Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky July 12, 2011

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on July 12, 2011 at 6:00 P.M. Present were Mayor Gray in the chair presiding, and the following members of the Council: Council Members Kay, Lane, Lawless, Martin, McChord, Myers, Stinnett, Beard, Blues, Ellinger, Farmer, and Ford. Absent were Council Members Crosbie and Gorton.

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

Ordinances No. 85-2011 thru 89-2011 inclusive and Resolutions No. 272-2011 thru 298-2011 inclusive were reported as having been signed and published, and ordered to record.

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The Invocation was given by Rev. Mark Davis, First Presbyterian Church.

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Upon motion of Mr. Beard, seconded by Mr. Ellinger, the minutes of the May 12, and 26, and June 14, 2011 Council Meetings were approved by unanimous vote.

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The Mayor introduced Mr. Briggs Cochran and Mr. Benji Marrs of Benefit Insurance Marketing, who made a presentation regarding employee health care insurance and the study that they have conducted on the Urban County Government's benefits program.

Ms. Lawless asked questions of Mr. Cochran regarding the use of employee benefits pools and the selection committee for the new health care provider. Mr. Cochran responded to the questions.

Mr. McChord spoke about the presentation.

Ms. Henson asked a question of Mr. Cochran about the statistics that he had presented. Mr. Cochran, the Mayor, and Ms. Jane Driskell, Commissioner of the Dept. of Finance, responded to the questions.

Mr. Stinnett spoke about the presentation and asked questions of Mr. Cochran and Mr. Ryan Barrow, Director of the Div. of Budgeting.

Mr. Lane asked questions of Mr. Cochran.

Mr. Stinnett asked another question of Mr. Cochran regarding the timeline and Request for Proposal.

The Mayor spoke about the presentation and what challenges are ahead with this issue.

Ms. Pam Brandenburg, CSEA President and Div. of Fire & Emergency Services employee, made a statement about employee health care costs.

Ms. Lawless made a statement about the difference between the union and non-union employee benefit pools.

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Mr. Ellinger reported that the Summary of the July 5, 2011 Committee of the Whole Work Session was approved.

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An Ordinance pursuant to Section 3.02(10) of the Charter of the Lexington-Fayette Urban County Government amending Section 21-5(2) of the Code of Ordinances abolishing three (3) positions of Assistant Director Community Corrections, Grade 119E, and creating one (1) position of Community Corrections Captain, Grade 115E; accepting the voluntary demotions of one (1) employee holding the position of Assistant Director Community Corrections to Community Corrections Captain; expressing an intent to create the special duty assignment of Bureau Director; providing that pursuant to Section 21-53 of the Code of Ordinances that employees appointed to special duty assignments serve at the pleasure of the Director of Community Corrections and providing that those employees appointed to a special duty assignment shall receive a leave of absence from their permanent rank for and during the incumbency of any special duty assignment; and providing that employees appointed to the special duty assignment of Bureau Director shall receive a stipend of $800 per pay period; effective July 1, 2011 was given second reading.

Ms. Lawless asked questions of Mr. Clay Mason, Commissioner of the Dept. of Public Safety, and Ms. Leslie Jarvis, Acting Director of the Div. of Human Resources, regarding the intent of the ordinance.

Mr. Stinnett called for a point of order regarding the redundancy of the questions being asked. Ms. Lawless concluded her questions.

Ms. Lawless made a motion, seconded by Mr. Martin, to table the ordinance until September 15, 2011.

The motion **failed** by a vote of 4-9 (Kay, Lane, McChord, Stinnett, Beard, Blues, Ellinger, Ford and Henson voted **no**.)

The Mayor stated that the Administration would be happy to help answer questions regarding the ordinance.

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

Aye: Kay, Lane, McChord, Myers, Stinnett,
Beard, Blues, Ellinger, Farmer, Ford,
Henson---11

Nay: Lawless, Martin-----------------------------------2

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

Aye: Kay, Lane, Lawless, Martin, McChord,
Myers, Stinnett, Beard, Blues, Ellinger,
Farmer, Ford, Henson---------------------------13

Nay: ---0

An Ordinance changing the zone from a Neighborhood Business (B-1) zone to a Professional Office (P-1) zone for 2.70 net (3.43 gross) acres; and from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone for 2.31 net (2.69 gross) acres, with a conditional use permit and a dimensional variance, for property located at 119, 124, and 125 Louie Place (Dennis Anderson Inv. 1700, LLC).

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. 21.

