Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky June 25, 2009

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on June 25, 2009 at 7:00 P.M. Present were Mayor Jim Newberry in the chair presiding and the following members of the Council: Council Members Blues, Crosbie, Ellinger, Gorton, Gray, Henson, James, Lane, Lawless, Martin, McChord, Myers, Stinnett and Beard. Absent was Council Member Feigel.

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

Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky June 25, 2009

The Invocation was given by Chaplain Lee McGrath, Director of Campus Ministry, Lexington Catholic High School.

* * *

The Mayor recognized the Lexington Catholic High School baseball team, who won the State Championship. The Mayor also noted that Head Coach Kevin Clary had been honored as the KHSAA Coach of the Year. The Mayor read a proclamation recognizing the team on their accomplishments and invited the members of the team to stand for recognition.

Coach Clary presented Mayor Newberry with a baseball signed by all the players that was used during the State Champion Game and he spoke about the accomplishments of the team.

* * *

An Ordinance amending Section 4-2 of the Code of Ordinances, relating to the mistreatment of animals, to change the title of the section to "Care and Treatment of Animals", to define "adequate food", "adequate shade", "adequate shelter", "adequate water" and "veterinary care", to require that an animal be provided adequate food, adequate water, adequate shade and adequate, safe and sanitary shelter, setting forth standards for collars and harnesses, and providing a penalty for violation; amending Section 4-12.2 of the Code of Ordinances, relating to nuisances created by animals, to make prohibitions apply to harborers as well as owners and creating graduated penalties; amending Sections 4-12.5(d) and 4-12.5(f) of the Code of Ordinances, relating to standards for kennels, to conform to the definitions established in Section 4-2; and amending Section 4-19(c), relating to dogs running at large, to require that a dog, when off the owner’s or harborer’s property, be restrained by a properly fitting collar or harness physically attached to a leash or tether of appropriate material and weight was given second reading.

Mr. Martin asked questions of Mr. Logan Askew, Commissioner of the Dept. of Law, regarding the language of the ordinance.

The Council discussed the language of the ordinance.

Upon motion of Mr. Beard, seconded by Ms. Henson, and approved by unanimous vote, the matter of adding language to the ordinance to address other types of animals besides those specifically cited was referred to the Services Committee for additional drafting.

Upon motion of Mr. Blues, and seconded by Ms. Lawless, the ordinance was approved by the following vote:

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

Nay: ---0

* * *

An Ordinance appropriating the Revenues, Expenditures/Expenses and Interfund Transfers for the General Services District Fund, the Tenant Relocation Fund, the Urban Services District Fund, the Police Confiscated Federal Fund, the Police Confiscated State Fund, the Public Safety Fund, the Spay and Neuter Fund, the Industrial Revenue Bond Fund, the Municipal Aid Program Fund, the County Road Aid Fund, the Mineral Severance Fund, the Coal Severance Fund, the Miscellaneous Special Revenue Fund, the Sanitary Sewer Revenue and Operating Fund, the Sanitary Sewer Construction Fund, the Storm Water Fund, the Landfill Fund, the Right-of-Way Program Fund, the City Employees' Pension Fund, the Policemen's and Firefighters' Retirement Fund of the Lexington-Fayette Urban County Government, the Extended School Program Fund, the Prisoners' Account Fund, the Enhanced 911 Fund, the Lexvan Program Fund, the Lexington-Fayette Urban County Government Public Facilities Corporation General Fund, the Lexington-Fayette Urban County Government Public Facilities Corporation Parks Projects Fund, the Lexington-Fayette Urban County Government Public Parking Corporation Fund, the Lexington-Fayette Urban County Government Public Library Corporation Fund, the Medical Insurance Fund, the Property and Casualty Claims Fund, the FY05 Bond Projects Fund, and the FY10 Bond Projects Fund, on a divisional level by four (4) control levels, for the fiscal year ending June 30, 2010, for the Lexington-Fayette Urban County Government and its agencies and instrumentalities; approving and adopting the

Capital Improvement Program For Fiscal Years FY 2010 through FY 2015, as a portion of the fiscal year (FY) 2010 annual capital improvements budget; suspending Section 5(1) of the Economic Contingency Ordinance No. 78-2006 and approving funding for the Lexington-Fayette Urban County Tourist and Convention Commission from the Transient Room Tax, said funding to equal 99 ½% of the revenue from the tax was given second reading.

Upon motion of Mr. Blues, and seconded by Ms. Lawless, the ordinance was approved by the following vote:

Aye: Blues, Crosbie, Gorton, Gray, Henson,
James, Lane, Lawless, Martin, McChord,
Myers, Stinnett, Beard-----------------------------13

Nay: Ellinger--1

* * *

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

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

Nay: ---0

An Ordinance amending Section 4-21 of the Code of Ordinances, relating to impoundment of animals, to provide for the humane disposal of livestock and fowl after the requisite impoundment period, increasing boarding charges for impounded animals, and increasing the impoundment fee for unaltered dogs and cats.

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.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Transportation Cabinet, which Grant funds are in the amount of $448,150.00 Federal funds, are for the Brighton Rail Trail Bridge, the acceptance of which obligates the Urban County Government for the expenditure of $120,000.00 as a local match, appropriating funds pursuant to Schedule No. 150, 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 U.S. Dept. of Health and Human Services, which Grant funds are in the amount of $49,126.00 Federal funds, are for continuation of the Parent Resource Center for a Bright Future, a Healthy Tomorrows Project, at the Family Care Center, the acceptance of which obligates the Urban County Government for the expenditure of $100,874.00 as a local match, appropriating funds pursuant to Schedule No. 151, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $1,100.00 from Neighborhood Development Funds in the Div. of Police for Police Activities League, and appropriating and re-appropriating funds, Schedule No. 152.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements in the Council Office for funds in the amount of $1,500 from Neighborhood Development funds for the Senior Intern Program, and appropriating and re-appropriating funds, Schedule No. 154.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $162,282.83 for the WIA Youth Summer Employment Program, and appropriating and re-appropriating funds, Schedule No. 153.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant application to the U.S. Dept. of Health and Human Services, 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 $173,458.00 Federal funds, are for operation of the M.A.S.H. Drop Inn Facility, the acceptance of which obligates the Urban County Government for the expenditure of $17,346.00 to be provided by the M.A.S.H. Drop Inn operating budget, appropriating funds pursuant to FY 2010 Schedule No. 10, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

An Ordinance closing a portion of McGrath Alley; determining that all property owners abutting the portion of the street to be closed have been identified, provided with written notice of the proposed closing and consented thereto in writing; and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Quitclaim Deed transferring the former right-of-way to the abutting owner, subject to the reservation of easements for access and maintenance of existing utilities in the former right-of-way.

