



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

200 E. Main St
Lexington, KY 40507

Thursday, April 25, 2013

6:00 PM

Council Chambers

I. Roll Call

Present 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Absent 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

II. Invocation

Jason Santalucia, Hunter Presbyterian Church

III. Minutes of the Previous Meetings

[0395-13](#)

Minutes of the January 22 (6:00 P.M.), February 26, and March 5, 2013 Council Meetings

A motion was made by Council Member Julian Beard, seconded by Council Member Harry Clarke, that these Minutes be Approved. The motion PASSED by an unanimous vote.

IV. Presentations

[0419-13](#)

Proclamation: Isaac Burns Murphy Month

The Mayor asked Mr. Myers to join him at the podium for the presentation. The Mayor welcomed [get names], Mill Creek Elementary, and spoke about Isaac Burns Murphy. Mr. Myers spoke about the Academy for Leadership at Mill Creek, and Mr. Murphy. The Mayor proclaimed May, 2013, as Isaac Murphy Month. The children from Mill Creek read the proclamation in unison.

Received and Filed

[0420-13](#)

Presentation: Susan Lamb, Kentucky Municipal Clerk of the Year

The Mayor asked VM Gorton to join him at the podium. He stated Ms. Susan Lamb, Clerk of the Urban County Council, had been named Clerk of the Year by the Ky. Municipal Clerks Association. The Mayor spoke about Ms. Lamb's accomplishments. He also stated she would be retiring in July. The Vice-Mayor also spoke about Ms. Lamb. Ms. Lamb thanked the Council and the Mayor and Vice-Mayor for the recognition, and spoke about the award.

Received and Filed

V. Ordinances – Second Reading

Present 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Absent 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

1. [0255-13](#)

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Environmental Enforcement Specialist, Grade 115E, and creating one (1) position of Arborist Sr., Grade 115E in the Div. of Environmental Policy, effective upon passage of Council. [Div. of Human Resources, Maxwell]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: O-041-2013

2. [0280-13](#)

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Records Management Analyst, Grade 111N, and creating one (1) position of Deputy Council Clerk, Grade 116E in the Office of Clerk of the Urban County Council and appropriating funds pursuant to Schedule No. 47, effective upon passage of Council. [Div. of Human Resources, Maxwell]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: O-042-2013

3. [0281-13](#)

An Ordinance amending Section 22-5(2) of the Code of Ordinances, abolishing one (1) position of Administrative Specialist Sr., Grade 112N, in the Dept. of Environmental Quality and Public Works, and creating one (1) position of Administrative Officer, Grade 118E, abolishing two (2) positions of Administrative Officer P/T, Grade 118E, in the Office of the Chief Administrative Officer; and creating two (2)

positions of Administrative Officer P/T, Grade 118E, in the Dept. of Environmental Quality and Public Works, transferring the incumbents, and appropriating funds pursuant to Schedule No. 46, effective upon passage of Council. [Div. of Human Resources, Maxwell]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: O-043-2013

4. [0303-13](#)

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Administrative Officer, Grade 118E, one (1) position of Engineering Technician, Grade 111N, and one (1) position of Maintenance Mechanic, Grade 113N; creating one (1) position of CAP Operations Manager, Grade 118E, two (2) positions of Project Manager, Grade 114E, one (1) position of Engineering Technician Sr., Grade 113E and one (1) position of Program Specialist, Grade 112E, in the Div. of Water Quality, and appropriating funds pursuant to Schedule No. 49, effective upon passage of Council. [Div. of Human Resources, Maxwell]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: O-044-2013

5. [0305-13](#)

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Engineering Technician Principal, Grade 115E, one (1) position of Public Service Worker, Grade 107N and creating one (1) position of Associate Municipal Engineer, Grade 115E; amending Section 22-5(2) of the Code of Ordinances abolishing one (1) position of Administrative Officer Sr., Grade 120E, and creating one (1) position of Environmental Inspector, Grade 113N, one (1) position of Administrative Specialist Principal, Grade 114E, and one (1) position of Staff Assistant Sr., Grade 108N, all in the Div. of Water Quality; appropriating funds pursuant to Schedule No. 48, effective upon

passage of Council. [Div. of Human Resources, Maxwell]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: O-045-2013

