

Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky July 9, 2013

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on July 9, 2013, at 6:00 P.M. Present were Mayor Jim Gray in the chair presiding, and the following members of the Council: Council Members Ford, Gorton, Henson, Kay, Lane, Lawless, Mossotti, Myers, Scutchfield, Stinnett, Akers, Beard, Clarke, Ellinger and Farmer. Absent was Council Member Gorton.

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

Resolutions No. 334-2013 through 357-2013, and Ordinances No. 73-2013 through 75-2013, inclusive, were reported as having been signed and published, and ordered to record.

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A moment of silence was observed in lieu of an Invocation.

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The Mayor opened a public hearing on The Summit Lexington Tax Increment Financing Development Plan. There being no one to speak, the public hearing was closed.

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An Ordinance closing a portion of sidewalk right-of-way located between the properties at 545 and 551 Elm Tree Ln.; determining that all property owners abutting the portion of the sidewalk 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 was on the docket for second reading.

Mr. Ford made a motion, seconded by Mr. Lane, to remove the ordinance from the docket, and to refer it to the Council Planning and Public Works Committee.

Mr. Stinnett asked questions of Mr. Ford about the motion. Mr. Ford responded.

The Mayor recognized Ms. Laurella Lederer, E. Third Street, to speak about the motion. Ms. Lederer filed the following exhibit: (1) Petition to Support Sidewalk Closure.

Mr. Ford spoke again about the sidewalk and shared a photo of the sidewalk.

Mr. Kay spoke about the motion and asked a question of Mr. Kevin Wente, Dept. of Environmental Quality and Public Works, about the process and notification area.

The motion **passed** by unanimous vote.

The ordinance was removed from the docket and referred to the Council Planning and Public Works Committee.

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

Aye: Ford, Henson, Kay, Lane, Lawless,
Mossotti, Myers, Scutchfield, Stinnett, Akers,
Beard, Clarke, Ellinger, Farmer-----14

Nay: -----0

An Ordinance amending Sections 21-25, 22-22, 22-5, 22-53.2, and 23-28 of the Code of Ordinances providing a two percent (2%) structure movement to the salary schedules applicable to Classified Civil Service Employees, Unclassified Civil Service Employees, including Council Staff, and Traffic School Guards, and a two percent (2%) increase to the maximum of the pay range of Program Assistant - PT, providing that all Classified and Unclassified Civil Service Employees, except seasonal employees in Account 332, who receive a satisfactory score on their performance evaluation, pursuant to Sections 21-29(d) and 22-26(5) of the Code of Ordinances, shall receive a two percent (2%) pay increase; amending Section 23-32(d) of the Code of Ordinances modifying the existing step structure for the positions of Police Chief, Grade 324E, and Fire Chief, Grade 324E; increasing the salary by two percent (2%) of one (1) position of Friend of the Court, Grade 000, within the Office of the Circuit Judges, one position of ABC Administrator - PT, Grade 000, within the Office of Alcohol Beverage Control, three (3) positions of Law Clerk - PT, Grade 000, within the Dept. of Law, three (3) positions of Skilled Trades Worker - PT, Grade 000, within the Div. of Community Corrections, one (1) position of Park Patrol Coordinator - P/T, within the Div. of Parks and Recreation, and two hundred twenty-nine (229) positions of Program Assistant - P/T, within the Div. of Parks and Recreation, all to become effective July 1, 2013.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing two (2) positions of Public Service Worker, Grade 106N, two (2) positions of Equipment Operator Sr., Grade 109N, one (1) position of Staff Assistant Sr., Grade 108N, and one (1) position of Staff Assistant, Grade 107N, and creating three (3) positions of Administrative Specialist, Grade 110N, one (1) position of Operations Manager, Grade 116E, and one (1) position of Public Service Supervisor, Grade 111N, all in the Div. of

