Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky August 18, 2011

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on August 18, 2011 at 6:00 P.M. Present were Mayor Gray in the chair presiding, and the following members of the Council: Council Members Lane, Lawless, Martin, McChord, Myers, Stinnett, Beard, Blues, Crosbie, Ellinger, Farmer, Ford, Gorton, Henson and Kay.

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

Ordinances No. 90-2011 thru 96-2011 inclusive and Resolutions No. 299-2011 thru 345-2011 inclusive were reported as having been signed and published, and ordered to record.

Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky August 18, 2011

The Invocation was performed by Carla Van Hoose and the Kentucky Traveler Trio.

The Mayor presented a Proclamation to the group designating August 18, 2011 as their day in Lexington.

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Upon motion of Mr. Ellinger, seconded by Ms. Gorton, the minutes of the March 15, April 26, June 9, 21, and 23, July 7 and 12, 2011 Council Meetings were approved by unanimous vote.

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Ms. Gorton reported that the Committee of the Whole Work Session had met on August 16, 2011.

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Upon motion of Ms. Gorton, seconded by Mr. Lane, and approved by a majority vote of 14-1 (Martin voted no), the Ad Valorem Tax Rates Option 1 for the General Services Fund was approved.

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Upon motion of Ms. Gorton, seconded by Mr. Lane, and approved by unanimous vote, the Ad Valorem Tax Rate Option 1 (current rates) for all Urban Service Funds was approved.

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Upon motion of Ms. Gorton, seconded by Ms. Henson, and approved by unanimous vote, the Ad Valorem Tax Rate continuing the current rate for the Special District Tax Rates was approved.

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Upon motion of Ms. Gorton, seconded by Mr. Farmer, and approved by unanimous vote, the amendment to the Taxicab Ordinance was tabled and returned to the Council Public Safety/Public Works Committee.

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Upon motion of Ms. Gorton, seconded by Mr. Ellinger, and approved by unanimous vote, the issue of bike lanes between Woodland Ave. and Kentucky Ave. was tabled until the next Council Committee of the Whole Work Session on Tuesday, August 23, 2011.

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Upon motion of Ms. Gorton, seconded by Mr. Lane, and approved by unanimous vote, an Ordinance changing the zone from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone for 2.55 net (3.05 gross) acres, for property located at 4268 Saron Dr. (a portion of), subject to certain use and buffering restrictions imposed as conditions of granting the zone change (Thunder Properties, LLC) was placed on the docket without a public hearing, given first reading, and ordered placed on file one week for public inspection.

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Ms. Gorton made a motion, seconded by Mr. Myers, and approved by unanimous vote, to separate an Ordinance amending Articles 5-9, 17-14, 23C-13, and 26-12 of the Zoning Ordinance to provide for administrative warrants and civil penalties related to zoning enforcement and disapproving a proposed amendment of Article 5-1(a) to provide for right-of-entry into two ordinances, the first ordinance to be regarding civil penalties and warrants, and the second ordinance to be regarding right of entry.

An Ordinance amending Articles 5-9, 17-14, 23c-13 and 26-12 of the Zoning Ordinance to provide for civil citations and civil penalties related to zoning enforcement was given first reading and ordered placed on file one week for public inspection.

Upon motion of Ms. Gorton, seconded by Mr. Ellinger, and approved by unanimous vote, an Ordinance amending Article 5-1(A) of the Zoning Ordinance to provide for right-of-entry and administrative warrants related to zoning enforcement was placed on the docket, tabled, and placed into the Council Planning Committee.

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

An Ordinance amending Articles 1-11, 8-17(d), 8-19(d), 8-20(d), 8-21(d), 8-22(d), 8-23(d), 8-24(d), 23A-4(d), 23A-9(d), 23A-10(d), 28-3(d), and 28-4(d) to define and regulate temporary structures.

An Ordinance amending Articles 1-11, 8-16(b), and (d), 8-17(d), 8-20(b) and (d), 8-21(b) and (d), 8-22(d), 8-23(d), 23A-9(b) and (d), 11-2(i) and 11-4 to define and further regulate circuses and carnivals.

An Ordinance accepting the bid of Sensabaugh Design & Construction, in the amount of $189,000, for a Pole Barn Storage Building, for the Div. of Police, and appropriating funds pursuant to Schedule No. 24.

