($1,500,000), and Emergency Shelter Grant Program ($91,000), the acceptance of which obligates the Urban County Government for the expenditure of $351,500 from various funding sources as local cash match and $67,000 in-kind match; appropriating funds pursuant to FY2012 Schedule No. 9; authorizing the Mayor to transfer unencumbered funds within the Grant budget; and authorizing the Mayor to execute Agreements for the approved Plan.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Agreement with the Ky. Energy and Environment Cabinet, for the acceptance of additional Federal funds for the Wolf Run Creek Watershed Based Plan in the amount of $20,266, the acceptance of which obligates the Urban County Government for the expenditure of $13,510.67 as a local match, and appropriating funds pursuant to Schedule No. 114.

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 $750,000 Federal funds, are for the S. Limestone Streetscape Transportation Enhancement Project, and the acceptance of which obligates the Urban County Government for the expenditure of $187,500 as a local match, appropriating funds pursuant to Schedule No. 115, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

An Ordinance authorizing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Dept. of Juvenile Justice, 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 $241,845 Commonwealth of Ky. funds, are for operation of the Day Treatment Program, for the Div. of Youth Services, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2012 Schedule No. 7, 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 Lexington-Fayette County Health Dept., which Grant funds are in the amount of $483,202 Federal funds, are for the Home Network Project at the Family Care Center, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY

2012 Schedule No. 8, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

An Ordinance authorizing the Mayor, on behalf of the Urban County Government, to accept a Grant from the University of Ky., which Grant funds are in the amount of $496.50 Federal funds under the Child Care Infant/Toddler Provider Incentive Mini Grant Program, are for the purchase of equipment for the Family Care Center, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 113, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

An Ordinance authorizing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the U.S. Dept. of Health and Human Services, 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 $180,000 Federal funds, are for operation of the M.A.S.H. Drop Inn Facility, the acceptance of which obligates the Urban County Government for the expenditure of $20,000 to be provided by the M.A.S.H. Drop Inn operating budget, appropriating funds pursuant to FY 2012 Schedule No. 10, authorizing the Mayor to transfer unencumbered funds within the Grant budget, and authorizing the Mayor to execute an Agreement with M.A.S.H. Services of the Bluegrass, Inc., for operation of the Drop Inn Facility at a cost not to exceed $180,000.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Sponsorship Agreement with and accept a $2,000 donation from PNC Bank, National Association, for the Senior Intern Program, and appropriating funds pursuant to Schedule No. 111.

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

Aye: Myers, Stinnett, Beard, Blues, Ellinger,
Farmer, Ford, Gorton, Henson, Kay,
Lane, Lawless, Martin, McChord--------------14

Nay: ---0

A Resolution accepting the bids of Herb Geddes Fence Co., Inc.; S and T Fencing, Inc.; Rio Grande Fence; Shuck Fence Co., Inc.; Myers Fence, LLC; and A&W

Fence Co., Inc., establishing price contracts for fencing, for the Div. of Parks and Recreation.

A Resolution accepting the bid of Global Environmental Solutions, LLC, establishing a price contract for electronics waste recycling, for the Div. of Waste Management.

A Resolution accepting the bid of Machinex Technologies, Inc., in the amount of $106,440 for Eddy Current Separator - Thompson Rd. Material Recovery Facility, for the Div. of Waste Management.

A Resolution accepting the bid of Allied Technical Services, Inc., establishing a price contract for temporary pumping services, generators and emergency waste water treatment plant equipment rental, for the Div. of Water Quality.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Volunteers of America of Ky., Inc., for support of emergency housing for homeless families, at a cost not to exceed $8,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 7 to the Contract with Nesbit Engineering, Inc., for design of the Meadows/Northland/Arlington Public Improvements Project, Subphase 3D, increasing the contract price by the sum of $3,200.00 from $260,458.78 to $263,658.78, and amending Resolution 411-2010 related to Change Order No. 6 for the project to reflect that the correct subphase is Subphase 3D.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract Modification to the Engineering Services Agreement with GRW Engineers, Inc., for design of the Liberty Rd./Todds Rd. Section 2 Public Improvement Project, increasing the contract price by the sum of $271,053 from $399,992 to $671,045.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Blue Grass Community Foundation ($450), Big Brothers Big Sisters of the Bluegrass ($450), Lexington Dolphins, Inc. ($300), and Girls on the Run ($450), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the University of Ky., for parking at UK Polk-Dalton Clinic, at no cost to the Urban County Government.

