

Lexington-Fayette Urban County Government

200 E. Main St
Lexington, KY 40507



Docket

Thursday, August 29, 2013

6:00 PM

Council Chambers

Urban County Council

I. Roll Call**II. Invocation****III. Minutes of the Previous Meetings**

[0939-13](#) Minutes of the August 15, 2013 Council Meeting

IV. Ordinances – Second Reading

1. [0846-13](#) An Ordinance changing the zone from a High Density Apartment (R-4) zone to a Lexington Center Business (B-2B) zone, for 0.137 net (0.205 gross) acres, for property located at 562 W. Short St. (562 Short Street, LLC; Council District 3). Conditional Approval 9-0 (To Be Heard by September 25, 2013) [Div. of Planning, King]
2. [0847-13](#) An Ordinance amending Articles 1 and 23A of the Zoning Ordinance to define hospice and add hospice facilities as a principal use; and regulate parking for such uses in the Economic Development (ED) zone (Urban County Council). Approval 8-0 [Div. of Planning, King]
3. [0820-13](#) An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Program Coordinator, Grade 109N, and creating one (1) position of Public Service Supervisor, Grade 111N, both in the Div. of Family Services, and appropriating funds pursuant to Schedule No. 9, effective upon passage of Council. [Div. of Human Resources, Maxwell]
4. [0821-13](#) An Ordinance amending Section 22-5(2) of the Code of Ordinances, creating one (1) position of Program Supervisor P/T, Grade 106N and one (1) position of Custodial Worker P/T, Grade 102N, both in the Dept. of Social Services, effective upon passage of Council. [Div. of Human Resources, Maxwell]
5. [0826-13](#) An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Police Analyst, Grade 111N, and creating one (1) position of Property and Evidence Technician, Grade 111N, both in the Div. of Police, and appropriating funds pursuant to Schedule No. 10, effective upon passage of Council. [Div. of Human Resources, Maxwell]

6. [0844-13](#) An Ordinance of the Lexington-Fayette Urban County Government making certain findings concerning and establishing a Development Area for economic development purposes within of the Lexington-Fayette Urban County to be known as The Summit Lexington Development Area; approving a Local Participation Agreement among Lexington-Fayette Urban County Government, the Dept. of Finance of the Lexington-Fayette Urban County Government, and Bayer Properties, LLC (the "Developer"); establishing an Incremental Tax Special Fund for payment of approved public infrastructure costs and land preparation costs; designating the Lexington-Fayette Urban County Government's Dept. of Finance as the agency responsible for oversight, administration, and implementation of the Development Area; and authorizing the Mayor and other officials to take such other appropriate actions as are necessary or required in connection with the establishment of the Development Area. [Mayor's Office, Atkins]

7. [0889-13](#) 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. 59 Fiscal Year 2013. [Div. of Budgeting, Lueker]

8. [0890-13](#) 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. 8. [Div. of Budgeting, Lueker]

9. [0893-13](#) An Ordinance levying ad valorem taxes for purposes of support of the Soil and Water Conservation District for the Fiscal Year July 1, 2013 through June 30, 2014, on the assessed value of all taxable real property within the taxing jurisdiction of the Lexington-Fayette Urban County Government, including real property of public service companies, at a rate of \$.0005 on each one hundred dollars (\$100.00) of assessed valuation as of the January 1, 2013, assessment date. [Div. of Budgeting, Lueker]

10. [0895-13](#) An Ordinance adopting the request of the Lexington-Fayette County Health Dept. under KRS 212.755 and levying a special ad valorem public health tax for the Fiscal Year July 1, 2013 through June 30, 2014, on the assessed value of all taxable real

and personal property within the taxing jurisdiction of the Lexington-Fayette Urban County Government, including real and personal property of public service companies, noncommercial aircraft, noncommercial watercraft, and inventory in transit, and excluding insurance capital, tobacco in storage, and agricultural products in storage, at the rate of \$.028 on each \$100.00 of assessed value as of the January 1, 2013 assessment date; and levying a special ad valorem public health tax at the rate of \$.028 on each \$100.00 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government, as of the January 1, 2014 assessment date. [Div. of Budgeting, Lueker]

