



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

200 E. Main St  
Lexington, KY 40507

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Thursday, August 15, 2013

6:00 PM

Council Chambers

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## I. Roll Call

**Present** 15 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

**Absent** 0

## II. Invocation

## III. Minutes of the Previous Meetings

[0850-13](#)

Minutes of the June 20, July 2 and 9, 2013 Council Meetings

**A motion was made by Council Member Chuck Ellinger, seconded by Council Member George Myers, that these Minutes be Approved. The motion PASSED by an unanimous vote.**

## IV. Ordinances – Second Reading

1. [0752-13](#)

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

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

**Aye:** 15 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

**Nay:** 0

**Absent:** 0

Enactment No: O-087-2013

2. [0802-13](#)

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. 7. [Div. of Budgeting, Lueker]

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

**Aye:** 15 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

**Nay:** 0

**Absent:** 0

Enactment No: O-088-2013

## V. Ordinances – First Reading

### [0839-13](#)

An Ordinance changing the zone from an Agricultural Urban (A-U) zone to a Mixed-Use Community (MU-3) zone, for 49.17 net (54.73 gross) acres; and from a Single Family Residential (R-1D) zone to a Mixed-Use Community (MU-3) zone, for 0.65 net (0.82 gross) acres; for property located at 4100 Nicholasville Rd. and 104, 108 and 112 E. Tiverton Way, including dimensional variances (Bayer Properties, LLC; Council District 9). Conditional Approval 9-0 OBJECTORS (To Be Heard By September 25, 2013) [Div. of Planning, King]

**A motion was made by Council Member Julian Beard, seconded by Council Member Chuck Ellinger, that this Ordinance be Amended to schedule a public hearing on September 17, 2013, at 5:00 p.m. The motion PASSED by a majority vote.**

**A motion was made by Council Member Chris Ford, seconded by Council Member Linda Gorton, that the Public Hearing for September 17, 2013, be scheduled at 3:00 p.m. in place of the Work Session. The motion failed by a majority vote.**

**Received First Reading to the Urban County Council due back on 9/17/2013**

### 4. [0845-13](#)

An Ordinance changing the zone from a Light Industrial (I-1) zone to a Heavy Industrial (I-2) zone (with zoning restrictions), for 20.0 net (22.71 gross) acres, for property located at 1100 Alexandria Dr. (a portion of) including a request for a conditional use permit (MMA Management, LLC; Council District 12). Disapproval 7-1 OBJECTORS (To Be Heard By September 25, 2013) [Div. of Planning, King]

**A motion was made by Council Member Ed Lane, seconded by Council Member Chuck Ellinger, that this Ordinance be Removed From Docket. The motion PASSED by an unanimous vote.**

### 5. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

6. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

7. [0848-13](#) An Ordinance amending Articles 8 and 23A of the Zoning Ordinance to permit mobile food unit vendors as accessory uses in the Wholesale and Warehouse Business (B-4), Light Industrial and Heavy Industrial (I-1 and I-2), and Economic Development (ED) zones. (Urban County Council). Approval 8-0 [Div. of Planning, King]

**Received First Reading to the Urban County Council due back on 8/15/2013**

Enactment No: O-089-2013

**A motion was made by Council Member Shevawn Akers, seconded by Council Member Chuck Ellinger, that the rules be Suspended for Second Reading. The motion PASSED by an unanimous vote.**

Enactment No: O-089-2013

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

**Aye:** 15 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

**Nay:** 0

**Absent:** 0

Enactment No: O-089-2013

8. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

9. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

10. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

11. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

12. [0889-13](#)

**Received First Reading to the Urban County Council due back on 8/29/2013**

13. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

14. [0893-13](#)

**Received First Reading to the Urban County Council due back on 8/29/2013**

15. [0895-13](#)

Received First Reading to the Urban County Council due back on 8/29/2013

16. [0896-13](#)

Received First Reading to the Urban County Council due back on 8/29/2013

17. [0897-13](#)

A motion was made by Council Member Farmer, Jr., seconded by Council Member Gorton, that this Ordinance be Amended to change the rate for street lights to \$.00001. The motion failed by the following vote:

**Aye:** 4 - Bill Farmer, Jr.; Kevin Stinnett; Shevawn Akers and Harry Clarke

**Nay:** 11 - Julian Beard; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Steve Kay; Peggy Henson; Linda Gorton; Chris Ford; Jennifer Mossotti and Jennifer Scutchfield

**Absent:** 0

Received First Reading to the Urban County Council due back on 8/29/2013

18. [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]

Received First Reading to the Urban County Council due back on 8/29/2013

19. [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]

Received First Reading to the Urban County Council due back on 8/29/2013

VI. Resolutions – First 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]

Received First Reading to the Urban County Council due back on 8/29/2013

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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

5. [0873-13](#) A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following probationary civil service appointments: Raifari Cooper, Equipment Operator Sr., Grade 109N, \$12.770 hourly in the Div. of Waste Management, Melissa Bowman, Equipment Operator Sr., Grade 109N, \$13.025 hourly in the Div. of Waste Management, Keith Thomas, Equipment Operator Sr., Grade 109N, \$16.354 hourly in the Div. of Waste Management, Rhodney Harris, Electrical Instrumentation Technician, Grade 113N, \$25.672 hourly in the Div. of Facilities and Fleet Management, Robert Nichols, Electrical Instrumentation Technician, Grade 113N, \$22.239 hourly in the Div. of Facilities and Fleet Management, Lindsey Wright, Telecommunicator Sr., Grade 113N, \$16.767 hourly in the Div. of Police, Margaret Walsh, Telecommunicator Sr., Grade 113N, \$16.767 hourly in the Div. of Police, Brian Monkelbaan, Environmental Inspector, Grade 113N, \$21.482 hourly in the Div. of Water Quality, all effective upon passage of Council; Brian McLaughlin, Project Manager, Grade 114E, \$1,820.64 bi-weekly in the Div. of Water Quality, effective August 19, 2013; Alan Morgan, Safety Specialist, Grade 115E, \$1,772.08 bi-weekly in the Div. of Waste Management, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following unclassified civil service appointments: Lori Henry, Staff Assistant Senior, Grade 108N, \$17.500 hourly in the Div. of Water Quality; Lauren Bennett, Administrative Officer P/T, Grade 118E, \$932.40 bi-weekly in the Div. of Waste Management, all effective upon passage of council. [Div. of Human Resources, Maxwell]

**Received First Reading to the Urban County Council due back on 8/15/2013**

Enactment No: R-419-2013

**A motion was made by Council Member Chuck Ellinger, seconded by Council Member Linda Gorton, that the rules be Suspended for Second Reading. The**

**motion PASSED by an unanimous vote.**

Enactment No: R-419-2013

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

**Aye:** 15 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

**Nay:** 0

**Absent:** 0

Enactment No: R-419-2013

**6. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

7. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

8. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

9. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

10. [0810-13](#) 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 extension of the Share the Road Media Campaign Project through June 30, 2014, at no cost to the Urban County Government. [Div. of Grants and Special Programs/Dept. of Planning, Preservation and Development, Gooding/Paulsen]



**Received First Reading to the Urban County Council due back on 8/15/2013**

Enactment No: R-420-2013

**A motion was made by Council Member Bill Farmer, Jr., seconded by Council Member Linda Gorton, that the rules be Suspended for Second Reading. The motion PASSED by an unanimous vote.**

Enactment No: R-420-2013

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

**Aye:** 15 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

**Nay:** 0

**Absent:** 0

Enactment No: R-420-2013

**11. [0812-13](#)**

A Resolution amending Resolution No. 334-2013, accepting the bid of Leak Eliminators, LLC, and establishing a price contract for Sanitary Sewer Rehabilitation, to authorize the Mayor to sign an Agreement related to the bid on behalf of the Government. [Div. of Purchasing, Slatin]

**Received First Reading to the Urban County Council due back on 8/15/2013**

Enactment No: R-421-2013

**A motion was made by Council Member Peggy Henson, seconded by Council Member Linda Gorton, that the rules be Suspended for Second Reading. The motion PASSED by an unanimous vote.**

