

Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky March 22, 2012

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on March 22, 2012 at 6:00 P.M. Present were Vice-Mayor Gorton in the chair presiding in the absence of Mayor Gray, and the following members of the Council: Council Members McChord, Myers, Stinnett, Beard, Blues, Farmer, Ford, Henson, Kay, Lane, Lawless, and Martin. Absent were Council Members Crosbie and Ellinger.

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

Resolutions No. 98-2012 thru 112-2012, and Ordinances No. 25-2012 thru 29-2012, inclusive were reported as having been signed and published, and ordered to record.

Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky March 22, 2012

The Invocation was given by Dr. Deborah Hill, Baha'i Association, University of Kentucky.

* * *

Ms. Gorton made a presentation in honor of Alcohol Awareness Month to the Mayor's Alliance on Substance Abuse. She described the work of the Mayor's Alliance on Substance Abuse, and spoke about the 'Keep It Real' video project. She introduced Ms. Donna Wiesenhahn, Bluegrass Prevention Center, Mr. Arthur Rouse, Video Editing Services, and Mr. Travis Gaines, Mr. Austin Moore, and Mr. Sam Habash, Grand Prize Winners of the 'Keep It Real' video contest with their video 'The Drunk Monster.' Ms. Wiesenhahn and Mr. Rouse spoke about the contest and thanked the Council for their support. Mr. Gaines described the process behind their winning video.

The video 'The Drunk Monster' was shown, as well as other videos entered into the contest.

Ms. Gorton read a proclamation from the Mayor recognizing March 2012 as Alcohol Awareness Month.

* * *

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

Aye: McChord, Myers, Stinnett, Beard, Blues, Farmer, Ford, Gorton, Henson, Kay, Lane, Lawless, Martin-----13

Nay: -----0

An Ordinance changing the zone from a Neighborhood Business (B-1) zone to a High Density Apartment (R-4) zone for 14.78 net (17.47 gross) acres, for property located at 3600 and 3652 Winthrop Drive (RML Construction).

An Ordinance accepting the bid of Municipal Equipment, Inc., in the amount of \$351,465 for a baler for the Material Recovery Facility for the Div. of Waste Management, and appropriating funds pursuant to Schedule No. 57.

An Ordinance creating Section 16-6.2 of the Code of Ordinances relating to refuse collection to provide for pickup of small animals at veterinarian offices in the Div.

of Waste Management collection area; to provide for use of 10-cubic yard "roll off" containers by residents of Fayette County and establishing fees for such services.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, changing the job title of two (2) positions of Total Rewards Assistant, Grade 112N, to two (2) positions of Administrative Specialist, Sr., Grade 112N, in the Div. of Human Resources.

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

An Ordinance amending Subsections 16-60(a)(1), 16-60(a)(2), 16-60(a)(3), 16-60(a)(4), 16-60(a)(5), 16-60(a)(6), 16-60(a)(7), 16-60(a)(8), and 16-60(a)(9) of the Code of Ordinances relating to sanitary sewer tap-on fees to make clarifications to categories of properties and update fees and amending Section 5 of Ordinance No. 34-2008, which amended Subsection 16-60(a)(6), to correct a typographical error.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Trades Worker Sr., and one (1) position of Public Service Worker Sr., in the Div. of Water Quality and creating one (1) position of Trades Worker Sr., and one (1) position of Public Service Worker Sr., in the Div. of Streets and Roads, appropriating funds pursuant to Schedule No. 59, effective upon passage of Council.

An Ordinance pursuant to Sections 3.02(24) and 6.12 of the Charter of the Lexington-Fayette Urban County Government creating the Dept. of Planning, Preservation and Development; transferring the Divisions of Planning, Historic Preservation and the Purchase of Development Rights and the incumbents in all authorized positions as well as all vacant positions from the Office of the Chief Administrative Officer to the Dept. of Planning, Preservation and Development at their current job classification, pay grade and salary; amending Section 21-5(2) of the Code of Ordinances transferring one (1) position of Building Inspector Sr., Grade 114E, four (4) positions of Building Inspector, Grade 113N, one (1) position of Staff Assistant, Sr., Grade 108N and one (1) position of Staff Assistant, Grade 107N and the incumbents

from the Div. of Building Inspection to the Div. of Planning at their current job classification, pay grade and salary; amending Section 22-5(2) of the Code of Ordinances abolishing one (1) position of Commissioner of Planning, Grade 210E, in the Office of the Chief Administrative Officer and creating one (1) position of Commissioner of Planning, Preservation and Development, Grade 210E, in the Dept. of Planning, Preservation and Development and transferring the incumbent at his current job classification, pay grade and salary; appropriating funds pursuant to Schedule No. 60; amending Sections 21-5(2) and 22-5(2) of the Code of Ordinances to renumber the affected sections effective upon passage by Council.