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

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

An Ordinance amending Section 22-5(2) of the Code of Ordinances, creating one (1) position of Research Analyst, Grade 118E and two (2) positions of Council Administrative Specialist, Grade 115E, abolishing three (3) positions of Staff to Council

II, Grade 000E, and transferring the incumbents, in the Office of the Urban County Council.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Information Officer, Grade 113E, in the Div. of Government Communications and creating one (1) position of Information Officer, Grade 113E, in the Div. of Emergency Management/911 and transferring the incumbent; effective July 1, 2011.

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A Resolution establishing the procedure for approval of collective bargaining agreements by the Lexington-Fayette Urban County Council was given second reading.

Upon motion of Mr. Kay, and seconded by Mr. Blues, the resolution **failed** to pass by the following vote:

Aye: Kay, Lane, Martin, McChord, Myers,
Beard, Blues-------------------------------------7

Nay: Lawless, Stinnett, Ellinger, Farmer, Ford----5
(Ms. Henson was absent when the vote was taken.)

* * *

Ms. Lawless made a motion, seconded by Ms. Henson, to reconsider a Resolution establishing the procedure for approval of collective bargaining agreements by the Lexington-Fayette Urban County Council.

Mr. Farmer asked a question of Mr. Keith Horn regarding the parliamentary procedure involved with a motion to reconsider. Mr. Horn responded.

Mr. Myers stated his concern about advice given at a previous meeting of the Council regarding a motion to reconsider. Mr. Horn responded with the interpretation of the rule.

Mr. Ford stated that he believed that all fifteen Council Members should be present for a reconsideration and vote.

Ms. Henson explained why she had seconded a motion to reconsider the resolution, and why she had been absent for the previous vote.

Ms. Lawless' motion **passed** by unanimous vote.

After consulting with Mr. Horn, the Mayor opened the floor for discussion.

Mr. McChord made a motion, seconded by Mr. Myers, to approve the resolution.

Mr. Farmer asked a question of Mr. Lane regarding a memorandum he had written in favor of the resolution. Mr. Lane responded.

The Council continued to discuss the resolution and ask questions of Mr. Lane.

Ms. Lawless asked a question of Mr. Edward Gardner, Dept. of Law, about what authority the Mayor would have to sign a collective bargaining contract if the Council did not agree with the agreement. Mr. Gardner responded.

The Council continued to discuss the resolution.

Mr. Ford stated a concern about the resolution and asked a question of Mr. Gardner about his concern.

The Council continued to discuss the resolution.

The Mayor spoke about the resolution.

The Council continued to discussion the resolution.

Mr. Stinnett made a motion, seconded by Mr. Myers, and approved by unanimous vote, to call the question.

The resolution was **approved** by the following vote:

Aye: Kay, Lane, Martin, McChord, Myers,
Beard, Blues, Henson---------------------------8

Nay: Lawless, Stinnett, Ellinger, Farmer, Ford----5

* * *

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

Aye: Kay, Lane, Lawless, Martin, McChord,
Myers, Stinnett, Beard, Blues, Ellinger,
Farmer, Ford-------------------------------------12

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

A Resolution accepting the bid of Hayden Construction, in the amount of $48,859, for the Warfield Place Entrance Wall, for the Div. of Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary agreement with Hayden Construction related to the bid.

A Resolution accepting the bids of Clarke Power Services; NAPA Auto Parts; Republic Diesel; Bluegrass International; Power Train of Ky.; Vehicle Maintenance Program; Gillie Hyde Ford-Lincoln-Chrysler-Dodge-Jeep; Mighty Auto Parts of the Bluegrass; Worldwide Equipment; KOI Auto Parts; Truck Pro, Inc.; Fleet Pride; and

General Parts Distribution, LLC d/b/a Carquest Auto Parts, establishing price contracts for vehicle filters, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of John Kinder Electric, establishing a price contract for sanitary sewer pump stations resistance testing and correction, for the Div. of Water Quality.

A Resolution accepting the bid of Leak Eliminators, LLC, establishing a price contract for sanitary sewer system rehabilitation, for the Div. of Water Quality and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Leak Eliminators, LLC, related to the bid.

