



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

200 E. Main St
Lexington, KY 40507

Thursday, November 21, 2013

6:00 PM

Council Chambers

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. Presentations

[1296-13](#)

Presentation - Nurse Practitioner Week

Received and Filed

[1297-13](#)

Presentation - National Midwifery Week

Received and Filed

[1299-13](#)

Presentation - Recognizing Eliza Waller

Received and Filed

IV. Minutes of the Previous Meetings

[1288-13](#)

Minutes of the November 7, 2013 Council Meeting

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

V. Ordinances – Second Reading

1. [1159-13](#) An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Public Service Worker, Grade 106N, in the Div. of Parks and Recreation, appropriating funds pursuant to Schedule No. 27, effective upon passage of Council. [Div. of Human Resources, Maxwell]

A motion was made by Council Member Gorton, 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-137-2013
2. [1212-13](#) 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. 25. [Div. of Budgeting, Lueker]

A motion was made by Council Member Gorton, 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-138-2013
3. [1218-13](#) An Ordinance amending Subsections 18C-13(1) and (3) of the Code of Ordinances of the Lexington-Fayette Urban County Government pertaining to the Emergency Medical Advisory Board to provide for twenty members and to add two members of the Div. of Fire and Emergency Services, one paramedic member of the Div. of Fire and Emergency Services who has successfully graduated from the paramedic training and education program, one member of the faculty of the paramedic program, and one student member of the paramedic program; all effective upon date of passage. [Council Office, Maynard]

A motion was made by Council Member Gorton, 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-139-2013

4. [1219-13](#)

An Ordinance amending Section 16-14(c) of the Code of Ordinances related to Special Collections to clarify calls made for requested special pickups. [Council Office, Maynard]

A motion was made by Council Member Gorton, 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-140-2013

VI. **Ordinances – First Reading**

Present 14 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Absent 1 - Ed Lane

5. [1232-13](#)

An Ordinance amending Article 8 of the Zoning Ordinance to create a “flex space project” in the Wholesale and Warehouse Business (B-4) and Light Industrial (I-1) zones. (Urban County Planning Commission). Approval of the Staff Alternative Text 7-0 [Div. of Planning, King]

Received First Reading to the Urban County Council due back on 12/5/2013

6. [1205-13](#)

An Ordinance amending Ordinance No. 148-2012 pertaining to the 21C Development Area, to replace the Lexington Downtown Development Authority, Inc., as the designated agency for oversight, administration, and implementation of the Development Area with the Lexington-Fayette Urban County Government’s Dept. of Finance, and to designate the Commissioner of Finance as the authorized agent in all relevant sections of the ordinance and any related agreements or documents, and authorizing the Mayor and/or the Commissioner of Finance, to execute on behalf of the Urban County Government and

the Dept. of Finance, any agreements or documents necessary to reflect these amendments. [Mayor's Office, Atkins]

Received First Reading to the Urban County Council due back on 12/5/2013

7. [1206-13](#) An Ordinance repealing those sections and provisions of Ordinance No. 266-2008 (the Lexington Distillery District Development Area TIF) pertaining or related to the development, the project, and/or the creation of an incremental tax special fund and dissolving the fund; maintaining the boundary of the district pending further action of the Urban County Council, and cancelling or terminating the agreements related to Ordinance No. 266-2008. [Mayor's Office, Atkins]

A motion was made by Council Member Akers, seconded by Council Member Farmer, Jr., that this Ordinance be Tabled. The motion failed by the following vote:

Aye: 6 - Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; Peggy Henson; Linda Gorton and Shevawn Akers

Nay: 8 - Julian Beard; George Myers; Steve Kay; Kevin Stinnett; Chris Ford; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Absent: 1 - Ed Lane

Received First Reading to the Urban County Council due back on 12/5/2013

8. [1240-13](#) An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements in the Div. of Traffic Engineering for funds in the amount of \$2,300 from Neighborhood Development Funds for flashing crosswalk beacons at Fiddler Creek and Clearwater Way, and appropriating and re-appropriating funds, Schedule No. 30. [Council Office, Maynard]

Received First Reading to the Urban County Council due back on 12/5/2013

9. [1243-13](#) An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government for Committee of the Whole appropriations as approved at Work Session November 5, 2013, and appropriating and re-appropriating funds, Schedule No. 29. [Council Office, Maynard]