An Ordinance accepting the bid of Godwin Pumps of America, Inc., in the amount of $25,900, for a Sewer Overflow Response Program (SORP) Emergency Response Trailer, for the Div. of Water Quality, and appropriating funds pursuant to Schedule No. 25.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 27.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $225 from Neighborhood Development Funds in the Div. of Code Enforcement for property abatement, and appropriating and re-appropriating funds, Schedule No. 28.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $4,277 from Neighborhood Development Funds in the Div. of Parks and Recreation for William Wells Brown Community Center summer programs, and appropriating and re-appropriating funds, Schedule No. 29.

An Ordinance closing Still Alley; determining that property owners abutting 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 fo the Urban County Government, to execute a quitclaim deed transferring the former right-of-way to the abutting owners, 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 four (4) positions of Program Specialist, Grade 112E, abolishing four (4) positions of Administrative Specialist Sr., Grade 112N, in the Office of the Mayor.

An Ordinance redistricting the districts of the Fiscal Court Commissioners, Justices of the Peace (Magistrates), and Constables.

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Upon motion of Ms. Gorton, seconded by Mr. Lane, and approved by majority vote, the following ordinances were placed on the docket, given first reading, and ordered placed on file one week for public inspection.

An Ordinance levying ad valorem taxes for municipal purposes for the Fiscal Year July 1, 2011 through June 30, 2012, on the assessed value of all taxable property within the taxing jurisdictions of the Lexington-Fayette Urban County Government (all taxes on each $100.00 of assessed valuation as of the January 1, 2011 assessment date), as follows: General Services District, $.0800 on real property, including real property of Public Services Companies, $.0990 on personal property, including personal property of Public Service Companies, noncommercial aircraft, and noncommercial watercraft, $.1500 on insurance capital, $.0150 on tobacco in storage, and $.0450 on agricultural products in storage; Full Urban or Partial Urban Services Districts based on Urban Services available on real property, including real property of Public Service Companies, $.1431 for refuse collection, $.0210 for street lights, $.0094 for street cleaning, $.0920 on insurance capital, $.0150 on tobacco in storage, $.0450 on agricultural products in storage; and levying an ad valorem tax for municipal purposes at the rate of $.0880 on each $100.00 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government as of the January 1, 2012 assessment date.

An Ordinance levying ad valorem taxes for purposes of support of the Agricultural Extension Office for the Fiscal Year July 1, 2011 through June 30, 2012, on the assessed value of all taxable real and personal property within the taxing jurisdiction of the Lexington-Fayette Urban County Government (all taxes on each $100.00 of assessed valuation as of the January 1, 2011 assessment date), as follows: $.0032 on all taxable real property, including real property of Public Service Companies, $.0035 on taxable personal property, including personal property of Public Service Companies, noncommercial aircraft, and noncommercial watercraft, and excluding inventory in transit, insurance capital, tobacco in storage, and agricultural products in storage; and levying an ad valorem tax for purposes of support of the Agricultural Extension Office at the rate of $.0032 on each $100.00 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government as of the January 1, 2012 assessment date.

An Ordinance levying ad valorem taxes for purposes of support of the Soil and Water Conservation District for the Fiscal Year July 1, 2011 through June 30, 2012, on the assessed value of all taxable real property within the taxing jurisdiction of the Lexington-Fayette Urban County Government, including real property of Public Service Companies, at a rate of $.000416 on each one hundred dollars ($100.00) of assessed valuation as of the January 1, 2011 assessment date, with the tax bills computed and collected at a rate of $.0004 on each one hundred dollars ($100.00) of assessed valuation.

An Ordinance adopting the request of the Lexington-Fayette County Health Dept. under KRS 212.755 and levying a special ad valorem public health tax for the Fiscal Year July 1, 2011 through June 30, 2012, on the assessed value of all taxable real and personal property within the taxing jurisdiction of the Lexington-Fayette Urban County Government, including real and personal property of Public Service Companies, noncommercial aircraft, noncommercial watercraft, and inventory in transit, and excluding insurance capital, tobacco in storage, and agricultural products in storage, at the rate of $.028 on each $100.00 of assessed value as of the January 1, 2011 assessment date; and levying a special ad valorem public health tax at the rate of $.028 on each $100.00 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government as of the January 1, 2012 assessment date.