6. [0316-13](#)

An Ordinance amending Section 22-5(2) of the Code of Ordinances extending the term of the temporary position of Project Engineering Coordinator, Grade 119E for a four (4) year term effective June 25, 2013, in the Div. of Water Quality, effective upon passage of Council. [Div. of Human Resources, Maxwell]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: O-046-2013

7. [0358-13](#)

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. 45. [Div. of Budgeting, Lueker]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: O-047-2013

VI. **Ordinances – First Reading**

8. [0378-13](#)

An Ordinance changing the zone from a Professional Office (P-1) zone

to a Planned Neighborhood Residential (R-3) zone for 4.09 net and gross acres, for property located at 1060 Cross Keys Rd. (AU Associates, Inc.; Council District 11). Conditional Approval 11-0 OBJECTOR (To Be Heard By June 26, 2013) [Div. of Planning, King]

Received First Reading to the Urban County Council due back on 5/2/2013

9. [0313-13](#) An Ordinance amending Section 16-16.1 of the Code of Ordinances to create Schedule E setting the solid waste-landfill fee for dumpster containers (2CY) at \$12.05 per container per month. [Div. of Waste Management, Feese]

Received First Reading to the Urban County Council due back on 5/2/2013

10. [0387-13](#) An Ordinance creating and establishing for bid a non-exclusive telecommunications franchise for the placement of facilities for the generation, transmission, distribution and sale of telecommunications services within the public rights-of-way of Fayette County for a twelve (12) month duration, with an additional extension of time not to exceed six (6) months if a long term franchise is not offered prior to expiration; and providing for compliance with other relevant laws, regulations, standards, and ordinances; definitions; work, materials and construction standards; wire moving and tree trimming; performance bonds; indemnification; insurance; access to property and inspections; notice of filings with the Public Service Commission; no vested rights; limited assignment; notice of foreclosure and bankruptcy; cancellation or termination; violations and penalties; permitting and inspection fees; additional permitting and other requirements for substantial new construction; and bid requirements; all effective on date of passage. [Office of the Chief Administrative Officer, Hamilton]

Received First Reading to the Urban County Council due back on 5/2/2013

11. [0421-13](#) 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. 50. [Div. of Budgeting, Lueker]

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Jennifer Mossotti, that this Ordinance be Amended to add \$13,000,050 in expenses for street resurfacing for the Divisions of Streets and Roads and Traffic Engineering. The motion PASSED by an unanimous vote.

Received First Reading to the Urban County Council due back on 5/2/2013

12. [0423-13](#) An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government for Economic Contingency appropriations as approved at Work Session April 23, 2013, and appropriating and re-appropriating funds, Schedule No. 52. [Council Office, Maynard]

Received First Reading to the Urban County Council due back on 5/2/2013

VII. Resolutions – Second Reading

1. [0293-13](#) A Resolution accepting the bid of Woodford Oil, establishing a price contract for Hydraulic Oil, for the Div. of Facilities and Fleet Management. (4 Bids, Non-Low) [Baradaran]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-158-2013
2. [0307-13](#) A Resolution accepting the bid of Bluegrass Uniforms, in the amount of \$35,715, for Powered Air Purifying Respirators, for the Div. of Emergency Management/911. (3 Bids, Low) [Dugger]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-159-2013
3. [0324-13](#) A Resolution accepting the bids of Advanced Turf Solutions, Inc.; Regal Chemical Co.; John Deere Landscapes; Harrell's, LLC; and Residex, LLC, establishing price contracts for Golf Course Horticulture Products, for the Div. of Parks and Recreation. (6 Bids, Low) [Hancock]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-160-2013

4. [0344-13](#)

A Resolution accepting the bid of Gaumard Scientific Co., in the amount of \$31,601.58, for Tetherless Patient Simulator, for the Div. of Emergency Management/911. (1 Bid) [Dugger]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-161-2013

5. [0345-13](#)

A Resolution accepting the bid of Premier Staffing Source, Inc., establishing a price contract for temporary labor for various divisions, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Premier Staffing Source, Inc., related to the bid. (5 Bids, Low) [Slatin]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-162-2013