Received First Reading to the Urban County Council due back on 12/5/2013

10. [1245-13](#) An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government for Economic Contingency appropriations as approved at Work Session November 5, 2013, and appropriating and re-appropriating funds, Schedule No. 31. [Council Office, Maynard]

Received First Reading to the Urban County Council due back on 12/5/2013

11. [1261-13](#) An Ordinance expanding and extending the Full Urban Services

District #1 to provide street lighting, street cleaning and garbage and refuse collection, to include the area defined as certain properties on the following streets: Louie Pl., Madison Point Dr., Old Towne Walk, Silver Springs Dr., Town Centre Dr., Towne Square Park, Taborlake Circle, Taborlake Ct., Taborlake Cove, Taborlake Dr., Taborlake Pl., Taborlake Pt., Taborlake Walk, and Taborlake Ridge. [Dept. of Environmental Quality and Public Works, Martin]

Received First Reading to the Urban County Council due back on 12/5/2013

12. [1262-13](#) An Ordinance expanding and extending Partial Urban Services District #3 for the Urban County Government for the provision of garbage and refuse collection, to include the area defined as certain properties on the following streets: Blazer Pkwy., Castlebridge Ln., Donnington Ct., and Fountain Ct. [Dept. of Environmental Quality and Public Works, Martin]

Received First Reading to the Urban County Council due back on 12/5/2013

13. [1263-13](#) An Ordinance expanding and extending Partial Urban Services District #7 for the Urban County Government for the provision of garbage and refuse collection and street cleaning, to include the area defined as certain properties on the following street: Sorrell Way. [Dept. of Environmental Quality and Public Works, Martin]

Received First Reading to the Urban County Council due back on 12/5/2013

14. [1225-13](#) An Ordinance creating Subsection 6-53(b)(4) of the Code of Ordinances relating to the City Employees' Pension Fund to provide for a one-time supplement to pensioners and beneficiaries based on their current annual pension ranging from \$200 to \$700 and a one-time supplement based on their years of service or beneficiary status ranging from \$200 to \$500. [Council Clerk's Office, Nelson]

Received First Reading to the Urban County Council due back on 12/5/2013

15. [1235-13](#) An Ordinance amending Ordinance No. 203-80, as amended by Ordinance Nos. 59-81, 103-86, 237-93, 52-94, 18-96, and 180-2009, relating to the Industrial Revenue/Housing Bond Commission, to rename the Commission the Economic Development Investment Board, to increase the membership from nine (9) to eleven (11) members, to replace one at large member with the Chief Development Officer or his or her designee, who shall serve as the chairperson and who shall only vote in the event of a tie, to add an additional Councilmember and to designate the Councilmembers who serve as the respective chairpersons of the Urban County Council's Economic Development Committee and Budget and Finance Committee as members, to replace one housing industry member with a member from the financial investment or banking industry, and to add one member from the private equity/venture capital industry. [Mayor's

Office, Emmons]

A motion was made by Council Member Harry Clarke, seconded by Council Member Chuck Ellinger, that this Ordinance be Amended to add 1 additional at-large member which will increase the total membership of the board to 11 members. The motion PASSED by an unanimous vote.

Received First Reading as amended to the Urban County Council due back on 12/5/2013

16. [1237-13](#) An Ordinance establishing a local economic development program to be known as the Lexington Jobs Fund and providing for its purpose, the Economic Investment Development Board, Program fund protections, priorities, limitations, criteria, an application process, administration by the Chief Development Officer, and a Program fund; all effective upon date of passage. [Mayor's Office, Atkins]
Received First Reading to the Urban County Council due back on 12/5/2013
17. [1244-13](#) 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. 28. [Div. of Budgeting, Lueker]
Received First Reading to the Urban County Council due back on 12/5/2013
18. [1273-13](#) An Ordinance pursuant to Section 2-1(a) of the Code of Ordinances of the Lexington-Fayette Urban County Government, adopting a schedule of meetings for the Council for the Calendar Year 2014. [Council Office, Maynard]
Received First Reading to the Urban County Council due back on 12/5/2013
19. [1276-13](#) An Ordinance authorizing and directing the Mayor to extend health insurance coverage to qualified adults and their dependents; directing the Chief Administrative Officer to adopt a policy outlining the guidelines for extending coverage; and providing that after adoption of the policy no changes shall be made without notice to the Urban County Council. [Council Office, Maynard]
Received First Reading to the Urban County Council due back on 11/21/2013

