

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky June 5, 2014

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on June 5, 2014 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, Henson, Kay, Lane, Lawless, Myers, Scutchfield, Stinnett, Akers, Beard, and Clarke. Absent were Council Members Gorton and Mossotti.

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

Resolutions No. 239-2014 through 274-2014, and Ordinances No. 54-2014 through 58-2014, inclusive, were reported as having been signed and published, and ordered to record.

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A moment of silence was observed in lieu of an invocation.

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The Mayor recognized the Family Care Center and spoke about the history of the Center. He talked about the services the Center provides. The Mayor read a Proclamation honoring the Family Care Center and declaring June 5, 2014 as Family Care Center Day in Lexington. The Mayor asked Commissioner Beth Mills, Dept. of Social Services, to come to the podium. Ms. Mills spoke about how the Family Care Center was built and how it got its start. Ms. Mills introduced Ms. Joanna Rodes, Director, Ms. Tiffany Compton, Director of the High School, Ms. Karen Underwood, Director of the Childcare Program, and Ms. Karen Hacker, Director of Kentucky's Hands Program. Ms. Rodes invited everyone to visit the Center. She thanked the Mayor and Council on behalf of herself and the families of the Center.

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The Mayor recognized the Bryan Station Girls Track and Field Team. He spoke about the Team and congratulated them on being the 2014 Kentucky High School Athletic Association Class 3A Girls Track and Field Champions. He commended the Team on their hard work and accomplishments. The Mayor invited Mr. Stinnett to the podium. The Mayor read a Proclamation commemorating the accomplishments of the Girls Track and Field Team and declaring June 5, 2014 as Bryan Station Lady Defenders Day.

The Mayor named the following Team members and the coaches in the Proclamation: team members Noela Botaka, Manuela Botaka, Jeanice Boyd, Catherine Bloomfield, Emma Guilfoil, Crystal Irvin, Deserae Jones, Shania Lyvers, Teairra Payton, Rachel Roberts, Brooke Raglin, Dakesha Stewart, Talor Wilkerson and Halima Williams.

Mr. Stinnett thanked the Team for setting a great example for the school and the City. He wished them good luck in the future.

Coach Kathy Broadnax, thanked the Council and Mayor for this honor. She stated that the team not only won their championship, but broke many State records.

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Upon motion of Mr. Farmer, seconded by Mr. Myers, and approved by unanimous vote, Public Comment was taken out of order on the Agenda.

The following citizens spoke about the 21c project: (1) Mr. Jeff Fugate, Lexington Downtown Development Authority; (2) Mr. Malcolm Ratchford, Moon Coin Way, Executive Director for Community Action Council; (3) Ms. Knox van Nagell, Short Street; (4) Ms. Holly Wiedeman, West Short Street, President of AU Associates; (5) Mr. Tom Poskin, West Short Street, Meridian Wealth Management; (6) Mr. Dave Harper, Russell Cave Road; (7) Mr. Jason Sloan, Market Street, Bluegrass Trust for Historic Preservation; (8) Mr. Bill Johnson, West Short Street; (9) Mr. Nathan Dickerson, East Main Street, Executive Director of Progress Lex; (10) Mr. James Perkins, Tatesbrook Drive; (11) Mr. Griffin Van Meter, North Limestone Street, President of the North Limestone Community Development Corp.; (12) Ms. Stephanie Harris, Windsong Trail, Executive Director of the Lexington Art League; (13) Ms. Kate Savage, Columbia Avenue, University of Kentucky Art Museum; (14) Mr. Steven Katz, Clyde Street; (15) Mr. Robert Cunningham, Broadhead Place, who submitted a handout with pictures of artwork in 21c Museums; (16) Mr. Lee Greer, Lakewood Lane.; (17) Ms. Elizabeth Freeman, Bishop Drive, Pastor of the Church of God in Jesus' Name; (18) Ms. Janet Tucker, Johnson Avenue; (19) Mr. Michael Johnson, Niagra Drive; (20) Mr. William Wheeler, Jesselin Drive; (21) Ms. Margaret Harris, Colfax Street; (22) Mr. Ken Sagan, Hard Road, 2014 Chair of Commerce Lexington; (23) Mr. Bernard McCarthy, Harry Street; and (24) Representative Kelly Flood, District 75, Arcadia Park.

Mayor Foster Petit, West 2nd Street, spoke concerning the 21c project. Upon motion of Ms. Lawless, seconded by Mr. Beard, and approved by unanimous vote, Mayor Petit was given two additional minutes to speak.