A Resolution of the Lexington-Fayette Urban County Council requesting that the Ky. Economic Development Finance Authority issue Revenue Bonds in an amount of up to $336,000,000, the proceeds of which will be loaned to Catholic Health Initiatives, Inc., to provide financing for all or a part of the costs of the acquisition, construction, installation and equipping of capital projects for health care facilities and related improvements and expenditures.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Russell Cave Church of Christ, Inc. ($500), for the Office of the Urban County Council, at a cost not to exceed the sum stated.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Strand Associates, Inc., for the Lexington Distillery District Improvements Program Feasibility Study, for streetscape improvements and the Town Branch Trail along the corridor from Oliver Lewis Way to South Forbes Rd., at a cost not to exceed $418,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Letter Agreement with Mountjoy Chilton Medley LLP, for preparation of the Sheriff's Settlement for the 2010 Property Tax Year, at a cost not to exceed $12,240.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Kathy H. Witt, Sheriff of Fayette County, for the collection of the ad valorem Urban Service District Taxes for the 2011 property tax year, at a cost not to exceed $350,000, with payment net from collections.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with Dr. Patricia K. Howard, retaining her to act as the Emergency Services Training Coordinator for the Div. of Fire and Emergency Services and to provide related services for one (1) year, with the option of renewing annually up to five (5) times, at an annual cost not to exceed $12,050 with an additional annual cost not to exceed $11,450 for each year a Paramedic Training Program is conducted.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Lexington-Fayette Urban County Human Rights Commission, for purchase of services for FY 2012, at a cost not to exceed $150,260.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with Woodall Construction Co., Inc., for the construction of Clays Mill Rd. Improvements Project, Section 2A, increasing the contract price by the sum of $41,964.42 from $3,569,321.10 to $3,611,285.52.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Energy and Environment Cabinet, which Grant funds are in the amount of $18,970 Commonwealth of Ky. funds, are for the purchase of 20 dumpsters for placement at schools that produce large quantities of recyclable materials, the acceptance of which obligates the Urban County Government for the expenditure of $4,742.50 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. Two (2) to the Professional Services Agreement with M2D Design Group for design of the Isaac Murphy Memorial Art Garden Trail Head, increasing the contract price by the sum of $7,500 from $30,101 to $37,601.

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 the Tates Creek Rd. Sidewalk Improvements Project to amend the project budget to provide for an increase in the design costs and for right of way acquisition, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. One (1) to the Engineering Services Agreement with BTM Engineering, Inc., for the Tates Creek Rd. Sidewalk Improvements Project, increasing the contract price by the sum of $9,500 from $118,478 to $127,978.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Div. of Waste Management, 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 $3,000 Commonwealth of Ky. funds, and are for disposal or recycling of waste tires, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the U.S. Dept. of 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 $308,854 Federal funds under the Edward Byrne Memorial Justice Assistance Grant Program, are for continuation of the Street Sales Drug Enforcement Project, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

A Resolution 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 $50,000 Federal funds, are for continuation of the Street Sales Drug Enforcement Project, the acceptance of which obligates the Urban County Government for the expenditure of $16,667 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the U.S. Dept. of Justice and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of $77,639 Federal funds, and are for the Project Safe Neighborhoods Program, for the U.S. Attorney's Office for the Eastern District of Ky.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the U.S. Dept. of Justice and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of $2,100 Federal funds, and are for the purchase of bulletproof vests for the Fayette County Sheriff's Office.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Dive 911, for public safety dive team training for the Div. of Fire and Emergency Services, at a cost not to exceed $26,300.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit two Grant Applications to the Ky. Dept. of Education, to provide any additional information requested in connection with these Grant Applications, and to accept these Grants if the applications are approved, which Grant funds are in the amount of $125,240 Federal funds, and are for the Child Care Food Program ($79,040) and the National School Lunch Program ($46,200) at the Family Care Center and the Day Treatment Center, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, authorizing the Mayor to transfer unencumbered funds within the Grant budget, and authorizing and directing the Mayor to execute a Memorandum of Understanding with Fayette County Public Schools, for operation of the programs, at a cost not to exceed $2.50 for each breakfast and $4.00 for each lunch at the Day Treatment Center and $2.00 for each breakfast, $3.50 for each lunch and $1.50 for each snack at the Family Care Center.

A Resolution ratifying the probationary civil service appointments of: George Cummins, Equipment Operator Sr., Grade 109N, $14.836 hourly, in the Div. of Waste Management, effective July 18, 2011, Wanda Wallen, Equipment Operator Sr., Grade 109N, $18.851 hourly, in the Div. of Water Quality, effective July 11, 2011; ratifying the permanent civil service appointments of: Jessica Williams, Budget Analyst, Grade 115E, in the Div. of Budgeting, effective June 6, 2011, Nicole Arnett, Telecommunicator, Grade 111N, in the Div. of Emergency Management/911, effective June 13, 2011, Johnas Newsome, Telecommunicator, Grade 111N, in the Div. of Emergency

Management/911, effective June 13, 2011; ratifying the unclassified civil service appointment of: Phillip Burbage, Staff Assistant Sr., Grade 108N, $12.500 hourly, in the Div. of Water Quality, effective upon passage of Council.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement and Agreement, releasing a portion of a sanitary sewer easement on property located at 539 W. New Circle Rd.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement, releasing a streetlight easement on property located at 3221 Linville Ln.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Contract with Fayette County Board of Education, for the use of the Henry Clay Track, at a cost not to exceed $78.60.

