



Lexington-Fayette Urban County Government Minutes - Final - Final Urban County Council

200 E. Main St
Lexington, KY 40507

Thursday, February 16, 2012

6:00 PM

Council Chambers

I. Roll Call

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

Absent 1 - Diane Lawless

II. Invocation

III. Presentations

1. [0176-12](#) Proclamation: Honor Boys Scouts of America

Received and Filed

2. [0177-12](#) Proclamation: Honor UK Cheerleading Team's National Championship

Received and Filed

IV. Ordinances – Second Reading

1. [0062-12](#) An Ordinance changing the zone from a Heavy Industrial (I-2) Zone to a High Rise Apartment (R-5) Zone for 8.10 net (8.29 gross) acres, and from a Wholesale & Warehouse Business (B-4) Zone to a High Rise Apartment (R-5) Zone for 2.03 net (2.4 gross) acres, for property located at 474, 497, and 498 Angliana Ave. (Trinitas Ventures, LLC). Approval 8-1 OBJECTOR (To Be Heard By March 14, 2012) [Div. of Planning, King]

A motion was made by Council Member Gorton, seconded by Council Member Stinnett, 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; Doug Martin; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: O-014-2012

2. [0050-12](#) An Ordinance amending Section 22-5(2) of the Code of Ordinances,

creating one (1) temporary position of Public Information Officer, Grade 118E, three (3) temporary positions of Evidence Technician, Grade 112N, and one (1) temporary position of Police Analyst, Grade 111N, with terms to expire on December 31, 2014, effective upon passage of Council. [Div. of Human Resources, Jarvis]

A motion was made by Council Member Gorton, seconded by Council Member Stinnett, 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; Doug Martin; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: O-015-2012

3. [0108-12](#)

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. 51. [Div. of Budgeting, Barrow]

A motion was made by Council Member Gorton, seconded by Council Member Stinnett, 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; Doug Martin; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: O-016-2012

4. [110-12](#)

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$620 from Neighborhood Development Funds in the Div. of Parks and Recreation for the Show Stoppers National Dance Competition, Dance Attack Competition Program, and appropriating and re-appropriating funds, Schedule No. 52. [Council Office, Maynard]

A motion was made by Council Member Gorton, seconded by Council Member Stinnett, 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; Doug Martin; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

Nay: 0

Enactment No: O-017-2012

V. **Ordinances – First Reading**

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

Absent 2 - K.C. Crosbie and Diane Lawless

5. [0166-12](#) An Ordinance amending Articles 17-4(o) and 17-7(e) of the Zoning Ordinance to allow canopy signs in the Professional Office (P-1) zone. Approval of the Staff Alternative Text 10-0 [Div. of Planning, King]
Received First Reading to the Urban County Council due back on 2/23/2012
6. [0167-12](#) An Ordinance amending Article 29-6 of the Zoning Ordinance to update references to codes for properties within the Neighborhood Design Character Overlay (ND-1) zone. Approval 10-0 [Div. of Planning, King]
Received First Reading to the Urban County Council due back on 2/23/2012
7. [0138-12](#) An Ordinance amending Section 22-5(2) of the Code of Ordinances, abolishing one (1) position of Equipment Operator P/T, in the Div. of Family Services and creating one (1) position of Equipment Operator P/T, in the Div. of Youth Services, effective upon passage of Council. [Div. of Human Resources, Jarvis]
Received First Reading to the Urban County Council due back on 2/23/2012
8. [0187-12](#) An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$575 for the Div. of Adult and Tenant Services from Neighborhood Development Funds for emergency financial assistance program for hot water tanks, and appropriating and re-appropriating funds, Schedule No. 54. [Council Office, Maynard]
Received First Reading to the Urban County Council due back on 2/23/2012
9. [0188-12](#) 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. 53. [Div. of Budgeting, Barrow]
Received First Reading to the Urban County Council due back on 2/23/2012
10. [0193-12](#) An Ordinance amending Article XXXIX, Chapter 2 of the Code of Ordinances "Town and Gown Commission" to add Bluegrass Community and Technical College representation, and more specifically, amending Subsection 2-421(b) and Section 2-427 of the Code to pluralize the term university and add the term college; amending Section 2-422 of the Code to decrease the number of appointed members from eighteen to sixteen and to increase the

number of ex-officio members from three to eight, to add proximity to the universities and college as a consideration, to reduce the appointed Urban County Council members from two to one, to add the First District Councilmember, the Commissioner of Public Safety or his or her designee, and the Student Government presidents or their designees as ex officio members, and to add a Bluegrass Community and Technical College appointed board member while eliminating one University of Ky. student representative; and amending Section 2-423 of the Code to provide for replacement of the Public Safety Commissioner upon termination of employment. [Council Office, Maynard]

Received First Reading to the Urban County Council due back on 2/16/2012

Enactment No: O-018-2012

A motion was made by Council Member Linda Gorton, seconded by Council Member Julian Beard, that this Ordinance be Suspend rules for Second Reading.. The motion PASSED by an unanimous vote.

