Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky April 10, 2008

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on April 10, 2008 at 6:00 P.M. Present were Mayor Jim Newberry and the following members of the Council: Council Members Beard, Blevins, Blues, Crosbie, DeCamp, Ellinger, Gorton, Gray, Henson, James, Lane, McChord, Myers, Stevens, and Stinnett.

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

Ordinances No. 55-2008 thru 58-2008 inclusive and Resolutions No. 117-2008 thru 145-2008 inclusive were reported as having been signed and published, and were ordered to record.

Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky   April 10, 2008

The Invocation was given by Mr. Arty Greene, Administrative Aide to the Mayor.

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

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

Nay: --- 0

An Ordinance changing the zone from a Highway Service Business (B-3) zone to a Light Industrial (I-1) zone for 0.78 net (1.12 gross) acre of property located at 990-992 West New Circle Road. (Hands on Originals)

An Ordinance changing the zone from a Single Family Residential (R-1D) zone to a Single Family Residential (R-1E) zone for 0.269 net (0366 gross) acre of property located at 317 Robertson Street. (Derek Thomas)

An Ordinance amending Article 1-11 and Article 8-15(d), 8-15(n), and 8-15(o) of the Zoning Ordinance to change the definition of extended-stay hotel and to permit extended-stay hotels in the Professional Office (P-1) zone.

An Ordinance amending Article 22A, 22A-1 and 22A-2 of the Zoning Ordinance to change the name of the Growth Area Planned Unit Development (PUD-1) zone to Residential Planned Unit Development (PUD-1) zone and to reduce the location and size criteria for the Planned Unit Development (PUD-1) zone.

An Ordinance accepting the bid of MAC Construction & Excavating, Inc. in the amount of $1,178,972.60, for Meadows-Northland- Arlington Neighborhood Improvements-Phase III B, and appropriating funds pursuant to Schedule No. 155.

An Ordinance pursuant to Ordinance No. 197-2002 adjusting the salaries of employees occupying the position of Engineering Technician Principal, Telecommunicator, Telecommunicator Sr., Telecom Supervisor, Computer Analyst, and Equipment Operator Sr., in various divisions, after review pursuant to the Pay Equity Ordinance, effective retroactive to the dates described in each item; and appropriating funds pursuant to Budget Schedule No. 150.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Knight Foundation at Bluegrass Community Foundation, which Grant funds are in the amount of $4,000.00, are for operation of a life skills program at the Div. of Youth Services, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 153, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

An Ordinance amending Ordinance No. 4-2008 to create one (1) position of Recreation Specialist Sr., Grade 113E, in the Div. of Parks and Recreation, to become effective retroactive to January 10, 2008.

An Ordinance amending Section 3 of Ordinance No. 3-2008 to correct an error in the salary of Kenneth Johnson, Equipment Operator Sr., Grade 109N, from $9.855 hourly to $14.359 hourly, effective retroactive to January 10, 2008, and pursuant to the Pay Equity Ordinance adjusting the salaries of employees occupying the position of Equipment Operator Sr., in the Div. of Waste Management to become effective retroactive to October 15, 2007, and appropriating funds pursuant to Budget Schedule No. 152.

An Ordinance amending Section 23-5 of the Code of Ordinances abolishing one (1) position of Police Captain, and creating one (1) position of Police Lieutenant, in the Div. of Police.

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. 149.

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 remaining in FY 2007 into FY 2008 in the General Services District - General Fund using anticipated bond budget savings as the funding source as approved at the March 18, 2008 Council Work Session, Schedule No. 154.

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An Ordinance repealing Section 10-14.1 of the Code of Ordinances to delete provisions establishing a Farmers' Market was given first reading. Upon motion of Mr. Blues, seconded by Mr. Beard, the rules were suspended by unanimous vote.

The ordinance was given second reading. Upon motion of Ms. Gorton, seconded by Mr. Beard, the ordinance was approved by the following vote:

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

Nay: --- 0
(Mr. DeCamp was absent when the vote was taken.)

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

An Ordinance accepting the bid of Garney Construction, Inc., in the amount of $11,451,451.00 for the North Elkhorn Force Main Project, and appropriating funds pursuant to Schedule No. 162.