An Ordinance closing portions of Rojay Dr. and Mall Rd. (formerly W. Tiverton Ct.); determining that all property owners abutting the portions of the streets to be closed have been identified, provided with written notice of the proposed closing and consented thereto in writing; authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Quitclaim Deeds transferring the former right-of-way to the abutting owners, subject to the reservation of easements for access and maintenance of existing utilities in the former right-of-way; and authorizing and directing the Mayor to accept dedication of right-of-way required for the reconfiguration of these streets.

An Ordinance adopting the Newtown Pike Extension and Scott St. Connector Traffic, Safety and Movement Plan relating to traffic movement, safety, access, and design; providing for issuance of permits in conformance with the Plan and location and dedication of access roads; specifying the location of median openings; specifying control of access for the Scott St. Connector from the Newtown Pike Extension to the new Broadway St. Bridge; specifying locations of right turn in/right turn out access points; specifying requirements for driveways and entrances and corner clearance; providing that development other than single-family detached and two-family residential structures shall require approval of a final development plan by the Planning Commission, shall be a minimum of two (2) stories and shall comply with the Newtown Pike Extension Commercial Design and Property Access Standards; requiring a report from the

Planning Commission prior to adoption of any ordinance altering the textual or graphic representation of this ordinance; and authorizing the Mayor, on behalf of the Urban County Government, to request assistance from the Commonwealth of Ky. and any other person or entity, including the U.S. Government, in implementing the provisions of the plan.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Heritage Council, which Grant funds are in the amount of $9,968.00 Federal funds, are for the Div. of Historic Preservation's FY 2010 Survey and Planning Project, the acceptance of which obligates the Urban County Government for the expenditure of $6,645.00 as a local match, appropriating funds pursuant to FY 2010 Schedule No. 11, authorizing the Mayor to transfer unencumbered funds within the Grant budget, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Letter of Agreement Amendment with the Ky. Heritage Council, for extension of the Project through August 1, 2010.

An Ordinance amending Section 21-5(2) of the Code of Ordinances creating one (1) position of Environmental Enforcement Specialist, Grade 115E, in the Div. of Environmental Policy.

An Ordinance amending Section 7-17 of the Code of Ordinances changing the Custodian of maps, software, data, etc. for GIS from the Commissioner of Finance to the Chief Information Officer.

An Ordinance creating Section 15-1.3(1) of the Code of Ordinances relating to designating a Clean Zone for the 2010 World Equestrian Games; creating Section 15-1.3(2) of the Code of Ordinances relating to a Clean Zone for the 2010 World Equestrian Games designating the time frame and geographical boundaries of the Clean Zone; creating Section 15-1.3(3) of the Code of Ordinances relating to a Clean Zone for the 2010 World Equestrian Games to encompass in the Clean Zone all real property within the boundaries described in Section 15-1.3(2); creating Section 15-1.3(4) of the Code of Ordinances relating to a Clean Zone for the 2010 World Equestrian Games to prohibit the unauthorized selling of goods, services, merchandise, souvenirs or transaction of a temporary business of any kind in the Clean Zone; creating Section 15-1.3(5) of the Code of Ordinances relating to a Clean Zone for the 2010 World Equestrian Games to authorize existing businesses in the Clean Zone to conduct their existing authorized business in the Clean Zone and prohibiting the unauthorized sale of tickets to the 2010 World Equestrian Games within the Clean Zone; creating Section 15-1.3(6) of the Code of Ordinances relating to a Clean Zone for the 2010 World Equestrian Games to prohibit temporary signs, streamers, banners, pennants and inflatables within the Clean Zone; creating Section 15-1.3(7) of the Code of Ordinances relating to a Clean Zone for the 2010 World Equestrian Games to establish a daily fine of $1,000.00 for each violation of this ordinance; creating Section 15-1.3(8) of the Code of Ordinances relating to a Clean Zone for the 2010 World Equestrian Games to establish a Savings Clause for Section 15-1.3; creating Section 15-1.3(9) of the Code of Ordinances relating to a Clean Zone for the 2010 World Equestrian Games for Section 15-1.3 to expire at 12:00 a.m. on October 11, 2010.

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. 155.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation of $11,279.47 from the Family Care Center Volunteer Board, Inc., for support of career and life skills programming and speakers, parent education academic enhancement, and domestic violence materials and education, for the Family Care Center, and appropriating funds pursuant to Schedule No. 156.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation of $200.00 from the Alpha Delta Chapter of ADK for Early Child Care Center classroom supplies for the Family Care Center, and appropriating funds pursuant to Schedule No. 157.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation of $50.00 from Mike and Julia Balog, in memory of Dimple Gray, for Early Child Care Center classroom supplies for the Family Care Center, and appropriating funds pursuant to Schedule No. 158.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation of $100.00 from the Family Care Center Volunteer Board, Inc., for a recognition award for an outstanding graduating student, for the Family Care Center, and appropriating funds pursuant to Schedule No. 159.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation/grant from the Easter Seals, to the Commission for Citizens with Disabilities to cover the cost of attending the Accessible Community Transportation Institute to be held July 12-15, 2009 in Washington, DC for designated members of the Commission, appropriating funds pursuant to Schedule No. 160, and authorizing the Mayor to transfer unencumbered funds within the donations fund.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements in the Div. of Code Enforcement for funds in the amount of $800.00 from Neighborhood Development Funds for Redwood Dr. property abatement, and appropriating and re-appropriating funds, Schedule No. 161.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements in Special Projects for funds in the amount of $1,000.00 from Neighborhood Development Funds for prize money for the 4th of July float competition, and appropriating and re-appropriating funds, Schedule No. 162.

