

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky September 25, 2014

The Council of the Lexington-Fayette Urban County Government, Kentucky convened in regular session on September 25, 2014 at 6:00 P.M. Present were Mayor Gray in the chair presiding, and the following members of the council: Council Members Myers, Scutchfield, Stinnett, Akers, Clarke, Ellinger, Farmer, Ford, Gorton, Henson, Kay and Mossotti. Absent were Council Members Beard, Lane, and Lawless.

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

Resolutions No. 496-2014 through 525-2014, and Ordinance No. 99-2014 through 113-2014, inclusive, were reported as having been signed and published, and ordered to record.

Lexington- Fayette Urban County Government Council Meeting

Lexington, Kentucky

September 25, 2014

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

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Upon motion of Mr. Ellinger, seconded by Ms. Scutchfield, the Minutes of the August 28, September 11, 2014 Council Meetings and the September 16, 2014 Special Council Meeting were approved by unanimous vote.

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The Mayor introduced the volunteers from the Kids Cancer Alliance, and gave background on the organization. He stated the organization provides oncology camp experiences, in addition to sibling oncology camps and family retreats. He proclaimed September 2014 as Childhood Cancer Awareness Month in Lexington.

Mr. Aaron Cook spoke on behalf of the organization, and thanked everyone for the recognition.

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An Ordinance adopting the Administrative Procedures for reviewing grade assignments made to job classifications as a result of the Classification and Compensation Study conducted by Management Advisory Group (MAG) was on the docket for second reading.

Ms. Mossotti asked questions of Mr. Maxwell regarding concerns expressed by the Civil Service Employees Association. Mr. Maxwell spoke to the issues raised by the Civil Service Employees Association, and also gave a synopsis of the proposed appeals process.

Ms. Henson asked questions of Mr. Maxwell regarding email correspondence from the Civil Service Employees Association and about inversions. Mr. Maxwell responded.

Mr. Jeff Jones, Div. of Waste Management, passed out blank pieces of paper to Council Members, spoke about the recent Management Advisory Group compensation study, and described the effects it had on the employees that he has seen. He asked that the Council approve the compensation study salary recommendations.

Ms. Mossotti made a motion, seconded by Ms. Scutchfield, to amend the ordinance to extend the deadline for the appeals process for the compensation study to December 31, 2014.

The Mayor asked Mr. Keith Horn, Dept. of Law, about the motion. Mr. Horn responded.

Ms. Sally Hamilton, Chief Administrative Officer, stated that the administration fully supports this amendment.

Ms. Scutchfield stated her support for the extension of the appeals process.

Ms. Henson asked Ms. Hamilton about the deadline for the appeals process. Ms. Hamilton responded.

Mr. Farmer asked if the amendment was a material change that would require a new first reading. Mr. Horn responded that the change was not material and a new first reading would not be needed.

Mr. Myers asked questions of Ms. Hamilton about appeals that may come after the deadline. Ms. Hamilton responded.

Ms. Mossotti's motion **passed** by unanimous vote.

An Ordinance adopting the Administrative Procedures for reviewing grade assignments made to job classifications as a result of the Classification and Compensation Study conducted by Management Advisory Group (MAG) was given second reading as amended.

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

Aye: Mossotti, Myers, Scutchfield, Stinnett, Akers,
Clarke, Ellinger, Farmer, Ford, Gorton,
Henson, Kay-----12

Nay: -----0

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An Ordinance amending Section 21-15 of the Code of Ordinances providing for the amount of salary increase for temporary appointments; providing that employees receiving a temporary appointment shall sign an acknowledgment letter; and removing the number of persons that the Commission shall certify on the list of eligible candidates; amending Section 21-16 of the Code of Ordinances providing for the amount of salary increase for acting assignments and providing that an employee

receiving an acting assignment shall sign an acknowledgment letter; amending Section 21-17 of the Code of Ordinances providing that an employee who changes job classifications within the same pay grade shall move to the new job classification at the current salary; amending Section 21-18 of the Code of Ordinances providing the amount of salary increase for promotions; amending Section 21-26 of the Code of Ordinances providing the procedure for calculating rates of pay for new employees and deleting the reclassification for the position of Communications Officer Senior-Apprentice; amending Section 21-26.1 of the Code of Ordinances deleting salary rates upon promotion and providing the amount of decrease in salary for demotion; amending Section 21-30 of the Code of Ordinances providing the amount of salary increase for reclassification or reallocation and establishing the effective date; amending Section 22-23 of the Code of Ordinances providing the procedure for calculating the salaries of new employees and deleting reclassification of the position of Legislative Aide to Council Trainee; and amending Section 22-27 of the Code of Ordinances providing the amount of salary increase for reclassification or reallocation; effective September 22, 2014 was on the docket for second reading.