Waste Management, and appropriating funds pursuant to Schedule No. 5, effective upon passage of Council.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, creating one (1) position of Administrative Specialist Principal, Grade 114E, and one (1) position of Administrative Specialist, Grade 110N, in the Div. of Revenue; one (1) position of Administrative Officer, Grade 118E, in the Dept. of Planning, Preservation and Development; two (2) positions of Community Corrections Lieutenant, Grade 114E, one (1) position of Skilled Trades Worker Sr., Grade 112N, and six (6) positions of Community Corrections Officer, Grade 110N, in the Div. of Community Corrections; one (1) position of Microcomputer Support Specialist, Grade 113N, two (2) positions of Victims Advocate, Grade 112N, one (1) position of Police Analyst, Grade 111N, and two (2) positions of Evidence Technician, Grade 112N, in the Div. of Police; one (1) position of Program Specialist, Grade 112E, in the Dept. of Social Services; and one (1) position of Public Service Supervisor, Grade 111N, in the Div. of Parks and Recreation; amending Section 22-5(2) creating one (1) position of Chief Information Officer, Grade 212E, one (1) position of Administrative Officer, Grade 118E, in the Office of the Chief Administrative Officer and one (1) position of Project Engineering Coordinator, Grade 119E, in the Div. of Water Quality; and amending Section 23-5(2) creating two (2) positions of Fire Captain, Grade 316N, and thirty three (33) positions of Firefighter, Grade 311N, and appropriating funds pursuant to Schedule No. 3, effective upon the passage of Council.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Staff Assistant, Grade 107N, and creating one (1) position of Engineering Technician, Grade 111N, all in the Div. of Traffic Engineering, and appropriating funds pursuant to Schedule No. 4, effective upon passage of 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 Fiscal Year 2013.

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. 2.

* * *

The following ordinances were given first reading. Upon motion of Mr. Stinnett, seconded by Ms. Henson, the rules were suspended by unanimous vote.

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

Aye: Ford, Henson, Kay, Lane, Lawless,
Mossotti, Myers, Scutchfield, Stinnett, Akers,
Beard, Clarke, Ellinger, Farmer-----14

Nay: -----0

An Ordinance amending Section 22-5(2) of the Code of Ordinances extending the term of the temporary position of Administrative Officer, P/T, Grade 118E, for a four (4) year term effective July 1, 2013, in the Div. of Waste Management, effective upon passage of Council.

An Ordinance amending Section 22-5(2) of the Code of Ordinances, creating one (1) position of Treatment Plant Operator Apprentice, Grade 107N, one (1) position of Treatment Plant Operator Apprentice Class I, Grade 109N and one (1) position of Treatment Plant Apprentice Class II, Grade 110N, all in the Div. of Water Quality, effective July 1, 2013.

An Ordinance amending Subsections 16-16.2(c)(1), 16-64(c)(1), and 16-404(4)(a) of the Code of Ordinances of the Lexington-Fayette Urban County Government to provide for a penalty for unpaid bills after seventeen (17) days.

An Ordinance amending Section 3-12(3) of the Code of Ordinances related to alcoholic beverage licenses to create a Wholesale Distillers Spirit and Wine License; amending Section 3-12(4) of the Code of Ordinances related to alcoholic beverage licenses to create a Quota Retail Package License; amending Section 3-12(5) of the Code of Ordinances related to alcoholic beverage licenses to create a Quota Retail Drink License; amending Section 3-12(6) of the Code of Ordinances related to alcoholic beverage licenses to create a Special Temporary License; amending Section 3-12(7) of the Code of Ordinances related to alcoholic beverage licenses to create a Nonquota Type One Retail Drink License; amending Section 3-12(8) of the Code of Ordinances related to alcoholic beverage licenses to create a Nonquota Type Two Retail Drink License; amending Section 3-12(9) of the Code of Ordinances related to alcoholic beverage licenses to create a Nonquota Type Three Retail Drink License; amending