6. [0346-13](#)

A Resolution accepting the bid of G & J Pepsi-Cola Bottling Co., establishing a price contract for Beverage Products, for the Div. of Parks and Recreation. (2 Bids, Low) [Hancock]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-163-2013

7. [0348-13](#) A Resolution ratifying the probationary civil service appointments of: Pam Whitaker, Administrative Specialist Principal, Grade 114E, \$2,196.16 bi-weekly, in the Div. of Planning, effective April 8, 2013, Kasey Durrum, Equipment Operator Sr., Grade 109N, \$13.031 hourly, in the Div. of Streets and Roads, effective April 1, 2013, Christopher Taylor, Planner Sr., Grade 117E, \$1,782.96 bi-weekly, in the Division of Planning, effective April 8, 2013; ratifying the permanent civil service appointments of: James Sloan, Microcomputer Support Specialist, Grade 113N, in the Div. of Computer Services, effective March 11, 2013, James Duff, Equipment Operator Sr., Grade 109N, in the Div. of Streets and Roads, effective March 10, 2013, Kasey Durrum, Public Service Worker Sr., Grade 107N, in the Div. of Streets and Roads, effective March 10, 2013, Michael Thomas, Public Service Worker Sr., Grade 107N, in the Div. of Streets and Roads, effective February 27, 2013; ratifying the unclassified civil service appointments of: Tammy Leibenaur, C.S.E.P.P. Manager P/T, Grade 115N, \$27.000 hourly, in the Div. of Emergency Management/911, effective April 25, 2013, and Glenn Brown, Deputy Chief Administrative Officer, Grade 122E, \$3,500.00 bi-weekly, in the Office of the Chief Administrative Officer, effective March 4, 2013; approving the voluntary demotion of Sam Williams from Director of Streets and Roads, in the Div. of Streets and Roads to Municipal Engineer Sr., in the Div. of Engineering, effective April 8, 2013. [Div. of Human Resources, Maxwell]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-164-2013

8. [0240-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute the Designation of Applicant's Agent Resolution designating Cynthia A. Schuster, Administrative Officer Senior, Dept. of Finance, as the Urban County Government's authorized agent for the purpose of obtaining certain Federal financial assistance under the Disaster Relief Act or the President's Disaster Relief Fund. [Dept. of Finance, O'Mara]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-165-2013

9. [0270-13](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B Incentive Grant for Stormwater Quality Projects to the Southland Association, Inc., (\$50,000) at a cost not to exceed the sum stated. [Div. of Water Quality, Martin]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-166-2013

10. [0273-13](#)

A Resolution authorizing an extension to the timeline for completion for the 2012 Sanitary Sewer Cleaning Program by Leak Eliminators, LLC, to May 5, 2013 at no additional cost to the Urban County Government. [Div. of Water Quality, Martin]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-167-2013

11. [0275-13](#)

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 Newtown Pike/Fourth St. Sanitary Sewer Improvements Project, at a cost not to exceed \$35,100. [Div. of Water Quality, Martin]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-168-2013

12. [0276-13](#)

A Resolution authorizing the Div. of Water Quality, on behalf of the Urban County Government, to enter into an Agreement with Delaney & Associates, a sole source provider, to purchase replacement parts for Dewatering Pump #2 at Town Branch Wastewater Treatment Plant, at a cost not to exceed \$28,371. [Div. of Water Quality, Martin]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-169-2013

13. [0277-13](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Amendment Number One (1) to the Engineering Contract with Bell Engineers, for the Blue Sky Pump Station and Force Main Project, increasing the contract price by the sum of \$66,500 from \$157,495 to \$223,995. [Div. of Water Quality, Martin]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-170-2013

14. [0279-13](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Hilton Lexington/Downtown, for the 2013 FEMA Chemical Stockpile Emergency Preparedness Annual Meeting, at a cost not to exceed \$16,000. [Div. of Grants and Special Programs/Dept. of Public Safety,

Gooding/Mason]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-171-2013

15. [0286-13](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Letter of Agreement with Lexington Air Traffic Control Tower, for discrete transponder codes and radiotelephony call signs for Police Aircraft. [Div. of Police, Bastin]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-172-2013