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. 58.

* * *

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

An Ordinance changing the zone from an Agricultural Rural (A-R) zone to a Planned Neighborhood Residential (R-3) zone for 1.56 net (2.04 gross) acres, with a conditional use permit, for property located at 1420 Greendale Rd., subject to certain use restrictions imposed as conditions of granting the zone change (Victory Apostolic Church).

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Enterprise Systems Developer Sr., Grade 118E and creating one (1) position of HCM Manager Enterprise Solutions, Grade 119E in the Div. of Enterprise Solutions, appropriating funds pursuant to Schedule No. 61, effective upon passage of Council.

An Ordinance amending Section 23-5(a) of the Code of Ordinances, abolishing one (1) position of Sworn Police Captain, Grade 318E and creating one (1) position of Sworn Police Lieutenant, Grade 317E in the Div. of Police, appropriating funds pursuant to Schedule No. 63, effective upon passage of Council.

An Ordinance amending Section 22-5(2) of the Code of Ordinances, increasing the salary of the Coroner by two and nine tenths percent (2.9%) from \$66,207.96 to \$68,169.40, effective retroactive to January 2, 2012.

An Ordinance creating Section 13-54.1 of the Code of Ordinances related to regulated scrap material to define ferrous metal, HVAC, nonferrous metal, plastics, regulated scrap material, scrap metal dealer, scrap metal seller, scrap metal dealer's license, scrap metal seller's license, transport vehicle, and vehicle; creating Section 13-54.2 of the Code of Ordinances related to regulated scrap material, to create the application and review process for a scrap metal dealer's license; creating Section 13-54.3 of the Code of Ordinances related to regulated scrap material to create the license application and review process for scrap material sellers license; creating Section 13-54.4 of the Code of Ordinances related to regulated scrap material to define the administrative requirements of a scrap metal dealer; creating Section 13-54.5 of the Code of Ordinances related to regulated scrap material to create the retention requirements for purchased regulated scrap material; creating Section 13-54.6 of the Code of Ordinances related to regulated scrap material to define prohibited purchases by a scrap metal dealer; creating Section 13-54.7 of the Code of Ordinances related to regulated scrap material to provide for exemptions to the scrap metal seller's license requirement; creating Section 13-54.8 of the Code of Ordinances related to regulated scrap material to provide for penalties for violations of this section and to provide for an appeals process for anyone affected by this section.

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. 62.

* * *

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

Aye: McChord, Myers, Stinnett, Beard, Blues,
Farmer, Ford, Gorton, Henson, Kay,
Lane, Lawless, Martin-----13

Nay: -----0

A Resolution accepting the bid of Harrod Concrete and Stone, Co., establishing a price contract for wet mix concrete supplement, for the Division of Streets and Roads.

A Resolution ratifying the probationary civil service appointments of: James Clark, Equipment Operator Sr., Grade 109N, \$18.267 hourly, in the Div. of Streets and Roads, effective March 5, 2012, William Dixon, Equipment Operator Sr., Grade 109N,

\$18.363 hourly, in the Div. of Water Quality, effective March 12, 2012 and Patrick McFadden, Engineering Technician Sr., Grade 113E, \$1,908.40 bi-weekly, in the Div. of Water Quality, effective March 26, 2012, unclassified civil service appointment in the Office of the Urban County Council: Jenifer Benningfield, Council Administrative Specialist, Grade 115E, \$2,249.96 bi-weekly, in the Urban County Council Office, effective March 26, 2012.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Crestwood Christian Church, for use of the Mission Center for the Meeting the Challenges and Opportunities of Aging Conference, at no cost to the Urban County Government.

A Resolution authorizing the Div. of Human Resources to internally advertise for vacant positions, if requested by the Division Director, from the date of passage of this Resolution through June 30, 2012, and authorizing the Div. of Human Resources to advertise externally if a qualified internal applicant pool does not exist within the first week of any internal advertisement.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Commonwealth of Ky. Office of Highway Safety, 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 \$30,000 Federal funds, are for "Click it or Ticket" Safety Belt Enforcement Mobilization, 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.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Adopt-a-Spot Program Agreement with Boy Scout Troop 100 for participation in the Adopt-a-Spot Roadway Cleanup Program, at a cost not to exceed \$772.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easements, releasing a portion of a utility easement and a portion of a storm sewer and drainage easement on property located at 4357 Victoria Ct.

