Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky August 14, 2008

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on August 14, 2008 at 7:00 P.M. Present were Mayor Jim Newberry in the chair presiding and the following members of the Council: Council Members Lane, McChord, Myers, Stevens, Stinnett, Beard, Blevins, Blues, Crosbie, DeCamp, Ellinger, Gorton, Gray, Henson, and James.

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

Ordinances No. 173-2008 thru 187-2008 inclusive and Resolutions No. 428-2008 thru 462-2008 inclusive were reported as having been signed and published, and were ordered to record.

Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky August 14, 2008

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

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Upon motion of Ms. Crosbie, seconded by Ms. Gorton, and approved by unanimous vote, the minutes of the meetings of February 19 (3:00 p.m.), February 19 (6:00 p.m.), February 21, March 6, March 20, and April 8, 2008, were approved.

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Ms. Crosbie recognized the Southwest Lexington Pony Baseball Eight-Year-Old All-Star team for their outstanding achievements of the past season.

Mr. Joe Sittel, head coach, introduced the team members, and spoke of their dedication and sportsmanship.

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

An Ordinance changing the zone from a Mixed Use 2 – Neighborhood Corridor (MU-2) zone to a Downtown Frame Business (B-2A) zone for 1.028 net (1.66 gross) acres, for properties located at 502-526 South Broadway; 320 Pine Street; and 319 Cedar Street, subject to certain use restrictions imposed as conditions of granting the zone change. (CMW, Inc.)

An Ordinance changing the zone from a Professional Office (P-1) zone to a Highway Service Business (B-3) zone for 0.48 net (0.59 gross) acre, for property located at 1264 East New Circle Road (a portion of), subject to certain use restrictions imposed as conditions of granting the zone change. (D.J. Acquisition, LLC)

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Justice and Public Safety Cabinet, which Grant funds are in the amount of $35,000.00 Commonwealth of Ky. funds from the Law Enforcement Service Fee Program, are for support of the cost of police overtime hours for a Traffic Alcohol Patrol, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 33, 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. Justice and Public Safety Cabinet, which Grant funds are in the amount of $2,154,562.00 Commonwealth of Ky. funds, are for police training incentive funds, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 35, 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 Commission on Fire Protection, Personnel, Standards and Education, which Grant funds are in the amount of $2,037,506.00 Commonwealth of Ky. funds, are for training incentive funds for firefighters, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 36, 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. Justice and Public Safety Cabinet, which Grant funds are in the amount of $65,000.00 Federal funds, for the operation of the Drug Task Force in the Div. of Police, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 38, 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. Justice and Public Safety Cabinet, which Grant funds are in the amount of $50,000.00 Federal funds, for the continuation of the Street Sales Drug Enforcement Project, the acceptance of which obligates the Urban County Government for the expenditure of $16,667.00 as a local match, appropriating funds pursuant to Schedule No. 39, 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 a Supplemental Agreement No. 1 with the Ky. Transportation Cabinet Dept. of Highways, for acceptance of additional federal funds for design of bike lanes on Rose Street in the amount of $10,000.00, and appropriating funds pursuant to Schedule No. 34.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Administrative Specialist, Grade 110N, and creating one (1) position of License Inspector, Grade 110N, in the Div. of Revenue.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Traffic Signal Technician Master, Grade 114N, abolishing one (1) position of Traffic Signal Technician, Grade 108N, and creating two (2) positions of Traffic Signal Technician Sr., Grade 112N, in the Div. of Traffic Engineering.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Staff Assistant, Grade 107N, in the Div. of Government Communications, creating one (1) position of Staff Assistant, Grade 107N, in the Div. of Parks and Recreation, and abolishing one (1) position of Safety Specialist, Grade 115E, in the Div. of Risk Management; amending Section 22-5(2) of the Code of Ordinances abolishing two (2) positions of Telecommunicator – P/T, Grade 111N, in the Div. of Enhanced 911 and creating two (2) positions of Telecommunicator – P/T, Grade 111N, in the Div. of Emergency Management/911; transferring the incumbents; amending Section 8 of Ordinance No. 183-2008 to correct the division line number, amending Section 10 of Ordinance No. 183-2008 to correct the authorized strength for the position of Staff Assistant Sr., Grade 108N, and amending Section 12 of Ordinance No.183-2008 transferring the incumbents for certain positions from the Div. of Parks and Recreation to the Div. of Facilities and Fleet Management, retroactive to July 8, 2008, and appropriating funds pursuant to Schedule No. 37.

