

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky December 10, 2013

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on December 10, 2013 at 6:00 P.M. Present were Mayor Gray in the chair presiding, and the following members of the Council: Council Members Ellinger, Farmer, Ford, Gorton, Henson, Kay, Lawless, Mossotti, Myers, Scutchfield, Stinnett, Akers, Beard, and Clarke. Absent was Council Member Lane.

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

Resolutions No. 632-2013 through 655-2013, and Ordinances No. 142-2013 through 154-2013, inclusive, were reported as having been signed and published, and ordered to record.

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The Invocation was given by Reverend Rosario Picardo, Embrace Church.

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Mr. Ellinger recognized the AcoUstiKats, a singing group based out of Lexington and the University of Kentucky, who were contestants on the fourth season of the show The Sing-Off.

Mr. Nick Johnson, a coach for the AcoUstiKats, told the Council about the group and his experience on the show.

Mr. Clarke stated he was formerly the Director of the School of Music at the University of Kentucky and was involved in starting the AcoUstiKats. He congratulated the AcoUstiKats and thanked them for their hard work.

Mr. Ellinger played a video of the AcoUstiKats' performance on The Sing-Off and wished them luck on the rest of the competition.

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

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

Nay: -----0

An Ordinance amending Articles 1, 8 and 12 of the Zoning Ordinance to modify uses in the Neighborhood Business (B-1) zone. (Urban County Planning Commission).

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Safety Officer, Grade 108N, and creating one (1) position of School Crossing Guard Coordinator, Grade 111N, both in the Div. of Police, appropriating funds pursuant to Schedule No. 32, effective upon passage of Council.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Director Enhanced 911, Grade 119E, and creating one (1) position of Director Enhanced 911, Grade 122E, both in the Div. of Emergency Management/911, appropriating funds pursuant to Schedule No. 33, effective upon passage of Council.

An Ordinance amending Sections 21-5(2) of the Code of Ordinances, abolishing one (1) position of Staff Assistant Sr., Grade 108N, and creating one (1) position of Attorney Sr., Grade 121E, and amending Section 22-5(2) of the Code of Ordinances, abolishing one (1) position of Attorney, Grade 117E, all in the Dept. of Law, appropriating funds pursuant to Schedule No. 34, effective upon passage of Council.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Fleet Operations Supervisor, Grade 115E, and creating one (1) position of Administrative Officer, Grade 118E, both in the Div. of Facilities and Fleet Management, appropriating funds pursuant to Schedule No. 35, 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. 36.

An Ordinance amending Ordinance No. 66-2013, pertaining to the Mobile Food Unit Pilot Program, to extend the date of the program through March 1, 2014, and directing that the program be reviewed in the Economic Development Committee of the Whole.

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An Ordinance changing the zone from a Planned Neighborhood Residential (R-3) zone to an Office, Industry and Research Park (P-2) zone, for 15.91 net (16.99 gross) acres, for property located at 920 Citation Blvd. (Urban County Council, Council District 2) was given first reading.

Ms. Akers made a motion, seconded by Mr. Clarke, to suspend the rules and give second reading to the ordinance.

Ms. Gorton asked Mr. Chris King, Director of the Div. of Planning, questions about the objectors of this ordinance. Mr. King explained that citizens will have additional opportunities for input on this project.

Mr. Farmer stated he prefers to give citizens more time for input and asked Mr. King about communications with the objectors.

Mr. Clarke stated objectors have had an opportunity to voice their opinions and we should move forward on this project.

Ms. Lawless asked Mr. King about what the objectors protested against. Mr. King stated most objections pertained to the development plan on which citizens can still give input.

Mr. Kay asked Mr. King about the nature of objections and stated he would like to move forward with the project.

The Mayor spoke about the nature of this transaction and the opportunity for jobs with this project.

The Council discussed the ordinance and the motion.

Ms. Akers' motion **passed** by a majority vote of 10-3 (Mr. Ford, Ms. Henson and Ms. Scutchfield voted **no**) (Mr. Beard was absent when the vote was taken) and the rules were suspended to give second reading.