Enactment No: O-141-2013

A motion was made by Council Member Kay, seconded by Council Member Gorton, that the rules be Suspended for Second Reading. The motion Passed by the following vote:

Aye: 13 - Julian Beard; Bill Farmer, Jr.; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 1 - Chuck Ellinger

Absent: 1 - Ed Lane

Enactment No: O-141-2013

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

Aye: 14 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Chris Ford; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 1 - Ed Lane

Enactment No: O-141-2013

VII. Resolutions – Second Reading

Present 13 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Absent 2 - Ed Lane and Chris Ford

1. [1177-13](#)

A Resolution accepting the bids of Cunningham Golf Car Co., Inc. and Dever, Inc., establishing price contracts for golf carts, for the Div. of Parks and Recreation. (3 Bids, Low) [Hancock]

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

Aye: 13 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 2 - Ed Lane and Chris Ford

Enactment No: R-612-2013

2. [1182-13](#)

A Resolution accepting the bids of Traffic Control Products, Inc.; Path Master, Inc.; Baldwin & Sours, Inc.; Traffic Parts, Inc.; Quality Traffic Systems, LLC; and Iron Armour, LLC, establishing price contracts for Traffic Signal and Control Equipment, for the Div. of Traffic Engineering. (7 Bids, Low) [Woods]

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

Aye: 13 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 2 - Ed Lane and Chris Ford

Enactment No: R-613-2013

3. [1194-13](#)

A Resolution accepting the bid of People Plus, Inc., establishing a price contract for Temporary Labor, for the Div. of Emergency Management/911, and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute any necessary Agreement with People Plus, Inc., related to the bid. (3 Bids, Low) [Mason]

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

Aye: 13 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 2 - Ed Lane and Chris Ford

Enactment No: R-614-2013

4. [1197-13](#)

A Resolution accepting the bid of Robinson Pipe Cleaning Co., establishing a price contract for the annual Sanitary Sewer Cleaning Program, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an agreement with Robinson Pipe Cleaning Co., related to the bid. (3 Bids, Low) [Martin]

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

Aye: 13 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 2 - Ed Lane and Chris Ford

Enactment No: R-615-2013

5. [1198-13](#)

A Resolution accepting the bid of Advertiser Printers, Inc., establishing a price contract for Waste Management Newsletters, for the Div. of Waste Management. (3 Bids, Low) [Feese]

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

Aye: 13 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 2 - Ed Lane and Chris Ford

Enactment No: R-616-2013

6. [1200-13](#)

A Resolution accepting the bid of MAC Construction & Excavating, Inc., in the amount of \$2,607,027, for the Bob-O-Link Trunk Sewer Replacement 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 MAC Construction & Excavating, Inc., related to the bid. (5 Bids, Low) [Martin]

A motion was made by Council Member Myers, seconded by Council Member Ellinger, that this Resolution be Removed From Docket. The motion resulted in the following tie vote which the Mayor broke by voting Aye passing the motion:

Aye: 7 - Julian Beard; Chuck Ellinger; Diane Lawless; George Myers; Kevin Stinnett; Jennifer Mossotti and Jennifer Scutchfield

Nay: 7 - Bill Farmer, Jr.; Steve Kay; Peggy Henson; Linda Gorton; Chris Ford; Shevawn Akers and Harry Clarke

Absent: 1 - Ed Lane

7. [1199-13](#)

A Resolution accepting the bid of Todd Johnson Contracting, Inc., in the amount of \$1,131,904.45, for the Century Hills Trunk Sewer Replacement Program, 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]

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

Aye: 13 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 2 - Ed Lane and Chris Ford

Enactment No: R-617-2013

8. [1203-13](#)

A Resolution ratifying the Probationary Civil Service Appointments of: Tamoy Carter, Public Service Supervisor, Grade 111N, \$16.207 hourly in the Div. of Family Services, effective upon passage of Council, Scott Dawson, Evidence Technician, Grade 112N, \$19.235 hourly in the Div. Of Police, effective November 18, 2013, Daniel H. Fischer, Administrative Specialist Sr., Grade 112N, \$21.287 hourly in the Div. of