16. [0287-13](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Memorandum of Agreement with the Bureau of Alcohol, Tobacco, Firearms and Explosives (Resolution No. 586-2012). [Div. of Police, Bastin]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-173-2013

17. [0306-13](#)

A Resolution approving the use of a standardized agreement with other jurisdictions for the exchange of occupational license fee information in accordance with confidentiality laws and restrictions, and authorizing and directing the Mayor, on behalf of the Urban

County Government, to execute the Exchange of Occupational License Fee Agreement with the Woodford County Fiscal Court, and with any other jurisdiction which is authorized to enter into an agreement with the same material terms. [Dept. of Finance, O'Mara]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-174-2013

18. [0319-13](#)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit the 2013 Consolidated Plan/Grant Application to the U.S. Dept. of Housing and Urban Development, to provide any additional information requested in connection with this Grant Application, and to accept the Grant if the application is approved, which Grant funds are in the amount of \$3,104,232 Federal funds, are for FY2014 Community Development Block Grant Program (\$1,993,717), Home Program (\$945,596), and Emergency Solutions Grant Program (\$164,919), the acceptance of which obligates the Urban County Government for the expenditure of \$231,953 from various funding sources as local cash match and \$435,950 in-kind match; authorizing the Mayor to transfer unencumbered funds within the Grant budget; and authorizing the Mayor to execute Agreements for the approved Plan. [Div. of Grants and Special Programs, Gooding]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-175-2013

19. [0321-13](#)

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 \$857,300 Federal funds, are for continuation of the Chemical Stockpile Emergency Preparedness Program (CSEPP) for

FY 2013, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencum-bered funds within the Grant budget. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-176-2013

20. [0323-13](#)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Three 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 \$37,840 from \$462,350 to \$500,190. [Div. of Water Quality, Martin]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-177-2013

21. [0325-13](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Encroachment Agreement allowing an encroachment on a utility easement on property located at 1676 McGrathiana Parkway. [Dept. of Law, Graham]

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-178-2013

22. [0326-13](#) 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 \$350,400 (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 2014, the acceptance of which obligates the Urban County Government for the expenditure of \$65,700 (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 2014, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. [Div. of Grants and Special Programs/Dept. of Planning, Preservation and Development, Gooding/Paulsen]
- A motion was made by Council Member Stinnett, seconded by Council Member Myers, that this Resolution be Approved. The motion Passed by the following vote:**
- Aye:** 12 - Steve Kay; Linda Gorton; Chris Ford; Chuck Ellinger; Harry Clarke; Julian Beard; Shevawn Akers; Kevin Stinnett; Jennifer Scutchfield; George Myers; Diane Lawless and Jennifer Mossotti
- Nay:** 0
- Absent:** 3 - Peggy Henson; Bill Farmer, Jr. and Ed Lane
- Enactment No: R-179-2013

VIII. Resolutions – First Reading

23. [0374-13](#) A Resolution accepting the bids of Disponette Service Co., Inc.; Triton Services, Inc.; Finney Co., Inc; Alpha Mechanical Services, Inc; and Plumbing Systems, Inc., establishing price contracts for plumbing services, for the Div. of Facilities and Fleet Management. (5 Bids, Low) [Baradaran]
- Received First Reading to the Urban County Council due back on 5/2/2013**
24. [0393-13](#) A Resolution accepting the bid of MCM Demolition, Inc., in the amount of \$26,500, for Secondary Digester Blend Tank Damaged Cover Demolition and Removal, for the Div. of Water Quality. (7 Bids, Low) [Martin]
- Received First Reading to the Urban County Council due back on 5/2/2013**
25. [0396-13](#) A Resolution accepting bid of Amteck, establishing a price contract for Maintenance of Outdoor Warning Sirens, for the Div. of Emergency

Management/911. (1 Bid) [Dugger]

Received First Reading to the Urban County Council due back on 5/2/2013

26. [0400-13](#) A Resolution accepting the bid of Black Hawk Enterprises, Inc.; and Intelligent Transportation Services, Inc., establishing price contracts for Digital Switch and Camera Equipment, for the Div. of Traffic Engineering. (3 Bids, Low) [Woods]

