Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky   September 15, 2011

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on September 15, 2011 at 6:00 P.M. Present were Vice-Mayor Linda Gorton in the in the chair presiding, in the absence of Mayor Gray, and the following members of the Council: Council Members Martin, McChord, Myers, Stinnett, Beard, Blues, Crosbie, Ellinger, Farmer, Ford, Henson, Kay, and Lane. Absent was Councilmember Lawless.

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

Resolutions No. 359-2011 thru 380-2011, and Ordinances No. 97-2011 thru 114-2011, inclusive were reported as having been signed and published, and ordered to record.

Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky September 15, 2011

The Invocation was performed by the trio of Gail Wynters, Tripp Bratton and Arte Bratton. Ms. Gorton presented Ms. Wynters, Mr. Bratton and Mr. Bratton with a Proclamation proclaiming September 15, 2011, as 'Gail Wynters and Sons Day,' in recognition of their musical achievements.

* * *

Ms. Cheryl Taylor, Commissioner of the Dept. of Environmental Quality and Public Works, introduced Mr. Keith Lovan, Div. of Engineering, Project Manager for the Tates Creek Road Sidewalk Project, who made a presentation with an update on the Tates Creek Road Sidewalk Project.

Mr. Farmer asked questions of Mr. Lovan regarding a drainage issue that he was aware of on Tates Creek Road. Mr. Lovan responded that he would check into the issue.

* * *

Mr. George Milligan, Dept. of Environmental Quality and Public Works, Project Manager for the Downtown Streetscape Project, made a presentation about the current status of the project, as well as the the purpose and scope of the project.

Mr. Stinnett asked questions of Mr. Milligan regarding the timeline of the project. Mr. Milligan responded.

Ms. Cheryl Taylor, Commissioner of the Dept. of Environmental Quality and Public Works, clarified a statement of Mr. Milligan's regarding the total cost of the project.

Mr. McChord asked questions of Mr. Milligan about the cost of the project. Mr. Milligan responded.

Mr. Lane made some comments regarding the project.

* * *

Mr. McChord spoke about the changes that had been made in the Council Meetings' Invocation time, specifically regarding the inclusion of musical groups. He stated that he had enjoyed what he saw on a trip to Austin, Texas, and how they handle the showcasing of local musical talent.

Mr. McChord made a motion, seconded by Mr. Myers, to set aside 5:30 p.m. to 6:00 p.m. before Council Meetings to showcase local Lexington musical talent.

Mr. Lane asked questions of Mr. McChord about the logistics of the motion. Mr. McChord responded.

Ms. Crosbie asked whether there was any stipend to be paid to potential performers. Mr. McChord responded, and explained his motion in greater detail.

Mr. Kay spoke about Mr. McChord's motion.

Ms. Hilary Perrine, Community Relations Specialist, Office of the Mayor, responded that the previous musicians had donated their time.

Mr. Kay asked questions of Ms. Lori Houlihan, Special Events Liaison, Office of the Mayor, regarding the musicians. Ms. Houlihan responded. Mr. McChord also responded.

The Council continued to discuss the motion, and to ask questions of Mr. McChord and Ms. Houlihan.

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

* * *

Mr. McChord made a motion, seconded by Mr. Myers, to have at least a moment of silence or an Invocation after the roll call at each Council Meeting.

The Council discussed the motion and asked questions of Mr. McChord.

The motion **passed** by unanimous vote.

* * *

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

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

Nay: ---0

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. 31.

