Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky May 8, 2008

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on May 8, 2008 at 7:00 P.M. Present were Mayor Jim Newberry in the chair presiding and the following members of the Council: Council Members Blues, Crosbie, DeCamp, Ellinger, Gorton, Gray, Henson, Lane, McChord, Myers, Stevens, Stinnett, Beard and Blevins. Absent was Council Member James.

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

Ordinances No. 72-2008 thru 88-2008 inclusive and Resolutions No. 182-2008 thru 228-2008 inclusive were reported as having been signed and published, and were ordered to record.

Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky May 8, 2008

The Invocation was given by Pastor Matthew Yates, Faith Christian Center.

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

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

Nay: --0

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Fifth Amendment to Agreement with the Ky. Transportation Cabinet, for $28,600.00 in additional Federal funds for design of the West Hickman Trail, the acceptance of which obligates the Urban County Government for the expenditure of $7,150.00 as a local match, and appropriating funds pursuant to Schedule No. 168.

An Ordinance creating Section 17-29.1(c) of the Code of Ordinances to provide for the removal of encroaching tables, chairs and other vestiges of an outdoor café by the Urban County Government from a business that is operating without a permit; to amend Sections 17-29.3(c) and 17-29.5 of the Code to provide for the Dept. of Public Works and Development instead of the Dept. of Public Safety; to create Section 17-29.5(c) of the Code to provide for automatic revocation of a permit in the event a business is noticed of three (3) or more violations related to encroaching upon pedestrian or vehicular traffic within any thirty (30) day period, and to renumber the existing subsections to be consistent with the above.

An Ordinance waiving the provisions of Ordinance No. 112-97, which provided for a cost of living increase for the Mayor, during calendar year 2008.

An Ordinance waiving the provisions of Ordinance No. 95-97, which provided for cost of living increases for the Councilmembers, during calendar year 2008.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $825.00 for the Div. of Police from Neighborhood Development Funds for boxing classes conducted by the Police Activities League, and appropriating and re-appropriating funds, Schedule No. 178.

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 Justice, Community Oriented Policing Services (COPS) Office, 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 $327,355.00 Federal funds, are for the purchase of thermal imaging equipment, for the Div. of Police Air Support Unit, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 171, 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 Ky. Transportation Cabinet, Office of Highway Safety, which Grant funds are in the amount of $15,000.00 Federal funds, are for participation in the May 2008 Click It or Ticket Safety Belt

Enforcement Mobilization Project, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 170, 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 Ky. Transportation Cabinet, which Grant funds are in the amount of $208,000.00 Federal funds, are for the Newtown Pike Landscaping Project, the acceptance of which obligates the Urban County Government for the expenditure of $52,000.00 as a local match, appropriating funds pursuant to Schedule No. 174, 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 Ky. Transportation Cabinet, which Grant funds are in the amount of $700,000.00 Federal funds, are for construction of the Coldstream Park Trail, the acceptance of which obligates the Urban County Government for the expenditure of $176,125.00 as a local match, appropriating funds pursuant to Schedule No. 176, 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 Ky. Transportation Cabinet, which Grant funds are in the amount of $650,000.00 Federal funds, are for construction of the Town Branch Trail Phase III, the acceptance of which obligates the Urban County Government for the expenditure of $247,950.00 as a local match, appropriating funds pursuant to Schedule No. 177, 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 donations of $2,000.00 from National City Corporation and $1,000.00 from M & M Sanitation, for the 2008 Senior Intern Program, and appropriating funds pursuant to Schedule No. 175.

An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Director Water and Air Quality, Grade 122E, and creating one (1) position of Director Water Quality, Grade 123E, and reclassifying the incumbent, in the Div. of Water and Air Quality, and appropriating funds pursuant to Budget Schedule No. 172.

An Ordinance amending Section 21-5 of the Code of Ordinances abolishing four (4) positions of Electrical Instrumentation Tech, Grade 113N, and creating four (4) positions of Electrician, Grade 114N, and reclassifying the incumbents, in the Div. of Water and Air Quality, to become effective retroactive to September 3, 2007; and abolishing one position of Electrical Instrumentation Tech, Grade 113N, and creating one (1) position of Electrician, Grade 114N, and reclassifying the incumbent in the Div. of Water and Air Quality, and appropriating funds pursuant to Budget Schedule No. 173.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $1,000.00 for the Div. of Historic Preservation from Neighborhood Development Funds for Historic Preservation Week activities, and appropriating and re-appropriating funds, Schedule No. 179.