Upon motion of Mr. Farmer, seconded by Mr. Lane, and approved by unanimous vote, a Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Funding Approval/Agreement with the U.S. Dept. of Housing and Urban Development, for a Section 108 Loan in the amount of \$6,000,000 for the 21c Hotel Museum Project, and authorizing the Mayor to execute any necessary loan documents to provide the funds to 21c Lexington, LLC, for the project was taken out of order and given second reading.

Mr. Farmer made a motion, seconded by Mr. Kay, that this resolution be approved.

Mr. Kay spoke about the use of funds for this project and his support for the project.

Mr. Myers asked Mr. Craig Greenberg, President of 21c Museum Hotels, about a hiring plan. Mr. Greenberg spoke about community outreach to fill jobs with the 21c hotel.

Mr. Myers asked about repayment of the loan referred to an Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$1,008,000 reserved in General Fund fund balance for outstanding Lexington Downtown Housing Fund loans and appropriating and re-appropriating funds, Schedule No. 68 on the docket for second reading. Commissioner Bill O'Mara, Dept. of Finance, described this loan and how it was different from the loan with the 21c project.

Mr. Greenberg explained the circumstances that would cause the 21c project loan to not be repaid.

Ms. Lawless spoke about loans the city has made.

Ms. Scutchfield asked Mr. Greenberg about the tax funding for projects in other cities. Mr. Greenberg spoke about funding for various 21c projects.

The Council discussed the motion.

Mr. Farmer's motion **passed** by the following vote:

Aye: Ellinger, Farmer, Henson, Kay, Lane,
Lawless, Scutchfield, Akers Beard, Clarke -----10

Nay: Ford, Myers, Stinnett -----3

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The Council went into recess at 8:38 P.M.

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The Council returned from recess at 8:43 P.M. with the same members present.

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Upon motion of Ms. Scutchfield, seconded by Mr. Ellinger, the Minutes of the May 22 and 27, 2014 Council Meetings were approved by unanimous vote.

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An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$1,008,000 reserved in General Fund fund balance for outstanding Lexington

Downtown Housing Fund loans and appropriating and re-appropriating funds, Schedule No. 68 was given second reading.

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

Aye: Ellinger, Farmer, Ford, Henson, Kay,
Lane, Lawless, Scutchfield, Stinnett, Akers,
Beard, Clarke-----12

Nay: Myers-----1
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The following ordinances were given second reading. Upon motion of Mr. Ellinger, seconded by Ms. Scutchfield, the ordinances were approved by the following vote:

Aye: Ellinger, Farmer, Ford, Henson, Kay,
Lane, Lawless, Myers, Scutchfield, Stinnett,
Akers, Beard, Clarke -----13

Nay: -----0

An Ordinance expanding and extending Partial Urban Services District #5 for the Urban County Government for the provision of garbage and refuse collection and street lighting, to include the areas defined as certain properties on the following street: 107 Arcadia Pk. through 209 Arcadia Pk.

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: 211 through 611 Arcadia Pk.

An Ordinance declaring a private road located north of the Richmond Rd. Home Depot store which starts at the west end of the Woodhill Dr. Extension and ends at the Southland Christian Church property line to have been dedicated to the Lexington-Fayette Urban County Government as a public way, and accepting the dedication.

An Ordinance pursuant to Section 6.12 of the Lexington-Fayette Urban County Government Charter transferring the Divs. of Computer Services and Enterprise Solutions from the Office of the Chief Administrative Officer to the Office of the Chief Information Officer; amending Section 22-5(2) of the Code of Ordinances abolishing one (1) position Chief Information Officer, Grade 212E, in the Office of the Chief Administrative Officer and creating one (1) position of Chief Information Officer, Grade 212E, in the Office of the Chief Information Officer; transferring all incumbents and all

vacant positions at their current job classification, pay grade and salary; amending Sections 21-5(2) and 22-5(2) of the Code of Ordinances to renumber the affected sections; effective upon date of passage.

An Ordinance closing Prospect Ave. and a portion of Simpson Ave.; determining that all property owners abutting the streets or portions thereof to be closed have been identified, provided with written notice of the proposed closing and consented thereto in writing; and authorizing and directing the Mayor, on behalf of the Urban County Government, to execute quitclaim deeds transferring the former right-of-way to the abutting owners, subject to the reservation of easements for access and maintenance of existing utilities in the former right-of-way.

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. 65.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$1,500 for the Div. of Parks and Recreation from Neighborhood Development Funds for the purchase of exercise equipment for the Kenwick Community Center, and appropriating and re-appropriating funds, Schedule No. 67.

