

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky August 14, 2014

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on August 14, 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, Akers, Beard, Clarke, Ellinger, Farmer, Ford, Gorton and Henson.

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

Resolutions No. 375-2014 through 439-2014, and Ordinances No. 82-2014 through 87-2014, inclusive, were reported as having been signed and published, and ordered to record.

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky

August 14, 2014

The invocation was given by Chaplain Donovan Stewart, Div. of Police and Baptist Church at Andover.

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The Mayor recognized two guests from the Fayette County Legislative Delegation, Sen. Reggie Thomas and Rep. Kelly Flood.

The Mayor asked if it would be the Council's will to move Resolution 50 forward on the docket.

There being no objection, a Resolution of the Lexington-Fayette Urban County Government, requesting that the Ky. Economic Development Finance Authority adopt a Resolution providing for the issuance of Revenue Bonds, the proceeds of which will be provided to Centreponte Parking Company, LLC, or its assigns, to pay the costs of the acquisition, construction, installation, equipping and financing of parking and related facilities for the Phoenix Park/Courthouse Project (Centreponte) was taken out of order.

Ms.Gorton made a motion, seconded by Mr. Ellinger, to remove the resolution from the docket.

The Mayor asked Mr. Kevin Atkins, Chief Development Officer in the Mayor's Office, to come forward to talk about the Centerpointe project. Mr. Atkins explained the correspondence received from Ky. Economic Development Finance Authority, and what the appropriate next steps would be.

Mr. Stinnett asked questions of Mr. Atkins about the project and bond process. Mr. Atkins explained the types of bonds with which the project could potentially move forward.

Mr. Lane asked questions of Mr. Atkins about the Tax Increment Financing for the project. Mr. Mason Miller, Attorney representing the City for the project, responded to questions. Mr. Lane also asked questions of Mr. Darby Turner, Attorney for the Webb Companies. Mr. Turner responded. Mr. Lane asked an additional question of Mr. Atkins about TIF funds. Mr. Atkins spoke about incremental revenues.

Ms. Lawless spoke about the project. Mr. Miller responded to questions from Ms. Lawless.

Ms. Mossotti asked if Mr. Miller could clarify an inconsistency between his comments and Mr. Turner's comments. Mr. Miller stated he and Mr. Turner disagree over several points, and that would have to be argued in the future. Mr. Darby also responded to Ms. Mossotti's questions.

Ms. Henson asked if the project had already generated revenue. Mr. Darby responded that it had in terms of wages, but that the revenue was not releasable to the project until a certain threshold (\$150,000,000.00).

Ms. Scutchfield asked that the Council be kept informed, and thanked Mr. Atkins for the communications.

Ms. Akers asked questions of Mr. Turner about the bonding for the garage. Mr. Turner responded. She also asked questions of Mr. Atkins about a timeline for legislation. Mr. Atkins responded.

Mr. Miller clarified that he did not believe the city was obligated to issue bonds.

Mr. Farmer asked questions of Mr. Miller regarding the 2008 and 2013 Agreements. He also asked questions of Mr. Turner and Mr. Atkins.

The Mayor also responded to Mr. Farmer explaining the progress of this development agreement.

Ms. Lawless spoke about bonds and financing. The Mayor responded.

Ms. Gorton spoke about the project, and asked questions of Mr. Turner regarding timeline. Mr. Turner responded. She also asked questions of Mr. Miller about risk assessment.

Mr. Ford made comments about the project, and asked questions about the impact it would have on the project if Council did not issue revenue bonds. Mr. Miller responded. Mr. Turner stated that he disagreed with Mr. Miller.

The Mayor asked Mr. Miller to explain the financing plan referenced in the 2013 agreement. Mr. Miller responded.

Mr. Ford commented on the financing for the project. The Mayor responded.

Ms. Mossotti asked if a workshop could be set up on Tax Increment Financing. Mr. Atkins agreed to set up a session.

Mr. Kay asked questions about whether the Council would be involved with the bonding issue in the future. Mr. Miller responded. The Mayor also responded. Mr. Kay

asked if a single document could be created to lay out pros and cons of the various options. Mr. Atkins, Mr. Miller and Mr. Turner responded.

Mr. Myers commented on the project and Tax Increment Funding revenues. Mr. Atkins and Mr. Miller responded.

Mr. Clarke commented on the project. Mr. Turner and Mr. Miller responded.

