Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky November 20, 2008

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on November 20, 2008 at 7:00 P.M. Present were Mayor Jim Newberry in the chair presiding and the following members of the Council: Council Members Gorton, Gray, Henson, James, Lane, McChord, Myers, Stinnett, Beard, Blevins, Blues, Crosbie, DeCamp and Ellinger. Absent was Council Member Stevens.

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

Ordinances No. 242-2008 thru 252-2008 inclusive and Resolutions No. 617-2008 thru 662-2008 inclusive were reported as having been signed and published, and were ordered to record.

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The Invocation was given by Rabbi Marc Klein of Temple Adath Israel.

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Ms. Gorton recognized the Partners for Youth scholarship recipients and congratulated them on their hard work.

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Upon motion of Mr. Ellinger, seconded by Ms. Crosbie, and passed by unanimous vote, the Council Meeting Minutes for April 10, 24, and May 8, 2008 were approved.

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

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

Nay: --0

An Ordinance creating Article VII in Chapter 5 of the Code of Ordinances of the Lexington-Fayette Urban County Government to create the Relocation Assistance Program for Tenants to provide relocation assistance to eligible low-income tenants displaced by the rezoning, redevelopment or change in use of property.

An Ordinance amending Section 22-5 of the Code of Ordinances abolishing two (2) positions of Security Officer/PT, Grade 106N in the Dept. of General Services and creating two (2) positions of Security Officer/PT, Grade 106N in the Div. of Facilities and Fleet Management and transferring the incumbents.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a grant from the Ky. Office of Homeland Security, which grant funds are in the amount of $124,275.00 Federal Funds, are for the purchase of portable interoperable communications infrastructure tower and related equipment for the Div. of Emergency Management/911, the acceptance of which does not obligate the Lexington-Fayette Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 76, 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. 77.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $50,000.00 for the Tenant Relocation Fund, and appropriating and re-appropriating funds, Schedule No. 79.

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Upon motion of Mr. Blevins, seconded by Ms. Gorton, and approved by unanimous vote, an Ordinance of the Lexington-Fayette Urban County Government authorizing the issuance of its $13,565,000 General Obligation Public Projects Bonds, Series 2008A (which amount may be increased or decreased by an amount of up to ten percent (10%)) and $25,320,000 General Obligation Various Purpose Bonds, Series 2008B (which amount may be increased or decreased by an amount of up to ten percent (10%)); approving a Form of Bond; authorizing designated officers to execute and deliver the Bonds; authorizing and directing the Filing of Notice with the State Local Debt Officer; providing for the payment and security of the Bonds; creating a Bond Payment Fund; creating a Sinking Fund; authorizing acceptance of the bid of the Bond Purchaser of the Bonds; and repealing inconsistent ordinances was placed on the docket, given first reading, and ordered placed on file two weeks for public inspection.

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An Ordinance changing the zone from a Neighborhood Business (B-1) zone to a Wholesale and Warehouse Business (B-4) zone, for 2.8650 net (3.4609 gross) acres, for property located at 1447 Antique Drive, subject to certain use and buffering restrictions imposed as conditions of granting the zone change (Southern Industrial, LLC) was given first reading and ordered placed on file until a Public Hearing to be held at a Special Meeting of the Council on January 13, 2009 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 High Density Apartment (R-4) zone to a Wholesale and Warehouse Business (B-4) zone, for 6.73 net (9.59 gross) acres, for property located at 201 Price Road, subject to certain use restrictions imposed as conditions of granting the zone change. (Lexington Lofts, LLC)

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Office of Homeland Security, which grant funds are in the amount of $250,000.00 Federal Funds, are for the purchase of a Total Containment Vessel for the transport of live hazardous devices, for the Div. of Police, the acceptance of which does not obligate the Lexington-Fayette Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 83, 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. Office of Homeland Security, which grant funds are in the amount of $435,000.00 Federal Funds, are for IED Training for FBI Certified Bomb Squads in Lexington, Louisville, Owensboro, Paducah, and the Ky. State Police, the acceptance of which does not obligate the Lexington-Fayette Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 84, 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. Office of Homeland Security, which grant funds are in the amount of $600,000.00 Federal Funds, are for the purchase of a Heavy Hazardous Materials Command and Response Vehicle, for the Div. of Fire and Emergency Services, the acceptance of which does not obligate the Lexington-Fayette Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 81, 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 an Innovations in American Government Award from the Ash Institute for Democratic Governance and Innovation at Harvard University in the amount of $5,000.00 for the Div. of Police's Advanced Language Program and appropriating funds pursuant to Schedule No. 80.

