Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky June 12, 2008

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on June 12, 2008 at 7:00 P.M. Present were Mayor Jim Newberry in the chair presiding and the following members of the Council: Council Members Ellinger, Gorton, Gray, Henson, James, Lane, McChord, Myers, Stevens, Stinnett, Beard, Blevins, Blues, and Crosbie. Absent was Council Member DeCamp.

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

Ordinances No. 104-2008 thru 112-2008 inclusive and Resolutions No. 262-2008 thru 294-2008 inclusive were reported as having been signed and published, and were ordered to record.

Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky June 12, 2008

The Invocation was given by Pastor Glen Schneiders, Crossroads Christian Church.

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Mr. McChord presented a Commemoration hailing and commending Kentucky State Champion Academy Rider (Eight Years and Under) Miss Grace Shaftner, who was named the Kentucky State Champion Academy Rider in October 2007, and won the Grand Championship in Pleasure (Eight and Under) and Reserve Grand Champion in Equitation (Eight and Under) at the National Academy Championship Finals held in Tennessee in November 2007. Miss Shaftner was a student at Stonewall Elementary School.

Mr. McChord also recognized Mr. and Mrs. Trent and Mary Shaftner, Grace's parents.

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Mr. McChord introduced Mr. Joe Morgan, a member of Boy Scout Troop 98, and a student at Lexington Traditional Magnet School. Mr. Morgan was attending the meeting in order to fulfill requirements for his Communications Merit Badge.

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The Mayor announced that four current employees and one former employee of the Div. of Community Corrections had been indicted by a Federal Grand Jury on various charges. The employees were suspended with pay pending investigation, and the Mayor asked that no further discussion take place due to the pending investigation.

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An Ordinance changing the zone from a Single Family Residential (R-1E) zone to a Neighborhood Business (B-1) zone for 0.267 net (0.347 gross) acres of property located at 135-139 East Third Street subject to certain use restrictions imposed as conditions of granting the zone change (GCL Properties, LLC) was on the docket for second reading.

Upon motion of Ms. James, seconded by Mr. Myers, and approved by unanimous vote, the ordinance was removed from the docket until the July 8, 2008 Council Meeting for a public hearing to be held.

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An Ordinance amending Section 13-63(a) of the Code of Ordinances increasing the Special 911 Emergency Telephone Service Funding Fee from $1.31 to $2.10 per month, providing for an automatic annual increase to the fee of four an done half percent (4.5%) per annum, effective every July 1, commencing July 1, 2009, and further authorizing the Mayor to execute any necessary agreements or memorandum of understanding with any billing or collection entities in order to effectuate the intent of this section, all effective June 1, 2008 was on the docket for second reading.

Upon motion of Mr. Lane, seconded by Mr. Blevins, and approved by unanimous vote, the ordinance was amended to change the effective date of the ordinance from June 1, 2008 to the date of passage. Mr. Lane stated that this was not a material change and the ordinance could be given second reading as amended.

An Ordinance amending Section 13-63(a) of the Code of Ordinances increasing the Special 911 Emergency Telephone Service Funding Fee from $1.31 to $2.10 per month, providing for an automatic annual increase to the fee of four an done half percent (4.5%) per annum, effective every July 1, commencing July 1, 2009, and further authorizing the Mayor to execute any necessary agreements or memorandum of understanding with any billing or collection entities in order to effectuate the intent of this section, effective on the date of passage was given second reading as amended.

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

Aye: Ellinger, Gray, Henson, Lane, McChord,
Myers, Stevens, Stinnett, Beard, Blevins,
Blues, Crosbie---------------------------------12

Nay: Gorton, James----------------------------------2

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An Ordinance amending Section 13-64 of the Code of Ordinances to increase the charge for specialty care inter-hospital transportation from $584.00 to $1,000.00, and amending Section 13-65 of the Code of Ordinances to increase the charges for basic life support services from $294.00 to $650.00, for advanced life support level 1 emergency services from $350.00 to $750.00, and advanced life support level 2 services from $497.00 to $900.00, and increasing the mileage rate from $6.50 to $11.00 was given second reading.

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

Aye: Ellinger, Gorton, Gray, Lane, McChord,
Myers, Stevens, Stinnett, Blevins, Blues,
Crosbie---11

Nay: Henson, James, Beard------------------------3

* * *

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

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

Nay: --0

An Ordinance changing the zone from a Single Family Residential (R-1C) zone to a Professional Office (P-1) zone for 0/16 net (0.21 gross) acres of property located at 160 Pasadena Drive. (Stone Road Realty, LLC)

An Ordinance changing the zone from a Highway Service Business (B-3) zone with conditional zoning restrictions to a Highway Service Business (B-3) zone with modified conditional zoning restrictions for 4.00 net (4.42 gross) acres of property located at 128-130 West Tiverton Way subject to certain use restrictions imposed as conditions of granting the zone change. (Tiverton Way, LLC)

An Ordinance changing the zone from a Single Family Residential (R-1C() zone to a Two Family Residential (R-2) zone for 0.17 net (0.21 gross) acres of property located at 1136 Providence Lane. (William T. Burke)

An Ordinance amending Article 25 of the Zoning Ordinance relating to Telecommunication Towers so as to address the issue of sureties and to provide clarification regarding rooftop tower and/or antenna construction.

An Ordinance accepting the bid of Disponette Service Company, Inc., in the amount of $62,793.00 for chiller replacement for the Agricultural Extension Office, and appropriating funds pursuant to Schedule No. 191.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Community and Technical College System, on behalf of the Ky. Board of Emergency Medical Services, which Grant funds are in the amount of $10,256.41 Commonwealth of Ky. Funds, are for the purchase of bicycles to be outfitted with advanced life support equipment, 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 FY 2009 Schedule No. 7, 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 an additional Software License Agreement with New World Systems Corporation, for additional software for the Improving Crime Data Grant Project, at a cost not to exceed $31,780.00, and appropriating funds pursuant to Schedule No. 186.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements in the Council Office for funds in the amount of $2,500.00 from Neighborhood Development Funds for the Senior Intern Program, and appropriating and re-appropriating funds, Schedule No. 187.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $8,142.00 in the Div. of Parks and Recreation from the Council Capital Funds for new sidewalks in Johnson Heights Park, and appropriating and re-appropriating funds, Schedule No. 184.