Parks and Recreation, effective November 4, 2013, ratifying the Permanent Civil Service Appointments of: Perry White, Equipment Operator Sr., Grade 109N, \$13.025 hourly in the Div. of Waste Management, effective October 21, 2013, Paul Willard, Engineering Technician Sr., Grade 113E, \$2,081.84 biweekly in the Div. of Engineering, effective November 6, 2013. [Div. of Human Resources, Maxwell]

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

Aye: 13 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 2 - Ed Lane and Chris Ford

Enactment No: R-619-2013

9. [1137-13](#)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the U.S. Dept. of Justice, which Grant funds are in the amount of \$53,662 Federal funds under the State Criminal Alien Assistance Program (SCAAP), are for reimbursement of costs related to the incarceration of undocumented criminal aliens, 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 Public Safety, Gooding/Mason]

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

Aye: 13 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 2 - Ed Lane and Chris Ford

Enactment No: R-620-2013

10. [1150-13](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) (Final) to the Contract with Walter Martin Excavating, Inc. for the Cardinal Ln. Stormwater Improvements Project, increasing the contract price by the sum of \$9,094.47 from \$219,110.00 to \$228,204.47. [Div. of Water Quality, Martin]

A motion was made by Council Member Stinnett, seconded by Council Member

Beard, that this Resolution be Approved. The motion Passed by the following vote:

Aye: 13 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 2 - Ed Lane and Chris Ford

Enactment No: R-621-2013

11. [1170-13](#)

A Resolution authorizing the Urban County Council to approve purchase of additional inventory specialist services to be performed by OmniSource Integrated Supply, LLC, for the Div. of Emergency Management/911 under the Metropolitan Medical Response System-2012 Grant in the amount of \$6,000, and under the Chemical Stockpile Emergency Preparedness Program (CSEPP) Grant for Fiscal Year 2013 in the amount of \$6,000. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]

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

Aye: 13 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 2 - Ed Lane and Chris Ford

Enactment No: R-622-2013

12. [1172-13](#)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Contract with the Board of Education of Fayette County, Ky., for operation of preschool classrooms at the Family Care Center, at no cost to the Urban County Government. [Dept. of Social Services, Mills]

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

Aye: 13 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 2 - Ed Lane and Chris Ford

Enactment No: R-623-2013

13. [1174-13](#)

A Resolution authorizing the Mayor, on behalf of the Urban County

Government, to execute Cost Sharing Agreement-Revision No. 1 with Transylvania University for sidewalk reconstruction associated with the Ky. Transportation Cabinet Fourth St. Improvements Project increasing the amount authorized from \$220,000 to an amount not to exceed \$400,000. [Div. of Engineering, Frazier]

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

Aye: 13 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 2 - Ed Lane and Chris Ford

Enactment No: R-624-2013

14. [1175-13](#)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Berea College, for a Student Placement Program to permit nursing students to be placed in the Div. of Youth Services, at no cost to the Urban County Government. [Dept. of Social Services, Mills]

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

Aye: 13 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 2 - Ed Lane and Chris Ford

Enactment No: R-625-2013

15. [1176-13](#)

A Resolution authorizing the Div. of Water Quality, on behalf of the Urban County Government, to purchase Flowserve WWR Rotating Assembly Replacement parts for Dewatering Pump #1 at the Town Branch Wastewater Treatment Plant from Delaney & Associates, a sole source provider, at a cost not to exceed \$27,668. [Div. of Water Quality, Martin]

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

Aye: 13 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 2 - Ed Lane and Chris Ford

Enactment No: R-626-2013

16. [1178-13](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a standard Agreement for Cost Sharing for the Central Ky. 911 Network with the existing members of the network and with any additional jurisdictions approved by Lexington-Fayette Urban County Government's E-911 Board, at no cost to the Urban County Government. [Dept. of Public Safety, Mason]

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

Aye: 13 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 2 - Ed Lane and Chris Ford

Enactment No: R-627-2013

17. [1216-13](#)

A Resolution authorizing and directing the Div. of Traffic Engineering, pursuant to Code of Ordinances Section 18-46, to designate Hiltonia Park as being prohibited to through trucks and authorizing and directing the Div. of Traffic Engineering to install proper and appropriate signs in accordance with the designation. [Div. of Traffic Engineering, Woods]

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

Aye: 13 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 2 - Ed Lane and Chris Ford

Enactment No: R-628-2013

18. [1217-13](#)

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 Shady Ln. and McDonald Ave. [Div. of Traffic Engineering, Woods]

