Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky   January 10, 2008

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on January 10, 2008 at 7:00 P.M. Present were Mayor Jim Newberry and the following members of the Council: Council Members DeCamp, Ellinger, Gorton, Gray, James, Moloney, Myers, Stevens, Stinnett, Beard, Blevins, Blues and Crosbie. Absent were Council Members Lane and McChord.

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

Ordinances No. 281-2007 thru 301-2007 inclusive and Resolutions No. 653-2007 thru 720-2007 inclusive were reported as having been signed and published, and were ordered to record.

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The Invocation was given by Dr. Garrett C. Brown, First Assembly of God Church.

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Upon motion of Mr. Beard, seconded by Ms. Crosbie, the minutes of the December 4 and 6, 2007 Council Meetings were approved by unanimous vote.

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The Mayor recognized Webelos Den 7 Pack 93 and Ms. Diane Cashen and Mr. Mike Reynolds, Scout Leader, who were working on their citizenship badge.

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The following ordinances were given second reading. Upon motion of Mr. Blevins, seconded by Mr. Beard, the ordinances were approved by the following vote:

Aye: DeCamp, Ellinger, Gorton, Gray, James, Moloney, Myers, Stevens, Stinnett, Beard, Blevins, Blues, Crosbie ---------------- 13

Nay: -- 0

An Ordinance changing the zone from a Professional Office (P-1) zone to a Highway Services Business (B-3) zone for 1.16 net (3.57 gross) acres of property located at 2374 Lake Park Road, subject to a certain use restriction imposed as a condition of granting the zone change. (Value Place Real Estate Services (AMD))

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures and appropriating and reappropriating funds, Schedule No. 110.

An Ordinance amending Section 21-5 of the Code of Ordinances creating two (2) positions of Equipment Operator Sr., Grade 109N, and abolishing two (2) positions of Public Service Worker, Grade 106N, and reclassifying the incumbents, in the Div. of Waste Management, to become effective retroactive to October 15, 2007, and appropriating funds pursuant to Budget Schedule No. 112.

An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Recreation Supervisor, Grade 110E, and creating one (1) position of Recreation Specialist Sr., Grade 113E, in the Div. of Parks and Recreation, and appropriating funds pursuant to Budget Schedule No. 114.

An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Operations Manager, Grade 116E, and creating one (1) position of

Facility Manager, Grade 118E and reclassifying the incumbent, in the Div. of Building Maintenance and Construction, to become retroactive to May 28, 2007; and abolishing one (1) position of Skilled Trades Worker, Grade 111N, in the Div. of Building Maintenance and Construction, and appropriating funds pursuant to Budget Schedule No. 115.

An Ordinance authorizing a 6.544% stipend for the position of permanent sworn Battalion Chief, Grade 319E, in the Div. of Fire and Emergency Services, making the base salary of this position equal to other positions of the same rank, retroactive to June 25, 2007, appropriating funds pursuant to Schedule No. 89.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Art's Electric, Inc., for a generator for the Government Center Building, increasing the contract price by the sum of $2,191.00 from $229,600.00 to $231,791.00, and appropriating funds pursuant to Schedule No. 113.

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The following ordinances were given first reading. Upon motion of Ms. James, seconded by Dr. Stevens, the rules were suspended by majority vote. (Ms. Gorton and Mr. Blevins voted no.)

The ordinances were given second reading. Upon motion of Mr. DeCamp, seconded by Dr. Stevens, the ordinances were approved by the following vote:

Aye: DeCamp, Ellinger, Gorton, Gray, James, Moloney,
Myers, Stevens, Stinnett, Beard, Blevins, Blues, Crosbie ----------------- 13

Nay: -- 0

An Ordinance changing the zone from an Agricultural Urban (A-U) zone to a Single Family Residential (R-1B) zone for 3.3 net (3.8 gross) acres of property located at 1960 (a portion of) and 1964 Shadybrook Lane and from a Single Family Residential (R-1C) to a Single Family Residential (R-1B) zone for 55.8 net (68.3 gross) acres of property located at 1803-1814 Lakehill Circle; 2128-2136 Lakeside Court; 2001-2213 Lakeside Drive; 2081-2093 Lakeside Place; and 2021 and 2025 Shadybrook Lane. (Urban County Planning Commission)

An Ordinance changing the zone from a Two-Family Residential (R-2) zone to a Planned Neighborhood Residential (R-3) zone for 1.560 net (1.766 gross) acres of property located at 1516, 1516 ½, 1518, and 1520 Versailles Road. (Hope Center, Inc.)

