



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

200 E. Main St  
Lexington, KY 40507

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Thursday, September 27, 2012

6:00 PM

Council Chambers

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## I. Roll Call

**Present** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

**Absent** 2 - Tom Blues and Doug Martin

## II. Invocation

## III. Minutes of the Previous Meetings

[1027-12](#)

Minutes of the August 16 and 30, and September 13, 2012 Council Meetings.

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

## IV. Presentations

[0959-12](#)

Proclamation: 2012 USA Boxing Junior Olympic Champion, Samantha Kinchen

**Received and Filed**

[0960-12](#)

Proclamation: 100th Anniversary of Girl Scouts

**Received and Filed**

## V. Ordinances – Second Reading

1. [0903-12](#)

An Ordinance amending Section 22-5(2) of the Code of Ordinances, creating one (1) position of Program Supervisor P/T, Grade 106N, with term to expire on September 1, 2014, in the Dept. of Social Services, effective upon passage of Council. [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:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

**Nay:** 0

**Absent:** 2 - Tom Blues and Doug Martin

Enactment No: O-120-2012

2. [0955-12](#) 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. 13. [Div. of Budgeting, Barrow]

**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:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

**Nay:** 0

**Absent:** 2 - Tom Blues and Doug Martin

Enactment No: O-121-2012

**VI. Ordinances – First Reading**

3. [0970-12](#) An Ordinance amending Article 23A-9(k) of the Zoning Ordinance to amend the requirements of the Community Center (CC) zone to allow a building to exceed 50,000 square feet in size. Approval of the Staff Alternative Text 5-4 [Div. of Planning, King]

**Received First Reading to the Urban County Council due back on 10/11/2012**

4. [0971-12](#) An Ordinance changing the zone from a High Density Apartment (R-4) zone to a Lexington Center Business (B-2B) zone, for 1.86 net (2.46 gross) acres, for property located at 410 Patterson St. and 522 and 540 West Maxwell St. (Pleasant Green Baptist Church of Lexington, Inc.; Council District 3). Conditional Approval 9-0 (To Be Heard By November 21, 2012) [Div. of Planning, King]

**Received First Reading to the Urban County Council due back on 10/11/2012**

5. [0973-12](#) An Ordinance amending Article 16 of the Zoning Ordinance to clarify off-street parking requirements when the Urban County Council designates a “Pedestrian-Oriented Business District.” Approval 9-0 [Div. of Planning, King]

**Received First Reading to the Urban County Council due back on 10/11/2012**

6. **0967-12** An Ordinance amending Subsection 14-72(6)(a) of the Code of Ordinances of the Lexington Fayette Urban County Government to add a requirement of a noise disturbance across a dwelling unit boundary. [Dept. of Public Safety, Mason]  
**Received First Reading to the Urban County Council due back on 10/11/2012**
7. [1005-12](#) Ordinance of the Council of the Lexington-Fayette Urban County Government (1) Authorizing and approving the execution and delivery of a Second Supplemental Lease Agreement between the Lexington-Fayette Urban County Airport Board as the Lessor and the Lexington-Fayette Urban County Government as the Lessee relating to the issuance and sale of an amount not to exceed \$25,000,000 in aggregate principal amount of (a) Lexington-Fayette Urban County Airport Board General Airport Revenue Refunding Bonds, 2012 Series A (Lexington-Fayette Urban County Government General Obligation) (AMT); and (b) Lexington-Fayette Urban County Airport Board General Airport Revenue Refunding Bonds, 2012 Series B (Lexington-Fayette Urban County Government General Obligation) (Non-AMT), all for the purpose of refunding (i) All of the Board's outstanding \$26,235,000 Variable Rate General Airport Revenue and Revenue Refunding Bonds, 2008 Series B (Lexington-Fayette Urban County Government General Obligation) (Non-AMT) and (ii) A portion of the Board's outstanding \$16,420,000 Variable Rate General Airport Revenue Refunding Bonds, 2009 Series B (Lexington-Fayette Urban County Government General Obligation) (Non-AMT), at the Blue Grass Airport in Fayette County, Ky. [Dept. of Finance, Driskell]  
**Received First Reading to the Urban County Council due back on 10/11/2012**
8. [1031-12](#) An Ordinance amending Sections 8-4(1), 8-4(4)(a), 8-4(5)(a), 8-4(5)(c), 8-4(5)(e), 8-5(1), 8-5(2), 8-5(2)(b), 8-5(2)(c), 8-5(2)(e), 8-5(3), 8-5(4), 8-6(4), 8-6(10), 8-6(11), 8-6(13)(a)(ix)(d), 8-6(13)(a)(x), 8-6(14)(a), 8-7(5), 8-7(6), 8-8(1), 8-8(2), 8-9(1), 8-9(6) of the Code of Ordinances related to mining and/or quarrying to change the responsible division from Building Inspection to the Div. of Engineering; amending Section 8-4(4)(a) of the Code of Ordinances related to mining and/or quarrying to increase the permit fee to an amount based on the costs to the Urban County Government in performing annual inspections, assessed on a per acre basis and including the costs of any necessary consultants, and providing that the operator is responsible if the actual costs exceed the annual fee and that the Urban County Government shall refund any difference if the actual costs are less than the annual fee; amending Section 8-4(5)(d) of the Code of Ordinances related to mining and/or quarrying to increase the renewal fee from \$6.00 an acre to \$18.00 an acre; amending Section 8-6(14) of the Code of Ordinances related to mining and/or quarrying to delete the word "building"; amending Section 8-7(2) of the Code of Ordinances related to mining and/or quarrying to delete the phrase "another copy to the