Enactment No: O-018-2012

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

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

Nay: 0

Enactment No: O-018-2012

11. [0194-12](#)

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$725 for Senior Services Commission from Neighborhood Development Funds, and appropriating and re-appropriating funds, Schedule No. 56. [Council Office, Maynard]

Received First Reading to the Urban County Council due back on 2/23/2012

VI. **Resolutions – Second Reading**

1. [0054-12](#)

A Resolution accepting the bid of Pomeroy, establishing a price contract for Security Cameras and Equipment, for the Dept. of General Services. (10 Bids, Low) [Hamilton]

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

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

Nay: 0

Enactment No: R-037-2012

2. [0069-12](#)

A Resolution accepting the bids of Solid Rock Construction, LLC, and Sensabaugh Design and Construction, establishing price contracts for UPC - Demolition of Residential Structures, for the Div. of Water Quality, and authorizing the Mayor to execute any related Agreements. (2 Bids, Low) [Martin]

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

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

Nay: 0

Enactment No: R-038-2012

3. [0007-12](#)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Office of Homeland Security and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$16,500 Commonwealth of Ky. funds under the Law Enforcement Protection Program, and are for the purchase of 30 body armor vests for the Div. of Police. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]

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

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

Nay: 0

Enactment No: R-039-2012

4. [0033-12](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Rental Agreement with the Lexington Center Corp., for use of the Opera House for the Kiddie Kapers Program, at a cost not to exceed \$10,000. [Div. of Parks and Recreation, Hancock]

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

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

Nay: 0

Enactment No: R-040-2012

5. **0036-12**

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement and a Lease Agreement with Lexington-Fayette Animal Care and Control, LLC, for animal control services, at a cost not to exceed \$1,076,690. [Dept. of Public Safety, Mason]

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

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

Nay: 0

Enactment No: R-041-2012

6. **0042-12**

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to the Friends of Wolf Run, Inc., to develop a model and a manual to identify high priority parcels and facilitate installation of stormwater quality and/or runoff reduction facilities in the Wolf Run Watershed, at a cost not to exceed \$7,200. [Div. of Water Quality, Martin]

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

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

Nay: 0

Enactment No: R-042-2012

7. **0043-12**

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Andover Estates Homeowners Association, Inc., to design and construct a retrofit to an existing riprap channel to eliminate instability and erosion and to provide education to the neighborhood on related issues, at a cost not to exceed \$8,000. [Div. of Water Quality, Martin]

A motion was made by Council Member Gorton, seconded by Council Member

Ellinger, that this Resolution be Passed. The motion Passed by the following vote:

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

Nay: 0

Enactment No: R-043-2012

8. [0049-12](#)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Rural and Inner City Adopt-a-Spot Program Agreements with Christ United Methodist Church, BSA #220 (\$1,304.12); Christ Centered Church, BSA #59 (\$1,567.20); Immanuel Baptist Church, BSA #41 (\$1,231.68); Rosemont Baptist Church, BSA #98 (\$1,157.40); Beaumont Presbyterian, BSA #279 (\$1,038.28); Greater Faith Apostolic Church, BSA #238 (\$1,103.60); First Alliance Church (\$1,265.40); Bluegrass Chapter Order of Demolay (\$1,332.32); Christian Youth Fellowship (\$1,942.51); Phillips Memorial Church (\$2,191.56); Boy Scout Troop #103 (\$298.85); Boy Scout Troop #13 (\$1,992.32); Boy Scout Troop #186 (\$273.95); Boy Scout Troop #382 (\$448.27); Greater Faith Apostolic Church, BSA #238 (\$522.98); Tates Creek Presbyterian Church BS Troop 226 (\$921.44); Alpha Kappa Alpha-Eta Rho (\$636.12); Lexington Swingers Golf Club, Inc. (\$1,616.00); and Alpha Kappa (\$1,023.12) for participation in the Adopt-a-Spot Roadway Cleanup Program, at a cost not to exceed \$21,867.12. [Div. of Grants and Special Programs/Dept. of Environmental Quality and Public Works, Gooding/Bush]

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

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

Nay: 0

Enactment No: R-044-2012

9. [0052-12](#)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Conditional Offer to Lease to Healthfirst Bluegrass, Inc., for property at 913 Georgetown St. for operation of an outpatient ambulatory health care facility. [Office of the Chief Administrative Officer, Moloney]

A motion was made by Council Member Tom Blues, seconded by Council Member Jay McChord, that this Resolution be Tabled, and sent to the Urban County Council, to be returned by 2/23/2012. The motion PASSED by an unanimous vote.