Received First Reading to the Urban County Council due back on 5/2/2013

27. [0401-13](#) A Resolution accepting the bid of Bush and Burchett, Inc., in the amount of \$643,172.59, for the Grimes Mill Rd. Bridge Replacement at Boone's Creek, for the Div. of Grants and Special Programs, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Bush and Burchett, Inc., related to the bid. (3 Bids, Low) [Gooding]

Received First Reading to the Urban County Council due back on 5/2/2013

28. [0407-13](#) A Resolution accepting the bid of Lexington Motor Group, LLC d/b/a Bluegrass Towing, establishing a price contract for towing services for the Divisions of Police and Code Enforcement, the Dept. of General Services, and the Parking Authority. (1 Bid) [Slatin]

Received First Reading to the Urban County Council due back on 5/2/2013

29. [0411-13](#) A Resolution accepting the bid of Clearspan Fabric Structures International, Inc., in the amount of \$123,045, for Salt Storage Facility, for the Div. of Streets and Roads, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Clearspan Fabric Structures International, Inc., related to the bid. (4 Bids, Low) [Moloney]

Received First Reading to the Urban County Council due back on 4/25/2013

Enactment No: R-180-2013

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Linda Gorton, that the rules be Suspended for Second Reading, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.

Enactment No: R-180-2013

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-180-2013

30. [0414-13](#) A Resolution accepting the bid of Woodford Excavation and Transport, in the amount of \$249,895.18, for Shillito Park Construction of Sports Fields, for the Div. of Parks and Recreation, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Woodford Excavation and Transport, related to the bid. (8 Bids, Low) [Hancock]

Received First Reading to the Urban County Council due back on 5/2/2013

31. [0415-13](#) A Resolution accepting the bid of Wood Connection, LLC, in the amount of \$49,100, for Conversion of Stockroom to Office Space, for the Div. of Waste Management. (4 Bids, Low) [Feese]

Received First Reading to the Urban County Council due back on 5/2/2013

32. [0416-13](#) A Resolution accepting the bid of Kalkreuth Roofing and Sheet Metal, in the amount of \$163,982, for Roof Replacement for the Phoenix Building, for the Div. of Facilities and Fleet Management, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Kalkreuth Roofing and Sheet Metal, related to the bid. (5 Bids, Low) [Baradaran]

Received First Reading to the Urban County Council due back on 4/25/2013

Enactment No: R-181-2013

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Linda Gorton, that the rules be Suspended for Second Reading, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.

Enactment No: R-181-2013

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-181-2013

33. [0408-13](#) A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following probationary civil service appointments: Shamil Saadig, Equipment Operator Sr., Grade 109N, \$12.921 hourly, Kambale Syaghuswa, Equipment Operator Sr., Grade

109N, \$12.770 hourly, and Timothy Mayes, Equipment Operator Sr., Grade 109N, \$12.770 hourly, in the Div. of Waste Management, and Joseph Kipp, Public Service Worker, Grade 106N, \$11.420 hourly, in the Div. of Parks and Recreation, all effective upon passage of Council. [Div. of Human Resources, Maxwell]

Received First Reading to the Urban County Council due back on 4/25/2013

Enactment No: R-182-2013

A motion was made by Council Member Linda Gorton, seconded by Council Member Kevin Stinnett, that the rules be Suspended for Second Reading, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.

Enactment No: R-182-2013

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-182-2013

34. [0409-13](#)