Div. of Building Inspection”; amending Section 8-7(7) of the Code of Ordinances related to mining and/or quarrying to delete the phrase “the Div. of Building Inspection”; amending Section 8-9(1) of the Code of Ordinances related to mining and/or quarrying to delete the phrase “the Div. of Engineering and/or”. [Council Office, Maynard]

**Received First Reading to the Urban County Council due back on 10/11/2012**

9. [1030-12](#) 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. 14. [Div. of Budgeting, Barrow]

**Received First Reading to the Urban County Council due back on 10/11/2012**

## VII. Resolutions – Second Reading

1. [0912-12](#) A Resolution accepting the bids of Woodall Construction Co., Inc; ZKB Services LLC; Tom Chesnut Excavation & Construction, LLC; Todd Johnson Contracting, Inc.; Sensabaugh Design & Construction; Randle-Davies Construction Co.; L-M Asphalt Partners LTD d/b/a ATS Construction; G&G Paving and Construction, Inc; and Bluegrass Contracting Corp., establishing construction unit price contracts, for the Div. of Engineering. (12 Bids, Low) [Bayert]

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

**Aye:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

**Nay:** 0

**Absent:** 2 - Tom Blues and Doug Martin

Enactment No: R-510-2012

2. [0922-12](#) A Resolution accepting the bid of Emergency Equipment, establishing a price contract for High Pressure Lifting, for the Div. of Fire and Emergency Services. (1 Bid) [Jackson]

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

**Aye:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

**Nay:** 0

**Absent:** 2 - Tom Blues and Doug Martin

Enactment No: R-511-2012

3. [0935-12](#) A Resolution accepting the bid of Superior Demolition, Inc., in the amount of \$24,650, for the demolition of a fire training tower, for the Div. of Fire and Emergency Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary agreement with Superior Demolition, Inc., related to the bid. (4 Bids, Low) [Jackson]
- A motion was made by Council Member Gorton, seconded by Council Member Henson, that this Resolution be Approved. The motion Passed by the following vote:**
- Aye:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford
- Nay:** 0
- Absent:** 2 - Tom Blues and Doug Martin

