

Lexington-Fayette Urban County Government Council Meeting

Lexington, Kentucky August 16, 2012

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on August 16, 2012 at 6:00 P.M. Present were Vice-Mayor Gorton in the chair presiding in the absence of Mayor Gray, and the following members of the Council: Council Members Lawless, Martin, McChord, Myers, Stinnett, Beard, Blues, Crosbie, Ellinger, Farmer, Ford, Henson, Kay, and Lane.

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

Resolutions No. 382-2012 thru 429-2012, and Ordinances No. 88-2012 thru 96-2012, inclusive were reported as having been signed and published, and ordered to record.

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The Invocation was given by Mr. Wilson Dickinson, Associate Dean for Religious Life at Transylvania University.

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Upon motion of Mr. Ellinger, seconded by Mr. Myers, the minutes of the June 7, 19, and 21, and July 5 and 10, 2012 Council Meetings were approved by unanimous vote.

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Mr. Kay made a motion, seconded by Mr. Farmer, and approved by unanimous vote, to schedule public hearings regarding the proposed ad valorem tax rates for FY2013 for the Lexington-Fayette Urban County Government, the Lexington-Fayette County Health Department, the Agricultural Extension Office, and the Soil and Water Conservation District at the regularly scheduled Council Meeting on Thursday, August 30, 2012 at 6:00 p.m.

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Vice-Mayor Gorton made a presentation in honor of the Lafayette Marching Band and Ms. Sally Bixby, President of the Tournament of Roses Parade, who was in attendance at the meeting. She announced that the band had been selected to participate in the Tournament of Roses Parade, and spoke about the history of the band. She introduced Ms. Chloe McIntosh, Ms. Jessica Abney, Ms. Weitong Liu, and Ms. Emily Hutchinson, Field Commanders for the band. She also introduced Mr. Chuck Smith, Director of the Lafayette Band, and acknowledged the band parents in the audience.

Vice-Mayor Gorton introduced Ms. Sally Bixby, from Los Angeles, California, and spoke about Ms. Bixby's career. Ms. Bixby thanked everyone for the welcome, and spoke about the parade, January 1, 2012. Mr. Smith thanked the Council and Ms. Bixby for the honor. He presented Ms. Liu to speak about the band. Ms. Liu spoke about the impact of the band on herself and fellow members.

Vice-Mayor Gorton gave a proclamation from the Mayor to Mr. Chuck Smith, in honor of being Lexington's first ever participant in Rose Parade, and named August 16th 'Parade Day'. She also gave a proclamation from the Mayor to Ms. Bixby in honor

of the Parade, featuring the Lafayette High School Band. She gave a key to the city to Ms. Bixby.

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Mr. Lane spoke about the success of the WoodSongs Old-Time Radio Hour, taped at the Kentucky Theatre. He introduced Mr. Michael Johnathon of the WoodSongs Old-Time Radio Hour, and asked him to speak about the radio program. Mr. Johnathon spoke about Lexington and about the program, taped and broadcast on Monday evenings. He stated it is produced entirely by volunteers, and airs on 509 stations. A clip from the program was shown, and Mr. Johnathon shared a song with the audience.

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

Aye: Lawless, Martin, McChord, Myers, Stinnett,
Beard, Blues, Crosbie, Ellinger, Farmer,
Ford, Gorton, Henson, Kay, Lane-----15

Nay: -----0

An Ordinance amending Section 22-5(2) of the Code of Ordinances, creating one (1) position of Client Assessment Counselor, Grade 112E, in the Div. of Youth Services, appropriating funds pursuant to Schedule No. 6, 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. 5.

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An Ordinance changing the zone from a Wholesale & Warehouse Business (B-4) zone to a Professional Office (P-1) zone for 0.6478 net (0.7185 gross) acre, with dimensional variances, for property located at 620 South Broadway (Montessori High School of Ky.) was given first reading.

Upon motion of Ms. Lawless, seconded by Ms. Crosbie, the rules were suspended by majority vote.