An Ordinance accepting the bid of HMC Service Co. in the amount of $33,895.00, and the bid of TP Mechanical Contractors in the amount of $58,550.00 for boiler replacements for the Phoenix Building, Government Center Annex, and Downtown Arts Center, and appropriating funds pursuant to Schedule No. 161.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Transportation Cabinet, 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 $40,000.00 Federal funds, are for continuation of the Traffic Safety Program, for the Div. of Police, the acceptance of which obligates the Urban County Government for the expenditure of $40,000.00 as a local match, appropriating funds pursuant to FY 2009 Schedule No. 2, 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 execute and submit a Grant Application to the U.S. Dept. of Health and Human Services, 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 $173,458.00 Federal funds, are for operation of the M.A.S.H. Drop Inn Facility, the acceptance of which obligates the Urban County Government for the expenditure of $17,346.00 to be provided by the M.A.S.H. Drop Inn operating budget, appropriating funds pursuant to FY 2009 Schedule No. 1, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

An Ordinance amending Section 21-5 of the Code of Ordinances abolishing two (2) positions of Plant Operations Supervisor Sr., Grade 117E, and creating two (2) positions of Plant Operations Supervisor Sr. Water and Air Quality Control, Grade 118E, and reclassifying the incumbents, in the Div. of Water and Air Quality, and appropriating funds pursuant to Budget Schedule No. 158.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Dept. of Education, Div. of School and Community Nutrition, 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 $155,580.00 Federal funds, are for the 2008 Summer Food Service Program, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 166, 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 execute and submit a Grant Application to the Bluegrass Area Development District, 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 $83,980.00 Federal funds, are for operation of the Senior Citizens Center in FY 2009, the acceptance of which obligates the Urban County Government for the expenditure of $139,390.00 as a local match, appropriating funds pursuant to FY 2009 Schedule No. 3, 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 execute and submit the 2008 Consolidated Plan/Grant Application to the U.S. Dept. of Housing and Urban Development, to provide any additional information requested in connection with this Grant Application, and to accept the Grant if the application is approved, which Grant funds are in the amount of $3,508,372.00 Federal funds, are for FY09 Community Development Block Grant Program ($2,045,837.00), HOME Program ($1,356,982.00), Emergency Shelter Grant Program ($91,408.00) and the American Dream Down Payment Initiative ($14,145.00), the acceptance of which obligates the Urban County Government for the expenditure of $319,323.00 from various funding sources as local cash match and $67,408.00 in-kind match; appropriating funds pursuant to FY09 Schedule No. 4; authorizing the Mayor to transfer unencumbered funds within the Grant budget; and authorizing the Mayor to execute Agreements for the approved plan.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Office of Homeland Security, which Grant funds are in the amount of $23,393.00 Federal funds, are for the purchase of a Rajant InstaMESH Breadcrumb deployable 2.4GHZ Wi-Fi wireless system, for the Div. of Fire and Emergency Services, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 160, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

An Ordinance amending Section 21-5 of the Code of Ordinances creating one (1) position of Municipal Engineer Sr., Grade 119E; and amending Section 22-5 of the Code of Ordinances creating one (1) temporary position of Municipal Engineer Sr., Grade 119E, and one (1) temporary position of Municipal Engineer Sr., Part Time, Grade 119E, both for a term of four (4) years, ending April 24, 2012, all within the Div. of Water and Air Quality, and appropriating funds pursuant to Budget Schedule No. 157.

An Ordinance amending Section 22-5 of the Code of Ordinances creating two (2) positions of Social Worker Sr., Part Time, Grade 113E, and abolishing one (1) position of Social Worker Sr., Grade 113E, and reclassifying the incumbent, in the Div. of Adult Services, and appropriating funds pursuant to Budget Schedule No. 159.

An Ordinance amending Section 5-1 of the Code of Ordinances to adopt the current edition of the Kentucky Uniform State Wide Mandatory Building Code and the Kentucky Residential Code and to provide that the Div. of Building Inspection is under the general supervision of the Commissioner of Public Works & Development.

An Ordinance amending Section 3 and 4 of Ordinance No. 34-2008 to provide that the thirty (30) percent discount program established therein shall be available to citizens receiving Social Security disability benefits who are otherwise qualified under this section, to limit eligibility to only one discount program, and to correct a clerical error.