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

Aye: 13 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Shevawn Akers; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 2 - Ed Lane and Chris Ford

Enactment No: R-629-2013

VIII. Resolutions – First Reading

Present 12 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Absent 3 - Ed Lane; Chris Ford and Shevawn Akers

19. [1239-13](#) A Resolution accepting the bid of E-One, Inc., establishing a price contract for Triple Combination Pumper Fire Trucks, for the Div. of Fire and Emergency Services. (4 Bids, Low) [Jackson]
Received First Reading to the Urban County Council due back on 12/5/2013
20. [1253-13](#) A Resolution accepting the bid of Saffire Cleaning Service, LLC, establishing a price contract for Custodial Services - Family Care Center, for the Div. of Family Services. (4 Bids, Low) [Baradaran]
Received First Reading to the Urban County Council due back on 12/5/2013
21. [1260-13](#) A Resolution accepting the bid of Galls, LLC, establishing a price contract for crowd control equipment, for the Div. of Police. (2 Bids, Low) [Bastin]
Received First Reading to the Urban County Council due back on 12/5/2013
22. [1278-13](#) A Resolution ratifying the Probationary Civil Service Appointments of: Michael Cravens, Attorney, Grade 117E, \$1,957.28 biweekly in the Dept. of Law, effective November 18, 2013, Eric Gentry, Equipment Operator Sr., Grade 109N, \$14.990 hourly in the Div. of Waste Management, effective December 12, 2013, ratifying the Permanent Sworn Appointment of: Allen Culver, Police Sergeant, Grade 315N, \$28.588 hourly in the Div. of Police, effective August 18, 2013. [Div. of Human Resources, Maxwell]
Received First Reading to the Urban County Council due back on 12/5/2013
23. [1258-13](#) A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Civil Service Appointments: Erin Green, Security Officer, Grade 106N, \$11.150 hourly, Jeffery Marshall, Security Officer, Grade 106N, \$15.437 hourly, both in the Div. of Facilities and Fleet Management, Christopher Woodyard, Staff Assistant Sr., Grade 108N, \$18.344 hourly in the Div.

of Police, Jeremy Spencer, Equipment Operator Sr., Grade 109N, \$13.025 hourly in the Div. of Waste Management, Stephanie Bowling, Recreation Supervisor, Grade 110E, \$1,254.48 biweekly in the Div. of Parks and Recreation, Bryan Radabaugh, Traffic Engineer Manager, Grade 120E, \$2,968.64 biweekly in the Div. of Traffic Engineering, all effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Community Corrections Officer Appointments: Kenneth Atkinson, Joseph Austin, Patricia Bridges, Patrick Burus, Connie Cord, Derek Cundiff, William Darnall, Billy Dawson, Dina Deleon, Theodore Fritz, Michael Fuehr, Bethany Garrett, Sandy Gossett, Jarrel Greene, Matthew Higgs, Jasmine Jackson, Zachary Johnson, Chase Jourdan, Jason Kelly, Randy Long, Richard McColloch, Michael Poynter, Nancy Quinette, Brittany Ramsey, Johnnie Ricks, Keith Riley, Matthew Ritchey, John Robinson, John Stamper, Brittany Thomas, Kayla Webb, Lisa Williams, Christopher Willoughby, and Sam Winslow, all Community Corrections Officers, Grade 110N, \$14.340 hourly, in the Div. of Community Corrections, all effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service Appointment: Vanessa Taylor, Custodian P/T, Grade 102N, \$10.300 hourly in the Dept. of Social Services, effective December 2, 2013. [Div. of Human Resources, Maxwell]

Received First Reading to the Urban County Council due back on 11/21/2013

Enactment No: R-618-2013

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

Enactment No: R-618-2013

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

Aye: 12 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Ed Lane; Chris Ford and Shevawn Akers

Enactment No: R-618-2013

24. [1179-13](#)

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Emergency Management Agency, which Grant funds are in the amount of \$22,076 Federal funds and \$3,532 Commonwealth of Ky. funds, are for the Versailles Rd. Campus Storm Shelter, the acceptance of which

obligates the Urban County Government for the expenditure of \$3,827.00 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant Budget. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]