A Resolution designating Lakeside Golf Course and Clubhouse, as a park and park facility where the Director of the Div. of Parks and Recreation may authorize the possession, sale, delivery and consumption of alcoholic beverages and apply for a malt beverage license for sale of malt beverages at the listed location.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Mutual Aid Agreement with Safety Tec, Inc., for mutual aid related to emergency services, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation from Ms. Erika Smith of a ping pong table, for use at the Dunbar Community Center, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$100,010 Commonwealth of Ky. funds from the Law Enforcement Service Fee Program, are for support of the cost of Police overtime hours for a Traffic Alcohol Patrol, 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.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Fayette County Cooperative Extension and AARP, for an educational seminar titled "Taking Charge: Your Medication, Your Heart", at a cost not to exceed \$125 for space for the seminar at the Fayette County Cooperative Extension Facility.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice and Public Safety Cabinet, to provide any additional information requested in connection with this Grant Application, and to accept this Grant if the application is approved, which Grant funds are in the amount of \$50,000 Federal funds, and are for continuation of the Street Sales Drug Enforcement Project, the acceptance of which obligates the Urban County

Government for the expenditure of \$16,667 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

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. for Local Government and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$75,000 Federal funds, and are for construction of the Brighton Rail Trail Phase 4.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) (Final) to the Contract with Grant's Excavating, Inc. for the Griffin Gate Pump Station Replacement Project, increasing the contract price by the sum of \$5,105 from \$173,000 to \$178,105.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Harshaw Trane for design and engineering services for the repair, modification and/or replacement of electrical and mechanical equipment at Police Headquarters, at a cost not to exceed \$97,117.73.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with First Bracktown, Inc., (\$625), for the Office of the Urban County Council, at a cost not to exceed the sum stated.

* * *
A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following: Allison Diggins, Environmental Inspector, Grade 113N, \$16.031 hourly, in the Div. of Water Quality; and authorizing the beginning of probationary civil service probationary period upon successful completion of a physical or medical examination as required; authorizing the unclassified civil service appointment of: Donald Graves, Van Driver P/T, Grade 104N, \$10.750 hourly, in the Dept. of Social Services, and authorizing the beginning employment upon successful completion of a physical or medical examination as required, effective upon passage of council was given first reading.

Mr. Keith Horn, Dept. of Law, asked that the rules be suspended in order to give second reading to the resolution.

Upon motion of Mr. Blues, seconded by Mr. Farmer, the rules were suspended by unanimous vote.

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

Aye: McChord, Myers, Stinnett, Beard, Blues,
Farmer, Ford, Gorton, Henson, Kay,
Lane, Lawless, Martin-----13

Nay: -----0

* * *

The following resolutions were given first reading. Mr. Richard Moloney, Chief Administrative Officer, asked that the rules be suspended in order to give second reading to the resolutions.

Upon motion of Mr. Kay, seconded by Mr. Lane, the rules were suspended by unanimous vote.

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

Aye: McChord, Myers, Stinnett, Beard, Blues,
Farmer, Ford, Gorton, Henson, Kay,
Lane, Lawless, Martin-----13

Nay: -----0

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration, and any other documents necessary, and to accept a Deed for the property located at 436 Locust Ave., for the Meadows-Northland-Arlington Public Improvements Project, and authorizing payment in the amount of \$85,000, plus usual and appropriate closing costs was given first reading.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Energy and Environment Cabinet and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$500,000 Commonwealth of Ky. funds under the Ky. Recycling Grant Program, and are for the purchase of a comingled commercial sorting line.

* * *

A Resolution approving the Optional Relocation Assistance Policy to provide assistance, not to exceed \$20,000, to low-income owner-occupants who are involuntarily displaced from property with negative equity when the displacement results

from the use of Community Development Block Grant or Home Investment Partnerships Program funds was given first reading.

Mr. Richard Moloney, Chief Administrative Officer, asked that the rules be suspended in order to give second reading to the resolution.

Upon motion of Mr. Farmer, seconded by Mr. Myers, the rules were suspended by unanimous vote.

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

Aye: McChord, Myers, Stinnett, Beard, Blues,
Farmer, Ford, Gorton, Henson, Kay,
Lane, Lawless, Martin-----13

Nay: -----0

* * *

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Merchant Processing Service Agreement with McKesson Pharmacy Systems, LLC, and a Merchant Agreement with Bank of America, N.A., for transaction services at the pharmacy at the Dr. Samuel Brown Health Center, which will be paid for as a transaction fee dependent upon the type of credit or debit card used, at a cost estimated not to exceed \$3,000 in Fiscal Year 2012, and further authorizing the Mayor to execute any additional documents or agreements related to this matter was given first reading.