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Upon motion of Ms. Gorton, seconded by Mr. Kay, and approved by a majority vote of 8-7 (Lawless, Myers, Beard, Blues, Crosbie, Ellinger, and Gorton voted **no**), an Ordinance amending Section 1 of Ordinance No. 222-2010 amending the Schedule of Meetings for the Lexington-Fayette Urban County Council for the calendar year 2011 from September to the end of the year, to reflect a change in the Rules of the Council decreasing the number of standing committees to six (6) and establishing weekly Council Work Sessions was placed on the docket, given first reading, and ordered placed on file one week for public inspection.

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A Resolution changing the property address numbers of 3, 2, 5, 4, 7, 6, 9, 8, 11, 10, 13, 12, 15, 14, 17, 16, 19, 18, 21, 20, 23, 22, 25, 24, 27, 26, 29, 28, 31, 28 ½, 33, 30, 35, 32, 37, 34, 39, 36, 41, 38, 43, 40, 43 ½, 42, 45, 44, 47, and 51 Richmond Ave. to 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179 and 181 Richmond Ave., effective thirty days from passage was on the docket for second reading.

Ms. Lawless asked if the members of the public in attendance to speak on the resolution in public comment could be heard out of order. The Mayor stated that they could, and called them forward.

The following citizens spoke against the resolution changing the addresses on Richmond Avenue: (1) Mr. Ralph Brown, Richmond Avenue, and (2) Ms. Lisa Cliggett, Richmond Avenue.

Ms. Lawless stated her concerns about the resolution.

The resolution was given second reading. Mr. Blues made a motion, seconded by Mr. Stinnett, to approve the resolution.

The Council discussed the resolution.

Mr. Kay spoke to the motion to approve the resolution, and asked questions of Mr. David Lucas, Director of Enhanced 911, Div. of Emergency Management/911. Mr. Lucas responded.

The Council continued to discuss the motion and to ask questions of Mr. Lucas.

Mr. Farmer made a motion, seconded by Mr. Lane, to table the resolution until a meeting could be held with the residents of the addresses listed in the resolution.

Mr. Blues asked a question about scheduling a meeting with the neighbors after the resolution is tabled. Ms. Lawless responded that she would arrange it with the neighbors and the Addressing Office.

Mr. Farmer's motion **passed** by unanimous vote.

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Purchase of Service Agreements with Baby Health Services ($14,990), Big Brothers, Big Sisters ($8,570), Bluegrass Community Action Agency ($24,980), Bluegrass Domestic Violence Program, Inc. ($67,500), Bluegrass Rape Crisis

Center ($62,440), Center for Women, Children & Families ($41,630), Chrysalis House, Inc. ($33,300), Bluegrass Comprehensive Care Center ($262,030), Community Action Council ($149,850), Hope Center, Inc. ($666,000), M.A.S.H. Services of the Bluegrass, Inc. ($142,200), Moveable Feast Lexington ($33,300), Nursing Home Ombudsman Agency of the Bluegrass, Inc. ($41,630), Salvation Army ($180,000), and Sunflower Kids ($20,820) to provide services to the public, at a cost not to exceed $1,749,240 was given first reading.

Upon motion of Ms. Gorton, seconded by Mr. Stinnett, the rules were suspended by majority vote (Mr. Martin recused himself when the vote was taken.)

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

Nay: Crosbie---1
(Mr. Martin recused himself when the vote was taken.)

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The following resolutions were given first reading. Upon motion of Ms. Gorton, 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: Lane, Lawless, Martin, McChord, Myers,
Stinnett, Beard, Blues, Ellinger, Farmer,
Ford,Gorton, Henson, Kay-----------------------------14