Enactment No: R-512-2012

4. [0947-12](#) A Resolution ratifying the probationary civil service appointments of: Victor Obonyo, Computer Analyst Supervisor, Grade 117E, \$2,003.76 bi-weekly, in the Div. of Computer Services, effective October 1, 2012, and Kina Suarez, Administrative Specialist Sr., Grade 112N, \$17.628 hourly, in the Div. of Human Resources, effective September 3, 2012; ratifying the permanent civil service appointments of: Monica Pattison, Staff Assistant Sr., Grade 108N, in the Div. of Police, effective August 27, 2012; ratifying the probationary sworn appointments of: Charles Bonta, Fire Major, Grade 318E, \$3,521.79 bi-weekly, in the Div. of Fire and Emergency Services, effective August 11, 2012 and Ernest Hudson, Fire Captain, Grade 316N, \$23.039 hourly, in the Div. of Fire and Emergency Services, effective August 11, 2012; ratifying the permanent sworn appointments of: Darin Larrabee, Police Sergeant, Grade 315N, in the Div. of Police, effective August 20, 2012 and Jeremy Tuttle, Police Sergeant, Grade 315N, in the Div. of Police, effective August 20, 2012. [Div. of Human Resources, Maxwell]
- A motion was made by Council Member Linda Gorton, seconded by Council Member Diane Lawless, that this Resolution be Amended. The motion PASSED by an unanimous vote.**

Enactment No: R-513-2012

- A motion was made by Council Member Gorton, seconded by Council Member Henson, that this Resolution be Approved. The motion Passed by the following vote:**
- Aye:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford
- Nay:** 0

**Absent:** 2 - Tom Blues and Doug Martin

Enactment No: R-513-2012

5. [0876-12](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with Judy Construction Co. for West Hickman WWTP Improvement Clarifier #8, increasing the contract price by the sum of \$9,431 from \$231,500 to \$240,931. [Div. of Water Quality, Martin]

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

**Aye:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

**Nay:** 0

**Absent:** 2 - Tom Blues and Doug Martin

Enactment No: R-514-2012

6. [0877-12](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with LAGCO, Inc., for Anniston/Wickland Capital Storm Sewer Project, Phase 2, increasing the contract price by the sum of \$4,751.50 from \$653,826.50 to \$658,578.00. [Div. of Water Quality, Martin]

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

**Aye:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

**Nay:** 0

**Absent:** 2 - Tom Blues and Doug Martin

Enactment No: R-515-2012

7. [0880-12](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Mutual Aid Agreement with Rural Metro Ambulance, for mutual aid related to ambulance services, at no cost to the Urban County Government. [Div. of Fire and Emergency Services, Jackson]

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

**Aye:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

**Nay:** 0

**Absent:** 2 - Tom Blues and Doug Martin

Enactment No: R-516-2012

8. [0889-12](#) A Resolution amending Resolution No. 91-2012, authorizing the Mayor to execute Certificates of Consideration and other necessary documents, and to accept Deeds for property interests needed for the Meadows-Northland-Arlington Section 5A Public Improvements Project, to increase the maximum amount of funds permitted for property interests from \$175,000 to \$180,000. [Div. of Grants and Special Programs/Dept. of Planning, Preservation and Development, Gooding/Paulsen]

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

**Aye:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

**Nay:** 0

**Absent:** 2 - Tom Blues and Doug Martin

Enactment No: R-517-2012

9. [0890-12](#) 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, 2013, at no cost to the Urban County Government. [Div. of Grants and Special Programs/Dept. of Planning, Preservation and Development, Gooding/Paulsen]

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

**Aye:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

**Nay:** 0

**Absent:** 2 - Tom Blues and Doug Martin

Enactment No: R-518-2012

10. [0891-12](#) 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 Gainesway Trail Project through June 30, 2013, at no cost to the Urban County Government. [Div. of Grants and Special Programs/Dept. of Planning, Preservation and Development, Gooding/Paulsen]

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

**Aye:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

**Nay:** 0

**Absent:** 2 - Tom Blues and Doug Martin

Enactment No: R-519-2012

11. [0892-12](#)

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 Fiber Optic Cable 2009 Project through June 30, 2013, at no cost to the Urban County Government. [Div. of Grants and Special Programs, Gooding]

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

**Aye:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

**Nay:** 0

**Absent:** 2 - Tom Blues and Doug Martin

Enactment No: R-520-2012

12. [0902-12](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Contract Amendment with Ky. Theater Management Group, Inc., for operation and management of Kentucky and State Theaters through October 31, 2013. [Dept. of General Services, Hamilton]

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

**Aye:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

**Nay:** 0

**Absent:** 2 - Tom Blues and Doug Martin



Enactment No: R-521-2012

13. [0909-12](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Institute of Police Technology and Management, for a Burglary Investigations Course, at a cost not to exceed \$11,500. [Div. of Police, Bastin]
- A motion was made by Council Member Gorton, seconded by Council Member Henson, that this Resolution be Approved. The motion Passed by the following vote:**
- Aye:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford
- Nay:** 0
- Absent:** 2 - Tom Blues and Doug Martin