11. [0896-13](#) An Ordinance levying ad valorem taxes for purposes of support of the Agricultural Extension Office for the Fiscal Year July 1, 2013 through June 30, 2014, on the assessed value of all taxable real and personal property within the taxing jurisdiction of the Lexington-Fayette Urban County Government (all taxes on each \$100.00 of assessed valuation as of the January 1, 2013 assessment date), as follows: \$.0034 on all taxable real property, including real property of public service companies, \$.0038 on taxable personal property, including personal property of public service companies, noncommercial aircraft, and noncommercial watercraft, and excluding inventory in transit, insurance capital, tobacco in storage, and agricultural products in storage; and levying an ad valorem tax for purposes of support of the Agricultural Extension Office at the rate of \$.0032 on each \$100.00 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government as of the January 1, 2014 assessment date. [Div. of Budgeting, Lueker]
12. [0897-13](#) An Ordinance levying ad valorem taxes for municipal purposes for the Fiscal Year July 1, 2013 through June 30, 2014, on the assessed value of all taxable property within the taxing jurisdictions of the Lexington-Fayette Urban County Government (all taxes on each \$100.00 of assessed valuation as of the January 1, 2013 assessment date), as follows: General Services District, \$.0800 on real property, including real property of public service companies, \$.0990 on personal property, including personal property of public service companies, noncommercial aircraft, and noncommercial watercraft, \$.1500 on insurance capital, \$.0150 on tobacco in

storage, and \$.0450 on agricultural products in storage; Full Urban or Partial Urban Services Districts based on urban services available on real property, including real property of public service companies, \$.1431 for refuse collection, \$.0210 for street lights, \$.0097 for street cleaning, \$.0920 on insurance capital, \$.0150 on tobacco in storage, \$.0450 on agricultural products in storage; and levying an ad valorem tax for municipal purposes at the rate of \$.0880 on each \$100.00 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government as of the January 1, 2014 assessment date. [Div. of Budgeting, Lueker]

13. [0899-13](#) An Ordinance amending Ordinance No. 35-2013 and the Franchise Agreements with Ky. Utilities Co., Inc.; Blue Grass Energy Cooperative Corp.; and Clark Energy Cooperative, Inc., to increase the franchise fees for each utility from three percent (3%) to four percent (4%) of gross revenues effective October 1, 2013. [Div. of Budgeting, Lueker]

14. [0900-13](#) An Ordinance amending Ordinance No. 34-2013 and the Franchise Agreements with Columbia Gas of Ky., Inc; and Delta Natural Gas Co., Inc., to increase the franchise fees for each utility from three percent (3%) to four percent (4%) of gross revenues effective October 1, 2013. [Div. of Budgeting, Lueker]

V. **Ordinances – First Reading**

15. [0908-13](#) An Ordinance changing the zone from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone, for 24.88 net (27.71 gross) acres, for property located at 4500 and 4524 Old Schoolhouse Ln. (Ball Homes, LLC; Council District 10). Conditional Approval 11-0 OBJECTORS (To Be Heard By October 23, 2013) [Div. of Planning, King] PUBLIC HEARING TO BE HELD ON OCTOBER 8, 2013, 5:00 P.M.

16. [0909-13](#) An Ordinance amending Articles 1, 3 and 8 of the Zoning Ordinance to clarify regulations related to vehicle repair accessory to residential uses. (Urban County Planning Commission). Approval 10-0 [Div. of Planning, King]

17. [0910-13](#) An Ordinance amending Articles 1, 3 and 8 of the Zoning Ordinance to regulate the parking and storage of business vehicles, trailers, equipment and associated materials in

residential zones. (Urban County Planning Commission). Approval 10-0 [Div. of Planning, King]

