Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky   January 24, 2008

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on January 24, 2008 at 7:00 P.M. Present were Mayor Jim Newberry and the following members of the Council: Council Members Gorton, Gray, Henson, James, Lane, McChord, Myers, Stevens, Stinnett, Beard, Blevins, Blues, Crosbie, DeCamp and Ellinger.

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

Ordinances No. 1-2008 thru 10-2008 inclusive and Resolutions No. 1-2008 thru 8-2008 inclusive were reported as having been signed and published, and were ordered to record.

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The Invocation was given by Pastor Alex Kinchen, Master's Church.

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Vice Mayor Gray recognized Mr. Randy Caudill, Assistant Scout Master, who introduced the Boy Scouts and explained that they were working on their citizenship and community badges.

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

Aye: Gorton, Gray, Henson, James, Lane, McChord, Myers, Stevens, Stinnett, Beard, Blevins, Blues, Crosbie, DeCamp, Ellinger ----------- 15

Nay: --- 0

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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An Ordinance amending Section 1 of Ordinance No. 280-2007, adopting a schedule of meetings for the Lexington-Fayette Urban County Council for the calendar year 2008, to set the regular time for the Outside Agency Oversight Committee Meeting at 11:30 AM, to schedule the Council Meeting – State of the Merged Government Address for 6:00 PM on January 28, 2008, to set the time of the May 6, 2008 Outside Agency Oversight Committee Meeting at 10:00 AM, to set the time of the May 6, 2008 Committee of the Whole Meeting at 11:30 AM, to delete the Quarterly designation for the June 3, 2008 Committee of the Whole Meeting, and to set the June 24, 2008 Council Meeting – First Reading of FY 2009 Budget at 3:00 PM was given first reading.

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

The ordinance was given second reading. Upon motion of Mr. DeCamp, seconded by Mr. Ellinger, the ordinance was approved by the following vote:

Aye: Gorton, Gray, Henson, James, Lane, McChord, Myers, Stevens, Stinnett, Beard, Blevins, Blues, Crosbie, DeCamp, Ellinger ----------- 15

Nay: --- 0

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

An Ordinance amending Article 6-10(b)(2) and 6-10(b)(3) of the Land Subdivision Regulations to require more diversification of plant species in street trees and to adjust the minimum size of utility strips for various sizes of street trees.

An Ordinance amending Section 21-5 of the Code of Ordinances correcting an error in the number of positions of Public Service Supervisor, Sr., in the Div. of Parks and Recreation, to create a position for an existing employee who obtained the position through the proper Civil Service procedures, and placing the employee in the position, to become effective retroactive to November 15, 2004, and appropriating funds pursuant to Budget Schedule No. 121.

An Ordinance amending Section 22-5 of the Code of Ordinances abolishing one (1) position of Planner Sr., Grade 117E; and amending Section 21-5 of the Code of Ordinances creating one (1) position of Planner Sr., Grade 117E, all in the Div. of Planning, to become effective March 3, 2008, and appropriating funds pursuant to Budget Schedule No. 124.

An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Social Services Coordinator, Grade 114E, and creating one (1) position of Social Worker Sr., Grade 113E, in the Dept. of Social Services, and appropriating funds pursuant to Budget Schedule No. 125.

An Ordinance pursuant to Section 3.02(23) of the Charter of the Lexington-Fayette Urban County Government amending Section 23-5(b) of the Code of Ordinances abolishing one (1) position of the permanent rank of police captain; amending Section 23-5(b) of the Code of Ordinances creating one (1) position of the permanent rank of police lieutenant; expressing an intent to abolish fourteen (14) positions of the permanent rank of police captain as employees separate from service and to create (14) positions of the permanent rank of lieutenant; amending Section 23-5(b) of the Code of Ordinances abolishing six (6) positions of police officer and creating six (6) positions of sergeant; expressing an intent to create the additional special duty assignments of Deputy Chief and Commander; providing that the police captains assigned to the special duty assignment of Commander shall receive a bi-weekly salary supplement of $400.00 and police lieutenants assigned to the special duty assignment of Commander shall receive a bi-weekly salary supplement of $771.00; and providing that police captains assigned to the special duty assignment of Assistant Chief shall receive a bi-weekly salary supplement of $1,100.00 and police lieutenants assigned to the special duty assignment of Assistant Chief shall receive a bi-weekly salary supplement of $1,471.00; providing that police captains assigned to the special duty assignment of Deputy Chief shall receive a bi-weekly salary supplement of $1,200.00 and police lieutenants assigned to the special duty assignment of Deputy Chief shall receive a bi-weekly salary supplement of $1,571.00; and providing that all relevant sections of Chapter 23 shall be superseded by collective bargaining agreements; appropriating funds pursuant to Schedule No. 131; effective on February 18, 2008.