An Ordinance authorizing and directing the Mayor, on behalf on the Urban County Government, to accept a Grant from the Kentucky Office of Homeland Security, which Grant funds are in the amount of $123,000.00 Federal funds, are for the purchase of personal protective equipment, a digital imaging X-ray system, and upgrades to the Robot for the Hazardous Devices Unit, the acceptance of which does not obligate the Lexington-Fayette Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 82, 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. 78.

An Ordinance of the Lexington-Fayette Urban County Government making certain findings concerning and establishing a Development Area for economic development purposes within the Downtown of the Lexington-Fayette Urban County to be known as the Phoenix Park/Courthouse Development Area; approving a Local Participation Agreement with the Dept. of Finance and Administration of the Lexington-Fayette Urban County Government; establishing an Incremental Tax Special Fund for payment of redevelopment assistance, approved public infrastructure costs, financing costs and signature project costs; designating the Lexington-Fayette Urban County Government's Dept. of Finance and Administration as the agency responsible for oversight, administration, and implementation of the Development Area; and authorizing the Mayor and other officials to take such other appropriate actions as are necessary or required in connection with the establishment of the Development Area.

An Ordinance of the Lexington-Fayette Urban County Government making certain findings concerning and establishing a development area for economic development purposes within the downtown of the Lexington-Fayette Urban County to be known as the Lexington Distillery District Development Area; approving a local participation agreement between Lexington-Fayette Urban County Government and the Dept. of Finance and Administration of the Lexington-Fayette Urban County Government; establishing an Incremental Tax Special Fund for payment of redevelopment assistance, approved public infrastructure costs, land preparation, demolition and clearing costs, and financing costs; designating the Lexington-Fayette Urban County Government's Dept. of Finance and Administration as the Agency responsible for oversight, administration, and implementation of the Development Area; and authorizing the Mayor and other officials to take such other appropriate actions as are necessary or required in connection with the establishment of the Development Area.

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A Resolution approving the execution and delivery by the County of Jessamine, Kentucky of its County of Jessamine, Kentucky Cultural and Recreational Revenue Bonds (Tates Creek Presbyterian Church, Inc. Project) Series 2008 in an amount not to exceed $4,500,000.00 (the "Bond"), and the use of the proceeds thereof to assist Tates Creek Presbyterian Church, Inc. finance and refinance the cost of the construction and equipping of a multi-purpose facility consisting of approximately 55,500 square feet, including areas for recreational, fellowship and cultural activities, and to finish out a 15,900 square foot area for use as a nursery and classrooms, located at 3900 Rapid Run Drive, Lexington, Fayette County, Kentucky and to pay costs of issuance was on the docket for second reading.

Upon motion of Mr. Beard, seconded by Mr. Ellinger, and approved by unanimous vote, the resolution was removed from the docket until the December 4, 2008 Council Meeting in order to allow a public hearing to take place.

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

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

Nay: ---0

A Resolution accepting the bid of Bluegrass Towing, Inc., establishing a price contract for towing – fleet services vehicles, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of MAC Construction & Excavating, Inc., in the amount of $10,994,864.00, for the South Elkhorn Force Main Improvements Project, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with MAC Construction & Excavating, Inc., for performance of such services, and authorizing payment of funds in an amount not to exceed $10,994,864.00.

A Resolution accepting the bid of Municipal Equipment, Inc., in the amount of $636,000.00, for a street sweeper, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bids of Red River Ranch, LLC and Hardwood Mulch/Bluegrass Chips, establishing price contracts for wood chips safety surface, for the Div. of Parks and Recreation.

A Resolution accepting the bid of HH General Contractor, Inc., in the amount of $75,950.00, for the Police Health Center Exterior Improvements.

A Resolution accepting the bid of Merit Furniture, Inc., establishing a price contract for carpet and floor coverings, for the Div. of Facilities and Fleet Management.

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 permanent sanitary sewer and temporary construction easement from Robert E. Johnson, for the property located at 2926 Liberty Rd., for the

Cadentown/Versailles Rd. Sanitary Sewer Project, 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 permanent sanitary sewer and temporary construction easement from James Reynolds and Sandy Reynolds, for the property located at 2830 Liberty Rd., for the Cadentown/Versailles Rd. Sanitary Sewer Project, 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 Sharyn Clements and Joe Clements, for the property located at 244 Radcliffe Rd., for the Radcliffe Rd. Stormwater Improvement Project, and authorizing payment in the amount of $600.00, 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 permanent storm sewer and drainage and temporary construction easements from Susan Fister, for the property located at 3184 Trinity Rd., for the 3184 Trinity Rd. Storm Sewer Rehabilitation Project, and authorizing payment in the amount of $1,475.00, plus usual and appropriate closing costs.

