

Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky February 23, 2012

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on February 23, 2012 at 6:00 P.M. Present were Mayor Gray in the chair presiding, and the following members of the Council: Council Members Lawless, Martin, McChord, Myers, Stinnett, Beard, Blues, Crosbie, Ellinger, Farmer, Ford, Gorton, Henson, Kay, and Lane.

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

Resolutions No. 37-2012 thru 56-2012, and Ordinances No. 14-2012 thru 18-2012, inclusive were reported as having been signed and published, and ordered to record.

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The Invocation was given by Rev. Bob Sessum, former Rector of Good Shepherd Episcopal Church.

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The Mayor made a Presentation honoring the Ky. American Water Science Fair Winners. He gave details about the Science Fair, and spoke about the participants and winners. The Mayor introduced Ms. Cheryl Norton, President of Ky. American Water, and Ms. Susan Lancho, External Affairs Manager for Ky. American Water. Representing Fayette County Schools were Mr. David Helm and Ms. Lori Bowen.

The winners in attendance at the meeting were introduced by school. Winners in the elementary school group represented the following schools: Ashland, Athens-Chilesburg, Cassidy, Christ the King School, Clays Mill, Glendover, Home Schools, Julius Marks, Lexington Universal Academy, Mary Queen of the Holy Rosary School, Meadowthorpe, Mill Creek, Picadome, Rosa Parks, Sandersville, Southern, Bates Creek, Veterans Parks, and Yates.

Winners in the middle school group represented the following schools: Beaumont, Bryan Station, Christ the King School, Edith Hayes, Home Schools, Lexington Christian Academy, Lexington Universal Academy, Lexington Traditional Magnet School, Morton, Sts. Peter & Paul School, Sayre School, School for the Creative and Performing Arts, Elizabeth Ann Seton School, Bates Creek, The Lexington School, Trinity Christian School, and Winburn.

Winners in the high school group represented the following schools: Locust Trace Agriscience Farm, Paul Laurence Dunbar, and Sayre School.

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The Mayor presented a Proclamation honoring Dr. Nikky Finney, University of Ky. Professor, and winner of the 2011 National Book Award for Poetry, with her book Head Off and Split. He spoke about her achievements, and proclaimed February 23, 2012 to be Nikky Finney Day. Dr. Finney thanked the Mayor and the Council, and spoke about the arts community in Lexington. She also spoke about those who had influenced her throughout her life.

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

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

Nay: -----0

An Ordinance amending Articles 17-4(o) and 17-7(e) of the Zoning Ordinance to allow canopy signs in the Professional Office (P-1) zone.

An Ordinance amending Article 29-6 of the Zoning Ordinance to update references to codes for properties within the Neighborhood Design Character Overlay (ND-1) zone.

An Ordinance amending Section 22-5(2) of the Code of Ordinances, abolishing one (1) position of Equipment Operator P/T, in the Div. of Family Services and creating one (1) position of Equipment Operator P/T, in the Div. of Youth Services, effective upon passage of Council.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$575 for the Div. of Adult and Tenant Services from Neighborhood Development Funds for emergency financial assistance program for hot water tanks, and appropriating and re-appropriating funds, Schedule No. 54.

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. 53.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$725 for Senior Services Commission from Neighborhood Development Funds, and appropriating and re-appropriating funds, Schedule No. 56.

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

An Ordinance amending Sections 21-5(2), 22-5(2) and 23-5(b) of the Code of Ordinances abolishing vacant and unfunded positions within various Departments and Divisions of the Urban County Government.

An Ordinance amending Section 23-18(b), (g)(1) and (i) of the Code of Ordinances providing that a psychological examination shall not be given until after a conditional offer is made.

An Ordinance amending and reenacting Ordinance No. 47-2010 to expand the Red Mile Development Area which was created for tax increment financing purposes to include additional property within the Development Area, without changing the list of approved public infrastructure improvements or their cost, or the amount of tax revenue that has been previously approved or committed for reimbursement by the Lexington-Fayette Urban County Government and the Commonwealth of Ky. in regard to the Red Mile Mixed-Use Project; adopting the Red Mile Development Area as amended herein; making certain findings of the Government in support of its decision; and authorizing the Mayor and other appropriate officials to take such other actions that are necessary or required in connection with making improvements within the Red Mile Development Area in conformity with tax increment financing requirements.