An Ordinance authorizing and directing the Mayor and Successors-in-Title, on behalf of the Urban County Government, to execute and submit a loan application through the Ky. Natural Resources and Environmental Protection Cabinet and the Ky. Infrastructure Authority, with such assurances and required supporting data as is necessary to obtain loan assistance from the Federally Assisted Wastewater Revolving Fund (State Revolving Loan Program), and to act as the Official Project Representative to carry out necessary negotiations for and administer the loan assistance the Urban County Government may obtain from the Federally Assisted Wastewater Revolving Fund (State Revolving Loan Program), which loan proceeds are in the amount of $237,000 Federal funds, are for the Radcliffe Rd. Drainage Improvements Project, the acceptance of which obligates the Urban County Government to repay 47.9% of the loan at a 2.0% annual percentage rate plus a .2% annual loan servicing fee, appropriating funds pursuant to FY10 Schedule No. 12, and authorizing the Mayor to transfer unencumbered funds within the loan budget.

An Ordinance of the Urban County Council finding that the Habitat for Humanity project for water line upgrades for three affordable housing units on Loneta Ave. meets the guidelines for the expenditure of funds from the Urban Development Action Grant (UDAG) Repayment Fund, authorizing the expenditure of $45,000.00 in such funds to assist with this project, and appropriating funds pursuant to Schedule No. 164.

An Ordinance authorizing and directing the Mayor and Successors-in-Title, on behalf of the Urban County Government, to execute and submit a loan application through the Ky. Natural Resources and Environmental Protection Cabinet and the Ky. Infrastructure Authority, with such assurances and required supporting data as is necessary to obtain loan assistance from the Federally Assisted Wastewater Revolving Fund (State Revolving Loan Program), and to act as the Official Project Representative to carry out necessary negotiations for an administer the loan assistance the Urban County Government may obtain from the Federally Assisted Wastewater Revolving Fund (State Revolving Loan Program), which loan proceeds are in the amount of $2,620,000 Federal funds, are for the Downtown Streetscape Green Infrastructure Program Initiative, the acceptance of which obligates the Urban County Government to repay 47.9% of the loan at a 2.0% annual percentage rate plus a .2% annual loan servicing fee, appropriating funds pursuant to FY10 Schedule No. 13, and authorizing the Mayor to transfer unencumbered funds within the loan budget.

An Ordinance approving and adopting a substantial amendment to the 2008 Consolidated Plan for use of funds from the American Recovery and

Reinvestment Act of 2009, and authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the U.S. Dept. of Housing and Urban Development, which Grant funds are in the amount of $555,600.00 Federal funds, are for a Weatherization Program ($245,000.00) and a Single-Family Housing Rehabilitation Program ($310,600.00), the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY10 Schedule No. 14, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Dept. of Local Government, which Grant funds are in the amount of $1,371,047.00 Federal funds, are for land banking activities, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY10 Schedule No. 15, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Dept. of Local Government, which Grant funds are in the amount of $512,000.00 Federal funds under the Neighborhood Stabilization Program, are for a redevelopment project to be implemented by REACH, Inc., the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY10 Schedule No. 16, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract Addendum with the Lexington-Fayette County Health Dept., accepting additional funding in the amount of $160,416.00, for the Home Network Project, a home visitation program, at the Family Care Center, and appropriating funds pursuant to Schedule No. 163.

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. 165.

*   *   *

Upon motion of Mr. Blues, seconded by Mr. Myers, and approved by unanimous vote, an Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase Agreement and any other necessary closing documents with Frankfort Court, LLC, for the purchase of Lots 3 through 9 of the property located at 2401 Old Frankfort Pike, at a cost not to exceed $1,665,950.00, and appropriating funds pursuant to Schedule No. 148 was removed from the table, placed on the docket, and given second reading.

Upon motion of Mr. Blues, and seconded by Ms. Lawless, the ordinance was approved by the following vote:

Aye: Blues, Gorton, Henson, James, Lane,
Lawless, Martin, McChord, Myers, Stinnett,
Beard---11

Nay: Crosbie, Ellinger, Gray---------------------------------3

*   *   *

An Ordinance changing the zone from a Single Family Residential (R-1D) zone to a Neighborhood Business (B-1) zone for a 1.36 net (1.83 gross) acres, for property located at 2981 Cadentown Rd. and 3097 (a portion of) Old Todds Rd., subject to certain use restrictions imposed as conditions of granting the zone change (Todds Rd. Development, LLC) was given first reading and ordered placed on file until August 13, 2009 for a Public Hearing at 8:00 p.m.

*   *   *

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

An Ordinance amending Articles 1, 3, 4, 7, 8, 9, 12, 15, 16, 18, 22, 26, 28 and 29 of the Zoning Ordinance to clarify and modify regulations in the defined infill and redevelopment area to expand the limits of mixed uses, change parking requirements, add accessory dwelling units, and increase the flexibility of the design of the Neighborhood Character Design Overlay (ND-1) zone.

An Ordinance authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the U.S. Dept. of Justice, 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 $410,023.00 Federal funds, are for installation of Wireless Mesh Network inside of New Circle Rd., for the Div. of Police, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to FY10 Schedule No. 17, 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 $2,063,763.00 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 FY10 Schedule No. 18, 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 $1,875,159.00 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 FY10 Schedule No. 19, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

An Ordinance ratifying the 2009 Div. of Community Corrections Policy and Procedural Manual and adopting it in lieu of the Policy and Procedure Manual adopted in Ordinance No. 219-2007, which provides procedures for general management, public information, inmate information system and inmate records, budgeting and accounting, inmate accounts, commissary, staffing, disciplinary actions, sworn status, appearance, code of ethics, court proceedings, personnel records, physical fitness, training requirements, off-duty employment, drug free workplace policy, employee assistance program, tobacco free/no smoking designation, admissions, commitment authority, inmate records, inmate searches, inmate property, orientation, transfer and release, objective classification, security assessments, custody assessments, disciplinary segregation, administrative segregation, inmate supervision, security procedures, inspections, searches, transportation of inmates, use of restraints, use of force, weapons, use of firearms, emergency procedures and operations, inmate health care, food service procedures, equipment maintenance, control and use of dangerous materials, sanitation, hygiene, inmate services unit, statement of inmate rights, disciplinary offenses, hearing procedures, inmate grievance procedures, probation services unit, community alternative program-goals, drug testing unit, and community service unit.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Payroll Analyst, Grade 115E, in the Div. of Accounting and creating one (1) position of Payroll Analyst, Grade 115E, in the Div. of Human Resources, appropriating funds pursuant to FY10 Schedule No. 20 and transferring the incumbent.