An Ordinance requiring that no building permit for a new structure or expansion of any existing structure by more than twenty-five percent in floor area shall be issued for any structure on property abutting Newtown Pike, between West Main Street and the Urban Service Area Boundary ("USAB"), unless the plans submitted in conjunction therewith are in accordance with a particular landscape profile; requiring that each property owner be responsible for any and all landscaping and fencing required to be installed upon his property under the terms of this Ordinance requiring that whenever issuance of a building permit requires prior approval of a development plan or subdivision plat, that the requirements of this Ordinance be included on such development plan or subdivision plat; and authorizing the Corridors Committee, on recommendation from the Div. of Building Inspection, to approve an alternative landscape plan if the topography of the land, existing utility easements, and/or other unique factors would not permit the property owner to comply with the requirements of this Ordinance.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from Kentucky-American Water Company in the amount of $5,000.00 for the Reforest the Bluegrass Project and appropriating funds pursuant to Schedule No. 165.

An Ordinance authorizing the Div. of Enhanced 9-1-1 to purchase two 9-1-1 routers and associated equipment, licenses, software and support from Solacom Technologies, Inc., a sole source provider, for implementation of a regional 911 system, at a cost not to exceed $195,835.00, and appropriating funds pursuant to Schedule No. 164.

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. 156.

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

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

Nay: --- 0

A Resolution accepting the bid of VSA, in the amount of $32,964.00, for production switcher for GTV3.

A Resolution accepting the bid of Vogelpohl Fire Equipment, establishing a price contract for heavy duty power rescue tools, for the Div. of Fire and Emergency Services.

A Resolution accepting the bid of A & A Safety, Inc., establishing a price contract for hydraulic USAR rescue tools (HD), for the Div. of Fire and Emergency Services.

A Resolution accepting the bid of Choice Equipment, LLC, establishing a price contract for automotive lifts, for the Div. of Fleet Services.

A Resolution accepting the bid of Central Seal Company, establishing a price contract for raised pavement marker installation, for the Div. of Traffic Engineering.

A Resolution accepting the bid of Emergency Equipment, establishing a price contract for high pressure air lifting bag system and accessories, for the Div. of Fire and Emergency Services.

A Resolution accepting the bid of G & K Services, establishing a price contract for uniform rental, for the Div. of Fleet Services.

A Resolution accepting the bid of Superior Demolition, Inc., in the amount of $20,400.00, for demolition of residential structures for the Div. of Community Development.

A Resolution accepting the bid of E-Z Go Textron, in the amount of $310,910.00, for golf carts for the Div. of Parks and Recreation.

A Resolution accepting the bid of Tim Garnett, LLC, in the amount of $21,005.00, for Jacobson Park new accessible restroom.

A Resolution accepting the bid of Thorobilt Construction, in the amount of $29,875.00, for the Gratz Park kitchen roof replacement.

A Resolution accepting the bids of Claunch Construction, LLC, G & G Paving and Construction, Inc., L-M Asphalt Partners, Ltd. (dba ATS Construction), Randle-Davies Construction Company, The Allen Company, Inc., Tom Chesnut Excavation & Construction, LLC, and Woodall Construction Company, Inc., establishing unit price contracts for paved trail construction, for the Div. of Engineering.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with Hope Center, Inc., for an increase of $460.00, for a total of $25,180.00, in Emergency Shelter Grant Funds for operation of an emergency and transitional shelter for men, at a cost not to exceed an additional $460.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration and to accept a General Warranty Deed for the property located at 405 Shawnee Avenue from