An Ordinance amending Section 22-5 of the Code of Ordinances creating one (1) temporary position of Administrative Specialist Sr., Grade 112N, for a term of one year beginning April 30, 2008 and ending April 30, 2009, in the Div. of Traffic Engineering.

An Ordinance amending Section 2 of Ordinance 5-2008 correcting the subsection line number for the Facility Manager in the Div. of Building Maintenance and Construction.

An Ordinance amending Section 2 and 3 of Ordinance No. 286-2008, relating to extension of vacation carry-over for employees in the Dept. of Finance and Administration who because of STARS implementation will lose accumulated vacation leave, extending the carry-over date from June 30, 2008 to December 31, 2008.

An Ordinance 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, 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 $321,000.00 Federal funds, are for continuation of the Metropolitan Medical Response System (MMRS), and the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2009 Schedule No. 8, 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 $88,000.00 Federal funds, are for the Biodiesel Fuel Storage Tank Project, the acceptance of which obligates the Urban County Government for the expenditure of $22,000.00, to be provided by the Riley Oil Company, appropriating funds pursuant to Schedule No. 188, 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. 182.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $5,000.00 for Streets, Roads and Forestry from Neighborhood Development Funds for tree acquisition, and appropriating and re-appropriating funds, Schedule No. 190.

An Ordinance changing the name of the Office of Compliance to the Div. of Environmental Policy, changing the name of the Div. of Water and Air Quality to the Div. of Water Quality; amending Section 21-5(2) of the Code of Ordinances abolishing one (1) position of Administrative Officer Sr., Grade 120E, one (1) position of Environmental Compliance Coordinator, Grade 119E, one (1) position of Planner Sr., Grade 117E, and one (1) position of Environmental Inspector, Grade 113N, in the Office of Compliance; amending Section 21-5(2) of the Code of Ordinances abolishing one (1) position of Administrative Officer, Grade 118E in the Dept. of Environmental Quality; amending Section 21-5(2) of the Code of Ordinances abolishing one (1) position of Engineering Section Manager, Grade 120E, four (4) positions of Municipal Engineer Senior, Grade 119E, one (1) position of Municipal Engineer, Grade 117E, one (1) position of Associate Municipal Engineer, Grade 115E, three (3) positions of Engineering Technician Principal, Grade 115E, one (1) position of Engineering Technician Sr., Grade 113E, one (1) position of Engineering Technician, Grade 111N, all in the Div. of Water and Air Quality; amending Section 22-5(2) of the Code of Ordinances abolishing one (1) position of Staff Assistant Sr., Grade 108N, in the Office of Compliance; amending Section 21-5(2) of the Code of Ordinances creating one (1) position of Administrative Officer Sr., Grade 120E, in the Dept. of Environmental Quality and transferring the incumbent; amending Section 21-5(2) of the Code of Ordinances creating one (1) position of Engineering Section Manager, Grade 120E, four (4) positions of Municipal Engineer Sr., Grade 119E, one (1) position of Municipal Engineer, Grade 117E, one (1) position of Associate

Municipal Engineer, Grade 115E, three (3) positions of Engineering Technical Principal, Grade 115E, one (1) position of Engineering Technician Sr., Grade 113E, and one (1) position of Engineering Technician, Grade 111N, all in the Div. of Water Quality and transferring the incumbents; amending Section 21-5(2) of the Code of Ordinances creating one (1) position of Environmental Compliance Coordinator, Grade 119E, one (1) position of Planner Sr., Grade 117E, one (1) position of Environmental Inspector, Grade 113N, and one (1) position of Administrative Officer, Grade 118E, in the Div. of Environmental Policy and transferring the incumbents; amending Section 22-5(2) of the Code of Ordinances creating one (1) position of Staff Assistant Sr., Grade 108N, in the Div. of Environmental Policy and transferring the incumbent; effective upon date of passage.

An Ordinance amending Section 21-5 of the Code of Ordinances transferring one (1) position of Staff Assistant, Grade 107N, and the incumbent, from the Div. of Fire and Emergency Services to the Div. of Enhanced 911.

An Ordinance amending Section 21-5 of the Code of Ordinances abolishing two (2) positions of Recreation Supervisor, Grade 110E, and creating two (2) positions of Recreation Specialist Sr., grade 113E; and amending Section 22-5 of the Code of Ordinances abolishing one (1) position of Recreation Manager, Grade 114E, abolishing three (3) positions of Recreation Supervisor Sr., Grade 112E, abolishing five (5) positions of Recreation Supervisor, Grade 110E, and creating one (1) position of ESP Manager, Grade 116E, creating three (3) positions of ESP Supervisor, Grade 114E, and creating three (3) positions of ESPN Coordinator, Grade 112E, and reclassifying the incumbents, to become effective retroactive to November 26, 2008; and amending Section 22-5 of the Code of Ordinances creating two (2) positions of ESP Coordinator, Grade 112E, to become effective upon passage by Council; all within the Div. of Parks and Recreation; and appropriating funds pursuant to Budget Schedule No. 144.

An Ordinance creating Section 16-6.1 of the Code of Ordinances, Lexington-Fayette Urban County Government, pertaining to recycling at community activities on Urban County Government property or in Urban County

Government buildings expected to be attended by 300 or more individuals in a 24-hour period; requiring the sponsoring agency to designate a Coordinator to be responsible for implementation; requiring the Coordinator to contact the Div. of Waste Management no later than 30 days prior to the activity; to be responsible for arrangement of containers for recyclable waste at the activity, and to educate others about recycling; providing that failure of the Coordinator to contact the Division may result in cancellation of the activity; requiring the Division to provide recyclable waste containers; requiring the Coordinator to position and return the recyclable waste containers; encouraging community activities to require providers to package items in reusable or recyclable material; requiring the Division to provide reasonable assistance to successfully collect and dispose of recyclable waste at community activities; and authorizing the Director of the Div. of Waste Management to promulgate regulations, effective January 1, 2009.

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The following ordinance was given first reading. Upon motion of Mr. Blues and seconded by Ms. Gorton, the rules were suspended by unanimous vote.