An Ordinance amending Section 2-268 of the Code of Ordinances, related to the organization of a non-profit Ky. corporation called the "Lyric Theatre and Cultural Arts Center Corporation", replacing the three (3) directors nominated by the Lyric Task Force by providing that one (1) director shall reside in the East End area, increasing the at-large directors from one (1) director to two (2) directors with one (1) at large director being appointed by the Mayor subject to confirmation by the Urban County Council, and increasing the number of directors appointed by the Mayor subject to confirmation by the Urban County Council from the legal, accounting, financial, marketing or other business community with expertise in fiscal and personnel oversight from five (5) directors to six (6) directors.

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. 55.

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A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following probationary civil service appointments: William Evans, Equipment Operator Sr., Grade 109N, \$13.912 hourly, in the Div. of Waste Management, Barbie Tapp, Telecommunicator Sr., Grade 113N, \$15.900 hourly, in the Div. of Emergency Management/911, Charles Patrick, Skilled Trades Worker, Grade 111N, \$21.017 hourly, in the Div. of Community Corrections, and Andrew Dixon, Public Service Worker Sr., Grade 107N, \$11.557 hourly, in the Div. of Streets and Roads, all effective upon the passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following probationary sworn appointments: Nicholas Baldwin, Kevin Deweese, Daniel Burton, Timothy Boniface, Francis Abell, Christopher Mulberry, Nathaniel Clark, Thomas Barnes, William Fields, Nastassia Alcius, Van Cao, Michael Jordan, Rasheed Seraji, Daniel Dinsmore, Benjamin Ishmael, Joshua Coleman, Richard May, Jason Onan, Michael Stager, Matthew Moseley, Larkin Lair, Andrew Kenner, Michael Durham, Derek Parr, Aaron Aubrey, and Alternate Jordan Brown, Firefighter, Grade 311N, \$14.420 hourly, in the Div. of Fire and Emergency Services, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following unclassified civil service appointment: Courtney Thacher, Staff Assistant Sr., Grade 108N, \$12.500 hourly, in the Div. of Water Quality, effective upon passage of Council, Brittany West, Administrative Officer, Grade 118E, \$2,884.62 bi-weekly, in the Div. of Waste Management, effective upon passage of Council, Lindsey Burns, Victim's Advocate, Grade 112N, \$15.150 hourly, in the Div. of Police, effective upon passage of Council, Jason Burden, Skilled Trades Worker-P/T, Grade 111N, \$13.750 hourly, in the Div. of Community Corrections, effective upon passage of Council and Kevin Jarvis, Skilled Trades Worker-P/T, Grade 111N, \$13.750 hourly, in the Div. of Community Corrections, effective upon passage of Council was given second reading.

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

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

Nay: Martin-----1

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A Resolution accepting the response of PFM Asset Management, LLC, for treasury consulting services for the Dept. of Finance, and authorizing the Mayor to execute an Agreement with PFM Asset Management, LLC, related to these services in an amount not to exceed \$50,000 in Fiscal Year 2012 was given second reading.

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

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

Nay: -----0
(Ms. Crosbie abstained when the vote was taken.)

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

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

Nay: Stinnett-----1

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Lexington and Fayette County Parking Authority, for transfer, management, repair and operation of parking facilities.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with RCC Consultants, for the Public Safety Radio Project, increasing the contract price by the sum of \$55,700.75 from \$100,000.00 to \$155,700.75.

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

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

Nay: -----0

A Resolution accepting the bid of Sensabaugh Design and Construction, establishing a price contract for Sidewalk Ramp Installation/Reconstruction Program

2011-2012, for the Div. of Engineering, and authorizing the Mayor to execute any related Agreement.

A Resolution accepting the bid of J. Edinger & Sons, Inc., establishing a price contract for stainless steel dump bodies, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Radio Communications Systems, Inc. d.b.a. RCS Communications, establishing a price contract for Emergency Vehicle Lighting and Siren System, for the Div. of Police.

A Resolution accepting the bid of A+ Vending, establishing a price contract for vending services, for the Div. of Community Corrections.

A Resolution accepting the bid of Mignone Communications, Inc., establishing a price contract for Fun Guide 2012 printing, for the Div. of Parks and Recreation.

A Resolution accepting the bid of United Mail, LLC, establishing a price contract for the distribution of Fun Guide 2012, for the Div. of Parks and Recreation.