18. [0911-13](#) An Ordinance amending Article 5 of the Zoning Ordinance to provide clarification about the Government's ability to abate a violation of the Zoning Ordinance. (Urban County Planning Commission). Approval 8-2 [Div. of Planning, King]
19. [0924-13](#) An Ordinance creating Section 15-12 of the Code of Ordinances, Lexington-Fayette Urban County Government pertaining to the general regulation of itinerant merchants, peddlers, and door-to-door sales and providing for general conduct, public safety, transient merchant registration, parking restrictions, maintenance, garbage and recycling requirements, noise and lighting restrictions; hours of operation from 7 a.m. to 11 p.m. or later and from 9 a.m. to 8 p.m. for door-to-door sales; location restrictions for peddlers and itinerant merchants with additional restrictions for itinerant merchants; no sales by itinerant merchants on public property; creating Section 15-13 of the Code of Ordinances providing for exceptions for mobile food unit vendors, wholesalers, bazaars, malls, yard and garage sales, and not-for-profits; and creating Section 15-14 of the Code of Ordinances providing for a penalty in an amount not to exceed \$250.00; all effective thirty (30) days from passage. [Council Office, Maynard]
20. [0930-13](#) An Ordinance of the Lexington-Fayette Urban County Government authorizing the issuance of Various Purpose General Obligation Bonds, Series 2013C in the aggregate principal amount not to exceed \$18,250,000; approving the form of the Series 2013C Bonds; authorizing designated officers to execute and deliver the Series 2013C Bonds; authorizing and directing the filing of notice with the State Local Debt Officer; providing for the payment and security of the Series 2013C Bonds; creating Bond Payment Funds; maintaining the heretofore established Sinking Fund; authorizing a Certificate of Award for the acceptance of the Bid of the Bond Purchaser for the purchase of the Series 2013C Bonds; and repealing inconsistent ordinances. [Dept. of Finance, O'Mara]
21. [0931-13](#) An Ordinance of Lexington-Fayette Urban County Government authorizing the issuance of Lexington-Fayette Urban County Government Various Purpose General Obligation Refunding Bonds, Series 2013D, in one or more subseries, in an

aggregate principal amount not to exceed \$80,000,000, for the purpose of refunding (I) All or a portion of the outstanding principal amount of Lexington-Fayette Urban County Government Taxable General Obligation Public Project Bonds, Series 2010A (Build America Bonds - Direct Pay) dated February 17, 2010; (II) All or a portion of the outstanding principal amount of Lexington-Fayette Urban County Government Various Purpose General Obligation Public Projects Bonds, Series 2010F (Federally Taxable - Build America Bonds - Direct Payment to the Issuer), dated December 28, 2010; and (III) All or a portion of the outstanding principal amount of Lexington-Fayette Urban County Government Various Purpose General Obligation Public Projects Bonds, Series 2010G (Federally Taxable-Recovery Zone Economic Development Bonds-Direct Payment to the Issuer), dated December 28, 2010; approving a form of Bond; authorizing designated officers to execute and deliver the Bonds; providing for the payment and security of the Bonds; creating a Bond Payment Fund and Escrow Funds; maintaining the heretofore established Sinking Fund; authorizing a Certificate of Award for the acceptance of the Bid of the Bond Purchaser for the purchase of the Series 2013D Refunding Bonds; authorizing an Escrow Trust Agreement; and repealing inconsistent ordinances. [Dept. of Finance, O'Mara]

22. [0932-13](#) Ordinance of the Lexington-Fayette Urban County Government authorizing and providing for the issuance of Sewer System Refunding Revenue Bonds, Series 2013E, in one or more subseries, in an aggregate principal amount not to exceed \$35,000,000, dated the date of delivery, for the purpose of refunding all or a portion of the outstanding principal amount of its Taxable Sewer System Revenue Bonds, Series 2009 (Build America Bonds - Direct Pay); setting forth the terms and conditions upon which said Series 2013E Bonds are to be issued and outstanding; approving a form of Bond; authorizing designated officers to execute and deliver the Series 2013E Bonds; creating an Escrow Fund; authorizing a Certificate of Award for the acceptance of the Bid of the Purchaser for the purchase of the Series 2013E Bonds; authorizing an Escrow Trust Agreement; and taking other related actions. [Dept. of Finance, O'Mara]
23. [0935-13](#) 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. 11. [Div. of Budgeting, Lueker]

24. [0941-13](#) An Ordinance creating a Pedestrian Oriented Business District for properties located at 303, 304, 315, 319, 325, 327, 329-333, 333, 341, 345, 357, 371, 377, 385, and 395 S. Limestone St. [Council Office, Maynard]
25. [0944-13](#) An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$3,750,000 in the Office of the Urban County Council for capital projects from the fund balance of the General Services District Fund, and appropriating and re-appropriating funds, Schedule No. 13. [Council Office, Maynard]