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

Aye: Ellinger, Farmer, Gorton, Kay, Lawless,
Mossotti, Myers, Scutchfield, Stinnett, Akers,
Clarke -----11

Nay: Ford, Henson -----0
(Mr. Beard was absent when the vote was taken)

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The following ordinances were given first reading and ordered placed on file until January 16, 2014 for public inspection.

An Ordinance changing the zone from an Agricultural Urban (A-U), Neighborhood Business (B-1), and Planned Shopping Center (B-6p) zone with conditional zoning restrictions, to an Agricultural Urban (A-U), Neighborhood Business (B-1), and Planned Shopping Center (B-6p) zone with modified conditional zoning restrictions, for 29.96 net (30.77 gross) acres, for property located at 760 and 789 Newtown Springs Dr., and 1443 and 1445 Newtown Center Way; (Urban County Planning Commission, Council District 1).

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. 37.

An Ordinance adopting a Comprehensive Debt Management Policy for the Lexington-Fayette Urban County Government.

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A Resolution accepting the bid of E.C. Matthews Co., Inc., in the amount of \$865,000, for the Lexington Streetscape Phase One Improvements, Site Amenities - South Limestone and Vine Sts., for the Dept. of Environmental Quality and Public Works, and authorizing the Mayor, on behalf of the Urban County Government, to execute an agreement with E.C. Matthews Co., Inc., related to the bid was given second reading.

Ms. Scutchfield asked questions of Mr. Charles Martin, Acting Commissioner of the Dept. of Environmental Quality and Public Works, regarding the site amenities included in this project. Mr. Martin gave details of the amenities.

Upon motion of Mr. Ellinger, seconded by Ms. Scutchfield, the resolution was approved by the following vote:

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

Nay: -----0

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute the 2014 General Term Orders for the Fayette County Clerk and the Fayette County Sheriff, establishing the number of deputies and assistants allowed to each and the compensation allowed to each deputy and assistant, subject to the limits for each category as specified in the General Term Orders and subject to the fees collected by the officers respectively in their seventy-five percent (75%) accounts pursuant to KRS 64.350(1) was given second reading.

Ms. Mossotti asked questions of Mr. Bill O'Mara, Commissioner of the Dept. of Finance, regarding the General Term Orders for the Fayette County Clerk and the Fayette County Sheriff. Mr. O'Mara explained Council's responsibilities with the General Term Orders.

Upon motion of Mr. Ellinger, seconded by Ms. Scutchfield, the resolution was approved by the following vote:

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

Nay: -----0

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

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

Nay: -----0

A Resolution accepting the bids of Central Indiana Truck Equipment, Corp.; Municipal Equipment, Inc.; J. Edinger & Son, Inc.; and Refuse Parts Depot, LLC, establishing price contracts for refuse collection truck body parts, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Davis H. Elliot Construction Co., Inc., establishing a price contract for Traffic Signal Installation and Repair, for the Div. of Traffic Engineering.

A Resolution accepting the bid of Simpson and Co.,Inc., in the amount of \$13,806, for Interior Painting - Waste Management, for the Div. of Waste Management.

A Resolution accepting the bids of Arrow Electric Company and Davis H. Elliot Construction Co., Inc., establishing price contracts for underground electrical service installation, for the Div. of Parks and Recreation.

A Resolution accepting the bid of Mobile PCC, LLC d/b/a OC Rugged Laptops, establishing a price contract for refurbished mobile data computers, for the Div. of Police.

A Resolution accepting the bid of Reconik, establishing a price contract for portable radio earpieces, for the Div. of Police.

A Resolution accepting the bid of Triton Services, Inc., establishing a price contract for HVAC Inspection and Maintenance, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Level 3 Communications, LLC, in accordance with the provisions of Ordinance No. 50-2013, creating and offering for sale a short term franchise for the operation of a non-exclusive telecommunications system in Fayette County, and authorizing the Mayor, on behalf of the Urban County Government, to execute a Franchise Agreement with Level 3 Communications, LLC, incorporating the terms and conditions of Ordinance No. 50-2013.