An Ordinance granting a waiver to the Richmond Rd. Landscape Plan (Ord. No. 212-83) for 2299, 2349 and 2399 Richmond Rd.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $3,796.91 from Neighborhood Development Funds in the Div. of Fire and Emergency Services for training equipment, and appropriating and re-appropriating funds, Schedule No. 32.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Administrative Officer, Grade 118E, in the Office of the Commissioner of Public Works and creating one (1) position of Administrative Officer, Grade 118E, in the Office of the Commissioner of Environmental Quality & Public Works and amending Section 22-5(2) of the Code of Ordinances abolishing one (1) position of Commissioner of Public Works & Development, Grade 211E, one (1) position of Construction Supervisor, Grade 118E, one (1) position of Administrative Specialist Sr., Grade 112N, changing the name of the Commissioner of Environmental Quality to the Commissioner of Environmental Quality & Public Works, creating one (1) position of Construction Supervisor, Grade 118E and one (1) position of Administrative Specialist Sr., Grade 112N, all in the Dept. of Environmental Quality & Public Works.

An Ordinance amending Section 23-5(b) of the Code of Ordinances abolishing one (1) position of Police Captain, and creating one (1) position of Police Lieutenant, in the Div. of Police, and appropriating funds pursuant to Schedule No. 30.

*　　　　　*　　　　　*

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

An Ordinance amending Article 27-8 of the Zoning Ordinance to update references to codes for properties within the CA Overlay Zone.

An Ordinance changing the zone from a Planned Neighborhood Residential (R-3) zone to a High Density Apartment (R-4) zone for 6.81 net (8.24 gross) acres, for property located at 2391 Sir Barton Way (Thompson Thrift Development, Inc.).

An Ordinance amending Articles 1, 5, 6, 7, 8, 9, 11, 12, 13, 14, 16, 19, 22-A, 24, 25, and 27 of the Zoning Ordinance to authorize changes in permitting and enforcement functions to the Div. of Planning and to create a zoning compliance permit.

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. 33.

An Ordinance amending Section 21-5(2) of the Code of Ordinances changing the job title of the Director of Community Development to the Director of Grants and Special Programs in the Div. of Grants and Special Programs and amending Section 22-5(2) of the Code of Ordinances abolishing one (1) position of Administrative Officer, Grade 118E and creating two (2) positions of Administrative Officer P/T, Grade 118E in the Office of the Chief Administrative Officer, and appropriating funds pursuant to Schedule No. 34.

An Ordinance amending Sections 15, 16, 18 and 19 of Ordinance No. 69-2011 relating to the reorganization, correcting subsection line numbers in the Code of Ordinances, effective retroactive to July 1, 2011.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, creating one (1) position of Staff Assistant Sr., Grade 108N and one (1) position of Administrative Officer, Grade 118E, in the Office of the Commissioner of Social Services; creating one (1) position of Administrative Specialist Sr., Grade 112N and one (1) position of Social Worker, Grade 111E, in the Div. of Adult Services; abolishing one (1) position of Administrative Officer, Grade 118E, one (1) position of Administrative Specialist Sr., Grade 112N, one (1) position of Social Worker, Grade 111E and one (1) position of Staff Assistant Sr., Grade 108N, all in the Div. of Youth Services; amending Section 22-5(2) of the Code of Ordinances abolishing one (1) position of Equipment Operator P/T, Grade 108N, in the Div. of Family Services and creating one (1) position of Equipment Operator P/T, Grade 108N, in the Div. of Youth Services and transferring the incumbents, and appropriating funds pursuant to Schedule No. 36.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, creating one (1) position of Administrative Specialist Sr., Grade 112N, in the Div. of Youth Services and amending Section 22-5(2) of the Code of Ordinances, creating one (1) position of Commissioner of Planning, Grade 210E, in the Office of the Chief Administrative Officer, and appropriating funds pursuant to Schedule No. 35.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $750 for the Div. of Historic Preservation from Neighborhood Development Funds to assist with restoration of Skuller's Clock, and appropriating and re-appropriating funds, Schedule No. 37.