The Mayor made additional comments about the CentrepoinTE project.

Ms. Gorton asked if something would be ready to have a workshop on August 26, 2014 regarding Tax Increment Financing. Mr. Atkins responded he would be out of the country that week. Ms. Gorton stated she would look for a different date.

Ms. Gorton's motion **passed** by a vote of 13-1 (Ms. Akers abstained from voting and Mr. Farmer voted no) and the resolution was removed from the docket.

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Upon motion of Ms. Gorton, seconded by Ms. Scutchfield, the Minutes of the June 17, July 1 and July 8, 2014 Council Meetings were approved by unanimous vote.

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The Mayor recognized NetGain Technologies, whom he characterized as an outstanding Lexington business. He stated NetGain is a family owned business that started in Lexington and grew into six locations in various states. Ms. Akers congratulated the company on their 30th anniversary, and spoke about the company's accomplishments. The Mayor read a Proclamation commemorating NetGain Technologies' achievements and community involvement. The Mayor proclaimed August as NetGain Technologies Month in Lexington. He introduced Mr. Bret Anderson, who thanked the Mayor and Council.

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The Mayor recognized Mr. Lucas Etter for his Rubik's Cube solving skills, for which he holds national records. The Mayor invited Ms. Scutchfield forward to join him at the podium. Ms. Scutchfield spoke about his skills and the multiple records he holds. Lucas did a demonstration on both sizes of cubes. The Mayor read a Proclamation commemorating Lucas's skill with the Rubik's Cube. He then proclaimed August 14, 2014 Lucas Etter Day in Lexington.

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Mr. Lane made some additional comments about the Jacobsens' business, NetGain Technologies, and congratulated them.

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An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to provide funds for purchase orders rolling over from FY 2014 into FY 2015, and appropriating and re-appropriating funds, Schedule No 3 was given second reading.

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

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

Nay: -----0
(Ms. Akers was absent when the vote was taken.)

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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 2 of Ordinance No. 57-2014 changing the position of Heavy Equipment Technician, Grade 113N in the Div. of Facilities and Fleet Management from Unclassified Civil Service to Civil Service.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Administrative Specialist Sr., Grade 112N; and amending Section 22-5(2) of the Code of Ordinances, creating one (1) position of Administrative Specialist Sr., Grade 112N, in the Office of the Mayor, appropriating funds pursuant to Schedule No. 6, effective upon passage of Council.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing two (2) positions of Treatment Plant Operator - Apprentice, Grade 107N; and amending Section 22-5(2) of the Code of Ordinances, creating one (1) position of Treatment Plant Operator - Apprentice, Grade 107N, in the Div. of Water Quality, appropriating funds pursuant to Schedule No. 7, effective upon passage of Council. [Div. of Human Resources, Maxwell]

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing five (5) positions of Equipment Operator Sr., Grade 109N, and creating one (1) position of Public Service Supervisor Sr., Grade 114E, one (1) position of Administrative Specialist Principal, Grade 114E, one (1) position of Trades Worker Sr., Grade 109N, and one (1) position of Maintenance Mechanic, Grade 113N, all in the Div. of Waste

Management, appropriating funds pursuant to Schedule No. 5, effective upon passage of Council.

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Custodial Worker, Grade 102N, and creating one (1) position of Administrative Officer, Grade 118E, both in the Div. of Facilities and Fleet Management, appropriating funds pursuant to Schedule No. 8, 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. 4.

An Ordinance levying ad valorem taxes for municipal purposes for the Fiscal Year July 1, 2014 through June 30, 2015, on the assessed value of all taxable property within the taxing jurisdictions of the Lexington-Fayette Urban County Government (all taxes on each \$100 of assessed valuation as of the January 1, 2014 assessment date), as follows: General Services District, \$.0800 on real property, including real property of public service companies, \$.0931 on personal property, including personal property of public service companies, noncommercial aircraft, and noncommercial watercraft, \$.1500 on insurance capital, \$.0150 on tobacco in storage, and \$.0450 on agricultural products in storage; Full Urban or Partial Urban Services Districts based on urban services available on real property, including real property of public service companies, \$.1431 for Refuse Collection, \$.0210 for Street Lights, \$.0097 for Street Cleaning, \$.0920 on insurance capital, \$.0150 on tobacco in storage, \$.0450 on agricultural products in storage; and levying an ad valorem tax for municipal purposes at the rate of \$.0880 on each \$100 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government as of the January 1, 2015 assessment date.