James and Janet Estepp, for the Meadows-Northland-Arlington Phase 3B Improvements, and authorizing payment in the amount of $53,000.00, 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 to accept a General Warranty Deed for the property located at 406 Shawnee Avenue from D2H Investments, LLC, for the Meadows-Northland-Arlington Phase 3B Improvements, and authorizing payment in the amount of $53,000.00, plus usual and appropriate closing costs.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from the Jessamine County Emergency Management Agency of Twenty-Four (24) "Emergency Scene Ahead" signs with base and carrying case, for use at the Div. of Environmental and Emergency Management, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Boy Scout Troop 911, Inc. ($1,000.00), Radcliffe/Marlboro Neighborhood Association Inc. ($578.00), Joyland Neighborhood Association, Inc. ($420.00), and Winburn Neighborhood Association, Inc. ($600.00) for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution ratifying the probationary civil service appointments of: Kenzie Gleason, Planner Sr., Grade 117E, $1,691.84 bi-weekly, in the Div. of Planning, effective March 17, 2008; John Saylor, Arborist Technician, Grade 112N, $18.922 hourly, in the Div. of Streets, Roads and Forestry, effective March 17, 2008; ratifying the permanent civil service appointments of: Philip Stiefel, Computer Systems Manager Sr., Grade 120E, in the Div. of Computer Services, effective April 1, 2008; Wally Barker, Human Resources Manager, Grade 119E, in the Div. of Human Resources, effective March 3, 2008; Wilma Williams, Staff Assistant Sr., Grade 108N, in the Div. of Police, effective February 20, 2008; Scott Bitner, Public Service Worker, Grade 106N, in the Div. of Parks and Recreation, effective April 1, 2008; Kathleen O’Neill, Administrative Specialist, Grade 110N, in the Div. of Historic Preservation, effective March 17, 2008; Erin Back, Golf Course Clubhouse Attendant, Grade 106N, in the Div. of Parks and Recreation, effective April 1, 2008; approving the unclassified civil service appointment of: Carisa Kelsey, Family Support Worker, Grade 112N, $16.341 hourly, in the Div. of Family Services, effective February 28, 2008; approving the unclassified civil service appointment to the Office of the Urban County Council: Mary Tackett, Aide to Council, Grade 000E, $1,807.69 bi-weekly, in the Office of the Urban County Council, effective February 25, 2008.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of $187,500.00 Federal funds, and are for continuation of the Street Sales Drug Enforcement Project.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of $35,000.00 Commonwealth of Ky. funds from the Law Enforcement Service Fee Program, and are for police officer overtime hours for a Traffic Alcohol Patrol Program.

A Resolution accepting the proposal of Express Personnel Services, in the amount of $20.15 per hour, not to exceed $30,000.00, for an Inventory/Warehouse Specialist to maintain current inventory and control system for Metropolitan Medical Response Systems (MMRS) related equipment purchases.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 (Final) to the Contract with Lenco Excavation, Inc., for 7th Street at Old Railroad Improvement Project, increasing the contract price by the sum of $3,952.23 from $249,130.97 to $253,083.20.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Ratio Architects, Inc., for a Central Sector Small Area Plan, at a cost not to exceed $110,000.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Project Lifesaver, Inc. ($825.00) and Big Brothers/Big Sisters of the Bluegrass, Inc. ($825.00) 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 an Agreement with Chenault Road Neighborhood Association, Inc. ($4,999.00) for a public project for the Office of the Urban County Council, at a cost not to exceed the sum stated.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Encroachment Agreement with the Cincinnati, New Orleans and Texas Pacific Railway Company, for the North Elkhorn Wastewater Project, at a cost not to exceed $24,625.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Consulting Services Agreement with Metaformers, Inc., for implementation services for Peoplesoft Software - Phase II, at a cost not to exceed $4,326,790.

A Resolution making a Declaration of Official Intent with respect to reimbursement from subsequent borrowings of temporary advances made for capital expenditures for implementation of Phase II of the Peoplesoft Software (STARS expansion) in an approximate amount of $5,500,000.00.

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

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

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

Nay: -- 0

A Resolution accepting the bid of Meyer Midwest, Inc., in the amount of $296,835.50, for Elizabeth Street drainage improvements.

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 $52,417.00 Federal funds, and are for the purchase of bulletproof vests for the Div. of Police and the Fayette County Sheriff’s Office.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Div. of Forestry and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of $5,000.00 Federal funds, and are for the 2008 Ky. Urban and Community Forestry Program, for the Div. of Streets, Roads and Forestry.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the U.S. Dept. of Housing and Urban Development and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of $1,430,000.00 Federal funds, and are for continuation of the Housing Opportunities for Persons with AIDS Program.

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 and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of $480,000.00 Federal funds under the 2008 Assistance to Firefighters Grant Program, and are for a medium duty rescue vehicle to replace the current rescue one vehicle, for the Div. of Fire and Emergency Services.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the American Water Company and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of

$10,000.00, and are for restoration of the White Oak Greenway in McConnell's Trace Subdivision

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with Farm and Garden Market Cooperative Association, Inc., dba Lexington Farmers' Market, for the management of the Lexington Farmers' Market in downtown Lexington.