Section 3-12(10) of the Code of Ordinances related to alcoholic beverage licenses to create a Distilled Spirits and Wine Special Temporary Auction License; amending Section 3-12(11) of the Code of Ordinances related to alcoholic beverage licenses to create a Special Sunday Retail Drink License; amending Section 3-12(12) of the Code of Ordinances related to alcoholic beverage licenses to create an Extended Hours Supplemental License; amending Section 3-12(13) of the Code of Ordinances related to alcoholic beverage licenses to create a Caterer's License; amending Section 3-12(14) of the Code of Ordinances related to alcoholic beverage licenses to create a Bottling House Storage License; creating Section 3-12(15) of the Code of Ordinances related to alcoholic beverage licenses to create a Limited Restaurant License; creating Section 3-12(16) of the Code of Ordinances related to alcoholic beverage licenses to create a Limited Golf Course License; amending Section 3-13(4) of the Code of Ordinances related to Malt Beverage Licenses to create a Nonquota Retail Malt Beverage Package License; amending Section 3-13(5) of the Code of Ordinances related to malt beverage licenses to create a Nonquota Type Four Retail Malt Beverage Drink License; amending Section 3-13(6) of the Code of Ordinances related to malt beverage licenses to create a Malt Beverage Brew on Premises License; deleting Section 3-13(7) of the Code of Ordinances related to malt beverage licenses deleting Section 3-13.1 of the Code of Ordinances related to Special Convention Extended Hours and Horse Race Track Licenses.

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The Mayor left the meeting, and Mr. Ellinger assumed the Chair.

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The following ordinances were given first reading and ordered placed on file until August 15, 2013, for public inspection.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Computer Analyst, Grade 115E, and creating one (1) position of Associate Traffic Engineer, Grade 115E, both in the Div. of Traffic Engineering and appropriating funds pursuant to Schedule No. 6.

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. 7.

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A Resolution accepting the bid of Free Contracting, Inc., establishing a price contract for the Ecton Park Sanitary Sewer Improvements Project, for the Div. of Water Quality was on the docket for second reading.

Mr. Farmer made a motion, seconded by Mr. Lane, and approved by unanimous vote, to amend the resolution to authorize payment to Free Contracting, Inc., in an amount not to exceed \$689,507.50, and to authorize the Mayor to sign an agreement related to the bid, and that the changes were material and a new first reading of the resolution was required.

A Resolution accepting the bid of Free Contracting, Inc., for the Ecton Park Sanitary Sewer Project, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Free Contracting, Inc., related to the bid in an amount not to exceed \$689,507.50 was given first reading.

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 Ms. Lawless, and seconded by Mr. Myers, the resolution was approved by the following vote:

Aye: Ford, Henson, Kay, Lane, Lawless,
Mossotti, Myers, Scutchfield, Akers, Beard,
Clarke, Ellinger, Farmer-----13

Nay: Stinnett-----1

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease with Glenncase, LLC, for lease of a portion of 801 E. New Circle Rd, for temporary salt storage, at a cost not to exceed \$18,000 was on the docket for second reading.

Mr. Stinnett made a motion, seconded by Mr. Ford, to table to the resolution so that the New Circle Road site and other sites could be studied.

The motion **failed** by a majority voice vote.

The resolution was given second reading.

Mr. Stinnett asked questions of Mr. Richard Moloney, Dept. of Environmental Quality and Public Works, regarding the location for the salt storage. Mr. George

Milligan, Dept. of Environmental Quality and Public Works, and Ms. Sally Hamilton, Chief Administrative Officer, also responded.

Ms. Hamilton asked Mr. Derek Paulsen, Commissioner of the Dept. of Planning, Preservation, and Development, to speak about the property.

The Council continued to ask questions of Mr. Moloney, Mr. Milligan, and Ms. Hamilton, and to discuss the issue.

Ms. Akers asked questions of Mr. Clay Mason, Commissioner of the Dept. of Public Safety, regarding the planned new fire station location.