VI. Resolutions – Second Reading

1. [0814-13](#) A Resolution accepting the bids of Kalkreuth Roofing and Sheet Metal, Inc., and Pearce-Blackburn Roofing, LLC, establishing price contracts for roof repairs and maintenance, for the Div. of Facilities and Fleet Management. (2 Bids, Low) [Baradaran]
2. [0869-13](#) A Resolution accepting the bid of ZKB Services, LLC, establishing a price contract for Sidewalk Ramp Installation for the Div. of Engineering, and authorizing the Mayor to execute any related Agreement. (4 Bids, Low) [Frazier]
3. [0871-13](#) A Resolution accepting the bid of Gall's, LLC, establishing a price contract for Soft Body Armor, for the Div. of Police. (4 Bids, Non-Low) [Bastin]
4. [0882-13](#) A Resolution accepting the bid of Bluegrass Contracting Corporation, in the amount of \$3,310,582.35, for the Clays Mill Rd. Improvement Project Section 2B, for the Div. of Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Bluegrass Contracting Corporation, related to the bid. (4 Bids, Low) [Frazier]
5. [0874-13](#) A Resolution ratifying the probationary civil service appointments of: Robert Thomas, Public Service Worker Sr., Grade 107N, \$13.441 hourly in the Div. of Facilities and Fleet

Management, effective August 12, 2013; Ernest Clark, Public Service Supervisor Sr., Grade 114E, \$1,788.96 bi-weekly in the Div. of Streets and Roads, effective upon passage of Council; Tamara McMullen, Administrative Specialist, Grade 110N, \$17.457 hourly in the Div. of Planning, effective August 5, 2013; Carl Lilly, Public Service Supervisor, Grade 111N, \$21.313 hourly in the Div. of Facilities and Fleet Management, effective August 12, 2013; Rickie Hall, Project Manager, Grade 114E, \$1,778.64 bi-weekly in the Div. of Water Quality, effective August 19, 2013; Kelly Lykes, Skilled Trades Worker, Grade 111N, \$15.818 hourly in the Div. of Community Corrections, effective August 26, 2013; John Saylor, Arborist Sr., Grade 115E, \$1,877.20 bi-weekly in the Div. of Environmental Policy, effective August 29, 2013; ratifying the permanent civil service appointments of: Alecia Smith, Administrative Specialist Sr., Grade 112N, in the Div. of Human Resources, effective December 18, 2012; Mary Lyle, Human Resources Manager, Grade 119E, in the Div. of Human Resources, effective October 16, 2012; Ashley Case, Human Resources Manager, Grade 119E, in the Div. of Human Resources, effective January 2, 2013; John Maxwell, Director Human Resources, Grade 123E, in the Div. of Human Resources, effective January 9, 2013; Tamara Walters, Deputy Director Human Resources, Grade 122E, in the Div. of Human Resources, effective February 13, 2013; Kina Suarez, Administrative Specialist Sr., Grade 112N, in the Div. of Human Resources, effective March 3, 2013; Margaret Nesbitt, Human Resources Generalist, Grade 118E, in the Div. of Human Resources, effective May 29, 2013; Darrell Doty, Police Analyst, Grade 111N, in the Div. of Police, effective June 3, 2013, Stephen Drosick, Engineering Technician, Grade 111N, in the Div. of Engineering, effective August 4, 2013; Joy Thomas, Custodial Worker, Grade 102N, in the Div. of Facilities and Fleet Management, effective August 19, 2013; ratifying the probationary sworn appointments of: Lisa Farmer and Hunter Hershey, Community Corrections Lieutenant, Grade 114E, \$2,143.21 bi-weekly, in the Div. of Community Corrections, effective July 15, 2013; ratifying the permanent sworn appointments of: Rahsaan Berry, Police Sergeant, Grade 315N, in the Div. of Police, effective June 10, 2013; Chase Allen, Jeffrey Brangers, Kendall Buford, Weslee Farley, Benjamin Fielder, Nicole Gibson, Cliff Godbold, Robert Holland, Stephanie McClain, Jason Mitchell, Meredith Myers, Benjamin Riggs, Mary Shofner, Kelly Shortridge, Robert Sinnott, Roman

Sorrell, Anthony Sullivan, Phillip Toms, Brian Weir, Ryan White, Ronald Willis, and Alejandro Zaglul, Police Officer, Grade 311N, in the Div. of Police, effective July 3, 2013; ratifying the Approved Council Leave for: William Duncan, Vehicle and Equipment Technician, Grade 112N, in the Div. of Facilities and Fleet Management, beginning July 30, 2013 thru October 30, 2013. [Div. of Human Resources, Maxwell]