Nay: Crosbie---1

A Resolution accepting the bid of Disponette Service Co., Inc., in the amount of $465,200, for the Dunbar Community Center Retrofit, for the Div. of Environmental Policy, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Disponette Service Co., Inc., related to the bid.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with YMCA of Central Ky. ($200), William Wells Brown Neighborhood Association, Inc. ($500), Lexington-Fayette County Branch NAACP, Inc. ($500), and The Southland Association, Inc. ($1,000), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following: Colleen West, Social Worker Sr., Grade 113E, $1,387.20 bi-weekly, in the Dept. of Social Services, Tara Mills, Social Worker Sr., Grade 113E, $1,596.80 bi0weekly, in the Div. of Youth Services, William Azevedo, Municipal Engineer Sr., Grade 119E, $3,088.88 bi-weekly, in the Div. of Water Quality, and authorizing the beginning of probationary civil service probationary period upon successful completion of a physical or medical examination as required; authorizing the Div. of Human Resources to make a conditional offer to the following: Maxwell J. Dowling, Deputy Coroner, Grade 112N, $16.00 hourly, in the Office of the Coroner, Kali Kearns, Family Support Worker Sr., Grade 112N, $15.144 hourly, in the Div. of Family Services, and authorizing the beginning employment upon successful completion of a physical or medical examination as required, effective upon passage of Council.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Master Service Agreement with Hanna Resource Group, LLC, for services related to compensation structure for twenty-three computer related technical positions, for the Div. of Human Resources, at a cost not to exceed $8,500, effective June 20, 2011.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Release of Sanitary Sewer Easement, releasing a sanitary sewer easement on property located at 1490 Citation Blvd., 1850 Bull Dog Ln. and 1350 Bull Lea Rd.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Purchase of Service Agreements with Commerce Lexington ($496,578), Downtown Lexington Corp. ($42,710), Ky. World Trade Center ($90,950), Lexington Ky. Chapter of SCORE ($5,540), Lyric Theatre and Cultural Arts Center, Inc. ($135,000), Bluegrass Community Foundation ($5,000), Bluegrass Area Development District ($75,110), Environmental Quality Commission ($1,910), Downtown Development Authority ($211,230), and Roots & Heritage Festival, Inc. ($35,415) at a total cost not to exceed $1,094,443.

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Upon motion of Ms. Gorton, seconded by Mr. Ellinger, and approved by unanimous vote, the following resolutions were placed on the docket and given first reading.

Upon motion of Ms. Gorton, 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: Lane, Lawless, Martin, McChord, Myers,
Stinnett, Beard, Blues, Ellinger, Farmer,
Ford,Gorton, Henson, Kay-----------------------------14

Nay: Crosbie--1

A Resolution accepting the bid of Ky. Utilities Co., Inc., in accordance with the provisions of Ordinance No. 72-3011, creating and offering for sale a short term franchise for the operation of a non-exclusive electric generation, transmission and distribution system in Fayette County, and authorizing the Mayor, on behalf of the Urban County Government, to execute a Franchise Agreement with Ky. Utilities Co., Inc., incorporating the terms and conditions of Ordinance No. 72-2011.

A Resolution accepting the bid of Clark Energy Cooperative, Inc., in accordance with the provisions of Ordinance No. 72-2011, creating and offering for sale a short term franchise for the operation of a non-exclusive electric generation, transmission and distribution system in Fayette County, and authorizing the Mayor, on behalf of the Urban County Government, to execute a Franchise Agreement with Clark Energy Cooperative, Inc., incorporating the terms and conditions of Ordinance No. 72-2011.

A Resolution accepting the bid of Blue Grass Energy Cooperative Corp., in accordance with the provisions of Ordinance No. 72-2011, creating and offering for sale a short term franchise for the operation of a non-exclusive electric generation, transmission and distribution system in Fayette County, and authorizing the Mayor, on behalf of the Urban County Government, to execute a Franchise Agreement with Blue Grass Energy Cooperative Corp., incorporating the terms and conditions of Ordinance No. 72-2011.

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Upon motion of Mr. Blues, seconded by Mr. Farmer, and approved by unanimous vote, a Resolution authorizing and directing the Dept. of Law to institute condemnation proceedings in Fayette Circuit Court to obtain fee simple title to the properties located at 101 Alexandria Dr., 156 Venture Ct. and 140 Venture Ct. for the extension of Citation Blvd. Phase II was placed on the docket and given first reading.

Upon motion of Ms. Gorton, 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: Lane, Lawless, Martin, McChord, Myers,
Stinnett, Beard, Blues, Ellinger, Farmer,
Ford,Gorton, Henson, Kay-----------------------------14

Nay: Crosbie--1

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Upon motion of Mr. Martin, seconded by Ms. Henson, and approved by unanimous vote, a Resolution authorizing and directing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-46, to designate Mitchell Ave. as being prohibited to through trucks and authorizing and directing the Div. of Traffic Engineering to install proper and appropriate signs in accordance with the designation was placed on the docket and given first reading.

Upon motion of Ms. Gorton, 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: Lane, Lawless, Martin, McChord, Myers,
Stinnett, Beard, Blues, Ellinger, Farmer,
Ford,Gorton, Henson, Kay-----------------------------14

Nay: Crosbie--1

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Upon motion of Ms. Lawless, seconded by Mr. Ellinger, and approved by unanimous vote, a Resolution adding Pralltown Days to the Neighborhood Development Fund allocation list in an amount not to exceed $500 and authorizing the execution of any necessary documents was placed on the docket and given first reading.