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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. 66 was on the docket for first reading.

Upon motion of Mr. Ellinger, seconded by Ms. Lawless, and approved by unanimous vote, the ordinance was amended to add the items provided in the exhibit Budget Amendment Request List - Addendum.

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. 66 was given new first reading as amended and ordered placed on file two weeks for public inspection.

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Upon motion of Mr. Ellinger, seconded by Mr. Myers, and approved by unanimous vote, an Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$1,700 from Neighborhood Development Funds in the Dept. of Social Services for the Senior Intern Program, and appropriating and re-appropriating funds, Schedule No. 70 was placed on the docket and given first reading and ordered placed on file two weeks for public inspection.

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

An Ordinance changing the zone from a High Density Apartment (R-4) zone to a Neighborhood Business (B-1) zone, for 0.441 net (0.515 gross) acres for property located at 508 West Second St., including dimensional variances (Collins-Wathen Properties, LLC; Council District 2). Approval 8-0 (To Be Heard By July 23, 2014)

An Ordinance changing the zone from a Single Family Residential (R-1D) zone to a High Density Apartment (R-4) zone, for 0.9 net (1.1 gross) acres for property located at 201 & 205 Burley Ave.; 1107, 1109 & 1111 Stillwell Ave., including dimensional variances (Burley Partners, LLC; Council District 3). Approval 8-0 (To be heard by July 23, 2014)

An Ordinance amending Sections 2-250, 2-251, 2-253 and 2-256 of the Code of Ordinances, relating to the Domestic Violence Prevention Board, to: include a Mission Statement for the Board; update the types of domestic violence to be the focus of the board; include a definition for "violence" and "abuse"; include a list of primary objectives; update the membership of the board; provide that the members of the board shall elect officers, that elected officers shall serve a four-year term and may not serve consecutive terms, and that the Commissioner of Social Services shall serve as the Treasurer; and to update the duties of the board.

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 \$1,900 from Neighborhood Development Funds for traffic improvements at Glendover Rd. and Valley Rd., and appropriating and re-appropriating funds, Schedule No. 69.

A Resolution accepting the bid of ZKB Services, LLC, in the amount of \$28,590.75, for Handrail and Anchoring System Installation, for the Div. of Engineering.

A Resolution accepting the bid of Air Source Technology, Inc., establishing a price contract for Environmental Consulting Services, for the Div. of Facilities and Fleet Management, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Air Source Technology, Inc., related to the bid.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Contract with EC Matthews Co., Inc., for replacement of the arch entryway at the Div. of Community Corrections, increasing the contract price by the sum of \$19,420 from \$78,305 to \$97,725.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a five-year Agreement with Siemens Industry, Inc., for fire alarm maintenance, for the Div. of Community Corrections, at a cost not to exceed \$24,635 for the first year.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amended Lease Agreement with Alfalfa Restaurant, LLC, for tenants' future payment of natural gas use.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Letter of Agreement with God's Pantry Food Bank, Inc., for referral of clients to God's Pantry by the Lexington-Fayette Urban County Government, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Supplemental Agreement No. 2 with the Ky. Transportation Cabinet, for the acceptance of additional Federal funds in the amount of \$25,000 for the utility phase of the Rose St. Bike Lane Project, the acceptance of which obligates the Urban County Government for the expenditure of \$6,250 as a local match.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Ky. American Water Co. for the relocation of utilities for the Rose St. Bike Lane Project, at a cost not to exceed \$25,910.

A Resolution amending Section 2 of Resolution No. 16-2013 relating to a Supplemental Environmental Project at the Police Canine Facility to increase the

authorized funding for the Project from \$30,000 to an estimated cost not to exceed \$47,037.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Engineering Services Agreement with Hazen & Sawyer, P.S.C. for Sanitary Sewer Capacity, Management, Operations and Maintenance Program (CMOM) deliverables for Consent Decree Implementation, increasing the contract price by the sum of \$52,000 from \$345,000 to \$397,000, and extending the contract term from June 30, 2014 through August 31, 2014.

