

Lexington, Kentucky August 16, 2007

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on August 16, 2007 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, James, Lane, Moloney, Stevens, Stinnett, Beard, Blevins, Blues, Crosbie, DeCamp and Ellinger. Absent were Council Members McChord and Myers.

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

Ordinances No. 169-2007 thru 177-2007 inclusive and Resolutions No. 371-2007 thru 387-2007 inclusive were reported as having been signed and published, and were ordered to record.

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The Invocation was given by Pastor Reid Thomas, Life Bridge.

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Upon motion of Ms. Gorton and seconded by Dr. Stevens, the minutes of the June 7, 21, 26 and 28, 2007 Council Meetings were approved by unanimous vote.

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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 reappropriating funds, Schedule No. 30 was given second reading.

Ms. Gorton made a motion, seconded by Dr. Stevens and passed by unanimous vote, to approve the ordinance and it passed by the following vote:

Aye: Gorton, Gray, James, Lane, Moloney, Stevens, Stinnett,
Beard, Blevins, Blues, Crosbie, DeCamp, Ellinger ----- 13

Nay: ----- 0

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The following ordinances were given first reading. Upon motion of Mr. DeCamp and seconded by Mr. Beard the rules were suspended by unanimous vote, and the ordinances were given second reading. Mr. Blevins made a motion, seconded by Ms. Gorton and passed by unanimous vote, to approve the ordinances and they passed by the following vote:

Aye: Gorton, Gray, James, Lane, Moloney, Stevens, Stinnett,
Beard, Blevins, Blues, Crosbie, DeCamp, Ellinger ----- 13

Nay: ----- 0

An Ordinance amending Section 21-5 of the Code of Ordinances changing the position title of Customer Service Supervisor, Grade 115E, to Customer Service Manager, Grade 115E, and changing the title of the incumbent; creating one (1) position of Customer Service Supervisor, Grade 113E; all within the Div. of Government Communications.

An Ordinance amending Section 22-5 of the Code of Ordinances deleting one (1) position of Municipal Engineer, Grade 117E and one (1) position of Administrative Officer, Grade 118E, both in the Dept. of General Services, creating two (2) temporary positions of Administrative Officer, Grade 118E, with a term of service ending on December 31, 2010, both in the Dept. of General Services.

An Ordinance amending Section 22-5 of the Code of Ordinances creating one (1) position of Family Support Worker Sr., Grade 112N, in the Div. of Family Services.

An Ordinance amending Ordinance No. 132-2007 to correct a typographical error in the line number of Environmental Inspector, within the Dept. of Environmental Quality to become effective retroactive to July 1, 2007.

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An Ordinance authorizing the issuance of up to \$4,200,000 principal amount of "Lexington-Fayette Urban County Government Adjustable Rate Demand Industrial Building Revenue Bonds, Series 2007 (Anchor Baptist Church, Inc. Project)"; authorizing the execution and delivery of a Loan Agreement; authorizing the execution and delivery of a Trust Indenture securing such bonds; authorizing the execution and delivery of a Bond Purchase Agreement with respect to such bonds and other documents and taking other related action was given first reading.

The Mayor stated that representatives from Anchor Baptist Church were present to answer any questions.

Ms. James asked the Mayor about the ordinance.

Upon motion of Mr. DeCamp and seconded by Mr. Beard the rules were suspended by unanimous vote, and the ordinance was given second reading. Mr. Blevins made a motion, seconded by Ms. Gorton and passed by unanimous vote, to approve the ordinance and it passed by the following vote:

Aye: Gorton, Gray, James, Lane, Moloney, Stevens, Stinnett,
Beard, Blevins, Blues, Crosbie, DeCamp, Ellinger ----- 13

Nay: ----- 0

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An Ordinance changing the zone from a High Density Apartment (R-4) zone to a Downtown Frame Business (B2-A) zone for 0.2195 net (0.3672 gross) acre of property located at 252 East High Street (K.L. II, LLC) was given first reading and ordered placed on file until a Public Hearing to be held on September 13, 2007 at 8:00 p.m.

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An Ordinance changing the zone from a Professional Office (P-1) zone to a Neighborhood Business (B-1) zone for 1.140 net (1.476 gross) acres of property located at 1388 Alexandria Drive (Anthony W. Justice) was given first reading and ordered

placed on file until a Public Hearing to be held at a Special Meeting on October 2, 2007 at 6:00 p.m.

