Lexington-Fayette Urban County Government

Action Minutes - Final

Urban County Council

200 E. Main St
Lexington, KY 40507

Thursday, June 7, 2012 | **6:00 PM** | **Council Chambers**

I. Roll Call

Present 14 - Julian Beard; Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Absent 1 - Jay McChord

II. Invocation

III. Minutes of the Previous Meetings

0595-12 Minutes of the January 12, 24 (11:30 a.m.), 24 (6:00 p.m.), and 26, February 16 and 23, and March 8, 2012 Council Meetings.

A motion was made by Council Member Tom Blues, seconded by Council Member K.C. Crosbie, that the Minutes be Approved. The motion PASSED by an unanimous vote.

IV. Presentations

1. 0629-12 Proclamation: Bryan Station High School Boys Track Team - State Champions

Received and Filed

2. 0630-12 Roll for the Cure by Jon Woodall

Received and Filed

V. Ordinances – Second Reading

1. 0481-12 An Ordinance amending Ordinance No. 37-2012, relating to the creation of the Dept. of Planning, Preservation and Development, to correct a typographical error in Section 4 to reflect the correct number of staff assistant positions. [Div. of Human Resources, Walters]

A motion was made by Council Member Gorton, seconded by Council Member Beard, that this Ordinance be Passed. The motion Passed by the following vote:

Aye: 14 - Julian Beard; Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: O-068-2012

2. 0518-12 An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of HCM Manager Enterprise Solutions, Grade 119E and creating one (1) position of Information Systems Service Level Manager, Grade 121E in the Div. of Enterprise Solutions. [Div. of Human Resources, Walters]

A motion was made by Council Member Gorton, seconded by Council Member Beard, that this Ordinance be Passed. The motion Passed by the following vote:

Aye: 14 - Julian Beard; Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: O-069-2012

3. 0554-12 An Ordinance of the Lexington-Fayette Urban County Government authorizing the issuance of its Industrial Building Revenue Bonds, Series 2012 (Transylvania University Project) in an aggregate principal amount not to exceed $10,350,000, and the loan of the proceeds thereof to Transylvania University for the purpose of financing various additions and improvements to the campus of the University; authorizing the execution and delivery on behalf of the Urban County Government of (1) a Trust Indenture pursuant to which the Bonds will be issued, (2) a Loan Agreement between the Urban County Government, as Lender, and Transylvania University, as Borrower, providing for loan repayments sufficient to pay the principal of and interest on the Bonds as the same become due, (3) a Bond Purchase Agreement providing for the sale of the Bonds on a negotiated basis, and (4) an Official Statement relating to the Bonds; and taking other related action. [Mayor's Office, Atkins] **PUBLIC HEARING**

A motion was made by Council Member Gorton, seconded by Council Member Beard, that this Ordinance be Passed. The motion Passed by the following vote:

Aye: 14 - Julian Beard; Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: O-070-2012

4. 0559-12 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. 71. [Div. of Budgeting, Barrow]

A motion was made by Council Member Gorton, seconded by Council Member Beard, that this Ordinance be Passed. The motion Passed by the following vote:

Aye: 14 - Julian Beard; Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: O-071-2012

5. **0561-12** An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $2,000 in the Div. of Code Enforcement from the Neighborhood Development funds for sidewalk repair and replacement match grant fund for property owners in the Fourth Council District, and appropriating and re-appropriating funds, Schedule No. 72. [Council Office, Maynard]

A motion was made by Council Member Gorton, seconded by Council Member Beard, that this Ordinance be Passed. The motion Passed by the following vote:

Aye: 14 - Julian Beard; Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: O-072-2012

VI. Ordinances – First Reading

6. **0555-12** An Ordinance amending Section 24-51 of the Code of Ordinances relating to inmate medical fees to increase the co-payment an inmate pays for medical care from five dollars ($5.00) to fifteen dollars ($15.00), to require an inmate to pay the cost of prescription medication if the prescription is fourteen dollars and ninety-nine cents ($14.99) or less and to pay a co-payment of fifteen dollars ($15.00) if the prescription costs more than fourteen dollars and ninety-nine cents ($14.99), to include a booking fee of thirty-five dollars ($35.00), and to provide that any fees received shall be used to help offset the costs of operating the detention center. [Div. of Community Corrections, Ballard]

A motion was made by Council Member Ford, seconded by Council Member Beard, that this Ordinance be Tabled, and sent to the Urban County Council, due back after the Workshop to be held on June 19, 2012. The motion Passed by the following vote:

Aye: 12 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 2 - Tom Blues and Ed Lane

7. **0570-12** An Ordinance amending Section 2-180 of the Code of Ordinances of the Lexington-Fayette Urban County Government to add the Commissioner of Finance or his or her designee as an ex-officio, voting member of the Board of Commissioners of the Lexington and Fayette County Parking Authority effective July 1, 2012. [Dept. of General Services, Hamilton]

Received First Reading to the Urban County Council due back on 6/21/2012

8. **0625-12** An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $750 for the Div. of Parks and Recreation from Neighborhood Development Funds for the Better Bites Concessions Program, and appropriating and re-appropriating funds, Schedule No. 75. [Council Office, Maynard]

Received First Reading to the Urban County Council due back on 6/21/2012

9. **0626-12** An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of $1,225 for the Div. of Parks and Recreation from Neighborhood Development Funds for the purchase of new bleachers for the Kenwick Community Center, and appropriating and re-appropriating funds, Schedule No. 74. [Council Office, Maynard]

Received First Reading to the Urban County Council due back on 6/21/2012

10. **0650-12** 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. 73. [Div. of Budgeting, Barrow]

A motion was made by Council Member Linda Gorton, seconded by Council Member Bill Farmer, Jr., that this Ordinance be Amended. The motion PASSED by an unanimous vote.

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Bill Farmer, Jr., that this Ordinance be Amended. The motion PASSED by an unanimous vote.

Received First Reading to the Urban County Council due back on 6/21/2012

0621-12 An Ordinance creating and establishing for bid a non-exclusive gas franchise for the placement of facilities for the transmission, distribution and sale of gas for heating and other purposes within the

public rights-of-way of Fayette County for a three (3) month duration, with an additional extensions of time not to exceed six (6) months if a long term franchise is not offered prior to expiration, in return for payment to the Urban County Government of the sum of at least three percent (3%) of each franchisee's gross annual revenues received from the sale, distribution, and/or delivery of gas within Fayette County; and further providing for compliance with relevant laws, regulations, and standards; a performance bond; indemnification; insurance; access to property and inspections; reporting; audits; notice of filings with the Public Service Commission; cancellation or termination; penalties for violations; and bid requirements; all effective on date of passage. [Dept. of Law, Graham]

A motion was made by Council Member Ellinger, seconded by Council Member Henson, that this Ordinance be placed on the docket and given First Reading, and sent to the Urban County Council, due back on 6/21/2012. The motion Passed by the following vote:

Aye: 13 - Julian Beard; Tom Blues; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 1 - K.C. Crosbie

0622-12 An Ordinance creating and establishing for bid a non-exclusive electric franchise for the placement of facilities for the transmission, distribution and sale of electrical energy within the public rights-of-way of Fayette County for a three (3) month duration, with additional extensions of time not to exceed six (6) months if a long term franchise is not offered prior to expiration, in return for payment to the Urban County Government of the sum of at least three percent (3%) of each franchisee's gross annual revenues received from electric service provided within Fayette County; and further providing for compliance with relevant laws, regulations and standards; a performance bond; indemnification; insurance; access to property and inspections; reporting; audits; notice of filings with the Public Service Commission; cancellation or termination; penalties for violations; and bid requirements; all effective on date of passage. [Dept. of Law, Graham]

A motion was made by Council Member Ellinger, seconded by Council Member Henson, that this Ordinance be placed on the docket and given First Reading, and sent to the Urban County Council, due back on 6/21/2012. The motion Passed by the following vote:

Aye: 13 - Julian Beard; Tom Blues; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 1 - K.C. Crosbie

0657-12 An Ordinance amending Section 13-13(b) of the Code of Ordinances related to special fees to add a Scrap Metal Dealer's License at $500

per year. [Council Office, Maynard]

A motion was made by Council Member Stinnett, seconded by Council Member Blues, that this Ordinance be placed on the docket and given First Reading, and sent to the Urban County Council, due back on 6/21/2012. The motion Passed by the following vote:

Aye: 13 - Julian Beard; Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 1 - Diane Lawless

VII. Resolutions – Second Reading

1. 0529-12 A Resolution accepting the bid of W. Rogers Company, in the amount of $4,313,000.00, for the Wolf Run Pump Station Relocation - Contract A, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with W. Rogers Company, related to the bid. (9 Bids, Low) [Martin]

A motion was made by Council Member Beard, seconded by Council Member Lawless, that this Resolution be Passed. The motion Passed by the following vote:

Aye: 14 - Julian Beard; Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: R-287-2012

2. 0530-12 A Resolution accepting the bid of J.R. Horn Co., LLC, establishing a price contract for sandblasting and painting of existing final clarifier mechanisms, for the Div. of Water Quality, and authorizing the Mayor to execute any related agreement. (5 Bids, Low) [Martin]

A motion was made by Council Member Beard, seconded by Council Member Lawless, that this Resolution be Passed. The motion Passed by the following vote:

Aye: 14 - Julian Beard; Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: R-288-2012

3. 0543-12 A Resolution accepting the bid of Windstream Communications, Inc., establishing a price contract for telephone maintenance, for the Div. of Facilities and Fleet Management. (2 Bids, Low) [Baradaran]

A motion was made by Council Member Beard, seconded by Council Member Lawless, that this Resolution be Passed. The motion Passed by the following vote:

Aye: 14 - Julian Beard; Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: R-289-2012

4. **0547-12** A Resolution accepting the bid of Herrick Co., Inc., in the amount of $244,650, for the West Hickman Thickener #2 Replacement, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute an Agreement with Herrick Co., Inc., related to the bid. (4 Bids, Low) [Martin]

A motion was made by Council Member Beard, seconded by Council Member Lawless, that this Resolution be Passed. The motion Passed by the following vote:

Aye: 14 - Julian Beard; Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: R-290-2012

5. **0503-12** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute four Agreements with the Ky. Office of Homeland Security, for extension of the Special Operations, Hazardous Materials and Technical Rescue Equipment Project; the Hazmat Training Project; the Hazardous Devices Unit Robot Upgrade Project; and the Dynamic Entry Training Project through December 31, 2012, at no cost to the Urban County Government. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]

A motion was made by Council Member Beard, seconded by Council Member Lawless, that this Resolution be Passed. The motion Passed by the following vote:

Aye: 14 - Julian Beard; Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: R-291-2012

6. **0504-12** A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Office of Homeland Security, for extension of the FY 2012 Metropolitan Medical Response System (MMRS) Project through December 31, 2012, at no cost to the Urban County Government. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]

A motion was made by Council Member Beard, seconded by Council Member Lawless, that this Resolution be Passed. The motion Passed by the following vote:

Aye: 14 - Julian Beard; Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: R-292-2012

7. 0505-12 A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Eighth 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, 2014, at an additional cost not to exceed $60,000. [Div. of Grants and Special Programs, Gooding]

A motion was made by Council Member Beard, seconded by Council Member Lawless, that this Resolution be Passed. The motion Passed by the following vote:

Aye: 13 - Julian Beard; Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson and Linda Gorton

Nay: 0

Recuse: 1 - Chris Ford

Enactment No: R-293-2012

8. 0507-12 A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Office of Homeland Security, for extension of the FY 2011 Metropolitan Medical Response System (MMRS) Project through December 31, 2012, at no cost to the Urban County Government. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]

A motion was made by Council Member Beard, seconded by Council Member Lawless, that this Resolution be Passed. The motion Passed by the following vote:

Aye: 14 - Julian Beard; Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: R-294-2012

9. 0509-12 A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement

with the Ky. Transportation Cabinet, for extension of the Newtown Pike Landscaping Project through June 30, 2013, at no cost to the Urban County Government. [Div. of Grants and Special Programs, Gooding]

A motion was made by Council Member Beard, seconded by Council Member Lawless, that this Resolution be Passed. The motion Passed by the following vote:

Aye: 14 - Julian Beard; Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: R-295-2012

10. 0510-12 A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Transportation Cabinet, for extension of the Safe Routes to School Project through June 30, 2013, at no cost to the Urban County Government. [Div. of Grants and Special Programs, Gooding]

A motion was made by Council Member Beard, seconded by Council Member Lawless, that this Resolution be Passed. The motion Passed by the following vote:

Aye: 14 - Julian Beard; Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: R-296-2012

11. 0511-12 A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation from former Planning Commission Chair Walter May of seven planning related books and publications, for use by the Div. of Planning, at no cost to the Urban County Government. [Div. of Planning, King]

A motion was made by Council Member Beard, seconded by Council Member Lawless, that this Resolution be Passed. The motion Passed by the following vote:

Aye: 14 - Julian Beard; Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: R-297-2012

12. 0513-12 A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with ABR Construction, Inc., for the Lexington Mall Sanitary Sewer Trunk Realignment, increasing the contract price by the sum of

$6,028.06 from $555,431.65 to $561,459.71. [Div. of Water Quality, Martin]