6. [0785-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Alarm Agreement and Addendum with Sonitrol of Lexington, Inc., for installation and activation of alarm system at 1795 Old Frankfort Pike, at a cost not to exceed \$1,508. [Div. of Police, Bastin]

7. [0793-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Fayette County Board of Education, for use of Henry Clay High School Track for the Hershey Track Meet, at a cost not to exceed \$174. [Div. of Parks and Recreation, Hancock]

8. [0808-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with the Cabinet for Health and Family Services; Dept. for Public Health, Office of Vital Statistics, for the exchange of information contained in vital records. [Div. of Police, Bastin]

9. [0813-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation from Lexington Fayette County Health Dept. of two televisions, for use at the William Wells Brown Community Center on behalf of the Bluegrass Aspendale Teen Center, at no cost to the Urban County Government. [Div. of Parks and Recreation, Hancock]

10. [0816-13](#) A Resolution changing the property address numbers of 207-209 E. Seventh St. to 207 E. Seventh St., of 1391 W. Main St. to 1389 W. Main St., and of 6784 Old Richmond Rd. to 6398 Old Richmond Rd.; and changing the street name and property address number of 2200 Inglewood Circle to 3929 Peppertree Dr., all effective thirty days from passage. [Div. of Emergency Management/911, Lucas]

11. [0817-13](#) 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 426 and 430 Smith St. [Dept. of General Services, Reed]

12. [818-13](#) 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 roof repair for the Senior Citizens' Center, decreasing the contract price by the sum of \$3,945 from \$55,989 to \$52,044. [Dept. of General Services, Reed]
13. [0819-13](#) A Resolution authorizing and directing the Div. of Parks and Recreation on behalf of the Urban County Government, to negotiate the possible purchase of a 14 acre parcel of land surrounded by Raven Run Sanctuary. [Div. of Parks and Recreation, Hancock]
14. [0823-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Div. of Waste Management, 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 \$3,000 Commonwealth of Ky. funds, and are for disposal or recycling of waste tires, 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 Environmental Quality and Public Works, Gooding/Moloney]
15. [0824-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Fayette County Commonwealth Attorney's Office, for a "Fast Track" Prosecutor for the Street Sales Drug Enforcement Project, at a cost not to exceed \$59,920. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]
16. [0828-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Amendment No. 6 to the Agreement to manage the Ky. Theater with Ky. Theater Management Group, Inc., extending the term for one year through October 31, 2014. [Dept. of General Services, Reed]
17. [0829-13](#) A Resolution authorizing the Div. of Emergency

Management/911 to obtain support services for its Emergency Notification System from Dialogic Communications Corp. (DCC) d/b/a Cassidian Communications, a sole source provider, at a cost not to exceed \$31,330, and authorizing the Mayor to execute any necessary documents. [Div. of Emergency Management/911, Lucas]

18. [0830-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with NeuStar, Inc., to provide access to the Number Portability Administration Center in support of Enhanced 911 services, for an additional period of up to three (3) years, at a cost not to exceed \$3,200 in FY 2014. [Div. of Emergency Management/911, Lucas]
19. [0831-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Ky. Community and Technical College Systems, Bluegrass Community and Technical College, for internship with the Div. of Police. [Div. of Police, Bastin]
20. [0832-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 (Final) to the Contract with Todd Johnson Contracting for the Roland Ave. Stream Bank Stabilization Project, increasing the contract price by the sum of \$26,428.96 from \$184,631.05 to \$211,060.01. [Div. of Water Quality, Martin]
21. [0833-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Lease Agreement with WINMAR Corp., for additional office space at 125 Lisle Industrial Rd., for the Div. of Water Quality, at a cost not to exceed \$371,505.21 for the entire lease for FY14. [Div. of Water Quality, Martin]
22. [0835-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Service Agreement and a Lease Agreement with Lexington-Fayette Animal Care and Control, LLC, for animal control services, at a cost not to exceed \$1,105,980. [Dept. of Public Safety, Mason]
23. [0836-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with

Group CJ, LLC, for the Mobility Office Marketing Campaign for FY 2014, at a cost not to exceed \$44,400. [Div. of Grants and Special Programs/Dept. of Planning, Preservation and Development, Gooding/Paulsen]