10. [0051-12](#) A Resolution authorizing the Div. of Police, on behalf of the Urban County Government, to make necessary repairs and maintenance to the police helicopter by RJ Corman Aircraft Maintenance, LLC, a sole source provider, at a cost not to exceed \$126,152.32. [Div. of Police, Bastin]
- A motion was made by Council Member Gorton, seconded by Council Member Ellinger, that this Resolution be Passed. The motion Passed by the following vote:**
- Aye:** 13 - Julian Beard; Tom Blues; Bill Farmer, Jr.; Chuck Ellinger; Doug Martin; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford
- Nay:** 0
- Enactment No: R-046-2012
11. [0053-12](#) A Resolution authorizing the payment of the annual maintenance fee for the Accela, Inc., Asset Management Software required by the Urban County Government's Consent Decree, for the Div. of Water Quality, at a cost not to exceed \$95,863.80. [Div. of Water Quality, Martin]
- A motion was made by Council Member Gorton, seconded by Council Member Ellinger, that this Resolution be Passed. The motion Passed by the following vote:**
- Aye:** 13 - Julian Beard; Tom Blues; Bill Farmer, Jr.; Chuck Ellinger; Doug Martin; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford
- Nay:** 0
- Enactment No: R-047-2012
12. [0055-12](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two to the Contract with GRW Engineers, Inc., for the investigation and design of the Expansion Area 2A Pumping Station and Force Main, increasing the contract price by the sum of \$37,350 from \$425,000 to \$462,350. [Div. of Water Quality, Martin]
- A motion was made by Council Member Gorton, seconded by Council Member Ellinger, that this Resolution be Passed. The motion Passed by the following vote:**
- Aye:** 13 - Julian Beard; Tom Blues; Bill Farmer, Jr.; Chuck Ellinger; Doug Martin; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford
- Nay:** 0
- Enactment No: R-048-2012
13. [0057-12](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Data Usage Agreement with RAIDS

Online/BAIR Analytics, Inc., for an online data program, at no cost to the Government. [Div. of Police, Bastin]

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

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

Nay: 0

Enactment No: R-049-2012

14. [0066-12](#)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with Disponette Service Co., Inc., for the Dunbar Community Center Retrofit, for the Div. of Environmental Policy, increasing the contract price by the sum of \$47,424 from \$465,200 to \$512,624. [Div. of Grants and Special Programs/Dept. of Environmental Quality and Public Works, Gooding/Bush]

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

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

Nay: 0

Enactment No: R-050-2012

15. [0109-12](#)

A Resolution accepting the Collective Bargaining Agreement with Fraternal Order of Police, Town Branch Lodge #83 on behalf of Officers and Sergeants in the Div. of Community Corrections. [Council Office, Maynard]

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

Aye: 12 - Julian Beard; Tom Blues; Bill Farmer, Jr.; Chuck Ellinger; Doug Martin; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson and Linda Gorton

Nay: 0

Abstain: 1 - Chris Ford

Enactment No: R-051-2012

VII. **Resolutions – First Reading**

16. [0079-12](#)

A Resolution accepting the bid of Sensabaugh Design and

Construction, establishing a price contract for Sidewalk Ramp Installation/Reconstruction Program 2011-2012, for the Div. of Engineering, and authorizing the Mayor to execute any related Agreement. (10 Bids, Low) [Rayan]

Received First Reading to the Urban County Council due back on 2/23/2012

17. [0102-12](#) A Resolution accepting the bid of J. Edinger & Sons, Inc., establishing a price contract for stainless steel dump bodies, for the Div. of Facilities and Fleet Management. (2 Bids, Low) [Baradaran]

Received First Reading to the Urban County Council due back on 2/23/2012

18. [0135-12](#) A Resolution accepting the bid of Radio Communications Systems, Inc. d.b.a. RCS Communications, establishing a price contract for Emergency Vehicle Lighting and Siren System, for the Div. of Police. (2 Bids, Low) [Bastin]