A motion was made by Council Member Beard, seconded by Council Member Lawless, that this Resolution be Passed. The motion Passed by the following vote:

Aye: 14 - Julian Beard; Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: R-298-2012

13. 0514-12 A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with U.S. Geological Survey, for the continuing and ongoing maintenance and operation of existing stream flow and precipitation gauges, at a cost not to exceed $115,740. [Div. of Water Quality, Martin]

A motion was made by Council Member Beard, seconded by Council Member Lawless, that this Resolution be Passed. The motion Passed by the following vote:

Aye: 14 - Julian Beard; Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: R-299-2012

14. 0515-12 A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. 1 to the Engineering Services Agreement with Strand Associates, Inc., for the Lexington Distillery District Improvements Program Feasibility Study, for streetscapes improvements and the Town Branch Trail along the corridor from Oliver Lewis Way to S. Forbes Rd., increasing the contract amount by the sum of $83,202 from $418,000 to $501,202. [Div. of Engineering, Rayan]

A motion was made by Council Member Beard, seconded by Council Member Lawless, that this Resolution be Passed. The motion Passed by the following vote:

Aye: 13 - Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 1 - Julian Beard

Enactment No: R-300-2012

15. 0516-12 A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Development Agreement with the Fayette County Local Development Corporation, for transfer

of properties located at 440 and 445 Chestnut St., acquired under the Neighborhood Stabilization Program, for rehabilitation and construction by the Corporation for rental housing for low-income households. [Div. of Grants and Special Programs, Gooding]

A motion was made by Council Member Beard, seconded by Council Member Lawless, that this Resolution be Passed. The motion Passed by the following vote:

Aye: 13 - Julian Beard; Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson and Linda Gorton

Nay: 0

Recuse: 1 - Chris Ford

Enactment No: R-301-2012

16. 0519-12 A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Thomson West, for on-line legal research and publications, for the Dept. of Law, at a cost not to exceed $35,000 on an annual basis. [Dept. of Law, Graham]

A motion was made by Council Member Beard, seconded by Council Member Lawless, that this Resolution be Passed. The motion Passed by the following vote:

Aye: 14 - Julian Beard; Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: R-302-2012

17. 0557-12 A Resolution establishing a Residential Parking Permit Program for the 1200 block of Kastle Rd. for the following addresses only: 1211 - 1231, on the west side and 1216 - 1240 on the east side, from 8:00 a.m. to 4:00 p.m., Monday through Friday; from September 1 through May 31; and waiving the provisions relating to the mechanics of designating residential parking permit areas adopted by Resolution No. 168-90 and amended by Resolution Nos. 450-91 and 433-2006. [Council Office, Maynard]

A motion was made by Council Member Beard, seconded by Council Member Martin, that this Resolution be Passed. The motion Passed by the following vote:

Aye: 14 - Julian Beard; Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: R-303-2012

18. **0558-12** A Resolution amending Appendix A, Rules and Procedures of the Lexington-Fayette Urban County Council, amending Section 2.204 providing that the Council may consider and act on any matter referred to a Council committee. [Council Office, Maynard]

A motion was made by Council Member Beard, seconded by Council Member Lawless, that this Resolution be Passed. The motion Passed by the following vote:

Aye: 14 - Julian Beard; Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: R-304-2012

19. **0562-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Lansdowne Elementary School PTA, Inc. ($575) and Southern Heights Neighborhood Association ($770), for the Office of the Urban County Council, at a cost not to exceed the sums stated. [Council Office, Maynard]

A motion was made by Council Member Beard, seconded by Council Member Lawless, that this Resolution be Passed. The motion Passed by the following vote:

Aye: 14 - Julian Beard; Tom Blues; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: R-305-2012

VIII. Resolutions – First Reading

20. **0517-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Mutual Release Agreement with Gershman, Brickner & Bratton, Inc., Routeware, Inc., and C2Logix, Inc. and authorizing final payment to Gershman, Brickner & Bratton, Inc. for the Materials Recovery Facility Project and Waste Management Routing Project at a cost not to exceed $45,000. [Div. of Waste Management, Feese]

Received First Reading to the Urban County Council due back on 6/21/2012

21. **0521-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with Vanhook Enterprises, Inc., for West Hickman Creek Waste Water

Treatment Plant Solids Building Odor-HVAC improvements, increasing the contract price by the sum of $5,830.18 from $699,000.00 to $704,830.18. [Div. of Water Quality, Martin]