24. [0837-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Energy and Environment Cabinet, which Grant funds are in the amount of \$300,000 Federal funds, are for implementation of the Wolf Run Watershed Based Plan, the acceptance of which obligates the Urban County Government for the expenditure of \$200,000 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. [Div. of Grants and Special Programs/Dept. of Environmental Quality and Public Works, Gooding/Moloney]
25. [0838-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and any other necessary documents, and to accept Deeds for property interests needed for the Walhampton Stormwater Improvements Project, at a cost not to exceed \$410,000. [Div. of Water Quality, Martin]
26. [840-13](#) A Resolution rescinding Resolution No. 190-2013 which accepted the bid of MCM Demolition, Inc., and accepting the bid of Pace Contracting for Secondary Digester Blend Tank Damaged Cover Demolition and Removal in the amount of \$30,000, for the Div. of Water Quality. [Div. of Water Quality, Martin]
27. [841-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Four (4) to the Contract with Triton Services, Inc., for HVAC and Piping Repair for the Phoenix Building, increasing the contract price by the sum of \$6,801 from \$234,570 to \$241,371. [Dept. of General Services, Reed]
28. [0843-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two to the Engineering Services Agreement with Hazen and Sawyer, P.S.C. for Sanitary Sewer Assessment Reports and Sanitary Sewer and WWTP Remedial Measures Plans for Consent Decree Implementation, increasing the contract price by the sum of \$1,444,145.95 from \$3,500,000 to \$4,944,145.95.

[Div. of Water Quality, Martin]

29. [0877-13](#) Declaration of Official Intent with respect to reimbursement of temporary advances made for capital expenditures to be made from subsequent borrowings. [Dept. of Finance, O'Mara]
30. [0887-13](#) A Resolution approving the Fayette County Sheriff's Settlement - 2012 Taxes, for taxes collected as of April 15, 2013, and granting the Sheriff a Quietus. [Dept. of Finance, O'Mara]
31. [0891-13](#) A Resolution authorizing and directing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-86, to install multiway stop controls at the intersection of Clearwater Way and Ridgeway Rd. [Council Office, Maynard]

VII. Resolutions – First Reading

32. [0875-13](#) A Resolution accepting the bid of Allen Brothers Construction, Inc., in the amount of \$82,100, for McConnell Springs Fire Damage Repair, for the Div. of Parks and Recreation. (4 Bids, Low) [Hancock]
33. [0883-13](#) A Resolution accepting the bid of Perdue Environmental Contracting Co., Inc. d/b/a PECCO, LLC, establishing a price contract for Hazardous Material Spill Clean Up, for the Div. of Fire and Emergency Services. (2 Bids, Non-Low) [Jackson]
34. [0938-13](#) A Resolution accepting the bid of ZKB Services, LLC, establishing a price contract for Clearing and Grubbing Services for Sanitary Sewer Manholes for the Div. of Water Quality. (1 Bid) [Martin]
35. [0936-13](#) A Resolution ratifying the probationary civil service appointments of: Shannon Taylor, Grade 110N, \$16.632 hourly, Angela Mullins-Thompson, Grade 110N, \$17.437 hourly, Rhonda Bach, Grade 110N, \$18.242 hourly, Daniel Florence, Grade 110N, \$18.242 hourly, Probation Officer, in the Div. of Community Corrections, all effective upon passage of Council, Lois Poole, Administrative Specialist, Grade 110N, \$17.513 hourly in the Div. of Community Corrections, effective September 9, 2013, Irma Bennett, Early Child Care Teacher, Grade 110E, \$1,427.12 bi-weekly in the Div. of Family Services, effective upon passage of Council, Coo-ee Parks, Nuisance Control Officer, Grade 111N, \$16.684 hourly in the Div. of Code

Enforcement, effective September 9, 2013, Connie Hayes, Buyer, Grade 112E, \$1,472.08 bi-weekly in the Div. of Purchasing, effective August 19, 2013, James York, Telecommunicator Senior, Grade 113N, \$17.336 hourly in the Div. of Police, effective upon passage of Council, Oliver Steele, Code Enforcement Officer, Grade 113N, \$21.880 hourly in the Div. of Code Enforcement, effective September 9, 2013, ratifying the permanent civil service appointments of: Donald Bandach, Equipment Operator Senior, Grade 109N in the Div. of Streets and Roads, effective August 18, 2013, Denise Washington, Customer Service Specialist, Grade 110N in the Div. of Government Communications, effective August 12, 2013, Lindsey Luker, Accountant, Grade 113E in the Div. of Accounting, effective August 20, 2013, ratifying the probationary sworn appointments of: Maulauna Trowell and Timothy Carpenter, Community Corrections Sergeant, Grade 112N, \$23.190 hourly in the Div. of Community Corrections, all effective August 26, 2013. [Div. of Human Resources, Maxwell]