Upon motion of Ms. Gorton, 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: Lane, Lawless, Martin, McChord, Myers,
Stinnett, Beard, Blues, Ellinger, Farmer,
Ford,Gorton, Henson, Kay----------------------------14

Nay: Crosbie---1

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Ms. Gorton made a motion, seconded by Mr. Kay, and approved by unanimous vote, to remove the Lexington Fayette County Urban League from a Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Lease Agreements with Area Health Education Center, Bluegrass Community Action Agency, Legal Aid of the Bluegrass, Lexington Fayette County Urban League, National Alliance for the Mentally Ill, National Association for the Advancement of Colored People, and West End Community Empowerment Program (WECEP), for use of space at the Black and Williams Neighborhood Center.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Lease Agreements with Area Health Education Center, Bluegrass Community Action Agency, Legal Aid of the Bluegrass, National Alliance for the Mentally Ill, National Association for the Advancement of Colored People, and West End Community Empowerment Program (WECEP), for use of space at the Black and Williams Neighborhood Center was given first reading as amended, and ordered placed on file one week for public inspection.

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

A Resolution accepting the bid of Environmental Landscape, LLC, in the amount of $219,275, for the Newtown Pike Enhancement Project, for the Council Office.

A Resolution accepting the bids of Advanced Turf Solutions; Harrell's, LLC; John Deere Landscapes; Agrium Advanced Technologies; Regal Chemical Co.; Resedix-Turfgrass, LLC, and Pennington Seed, establishing price contracts for Golf Course Horticulture products, for the Div. of Parks and Recreation.

A Resolution accepting the bid of Adamson Industries Corp., establishing a price contract for prisoner restraint cages, for the Div. of Police.

A Resolution accepting the bid of Vanhook Enterprises, Inc., in the amount of $699,000, for the West Hickman Creek Waste Water Treatment Plant Solids Building Odor-HVAC improvements, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Vanhook Enterprises, Inc., related to the bid.

A Resolution accepting the bid of Univar USA, establishing a price contract for liquid chlorine, for the Div. of Water Quality.

A Resolution changing the street names and property address numbers of 3064 Beaumont Centre Circle to 3084 Lakecrest Circle, of 1 Imperial Ct. to 779 Newtown Pike, of 1012 Wellington Way to 3705 Palomar Centre Dr., and of 1201 Devonshire Ave. to 1035 Red Mile Rd.; changing the property address numbers of 196 Arceme Ave. to 204 Arceme Ave., of 4141 Boone Creek Rd. to 4153 Boone Creek Rd., of 1710 and 1726 Bryant Rd. to 1730 and 1740 Bryant Rd., of 117, 111, and 109 ½ Burley Ave. to 121, 119, and 115 Burley Ave., of 270 Driscoll St. to 272 Driscoll St., of 1100 Horsemans Ln. (Units B1, B2, B3, B4, B5, B6, B7, B8, B9, B10, B11, and B12) to 1050 Horsemans Ln. (Units 101, 104, 102, 103, 201, 204, 202, 203, 301, 304, 302, and 303), of 1100 Horsemans Ln. (Units A1, A2, A3, A4, A5, A6, A7, A8, A9, A10, A11, and A12) to 1054 Horsemans Ln. (Units 101, 104, 102, 103, 201, 204, 202, 203, 301, 304, 302, and 303), of 165 Jefferson St. to 167 Jefferson St., of 500 Laketower Dr. (Units 110 and 111) to 500 Laketower Dr. (Units 145 and 146), of 445, 449, 447, 445, and 431 Patchen Dr. to 455, 457, 459, 461, and 463 Patchen Dr., of 3457 and 3459 Red Coach Trail to 3470 and 3468 Red Coach Trail, of 363 Woodview Dr. (Unit 8A) to 365 Woodview Dr., and of 365 Woodview Dr. (Unit 8B) to 363 Woodview Dr.); and changing the street name of 164 Delmont Ct. (Units A and B) to 164 Delmont Dr. (Units A and B), of 154 Delmont Ct. (Units A and B) to 154 Delmont Dr. (Units A and B), of 1192 Devonport Dr. to 1192 Devonport Circle, of 1519, 1523, 1527, 1533, 1537, 1541, 1549, 1553, 1601, 1609, 1613, 1617, 1621, 1625, 1629, 1633, 1637, 1641, 1645, and 1649 Leestown Rd. to 1519, 1523, 1527, 1533, 1537, 1545, 1549, 1553, 1601, 1609, 1613, 1617, 1621, 1625, 1629, 1633, 1637, 1641, 1645, and 1649 Old Leestown Rd. and of 239, 243, 245, 247, 251, 257, 261, 265, 269, and 271 Ann St. to 239, 243, 245, 247, 251, 257, 261, 265, 269, and 271 Shropshire Ave.; all effective thirty days from passage.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Commonwealth of Ky. Transportation Cabinet, Dept. of Highways, to increase the amount of reimbursement to the Ky. Transportation Cabinet by the amount of $56,957.76 from up to $216,098.97 to up to $273,056.73, for installation of Mast Arm Pole System for the Newtown Pike Extension (Oliver Lewis Way) Project.