Received First Reading to the Urban County Council due back on 2/23/2012

19. [0146-12](#) A Resolution accepting the bid of A+ Vending, establishing a price contract for vending services, for the Div. of Community Corrections. (1 Bid) [Sabbatine]

Received First Reading to the Urban County Council due back on 2/23/2012

20. [0149-12](#) A Resolution accepting the bid of Mignone Communications, Inc., establishing a price contract for Fun Guide 2012 printing, for the Div. of Parks and Recreation. (6 Bids, Low) [Hancock]

Received First Reading to the Urban County Council due back on 2/23/2012

21. [0151-12](#) A Resolution accepting the bid of United Mail, LLC, establishing a price contract for the distribution of Fun Guide 2012, for the Div. of Parks and Recreation. (3 Bids, Low) [Hancock]

Received First Reading to the Urban County Council due back on 2/23/2012

22. [0153-12](#) A Resolution accepting the bid of Triliary, Inc. d.b.a. Site Restoration Group, in the amount of \$11,919, for refurbishing of park benches, for the Dept. of Environmental Quality and Public Works. (5 Bids, Low) [Bush]

Received First Reading to the Urban County Council due back on 2/23/2012

23. [0154-12](#) A Resolution accepting the bid of Comtronics, Inc., establishing a price contract for installation, repair, removal of hardware items for Waste Management Route Management System, for the Div. of Waste Management. (1 Bid) [Div. of Central Purchasing, Marcum]

Received First Reading to the Urban County Council due back on 2/23/2012

24. [0162-12](#) A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following probationary civil service appointments: William Evans, Equipment Operator Sr., Grade 109N,

\$13.912 hourly, in the Div. of Waste Management, Barbie Tapp, Telecommunicator Sr., Grade 113N, \$15.900 hourly, in the Div. of Emergency Management/911, Charles Patrick, Skilled Trades Worker, Grade 111N, \$21.017 hourly, in the Div. of Community Corrections, and Andrew Dixon, Public Service Worker Sr., Grade 107N, \$11.557 hourly, in the Div. of Streets and Roads, all effective upon the passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following probationary sworn appointments: Nicholas Baldwin, Kevin Deweese, Daniel Burton, Timothy Boniface, Francis Abell, Christopher Mulberry, Nathaniel Clark, Thomas Barnes, William Fields, Nastassia Alcuis, Van Cao, Michael Jordan, Rasheed Seraji, Daniel Dinsmore, Benjamin Ishmael, Joshua Coleman, Richard May, Jason Onan, Michael Stager, Matthew Moseley, Larkin Lair, Andrew Kenner, Michael Durham, Derek Parr, Aaron Aubrey, and Alternate Jordan Brown, Firefighter, Grade 311N, \$14.420 hourly, in the Div. of Fire and Emergency Services, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following unclassified civil service appointment: Courtney Thacher, Staff Assistant Sr., Grade 108N, \$12.500 hourly, in the Div. of Water Quality, effective upon passage of Council, Brittany West, Administrative Officer, Grade 118E, \$2,884.62 bi-weekly, in the Div. of Waste Management, effective upon passage of Council, Lindsey Burns, Victim's Advocate, Grade 112N, \$15.150 hourly, in the Div. of Police, effective upon passage of Council, Jason Burden, Skilled Trades Worker-P/T, Grade 111N, \$13.750 hourly, in the Div. of Community Corrections, effective upon passage of Council and Kevin Jarvis, Skilled Trades Worker-P/T, Grade 111N, \$13.750 hourly, in the Div. of Community Corrections, effective upon passage of Council. [Div. of Human Resources, Jarvis]

Received First Reading to the Urban County Council due back on 2/23/2012

25. [0163-12](#) A Resolution ratifying the probationary civil service appointments of: Tamara Walters, Human Resources Manager Sr., Grade 121E, \$2,744.96 bi-weekly, in the Div. of Human Resources, effective January 30, 2012 and Kenneth Kelley, Public Service Supervisor, Grade 111N, \$19.185 hourly, in the Div. of Streets and Roads, effective January 16, 2012; ratifying the permanent civil service appointments of: Sherman Cook, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective February 7, 2012, Stephanie Hong, Director Youth Services, Grade 120E, in the Div. of Youth Services, effective January 19, 2012 and Joanna Rodes, Director Family Services, Grade 120E, in the Div. of Family Services, effective January 19, 2012; and ratifying the probationary sworn appointments of: Albert Johnson, Police Sergeant, Grade 315N, \$28.588 hourly, in the Div. of Police, effective February 20, 2012 and Timothy Bowman, Community Corrections Lieutenant, Grade 114E, \$1,947.84 bi-weekly, in the Div. of Community Corrections, effective

January 30, 2012. [Div. of Human Resources, Jarvis]

Received First Reading to the Urban County Council due back on 2/16/2012

Enactment No: R-045-2012

A motion was made by Council Member Chuck Ellinger, seconded by Council Member Jay McChord, that this Resolution be Suspend rules for Second Reading.. The motion PASSED by an unanimous vote.