A Resolution ratifying the probationary civil service appointments of: Paula Williams, Human Resources Manager, Grade 119E, \$2,500.88 bi-weekly, in the Div. of Human Resources, effective April 8, 2013, Melissa Polley, Information Systems Specialist Sr., Grade 114E, \$1,740.96 bi-weekly, in the Div. of Police, effective April 15, 2013, Edmon Chaney, Parks and Recreation Maintenance Superintendent, Grade 119E, \$3,150.72, in the Div. of Parks and Recreation, effective April 22, 2013; ratifying the permanent civil service appointments of: Roger Wright, Attorney Sr., Grade 121E, in the Dept. of Law, effective March 17, 2013, Garrett Harper, Computer Analyst, Grade 115E, in the Div. of Computer Services, effective April 8, 2013; ratifying the probationary sworn appointment of: Nathaniel Muller, Police Sergeant, Grade 315N, \$28.588 hourly, in the Div. of Police, effective upon passage of Council; ratifying the approved Council Leave for: Barry Privett, Administrative Specialist, Grade 110N, in the Div. of Police, ninety-day Council Leave, effective April 9, 2013, Donald Langfels, Equipment Operator Sr. Grade 109N, in the Div. of Waste Management, ninety-day Council Leave, effective April 15, 2013; ratifying the unclassified civil service appointment of: Katelyn Kearns, Staff Assistant Sr., Grade 108N, \$11.946 hourly, in the Div. of Parks and Recreation, effective April 22, 2013. [Div. of Human Resources, Maxwell]

Received First Reading to the Urban County Council due back on 5/2/2013

35. [0261-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with West Publishing Corp., for Westlaw CLEAR Information Search Services for collection efforts in the Div. of Revenue, at a cost not to exceed \$3,300 in FY2014 subject to appropriation of funds. [Dept. of Finance, O'Mara]

Received First Reading to the Urban County Council due back on 5/2/2013

36. [0308-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Medical Compliance Services for compliance and auditing services related to HIPAA, at a cost not to exceed \$7,200. [Div. of Fire and Emergency Services, Jackson]

Received First Reading to the Urban County Council due back on 5/2/2013

37. [0309-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Master Service Agreement with Time Warner Cable, for high speed internet service, at a cost not to exceed \$16,706.40. [Div. of Police, Bastin]

Received First Reading to the Urban County Council due back on 5/2/2013

38. [0328-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation from Mary Beth Moore of a Tobiano paint mare, Sam's Show Girl "Sammy" for the Equestrian Program at Masterson Station Park, 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 5/2/2013

39. [0353-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Lexington-Fayette County Health Dept., which Grant funds are in the amount of \$479,952 Federal funds, are for the Home Network Project at the Family Care Center, 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 5/2/2013

40. [0371-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Montessori High School of Ky. (\$700), Bryan Station Baseball Booster Club (\$500), Larry Gilbert/Dave Bunnell Foundation (\$675), Trinity Hill Child Care Center, Inc., (\$300), Repairers of the Breach, Inc. d/b/a Repairers Lexington

(\$950), YMCA of Central Ky. (\$800), 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 4/25/2013

Enactment No: R-183-2013

A motion was made by Council Member Linda Gorton, seconded by Council Member Chuck Ellinger, that the rules be Suspended for Second Reading, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.

Enactment No: R-183-2013

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-183-2013

- 41.** [0331-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Facility Usage Agreements with various youth baseball leagues. [Div. of Parks and Recreation, Hancock]
Received First Reading to the Urban County Council due back on 5/2/2013
- 42.** [0333-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B Incentive Grant for Stormwater Quality Projects to the Fountains at Andover Brookfield, LLC, at a cost not to exceed \$203,944. [Div. of Water Quality, Martin]
Received First Reading to the Urban County Council due back on 5/2/2013
- 43.** [0342-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the National Council on Crime and Delinquency, which Grant funds are in the amount of \$33,134 Federal funds, are for a Prison Rape Elimination Act Project at the Detention Center, 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 Public Safety, Gooding/Mason]
Received First Reading to the Urban County Council due back on 5/2/2013