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

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

Nay: ---0

An Ordinance creating and establishing a non-exclusive gas franchise and providing for: the placement of facilities for the transmission, distribution and sale of gas for heating and other purposes within the public rights-of-way; the incorporation of the provisions of the Code of Ordinances and the applicable zoning laws; definitions; a police power limitation; minimum construction, installation, maintenance and facility standards; compliance with the Government's permitting process for projects; due regard for rights of the Government and others; additional performance guarantees of up to $200,000 on projects with construction costs exceeding $100,000; an indemnification and hold harmless agreement; compliance with non-discrimination and affirmative action requirements; commercial general liability insurance policy in the amount of at least $1,000,000 per occurrence and $2,000,000 aggregate; access, inspection and auditing by Government; notice of certain actions before the Public Service Commission and agreement not to oppose intervention by Government; a three year duration; no vested rights for installation or emplacement of facilities and right to require removal of facilities within a reasonable time at company's expense if no franchise exists; notice of assignment and assignment of franchise with consent; no objection to government intervention in a transfer of control case before the Public Service Commission; notice of a public sale of company in order for Government to be afforded an opportunity to bid on the company or its assets; the following penalties recoverable for violations after company is provided the opportunity to present evidence to the Commissioner of Public Works and development or his designee, with such decisions appealable to a court of competent jurisdiction: $500 a day for failure to complete construction projects by no later than the end of the franchise, with the option of providing suitable performance bond or other protection to Government in lieu of such penalty, and $100 a day for failure to provide data and reports requested by Government as required by the Ordinance, or for failure to timely pay the franchise fee or an itemized bill; a $100 a day penalty appealable to a court of competent jurisdiction for a failure to comply within thirty days to a council resolution directing compliance with a provision of the Ordinance; non-waiver and continued performance and enforcement upon Government's failure to insist on specific performance; the payment of penalties not an excuse for non-performance; company obligated to ensure uninterrupted service, maintain corporate headquarters in Lexington, including minimal staffing and a customer payment center; termination upon willful violations of the franchise, willful evasion of provisions of the franchise, fraud and deceit upon Government, knowingly making material misrepresentations, or failing to begin service restoration following seventy-two consecutive hours of interrupted service without Government approval, and procedures for terminating the franchise; sixty days advance written notice of the foreclosure or other judicial sale of company's facilities; Government's right to cancel franchise thirty days after the appointment of a receiver or trustee unless certain conditions are met; sale at public auction of the franchise and due advertisement requirements thereon; written bids, right to reject, payment of five percent of the estimated cost of the system unless company already has sufficient facilities to provide the franchise services, and payment of $500 for advertisement and administrative costs with any excess amounts exceeding actual costs to be returned to bidder(s) within thirty days; payment of the sum of at least three percent of company's gross annual revenues from the sale, distribution, and/or delivery of gas within Fayette County beginning with the first billing period following tariff approval by the Public Service Commission with existing payments to continue until such approval is obtained; payment of permitting fees; the filing of an application or tariff with the Public Service Commission within ten working days of acceptance of the bid; suspension of payment of the franchise fee if no final determination regarding tariff approval is made and allowing Government to terminate the franchise upon such condition; all payments to be made within thirty days of the preceding calendar month; payment is not an accord and satisfaction, right to audit and to payment of costs if the company is found to have withheld five percent or more for any six month period, or if performed as part of a modification, extension or granting of a franchise or transfer of company or assignment of the franchise; interest of eight percent on any late or recomputed payments and an adjustment for overpayments; bids must accept the conditions of this Ordinance and may include additional consideration payments; violations of the franchise shall be condition for forfeiture, law of Kentucky applies; venue in Fayette County; no third-party rights; any unlawful provision is severable; and franchise effective when the Council accepts the bid(s); all effective on date of passage.

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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. 189 was on the docket for first reading.

Upon motion of Mr. Blues, seconded by Ms. Gorton, and approved by unanimous vote, the ordinance was amended to add budget journals 23467-

23469, and to substitute a corrected schedule of amendments, Schedule Number 189.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditure, and appropriating and re-appropriating funds, Schedule No. 189 was given first reading as amended and ordered placed on file two weeks for public inspection.

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An Ordinance changing the zone from a Professional Office (P-1) zone to a Downtown Frame Business (B-2A) zone for 0.16 net (0.19 gross) acre, and from a Planned Neighborhood Residential (R-3) zone to a Downtown Frame Business (B-2A) zone for 0.24 net (0.42 gross) acre, for properties located at 522-528 East Main Street and 109 Kentucky Avenue, subject to certain use restrictions imposed as conditions of granting the zone change (Hugh Bennett & Roland Vaughn) was given first reading and ordered placed on file until a Special Council Meeting to be held on August 19, 2008 at 6:00 p.m.

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

An Ordinance changing the zone from a Highway Service Business (B-3) zone with conditional zoning restrictions to a Highway Service Business (B-3) zone with modified conditional zoning restrictions for 2.04 net (2.77 gross) acres of property located at 3294 Richmond Road and 101 South Eagle Creek Drive (a portion of) subject to certain use restrictions imposed as conditions of granting the zone change. (Estes Property No. 1, LLC and Estes Property No. 2, LLC)

An Ordinance changing the zone from a Two Family Residential (R-2) zone to a Single Family Residential (R-1E) zone for 0.2340 net (0.2977 gross) acre of property located at 422 Michigan Street. (Habitat for Humanity, Inc.)

An Ordinance amending Articles 19-2, 19-3, 19-7(b), 19-7(c), 19-7(g)(3), 19-10, 19-10(c), and 19-10(d) of the Zoning Ordinance so as to change the effective date of the Flood Insurance Rate Maps, due to acceptance of new maps by FEMA, to provide a 60-day time limit for appeals to the Floodplain Appeals Committee, and to clarify the majority vote needed to decide an appeal.

An Ordinance amending Articles 5-2(b), 5-4, 5-4(a)(1), 20-2, 20-3(a), 20-4(d), and 20-4(e) of the Zoning Ordinance and Article 4-6(a) of the Land Subdivision Regulations so as to transfer grading permit responsibilities to the Div. of Engineering.

An Ordinance accepting the bid of Windstream Kentucky East LLC, in the amount of $30,652.36 for a display board for LexCall and appropriating funds pursuant to Schedule No. 195.