A Resolution accepting the bid of Pedal Power Bike Shop, Inc., establishing a price contract for police bicycles, for the Div. of Police.

A Resolution ratifying the Probationary Civil Service Appointments of: Melinda Weathers, Victim's Advocate, Grade 112N, \$20.341 hourly in the Div. of Police, Billy Prater, CAP Operations Manager, Grade 118E, \$2,312.32 biweekly in the Div. of Water Quality, both effective December 02, 2013, and ratifying the Permanent Civil Service Appointments of: Mark Caton, Deputy Director, Grade 120E, \$3,033.68 biweekly in the Div. of Facilities and Fleet Management, effective November 13, 2013, Eileen O'Donnell, Administrative Specialist Sr., Grade 112N, \$17.141 hourly in the Dept. of Law, effective December 3, 2013, Tamarah Gross, Administrative Specialist, Grade 110N, \$16.615 hourly in the Div. of Revenue, effective December 24, 2013.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with West End Community Empowerment Project, Inc. (\$160), Lexington Humane Society (\$875) and Living Arts and Science Center (\$1,075), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

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 2013 property tax year, at a cost not to exceed \$350,000, with payment net from collections.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an agreement awarding a Class B (Education) Stormwater Quality Projects Incentive Grant to the University of Ky. Research Foundation at a cost not to exceed \$22,299.

A Resolution authorizing the Div. of Community Corrections to procure a replacement Bryan Boiler from TMI Sales, a sole source provider, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary agreement with TMI Sales related to the procurement, at a cost not to exceed \$31,947.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Council of Three Rivers American Indian Center, Inc., for lease of office space at 1055 Industry Rd.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with Greenhouse17 (formerly known as Bluegrass Domestic Violence Program), for additional funds in the amount of \$7,080 to provide additional services to victims of domestic violence.

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 Leestown West Pump Station Decommissioning Project, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a License Agreement with Lexington Center Corp., for the 2014 Martin Luther King Day Celebration, at a cost not to exceed \$8,400.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Emerson Network Power, for the uninterruptible power system for the Police Headquarters, at a cost not to exceed \$10,230.

A Resolution approving and authorizing an Assistance Agreement between the Lexington-Fayette Urban County Government and the Ky. Infrastructure Authority to provide \$10,194,421 of loan funds for Trunk Sewer Projects (Bundle 1).

A Resolution approving and authorizing an Assistance Agreement between the Lexington-Fayette Urban County Government and the Ky. Infrastructure Authority to provide \$4,657,640 of loan funds for Stormwater Improvements Projects (Bundle 3).

A Resolution approving and authorizing an Assistance Agreement between the Lexington-Fayette Urban County Government and the Ky. Infrastructure Authority to provide \$6,000,000 of loan funds for Expansion Area 2A Pump Station and Force Main Project.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Office of Homeland Security, which Grant funds are in the amount of \$30,000 Federal funds, are for the purchase of Public Safety Dive Team equipment, 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 an agreement with Eastern Ky. University College of Health Sciences, for a nurse to work with the Lexington-Fayette Urban County Heroin Task Force, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Interlocal Cooperation Contract with the State of Texas, acting through its Dept. of Information Resources, to purchase information technologies through contracts which were competitively bid and awarded.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Office of Homeland Security, which Grant funds are in the amount of \$48,000 Federal funds, are for the purchase of a rescue watercraft, for the Div. of Fire and Emergency Services, 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 accepting the proposal of Professional Recovery Consultants, Inc., to RFP No. 17-2013 Collection Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Professional Recovery Consultants, Inc., and any other necessary documents for performance of such services, at a cost based upon a seventeen and eighty-five one hundredths percent (17.85%) contingency fee on amounts collected.