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. 169.

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

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Div. of Water, 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 $1,146,000.00 Federal funds, are for the South Elkhorn Force Main Project, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2009 Schedule No. 5, 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 Ky. Transportation Cabinet, which Grant funds are in the amount of $2,000,000.00 Federal funds, are for construction of the Maine Chance Trail, the acceptance of which obligates the Urban County Government for the expenditure of $500,000.00 as a local match, appropriating funds pursuant to Schedule No. 181, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

An Ordinance authorizing the Div. of Enhanced 9-1-1 to purchase High Availability Disaster Recovery Software and related services from Vision Solutions, a sole source provider, at a cost not to exceed $63,518.00, and appropriating funds pursuant to Schedule No. 167.

An Ordinance repealing Code of Ordinances Section 12-1.1,12-1.2, and 12-1.3 relating to the BOCA Review Commission; repealing Code of Ordinances Article XXI, Sections 2-267, 2-268, 2-269, 2-270, 2-271, 2-272 and 2-273, relating to Enterprise Zone Commission, and repealing Code of Ordinances

Article XXXIII, Section 2-377 relating to the Equifestival of Kentucky Board of Directors.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept the Grant from the Ky. Transportation Cabinet, which Grant funds are in the amount of $301,655.00 (FHWA Planning), $40,000.00 (Federal Transit Administration Section 5303), $102,000.00 (Mobility Office (SLX)), and $54,000.00 (Air Quality Planning (SLX)) Federal funds, are for the Div. of Planning Unified Work Program - FY 2009, the acceptance of which obligates the Urban County Government for the expenditure of $56,520.00 (FHWA Planning), $10,000.00 (Federal Transit Administration), $25,500.00 (Mobility Office (SLX)), and $13,500.00 (Air Quality Planning (SLX)) as a local match, subject to sufficient funds being appropriated in FY 2009, appropriating funds pursuant to FY 2009 Schedule No. 6, 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 funds in the amount of $2,500.00 in the Div. of Parks and Recreation from the Council Capital Funds for 400 feet of trail at the Wellington Trail Dog Park, and appropriating and re-appropriating funds, Schedule No. 185.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $550.00 for the Div. of Parks and Recreation from Neighborhood Development Funds for the S.T. Roach Basketball Cheerleader T-Shirts, and appropriating and re-appropriating funds, Schedule No. 183.

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. 180.

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

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

Nay: ---0

A Resolution accepting the bid of Gulf States Distributors, establishing a price contract for patrol rifles, for the Div. of Police.

A Resolution accepting the bid of Brenntag Mid-South, Inc., establishing a price contract for swimming pool chemicals.

A Resolution accepting the bid of J. Edinger & Son, Inc., establishing a price contract for front loading refuse bodies, for the Div. of Fleet Services.

A Resolution accepting the bids of Bobcat Ent. Inc., Equipment Sales & Rental, Sunbelt Rentals, and Wilson Equipment Company, establishing price contracts for equipment rental without operator, for the Div. of Streets, Roads and Forestry.

A Resolution accepting the bid of EZ Go Textron, establishing a price contract for golf carts (single rider).

A Resolution accepting the bid of Global Protection, establishing a price contract, for hospital PPE kits.

A Resolution accepting the bid of D-C Elevator Co., Inc., establishing a price contract for elevator and lift maintenance.

A Resolution accepting the bids of Asplundh Tree Expert Co., Owen Tree Specialty Corp., and Lexington Tree Service Inc., establishing price contracts for tree removal and pruning, for the Div. of Streets, Roads and Forestry.

A Resolution accepting the bid of C & C Fire Sprinkler, in the amount of $87,700.00 for Kenwick Community Center fire suppression sprinkler.

A Resolution accepting the bid of Security Cameras Direct, LP, in the amount of $15,786.00, for PTZ camera system for GTV3.

A Resolution accepting the bid of SimplexGrinnell, in the amount of $58,296.00, for sprinkler system repairs.

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 $125,561.00 Federal funds under the State Criminal Alien Assistance Program (SCAAP), and are for reimbursement of costs related to the incarceration of undocumented criminal aliens.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Vision Internet Providers Inc. for website development and maintenance services and authorizing payment in an amount not to exceed $44,998.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Blue Grass Council of Boy Scouts of America, Inc. ($1,950.00) for the Office of the Urban County Council, at a cost not to exceed the sum stated.