The Council continued to discuss the issue.

Upon motion of Ms. Lawless, and seconded by Mr. Myers, the resolution was approved by the following vote:

Aye: Henson, Kay, Lane, Lawless, Mossotti,
Myers, Scutchfield, Akers, Beard,
Ellinger, Farmer-----12

Nay: Ford, Stinnett, Clarke-----3

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Purchase of Service Agreements for FY2014 with Commerce Lexington (\$457,000), Downtown Lexington Corp. (\$42,710), Ky. World Trade Center (\$100,000), Lexington Ky. Chapter of SCORE (\$5,540), Lyric Theatre and Cultural Arts Center, Inc. (\$160,000), Bluegrass Area Development District (\$75,110), and Lexington Downtown Development Authority, Inc. (\$348,000), at a total cost not to exceed \$1,188,360 was on the docket for second reading.

Upon motion of Mr. Ford, seconded by Mr. Myers, and approved by unanimous vote, the resolution was amended to remove the allocation to the Bluegrass Area Development District (\$75,110), and that this was not a material change and did not require a new first reading.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Purchase of Service Agreements for FY2014 with Commerce Lexington (\$457,000), Downtown Lexington Corp. (\$42,710), Ky. World Trade Center (\$100,000), Lexington Ky. Chapter of SCORE (\$5,540), Lyric Theatre and Cultural Arts Center, Inc. (\$160,000), and Lexington Downtown Development Authority, Inc. (\$348,000), at a total cost not to exceed \$1,113,250 was given second reading as amended.

Upon motion of Ms. Lawless, and seconded by Mr. Myers, the resolution was approved by the following vote:

Aye: Ford, Henson, Kay, Lane, Lawless,
Mossotti, Myers, Scutchfield, Akers, Beard,
Clarke, Ellinger, Farmer-----13

Nay: Stinnett-----1

* * *

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

Aye: Ford, Henson, Kay, Lane, Lawless,
Mossotti, Myers, Scutchfield, Akers, Beard,
Clarke, Ellinger, Farmer-----13

Nay: Stinnett-----1

A Resolution accepting the bids of Century Equipment, Inc.; Montgomery Tractor Sales, Inc.; and Central Equipment Co., for tractor and mower parts, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bids of Varsity Ford; Worldwide Equipment; Kron International, Inc. d/b/a Bluegrass International Trucks and Buses; Fleet Pride; General Parts Distribution, LLC d/b/a Carquest Auto Parts; Power Train of Ky.; Vehicle Maintenance Program, Inc.; and KOI Auto Parts, establishing price contracts for vehicle filters, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Bluegrass Contracting Corp., in the amount of \$737,798.75, for the Meadows Northland Arlington Neighborhood Improvement Project Phase 5B, for the Div. of Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Bluegrass Contracting Corp., related to the bid.

A Resolution accepting the bid of Geneva, LLC d/b/a Nixon Power Services, establishing a price contract for Pump Station Emergency Generators and Accessories, for the Div. of Water Quality.

A Resolution accepting the bid of Accuvant, Inc., in the amount of \$33,957, for Network Firewall Components for the Div. of Police.

A Resolution accepting the bid of T.E.M. Group, Inc., establishing a price contract for Emergency Generator Connections, for the Div. of Water Quality.

A Resolution accepting the bid of DMH Construction, Inc., in the amount of \$522,665, for the Idle Hour North Stormwater Improvements, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an agreement with DMH Construction, Inc., related to the bid.