A Resolution authorizing the Div. of Emergency Management/911 to procure co-location of telecommunications services and support for the Central Ky. 911 Network from Windstream Communications and/or its affiliates, at a cost not to exceed \$68,000 (FY2014), and authorizing the Mayor to execute any necessary agreements with Windstream Communications and/or its affiliates related to these services.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Subrecipient Agreements for funding from the Office of the Attorney General of Ky. from the National Foreclosure Settlement Funds Memorandum of Agreement, with Fayette County Local Development Corp., at a cost not to exceed \$100,000; Hope Center, at a cost not to exceed \$125,000; Lexington Habitat for Humanity, at a cost not to exceed \$125,000, and the Salvation Army, at a cost not to exceed \$50,000.

A Resolution authorizing the establishment of Ops-Core, Inc., as a sole source provider contract for the purchase of FAST ballistic helmets and up-armor side covers for a period of one year.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Office of Homeland Security, which Grant funds are in the amount of \$86,000 Federal funds, are for the purchase of equipment for the Hazardous Devices Unit, 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 Div. of Emergency Management/911 to obtain equipment and services for the Central Ky. 911 Network, from AK Associates, Inc., a sole source provider, on a multi-year basis, at a cost not to exceed an estimated \$150,000 in FY2014, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary documents.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Education) Stormwater Quality Projects Incentive Grant to the Living Arts and Science Center, Inc. at a cost not to exceed \$33,751.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a donation from Friends of the Lexington Mounted Police of two Gooseneck 4-Star Horse Trailers, for use at the Div. of Police Mounted Unit, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract Amendment with Hill-n-Dale Neighborhood Association, for extension of the completion date of the Neighborhood Action Match project to December 31, 2014.

A Resolution establishing a Residential Parking Permit Program for the 500 block of Stratford Dr., from 7:00 a.m. to 5:00 p.m., Monday through Friday; 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.

A Resolution authorizing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-51, to install traffic calming devices on Huston Alley.

A Resolution authorizing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-86, to install multi-way stop controls at the intersection of Clyde St. and Texaco Rd.

A Resolution adopting the policy regarding Contract Change Orders related to the Sanitary Sewers Remedial Measures Plan as provided in CAO Policy No. 15R, and authorizing the personnel designated in the policy, on behalf of the Urban County Government, to execute any necessary change orders and related documents consistent with the policy.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Internal Revenue Service Sponsor Agreement and Civil Rights Assurance, for Volunteer Income Tax Assistance Programs at the Gainesway Center and the Central Kentucky Job Center, at no cost to the Urban County Government.

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A Resolution accepting the bid of Mitchell Construction Management, Inc., in the amount of \$224,900, for Kitchen Floor Replacement at Community Corrections, for the Div. of Community Corrections was given first reading.

Ms. Mossotti asked why this bid came in lower than what was originally projected. Mr. Todd Slatin, Director of the Div. of Purchasing, responded that the bid specifications were revised and that likely caused the price change. Ms. Sally Hamilton, Chief Administrative Officer, responded to Ms. Mossotti's question.

Mr. Farmer asked about the kitchen floor replacement. Ms. Hamilton spoke concerning the bid.

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

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

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

Nay: -----0

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A Resolution authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute a Conditional Restoration Agreement and any other necessary related documents, with Centrepointe Vertical, LLC; Fayette Land Co., LLC; Centrepointe Parking Co., LLC, and any necessary affiliates, for the Phoenix Park/Courthouse Project (Centrepointe) was given first reading.

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

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

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

Nay: -----0

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A Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute an Expansion Area Development Exaction Agreement with Anderson-Ramsey, LLC ("Anderson") and Providence Business Center, LLC ("Providence") pursuant to Article 23 of the Zoning Ordinance, providing for prepayment of exaction credits, transfer of exaction credits by Providence to Anderson, and deferral and/or transfer of certain exaction credits for system improvements constructed in Expansion Area 3 and adjoining off-site area was given first reading.

Ms. Scutchfield made a motion, seconded by Mr. Myers, to suspend the rules and give second reading to the resolution.

Ms. Gorton made a motion, seconded by Mr. Kay, to amend Ms. Scutchfield's motion and to not suspend the rules and give second reading to this resolution.