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. 21.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $1,483,300.00 for the Recycling Center equipment purchase, and appropriating and re-appropriating funds, Schedule No. 22.

* * *

A Resolution accepting the bids of Worldwide Equipment; Nandino Industrial Electric, Inc.; Bluegrass International Trucks; Carquest Auto Parts; Republic Diesel; S & S Tire Truck Alignment and Brake Center, Inc.; Bill Collins Ford L/M; C & M Auto Electric, Inc.; Alton Blakley Ford-Line, Mercury, Mazda, Honda, Suzuki; Freedom Dodge-Chrysler Jeep; Peterbilt of Louisville; Fleet Pride, Inc.; Whayne Supply Co., Inc.; KOI Auto Parts; Power Train of Ky. and Action Remanufactured Engines, LLC, establishing price contracts for automotive and truck parts, for the Div. of Facilities and Fleet Management was given second reading.

Upon motion of Ms. Crosbie, and seconded by Mr. Lane, the resolution was approved by the following vote:

Aye: Blues, Crosbie, Ellinger, Gorton, Gray,
James, Lane, Lawless, Martin, McChord,
Myers, Stinnett, Beard----------------------------13

Nay: ---0
(Ms. Henson recused herself when the vote was taken.)

* * *

A Resolution supporting the use of "Blue Horse" logo by the Lexington Convention and Visitors Bureau and authorizing and directing the Lexington-Fayette Urban County Government to work in conjunction with the Lexington Convention and Visitors Bureau and any other necessary parties in placing the "Blue Horse" logo on wayfinding signs and in developing other uses by the Lexington-Fayette Urban County Government that promote Lexington, Fayette County, Ky. was given second reading.

Upon motion of Ms. Crosbie, and seconded by Mr. Lane, the resolution was approved by the following vote:

Aye: Blues, Crosbie, Ellinger, Gorton, Gray,
Henson, James, Lane, Lawless, Martin,
McChord, Myers, Stinnett---------------------13

Nay: Beard---1

* * *

A Resolution approving the FY10 Budget for the Transit Authority of the Lexington-Fayette Urban County Government (LexTran) pursuant to KRS 96A.360 and requesting that the Acting Commissioner of Finance authorize the Fayette County Sheriff’s Office to disburse the funds to LexTran collected from the ad valorem tax approved by voters on November 9, 2004 was given second reading.

Upon motion of Ms. Crosbie, and seconded by Mr. Lane, the resolution was approved by the following vote:

Aye: Blues, Crosbie, Ellinger, Gorton, Gray,
Henson, James, Lane, Lawless, Martin,
Myers, Beard--12

Nay: McChord, Stinnett----------------------------------2

* * *

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

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

Nay: --0

A Resolution accepting the bids of Blond Lighting & Fixture; Graybar Electric; West-Lite Supply Co., Inc.; Brock McVey Co., Inc. and Kyana Packaging & Industrial Supply establishing price contracts for bulbs and ballasts, for the Div.'s of Facilities and Fleet Management and Community Corrections.

A Resolution accepting the bid of Omaha Standard-Louisville establishing a price contract for utility body-sewers, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of ELXSI d/b/a CUES, in the amount of $173,780.00, for van equipped with television equipment for sewer inspection, for the Div. of Facilities and Fleet Management.

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

A Resolution accepting the bid of Bradley Hook It Up Mobile, LLC establishing a price contract for vehicle steam cleaning, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Stoney Brook Construction, Inc., in the amount of $22,000.00, for Restroom Renovation - Coroner's Office, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Slate Creek Contracting Services, in the amount of $49,800.00, for the Fire Training Center Restroom Renovation, for the Div. of Fire and Emergency Services.

A Resolution accepting the bid of RCS Communications Systems, Inc. d/b/a RCS Communications, establishing a price contract for Prisoner Restraint Cages, for the Div. of Police.

A Resolution accepting the bid of Judy Construction Company, in the amount of $722,250.00, for the West Hickman Waste Water Treatment Plant Equipment Improvements, for the Div. of Water Quality, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Judy Construction Company, related to the bid.

A Resolution accepting the bid of National Water Services, in the amount of $1,027,000.00, for the West Hickman Screw Pump Removal/Replacement Phase 3, for the Div. of Water Quality, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with National Water Services, related to the bid.

A Resolution accepting the bid of Team Contracting, LLC, in the amount of $1,340,000.00, for the Town Branch Waste Water Treatment Plant Primary Effluent Pump Station Pumps Replacement, for the Div. of Water Quality, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Team Contracting, LLC, related to the bid.

A Resolution accepting the bid of Municipal Equipment, Inc., in the amount of $158,340.00, for a Vacuum Sweeper, for the Div. of Waste Management.

A Resolution accepting the bid of Municipal Equipment, Inc., in the amount of $87,750.00, for a knuckleboom truck (used), for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Information Station Specialists, Inc., in the amount of $106,960.00, for AM Alert Radios, for the Div. of Environmental and Emergency Management Services.

A Resolution accepting the bids of Regal Chemical Co.; Lesco, Inc.; Advanced Turf Solutions; Harrell's, LLC; and The Hill Co., establishing price contracts for Golf Course Horticulture Products, for the Div. of Parks and Recreation.

A Resolution accepting the bid of Kiesler Police Supply, Inc., establishing a price contract for ammunition, for the Div. of Police.