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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 Light Industrial (I-1) zone to a Mixed Use Community (MU-3) zone for 0.10 net (0.16 gross) acres and from a Neighborhood Business (B-1) zone to a Mixed Use Community (MU-3) zone for 5.07 net (5.44 gross) acres of property located at 225 Walton Avenue, subject to certain use and buffering restrictions imposed as conditions of granting the zone change (Ernie M. Hanna)

An Ordinance amending Article 15-6(a)(3) of the Zoning Ordinance to allow an existing accessory structure to remain at its current location when a principal residential structure is expanded to project past the front wall of that accessory structure in a residential zone, provided that the accessory structure is at least eighteen inches from any adjoining property line. Approval of the Staff Alternative Text (9-0)

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and reappropriating funds, Schedule No. 31.

An Ordinance amending Section 21-5 of the Code of Ordinances reorganizing the Div. of Risk Management as follows: abolishing one (1) position of Risk Manager, Grade 119E; reallocating two (2) positions of Risk Manager from Grade 119E to Grade 120E; abolishing one (1) position of Contract Specialist, Grade 118E, and creating one position of Attorney Sr., Grade 121E; abolishing one (1) position of Exposure Analyst, Grade 114E, and creating one (1) position of Risk Management Analyst, Grade 115E; abolishing one (1) position of Accountant, Grade 113E, and creating one (1) position of Risk Management Accountant, Grade 114E; abolishing one (1) position of Administrative Specialist, Grade 110N, and creating one (1) position of Administrative Specialist Sr., Grade 112N; and reclassifying the incumbents, in the Div. of Risk Management, to become effective retroactive to March 5, 2007, and appropriating funds pursuant to Schedule No. 41.

An Ordinance authorizing the Mayor to execute a Claim Request Form for reimbursement in the amount of \$4,106 from the Commonwealth of Ky. Dept. for

Environmental Protection for removal of underground storage tanks and further authorizing and directing the Mayor to execute future such claim request forms during Fiscal Year 2008 not to exceed a total amount of \$36,500, and appropriating funds pursuant to Schedule No. 39.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Justice and Public Safety Cabinet, which grant funds are in the amount of \$110,000.00 Federal funds, are for continuation of the Street Sales Drug Enforcement Project, the acceptance of which obligates the Urban County Government for the expenditure of \$36,670.00 as a local match, appropriating funds pursuant to Schedule No. 32, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor 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, for police officer overtime hours for a Traffic Alcohol Patrol Program and the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 34, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet, to provide any additional information requested in connection with this grant application, and to accept this grant if the application is approved, which grant funds are in the amount of \$75,000.00 Federal funds, are for continuation of the Motor Carrier Safety Assistance Program (MCSAP), the acceptance of which obligates the Urban County Government for the expenditure of \$18,750.00 as a local match, appropriating funds pursuant to Schedule No. 35, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to execute and submit a Grant Application to the National Association of Police Athletic/Activities League, Inc., 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 \$6,500.00 and are for expansion of the Lexington Police Activities League Football Program, 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 the Mayor 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 \$92,149.00 Federal funds, are for continuation of the Truancy Assessment Center Project, the acceptance of which obligates the Urban County Government for the expenditure of \$46,464.00 as a local match, appropriating funds pursuant to Schedule No. 38, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to execute Agreements with the City of Richmond and the Madison County Fiscal Court, for services under the 2006 Project Safe Neighborhood Program, at a cost not to exceed \$8,217.00 for the City of Richmond and \$8,216.00 for the Madison County Fiscal Court, and appropriating funds pursuant to Schedule No. 37.

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An Ordinance approving and adopting a Program Amendment for use of Community Development Block Grant funds in the 2007 Consolidated Plan to establish a new project, the rehabilitation of the Russell Elementary School (201 West Fifth Street) for the Russell School Community Service Center (\$200,000.00), appropriating funds pursuant to Schedule No. 33, and authorizing the Mayor to transfer unencumbered funds within the Grant budget was given first reading with a public hearing being held.

The Mayor opened the public hearing.

Mr. Bernard McCarthy, Harry Street, requested information on what would be done with the funds.

Mr. Porter Peeples, spoke on what would be included in the project.