Ms. Mossotti asked Mr. Richard Murphy, Attorney for Hospice of the Bluegrass, to come forward and speak about this project. Mr. Murphy spoke about the zoning and building specifications concerning the property at question in the Expansion Area Development Exaction Agreement.

Ms. Gorton asked questions of Mr. King concerning exaction fees. Mr. King spoke about exaction fees and the timeline for the project. Ms. Gorton asked Mr.

Charles Martin, Acting Commissioner of the Dept. of Environmental Quality and Public Works, about the cost and schedule of this project.

Mr. Kay asked Mr. Martin about private pump stations.

Ms. Gorton withdrew her motion to amend.

Ms. Scutchfield's motion **passed** by unanimous vote and the rules were suspended.

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

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

Nay: -----0

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

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

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

Nay: -----0

A Resolution accepting the bid of Excellance, Inc., establishing a price contract for Emergency Care Unit, for the Div. of Fire and Emergency Services.

A Resolution accepting the bid of Lagco, Inc., in the amount of \$366,541, for Idle Hour Park Demolition and Football Field Construction, for the Div. of Parks and Recreation, and authorizing the Mayor, on behalf of the Urban County Government, to execute an agreement with Lagco, Inc., related to the bid.

A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Civil Service Appointments: Erica Butler, Telecommunicator Sr., Grade 113N, \$18.403 hourly; Christina Wood, Telecommunicator Sr., Grade 113N, \$18.403 hourly; Kim Kammer, Telecommunicator Sr., Grade 113N, \$16.767 hourly, all in the Div. of Police; and Jonathan Hollinger, Administrative Officer Sr., Grade 120E, \$2,275.20 biweekly in the Dept. of Planning, Preservation and Development, all effective upon passage of Council.

A Resolution ratifying the Probationary Civil Service Appointments of: Evelyn Mace, Probation Unit Supervisor, Grade 113E, \$1,988.40 biweekly in the Div. of Community Corrections, effective December 16, 2013, and ratifying the Permanent Civil Service Appointments of: Carolyn Janssen, Staff Assistant Sr., Grade 108N, \$13.283 hourly in the Div. of Human Resources; Mike Osumenya, Human Resources Generalist, Grade 118E, \$2,983.68 biweekly in the Div. of Human Resources, both effective on December 17, 2013; and Philip Scott Thompson, Planner Sr., Grade 117E, \$1,818.64 biweekly in the Div. of Planning, effective December 3, 2013.

A Resolution authorizing the Mayor or his designee, on behalf of the Urban County Government, to execute a HIPAA Business Associate Agreement, with Nancy Horn, as the Medical Compliance Consultant for the Div. of Fire and Emergency Services.

A Resolution authorizing the Mayor or his designee, on behalf of the Urban County Government, to execute a HIPAA Business Associate Agreement, with Ryan Stanton, M.D., as the Medical Director for the Div. of Fire and Emergency Services.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Commonwealth of Ky.-Ky. Office of Vocational Rehabilitation, for lease of space at the Central Ky. Job Center at 1055 Industry Rd.

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 Perimeter Park Stormwater Improvements Project, at no cost to the Urban County Government.

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 Norsworthy Auditorium for Kiddie Kapers.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Second Amendment to CHDO Agreement with the Fayette County Local Development Corporation, for an additional \$28,264.50 in HOME Investment Partnership Program funds for development of rental housing units, the replacement of one planned duplex with two single family rental units, and extension of the performance period through December 31, 2014.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Claims Payment Agreement with Humana Insurance Company for health insurance plans for the period of January 1, 2014 through December 31, 2014.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an agreement with HDR, Inc. for Town WWTP Solids Processing Improvements at a cost not to exceed \$204,012.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an agreement with the Ky. Office of Homeland Security, for extension of the Metropolitan Medical Response System (MMRS) Project through August 31, 2014, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute agreements with Carnegie Center for Literacy and Learning (\$1,300.00), Bluegrass Community Foundation (\$1,560.00), and Central Ky. Radio Eye, Inc. (\$800.00), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Line Extension Agreement with Columbia Gas of Ky., Inc., for expansion of the natural gas line for the CNG fueling station at 669 Byrd Thurman Dr., at a cost not to exceed \$13,059.06.