A Resolution ratifying the Probationary Civil Service Appointments of: Sonya Schlaun-Lirussi, Administrative Specialist, Grade 110N, \$20.413 hourly in the Div. of Revenue, effective June 16, 2014, Albert Miller, Director, Grade 121E, \$3,347.36 biweekly in the Div. of Streets and Roads, effective May 19, 2014, Deboraha Griffin, Efficiency Analyst, Grade 118E, \$2,778.56 biweekly in the Div. of Waste Management, effective June 2, 2014, Jeffery Clark, Enforcement Supervisor, Grade 113N, \$22.566 hourly in the Div. of Waste Management, effective June 2, 2014; ratifying the Permanent Civil Service Appointments of: Tara Robinson, Administrative Specialist, Grade 110N, \$14.711 hourly in the Div. of Waste Management, effective May 17, 2014, Rhonda Clark, Administrative Specialist, Grade 110N, \$20.912 hourly in the Div. of Waste Management, effective May 17, 2014, Tamoy Carter, Public Service Supervisor, Grade 111N, \$16.207 hourly in the Div. of Family Services, effective May 4, 2014.

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Upon motion of Ms. Henson, seconded by Mr. Beard, and approved by a majority vote (Ms. Lawless and Mr. Stinnett were absent when the vote was taken), a Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Civil Service Appointment: Jason Martin, Engineering Technician, Grade 111N, \$16.681 hourly in the Div. of Engineering, effective June 16, 2014, Bennie Begley, Engineering Technician, Grade 111N, \$21.036 hourly in the Div. of Water Quality, effective June 30, 2014, Rachael Berry, Payroll Analyst, Grade 115E, \$1,696.96 biweekly in the Div. of Accounting, effective June 23, 2014, Peggy Floyd, Staff Assistant, Grade 107N, \$15.428 hourly in the Div. of Youth Services, Jesse Jones, Code Enforcement Officer, Grade 113N, \$16.624 hourly in the Div. of Code Enforcement, both effective upon passage of Council; authorizing the Div. of Human

Resources to make a conditional offer to the following Probationary Community Corrections Officer Appointments: Samantha Adams, Brandon Bailey, Neil Buckeridge, Patrick Cornett, Kenneth Derrickson, Adam Downing, Jennifer Duff, Mitchell Dunn, Paul Ellis, Benjamin Ennis, Shelley Estes, Kimberly Fishter, Douglas Fry, Haley Garcia, Scott Harding, Ethan Helms, Tricia Holman, Brandon Hurst, David Jackson, Michael Jefferson, Melinda Kristoff, Ryan Parker, James Perry, Katrina Privett, Andrew Rivas, Jermol Simmons, Bruce Smith, Steven Smith, Brittany Taylor, Joshua Wagner, Sheneki Walley, Anthony Wilhoit, Cleveland Willoughby, Paul Yezzo, all Community Corrections Officer, Grade 110N, \$14.536 hourly in the Div. of Community Corrections, effective July 7, 2014; authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Sworn Appointments: Jeremy Adkins, Blake Andrews, Joseph Baker, Mary Blankenship, Jeffrey Chelf, James Costa, David Covell, Jacob Dalton, Ricardo Delgado, Aaron Evans, Brandon Hazelwood, Joseph Jaspersen, Joshua Johnson, Matthew Kaper, Jody Kizis, Kristyn Klingshirn, David Lawson, Zachary Lusk, Brandon Miller, Kevin Morris, Eddie Murphy II, Tai Nguyen, Jason Paulson, Ethan Payne, Jennifer Pfoff, Robert Ward, Brandon Whitis, Daniel Raleigh, Chad Clagett, Nicholas Mudd, Brandon Ritchie, Cory Vinlove, Justin Ray, Steven Hudak, Zachary Bowman, Derrick Walton, John Ringe, Nathaniel Baker, all Police Officer, Grade 311N, \$17.890 hourly in the Div. of Police, effective July 14, 2014 was placed on the docket and given first reading.

Upon motion of Ms. Henson, seconded by Mr. Clarke, the rules were suspended by a majority vote (Ms. Lawless and Mr. Stinnett were absent when the vote was taken).

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

Aye: Ellinger, Farmer, Ford, Henson, Kay,
Lane, Myers, Scutchfield, Akers, Beard,
Clarke -----11

Nay: -----0
(Ms. Lawless and Mr. Stinnett were absent when the vote was taken)

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Upon motion of Mr. Myers, seconded by Mr. Farmer, and approved by a majority vote (Ms. Lawless and Mr. Stinnett were absent when the vote was taken), a Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with YMCA of Central Ky. (\$1,000.00) and the Aviation Museum of Ky.

(\$1,000.00), for the Office of the Urban County Council, at a cost not to exceed the sums stated was placed on the docket and given first reading.

Upon motion of Mr. Myers, seconded by Mr. Ellinger, the rules were suspended by a majority vote (Ms. Lawless and Mr. Stinnett were absent when the vote was taken).