Received First Reading to the Urban County Council due back on 12/5/2013

25. [1183-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Emergency Management Agency and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$40,650 Federal funds under the Hazard Mitigation Grant Program, and are for a Weather Radio Project. [Div. of Grants and Special Programs/Dept. of Public Safety, Gooding/Mason]

Received First Reading to the Urban County Council due back on 12/5/2013

26. [1184-13](#) 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 a Volunteer Income Tax Assistance Program at the Gainesway Center, at no cost to the Urban County Government. [Dept. of Social Services, Mills]

Received First Reading to the Urban County Council due back on 12/5/2013

27. [1187-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with James R. Kemper for property located at 951 Enterprise Dr. for relocation of Div. of Water Quality Maintenance Operations, for an initial term of 48 months with annual rent not to exceed \$86,592.96. [Div. of Water Quality, Martin]

Received First Reading to the Urban County Council due back on 12/5/2013

28. [1195-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Agreements with Ky. Utilities (\$94,824.18); Windstream Communications (\$252,108); Ky.-American Water Co. (\$794,387.14); Columbia Gas of Ky. (\$145,561); and Time Warner Cable (\$141,282) for the Urban County Government's share of costs for relocation of utilities for Section II of the Todds/Liberty Rd. Improvement Project. [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 12/5/2013

29. [1196-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement, releasing a utility easement on property located at 1000 Export St. [Dept. of Law, Graham]

Received First Reading to the Urban County Council due back on 12/5/2013

30. [1223-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Robert H. Williams Cultural Center, Inc. (\$400), One World Films, Inc. (\$1,080), Lansdowne Elementary School PTA, Inc. (\$310), and Lansdowne Neighborhood Association, Inc. (\$1,175), 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 11/21/2013**
- Enactment No: R-630-2013
- A motion was made by Council Member Jennifer Scutchfield, seconded by Council Member Chuck Ellinger, that the rules be Suspended for Second Reading. The motion PASSED by an unanimous vote.**
- Enactment No: R-630-2013
- A motion was made by Council Member Henson, seconded by Council Member Ellinger, that this Resolution be Approved. The motion Passed by the following vote:**
- Aye:** 12 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke
- Nay:** 0
- Absent:** 3 - Ed Lane; Chris Ford and Shevawn Akers
- Enactment No: R-630-2013
31. [1201-13](#) A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the National Police Athletic/Activities League, Inc., 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 \$27,500 Federal funds, and are for participation in the National PAL Mentoring Program, 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 Public Safety, Gooding/Mason]
- Received First Reading to the Urban County Council due back on 12/5/2013**
32. [1209-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Multivendor Information Technology Recovery Services Contract Documents, with International Business Machines Corp., for Business Continuity and Recovery Services, at an estimated cost not to exceed \$84,360. [Div. of Computer Services, Nugent]
- Received First Reading to the Urban County Council due back on 12/5/2013**
33. [1214-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County

Government, to execute a Facility Rental Agreement and Catering Contract with Lexington Convention Center and Hyatt Regency, for the Police Awards Banquet, at no cost to the Urban County Government. [Div. of Police, Bastin]

Received First Reading to the Urban County Council due back on 12/5/2013

34. [1215-13](#)

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Transylvania University, for assistance for police related events. [Div. of Police, Bastin]

Received First Reading to the Urban County Council due back on 12/5/2013

35. [1221-13](#)

A Resolution authorizing the Dept. of Environmental Quality and Public Works, in collaboration with LexArts, to provide up to \$100,000 in funding for appropriate EcoART projects. [Dept. of Environmental Quality and Public Works, Martin]

Received First Reading to the Urban County Council due back on 12/5/2013

36. [1228-13](#)

A Resolution approving the granting of an inducement to Alliance Coal, LLC, pursuant to the Ky. Business Investment Act (KRS Chapter 154.32), whereby the Lexington-Fayette Urban County Government agrees to forego 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 Alliance Coal, LLC, has with the Ky. Economic Development Finance Authority and/or the Urban County Government related to the project, and taking other related action. [Mayor's Office, Atkins]

Received First Reading to the Urban County Council due back on 12/5/2013

37. [1229-13](#)

A Resolution approving the granting of an inducement to NOHMs Technologies, Inc., pursuant to the Ky. Business Investment Act (KRS Chapter 154.32), whereby the Lexington-Fayette Urban County Government agrees to forego 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 NOHMs Technologies, Inc., has with the Ky. Economic Development Finance Authority and/or the Urban County Government related to the project, and taking other related action. [Mayor's Office, Atkins]