Enactment No: R-045-2012

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

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

Nay: 0

Enactment No: R-045-2012

26. [0071-12](#)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Assistance Amendment with the Environmental Protection Agency, for extension of the performance period for the South Elkhorn Pump Station Project through June 30, 2012, at no cost to the Urban County Government. [Div. of Grants and Special Programs/Dept. of Environmental Quality and Public Works, Gooding/Bush]

Received First Reading to the Urban County Council due back on 2/23/2012

27. [0077-12](#)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and other necessary documents, for acceptance of fee simple rights of way and construction easements on approximately 27 properties from owners on record for the Bates Creek Rd. Sidewalk Improvement Project, at a cost not to exceed \$130,000. [Div. of Grants and Special Programs/Dept. of Environmental Quality and Public Works, Gooding/Bush]

Received First Reading to the Urban County Council due back on 2/16/2012

Enactment No: R-052-2012

A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Jay McChord, that this Resolution be Suspend rules for Second Reading.. The motion PASSED by an unanimous vote.

Enactment No: R-052-2012

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

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

Nay: 0

Enactment No: R-052-2012

28. [0081-12](#) A Resolution accepting the response of PFM Asset Management, LLC, for treasury consulting services for the Dept. of Finance, and authorizing the Mayor to execute an Agreement with PFM Asset Management, LLC, related to these services in an amount not to exceed \$50,000 in Fiscal Year 2012. [Dept. of Finance, Driskell]
Received First Reading to the Urban County Council due back on 2/23/2012
29. [0082-12](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Martin Luther King Neighborhood Association, Inc., to provide education on water quality issues and provide materials and support for the construction of twenty-five (25) rain gardens in the neighborhood, at a cost not to exceed \$17,000. [Div. of Water Quality, Martin]
Received First Reading to the Urban County Council due back on 2/23/2012
30. [0083-12](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Agreement with the Fayette County Board of Education, for use of the Winburn Middle School Gymnasium for the Winburn Community Center Learning Program, at a cost not to exceed \$10,043.98. [Div. of Parks and Recreation, Hancock]
Received First Reading to the Urban County Council due back on 2/23/2012
31. [0084-12](#) 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 Communications Grant Project through June 30, 2012, 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 2/23/2012
32. [0085-12](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Consultant Service Agreement with GRW, Inc., for engineering design services for elevators in the Phoenix and Police Headquarters buildings, at a cost not to exceed \$56,000. [Dept. of General Services, Hamilton]
Received First Reading to the Urban County Council due back on 2/23/2012

33. [0091-12](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an alarm contract and addendum with Sonitrol of Lexington, Inc., for alarm system improvements at the Technical Services Unit Facility, at a cost not to exceed \$132 per month. [Div. of Police, Bastin]
- Received First Reading to the Urban County Council due back on 2/23/2012
34. [0095-12](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Paramedic Training Program Agreement, with Madison County Emergency Medical Services, for paramedic training 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 2/23/2012
35. [0098-12](#) 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 \$44,000 Federal funds under the Intellectual Property Theft Enforcement Program, and are for enhancing the capability of the Major Violator Unit (MVU) of the Div. of Police to investigate crimes related to counterfeit goods. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]
- Received First Reading to the Urban County Council due back on 2/23/2012
36. [0104-12](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation of \$2,705.58 from United Way of the Bluegrass to support the free tax preparation sites at the Family Care Center and the Central Ky. Job Center. [Dept. of Social Services, Mills]
- Received First Reading to the Urban County Council due back on 2/23/2012
37. [0111-12](#) A Resolution authorizing the Dept. of Environmental Quality and Public Works to sponsor the Lexington Philharmonic's concert "The Planets" in an amount not to exceed \$2,500. [Dept. of Environmental Quality and Public Works, Bush]
- Received First Reading to the Urban County Council due back on 2/23/2012
38. [0118-12](#) A Resolution authorizing the Div. of Water Quality to accept a payment adjustment, owed to employees of Tobacco Rose Farm for the SSA Group I Sewershed Field Activities-Manhole Raising due to prevailing wage requirements, in the amount of \$117,481.38. [Div. of Water Quality, Martin]
- Received First Reading to the Urban County Council due back on 2/23/2012