An Ordinance adopting the request of the Lexington-Fayette County Health Dept. under KRS 212.755 and levying a special ad valorem public health tax for the Fiscal Year July 1, 2014 through June 30, 2015, on the assessed value of all taxable real and personal property within the taxing jurisdiction of the Lexington-Fayette Urban County Government, including real and personal property of public service companies, noncommercial aircraft, noncommercial watercraft, and inventory in transit, and

excluding insurance capital, tobacco in storage, and agricultural products in storage, at the rate of \$.028 on each \$100 of assessed value as of the January 1, 2014 assessment date; and levying a special ad valorem public health tax at the rate of \$.028 on each \$100.00 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government, as of the January 1, 2015 assessment date.

An Ordinance levying ad valorem taxes for purposes of support of the Agricultural Extension Office for the Fiscal Year July 1, 2014 through June 30, 2015, on the assessed value of all taxable real and personal property within the taxing jurisdiction of the Lexington-Fayette Urban County Government (all taxes on each \$100 of assessed valuation as of the January 1, 2014 assessment date), as follows: \$.0034 on all taxable real property, including real property of public service companies, \$.0038 on taxable personal property, including personal property of public service companies, noncommercial aircraft, and noncommercial watercraft, and excluding inventory in transit, insurance capital, tobacco in storage, and agricultural products in storage; and levying an ad valorem tax for purposes of support of the Agricultural Extension Office at the rate of \$.0032 on each \$100 of assessed value on all motor vehicles and watercraft within the taxing jurisdiction of the Lexington-Fayette Urban County Government as of the January 1, 2015 assessment date.

An Ordinance levying ad valorem taxes for purposes of support of the Soil and Water Conservation District for the Fiscal Year July 1, 2014 through June 30, 2015, on the assessed value of all taxable real property within the taxing jurisdiction of the Lexington-Fayette Urban County Government, including real property of public service companies, at a rate of \$.000516 (to be billed at \$.0005) on each One Hundred Dollars (\$100.00) of assessed valuation as of the January 1, 2014, assessment date.

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A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Civil Service Appointments: Scott Tremoulis, Budget Analyst, Grade 115E, \$1,608.32 biweekly in the Div. of Budgeting, effective September 1, 2014, Frank Ross, Safety Specialist, Grade 115E, \$2,450.80 biweekly, effective August 25, 2014, Don Jenkins, Equipment Operator Sr., Grade 109N, \$13.025 hourly, effective upon passage of Council, both in the Div. of Waste Management, Jeremy

Hobbs, Human Resources Analyst, Grade 115E, \$1,593.04 biweekly in the Div. of Human Resources, Kristin Fields, Telecommunicator Sr., Grade 113N, \$17.102 hourly, and Ashley Hewitt, Telecommunicator Sr., Grade 113N, \$16.679 hourly, both in the Div. of Emergency Management/911, effective August 25, 2014, Sarah Farley, Staff Assistant Sr., Grade 108N, \$12.185 hourly in the Div. of Police, Trampis Porter, Skilled Trades Worker Sr., Grade 112N, \$24.686 hourly in the Div. of Fire and Emergency Services, Troy Hager, Building Inspector (Mechanical), Grade 113N, \$18.482 hourly in the Div. of Building Inspection, all effective August 25, 2014; authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service Appointments: Nathan Dickerson, Aide to Council, Grade Z02, \$2,038.46 biweekly in the Council Office, effective July 28, 2014 and Randall Davis, Fleets Parts Specialist, Grade 109N, \$17.802 hourly in the Div. of Facilities and Fleet Management, effective upon passage of Council was given first reading.

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

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

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

Nay: -----0
 (Ms. Lawless was absent when the vote was taken.)

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A Resolution declaring as surplus and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute deeds and any other necessary documents for the sale and transfer of 2057 Buck Ln., 305 Dantzler Ct., 309 Dantzler Ct., 313 Dantzler Ct., 549 Grantchester St., 4024 Lilydale Ct., 905 North Limestone St., 907 North Limestone St., 909 North Limestone St., 1001 North Limestone St., 431 Marquis Ave., 134 Northwood Dr., 138 Northwood Dr., 142 Northwood Dr., and 504 Parkside Drive was given first reading.