An Ordinance changing the zone from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone for 0.3580 net (0.4821 gross) acres of property located at 611 Winchester Road subject to certain use restrictions imposed as conditions of granting the zone change. (Walker Properties)

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An Ordinance changing the zone from an Agricultural Urban (A-U) zone to an Expansion Area Residential-2 (EAR-2) zone for 8.63 net (8.96 gross) acres of property located at 2020 Russell Cave Road (Richardson Todds Road, LLC) was given first reading and ordered placed on file until a public hearing to be held at a Special Meeting on February 19, 2008 at 6:00 p.m.

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

An Ordinance changing the zone from a Professional Office (P-1) zone to a Highway Service Business (B-3) zone for 1.20 net (1.35 gross) acres of property located at 1537 North Limestone Street subject to certain use restrictions imposed as conditions of granting the zone change. (Bill Matthews)

An Ordinance changing the zone from an Agricultural Rural (A-R) zone to a Light Industrial (I-1) zone for 18.41 net (18.83 gross) acres of property and from an Agricultural Urban (A-U) zone to a Light Industrial (I-1) zone for 0.93 net (0.98 gross) acres of property located at 2850 Spurr Road subject to certain use restrictions imposed as conditions of granting the zone change. (TKM Properties, LLC)

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 116.

An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Public Service Worker Sr., Grade 107N, and creating one position of Arborist Technician, Grade 112N, in the Div. of Streets, Roads and Forestry, and appropriating funds pursuant to Budget Schedule No. 120.

An Ordinance amending section 21-5 of the Code of Ordinances creating one (1) position of Historic Preservation Specialist, Grade 114E, in the Div. of Historic Preservation.

An Ordinance amending Section 22-5 of the Code of Ordinances to correct a clerical error in the classification of the position of Program Coordinator in the Div. of Family Services.

An Ordinance amending Section 22-5 of the Code of Ordinances creating one (1) position of Administrative Specialist Principal, Grade 114E, in the Office of the Chief Information Officer.

An Ordinance amending Section 22-5 of the Code of Ordinances abolishing one (1) position of Community Advocate Sr., Grade 112N, and creating one (1) position of Administrative Specialist Sr., Grade 112N, in the Dept. of Social Services.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Kentucky Transportation Cabinet, which Grant funds are in the amount of $96,000.00 Federal funds, are for the South Limestone Multimodal Safety Study, the acceptance of which obligates the Urban County Government for the expenditure of $24,000.00 as a local match, appropriating funds pursuant to Schedule No. 122, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from Columbia Gas of Kentucky in the amount of $10,000.00 for use in the destination 2040 Community Visioning Project, and appropriating funds pursuant to Schedule No. 118.

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

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

Aye: DeCamp, Ellinger, Gorton, Gray, James, Moloney,
Myers, Stevens, Stinnett, Beard, Blevins, Blues, Crosbie ----------------- 13

Nay: -- 0

A Resolution accepting the bid of Metamap, Inc., in the amount of $41,140.00, for a tactical airborne and mobile mapping system for the Div. of Police.

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

Education, for use of facilities of Millcreek Elementary, Yates Elementary and Jessie Clark Middle School for basketball, at a cost not to exceed $13,598.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration and accept a Deed conveying a permanent storm sewer and drainage easement and temporary construction easement from Jeffrey and Amy Wills, for the property located at 211 Floral Park, for the Elizabeth Street Drainage Project, and authorizing payment in the amount of $22,000.00, plus usual and appropriate closing costs.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration and accept a Deed conveying a permanent storm sewer easement, temporary construction easement and access easement from Joseph and Therese Higdon, for the property located at 220 Floral Park, for the Elizabeth Street Drainage Project, and authorizing payment in the amount of $21,150.00, plus usual and appropriate closing costs.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement, releasing a sanitary sewer easement on property located at 3101 Richmond Road.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with One World Films Inc. ($1,950.00), Metropolitan Woman’s Club, Inc. ($450.00), Northeast Lexington Initiative, Inc. ($625.00), Berea College ($450.00), Tatesbrook Neighborhood Assoc. Inc. ($250.00), Tates Creek High School PTSA, Inc. ($1,066.00), and First Bracktown, Inc. ($800.00) for the Office of the Urban County Council, at a cost not to exceed the sums stated.