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 Juvenile Justice, 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 $74,400.00 Federal funds, are for continuing operation of the Truancy Assessment Center, the acceptance of which obligates the Urban County Government for the expenditure of $37,236.00 as a local match, appropriating funds pursuant to FY 2009 Schedule No. 9, 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. Heritage Council, which Grant funds are in the amount of $8,100.00 Federal funds, are for the Div. of Historic Preservation Survey and Planning Project, the acceptance of which obligates the Urban County Government for the expenditure of $5,400.00 as a local match, appropriating funds pursuant to FY 2009 Schedule No. 10, 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 Engineering Aide, Grade 105N, and two (2) positions of Public Service Worker, Grade 106N, and creating one (1) position of Engineering Technician, Grade 111N, and two (2) positions of Public Service Worker Sr., Grade 107N, in the Div. of Water and Air Quality.

An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Electronic Technician Sr., Grade 113N, and creating one (1) position of Radio/Electronics Specialist, Grade 117E, in the Div. of Fire & Emergency Services.

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 funds in the amount of $40,000.00 in the Div. of Parks and Recreation from the Council Capital Funds, and appropriating and re-appropriating funds, Schedule No. 192.

An Ordinance creating Sections 14-3.1 through 14-3.4 of the Code of Ordinances, Lexington-Fayette Urban County Government, pertaining to graffiti and providing: definitions of graffiti, graffiti implement(s), broad tipped marker, etching equipment, marker nibs, tips, or bits, paint stick, spray paint container, and spray paint nozzle; that it is unlawful to apply graffiti to any natural or manmade surface or property without consent; that additional criminal prosecution may result from such conduct; that it is unlawful to possess a graffiti implement on public property, or on private property without consent, with exceptions for work, possession with consent, school, and transport; that it is unlawful to sell or offer to sell, or to give, deliver, furnish or transfer a spray paint container, spray paint nozzle, broad tipped marker, paint stick, marker nibs, tips, or bits, or etching equipment to a person under the age of eighteen (18) years who is not accompanied by an adult or legal guardian, with a defense provided for deception; that it is unlawful to display such implements for sale without a warning sign; and that a violation of this Ordinance constitutes a misdemeanor punishable by a fine of not less than fifty dollars ($50.00), and not more than five hundred dollars ($500.00), of up to thirty (30) days imprisonment, and the payment of a fifty dollar ($50.00) fee to an Urban County Government or not-for-profit program that removes graffiti or provides rewards for the reporting of graffiti violations; Section 14-3.3 effective October 1, 2008, and all other Sections effective upon passage.

An Ordinance amending Section 22-5 of the Code of Ordinances abolishing one (1) position of Municipal Engineer, Sr., Grade 119E, and creating one (1) temporary position of Project Engineering Coordinator, Grade 119E for a term of four (4) years, ending April 24, 2012, in the Div. of Water and Air Quality.

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 $320,000.00 Federal funds, are for the Fiber Optic Cable Installation Program, the acceptance of which obligates the Urban County Government for the expenditure of $80,000.00 as a local match, appropriating funds pursuant to Schedule No. 194, 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 Lexington-Fayette County Health Department, which Grant funds are in the amount of $343,368.00 Federal funds, are for continuation of the Home Visitation Program at the Family Care Center, the acceptance of which obligates the Urban County Government for the expenditure of $109,300.00 as a local match, appropriating funds pursuant to FY 2009 Schedule No. 11, 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. Division of Forestry, which Grant funds are in the amount of $5,000.00 Federal funds, are for 2008 Ky. Urban and Community Forestry Program, the acceptance of which obligates the Urban County Government for the expenditure of $5,000.00 as a local match, appropriating funds pursuant to FY 2009 Schedule No. 12, 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. Dept. of Juvenile Justice, which Grant funds are in the amount of $241,845.00 Commonwealth of Ky.

funds, are for operation of the Day Treatment Program, for 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 FY 2009 Schedule No. 15, 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. Dept. of Education, which Grant funds are in the amount of an additional $80,000.00 Federal funds, are for year five of the After School and Parents Programs at Tates Creek Elementary School and Gainesway Community Empowerment Center ($75,000.00) and a Summer Learning Program for Homework Huddle participants at the Gainesway Community Empowerment Center ($5,000.00), the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2009 Schedule No. 16, 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 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 $62,000.00 Federal funds, are for participation in the Child Care Food Program for operation of the Nutrition Program at the Family Care Center in FY 2009, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2009 Schedule No.13, 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 Ky. Dept. of Education, 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 $35,500.00 in Federal funds and

Commonwealth of Ky. funds, are for the National School Lunch Program - 2009, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY 2009 Schedule No. 14, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

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Upon motion of Mr. Blues, seconded by Ms. Gorton, and approved by unanimous vote, an Ordinance accepting the bid of TP Mechanical Contractor, in the amount of $495,846.00 for an HVAC project at the Family Care Center, and appropriating funds pursuant to Schedule No. 196 was placed on the docket, given first reading and ordered placed on file two weeks for public inspection.

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Upon motion of Mr. Stinnett, seconded by Mr. Myers, and approved by unanimous vote, an Ordinance accepting the bid of Photoland, inc., in the amount of $107,618.07 for digital photo processing equipment, for the Div. of Police was placed on the docket, given first reading and ordered placed on file two weeks for public inspection. (The bid was inadvertently put on the docket as a Resolution. It was removed from first reading resolutions.)

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

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

Nay: --0

A Resolution accepting the bid of Dixon Electric, Inc., in the amount of $360,656.00, for the Town Branch Waste Water Treatment Plant effluent pump station emergency generator, for the Div. of Water and Air Quality.

A Resolution accepting the bid of Central Seal Company establishing a price contract for re-striping Man-O-War Boulevard, for the Div. of Traffic Engineering.

A Resolution accepting the bid of Ennis Paint, Inc., establishing a price contract for thermoplastic retroreflective pavement markings, for the Div. of Traffic Engineering.

A Resolution accepting the bid of C. R. Cable Construction, Inc., in the amount of $58,000.00, for the West Hickman Waste Water Treatment Plant fiber project, for the Div. of Water and Air Quality.

A Resolution accepting the bid of Tom Chesnut Excavation & Construction LLC, establishing a price contract for fencing for Man-O-War, for the Div. of Streets, Roads and Forestry.

A Resolution accepting the bid of BCD, Inc., in the amount of $161,675.00, for the Ecton Park Shelter Renovation, for the Div. of Parks and Recreation.

A Resolution accepting the bid of Vehicle Systems, Inc., in the amount of $26,520.00, for the quad interface shelter, for the Div. of Environmental & Emergency Management.