Mr. Richard Moloney, Chief Administrative Officer, asked that the rules be suspended in order to give second reading to the resolution.

Upon motion of Mr. Myers, seconded by Mr. Lane, the rules were suspended by unanimous vote.

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

Aye: McChord, Myers, Stinnett, Beard, Blues,
Farmer, Ford, Gorton, Henson, Kay,
Lane, Lawless, Martin-----13

Nay: -----0

* * *

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

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

Aye: McChord, Myers, Stinnett, Beard, Blues,
Farmer, Ford, Gorton, Henson, Kay,
Lane, Lawless, Martin-----13

Nay: -----0

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Bluegrass Chapter of the American Red Cross (\$1,000), AIDS Volunteers, Inc., (\$825), Mentelle Neighborhood Association (\$575), Cheapside Entertainment District, Inc., (\$650), Athletes United Foundation, Inc., (\$1,000) and Big Brothers/Big Sisters of the Bluegrass, Inc., (\$750), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution amending Resolution No. 484-2011, relating to the Ad Hoc Citizens' Committee replacing the Third District Representative.

A Resolution notifying the Executive Branch and Administration of the Lexington-Fayette Urban County Government of the Urban County Council's ranking of budget priorities for Fiscal Year 2013, as previously discussed at the Joint Budget Workshop on January 26, 2012: (1) resolve the pension issue and retiree benefits; (2) infrastructure needs, including roads, garages, and sidewalks; (3) commitments to Lexington-Fayette Urban County Government parks.

* * *

Upon motion of Mr. Beard, seconded by Mr. Kay, and approved by unanimous vote, a Resolution amending Resolution No. 484-2011, relating to the Ad Hoc Citizens' Committee for the hiring of the Citizens' Advocate, replacing the 4th District representative was placed on the docket and given first reading.

Upon motion of Mr. Blues, seconded by Mr. Farmer, the rules were suspended by unanimous vote.

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

Aye: McChord, Myers, Stinnett, Beard, Blues,
Farmer, Ford, Gorton, Henson, Kay,
Lane, Lawless, Martin-----13

Nay: -----0

* * *

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

A Resolution accepting the bid of Claunch Construction, in the amount of \$184,000, for Green Acres/Hollow Creek Stormwater Treatment Units, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Claunch Construction, related to the bid.

A Resolution accepting the bid of Hach Co., establishing price contract for Luminescent Dissolved Oxygen Analyzer with Digital Controller, for the Div. of Water Quality, and authorizing the Mayor to execute any related agreement.

A Resolution accepting the bids of Ky. Service Co., Inc. and Morgan Electric Motor Sales and Service, Inc., establishing price contracts for repair/replacement of electrical motors, pumps, and submersible pumps, for the Div. of Water Quality, and authorizing the Mayor to execute any related agreements.

A Resolution ratifying the unclassified civil service appointment of: Glenn Brown, Administrative Officer, Grade 118E, \$2,884.62 bi-weekly, in the Office of the Chief Administrative Officer, effective March 12, 2012.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Catering Contract with the Hyatt Regency Lexington, for catering services for the Senior Intern Luncheon, at a cost not to exceed \$5,500.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with Victoria Nash, as a Sexual Assault Nurse Examiner, 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.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Four to the Contract with Woodall Construction Co., Inc., for the construction of Clays Mill Road Improvements Project, increasing the contract price by the sum of \$18,487.72 from \$3,655,884.57 to \$3,674,372.29.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the Knoxville Police Dept., for a Ride-Along Program, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation in the amount of \$2,500 from the Lexington Convention & Visitors Bureau for the Sweet 16 Basketball Tournament to be held in Lexington, Ky., March 14-17, 2012.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation in the amount of \$2,000 from the Ky. High School Athletic Association (KHSAA) for the Sweet 16 Basketball Tournament to be held in Lexington, Ky., March 14-17, 2012.

A Resolution approving the granting of an inducement to A Great American Brand d/b/a A&W Restaurants, Inc., pursuant to the Ky. Business Investment Act created by House Bill 3 of the 2009 Extraordinary Legislative Session, whereby Lexington-Fayette Urban County Government agrees to forego the collection of one percent (1%) of the Occupational License fees that would otherwise be due to it, which shall be retained by A Great American Brand d/b/a A&W Restaurants, Inc., for a term of not longer than ten (10) years from the activation date established by the Ky. Business Investment Program, subject to the limitations contained in the Ky. Business Investment Act and any agreement A Great American Brand d/b/a A&W Restaurants, Inc., has with the Ky. Economic Development Finance Authority related to the project, and taking other related action.