Received First Reading to the Urban County Council due back on 12/5/2013

38. [1230-13](#)

A Resolution of the Lexington-Fayette Urban County Government approving the issuance in one or more series by the County of Clark, Ky. of its County Health Facilities Revenue Bonds (Sayre Christian

Village Nursing Home, Inc. Project) Series 2013 in an amount not to exceed \$15,750,000 in the aggregate (collectively, the "Bonds"), and the use of the proceeds thereof to assist Sayre Christian Village Nursing Home, Inc. ("Sayre") to refinance a line of credit and a term loan from Central Bank & Trust Co., the proceeds of which were used to finance and refinance the costs of the construction and equipping of a facility for the care of the aged and infirm located at 3840 Camelot Dr., Lexington, Ky.; and to pay costs of issuance. [Mayor's Office, Atkins]

Received First Reading to the Urban County Council due back on 12/5/2013

39. [1231-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with United States Special Operation Command, for emergency response to threat or attack on Special Operations Facility. [Div. of Police, Bastin]

Received First Reading to the Urban County Council due back on 12/5/2013

40. [1234-13](#) A Resolution authorizing and directing the Dept. of Finance to designate a fund for the operation and maintenance of the Central Ky. 911 Network. [Dept. of Public Safety, Mason]

Received First Reading to the Urban County Council due back on 12/5/2013

41. [1247-13](#) A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Villas at Andover HOA, Inc., (\$1,000), 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 11/21/2013

Enactment No: R-631-2013

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

Enactment No: R-631-2013

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

Aye: 12 - Julian Beard; Bill Farmer, Jr.; Chuck Ellinger; Diane Lawless; George Myers; Steve Kay; Kevin Stinnett; Peggy Henson; Linda Gorton; Jennifer Mossotti; Jennifer Scutchfield and Harry Clarke

Nay: 0

Absent: 3 - Ed Lane; Chris Ford and Shevawn Akers

Enactment No: R-631-2013

42. [1300-13](#) A Resolution authorizing and directing the Mayor to conduct an

employee dependants audit for all health insurance plans during Calendar Year 2014. [Council Office, Maynard]

Received First Reading to the Urban County Council due back on 12/5/2013

IX. Communications From the Mayor

[1264-13](#)

1. Recommending the reappointments of Ms. Kimberly H. Bryant and Mr. Jonathon Melton to the Address Enforcement Administrative Hearing Board, with terms to expire 11/1/2015 and 11/1/2016, respectively.
2. Recommending the appointment of Mr. Alex L. Scutchfield, and the reappointment of Rev. Danny Everett to the Human Rights Commission, with terms to expire 1/1/2017 and 1/1/2018, respectively. Mr. Scutchfield will fill the unexpired term of Ms. Sandra Canon.

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

X. Communications From the Mayor (For Information Only)

[1259-13](#)

1. Temporary civil service appointment of Evelyn Bologna, Director Parks and Recreation, Grade 122E, \$3,813.76 bi-weekly, in the Div. of Parks and Recreation, effective December 1, 2013.
2. Temporary civil service appointment of Demetria Kimball Mehlhorn, Program Manager Sr., Grade 120E, \$2,190.24 bi-weekly, in the Div. of Environmental Policy, effective November 1, 2013.
3. Temporary civil service appointment of Michael Tester, Fleet Operations Mgr., Grade 116E, \$2,516.30 bi-weekly, in the Div. of Facilities and Fleet Management, effective November 4, 2013.
4. Temporary civil service appointment of Dave Fender, Public Service Supervisor Sr., Grade 114E, \$1,710.72 bi-weekly, in the Div. of Water Quality, effective November 11, 2013.
5. Temporary civil service appointment of Gary Grimes, Public Service Supervisor Sr., Grade 114E, \$1,643.04 bi-weekly, in the Div. of Water Quality, effective November 11, 2013.
6. Temporary civil service appointment of Gary James, Public Service Supervisor Sr., Grade 114E, \$1,546.96 bi-weekly, in the Div. of Waste Management, effective October 21, 2013.

Received and Filed

XI. Announcements

XII. Public Comments

Adjournment

A motion was made by Council Member Chuck Ellinger, seconded by Council Member George Myers, that this Meeting be Adjourned. The motion PASSED by an unanimous vote.