A Resolution accepting the bids of Ellerslie Corp. dba Freedom Dodge Chrysler Jeep, Line-X of Kentucky, LLC and Advanced Construction of KY, LLC, establishing price contracts for spray applied pickup truck bed liner, for the Div. of Fleet Services.

A Resolution accepting the bid of C. W. Nielsen Mfg. Corp., establishing a price contract for police badges, for the Div. of Police.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Salvation Army, for use of funds from the Ky. Housing Corporation for operation of an essential services program for homeless families, at a cost not to exceed $9,000.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Facility Usage Agreements and Concession Agreements with Gardenside Western Little League, Bluegrass Girls Fast Pitch, Southeastern Babe Ruth, Dixie Youth Baseball, Eastern Little League, Kirklevington Senior Baseball, Northern Babe Ruth, Northern Cal Ripken, Southeastern Cal Ripken, South Lexington Babe Ruth, South Lexington Youth

Baseball, Southwest Lexington Pony Baseball, for use of Government owned ball fields for the benefit of the youth in the community, 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 Grosvenor Woolfolk Neighborhood Association, Inc. ($1,500.00), the Southland Association, Inc. ($3,100.00), Green Acres-Hollow Creek-Breckinridge Neighborhood Association, Inc. ($950.00), Historic Western Suburb Neighborhood Assoc., Inc. ($700.00), and Georgetown Street Neighborhood Assoc. 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 a Memorandum of Understanding with Chrysalis House, Inc., for provision of mutual assistance, 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 Certificate of Consideration and accept a Deed conveying a temporary construction easement from Jay C. Crowe and Rita J. Crowe, for the property located at 1200 North Broadway, for the Twelfth Street Neighborhood Improvements Project, and authorizing payment in the amount of $1,550.00, plus usual and appropriate closing costs.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 5 to the Contract with Nesbitt Engineering, Inc., for design of the Meadows/Northland/Arlington Public Improvements, Subphase 3C, increasing the Contract Price by the sum of $23,500.00 from $204,958.78 to $228,458.78.

A Resolution ratifying the probationary civil service appointments of: Timothy Edwards, Equipment Operator Sr., Grade 109N, $18.244 hourly, in the Div. of Waste Management, effective May 26, 2008, David Jett, Jr., Equipment Operator Sr., Grade 109N, $18.050 hourly, in the Div. of Waste Management, effective May 26, 2008, William McCann, Equipment Operator Sr., Grade 109N, $12.911 hourly, in the Div. of Waste Management, effective May 26, 2008;

ratifying the permanent civil service appointments of: Frank Boateng, GIS Specialist, Grade 114N, in the Div. of Planning, effective May 12, 2008, Donald Bowman, Treatment Plant Operator Apprentice, Grade 107N, in the Div. of Water and Air Quality, effective May 26, 2008, Norman Sinclair, Public Service Worker, Grade 106N, in the Div. of Parks and Recreation, effective June 10, 2008, Kendra Carter, Customer Service Supervisor, Grade 113E, in the Div. of Government Communications, effective May 12, 2008; ratifying the probationary sworn appointments of: William Cox, Fire Lieutenant, Grade 315N, $16.261 hourly, in the Div. of Fire and Emergency Services, effective May 14, 2008, Joseph Best, Fire Captain, Grade 316N, $21.497 hourly, in the Div. of Fire and Emergency Services, effective May 14, 2008; ratifying the permanent sworn appointments of: Steven Buxton, Robert Crovo, Brenda Finley, Robert Forehand, Travis Gilliam, Robert Hannan, Barry King, Seth Lockard, Matthew Logsdon, Curtis Manning, David Moore, Andrew Morrow, Jonathan Ott, Adam Sorrell, Jason Stowe, Matthew Swiderski, Joshua Thiel, Brandon Voet, Christopher Warren, John-Claude Whitnel, Zachary Ryer, Firefighter, Grade 311N, in the Div. of Fire and Emergency Services, effective May 25, 2008; ratifying the probationary Div. of Community Corrections appointments of: Anthony Rodgers, Nicholas Alexander, Marcus Murphy, Thomas Baker, Jonathan Vago, Jason Burden, Luke Elam, Joshua Rugar, Ricky Gill, James Sizemore, Christopher Hayes, Clarance Houston, Lisa Mahone, Jonathan Hunt, Charles Patrick, Jonathan Tucker, Nicholas Lewis, Donna Cornett, Michael Arvin, Clyde Fletcher, Monica Martin, Community Corrections Officer, Grade 110N, $13.390 hourly, in the Div. of Community Corrections, effective June 9, 2008, James Kilgore, Community Corrections Officer, Grade 110N, $13.470 hourly, in the Div. of Community Corrections, effective May 26, 2008, Tina Strange, Community Corrections Lieutenant, Grade 110N, $24.340 hourly, in the Div. of Community Corrections, effective May 26, 2008; approving the unclassified civil service appointment of: Dane Grant, Landfill Inspector, Grade 108N, $11.989 hourly, in the Div. of Waste Management, effective May 26, 2008.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit eleven Grant Applications 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 $11,388,199.00 Federal funds, and are for purchase of a Nims (National Incident Management System) compliant Salamander FireTRAX computer based wide area network accountability system ($150,000.00) and a Heavy Hazardous Materials Command and Response Vehicle ($600,000.00) for the Div. of Fire and Emergency Services; hiring a contractor to develop an "All Hazards" disaster preparedness plan for the 2010 World Equestrian Games ($25,000.00) for the Div. of Environmental and Emergency Management; the expansion of the Central Kentucky 911 Network to include additional jurisdictions ($233,600.00) and integration of current UHF and 800 Mhz radio communication systems for Police and Fire into one interoperable system ($7,100,000.00) for the Div. of Enhanced 9-1-1; the purchase of back-up system for the Blood Management System Software ($24,000.00) and purchase of shatter resistant window film ($47,410.00) for the Kentucky Blood Center; the purchase and installation of Mobile Data Computers for the Div. of Police, Transylvania University Police, Kentucky Horse Park Police, Bluegrass Airport Public Safety, Fayette County School Security and the Fayette County Sheriff's Office ($2,434,700.00); and the purchase of personal protective equipment and upgrades to the Robot for the Hazardous Devices Unit ($122,760.00), two total containment vessels for the transport of live hazardous devices ($500,000.00) and a FARO Photon Laser Scanner System ($150,729.00) for the Div. of Police.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Administrative Services Contract with Delta Dental Plan of Kentucky, Inc., for administration of dental insurance plans, both premier and passive PPO, for the period January 1, 2008 to December 31, 2008.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Transit