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

Aye: Lawless, Martin, McChord, Myers, Stinnett,
Beard, Blues, Crosbie, Ellinger, Farmer,
Ford, Gorton, Henson, Kay, Lane-----15

Nay: -----0
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The following ordinances were given first reading and ordered placed on file two weeks for public inspection.

An Ordinance amending Article 2 of the Zoning Ordinance to change the zoning map atlas from the historical series of eighty-one (81) maps to a system utilizing the Lexington-Fayette Urban County Government Geographical Indexing System (GIS) to serve as the official zoning map for the Urban County.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Engineering Technician, Grade 111N, and one (1) position of Staff Assistant Sr., Grade 108N and creating one (1) position of Municipal Engineer Sr., Grade 119E, in the Div. of Engineering, appropriating funds pursuant to Schedule No. 8, effective upon passage of Council.

An Ordinance amending Section 22-53.2(2) of the Code of Ordinances, adjusting the entrance rate and pay scale for Traffic School Guards, effective upon passage of Council.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Administrative Specialist Sr., Grade 112N and one (1) position of Staff Assistant Sr., Grade 108N and creating two (2) positions of Administrative Specialist, Grade 110N, in the Div. of Building Inspection, appropriating funds pursuant to Schedule No. 10, effective upon passage of Council.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, transferring one (1) position of Engineering Technician, Grade 111N, and its incumbent from the Div. of Computer Services to the Div. of Engineering, appropriating funds pursuant to Schedule No. 9, effective upon passage of Council.

An Ordinance amending Sections 3, 4, and 5 of Ordinance No. 91-2012; removing pay increases for part-time employees, effective retroactive to July 1, 2012.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, creating one (1) position of Skilled Trades Worker, Grade 111N, in the Div. of Community Corrections and amending Section 22-5(2) of the Code of Ordinances, abolishing two (2) positions of Skilled Trades Worker P/T, Grade 000N, appropriating funds pursuant to Schedule No. 11, effective upon passage of Council.

An Ordinance amending Ordinance No. 44-2012 to make the following corrections: deleting "and duplexes" from Section 2, Subsection 2; deleting "but no accessory structure shall be taller at the roof ridge than the height of roof ridge of the primary structure" from Section 2, Subsection 5(a); and deleting "n attached" from Section 2, Subsection 7 (Urban County Planning Commission).

An Ordinance amending Section 21-5(2) of the Code of Ordinances, creating one (1) position of Deputy Director Recreation, Grade 120E, in the Div. of Parks and Recreation, 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. 7.

An Ordinance levying ad valorem taxes for municipal purposes for the Fiscal Year July 1, 2012 through June 30, 2013, 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, 2012 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, \$.0094 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, 2013 assessment date.

An Ordinance levying ad valorem taxes for purposes of support of the Agricultural Extension Office for the Fiscal Year July 1, 2012 through June 30, 2013, 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, 2012 assessment date), as follows: \$.0033 on all taxable Real Property, including Real Property of Public Service Companies, \$.0035 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 \$.0035 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, 2013 assessment date.

An Ordinance levying ad valorem taxes for purposes of support of the Soil and Water Conservation District for the Fiscal Year July 1, 2012 through June 30, 2013, 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 \$.000433 on each one hundred dollars (\$100.00) of assessed valuation as of the January 1, 2012, assessment date, with the tax bills computed and collected at a rate of \$.0004 on each one hundred dollars (\$100.00) of assessed valuation.

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, 2012 through June 30, 2013, 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, 2012

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, 2013 assessment date.

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The following resolutions were given first reading. Upon motion of Mr. Stinnett, seconded by Mr. McChord, the rules were suspended by a majority vote of 13-1 (Mr. Martin voted no, and Ms. Crosbie was absent when the vote was taken).

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

Aye: Lawless, Martin, McChord, Myers, Stinnett,
Beard, Blues, Ellinger, Farmer, Ford,
Gorton, Henson, Kay, Lane-----14

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

A Resolution accepting the bid of Smith Contractors, Inc., in the amount of \$4,861,000, for the Expansion 2-A Wastewater System Improvements Contract 1 - Pump Station, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute any necessary agreement with Smith Contractors, Inc., related to the bid.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Ky.-American Water Co. for water data and shut-offs, at a cost not to exceed an estimated \$34,500 in FY2013.