There being no further citizens to appear before the Council, the Mayor declared the public hearing closed.

The ordinance was ordered placed on file one week for public inspection.

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Upon motion of Mr. Lane, seconded by Ms. Gorton and passed by unanimous vote, the following ordinances were placed on the docket and given first reading.

An Ordinance levying ad valorem taxes for purposes of support of the Agricultural Extension Office for the Fiscal Year July 1, 2007 through June 30, 2008, on the assessed value of all taxable real and personal property within the taxing jurisdiction of the Lexington-Fayette Urban County Government (all taxes on each \$100.00 of assessed valuation as of the January 1, 2007 assessment date), as follows: \$.0031 on all taxable real property, including real property of public service companies, \$.0034 on taxable personal property, including personal property of public service companies and noncommercial aircraft, and excluding inventory in transit, insurance capital, tobacco in storage, and agricultural products in storage; and levying an ad valorem tax for purposes of support of the Agricultural Extension Office at the rate of \$.0032 on each \$100.00 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government as of the January 1, 2008 assessment date.

An Ordinance pursuant to a request received from the Lexington-Fayette County Health Department, levying an ad valorem tax for purposes of support of the Lexington-Fayette County Health Department for the Fiscal Year July 1, 2007 through June 30, 2008, on the assessed value of all taxable real and personal property within the taxing jurisdiction of the Lexington-Fayette Urban County Government, including real and personal property of public service companies, noncommercial aircraft, and inventory in transit, and excluding insurance capital, tobacco in storage, and agricultural products in storage, at the rate of \$.028 on each \$100.00 of assessed value as of the January 1, 2007 assessment date; and levying an ad valorem tax for purposes of support of the Lexington-Fayette County Health Department at the rate of \$.028 on each \$100.00 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government, as of the January 1, 2008 assessment date.

An Ordinance levying ad valorem taxes for purposes of support of the Soil and Water Conservation District for the Fiscal Year July 1, 2007 through June 30, 2008, on the assessed value of all taxable real property within the taxing jurisdiction of the

Lexington-Fayette Urban County Government, including real property of public service companies, at a rate of \$.0004 on each one hundred dollars (\$100.00) of assessed valuation as of the January 1, 2007, assessment date.

An Ordinance levying ad valorem taxes for municipal purposes for the Fiscal Year July 1, 2007 through June 30, 2008, on the assessed value of all taxable property within the taxing jurisdictions of the Lexington-Fayette Urban County Government (all taxes on each \$100.00 of assessed valuation as of the January 1, 2006 assessment date), as follows: General Services District, \$.0800 on real property, including real property of public service companies, \$.0990 on personal property, including personal property of public service companies, noncommercial aircraft, and noncommercial watercraft, \$.1500 on insurance capital, \$.0150 on tobacco in storage, and \$.0450 on agricultural products in storage; Full Urban or Partial Urban Services Districts based on Urban Services available on real property, including real property of public service companies, \$.1590 for refuse collection, \$.0210 for street lights, \$.0094 for street cleaning, \$.0920 on insurance capital, \$.0150 on tobacco in storage, \$.0450 on agricultural products in storage; and levying an ad valorem tax for municipal purposes at the rate of \$.0880 on each \$100.00 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government as of the January 1, 2008 assessment date.

Dr. Stevens made a motion, seconded by Ms. Gorton and passed by unanimous vote, to schedule a public hearing on the ad valorem tax rates for Tuesday, August 28, 2007 at 3:00 p.m., and to schedule a Special Meeting at the conclusion of the public hearing for second reading of the ordinances.

The ordinances were ordered placed on file for public inspection.

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Mr. Moloney made a motion, seconded by Mr. Ellinger and passed by unanimous vote, to schedule a Public Hearing on the Lexington-Fayette Urban County Government's Five-Year Area Solid Waste Management Plan on September 11, 2007 at 3:00 p.m.