A Resolution ratifying the probationary civil service appointments of: Demetria Kimball, Environmental Inspector II, Grade 117E, $1,914.56 bi-weekly, Kevin Lyne, Environmental Inspector II, Grade 117E, $1,897.84 bi-weekly, Bennie Begley, Sewer Line Maintenance Superintendent, Grade 116E, $2,430.48 bi-weekly, in the Div. of Water Quality, effective March 7, 2011; ratifying the permanent civil service appointments of: John Carey, Telecommunicator Supervisor, Grade 116E, Jason Eason, Kevin Owens, Telecommunicator, Grade 111N, in the Div. of Emergency Management/911, effective February 28, 2011; ratifying the unclassified civil service appointment to the Office of the Urban County Council of: Leah Boggs, Aide to Council, Grade 000E, $2,057.69 bi-weekly, in the Council Office, effective February 28, 2011; ratifying the unclassified civil service pay increases in the Office of the Urban County Council of: Melynda Milburn Jamison, Aide to Council, Grade 000E, increase from $2,000.00 biweekly to $2,057.69 bi-weekly, Scott Seymour, Aide to Council, Grade 000E, increase from $1,942.31 bi-weekly to $2,057.69 bi-weekly, effective February 28, 2011; ratifying the temporary appointment in the Office of the Urban County Council of: Donna Jeannette Williams, Council Administrator, Grade 121E, $2,249.92 bi-weekly, effective February 21, 2011.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Assignment of Easement and an Amendment to License Agreement with the Cincinnati New Orleans and Texas Pacific Railway Co. and Don Jacobs, Inc., at a cost not to exceed $4,350.

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

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

Aye: Myers, Stinnett, Beard, Blues, Ellinger,
Farmer, Ford, Gorton, Henson, Kay,
Lane, Lawless, Martin, McChord-------------14

Nay: ---0

A Resolution accepting the bid of Pro-Tech Security Sales, establishing a price contract for ballistic shields, for the Div. of Police.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Facility Encroachment Agreement with CSX Transportation, Inc., for installation of a sanitary sewer force main for the Beverly Ave. Sanitary Sewer Project, at a cost not to exceed $4,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Energy and Environment Cabinet and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of $16,000 Commonwealth of Ky. funds and are for the purchase of dumpsters to be placed in schools for comingled recycling.

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 Maxwell St. Bike/Pedestrian Project through March 10, 2012, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Marrillia Design and Construction, for the Maxwell St. Sidewalk and Bike Lane Project, increasing the contract price by the sum of $8,470 from $299,968.21 to $308,438.21.

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 Town Branch Trail Phase III Project through June 3, 2012, at no cost to the Urban County Government.

A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following: Mark W. Fischer, Project Engineering Coordinator, Grade 119E, $3,076.93 bi-weekly, in the Div. of Water Quality, and authorizing the beginning of the unclassified civil service employment upon successful completion of a physical or medical examination as required, effective upon passage of Council.

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Upon motion of Ms. Gorton, seconded by Mr. Lane, and approved by unanimous vote, a Resolution authorizing the Div. of Human Resources to internally advertise for all vacant positions from the date of passage of this Resolution through June 30, 2011 and authorizing the Div. of Human Resources to advertise externally if a qualified internal applicant pool does not exist within the first week of any internal advertisement was placed on the docket and given first reading.

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

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

Aye: Myers, Stinnett, Beard, Blues, Ellinger,
Farmer, Ford, Gorton, Henson, Kay,
Lane, Lawless, Martin, McChord-------------14

Nay: ---0

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Modification #1 to the Neighborhood Stabilization Program Funding Agreement with the Ky. Dept. for Local Government to clarify eligible uses of funds and to include a provision for loan servicing by Ky. Housing Corp. was on the docket for first reading.

Ms. Lawless asked questions of Ms. Irene Gooding, Acting Director of the Div. of Community Development, regarding the resolution. Ms. Gooding responded and stated that she would forward a copy of the cited Agreement to Ms. Lawless.

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

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Upon motion of Ms. Gorton, seconded by Mr. Ellinger, and approved by a majority vote of 13-1 (Mr. Blues voted no), a Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Purchase of Service Agreement with Downtown Lexington Corp., to include event management responsibilities for the July 4th Festival, Ky. Christmas Chorus, Winter Festival and Holiday Market, Official Tree Lighting, and Vintage Ky. Wine Festival, at a cost not to exceed $120,000 was tabled to the April 26, 2011 Committee of the Whole Work Session.

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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 E-Z Pack Manufacturing, LLC, establishing a price contract for rear loading truck mounted refuse body, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Century Equipment, establishing a price contract for golf carts, for the Div. of Parks and Recreation.