Authority of the Lexington-Fayette Urban County Government to facilitate the placement of bus shelters, 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 Green Acres-Hollow Creek-Breckenridge Neighborhood Association, Inc. ($500.00), Central Kentucky Radio Eye, Inc. ($1,175.00), Lexington Youth Soccer Association, Inc. ($4,350.00), Lexington Habitat for Humanity, Inc. ($3,100.00), The Gardens of Hartland Homeowners Association, Inc. ($2,450.00), Girls on the Run Lexington Corporation ($1,100.00), Hill-N-Dale Neighborhood Association, Inc. ($400.00), Meadows-Loudon Avenue Neighborhood Association, Inc. ($500.00) and William Wells Brown Neighborhood Association, Inc. ($82.36), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution approving the FY 2009 Budget of the Transit Authority of the Lexington-Fayette Urban County Government (LexTran) pursuant to KRS 96A.360 and requesting that the Fayette County Sheriff's Office disburse the funds to LexTran collected from the ad valorem tax approved by voters on November 9, 2004.

*   *   *

A Resolution accepting the bid of Photoland, Inc., a Division of Pakor, Inc., in the amount of $107,618.07, for digital photo processing equipment, for the Div. of Police was on the docket for first reading.

Upon motion of Mr. Stinnett, seconded by Mr. Myers, and approved by unanimous vote, the resolution was removed from the docket. (The bid was inadvertently put on the docket as a Resolution. It was removed from first reading resolutions.)

*   *   *

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

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

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

Nay: ---0

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the U.S. Dept. of Housing and Urban Development, for extension of the Housing Opportunities for Persons with AIDS Project through December 31, 2008, at no cost to the Urban County Government.

A Resolution authorizing initiation of condemnation proceedings in Fayette Circuit Court by the Law Firm of Stites & Harbison PLLC on behalf of the Lexington-Fayette Urban County Airport Board, to obtain all or a portion of the property located at 4478 and 4480 Versailles Road, Lexington, Fayette County, Kentucky, with all costs associated with the condemnation to be borne by the Lexington-Fayette Urban County Airport Board.

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, Office of Justice Programs, and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of $400,000.00 Federal funds, and are for implementation of a Safe Highway Initiative for the Div. of Police.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Environmental Protection Agency and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of $750,000.00 Federal funds under the Southeast Diesel Collaborative (SEDC) FY 2008-2009 Diesel Program, and are for a program to reduce pollution from heavy duty diesel vehicles and equipment.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky.

Office of Homeland Security, for extension of the Metropolitan Medical Response Systems (MMRS) Project through March 31, 2009, 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 Amendment to the Agreement with Winburn Neighborhood Association, Inc. to reflect a change in the use of $5,000.00 of capital project funds from developing a corridor visioning plan to neighborhood sign and sidewalk replacement, at no additional cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Agreement with the Georgetown Neighborhood Association, Inc. to reflect a change in the use of $5,000.00 of capital project funds from developing a corridor visioning plan to sidewalk repair in Douglas Park, at no additional cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Agreement with the Oakwood Neighborhood Association, Inc. to reflect a change in the use of $23,500.00 of capital project funds from renovating a basketball court to renovating the Community Center at Oakwood Park, at no additional cost to the Urban County Government.

A Resolution amending Resolution No. 413-2006 relating to the Capital Expenditure Fund Program to delete authorization to execute an Agreement with the Masterson Station Neighborhood Association, Inc., and the accompanying allocation.

* * *

Upon motion of Mr. Beard, seconded by Ms. Gorton, and approved by unanimous vote, a Resolution accepting the bid of Exelon Energy Company, establishing a price contract in an amount equal to the natural gas price at the time of requested delivery based on rates established by the New York Mercantile Exchange plus $.899 per decatherm for transportation of the natural gas, and authorizing and directing the Mayor, on behalf of the Urban County

Government, to execute an Agreement with Exelon Energy Company, for all the direct purchase and transportation of natural gas for use by the Div. of Community Corrections at 600 Old Frankfort Circle was placed on the docket and given first reading.

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

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

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

Nay: ---0

* * *

Upon motion of Ms. Henson, seconded by Mr. Beard, and approved by unanimous vote, a Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit an Application to the U.S. Dept. of Justice, Office of Juvenile Justice and Delinquency Prevention, and to provide any additional information requested in connection with this application, which grant funds are in the amount of $500,000.00 Federal funds under the FY 2008 Strengthening Youth Mentoring through Community Partnerships Program and are for the provision of mentoring services to youth ages 8 through 18 was placed on the docket and given first reading.

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

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

Aye: Ellinger, Gorton, Gray, Henson, James,
Lane, McChord, Myers, Stevens, Stinnett,
Beard, Blevins, Blues, Crosbie------------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 Casey Creek Construction, Inc., in the amount of $79,721.00, for structural repairs to Fire Station #5, for the Div. of Fire and Emergency Services.

A Resolution accepting the bid of VeBridge, establishing a price contract for document imaging provider, for the Div. of Revenue.

A Resolution accepting the bid of Mid-Continental Restoration Company, Inc., in the amount of $38,547.00, for rear façade masonry repair - Kentucky Theatre, for the Div. of Building Maintenance and Construction.

A Resolution accepting the bid of Alertus Technologies, LLC, in the amount of $85,825.00, for a FM Emergency Alert System, for the Div. of Environmental and Emergency Management.

A Resolution accepting the bid of Emergency Equipment, establishing unit price contracts for deployable raker system, for the Div. of Fire and Emergency Services.

A Resolution accepting the bid of Ecolab, Inc., establishing a price contract for laundry dispensing system and supplies, for the Div. of Community Corrections.

A Resolution accepting the bid of Federal Signal Corporation, in the amount of $22,246.15, for outdoor warning siren, for the Div. of Environmental and Emergency Management.

A Resolution accepting the bids of Advanced Turf Solutions, Inc., Regal Chemical Company, Lesco, Inc., Turfgrass, Inc., and Harrell's (formerly Turf Specialties), establishing price contracts for golf course horticultural products, for the Div. of Parks and Recreation.