39. [0119-12](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Judy Construction Co., for modifications and repair of Clarifier #8 at the West Hickman Wastewater Treatment Plant, at a cost not to exceed \$231,500. [Div. of Water Quality, Martin]
- Received First Reading to the Urban County Council due back on 2/23/2012
40. [0120-12](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with March Madness Marching Band (\$600), for the Office of the Urban County Council, at a cost not to exceed the sum stated. [Council Office, Maynard]
- Received First Reading to the Urban County Council due back on 2/23/2012
41. [0134-12](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Airspace Agreement with Earthman, LLC (for the benefit of Alltech) for placement of an overhead pipe bridge over the right-of-way of Cross St. at no cost to the Urban County Government. [Div. of Engineering, Rayan]
- Received First Reading to the Urban County Council due back on 2/23/2012
42. [0145-12](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with March Madness Marching Band (\$50), Forest Ridge Maintenance Association, Inc., (\$325), Lansdowne Neighborhood Association, Inc., (\$500), Belleau Wood Neighborhood Association, Inc., (\$325), Beaumont Residential Association, Inc., (\$650), American Lung Association of Ky., Inc., (\$700) and Lexington Citizen Police Academy Alumni Association, Inc., (\$50), for the Office of the Urban County Council, at a cost not to exceed the sums stated. [Council Office, Maynard]
- Received First Reading to the Urban County Council due back on 2/16/2012
- Enactment No: R-053-2012
- A motion was made by Council Member Linda Gorton, seconded by Council Member Steve Kay, that this Resolution be Suspend rules for Second Reading.. The motion PASSED by an unanimous vote.**
- Enactment No: R-053-2012
- A motion was made by Council Member Gorton, seconded by Council Member Ellinger, that this Resolution be Passed. The motion Passed by the following vote:**
- Aye:** 13 - Julian Beard; Tom Blues; Bill Farmer, Jr.; Chuck Ellinger; Doug Martin; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford
- Nay:** 0
- Enactment No: R-053-2012

43. [00283-11](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Participating Addendum under Western States Alliance Wireless Communication Services and Equipment Master Price Agreement No. S1523, with Sprint Solutions, Inc., at no additional cost to the Urban County Government. [Div. of Computer Services, Nugent]
- Received First Reading to the Urban County Council due back on 2/23/2012
44. [0122-12](#) A Resolution authorizing the Div. of Police, on behalf of the Urban County Government, to purchase various software services from Open Portal Solutions, a sole source provider, at a cost not to exceed \$49,600. [Div. of Police, Bastin]
- Received First Reading to the Urban County Council due back on 2/23/2012
45. [0137-12](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation from Mr. Barry Ewing of Eagle Sportchairs, for a Multi Court X-change Wheelchair and a set of Spinergy Sport Wheels, for use at the Div. of Parks and Recreation, at no cost to the Urban County Government. [Div. of Parks and Recreation, Hancock]
- Received First Reading to the Urban County Council due back on 2/23/2012
46. [0141-12](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Professional Services Agreements with Lianne McBride, Carrie Barnett, Susan Noel, Brigitte Ganahl, Rosemary Dailey, Angela Wallace and Susanna Moberly, as Sexual Assault Nurse Examiners, to provide on-call forensic examinations under the Sexual Assault Nurse Examiner Program, at a cost not to exceed \$40 for each scheduled on-call period, \$230 for each completed forensic examination, \$50 per case for professional testimony in court, and the reasonable cost of medical liability insurance. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]
- Received First Reading to the Urban County Council due back on 2/23/2012
47. [0142-12](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Lexington and Fayette County Parking Authority, for transfer, management, repair and operation of parking facilities. [Dept. of General Services, Hamilton]
- Received First Reading to the Urban County Council due back on 2/23/2012
48. [0143-12](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Hartland Homeowners

Association, Inc., for capital improvements to an existing stormwater basin at a cost not to exceed \$50,000. [Div. of Water Quality, Martin]

Received First Reading to the Urban County Council due back on 2/23/2012

49. [0144-12](#)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class A (Neighborhood) Incentive Grant to Hartland Homeowners Association, Inc., for capital improvements to address erosion and bank failure on a stream in Hartland at a cost not to exceed \$37,230. [Div. of Water Quality, Martin]

Received First Reading to the Urban County Council due back on 2/23/2012

50. [0147-12](#)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Education) Incentive Grant to the Board of Education of Fayette County for the design and construction of rain gardens at four (4) Fayette County schools, at a cost not to exceed \$10,836.20. [Div. of Water Quality, Martin]