A Resolution accepting the bid of ProKleen Industrial Services d/b/a PortaKleen, establishing a price contract for portable restroom units, for the Div. of Parks and Recreation.

A Resolution accepting the bid of Ennis Paint, Inc., establishing a price contract for traffic marking paint, for the Div. of Streets, Roads and Forestry.

A Resolution accepting the bid of Accent Wire, establishing a price contract for bailing wire, for the Div. of Waste Management.

A Resolution authorizing the Div. of Community Corrections to purchase drug testing assays for the Community Alternative Program's drug testing program, from ThermoFisher Scientific (d/b/a Microgenics), a sole source provider, at a cost not to exceed $41,652, and authorizing the Mayor to execute necessary documents.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Commercial Services Agreement with Insight Communications Co., LP, to provide internet network connectivity to the Div. of Emergency Management/911 using federal grant funds, at an annual cost not to exceed $960.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with Granicus, Inc., for addition of the Word Add-In Module, and integration with Legistar, at a cost not to exceed $1,625.

A Resolution changing the street names and property address numbers of 2515 Harrodsburg Rd. to 2376 Alexandria Dr., of 588, 600, and 601 Judy Ln. to 2278, 2277, and 2281 Allen Dr., of 600 Parkside Dr. to 2297 Allen Dr., of 1200 Centre Pkwy. to 3554 Appian Way, of 928 N. Limestone to 122 Arceme Ave., of 3252 Bay Springs Park to

3297 Blackford Pkwy., of 400 McKenna Ct. to 1752 Bryan Station Rd., of 2849 Trailwood Ln. to 2772 Burnt Mill Rd., of 1100 and 1092 Spring Run Rd. to 3861 and 3872 Hidden Springs Dr., of 538 Parkside Dr. to 2309 Irene Dr., of Units A and B 500 Shaftsbury Rd. to Units 101 and 102 1210 Meadow Ln., of 1049 Millcreek Ct. to 1162 Millcreek Dr., of 1112 Centre Pkwy. to 3503 Olympia Rd., of 469, 461, 463, 468, 460 and 462 W. Fifth St. Ct. to 475, 483, 491, 476, 484, and 490 Pilgrim Ct., of 408 W. New Circle Rd. to 1499 Russell Cave Rd., of 1725 Chelmsford Dr. to 617 Stonehaven Dr., of 2601 Kearney Creek Ln. to 2777 Sullivans Trace, and of 509, 511, 513, 515, 519, 521, 523, and 527 Bourbon Ave. to 470, 474, 478, 482, 486, 490, 494, and 498 Willy St.; changing the property address numbers of 217-219 Albany Rd. to 219 Albany Rd., of 1805-1865 Alexandria Dr. to 1801 Alexandria Dr., of 2045 Altamont Ct. to 2035 Altamont Ct., of 362-366 Aylesford Pl. to 364 Aylesford Pl., of 2537 Berea Rd. to 2540 Berea Rd., of 370 Glen Arvin Ave. to 366 Glen Arvin Ave., of 1100 Horsemans Ln. to 1050 Horsemans Ln., of 350 Lisle Industrial Ave. to 336 Lisle Industrial Ave., of Units A and B 3386 Moundview Ct. to 3386 and 3388 Moundview Ct., of 510 and 262 W. New Circle Rd. to 540 and 260 W. New Circle Rd., of 580 W. Sixth St. to 575 W. Sixth St., and of 495-497 W. Third St. to 497 W. Third St.; and changing the street name of 1953, 1949, and 1945 Mark Ave. to 1953, 1949, and 1945 Dark Tower Rd.; all effective thirty days from passage.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Commercial Services Agreement with Insight Communications Co., LP, to provide internet network connectivity to the Div. of Emergency Management/911, at an annual cost not to exceed $720.

A Resolution changing the street names and property address numbers of 3000 Blackford Pkwy. To 3220 Bledsoe Pl., of 937 Williamson St. to 230 Driscoll St., and of 326 W. Fifth St. to 465 Kenton St.; changing the property address numbers of 604 S. Broadway to 606 S. Broadway, of 666 Cielo Vista Road to 668 Cielo Vista Rd., of 800 Florence Ave. to 794 Florence Ave., of 355 S. Limestone to 357 S. Limestone, and of 1513 Versailles Rd. to 1511 Versailles Rd.; and changing the street names of Von Alley to Merlot Alley, and of Morris Alley to Soup Perkins Alley; all effective thirty days from passage.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Assignment accepting a permanent easement for stormwater runoff for property located at 2299 Brannon Rd. at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Gershman, Brickner & Bratton, Inc., for waste management routing software and implementation services, for the Div. of Waste Management, increasing the contract price by the sum of $66,000 from $1,655,596 to $1,721,596.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Lease Renewal Agreements with Commonwealth of Ky., for State Police CDL Office and Drivers License Office at 162 E. Main St.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with International Public Management Association of Human Resources, for the purchase of test products and services, for the Div. of Human Resources, at a cost not to exceed $1,000.