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

Aye: Ellinger, Farmer, Ford, Henson, Kay,
Lane, Myers, Scutchfield, Akers, Beard,
Clarke -----11

Nay: -----0
(Ms. Lawless and Mr. Stinnett were absent when the vote was taken)
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Upon motion of Mr. Ford, seconded by Mr. Myers, and approved by a majority vote (Ms. Lawless and Mr. Stinnett were absent when the vote was taken), a Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. One (1) to the Contract with Economy Glass Service, Inc., for Dunbar Community Center Window Replacements, increasing the contract price by the sum of \$45,388 from \$99,876 to \$145,264 was placed on the docket and given first reading.

Upon motion of Mr. Ford, seconded by Mr. Beard, the rules were suspended by a majority vote (Ms. Lawless and Mr. Stinnett were absent when the vote was taken).

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

Aye: Ellinger, Farmer, Ford, Henson, Kay,
Lane, Myers, Scutchfield, Akers, Beard,
Clarke -----11

Nay: -----0
(Ms. Lawless and Mr. Stinnett were absent when the vote was taken)
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Upon motion of Ms. Henson, seconded by Mr. Beard, and approved by a majority vote (Ms. Lawless and Mr. Stinnett were absent when the vote was taken), a Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Commonwealth of Ky. Transportation Cabinet, Dept. of Highways, to reimburse the Urban County Government up to \$330,000 for operation and maintenance of traffic signals and electrical traffic control devices on the state primary road system was placed on the docket and given first reading.

Upon motion of Ms. Henson, seconded by Mr. Clarke, the rules were suspended by a majority vote (Ms. Lawless and Mr. Stinnett were absent when the vote was taken).

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

Aye: Ellinger, Farmer, Ford, Henson, Kay,
Lane, Myers, Scutchfield, Akers, Beard,
Clarke -----11

Nay: -----0
(Ms. Lawless and Mr. Stinnett were absent when the vote was taken)
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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Agreements with Copperfield Neighborhood Association, Inc. (\$590), Neighbors United for South Elkhorn Creek, Inc. (\$510), Stonewall Community Association, Inc. (\$350), The Children's Advocacy Center of the Bluegrass, Inc. (\$1,000), Girl Scouts of Ky.'s Wilderness Road Council, Inc. (\$500), Willow Oak Homeowners' Association (\$1,000), Robinwood Neighbors Association, Inc. (\$500), MLK Neighborhood Association (\$300), and FoodChain (\$500), for the Office of the Urban County Council, at a cost not to exceed the sums stated was given first reading.

Upon motion of Ms. Scutchfield, seconded by Ms. Henson, the rules were suspended by a majority vote (Ms. Lawless and Mr. Stinnett were absent when the vote was taken).

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

Aye: Ellinger, Farmer, Ford, Henson, Kay,
Lane, Myers, Scutchfield, Akers, Beard,
Clarke -----11

Nay: -----0
(Ms. Lawless and Mr. Stinnett were absent when the vote was taken)
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A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with the Commonwealth of Ky. State Board of Elections renewing the agreement for the acceptance of \$1,125,000 for the purchase of voting equipment was given first reading.

Upon motion of Mr. Clarke, seconded by Mr. Ford, the rules were suspended by a majority vote (Ms. Lawless and Mr. Stinnett were absent when the vote was taken).

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

Aye: Ellinger, Farmer, Ford, Henson, Kay,
Lane, Myers, Scutchfield, Akers, Beard,
Clarke -----11

Nay: -----0
(Ms. Lawless and Mr. Stinnett were absent when the vote was taken)
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The following resolutions were given first reading. Upon motion of Ms. Henson, seconded by Mr. Clarke, the rules were suspended by a majority vote (Ms. Lawless and Mr. Stinnett were absent when the vote was taken).

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

Aye: Ellinger, Farmer, Ford, Henson, Kay,
Lane, Myers, Scutchfield, Akers, Beard,
Clarke -----11

Nay: -----0
(Ms. Lawless and Mr. Stinnett were absent when the vote was taken)

A Resolution accepting the response of EA Partners, PLC, to RFP No. 22-2014 - Versailles Rd. Corridor Improvements Alternatives Analysis Study, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with EA Partners, PLC, to provide services related to the RFP, at a cost not to exceed \$150,000, for the Dept. of Planning, Preservation, and Development.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Agreement with Eastern Ky. University, for operation of Safety City.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Lord, Aeck & Sargent, Inc., for a Cardinal Valley Small Area Plan, at a cost not to exceed \$110,000.

