

Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky April 11, 2013

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on April 11, 2013 at 6:00 P.M. Present were Mayor Jim Gray in the chair presiding, and the following members of the Council: Council Members Mossotti, Myers, Scutchfield, Stinnett, Akers, Beard, Clarke, Ellinger, Farmer, Ford, Gorton, Henson, Kay and Lane. Absent was Council Member Lawless.

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

Resolutions No. 105-2013 thru 144-2013, and Ordinances No. 30-2013 thru 35-2013, inclusive were reported as having been signed and published, and ordered to record.

Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky April 11, 2013

The Invocation was given by First Reader Elizabeth Fogus, First Church of Christ, Scientist.

\* \* \*

Upon motion of Mr. Stinnett, seconded by Ms. Akers, the Minutes of the January 17, 22 (11:30 a.m.), and 31, February 12 and 28, and March 7 and 21, 2013 Council Meetings were approved by unanimous vote.

\* \* \*

The Mayor and Ms. Gorton made a presentation in honor of Alcohol Awareness Month and the Keep It Real video contest winners. The Mayor proclaimed April as Alcohol Awareness Month. Ms. Gorton spoke about the Keep It Real campaign, and introduced Captain Howard Rupert, retired LFUCG Div. of Police, and Treasurer of the Mayor's Alliance on Substance Abuse.

The Mayor read the proclamation for Alcohol Awareness Month and presented it to Captain Rupert. Captain Rupert thanked the Mayor, Council, and community for their support.

The Mayor introduced Ms. Donna Weisenhahn, also of the Mayor's Alliance on Substance Abuse, who spoke about the Keep It Real campaign winner videos. The videos were shown to the audience. Ms. Weisenhahn introduced those who had helped with the students' videos: Mr. Matthew Logsden, Mr. Augustus Logsden, Ms. Beth McKenzie, Mr. Logan Hill, Mr. Grant Herald, Mr. Jay Salmon, Mr. Jay Bishop, Mr. Patrick Marlowe, Ms. Michelle Rauch, Mr. Aaron Leach, and Mr. Jacob Bryant.

\* \* \*

The Mayor recognized Teens Against Tobacco Use as a 2013 Public Health Hero, and proclaimed April 11, 2013 as Teens Against Tobacco Use Day. The Mayor introduced group sponsors Ms. Paula Caise, Ms. Emily Rentschler, and Ms. Jo Geddes. Ms. Rentschler spoke about the program, and introduced members from Bryan Station High School: Ms. Mallory Zano and Ms. Rebecca Edwins. Ms. Caise, Henry Clay High School, spoke about her school's group and introduced student, Mr. Ross Boggus. Ms.

Geddes, Tates Creek High School, spoke about her school's program, and introduced Ms. Arly Langser and Ms. Natalie Becks (not present).

The Mayor also introduced Ms. Anita Courtney, another 2013 Public Health Hero, with the Tweens Coalition. He proclaimed April 11, 2013, as Anita Courtney Day. Ms. Courtney thanked the Mayor and Council and spoke about her program.

The Mayor introduced Dr. Rice Leach, Director of the Fayette County Health Dept., who spoke about the history of the Public Health Heroes program. He thanked the Mayor and Council for their support.

\* \* \*

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

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

Nay: -----0

An Ordinance changing the zone from a Professional Office (P-1) zone to a Highway Service Business (B-3) zone, for 0.6138 net (0.9857 gross) acres, for property located at 3270 Richmond Rd. (Kirk and Carol Snyder; Council District 7).

An Ordinance changing the zone from a Single Family Residential (R-1C) zone to a Neighborhood Business (B-1) zone, for 0.309 net (0.403 gross) acres, for property located at 708-712 Henry Clay Blvd. (Steve and Cathy Snowden; Council District 5).

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$1,430 from Neighborhood Development Funds in the Div. of Traffic Engineering for intersections of Pleasant Ridge, Plaudit and Winchester/Sir Barton, and appropriating and re-appropriating funds, Schedule No. 44.