A Resolution approving the Fayette County Sheriff's Settlement - 2011 Taxes, for taxes collected as of April 15, 2012, and granting the Sheriff a Quietus.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a First Amendment to Agreement with the City of Cincinnati on behalf of the Greater Cincinnati Water Works, and authorizing and directing the Mayor or his designee to execute any necessary documents with Paymentech, LLC; Link2Gov, Corp.; and J. P. Morgan Chase Bank, N.A., related to providing multiple options for payment of bills, 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 Services Agreement with Roots & Heritage Festival, Inc., for

the 2012 Roots & Heritage Festival, at a cost not to exceed \$35,415 and additional in-kind services.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute the Federal Equitable Sharing Agreement with the Dept. of Justice, Dept. of the Treasury, for participation in the Federal Equitable Sharing Program.

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A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following probationary civil service appointment: James Duff, Equipment Operator Sr., Grade 109N, \$18.300 hourly, in the Div. of Streets and Roads, Amanda Mudd, Telecommunicator Sr., Grade 113N, \$18.042 hourly, in the Div. of Emergency Management/911, Beverly Johnson, Telecommunicator Sr., Grade 113N, \$16.298 hourly, in the Div. of Emergency Management/911, Karrie Kelley, Telecommunicator Sr., Grade 113N, \$16.031 hourly, in the Div. of Emergency Management/911, Autumn Floyd, Child Care Program Aide, Grade 107N, \$12.588 hourly, in the Div. of Family Services, Chad Epperson, Public Service Worker Sr., Grade 107N, \$11.846 hourly, in the Div. of Parks and Recreation, Leroy Ballew, Equipment Operator Sr., Grade 109N, \$16.033 hourly, in the Div. of Waste Management, Terry Thornton, Equipment Operator Sr., Grade 109N, \$19.228 hourly, in the Div. of Waste Management, Rodney Arnold, Equipment Operator Sr., Grade 109N, \$12.815 hourly, in the Div. of Waste Management, Ersula Killens, Stores Clerk, Grade 107N, \$14.499 hourly, in the Div. of Facilities and Fleet Management, Michael Thomas, Public Service Worker Sr., Grade 107N, \$12.438 hourly, in the Div. of Streets and Roads, Thomas Thompson, Security Officer, Grade 106N, \$15.130 hourly, in the Div. of Facilities and Fleet Management, Lori Bayless, GIS Specialist, Grade 114N, \$19.315 hourly, in the Div. of Computer Services, Kasey Durrum, Public Service Worker Sr., Grade 107N, \$11.846 hourly, in the Div. of Streets and Roads, Jamie Mclemore, Public Service Worker Sr., Grade 107N, \$11.846 hourly, in the Div. of Streets and Roads, Dallas Genoe, Maintenance Mechanic, Grade 113N, \$18.282 hourly, in the Div. of Water Quality; authorizing the Div. of Human Resources to make a conditional offer to the following probationary sworn appointments: Edmondo Abbondante, Aneshia Adams, Lisa Audette, Oluwasequn Ayomide, Nicholas Barjuca, Harmon Barnes, Tricia Bird, Tammy Boggs, Thomas Boyd, Mackenzie Bramlett, Eric Brunswick, Samantha Collier, Aaron Courtney,