An Ordinance amending Section 2 of Ordinance No. 293-2007 to correct a clerical error which deleted instead of created one (1) position of Associate Engineering Technician Principle, Grade 114E, in the Div. of Engineering, effective retroactive to August 20, 2007.

An Ordinance amending Section 2 of Ordinance No. 294-2007 to correct a clerical error on the subsection line number for Van Driver – P/T, in the Office of Aging Services, to become effective retroactive to December 11, 2007.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Lithko Restoration Technologies, for additional shoring, beams and posts for the Annex Parking Garage, increasing the contract price by the sum of $14,000.00 from $153,000.00 to $167,500.00, and appropriating funds pursuant to Schedule No. 127.

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 $153,000.00 Federal funds, are for the Maxwell Street

Bike/Pedestrian Project, the acceptance of which obligates the Urban County Government for the expenditure of $49,000.00 as a local match (with $10,000.00 contributed by the Aylesford Neighborhood Association and $11,000.00 by the University of Kentucky), appropriating funds pursuant to Schedule No. 126, 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 Grant from the Kentucky Transportation Cabinet, which Grant funds are in the amount of $240,000.00 Federal funds, are for completion of the Town Branch Trail Phase II, the acceptance of which obligates the Urban County Government for the expenditure of $60,000.00 as a local match, appropriating funds pursuant to Schedule No. 128, 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 Grant from the Kentucky Transportation Cabinet, which Grant funds are in the amount of $28,000.00 Federal funds, are for the design of the South Elkhorn Trail, the acceptance of which obligates the Urban County Government for the expenditure of $7,000.00 as a local match, appropriating funds pursuant to Schedule No. 129, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

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. 123.

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An Ordinance amending Article VI, Chapter 16 of the Code of Ordinances as follows: To amend Section 16-48 to increase disposal fees for sewage; to create Section 16-57.1 providing that all rates and fees set forth in Sections 16-48, 16-59, and 16-60 shall be adjusted annually each fiscal year beginning effective July 1, 2010, in accordance with the Consumer Price Index for all urban consumers; to amend Section 16-59 to increase fees for sanitary sewer rates for residential users subject to Schedule A from $1.78 per unit for the first four hundred (400) cubic feet of water usage per month and 2.16 per unit for usage in excess of four hundred (400) cubic feet of water usage to $3.50 through June 30, 2009, and $4.73 effective July 1, 2009, for the first unit, from zero (0) to one hundred (100) cubic feet of water and $2.64 through June 30, 2009, and $3.56 effective July 1, 2009, per unit for usage in excess of one (1) unit; to increase sanitary sewer service rates for users subject to Schedule B from $2.16 per unit to $4.25 through June 30, 2009, and $5.73 effective July 1, 2009, for the first unit, from zero (0) to one hundred (100) cubic feet of water, and $3.20 through June 30, 2009, and $4.32 effective July 1, 2009, per unit for usage in excess of one (1) unit, plus increase the charge for suspended solids from 0.322 to 0.478 through June 30, 2009 and 0.645 effective July 1, 2009, the charge for ammonia nitrogen from 0.977 to 1.45 through June 30, 2009, and 1.958 effective July 1, 2009, and the charge for biochemical oxygen demand from 0.389 to .577 through June 30, 2009, and 0.779 effective July 1, 2009; to delete subsection (C) and to create a new subsection (C) establishing a thirty (30) percent discount program for qualifying senior citizens; to amend Section 16.59.1 changing the adjustment of fees to apply a fifty (50) percent adjustment to the entire bill amount for qualified customers rather than a one hundred (100) percent adjustment to rate increases only; and to amend Section 16-60 to increase sanitary sewer tap on fees was given first reading with a public meeting being held.

The following citizens spoke in favor of the proposed ordinance: (1) Mr. Walter Gaffield, President of Fayette County Neighborhood Council; (2) Ms. Knox van Nagell, Executive Director of The Fayette Alliance, who filed the following exhibit: (a) Letter; (3) Ms. Jean Watts, Cardinal Lane; (4) Mr. Bruce Hutcheson, Athenia Drive; (5) Mr. Ken Cooke, Secretary of the Friends of Wolf Run, Cardinal Lane; (6) Mr. Joe Howard, General Counsel of Lexington Apartment Association; (7) Ms. Faith Shore, Catalpa Road; (8) Mr. Robert Ziemba, Hampton Ridge; (9) Mr. Jack Wilson, Keithshire Way, and (10) Mr. Scott White, attorney for Fayette County Neighborhood Council.