Received First Reading to the Urban County Council due back on 2/23/2012

51. [0148-12](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with CDP Engineers, Inc., for the Coldstream Park Stream Corridor Restoration and Preservation Project, a Supplemental Environmental Project required by the Consent Decree, for the Div. of Water Quality, at a cost not to exceed \$250,000. [Div. of Water Quality, Martin]

Received First Reading to the Urban County Council due back on 2/23/2012

52. [0152-12](#)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Tactical Energetic Entry Systems, LLC, for Dynamic Entry Training for the Div. of Police, at a cost not to exceed \$35,000. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]

Received First Reading to the Urban County Council due back on 2/23/2012

53. [0156-12](#)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and other necessary documents, and to accept Deeds for property interests needed for the Meadows-Northland-Arlington Section 5A Public Improvements Project, at a cost not to exceed \$175,000. [Div. of Grants and Special Programs/Dept. of Environmental Quality and Public Works, Gooding/Bush]

Received First Reading to the Urban County Council due back on 2/23/2012

54. [0158-12](#)

A Resolution authorizing the Div. of Fire and Emergency Services to

obtain Special Operations, Hazardous Materials and Technical Rescue Equipment from Thermo Fisher Scientific, a sole source provider, at a cost not to exceed \$55,000, under the 2011 State Homeland Security Grant Program, and authorizing the Mayor to execute any necessary documents. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]

Received First Reading to the Urban County Council due back on 2/23/2012

55. [0160-12](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One to the Contract with RCC Consultants, for the Public Safety Radio Project, increasing the contract price by the sum of \$55,700.75 from \$100,000.00 to \$155,700.75. [Div. of Police, Bastin]

Received First Reading to the Urban County Council due back on 2/23/2012

A motion was made by Council Member Gorton, seconded by Council Member Beard, that this Resolution be Suspend rules for Second Reading.. The motion failed by the following vote:

Aye: 6 - Julian Beard; Tom Blues; Steve Kay; Peggy Henson; Linda Gorton and Chris Ford

Nay: 7 - Bill Farmer, Jr.; Chuck Ellinger; Doug Martin; Ed Lane; George Myers; Jay McChord and Kevin Stinnett

56. [0171-12](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Big Brothers/Big Sisters of the Bluegrass (\$1,300), Lansdowne Elementary School PTA, Inc., (\$300), Board of Trustees of Victory Baptist Church (\$25), and Citizens Police Academy Alumni Association (\$100), for the Office of the Urban County Council, at a cost not to exceed the sums stated. [Council Office, Maynard]

Received First Reading to the Urban County Council due back on 2/16/2012

Enactment No: R-054-2012

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Jay McChord, that this Resolution be Suspend rules for Second Reading.. The motion PASSED by an unanimous vote.

Enactment No: R-054-2012

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

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

Nay: 0

Enactment No: R-054-2012

57. [0199-12](#)

A Resolution ratifying the unclassified civil service appointment of: Derek Paulsen, Commissioner of Planning, Grade 212E, \$4,423.07 bi-weekly, effective February 21, 2012. [Council Office, Maynard]

A motion was made by Council Member Linda Gorton, seconded by Council Member Jay McChord, that this Resolution be placed on the docket and given First Reading, and sent to the Urban County Council to be returned by 2/16/2012. The motion PASSED by an unanimous vote.

Enactment No: R-055-2012

A motion was made by Council Member Linda Gorton, seconded by Council Member Jay McChord, that this Resolution be Suspend rules for Second Reading.. The motion PASSED by an unanimous vote.

Enactment No: R-055-2012

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

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

Nay: 0

Enactment No: R-055-2012

58. [0201-12](#)

A Resolution expressing the desire of the Lexington-Fayette Urban County Council that the Mayor hire a Director for the Div. of Community Corrections. [Council Office, Maynard]

A motion was made by Council Member Peggy Henson, seconded by Council Member Kevin Stinnett, that this Resolution be placed on the docket and given First Reading, and sent to the Urban County Council to be returned by 2/16/2012. The motion PASSED by an unanimous vote.

Enactment No: R-056-2012

A motion was made by Council Member Linda Gorton, seconded by Council Member Jay McChord, that this Resolution be Suspend rules for Second Reading.. The motion PASSED by an unanimous vote.