A Resolution ratifying the probationary civil service appointments of: Mike Osumenya, Human Resources Generalist, Grade 118E, \$2,925.20 bi-weekly, in the Div. of Human Resources, effective June 17, 2013 and Ada Jennings, Administrative Specialist Sr., Grade 112N, \$22.658 hourly, in the Div. of Revenue, effective July 1, 2013; ratifying the probationary sworn appointment of: Clifford Fredrick, Community Corrections Sergeant, Grade 112N, \$23.190 hourly, in the Div. of Community Corrections, effective July 1, 2013.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 4 with the Ky. Transportation Cabinet, for authorization for the purchase of right-of-way necessary for Section II of the Todds/Liberty Rd. Improvement Project and authorizing 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 Section II of Todds/Liberty Rd. Improvement Project, at a cost not to exceed \$1,000,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Addendum to the Memorandum of Understanding with the Lexington-Fayette County Health Dept. for Fats, Oil and Grease (FOG) Training Services renewing the Memorandum for one (1) year at a cost not to exceed \$1,200 (FY 2013).

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with Melissa Young-Flynn, 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 and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Office of Homeland Security and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$150,000 Federal funds, and are for continuation of the Metropolitan Medical Response System (MMRS).

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Loan Agreement with Bluegrass Regional Mental Health-Mental Retardation Board, Inc., for additional Community Development Block Grant Funds in the amount of \$8,278 to complete the rehabilitation of residential units located at 381-391 Virginia Ave.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Quitclaim Deed, and any other documents necessary, transferring a portion of the right-of-way between the sidewalk and the property line of the property located at 442 Fayette Park, on the Willy St. side of the property, to the abutting owner.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit six (6) Grant Applications to the Ky. Office of Homeland Security and to provide any additional information requested in connection with these Grant Applications, which Grant funds are in the amount of \$1,381,005 Federal funds under the 2013 State Homeland Security Grant Program, and are for the purchase of Water Rescue/Recovery Equipment for the Div. of Fire and Emergency Services (\$50,000); equipment for the Hazardous Materials Team (\$50,000); equipment for the Public Safety Dive Team (\$32,000); a Mobile Data Computer Project for the Div. of Police (\$824,425); a CJIS Project for the Div. of Police (\$338,580); and equipment for the Hazardous Devices Unit (\$86,000).

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Board of Education of Fayette County, Ky., regarding information sharing related to the collection of occupational license fees/taxes, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with the Lexington-Fayette Urban County

Human Rights Commission, for purchase of services for FY 2014, at a cost not to exceed \$235,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Concession Agreement with Lexington Youth Soccer Association, for Masterson Station Park Fields.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Maintenance Agreement with the Ky. Transportation Cabinet for the shared-use path along each side of Harrodsburg Rd. from Alexandria Dr. to Beaumont Centre Parkway, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Texas A&M Engineering Extension Service, for Hazardous Devices Unit Training for the Div. of Police, at a cost not to exceed \$40,500.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with Churchill McGee, LLC, for the Carver Community Center Renovation, increasing the contract price by the sum of \$3,655.85 from \$1,094,520.00 to \$1,098,175.85.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with GRW Engineers, Inc., for the design of Polo Club Blvd. Public Improvements Project, at a cost not to exceed \$199,737.

A Resolution amending Section 2 of Resolution No. 208-2013 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, to increase the amount authorized from \$4,000 to an amount not to exceed \$16,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. State Police, Commercial Vehicle Enforcement Division, 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 \$75,000 Federal funds,

and are for continued operation of the Motor Carrier Safety Assistance Program (MCSAP), the acceptance of which obligates the Urban County Government for the expenditure of \$18,750 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. Office of Homeland Security and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$13,633 Federal funds under the 2013 Homeland Security Grant Program, and are for the purchase of a micro-robot, for the Div. of Police.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Cost Sharing Agreement with Transylvania University for sidewalk reconstruction associated with the Ky. Transportation Cabinet Fourth Street Improvements Project at a cost not to exceed \$220,000.

A Resolution authorizing the Div. of Fire and Emergency Services to procure, as necessary and budgeted, professional training services from Spec.Rescue International, Inc., a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Spec.Rescue International, Inc., in an amount estimated not to exceed \$20,000 (FY 2014), and any other necessary Agreements related to the above services.