An Ordinance amending Section 3 of Ordinance No. 180-2008 correcting the subsection line number relating to Park Patrol Officer – P/T, and amending Section 9 of Ordinance No. 180-2008 to include a two and three tenths (2.3%)

pay increase for employees holding the position of Staff to Council II, retroactive to June 23, 2008.

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. 32.

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

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

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

Nay: ---0

A Resolution of the Lexington-Fayette Urban County Government authorizing and directing the Lexington Center Corporation to borrow for and on behalf of the Urban County Government in an aggregate principal amount not to exceed $20,535,000 for the purpose of refunding, at a savings, the 2001A Bonds; authorizing the execution and delivery on behalf of the Urban County Government of a Supplemental Lease of the project being financed, between the Corporation, as Lessor, and the Urban County Government, as Lessee, to serve as security and a source of payment for the financing; and taking other related action.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreement with Smithtown Neighborhood Association, Inc. ($500.00) 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 approve Collins & Company, Inc., the third party claims administrator for Kentucky League of Cities (KLC), to provide workers' compensation claims services for the Urban County Government for FY 2009, at an annual cost of $139,200.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement, releasing a portion of the landscape, drainage and utility easement at 3175 Beaumont Centre Circle (former part of 3161Beaumont Centre Circle) at no cost to the Urban County Government.

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A Resolution ratifying the probationary civil service appointments of: Byron Mitchell, Engineering Technician, Grade 111N, $19.474 hourly, in the Div. of Water Quality, effective August 4, 2008; Amanda Williamson, Customer Service Specialist, Grade 110N, $13.147 hourly, in the Div. of Government Communications, effective August 18, 2008; Kyle Cooksey, Telecommunicator Sr., Grade 113N, $17.036 hourly, in the Div. of Emergency Management/911, effective August 18, 2008; Darryl Clay, Equipment Operator Sr., Grade 109N, $18.244 hourly, in the Div. of Waste Management, effective August 18, 2008; Mitchum Coyle, Equipment Operator, Grade 108N, $12.249 hourly, in the Div. of Water Quality, effective August 4, 2008; Gary Robertson, Public Service Worker Sr., Grade 107N, $13.231 hourly, in the Div. of Streets, Roads and Forestry, effective August 18, 2008; Thad Scott, Engineering Technician, Grade 111N, $16.108 hourly, in the Div. of Water Quality, effective August 18, 2008; ratifying the permanent civil service appointments of: James Wray, Engineering Technician Principal, Grade 115E, in the Div. of Engineering, effective July 7, 2008; Nelson Wright, Equipment Operator Sr., Grade 109N, in the Div. of Streets, Roads and Forestry, effective July 7, 2008; David Biliter, Park Designer, Grade 115E, in the Div. of Parks and Recreation, effective June 30, 2008; Alan Wells, Treatment Plant Operator, Grade 113N, in the Div. of Water Quality, effective July 21, 2008; Charles Begley, Solids Processing Supervisor, Grade 115E, in the Div. of Water Quality, effective August 4, 2008; Harrison Burrus, Thomas Hager, Avery Johnson, Terry Shelton, Darrel Stevens, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective July 7, 2008; Phillip Lykins, Clerical Assistant, Grade 104N, in the Dept. of General Services, effective July 7, 2008; Leopold Bond, Skilled Trades Worker, Grade 111N, in the Div. of Community Corrections, effective June 10, 2008; approving the probationary sworn appointments of: Joseph Eckhardt, Police Sergeant, Grade 315N, $26.388 hourly, in the Div. of Police, effective August 18, 2008; Wallace Hays, Police Lieutenant, Grade 317E, $2,752.46 bi-weekly, in the Div. of Police, effective August 18, 2008; Sean Ray, Police Sergeant, Grade 315N, $26.388 hourly, in the Div. of Police, effective August 18, 2008; Todd Samuelson, Fire Captain, Grade 316N, $21.497 hourly, in the Div. of Fire and Emergency Services, effective July 7, 2008; Phillip McClain, Fire Lieutenant, Grade 315N, $16.261 hourly, in the Div. of Fire and Emergency Services, effective July 7, 2008; ratifying the permanent sworn appointments of: Melissa Sedlaczek, Police Lieutenant, Grade 317E, in the Div. of Police, effective May 11, 2008; Daniel Bellot, Kristin Chilton, Marcus Wainscott, Fire Major, Grade 318E, in the Div. of Fire and Emergency Services, effective July 7, 2008; Brian Strange, Larrell Ally, Sherianne Shuey, Fire Captain, Grade 316N, in the Div. of Fire and Emergency Services, effective July 7, 2008; Robert King, Carrie Bowling, Brian Cavill, Fire Lieutenant, Grade 315N, in the Div. of Fire and Emergency Services, effective July 7, 2008; ratifying the permanent Community Corrections appointments of: Franklin Anthony, Timothy Bowman, Dustin Hall, Matthew Lemonds, Nathanael Sutton, Shannon Aubrey, Christopher Connelley, Levod Jones, Beau Rideau, Sandra Woods, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective July 6, 2008; Amy Calcavecchia, Hugh Stone, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective July 6, 2008; Connie Arthur, Edward Callihan, Douglas Van Winkle, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective April 30, 2008; approving the unclassified civil service appointment of: Connie Godfrey, Social Worker Sr., Grade 113E, $1,859.36 bi-weekly, in the Div. of Adult Services, effective August 18, 2008; Susan Bush, Program Manager Sr., Grade 120E, $3,076.93 bi-weekly, in the Dept. of Environmental Quality, effective August 4, 2008; Vivian Lacey, Client Assessment Counselor, Grade 112E, $1,618.40 bi-weekly, in the Div. of Adult Services, effective August 18, 2008; Marie Simpson, Clinical Services Manager, Grade 117E, $2,307.68 bi-weekly, in the Div. of Family Services, effective August 4, 2008 was on the docket for first reading.