Enactment No: R-056-2012

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

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

Nay: 0

Enactment No: R-056-2012

VIII. Communications from the Mayor

0178-12

1. Recommending the appointment of Councilmember Charles W. Ellinger to the Airport Board, with a term to expire 12-31-2014. Councilmember Ellinger will fill the unexpired term of Councilmember Ed Lane, Mayor's designee.
2. Recommending the reappointment of Mr. Timothy L. Mitchell, as Animal Control representative, to the Animal Care and Control Oversight Committee, with a term to expire 10-30-2015.
3. Recommending the appointment of Mr. Timothy C. Brooks to the Arboretum Advisory Committee, with a term to expire 1-1-2014. Mr. Brooks will fill the unexpired term of Councilmember Charles Ellinger.
4. Recommending the appointments of Mr. Sal Elmo, Jr. and Mr. Alan L. Saylor to the Bluegrass Crime Stoppers, Inc., with terms to expire 3-31-2013 and 3-21-2015 respectively. Mr. Elmo, Jr. will fill the unexpired term of Ms. Ann Gerald and Mr. Saylor will fill the unexpired term of Mr. Paul Grant.
Also, recommending the reappointments of Mr. Charles T. Mateyoke, Ms. Sue C. Miller, and Mr. Barno D. Saturday to the Bluegrass Crime Stoppers, Inc., with terms to expire 3-21-2016.
5. Recommending the appointment of Ms. Janet P. Ford to the Community Action Council Board, with a term to expire 12-31-2014.
6. Recommending the reappointments of Dr. David B. Stevens, as at-large representative, and Ms. Tracey T. Thurman, as Commissioner of General Services designee, to the Corridors Commission, with terms to expire 8-1-2015.
7. Recommending the reappointment of Mr. David J. Freibert to the Downtown Development Authority Board of Directors, with a term to expire 1-15-2016.
8. Recommending the reappointment of Mr. George W. Wilson to the Dunbar Neighborhood Center Board, with a term to expire 3-20-2016.
9. Recommending the reappointment of Ms. Amy L. Sohner, as Executive Director of Bluegrass PRIDE, and Mr. Mark York, as Dept. of Environmental Quality representative, to the Keep Lexington Beautiful Commission, with terms to expire 2-1-2016.
10. Recommending the reappointment of Mr. Clarence 'Rudy' Cruse, as Div. of Parks and Recreation designee, to the Masterson Station Park Advisory Board, with a term to expire 5-1-2015.
11. Recommending the appointment of Mr. Robert J. Allen II, as forester representative, to the Raven Run Citizens Advisory Board, with a term to expire 1-13-2014.
12. Recommending the appointment of Ms. Mary A. Delaney, as land conservation group representative, to the Rural Land Management Board, with a term to expire 4-1-2015.

13. Recommending the appointments of Mr. Louis Z. Bickett, as sculptor representative, and Ms. Lori A. Houlihan, as Mayor's Office representative, to the Urban County Arts Review Board, with terms to expire 3-1-2014 and 12-31-2014, respectively.

A motion was made by Council Member Linda Gorton, seconded by Council Member Jay McChord, that this Communication be Passed.. The motion PASSED by an unanimous vote.

IX. Communications from the Mayor (For Information Only)

0164-12

1. Temporary appointment of Connie Godfrey, acting as Director Adult Services, Grade 120E, in the Div. of Adult and Tenant Services, effective January 16, 2012.
2. Approving the voluntary demotion of Monica Pattison, Staff Assistant Sr., Grade 108N, \$11.836 hourly, in the Div. of Police, effective February 27, 2012.
3. Resignation of Lee Smith, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective January 3, 2012.
4. Resignation of Cheryl Talbert, Director Adult Services, Grade 120E, in the Div. of Adult and Tenant Services, effective January 13, 2012.
5. Resignation of Thomas D'Andrea, Jr., Enterprise Systems Developer Sr., Grade 118E, in the Div. of Enterprise Solutions, effective January 4, 2012.
6. Resignation of Obie W. Sloan, Public Service Worker, Grade 106N, in the Div. of Parks and Recreation, effective January 3, 2012.
7. Resignation of Timothy Fritz, Police Officer, Grade 311N, in the Div. of Police, effective January 15, 2012.
8. Resignation of Jason Fyfe, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective January 5, 2012.
9. Resignation of Steven Jude, Police Officer-Trainee, Grade 311N, in the Div. of Police, effective January 10, 2012.
10. Transfer of Marie Stuart, Administrative Specialist, Grade 110N, from the Div. of Accounting to the Div. of Traffic Engineering, effective February 6, 2012.

Received and Filed

X. Announcements

XI. Public Comments

Adjournment