A Resolution amending Section 1 of Resolution No. 526-2008 to change the reference in Section (j) of a.k.a. 200 Old Todds Rd. to a.k.a. 200 Todds Rd. and to add Section (L), changing the street name and property address number of 3051 Todds Rd. to 3019 Old Todds Rd., and amending Section 3(b) to add 3103 and 4102 Todds Rd. and to remove 3051 Todds Rd. from the locations whose addresses are being changed to Old Todds Rd., effective retroactive to September 11, 2008.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Amendment No. 1 to the Contract with HDR/Quest Engineering, Inc., for design of Citation Blvd. Phase II, increasing the contract price by the sum of $149,282.00 from $768,025.00 to $917,307.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 3 to the Contract with HDR/Quest Engineering, Inc., for design of Liberty/Todds Rd. Improvement Project Section 1, increasing the contract price by the sum of $59,036.00 from $946,670.00 to $1,005,706.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Contract with the Fayette County Board of Education for rental of Millcreek Elementary Gymnasium, at a cost not to exceed $4,608.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Contract with the Fayette County Board of Education for rental of Winburn Middle School gym and library, at a cost not to exceed $19,912.50.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Contract with the Fayette County Board of Education for rental of Yates Elementary Gymnasium, at a cost not to exceed $5,184.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Partners for Youth Foundation, Inc., for continuation of the Truancy Assessment Center, at a cost not to exceed $67,219.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Central Ky. Area Drug Task Force, for performance of services under the 2007 Project Safe Neighborhood Program, at a cost not to exceed $4,000.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. State Police, for services under the Anti-Gang Initiative Program, at a cost not to exceed $80,000.00.

A Resolution ratifying the probationary civil service appointments of: Charles Schaub, Planner Sr., Grade 117E, $2,390.08 bi-weekly, in the Div. of

Planning, effective October 27, 2008, Jeffrey Lewis, License Inspector, Grade 110N, $15.317 hourly, in the Div. of Revenue, effective November 10, 2008; ratifying the probationary community correction appointments of: Brandi Moffett, Robert Rose, Sylvia Logan, Lee Johnson Jr., Crystale Bailey, Glen Magness, Jill Dionisio, Community Corrections Officer, Grade 110N, $13.930 hourly, in the Div. of Community Corrections, effective November 24, 2008; approving the unclassified civil service appointments of: Melinda Weathers, Victim's Advocate, Grade 112E, $1,200.00 bi-weekly, in the Div. of Police, effective November 11, 2008, Andrea Tapia, Social Services Coordinator, Grade 114E, $1,790.40 bi-weekly, in the Div. of Adult Services, effective November 3, 2008, Barbara Norris, Social Worker Sr., Grade 113E, $1,981.20 bi-weekly, in the Friends of the Court, effective September 29, 2008.

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

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

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

Nay: --0

A Resolution accepting the proposal of Gershman, Brickner & Bratton, Inc., to develop the Master Plan and perform related services for the Urban County Government's Recycling Facility needs, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with Gershman, Brickner & Bratton, Inc., for performance of such services, and authorizing payment of funds in an amount not to exceed $236,000.00.

A Resolution approving the Temporary Housing Occupant Agreement for the provision of temporary housing to residents displaced by the Newtown Pike Extension Project and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the agreement with displaced residents as needed during the life of the project.

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A Resolution establishing the procedure for approval of collective bargaining agreements by the Lexington-Fayette Urban County Council was on the docket for first reading.

The Mayor recognized Ms. Mary Sharp, attorney representing the Police and Fire collective bargaining units, who stated her concerns with the resolution. She passed out copies of the state statute on collective bargaining, and spoke in opposition to the resolution.

Ms. Crosbie and Mr. Beard asked questions of Ms. Sharp.

Upon motion of Mr. Ellinger, seconded by Ms. Gorton, the resolution was **tabled** by a majority vote of 8-6. (James, Lane, Myers, Beard, Blevins, and Blues voted **no**.)

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Upon motion of Mr. Blevins, seconded by Ms. Gorton, and approved by unanimous vote, a Resolution of the Lexington-Fayette Urban County Government authorizing the advertisement for bids and the distribution of a preliminary official statement for the purchase of the principal amount of its $13,565,000 Various Purpose General Obligation Public Projects Bonds, Series 2008A (which amount may be increased or decreased by an amount of up to ten percent (10%)) and $25,320,000 General Obligation Various Purpose Bonds, Series 2008B (which amount may be increased or decreased by an amount of up to ten percent (10%)) was placed on the docket and given first reading.