A Resolution of the Lexington-Fayette Urban County Council requesting that the Ky. Economic Development Finance Authority issue healthcare system revenue bonds in one or more series, for the benefit of Ky. Easter Seal Society, Inc. d/b/a Cardinal Hill Healthcare System, a Ky. nonprofit, non-stock, charitable corporation.

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A Resolution ratifying the probationary civil service appointments of: Cheryl Cross, Administrative Specialist, Grade 110N, $19.544 hourly, in the Div. of Revenue, effective April 14, 2008; Freddie Pensinger, Equipment Operator Sr., Grade 109N, $14.359 hourly, in the Div. of Streets, Roads and Forestry, effective March 31, 2008; Mitchell Knipper, Equipment Operator Sr., Grade 109N, $14.359 hourly, in the Div. of Streets, Roads and Forestry, effective April 14, 2008; David Price, Laboratory Supervisor, Grade 114E, $2,083.92 bi-weekly, in the Div. of Water and Air Quality, effective April 14, 2008; Jonathan Cole, Electrical Instrumentation Technician, Grade 113N, $19.318 hourly, in the Div. of Water and Air Quality, effective April 14, 2008; ratifying the permanent civil service appointments of: Tamara Aufderhaar, Staff Assistant Sr., Grade 108N, in the Div. of Police, effective March 17, 2008; Timothy Smith, Public Service Worker, Grade 106N, in the Div. of Parks and Recreation, effective April 15, 2008; Sharon Bradley, Customer Service Specialist, Grade 110N, in the Div. of Enhanced 911, effective April 1, 2008; Candice Byrd, Customer Service Specialist, Grade 110N, in the Div. of Enhanced 911, effective April 1, 2008; Judy Higgins, Revenue Compliance Auditor, Grade 114E, in the Div. Of Revenue, effective March 17, 2008; Robert Riney, Revenue Compliance Auditor Supervisor, Grade 116E, in the Div. of Revenue, effective March 17, 2008; Susan Bowie, Revenue Compliance Auditor Sr., Grade 115E, in the Div. of Revenue, effective March 17, 2008; Linda Lannert, Administrative Specialist Sr., Grade 112N, in the Div. of Revenue, effective March 17, 2008; Joseph Davis, Public Service Worker Sr., Grade 107N, in the Div. of Parks and Recreation, effective April 29, 2008; ratifying the probationary sworn appointments of: Kevin Goldie, Police Sergeant, Grade 315N, $26.388 hourly, in the Div. of Police, effective March 14, 2008; Gary Sennett, Police Lieutenant, Grade 317E, $2,752.46 bi-weekly, in the Div. of Police, effective March 14, 2008; ratifying the permanent sworn appointments of: David Ades, Fire Major, Grade 318E, in the Div. of Fire and Emergency Services, effective March 17, 2008; Harold Miracle, Fire Captain, Grade 316N, in the Div. of Fire and Emergency Services, effective March 17, 2008; Christopher Whited, Fire Lieutenant, Grade 315N, in the Div. of Fire and Emergency Services, effective March 17, 2008; approving leave of absences for: Tammy Hayden, Telecommunicator, Grade 111N, in the Div. of Enhanced 911, requests a 30 day Council approved leave without pay from March 27, 2008 to April 25, 2008; Kenneth Kennedy, Public Service Worker, Grade 106N, in the Div. of Waste Management, requests a 30 day Council approved leave without pay from March 21, 2008 to April 19, 2008; Shelley Bendall, DEEM Preparedness Coordinator, Grade 113N, in the Div. of Environmental and Emergency Management, requests a 90 day Council approved leave without pay from April 25, 2008 to July 23, 2008; Arnold Sidney, Custodial Worker, Grade 102N, in the Div. of Building Maintenance and Construction, requests a 30 day Council approved leave without pay from April 1, 2008 to April 30, 2008; Wanda Webb, Staff Assistant Sr., Grade 108N, in the Div. of Engineering, requests a 90 day Council approved leave without pay from April 1, 2008, to June 29, 2008 was on the docket for first reading.