A Resolution authorizing the Div. of Police, on behalf of the Urban County Government, to use Man-O-War Harley Davidson as a sole source provider for maintenance and repair of Division motorcycles.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration, and any other documents necessary, and to accept a Deed for the property located at 3432 Crimson King Ct., for the Crimson King/ Coldstream Stormwater Improvement Project, and authorizing payment in the amount of $200,000, plus usual and appropriate closing costs.

A Resolution accepting the extension of the time of completion of the SSA Group 2/3 Sewershed Field Activities - Raising Manholes - Contract 4 to March, 2012 at no additional cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with HDR Engineering, Inc., for the Wolf Run Pump Station Expansion, increasing the contract price by the sum of $66,500 from $368,550 to $435,050.

A Resolution amending Appendix A, Rules and Procedures of the Lexington-Fayette Urban County Council, amending Section 2.102 by renaming and restructuring council standing committees and providing that the Economic Development Committee shall meet quarterly as the Committee of the Whole; amending Section 2.105 by removing the Committee of the Whole work session; amending Section 2.202 by providing that standing committees shall meet monthly; amending Section 2.204 by amending the procedure for referring matters to committee and making reports; amending Section 3.103 by providing the procedure for the introduction of bills; amending Section 4.102 by providing that the schedule of meetings shall be adopted annually by resolution and amending the order of business for regular public meetings; and amending Section 4.104 by providing for a work session of the Urban County Council, providing for the order of business and procedures for the work session; effective September 12, 2011.

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Upon motion of Mr. Ellinger, seconded by Mr. Myers, and approved by unanimous vote, a Resolution authorizing and directing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-86, to install multiway stop controls at Pink Pigeon Parkway and Plaudit Place was placed on the docket and given first reading.

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

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

Aye: Kay, Lane, Lawless, Martin, McChord,
Myers, Stinnett, Beard, Blues, Ellinger,
Farmer, Ford, Henson--------------------------13

Nay: ---0

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Upon motion of Mr. Ellinger, seconded by Mr. Blues, and approved by unanimous vote, a Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a FY2012 Purchase of Service Agreement with Lexington Children's Museum, Inc. d/b/a Explorium of Lexington, to provide education and cultural experience for children and their caregivers, at a cost not to exceed $169,047 was placed on the docket and given first reading.

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

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

Aye: Kay, Lane, Lawless, Martin, McChord,
Myers, Stinnett, Beard, Blues, Ellinger,
Farmer, Ford, Henson--------------------------13

Nay: --0

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

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

Aye: Kay, Lane, Lawless, Martin, McChord,
Myers, Stinnett, Beard, Blues, Ellinger,
Farmer, Ford, Henson--------------------------13

Nay: --0

A Resolution accepting the bid of Columbia Gas of Ky., Inc., in accordance with the provisions of Ordinance No. 73-2011, creating and offering for sale a short term franchise for the operation of a non-exclusive gas distribution system in Fayette County, and authorizing the Mayor, on behalf of the Urban County Government, to execute a Franchise Agreement with Columbia Gas of Ky., Inc., incorporating the terms and conditions of Ordinance No. 73-2011.

A Resolution accepting the bid of Delta Natural Gas Co., Inc., in accordance with the provisions of Ordinance No. 73-2011, creating and offering for sale a short term franchise for the operation of a non-exclusive gas distribution system in Fayette County, and authorizing the Mayor, on behalf of the Urban County Government, to execute a Franchise Agreement with Delta Natural Gas Co., Inc., incorporating the terms and conditions of Ordinance No. 73-2011.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with North Limestone Neighborhood Association ($1,250), and Southern Heights Neighborhood Association ($650), 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 Customer Services Agreement with Windstream Communications, which is attached hereto and incorporated herein by reference, to provide ISDN dial tone service to the Div. of Emergency Management/911, at an annual cost not to exceed $6,000 plus any additional long distance charges.

A Resolution accepting the response of Dean Dorton Allen Ford, PLLC to Request for Proposal No. 21-2011 to perform the auditing of financial statements for an amount not to exceed $124,000, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary agreement or documents with Dean Dorton Allen Ford, PLLC.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Ky. World Trade Center Lexington, Inc., for rent of space at 101 E. Vine St. (aka Phoenix Building).