44. [0343-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation from the Citizen Police Academy Alumni Association of travel expenses, for use by the Motorcycle Unit to travel to Police Memorial Week in Washington, D.C., at no cost to the Urban County Government. [Div. of Police, Bastin]
Received First Reading to the Urban County Council due back on 5/2/2013
45. [0352-13](#) A Resolution changing the street names of 6291 Jacks Creek Pike to 6291 Old Jacks Creek Rd. and of 3454 Maddox Ln. to 3454 Brilliant Ln.; changing the property address numbers of 5925 Parkers Mill Rd. to 5954 Parkers Mill Rd., of 3316 Buckhorn Dr. to 3318 Buckhorn Dr., of 429 Georgetown St. to 431 Georgetown St., and of 2499 Nicholasville Rd. to 2483 Nicholasville Rd.; and changing the street names and property address numbers of 5708 Versailles Rd. to 5924 Parkers Mill Rd., of 1624 Old Paris Rd. to 139 E. New Circle Rd., of 1799 Battery St. to 2389 Patchen Wilkes Dr., and of 127-129 N. Limestone to 101 W. Short St., all effective thirty days from passage. [Div. of Emergency Management/911, Lucas]
Received First Reading to the Urban County Council due back on 5/2/2013
46. [0354-13](#) 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 Fourth and Jefferson Signalization Project, at a cost not to exceed \$4,000. [Div. of Engineering, Frazier]
Received First Reading to the Urban County Council due back on 5/2/2013
47. [0355-13](#) A Resolution authorizing 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, 2013, 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 5/2/2013
48. [0359-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement, releasing a temporary pump station easement on property located at 2108 Stedman Way. [Dept. of Law, Graham]
Received First Reading to the Urban County Council due back on 5/2/2013
49. [0360-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement, releasing a portion of a drainage easement on property located at 821 Lochmere Place. [Dept. of Law, Graham]

Received First Reading to the Urban County Council due back on 5/2/2013

50. [0370-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Contract with Davey Resource Group for an Urban Tree Canopy Survey and Planting Plan, at a cost not to exceed \$42,300. [Div. of Environmental Policy, Bush]

Received First Reading to the Urban County Council due back on 5/2/2013

51. [0372-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Contract Agreement with Red River Ranch, LLC for composting services for yard waste and organics at Haley Pike Composting Facility, at prices not to exceed those submitted in response to RFP 4-2013. [Div. of Waste Management, Feese]

Received First Reading to the Urban County Council due back on 5/2/2013

52. [0376-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Commonwealth of Ky. Office of the Governor Dept. for Local Government, for acceptance and administration of Grants funds for the Lexington Downtown Redevelopment Project (Rupp Arena) in the amount of \$2,500,000, the acceptance of which obligates the Urban County Government for the expenditure of \$2,500,000 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. [Mayor's Office, Atkins]

Received First Reading to the Urban County Council due back on 4/25/2013

Enactment No: R-184-2013

A motion was made by Council Member Julian Beard, seconded by Council Member Chuck Ellinger, that the rules be Suspended for Second Reading, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.

Enactment No: R-184-2013

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-184-2013

53. [0377-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the

Lexington Center Corp., for the administration of funds and the management of the Lexington Downtown Redevelopment Project (Rupp Arena), at a cost not to exceed \$2,500,000 in FY2013, with future funding contingent upon Grant and/or appropriation by Council. [Mayor's Office, Atkins]

Received First Reading to the Urban County Council due back on 4/25/2013

Enactment No: R-185-2013

A motion was made by Council Member Julian Beard, seconded by Council Member Chuck Ellinger, that the rules be Suspended for Second Reading, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.

Enactment No: R-185-2013

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-185-2013

- 54.** [0379-13](#) A Resolution amending Resolution No. 288-2011, as previously amended by Resolution No. 117-2013, to change the period of time for the local incentive provided to Tempur-Pedic International, Inc., and its approved affiliates to five (5) years. [Mayor's Office, Atkins]
- Received First Reading to the Urban County Council due back on 5/2/2013**
- 55.** [0380-13](#) A Resolution amending Section 1 of Resolution No. 146-2013 correcting the salary of Vina Taylor, Telecommunicator, Grade 111N, from \$16.438 hourly to \$17.401 hourly, in the Div. of Emergency Management/911, effective April 11, 2013. [Div. of Human Resources, Maxwell]
- Received First Reading to the Urban County Council due back on 5/2/2013**
- 56.** [0381-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B Incentive Grant for Stormwater Quality Projects to J.M. Smucker, LLC, at a cost not to exceed \$350,000. [Div. of Water Quality, Martin]
- Received First Reading to the Urban County Council due back on 5/2/2013**
- 57.** [0383-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B Incentive

