

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky February 20, 2014

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on February 20, 2014 at 6:00 P.M. Present were Mayor Gray in the chair presiding, and the following members of the council: Council Members Kay, Lane, Lawless, Mossotti, Myers, Scutchfield, Stinnett, Beard, Clarke, Ellinger, Farmer, Ford, Gorton, and Henson. Absent was Council Member Akers.

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

Resolutions No. 28-2014 through 51-2014, and Ordinances No. 10-2014 through 12-2014, inclusive, were reported as having been signed and published, and ordered to record.

61.810(1)(g) for the purpose of discussing an economic development matter concerning real property, the open discussion of which would jeopardize the siting, retention, expansion, or upgrading of a business.

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Upon motion of Mr. Farmer, seconded by Mr. Ellinger, and approved by unanimous vote, the Council returned to Open Session at 6:32 P.M. with the same members present.

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

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

Nay: -----0

An Ordinance creating Section 18-166(i) of the Code of Ordinances related to violations of parking ordinances to establish a fine of \$250 for violation of Section 18-113.3 Parking In Handicapped Parking Spaces.

An Ordinance amending Section 18-113.4 (2) of the Code of Ordinances related to handicap parking signage to increase the minimum height of the signage to sixty (60) inches; creating Section 18-113.4(2)(a) of the Code of Ordinances, related to handicap parking signage to define the required signage for a handicapped van accessible space; creating Section 18-113.4(2)(b) related to handicapped signage to define the compliance requirements for Section 18-113.4(2)(a).

An Ordinance amending Section 23-5(2) of the Code of Ordinances, abolishing one (1) position of Police Captain, Grade 318E, and creating one (1) position of Police Lieutenant, Grade 317E, both in the Div. of Police, appropriating funds pursuant to Schedule No. 42, effective upon passage of Council.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Budget Technician, Grade 112N, and creating one (1) position of Budget Analyst Sr., Grade 118E, both in the Div. of Budgeting, effective upon passage of Council.

An Ordinance amending Section 22-5(2) of the Code of Ordinances, abolishing one (1) position of Council Administrative Specialist, Grade 115E, and creating one (1)

position of Research Analyst, Grade 118E, both in the Council Office, appropriating funds pursuant to Schedule No. 43, 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. 41.

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

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Municipal Engineer Sr., Grade 119E, and creating one (1) position of Program Manager Sr., Grade 120E, both in the Div. of Water Quality, appropriating funds pursuant to Schedule No. 44, 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. 45.

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A Resolution authorizing the Div. of Parks and Recreation, on behalf of the Urban County Government, to purchase an aquatic climbing wall from Pyramide USA, Inc., a sole source provider, at a cost not to exceed \$26,055 was on the docket for second reading.

Ms. Mossotti asked questions of Mr. Jamshid Baradaran, Director of the Div. of Facilities and Fleet Management, regarding the climbing wall in this project.

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

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

Nay: -----0

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

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

Nay: -----0

A Resolution accepting the bid of Amteck, LLC, in the amount of \$26,090 for installation of outdoor warning sirens, for the Div. of Emergency Management/911.

A Resolution accepting the bid of Toyota on Nicholasville, establishing a price contract for 2014 Camry Hybrid (Police) Vehicles, for the Div. of Police.

A Resolution accepting the bids of Delta Services, LLC, and Pomeroy IT Solutions Sales Company, Inc. d/b/a Pomeroy, establishing price contracts for security cameras and equipment, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of J.R. Hoe & Sons, Inc., establishing a price contract for Iron Castings, for the Div. of Water Quality.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Lease Agreement with Bluegrass Workforce Investment Board, for lease of space within the Central Ky. Job Center.