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A Resolution ratifying the probationary civil service appointment of: Jerry Hancock, Director of Parks & Recreation, Grade 122E, \$3,000.00 bi-weekly, in the Div. of Parks, effective July 9, 2007; ratifying the permanent civil service appointments of:

Billy Van Pelt, PDR Program Manager, Grade 121E, in the Div. of Purchase of Development Rights, effective July 1, 2007; Cornell Burbage, Recreation Supervisor, Grade 110E, in the Div. of Parks, effective July 8, 2007; Penny McFadden, Administrative Officer Sr., Grade 120E, in the Office of Compliance, effective May 27, 2007; Robert Tussey, Engineering Technician Sr., Grade 113E, in the Div. of Water and Air Quality, effective July 8, 2007; Kendra Carter, Staff Assistant Sr., Grade 108N, in the Div. of Human Resources, effective July 22, 2007; Therese Warrick, Paralegal, Grade 113N, in the Dept. of Law, effective July 29, 2007; Kenneth Goble, Public Service Worker Sr., Grade 107N, in the Div. of Streets, Roads and Forestry, effective July 7, 2007; Scott Vogt, Internal Auditor, Grade 118E, in the Office of Internal Audit, effective June 4, 2007; approving leave of absence for: Jo Kane, Safety Specialist, Grade 115E, in the Div. of Risk Management, requests a 90 day Council approved leave without pay from June 25, 2007 to September 22, 2007; Cyndi Bartholomew, Equipment Operator Sr., Grade 109N, in the Div. of Solid Waste, requests a 78 day Council approved leave without pay from June 15, 2007 to August 31, 2007; ratifying the Community Corrections appointments of: Steven Puckett, Robert Howard Jr., Lisa Farmer, Jaime Crawford, Shaun Hubbard, Jennifer Taylor, Bambi Bailey, Community Corrections Sergeant, Grade 112N, \$20.533 hourly, in the Div. of Community Corrections, effective June 11, 2007; approving the unclassified civil service appointments of: Joan Dickes, Family Support Worker Sr., Grade 112N, \$15.654 hourly, in the Div. of Family Services, effective July 23, 2007; David Fetko, Aaron Greenleaf, Derek Kirunchyk, Jervis Middleton, Robert Nahrwold, Laron Patton, Adam Ray, Justin Rowland, Darren Simms, Patrick Tiernan, Jason Wallace, Police Trainee, Grade 311N, \$16.052 hourly, in the Div. of Police, effective July 23, 2007; unclassified civil service appointments to the Office of the Urban County Council: Rebecca Langston, Council Administrator, Grade 121E, \$3,282.49 bi-weekly, in the Office of the Urban County Council, effective June 25, 2007; Ronald Scott Seymour, Aide to Council, Grade 000E, \$1,700.00 bi-weekly, in the Office of the Urban County Council, effective July 2, 2007; unclassified civil service salary change in the Office of the Urban County Council: Maureen Watson, Aide to Council, Grade 000E, from \$1,800.48 bi-weekly to \$2,022.40 bi-weekly in the Office of the Urban County Council, effective May 25, 2007 was given second reading.

Ms. Gorton made a motion, seconded by Mr. DeCamp and passed by unanimous vote, to approve the resolution and it passed by the following vote:

Aye: Gorton, Gray, James, Lane, Moloney, Stevens, Stinnett,
Beard, Blevins, Blues, Crosbie, DeCamp, Ellinger ----- 13

Nay: ----- 0

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The following resolutions were given first reading. Upon motion of Ms. Gorton and seconded by Mr. Moloney, the rules were suspended by unanimous vote, and the resolutions were given second reading. Mr. Stinnett made a motion, seconded by Mr. Ellinger and passed by unanimous vote, to approve the resolutions and they passed by the following vote:

Aye: Gorton, Gray, James, Lane, Moloney, Stevens, Stinnett,
Beard, Blevins, Blues, Crosbie, DeCamp, Ellinger ----- 13

Nay: ----- 0

A Resolution accepting the bid of Hall Contracting of Kentucky, Inc. (Power-Tel Electric Division), in the amount of \$419,600.00, for electrical switchgear equipment and installation for Town Branch and West Hickman Treatment Plants.