Upon motion of Ms. Henson, seconded by Mr. Blevins, and approved by unanimous vote, the resolution was amended to change the effective date of the probationary civil service appointment of Thad Scott, Engineering Technician, Grade 111N, $16.108 hourly, in the Div. of Water Quality, from August 25, 2008 to August 18, 2008.

A Resolution ratifying the probationary civil service appointments of: Byron Mitchell, Engineering Technician, Grade 111N, $19.474 hourly, in the Div. of Water Quality, effective August 4, 2008; Amanda Williamson, Customer Service Specialist, Grade 110N, $13.147 hourly, in the Div. of Government Communications, effective August 18, 2008; Kyle Cooksey, Telecommunicator Sr., Grade 113N, $17.036 hourly, in the Div. of Emergency Management/911, effective August 18, 2008; Darryl Clay, Equipment Operator Sr., Grade 109N, $18.244 hourly, in the Div. of Waste Management, effective August 18, 2008; Mitchum Coyle, Equipment Operator, Grade 108N, $12.249 hourly, in the Div. of Water Quality, effective August 4, 2008; Gary Robertson, Public Service Worker Sr., Grade 107N, $13.231 hourly, in the Div. of Streets, Roads and Forestry, effective August 18, 2008; Thad Scott, Engineering Technician, Grade 111N, $16.108 hourly, in the Div. of Water Quality, effective August 18, 2008; ratifying the permanent civil service appointments of: James Wray, Engineering Technician Principal, Grade 115E, in the Div. of Engineering, effective July 7, 2008; Nelson Wright, Equipment Operator Sr., Grade 109N, in the Div. of Streets, Roads and Forestry, effective July 7, 2008; David Biliter, Park Designer, Grade 115E, in the Div. of Parks and Recreation, effective June 30, 2008; Alan Wells, Treatment Plant Operator, Grade 113N, in the Div. of Water Quality, effective July 21, 2008; Charles Begley, Solids Processing Supervisor, Grade 115E, in the Div. of Water Quality, effective August 4, 2008; Harrison Burrus, Thomas Hager, Avery Johnson, Terry Shelton, Darrel Stevens, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective July 7, 2008; Phillip Lykins, Clerical Assistant, Grade 104N, in the Dept. of General