The following citizen stated his concerns with portions of the proposed ordinance: (1) Mr. Ike Lawrence, Clinton Road.

The following citizens spoke against the proposed ordinance: (1) Mr. Leroy McIntosh, North Upper Street, and (2) Mr. Ken Pigeon, Aylesford Place.

The following citizen stated his concerns with the Government having not addressed the sewer issues: (1) Mr. Bernard McCarthy, Harry Street.

The ordinance was ordered placed on file two weeks for public inspection.

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

Aye: Gorton, Gray, Henson, James, Lane, McChord, Myers, Stevens,
Stinnett, Beard, Blevins, Blues, Crosbie, DeCamp, Ellinger ----------- 15

Nay: --- 0

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

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

Aye: Gorton, Gray, Henson, James, Lane, Myers, Stevens,
Stinnett, Beard, Blevins, Blues, Crosbie, DeCamp, Ellinger ----------- 14

Nay: McChord --- 1

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

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

Aye: Gorton, Gray, Henson, James, Lane, McChord, Myers, Stevens,
Stinnett, Beard, Blevins, Blues, Crosbie, DeCamp, Ellinger ----------- 15

Nay: --- 0

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Standard Form of Agreement Between Owner and Architect with Omni Architects, related to the design of a Public Safety Operations Center, Phase I, at a cost not to exceed $302,845.00.

A Resolution ratifying the probationary civil service appointments of: Phillip Lykins, Clerical Assistant, Grade 104N, $13.159 hourly, in the Dept. of General Services, effective January 21, 2008, Robert Ledford, Trades Supervisor, Grade 113N, $21.500 hourly, in the Div. of Parks and Recreation, effective January 21, 2008, Ashley Case, Human Resources Generalist, Grade 118E, $1,873.52 bi-weekly, in the Div. of Human Resources, effective January 21, 2008, Tamara Walters, Human Resources Manager, Grade 119E, $2,362.80 bi-weekly, in the Div. of Human Resources, effective January 21, 2008, Jeffery Rohrback, Telecommunicator Sr., Grade 113N, $20.741 hourly, in the Div. of Enhanced 911, effective February 4, 2008, Steve Feese, Director of Waste Management, Grade 121E, $3,192.30 bi-weekly, in the Div. of Waste Management, effective January 21, 2008, Gary Burchfield, Network Security Engineer, Grade 119E, $2,461.54 bi-weekly, in the Div. of Computer Services, effective February 4, 2008; ratifying the permanent civil service appointments of: Louise Caldwell-Grant, Administrative Officer, Grade 118E, in the Dept. of Public Works & Development, effective September 19, 2007, Kevin Wente, Administrative Officer, Grade 118E, in the Dept. of Public Works & Development, effective September 19, 2007; ratifying the probationary sworn appointments of: Robert King, Brian Cavill, Carrie Bowling, Fire Lieutenant, Grade 315N, $16.261 hourly, in the Div. of Fire and Emergency Services, effective January 7, 2008, Brian Strange, Sherianne Shuey, Fire Captain, Grade 316N, $21.497 hourly, in the Div. of Fire and Emergency Services, effective January 7, 2008, Larrel Alley, Fire Captain, Grade 316N, $35.289 hourly, in the Div. of Fire and Emergency Services, effective January 7, 2008, Heraldo Bellot, Kristin Chilton, Marcus Wainscott, Fire Major, Grade 318E, $3,172.62 bi-weekly, in the Div. of Fire and Emergency Services, effective January 7, 2008.; approving leave of absence for: Patricia Wallace, Staff Assistant, Grade 107N, in the Div. of Planning, request 90 day Council approved leave without pay from January 15, 2008 to April 13, 2008; approving the unclassified civil service appointment of: Winfred Lewis, Equipment Operator Sr., Grade 109N, $18.244 hourly, in the Div. of Waste Management, effective January 21, 2008, Norman Beckham, Equipment Operator Sr., Grade 109N, $15.220 hourly, in the

Div. of Waste Management, effective January 21, 2008; approving the unclassified civil service salary increase for: Dina Melvin, Aide to Council, Grade 000E, from $1,678.40 bi-weekly to $1,923.07 bi-weekly, in the Office of the Urban County Council, effective September 19, 2007.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with the Lexington and Fayette County Parking Authority, for the management of on street parking and other downtown parking issues.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Sale Agreement with Cathy O'Donovan and the Horse Patrol Commission, for purchase of a horse, for the Div. of Police Mounted Patrol Unit, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 5 to the Contract with J. M. Crawford & Associates, for design of the Meadows/Northland/ Arlington Public Improvements Project, Subphase 2E, increasing the contract price by the sum of $11,609.25 from $283,185.50 to $294,794.75.