* * *

A Resolution ratifying the permanent civil service appointments of: Vincent Davis, Public Service Worker Sr., Grade 107N, in the Div. of Streets & Roads, effective July 31, 2011, Andre German, Trades Worker Sr., Grade 109N, in the Div. of Streets & Roads, effective May 15, 2011; approving the probationary sworn appointments of: Thomas Perkins, Police Sergeant, Grade 315N, $28.588 hourly, in the Div. of Police, effective September 19, 2011, Darin Salyer, Police Sergeant, Grade 315N, $28.588 hourly, in the Div. of Police, effective September 19, 2011, Jacqueline Richardson-Newman, Police Sergeant, Grade 315N, $28.588 hourly, in the Div. of Police, effective September 19, 2011, Mark Brand, Police Lieutenant, Grade 317E, $3,025.14 bi-weekly, in the Div. of Police, effective September 19, 2011, Chris Schnelle, Police Lieutenant, Grade 317E, $3,025.14 bi-weekly, in the Div. of Police, effective August 1, 2011 was given second reading.

Mr. Stinnett asked questions of Mr. Clay Mason, Commissioner of the Dept. of Public Safety, regarding the promotions in the Div. of Police listed in the resolution. Mr. Mason responded. Ms. Kelli Edwards, Commander, Div. of Police, also came forward to respond to questions.

The Council continued to discuss the issue and to ask questions of Mr. Mason and Ms. Edwards.

Ms. Henson made a motion, seconded by Mr. Martin, to put the issue of Div. of Police staffing and their plan to address vacancies into the Council Public Safety Committee.

Mr. Lane asked a question of Mr. Mason regarding the motion. Mr. Mason responded.

Mr. McChord asked that additional information be provided to the Public Safety Committee regarding police staffing.

The motion **passed** by unanimous vote.

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

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

Nay: --0

* * *

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

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

Nay: --0

A Resolution amending Sections 1 and 2 of Resolution No. 149-2011 which authorized the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with Granicus, Inc., to include authorization for monthly support and maintenance for web-streaming and the Council Chamber voting system and to include two monthly license fees for the Word Add-In Module and one Word Add-In template, at a cost not to exceed $33,520.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Imani Family Life Center, Inc. ($600), and Ky. Humanities Council ($700), 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 an Extension of the Lease and Option Agreement with William L. Hassett, Jr., as Trustee Under the Restated Revocable Living Trust for the Benefit of William L. Hassett, Jr., Charles D. Mitchell, Jr., Elizabeth Mitchell, Executrix, Estate of James L. Mitchell and Anne Hassett Zelle, extending the contract period for 166 N. Martin Luther King Blvd. to June 30, 2012.

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 Housing and Urban Development and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of $500,000

Federal funds under the Community Challenge Planning Grants Program, and are for planning consultation services for the North Lexington Gateway Plan.

A Resolution amending Resolution No. 255-2011 to change the name of the entity from which the Zumro air shelters and equipment are being acquired to Advanced Eco Systems, Inc., a sole source distributor, and increasing the total cost to an amount not to exceed $189,365.60.

A Resolution authorizing and directing 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 $16,183 Federal funds, and are for continuation of the Juvenile Surveillance Program, professional services, professional development, drug testing services and supplies, and educational materials, the acceptance of which obligates the Urban County Government for the expenditure of $1,798 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

A Resolution authorizing the increase of Purchase Order LF00082806 by the amount of $1,149 for the Div. of Water Quality, on behalf of the Urban County Government, to purchase three (3) mixing compressors for the Town Branch Wastewater Treatment Plant from Sihi Pumps, Inc. c/o KY Sherman & Schroder Equipment Co., a sole source provider, increasing the amount from $40,689 to $41,838.

A Resolution approving the recommendation of the Div. of Water Quality to select a "Two-Year/24 Hour" storm event as the "design storm" to form the basis of implementation of the LFUCG Sanitary Sewer System Remedial Measures Plans required by the U.S. EPA Consent Decree.

*　　　　　*　　　　　*

A Resolution of the Urban County Council authorizing the selection of Humana Insurance Co. as the Third Party Administrator for the health insurance plans for the period beginning January 1, 2012 through December 31, 2012 and authorizing the Administration to finalize contract negotiations was on the docket for first reading.