A Resolution declaring as surplus and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute deeds and any other necessary documents for the sale and transfer of property located at 183 Old Georgetown St. and 183 ½ Old Georgetown St.

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 FY 2008 Fiber Optic Cable Installation Project through July 9, 2012, at no cost to the Urban County Government.

A Resolution ratifying the probationary civil service appointments of: Michael Keith Horn, $3,504.16 bi-weekly, Glenda H. George, $3,346.08 bi-weekly, David J. Barberie, $3,425.12 bi-weekly, Grade 123E, Managing Attorney, in the Dept. of Law, effective September 12, 2011, Marie Lundin, Environmental Inspector, Grade 113N, $18.388 hourly, in the Div. of Water Quality, effective August 22, 2011, Mary C. Felty, Deputy Director of Administrative Services - Water Quality, Grade 120E, $2,949.84 bi-weekly, in the Div. of Water Quality, effective August 22, 2011; approving the unclassified civil service appointments of: Laura Hatfield, Administrative Aide to Mayor, Grade 118E, $2,082.72 bi-weekly, in the Dept. of Social Services, effective August 15, 2011, Joan Dickes, Family Support Worker Sr., P/T, Grade 112N, $16.610 hourly, in the Div. of Family Services, effective August 29, 2011, Paul Simms, Microcomputer Support Specialist, Grade 113N, $20.992 hourly, in the Div. of Police, effective August 1, 2011, Scott Shapiro, Senior Administrative Aide to Mayor, Grade 120E, $3,192.31 bi-weekly, in the Office of the Mayor, effective August 11, 2011; approving the unclassified civil service pay increase in the Office of the Urban County Council: Willard J. Fogle, Aide to Council, Grade 000E, increase from $2,058.80 bi-weekly, to $2,089.56 bi-weekly, effective July 1, 2011; approving Council Leave for Rebecca McFarland, Financial

Coordinator, Grade 112N, in the Div. of Grants and Special Programs, requests ninety days Council approved leave without pay from August 9, 2011 through November 9, 2011.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation from Ms. Wanda Shepherd, of a Victorian couch and chair, for use at the Bell House, at no cost to the Urban County Government.

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 Extended School Program and Recreational Enrichment and Learning Program.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and other necessary documents, and to accept Deeds for property interests needed for the Crimson King/Coldstream Stormwater Improvement Project, at a cost not to exceed $975,000.

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A Resolution amending Resolution No. 297-2011 which established a Residential Parking Permit Program for the 700 block of Tremont Ave. to combine the 700 block of Tremont Ave. with the Residential Parking Permit Zone for Beaumont Ave. and the 700 block of Melrose Ave. established by Resolution No. 75-2010 and retaining all other provisions of Resolution No. 297-2011 was given first reading.

Ms. Lawless requested that the rules be suspended in order to give second reading to the resolution.

Mr. David Barberie, attorney for the Dept. of Law, stated that usually when a fine is associated with a resolution, the preference is to give the resolution second reading at the next meeting.

Ms. Lawless withdrew her request for suspension of the rules.

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

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Upon motion of Ms. Gorton, seconded by Mr. Kay, and approved by unanimous vote, a Resolution establishing a Residential Parking Permit Program for the 400 block of South Upper St., from 7:00 A.M. to 5:00 P.M., Monday through Friday; and waiving the provisions relating to the mechanics of designating residential parking permit areas adopted by Resolution No. 168-90 and amended by Resolutions Nos. 450-91 and 433-

2006 was placed on the docket, given first reading, and ordered placed on file one week for public inspection.