A Resolution approving the conversion of W. Fourth St. between Jefferson St. and Newtown Pike from the current one-way traffic pattern to two-way traffic and authorizing and directing the Div. of Traffic Engineering to install proper and appropriate signs and markings in accordance with the new designation.

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 East Lake Trunk Sewer Project, at no cost to the Urban County Government.

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 Century Hills Trunk Sewer Replacement Project, at a cost not to exceed \$300,000.

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 Bob O Link Sewer Replacement Project, at a cost not to exceed \$250,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Ky. Utilities Co., to permit the attachment of banners to poles, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, the Commissioner of Finance and any other necessary signatories, on behalf of the Lexington-Fayette Urban County Government and its Dept. of Finance, to execute and submit to the Ky. Economic Development Finance Authority an Amended Application for Tax Increment Financing Programs for the Phoenix Park/Courthouse Project and an Amendment to the Tax Incentive Agreement, and any other necessary related documents.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Federal Emergency Management Agency, Ky. Heritage Council and Ky. Div. of Emergency Management, for the historic study and impact mitigation for demolition of two properties (277 Lafayette Pkwy. and 283 Lafayette Pkwy.) that are part of a flood hazard mitigation project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with Hilton Lexington/Downtown, for the 2013 FEMA Chemical Stockpile Emergency Preparedness Annual Meeting, increasing the contract price by the sum of \$8,701 from \$16,000 to \$24,701.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Contract Agreement with Machinex Technologies, Inc. for the Modified Line Layout for the Materials Recovery Facility (RFP #18-2013) at a cost not to exceed \$1,111,642.86.

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A Resolution accepting the bid of Bluegrass Contracting Corp., in the amount of \$1,671,416.30, for the Tates Creek Sidewalk Improvements Project, for the Div. of

Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Bluegrass Contracting Corp., related to the bid was on the docket for first reading.

Mr. Beard asked questions of Mr. Derek Paulsen, Commissioner of the Dept. of Planning, Preservation and Development regarding the resolution. Mr. Paulsen responded.

Ms. Lawless asked questions of Mr. Paulsen and Mr. Beard about the project.

The resolution was given first reading. Upon motion of Mr. Myers, seconded by Ms. Lawless, the rules were suspended by unanimous vote.

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

Aye: Ford, Henson, Kay, Lane, Lawless,
Mossotti, Myers, Scutchfield, Stinnett, Akers,
Beard, Clarke, Ellinger, Farmer-----14

Nay: -----0

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A Resolution authorizing the Mayor and the Commissioner of Finance, on behalf of the Lexington-Fayette Urban County Government and its Dept. of Finance, to execute a Master Development Agreement and any other necessary related documents, with Centrepointe Parking Co., LLC, and its affiliates, for the Phoenix Park/Courthouse Project was given first reading.

Upon motion of Ms. Lawless, 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 Ms. Akers, the resolutions were approved by the following vote:

Aye: Ford, Henson, Kay, Lane, Lawless,
Mossotti, Myers, Scutchfield, Stinnett, Akers,
Beard, Clarke, Ellinger, Farmer-----14

Nay: -----0

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

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

Aye: Ford, Henson, Kay, Lane, Lawless,
Mossotti, Myers, Scutchfield, Stinnett, Akers,
Beard, Clarke, Ellinger, Farmer-----14

Nay: -----0

A Resolution accepting the bid of Triton Services, Inc., in the amount of \$73,760, for HVAC Remediation for Computer Server Room, for the Div. of Facilities and Fleet Management, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with Triton Services, Inc., related to the bid.