A Resolution accepting the bid of ELXSI d/b/a CUES, in the amount of $161,562.00, for a van equipped with pipeline television inspection system, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Lexington Manufacturing Center, dba Opportunity Workshop of Lexington, Inc., establishing a price contract for custodial services for Safety City, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of R & L Cleaning Service, establishing a price contract for custodial services for Youth Services, 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 $23,917.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a HIPAA Business Associate Agreement with the Lexington-Fayette County Health Dept., for sharing of information, at no cost to the 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 Arbor Masters Tree Service, for additional ice storm cleanup services at various parks, for the Div. of Parks and Recreation, increasing the contract price by the sum of $15,145.02 from $26,000 to $41,145.02.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 (Final) to the Contract with Woodall Construction Co. Inc., for the 12th St. Neighborhood Improvements Project, increasing the contract price by the sum of $32,999.28 from $459,030.00 to $492,029.28.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 (Final) to the Contract with Central Rock Mineral Co., LLC, for the Star Shoot Pkwy. Extension Project, decreasing the contract price by the sum of $21,163.48 from $1,861,910.79 to $1,840,747.31.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with MAC Construction & Excavating, Inc., for the Meadows-Northland-Arlington Neighborhood Improvement Project, increasing the contract price by the sum of $33,140.44 from $1,176,755.00 to $1,209,895.44.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Metaformers, Inc., for provision of programming services, for the Office of Internal Audit, at a cost not to exceed $35,040.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Maintenance Agreement with AB Dick/Kopykat, Inc., for copier maintenance, at a cost not to exceed $12,372.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration and accept a Deed conveying a permanent sidewalk easement and a temporary construction easement from BVI Double Drive-Thru, Inc. and Louise Means, for the property located at 410 Georgetown St., for the Georgetown St. Sidewalk Project, and authorizing payment in the amount of $750.00, plus usual and appropriate closing costs.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration and to accept a Deed for the property located at 134 Northwood Dr. from Donald and Joan Crawford, for the Northwood Dr. Stormwater Project, and authorizing payment in the amount of $111,700.00, plus usual and appropriate closing costs.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute four (4) partial releases of easement, releasing portions of a sanitary sewer easement on property located at 1950 Ft. Harrod Dr.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and other necessary documents, for property interests needed for the Loch Lomond Drainage Improvements Project, at a cost not to exceed $225,000.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Interlocal Cooperation Agreement with the Commonwealth of Ky. and Board of Education of Fayette County, Ky., to establish the Lexington-Fayette Urban County Land Bank Authority, at no cost to the Urban County Government.

A Resolution amending Sections 1 and 2 of Resolution No. 328-2009, which authorized and directed the Mayor, on behalf of the Urban County Government, to execute Agreements for various public purpose projects for the Office of the Urban County Council, deleting the allocation to Lafayette High School Girls Booster Club, Inc. ($1,000.00).

A Resolution amending Resolution No. 122-2009, canceling the Adopt-A-Spot Agreement with Tates Creek High School Lacrosse Club and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Rural and Inner City Adopt-A-Spot Program Agreement with Bluegrass Youth Development Center, for participation in the Adopt-A-Spot Roadway Cleanup Program, at a cost not to exceed $522.98.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with CASA of Lexington, Inc. ($1,225.00), Hunting Hills Neighborhood Association, Inc. ($500.00), Georgetown Neighborhood Association, Inc. ($1,575.00), Southern Heights Neighborhood Association, Inc. ($1,500.00), and Overbrook Place Homeowners Association, Inc. ($1,500.00), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with CASA of Lexington, Inc. ($100.00), Friends of Raven Run, Inc. ($1,500.00), Cumberland Hill Neighborhood Association, Inc. ($500.00), Pine Meadows-Cardinal Hill-Mason Headley Neighborhood Association, Inc. ($2,500.00), Golfview Estates Neighborhood Association, Inc. ($1,000.00), and Neighbors of Bryan Station, Inc.

($800.00), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution accepting and adopting the Financial Audit Report prepared by Blue & Co., LLC, for the audit of the Family Care Ctr. Health Clinic covering the period from July 1, 2007 to June 30, 2008.

A Resolution adopting the Arbitration Opinion and Award with regard to a disciplinary matter relating to Firefighter Christopher Nead, except that the provision finding that Firefighter Nead may be entitled to unscheduled overtime pay is not adopted; and further noting that all parties to the Arbitration agree that the adoption of the Arbitration Opinion and Award with the noted exception is a complete and final resolution to this disciplinary matter.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with H.W. Lochner, Inc., for right-of-way services for Newtown Pike Extension Project Mitigation Area, at a cost not to exceed $196,650.00.

A Resolution ratifying the probationary civil service appointments of: David Stone, Administrative Officer Sr., Grade 120E, $3,269.28 bi-weekly, in the Dept. of Environmental Quality, effective June 15, 2009, Sara Johnson, Social Worker, Grade 113E, $1,154.80 bi-weekly, in the Div. of Youth Services, effective June 22, 2009, Chester Kiehl, Administrative Specialist Principal, Grade 114E, $1,958.00 bi-weekly, in the Div. of Police, effective June 8, 2009, Hannelore Boorn, Administrative Officer, Grade 118E, $2,839.44 bi-weekly, in the Div. of Waste Management, effective June 8, 2009, Charles Bowen, Telecommunicator, Grade 111N, $18.246 hourly, in the Div. of Emergency Management/911, effective June 22, 2009, Douglas Turner, Telecommunicator, Grade 111N, $18.246 hourly, in the Div. of Emergency Management/911, effective June 22, 2009, Michelle Haynes, Telecommunicator, Grade 111N, $18.246 hourly, in the Div. of Emergency Management/911, effective June 22, 2009, Vonda Melton, Human Resources Manager Sr., Grade 121E, $3,076.92 bi-weekly, in the Div. of Human Resources, effective June 15, 2009, Curtis Hale, Telecommunicator Sr., Grade 113N, $18.051 hourly, in the Div. of Emergency Management/911, effective June 22, 2009, ratifying the probationary sworn appointments of: Charles Bonta, Fire Captain, Grade 316N, $21.770 hourly, in the Div. of Fire and Emergency Services, effective April 13, 2009, Gregory Beck, Fire Lieutenant, Grade 315N, $16.806 hourly, in the Div. of Fire and Emergency Services, effective April 13, 2009, Sam Murdock, Police Sergeant, Grade 315N, $27.013 hourly, in the Div. of Police, effective June 15, 2009, Maria Roberts, Fire Captain, Grade 316N, $21.770 hourly, in the Div. of Fire and Emergency Services, effective May 25, 2009, Lee Hayden, Fire Lieutenant, Grade 315N, $16.806 hourly, in the Div. of Fire and Emergency Services, effective May 25, 2009, ratifying the probationary Community Corrections Officer appointments of: Jacob Crawford, Yolanda Elko, Nicholas Elko, Dustin Wynn, Community Corrections Sergeant, Grade 112N, $22.520 hourly, in the Div. of Community Corrections, effective May 11, 2009, approving the unclassified civil service appointment of: Charles Meade, Van Driver, Grade 104N, $9.146 hourly, in the Dept. of Social Services, effective June 8, 2009.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement granting additional responsibility pursuant to KRS 198B.060(5), with the Commonwealth of Ky.'s Dept. of Housing, Buildings, and Construction, specifying the enforcement responsibilities within Lexington-Fayette 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 a Certificate of Consideration and to accept a Deed for the property located at 133 Northwood Dr. from Stephen and Linda Watts, for the Northwood Dr. Stormwater Project, and authorizing payment in the amount of $116,700.00, plus usual and appropriate closing costs.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Official Merchandiser Agreement, with Hands On Originals, for Spotlight Lexington, 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 Presenting Sponsorship Agreement, with St.