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Upon motion of Ms. Gorton, seconded by Ms. Lawless, and approved by unanimous vote, a Resolution establishing a Residential Parking Permit Program for Lexington Ave. from 257 Lexington Ave. to East Maxwell St., 24 hours per day, Monday through Sunday, along the west side of the block; and waiving the provisions relating to the mechanics of designating residential parking permit areas adopted by Resolution No. 168-90 and amended by Resolutions Nos. 450-91 and 433-2006 was placed on the docket, given first reading, and ordered placed on file one week for public inspection.

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The report for the Div. of Building Inspection for the 2nd Quarter (April – June) of 2011 was received and ordered placed on file.

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Ms. Gorton made a motion, seconded by Mr. Ellinger, to approve the Communications from the Mayor as follows: (1) Recommending the reappointment of Ms. Pamela Weeks and the appointment of Mr. Tom Kim to the CASA Board, with terms to expire 6-11-2015; (2) Recommending the appointments of Ms. Arianna Jill Barnett and Mr. Jerry Kersey to the Commission for Citizens with Disabilities, with terms to expire 1-1-2013. Ms. Barnett and Mr. Kersey will fill the unexpired terms of Ms. Tammie Hollar and Ms. Kristy Stambaugh; (3) Recommending the appointment of Mr. James Ziliak to the Community Action Council, with a term to expire 12-31-2014; (4) Recommending the reappointments of Councilmember Tom Blues, representing 1st, 2nd or 6th Districts, and Mr. Logan K. Baker, as Ky. Dept. of Transportation District 7 representative, to the Corridors Commission, with terms to expire 8-1-2015; (5) Recommending the appointments of Mr. Michael Speaks and Mr. Darren Teodoro to the Courthouse Area Design Review Board, with terms to expire 6-30-2015; (6) Recommending the appointment of Mr. Jonathan Ware to the Environmental Commission, with a term to expire 10-1-2014; (7) Recommending the appointments of Ms. Leslie Beatty, as neighborhood representative, Ms. Lauren Campbell, as Convention and Visitors Bureau representative, Ms. Karen Deprey, as Lexington Board of Realtors representative, Mr. Dan Graves, as builder/developer representative, Ms. Faith Harders, as neighborhood representative, Mr. Michael Kovash, as neighborhood representative, and Mr. Bill Sallee, as Div. of Planning representative, to the Historic Preservation Commission, with terms to expire 6-30-2013. Also, recommending the appointments of Mr. Lee Bagley, as American Institute of Architects representative, Mr. David Cohen, as neighborhood representative, Mr. Greg Hosfield, as Board of Architectural Review representative, Mr. Robert Kelly, as banking representative, Mr. Carl Leonard, as neighborhood representative, Ms. Sharon Reed, as neighborhood representative, and Mr. John Rhorer, as Blue Grass Trust representative, to the Historic Preservation Commission, with terms to expire 6-30-2015; (8) Recommending the appointment of Ms. Joan Whitman to the Housing Authority Board, with a term to expire 6-30-2015; (9) Recommending the appointment of Councilmember Julian Beard, as ex-officio member, to the Lexington Center Corp. Board of Directors, with a term to expire 8-18-2014. Councilmember Kevin Stinnett is no longer serving on the Board; (10) Recommending the appointment of Ms. Susan Wright to the Library Board of Advisors, with a term to expire 1-1-2014. Ms. Wright will fill the unexpired term of Ms. Debbie Goodman; (11) Recommending the appointment of Mr. John Stempel to the Library Board of Trustees, with a term to expire 7-20-2015; (12) Recommending the reappointment of Mr. George Miller to the Transit Authority Board, with a term to expire 6-30-2015. Also, recommending the appointments of Mr. Larry Herman and Ms. Andrea Strassburg to the Transit Authority Board, with terms to expire 6-30-2015 and 6-30-2012, respectively. Ms. Strassburg will fill the unexpired term of Mr. Robert Starkweather; and (13) Recommending the reappointment of Ms. Wallis Miller to the Urban County Arts Review Board, with a term to expire 6-6-2015.

Mr. McChord asked a question of Mr. David Barberie, attorney for the Dept. of Law, regarding Communication #9, and the specific term limits for appointments on the Lexington Center Corporation Board of Directors. Mr. Barberie responded.