A Resolution amending Resolution No. 743-2000, to change the name of the approved company, which was granted an inducement pursuant to the Kentucky Jobs Development Act, from Exstream Software, Inc., to Exstream Software North America LLC, and to recognize Exstream Software North America LLC as the sole "approved company" for the economic development project, effective retroactive to July 1, 2007.

A Resolution amending Resolution No. 59-2006, to change the name of the approved company, which was granted an inducement pursuant to the Kentucky Jobs Development Act, from Exstream Software, North America Inc., to Exstream Software North America LLC, and to recognize Exstream Software North America LLC as the sole "approved company" for the economic development project, effective retroactive to July 1, 2007.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Kentucky Heritage Council and to provide any additional information requested in connection with this

Grant Application, which Grant funds are in the amount of $12,000.00 Federal funds, and are for the Div. of Historic Preservation’s Survey and Planning Project.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Kentucky State Police and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of $107,000.00 Federal funds, and are for operation of a two-year Enforcing Underage Drinking Laws Project.

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Kentucky Governor’s Office of Local Development and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of $100,000.00 Federal funds from the Recreational Trail Program, and are for construction of the Brighton West Rail Trail was given first reading with a public meeting being held.

The Vice Mayor opened the public meeting.

There being no one to speak, the public meeting was closed.

Upon motion of Mr. Blues and seconded by Ms. James, the rules were suspended by majority vote. (Ms. Gorton, Dr. Stevens and Mr. Blevins voted no.)

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

Aye: Gorton, Gray, Henson, James, Lane, McChord, Myers, Stevens,
Stinnett, Beard, Blevins, Blues, Crosbie, DeCamp, Ellinger ----------- 15

Nay: --- 0

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Upon motion of Mr. Ellinger, seconded by Ms. Crosbie and passed by unanimous vote, a Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Rental Agreement with Lexington Center Corporation, for rental of the Lexington Opera House, for the State of the Merged Government Address, at no cost to the Government was placed on the docket and given first reading.

Upon motion of Mr. Blues and seconded by Ms. James, the rules were suspended by unanimous vote.

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

Aye: Gorton, Gray, Henson, James, Lane, McChord, Myers, Stevens, Stinnett, Beard, Blevins, Blues, Crosbie, DeCamp, Ellinger ----------- 15

Nay: --- 0

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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 Bluegrass International Trucks, establishing a price contract for heavy duty cab and chassis trucks (for snow removal dump trucks), for the Div. of Fleet Services.

A Resolution accepting the bids of Bluegrass Uniforms, Inc., Bluegrass Fire Equipment, Galls Inc., and U.S. Cavalry, establishing price contracts for fire recruit equipment, for the Div. of Fire and Emergency Services.

A Resolution accepting the bid of G & K Services, establishing a price contract for rental of entrance mats.

A Resolution accepting the bids of Elite Petroleum Inc., KPS Sales (Kentucky Petroleum Supply), and Kentucky Motor Service of Lexington, Inc., establishing price contracts for hydraulic oil, for the Div. of Fleet Services.

A Resolution accepting the bid of Flex-O-Lite, establishing a price contract for glass beads, for the Div. of Traffic Engineering.

A Resolution accepting the bid of Geneva Corp. dba Nixon Power Services Co., in the amount of $478,000.00, for an emergency generator for South Elkhorn Pump Station, for the Div. of Water and Air Quality.

A Resolution accepting the bid of Miller Transportation, Inc., establishing a price contract for charter bus service.