Received First Reading to the Urban County Council due back on 6/21/2012

22. 0532-12 A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Entry Permit with Marathon Pipe Line LLC, for access to a portion of the West Hickman Wastewater Treatment Plant property for a pipeline testing project, at no cost to the Urban County Government. [Div. of Water Quality, Martin]

Received First Reading to the Urban County Council due back on 6/21/2012

23. 0536-12 A Resolution approving the renewal for one (1) year of the Contract for Services with Group CJ of Lexington, Ky., for stormwater public outreach and education, for the Div. of Environmental Policy, authorized by Resolution No. 201-2011, at a cost not to exceed $209,000. [Div. of Environmental Policy, Bush]

Received First Reading to the Urban County Council due back on 6/21/2012

24. 0542-12 A Resolution approving Professional Services Agreements for Landscape Architectural Services for the Div. of Water Quality with Perkins Landscape Architecture, LLC, M2D Design Group, PLLC, and Barrett Partners, Inc. for a one (1) year term, with five (5) one (1) year renewals at the discretion of the Urban County Government. [Div. of Water Quality, Martin]

Received First Reading to the Urban County Council due back on 6/21/2012

25. 0545-12 A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with Sensabaugh Design and Construction, for a pole barn storage building, increasing the contract price by the sum of $3,275 from $189,000 to $192,275. [Div. of Police, Bastin]

Received First Reading to the Urban County Council due back on 6/21/2012

26. 0546-12 A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Modification to Agreement with the Ky. Div. of Emergency Management, for extension of the project to replace a generator at Fire Station One through June 13, 2014, at no cost to the Urban County Government. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]

Received First Reading to the Urban County Council due back on 6/21/2012

27. 0548-12 A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant application to the Ky. Cabinet for Health and Family 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 $314,247 Federal funds, are for continuation of the New Chance Program in the Div. of Family Services, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. [Div. of Grants and Special Programs/Dept. of Social Services, Gooding/Mills]

Received First Reading to the Urban County Council due back on 6/21/2012

28. 0549-12 A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Dept. of Juvenile Justice, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of $16,183 Federal funds under the Juvenile Accountability Block Grant Program, are for continuation of the Juvenile Surveillance Program, professional services, professional development, drug testing services and supplies, and educational materials, the acceptance of which obligates the Urban County Government for the expenditure of $1,798 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. [Div. of Grants and Special Programs/Dept. of Social Services, Gooding/Mills]

Received First Reading to the Urban County Council due back on 6/21/2012

29. 0550-12 A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a contract with the Verdin Co., a sole source provider, for restoration of the historic Skuller's Street Clock, at a cost not to exceed $25,415. [Div. of Historic Preservation, Kerr]

Received First Reading to the Urban County Council due back on 6/7/2012

A motion was made by Council Member Diane Lawless, seconded by Council Member Chuck Ellinger, that the rules be suspended for Second Reading. The motion PASSED by an unanimous vote.

A motion was made by Council Member Stinnett, seconded by Council Member Blues, that this Resolution be Passed. The motion Passed by the following vote:

Aye: 13 - Julian Beard; Tom Blues; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: R-306-2012

30. **0563-12** A Resolution accepting the Collective Bargaining Agreement with Bluegrass Fraternal Order of Police, Lodge No. 4 on behalf of Police Officers and Sergeants in the Div. of Police. [Dept. of Law, Graham]

Received First Reading to the Urban County Council due back on 6/21/2012

31. **0566-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with West End Community Empowerment Project of Lexington, Inc., for lease of space at the Black and Williams Neighborhood Center at 498 Georgetown St. [Dept. of General Services, Hamilton]

Received First Reading to the Urban County Council due back on 6/21/2012

32. **0567-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Affiliation Agreement with the University of Ky., designating the University as the affiliate sponsor for a Paramedic Education Program for the Div. of Fire and Emergency Services, at no cost to the Urban County Government. [Div. of Fire and Emergency Services, Jackson]

Received First Reading to the Urban County Council due back on 6/21/2012

33. **0569-12** A Resolution of the Lexington-Fayette Urban County Government authorizing and acknowledging the execution and delivery of (1) a Third Amendment to Bond Purchase and Loan Agreement among the Lexington-Fayette Urban County Government, Central Bank & Trust Co., a Ky. Banking Corp., and the Lexington Christian Academy, Inc. and (2) any and all other related documents necessary thereto. [Mayor's Office, Atkins]