Joseph Health Systems, for Spotlight Lexington, 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 Sixth Amendment to Agreement with Amerinational Community Services, Inc., for loan servicing for the HOME and CDBG housing rehabilitation and homeownership programs to extend the Agreement through June 30, 2010, at an additional cost not to exceed $30,000.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Strand Associates, Inc., for the feasibility study and engineering design of the Legacy Trail Project, increasing the contract price by the sum of $573,300.00 from $496,000.00 to $1,069,300.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Strand Associates, Inc., for the Town Branch Wastewater Treatment Primary Effluent Pump Station Pump Replacement Design Project, increasing the contract price by the sum of $13,203.00 from $64,000.00 to $77,203.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order. No. 2 to the contract with Jarboe Construction, Inc., for the Carver Center Passenger Elevator, increasing the contract price by the sum of $2,972.96 from $128,325.00 to $131,297.96.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with HDR Engineering, Inc., for the Wolf Run Pump Station Expansion and Relocation project, at a cost not to exceed $368,550.00.

A Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute a Lease Agreement with Ky. Medical Services Foundation, Inc., F/B/O University of Ky., and an Asset Transfer Agreement with the University of Ky., under which the University of Ky. will lease and operate the Family Care Center Health Clinic at 1135 Red Mile Rd.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract with Thomson West, for on-line legal research and publications, at a cost not to exceed $35,000.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Ky. Humanities Council, Inc. ($650.00), Citizens Police Academy Alumni Association, Inc. ($2,000.00), Bryan Station High School Alumni Association, Inc. ($425.00), Psi Tau Chapter of Omega Psi Phi Fraternity ($325.00), Forest View Towne Homes Association, Inc. ($500.00), Woodfield Homes Association, Inc. ($1,125.00), Healthway Trail System, Inc. ($5,700.00), Antioch Missionary Baptist Church, Inc. ($200.00), Highlands Neighborhood Association, Inc. ($200.00), Georgetown St. Area Neighborhood Association, Inc. ($1,635.00), Oakwood Neighborhood Association, Inc. ($300.00), Hope Center, Inc. ($1,000.00), Hope Center, Inc. ($1,000.00), Columbia Heights Neighborhood Association, Inc. ($1,000.00), Mentelle Park Neighborhood Association, Inc. ($1,000.00), Seven Parks Neighborhood Association, Inc. ($600.00), The Southland Association, Inc. ($500.00), Isaac Scott Hathaway Museum, Inc. ($350.00), Girls on the Run Lexington Corp. ($500.00), Squire Oak Homeowners Association, Inc. ($1,000.00), Andover Neighborhood Association, Inc. ($1,000.00), Bluegrass Fraternal Order of Police ($1,000.00), Woodhill Neighborhood Association, Inc. ($1,700.00), Stuart Hall Homeowners Association, Inc. ($1,000.00), Walnut Creek Homeowners Association, Inc. ($1,000.00), Chilesburg Maintenance Association, Inc. ($1,000.00), East Lake Neighborhood Association, Inc. ($1,000.00), and Citizens Fire Academy Alumni Association of Lexington, Ky., Inc. ($3,155.00), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

* * *

A Resolution amending Section 4.106 of the Council Rules to provide that public comment shall be limited to three (3) minutes per individual, generally, and under no circumstances shall an individual make public comment for more than fifteen (15) minutes; and to provide that public speakers shall be courteous when speaking was given first reading.

Upon motion of Ms. Lawless, and seconded by Ms. Gorton, the rules were suspended by majority vote (Mr. Myers voted no.).

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

Aye: Blues, Crosbie, Ellinger, Gorton, Gray,
Henson, Lane, Lawless, Martin, McChord,
Stinnett, Beard--------------------------------------12

Nay: James, Myers---2

* * *

The following resolutions were given first reading. Upon motion of Ms. Lawless, and seconded by Ms. Gorton, the rules were suspended by majority vote (Mr. Myers voted no.).

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

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

Nay: --0

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and other necessary documents, for property interests needed for the flood hazard mitigation project in the Ft. Sumter Dr., Gayle Dr., Cabot Dr. and Shandon Dr. area, at a cost not to exceed $1,146,090.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from Bluegrass Crime Stopper's for the attendance of Detective Robert Sarrantonio at the Crime Stopper's USA National Conference, for use at the Div. of Police, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Lansdowne Neighborhood Association, Inc. ($150.00), Zandale Neighborhood Association, Inc. ($150.00), Creative Beginnings Child Development Center ($1,500.00), Gainesway Neighborhood Association, Inc. ($500.00), Stonewall Community Association, Inc. ($600.00), Woodhill Neighborhood Association, Inc. ($6,621.00), Park Place