A Resolution ratifying the probationary civil service appointments of: Andre Scott, Equipment Operator, Grade 108N, $17.242 hourly, in the Div. of Water Quality, effective April 18, 2011, Steve Zahn, Equipment Operator, Grade 108N, $16.219 hourly, in the Div. of Water Quality, effective April 18, 2011, ratifying the probationary sworn appointments of: Robert Crow, Fire Captain, Grade 316N, $23.039 hourly, in the Div. of Fire and Emergency Services, effective March 28, 2011, Jeremy Greer, Fire Lieutenant, Grade 315N, $17.786 hourly, in the Div. of Fire and Emergency Services, effective March 28, 2011.

A Resolution approving, pursuant to KRS 62.055 and Section 22-55.1 of the Code of Ordinances, the bond with surety of Jon Larson, County Judge/Executive, in the amount of $10,000, and directing the Dept. of Law to record the bond, with surety, along with a certified copy of this Resolution, in the Office of the Fayette County Clerk.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration and to accept an Easement from Ky.-American Water Co. for the property located at 3720 Richmond Rd., for the East Hickman Pump Station Overflow Spillway, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two (2) Final to the Contract with Bluegrass Contracting Corp. for the Vaughn's Branch Flood Hazard Mitigation Project, increasing the contract price by the sum of $9,968.24 from $1,251,663.75 to $1,261,631.99.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two (2) to the Contract with Stantec Consulting Services, Inc., for the Loch Lomond Drainage Improvements Project, increasing the contract price by the sum of $6,165.25 from $67,340.00 to $73,505.25.

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Upon motion of Ms. Gorton, seconded by Ms. Henson, and approved by unanimous vote, a Resolution of the Urban County Council electing Doug Martin, as representative for Council Districts 9,10, and 12, and Peggy Henson, as representative for Council Districts 3, 5, and 11, to the Transportation Policy Committee of the Lexington Area Metropolitan Planning Organization was placed on the docket, given first reading, and ordered placed on file two weeks for public inspection.

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Upon motion of Ms. Gorton, seconded by Mr. Farmer, and approved by unanimous vote, a Resolution initiating Zoning Ordinance text amendments for Planning Commission consideration and recommendation, to amend Article 5-1(a) of the Zoning Ordinance to provide for right of entry and administrative search warrants; and amending Articles 5-9, 17-14, 23c-13 and 26-12 to provide for civil fines was placed on the docket, given first reading, and ordered placed on file two weeks for public inspection.

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Upon motion of Ms. Gorton, seconded by Mr. Kay, and approved by unanimous vote, a Resolution initiating Zoning Ordinance text amendments to define and regulate temporary structures was placed on the docket, given first reading, and ordered placed on file two weeks for public inspection.

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Upon motion of Ms. Gorton, seconded by Mr. Farmer, and approved by unanimous vote, a Resolution initiating Zoning Ordinance text amendments to define and regulate circuses and carnivals.

* * *

Mr. Martin made a motion, seconded by Mr. McChord, to place on the docket a Resolution requiring additional Council approval prior to the use or expenditure of any Economic Contingency Designation funds, as established pursuant to Ordinance No. 78-2006, for the remainder of Fiscal Year 2011.

Mr. Blues asked questions of Mr. Martin regarding the motion.

Ms. Gorton spoke about the motion and questions that had been brought up by the Council.

Mr. Ford spoke about the motion, and asked questions of Mr. Martin regarding the urgency of the motion. Mr. Martin responded. Mr. David Barberie, Dept. of Law, also responded to the question, and clarified the procedure for suspending the rules and giving second reading to an ordinance or resolution.

The Mayor asked questions of Mr. Barberie. He responded.

Mr. Ryan Barrow, Director of the Div. of Budgeting, and Ms. Jane Driskell, Commissioner of the Dept. of Finance and Administration, came forward to respond to questions about the motion.

The Council continued to discuss the issue, and to ask questions of Mr. Barrow, Ms. Driskell, and Mr. Barberie.