Enactment No: R-421-2013

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

**Aye:** 15 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

**Nay:** 0

**Absent:** 0

Enactment No: R-421-2013

**12. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

13. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

14. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

15. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

16. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

17. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

18. [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]  
**Received First Reading to the Urban County Council due back on 8/29/2013**
19. [0827-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Services Agreement with Roots and Heritage Festival, Inc., for the 2013 Roots and Heritage Festival, at a cost not to exceed \$35,415 and additional in-kind services. [Mayor's Office, Emmons]  
**Received First Reading to the Urban County Council due back on 8/29/2013**  
Enactment No: R-422-2013  
**A motion was made by Council Member Chris Ford, seconded by Council Member Linda Gorton, that the rules be Suspended for Second Reading. The motion PASSED by an unanimous vote.**  
Enactment No: R-422-2013  
**A motion was made by Council Member Henson, seconded by Council Member Gorton, that this Resolution be Approved. The motion Passed by the following vote:**  
**Aye:** 15 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke  
**Nay:** 0  
**Absent:** 0  
Enactment No: R-422-2013
20. [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]  
**Received First Reading to the Urban County Council due back on 8/29/2013**
21. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

22. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

23. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

24. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

25. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

26. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

27. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

28. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

29. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

30. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

31. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

32. [0842-13](#) A Resolution of the Lexington-Fayette Urban County Council requesting that the Ky. Economic Development Finance Authority issue Revenue Bonds in an amount of up to \$158,195,000, the proceeds of which will be loaned to Catholic Health Initiatives, Inc., to provide financing for all or a part of the costs of the acquisition, construction, installation and equipping of capital projects for health care facilities and related improvements and expenditures. [Mayor's Office, Atkins]

**Received First Reading to the Urban County Council due back on 8/15/2013**

Enactment No: R-423-2013

**A motion was made by Council Member Julian Beard, seconded by Council Member George Myers, that the rules be Suspended for Second Reading. The motion PASSED by an unanimous vote.**

Enactment No: R-423-2013

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

**Aye:** 15 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

**Nay:** 0

**Absent:** 0

Enactment No: R-423-2013

**33. [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]

**Received First Reading to the Urban County Council due back on 8/29/2013**

**34. [0851-13](#)**

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Quitclaim Deed, and any other documents necessary, transferring a portion of non-utilized right-of-way located at 1324 Camden Ave., to the abutting property owner. [Dept. of Environmental Quality and Public Works, Moloney]

**Received First Reading to the Urban County Council due back on 8/15/2013**

Enactment No: R-424-2013

**A motion was made by Council Member Diane Lawless, seconded by Council Member Linda Gorton, that the rules be Suspended for Second Reading. The motion PASSED by an unanimous vote.**

Enactment No: R-424-2013

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

**Aye:** 15 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

**Nay:** 0

**Absent:** 0

Enactment No: R-424-2013

**35.** [0852-13](#)

A Resolution establishing a Residential Parking Permit Program for the 200 block of the south side of Miller St. from address 220 to 240, 24 hours a day, seven days a week; and waiving the provisions relating to the mechanics of designating Residential Parking Permit Areas adopted by Resolution No. 168-90 and amended by Resolution Nos. 450-91 and 433-2006. [Dept. of Environmental Quality and Public Works, Moloney]

**Received First Reading to the Urban County Council due back on 8/15/2013**

Enactment No: R-425-2013

**A motion was made by Council Member Chris Ford, seconded by Council Member Linda Gorton, that the rules be Suspended for Second Reading. The motion PASSED by an unanimous vote.**

Enactment No: R-425-2013

**A motion was made by Council Member Henson, seconded by Council Member Gorton, that this Resolution be Approve. The motion Passed by the following vote:**

**Aye:** 15 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

**Nay:** 0

**Absent:** 0

Enactment No: R-425-2013

**36.** [0864-13](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Martin Luther King Neighborhood Association, Inc. (\$250) and East End Reunion c/o Inner Youth Development, Inc. (\$250), for the Office of the Urban County Council, at a cost not to exceed the sums stated. [Council Office, Maynard]