36. [0937-13](#)

A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following probationary civil service appointments: Sharon Hays, Administrative Specialist, Grade 110N, \$16.615 hourly in the Dept. of General Services, Michael Mayer, Probation Officer, Grade 110N, \$17.839 hourly in the Div. of Community Corrections, Joel Nkane, Skilled Trades Worker Sr., Grade 112N, \$17.435 hourly in the Div. of Facilities and Fleet Management, all effective upon passage of Council, Ross Guffey, Associate Municipal Engineer, Grade 115E, \$1,591.84 bi-weekly in the Div. of Water Quality, effective September 9, 2013; authorizing the Div. of Human Resources to make a conditional offer to the following unclassified civil service appointments: Chene Fisher, Custodial Worker P/T, Grade 102N, \$10.00 hourly in the Div. of Family Services, effective upon passage of Council, Yolanda Pinilla, Child Care Program Aide P/T, Grade 107N, \$12.00 hourly in the Div. of Youth Services, effective August 26, 2013, John E. McElroy, Treatment Plant Operator Apprentice Class I, Grade 109N, \$15.983 hourly in the Div. of Water Quality, effective August 26, 2013. [Div. of Human Resources, Maxwell]

37. [0811-13](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Central Indiana Truck Equipment Corp., a sole source provider, for purchase of Heil Python Multipack Refuse Truck Bodies for the

Div. of Waste Management, at a cost not to exceed \$211,769 each. [Div. of Facilities and Fleet Management, Baradaran]

38. [0834-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Multi-Year Agreements with Time Warner Cable, for connectivity for the EDACS Radio System and NetMotion internet access, for the Div. of Fire and Emergency Services, at a cost not to exceed \$14,280 for Fiscal Year 2014. [Div. of Fire and Emergency Services, Jackson]
39. [0849-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Energy and Environment Cabinet, 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 \$145,326.91 Commonwealth of Ky. funds, are for continuation of the Litter Abatement Program, 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 Environmental Quality and Public Works, Gooding/Moloney]
40. [0861-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Murphy + Graves Architects, for design and engineering services for renovation of the Emergency Operations Center at 115 Cisco Rd., at a cost not to exceed \$427,000. [Div. of Purchasing, Slatin]
41. [0867-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Columbia Gas of Ky., for relocation of utilities for the Clays Mill Rd. Improvements Project - Section 2C, at a cost not to exceed \$38,281. [Div. of Grants and Special Programs/Dept. of Planning, Preservation and Development, Gooding/Paulsen]
42. [0870-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Services Agreement with the University of Ky. and the UK Arboretum for stormwater education and outreach workshops for the Div. of Environmental Policy, at a cost not to exceed \$50,000. [Div. of

Environmental Policy, Bush]

43. [0903-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Kuumba Expressions (\$575), CASA of Lexington (\$750) and LeXenomics Group, Inc. (\$650), for the Office of the Urban County Council, at a cost not to exceed the sums stated. [Council Office, Maynard]
44. [0888-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Bluegrass Chapter of American Red Cross, for assistance to families affected by disasters. [Div. of Emergency Management/911, Dugger]
45. [0898-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Donation Agreement with Wells Fargo Bank, N.A., accepting donation of the property located at 471 N. Upper St., and authorizing the Mayor, on behalf of the Urban County Government, to execute a Deed, and any other documents necessary, to transfer the property to the Fayette County Local Development Corporation for construction of affordable housing for low-income households. [Div. of Grants and Special Programs, Office of the Chief Administrative Officer, Gooding/Hamilton]
46. [0901-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit an Application to the Ky. Infrastructure Authority (KIA), and to provide any additional information requested in connection with the Application, for a Low Interest State Revolving Fund Loan in the amount of \$9,837,063 for the Lower Cane Run Wet Weather Storage Project. [Div. of Water Quality, Martin]
47. [0902-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Contract with Kroger Limited Partnership I to supply influenza vaccine and administer vaccinations to Lexington-Fayette Urban County Government employees, at a cost of twenty-one dollars (\$21) per employee, and at a cost not to exceed \$38,546.05. [Div. of Human Resources, Maxwell]
48. [0907-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two (2) to

the Contract with Churchill McGee, LLC, for the Carver Community Center Renovation for the Newtown Pike Extension Project, increasing the contract price by the sum of \$2,405.56 from \$1,098,175.85 to \$1,100,581.41. [Div. of Grants and Special Programs/Dept. of General Services, Gooding/Reed]