Enactment No: R-522-2012

14. [0910-12](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Ky. State Police, Ky. Internet Crimes Against Children Task Force, for continuation of the Task Force. [Div. of Police, Bastin]
- A motion was made by Council Member Gorton, seconded by Council Member Henson, that this Resolution be Approved. The motion Passed by the following vote:**
- Aye:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford
- Nay:** 0
- Absent:** 2 - Tom Blues and Doug Martin

Enactment No: R-523-2012

15. [0911-12](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Internal Revenue Service, Criminal Investigation, for continuation of the Financial Crimes Task Force. [Div. of Police, Bastin]
- A motion was made by Council Member Gorton, seconded by Council Member Henson, that this Resolution be Approved. The motion Passed by the following vote:**
- Aye:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford
- Nay:** 0
- Absent:** 2 - Tom Blues and Doug Martin

Enactment No: R-524-2012

**16.**     [0915-12](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Partial Release of Easement releasing a portion of a sanitary sewer easement on property located at 249 Towne Square Park. [Dept. of Law, Graham]

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

**Aye:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

**Nay:** 0

**Absent:** 2 - Tom Blues and Doug Martin

Enactment No: R-525-2012

**17.**     [0924-12](#)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept additional Federal funding in the amount of \$300,000 from the Ky. Energy and Environment Cabinet for the Wolf Run Creek Watershed Based Plan, the acceptance of which obligates the Urban County Government for the expenditure of \$200,000 as a local match. [Div. of Grants and Special Programs, Gooding]

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

**Aye:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

**Nay:** 0

**Absent:** 2 - Tom Blues and Doug Martin

Enactment No: R-526-2012

**18.**     [0927-12](#)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with Disponette Service Co., Inc., to incorporate the Energy Efficiency and Conservation Block Grant Special Terms and Conditions and the Waste Management Plan into the Agreement for improvements to the Charles Young Center, at no cost to the Urban County Government. [Div. of Grants and Special Programs/Dept. of General Services, Gooding/Hamilton]

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

**Aye:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

**Nay:** 0

**Absent:** 2 - Tom Blues and Doug Martin

Enactment No: R-527-2012

**19.**     [0928-12](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Kathy H. Witt, Sheriff of Fayette County, for the collection of the ad valorem Urban Service District taxes for the 2012 property tax year, at a cost not to exceed \$350,000, with payment net from collections. [Dept. of Finance, Driskell]

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

**Aye:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

**Nay:** 0

**Absent:** 2 - Tom Blues and Doug Martin

Enactment No: R-528-2012

**20.**     [0968-12](#)

A Resolution approving the granting of an inducement to Bingham McCutchen LLP, pursuant to the Ky. Business Investment Act (KRS Chapter 154.32), whereby the Lexington-Fayette Urban County Government agrees to forego the collection of the local building and permitting fees related to the renovation of the property located at 1500 Aristides Blvd., Lexington, Ky. (Coldstream Research Park), and the collection of one percent (1%) of the occupational license fees for a term of not longer than ten (10) years from the activation date, subject to the limitations contained in the Act and any agreement Bingham McCutchen LLP, has with the Ky. Economic Development Finance Authority related to the project, and taking other related action.