Received First Reading to the Urban County Council due back on 6/21/2012

34. **0585-12** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Highlands Neighborhood Association, Inc. ($500), Meadowthorpe Neighborhood Association, Inc. ($300), Georgetown Neighborhood Association ($1,625), Dove Creek Townhome Owner's Association ($200), Lansdowne Neighborhood Association, Inc. ($750), Southern Elementary P.T.A. Inc. ($350), Central Ky. Radio Eye ($525), Sisters Road to Freedom, Inc. ($100), Cardinal Valley Neighborhood Association ($500), Downtown Lexington Corporation Foundation ($800), Eastland Parkway Neighborhood Association, Inc. ($500), The Cottages of

Liberty Woods Neighborhood Association ($500), Sweet Blessings, Inc. ($250), Bryan Station Alumni Foundation, Inc. ($2,000), Victory Christian Church ($600), Vineyard Neighborhood Corporation ($2,780), Eastern Little League Baseball, Inc. ($3,000), Visually Impaired Preschool Services ($1,800), Institute 193 ($250), Latitude, LLC ($250), WGPL Neighborhood Association ($500), Columbia Heights Neighborhood Association ($500), Mentelle Park Neighborhood Association ($500), Cheapside Entertainment District ($500), Bryan Station Football Boosters, Inc. ($1,000), Ky. Junior Miss Pageant, Inc. ($500), Lexington Humane Society ($2,000), Big Brothers/Big Sisters of the Bluegrass, Inc. ($2,000) and Danby Corner's Neighborhood Association ($5,575), for the Office of the Urban County Council, at a cost not to exceed the sums stated. [Council Office, Maynard]

A motion was made by Council Member Kevin Stinnett, seconded by Council Member K.C. Crosbie, that this Resolution be Amended. The motion PASSED by an unanimous vote.

Received First Reading to the Urban County Council due back on 6/7/2012

A motion was made by Council Member Doug Martin, seconded by Council Member Peggy Henson, that the rules be suspended for Second Reading. The motion PASSED by an unanimous vote.

Enactment No: R-307-2012

0585-12 A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Highlands Neighborhood Association, Inc. ($500), Meadowthorpe Neighborhood Association, Inc. ($300), Georgetown Neighborhood Association ($1,625), Dove Creek Townhome Owner's Association ($200), Lansdowne Neighborhood Association, Inc. ($750), Southern Elementary P.T.A. Inc. ($350), Central Ky. Radio Eye ($525), Sisters Road to Freedom, Inc. ($100), Cardinal Valley Neighborhood Association ($500), Downtown Lexington Corporation Foundation ($800), Eastland Parkway Neighborhood Association, Inc. ($500), The Cottages of Liberty Woods Neighborhood Association ($500), Sweet Blessings, Inc. ($250), Bryan Station Alumni Foundation, Inc. ($2,000), Victory Christian Church ($600), Vineyard Neighborhood Corporation ($2,780), Eastern Little League Baseball, Inc. ($3,000), Visually

Impaired Preschool Services ($1,800), Institute 193 ($250), Latitude, LLC ($250), WGPL Neighborhood Association ($500), Columbia Heights Neighborhood Association ($500), Mentelle Park Neighborhood Association ($500), Cheapside Entertainment District ($500), Bryan Station Football Boosters, Inc. ($1,000), Ky. Junior Miss Pageant, Inc. ($500), Lexington Humane Society ($2,000), Big Brothers/Big Sisters of the Bluegrass, Inc. ($2,000) and Danby Corner's Neighborhood Association ($5,575), for the Office of the Urban County Council, at a cost not to exceed the sums stated. [Council Office, Maynard]

A motion was made by Council Member Stinnett, seconded by Council Member Blues, that this Resolution be Passed. The motion Passed by the following vote:

Aye: 13 - Julian Beard; Tom Blues; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: R-307-2012

0603-12 A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept the Proposals for FY2013 for Excess Insurance from, and to execute any necessary contracts and documents on behalf of the Urban County Government with the following insurance companies and/or their respective brokers: Workers' Compensation Insurance from New York Marine and General Insurance Co. at a cost not to exceed $351,018; excess property, boiler and machinery insurance from Public Entity Property Insurance Program at a cost not to exceed $274,882; excess special liability from National Casualty Co. at a cost not to exceed $460,995; international from Great Northern Insurance Co. at a cost not to exceed $3,250, self-insurance auto no-fault bond from International Fidelity Insurance Co. at a cost not to exceed $2,545; and aviation liability from Phoenix Aviation Managers at a cost not to exceed $4,581; all subject to sufficient funds being appropriated. [Div. of Risk Management, Johnston]

A motion was made by Council Member Linda Gorton, seconded by Council Member Steve Kay, that this Resolution be placed on the docket and given first reading, and sent to the Urban County Councilto be returned by 6/21/2012. The motion PASSED by an unanimous vote.