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. 43.

\* \* \*

An Ordinance amending Section 1 of Ordinance No. 161-2012 amending the Schedule of Meetings for the Lexington-Fayette Urban County Council for the Calendar

Year 2013, to add Committee of the Whole meetings on April 25 at 3:30 p.m., April 30 at 1:00 p.m., May 21 at 11:30 a.m., June 6 at 3:00 p.m., and June 11 at 9:00 a.m. was on the docket for first reading.

Upon motion of Ms. Gorton, seconded by Mr. Farmer, and approved by unanimous vote, the ordinance was amended to add a Committee of the Whole meeting regarding Fund Balance and Fund Balance Processes on April 23 at 10:00 a.m., and to cancel the Budget and Finance Committee meeting scheduled for April 30 at 1:00 p.m.

Mr. Ellinger asked questions of Ms. Gorton regarding her motion. Ms. Gorton responded.

An Ordinance amending Section 1 of Ordinance No. 161-2012 amending the Schedule of Meetings for the Lexington-Fayette Urban County Council for the Calendar Year 2013, to add Committee of the Whole meetings on April 23 at 10:00 a.m., April 25 at 3:30 p.m., April 30 at 1:00 p.m., May 21 at 11:30 a.m., June 6 at 3:00 p.m., and June 11 at 9:00 a.m., and cancelling the Budget and Finance Committee meeting scheduled for April 30 was given first reading as amended.

Upon motion of Ms. Gorton, seconded by Ms. Henson, the rules were suspended by unanimous vote.

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

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

Nay: -----0

\* \* \*

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

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.

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.

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.

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.

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.

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.

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.

\* \* \*

A Resolution amending Section 4.101 of Appendix A, Rules and Procedures of the Lexington-Fayette Urban County Council, correcting clerical errors; providing that the Mayor shall place the following documents on the work session agenda under legislative review: execution of deeds and easements for multi-use trails projects, storm and sanitary sewer projects and roadway construction projects after the projects have received Council approval; execution of easement releases and encroachment agreements; execution of equipment maintenance contracts for which Council has appropriated funds; extensions of existing grant agreements previously approved by Council which do not involve any additional appropriation of revenue; execution of closing statements for deed and easement acquisitions for which Council has budgeted funds; executing and submitting grant applications except as required; and acceptance of donations of goods or services that do not require a budget amendment; providing that the Urban County Council shall review and discuss the items listed under legislative review and take appropriate action; providing that if no procedural action is taken, the Mayor shall have the authority to execute the documents listed under legislative review; and providing that a list of all executed documents shall appear in the Communications from the Mayor on the Council docket and shall be logged using the legislative management system was given second reading.

Mr. Stinnett made a motion, seconded by Ms. Gorton, to approve the resolution.

The motion **failed** to pass by the following vote:

Aye: Akers, Clarke, Ford, Kay, Lane-----5

Nay: Mossotti, Myers, Scutchfield, Stinnett, Beard,  
Ellinger, Farmer, Gorton, Henson-----9

\* \* \*

A Resolution accepting the bid of Elite Petroleum, Inc., establishing a price contract for Hydraulic Oil, for the Div. of Facilities and Fleet Management was on the docket for first reading.

Upon motion of Mr. Kay, seconded by Ms. Gorton, and approved by unanimous vote, the resolution was amended to change the name of the bidding entity to Woodford Oil instead of Elite Petroleum, Inc.

A Resolution accepting the bid of Woodford Oil, establishing a price contract for Hydraulic Oil, for the Div. of Facilities and Fleet Management was given first reading and ordered placed on file two weeks for public inspection.

\* \* \*  
The Mayor left the meeting and Ms. Gorton assumed the Chair.

\* \* \*  
A Resolution accepting the bid of Triton Services, Inc., in the amount of \$218,440, for HVAC and Piping Repair for the Phoenix Building, for the Dept. of General Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Triton Services, Inc., related to the bid was given first reading.