49. [0912-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Addendum to the Agreement with PowerPhone, Inc., to provide training and materials related to Emergency Medical Dispatch Certification for E911 personnel, at an estimated cost not to exceed \$9,176. [Div. of Emergency Management/911, Lucas]
50. [0913-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Services Agreement with Rave Wireless, Inc. d/b/a Rave Mobile Safety, to provide software, training, and implementation services related to the E911 System, for a period of up to five years, subject to sufficient funds being appropriated in future fiscal years, at a cost not to exceed \$107,000 in FY 2014. [Div. of Emergency Management/911, Lucas]
51. [0916-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Division of Forestry, and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$15,000 Federal funds, and are for Lexington's Tree Canopy Assessment and Planting Plan. [Div. of Grants and Special Programs/Dept. of Environmental Quality and Public Works, Gooding/Moloney]
52. [0918-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute new account applications with CIGNA, Trustmark, All State and American Heritage Life Insurance Co. for the purpose of offering voluntary benefits to all employees. [Div. of Human Resources, Maxwell]
53. [0919-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with Management Advisory Group International, Inc., for human resource management consulting services to include the performance of a comprehensive outside classification and compensation review, at a cost not to exceed \$45,000. [Div. of

Human Resources, Maxwell]

54. [0923-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Bluegrass Area Development District, and 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 \$27,979.72 Commonwealth of Ky. funds, are for capital improvements to 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]
55. [0929-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Fayette County 4-H Council, Inc. (\$1,000), Partners for Youth (\$2,000), and Community Organizers of Lexington, Inc. (\$775), for the Office of the Urban County Council, at a cost not to exceed the sums stated. [Council Office, Maynard]
56. [0943-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Fayette County Leestown Middle School (\$250), for the Office of the Urban County Council, at a cost not to exceed the sum stated. [Council Office, Maynard]
57. [0948-13](#) A Resolution of the Lexington-Fayette Urban County Government authorizing the advertisement for Bids and the distribution of a Preliminary Official Statement for the purchase of the principal amount of its (I) Various Purpose General Obligation Bonds, Series 2013C in an amount not to exceed \$18,250,000; and (II) Various Purpose General Obligation Refunding Bonds, Series 2013D in a principal amount not to exceed \$80,000,000. [Dept. of Finance, O'Mara]
58. [0949-13](#) A Resolution of the Lexington-Fayette Urban County Government authorizing the advertisement for Bids and the distribution of a Preliminary Official Statement for the purchase of the principal amount of its Sewer System Refunding Revenue Bonds, Series 2013E, in an amount not to exceed \$35,000,000. [Dept. of Finance, O'Mara]

VIII. Communications From the Mayor**0940-13**

1. Recommending the appointment of Mr. Robert Bolson to the Arboretum Advisory Committee, with a term to expire 1-1-2017. The term of Vice Mayor Linda Gorton has expired.
2. Recommending the reappointment of Ms. Claudia Goggin to the Carnegie Literacy Center Board of Directors, with a term to expire 9-1-2017.
3. Recommending the appointment of Mr. Robert Bolson to the CASA Board, with a term to expire 6-11-2017.
4. Recommending the appointment of Mr. Bradley Boaz, as Landscape Architect representative, to the Greenspace Commission, with a term to expire 7-18-2017.
5. Recommending the reappointment of Mr. William Graves, as Builder/Developer representative, to the Historic Preservation Commission, with a term to expire 6-30-2017.
6. Recommending the reappointment of Ms. Laura Boison, as At-Large representative, to the Industrial Revenue Bond Review Committee, with a term to expire 9-27-2017.
7. Recommending the appointment of Mr. Jack Miller to the Senior Services Commission, with a term to expire 9-1-2014. Mr. Miller will fill the unexpired term of Mr. Troy Johnson.
8. Recommending the reappointment of Mr. J. Robert McLaughlin to the Social Services Advisory Board, with a term to expire 9-1-2017.

IX. Announcements**X. Public Comments****Adjournment**