A Resolution accepting the bid of Triliary, Inc. d.b.a. Site Restoration Group, in the amount of \$11,919, for refurbishing of park benches, for the Dept. of Environmental Quality and Public Works.

A Resolution accepting the bid of Comtronics, Inc., establishing a price contract for installation, repair, removal of hardware items for Waste Management Route Management System, for the Div. of Waste Management.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Assistance Amendment with the Environmental Protection Agency, for extension of the performance period for the South Elkhorn Pump Station Project through June 30, 2012, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Martin Luther King Neighborhood Association, Inc., to provide education on water quality issues and provide materials and support for the construction of twenty-five (25) rain gardens in the neighborhood, at a cost not to exceed \$17,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Agreement with the Fayette County Board of Education, for

use of the Winburn Middle School Gymnasium for the Winburn Community Center Learning Program, at a cost not to exceed \$10,043.98.

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 Communications 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 a Consultant Service Agreement with GRW, Inc., for engineering design services for elevators in the Phoenix and Police Headquarters buildings, at a cost not to exceed \$56,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an alarm contract and addendum with Sonitrol of Lexington, Inc., for alarm system improvements at the Technical Services Unit Facility, at a cost not to exceed \$132 per month.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Paramedic Training Program Agreement, with Madison County Emergency Medical Services, for paramedic training at no cost to the Urban County Government.

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 \$44,000 Federal funds under the Intellectual Property Theft Enforcement Program, and are for enhancing the capability of the Major Violator Unit (MVU) of the Div. of Police to investigate crimes related to counterfeit goods.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation of \$2,705.58 from United Way of the Bluegrass to support the free tax preparation sites at the Family Care Center and the Central Ky. Job Center.

A Resolution authorizing the Dept. of Environmental Quality and Public Works to sponsor the Lexington Philharmonic's concert "The Planets" in an amount not to exceed \$2,500.

A Resolution authorizing the Div. of Water Quality to accept a payment adjustment, owed to employees of Tobacco Rose Farm for the SSA Group I Sewershed Field Activities-Manhole Raising due to prevailing wage requirements, in the amount of \$117,481.38.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Judy Construction Co., for modifications and repair of Clarifier #8 at the West Hickman Wastewater Treatment Plant, at a cost not to exceed \$231,500.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with March Madness Marching Band (\$600), 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 Airspace Agreement with Earthman, LLC (for the benefit of Alltech) for placement of an overhead pipe bridge over the right-of-way of Cross St. at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Participating Addendum under Western States Alliance Wireless Communication Services and Equipment Master Price Agreement No. S1523, with Sprint Solutions, Inc., at no additional cost to the Urban County Government.

A Resolution authorizing the Div. of Police, on behalf of the Urban County Government, to purchase various software services from Open Portal Solutions, a sole source provider, at a cost not to exceed \$49,600.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation from Mr. Barry Ewing of Eagle Sportchairs, for a Multi Court X-change Wheelchair and a set of Spinergy Sport Wheels, for use at the Div. of Parks and Recreation, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Professional Services Agreements with Lianne McBride, Carrie Barnett, Susan Noel, Brigitte Ganahl, Rosemary Dailey, Angela Wallace and Susanna Moberly, as Sexual Assault Nurse Examiners, to provide on-call forensic examinations under the Sexual Assault Nurse Examiner Program, at a cost not to exceed \$40 for

each scheduled on-call period, \$230 for each completed forensic examination, \$50 per case for professional testimony in court, and the reasonable cost of medical liability insurance.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Hartland Homeowners Association, Inc., for capital improvements to an existing stormwater basin at a cost not to exceed \$50,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Hartland Homeowners Association, Inc., for capital improvements to address erosion and bank failure on a stream in Hartland at a cost not to exceed \$37,230.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Education) Incentive Grant to the Board of Education of Fayette County for the design and construction of rain gardens at four (4) Fayette County schools, at a cost not to exceed \$10,836.20.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with CDP Engineers, Inc., for the Coldstream Park Stream Corridor Restoration and Preservation Project, a Supplemental Environmental Project required by the Consent Decree, for the Div. of Water Quality, at a cost not to exceed \$250,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Tactical Energetic Entry Systems, LLC, for Dynamic Entry Training for the Div. of Police, at a cost not to exceed \$35,000.