Neighborhood Association, Inc. ($5,600.00), CASA of Lexington, Inc. ($305.00), Cardinal Valley Neighborhood Association, Inc. ($650.00), Copperfield Neighborhood Association, Inc. ($1,000.00), and South Lexington Youth Baseball, Inc. ($500.00), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution ratifying the probationary civil service appointment of: Robin Adams, Total Rewards Assistant, Grade 112N, $20.891 hourly, in the Div. of Human Resources, effective June 22, 2009; ratifying the permanent civil service appointments of: Kenneth Johns, GIS Specialist, Grade 114N, in the Div. of Computer Services, effective April 27, 2009, Jodey Evans, Heavy Equipment Technician, Grade 113N, in the Div. of Fire and Emergency Services, effective April 27, 2009, James Wilson, Administrative Officer, Grade 118E, in the Div. of Facilities and Fleet Management, effective June 8, 2009; ratifying the probationary sworn appointments of: Brandon Allen, Owen Branam, Justin Dee, Jeremy Eadens, Scott Fett, Gregory Hudgins, Christopher Innes, Robert Johnson, Jeremiah Littrell, Justin May, Joshua McCoy, Jessica Rash, Carrie Taylor, Jonathan Turner, Casey Wiley, Firefighters, Grade 311N, $17.027 hourly, in the Div. of Fire and Emergency Services, effective July 8, 2009; ratifying the permanent sworn appointments of: Jones Hiatt, James Lowe, April McCrickard, Kevin Metcalf, Franklin Patrick, Ronald Spurlock, Jason Yeager, Police Sergeant, Grade 315N, in the Div. of Police, effective August 18, 2008, Kevin Goldie, Police Sergeant, Grade 315N, in the Div. of Police, effective September 14, 2008, Andrew Daugherty, Police Sergeant, Grade 315N, in the Div. of Police, effective October 28, 2008, Sean Ray, Joseph Eckhardt, Police Sergeant, Grade 315N, in the Div. of Police, effective February 18, 2009, Kevin Kidd, Police Sergeant, Grade 315N, in the Div. of Police, effective April 13, 2009, Joseph Blakely, Police Lieutenant, Grade 317E, in the Div. of Police, effective August 18, 2008, Garry Sennett, Police Lieutenant, Grade 317E, in the Div. of Police, effective September 14, 2008, David Marcum, Police Lieutenant, Grade 317E, in the Div. of Police, effective November 19, 2008, Wallace Hays, Police Lieutenant, Grade 317E, in the Div. of Police, effective February 18, 2009; ratifying the probationary

Community Corrections Officer appointments of: Timothy Bowan, Robert Roark, Community Corrections Sergeant, Grade 112N, $22.520 hourly, in the Div. of Community Corrections, effective June 22, 2009; ratifying the permanent Community Corrections Officer appointments of: Crystal Bailey, Jill Dionisio, Lee Johnson, Sylvia Logan, Glenn Magness, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective May 24, 2009, Nicholas Alexander, Michael Arvin, Clarence Houston, Jonathan Vago, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective June 6, 2009.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Art in Motion, Inc., for the Artistic Bus Shelter at Third St. and Elm Tree Ln. (Neighborhood Development Bond Funds), at a cost not to exceed $35,950.00.

A Resolution accepting the bid of Machinex Technologies, Inc., in the amount of $3,516,455, for the upgrade of equipment at the Material Recovery Facility, for the Div. of Waste Management, subject to sufficient funds being appropriated in FY 2010, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Machinex Technologies, Inc., related to the bid.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Services Agreement with Roots & Heritage Festival, Inc., for the 2009 Roots & Heritage Festival, at a cost not to exceed $39,350.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with the Explorium of Lexington, to provide services to the community, at a cost not to exceed $203,060.

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 a force main sewer easement on property located at Polo Club Center - 6409 - 6413 Polo Club Ln.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept the proposals for FY 2010 from Ky. League of Cities for and on behalf of New York Marine for excess workers' compensation insurance at a cost not to exceed $258,930.00; and for and on behalf of Public Entity Property Insurance Program for excess property insurance at a cost not to exceed $283,031.00; and for and on behalf of Ace USA for the international package insurance at a cost not to exceed $4,060.00, subject to a premium audit, and subject to sufficient funds being appropriated for the purposes, and authorizing payment to Ky. League of Cities on behalf of New York Marine, Public Entity Property Insurance Program, and Ace USA.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and other necessary documents, for property interests needed for the Green Acres Stormwater Project, at a cost not to exceed $950,000.00.

A Resolution declaring as surplus and authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute a Deed and any other necessary documents, for the sale and transfer of property located at 189 Elm Tree Ln., and declaring as surplus and authorizing and directing the Mayor, on behalf of the Urban County Government and the Lexington-Fayette Urban County Government Public Facilities Corp., to execute Deeds and any other necessary documents, for the sale and transfer of property located at 191, 193, 195 and 197 Elm Tree Ln. and 270 E. Second St.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Harrods Hill Neighborhood Association, Inc. ($750.00), the Salvation Army ($2,000.00), North Elizabeth St. Neighborhood Association, Inc. ($600.00), God's Pantry Food Bank, Inc. ($1,300.00), Big Brothers/Big Sisters of the Bluegrass, Inc. ($1,300.00), Lexington Humane Society ($450.00), Lexington Celtics AAU Basketball Corp. ($250.00), Eastland Parkway Neighborhood Association, Inc. ($500.00), Cadentown Neighborhood Association, Inc. ($600.00), Deep Springs Elementary

PTA ($500.00), and North Pointe Neighborhood Association, Inc. ($500.00), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

*　　　　　　　　*　　　　　　　　*

Upon motion of Ms. Lawless, seconded by Ms. Gorton, and approved by unanimous vote, a Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Simplex Grinnell, for the Bell House Fire Protection System, increasing the contract price by the sum of $2,467.00 from $164,150.00 to $166,617.00 was placed on the docket and given first reading.

Upon motion of Ms. Lawless, and seconded by Ms. Gorton, the rules were suspended by majority vote (Mr. Myers voted no.).

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

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

Nay: ---0

*　　　　　　　　*　　　　　　　　*

Upon motion of Mr. McChord, seconded by Ms. Gorton, and approved by unanimous vote, a Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a License Agreement with Coplogic, Inc., for services related to the provision of online reporting of crimes for the Div. of Police, at a cost not to exceed $24,750.00 was placed on the docket and given first reading.

Upon motion of Ms. Lawless, and seconded by Ms. Gorton, the rules were suspended by majority vote (Mr. Myers voted no.).

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

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

Nay: ---0

*　　　　　　　　*　　　　　　　　*

Upon motion of Ms. Henson, seconded by Ms. Gorton, and approved by unanimous vote, a Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Equipment Lease and Maintenance Agreement with Central Business Systems, for the lease and maintenance of Hasler equipment for the mailroom, at a cost not to exceed $9,513.28 annually, for a term of 51 months, subject to sufficient funds being appropriated in future fiscal years was placed on the docket and given first reading.

Upon motion of Ms. Lawless, and seconded by Ms. Gorton, the rules were suspended by majority vote (Mr. Myers voted no.).