A Resolution ratifying the Probationary Civil Service Appointment of: Larry Lewis, Environmental Initiatives Specialist, Grade 115E, \$1,787.12 biweekly in the Div. of Environmental Policy, effective February 24, 2014, ratifying the Permanent Civil Service Appointments of: Kelly Hunter, Planner, Grade 113E, \$1,674.48 biweekly in the Div. of Planning, effective January 29, 2014; Tamara McMullen, Administrative Specialist, Grade 110N, \$17.457 hourly in the Div. of Planning, effective February 5, 2014, Scott Tyree, Equipment Operator Sr., Grade 109N, \$13.179 hourly in the Div. of Streets and Roads, effective January 1, 2014, ratifying the Unclassified Civil Service Appointment of: Kevin Wente, Administrative Officer Sr., Grade 120E, \$3,033.60 biweekly in the Dept. of Planning, Preservation and Development, effective January 27, 2014, Edward Dean, Administrative Officer, Grade 118E, \$3,038.46 biweekly in the Div. of Waste Management, effective February 24, 2014.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation from Norfolk Southern Corp. Engineering Dept. of 200 railroad cross-ties, for use at the Hazardous Devices Unit Training Facility, at no cost to the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with U.S. Marshals Service, Eastern District of Ky., for access to radio systems.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Transylvania University Dept. of Public Safety, for use of the 800 MHz P25 Trunked Radio System.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an agreement with Everbridge, Inc., for an Alert and Notification System, at a cost not to exceed \$107,468.85.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Mutual Aid Agreement with The Transit Authority of Lexington, Ky. ("LEXTRAN"), for the provision of fuel in emergencies for the Div. of Fire and Emergency Services, at no additional mark-up cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Software Maintenance Agreement and End User License Agreement with Horizon Information Systems, Inc., for the software for the Representative Payee Program, for the Dept. of Social Services, at a cost not to exceed \$586.50.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a revision to the Master Service Agreement with Time Warner Cable, for upgrade in internet service from 20M to 50M, at a cost not to exceed \$8,604.60.

A Resolution authorizing the Div. of Fire and Emergency Services, on behalf of the 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 an estimated cost not to exceed \$20,363.20, and authorizing the Mayor, on behalf of the Urban County Government, to sign any necessary Agreement related to the equipment or services.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 1 with the Ky. Transportation Cabinet, for the acceptance of additional Federal funds in the amount of \$28,000 for the Polo Club Blvd. Design Phase, the acceptance of which obligates the Urban County Government for the expenditure of \$7,000 as a local match.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement for weather forecasting services with Telvent dtn, a sole

source provider, for the use of WXSentry Smartphone for the period September 30, 2013 to October 1, 2014 for the Div. of Streets and Roads, at a cost not to exceed \$5,028.00.

A Resolution authorizing the Div. of Environmental Policy to purchase a Tracer ES browser-based upgrade and related license and installation to existing software from Harshaw Trane, a sole source provider, at a cost not to exceed \$26,640.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. 1 to an Engineering Services Agreement with Hall-Harmon Engineers, Inc., for design services for Rose Street Widening Project bike lanes, at a cost not to exceed \$6,500.

A Resolution accepting the response of Springbrook Software, to RFP No. 31-2013 - Revenue Collection Recording and Reporting System, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement, with Springbrook Software to conduct an on-site Business Tax Analysis of the current Revenue Collection, Recording and Reporting System, at a cost estimated not to exceed \$24,000 for a Phase 1 Needs Analysis.

A Resolution authorizing Atlantic Signal, LLC, as a sole source provider contract for the purchase of Gladiator V Bone Conduction Headsets by the Div. of Police for a period of one year.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit three (3) Grant Applications to the Ky. Transportation Cabinet, to provide any additional information requested in connection with these Grant Applications, and to accept the Grants if the applications are approved, which Grant funds are in the amount of \$245,000 Federal funds, are for the Traffic Safety Program (\$165,000), the Speed Enforcement Project (\$65,000), and the Distracted Driving Project (\$15,000), the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Amendment No. 1 to the Agreement with the National Council on Crime and

Delinquency, for extension of the Prison Rape Elimination Act Project through September 30, 2014, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Education Fund for Handicapped Children, which Grant funds are in the amount of \$10,500, are for therapeutic recreation activities for persons with disabilities, for the Div. of Parks and Recreation, 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 approving and authorizing an Assistance Agreement between the Lexington-Fayette Urban County Government and the Ky. Infrastructure Authority to provide \$13,674,302 of loan funds for the Bundle 2 - Trunk Sewer Replacement and Wet Weather Equalization Tank Projects.

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A Resolution accepting the bid of Hydromax USA, LLC, in the amount of \$107,475, for the Capacity Assurance Program Flow Monitoring Field Services, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute an Agreement with Hydromax USA, related to the bid was given first reading.

Upon motion of Mr. Stinnett, seconded by Mr. Farmer, the rules were suspended by unanimous vote.