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 Meadows-Northland-Arlington Section 5A Public Improvements Project, at a cost not to exceed \$175,000.

A Resolution authorizing the Div. of Fire and Emergency Services to obtain Special Operations, Hazardous Materials and Technical Rescue Equipment from Thermo Fisher Scientific, a sole source provider, at a cost not to exceed \$55,000, under

the 2011 State Homeland Security Grant Program, and authorizing the Mayor to execute any necessary documents.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Conditional Offer to Lease to Healthfirst Bluegrass, Inc., for property at 913 Georgetown St. for operation of an outpatient ambulatory health care facility.

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A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following probationary civil service appointments: Scott Tyree, Public Service Worker Sr., Grade 107N, \$11.330 hourly, in the Div. of Streets and Roads, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following probationary sworn appointments: Kane Ramsey, Sarah Powell, Dominic Norwood, Corey Barnett, John Day, Anthony Stout, Monika Rozalski, Dennis Barrows, Nathan Barks, Adrienne Coffey, Rae-Keba Harmon, Jason Johnson, Roger Ramos, Ryan Glaros, Grant Marshall, Jeremy Lizer, Boris Hall, Andrew Gaughenbaugh, Phillip Preston, Joshua Flint, Jan Tevis, Latrice Campbell, Benjamin McIntosh, Dominick Coofer, Michael Marraccini, Tania Walker, Jeremy Abney, Ryan Ashcraft, Justin Moody, Justin Fryman, Robin Anthony, Samantha Tucker, Keith McKinney, Steven Johnson, Robert Kelly, Matthew Million, Shelby Poindexter, Nathan Simmons, Veronica Oropeza, Ann Schultz, Nicholas Chandler, Matthew Sacre, Robin Goldie, Shala Johnson, Christopher Clements, Meaghan Burton, Markeith Gillis and Justin Waters, Community Corrections Officer, Grade 110N, \$14.340 hourly, in the Div. of Community Corrections, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following unclassified civil service appointment: Bert White, Van Driver P/T, Grade 104N, \$11.000 hourly, in the Dept. of Social Services, effective upon passage of Council; unclassified civil service pay increase in the Office of the Urban County Council: Jenifer Benningfield, Aide to Council, Grade 000E, increase from \$2,019.23 to \$2,089.60 effective upon passage of Council was given first reading.

Mr. David Barberie, Dept. of Law, asked that the rules be suspended in order to give second reading to the resolution. He explained the need for the expedited action on the resolution.

Upon motion of Ms. Lawless, seconded by Ms. Crosbie, 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: Lawless, Martin, McChord, Myers, Stinnett,
Beard, Blues, Crosbie, Ellinger, Farmer,
Ford, Gorton, Henson, Kay, Lane-----15

Nay: -----0

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Consultant Services Agreement with Fitzsimons Office of Architecture for design and engineering services for Carver Community Center renovation for the Newtown Pike Extension project, at a cost not to exceed \$85,000 was given first reading.

Mr. Jamshid Baradaran, Director of the Div. of Facilities and Fleet Management, asked that the rules be suspended in order to give second reading to the resolution.

Upon motion of Mr. Ellinger, seconded by Ms. Gorton, 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: Lawless, Martin, McChord, Myers, Stinnett,
Beard, Blues, Crosbie, Ellinger, Farmer,
Ford, Gorton, Henson, Kay, Lane-----15

Nay: -----0

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Foodchain, Inc., (\$1,225), Seedleaf, Inc., (\$1,000) and Bluegrass Community Foundation, Inc., (\$550), for the Office of the Urban County Council, at a cost not to exceed the sums stated was given first reading.

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

Nay: -----0
(Mr. Kay abstained when the vote was taken.)

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

A Resolution accepting the bid of ODB (Old Dominion Brush), establishing a price contract for sweeper brooms, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Central Ky. Recycling, LLC, establishing a price contract for removal and disposal of construction and demolition debris, for the Div. of Waste Management.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with Advanced Mulching Tech d/b/a ECOGRO, for the McConnells Trace Greenway Restoration Project, increasing the contract price by the sum of \$37,427.20 from \$90,827.80 to \$128,255.00.