Mr. Farmer asked questions of Mr. John Maxwell, Director of the Div. of Human Resources, regarding the Legislative Aide to Council Trainee position. Mr. Maxwell responded.

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

Aye: Mossotti, Myers, Scutchfield, Stinnett, Akers,
 Clarke, Ellinger, Farmer, Ford, Gorton,
 Henson, Kay-----12

Nay: -----0
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The following ordinances were given second reading. Upon motion of Mr. Ellinger, seconded by Mr. Myers, the ordinances were approved by the following vote:

Aye: Mossotti, Myers, Scutchfield, Stinnett, Akers,
 Clarke, Ellinger, Farmer, Ford, Gorton,
 Henson, Kay-----12

Nay: -----0

An Ordinance amending Section 21-5(2) of the Code of Ordinances, abolishing one (1) position of Information System Specialist Sr., Grade 114E, in the Div. of Waste

Management and creating one (1) position of Information System Specialist Sr., Grade 114E, in the Div. of Computer Services, transferring the incumbent; and appropriating funds pursuant to Schedule No. 17, 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. 15.

An Ordinance of the Lexington-Fayette Urban County Government approving a Trust Agreement, dated as of the first day of the month in which obligations are issued thereunder, between the Lexington-Fayette Urban County Government and the trustee named therein; providing for the authorization, issuance and sale from time to time of Sewer System Revenue Bonds of the Lexington-Fayette Urban County Government; providing for the payment of such sewer system obligations and the securing of such payment; and authorizing other matters related thereto.

An Ordinance of Lexington-Fayette Urban County Government (i) authorizing the issuance and sale of Sewer System Revenue Refunding Bonds, Series 2014A in an aggregate principal amount not to exceed \$32,000,000 for the purpose of currently refunding the Series 2009 Bonds, (ii) authorizing the issuance and sale of Sewer System Revenue Refunding Bonds, Series 2014B in an aggregate principal amount not to exceed \$13,000,000 for the purpose of advance refunding the Series 2010 Bonds, (iii) funding the reserve account, (if any), and (iv) paying the costs of issuance of the Series 2014 Bonds; approving forms of the Series 2014 Bonds; authorizing the execution of a Trust Agreement (to secure such Series 2014 Bonds); authorizing the preparation and distribution of a Preliminary and Final Official Statement; authorizing the execution of a Certificate of Award for the acceptance of the bid of the purchaser(s) for the purchase of the Series 2014 Bonds; authorizing the execution of an Escrow Agreement securing the refunded bonds; and authorizing the execution of additional documents, agreements and certificates necessary to effectuate the issuance of the Series 2014 Bonds.

An Ordinance adopting the pay grades, job codes, job classifications, job titles, and salary ranges recommended by Management Advisory Group, Inc. (MAG); rescinding Ordinance 197-2002 (pay equity) as recommended by MAG; deleting

Sections 21-4, 21-5, 21-25, 22-4, 22-5, and 22-22 of the Code of Ordinances; and directing the administration to implement the recommended salary adjustments, effective September 22, 2014, for Classified and Unclassified Civil Service Employees, if any.

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An Ordinance changing the zone from a Highway Service Business (B-3) zone with conditional zoning restrictions, to a Highway Service Business (B-3) zone with modified conditional zoning restrictions, for 9.92 net (13.62 gross) acres, for properties located at 950, 960, 961, 973 & 980 Midnight Pass; 3101 Wall St.; and 3052 & 3084 Beaumont Centre Cir. (Haymaker Development Co., LLC; Council District 10) was given first reading.

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

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

Aye: Mossotti, Myers, Scutchfield, Stinnett, Akers,
Clarke, Ellinger, Farmer, Ford, Gorton,
Henson, Kay-----12

Nay: -----0

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An Ordinance amending Sections 23-6(a)(6), 23-13(a), and 23-18(c) of the Code of Ordinances, relating to the minimum age requirements for Firefighter appointment, the preference points for county residence, and minimum and maximum age requirements for Firefighter candidates was given first reading.