Mr. Martin asked questions of Mr. Todd Slatin, Div. of Purchasing, regarding the Request for Proposal process for selecting a health insurance vendor. Mr. Slatin responded. Mr. Jamie Emmons, Chief of Staff, Office of the Mayor, and Mr. Stinnett also responded to Mr. Martin.

Mr. Myers asked questions of Mr. Stinnett regarding the selection process. Mr. Emmons and Ms. Leslie Jarvis, Acting Director of the Div. of Human Resources, also responded to Mr. Myers' questions.

Mr. Briggs Cochran, Benefits Insurance Marketing, spoke about the issue.

The Council continued to discuss the issue and to ask questions of Mr. Cochran, Ms. Jarvis, and Mr. Slatin.

The resolution was given first reading. Upon motion of Mr. McChord, seconded by Mr. Lane, 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: Martin, McChord, Myers, Stinnett, Beard,
Blues, Crosbie, Ellinger, Farmer, Ford,
Gorton, Henson, Kay, Lane------------------------14

Nay: --0

*　　　　*　　　　*

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Ray Sabbatine, for Mr. Sabbatine to serve as Interim Director of the Div. of Community Corrections, at a cost not to exceed $112,900 was given first reading.

Ms. Glenda George, Attorney, Dept. of Law, asked on behalf of the Administration that the rules be suspended to give second reading to the resolution.

Mr. Martin called for a point of order and stated that a motion had to be made by a Councilmember in order for the request to be considered.

Ms. Crosbie made a motion, seconded by Mr. Ellinger, to suspend the rules in order to give second reading to the resolution.

Mr. Farmer asked questions of Mr. Clay Mason, Commissioner of the Dept. of Public Safety, regarding the resolution.

Mr. Stinnett stated that the motion on the floor required disposition, and thus the resolution in question should be taken off of the list of requested second reading resolutions.

Mr. Farmer made a motion, seconded by Mr. McChord, and approved by unanimous vote, to amend the motion on the floor to remove the resolution from the list of requested second reading resolutions.

Mr. Farmer continued to ask questions of Mr. Mason regarding the resolution.

Mr. Beard asked questions of Mr. Mason. Mr. Mason responded.

The Council continued to discuss the resolution and to ask questions of Mr. Mason and Ms. George.

Mr. Beard made a motion, seconded by Ms. Crosbie, to insert 'one-year term' into the title of the resolution.

Ms. Gorton asked questions of Mr. Beard regarding his motion.

Mr. Stinnett spoke about the motion. Mr. Beard responded to Mr. Stinnett's concerns.

Mr. Beard withdrew his motion, and Ms. Crosbie withdrew her second.

Mr. Lane made a motion, seconded by Mr. Farmer, to reduce the contract term in the resolution to six months.

Mr. Stinnett made a motion, seconded by Ms. Crosbie, to amend the motion to also reduce the salary listed in the resolution to be commensurate with the six month term, to $56,450.00.

Ms. Crosbie asked questions regarding the motion, and Mr. Stinnett responded.

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

Mr. Lane's amended motion to reduce the contract term in the resolution to six months, and to reduce the salary listed in the resolution to be commensurate with the six month term, to $56,450.00 **passed** by unanimous vote

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a six-month Memorandum of Agreement with Ray Sabbatine, for Mr. Sabbatine to serve as Interim Director of the Div. of Community Corrections, at a cost not to exceed $56,450 was given a new first reading as amended.

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

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

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

Nay: ---0

* * *

Ms. Gorton asked Mr. Ellinger to assume the chair of the meeting.

Upon motion of Ms. Gorton, seconded by Mr. Myers, and approved by unanimous vote, a Resolution requesting that the Lexington-Fayette County Planning Commission consider appointing Will Berkley as a member was placed on the docket and given first reading.

Ms. Gorton resumed the chair.