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

Aye: Kay, Lane, Lawless, Mossotti, Myers,
Scutchfield, Stinnett, Beard, Clarke, Ellinger,
Farmer, Ford, Gorton, Henson -----14
Nay: -----0
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A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Civil Service Appointment: Derek Lovell, Heavy Equipment Technician, Grade 113N, \$16.624 hourly in the Div. of Facilities and Fleet Management, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Community Corrections Officer Appointments: Mary Allen, Franklin Anthony, Jeremy Baker, Matthew Baker, Joshua Binion, Casey Brown, Nicholas Broyles, Andrew Butler, Daniel

Campbell, Robert Carter, Antonio Castro, Jesse Cherney, James Click, Benjamin Cobble, Veronica Cole, Jennifer Copley, Dina Deleon, Evan Duckworth, Michael Fossier, Shala Godfrey, Darren Goode, Timothy Hall, Brandon Harper, Brandon Helton, Shannin Jenkins, Chris Johnson, Bryce LaFavers, Earl Leach, Kyle Lund, Jonathan Lunsford, Wade McNabb, Taylor Morrow, Courtney Prater, Tyquan Rice, William Richie, Joshua Roberts, Sarah Samanowitz, Ricky Satterfield, Seth Schilling, Hakem Shelby, Laura Short, Joshua Slone, Zacheriah Smith, James Smith, Dominique Sparks, Shelby Thomas, Brittany Trigg, Alexander Turpin, Grant Walker, Jenna Waugh, Jonathan Whitaker, Community Corrections Officers, Grade 110N, \$14.340 hourly in the Div. of Community Corrections, effective March 3, 2014; ratifying the Probationary Sworn Appointments: Kevin Metcalf, Police Lieutenant, Grade 317E, \$3,025.15 biweekly, Jeremy Russell, Police Sergeant, Grade 315N, \$28.588 hourly, both in the Div. of Police, effective February 24, 2014; Lee Hayden, Jason Walton, Fire Major, Grade 318E, \$3,521.02 biweekly, effective January 12, 2014, Maria Roberts, Fire Major, Grade 318E, \$3,521.02 biweekly, effective January 10, 2014, Christopher Burke, Fire Captain, Grade 316N, \$23.160 hourly, effective January 10, 2014, Douglas Hurt, Fire Captain, Grade 316N, \$23.160 hourly, effective January 12, 2014, David Johnston, Gregory Lengal, Jamie Tinsley, Fire Captains, Grade 316N, \$23.160 hourly, effective January 12, 2014, Gerald Evans, Stephen Lewis, Brian Lilly, Fire Lieutenants, Grade 316N, \$17.860 hourly, effective January 12, 2014, Serafin Robles, Fire Lieutenant, Grade 316N, \$17.860 hourly, effective January 10, 2014; Joshua Thiel, Harlan White, Fire Lieutenants, Grade 316N, \$17.860 hourly, effective January 12, 2014, all in the Div. of Fire and Emergency Services was given first reading.

Upon motion of Mr. Farmer, seconded by Mr. Lane, the rules were suspended by unanimous vote.

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

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

Nay: -----0

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Cardinal Valley Elementary PTA, Inc. (\$3,100), for the Office of the Urban County Council, at a cost not to exceed the sum stated was given first reading.

Upon motion of Mr. Farmer, seconded by Mr. Lane, the rules were suspended by unanimous vote.

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

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

Nay: -----0
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Upon motion of Ms. Gorton, seconded by Ms. Lawless, and approved by unanimous vote, a Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Lease Termination Agreement with the Commonwealth of Ky., for the use and benefit of the University of Ky., in return for payment to the Lexington-Fayette Urban County Government in the amount of \$800,000 was placed on the docket and given first reading.

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

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

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

Nay: -----0
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Mr. Kay made a motion, seconded by Ms. Scutchfield, that a Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Trademark Use Agreement with the Lexington Convention and Visitors Bureau, for use of the "Blue Horse" logo on Lexington-Fayette Urban County Government identification badges for employees and contractors be placed on the docket and given first reading.

Mr. Stinnett asked questions concerning the appearance of the new identification badges. Mr. Jamshid Baradaran, Director of the Division of Facilities and Fleet Management, gave a description of the new identification badges.

Mr. Kay's motion **passed** by unanimous vote. The resolution was given first reading.

Upon motion of Mr. Kay, seconded by Ms. Gorton, the rules were suspended by unanimous vote.

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

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

Nay: -----0

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Upon motion of Mr. Clarke, seconded by Ms. Gorton, and approved by unanimous vote, a Resolution accepting the bid of Smith Contractors, Inc., in the amount of \$310,000, for the Town Branch Waste Water Treatment Plant Vector Truck Unloading Station, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Smith Contractors, Inc., related to the bid was placed on the docket, given first reading and ordered placed on file two weeks for public inspection.