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A Resolution ratifying the probationary civil service appointments of: Oliver Steele, Nuisance Control Officer, Grade 111N, $18.504 hourly, in the Div. of Code Enforcement, effective January 7, 2008; Jeffrey Estes, Customer Service Specialist, Grade 110N, $16.220 hourly, in the Div. of Government Communications, effective January 7, 2008, Nelson Wright, Equipment Operator Sr., Grade 109N, $15.970 hourly, in the Div. of Streets, Roads and Forestry, effective January 7, 2008, Susan Lamb, Council Clerk, Grade 118E, $2,600.00 bi-weekly, in the Council Clerk’s Office, effective January 1, 2008, Syglenda Faulkner, Equipment Operator Sr., Grade 109N, $17.679

hourly, in the Div. of Waste Management, effective February 4, 2008, Thomas Hager, Equipment Operator Sr., Grade 109N, $16.977 hourly, in the Div. of Waste Management, effective January 7, 2008, Jay West, Equipment Operator Sr., Grade 109N, $14.604 hourly, in the Div. of Waste Management, effective February 4, 2008, Harrison Burrus, Equipment Operator Sr., Grade 109N, $12.762 hourly, in the Div. of Waste Management, effective January 7, 2008, Alan Wells, Treatment Plant Operator/Apprentice, Grade 113N, $21.752 hourly, in the Div. of Water and Air Quality, effective January 21, 2008, Terry Shelton, Equipment Operator Sr., Grade 109N, $18.244 hourly, in the Div. of Waste Management, effective January 7, 2008, Sondra Sanchez, Equipment Operator Sr., Grade 109N, $16.274 hourly, in the Div. of Waste Management, effective January 7, 2008, Martreshia Pendleton, Customer Service Specialist, Grade 110N, $17.717 hourly, in the Div. of Government Communications, effective January 7, 2008, James Wray, Engineering Technician Principal, Grade 115E, $2,207.12 bi-weekly, in the Div. of Engineering, effective January 7, 2008, ratifying the permanent civil service appointment of: Dale Holman, Traffic Signal Technician Sr., Grade 112N, in the Div. of Traffic Engineering, effective October 16, 2007; ratifying the permanent sworn appointments of: Shawna Blevins, Nicholas Bodkin, William Chaffins, Sean Davenport, Brett Gavin, Frank Handshoe, William Keebortz, Kristofer Nelson, Robert Perkins, Christopher Rudd, Jordan Saas, Donald Sexton III, Brian Wilbur, Firefighter, Grade 311N, in the Div. of Fire and Emergency Services, effective December 15, 2007; approving leave of absence for: Arnold Sidney, Custodial Worker, Grade 102N, in the Div. of Building Maintenance and Construction, requests a 42 day Council approved leave without pay from January 16, 2008 to February 26, 2008; approving the unclassified civil service appointments of: Darrell Turley, Equipment Operator Sr., Grade 109N, $18.244 hourly, in the Div. of Waste Management, effective December 24, 2007; Timothy Edwards, Equipment Operator Sr., Grade 109N, $18.244 hourly, in the Div. of Waste Management, effective December 24, 2007, David Jett, Equipment Operator Sr., Grade 109N, $18.147 hourly, in the Div. of Waste Management, effective December 24, 2007, Linda Hughes, Custodial Worker, Grade 102N, $7.766 hourly, in the Div. of Family Services, effective December 19, 2007; Nicole Parker, Staff Assistant Sr., Grade 108N, $11.281 hourly, in the Div. of Family Services, effective January 7, 2008; Eric Clemens, Mark Evans, Robert Fraser, Christopher Harris, Aaron Sharrard, Marcus Sell, Nicholas Whitcomb, Police Trainee, Grade 311N, in the Div. of Police, effective December 10, 2007 was on the docket for first reading.