Upon motion of Mr. McChord, seconded by Mr. Lane, 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: Martin, McChord, Myers, Stinnett, Beard,
Blues, Crosbie, Ellinger, Farmer, Ford,
Gorton, Henson, Kay, Lane-------------------------14

Nay: ---0

* * *

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

Nay: ---0

A Resolution of the Urban County Council providing that the deadline to submit a request to the Office of the Mayor for Council action (blue sheet process) shall be the close of business on the Tuesday preceding the next work session.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements, awarding EcoArt Grants to Arturo Alonzo Sandoval ($5,000), Blake Snyder Eames ($1,000), Christine Kuhn ($5,000), Chrysalis House, Inc. ($4,500), Columbia Heights NA ($5,000), Friends of the Arboretum ($5,000), Lansdowne Elementary ($3,000), Lexington Art League ($1,200), Lexington Children's Theatre ($1,275), Lexington Roots & Heritage Festival ($5,000), Louis Guida ($5,000), Luella Pavey ($4,450), Marco Logsdon ($3,712), Millcreek Elementary ($1,300), Nori Hall ($5,000), North Limestone NA ($4,835), Robert Morgan ($5,000), Sarah Heller ($5,000), Seedleaf, Inc. ($5,000), Sisohpromatem Art Foundation ($3,065), Tates Creek High School ($5,000), The Learning Center (Linlee) ($5,000), University of Ky. Research Foundation ($2,390), and Wellington Elementary ($1,300), at a cost not to exceed the sums stated.

* * *

The following resolutions were given first reading.

Ms. Glenda George, Attorney, Dept. of Law, asked on behalf of the Administration that the rules be suspended to give second reading to the resolutions.

Mr. Martin called for a point of order and stated that a motion had to be made by a Councilmember in order for the request to be considered.

Ms. Crosbie made a motion, seconded by Mr. Ellinger, and approved by unanimous vote, to suspend the rules in order to give second reading to the resolutions.

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

Nay: --0

A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following: Frank Firestine, Pastoral Counselor, Grade 113E, $2,001.04 bi-weekly, in the Div. of Community Corrections, effective upon passage of Council, Barry Prater, Commodity Marketing Manager, Grade 115E, $1,919.76 bi-weekly, in the Div. of Waste Management, effective upon passage of Council; Shareka Hamilton, Zachary Sanders, William Bellomy, Virgil Owings, Scotty Scalf, Ralph McCracken, Nathan Barks, Mathew Crossfield, Matt Schmitt, Mark Eary, Kevin Woodall, Johnathan Evans, Johanna Loughery, Jason Fyfe, Greg Workman, Desmond Duncan, Craig Van Norman, Chad Donahue, Cassie Peters, Carrie Wallis, Bruce Smith, Brian Armstrong, Bradley

Baker, Bonnie Robinson, Community Corrections Officer, Grade 110N, $14.340 hourly, in the Div. of Community Corrections, authorizing the beginning of the probationary civil service probationary period upon successful completion of a physical or medical examination as required, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following: Edward Hale, Equipment Operator P/T, Grade 108N, $13.411 hourly, in the Div. of Youth Services, 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 an Amendment to Memorandum of Agreement with the Ky. Dept. for Environmental Protection, for extension of the Clean Diesel Grant Project through June 30, 2012, at no cost to the Urban County Government.

*   *   *

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Marathon Health, Inc. to provide employees with certain preventative, wellness, disease management, health consultation and/or primary care services at a cost not to exceed $1,370,886 was on the docket for first reading.

Mr. Kay made a motion, seconded by Mr. McChord, to schedule a Special Council Meeting for Tuesday, September 20, 2011, at 3:00 p.m., before the Council Work Session, to get additional information on the wellness center concept from the City of Chattanooga contingent scheduled to be in town, and then to have a second reading of the resolution.

Mr. Beard asked a question regarding the order of the proposed Special Meeting. Ms. Gorton responded.

The motion **passed** by unanimous vote.

The resolution was given first reading and ordered placed on file until September 20, 2011, for public inspection.

*   *   *

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

A Resolution accepting the bid of Task, Inc., establishing a price contract for greenways maintenance supplemental, for the Div. of Engineering.