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

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

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

Nay: --0

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Upon motion of Mr. Lane, seconded by Ms. Gorton, and approved by unanimous vote, a Resolution initiating a Zoning Ordinance text amendment for Planning Commission consideration and recommendation to amend the definitions of dwelling unit and extended-stay hotel in Article 1-11 of the Zoning Ordinance to limit short term rental of dwelling units being used for and zoned for residential purposes was placed on the docket, given first reading, and ordered placed on file two weeks for public inspection.

* * *

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

A Resolution accepting the bid of Bulk Plants, Inc., establishing a price contract for transmission fluid-synthetic, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Safety-Kleen Systems, establishing a price contract for used oil recycling, for the Div. of Environmental Policy.

A Resolution accepting the bids of Halls Signs, Inc., Saf-Ti-Co, Inc., and Allied Municipal Supply, establishing price contracts for sign mounting hardware, channel post and related hardware, for the Div. of Traffic Engineering.

A Resolution accepting the bid of Countryside Motors, in the amount of $109,796.00, for a dump truck (equipped with snow removal equipment), for the Div. of Facilities and Fleet Management.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Siemens Building Technologies, Inc., for fire alarm testing and inspection, for the Div. of Community Corrections, at a cost not to exceed $23,371.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2, to the Contract with Arnold, Dugan & Meyers, for the West Hickman Wastewater Treatment Plant Screw Pump Replacement – Phase 2, increasing the contract price by the sum of $25,930.00 from $1,262,117.00 to $1,288,047.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Wireline Crossing Agreement with R.J. Corman Railroad/Central Ky. Lines, for installation and maintenance of electrical service equipment, at a cost not to exceed $300.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Board of Education of Fayette County, Ky., for implementation of an Anti-Gang Juvenile Program at Martin Luther King Jr. Academy for Excellence, at a cost not to exceed $17,000.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the commission on Fire Protection, Personnel, Standards, and Education and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of $5,309.00 Commonwealth of Ky. funds, and are for the purchase of health and wellness equipment for the Div. of Fire and Emergency Services.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with the Univ. of Ky. Research Foundation and the Board of Education of Fayette County, Ky., for the provision of services under the 21st Century Community Learning Center Program, at a cost not to exceed $11,400.00 for the Board of Education of Fayette County, Ky., and $3,000.00 for the Univ. of Ky. Research Foundation.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Agreement with Vision Internet Providers, Inc., for the Lexington-Fayette Urban County Government website redesign, at a cost not to exceed $6,695.00

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a First Amendment to Grant Agreement with the Cabinet for Economic Development, State Property and Buildings Commission and Belcan Engineering Group, Inc., extending the evaluation period for the job requirements set forth in the original agreement for an additional year.

Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Lexington Center Corporation, for the 2008 Ky. Christmas Chorus, at a cost not to exceed $25,750.00.

Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Rental Agreement with Lexington Center Corporation, for the 2009 Martin Luther King Jr. Holiday Memorial Program, at a cost not to exceed $9,980.00.

Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Rental Agreement with the Lexington Center Corporation, for use of the Opera House, at a cost not to exceed $9,100.00.

Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from Friends of McConnell Springs, for an A/V Sharp 65" LCD TV, for use at McConnell Springs Education Room, 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 Site Specific Agreement with White/Reach Brannon Rd., LLC to provide sanitary sewer service to the Jacqueline Sue Bryan Connell Property development in Jessamine County, at no cost to the Urban County Government.

A Resolution authorizing and directing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-86, to install multiway stop controls at Menifee Avenue and Owsley Avenue.

A Resolution authorizing and directing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-86, to install multiway stop controls at Richmond Avenue and Cramer Avenue.

Resolution authorizing and directing the Mayor, on behalf of the Urban County Government to execute a Standard Engagement Agreement, with Gordon Gildersleeve, for design and creation of a park bench sculpture under the Arts Build Communities Project, at a cost not to exceed $7,500.00.