Grant for Stormwater Quality Projects to Lexington Habitat for Humanity, Inc., at a cost not to exceed \$148,169. [Div. of Water Quality, Martin]

Received First Reading to the Urban County Council due back on 5/2/2013

58. [0404-13](#)

A Resolution authorizing the expenditure of an additional \$1,380,023.54 in order to complete the paving schedule for Fiscal Year 2013, with work to be performed by L-M Asphalt Partners d/b/a ATS Construction. [Dept. of Environmental Quality and Public Works, Moloney]

Received First Reading to the Urban County Council due back on 4/25/2013

Enactment No: R-186-2013

A motion was made by Council Member Kevin Stinnett, seconded by Council Member Linda Gorton, that the rules be Suspended for Second Reading, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.

Enactment No: R-186-2013

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-186-2013

59. [0405-13](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Food Chain (\$250), 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 4/25/2013

Enactment No: R-187-2013

A motion was made by Council Member Shevawn Akers, seconded by Council Member Chuck Ellinger, that the rules be Suspended for Second Reading, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.

Enactment No: R-187-2013

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

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-187-2013

- 60.** [0424-13](#) A Resolution adopting the Council's April 23, 2013 Fund Balance Worksheet as the planned basis for the use or expenditure of these funds by the Urban County Government. [Council Office, Maynard]
Received First Reading to the Urban County Council due back on 5/2/2013
- 61.** [0425-13](#) A Resolution initiating various Zoning Ordinance text amendments to allow greater flexibility to the use of mobile food unit vendors as accessory uses in the Wholesale and Warehouse Business (B-4) zone; Industrial (I-1 and I-2) zones; and the Economic Development (ED) zone. [Council Office, Maynard]
Received First Reading to the Urban County Council due back on 5/2/2013
- 62.** [0426-13](#) A Resolution authorizing and directing the Division of Traffic Engineering, pursuant to Code of Ordinances Section 18-86, to install multiway stop controls at the intersection of McDonald Avenue and Hiltonia Park. [Council Office, Maynard]
Received First Reading to the Urban County Council due back on 5/2/2013
- 63.** [0427-13](#) A Resolution amending Section 2.201 of Appendix A, Rules and Procedures of the Lexington-Fayette Urban County council providing that the chair of a standing committee shall only recognize the number of councilmembers not on the standing committee as are necessary to constitute a quorum; providing the types of procedural actions that shall take place in the absence of a quorum; and establishing a time limit to obtain a quorum. [Council Office, Maynard]
Received First Reading to the Urban County Council due back on 4/25/2013
Enactment No: R-188-2013
A motion was made by Council Member Linda Gorton, seconded by Council Member Diane Lawless, that the rules be Suspended for Second Reading, and sent to the Urban County Council, to be returned by 4/25/2013. The motion PASSED by an unanimous vote.
Enactment No: R-188-2013
A motion was made by Council Member Myers, seconded by Council Member Stinnett, that this Resolution be Approved. The motion Passed by the following vote:

Aye: 12 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Bill Farmer, Jr.; Ed Lane and Peggy Henson

Enactment No: R-188-2013

IX. Communications from the Mayor (For Information Only)

[0410-13](#)

1. Acting assignment of Robert Thomas, Public Service Supervisor, Grade 111N, \$13,177 hourly, in the Div. of Facilities and Fleet Management, effective April 22, 2013.
2. Acting assignment of Leon Byram, Public Service Supervisor Sr., Grade 114E, \$1,944.01 bi-weekly, in the Div. of Streets and Roads, effective April 22, 2013.

Received and Filed

X. Announcements

XI. Public Comments

Mr. Bernard, McCarthy, 515 Harry Street, spoke about the expenditure of funds for the renovation of Rupp Arena. He also spoke about public transportation.

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

Aye: 12 - Steve Kay; Linda Gorton; Chris Ford; Chuck Ellinger; Harry Clarke; Julian Beard; Shevawn Akers; Kevin Stinnett; Jennifer Scutchfield; George Myers; Diane Lawless and Jennifer Mossotti

Nay: 0

Absent: 3 - Peggy Henson; Bill Farmer, Jr. and Ed Lane

Adjournment