Mr. Beard made a motion, seconded by Mr. Blues and passed by unanimous vote, to amend the resolution to change the effective date from January 7, 2008 to February 4, 2008 for the probationary civil service appointment of Sondra Sanchez, Equipment Operator Sr., Grade 109N, $16.274 hourly, in the Div. of Waste Management.

A Resolution ratifying the probationary civil service appointments of: Oliver Steele, Nuisance Control Officer, Grade 111N, $18.504 hourly, in the Div. of Code Enforcement, effective January 7, 2008; Jeffrey Estes, Customer Service Specialist, Grade 110N, $16.220 hourly, in the Div. of Government Communications, effective January 7, 2008, Nelson Wright, Equipment Operator Sr., Grade 109N, $15.970 hourly, in the Div. of Streets, Roads and Forestry, effective January 7, 2008, Susan Lamb, Council Clerk, Grade 118E, $2,600.00 bi-weekly, in the Council Clerk's Office, effective January 1, 2008, Syglenda Faulkner, Equipment Operator Sr., Grade 109N, $17.679 hourly, in the Div. of Waste Management, effective February 4, 2008, Thomas Hager, Equipment Operator Sr., Grade 109N, $16.977 hourly, in the Div. of Waste Management, effective January 7, 2008, Jay West, Equipment Operator Sr., Grade 109N, $14.604 hourly, in the Div. of Waste Management, effective February 4, 2008, Harrison Burrus, Equipment Operator Sr., Grade 109N, $12.762 hourly, in the Div. of Waste Management, effective January 7, 2008, Alan Wells, Treatment Plant Operator/Apprentice, Grade 113N, $21.752 hourly, in the Div. of Water and Air Quality, effective January 21, 2008, Terry Shelton, Equipment Operator Sr., Grade 109N, $18.244 hourly, in the Div. of Waste Management, effective January 7, 2008, Sondra Sanchez, Equipment Operator Sr., Grade 109N, $16.274 hourly, in the Div. of Waste Management, effective February 4, 2008, Martreshia Pendleton, Customer Service Specialist, Grade 110N, $17.717 hourly, in the Div. of Government Communications, effective January 7, 2008, James Wray, Engineering Technician Principal, Grade 115E, $2,207.12 bi-weekly, in the Div. of Engineering, effective January 7, 2008, ratifying the permanent civil service appointment of: Dale Holman, Traffic Signal Technician Sr., Grade 112N, in the Div. of Traffic Engineering, effective October 16, 2007; ratifying the permanent sworn appointments of: Shawna Blevins, Nicholas Bodkin, William Chaffins, Sean Davenport, Brett Gavin, Frank Handshoe, William Keebortz, Kristofer Nelson, Robert Perkins, Christopher Rudd, Jordan Saas, Donald Sexton III, Brian Wilbur, Firefighter, Grade 311N, in the Div. of Fire and Emergency Services, effective December 15, 2007; approving leave of absence for: Arnold Sidney, Custodial Worker, Grade 102N, in the Div. of Building Maintenance and Construction, requests a 42 day Council approved leave without pay from January 16, 2008 to February 26, 2008; approving the unclassified civil service appointments of: Darrell Turley, Equipment Operator Sr., Grade 109N, $18.244 hourly, in the Div. of Waste Management, effective December 24, 2007; Timothy Edwards, Equipment Operator Sr., Grade 109N, $18.244 hourly, in the Div. of Waste Management, effective December 24, 2007, David Jett, Equipment Operator Sr., Grade 109N, $18.147 hourly, in the Div. of Waste Management, effective December 24, 2007, Linda Hughes, Custodial Worker, Grade 102N, $7.766 hourly, in the Div. of Family Services, effective December 19, 2007; Nicole Parker, Staff Assistant Sr., Grade 108N, $11.281 hourly, in the Div. of Family Services, effective January 7, 2008; Eric Clemens, Mark Evans, Robert Fraser, Christopher Harris, Aaron Sharrard, Marcus Sell, Nicholas Whitcomb, Police Trainee, Grade 311N, in the Div. of Police, effective December 10, 2007 was given first reading as amended.