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

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

Aye: Mossotti, Myers, Scutchfield, Stinnett, Akers,
Clarke, Ellinger, Farmer, Ford, Gorton,
Henson, Kay-----12

Nay: -----0

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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 an Expansion Area Residential-3/Transition Area (EAR-3/TA) zone to a Community Center (CC) zone, for 14.82 net (16.49 gross) acres, for property located at 2500 Polo Club Blvd. (a portion of) including a height variance (A & M Hamburg, LLC; Council District 12).

An Ordinance changing the zone from a Single Family Residential (R-1D) zone to a High Density Apartment (R-4) zone for 3.66 net (4.54 gross) acres, for property located at 3400 Todds Rd. (Andover Townhouse Partners, PLLC, c/o Doug Charles; Council District 7).

An Ordinance amending Article 23A of the Zoning Ordinance to allow a second building exceeding 50,000 square feet in size in the Community Center (CC) zone. (Urban County Planning Commission).

An Ordinance creating and establishing for bid a non-exclusive telecommunications (or related non-cable) franchise for the placement of facilities for the generation, transmission, distribution and sale of telecommunications or related non-cable services within the public rights-of-way of Fayette County for a twelve (12) month duration, with an additional extension of time not to exceed six (6) months if a long term franchise is not offered prior to expiration; and providing for compliance with other relevant laws, regulations, standards, and ordinances; definitions; work, materials and construction standards; wire moving and tree trimming; performance bonds; indemnification; insurance; access to property and inspections; notice of filings with the Public Service Commission; no vested rights; limited assignment; notice of foreclosure and bankruptcy; cancellation or termination; violations and penalties; permitting and inspection fees; additional permitting and other requirements for substantial new construction; and bid requirements; all effective on date of passage.

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. 16.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for funds in the amount of \$750 for the Div. of Environmental Policy from Neighborhood Development Funds for the Tree Planting Project on Eastway Dr., Schedule No. 19.

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

Aye: Mossotti, Myers, Scutchfield, Stinnett, Akers,
Clarke, Ellinger, Farmer, Ford, Gorton,
Henson, Kay-----12

Nay: -----0

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

A Resolution accepting the bid of Kerry Toyota, Inc., in the amount of \$177,160, for 2014 and 2015 Toyota Tacoma Trucks, for the Div. of Facilities and Fleet Management.

A Resolution accepting the bids of MCPC, Inc., and Blackhawk Enterprises, Inc., establishing price contracts for video equipment, for the Div. of Traffic Engineering.

A Resolution accepting the bid of Aquatic Renovations Systems, Inc., d/b/a RenoSys Corp., in the amount of \$150,200, for Installment/Replacement of Pool Liners for parks, for the Div. of Parks and Recreation.

A Resolution accepting the bids of J. Edinger & Son, Inc.; Central Indiana Truck Equipment, Corp.; and Municipal Equipment, Inc., establishing price contracts for Refuse Body Repairs, for the Div. of Facilities and Fleet Management.

A Resolution ratifying the Probationary Civil Service Appointments of: Daniel Estes, Public Service Supervisor, Grade 111N, \$19.724 hourly in the Div. of Streets and Roads, Christopher Cummins, Environmental Inspector, Grade 113N, \$21.182 hourly in the Div. of Water Quality, both effective September 22, 2014, James Duncan, Skilled Trades Worker Sr., Grade 112N, \$24.686 hourly in the Div. of Facilities and Fleet Management, effective September 8, 2014; ratifying the Permanent Civil Service Appointments of: Amanda Sweeney, Payroll Analyst, Grade 115E, \$1,853.44 biweekly in the Div. of Accounting, effective August 25, 2014, Mark Feibes, Municipal Engineer Sr., Grade 119E, \$3,047.76 biweekly in the Div. of Engineering, effective September 10, 2014, Larry Lewis, Environmental Initiatives Specialist, Grade 115E, \$1,822.88 biweekly in the Div. of Environmental Policy, effective August 22, 2014, and Sandra Jordan, Staff

Assistant Sr., Grade 108N, \$18.711 hourly in the Div. of Police, effective August 24, 2014; ratifying the demotion of David Fender, Public Service Supervisor, Grade 111E, \$1,586.32 biweekly in the Div. of Water Quality, effective August 25, 2014.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Amendment to the Lease Agreement with Ann Tower Gallery, LTD, for the lease of space at the Downtown Arts Center.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Agreement with the Fayette County Board of Education, for the Kiddie Kappers Program at Norsworthy Auditorium, at a cost not to exceed \$1,466.85.