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

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

Nay: --0

* * *

Upon motion of Ms. Lawless, seconded by Ms. Gorton, and approved by unanimous vote, a Resolution authorizing the Dept. of Environmental Quality to purchase Renaissance Receptacles from budgeted funds from Forms and Surfaces to promote recycling in the downtown area as part of the Live Green Lexington Initiative at a cost of $126,819 was placed on the docket and given first reading.

Upon motion of Ms. Lawless, and seconded by Ms. Gorton, the rules were suspended by majority vote (Mr. Myers voted no.).

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

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

Nay: --0

* * *

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

A Resolution accepting the bid of Denham-Blythe Co., Inc., in the amount of $5,560,322.66, for the Lyric Theatre Renovation and Addition, for the Mayor’s

Office, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Denham-Blythe Co., Inc., related to the bid.

A Resolution accepting the bid of Pedal Power Bike Shop, Inc., establishing a price contract for police bicycles, for the Div. of Police.

A Resolution accepting the bid of Path Master, Inc., establishing a price contract for illuminated street signs, for the Div. of Traffic Engineering.

A Resolution accepting the bids of KOI Auto Parts, Republic Diesel, Power Train of Ky., Fleet Pride, Worldwide Equipment, and Applied Industrial Technologies, Inc., establishing price contracts for filters, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Schroeder Construction, in the amount of $356,416.00, for the Pump Station Upgrade at Haley Pike Landfill, for the Dept. of Environmental Quality, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Schroeder Construction, related to the bid.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Design Services Contract with CDP Engineers, Inc., for the Radcliffe Rd. Drainage Project, in order to meet the economic stimulus funding requirements of the Ky. Infrastructure Authority, increasing the contract price by the sum of $8,000.00 from $43,500.00 to $51,500.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with G & G Paving and Construction, Inc., for Valley Park Parking Renovation, increasing the contract price by the sum of $3,600.00 from $37,100.00 to $40,700.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Lease with MES Enterprises, LLC, for the lease of space for Project Synergy, at a cost not to exceed $49,725.00.

A Resolution amending Section 1 of Resolution No. 322-2008, which authorized and directed the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Agreement with the Georgetown Neighborhood Association, decreasing the allocation from $5,000.00 to $2,980.00 and reflecting a change in the use of the funds from sidewalk repair in Douglass Park to ceiling tile installation in the community center, at no additional cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration and accept a Deed conveying a permanent sidewalk easement from the Edna Rae Kerns Estate, for the property located at 463 Shawnee Ave., for Phase 3C of the Meadows-Northland-Arlington Neighborhood Improvement Project, and authorizing payment in the amount of $100.00, plus usual and appropriate closing costs.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from Ky.'s Div. of Emergency Management and the Jessamine County Emergency Management Agency of batteries, monitors, wristbands and medical bags, for use at the Div. of Fire and Emergency Services and Div. of Emergency Management/911, at no cost to the Urban County Government.

A Resolution amending Section 2(c) of Resolution No. 350-2009 to change the reference to 372 Glen Arvin Ave. to 372 ½ Glen Arvin Ave., effective retroactive to May 14, 2009.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Plan Management Agreement and the Stop Loss Policy with Humana Insurance Co. for the administration of health care claims for the period of January 1, 2009 through December 31, 2009.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the U.S. Dept. of Justice and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of $46,550.00 Federal funds, and are for the purchase of bulletproof vests for the Div. of Police, the Div. of Fire and Emergency Services, and the Fayette County Sheriff's Office.

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 Change Order No. 2 (Final) to the Contract with W. Rogers Co., for the North Elkhorn Pump Station Project, increasing the contract price by the sum of $56,289.95 from $4,077,710.00 to $4,133,999.95.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with Stantec Consulting Services, Inc., for Sanitary Sewer Assessment (SSA) Groups 2 and 3 Field Activities, at a cost not to exceed $599,200.00.

A Resolution suspending the voting power of the Corridors Committee until such time as the Urban County Council by Ordinance establishes the Corridors Commission.

A Resolution adopting the Downtown Lexington Master Plan as a conceptual plan.

* * *

The following Communications were received from the Mayor for information only: (1) Resignation of Shannon Aubrey, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective June 10, 2009; (2) Resignation of Calvin Bennett, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective May 30, 2009; (3) Resignation of Joseph Gallo, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective May 14, 2009; (4) Resignation of Tonya Garcia, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective June 16, 2009; (5) Resignation of Arbanna Gibson, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective June 12, 2009; (6) Resignation of Jacob Holland, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective April 30, 2009; (7) Resignation of Anthony Jackson, Community Corrections Sergeant, Grade 110N, in the Div. of Community Corrections, effective June 10, 2009; (8) Resignation of Jessica Clark, Family

Support Worker Sr., Grade 112N, in the Div. of Family Services, effective June 5, 2009; (9) Resignation of Sally Jester, Child Care Program Aide, Grade 107N, in the Div. of Family Services, effective May 29, 2009; (10) Resignation of Vernon Williams, Public Service Worker, Grade 106N, in the Div. of Waste Management, effective May 18, 2009; and (11) Resignation of Sonya Taylor, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective May 22, 2009.

* * *

Mr. Martin made a motion, seconded by Ms. Crosbie, and approved by unanimous vote, to rescind the appointments to the Picnic with the Pops Commission and the Social Services Advisory Board which were approved by the Urban County Council at the June 11, 2009 Council meeting in the Communications from the Mayor. Mr. Martin stated that these appointments were mistakenly included in the Mayor's Report.

* * *

Mr. Gray announced that Mr. James Baker Hall, affiliated with the University of Kentucky English Department, had passed away.

* * *

Mr. Blues spoke about the loss of Mr. James Baker Hall.

* * *

Ms. Mary Ann Fugate, Yorktown Rd., 11th Council District, made a presentation of information on Speak Out and Rescue (SOAR), which provides fencing and other help for pet owners who wish to unchain their dogs. She urged the Council to pass anti-chaining legislation.

* * *

Mr. Bernard McCarthy, Harry Street, spoke in opposition to doing anything to reduce the capacity of the street systems in Lexington. He also spoke in objection to narrowing Vine Street, and to closing a block of Mill Street.

* * *

Upon motion of Ms. Crosbie, seconded by Mr. Gray, and approved by unanimous vote, the meeting adjourned at 8:54 p.m.

____
Clerk of the Urban County Council