A Resolution authorizing the Div. of Fire and Emergency Services to obtain Special Operations, Hazardous Materials and Technical Rescue Equipment from Thermo Eberline, LLC, a sole source provider, at a cost not to exceed \$66,180, under the 2011 State Homeland Security Grant Program, and authorizing the Mayor to execute any necessary documents.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept the transfer of ownership of a Williams Foam Trailer from the Winchester Fire Department/Emergency Medical Services (through a grant from the Ky. Office of Homeland Security) to the Div. of Facilities and Fleet Management on behalf of the Div. of Fire and Emergency Services, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Three to the Contract with Woodall Construction Co., Inc., for the construction of Clays Mill Road Improvements Project, Section 2A, increasing the contract price by the sum of \$21,193.62 from \$3,634,690.95 to \$3,655,884.57.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the University of Ky., for space in the University of Ky. Hospital Emergency Room for use as a clinical practice area for the Sexual Assault Treatment Program, at a cost not to exceed \$3,000.

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 Homeland Security, Federal Emergency Management Agency, and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$2,621,416 Federal funds under the Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program, and are for hiring twenty-eight entry level firefighters.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the National Association of Police Athletic/Activities League, Inc., to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$5,000 Federal funds, and are for participation in the National PAL Mentoring Day, 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.

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Upon motion of Mr. Blues, seconded by Ms. Gorton, and passed by unanimous vote, the Communications from the Mayor were approved and are as follows: (1) Recommending the reappointment of Ms. Nancy M. Wiser to the Airport Board, with a term to expire 1-1-2016; (2) Recommending the appointments of Mr. Craig A. Cammack and Mr. Robert P. Orbach to the Human Rights Commission, with terms to expire 1-1-2016 and 1-1-2015, respectively. Mr. Orbach will fill the unexpired term of Ms. Renee Reynolds. Also, recommending the reappointments of Mr. Vibert C. Forsythe, Mr. Eli Mertens, and Mr. Robert N. Murray to the Human Rights Commission, with terms to expire 1-1-2016; and (3) Recommending the reappointment of Ms. Bonita Hall to the Water Quality Fee Appeals Board, with a term to expire 12-1-2015.

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The following Communications from the Mayor were received for information only: (1) Acting assignment of Gordon Mitchell, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management; (2) Resignation of Bruce Smith, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective January 21, 2012; (3) Resignation of Gene Barrell, Public Service Worker Sr., Grade 107N, in the Div. of Water Quality, effective February 1, 2012; (4) Resignation of Aisha Johnson, Police Officer Trainee, Grade 311N, in the Div. of Police, effective January 27, 2012; (5) Resignation of Jamie Conover, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective January 25, 2012; and (6) Resignation of Johnathan Evans, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective January 21, 2012.

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Assistant Chief Robert Stack, Div. of Police, stated that Officer Ray Samuel Wilson had committed the offense of Misconduct in violation of KRS 95.450 and General Order #73-2/H, Operational Rules, Section 1.02, in that on the 17th-19th days of December, 2011, he while working a traffic overtime assignment, stopped a female motorist for speeding and issued her a citation. Immediately after doing so, Officer Wilson provided her with contact information and advised her he could assist with dropping the ticket if she contacted him the following day. That follow up contact was inappropriately personal. The citation issued was not immediately received for processing by Central Records, and that the appropriate punishment for this offense is Eighty (80) Hours Suspension Without Pay.

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

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Mr. McChord spoke about the new recruit class recently added to the Div. of Fire and Emergency Services, and stated his concerns about funding the class.

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Ms. Lawless reminded citizens that the Farmers Market was taking place in Victorian Square on Saturdays.

She also thanked Mr. Steve Feese, Director of the Div. of Waste Management, and Ms. Susan Bush, Director of the Div. of Environmental Policy, for their help in

getting the downtown waste picked up despite the long Presidents' Day holiday weekend.

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Mr. Stinnett announced the New Home and Remodeling Show that was taking place at the Horse Park on February 25 - 26, 2012.

He also asked Ms. Jane Driskell, Commissioner of the Dept. of Finance, if she could bring forward information regarding funding for the Div. of Fire and Emergency Services employees at the February 28, 2012 Council Work Session.

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Upon motion of Mr. Myers, seconded by Ms. Crosbie, and approved by majority vote (Ms. Gorton voted **no**), the meeting adjourned at 7:06 p.m.

Deputy Clerk of the Urban County Council