A Resolution initiating a Text Amendment to Section 13-4(b)(4) of the Zoning Ordinance to replace the member of Historic Preservation Commission nominated by Board of the Land and Nature Trust with a member nominated by the Bluegrass Conservancy.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with YMCA of Central Ky. (\$650) and Glendover Neighborhood Association (\$300), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with Burdette Construction, Inc. for relocating and reassembling of the Warfield Place Stone Entrance Wall, increasing the contract price by the sum of \$7,395.20 from \$59,730.00 to \$67,125.20.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to approve the renewal of an Agreement with OmniSource Integrated Supply, LLC, for temporary employees at the Div. of Emergency Management/911, at a cost not to exceed \$30,000.

A Resolution amending Resolution No. 92-2012 to change the name of the sole source entity from which the equipment is being acquired from Thermo Fisher Scientific to Ahura Scientific.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the University of Ky. College of Social Work and Martin School of Public Policy and Administration, for conducting a needs assessment for the partner agency funding process, at a cost not to exceed \$35,000, provided that funds are budgeted for FY 2013.

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 Town Branch Trail Phase III project through June 30, 2013, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 1 to the Agreement with the Ky. Transportation Cabinet for design and construction of the Isaac Murphy Memorial Garden, to permit the Urban County Government to use \$117,902.25 of the grant funds as the local match for the Legacy Trail Enhancements Project.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Ky. Transportation Cabinet, for \$589,511.25 for infrastructure improvements for the Legacy Trail Enhancements Project.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Addendum to the Agreement granting additional responsibility pursuant to

KRS 198b.060(5), with the Commonwealth of Ky. Dept. of Housing, Buildings, and Construction, specifying the enforcement responsibilities within Lexington-Fayette County, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Transportation Cabinet, which Grant funds are in the amount of \$335,200 (FHWA Planning), \$48,400 (Federal Transit Administration Section 5303), \$102,000 (Mobility Office (SLX)), \$54,000 (Air Quality Planning (SLX)), \$67,200 (Congestion Management (SLX)) and \$52,800 (Bike/Ped Planning (SLX)) Federal funds, are for the Div. of Planning Unified Work Program - FY 2013, the acceptance of which obligates the Urban County Government for the expenditure of \$62,850 (FHWA Planning), \$12,100 (Federal Transit Administration), \$25,500 (Mobility Office (SLX)), \$13,500 (Air Quality Planning (SLX)), \$16,800 (Congestion Management (SLX)) and \$13,200 (Bike/Ped Planning (SLX)) as a local match, subject to sufficient funds being appropriated in FY 2013, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Volunteers of America of Ky., Inc., for support of emergency housing for homeless families, at a cost not to exceed \$8,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Dept. of Military Affairs, Div. of Emergency Management, which Grant funds are in the amount of \$580,700 Federal funds, are for continuation of the Chemical Stockpile Emergency Preparedness Program (CSEPP) for FY 2012, 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.

A Resolution initiating Zoning Ordinance text amendments to authorize changes to the notice requirements for certain Board of Adjustment hearings and to include Neighborhood or Homeowner's Associations.

*

*

*

The following Communication from the Mayor was received for information only:
(1) Acting assignment of Amelia Confides, Administrative Specialist Sr., Grade 112N, in the Div. of Building Inspection, effective February 24, 2012.

* * *

Ms. Henson announced that Mr. McChord would be receiving a Public Health Hero Award, and she congratulated him. The Council joined in congratulating Mr. McChord.

* * *

Ms. Lawless reminded the public that the Council would be off until April 10, 2012.

* * *

Mr. Ben Blyton, Blue Ash Drive, spoke about the cost of ambulance service and the need for it to be considered under insurance coverage, or covered through a contingency fund.

* * *

Ms. Cheree Jones, Marlboro Drive, stated her concerns with a sanitary sewer overflow problem at her residence on January 17, 2012.

Ms. Gorton asked Mr. Moloney to speak with Ms. Jones about this issue.

Mr. Martin stated that there had been a program set up for this type of situation last year.

* * *

Mr. Bernard McCarthy, Harry Street, spoke about traffic patterns in the downtown area, and about the need for everyone to wear seat belts.

* * *

Mr. Elmer Jancic, Blackford Parkway, stated his concerns about parking on his street and receiving a citation.

* * *

Upon motion of Mr. Beard, seconded by Mr. Farmer, and approved by unanimous vote, the meeting adjourned at 7:20 p.m.

Clerk of the Urban County Council