A Resolution ratifying the probationary civil service appointments of: Kevin Lyne, Engineering Technician, Grade 111N, \$15.442 hourly, in the Div. of Water and Air Quality, effective August 6, 2007; Maria Lundin, Laboratory Technician, Grade 109N, \$14.869 hourly, in the Div. of Water and Air Quality, effective July 23, 2007; Joel Ragland, Public Service Worker Sr., Grade 107N, \$15.951 hourly, in the Div. of Streets, Roads and Forestry, effective August 6, 2007; David Biliter, Park Designer, Grade 115E, \$1,584.48 bi-weekly, in the Div. of Parks, effective July 23, 2007; Denise Washington, Administrative Specialist, Grade 110N, \$14.628 hourly, in the Div. of Police, effective July 23, 2007; Frank Griffith, Plant Operations Supervisor Sr., Grade 117E, \$2,093.12 bi-weekly, in the Div. of Community Corrections, effective July 23, 2007; Christopher Taylor, Planner, Grade 113E, \$1,362.88 bi-weekly, in the Div. of Planning, effective July 23, 2007; Mark E. Stager, Plant Operations Supervisor, Grade 117E, \$2,143.04 bi-weekly, in the Div. of Water and Air Quality, effective August 6, 2007; Diane Wills, Human Resource Generalist, Grade 118E, \$2,740.88 bi-weekly, in the Div. of Human Resources, effective July 30, 2007; Aleta Rados, Administrative Specialist Sr., Grade 112N, \$22.514 hourly, in the Div. of Family Services, effective

August 20, 2007; Connie Michalski, Staff Assistant Sr., Grade 108N, \$11.456 hourly, in the Div. of Police, effective August 20, 2007; Wilma Williams, Staff Assistant Sr., Grade 108N, \$15.956 hourly, in the Div. of Police, effective August 20, 2007; Linda Phipps, Staff Assistant Sr., Grade 108N, \$17.064 hourly, in the Div. of Revenue, effective August 6, 2007; ratifying the permanent civil service appointments of: Tyrone Alexander, Public Service Worker, Grade 106N, in the Div. of Water and Air Quality, effective August 8, 2007; Michael Cook, Public Service Worker Sr., Grade 107N, in the Div. of Water and Air Quality, effective September 5, 2007; Reva Tanis, Staff Assistant, Grade 107N, in the Div. of Streets, Roads and Forestry, effective July 22, 2007; Larry Price, Public Service Worker Sr., Grade 107N, in the Div. of Streets, Roads and Forestry, effective July 23, 2007; Leon Byram, Safety Coordinator, Grade 111N, in the Div. of Streets, Roads and Forestry, effective July 8, 2007; John Saylor, Arborist Technician, Grade 112N, in the Div. of Streets, Roads and Forestry, effective July 22, 2007; ratifying the permanent sworn appointments of: Paul Boyles, III, Trenton Bray, David Burks, Russell Bush, Jeremy Clipson, James Dellacamera, Christopher Flannery, Michael Geis, Clifton Grimm, Jarvis Harris, David Hart, Matthew Jordan, Brandon Kennedy, Randall Kloss, Ronald Kornrumpf, Thomasena Lilly, Samantha Lynn, Bret Marshall, Rebecca McAllister, Ron Moore, Patrick Murray, Timothy Richardson, James Smith, Benjamin Stratton, Dillan Taylor, Daniel Truex, Jon Tucker, Benjamin Walker, Justin Yates, Anthony Young, Police Officer, Grade 311N, in the Div. of Police, effective August 7, 2007; ratifying the probationary Community Corrections appointments of: William M. Marshall, Anthony W. Rodgers, Rashel L. Coatney, Luke L. Valdez, Rhonda R. Fogle, Edgar O. Farris, III, Jeremy R. Warner, Kenwan L. Jones, Anita J. Aubrey, Avery M. Johnson, Olivia B. Lloyd, Joseph A. Stang, Joseph D. Austin, Scott T. Basham, James J. Parker, Joseph W. Speakes, Emily K. Baum, Mark Sweat, James M. Cosgrove, Charles J. Burton, Curtis A. Napier, Paul E. Oghia, Phillip Curtis Jr., Community Corrections Officer, Grade 110N, \$13.390 hourly, in the Div. of Community Corrections, effective August 20, 2007; approving leave of absence for: Cassity Burke, Staff Assistant Sr., Grade 108N, in the Div. of Family Services, requests an 85 day Council approved leave without pay from August 14, 2007 to November 11, 2007; approving the unclassified civil service appointment of: Anthony Wright, Director of

Economic Development, Grade 121E, \$2,865.39 bi-weekly, in the Mayor's Office, effective August 20, 2007; approving the voluntary demotion of: Jerry Southers, from Council Administrator, Grade 121E, \$3,196.24 bi-weekly to Budget Analyst Sr., Grade 118E, \$2,833.28 bi-weekly, in the Office of the Urban County Council, effective August 20, 2007.