David Craft, Noade Day III, Michael Dooley, Kasey Durrum, Ryan Feck, Knytawsia Foster, Collin Garrison, Crystal Hall, Shirley Hancock, Christopher Hatton, Kyle Hite, Jeffery Horn, Timothy Howard, Nectoria Hughes, Christopher Jackson, Steven Jones, Teresa Jones, Christopher Jordan, Kelly Kirchbaum, Karina Lancaster, Jeffrey Leonard, Natosha Lewis, Timothy Mandell, John Marchione, Kyle Matthews, Gionni McDaniels, Roger Meadows, Brian Middleton, Gennell Mitchell, Christopher Olinger, Josh Ownby, Sean Parks, Russell Parrish, Jacob Pasley, Laron Patton, Stephen Powell, Jeramie Reed, Michael Roberts, Hugh Sallee, William Scalf, Corey Stephens, James Toller, Christopher Turpin, Jacob Wardrip, Nigil Wells, James Whitehead and Anthony Wilder, Community Corrections Officer, Grade 110N, \$14.340 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 appointments: Mary Alice Schrader, Client Assessment Counselor, Grade 112E, \$1,346.08 bi-weekly, in the Div. of Youth Services, effective upon passage of Council and Anna Janes, Security Officer P/T, Grade 106N, \$10.266 hourly, in the Div. of Facilities and Fleet Management, effective upon passage of Council was given first reading.

Ms. Henson asked questions of Ms. Janet Graham, Commissioner of the Dept. of Law, about the positions being filled with the resolution.

Upon motion of Mr. Stinnett, seconded by Mr. McChord, the rules were suspended by a majority vote of 13-1 (Mr. Martin voted no, and Ms. Crosbie was absent when the vote was taken).

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

Aye: Lawless, McChord, Myers, Stinnett, Beard,
Blues, Ellinger, Farmer, Ford, Gorton,
Kay, Lane-----12

Nay: Martin, Henson-----2
(Ms. Crosbie was absent when the vote was taken.)

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A Resolution of the Lexington-Fayette Urban County Government approving the execution and delivery by the City of Midway, Ky., of its City of Midway, Ky., Educational Facilities Refunding Revenue Bonds, Series 2012 (Providence Montessori School, Inc.

Project) in an amount not to exceed \$1,250,000, and the use of the proceeds thereof to (A) refund the city of Versailles, Ky., Educational Facilities Revenue Note (Providence Montessori School, Inc. Project), Series 2005, the proceeds of which were used to finance and refinance the costs of the acquisition, construction and equipping of educational facilities (including classrooms, an art room, an assembly room and other facilities and improvements) on the school's campus located at 1209 Texaco Road in Lexington, Ky.; and (B) pay costs of issuance of the Bonds was on the docket for first reading with a public hearing being held.

Vice-Mayor Gorton opened the public hearing. There being no citizens to speak, the Vice-Mayor closed the hearing.

The resolution was given first reading. Upon motion of Mr. Stinnett, seconded by Mr. McChord, the rules were suspended by a majority vote of 13-1 (Mr. Martin voted no, and Ms. Crosbie was absent when the vote was taken).

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

Aye: Lawless, Martin, McChord, Myers, Stinnett,
Beard, Blues, Ellinger, Farmer, Ford,
Gorton, Henson, Kay, Lane-----14

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

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Copperfield Neighborhood Association (\$1,500) and East End Reunion Committee (\$500), for the Office of the Urban County Council, at a cost not to exceed the sums stated was given first reading.

Upon motion of Mr. Ford, seconded by Mr. Farmer, the rules were suspended by a majority vote of 13-1 (Mr. Martin voted no, and Ms. Crosbie was absent when the vote was taken).

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

Aye: Lawless, Martin, McChord, Myers, Stinnett,
Beard, Blues, Ellinger, Farmer, Ford,
Gorton, Henson, Kay, Lane-----14

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

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Transportation Cabinet, for the acceptance of additional Federal funds for the Tates Creek Road Sidewalk Improvements Project in the amount of \$250,000, the acceptance of which obligates the Urban County Government for the expenditure of \$62,500 as a local match, and extending the project through June 30, 2013 was on the docket for first reading.

Ms. Crosbie asked questions of Mr. Derek Paulsen, Commissioner of the Dept. of Planning, Preservation and Development, regarding the changes necessary for the Tates Creek Sidewalk Improvements Project. Mr. Keith Lovan, Div. of Engineering, also responded to questions.

Mr. Kay and Mr. Beard asked additional questions of Mr. Paulsen and Mr. Lovan regarding the Tates Creek Sidewalk Project.

The resolution was given first reading and ordered placed on file two weeks for public inspection.