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

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

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

Nay: -----0
(Ms. Lawless was absent when the vote was taken.)

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Purchase of Services Agreement with Roots & Heritage Festival, Inc., for the 2014 Roots & Heritage Festival, at a cost not to exceed \$35,415 plus additional in-kind services was given first reading.

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

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

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

Nay: -----0
(Ms. Lawless was absent when the vote was taken.)

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A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Professional Services Agreement with the law firm of Frost Brown Todd, LLC, acting by and through Donald L. Crain, for collective bargaining negotiations with the Divs. of Police, Fire and Emergency Services, and Community Corrections, at a cost not to exceed \$70,000 was given first reading.

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

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

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

Nay: -----0
(Ms. Lawless was absent when the vote was taken.)

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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 Classic Clean Pro, LLC, establishing a price contract for Custodial Services - OAC, for the Div. of Facilities and Fleet Management.

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

A Resolution accepting the bids of Wilson Equipment Co., LLC; Jack Doheny Companies, Inc.; and ABCO - Bramer Louisville, LLC, establishing price contracts for equipment rental without operator, for the Div. of Streets and Roads.

A Resolution accepting the bid of Lynette Bartholomew d/b/a Key to Cleaning, establishing a price contract for Custodial Services - General Services, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Lynette Bartholomew d/b/a Key to Cleaning, establishing a price contract for Custodial Services - Day Treatment Center, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Lynette Bartholomew d/b/a Key to Cleaning, establishing a price contract for Custodial Services - Waste Management, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of DellaValle Management, Inc., establishing a price contract for Custodial Services - Coroner's Office, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bid of Layne Inliner, LLC, in the amount of \$388,690, for the Wolf Run Trunk A Rehabilitation, for the Div. of Water Quality, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Layne Inliner, LLC, related to the bid.

A Resolution accepting the bid of Univar USA, Inc., establishing a price contract for liquid chlorine, for the Div. of Water Quality.

A Resolution accepting the bid of Bluegrass Uniforms, Inc. d/b/a Bluegrass Uniforms and Equipment, establishing a price contract for SCBA Maintenance, for the Div. of Fire and Emergency Services.

A Resolution accepting the bid of Labor Works Lexington, LLC, establishing a price contract for Temporary Labor Services - Div. of Waste Management Collection Services.

A Resolution accepting the bid of Labor Works Lexington, LLC, establishing a price contract for Temporary Labor Services for Waste Management - Materials Recovery Facility.

A Resolution ratifying the Probationary Civil Service Appointments of: Tammy Rose, Customer Service Specialist, Grade 110N, \$21.43 hourly in the Div. of Government Communications, effective August 11, 2014, Dennis Freeman, Electrician, Grade 114N, \$28.561 hourly in the Div. of Water Quality, Mark Mabson, Safety Specialist, Grade 115E, \$2,112.80 biweekly in the Div. of Waste Management, John Cornett, Environmental Enforcement Specialist, Grade 115E, \$2,129.12 biweekly in the Div. of Environmental Policy, and Melinda Stone, Recreation Supervisor, Grade 110E, \$1,417.52 biweekly in the Div. of Parks and Recreation, all effective August 25, 2014; ratifying the Permanent Civil Service Appointments of: Bryan Radabaugh, Traffic Engineer Manager, Grade 120E, \$3,028.00 biweekly in the Div. of Traffic Engineering, effective July 6, 2014, Susan Plueger, Director, Grade 122E, \$3,424.96 biweekly in the Div. of Environmental Policy, effective July 27, 2014, Michael Cook, Property and Evidence Technician, Grade 111N, \$22.186 hourly, effective July 28, 2014, Rebecca Gooch, Information Systems Specialist Sr., Grade 114E, \$1,728.48 biweekly, effective July 27, 2014, and Christopher Woodyard, Staff Assistant Sr., Grade 108N, \$18.711 hourly, effective June 2, 2014, all in the Div. of Police, Elisabeth Strong, Early Child Care Teacher, Grade 110E, \$1,127.28 biweekly in the Div. of Family Services, effective July 6, 2014, William Crowders, Public Service Worker, Grade 106N, \$11.775 hourly in the Div. of Facilities and Fleet Management, effective July 4, 2014, and Stephanie Bowling, Recreation Supervisor, Grade 110E, \$1,279.60 biweekly in the Div. of Parks and Recreation, effective June 2, 2014; ratifying the Probationary Sworn Appointments of: Jesse Harris, Police Lieutenant, Grade 317E, \$3,025.14 biweekly, and William Powers, Police Sergeant, Grade 315N, \$28.828 hourly, both effective July 28, 2014, in the Div. of Police, Curtis Works, Fire Major, Grade 318E, \$3,557.01 biweekly, Justin Halsaver, Fire Captain, Grade 316N, \$23.160 hourly, and Nathan Vanderhof, Fire