Mr. Blevins made a motion, seconded by Mr. Myers and passed by unanimous vote, to amend the Resolution to correct the Division under permanent civil service appointments of Sharon Bradley, Customer Service Specialist, Grade 110N, and Candice Byrd, Customer Service Specialist, Grade 110N, to the Division of Government Communications.

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A Resolution ratifying the probationary civil service appointments of: Cheryl Cross, Administrative Specialist, Grade 110N, $19.544 hourly, in the Div. of Revenue, effective April 14, 2008; Freddie Pensinger, Equipment Operator Sr., Grade 109N, $14.359 hourly, in the Div. of Streets, Roads and Forestry, effective March 31, 2008; Mitchell Knipper, Equipment Operator Sr., Grade 109N, $14.359 hourly, in the Div. of Streets, Roads and Forestry, effective April 14, 2008; David Price, Laboratory Supervisor, Grade 114E, $2,083.92 bi-weekly, in the Div. of Water and Air Quality, effective April 14, 2008; Jonathan Cole, Electrical Instrumentation Technician, Grade 113N, $19.318 hourly, in the Div. of Water and Air Quality, effective April 14, 2008; ratifying the permanent civil service appointments of: Tamara Aufderhaar, Staff Assistant Sr., Grade 108N, in the Div. of Police, effective March 17, 2008; Timothy Smith, Public Service Worker, Grade 106N, in the Div. of Parks and Recreation, effective April 15, 2008; Sharon Bradley, Customer Service Specialist, Grade 110N, in the Div. of Government Communications, effective April 1, 2008; Candice Byrd, Customer Service Specialist, Grade 110N, in the Div. of Government Communications, effective April 1, 2008; Judy Higgins, Revenue Compliance Auditor, Grade 114E, in the Div. Of Revenue, effective March 17, 2008; Robert Riney, Revenue Compliance Auditor Supervisor, Grade 116E, in the Div. of Revenue, effective March 17, 2008; Susan Bowie, Revenue Compliance Auditor Sr., Grade 115E, in the Div. of Revenue, effective March 17, 2008; Linda Lannert, Administrative Specialist Sr., Grade 112N, in the Div. of Revenue, effective March 17, 2008; Joseph Davis, Public Service Worker Sr., Grade 107N, in the Div. of Parks and Recreation, effective April 29, 2008; ratifying the probationary sworn appointments of: Kevin Goldie, Police Sergeant, Grade 315N, $26.388 hourly, in the Div. of Police, effective March 14, 2008; Gary Sennett, Police Lieutenant, Grade 317E, $2,752.46 bi-weekly, in the Div. of Police, effective March 14, 2008; ratifying the permanent sworn appointments of: David Ades, Fire Major, Grade 318E, in the Div. of Fire and Emergency Services, effective March 17, 2008; Harold Miracle, Fire Captain, Grade 316N, in the Div. of Fire and Emergency Services, effective March 17, 2008; Christopher Whited, Fire Lieutenant, Grade 315N, in the Div. of

Fire and Emergency Services, effective March 17, 2008; approving leave of absences for: Tammy Hayden, Telecommunicator, Grade 111N, in the Div. of Enhanced 911, requests a 30 day Council approved leave without pay from March 27, 2008 to April 25, 2008; Kenneth Kennedy, Public Service Worker, Grade 106N, in the Div. of Waste Management, requests a 30 day Council approved leave without pay from March 21, 2008 to April 19, 2008; Shelley Bendall, DEEM Preparedness Coordinator, Grade 113N, in the Div. of Environmental and Emergency Management, requests a 90 day Council approved leave without pay from April 25, 2008 to July 23, 2008; Arnold Sidney, Custodial Worker, Grade 102N, in the Div. of Building Maintenance and Construction, requests a 30 day Council approved leave without pay from April 1, 2008 to April 30, 2008; Wanda Webb, Staff Assistant Sr., Grade 108N, in the Div. of Engineering, requests a 90 day Council approved leave without pay from April 1, 2008, to June 29, 2008 was given first reading as amended and ordered placed on file two weeks for public inspection.

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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 Ford Contracting, Inc., in the amount of $99,500.00, for Wildwood Park and Johnson Heights Park bridge replacements.

A Resolution accepting the bid of Premium Pressure Washing, in the amount of $21,932.00, for pressure washing garages.