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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 2 with the Ky. Transportation Cabinet, for the acceptance of additional Federal funds for the Brighton East Trail Project in the amount of \$256,000, the acceptance of which obligates the Urban County Government for the expenditure of \$64,000 as a local match was on the docket for first reading.

Mr. Farmer asked questions of Mr. Derek Paulsen, Commissioner of the Dept. of Planning, Preservation and Development, regarding the resolution. Mr. Paulsen responded, and stated he would get additional information from the project manager, Mr. Keith Lovan, Div. of Engineering.

The resolution was given first reading and ordered placed on file two weeks for public inspection.

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

A Resolution accepting the bid of Nugent Sand Co., establishing a price contract for sand for golf courses, for the Div. of Parks and Recreation.

A Resolution accepting the bid of Amron International, Inc., establishing a price contract for Dry Suits for Public Safety Diving Program, for the Div. of Fire and Emergency Services.

A Resolution accepting the bid of Kiesler Police Supply, Inc, establishing a price contract for Soft Body Armor, for the Div. of Police.

A Resolution accepting the bid of TEM Group, Inc., in the amount of \$148,812, for a Generator for Fire Station No.1, for the Div. of Fire and Emergency Services, and authorizing the Mayor, on behalf of the Urban County Government, to enter into any necessary agreement related to the bid.

A Resolution accepting the bid of Lagco, Inc., in the amount of \$124,451, for the Andover Trunk Sewer No. 16 Fairway, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute an Agreement with Lagco, Inc., related to the bid.

A Resolution ratifying the probationary civil service appointments of: Marcus Ashford, Public Service Supervisor Sr., Grade 114E, \$1,440.72 bi-weekly, in the Div. of Waste Management, effective September 10, 2012, Jimmy Ross, Public Service Supervisor, Grade 111N, \$15.494 hourly, in the Div. of Facilities and Fleet Management, effective September 3, 2012, Phillip Stiefel, Information Systems Service Level Manager, Grade 121E, \$3,101.12 bi-weekly, in the Div. of Enterprise Solutions, effective September 3, 2012, Nanette Lewis, Telecommunicator Supervisor, Grade 116E, \$1,715.04 bi-weekly, in the Div. of Emergency Management/911, effective July 30, 2012, Tamara Walters, Deputy Director Human Resources, Grade 122E, \$3,300.56 bi-weekly, in the Div. of Human Resources, effective August 13, 2012, Christopher Cord, Telecommunicator Supervisor, Grade 116E, \$1,784.08 bi-weekly, in the Div. of Emergency Management/911, effective August 13, 2012, Eric Gentry, Public Service Worker Sr., Grade 107N, \$13.360 hourly, in the Div. of Water Quality, effective September 9, 2012, Andre Scott, Equipment Operator Sr., Grade 109N, \$18.910 hourly, in the Div. of Water Quality, effective September 9, 2012; ratifying the permanent civil service appointments of: Robert L. Bailey, Equipment Operator Sr., Grade 109N, in the

Div. of Waste Management, effective July 16, 2012 and John A. Day, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective July 8, 2012; ratifying the probationary sworn appointments of: Brian Dawson, Fire Captain, Grade 316N, \$23.039 hourly, in the Div. of Fire and Emergency Services, effective June 25, 2012 and Michael Henderson, Fire Major, Grade 318E, \$3,521.79 bi-weekly, in the Div. of Fire and Emergency Services, effective June 25, 2012; ratifying the approved Council leave for: Julia Shaw, Police Analyst, Grade 111N, in the Div. of Police, beginning July 23, 2012 through October 20, 2012, David Rawlings, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, beginning July 23, 2012 through October 20, 2012, Charles Johnson, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, beginning May 1, 2012 through July 29, 2012 and Michael Smith, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, beginning July 27, 2012 through October 24, 2012; and unclassified civil service pay increases in the Office of the Urban County Council: Leah Boggs, Aide to Council, Grade 000E, from \$2,098.80 bi-weekly to \$2,131.36 bi-weekly, in the Council Office, effective August 13, 2012 and Tiffany Tatum, Aide to Council, Grade 000E, from \$2,040.00 bi-weekly to \$2,131.36 bi-weekly, in the Council Office, effective August 13, 2012.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Lexington Fayette Urban County Human Rights Commission, for lease of space at 162 East Main St.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Agreement with Fayette County Board of Education, for use of Dunbar Track for the Hershey's Track Meet, at a cost not to exceed \$84.50.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Lexington Downtown Development Authority, for lease of space at 101 East Vine St.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. Three (3) to the Contract with CDP Engineers, Inc., for the Clays Mill Road Improvement Project, increasing the contract price by the sum of \$73,012 from \$1,067,727 to \$1,140,739.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Statement of Compliance with the Commonwealth of Ky., Transportation Cabinet, for bridge posting requirements.