**Received First Reading to the Urban County Council due back on 8/15/2013**

Enactment No: R-426-2013

**A motion was made by Council Member Chris Ford, seconded by Council Member Linda Gorton, that the rules be Suspended for Second Reading. The motion PASSED by an unanimous vote.**

Enactment No: R-426-2013

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

**Aye:** 15 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

**Nay:** 0

**Absent:** 0

Enactment No: R-426-2013

- 37. [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]  
**Received First Reading to the Urban County Council due back on 8/29/2013**
- 38. [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]  
**Received First Reading to the Urban County Council due back on 8/29/2013**
- 39. [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]  
**Received First Reading to the Urban County Council due back on 8/29/2013**
- 40. [0892-13](#)** A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Lazy Eight Stock Farm, to provide fresh produce, meat, and other related items at the Government Center as part of a pilot program. [Council Office, Maynard]  
**Received First Reading to the Urban County Council due back on 8/15/2013**  
Enactment No: R-427-2013  
**A motion was made by Council Member Steve Kay, seconded by Council Member Diane Lawless, that the rules be Suspended for Second Reading. The motion PASSED by an unanimous vote.**  
Enactment No: R-427-2013  
**A motion was made by Council Member Henson, seconded by Council Member Gorton, that this Resolution be Approved. The motion Passed by the following vote:**  
**Aye:** 15 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke  
**Nay:** 0



Absent: 0

Enactment No: R-427-2013

## VII. Communications from the Mayor

### 0868-13

1. Recommending the reappointment of Ms. Jane Graham to the Administrative Hearing Board, with a term to expire 7-1-2017.
2. Recommending the appointment of Dr. Eric Headley, as Veterinarian representative, to the Animal Care and Control Oversight Committee, with a term to expire 1-1-2016. The term of Dr. Kimberly Sears has expired.
3. Recommending the appointment of Ms. Paula Anderson, as At-Large representative, to the Board of Health. The term of Dr. John Roth has expired.
4. Recommending the appointments of Mr. Eric Case, Ms. Pamela Perlman, and Mr. William Stewart to the Carnegie Literacy Center Board of Directors, with terms to expire 9-1-2017. The terms of Ms. Bonnie Adkisson, Ms. Phyllis MacAdam, and Ms. Carolyn Hackworth will expire 9-1-2013.
5. Recommending the appointments of Ms. Bryanna Carroll and Ms. Amy Pollock, and the reappointments of Ms. Morgan Hall and Mr. Joseph Schuler to the CASA Board, with terms to expire 6-11-2015, 6-11-2015, 6-11-2017, and 6-11-2017, respectively. Ms. Carroll and Ms. Pollack will fill the unexpired terms of Ms. Jane Bennington and Ms. Dana Walton-Macaulay.
6. Recommending the appointment of Mr. Brad Stone, as Designee, non-voting representative, Commissioner of Environmental Quality and Public Works, and the reappointments of Mr. William DiOrio, as Utility Industry representative, non-voting, Mr. Tim Queary, as Urban Forester representative, non-voting, Ms. Maxine Rudder, as Bluegrass GreenSource representative, and Ms. Paula Singer, as At-Large, Fayette County Neighborhood Council representative, to the Corridors Commission, with terms to expire 8-1-2017. The term of Ms. Susan Bush has expired.
7. Recommending the appointment of Mr. Graham C. Pohl to the Courthouse Area Design Review Board, with a term to expire 6-30-2015. Mr. Pohl will fill the unexpired term of Mr. Michael Speaks.
8. For information only: Per the Code of Ordinances § 18C-13, the following citizens have been designated 'Emergency Medical Advisory Board representative' by their respective organization, with terms to expire July 1, 2017. Council confirmation is not required. Dr. Hollis Hilty, Central Baptist Hospital, ER representative, Dr. Michael Lally, Lexington Medical Society representative, Dr. Julia Martin, University of Ky. Healthcare, ER representative, and Dr. Steven Stack, St. Joseph East Hospital, ER representative.