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

**Aye:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

**Nay:** 0

**Absent:** 2 - Tom Blues and Doug Martin

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Enactment No: R-529-2012

**VIII. Resolutions – First Reading**

21. [0961-12](#) A Resolution accepting the bid of Whayne Supply Co., in the amount of \$19,565.19, for West Hickman Waste Water Treatment Plant Generator Control Panel and Installation, for the Div. of Water Quality. (1 Bid) [Martin]  
**Received First Reading to the Urban County Council due back on 10/11/2012**
22. [0962-12](#) A Resolution accepting the bid of Whayne Supply Co., in the amount of \$13,196.78, for Generator Engine Monitoring Gateway, for the Div. of Water Quality. (1 Bid) [Martin]  
**Received First Reading to the Urban County Council due back on 10/11/2012**
23. [0963-12](#) A Resolution accepting the bids of Orr Safety Corp. and Bluegrass Uniforms, Inc., establishing price contracts for breathing apparatus, for the Div. of Fire and Emergency Services. (2 Bids, Low) [Jackson]  
**Received First Reading to the Urban County Council due back on 10/11/2012**
24. [0983-12](#) A Resolution accepting the bid of Key to Cleaning, establishing a price contract for Custodial Services - Recycling Center, for the Div. of Facilities and Fleet Management. (2 Bids, Non-Low) [Baradaran]  
**Received First Reading to the Urban County Council due back on 10/11/2012**
25. [0992-12](#) A Resolution accepting the bid of Scott Barnhill, in the amount of \$23,876, for the installation of an entrance wall/arch at Jacobson Park, for the Div. of Parks and Recreation, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary agreement with Scott Barnhill, related to the bid. (5 Bids, Low) [Hancock]  
**Received First Reading to the Urban County Council due back on 10/11/2012**
26. [0997-12](#) A Resolution accepting the bid of Prominent Systems, Inc., in the amount of \$15,970, for Picadome Pump Station Air Scrubber Media Removal, Disposal & Replacement, for the Div. of Water Quality. (2 Bids, Low) [Martin]  
**Received First Reading to the Urban County Council due back on 10/11/2012**
27. [0999-12](#) A Resolution accepting the bid of Ron Cooper Co., Inc., establishing a price contract for Record Keeping Supplies for the Fayette County Clerk. (1 Bid) [Blevins]  
**Received First Reading to the Urban County Council due back on 10/11/2012**
28. [1000-12](#) A Resolution accepting the bid of Radio Communications Systems,

Inc. d/b/a RCS Communications, establishing a price contract for communications system maintenance, for the Div. of Police and authorizing the Mayor to sign any necessary agreement related to the bid. (1 Bid) [Bastin]

**Received First Reading to the Urban County Council due back on 10/11/2012**

29. [1003-12](#) A Resolution accepting the bid of Herrick Co., Inc., establishing a price contract for demolition, removal, and replacement of Clarifier Scum Baffles and Weirs, for the Div. of Water Quality. (1 Bid) [Martin]

**Received First Reading to the Urban County Council due back on 10/11/2012**

30. [1021-12](#) A Resolution accepting the bids of Path Master, Inc.; Baldwin & Sours, Inc.; Traffic Parts, Inc.; and Quality Traffic Systems, establishing price contracts for Traffic Signal and Control Equipment, for the Div. of Traffic Engineering. (6 Bids, Low) [Woods]

**Received First Reading to the Urban County Council due back on 10/11/2012**

31. [1022-12](#) A Resolution accepting the bid of Todd Johnson Contracting, Inc., in the amount of \$184,631.05, for the Roland Ave. Stream Stabilization Project, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute an Agreement with Todd Johnson Contracting, Inc., related to the bid. (5 Bids, Low) [Martin]

**Received First Reading to the Urban County Council due back on 10/11/2012**

32. [1015-12](#) A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following probationary civil service appointments: Garrett Harper, Computer Analyst, Grade 115E, \$1,619.52 bi-weekly, in the Div. of Computer Services, effective upon passage of Council, Tabitha Highley, GIS Specialist, Grade 114N, \$19.315 hourly, in the Div. of Computer Services, effective upon passage of Council and Sam Clark, Trades Worker Sr., Grade 109N, \$18.207 hourly, in the Div. of Streets and Roads, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following unclassified civil service appointments: Robynn Pease, Program Supervisor P/T, Grade 106N, \$15.743 hourly, 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 9/27/2012**

