

**October 23, 2008**  
**Regular Meeting**

The Nicholasville City Commission convened in regular session on Thursday, October 23, 2008 at 5:00 p.m. Mayor Russ Meyer presided and the following commissioners were present: Mr. Danny Shearer, Mr. Johnny Collier, Mr. Andy Williams and Mr. Chris Moore. Also present: City Attorney, William M. Arvin

Motion by Mr. Collier, seconded by Mr. Shearer to approve minutes as written for the October 7, 2008 special meeting.

Yea

Mr. Collier, Mr. Meyer, Mr. Williams, Mr. Moore, Mr. Shearer

Motion by Mr. Collier, seconded by Mr. Shearer to authorize the installation of a 6 inch water line, fire hydrant and one water meter at the Preece Sports Complex as requested by Parks and Recreation.

Yea

Mr. Meyer, Mr. Williams, Mr. Moore, Mr. Shearer, Mr. Collier

Motion by Mr. Shearer, seconded by Mr. Williams to appoint Gary Denton to the Annexation Committee to listen to the request for the amendment to the Memorandum of Agreement between the City of Nicholasville and Bellerive Development.

Yea

Mr. Williams, Mr. Moore, Mr. Shearer, Mr. Collier, Mr. Meyer

At this time the Mayor opened a public hearing for Ordinance 718-2008: AN ORDINANCE CLOSING TURKEY CURVE LOOP, A PUBLIC STREET, LOCATED IN THE NORTH CITY LIMITS OF THE CITY OF NICHOLASVILLE. Attorney Bruce Smith entertained questions from the Commission and the audience. After no further comments the Mayor declared the hearing closed.

Motion by Mr. Collier, seconded by Mr. Shearer to adopt the Findings of Fact and Conclusions of Law for the closure of a right of way on Turkey Curve Loop, Toyota on Nicholasville as follows:

1. The property for consideration of closing is defined and identified hereto as Exhibit "A";
2. The sole property owner whose property abuts this public way is MAP Real Estate, LLC;
3. Notice of the proposed closing was given to the sole owner of property abutting the road sought to be closed;
4. All property owners in the abutting public way or a portion thereof being closed have given written, notarized consent to the closing. A copy of this consent is attached hereto as Exhibit "B";
5. The proposed portion of Turkey Curve Loop serves no beneficial interest to the public, and therefore it is found that the City of Nicholasville should close all of the property described in Exhibit "A".

Yea

Mr. Moore, Mr. Shearer, Mr. Collier, Mr. Meyer, Mr. Williams

Motion by Mr. Collier, seconded by Mr. Shearer to approve first reading of ORDINANCE 718-2008: AN ORDINANCE CLOSING TURKEY CURVE LOOP, A PUBLIC STREET, LOCATED IN THE NORTH CITY LIMITS OF THE CITY OF NICHOLASVILLE.

Yea

Mr. Shearer, Mr. Collier, Mr. Meyer, Mr. Williams, Mr. Moore

Motion by Mr. Collier, seconded by Mr. Shearer to approve first reading of ORDINANCE 720-2008: AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP FOR THE CITY OF NICHOLASVILLE, KENTUCKY (ASH TREE PROPERTIES II, LLC, A KENTUCKY LIMITED LIABILITY COMPANY, 106 WEST VINE STREET, LEXINGTON, KENTUCKY 40507 FROM R-1D (SINGLE FAMILY RESIDENTIAL DISTRICT) TO P-1 (PROFESSIONAL DISTRICT) FOR APPROXIMATELY 2.28 ACRES OF PROPERTY LOCATED ON A PORTION OF LOT 2, 799 EAST BRANNON ROAD, NICHOLASVILLE, KENTUCKY 40356)

Yea

Mr. Collier, Mr. Meyer, Mr. Williams, Mr. Moore, Mr. Shearer

Motion by Mr. Collier, seconded by Mr. Shearer to approve second reading of ORDINANCE 719-2008: AN ORDINANCE ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES OF THE CITY OF NICHOLASVILLE

Yea

Mr. Meyer, Mr. Williams, Mr. Moore, Mr. Shearer, Mr. Collier

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Motion by Mr. Meyer, seconded by Mr. Williams to increase the maximum level of contribution for the Flexible Spending Accounts to \$3,000.

Yea

Mr. Williams, Mr. Moore, Mr. Shearer, Mr. Collier, Mr. Meyer

Motion by Mr. Collier, seconded by Mr. Shearer to adopt the City of Nicholasville Red Flay Policy which purpose is to establish an Identify Theft Prevention Program designed to detect, prevent and mitigate identify theft in connection with the opening of a covered account or an existing covered account and to provide for continued administration of the Program in compliance with Part 681 of Title 16 of the Code of Federal Regulations implementing Sections 114 and 315 of the Fair and Accurate Credit Transactions Act of 2003.

Yea

Mr. Moore, Mr. Shearer, Mr. Collier, Mr. Meyer, Mr. Williams

Motion by Mr. Collier, seconded by Mr. Shearer to authorize the Mayor to sign Contract Change Order #2, Union Mill (KY-169) Water Line Extension in the amount of \$16,054.43.

Yea

Mr. Shearer, Mr. Collier, Mr. Meyer, Mr. Williams, Mr. Moore

Motion by Mr. Shearer, seconded by Mr. Williams to approve accounts payable as listed in the amount of \$348,722.59.

Yea

Mr. Collier, Mr. Meyer, Mr. Williams, Mr. Moore, Mr. Shearer

Motion by Mr. Shearer, seconded by Mr. Collier to adjourn into closed session per KRS 61.810 1.C – proposed litigation.

Yea

Mr. Meyer, Mr. Williams, Mr. Moore, Mr. Shearer, Mr. Collier

The meeting adjourned at 5:57 p.m.

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Roberta Warren, City Clerk

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Russ Meyer, Mayor