9. Recommending the appointment of Mr. Paul Swoveland to the Environmental Commission, with a term to expire 10-1-2014. Mr. Swoveland will fill the unexpired term of Ms. Helen Weissinger, 9th District representative.
10. Recommending the appointment of Councilmember Jennifer Mossotti and the reappointments of Mr. Kenneth Cooke, as Conservationist representative, Mr. Wayne Hipsley, as Farmer representative, and Ms. Maxine Rudder, as Biologist representative, to the Greenspace Commission, with terms to expire 12-31-2014, 7-18-2017, 7-18-2017, and 7-18-2017, respectively. Councilmember Tom Blues is no longer serving.
11. Recommending the reappointments of Ms. Lauren Campbell, as CVB representative, Ms. Karen Deprey, as LBAR representative, and Mr. William Sallee, as Div. of Planning representative, to the Historic Preservation Commission, with terms to expire 6-30-2017.
12. Recommending the appointment of Ms. Meredith Nelson to the Library Board of Advisors, with a term to expire 1-1-2017. The term of Mr. Jeff Huber has expired.
13. Recommending the appointments of Ms. Timi Goodman and Mr. Jordan Parker to the Library Board of Trustees, with terms to expire 7-20-2017. The terms of Ms. Miko Pattie and Mr. Kevin Weaver have expired.
14. Recommending the appointment of Commissioner William O'Mara, as Mayor's Designee, to the Internal Audit Board, with a term to expire 12-31-2014.
15. Recommending the appointment of Ms. Sharmy Carr, as At-Large representative, to the Lyric Theatre and Cultural Arts Center Corporation, with a term to expire 12-8-2015. Ms. Carr will fill the unexpired term of Ms. Donna Campbell.
16. Recommending the reappointment of Ms. Bettye Burns to the Paris Pike Corridor Commission, with a term to expire 7-1-2017.
17. Recommending the appointment of Mr. Todd Rounsaville, as Botanist representative, to the Raven Run Citizens Advisory Board, with a term to expire 1-13-2016. The term of Ms. Mary Carol Cooper has expired.
18. Recommending the appointments of Mr. Kurt Gohde, as Transylvania College of Fine Arts representative, and Ms. Georgia Henkel, as Painter representative, to the Urban County Arts Review Board, with terms to expire 3-1-2017 and 6-1-2015, respectively. The terms of Ms. Nancy Wolsk and Mr. Frank Close have expired.

**A motion was made by Council Member Linda Gorton, seconded by Council Member Bill Farmer, Jr., that these Communications be Approved. The motion PASSED by an unanimous vote.**

#### **VIII. Communications from the Mayor (For Information Only)**

[0872-13](#)

1. Reinstatement of William Evans, Equipment Operator Sr., Grade

- 109N, in the Div. of Waste Management, effective August 12, 2013.
2. Resignation of Joseph Dulsky, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective June 29, 2013.
  3. Resignation of Ashley Adams, Telecommunicator Sr., Grade 113N, in the Div. of Police, effective July 9, 2013.
  4. Resignation of Chadwick D. Hundley, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective July 10, 2013.
  5. Resignation of Melissa Ann Caudill, Staff Assistant Sr., Grade 108N, in the Office of the Coroner, effective July 11, 2013.
  6. Resignation of Kendall Searcy, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective July 14, 2013.
  7. Resignation of Gregory Taylor, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective July 15, 2013.
  8. Resignation of William King, Jr., Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective July 18, 2013.
  9. Resignation of Thomas O. Blues, Program Specialist, Grade 112E, in the Office of the Mayor, effective July 19, 2013.
  10. Resignation of Robert Dwayne Rice, Recreation Supervisor, Grade 110E, in the Div. of Parks and Recreation, effective July 19, 2013.
  11. Resignation of Lindsey A. Burns, Victim's Advocate, Grade 112N, in the Div. of Police, effective July 19, 2013.

**Received and Filed**

**IX. Announcements**

**X. Public Comments**

**Adjournment**