A Resolution authorizing the Div. of Emergency Management/911, to accept a quote for outdoor warning sirens from Federal Signal and Security System, a sole source provider, at a cost not to exceed \$30,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Exchange of Information Agreement with the Dept. of Revenue, Finance and Administration Cabinet, for the Commonwealth of Ky., at no cost to the Urban County Government and further authorizing the Director of Revenue and other personnel to execute any documents related to the confidentiality of such information.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Energy and Environment Cabinet, 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 \$149,036.20 Commonwealth of Ky. funds, are for continuation of the Litter Abatement Program, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencumbered funds within the Grant budget.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Memorandum of Understanding with Fayette County Public Schools, for transportation services for the Family Care Center's students and their children for the 2014-2015 school year, at a cost not to exceed \$85,643.22.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Certificate of Consideration and to accept a Deed of Easement from Central Bank & Trust Co. for property located at 256 Southland Dr., for the installation of a traffic signal pole for the Southland Dr./Regency Rd. Traffic Signal Rebuild Project, and authorizing payment to Central Bank & Trust Co., in an amount not to exceed \$350.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Statement of Work Agreement (pursuant to Commonwealth of Ky. Master Agreement 758 1300000512 1), with SDGblue, LLC, for Phase 1 of the implementation of the new Lexington-Fayette Urban County Government Occupational Tax System, at cost not to exceed \$131,250.

A Resolution of the Lexington-Fayette Urban County Government authorizing the advertisement for bids and the distribution of a preliminary official statement for the purchase of the principal amount of its Sewer System Revenue Refunding Bonds, series 2014, in an amount not to exceed \$45,000,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Facility Usage Agreements with various youth baseball leagues, for field usage for youth baseball leagues.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Federal Equitable Sharing Agreement with the Dept. of Justice and the Dept. of the Treasury, for participation in the Equitable Sharing Program.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement awarding a Class B (Infrastructure) Incentive Grant for stormwater quality projects to Lexmark International, Inc., at a cost not to exceed \$350,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Kathy H. Witt, Sheriff of Fayette County, for the collection of the ad valorem Urban Service District taxes for the 2014 property tax year, at a cost not to exceed \$350,000, with payment net from collections.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute Change Order No. 1 to the Agreement with Free Contracting, Inc., for the

Ecton Park Sanitary Sewer Project, increasing the contract price by the sum of \$47,930 from \$689,507.50 to \$737,437.50.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Contract with the Fayette County Board of Education, for the Extended School Program (ESP) and Recreational Enrichment and Learning (REAL) Program, at a cost not to exceed \$203,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Group Sales Agreement with the Hilton Lexington/Downtown, for catering services for the Ky. Cyber Security Summit, at a cost not to exceed \$12,000.

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The following resolutions were given first reading. Upon motion of Mr. Farmer, seconded by Mr. Myers, the rules were suspended by a majority vote (Ms. Gorton was absent when the vote was taken).

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

Aye: Mossotti, Myers, Scutchfield, Stinnett, Akers,
Clarke, Ellinger, Farmer, Ford, Henson,
Kay-----11

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

A Resolution accepting the bid of Marrillia Design and Construction, in the amount of \$8,882,900, for the Construction of Replacement Senior Citizens Center, for the Dept. of General Services, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with Marrillia Design and Construction, related to the bid.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute an Agreement with JFG Enterprises, Inc., relating to the construction and dedication of sanitary sewerage facilities, for the purpose of providing sanitary sewer service to properties located within the boundaries of the Blue Sky Rural Activity Center.