A Resolution ratifying the probationary civil service appointments of: Anthony Owens, Public Service Supervisor, Grade 111N, $16.752 hourly, in the Div. of Water and Air Quality, effective April 14, 2008; ratifying the permanent civil service appointments of: Henry Measel, Program Coordinator, Grade 109N, in the Div. of Family Services, effective December 25, 2007; Danny Stevens, Public Service Worker, Grade 106N, in the Div. of Parks and Recreation, effective April 29, 2008; Amber Luallen, Recreation Supervisor, Grade 110E, in the Div. of Parks and Recreation, effective December 25, 2007; Elaine Dionne, Administrative Specialist Sr., Grade 112N, in the Div. of Revenue, effective May 26, 2008; G. Christine Wu, Staff Assistant, Grade 107N, in the Div. of Building Inspection, effective May 12, 2008; Allen Hinkle, Computer Analyst, Grade 115E, in the Div. of Computer Services, effective April 22, 2008; approving leaves of absence for: Patricia Prather, Customer Service Specialist, Grade 110N, in the Div. of Government Communications, requests a 90 day Council approved leave without pay from March 31, 2008 to June 28, 2008; Franklin Martin, Skilled Trades Worker Sr., Grade 112N, in the Div. of Building Maintenance and Construction, requests a 90 day Council approved leaved without pay from April 17, 2008 to July 15, 2008.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Lexington-Fayette County Health Department, for establishment of a Medical Reserve Corps under the Metropolitan Medical Response System (MMRS) Project, at a cost not to exceed $25,000.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement for services with the YMCA of Central Ky. for the Corporate Wellness Program, for the period of January 1, 2008 through December 31, 2008, at a cost not to exceed $62,690.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Aylesford Place Association, Inc. ($1,000.00), Garden Springs Neighborhood Association Inc. ($500.00), Lexington Center Participants Council Inc. ($1,050.00), CASA of Lexington, Inc. ($2,150.00), Central Ky. Riding for Hope, Inc. ($1,925.00) and Zandale Neighborhood Association, Inc. ($540.00) 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 Commercial Contract with the Lamar Companies, for production of vinyl artwork for disaster preparedness, for the Div. of Environmental and Emergency Management, at a cost not to exceed $954.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with The Allen Company, Inc., for the Wellington Bike and Pedestrian Facility Project, decreasing the Contract price by the sum of $25,137.55 from $168,383.00 to $143,245.45.

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 1651 Old Paris Road from Lurelene Thompson, Annette Lane and Ralph E. Lane, for the North Elkhorn Force Main Project, and authorizing payment in the amount of $17,000.00, 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 sanitary sewer easement and temporary construction easement from James and Marcia B. Chism, located at 3077 Todds Road, for the

Cadentown Sanitary Sewer Project, at no cost to the Urban County Government, with usual and appropriate closing costs.

A Resolution amending Section 1 of Resolution No. 764-2006 which made a Declaration of Official Intent with respect to reimbursement from subsequent borrowing of temporary advances made for capital expenditures for the site acquisition, design and construction of a Regional Emergency Operations Center, increasing the approximate aggregate amount from $1,435,000.00 to $6,500,000.00.

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A Resolution ratifying the probationary civil service appointments of: Bobby Harris, Public Service Supervisor, Grade 111N, $20.068 hourly, in the Div. of Waste Management, effective April 28, 2008; ratifying the permanent civil service appointments of: Henry Measel, Program Coordinator, Grade 109N, in the Div. of Family Services, effective December 25, 2007; Jennifer Davis, Staff Assistant Sr., Grade 108N, in the Div. of Police, effective February 20, 2008; Diane Catlett, Staff Assistant Sr., Grade 108N, in the Div. of Revenue, effective April 29, 2008, ratifying the probationary sworn appointments of: Gary Clarke, Fire Lieutenant, Grade 315N, $16.261 hourly, in the Div. of Fire and Emergency Services, effective March 3, 2008; Douglas Hurt, Fire Lieutenant, Grade 315N, $16.261 hourly, in the Div. of Fire and Emergency Services, effective March 3, 2008; Brian Dawson, Fire Lieutenant, Grade 315N, $16.261 hourly, in the Div. of Fire and Emergency Services, effective April 14, 2008; Mark Aldridge, Fire Captain, Grade 316N, $21.497 hourly, in the Div. of Fire and Emergency Services, effective March 3, 2008; Carl Haunz, Fire Captain, Grade 316N, $21.497 hourly, in the Div. of Fire and Emergency Services, effective April 14, 2008; Mark Blankenship, Fire Major, Grade 318E, $3,172.62 bi-weekly, in the Div. of Fire and Emergency Services, effective April 14, 2008; David Marcum, Police Lieutenant, Grade 316N, $34.406 hourly, in the Div. of Police, effective April 28, 2008; Andrew Daugherty, Police Sergeant, Grade 315N, $26.388