A Resolution accepting the bid of Wesco Distribution, establishing a price contract for electrical items, for the Divisions of Building Maintenance and Construction, and Parks and Recreation.

A Resolution accepting the bid of A & B Industrial Sheet Metal, in the amount of $22,656.00, for the replacement of the rooftop-makeup air unit, Town Branch Waste Water Treatment Plant, for the Div. of Water and Air Quality.

A Resolution accepting the bid of Monthie Mechanical, in the amount of $23,682.34, for replacement of the rooftop HVAC system at Castlewood Community Center, for the Div. of Parks and Recreation.

A Resolution accepting the bid of Scan Technology, Inc., establishing a price contract for hand-held scanners, for the Div. of Police.

A Resolution accepting the bid of QX.NET, in the amount of $24,000.00, for internet access, for the Div. of Computer Services.

A Resolution accepting the bid of D.M. Anderson, Inc., establishing a price contract for area velocity flow modules, for the Div. of Water and Air Quality.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Kathy H. Witt, Sheriff of Fayette County, for the collection of the Urban Service District taxes for the 2008 property tax year, at a cost not to exceed $350,000.00, with payment net from collections.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Office of Homeland Security, for extension of the Div. of Police's Mobile Computer Network Project through December 31, 2008, 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 the Ky. Office of Homeland Security, for extension of the Portable Interoperable Communications Tower Project through December 31, 2008, 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 the Ky. Office of Homeland Security, for extension of the Regional 911 System Project through December 31, 2008, 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 Antioch Missionary Baptist Church, Inc. ($200.00) 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 Supplemental Agreement No. Two with Commonwealth of Ky. Transportation Cabinet, Dept. of Highways, to reimburse the Urban County Government up to $1,198,883.00 for right-of-way acquisition and utility relocation for the widening and reconstruction of Todds Road/Liberty Road-Section Two Project.

A Resolution accepting the proposal of Tetra Tech, Inc., to perform Annual Program Management Services related to the EPA Consent Decree, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Tetra Tech, Inc., for performance of such services and authorizing initial payment of funds in an amount not to exceed $250,000.00, and further payments pursuant to the terms of the Agreement.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with Lose & Associates, for an update to the 1998 Parks Master Plan and provide a Master Plan for Hisle Park, at a cost not to exceed $125,000.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Lease Renewal Agreements with Commonwealth of Ky., for the rental of space from the Urban County Government at the Annex Building (162 E. Main Street) for use by the State Police and the Transportation Cabinet.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Regional Organized Crime Information Center, for sharing of information with 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 a Memorandum of Agreement with Murray State University, Ky. Institute for International Studies, for Spanish language instructional hours, for the Div. of Police, at an initial cost not to exceed

$4,995.00, and authorizing future payments under the Agreement, as appropriated by the Urban County Council.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the Dept. of Veterans Affairs and Federal Bureau of Investigation, for responses and investigations involving Dept. of Veterans Affairs property and 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 fourteen (14) Memorandums of Understanding with the following law enforcement agencies: Clark County Sheriff’s Office, Georgetown Police Dept., Jessamine County Sheriff’s Dept., Ky. Motor Vehicle Enforcement, Ky. State Police, Nicholasville Police Dept., Paris Police Dept., Richmond Police Dept., Scott County Sheriff’s Office, Transylvania University Police, University of Ky. Police Dept., Versailles Police Dept., Winchester Police Dept., and Woodford County Sheriff’s Office, for provision of Mutual Aid, by and for 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 a Third Amendment to Health Services Agreement with Correctional Medical Services, Inc., for amendment of the agreement for the provision of health care services to inmates at the Detention Center to provide additional hours for an Administrative Assistant and to delete references to the Juvenile Detention Facility, at no additional 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. 1 to the Contract with Thorobilt Construction for the Gratz Park kitchen roof, increasing the Contract price by the sum of $1,150.00 from $29,875.00 to $31,025.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract No. 921 with Louisville Paving Co. at the Douglas Park Basketball Courts (726

Georgetown Street), increasing the contract price by the sum of $10,075.00 from $465,200.00 to $475,275.00.

A Resolution amending Resolution No. 413-2006 relating to the Capital Expenditure Fund Program to delete authorization to execute an Agreement with Georgetown Neighborhood Association, Inc., and the accompanying allocation.

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 Frank and Norma Richmond, for the property located at 1000 Della Drive, for the Appomattox Road Culvert Replacement Project, and authorizing payment in the amount of $699.00, 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 temporary construction easement from Micha Hutsell, for the property located at 989 Holly Springs Drive, for the Appomattox Road Culvert Replacement Project, and authorizing payment in the amount of $758.00, 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 temporary construction easement from David and Ruby James, for the property located at 993 Holly Springs Drive, for the Appomattox Road Culvert Replacement Project, and authorizing payment in the amount of $252.00, 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 temporary construction easement from Fayette County Public Schools, for the property located at 1901 Appomattox Road, for the Appomattox Road Culvert Replacement Project, and authorizing payment in the amount of $941.00, 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 temporary construction easement from James F. Drummer, Richard Drummer and James E. Caton, for the property located at 1008 Eastland Drive, for the Loudon Avenue Improvements Project, and authorizing payment in the amount of $275.00, plus usual and appropriate closing costs.

A Resolution authorizing the Div. of Human Resources to internally advertise for an Administrative Specialist Sr. position in the Dept. of Environmental Quality.

A Resolution ratifying the probationary civil service appointments of: Jennifer Myatt, Program Specialist, Grade 112E, $1,206.48 bi-weekly, in the Div. of Water and Air Quality, effective June 9, 2008; Thomas Hilbrand, Treatment Plant Operator, Grade 113N, $24.208 hourly, in the Div. of Water and Air Quality, effective June 9, 2008; ratifying the permanent civil service appointment of: Oliver Steele, Nuisance Control Officer, Grade 111N, in the Div. of Code Enforcement, effective June 10, 2008; Robert Harris, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective May 26, 2008; approving leave of absence for: Tracey Stephenson, Human Resources Manager Sr., Grade 121E, in the Div. of Human Resources, requests a 90 day Council approved leave without pay from June 17, 2008 to September 19, 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. Office of 911 Coordinator, Commercial Mobile Radio Service Board, and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of $371,200.00 Commonwealth of Ky. funds, and are for expansion of the Central Ky. 911 Network to include additional jurisdictions (Hardin, Casey, Garrard, Perry, Estill, Meade, Boyd, Rockcastle, Lincoln and Taylor Counties).