Mr. Farmer made a motion, seconded by Ms. Gorton, to table Mr. Martin's motion to the April 26, 2011 Committee of the Whole Work Session.

Mr. Farmer's motion passed by a majority vote of 11-3 (Mr. Martin, Mr. McChord, and Mr. Myers voted no.)

The Mayor spoke about the motion and the issue, with particular regard to the budgeting process.

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The report from the Div. of Building Inspection for the 1st Quarter (January-March) of 2011 was received and ordered placed on file.

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Upon motion of Ms. Gorton, seconded by Mr. Blues, and passed by a majority vote of 12-2 (Mr. Martin and Mr. Farmer voted no), the Communications from the Mayor were approved and are as follows: 1) Recommending the appointment of Mr. Kevin Atkins, LFUCG Chief Development Officer, to the Courthouse Area Design Review Board, as an Ex-Officio member; 2) Recommending the appointment of Ms. Allison

Connelly as at-large representative, to the Ethics Commission, with a term to expire 3-1-2015; 3) Recommending the appointment of Ms. Lori Houlihan, as LFUCG Special Events Liaison, to the Picnic with the Pops Commission, with a term to expire 7-1-2014; and 4) Recommending the appointments of Ms. Kate Savage, as neighborhood representative, and Mr. Justin Thompson, as landlord/business community representative, to the Town and Gown Commission, with terms to expire 2-1-2015.

* * *

The following Communications from the Mayor were received for information only: 1) Approving voluntary demotion of Michelle Haynes from Telecommunicator Sr., Grade 113N, to Telecommunicator, Grade 111N, $18.428 hourly, in the Div. of Emergency Management/911, effective April 11, 2011; and 2) Temporary appointment of David Smith, Engineering Technician Sr., Grade 113E, $1,523.12 bi-weekly, in the Div. of Water Quality, effective February 28, 2011.

* * *

Mr. Stinnett announced that the annual Reforest the Bluegrass event would be held on Saturday, April 16, 2011, from 9:00 a.m. to 1:00 p.m., at Liberty Park, rain or shine.

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Ms. Henson announced that the Disability Expo would be held on Thursday, April 21, 2011, at the Lexington Center, from 10:00 a.m. to 6:00 p.m.

* * *

Ms. Lawless announced that there would be free mulch given away on Saturday, April 16, 2011, from 8:00 a.m. to 12:00 p.m., at 1631 Old Frankfort Pike.

She announced that the Farmer's Market had opened for the season.

She announced that there was information about Earth Day Events, April 22, 2011, in Lexington and could be found at www.edbg.org (Earth Day Blue Grass) or at www.sustainlex.org.

* * *

Mr. Farmer made a motion, seconded by Ms. Gorton, to place the issue of a possible revision of Section 6 of the Economic Contingency Policy in the Council Budget and Finance Committee.

Mr. Martin made a friendly amendment, accepted by Mr. Farmer and Ms. Gorton, to also make a comprehensive examination of the Economic Contingency Policy ordinance.

Mr. Farmer's motion passed by unanimous vote.

* * *

Mr. Farmer spoke about the upcoming Council Budget Link Committee meetings, and asked questions about the overall goals of each Link Committee. He asked Ms. Gorton to consider providing a method for the Council to obtain more information.

Mr. Ellinger responded to Mr. Farmer's concerns.

Mr. Farmer also complimented the Mayor on his Budget Address, and asked a question regarding a point in the proposed budget. The Mayor and Ms. Jane Driskell, Commissioner of the Dept. of Finance and Administration, responded to the question.

Mr. Martin also asked questions of Ms. Driskell.

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Mr. Martin announced that the Celebrity Curtain Call would be held on Saturday, April 16, 2011, 7:00 p.m., at the Lexington Children's Theatre, for the benefit of the Lexington Children's Theatre.

* * *

Mr. Myers made a motion, seconded by Ms. Gorton, to place the issue of a weatherization program for homes in Lexington into the Council Social Services Committee.

The motion passed by unanimous vote.

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Mr. Bernard McCarthy, Harry St., spoke about the budget proposal for the coming year and his related concerns, specifically regarding revenue projections. He also spoke about streets and roads in Lexington.

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Mr. Steve Kesten, Tates Creek Rd., complimented the Mayor on his proposed budget cuts, and stated his concerns regarding expenditures on high-speed rail and regarding sidewalks on Tates Creek Rd.

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Upon motion of Mr. Ellinger, seconded by Mr. Beard, and approved by unanimous vote, the meeting adjourned at 8:10 p.m.

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Deputy Clerk of the Urban County Council