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Office of Homeland Security, for extension of the Metropolitan Medical Response System (MMRS) Project through December 31, 2011, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the University of Louisville Center for Hazards Research, for consulting services for update of the Hazard Mitigation Plan, at a cost not to exceed $107,701 in Hazard Mitigation Grant Program funds.

A Resolution ratifying the permanent sworn appointment of: Craig Bencz, Administrative Officer, Grade 118E, in the Div. of Youth Services, effective June 28, 2011.

A Resolution authorizing the Mayor or his designee, on behalf of the Lexington-Fayette Urban County Government, to execute and submit the Letter of Intent, Application, and any other necessary documents to the Ky. Arts Council requesting certification of the Town Branch Cultural District, and to provide any additional information requested in connection with this certification; and if so designated, creating the cultural district and establishing the necessary steering committee responsible for administering, planning, developing, implementing, and operating the cultural district, which shall be comprised of the directors or chief executive officers of the following entities - LexArts, the Lexington-Fayette Urban County Government, Downtown Lexington Corporation, Commerce Lexington, Lexington Convention and Visitors

Bureau, Blue Grass Trust for Historic Preservation, Lexington Farmer's Market, Lexington Center/Opera House, and the 1st District Councilmember, the 2nd District Councilmember, and the 3rd District Councilmember.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Fayette County Public Schools, for operation of the Lexington Day Treatment Program, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept the donation of a $25 gift card from Walmart; a $25 Visa card from Metro Employees Credit Union; a computer, printer, monitor and wireless router from AT&T Foundation and Ky. Connect; and a $10 Kroger gift card and $40 gift bag items from Omelia Thornton for the Hope VI Grant Resource Fair.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Tetra Tech, Inc., to provide annual Program Management Services for Consent Decree Implementation and MS4 Permit Compliance, at a cost not to exceed $816,000.

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Upon motion of Mr. Ellinger, seconded by Mr. Stinnett, and passed by unanimous vote, the Communications from the Mayor were approved, and are as follows: (1) Recommending the reappointment of Mr. Ahmad Malkawi and the appointment of Ms. Faith Fiene to the Environmental Commission, with terms to expire 10-1-2014; (2) Recommending the appointment of Ms. Stephanie Aschmann Spires to the Library Board of Trustees, with a term to expire 7-20-2015; and (3) Recommending the appointment of Ms. Laura Farnsworth to the Special Events Commission, with a term to expire 6-1-2015.

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The following Communication from the Mayor was received for information only: (1) Reinstatement of Lamont Graves, Firefighter, Grade 311N, effective July 13, 2011.

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Ms. Lawless announced that the South Hill Neighborhood Association was meeting on July 12, 2011.

She also reminded the public that the Council would be on break through August 16 2011, and that they could visit www.lexingtonky.gov or the Downtown Lexington website in order to see all of the ongoing events throughout the summer around Lexington, including Farmer's Market, Southland Jamboree, and various arts activities. She asked that everyone support their local businesses.

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Mr. Ford announced that the Charles Young Center Redevelopment Task Force would be meeting on August 3, 2011, at 5:30 p.m., at Shiloh Baptist Church, 237 E. Fifth Street. He thanked Rev. Joseph Owens and the congregation for hosting the meeting.

He announced that the Commission on Youth Development and Public Safety had met on June 28th, and that the next meeting would be on August 2, 2011, at 5:30 p.m. at the Fayette County Extension Office, at 1140 Red Mile Place.

He announced that the Annual Super Sunday Celebration and Dust Bowl Tournament would be held on Sunday, July 17, 2011, at Douglas Park on Georgetown St. He thanked the Georgetown St. Neighborhood Association and the Div. of Parks and Recreation for their help with the event.

He announced that the 9th Annual Bluegrass Minority Business Expo would be held on July 27-28, 2011, and the 35th Annual NOBLE (National Organization of Black Law Enforcement Executives) Training Conference would be held on July 16-20, 2011 at the Lexington Center.

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Ms. Lawless announced that new plans for the CentrePointe Development would be unveiled at the Kentucky Theatre on July 14, 2011.

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Mr. Tony Brusate, Rosemont Garden, asked the Council to consider yard waste pick up for the entire street, and not just those portions who have voted to be in the Urban Service District. He expressed his concern about not being able to get this service on his street.

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Upon motion of Mr. Stinnett, seconded by Mr. Ellinger, and approved by unanimous vote, the meeting adjourned at 8:39 p.m.

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Clerk of the Urban County Council