Enactment No: R-530-2012

**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-530-2012

**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:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

**Nay:** 0

**Absent:** 2 - Tom Blues and Doug Martin

Enactment No: R-530-2012

- 33.**     [1016-12](#)     A Resolution ratifying the probationary civil service appointments of: Joel Ragland, Trades Worker Sr., Grade 109N, \$18.942 hourly, in the Div. of Streets and Roads, effective October 15, 2012, Rebecca Crawford, Administrative Specialist Sr., Grade 112N, \$22.658 hourly, in the Div. of Parks and Recreation, effective September 10, 2012, Randall Naylor, Code Enforcement Supervisor, Grade 116E, \$2,164.72 bi weekly, in the Div. of Grants and Special Programs, effective September 10, 2012 and Frank Mabson, Administrative Specialist, Grade 110N, \$14.423 hourly, in the Div. of Water Quality, effective October 15, 2012. [Div. of Human Resources, Maxwell]
- Received First Reading to the Urban County Council due back on 10/11/2012**
- 34.**     [0897-12](#)     A Resolution approving an Update of Area Designation for the Solid Waste Management Plan for Lexington-Fayette County for 2013-2018, pursuant to KRS 224.43-340 and 224.43-345. [Div. of Waste Management, Feese]
- Received First Reading to the Urban County Council due back on 10/11/2012**
- 35.**     [0914-12](#)     A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements, awarding EcoArt Grants to Andrew Light (\$5,000), Art-at-the-Cathedral (\$5,000), Carnegie Center for Literacy and Learning (\$1,500), Christine Kuhn, (\$4,128), Diane Kahlo (\$2,568), Institute 193 (\$5,000), Lexington Children's Theatre (\$5,000), Living Arts and Science Center (\$5,000), Louis Guida (\$5,000), Morton Middle School (\$3,200), Nori Hall (\$5,000), Sonja Brooks (\$4,987), Stephen R. Moore (\$5,000), Tonya Vance (\$3,019), The Learning Center (\$5,000), University of Ky. Research Foundation (\$2,564), at a cost not to exceed the sums stated. [Div. of Environmental Policy, Bush]
- Received First Reading to the Urban County Council due back on 9/27/2012**
- Enactment No: R-531-2012
- A motion was made by Council Member Jay McChord, seconded by Council Member K.C. Crosbie, that the rules be Suspended for Second Reading. The motion PASSED by an unanimous vote.**

Enactment No: R-531-2012

**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:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

**Nay:** 0

**Absent:** 2 - Tom Blues and Doug Martin

Enactment No: R-531-2012

- 36.**     [0931-12](#)     A Resolution authorizing the Div. of Engineering, on behalf of the Urban County Government, to purchase design services for the Northland Meadows Arlington Phase 5B Project from ECSI LLC, a sole source provider, at a cost not to exceed \$24,966.20. [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 10/11/2012**
- 37.**     [0932-12](#)     A Resolution approving and adopting a Solid Waste Management Plan for Lexington-Fayette County for 2013-2018, pursuant to KRS 224.43-340. [Div. of Waste Management, Feese]  
**Received First Reading to the Urban County Council due back on 10/11/2012**
- 38.**     [0943-12](#)     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 Cardinal Lane Stormwater Improvement Project, at a cost not to exceed \$6,815. [Div. of Water Quality, Martin]  
**Received First Reading to the Urban County Council due back on 10/11/2012**
- 39.**     [0945-12](#)     A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Apprisen, for a Financial Literacy Education Program, at a cost not to exceed \$36,000. [Div. of Grants and Special Programs, Gooding]  
**Received First Reading to the Urban County Council due back on 10/11/2012**
- 40.**     [0949-12](#)     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 \$100,000 Commonwealth of Ky. funds, are for the Tates Creek Rd. and Lansdowne Dr. Traffic Signal Project, 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 Planning, Preservation and Development, Gooding/Paulsen]

**Received First Reading to the Urban County Council due back on 10/11/2012**

41. [0954-12](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute any documents necessary to transfer the properties located at 311 Nelson Ave., 544 Ohio St., 829 Whitney Ave., 330 Georgetown Place, and 449 Race St., acquired under the Neighborhood Stabilization Program, to Seedleaf, Inc., for use as community garden space. [Div. of Grants and Special Programs, Gooding]

**Received First Reading to the Urban County Council due back on 10/11/2012**

42. [0957-12](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. 2 to the Engineering Services Agreement with BTM Engineering, Inc., for the Tates Creek Rd./Landsdowne Dr. Traffic Signal Project, increasing the contract amount by the sum of \$2,600 from \$127,978 to \$130,578. [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 10/11/2012**

43. [0974-12](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Assurance for Life (\$2,400), The Tates Creek High School PTSA, Inc. (\$750) and Winburn Middle School PTSA, Inc. (\$600) 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 9/27/2012**