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 \$112,000 Commonwealth of Ky. funds under the Ky. Recycling Grant Program, are for the purchase of a comingled sorting line, the acceptance of which obligates the Urban County Government for the expenditure of \$28,000 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 Change Order No. One (1) to the Contract with Mitchell Construction Management for the improvement project at Fire Station No. 6, increasing the contract price by the sum of \$2,100 from \$54,000 to \$56,100.

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.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Contract with Fayette County Board of Education, for use of Tates Creek Middle School Gym for the Teen Initiative Program, at a cost not to exceed \$633.75.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Agreement with Fayette County Board of Education, for rental of Tates Creek Middle School Gym for Teen Initiative Activities, at a cost not to exceed \$1,087.50.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Lagco, Inc., for energy efficiency improvements to Black and Williams Community Center, for the Div. of Environmental Policy, increasing the contract price by the sum of \$3,000 from \$426,040 to \$429,040.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Right of Way with Columbia Gas of Ky., Inc., for a pipeline and service connections over and through Masterson Station Park relating to widening of Leestown Rd.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Contract with Fayette County Board of Education, for the ESP and REAL programs.

A Resolution accepting the Response of Immediate Response Spill Technologies, for a Hazardous Materials Cost Recovery and Supply Program, for the Div. of Fire and Emergency Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Immediate Response Spill Technologies, related to the RFP and Response, 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 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 \$57,914.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Downtown Lexington Corporation, for lease of space at 101 East Vine St.

A Resolution authorizing the Urban County Government to rename the Valley Park Neighborhood Building to the Jesse Higginbotham Neighborhood Center, pursuant to the Div. of Parks and Recreation Naming Policy.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Lexington and Fayette County Parking Authority, for lease of space at 101 East Vine St.

A Resolution authorizing the Div. of Revenue, on behalf of the Urban County Government, to purchase document imaging provider and related services from VeBridge, a sole source provider, at a cost not to exceed \$55,000, and authorizing the Mayor to sign any necessary agreement related to the services.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1), to the Contract with Disponette Service Co., Inc., for Charles Young Center repairs increasing the contract price by the sum of \$2,800 from \$182,600 to \$185,400.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Facilities Use Agreement with St. Luke United Methodist Church, for space for the Meeting the Challenges and Opportunities of Aging Conference, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the U.S. Dept. of Homeland Security, Federal Emergency Management Agency, which Grant funds are in the amount of \$2,621,304 Federal funds under the Staffing For Adequate Fire and Emergency Response (SAFER) Grant Program, are for hiring twenty-eight firefighters, 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 Certificates of Consideration and other necessary documents, and to accept Deeds for property interests needed for the Andover Trunk Sewer Project, at a cost not to exceed \$57,261.06.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration and accept a Deed conveying a permanent easement across the property located at 721 Roland Ave., for the Stream Stabilization Project, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the University of Ky. for cost-sharing for relocation of sanitary sewer lines in the 400 block of Rose Ln. for the Div. of Water Quality, at a cost not to exceed \$103,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Services Agreement with UK Arboretum for stormwater education and outreach workshops for the Div. of Environmental Policy, at a cost not to exceed \$50,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Contract Amendment Number One (1) to the Contract with Third Rock Consultants, Inc., for the Wolf Run Watershed Plan, increasing the contract price by the sum of \$13,500 from \$177,200 to \$190,700.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Fayette County Public Schools, for the provision of meals to students at the Day Treatment and Family Care Centers, at a cost not to exceed \$5,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Internal Revenue Service Criminal Investigation, for reimbursement of expenses.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept funds in the amount of \$22,517 from Ky. Utilities, as approved by the Ky. Clean Fuels Coalition, for the purchase of an electricity-powered vehicle.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with Harshaw Trane, for Police Headquarters HVAC, increasing the contract price by the sum of \$726.27 from \$97,117.73 to \$97,844.00.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with Paladin, Inc., for additional energy assessment services for the Energizing the Arts Program, increasing the contract price by the sum of \$1,987.50 from \$46,182.50 to \$48,170.00.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Lynn Imaging for a Wide-Format Scanner/Printer/Copier for the Div. of Water Quality, at a cost not to exceed \$1,920.