hourly, in the Div. of Police, effective April 28, 2008; approving leave of absence for: Tammy Hayden, Telecommunicator, Grade 111N, in the Div. of Enhanced 911, requests a 2 day Council approved leave without pay from April 26, 2008 to April 28, 2008; unclassified civil service rate increase in the Office of the Urban County Council: Ronald Scott Seymour, Aide to Council, Grade 000E, from $1,700.00 bi-weekly to $1,815.00 bi-weekly, in the Office of the Urban County Council, effective July 1, 2008 was on the docket for first reading.

Mr. Lane made a motion, seconded by Mr. Ellinger, and passed by unanimous vote, to amend the resolution to correct the effective date for Ronald Scott Semour from July 1, 2008, to June 1, 2008.

A Resolution ratifying the probationary civil service appointments of: Bobby Harris, Public Service Supervisor, Grade 111N, $20.068 hourly, in the Div. of Waste Management, effective April 28, 2008; ratifying the permanent civil service appointments of: Henry Measel, Program Coordinator, Grade 109N, in the Div. of Family Services, effective December 25, 2007; Jennifer Davis, Staff Assistant Sr., Grade 108N, in the Div. of Police, effective February 20, 2008; Diane Catlett, Staff Assistant Sr., Grade 108N, in the Div. of Revenue, effective April 29, 2008, ratifying the probationary sworn appointments of: Gary Clarke, Fire Lieutenant, Grade 315N, $16.261 hourly, in the Div. of Fire and Emergency Services, effective March 3, 2008; Douglas Hurt, Fire Lieutenant, Grade 315N, $16.261 hourly, in the Div. of Fire and Emergency Services, effective March 3, 2008; Brian Dawson, Fire Lieutenant, Grade 315N, $16.261 hourly, in the Div. of Fire and Emergency Services, effective April 14, 2008; Mark Aldridge, Fire Captain, Grade 316N, $21.497 hourly, in the Div. of Fire and Emergency Services, effective March 3, 2008; Carl Haunz, Fire Captain, Grade 316N, $21.497 hourly, in the Div. of Fire and Emergency Services, effective April 14, 2008; Mark Blankenship, Fire Major, Grade 318E, $3,172.62 bi-weekly, in the Div. of Fire and Emergency Services, effective April 14, 2008; David Marcum, Police Lieutenant, Grade 316N, $34.406 hourly, in the Div. of Police, effective April 28, 2008; Andrew Daugherty, Police Sergeant, Grade 315N, $26.388 hourly, in the Div. of Police, effective April 28, 2008; approving leave of absence for: Tammy Hayden, Telecommunicator, Grade 111N, in the Div. of Enhanced 911, requests a 2 day Council approved leave without pay from April 26, 2008 to April 28, 2008; unclassified civil service rate increase in the Office of the Urban County Council: Ronald Scott Seymour, Aide to Council, Grade 000E, from $1,700.00 bi-weekly to $1,815.00 bi-weekly, in the Office of the Urban County Council, effective June 1, 2008 was given first reading as amended.

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

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

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

Nay: ---0

* * *

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

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

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

Nay: ---0

A Resolution authorizing the Div. of Fire and Emergency Services to purchase an InstaMESH breadcrumb deployable 2.4 gHz wi-fi wireless system from Rajant Corporation, a sole source provider, at a cost not to exceed $23,393.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the Standard Form of Agreement Between Owner and Architect with Pohl+Rosa+Pohl Architects for professional services for the new nature center at Raven Run Nature Sanctuary, at a price not to exceed $22,584.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Management Agreement with Republic Parking System, Inc., for management of parking garages, at a cost not to exceed $857,510.00 in Fiscal Year 2009.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Catering Contract with Hyatt Regency Lexington, for the Senior Intern Alumni Luncheon, at a cost not to exceed $3,500.00.

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Upon motion of Mr. Blues, seconded by Ms. Gorton, and passed by unanimous vote, a Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Ky. Environmental and Public Protection Cabinet, for extension of the McConnell Springs Stormwater Quality Wetland Pond Project through December 31, 2009, at no cost to the Urban County Government was placed on the docket and given first reading.