0568-12 A Resolution accepting the bid of Whayne Supply Co., in the amount of $37,963.56, for replacement batteries and charges for waste water treatment plant generators, for the Div. of Water Quality. (2 Bids, Low) [Martin]

A motion was made by Council Member Linda Gorton, seconded by Council Member Bill Farmer, Jr., that this Resolution be placed on the docket and given First Reading, and sent to the Urban County Council, to be returned by

6/21/2012. The motion PASSED by an unanimous vote.

0596-12 A Resolution accepting the bid of Minnifield Enterprize, in the amount of $11,300, for electrical work for the Charles Young Center, for the Div. of Facilities and Fleet Management. (4 Bids, Low) [Baradaran]

A motion was made by Council Member Linda Gorton, seconded by Council Member Bill Farmer, Jr., that this Resolution be placed on the docket and given First Reading, and sent to the Urban County Council, to be returned by 6/21/2012. The motion PASSED by an unanimous vote.

0592-12 A Resolution accepting the bid of Galls, Inc., establishing a price contract for a web-based Quartermaster Program - Public Safety Uniforms, for the Div.'s of Police, Fire and Emergency Services, and Community Corrections. (1 Bid) [Mason]

A motion was made by Council Member Linda Gorton, seconded by Council Member Bill Farmer, Jr., that this Resolution be placed on the docket and given first reading, and sent to the Urban County Council, to be returned by 6/21/2012. The motion PASSED by an unanimous vote.

0520-12 A Resolution accepting the bids of Ennis Paint, Inc., and Colorado Paint Co., establishing price contracts for traffic marking paint, for the Div. of Traffic Engineering. (2 Bids, Low) [Herrington]

A motion was made by Council Member Linda Gorton, seconded by Council Member Bill Farmer, Jr., that this Resolution be placed on the docket and given First Reading, and sent to the Urban County Council, to be returned by 6/21/2012. The motion PASSED by an unanimous vote.

0609-12 A Resolution ratifying the probationary civil service appointments of: Dustin Baker, GIS Programmer/Analyst, Grade 117E, $1,881.20 bi-weekly, in the Div. of Computer Services, effective June 25, 2012, Tamoy Carter, Equipment Operator Sr., Grade 109N, $15.080 hourly, in the Div. of Waste Management, effective June 4, 2012, Connie Godfrey, Director Adult Services, Grade 120E, $3,332.32 bi-weekly, in the Div. of Adult Services, effective May 21, 2012 and Michelle Haynes, Telecommunicator Sr., Grade 113N, $20.262 hourly, in the Div. of Emergency Management/911, effective June 4, 2012; ratifying the permanent civil service appointments of: Greg Isaac, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective May 7, 2012, Jeffrey Clay, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective May 7, 2012 and Barry Prater, Commodities Marketing Manager, Grade 115E, in the Div. of Waste Management, effective May 7, 2012; ratifying the approved Council Leave for: Syglenda R. Faulkner, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective August 18, 2011 thru November 10, 2011; ratifying the unclassified civil service appointment of: Steven Smith, Aide to Council, Grade 000E, $2,057.68 bi-weekly, in the Council Office, effective May 2, 2012; ratifying the unclassified civil service pay increases in the Office of the

Urban County Council: Ronald Seymour, Aide to Council, Grade 000E, from $2,057.69 bi-weekly to $2,089.57 bi-weekly, in the Office of the Urban County Council, effective May 21, 2012. [Div. of Human Resources, Walters]

A motion was made by Council Member Peggy Henson, seconded by Council Member Chuck Ellinger, that this Resolution be placed on the docket and given First Reading, and sent to the Urban County Council, to be returned by 6/21/2012. The motion PASSED by an unanimous vote.