Mr. Geoff Reed, Commissioner of the Dept. of General Services, requested that the rules be suspended in order to give second reading to the resolution.

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

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

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

Nay: -----0  
(Ms. Mossotti was absent when the vote was taken.)

\* \* \*  
A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following probationary civil service appointments: Eric Reid, Security Officer, Grade 106N, \$11.806 hourly, in the Div. of Facilities and Fleet Management, effective upon passage of Council, Trena Jones, Staff Assistant Sr., Grade 108N, \$14.612 hourly, in the Div. of Building Inspection, effective upon passage of Council, Jody Whitaker, Code Enforcement Officer, Grade 113N, \$18.922 hourly, in the Div. of Grants and Special Programs, effective upon passage of Council, Thomas Thompson, Security Officer, Grade 106N, \$15.130 hourly, in the Div. of Facilities and Fleet Management,

effective upon passage of Council, Cathryn Reed, Staff Assistant Sr., Grade 108N, \$13.502 hourly, in the Div. of Building Inspection, effective upon passage of Council, Janelle Francis, Administrative Specialist, Grade 110N, \$15.855 hourly, in the Div. of Accounting, effective upon passage of Council, Paul Willard, Engineering Technician Sr., Grade 113E, \$2,041.04 bi-weekly, in the Div. of Engineering, effective upon passage of Council, Carey Mason, Staff Assistant Sr., Grade 108N, \$13.906 hourly, in the Div. of Community Corrections, effective upon passage of Council, Vina Taylor, Telecommunicator, Grade 111N, \$16.438 hourly, in the Div. of Emergency Management/911, effective upon passage of Council, Dan James, Human Resources Analyst, Grade 115E, \$1,989.36 bi-weekly, in the Div. of Human Resources, effective upon passage of Council, John Heeg, Telecommunicator Sr., Grade 113N, \$18.526 hourly, in the Div. of Emergency Management/911, effective upon passage of Council, Raymond Brown, Telecommunicator Sr., Grade 113N, \$25.513 hourly, in the Div. of Emergency Management/911, effective upon passage of Council, Gregory Stewart, Skilled Trades Worker Sr., Grade 112N, \$19.499 hourly, in the Div. of Community Corrections, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following unclassified civil service appointment: Theo Hersey, Social Worker Sr., Grade 113E, \$2,041.04 bi-weekly, in the Div. of Youth Services, effective upon passage of Council was given first reading.

Ms. Glenda George, Dept. of Law, asked that the rules be suspended in order to give second reading to the resolution.

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

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

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

Nay: -----0  
 (Ms. Mossotti was absent when the vote was taken.)

\* \* \*

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



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

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

Nay: -----0  
(Ms. Mossotti was absent when the vote was taken.)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Dept. for Local Government and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$75,000 Federal funds from the FY 2013 Land and Water Conservation Fund, and are for construction of Berry Hill Skate Park.

A Resolution accepting the bid of Delta Natural Gas Co., Inc., in accordance with the provisions of Ordinance No. 34-2013, creating and offering for sale a franchise for the operation of a non-exclusive gas distribution system in Fayette County, and authorizing the Mayor, on behalf of the Urban County Government, to execute a Franchise Agreement with Delta Natural Gas Co., Inc., incorporating the terms and conditions of Ordinance No. 34-2013.

A Resolution accepting the bid of Columbia Gas of Ky., Inc., in accordance with the provisions of Ordinance No. 34-2013, creating and offering for sale a franchise for the operation of a non-exclusive gas distribution system in Fayette County, and authorizing the Mayor, on behalf of the Urban County Government, to execute a Franchise Agreement with Columbia Gas of Ky., Inc., incorporating the terms and conditions of Ordinance No. 34-2013.