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A Resolution accepting the bid of Bluegrass Business Services, Inc. d/b/a Bluegrass Mailing Data & Fulfillment Services, establishing a price contract for Mailing Services, for the Div. of Revenue was on the docket for first reading.

Upon motion of Mr. Kay, seconded by Mr. Farmer, and approved by a majority vote (Ms. Lawless and Mr. Stinnett were absent when the vote was taken), the resolution was removed from the docket.

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Upon motion of Ms. Henson, seconded by Ms. Scutchfield, and approved by a majority vote (Ms. Lawless and Mr. Stinnett were absent when the vote was taken), a Resolution ratifying the Probationary Civil Service Appointment of: Jonathan Sutton, Evidence Technician, Grade 112N, \$23.554 hourly in the Div. of Police, effective June 16, 2014; ratifying the Permanent Civil Service Appointments of: Michael Cravens, Attorney, Grade 117E, \$1,957.28 biweekly in the Dept. of Law, effective May 18, 2014, Stephen Gahafer, Nuisance Control Officer, Grade 111N, \$18.174 hourly in the Div. of Code Enforcement, effective May 4, 2014, Alisha Lyle, Administrative Specialist, Grade 110N, \$16.615 hourly in the Div. of Human Resources, effective May 18, 2014, Carrie Bradford, Financial Coordinator, Grade 112N, \$16.059 hourly in the Div. of Grants and Special Programs, effective April 21, 2014, Aubrey Burton, Equipment Operator Sr., Grade 109N, \$16.354 hourly in the Div. of Waste Management, effective April 6, 2014, Larry Hall, Equipment Operator Sr., Grade 109N, \$15.207 hourly in the Div. of Waste Management, effective April 13, 2014, Eric Eason, Engineering Technician, Grade 111N, \$14.596 hourly in the Div. of Traffic Engineering, effective May 18, 2014 was placed on the docket, given first reading and ordered placed on file two weeks for public inspection.

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Upon motion of Mr. Farmer, seconded by Mr. Myers, and approved by a majority vote (Ms. Lawless and Mr. Stinnett were absent when the vote was taken), a Resolution accepting the response of MSK2, LLC, to RFP No. 25-2014 Commercial Corridor Study, and authorizing the Mayor, on behalf of the Urban County Government, to execute the Consulting Services Agreement, with MSK2, LLC, to provide urban planning and economic analysis of the Euclid Ave./Ave. of Champions and South Limestone Corridors pursuant to the RFP, at a cost not to exceed \$75,000.00, for the Dept. of Planning, Preservation and Development 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 bids of Clint Chemical & Janitorial Supplies, Inc.; Hurst Office Suppliers; Bluegrass Towel & Tissue; Baumann Paper Co.; Pyramid

School Products; Central Poly Corp.; Unipak Corp.; and Southwest Jefferson, Inc., establishing price contracts for Janitorial Chemicals and Supplies, for the Div. of Community Corrections.

A Resolution accepting the bid of Classic Clean Pro, LLC, establishing a price contract for Custodial Services - Versailles Road Campus, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of D-C Elevator Co., Inc., establishing a price contract for elevator and lift maintenance, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Tom Chestnut Excavation and Construction Services, LLC, establishing a price contract for Fencing for Man-O-War Blvd., for the Div. of Streets and Roads.

A Resolution accepting the bid of Harrod Concrete & Stone, Co., Inc., establishing a price contract for wet mix concrete, for the Div. of Streets and Roads.

A Resolution accepting the bid of Classic Clean Pro, LLC, establishing a price contract for Custodial Services - Central Ky. Job Center, for the Div. of Facilities and Fleet Management.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Pearson VUE, for GED testing for the offender population at the Detention Center, at a cost not to exceed \$6,000 annually.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a First Amendment to Agreement with Granicus, Inc., to enable the Legislative Suites Software in FY 15, at an additional cost not to exceed \$37,200.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Statement of Compliance for bridge posting requirements.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 4 to the Contract with HW Lochner, for right-of-way services for the Newtown Pike Extension Project, increasing the contract price by the sum of \$31,750.00 from \$223,331.25 to \$255,081.25.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Transportation Cabinet, which Grant funds