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 Boston Rd. and Wyndam Hills Dr. [Council Office, Maynard]

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Upon motion of Mr. Lane, seconded by Mr. Beard, and passed by a majority vote of 14-0 (Ms. Crosbie was absent when the vote was taken), the following Communications from the Mayor were approved and are as follows: (1) Recommending the reappointment of Ms. Shelley R. Bendall, as at-large representative, to the Animal Care and Control Oversight Committee, with a term to expire 1-1-2016; (2) Recommending the appointments of Ms. Lea A. Miller and Ms. Stella W. Smith, as employment/education advocacy representatives, to the Commission for Citizens with Disabilities, with terms to expire 1-1-2015 and 1-1-2013, respectively. Ms. Miller will fill the unexpired term of Mr. Bruce Burriss, and Ms. Smith will fill the unexpired term of Mr. Tom Wilson; (3) Recommending the reappointment of Ms. Zedta Wellman, as Bluegrass Hospitality Association representative, to the Convention and Visitors Bureau Board of Directors, with a term to expire 9-1-2015; (4) Recommending the reappointment of Mr. Richard L. Greene to the Dunbar Neighborhood Center Board, with a term to expire 3-20-2016; (5) Recommending the appointment of Ms. Sabry Hanna, as 3rd District representative, to the Environmental Commission, with a term to expire 10-1-2016. The term of Ms. Amy Peabody has expired; (7) Recommending the appointments of Mr. P. Steve Hupman, as 12th District representative, and Mr. Michael L. Smith, as 3rd District representative, to the Parks and Recreation Advisory Board, with terms to expire 1-14-2013. Mr. Hupman will fill the unexpired term of Mr. Terry Johnson, and Mr. Smith will fill the unexpired term of Ms. Lisa Johnson; (8) Recommending the appointment of Mr. Price H. Bell, as Ky. Thoroughbred Association representative, to the Rural Land Management Board, with a term to expire 7-1-2016. The term of Ms. Helen Alexander has expired; (9) Recommending the appointments of Ms. Susan Harbour, Mr. Troy A. Johnson, Ms. Neena Khanna, and Ms. Jeannie M. Thé to the Senior Services Commission, with terms to expire 9-1-2014, 9-1-2014, 9-1-2016, and 9-1-2014, respectively. Ms. Harbour will fill the unexpired term of Ms. Nancy Stiles. Mr. Johnson will fill the unexpired term of Ms. Terri Kanatzar. Ms. Thé will fill the unexpired term of Mr. Paul Brooks. The term of Mr. Steven Gaunce has expired; and

(10) Recommending the appointments of Ms. Lauren S. Campbell and Mr. Barney A. Miller to the Special Events Commission, with terms to expire 6-1-2016. The terms of Ms. Elizabeth Heichelbech and Mr. Michael Jordan have expired.

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Upon motion of Mr. Lane, seconded by Mr. Beard, and passed by a majority vote of 13-0 (Ms. Crosbie was absent and Mr. Martin recused himself when the vote was taken), the following Communication from the Mayor was approved and was as follows: (6) Recommending the reappointments of Mr. Timothy E. Davis, Ms. Emily A. Lane, Ms. Julie S. Lewis, and Ms. Sarah D. Razor to the Explorium of Lexington Board, with terms to expire 7-1-2016.