A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following probationary civil service appointments: Jalie Halcomb, Child Care Program Aide, Grade 107N, \$12.214 hourly, in the Div. of Family Services; Charles Williams, Fleet Parts Specialist, Grade 109N, \$18.262 hourly, in the Div. of Facilities and Fleet Management; Lauren Monahan, Administrative Specialist, Grade 110N, \$14.218 hourly, in the Div. of Waste Management, all effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following probationary sworn appointment: Samantha Moore, Police Sergeant, Grade 315N, \$28.588 hourly, in the Div. of Police, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following unclassified civil service appointments: Brandon Haddix, Deputy Corner, Grade 112N, \$16.226 hourly, in the Office of the Coroner, Wesley Holbrook, Program Specialist, Grade 112E, \$1,660.65 bi-weekly, in the Office of the Mayor; Shawn Jenkins, Public Service Worker, Grade 106N, \$11.150 hourly, in the Div. of Waste Management, all effective upon passage of Council.

A Resolution ratifying the probationary civil service appointments of: Scott Tyree, Equipment Operator Sr., Grade 109N, \$12.921 hourly, in the Div. of Streets and Roads, effective June 1, 2013; Kelly Hunter, Planner, Grade 113E, \$1,674.48 bi-weekly, in the Div. of Planning, effective July 29, 2013; Meredith Nelson, Council Clerk, Grade 118E, \$2,386.96 bi-weekly, in the Council Clerk's Office, effective August 1, 2013; ratifying the permanent civil service appointment of: Ethan Simpson, Computer Analyst, Grade 115E, in the Div. of Computer Services, effective July 1, 2013; ratifying the probationary

sworn appointments of: Christopher Whited and Gary Harris, Fire Captain, Grade 316N, \$23.039 hourly, Glenn Work and Paul Welch, Fire Lieutenant, Grade 315N, \$17.740 hourly, all in the Div. of Fire and Emergency Services, effective July 1, 2013; ratifying the permanent sworn appointment of: Chadwick Bacon, Police Lieutenant, Grade 317E, in the Div. of Police, effective April 29, 2013.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Addendum to the Renewal Maintenance Agreement with Routeware, Inc. for support of the routing project for the Div. of Waste Management, at no additional cost to the Urban County Government.

A Resolution declaring as surplus and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute Deeds and any other necessary documents for the sale and transfer of property located at 302 Rosemont Garden.

A Resolution approving the Response of RRC Company to RFP #19-2013 in the amount of \$395,000 for the Haley Pike Compost Pad Design Build for the Div. of Waste Management and authorizing the Mayor to execute an Agreement with RRC Company related to the RFP and services.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with Central Indiana Truck Equipment, for a CNG Front Fuel Option omitted from original specifications in Resolution No. 291-2013, increasing the contract price by the sum of \$4,416 from \$1,689,976 to \$1,694,392.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Dept. of Fish and Wildlife Resources, which Grant funds are in the amount of \$50,000 Federal funds, for enhancement of the Archery Range at the Hisle Farm Park, 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 the Mayor, on behalf of the Urban County Government, to execute a FY2014 Purchase of Service Agreement with Lexington Children's Museum, Inc. d/b/a Explorium of Lexington, to provide education and cultural

experience for children and their caregivers, at a cost not to exceed \$246,950, subject to sufficient funds being appropriated.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with the Bluegrass State Games, Inc., for services related to the Bluegrass Summer Games, at a cost not to exceed \$52,500.

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 Blue Sky Pump Station Force Main Project, at a cost not to exceed \$160,525.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with Kalkreuth Roofing and Sheet Metal, for Phoenix Building Roof Replacement, increasing the contract price by the sum of \$2,800.43 from \$163,982.00 to \$166,782.43.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute five (5) Releases of Easements, releasing streetlight easements on properties located at 1056, 1057, 1061, 1068, and 1076 Bridlewood Ln.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Four 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 \$5,200 from \$500,190 to \$505,390.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with Ky. Classical Theatre Conservatory (KCT), to produce two (2) plays as part of Summerfest 2014, at a cost not to exceed \$9,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement with LexArts, Inc., for various services related to creative arts in Lexington-Fayette County, at a cost not to exceed \$450,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Repairers of the Breach, Inc. (\$650), Dunbar Advisory