Lieutenant, Grade 315N, \$17.860 hourly, all effective July 1, 2014, Daniel Case, Fire Captain, Grade 316N, \$23.160 hourly and Shannon Poynter, Fire Lieutenant, Grade 315N, \$17.860 hourly, both effective July 28, 2014, all in the Div. of Fire and Emergency Services.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and other necessary documents, and to accept deeds for property interests needed for the Coolavin and Hope Center Rail Trail Sections of the Legacy Trail, at a cost not to exceed \$30,000.

A Resolution authorizing 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 \$25,000 Federal funds, are for continuation of the Ticketing Aggressive Cars and Trucks (TACT) Program, the acceptance of which obligates the Urban County Government for the expenditure of \$6,250 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 a Certificate of Consideration and accept a Deed conveying permanent sanitary sewer and temporary construction easements from owners of record, for the property located at 683 Woodward Ln., for the Wilderness Road/Woodward Lane Sanitary Sewer Project, at no cost to the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Multi-Year Service Agreement with Time Warner Cable Enterprises, LLC, for continuation of existing services, at a cost not to exceed \$32,801.64 for Fiscal Year 2015.

A Resolution amending Resolution No. 241-2014, which accepted the bids of Environmental Demolition Group, LLC, and National Environmental Consulting, Inc., and established price contracts for Environmental Abatement Services, for the Div. of Facilities and Fleet Management, to cancel the price contract with Environmental Demolition Group, LLC, and to accept the bids and establish price contracts with Romac, Inc., and Chase Environmental Group, Inc.

A Resolution accepting the fixed price bid of Centerpoint Energy Services, Inc., in the estimated amount of \$245,470, for the provision of natural gas to the Detention

Center, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Centerpoint Energy Services, Inc., related to the bid.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Renewal Agreement with Omnisource Integrated Supply, LLC, for WebEOC coordinator services, at a cost not to exceed \$67,200.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. State Police, Commercial Vehicle Enforcement Div., 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 \$60,000 Federal funds, and are for continued operation of the Motor Carrier Safety Assistance Program (MCSAP), the acceptance of which obligates the Urban County Government for the expenditure of \$15,000 as a local match, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

A Resolution approving the granting of an inducement to Ashland, 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 Ashland, Inc., has with the Ky. Economic Development Finance Authority and/or the Urban County Government related to the project, and taking other related action.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Renewal Contract with OmniSource Integrated Supply, LLC, for additional inventory specialist services, at a cost not to exceed \$53,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with National Council on Aging, for the placement of participants of the Senior Community Service Employment Program with the Dept. of Social Services, at no cost to the Government.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Teri Faragher, a sole source provider, for the provision of

technical expertise of interpersonal, domestic and family violence, to the Domestic Violence Prevention Board, at a cost not to exceed \$22,500.

A Resolution authorizing the Div. of Revenue to purchase document imaging provider and related services through June 30, 2015, from VeBridge, a sole source provider, at a cost not to exceed \$70,000, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary agreement with VeBridge related to the services.

A Resolution authorizing Cavanaugh Macdonald Consulting, LLC, to conduct the biannual OPEB Study for the City Employees' Pension Fund and the Policeman's and Firefighters' Retirement Fund, for Fiscal Year 2014 for an estimated amount not to exceed \$17,000, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Cavanaugh Macdonald Consulting, LLC, related to the study.

A Resolution accepting the bid of Integrated Engineering, PLLC, in the amount of \$110,500, for Engineering Design Services for Phases 5D, 5E, and 5F of the Meadows-Northland-Arlington Neighborhood Improvement Projects, for the Div. of Engineering, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Integrated Engineering, PLLC, to provide services related to the bid.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement, releasing a detention easement on property located at 1619 Harmony Hall Ln.