A Resolution authorizing and directing the Mayor, on behalf of the urban County Government, to execute the Statement of Affiliation, for the establishment of the Div. of Fire and Emergency Services' Special Operations Technical Rescue Team as the only recognized rescue squad/team in Fayette County under KRS Chapter 39F, 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 Engineering Services Agreement with OPS Systems, Inc., for operations software and services for the wastewater treatment plants and the lab, at a cost not to exceed $62,200.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Strand Associates, Inc., for investigation and design services for the screw pump replacement at Town Branch WWTP, at a cost not to exceed $64,000.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Potter & Company, LLP, for the Fayette County Sheriff's 2008 Property Tax Settlement Audit, at a cost not to exceed $12,560.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Tetra Tech, Inc., for development of a Sanitary Sewer Fats, Oils, and Grease Program as part of the EPA Consent Decree, at a cost not to exceed $50,000.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with I/O Solutions, Inc., for testing applicants for the positions of Lieutenant, Captain and Major in the Div. of Fire and Emergency Services, at a cost not to exceed $13,500.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Ky. World Trade Center Lexington, Inc., for the provisions of services, at a cost not to exceed $115,000.00 FY 2008.

A Resolution amending Section 2 of Resolution No. 291-2008 authorizing execution of an Agreement with the Board of Education of Fayette County, Ky., for preparation and delivery of meals for the 2008 Summer Food Service Program to correct the amount to be paid for each snack.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Lexington Veteran Affairs Medical Center ($2,000.00), Gainesway Community Empowerment Center

Volunteer Board, Inc. ($644.00), Gainesway Neighborhood Association, Inc. ($575.00),Tateswood Neighborhood Association, Inc. ($575.00), Centre Parkway Neighborhood Association, Inc. ($575.00), Park Place Neighborhood Association, Inc. ($575.00), Bluegrass Community Foundation, Inc. ($8,200.00), Northern Cal Ripken, Inc. ($900.00), Northern Cal Ripken, Inc. ($250.00), and Shetlands Homeowners Association, Inc. ($749.00) 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 Lease with MES Enterprises, LLC, for the lease of space for Project Synergy, at a cost not to exceed $97,383.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Clark-Central, LLC, for parking and storage at 203 East Third Street, Lexington, Ky., for the Div. of Fire and Emergency Services, at a cost not to exceed $3,000.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Governor's Office of Local Development, for extension of the Gainesway Park Development Project through June 30, 2009, 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 Fifth Amendment to Agreement with AmeriNational Community Services, Inc., for loan servicing for the HOME and CDBG Housing Rehabilitation and Homeownership Programs to extend the Agreement through June 30, 2009, at an additional cost not to exceed $30,000.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Governor's Office of Local Development, for extension of the Survivors II Project through June 30, 2009, 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 Amendment to Agreement with the Ky.

Governor's Office of Local Development, for extension of the Aviation Museum of Ky. Project through June 30, 2009, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Amendment No. 8 to the Contract with Entran (formerly known as American Consulting Engineers, PLC) for professional services for the Newtown Pike Extension Project, increasing the Contract price by the sum of $752,396.00 from $4,708,720.51 to $5,461,116.51.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Asphalt Paving & Maintenance, for the Southland Park Parking Improvements, increasing the Contract price by the sum of $2,501.00 from $69,987.75 to $72,488.75.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 3 to the Contract with BCD, Inc., for the Gainesway Community Center Project, increasing the Contract price by the sum of $15,150.94 from $827,454.46 to $842,605.40.

A Resolution amending Resolution No. 94-2008 which authorized and directed 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 Joe and Lori Adams, to change the address from 227 Floral Park to 227 Forest Park Road.

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 Cora Spence Carrick, for the property located at 1118 North Broadway, for the Twelfth Street Neighborhood Improvements Project, and authorizing payment in the amount of $975.00, 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 805 Farra Court from R. Rogers Properties, LLC, for the Radcliffe Road Stormwater Improvements Project, and authorizing payment in the amount of $107,500.00, 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 809 Farra Court from Deborah Coleman Wigginton, for the Radcliffe Road Stormwater Improvements Project, and authorizing payment in the amount of $111,581.19, plus usual and appropriate closing costs.

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Upon motion of Mr. Stinnett, seconded by Ms. Gorton, and passed by unanimous vote, the communications from the Mayor were approved and are as follows: (1) Recommending the appointment of Nancy Wiser to the Airport Board, with a term to expire 1-1-2012, (2) Recommending the appointment of Mary Lee Kerr to the Downtown Development Authority Board, with a term to expire 1-15-2012, (3) Recommending the appointment of Eli Mertens to the Human Rights Commission, with a term to expire 1-1-2012, (4) Recommending the appointment of William J. Huffman, representing the 6th District, to the Parks and Recreation Advisory Board, with a term to expire 1-14-2012. Mr. Huffman will fill the unexpired term of William M. Ballard, Jr., and (5) Recommending the reappointments of Phil Holoubek and Everett McCorvey to the Lexington Center Corporation Board, with terms to expire 2-28-2012.

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The following communications were received from the Mayor for information only: (1) Resignation of Sharon Bradley, Customer Service Specialist, Grade 110N, in the Div. of Government Communications, effective May 30, 2008, (2) Resignation of Robert Richardson, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective June 2, 2008, (3) Resignation of Vincent Caldararo, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective June 15, 2008, (4) Resignation of William Marshall, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective June 16, 2008, (5) Resignation of Michele Wright, Staff Assistant Sr., Grade 108N, in the Div. of Family Services, effective May 16, 2008, and (6) Resignation of Michael Roland, Equipment

Operator Sr., Grade 109N, in the Div. of Waste Management, effective May 13, 2008.

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Mr. Thomas Roberts, Firethorn Place, stated his concern regarding the completion of the Saron Drive extension. He presented photographs of construction area.

The Council expressed their concern with this situation and asked questions of Mr. Kevin Wente, Dept. of Public Works and Development, about the situation. Mr. Myers asked Mr. Wente to assemble a punch list by Tuesday, June 17, 2008, with items left to be completed on the project.

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Upon motion of Mr. Blevins, seconded by Ms. Crosbie, and approved by unanimous vote, the meeting adjourned at 8:46 p.m.

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Clerk of the Urban County Council