A Resolution authorizing the Mayor to approve payment to Zambelli Fireworks Internationale for the 4th of July 2007 fireworks display, at a cost not to exceed \$35,000.00.

A Resolution ratifying the Dept. of Law's execution of a Stipulation and Recommendation and any other necessary settlement documents in Ky. Public Service Commission Case No. 2007-0008.

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Upon motion of Ms. Gorton, seconded by Mr. Ellinger and passed by unanimous vote, a Resolution authorizing the Mayor to execute a Revocable License for use of church property with Southland Christian Church, for Flight 5191 Memorial Service, at no cost to the Government was placed on the docket and given first reading.

Ms. Gorton stated that the Memorial Service was scheduled for August 26, 2007, and requested that the resolution be given two readings.

Upon motion of Ms. Gorton and seconded by Mr. Moloney, the rules were suspended by unanimous vote, and the resolution was given second reading. Mr. Stinnett made a motion, seconded by Mr. Ellinger and passed by unanimous vote, to approve the resolution and it passed by the following vote:

Aye: Gorton, Gray, James, Lane, Moloney, Stevens, Stinnett,
Beard, Blevins, Blues, Crosbie, DeCamp, Ellinger ----- 13

Nay: ----- 0

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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 R & L Cleaning Service, establishing a price contract for custodial services for the General Services Building.

A Resolution accepting the bid of R & L Cleaning Service, establishing a price contract for custodial services for the Operation Adjustment Center.

A Resolution accepting the bid of R & L Cleaning Service, establishing a price contract for custodial services for the Div. of Streets, Roads and Forestry.

A Resolution accepting the bid of Education Remedies, Inc., d/b/a JDC Cleaning, LLC, establishing a price contract for custodial services for Police Roll Call, Training, Gym and Com-Tec.

A Resolution accepting the bid of Pipe Eyes, LLC, in the amount of \$494,439.80, for the annual preventive maintenance sewer cleaning program, for the Div. of Water and Air Quality.

A Resolution accepting the bid of Visual Image Systems Co., LLC, establishing a price contract for reflective vehicle decals, for the Div. of Police.

A Resolution accepting the bid of CM Construction, in the amount of \$39,700.00, for parking lot construction at Southpoint Park.

A Resolution accepting the bids of Shively Sporting Goods and The Trophy Center, establishing price contracts for trophies, plaques and silver.

A Resolution accepting the bid of Lagco, Inc., in the amount of \$74,935.00, for parking lot construction at Wellington Park.

A Resolution accepting the bids of Cumulus Broadcasting, Insight Media, WDKY-TV, WKYT-TV, WLEX-TV, and WTVQ-TV, establishing price contracts for LFUCG Marketing Programs.

A Resolution accepting the bid of L & N Commercial Cleaning, establishing a price contract for custodial services for the Coroner's Office.

A Resolution authorizing the Mayor to accept a donation from Ms. Priscilla Menard of a horse and sign the Bill of Donation, for use at the Mounted Patrol Unit, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute and submit an Application to the U. S. Dept. of Homeland Security and to provide any additional information requested in connection with this application, for a Wolf Pack Remote Viewing System under the Commercial Equipment Direct Assistance Program (CEDAP).

A Resolution authorizing the Mayor to execute and submit a Grant Application to the Ky. Div. of Emergency Management and to provide any additional information requested in connection with this grant application, which grant funds are in the amount

of \$4,195.00 Commonwealth of Ky. funds, and are for the purchase of rescue equipment for the Div. of Fire.

A Resolution authorizing the Mayor to approve payment to the Lexington Philharmonic Society for the Patriotic Concert on July 3, 2007, at a cost not to exceed \$21,750.00.

A Resolution amending Section 1(a) of Resolution No. 649-2005 to change the references to Nichols Park to Nichols Park Drive.

A Resolution approving the Report of the Audit Examination of the Lexington-Fayette Urban County Government Sheriff's Settlement - 2006 taxes, for taxes collected as of April 27, 2007, and granting the Sheriff a Quietus.

A Resolution authorizing the Mayor to execute an Agreement with Jane F. Brake, Ph.D., for the provision of mental health services to children and families served by the Div. of Youth Services, at a cost not to exceed \$1,000.00.