are in the amount of \$120,000 Federal funds, are for the Lextran 5-year Comprehensive Operation Analysis/Long Range Transit System Analysis Project, the acceptance of which obligates the Urban County Government for the expenditure of \$30,000 as a local match (to be provided by Lextran), authorizing the Mayor to transfer unencumbered funds within the Grant budget, and authorizing the Mayor, on behalf of the Urban County Government, to execute a Subrecipient Agreement with Lextran for project development and implementation.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Ninth Amendment to Agreement with AmeriNational Community Services, Inc., for loan servicing for the HOME and CDBG housing rehabilitation and homeownership programs to extend the Agreement through June 30, 2016, at an additional cost not to exceed \$75,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Justice and Public Safety Cabinet, which Grant funds are in the amount of \$2,307,270 Commonwealth of Ky. funds, are for police training incentive funds, 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 accept a Grant from the Commission on Fire Protection, Personnel, Standards and Education, which Grant funds are in the amount of \$2,274,830 Commonwealth of Ky. funds, are for training incentive funds for firefighters, 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 Amendment #3 to the Agreement with Bluegrass Area Development District, to accept additional Federal funds in the amount of \$16,051 for operation of the Lexington Senior Citizens Center.

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. Department of

Justice, 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 \$213,624 Federal funds under the Edward Byrne Memorial Justice Assistance Grant Program, are for the purchase of equipment and training for the Div. of Police, 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 Dean Dorton Allen Ford, PLLC to conduct a financial audit of all Lexington-Fayette Urban County Government funds for Fiscal Year 2014 for an amount not to exceed \$149,000 (FY2015) subject to sufficient funds being appropriated, and authorizing the Mayor, on behalf of the Urban County Government, to execute a Letter Agreement and any other necessary documents with Dean Dorton Allen Ford, PLLC related to the audit.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Dept. of Education, Div. of School and Community Nutrition, 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 \$79,000 Federal funds, and are for participation in the Child Care Food Program at the Family Care Center, 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 Amendment to Agreement with the Ky. Transportation Cabinet, for extension of the Share the Road Media Campaign project through December 31, 2014, at no cost to the Urban County Government.

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 Homeland Security and to provide any additional information requested in connection with this Grant Application, which Grant funds are in the amount of \$84,600 Federal funds under the 2014 Assistance to Firefighters Grant Program, and are for the purchase of training props for the Div. of Fire and Emergency Services Training Academy.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with GRW Engineers, Inc. for the design phase of the Man O' War Blvd. and Pink Pigeon Pkwy. Intersection Project, the Man O' War Blvd. and Alumni Dr. Intersection Project, and the Man O' War Blvd. and Richmond Rd. Intersection Project, at a cost not to exceed \$209,108.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Bluegrass Workforce Investment Board, 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 \$130,000 Federal funds, and are for a workforce preparation project for the Div. of Youth 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 authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the Ky. Dept. of Military Affairs, Div. of Emergency Management, which Grant funds are in the amount of \$103,118.71 Federal funds, are for support of emergency preparedness activities in Lexington-Fayette County, the acceptance of which obligates the Urban County Government for the expenditure of \$103,118.71 as a local match, 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 an Agreement with Anthem Blue Cross Blue Shield for providing administrative services and stop loss insurance coverage relative to Health Insurance Plans, PPO 1, PPO 2, HSA 1 AND HSA 2 for a one year term beginning January 1, 2015, for the Urban County Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Statement of Work Agreement with Cooperative Personnel Services d/b/a CPS HR Consulting, for assessments to be used in the promotional process for the Div. of Police, at a cost not to exceed \$52,500.

A Resolution approving the creation and implementation of a barring policy by the Div. of Parks and Recreation which shall be applicable to all parks of the Lexington-Fayette Urban County Government.

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Upon motion of Mr. Farmer, seconded by Mr. Kay, and passed by a majority vote (Ms. Lawless and Mr. Stinnett were absent when the vote was taken), the Communications from the Mayor were approved and are as follows: (1) Recommending the appointment of Mr. Phillip S. Thompson, as LFUCG, Alternate Modes of Transportation representative; Non-voting, to the Corridors Commission with term to expire 8/1/2017. Ms. Kenzie Gleason is no longer serving; (2) Recommending the reappointment of Mr. Daryl W. Smith to the Housing Authority Board with term to expire 6/22/2018; (3) Recommending the reappointment of Ms. Juanita B. Peterson, as Business Community representative, to the Lyric Theatre and Cultural Arts Center Board of Directors with term to expire 12/8/2017; (4) Recommending the reappointment of Ms. Sally K. Lockhart, as Masterson Equestrian Trust representative, to the Masterson Station Park Advisory Board, with term to expire 5/1/2018; (5) Recommending the reappointments of Mr. Kenton L. Ball and Ms. Patricia V. Featherston, to the Parking Authority Board with terms to expire 6/1/2018; (6) Recommending the appointment of Ms. Polly M. Marquette to the Sister Cities Program Commission with term to expire 1/28/2018. The term of Mr. Glen Krebs is expired; (7) Recommending the reappointment of Ms. Rhonda L. Strouse to the Transit Authority Board with term to expire 6/30/2018.