A Resolution accepting the bids of Davis H. Elliot Construction Company, Inc., and Arrow Electric Co. Inc., establishing price contracts for inductive loop vehicle detection and installation, for the Div. of Traffic Engineering.

A Resolution accepting the bid of Mary’s Cleaning Service, establishing a price contract for janitorial services for the Gainesway Police Roll Call, PAL, Empowerment and Youth Centers.

A Resolution accepting the bid of R & L Cleaning Service, establishing a price contract for janitorial services for the Coleman House.

A Resolution accepting the bids of G & G Paving and Construction, Inc., L-M Asphalt Partners, Ltd. (dba ATS Construction), Randle-Davies Construction, Inc., The Allen Company, Inc., Tom Chesnut Excavation & Construction, LLC, Gooch Construction, Inc., Conn Hurst, LLC, ASL Excavation, Inc., Lighthouse Plumbing, LLC, Lenco Excavation, Jason Tate Contractor, Inc., Todd Johnson Constructing, Inc., and Bluegrass Contracting Corporation, establishing unit price contracts for construction, for the Div. of Engineering.

A Resolution accepting the bid of The Walker Company of Kentucky, Inc., establishing a price contract for operation of the construction and demolition debris landfill.

A Resolution authorizing the Div. of Fire and Emergency Services to purchase broadband communications equipment and related facilities from Natural Information Systems, Inc., a sole source provider, for the Mobile Command Post, at a cost not to exceed $25,225.00.

A Resolution approving the granting of an inducement to Braden Partners, LP d.b.a. Pacific Pulmonary Services pursuant to the Ky. Jobs Development Act, by allowing all of its employees whose jobs have been deemed by the Ky. Jobs Development Authority to have been created as a result of Braden Partners, LP d.b.a. Pacific Pulmonary Services relocating its operations to Fayette County and who are paying the service and technology job creation assessment fee, to have their occupational license fee reduced by one-fifth (1/5) of the assessment fee for a term of not longer than ten (10) years from the activation date established by Braden Partners, LP d.b.a. Pacific Pulmonary Services, subject to the limitations contained in the Ky. Jobs Development Act; and taking other related action.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Blackburn Correctional Complex, for the provision of emergency response assistance to Blackburn Correctional Complex, 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 Purchase of Service Agreement with Bluegrass Comprehensive Care Center, for substance abuse treatment for adolescents, at a cost not to exceed $80,000.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Lexington Center Corporation, for renovation of the Lexington Opera House, at a cost not to exceed $425,000.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Glendover Elementary PTA, Inc. ($1,100.00) and Young Marines Captain Reginald Underwood Unit, ($875.00) 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 the Certificate of Consideration and to accept a General Warranty Deed, from William H. Flannery, for the property located at 400 Meadow Park, for the Meadows-Northland-Arlington Phase 3B Improvements Project, at a cost not to exceed $66,000.00, plus usual and appropriate closing costs.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation of ninety (90) loads of fill dirt valued at four thousand fifty ($4,050.00) dollars for use in various parks locations.

A Resolution authorizing the Div. of Enhanced 9-1-1 to purchase 9-1-1 channel bank and routing equipment from Adtran, Inc., a sole source provider, for implementation of a regional 9-1-1 system, at a cost not to exceed $23,272.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract for Environmental Services with Bluegrass Environmental, Inc., for remedial underground storage tank work, the cost to be reimbursed by the Ky. Div. of Waste Management.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Network Services Contract with Insight Kentucky Partners II, L.P., for provision of fiber optic connection, for the Div. of Fire and Emergency Services, at a cost not to exceed $11,400.00 per year for a three (3) year period, subject to sufficient funds being appropriated.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Transportation Cabinet, for installation of a mast arm system pole at the intersection of Star Shoot Parkway and Liberty Road, at a cost not to exceed $48,406.27.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Isaac Scott Hathaway Museum, Inc. ($1,750.00) and YMCA of Central Ky. ($1,500.00) 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 an Agreement with Woodfield Homes Association, Inc. ($2,489.06) for a public project for the Office of the Urban County Council, at a cost not to exceed the sum stated.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Encroachment Agreement with the Fayette County Board of Education, in the right-of-way at 460 and 461 Springhill Drive.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Encroachment Agreement with G &J Pepsi-Cola Bottlers, Inc., in the right-of-way at 111 Trafton Avenue.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the Ky. State Police, to participate in the Ky. Internet Crimes Against Children Task Force, 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 Amended Agreement and an Amended Deed of Permanent Easement with Keeneland Association, Inc., to provide sanitary sewer service to additional facilities owned by Keeneland Association, Inc.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 to the Contract with Todd Johnson Contracting, Inc., for Hamburg Force Main, increasing the Contract price by the sum of $8,007.20 from $375,390.59 to $383,397.79.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from the Citizen's Police Academy Alumni Association of computer supplies, for use at the Div. of Police, Crimes Against Children Unit, at no cost to the Urban County Government.