A Resolution authorizing the Mayor to execute Agreements with the Kenton County Commonwealth Attorney's Office and the 28th Judicial Circuit Commonwealth Attorney for services under the Project Safe Neighborhoods Grant Program, at a cost not to exceed \$22,000.00 for the Kenton County Commonwealth Attorney's Office and \$10,000.00 for the 28th Judicial Circuit Commonwealth Attorney.

A Resolution authorizing the Mayor to execute an Agreement with the Office of the Fayette County Sheriff, for the provision of services under the Grants to Encourage Arrest Policies and Enforcement of Protection Orders Program, at a cost not to exceed \$7,930.00.

A Resolution authorizing the Mayor to execute a Purchase of Service Agreement with Roberts and Kay, for facilitation of a Community Needs Assessment, for the Dept. of Social Services, at a cost not to exceed \$6,000.00

A Resolution authorizing the Mayor to execute a Group Sales Agreement with Hyatt Regency Lexington, for the Bluegrass Invitational Wheelchair Basketball Tournament, at a cost not to exceed \$3,000.00.

A Resolution authorizing the Mayor to execute an Agreement with the Ky. Transportation Cabinet for control, sharing and maintenance of camera systems for

traffic management, Homeland Security, and Amber Alerts and rescinding the previous such agreement approved by Resolution No. 319-2005.

A Resolution authorizing the Mayor to execute an Agreement with Bluegrass Regional Mental Health-Mental Retardation Board, Inc., d/b/a Comprehensive Care Center, for mental health services for inmates at the Detention Center, at a cost not to exceed \$743,709.23.

A Resolution authorizing the Mayor to execute a Clinical Services Agreement with the University of Ky., Chandler Medical Center, for the provision of dental health services to clients of the Family Care Center by the College of Dentistry, at a cost not to exceed \$227,740.00.

A Resolution authorizing the Mayor to execute a Cost Reimbursement Agreement with the Federal Bureau of Investigations, for reimbursement of overtime worked by police officers, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute an Option and Lease Agreement with SprintCom, Inc., for a cell tower at Coldstream Park, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Clinical Services Agreement with the University of Ky., Chandler Medical Center, College of Nursing, for Nurse Practitioner services at the Family Care Center, at a cost not to exceed \$320,320.00.

A Resolution authorizing the Mayor to execute an Amendment to Agreement with Asbury College, for additional funds for the creation of an anti-gang public service announcement, which is part of the 2003 Project Safe Neighborhoods Project, at an additional cost not to exceed \$11,370.00.

A Resolution authorizing the Mayor to execute Contracts with the Lexington-Fayette County Health Dept., for reimbursement to the Family Care Center for the provision of dental health services to students attending Harrison, Johnson, Tates Creek and Arlington Elementary Schools, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute change orders to the construction contract with Past Respects, LLC, for the renovation of the Cadentown School provided: budgeted funds are available for change order increases; no change order has the effect of materially changing the scope of the contract; no individual change order

increase shall exceed \$2,600.00; the cumulative total increase for all change orders shall not exceed \$10,000.00; and a summary of all change orders so executed shall be furnished to the Urban County Council monthly.

A Resolution authorizing the Mayor to execute Change Order No. 1 to the Contract with Jarboe Construction, Inc., for Gainesway Park Community Building, increasing the contract price by the sum of \$7,500 from \$23,250 to \$30,750.