A Resolution authorizing the Div. of Water Quality to purchase chemical kits required for the use of the HACH DR5000 Spectrometer from Hach Co., a sole source provider, at a cost not to exceed \$27,041.04, and authorizing the Mayor, on behalf of the Urban County Government, to sign any necessary Agreement with Hach Co. related to the procurement.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. Two (2) to the Contract with Bush & Burchett, Inc., for Grimes Mill Road Bridge Replacement at Boone's Creek Project, increasing the contract price by the sum of \$38,576.40 from \$643,848.59 to \$732,424.99.

A Resolution authorizing delegation of authority to the Chief Information Officer, to execute an enrollment contract and subsequent contracts for participation in the Apple iOS Developer Enrollment Program on behalf of the Urban County Government, at a cost not to exceed \$99.00.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Contract Modification No. 1 to the Engineering Services Agreement with CDP Engineers, Inc., for the Loudon Avenue Sidewalk Project, increasing the contract price by the sum of \$3,500 from \$44,652 to \$48,152.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and any other necessary documents, and to accept deeds for property interests needed for Phase 1 & 3 of the Cardinal Lane Stormwater Improvements Project, at a cost not to exceed \$15,000.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute Certificates of Consideration and other necessary documents, and to accept deeds for property interests needed for the Bolivar Street Stormwater Improvements Project, at a cost not to exceed \$550.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Contract with Kroger Limited Partnership I, Louisville Div., to supply the influenza vaccine and administer vaccinations to eligible Lexington-Fayette Urban County Government employees, at a cost of twenty-one dollars (\$21.00) per employee, during the 2014 - 2015 flu season.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Computer Services Corp., for migration of the current onsite RiskMaster software to Computer Services Corp. hosted RiskMaster Accelerator eXpress, at a cost not to exceed \$43,125 (\$34,875 annual fee plus \$8,250 one-time fee for set-up and training).

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the U.S. Dept. of Housing and Urban Development, which Grant funds are in the amount of \$1,398,704 Federal funds, are for continuation of the Housing Opportunities for Persons with AIDS Program, the acceptance of which does not obligate the Urban County Government for the

expenditure of funds, authorizing the Mayor to transfer unencum-bered funds within the Grant budget, and authorizing and directing the Mayor to execute an Agreement with AIDS Volunteers, Inc., for continuation of the project, at a cost not to exceed \$1,398,704.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a New Case Document, Amendment to Plan Management Agreement, and Amendment to Group Stop-Loss Policy Extension with Humana Insurance Co. for the administration of health care claims for the period of January 1, 2014 through December 31, 2014.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Amendment to Agreement with the U.S. Dept. of Housing and Urban Development, extending the performance period for the Housing Opportunities for Persons with AIDS Grant until the funds are expended, and authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute an Amendment to Agreement with AIDS Volunteers, Inc., for continuation of the project, at no cost to the Urban County Government.

A Resolution amending Resolution No. 222-2014 to authorize the Mayor, on behalf of the Urban County Government, to execute a Multi-Year Service Agreement with Time Warner Cable Enterprises, LLC, for high speed internet for the Div. of Emergency Management/911, at a cost not to exceed \$1,260 in Fiscal Year 2015.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Multiple Year True Lease Agreements and related documents (State Contract), with Dell Financial Services, LLC, for the lease of new and upgraded equipment for desktop computers, for the Div. of Computer Services, at an estimated cost not to exceed \$89,186.40 (FY2015).

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute a Second Amendment to Agreement with AMEC Environment and Infrastructure, Inc., (formerly known as AMEC Earth and Environmental, Inc.) for additional Brownfield site assessment services, at a cost not to exceed an additional \$6,362.83.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the North Limestone Neighborhood Association, Inc. (\$1,050), for the Office of the Urban County Council, at a cost not to exceed the sum stated.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Central Ky. Homeless and Housing Initiative (CKHHI), Bluegrass.org, Community Action Council, Chrysalis House, Hope Center, Lexington Housing Authority and Volunteers of America, for administrative services related to the application and operation of the Federal Continuum of Care Grant, at a cost not to exceed \$4,000.