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

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

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

Nay: --0

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Upon motion of Ms. Crosbie, seconded by Mr. Ellinger, and passed by unanimous vote, a Resolution accepting the bid of Gordon Contracting, in the amount of $24,755.00, for the Camp Kearney patio canopy was placed on the docket and given first reading.

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

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

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

Nay: ---0

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Upon motion of Mr. Myers, seconded by Mr. McChord, and passed by unanimous vote, a Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Ky. Environmental and Public Protection Cabinet, for extension of the Gainesway Retention Basin Retrofit Project through December 31, 2009, at no cost to the Urban County Government was placed on the docket and given first reading.

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

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

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

Nay: ---0

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Upon motion of Ms. Henson, seconded by Mr. Lane, and passed by unanimous vote, a Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement of Sanitary Sewer Easement, releasing a sanitary sewer easement at 2284 Versailles Road and 1524 Alexandria Drive, at no cost to the Urban County Government was placed on the docket and given first reading.

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

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

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

Nay: --0

* * *

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

A Resolution accepting the bid of Micah Group, LLC, establishing a price contract for underground storage tank removal.

A Resolution accepting the bid of Environmental Resources, Inc., in the amount of $30,700.00 for the demolition of residential structures, for the Div. of Community Development.

A Resolution accepting the bid of L & P Wire Tie Systems, establishing a price contract for bailing wire, for the Div. of Waste Management.

A Resolution accepting the bid of Speedway SuperAmerica LLC, establishing a price contract for commercial fuel - diesel.

A Resolution accepting the bid of Aramsco, Inc., establishing a price contract, for decontamination kits.

A Resolution accepting the bid of G & G Paving & Construction, Inc., in the amount of $51,182.00, for new parking at Higbee Mill Park.

A Resolution accepting the bid of Randle-Davies Construction Co., in the amount of $39,760.00, for new parking at Martin Luther King Park.

A Resolution accepting the bid of Randle-Davies Construction Co., in the amount of $55,750.00, for new parking at Veteran’s Park.

A Resolution accepting the bid of Ellerbusch Instrument Company, in the amount of $26,045.00, for robotic total station land surveying equipment, for the Div. of Engineering.

A Resolution accepting the bid of B & H Photo Video Pro-Audio, in the amount of $18,250.00, for field cameras for GTV3.

A Resolution accepting the bid of Bluegrass Towing, Inc., establishing a towing contract for Police, Code Enforcement, General Services, and Parking Authority vehicles, for the Div. of Police.

A Resolution accepting the bid of Woodall Construction Co., Inc., in the amount of $459,030.00, for the 12th Street Neighborhood Improvements.

A Resolution authorizing and directing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-86, to install multiway stop controls at Carriage Lane and Mt. McKinley Way.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Arnold, Dugan & Meyers, for West Hickman Wastewater Treatment Plant Sewer Pump Replacement Project Phase 2, increasing the Contract price by the sum of $12,117.00 from $1,250,000.00 to $1,262,117.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Hall Contracting of Kentucky, Inc., for Town Branch and West Hickman Wastewater Treatment Plants Electrical Service Switchgear Modifications,increasing the Contract price by the sum of $62,274.35 from $419,600.00 to $481,874.35.

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 temporary construction easement from Rodney J. Neal and Judy A. Neal, for the property located at 1408 Bryan Avenue, for the Meadows-Northland-Arlington Neighborhood Improvement Project Phase 3B, and authorizing payment in the amount of $125.00, 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 305 Dantzler Court from John and Mary Fox, for the Elizabeth Street Drainage Improvements Project, and authorizing payment in the amount of $177,000.00, 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 Price Maples, the Starving Artist Outlet of a painting, for use at the Div. of Police, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Radcliffe/Marlboro Neighborhood Association, Inc. ($200.00) for the Office of the Urban County Council, at a cost not to exceed the sum stated.

A Resolution abolishing the Commission to Review Revenue Policy and Tax Structure, Downtown Events Commission, Shakespeare Festival Commission, Water Quality Review Commission, Youth Services Commission, Advisory Board of Electricians, African American Cemetery Number Two Committee, Cultural Center Committee, Downtown Historic Building Committee, Downtown Planning Committee, Lexington United Steering Committee, Pavement Design Committee, Airport Task Force and Task Force on Homelessness.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Office of Homeland Security and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of $30,000.00 Commonwealth of Ky. funds, and are for Project Lifesaver of Fayette County.