A Resolution accepting the bid of Excellence, Inc., in the amount of $437,751.22, for an emergency care unit, for the Div. of Fire and Emergency Services.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Application for Assistance Form for the Kentucky Department for Environmental Protection, Division of Waste Management, Underground Storage Tank Branch, for reimbursement for closure of underground storage tanks, and authorizing the Mayor, on behalf of the Urban County Government, to execute Claim Request Forms for reimbursement of contract costs by the Petroleum Storage Tank Environmental Assurance Fund as work on closure of the underground storage tanks is completed.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract with Zambelli Fireworks Manufacturing Corporation, for July 4, 2008 and 2009 fireworks exhibitions, at a cost not to exceed $350,000.00 annually, subject to sufficient funds being appropriated.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation of a Wolf Pack Thermal Remote Viewing System, from the U.S. Dept. of Homeland Security, for the Div. of Police, the acceptance of which does not obligate the Urban County Government for the expenditure of funds.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an agreement with Bryan Station High School PTSA, Inc. ($1,000.00) for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Vehicle Use Agreement with National Insurance Crime Bureau, for lease of a vehicle, at no cost to the Urban County Government, and authorizing and directing the Mayor to execute future Vehicle Use Agreements provided that the terms and conditions remain the same.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with Sherry Guiler, as a Sexual Assault Nurse Examiner, to provide on-call forensic examinations under the Sexual Assault Nurse Examiner Program, at a cost not to exceed $40.00 for each scheduled on-call period, $230.00 for each completed forensic examination, $50.00 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 a Professional Services Agreement with L. Lianna McBride, as a Sexual Assault Nurse Examiner, to provide on-call forensic examinations under the

Sexual Assault Nurse Examiner Program, at a cost not to exceed $40.00 for each scheduled on-call period, $230.00 for each completed forensic examination, $50.00 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 Supplemental Agreement No. 1 with the Kentucky Transportation Cabinet, for $46,800.00 in additional funds (SLX funds) for construction of the Brighton East Trail.

A Resolution supporting the efforts of everyone in healthcare fields, including the UKHealthCare Regional Trauma Advisory Council, who work to improve the provision of trauma care to all citizens of the Commonwealth.

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 from Valerie Campbell, for property located at 224 Westwood Court, for the Elizabeth Street Drainage Improvements Project, and authorizing payment in the amount of $1,750.00, plus usual and appropriate closing costs.

A Resolution, pursuant to Code of Ordinances Section 18-66, designating the speed limit on Central Avenue as 25 miles per hour and authorizing and directing the Div. of Traffic Engineering to install proper and appropriate signs in accordance with the designation.

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Upon motion of Mr. Stinnett, seconded by Ms. Gorton and approved by unanimous vote, the communications from the Mayor were approved and are as follows: (1) Recommending the reappointments of Jean Addleton and Joe Schuler to the CASA Board with terms to expire 6-11-2009; (2) Recommending the reappointment of Debbie Long, Bluegrass Restaurant representative, to the Convention & Visitors Bureau Board with a term to expire 9-9-2010 and (3) Recommending the reappointments of Shirley T. Livisay, James G. Cibulka, and Edgar L. Sagan to the One Parent Family Facility/Virginia Place Board with terms to expire 4-1-2011.

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The following communications were received from the Mayor for information only: (1) Resignation of Toben Price, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective January 14, 2008; (2) Resignation of Anthony Rodgers, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective January 6, 2008; (3) Resignation of Andrew Dotson, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective January 4, 2008; (4) Resignation of Jonathan Sallee, Police Trainee, Grade 311N, in the Div. of Police, effective December 12, 2007; (5) Resignation of Jonathan Burns, Police Trainee, Grade 311N, in the Div. of Police, effective December 13, 2007; (6) Resignation of Danny Childress, Vehicle & Equipment Mechanic/Apprentice, Grade 107N, in the Div. of Fleet Services, effective December 5, 2007; (7) Resignation of Mary Wathen, Economic Development Officer, Grade 117E, in the Office of Economic Development, effective December 31, 2007; (8) Resignation of Kenya Paris, Administrative Specialist, Grade 110N, in the Office of Partners of Youth, effective December 24, 2007; (9) Resignation of Shantelle Baker, Child Care Program Aide, Grade 107N, in the Div. of Youth Services, effective January 4, 2008 and (10) Resignation of John Carter III, Public Service Supervisor, Grade 111N, in the Div. of Parks and Recreation, effective December 31, 2007.

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The reports from (1) the Div. of Building Inspection for the 4th Quarter (October-December) of 2007 and (2) the Div. of Building Inspection for the year 2007 were received and ordered filed.

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Mr. Blevins made a motion, seconded by Ms. Gorton and passed by unanimous vote, to go into Closed Session pursuant to KRS 61.810(1)(c) to discuss pending litigation against the Lexington-Fayette Urban County Government.

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At approximately 7:50 p.m., 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