Enactment No: R-532-2012

**A motion was made by Council Member Jay McChord, seconded by Council Member K.C. Crosbie, that the rules be Suspended for Second Reading. The motion PASSED by an unanimous vote.**

Enactment No: R-532-2012

**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:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

**Nay:** 0

**Absent:** 2 - Tom Blues and Doug Martin

Enactment No: R-532-2012



44. [0964-12](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Use Agreement with the Lexington Public Library, for occasional use of the Farish Theater for a one-year period, at no cost to the Urban County Government. [Dept. of Social Services, Mills]  
**Received First Reading to the Urban County Council due back on 10/11/2012**
45. [0966-12](#) A Resolution approving the Dept. of Social Services' Partner Agency application, scoring rubric and schedule for application/review and directing that there will be no funding cap during the FY14 application process. [Dept. of Social Services, Mills]  
**Received First Reading to the Urban County Council due back on 10/11/2012**
46. [0977-12](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Mutual Aid Agreements with Georgetown Police Dept., Magoffin County Sheriff's Office and Salyersville Police Dept., for mutual aid. [Div. of Police, Bastin]  
**Received First Reading to the Urban County Council due back on 10/11/2012**
47. [0987-12](#) A Resolution authorizing the Div. of Fire and Emergency Services, on behalf of the Lexington-Fayette Urban County Government, to purchase Lucas II Chest Compression Devices and related equipment and services from Physio Control, Inc., a sole source provider (distributor), at a cost not to exceed \$44,885.25 (CSEPP funds), and authorizing the Mayor to sign any necessary Agreement related to the services. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Paulsen]  
**Received First Reading to the Urban County Council due back on 10/11/2012**
48. [0989-12](#) 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 \$132,000 Federal funds, are for design of Polo Club Blvd. at Deer Haven Ln. and Todds Rd., the acceptance of which obligates the Urban County Government for the expenditure of \$33,000 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. [Div. of Grants and Special Programs/Dept. of Planning, Preservation and Development, Gooding/Paulsen]  
**Received First Reading to the Urban County Council due back on 10/11/2012**
49. [0994-12](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Lumina Foundation, 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 \$10,000, and are for a Latina Education Support Project at the Family Care Center, the acceptance of which obligates the Urban County Government for the expenditure of \$8,600 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget. [Div. of Grants and Special Programs/Dept. of Social Services, Gooding/Mills]

**Received First Reading to the Urban County Council due back on 10/11/2012**

**50. [0995-12](#)**

A Resolution authorizing and the Mayor, on behalf of the Urban County Government, to execute Agreements with the Drug Enforcement Administration, for State and Local Task Force and Tactical Diversion Task Force. [Dept. of Public Safety, Mason]

**Received First Reading to the Urban County Council due back on 9/27/2012**

Enactment No: R-533-2012

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

Enactment No: R-533-2012

**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:** 13 - Julian Beard; Bill Farmer, Jr.; K.C. Crosbie; Chuck Ellinger; Diane Lawless; Ed Lane; George Myers; Jay McChord; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton and Chris Ford

**Nay:** 0

**Absent:** 2 - Tom Blues and Doug Martin

Enactment No: R-533-2012

**51. [1009-12](#)**

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Salvation Army (\$1,100) for the Office of the Urban County Council, at a cost not to exceed the sum stated. [Council Office, Maynard]

**Received First Reading to the Urban County Council due back on 10/11/2012**

**IX. Communications from the Mayor (For Information Only)**

**[1026-12](#)**

1. Reinstatement of Ilir A. Aliu, Equipment Operator Sr., Grade 109N, in the Div. of Waste Management, effective September 24, 2012.
2. Approving voluntary demotion of Barbie Tapp, Staff Assistant Sr., Grade 108N, \$11.881 hourly, in the Div. of Police, effective October 1, 2012.
3. Temporary appointment of Amelia Confides, Administrative Specialist, Grade 110N, in the Div. of Building Inspection, effective

September 3, 2012.

4. Temporary appointment of Stephanie Dooley, Administrative Specialist, Grade 110N, in the Div. of Building Inspection, effective September 3, 2012.

**Received and Filed**

**X. Announcements**

**XI. Public Comments**

**Adjournment**