A Resolution accepting the proposal of CDP in the amount of $24,000.00, for the development of a Harrodsburg Road Corridor Landscaping Plan.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Remedy Intelligent Staffing, Inc., for staffing of the Communications Center, at a cost not to exceed $24,000.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Monitoring and Alarm Services Agreement with Koorsen Fire and Security, Inc., for Loudon House, at an annual cost not to exceed $360.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute two Agreements with Medical Staffing Network, for temporary services of Licensed Practical Nurses, for the Family Services Health Clinic, at a cost not to exceed $30,000.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Tree Research & Education Endowment Fund Tree Fund ($750.00), Bryan Station High School PTSA, Inc. ($500.00), Joyland Neighborhood Association, Inc. ($500.00), Legends Youth Boxing Club, Inc. ($250.00), Beaumont Middle School PTA, Inc. ($400.00), The Southland Association, Inc. ($1,000.00), Meadowthorpe Neighborhood Association, Inc. ($500.00), Spicewood Homeowners Association, Inc. ($200.00), Kentucky Border Collie Association, Inc. ($200.00), Radcliffe/Marlboro Neighborhood Association, Inc. ($550.00), and Marehaven Homeowners Association, Inc. ($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 Change Order No. 1 to the Contract with Pipe Eyes, LLC, for Annual Preventive Maintenance Sewer Cleaning Program, increasing the Contract price by the sum of $49,487.00 from $494,439.80 to $543,926.80.

A Resolution changing the street name of 2550 Liberty Road to 2550 Liberty Ridge Lane; effective thirty days from passage.

A Resolution rescinding Resolution No. 153-2008 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.

* * *

Upon motion of Mr. Stinnett, seconded by Mr. McChord and approved by unanimous vote, the communications from the Mayor were approved and are as follows: (1) Recommending the reappointment of Dr. John Roth to the Board of Health with a term to expire 6-30-2012; (2) Recommending the reappointment of David Mohney to the Downtown Development Authority Board with a term to expire 1-15-2012; (3) Recommending the appointment of Richard L. Greene to the Dunbar Neighborhood Center Board with a term to expire 3-20-2012; (4) Recommending the reappointment of Zephrenia Y. Cambell to the One Parent

Family Facility Board - Virginia Place with a term to expire 4-1-2012; and (5) Recommending the appointment of Karen S. Mundy, representative for the Lexington-Bluegrass Association of Realtors, to the Rural Land Management Board with a term to expire 4-1-2012.

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The following communications were received from the Mayor for information only: (1) Resignation of Evelyn O'Kelley, Public Service Worker, Grade 106N, in the Div. of Parks and Recreation, effective May 1, 2008; (2) Resignation of Angela Collins, Telecommunicator, Grade 111N, in the Div. of Enhanced 911, effective April 8, 2008; (3) Resignation of Aaron Alexander, Police Officer, Grade 311N, in the Div. of Police, effective May 5, 2008; (4) Resignation of Miguel Rodriguez, Police Officer, Grade 311N, in the Div. of Police, effective April 29, 2008; (5) Resignation of Robert Lewis, Public Service Worker Sr., Grade 107N, in the Div. of Streets, Roads and Forestry, effective April 14, 2008; (6) Resignation of Rebecca Gibson, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective May 6, 2008; (7) Resignation of Joshua Caudill, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective April 25, 2008; (8) Resignation of William Davis, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective May 9, 2008; (9) Resignation of Shane Horsely, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective April 27, 2008; and (10) Resignation of Charles Thomas, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective May 21, 2008.

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The report from the Div. of Building Inspection for the 1st Quarter (January – March) of 2008 was received and ordered filed.

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Ms. Pamela Brandenburg, Civil Service Employees Association representative, stated her concern about cost of living raises for all non-sworn employees.

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Mr. Steve Kestin, Tates Creek Road, stated his concern about the off-campus housing issue, and asked that either Councilmember Beard or Councilmember Gorton be appointed as a fair and impartial chairperson for the committee in charge of this issue.

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Ms. Richelle Clay, Civil Service Employees Association President, stated her concern regarding job reclassification issues, including the abolishment of civil service positions.

* * *

Ms. Jamie Cooper, Civil Service Employees Association representative, stated her concern regarding the abolishment of civil service positions and replacement with non-civil service or temporary positions.

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Upon motion of Mr. DeCamp, seconded by Mr. Blues, the Council adjourned at 7:57 p.m.

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Clerk of the Urban County Council