Services, effective July 7, 2008; Leopold Bond, Skilled Trades Worker, Grade 111N, in the Div. of Community Corrections, effective June 10, 2008; approving the probationary sworn appointments of: Joseph Eckhardt, Police Sergeant, Grade 315N, $26.388 hourly, in the Div. of Police, effective August 18, 2008; Wallace Hays, Police Lieutenant, Grade 317E, $2,752.46 bi-weekly, in the Div. of Police, effective August 18, 2008; Sean Ray, Police Sergeant, Grade 315N, $26.388 hourly, in the Div. of Police, effective August 18, 2008; Todd Samuelson, Fire Captain, Grade 316N, $21.497 hourly, in the Div. of Fire and Emergency Services, effective July 7, 2008; Phillip McClain, Fire Lieutenant, Grade 315N, $16.261 hourly, in the Div. of Fire and Emergency Services, effective July 7, 2008; ratifying the permanent sworn appointments of: Melissa Sedlaczek, Police Lieutenant, Grade 317E, in the Div. of Police, effective May 11, 2008; Daniel Bellot, Kristin Chilton, Marcus Wainscott, Fire Major, Grade 318E, in the Div. of Fire and Emergency Services, effective July 7, 2008; Brian Strange, Larrell Ally, Sherianne Shuey, Fire Captain, Grade 316N, in the Div. of Fire and Emergency Services, effective July 7, 2008; Robert King, Carrie Bowling, Brian Cavill, Fire Lieutenant, Grade 315N, in the Div. of Fire and Emergency Services, effective July 7, 2008; ratifying the permanent Community Corrections appointments of: Franklin Anthony, Timothy Bowman, Dustin Hall, Matthew Lemonds, Nathanael Sutton, Shannon Aubrey, Christopher Connelley, Levod Jones, Beau Rideau, Sandra Woods, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective July 6, 2008; Amy Calcavecchia, Hugh Stone, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective July 6, 2008; Connie Arthur, Edward Callihan, Douglas Van Winkle, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective April 30, 2008; approving the unclassified civil service appointment of: Connie Godfrey, Social Worker Sr., Grade 113E, $1,859.36 bi-weekly, in the Div. of Adult Services, effective August 18, 2008; Susan Bush, Program Manager Sr., Grade 120E, $3,076.93 bi-weekly, in the Dept. of Environmental Quality, effective August 4, 2008; Vivian Lacey, Client Assessment Counselor, Grade 112E, $1,618.40 bi-weekly, in the Div. of Adult

Services, effective August 18, 2008; Marie Simpson, Clinical Services Manager, Grade 117E, $2,307.68 bi-weekly, in the Div. of Family Services, effective August 4, 2008 was given first reading as amended and ordered placed on file one week for public inspection.

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

A Resolution accepting the bid of Scotty Baesler, establishing a price contract for the Haley Pike Landfill Tobacco Barn Lease, for the Dept. of Environmental Quality.

A Resolution accepting the bids of Nugent Sand Company and Moore's Trucking, establishing price contracts for sand for golf courses, for the Div. of Parks & Recreation.

A Resolution accepting the bids of Supreme Medical; Grogan's Healthcare Supply, Inc.; Tri-anim Health Services, Inc.; and Henry Schein Matrix Medical, establishing price contracts for emergency medical supplies, for the Div. of Fire and Emergency Services.

A Resolution accepting the bids of Central Equipment Company; Ingram Truck & Tractor; Xenia Power Equipment; and Price's Tractor Sales, Inc., establishing price contracts for tractor and mower parts, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bids of Vulcan Materials Company and Lexington Quarry Company, establishing price contracts for rock, for the Div. of Streets, Roads and Forestry.

A Resolution accepting the bids of Orr Safety Corporation and Bluegrass Uniforms, establishing price contracts for Scott Breathing Apparatus Products, for the Div. of Fire and Emergency Services.

A Resolution accepting the bids of Traffic Parts, Inc.; Path Masters, Inc.; Baldwin & Sours, Inc.; and Traffic Control Products, Inc., establishing price contracts for traffic signal and control equipment, for the Div. of Traffic Engineering.

A Resolution accepting the bid of Kentucky Freightliner Trucks, Inc., establishing a price contract for a hook lift loader truck, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Grogan's Healthcare Supply, Inc., establishing a price contract for alternate care equipment for the Div. of Emergency Management/911.

A Resolution accepting the bid of Intelligent Products Company, in the amount of $127,310.00, for variable frequency drives, for the Div. of Water Quality.

A Resolution accepting the bid of Southern Rebinding Inc., establishing a price contract for record keeping supplies for the Fayette County Clerk's Office.

A Resolution accepting the bid of Scotty Baesler, establishing a price contract for the Haley Pike Landfill Mowing Lease, for the Dept. of Environmental Quality.