A Resolution approving a waiver request from Southland Christian Church from the Richmond Rd. Landscape Ordinance for 2349 Richmond Rd.

A Resolution authorizing and directing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute a Memorandum of Understanding with Southland Christian Church of Lexington Ky., Inc. for use of a portion of the church property during construction of the Senior Citizen's Center at Idle Hour Park.

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Upon motion of Mr. Farmer, seconded by Mr. Ellinger, and passed by a majority vote of 13-0, (Mr. Beard was absent when the vote was taken) the Communications from the Mayor were approved and are as follows: (1) Recommending the appointments of Mr. Kevin Atkins, as Chief Development Officer and Board Chair, Council Member Julian Beard, as Economic Development Committee Chair, Ms. Laura Boison, as Banking Industry representative, Mr. Drew Curtis, as Private Equity/Venture Capital

Industry representative, Council Member Chuck Ellinger, as Budget and Finance Committee Chair, Mr. Philip Holoubek, as Housing Industry representative, Mr. Stephen Howard, as At-Large representative, Ms. Anne-Tyler Morgan, as At-Large representative, Mr. Nelson Maynard, as Lexington Industrial Foundation representative, Ms. Eva Trout, as At-Large representative, and Mr. Tyrone Tyra, as Commerce Lexington representative, to the Economic Development Investment Board, with terms to expire 3/5/2015, 3/5/2015, 9/27/2017, 3/5/2017, 3/5/2015, 3/5/2015, 3/5/2017, 9/27/2016, 3/5/2017, 3/5/2017 and 9/27/2015, respectively; and (2) Recommending the appointment of Mr. Robert Jefferson, as Business Community representative, to the Lyric Theatre and Cultural Arts Center Board, with term to expire 12/8/2017.

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The following Communications from the Mayor were received for information only: (1) Resignation of Tabitha Highley, GIS Specialist, Grade 114N, Div. of Computer Services, effective October 15, 2013; (2) Resignation of Jamie Conover, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective October 19, 2013; (3) Resignation of Jamie Poynter, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective October 20, 2013; (4) Resignation of Gardner Feedback, Jr., Treatment Plant Operator, Grade 113N, Div. of Water Quality, effective October 31, 2013; (5) Resignation of Jacob Walbourn, Attorney, Grade 117N, Dept. of Law, effective October 31, 2013; (6) Resignation of Ian Davis, Graphic Designer, Grade 112N, Div. of Traffic Engineering, effective November 1, 2013; (7) Resignation of Phillip Sallee, Firefighter, Grade 311N, Div. of Fire and Emergency Services, effective November 3, 2013; (8) Resignation of Sherika Parker, Child Care Program Aide, Grade 107N, Div. of Family Services, effective November 6, 2013; (9) Resignation of Alexander White, Police Officer - Trainee, Grade 311N, Div. of Police, effective November 10, 2013; (10) Resignation of Brandon Howard, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective November 15, 2013; (11) Resignation of Larry Hall, Equipment Operator Sr., Grade 109N, Div. of Waste Management, effective November 16, 2013; (12) Resignation of Isaac Rodriguez, Jr., Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective November 21, 2013; (13) Resignation of Joseph Hall, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective November 24, 2013; (14)

Reinstatement of Avery Johnson, Equipment Operator Sr., Grade 109N, \$13.179 hourly, in the Div. of Waste Management, effective December 16, 2013; and (15) Termination of Probationary Appointment of Algernon Shaw, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective October 29, 2013.

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Upon motion of Ms. Gorton, seconded by Mr. Myers, and approved by a majority vote of 13-0, (Mr. Beard was absent when the vote was taken) the meeting adjourned at 7:56 P.M.

Clerk of the Urban County Council