0608-12 A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following probationary civil service appointments: James Smith, Equipment Operator Sr., Grade 109N, $18.750 hourly, in the Div. of Waste Management, effective upon passage of Council, Timothy Lee, Equipment Operator Sr., Grade 109N, $16.033 hourly, in the Div. of Waste Management, effective upon passage of Council, Darrell Turley, Equipment Operator Sr., Grade 109N, $18.750 hourly, in the Div. of Waste Management, Ersula Killens, Stores Clerk, Grade 107N, $14.499 hourly, in the Div. of Facilities and Fleet Management, effective upon passage of Council, Preston Thomas, Electrical Instrumentation Tech, Grade 113N, $19.332 hourly, in the Div. of Facilities and Fleet Management, effective upon passage of Council. [Div. of Human Resources, Walters]

A motion was made by Council Member Peggy Henson, seconded by Council Member Steve Kay, that this Resolution be placed on the docket and given First Reading, and sent to the Urban County Council, to be returned by 6/7/2012. The motion PASSED by an unanimous vote.

A motion was made by Council Member Steve Kay, seconded by Council Member Linda Gorton, that the rules be Suspended for Second Reading. The motion PASSED by an unanimous vote.

A motion was made by Council Member Stinnett, seconded by Council Member Blues, that this Resolution be Passed. The motion Passed by the following vote:

Aye: 13 - Julian Beard; Tom Blues; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; Doug Martin; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: R-308-2012

0656-12 A Resolution authorizing and directing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-86, to install multiway stop controls at the intersection of Radcliffe Rd. and Haggard Ln. [Council Office, Maynard]

A motion was made by Council Member Chris Ford, seconded by Council Member Steve Kay, that this Resolution be placed on the docket and given First Reading, and sent to the Urban County Council, to be returned by 6/21/2012. The motion PASSED by an unanimous vote.

0634-12 A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Ashland Park Neighborhood Association, Inc., for a public right-of-way beautification project, at no cost to the Urban County Government. [Council Office, Maynard]

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Chris Ford, that this Resolution be placed on the docket and given First Reading, and sent to the Urban County Council, to be returned by 6/21/2012. The motion PASSED by an unanimous vote.

IX. Communications from the Mayor

0587-12

1. Recommending the reappointment of Mr. Gregory E. Hosfield to the Board of Architectural Review, with a term to expire 6-30-2016.
2. Recommending the appointment of Ms. Gwendolyn R. Pinson, as at-large representative, recommended by the Urban County Council, to the Internal Audit Board, with a term to expire 12-1-2016.
3. Recommending the appointment of Ms. Susan W. Wright to the Library Board of Trustees, with a term to expire 7-20-2015. Ms. Wright will fill the unexpired term of Mr. John Stempel.
4. Recommending the reappointment of Mr. James H. Frazier to the Parking Authority Board, with a term to expire 6-1-2016.

A motion was made by Council Member Chuck Ellinger, seconded by Council Member Julian Beard, that the Communications be Approved. The motion PASSED by an unanimous vote.

X. Communications from the Mayor (For Information Only)

0610-12

1. Civil service salary adjustment of Joseph Bryant, Building Inspector, Grade 113N, from $21.453 hourly to $25.013 hourly, in the Div. of Building Inspection, effective May 21, 2012.
1. Acting assignment of Gerald Slatin, Director of Purchasing, Grade 121E, effective April 23, 2012.
2. Reinstatement of Chad May, Community Corrections Officer, Grade 110N, effective May 21, 2012.
3. Resignation of Brian Hayes, Municipal Engineer, Grade 119E, in the Div. of Water Quality, effective May 4, 2012.
4. Resignation of George Guyn, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective May 21, 2012.
5. Resignation of Tammy Hayden, Telecommunicator, Grade 111N, in the Div. of Emergency Management/911, effective May 14,

2012.

6. Resignation of Michael Stidham, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective April 22, 2012.
7. Resignation of Ronald Ball, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective May 4, 2012.
8. Resignation of Joseph Higgins, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective May 28, 2012.
9. Resignation of Kenneth Benson, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective April 20, 2012.
10. Resignation of Kellie Stidham, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective May 20, 2012.
11. Resignation of Eli Johnston, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective May 17, 2012.
12. Resignation of Rebecca Simpson, Internal Auditor, Grade 118E, in the Office of Internal Audit, effective May 4, 2012.
13. Resignation of David Dillon, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective April 29, 2012.
14. Resignation of Johnas Newsome, Telecommunicator, Grade 111N, in the Div. of Emergency Management/911, effective May 11, 2012.
15. Resignation of Jason Nehmer, Staff to Council, Grade 000E, in the Council Office, effective May 1, 2012.
16. Resignation of Adrienne Coffey, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective May 3, 2012.
17. Resignation of Ryan Ashcraft, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective April 23, 2012.

Received and Filed

XI. Announcements

XII. Public Comments

Adjournment