A Resolution making a Declaration of Official Intent with respect to reimbursement from subsequent borrowings of temporary advances made for capital expenditures for numerous Government projects, including but not limited to climate control facility for voting machines for Fayette County Clerk's Office; renovating, remodeling & repairing various Government facilities; sidewalk replacement, repair, and resurfacing; resurfacing and renovating of various Government owned parking lots and tennis courts; purchase, installation and maintenance of traffic signal equipment for the Div. of Traffic Engineering; the McConnell Springs improvements for the Div. of Water Quality; acquisition and installation of fiber optic cable; acquisition and installation of a variety of technology equipment, including software, computers, network upgrades and components, printers, plotters and servers; HVAC maintenance for various Government facilities; construction, maintenance and equipment installation at various Government park properties; funding for Purchase of Development Rights Program; construction of various shared use trails; purchase of paving equipment for the Div. of Streets, Roads and Forestry; funding for various projects, vehicles and equipment in the Div. of Fire and Emergency Services;

purchase of Government wide security systems and equipment and telephone system; Government wide fleet replacement, all as described in the attached exhibit, in an approximate aggregate amount of $16,106,910.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute three (3) Claims Payment Agreements with Humana Insurance Company for employee health insurance plans Platinum PPO, Gold PPO and Silver HDHP, for the period of January 1, 2008 through December 31, 2008.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Master Consulting Services Agreement with CPS, for Police Sergeant and Lieutenant Promotional Testing, at a cost not to exceed $53,000.00.

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 development of the Salt Barn site, at a cost not to exceed $143,500.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Hall-Harmon Engineers, Inc., for design services for Rose Street Widening Project bike lanes, at a cost not to exceed $20,000.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Professional Service Agreement with Hensley, Elam & Associates, related to hosting and management of software and data storage for the backup server for the Lexington Fayette Regional Emergency Operations Center, at a cost not to exceed $8,950.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Service Agreement with Norment Security Group, Inc., for maintenance of security locks, locking devices and electronic systems at the Detention Center, at a cost not to exceed $45,000.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute three (3) Mutual Aid Agreements with EKU

Police Department, Fayette County Public Schools, Div. of Law Enforcement, and the Madison County Sheriff, for mutual aid, 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 Accreditation Agreement with the Council on Accreditation, for reaccreditation of the Dept. of Social Services, at a cost not to exceed $16,061.00 plus the cost of peer review site visit.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Cincinnati, New Orleans and Texas Pacific Railway Company, for installation of a sanitary sewer force main, at a cost not to exceed $26,000.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Pilgrim Baptist Church, for lease of parking spaces, at a cost not to exceed $1,000.00 with future yearly payments subject to sufficient funds being appropriated by the Urban County Council.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement and related documents with Ikon Office Solutions, Inc., a State approved vendor, for a shared and networked copier (Canon IRC51851), for the Urban County Council Office for a term of forty-eight (48) months, subject to sufficient funds being appropriated in subsequent fiscal years, at a cost not to exceed $507.00 per month.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute six (6) Amendments to Agreements with the Ky. Transportation Cabinet, for extension of the West Hickman Trail, Loudon Avenue, South Limestone Multimodal Traffic Study and three (3) Traffic Signal Upgrades/Traffic Control Projects 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 Aids Volunteers, Inc., for extension of the Agreement for the Housing Opportunities for

Persons with Aids Project through December 31, 2008.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Amendments to two (2) Agreements with the Ky. Dept. of Military Affairs, Div. of Emergency Management, for extension of the Agreements for the Chemical Stockpile Emergency Preparedness Program (CSEPP) for FY 2007 and FY 2008 through June 30, 2010.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute five (5) Memorandums of Understanding with five (5) local law enforcement agencies, for Homeland Security funds for Mobile Data Computers and other equipment, 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 Understanding with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, for use of new ATF software, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with McIlwain & Associates, for the Shillito Trail, increasing the contract price by the sum of $9,031.00 from $38,030.00 to $47,061.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with McIlwain & Associates, for the Shillito/Lafayette Trail, increasing the contract price by the sum of $4,974.00 from $19,270.00 to $24,244.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Statement of Compliance with the Commonwealth of Ky., Transportation Cabinet, for bridge posting requirements.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Notice to be recorded in the Fayette County Clerk’s Office related to the closing of the Old Frankfort Pike Landfill stating that the property at 1631 Old Frankfort Pike has been utilized as a landfill and may not be disturbed without the permission of the Ky. Div. of Waste Management.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from the Critter Sitters of Lexington, Inc., Bluegrass Barkery, What's the Scoop, LLC, and Dogtown, LLC of six (6) bullet resistant dog vests, 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 accept a donation from the Financial Institutions' Security Officers' Association of Central Ky. of computer investigative items, for use at the Div. of Police, at no cost to the Urban County Government.