A Resolution accepting the bid of Clark Energy Cooperative, Inc., in accordance with the provisions of Ordinance No. 35-2013, creating and offering for sale a franchise for the operation of a non-exclusive electric generation, transmission and distribution system in Fayette County, and authorizing the Mayor, on behalf of the Urban County Government, to execute a Franchise Agreement with Clark Energy Cooperative, Inc., incorporating the terms and conditions of Ordinance No. 35-2013.

A Resolution accepting the bid of Ky. Utilities Co., Inc. in accordance with the provisions of Ordinance No. 35-2013, creating and offering for sale a franchise for the

operation of a non-exclusive electric generation, transmission and distribution system in Fayette County, and authorizing the Mayor, on behalf of the Urban County Government, to execute a Franchise Agreement with Ky. Utilities Co., Inc., incorporating the terms and conditions of Ordinance No. 35-2013.

A Resolution accepting the bid of Blue Grass Energy Cooperative Corp. in accordance with the provisions of Ordinance No. 35-2013, creating and offering for sale a franchise for the operation of a non-exclusive electric generation, transmission and distribution system in Fayette County, and authorizing the Mayor, on behalf of the Urban County Government, to execute a Franchise Agreement with Blue Grass Energy Cooperative Corp., incorporating the terms and conditions of Ordinance No. 35-2013.

\* \* \*

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Living Arts and Science Center, for use of funds from the Urban Development Action Grant (UDAG) Repayment Fund (\$60,000) and the General Fund (\$20,000) for expansion of the Living Arts and Science Center, at a cost not to exceed \$80,000 was given first reading.

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

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

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

Nay: -----0  
(Ms. Mossotti was absent when the vote was taken.)

\* \* \*

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

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

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

Nay: -----0  
(Ms. Mossotti was absent when the vote was taken.)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Food Chain (\$475), Vineyard Community Church, Inc., (\$500), Robinwood Neighbors Association (\$500), and Board of Trustees of Victory Baptist Church (\$25), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Bluegrass Area Development District, to accept additional funding in the amount of \$5,256 for operation of the Senior Citizens Center.

\* \* \*

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement, releasing a streetlight easement on property located at 284 and 288 Somersly Place 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 Mr. Stinnett, and seconded by Mr. Myers, the resolution was approved by the following vote:

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

Nay: -----0  
(Ms. Mossotti was absent when the vote was taken.)

\* \* \*

Upon motion of Mr. Stinnett, seconded by Ms. Henson, and approved by unanimous vote, a Resolution authorizing the Div. of Facilities and Fleet Management, on behalf of the Urban County Government, to replace the failed cooling tower at 1795 Old Frankfort Pike/West Roll Call, by Baltimore Aircoil Co., a sole source provider, at a cost not to exceed \$31,996 was placed on the docket and given first reading.

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

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

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

Nay: -----0  
(Ms. Mossotti was absent when the vote was taken.)

\* \* \*

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

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.

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.

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.

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.

A Resolution accepting the bid of G and J Pepsi-Cola Bottling Co., establishing a price contract for Beverage Products, for the Div. of Parks and Recreation.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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).

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.

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.

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 unencumbered funds within the Grant budget.

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.

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.

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.

\*

\*

\*

Upon motion of Mr. Farmer, seconded by Mr. Myers, and passed by a majority vote of 13-0 (Ms. Mossotti was absent when the vote was taken), the Communications from the Mayor were approved and are as follows: (1) Recommending the appointment of Councilmember Julian Beard to the Commission for Citizens with Disabilities, with a term to expire 12-31-2014; (2) Recommending the appointment of Councilmember Shevawn Akers to the Community Action Council Board, with a term to expire 12-31-2014. Councilmember Chris Ford is no longer serving; and (3) Recommending the reappointment of Ms. Eva C. Trout, as At-Large representative, to the Industrial Revenue Bond Review Committee, with a term to expire 3-5-2017.