Upon motion of Mr. DeCamp, seconded by Ms. Crosbie, the rules were suspended by unanimous vote.

The resolution was given second reading. Upon motion of Mr. Stinnett, seconded by Dr. Stevens, the resolution was approved by the following vote:

Aye: DeCamp, Ellinger, Gorton, Gray, James, Moloney,
Myers, Stevens, Stinnett, Beard, Blevins, Blues, Crosbie ----------------- 13

Nay: -- 0

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Mr. Stinnett made a motion, seconded by Mr. Beard, to place on the docket a Resolution encouraging Louisville Water Company and other parties to Case No. 2007-00134 before the Public Service Commission to submit comprehensive final solutions to the Lexington-Fayette Urban County Government and the Public Service Commission within 30 days, and encouraging the Public Service Commission to delay its decision for

30 days in order to review such final proposals, and further encouraging the Commission to issue its final decision on a timely basis.

There was discussion among the Council regarding the motion.

Ms. Gorton asked questions of Mr. David Barberie, Dept. of Law, and Mr. Stinnett concerning clarification of the intent of the Resolution.

There was further discussion among the Council regarding the motion.

While Mr. Barberie was working on the language of the resolution the Council proceeded with giving second reading to the suspended resolutions.

Mr. Barberie read to the Council the proposed change to the resolution.

Ms. Gorton made a motion, seconded by Mr. Beard and passed by unanimous vote, to amend the language of the Resolution as follows: A Resolution encouraging Louisville Water Company or any other party to submit comprehensive final solutions to the Lexington-Fayette Urban County Government and the Public Service Commission within 30 days, and encouraging the Public Service Commission to delay its decision in Case No. 2007-00134 for 30 days in order to review such final proposals, and further encouraging the Commission to issue its final decision on a timely basis.

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

A Resolution encouraging Louisville Water Company or any other party to submit comprehensive final solutions to the Lexington-Fayette Urban County Government and the Public Service Commission within 30 days, and encouraging the Public Service Commission to delay its decision in Case No. 2007-00134 for 30 days in order to review such final proposals, and further encouraging the Commission to issue its final decision on a timely basis was placed on the docket and given first reading.

Upon motion of Dr. Stevens, seconded by Mr. Beard, the rules were suspended by unanimous vote.

The resolution was given second reading. Upon motion of Dr. Stevens, seconded by Ms. Gorton, the resolution was approved by the following vote:

Aye: DeCamp, Ellinger, Gorton, Gray, James, Moloney,
Myers, Stevens, Stinnett, Beard, Blevins, Blues, Crosbie ----------------- 13

Nay: --- 0

There was discussion among the Mayor and Council concerning the Dept. of Law filing for an extension with the Public Service Commission as directed by the Resolution and what steps would be taken if there was no ruling by the Commission before the Brief was due.

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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 Zoll Medical Corporation, establishing a price contract for defibrillators, for the Div. of Fire and Emergency Services.

A Resolution accepting the bids of Adamson Industries Corp. and 10-4 Warning Equipment, establishing price contracts for emergency equipment, for the Div. of Police.

A Resolution accepting the bids of ADAPCO Environmental Solutions, Aulick Chemical Solutions, Inc., Siemens Water Technologies Corp., Source Technologies, LLC, and US Peroxide, LLC (hydrogen peroxide only), establishing price contracts for odor removal products, for the Div. of Water and Air Quality.

A Resolution accepting the bid of Hurst Office Suppliers, establishing a price contract for recycled content copier paper, for the Div. of Central Purchasing.