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Mr. DeCamp asked a question of the Mayor regarding the reappointments listed under the Mayor's Communications which may be in violation of the rules regarding reappointments and term limits.

There was discussion among the Council concerning term limits as they relate to reappointments.

Ms. Diane Lawless, Hanover Court, stated her concerns regarding the appointments to the Board of Architectural Review.

There was discussion among the Council concerning applicants for the Board of Architectural Review.

Upon motion of Mr. DeCamp, seconded by Ms. Gorton, and passed by unanimous vote, the communications from the Mayor were approved, except for the Downtown Development Authority Board and Lexington Center Corporation Board appointments, and are as follows: (1) Recommending the appointments of Marie M. Copeland, Michael L. Owens, and Patrick T. Brewer to the Planning Commission, with terms to expire 7-1-2012, (2) Recommending the appointment of Janice L. Meyer to the Board of Adjustment, with a term to expire 7-1-2012, (3) Recommending the appointment of Tom Sturgill to the Administrative Hearing Board, with a term to expire 7-1-2011, also, recommending the reappointments of Beth Rosdatter and John L. Tackett to the Administrative Hearing Board, with terms to expire 7-1-2012, (4) Recommending the appointment of Richard M. Hopgood to the Airport Board, with a term to expire 7-15-2012, (5) Recommending the appointments of J. Nathan Billings and Stephen R. Byars, to the Board of Architectural Review, with terms to expire 7-1-2012, (6) Recommending the reappointment of Dr. Jamshed Kanga to the Board of Health, with a term to expire 6-30-2012, (7) Recommending the appointment of Kristi L. Yahn to the Convention and Visitors Bureau Board, with a term to expire 9-9-2008. Ms. Yahn will fill the unexpired term of Bradley Swales, (9) Recommending the appointment of Amy O'Nan Peabody to the Environmental Commission, with a term to expire 8-1-2012, (10) Recommending the appointment of Beth Hartmann to the Human Rights Commission, with a term to expire 1-1-2012, (12) Recommending the reappointment of James Frazier to the Parking Authority Board, with a term to expire 6-1-2012, and (13) Recommending the appointment of Robert K. Starkweather to the Transit Authority Board, with a term to expire 6-30-2012.

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The following communications were received from the Mayor for information only: (1) Resignation of Thomas Crouch, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective July 12, 2008, (2) Resignation of Franklin Anthony, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective August 1, 2008, (3) Resignation of Rickey Lusk, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective August 1, 2008, (4) Resignation of Timothy Kent, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective June 27, 2008, (5) Resignation of Kivvi Figgs, Social Worker Sr., Grade 113E, in the Div. of Adult Services, effective July 31, 2008, (6) Resignation of H. Hilton Isable, Human Resources Analyst, Grade 115E, in the Div. of Human Resources, effective July 25, 2008, (7) Resignation of Don Kelly, Commissioner of Public Works, Grade 211E, in the Dept. of Public Works and Development, effective August 15, 2008, (8) Resignation of Arnold Sidney, Custodial Worker, Grade 102N, in the Div. of Facilities and Fleet Management, effective August 4, 2008, and (9) Resignation of Wanda Webb, Staff Assistant Sr., Grade 108N, in the Div. of Engineering, effective June 24, 2008.

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The Mayor asked the Council members to place a workshop session on their calendars for Thursday, August 21, 2008 at 4:00 p.m.

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The Mayor made special recognition of Mr. Don Kelly, Commissioner of the Dept. of Public Works & Development, retiring from the Urban County Government.

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The report from the Div. of Building Inspection for the 2nd Quarter (April – June) of 2008 was received and ordered filed.

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Mr. Bernard McCarthy, Harry St., stated his concern about the Tax Increment Financing proposals, and asked that the money be used for street widening and extension.

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Mr. Patrick Marr, Heartwood Rd., made a presentation about Lexington's economic development, including notes on 'behavioral economics.'

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Mr. Lewis Cobb spoke about racism and community development.

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Upon motion of Mr. Stinnett, seconded by Mr. Myers, and approved by unanimous vote, the meeting adjourned at 8:13 p.m.

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Clerk of the Urban County Council