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The following Communications from the Mayor were received for information only: (1) Transfer of Laurie Carpenter, Staff Assistant Sr., Grade 108N, \$15.753 hourly, from the Div. of Building Inspection to the Div. of Planning, effective August 24, 2012; (2) Temporary appointment of James E. Woods, Director Traffic Engineering, Grade 123E, \$3,908.00 bi-weekly, in the Div. of Traffic Engineering, effective August 1, 2012; (3) Temporary appointment of Randall Naylor, Code Enforcement Supervisor, Grade 116E, \$1,784.64 bi-weekly, in the Div. of Grants and Special Programs, effective August 1, 2012; (4) Temporary appointment of Randy Davis, Sewer Line Maintenance Superintendant, Grade 116E, \$2,119.13 bi-weekly, in the Div. of Water Quality, effective July 30, 2012; (5) Resignation of Dora Kay Bryant, Administrative Specialist Sr., Grade 112N, in the Div. of Building Inspection, effective July 13, 2012; (6) Resignation of Scott R. Kelly, Client Assessment Counselor, Grade 112E, in the Div. of Adult and Tenant Services, effective June 30, 2012; (7) Resignation of Karen Emerson, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective June 26, 2012; (8) Resignation of Vina Taylor, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective June 28, 2012; (9) Resignation of Rayford Gilbert, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective July 3, 2012; (10) Resignation of Cyndi Bartholomew, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective July 20, 2012; (11) Resignation of Kevin Bolton, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective June 6, 2012; (12) Resignation of Llir Ali Aliu, Equipment

Operator Sr., Grade 109N, in the Div. of Waste Management, effective July 20, 2012; (13) Resignation of Willie Meads, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective July 3, 2012; (14) Resignation of Barbara Williams, Staff Assistant Sr., Grade 108N, in the Div. of Fire and Emergency Services, effective July 5, 2012; (15) Resignation of Elizabeth Johnson, Staff Assistant Sr., Grade 108N, in the Div. of Police, effective July 13, 2012; (16) Resignation of Connie Michalski, Staff Assistant Sr., Grade 108N, in the Div. of Police, effective July 28, 2012; and (17) Resignation of Robert Bates, Trades Worker, Grade 107N, in the Div. of Parks and Recreation, effective June 29, 2012.

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Mr. Stinnett requested that a presentation be scheduled for an upcoming Work Session, on the UDAG account, including what the funds can be used for, and any Administration recommendations.

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Ms. Lillie Miller-Johnson, Russell Cave Road, on behalf of the Soil and Water Conservation District, thanked the Council for ad valorem tax increase being considered for the Soil and Water Conservation District. She announced that a public meeting would be held on August 23, 2012 at 4:00 p.m.

She also spoke about an ethics issue in her own life.

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Commander Thomas Curtsinger, Div. of Police, stated that Officer Daniel G. Leddy had committed the offense of Unsatisfactory Performance, in violation of KRS 95.450 and General Order #73-2/H, Operational Rules, Section 1.11, in that on the 24th day of October, 2011, through the 26th day of April, 2012, he has demonstrated difficulty in maintaining sufficient competency in performing his duties and responsibilities. He has shown an inability to perform assigned tasks by not completing and submitting reports in a timely fashion and completing extra patrol requests. Officer Leddy's failure to complete such tasks has resulted in inquiries from involved parties, delays in investigations and processing claims. Officer Leddy has not performed his duties in a standard that carries out the functions and objectives of the Div. of Police, and that the appropriate punishment for this offense is Eighty (80) Hours Suspension Without Pay.

Upon motion of Mr. Stinnett, seconded by Mr. Farmer, the disciplinary action was approved by a majority vote of 14-0 (Ms. Crosbie was absent when the vote was taken).

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Upon motion of Mr. Ellinger, seconded by Mr. Myers, and approved by a majority vote of 14-0 (Ms. Crosbie was absent when the vote was taken), the meeting adjourned at 7:43 p.m.

Deputy Clerk of the Urban County Council