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

A Resolution accepting the bids of Bluegrass Uniforms; Bluegrass Fire Equipment, Inc.; U.S. Calvary; Wynn Fire Equipment, LLC; and Galls, Inc. (an Aramark Co., LLC), establishing price contracts for Fire Recruit Equipment, for the Div. of Fire and Emergency Services.

A Resolution accepting the bid of Kiesler Police Supply, establishing a price contract for ammunition, for the Div. of Police.

A Resolution accepting the bids of the Inkspot, Inc., and Uniforms Manufacturing, Inc., establishing price contracts for uniforms for various departments and divisions.

A Resolution accepting the bids of Municipal Sales, Inc., and Duke's Root Control, Inc., LLC, establishing price contracts for sewer line chemical root control, for the Div. of Water Quality.

A Resolution ratifying the probationary civil service appointments of: Elizabeth Ashley Johnson, Staff Assistant Sr., Grade 108N, $12.374 hourly, in the Div. of Police, effective September 16, 2011, Kevin Wagner, Project Manager, Grade 114E, $1,587.52 bi-weekly, in the Div. of Water Quality, effective September 19, 2011, Irene Gooding, Director Grants and Special Programs, Grade 121E, $3,599.84 bi-weekly, in the Div. of Grants and Special Programs, effective October 1, 2011, David Smith, Engineering Technician Sr., Grade 113E, $1,523.20 bi-weekly, in the Div. of Water Quality, effective September 19, 2011, Donald Mott, Public Service Worker Sr., Grade 107N, $12.050 hourly, in the Div. of Water Quality, effective September 19, 2011, Billy Prater, Engineering Technician Principal, Grade 115E, $1,796.16 bi-weekly, in the Div. of Water Quality, effective September 19, 2011, James Dennis, Police Analyst, Grade 111N, $17.530 hourly, in the Div. of Police, effective September 19, 2011; ratifying the temporary appointment in the Office of the Urban County Council of: Donna Jeannette Williams, Council Administrator, Grade 121E, $2,474.96 bi-weekly, in the Council Office, effective July 12, 2011; approving Council Leave for Kevin Bolton, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, requests ninety (90) days Council Leave effective July 28, 2011.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Siemens Healthcare Diagnostics, Inc., a sole source provider, for the purchase of drug testing reagents, for the Div. of Community Corrections, at a cost not to exceed $230,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Humanities Council ($100), Dove Creek Townhome Owner's Association ($500) and Lexington Art League ($275), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution authorizing the Div. of Emergency Management/911 to obtain support services for its Emergency Notification System from Dialogic Communications Corp. (DCC) d/b/a Cassidian Communications, a sole source provider, at a cost not to exceed $31,329.60, and authorizing the Mayor to execute any necessary documents.

A Resolution authorizing the Div. of Emergency Management/911 to obtain 911 database management services from AK Associates, Inc., a sole source provider, at a cost not to exceed $85,000, and authorizing the Mayor to execute any necessary documents.

A Resolution amending Resolution No. 298-2011, changing the contractor from Hayden Construction to Burdette Construction; and changing the contract amount from $48,859 to $59,730.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with UK Arboretum, to provide water quality related workshops, at a cost not to exceed $50,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a three (3) year Network Services Contract with Insight Ky. Partners, II, LLP, for services used by the Div. of Fire and Emergency Services to link components of the 800 MHz radio system, at an annual cost not to exceed $10,800 in Fiscal Year 2012 and future fiscal years subject to sufficient funds being appropriated.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Management Agreement with Ky. Theater Management Group, Inc., for a one year extension.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Environmental Protection Agency, which Grant funds are in the amount of $200,000 Federal funds, are for a Brownfields Assessment 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 execute Change Order No. 2 to the Contract with Claunch Construction, LLC, for the Meadows/ Northland/ Arlington Public Improvements Project, Subphase 2E, increasing the contract price by the sum of $8,379.10 from $1,022,759.00 to $1,031,138.10.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Three to the Contract with CDP Engineers, Inc., for the West Hickman Trail Project, increasing the contract price by the sum of $17,680 from $138,250 to $155,930.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two to the Contract with Claunch Construction, LLC, for the West Hickman Trail Project, decreasing the contract price by the sum of $7,828.32 from $477,343.40 to $469,515.08.