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Upon motion of Mr. Beard, seconded by Mr. DeCamp and passed by unanimous vote, the communications from the Mayor were approved and are as follows: (1) recommending the appointments of Mrs. Roszalyne Akins and Dr. David Stevens to the Airport Board with terms to expire 1-1-2008 and 1-1-2011, respectively. Mrs. Akins will fill the unexpired term of Dr. Stevens and Dr. Stevens will be the designee on behalf of Mayor Newberry; (2) recommending the appointments of Dana S. Branham, Business Rep.; Anna C. Greene, Citizen Rep. and Maraskeshia S. Smith, Business Rep. to the Commission on Housing & Support Services with terms to expire 7-1-2009. Also, recommending the appointment of Kelly M. King, Business Rep. to the Commission on Housing and Support Services with a term to expire 7-1-2011. Also, recommending the reappointment of Cecil F. Dunn, Nonprofit Agency Rep., to the Commission on Housing and Support Services with a term to expire 7-1-2009. Also, recommending the reappointment of P.G. Peebles, Sr., Nonprofit Agency Rep., to the Commission on Housing & Support Services with a term to expire 7-1-2011; (3) recommending the appointments of Julian Beard, Council Rep.; Bob Drakeford, Dept. of General Services designee; Stephanie Hong, Office of the Mayor Rep.; Don Kelly, Dept. of Public Works Rep.; Sandra Nichols, Dept. of Finance designee, to the Exaction Appeals Committee as ex-officios; (4) recommending the appointment of Carolyn Richardson to the Planning Commission with a term to expire 9-1-2011; and (5) recommending the appointment of Karen Angelucci, Garden Club Rep., to the Tree Board with a term to expire 4-19-2009. Ms. Angelucci will fill the unexpired term of Ms. Young. Also, recommending the appointments of Jim Burkley, Home Builders Assoc. Rep., and Yvette Hurt, Citizen Rep., to the Tree Board with terms to expire 4-19-2011. Also, recommending the appointment of Andrea James, Council Rep., to the Tree Board as an ex-officio. Also, recommending the reappointment of Judy Worth, Citizen Rep., to the

Tree Board with a term to expire 4-19-2008. Also, recommending the reappointment of Tim Brooks, Citizen Rep., to the Tree Board with a term to expire 4-19-2010.

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The following communications were received from the Mayor for information only:

(1) Resignation of Martin Butler, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective July 22, 2007; (2) Resignation of Gary Thurman, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective June 21, 2007; (3) Resignation of Robert Walters, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective July 23, 2007; (4) Resignation of Jacqueline Bonner, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective July 13, 2007; (5) Resignation of Timothy Gooding, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective July 20, 2007; (6) Resignation of Mike Williamson, Vehicle and Equipment Technician, Grade 112N, in the Div. of Fleet Services, effective July 13, 2007; (7) Resignation of Neil Baker, Telecommunicator Sr., Grade 113N, in the Div. of Enhanced 911, effective July 22, 2007; (8) Resignation of Robynn Pease, Program Administrator, Grade 117E, in the Dept. of Social Services, effective August 3, 2007; (9) Resignation of David Cozart, Community Advocate Sr., Grade 112N, in the Dept. of Social Services, effective July 27, 2007; (10) Resignation of Edward Murrell, Public Service Worker Sr., Grade 107N, in the Div. of Water and Air Quality, effective July 20, 2007; (11) Resignation of John Hoagland, Building Inspector, Grade 113N, in the Div. of Building Inspection, effective July 8, 2007; (12) Resignation of Amy Cook, Police Trainee, Grade 311N, in the Div. of Police, effective July 19, 2007; (13) Resignation of Lesley Powell, Telecommunicator, Grade 111N, in the Div. of Enhanced 911, effective June 24, 2007; (14) Resignation of Claude Hammond, Public Information Supervisor, Grade 115E, in the Div. of Government Communications, effective August 15, 2007; (15) Resignation of Bart Wagner, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective August 21, 2007; (16) Resignation of Timothy Wendling Jr., Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective August 23, 2007; (17) Resignation of Burneard Clark, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective August 15, 2007; (18) Resignation of Marie Jude, Community Corrections

Officer, Grade 110N, in the Div. of Community Corrections, effective August 14, 2007; (19) Resignation of Bethany Todd, Customer Service Specialist, Grade 110N, in the Div. of Government Communications, effective July 17, 2007; (20) Resignation of Robert Nahrwold, Police Trainee, Grade 311N, in the Div. of Police, effective July 26, 2007; and (21) Resignation of Richard Russell, Police Officer, Grade 311N, in the Div. of Police, effective August 31, 2007.

Mr. Ellinger pointed out the nine Community Corrections Officer resignations.

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The report from the Div. of Building Inspection for the 2nd Quarter of 2007 was received and ordered filed.

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Mr. Bernard McCarthy, Harry Street, spoke concerning trash and glass on streets, the need to fix the Newtown Pike storm water gutters because many weren't even with the streets since there had been recent resurfacing, and on improving the bike lanes.

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Upon motion of Mr. DeCamp, seconded by Ms. Gorton and passed by unanimous vote, the meeting adjourned at 7:57 p.m.

Clerk of the Urban County Council