\* \* \*

The following Communications from the Mayor were received for information only: (1) Acting assignment of Wanda Kean, Deputy Director of Fleet, Grade 120E, \$2,262.30 bi-weekly, in the Div. of Facilities and Fleet Management, effective March 25, 2013; (2) Resignation of Travis Harney, Police Officer, Grade 311N, in the Div. of Police, effective February 4, 2013; (3) Resignation of Jonathan Stipp, Firefighter, Grade 310N, in the Div. of Fire and Emergency Services, effective February 14, 2013; (4) Resignation of Scott Lambert, Firefighter, Grade 310N, in the Div. of Fire and Emergency Services, effective February 17, 2013; (5) Resignation of Keith Gallman, Public Service Supervisor, Grade 111N, in the Div. of Facilities and Fleet Management, effective February 26, 2013; (6) Resignation of Robert Brown, Police Sergeant, Grade 315N, in the Div. of Police, effective February 26, 2013; (7) Resignation of Wilbert Stephens, Maintenance Mechanic, Grade 113N, in the Div. of Water Quality, effective February 26, 2013; (8) Resignation of Charles Johnson, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective February 26, 2013; (9) Resignation of Matthew Meiser, Firefighter, Grade 311N, in the Div. of Fire and Emergency Services, effective February 27, 2013; (10) Resignation of Jeremy Eadens, Firefighter, Grade 311N, in the Div. of Fire and Emergency Services, effective March 1, 2013; (11) Resignation of Richard Draper, Treatment Plant Operator, Grade 113N, in the Div. of Water Quality, effective March 1, 2013; (12) Resignation of Danny Hager, Public Service Worker, Grade 106N, in the Div. of Parks and Recreation, effective March 2, 2013; (13) Resignation of Robert Ballard, Recreation Supervisor, Grade 110E, in the Div. of Parks and Recreation, effective March 3, 2013; (14) Resignation of Brian



Breeze, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective March 5, 2013; (15) Resignation of Rodger Cotton, Public Service Worker Sr., Grade 107N, in the Div. of Parks and Recreation, effective March 7, 2013; (16) Resignation of Shelby Poindexter, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective March 13, 2013; (17) Resignation of Donald Sifford, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective March 14, 2013; (18) Resignation of William Evans, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective March 15, 2013; (19) Resignation of Randy Davis, Public Service Supervisor Sr., Grade 114E, in the Div. of Water Quality, effective March 20, 2013; (20) Resignation of Delbert Hunter, Police Officer, Grade 311N, in the Div. of Police, effective March 21, 2013; (21) Resignation of Logan Smith, Police Officer, Grade 311N, in the Div. of Police, effective March 21, 2013; (22) Resignation of Michael Galavotti, Municipal Engineer Sr., Grade 119E, in the Div. of Engineering, effective March 25, 2013; and (23) Reinstatement of Kenneth Benson, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective March 25, 2013.

Ms. Gorton asked questions of Mr. Clay Mason, Commissioner of Public Safety, about the resignations in the Div. of Police and Div. of Fire and Emergency Services listed in the Communications for Information Only. Mr. Mason responded about the nature of the resignations.

\* \* \*

Mr. Kay spoke about the resolution that had failed to pass, and the effect that the proposed change in the Council Rules and Procedures would have had on the evening's meeting docket.

\* \* \*

Ms. Henson reminded everyone about the "I Know Expo", to be held on Sunday, April 14, 2013, from 12:00 to 6:00 p.m. at the Lexington Center.

\* \* \*

Ms. Akers reminded the public about the Reforest the Bluegrass event to be held on Saturday, April 13, 2013, at 9:00 a.m. She also announced the Now What Lexington Unconference, to be held on April 13, 2013, at 10:00 a.m. at the Carnegie Center.

\* \* \*

Upon motion of Mr. Stinnett, seconded by Mr. Ellinger, and approved by majority vote (Ms. Mossotti was absent when the vote was taken), the meeting adjourned at 7:25 p.m.

---

Clerk of the Urban County Council