A Resolution authorizing the Div. of Human Resources to internally advertise for vacant positions, if requested by the Division Director, from the date of passage of this Resolution through December 31, 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.

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

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Interlocal Cooperation Agreement with the Jessamine County Ky. Sheriff, for Fayette County Div. of Police full police powers in portions of Jessamine County where the Urban County Government owns property (i.e. Veterans Park and West Hickman Treatment Plant).

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the Internal Revenue Service, Criminal Investigation, for the Financial Crimes Task Force.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Internal Revenue Service, Criminal Investigation, for reimbursement of certain Div. of Police expenses.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Lease Agreement with the Ky. Horse Park, for the Mounted Police Colloquium.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Sales Agreement with Horizon Information Systems, Inc., for the purchase of software for the representative payee program, for the Dept. of Social Services, at a cost not to exceed $5,552.50.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two (Final) to the Contract with Hall Contracting Corp., for South Elkhorn Pump Station Improvements, for the Div. of Water Quality, increasing the contract price by the sum of $82,037.33 from $3,842,000.00 to $3,952,024.33.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (Final) to the Contract with Gooch Construction Co., for the Della Dr. Storm Water Pipe Relocation Project, increasing the contract price by the sum of $12,678.28 from $94,422.00 to $107,100.28.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with Kenvirons, Inc., for the Dixie Pump Station Upgrade and Force Main Improvements Project, increasing the contract price by the sum of $11,021.39 from $30,730.00 to $41,751.39.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (Final) to the contract with Gooch Construction, Inc., for the Trinity Rd. - Wellington Way Storm Water Project, increasing the contract price by the sum of $3,620 from $82,970 to $86,590.

*   *   *

Upon motion of Mr. Farmer, seconded by Mr. Lane, and passed by unanimous vote, the Communications from the Mayor were approved and are as follows: (1) Recommending the appointments of Ms. Dana G. Walton-Macaulay and Ms. Jane Bennington to the CASA Board, with terms to expire 6-11-2015; (2) Recommending the reappointment of Mr. Ronald Tritschler, as at-large representative, to the Convention & Visitor's Bureau Board of Directors, with a term to expire 9-9-2014; (3) Recommending the appointment of Dr. Ryan A. Stanton, as full-time, ER representative, to the Emergency Medical Advisory Board, with a term to expire 7-1-2013. Dr. Stanton will fill the unexpired term of Dr. Patricia Swiney; and (4) Recommending the appointment of Mr. Lawrence T. Smith to the Library Board of Advisors, with a term to expire 1-1-2013. Mr. Smith will fill the unexpired term of Dr. John Stempel.

*   *   *

The following Communications from the Mayor were received for information only: (1) Temporary civil service appointment of Richard Morgan, Public Service Supervisor, Grade 111N, in the Div. of Streets and Roads, effective August 1, 2011; (2) Temporary civil service appointment of Gregory Lubeck, Engineering Section Manager, Grade 120E, in the Div. of Engineering, effective August 1, 2011; (3) Reinstatement of Kyle Mounce, Police Officer, Grade 311N, in the Div. of Police, effective September 19, 2011; (4) Reinstatement of Glenn Vanzant, Public Service Worker, Grade 106N, in the Div. of Waste Management, effective September 19, 2011; (5) Transfer of Vincent Davis, Public Service Worker Sr., Grade 107N, from the Div. of Streets and Roads to the Div. of Water Quality, effective September 19, 2011; (6) Transfer of Shaun Gatewood, Public Service Worker Sr., Grade 107N, from the Div. of Streets and Roads to the Div. of Water Quality, effective September 19, 2011; and (7) Resignation of Phillip K. Lambert, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective August 9, 2011.