A Resolution amending Section III(a) of Resolution 168-90 related to designation of Residential Parking Permit Areas to delete the existing section and replacing it with (a)(1)-(2) regarding the Parking Authority procedure for receiving petitions and conducting a survey for RPPP Areas; amending Section III(b) of Resolution 168-90 related to designation of Residential Parking Permit Areas to delete the existing section and replace it with (b)(1)-(5) regarding the Parking Authority procedure upon completion of the traffic study and listing five (5) additional factors for making its recommendations; amending Section III(c) of Resolution 168-90 related to designation of Residential Parking Permit Areas to delete the existing section and replace it with procedure for Council Members to place the proposed RPPP on the docket to coincide with public comment; amending Section III(d) of Resolution 168-90 related to designation of Residential Parking Permit Areas to delete the existing section and replace it with Parking Authority responsibility to notify identifiable traffic generators and residents; creating Section III(e) of Resolution 168-90 related to designation of Residential Parking Permit Areas to provide for the Parking Authority to post a notice in the right of way regarding public comment of the proposed RPPP.

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Upon motion of Mr. Stinnett, seconded by Ms. Scutchfield, and passed by a majority vote (Ms. Lawless was absent when the vote was taken), the Communications from the Mayor were approved and are as follows: (1) Recommending the appointment of Mr. Michael R. Hunter to the Administrative Hearing Board with term to expire 7/1/2016. The term of Ms. Beth Rosdatter is expired; (2) Recommending the

appointment of Ms. Jessica B. Nicholson to the Arboretum Advisory Board with term to expire 1/1/2018. The term of Ms. Michelle Kosieniak is expired; (3) Recommending the reappointment of Mr. Graham C. Pohl to the Board of Architectural Review with terms to expire 6/30/2018; (4) Recommending the appointments of Ms. Tamara L. Lyn and Mr. Robert J. Soffel to the CASA with terms to expire 6/11/2016. Ms. Lyn and Mr. Soffel will fill the unexpired terms of Mr. Roger Ledridge and Mr. Jim Rogers respectively; (5) Recommending the appointment of Council Member Chris Ford to the Charles Young Center Advisory Board with term to expire 3/1/2018. The term of Mr. Lamar Wilson is expired; (6) Recommending the appointment of Ms. Connie D. Godfrey, as Mayor's Designee, to the Community Action Council Board with term to expire 12/31/2014; (7) Recommending the appointment of Ms. Lisa L. Johnson, as Fayette County Bar Association representative, to the Ethics Commission with term to expire 3/1/2015. Ms. Johnson will fill the unexpired term of Ms. Tiffany Fleming. The Confirmation Hearing is scheduled for 8/14/14 at 5:30 P.M.; (8) Recommending the appointment of Ms. Ereen Sorial to the Human Rights Commission with term to expire 1/14/2018. The term of Rev. Nancy Kemper is expired; (9) Recommending the appointments of Ms. Barbara G. Bennett, as At-Large representative, and Ms. Frances E. Elsen, as Lexington Herald Leader representative, and the reappointments of Ms. Sarayarose Brewer, as At-Large representative, and Ms. Stacie M. Williams, as At-Large representative, to the Picnic with the Pops Commission with terms to expire 7/1/2018. The terms of Mr. Malcolm Jennings and Ms. Tammy Osborne are expired; (10) Recommending the appointment of Ms. Laurie Thomas, as Parks and Recreation representative, and the reappointments of Ms. Susan S. Beard, as Garden Club representative, Ms. Diana G. Clewett, as Former Educator representative, and Mr. Everett E. Wyatt, to fill the unexpired term of Diana Clewett as Sierra Club representative, to the Raven Run Citizens Advisory Board with terms to expire 1/13/2016, 1/13/2018, 1/13/2018, and 1/13/2016 respectively; and (11) Recommending the appointment of Mr. Albert O. Miller to the Special Events Commission with term to expire 6/1/2018. The term of Mr. Leo McMillen is expired.