A Resolution authorizing and directing the Dept. of Law to institute condemnation proceedings in Fayette Circuit Court to obtain permanent sanitary sewer and temporary construction easements at 1637 Old Paris Road for the North Elkhorn Force Main Project.

A Resolution authorizing and directing the Dept. of Law to institute condemnation proceedings in Fayette Circuit Court to obtain permanent sanitary sewer and temporary construction easements at 1645 Old Paris Road for the North Elkhorn Force Main Project.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration and to accept a Deed for the property located at 276 Derby Drive from James Deaton, for the N. Limestone Storm Water Project, and authorizing payment in the amount of $107,300.00, 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 to accept a Deed for the property located at 280 Derby Drive from Tommy and Kara Warner, for the N. Limestone Storm Water Project, and authorizing payment in the amount of $130,200.00, 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 to accept a Deed for the property located at 284 Derby Drive from Roger Dale and Sandra Collins, for the N. Limestone Storm Water Project, and authorizing payment in the amount of $108,700.00, 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 to accept a Deed for the property located at 288 Derby Drive from Lionel J. Aucoin, for the N.

Limestone Storm Water Project, and authorizing payment in the amount of $99,000.00, 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 to accept a Deed for the property located at 905 N. Limestone from Anna F. Trowbridge (n/k/a Anna F. Miller), for the N. Limestone Storm Water Project, and authorizing payment in the amount of $81,700.00, 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 to accept a Deed for the property located at 907 N. Limestone from Anthony R. and Karen A. Collins, for the N. Limestone Storm Water Project, and authorizing payment in the amount of $79,200.00, 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 to accept a Deed for the property located at 909 N. Limestone from Robert and Heather Walter, for the N. Limestone Storm Water Project, and authorizing payment in the amount of $99,200.00, 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 to accept a Deed for the property located at 1001 N. Limestone from Pedro and Magdalena Arambul, for the N. Limestone Storm Water Project, and authorizing payment in the amount of $71,700.00, plus usual and appropriate closing costs.

* * *

The following communications were received from the Mayor for information only: (1) Resignation of Kenneth Isaacs, Community Corrections Officer, Grade 110N, in the Division of Community Corrections, effective March 24, 2008; (2) Resignation of Dean Cropp, Community Corrections Officer, Grade 110N, in the Division of Community Corrections, effective April 11, 2008; (3) Resignation of Ralph Duron, Community Corrections Officer, Grade 110N, in the Division of Community Corrections, effective April 3, 2008, and (4) Resignation of Hilton Hastings, Police Officer, Grade 311N, in the Division of Police, effective March 31, 2008.

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Mr. Joel Little, Manager Fundraiser of Kentucky Appalachian Outdoor Adventures, spoke about the Adventure Tourism opportunities available for the disabled in Grayson, Kentucky.

Ms. Gorton thanked him for the information and offered to place the information about donating to the camp on GTV3.

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Ms. Richelle Clay, Civil Service Employees Association President, stated how much the employees appreciated the support from the Council and the Mayor.

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Mr. Bernard McCarthy, Harry Street, stated his concern with closing downtown streets and suggested that new buildings be built further from the street for purposes of the future widening of streets.

*   *   *

Mr. Louis Cobb spoke about the inclusion of all citizens in continuing to build a city we can be proud of.

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Mr. Steve Kestin, Tates Creek Road, spoke in opposition to sidewalks being installed along Tates Creek Road.

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Upon motion of Mr. Lane, seconded by Ms. Crosbie and passed by unanimous vote, the Council adjourned at 8:14 p.m.

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Clerk of the Urban County Council