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

A Resolution accepting the bid of Brenntag Mid-South, Inc., establishing a price contract for Phosphorous Reduction Chemicals, for the Div. of Water Quality.

A Resolution accepting the bid of Brenntag Mid-South, Inc., establishing a price contract for Sulfur Dioxide - Liquid, for the Div. of Water Quality.

A Resolution accepting the bids of Wooldridge Homes, Inc., and Solid Rock Construction Services, LLC, establishing price contracts for UPC - Demolition of Residential Structures, for the Div. of Water Quality, and authorizing the Mayor to execute any related agreements.

A Resolution ratifying the Probationary Civil Service Appointments of: Amber Luallen, Recreation Manager, Grade 114E, \$1,729.52 biweekly, Conley White,

Equipment Operator Sr., Grade 109N, \$19.613 hourly, both in the Div. of Parks and Recreation, effective March 10, 2014, Demetria Mehlhorn, Program Manager Sr., Grade 120E, \$2,556.88 biweekly, in the Div. of Environmental Policy, effective March 10, 2014; ratifying the Permanent Civil Service Appointment of: Roger Mulvaney, Traffic Engineer, Grade 117E, \$1,899.76 biweekly in the Div. of Traffic Engineering, effective February 6, 2014, Brenda McFaddin, Staff Assistant, Grade 107N, \$15.428 hourly, effective January 15, 2014, Marcia Woodyard, Staff Assistant, Grade 107N, \$13.237 hourly, effective July 1, 2013, both in the Div. of Police, Tyler Jett, Heavy Equipment Technician, Grade 113N, \$16.624 hourly in the Div. of Facilities and Fleet Management, effective February 5, 2014; ratifying the Permanent Sworn Appointment of: Samantha Moore, Police Sergeant, Grade 315N, \$28.588 hourly in the Div. of Police, effective January 15, 2014.

A Resolution changing the property address numbers of 109 Quinton Ct. to 300 Quinton Ct. and of 3005 Tates Creek Rd. to 3001 Tates Creek Rd. and changing the street names and property address numbers of 7095 Old Richmond Rd. to 1099 South Cleveland Rd. and of 4136 Plantagenet Dr. to 1604 Tropicana Dr., all effective thirty days from passage.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the Ky. Transportation Cabinet, for the acceptance of additional Federal funds in the amount of \$555,776 for the Tates Creek Road Sidewalk Improvements Project, the acceptance of which obligates the Urban County Government for the expenditure of \$138,944 as a local match.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Marketing Agreement with Golftek, LLC dba Eagle Watch Golf, for contests at Government golf courses.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) (Final) to the contract with Smith Contractors, Inc., for the Expansion Area 2A Wastewater System Improvements Contract 2 - Force Main, for the Div. of Water Quality decreasing the contract price by the sum of \$62,879.59 from \$1,146,900.00 to \$1,084,002.41.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Eastern Ky. University (EKU), for academic credit for a specific course offered by EKU, at a cost not to exceed \$32,000.

A Resolution authorizing the Div. of Fire and Emergency Services, on behalf of the Urban County Government, to purchase specialized diving equipment from Interspiro, Inc., a sole source provider, at an estimated cost not to exceed \$18,370.90 from Federal Grant funds from the Ky. Office of Homeland Security, and authorizing the Mayor, on behalf of the Urban County Government, to sign any necessary agreement related to the equipment.

A Resolution authorizing the Div. of Fire and Emergency Services, on behalf of the Urban County Government, to purchase specialized boats from Rescue ONE Connector Boats, a sole source provider, at an estimated cost not to exceed \$48,000 Federal Grant funds from the Ky. Office of Homeland Security, and authorizing the Mayor, on behalf of the Urban County Government, to sign any necessary agreement related to the boats.

A Resolution declaring as surplus and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute a quit claim deed, and any other documents necessary, for the transferring of the public right-of-way on Shadybrook Ln., to adjacent property owners of 2169, 2173, 2177, and 2181 Lakeside Dr.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Board of Education of Fayette County, for services under the 2011 Project Safe Neighborhood Program, at a cost not to exceed \$20,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Department of Military Affairs, Div. of Emergency Management, which Grant funds are in the amount of \$982,300 Federal funds, are for continuation of the Chemical Stockpile Emergency Preparedness Program (CSEPP) for FY 2014, 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 and submit a Grant Application to the U.S. Dept. of Housing and Urban Development and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$1,474,000 Federal funds, and are for continuation of the Housing Opportunities for Persons with AIDS Program.