Council, Inc., (\$550), WGPL Neighborhood Association (\$1,275), North Lexington Babe Ruth Baseball, Inc. (\$500), Brucetown Neighborhood Association, Inc. (\$250), Georgetown Neighborhood Association, Inc. (\$250), and Community Relations Board at the Federal Prison (\$450), 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. 3 to the Contract with Triton Services, Inc., for HVAC and Piping Repair for the Phoenix Building, increasing the contract price by the sum of \$2,075 from \$232,495 to \$234,570.

A Resolution expressing the Lexington-Fayette Urban County Council's support for the adoption of H.R. 2570 the "Valley View Ferry Preservation Act of 2013".

A Resolution requesting that the President of the Ky. Senate and the Speaker of the Ky. House of Representatives take the necessary steps to refer to the Program Review and Investigation Committee examination of the following: the business practices of the Bluegrass Area Development District and all other Area Development Districts, the structure of the Area Development Districts, and the relevance of the Area Development Districts in today's economy; and directing that a copy of this Resolution be sent to the President of the Senate and the Speaker of the House.

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The following Communications from the Mayor were received for information only: (1) Resignation of Kurt Thomas, Firefighter, Grade 310N, in the Div. of Fire and Emergency Services, effective May 22, 2013; (2) Resignation of Israel Vasquez, Skilled Trades Worker, Grade 111N, in the Div. of Community Corrections, effective May 24, 2013; (3) Resignation of Kelly Kirchbaum, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective May 27, 2013; (4) Resignation of Kenneth Ray, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective May 28, 2013; (5) Resignation of Jeramie Reed, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective June 1, 2013; (6) Resignation of Jeffery Marshall, Security Officer, Grade 106N, in the Div. of Facilities and Fleet Management, effective June 3, 2013; and (7) Resignation of Jacob Wardrip, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective June 13, 2013.

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Ms. Mossotti showed pictures and spoke about a potential greenway in her district, and asked questions of Mr. Derek Paulsen, Commissioner of the Dept. of Planning, Preservation and Development, regarding greenways. Mr. Paulsen spoke about the greenway acceptance process.

Ms. Mossotti made a motion, seconded by Mr. Myers, and approved by unanimous vote, to move the issue of greenway acceptance into the Council Planning and Public Works Committee.

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Ms. Mossotti announced that the Bluegrass Fair was ongoing through July 21st, and encouraged everyone to attend.

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Ms. Henson asked additional questions about greenways and the mowing schedule of Mr. Derek Paulsen, Commissioner of the Dept. of Planning, Preservation and Development, and Mr. Geoff Reed, Commissioner of the Dept. of General Services. Mr. Paulsen and Mr. Reed spoke about the process.

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Mr. Myers stated that Ms. Susan Lamb, Clerk of the Urban County Council, was serving at her last meeting before retirement, and spoke about her service to the Government. He stated she had been instrumental in achieving higher transparency at the Government, and that part of her legacy would be the voting system in the Council Chamber, and the web-streaming of the meetings.

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Mr. Charles Payne, Bal Harbour Court, spoke about issues with the Bluegrass Area Development District. He thanked the Council for their support with this issue.

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Mr. David Henson, Niagara Drive, thanked the Council for their support with the issue of the Bluegrass Area Development District, and also for their efforts towards transparency in the Government.

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Mr. Mark Mudd, Bassett Avenue, spoke about the issue of sidewalk closures on Elm Tree Lane, and thanked the Council for placing the ordinance into a committee for further study.

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Mr. Christian Torp, Elm Tree Lane, spoke about the sidewalk issue on Elm Tree Lane.

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Upon motion of Mr. Stinnett, seconded by Ms. Scutchfield, and approved by unanimous vote, the meeting adjourned at 7:45 p.m.

Clerk of the Urban County Council