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The following Communications from the Mayor were received for information only: (1) Resignation of Mattie Osborne, Social Worker Sr., Grade 113N, Office of the Friend of the Court, effective May 25, 2014; (2) Resignation of Candice Gonzales, Customer Service Specialist, Grade 110N, Div. of Government Communications, effective May 18, 2014; (3) Resignation of Craig Van Norman, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective May 15, 2014; (4) Resignation of Justin Fryman, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective April 27, 2014; (5) Resignation of Kevin Ryan Straw, Telecommunicator Sr., Grade 113N, Div. of Police, effective May 22, 2014; (6)

Transfer of Rosemary Olive, Administrative Specialist, Grade 110N, from the Div. of Accounting to the Div. of Parks and Recreation, effective May 19, 2014; (7) Termination of Madden Miller, Laborer, Grade Z18, Div. of Parks and Recreation, effective May 22, 2014; (8) Termination of Brad Linville, Pro Shop Attendant, Grade Z30, Dept. of General Services, effective April 23, 2014; (9) Termination of Lisa Williams, Pool Attendant, Grade Z29, Dept. of General Services, effective May 16, 2014; (10) Termination of Jeffrey Allen, Public Service Worker, Grade 106N, Div. of Water Quality, effective May 22, 2014; (11) Termination of Courtney Prater, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective May 22, 2014.

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Upon motion of Mr. Farmer, seconded by Mr. Myers, and approved by a majority vote (Ms. Lawless and Mr. Stinnett were absent when the vote was taken), the Council Planning and Public Works and Council Social Services Committee meetings scheduled for June 17, 2014 were cancelled.

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Mr. Clarke spoke about the current contract being negotiated with the cable company.

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Asst. Chief Lawrence Weathers, Div. of Police, stated that Sergeant Franklin Patrick had committed the offense of Misconduct in violation of KRS 95.450 and General Order #73-2/H, Operational Rules, Section 1.02, in that on the 24th day of February 2014 he allegedly was observed by Lt. Ray Roller at about 0800 hours leaving Roll Call with a Central Sector Wi-Fi card. Knowing there is a shortage in Wi-Fi cards for Patrol Officers, Lt. Roller went outside to speak with Sergeant Patrick and retrieve the Wi-Fi for his Patrol Officers. While at Sergeant Patrick's vehicle, Lt. Roller inquired about the Wi-Fi card. During the conversation, Sergeant Patrick spoke to Lt. Roller using a sarcastic tone. Sergeant Patrick exited his car to return the Wi-Fi card and Lt. Roller followed him back inside. Once inside Central Roll Call, Sergeant Patrick stated, "You're an asshole", while Lt. Roller was walking in behind Sergeant Patrick. The statement was said where an Administrative Staff Assistant and other Officers could overhear. Sergeant Patrick and Lt. Roller continued into the Lieutenant's office area. Lt. Roller addressed Sergeant Patrick about his inappropriate comment in front of others.

At some point during the conversation, Sergeant Patrick noted that Lt. Roller was being petty about the Wi-Fi card and that he would not discuss the issue with Lt. Roller without someone else being present. No other supervisory personnel were at Central Roll Call, so Lt. Roller allowed Sergeant Patrick to exit the Roll Call building. If the above is true, Sergeant Franklin Patrick is in violation of General Order 73-2/H, Operational Rules, Section 1.02, Misconduct, which states: "Officers shall conduct themselves at all times, both on and off duty, in such a manner as to reflect most favorably on the Division. Misconduct of an officer shall include that which tends to bring the Division into disrepute or reflects discredit upon the officer as a member of the Division, or that which tends to impair the operation and efficiency of the Division or officer" and that the appropriate punishment for this conduct is Three (3) Days Suspension (30 Hours) Without Pay.

Upon motion of Mr. Lane, seconded by Mr. Kay, the disciplinary action was approved by a majority vote (Ms. Lawless and Mr. Stinnett were absent when the vote was taken).

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Mr. William Wheeler, Jesselin Drive, spoke about tax increases.

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Upon motion of Mr. Farmer, seconded by Mr. Myers, and approved by unanimous vote, the meeting adjourned at 9:35 P.M.

Deputy Clerk of the Urban County Council