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The following Communications from the Mayor were received for information only:

(1) Resignation of Keith G. Spears, Police Officer Grade 311N, Div. of Police, effective June 29, 2014; (2) Resignation of Jeffery A. Burk, Heavy Equipment Technician,

Grade 113N, Div. of Facilities and Fleet Management, effective July 11, 2014.; (3) Resignation of Theodore Prince, Maintenance Mechanic, Grade 113N, Div. of Water Quality, effective July 8, 2014; (4) Resignation of John Edward McElroy, Treatment Plant Operator Apprentice Class I, Grade 109N, Div. of Water Quality, effective July 13, 2014; (5) Resignation of Leah Boggs, Aide to Council, Grade Z02, Council Office, effective July 4, 2014; (6) Resignation of Zach Sanders, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective June 19, 2014; (7) Resignation of Alison Murrell, Administrative Specialist Sr., Grade 112N, Dept. of Law, effective July 11, 2014; (8) Resignation of Jeffery L. Brangers, Police Officer, Grade 311N, Div. of Police, effective July 21, 2014; (9) Resignation of Mary J. Shofner, Police Officer, Grade 311N, Div. of Police, effective July 25, 2014; (10) Resignation of Jeffrey Sprowl, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective July 12, 2014; (11) Resignation of Evan Chandler Partin, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective June 13, 2014; (12) Resignation of Justin Feck, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective July 29, 2014; (13) Resignation of Zachary B. Yearly, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective July 7, 2014; (14) Resignation of Joseph Thomas Murphy, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective July 5, 2014; (15) Resignation of Jasmine Jackson, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective July 6, 2014; (16) Resignation of Wayne David Wilson, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective July 7, 2014; (17) Resignation of Dennis Tyler Sullivan, Treatment Plant Operator Apprentice Class I, Grade 109N, Div. of Water Quality, effective June 22, 2014; (18) Resignation of Robert Allen Ward, Police Officer-Trainee, Grade 311N, Div. of Police, effective July 17, 2014; (19) Resignation of Dee King, Equipment Operator Sr., Grade 109N, Div. of Waste Management, effective July 15, 2014; (20) Resignation of Nicholas Mudd, Police Officer-Trainee, Grade 311N, Div. of Police, effective July 27, 2014; and (21) Reinstatement of Sarah Gerardi, Community Corrections Officer, Grade 110N, Div. of Community Corrections, effective July 14, 2014

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Asst. Police Chief Dwayne Holman, Div. of Police, stated that Officer Banford K. Hill 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 10th day of March, 2014, he was part of a response consisting of several Patrol units that was assisting a detective with an occupied stolen vehicle at the Lexington Motor Inn. Officer Banford Hill also assisted in the subsequent investigation and apprehension of the involved suspects. During Officer Hill's interaction with the suspects, he repeatedly engaged in unprofessional and inappropriate conduct in the presence of other police officers, suspects and members of the public. Officer Hill made several disparaging and offensive comments to the suspects. A police supervisor was on the scene at the time of the incident and observed the actions of Officer Hill. The supervisor took immediate steps to address the conduct being displayed. Officer Hill had been recently counseled on maintaining professionalism when dealing with the public. If the above is true, Officer Banford K. Hill is in violation of General Order 73-2H, Section 1.02, Misconduct. "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 Eighty (80) Hours (two work weeks) Suspension Without Pay and Mandatory EAP for Anger Management.

Upon motion of Ms. Gorton, seconded by Mr. Farmer, the disciplinary action was approved by a majority vote. (Ms. Lawless was absent when the vote was taken)

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Asst. Chief Harold Hoskins, Div. of Fire and Emergency Services, stated that Lt. John Walker had committed the offense of Absent Without Leave (AWOL) in violation of KRS 95.450 and Policy 100.09 Tardy, Late AWOL, in that on the 10th day of June 2014, he failed to report to duty without notification to his supervisor or anyone else within the Division of Fire. Asst. Chief Hoskins stated numerous attempts were made throughout the day to contact Lt. Walker without success and that the appropriate punishment for this conduct is Written Reprimand as supported by Uniform Disciplinary Guide Section 1.11, Tardy, Late and Absent Without Leave, first offense.

Upon motion of Ms. Gorton, seconded by Mr. Beard, the disciplinary action was approved by a majority vote. (Ms. Lawless was absent when the vote was taken)

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Mr. Bernard McCarthy, Harry Street, congratulated Ms. Mossotti on returning from her injuries, and spoke about unused lanes on Sir Barton Way.

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Mr. Bill Wheeler, Jesselin Drive, stated he would like to withdraw his issue regarding the FY14 Soil & Conservation Ad Valorem tax rate. He explained about the setting of the rate for the Soil and Water District.

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Upon motion of Ms. Gorton, seconded by Mr. Ellinger, and approved by a majority vote (Ms. Lawless was absent when the vote was taken), the meeting adjourned at 8:03 P.M.

Clerk of the Urban County Council