A Resolution designating the speed limit on Blackford Pkwy. as 25 miles per hour and authorizing and directing the Div. of Traffic Engineering to install proper and appropriate signs in accordance with the designation.

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Commander Melissa Sedlaczek, Div. of Police, stated that Officer Ray Wilson has committed the offense of Inappropriate Action and Unsatisfactory Performance Action in violation of KRS 95.450 and General Order #73-2/H, Operational Rules, Section 1.48 and Section 1.11, in that on various days of 2011 through 2014 he was dispatched to a theft report on 9/30/13 and failed to complete the necessary report after the complainant stated that she did not have a complete list of the stolen items. He advised the complainant to call him with the complete list once she had it together. He also did not book in pawn receipts and a note that the suspect had left. Ofc. Wilson then cleared the call with a Code 5. The correct action would have been to complete the initial report and book in the receipts and note as evidence. A felony theft report was ultimately taken for the complainant by another officer on 10/10/13. (**G.O. 73-2/H, Operational Rules, Section 1.48 – Inappropriate Action**) Ofc. Ray Wilson has demonstrated difficulty in maintaining sufficient competency in performing his duties and responsibilities. He has shown an inability to perform assigned tasks by not completing reports when dispatched to report calls and not treating the citizens to the expected standard of professionalism and courteousness of the Division during additional incidents occurring on 10/7/2011; 12/17/2011; 01/12/2013; and 9/30/2013. His failure to complete such tasks in a professional manner has resulted in inquiries from involved parties, delays in investigations and processing claims. Ofc. Wilson has not performed his duties in a standard that carries out the function and objectives of the Division of Police, (**G.O. 73-2/H, Operational Rules, Section 1.11 – Unsatisfactory Performance**) and that the appropriate punishment for this conduct is Forty (40) Hours

Suspension Without Pay (Section 1.48, Inappropriate Action) and Eighty (80) Hours Suspension Without Pay (Section 1.11, Unsatisfactory Performance).

Upon motion of Mr. Ellinger, seconded by Mr. Myers, the disciplinary action was approved by unanimous vote.

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Commander Melissa Sedlaczek, Div. of Police, stated that Officer Kevin Sloas has committed the offense of Reporting for Duty Action in violation of KRS 95.450 and General Order #73-2/H, Operational Rules, Section 1.08, in that on the 6th day of December 2013 he was sent an "Options Letter" from the Division of Human Resources defining the choices remaining to him regarding his employment with the Lexington Division of Police. That letter outlined what had already occurred regarding his Family Medical Leave dates and hours taken associated with a non-work related medical condition. All paid leave for Officer Sloas has been exhausted; therefore, AWOL leave began on September 3, 2013. Officer Sloas was given a deadline date Friday, December 6, 2013 to be medically released to return to full duty with no restrictions. Options noted in the letter included to apply, compete and be selected for other LFUCG positions that he can perform with his medical restrictions within 30 days or resign from his position. On Friday, December 6, 2013, Officer Sloas failed to contact Human Resources and provide a definite answer to his Option Letter. Ms. Ashley Case called Officer Sloas on Monday, December 9, 2013 attempting to determine the choice he was going to take regarding his employment at the Division of Police. She advised him that his only remaining options were to resign or the LFUCG was prepared to pursue his dismissal. Officer Sloas selected the dismissal process. Officer Sloas failed to report to duty with medical proof from his physician by Friday, December 6, 2013 that he is mentally and physically fit to perform his duties as a Police Officer, and that the appropriate punishment for this conduct is Termination.

Upon motion of Ms. Gorton, seconded by Ms. Henson, the disciplinary action was approved by unanimous vote.

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Mr. Farmer read from a letter from a constituent regarding her thanks for putting in the new sidewalks on Tates Creek Road.

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Ms. Lawless spoke about Gallery Hop on Friday, February 21, 2014. She directed the public to the website www.downtownlex.com for additional activity listings. She asked for a weather update, and the Mayor gave an update. She urged the public to be cautious.

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Mr. Myers spoke about the Walk for Warmth event on Saturday, February 22, 2014 at Triangle Park.

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Ms. Henson recognized the Lexington-Fayette Urban County Government Div. of Fire and Emergency Services for their safety record.

The Mayor recognized Battalion Chief Chris Sweat in the audience from the division.

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Upon motion of Ms. Gorton, seconded by Ms. Henson, and approved by unanimous vote, the meeting adjourned at 7:17 p.m.

Clerk of the Urban County Council