A Resolution accepting the bid of Cricket Communications, establishing a price contract for wireless phone service, for the Div. of Parks and Recreation.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Letter Agreement, which is attached hereto and incorporated herein by reference, amending the current Joinder Agreement between the Lexington-Fayette Urban County Government and Kentucky Public Employees Deferred Compensation Authority to provide for the offering of DEEMED IRA'S through the Kentucky Public Employees 401K Deferred Compensation Plan, at no cost to the Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Letter Agreement amending the existing Joinder Agreement between the Lexington-Fayette Urban County Government and the ICMA-RC to provide for payroll deducted Individual Retirement Accounts, at no cost to the Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with T-Mobile Central, LLC, and Powertel Memphis, Inc. d/b/a T-Mobile, for the provision of 3-1-1 service, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Quitclaim Deed conveying a portion of the property located at 3055 Todds Road which is adjacent to the property located at 705 Caden Lane (former Rosenwald School), from East End Church of Christ, Inc. to the Urban County Government, 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 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 $334,320.00 Federal funds, and are for the flood hazard mitigation project on Shandon Drive.

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Upon motion of Mr. DeCamp, seconded by Mr. Stinnett and passed by unanimous vote, the communications from the Mayor were approved and are as follows: (1) Recommending the reappointment of Frank Penn to the Agricultural Extension District Board with a term to expire 1-1-2011. Also, recommending the appointment of Nancy Lathram Rawlings to the Agricultural Extension District Board with a term to expire 1-1-2011; (2) Recommending the reappointment of Roszalyn Akins to the Airport Board with a term to expire 1-1-2012; (3) Recommending the reappointments of Malinda Davis, Veterinarian representative, and Calvin Powell, Code Enforcement representative, to the Animal Care and Control Oversight Committee with terms to expire 1-1-2012. Also, recommending the appointment of Susan Malcomb, President of Lexington Humane Society, as ex-officio to the Animal Care and Control Oversight Committee with a term to expire 1-1-2012; (4) Recommending the appointment of Terrence Schneider to the Arboretum Advisory Committee with a term to expire 1-1-2012; (5) Recommending the appointment of Chief Ronnie Bastin to the Community Partnership Action Council with a term to expire 1-1-2012; (6) Recommending the appointment of Chief Ronnie Bastin to the LFUCG Criminal Justice Commission with a term to expire 1-1-2012; (7) Recommending the appointment of Chief Ronnie Bastin to the Downtown Events Committee with a term to expire 1-1-2012; (8) Recommending the appointment of Chief Ronnie Bastin to the Police and Fire Retirement Fund Board with a term to expire 1-1-2012 and (9) Recommending the reappointment of Kimra Cole to the Sister Cities Program Commission with a term to expire 1-28-2012.

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The following communications were received from the Mayor for information only: (1) Resignation of Andrea Weddle, Attorney Sr., Grade 121E, in the Dept. of Law, effective January 2, 2008; (2) Resignation of Olivia Loyd, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective December 23, 2007; (3) Resignation of Czackery Roe, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective December 17, 2007; (4) Resignation of Russell Bostick, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective December 23, 2007; (5) Resignation of Clinton Bollinger, Police Trainee, Grade 311N, in the Div. of Police, effective December 12, 2007; (6) Resignation of Matthew Basanta, Police Trainee, Grade 311N, in the Div. of Police, effective December 11, 2007 and (7) Resignation of Jonathan Holliday, Police Trainee, Grade 311N, in the Div. of Police, effective December 11, 2007.

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Lieutenant James Branham, Div. of Fire, stated that Firefighter Tim York has committed the offense of being absent without leave (AWOL) in violation of KRS 95.450 and Policy 571.70 of the Lexington-Fayette Urban County Government Div. of Fire and Emergency Services Policies and Standard Operating Procedures, and Chapter 17 of the Uniform Disciplinary Code (Section 21-45h) in that on the 2nd day of October, 2007 he did not report to work at the scheduled time nor notify chain of command that he would be absent and that the appropriate punishment for this conduct is a Written Reprimand.

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

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Mr. Bernard McCarthy, Harry Street, spoke concerning Lexington's water supply issue.

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Mr. Louis Cobb, Cornerstone Drive, spoke about local government televised programming.

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Dr. Stevens made a motion, seconded by Mr. Blevins and passed by unanimous vote, to go into Closed Session pursuant to KRS 61.810(1)(c) to discuss a pending litigation matter.

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At 8:08 pm, the Council returned with the same members present.

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Upon motion, the Council adjourned.

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Clerk of the Urban County Council