Resolution ratifying the probationary civil service appointments of: Rosemary Wilkins, Accountant, Grade 113E, $1,807.69 bi-weekly, in the Div. of Revenue, effective November 24, 2008, Merri Reis, Telecommunicator, Grade 111N, $14.435 hourly, in the Div. of Emergency Management/911, effective November 24, 2008, Brent Claiborne, Recreation Specialist Sr., Grade 113E,

$1,556.08 bi-weekly, in the Div. of Parks and Recreation, effective November 24, 2008, Patricia Loney, Staff Assistant Sr., Grade 108N, $16.315 hourly, in the Div. of Revenue, effective November 24, 2008; approving leave of absence for: Richelle Clayborne, Administrative Specialist, Grade 110N, requests a 35 day council approved leave without pay from October 22, 2008 through November 25, 2008; approving the Unclassified Civil Service Appointment of: Sharon Moore, Social Worker Sr., Grade 113E, $1,980.20 bi-weekly, in the Div. of Family Services, effective November 24, 2008.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 2 to the Contract with CDP Engineers, Inc. for design of the West Hickman Trail, increasing the contract price by the sum of $12,950.00 from $125,300.00 to $138,250.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amended Deed of Easement for a sanitary sewer with Jessamine-South Elkhorn Water District, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the 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 $16,400.00 Commonwealth of Ky. Funds, and are for the purchase of 16 TASERS, for the Div. of Police.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Maintenance Agreement with Motorola, Inc., for maintenance on the Live Scan Portable Station, at a cost not to exceed $2,217.00.

Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept Thomson West as the vendor for various legal publications and on-line research, for the Dept. of Law, at a cost not to exceed $50,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Rental Agreement with the Lexington Center

Corporation, for the 2009 Minority Business Expo and Conference, 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 Site Specific Agreement with the Jessamine South Elkhorn Water District and Collins Ford of Lexington, LLC, to provide sanitary sewer service to the Collins Ford of Lexington Development in Jessamine County, 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 Dogwood Trace Neighborhood Association, Inc. ($750.00) 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 an Agreement with the Young Men's Christian Association of Central Kentucky, Inc., for implementation and operation of four Family Nights at Tates Creek Elementary School as part of the 21st Century Community Learning Center Program, at a cost not to exceed $1,500.00.

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 Health and Human Services and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of $50,000.00 Federal funds, and are for continuation of the Parent Resource Center for a Bright Future, a Healthy Tomorrows Project, at the Family Care Center.

A Resolution amending Resolution No. 510-2008, deleting Section 2 and restricting automobile traffic on Cheapside Street indefinitely.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute the FY09 Purchase of Service Agreement with Commerce Lexington, Inc., for the facilitation of economic development activities and initiatives, at a cost not to exceed $513,000.00.

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Upon motion of Mr. Blevins, seconded by Ms. Gorton, and passed by unanimous vote, the communications from the Mayor were approved and are as follows: (1) recommending the appointments of Ms. Sherry Cutshaw and Ms. Tracy Dennis to the Bluegrass Crimestoppers Board, with terms to expire 3-21-2010. Ms. Cutshaw will fill the unexpired term of Jane Bagley and Ms. Dennis will fill the unexpired term of Susan Bartley; Also, recommending the appointments of Mr. Andrew DeSimone, Ms. Stacy McDonald, Ms. Sue Miller, and Mr. Barno Saturday to the Bluegrass Crimestoppers Board, with terms to expire 3-21-2012; (2) recommending the appointment of Mr. David Hartsek to the Commission for Citizens with Disabilities, with a term to expire 1-1-2011. Mr. Hartsek will fill the unexpired term of Loretta Crawford; (3) recommending the appointments of Mr. George Allgeier, Jr., and Dr. Katherine Stone to the Explorium Board, with terms to expire 6-30-2010. Mr. Allgeier will fill the unexpired term of Jay Blanton, and Dr. Stone will fill the unexpired term of Paul Ennis; and (4) recommending the appointments of Mr. Kevin Marsh and Mr. Stacy Borden to the Raven Run Nature Sanctuary Advisory Board, with terms to expire 1-13-2010 and 1-13-2012, respectively. Mr. Marsh will fill the unexpired term of Carey Ruff.

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The following communications were received from the Mayor for information only: (1) Resignation of Jonathan Tucker, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective November 7, 2008; (2) Resignation of Anthony Rodgers, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective November 4, 2008; (3) Resignation of Shannon Lowe, Telecommunicator Sr., Grade 113N, in the Div. of Emergency Management/911, effective November 9, 2008; and (4) Transfer of Donna Fogle, Administrative Specialist, Grade 110N, from the Div. of Parks and Recreation to the Div. of Fire and Emergency Services, effective November 24, 2008.

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Mr. Chris Bartley, Pres. of the Lexington Professional Firefighters Local #526, stated his concerns about the Police and Fire Pension Fund and the increases needed to maintain the fund.

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Mr. Bernard McCarthy, Harry Street, spoke about dead-end streets, sidewalks and other issues which affect neighborhoods, as well as reasons to uplift neighborhood associations.

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Mr. Lane spoke regarding the tabled collective bargaining resolution, and stated his concerns about the Council's role in police and fire contracts.

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

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Clerk of the Urban County Council