*   *   *

Mr. McChord spoke about wellness opportunities that were being held throughout the month of September at Cheapside Park, on Tuesdays and Thursdays.

*   *   *

Mr. Ford announced that the Charles Young Redevelopment Task Force would meet on September 21, October 5, October 12, and October 19, 2011, at 5:30 p.m. at the Charles Young Community Center.

He also spoke about a forum that was held on September 7, 2011. He stated that the forum was scheduled to be held at the Charles Young Center, but that they were not able to hold the forum there because the doors were locked.

Mr. Richard Moloney, Chief Administrative Officer, came forward to answer questions about the incident.

Mr. Ford expressed his thanks to Shiloh Baptist Church for allowing the forum attendees to hold their meeting at the church.

He stated that he would submit a letter asking for accessibility for facilities for meetings, and asked that a formal apology be issued to the members of the Task Force.

Mr. Moloney extended an apology, and spoke about how important the Charles Young Community Center is to the community. He stated that the accessibility issue had been addressed, and thanked Mr. Jamshid Baradaran, Director of the Div. of Facilities and Fleet Management, for his help.

Mr. Ford thanked the Council for allowing him to give the update on the issue.

Ms. Gorton responded to Mr. Ford's comments about the incident, and thanked Mr. Moloney for taking positive action.

Mr. Myers asked questions of Mr. Moloney regarding whether any disciplinary action had been taken with Div. of Parks and Recreation personnel regarding the Charles Young Center incident. He also asked about plans for leadership of the Div. of Parks & Recreation and the Dept. of General Services.

Mr. Myers asked that the Administration present a list at the September 20, 2011 Council Work Session of all employees in ‘acting’ positions.

Mr. Stinnett asked questions of Mr. Ford regarding the Charles Young Center incident. Mr. Moloney and Mr. Ford responded to Mr. Stinnett's question.

* * *

Mr. Donald Newman, Spring Lake Drive, thanked the Div. of Fire and Emergency Services for their help with a situation, and also thanked the Div. of Traffic Engineering for signage help. He stated that he had sent a letter of complaint in May, 2011, to the

Div. of Parks and Recreation regarding issues at Meadowbrook Golf Course, and had just received a reply recently.

Ms. Gorton suggested that he speak with Mr. Richard Moloney, Chief Administrative Officer, regarding his concerns.

* * *

Mr. Bernard McCarthy, Harry Street, spoke about traffic striping on Pink Pigeon Parkway that made a through lane into turn lane. He stated his concerns about the clarity of resolution and ordinance titles published on the Council Meeting dockets.

* * *

Ms. Gwen Summers, Regatta Grove, Alpharetta, Georgia, formerly of Lexington, spoke about several concerns, including her involvement with the Officer Brenda Cowan memorial, an incident that she had in November, 2010, with the Div. of Police, and also about changes that had been made at the Roots & Heritage Festival.

Ms. Gorton suggested that Ms. Summers speak with Ms. Janet Graham, Commissioner of the Dept. of Law, regarding her issues with copyrighted images on t-shirts that she had printed for the World Equestrian Games in 2010.

* * *

Mr. Henry Kenyon, Douglas Street, stated that he was speaking on behalf of a friend, who resided on Boston Drive. He stated that a property at 1025 Jupiter Drive, was in poor condition, with overgreen trees and brush, and that the property had become unsafe. He requested help from Mr. Martin, Ms. Gorton, Mr. Ellinger and Mr. Kay.

Ms. Gorton suggested that Mr. Clay Mason, Commissioner of the Dept. of Public Safety, refer the address to the Div. of Code Enforcement.

Mr. Martin also asked that Mr. Kenyon speak with him after the meeting.

* * *

Upon motion of Ms. Crosbie, seconded by Mr. Stinnett, and approved by unanimous vote, the meeting adjourned at 9:07 p.m.

____

Deputy Clerk of the Urban County Council