Ms. Susan Lamb, Clerk of the Urban County Council, also responded to Mr. McChord's question.

The Communications from the Mayor were **approved** by unanimous vote.

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The following Communications from the Mayor were received for information only, and are as follows: (1) Temporary appointment of Cory House, Engineering Technician, Grade 111N, in the Div. of Traffic Engineering, effective July 18, 2011; (2) Temporary appointment of Eric Beauregard, Telecommunicator Supervisor, Grade 116E, in the Div. of Emergency Management/911, effective July 18, 2011; (3) Temporary appointment of Karen Beatty, Administrative Specialist Sr., Grade 112N, in the Div. of Traffic Engineering, effective August 1, 2011; (4) Temporary appointment of Tamara Walters, Human Resources Manager Sr., Grade 121E, in the Div. of Human Resources, effective August 1, 2011; (5) Resignation of David Todd Copeland, Records Management Analyst, Grade 111N, in the Council Clerk's Office, effective July 13, 2011; (6) Resignation of Herbert Stamper, Code Enforcement Officer, Grade 113N, in the Div. of Code Enforcement, effective July 14, 2011; (7) Resignation of Jose Rincon, Environmental Inspector, Grade 113N, in the Div. of Water Quality, effective July 16, 2011; (8) Resignation of John Carey, Telecommunicator Supervisor, Grade 116E, in the Div. of Emergency Management/911, effective July 16, 2011; (9) Resignation of Ronald Bishop, Director Community Corrections, Grade 123E, in the Div. of Community Corrections, effective July 31, 2011; (10) Transfer of Danny Tankersley, Equipment Operator Sr., Grade 109N, from the Div. of Water Quality to the Div. of Streets and Roads, effective July 1, 2011, and (11) Transfer of Mitchell Knipper, Equipment Operation Sr., Grade 109N, from the Div. of Streets and Roads to the Div. of Water Quality, effective July 1, 2011.

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Ms. Gorton announced that she would be submitting the new Committee assignments to go into effect on September 12, 2011 for the Councilmembers' information in the following week.

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Mr. Ellinger announced that a meeting of the Council Personnel Committee would take place on Tuesday, August 23, 2011, at 1:00 p.m. to discuss the Council Administrator position. He stated that all Councilmembers were invited.

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Mr. Ford announced that the East End Reunion would take place on Saturday, August 20, 2011, from 12:00 p.m. to 9:00 p.m., at the Charles Young Park. He stated that the community was welcome to come, as well as East End residents.

He also announced that the Charles Young Center Redevelopment Task Force had formulated a Public Comment process. He thanked Mr. Kay and Ms. Henson for their support. He stated that the public could send comments by email to CharlesYoungCenter@lexingtonky.gov.

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Ms. Lawless announced that the Woodland Arts Fair would take place during the weekend of August 20 and 21, 2011, at Woodland Park.

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Mr. Martin announced that August 19, 2011, would be the last day to sign up for the 7th Annual Tri-Y Kids' Triathlon at the Beaumont Centre YMCA, to be held on Sunday, August 21, 2011. He stated that interested parties could contact the Beaumont Centre YMCA at 859-219-9622.

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Commander Mark Barnard, Div. of Police, stated that Officer David J. Bradley had committed the offense of Violating Any Rules of the Division, in violation of KRS 95.450 and General Order #73-2/H, Operational Rules, Section 1.35, in that on the 2nd and 3rd days of July, 2011, he called his supervisor to notify him of his intent to utilize sick time. On June 7th, 2011, Officer David Bradley had been denied a leave request for those two days. Upon his return to duty, Officer Bradley acknowledged that he was not sick, and that the appropriate punishment for this offense is Twenty (20) Hours Suspension Without Pay.

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

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Ms. Carmen Davis, Red River Drive, spoke about the proposed Taxicab Ordinance that was before the Council Public Safety/Public Works Committee. She stated her concerns about the proposed legislation.

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Mr. Bernard McCarthy, Harry Street, spoke about a lane on Sir Barton Way that had been marked for non-use. He also stated that changing one-way streets to two-way streets in downtown would be a mistake.

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Upon motion of Mr. Ellinger, seconded by Mr. Myers, and approved by unanimous vote, the meeting adjourned at 7:58 p.m.

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Clerk of the Urban County Council