A Resolution amending Section 2.103 of Appendix A, Rules and Procedures of the Lexington-Fayette Urban County Council, creating the following standing committees: Planning and Public Safety; Social Services, Community Development and General Government; Environmental Quality and Public Works; and Budget and

Finance and Economic Development; providing that the Budget and Finance and Economic Development Committee shall meet as the Committee of the Whole and shall be chaired by the Vice-Mayor or a designee; effective January 1, 2015.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit eleven (11) Grant Applications to the Ky. Transportation Cabinet and the Lexington Metropolitan Planning Organization and to provide any additional information requested in connection with these Grant Applications, which Grant funds are in the amount of \$8,794,868 Federal funds under the Transportation Alternatives Program, and are for the Brighton Trail Bridge (\$1,699,552), the West Loudon Ave. Sidewalk Project (\$498,400), the West Hickman Trail South (\$708,916), the Hope Center Trail (\$200,000), the Town Branch Commons Midland Section (\$3,200,000), the Richmond Rd. Intersection Pedestrian Improvements Project (\$184,000), the Winchester Rd./East 7th St./Liberty Rd. Intersection Improvements Project (\$224,000), the Chinoe Rd. Intersection Improvements Project (\$336,000), the Fayette County Elementary School Zone Enhancements Project (\$272,000), the West 4th St. Streetscape Improvements Project (\$1,040,000), and the Old Frankfort Pike Historic and Scenic Byway Viewing Areas and Turnouts Project (\$432,000).

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A Resolution accepting the bid of Prometheus Foundry, LLC d/b/a Prometheus Art, in the amount of \$57,040, for Gratz Park Sculpture Restoration, for the Div. of Parks and Recreation, and authorizing the Mayor, on behalf of the Urban County Government, to execute any necessary agreement with Prometheus Art, related to the bid was given first reading.

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

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

Aye: Mossotti, Myers, Scutchfield, Stinnett, Akers,
Clarke, Ellinger, Farmer, Ford, Henson,
Kay-----11

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

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A Resolution authorizing the Div. of Human Resources to make a conditional offer to the following Probationary Civil Service Appointments: Donnie Salmons, Telecommunicator, Grade 111N, \$21.164 hourly in the Div. of Emergency Management/911, Jennie Benningfield, Staff Assistant Sr., Grade 108N, \$14.468 hourly in the Div. of Building Inspection, and William Strong, Heavy Equipment Technician, Grade 113N, \$26.543 hourly in the Div. of Facilities and Fleet Management, all effective October 6, 2014, and Jerald Alford, Vehicle and Equipment Mechanic, Grade 110N, \$21.430 hourly in the Div. of Parks and Recreation, effective upon passage of Council; authorizing the Div. of Human Resources to make a conditional offer to the following Unclassified Civil Service Appointments: Penelope Ebel, Administrative Specialist Sr., Grade 112N, \$21.154 hourly in the Office of the Mayor, effective September 22, 2014, Virginia Hernandez, Clerk, Grade Z11, \$13.500 hourly in the Div. of Family Services, effective October 6, 2014, and Jacqueline Nomsule, Equipment Operator, Grade 108N, \$13.193 hourly in the Div. of Youth Services, effective upon passage of Council was given first reading.

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

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

Aye: Mossotti, Myers, Scutchfield, Stinnett, Akers,
 Clarke, Ellinger, Farmer, Ford, Henson,
 Kay-----11

Nay: -----0
 (Ms. Gorton 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 Agreements with Carnegie Center for Literacy and Learning (\$800) and Ky. Chinese American Association, Inc. (\$300), for the Office of the Urban County Council, at a cost not to exceed the sums stated was given first reading.

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

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

Aye: Mossotti, Myers, Scutchfield, Stinnett, Akers,
Clarke, Ellinger, Farmer, Ford, Henson,
Kay-----11

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

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A Resolution authorizing the Mayor, on behalf of the Lexington-Fayette Urban County Government, to execute two deeds, two easements, and any other documents necessary, to transfer a portion of the properties located at 1631 Old Frankfort Pike and 1900 Leestown Rd., and to grant temporary construction easement across the properties located at 1795 Old Frankfort Pike and 1138 Finney Dr., to the Ky. Transportation Cabinet for the project to widen New Circle Rd. was given first reading.

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

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

Aye: Mossotti, Myers, Scutchfield, Stinnett, Akers,
Clarke, Ellinger, Farmer, Ford, Henson,
Kay-----11

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

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The Mayor left the meeting at 6:55 P.M. and Mr. Ellinger assumed the position of meeting chairman.

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A Resolution authorizing the Div. of Water Quality, on behalf of the Urban County Government, to partner with Resource Institute, Inc., for the purpose of submitting water quality capital project oriented Grant Applications to the U.S. Dept. of Agriculture Resource Conservation Partnership Program was given first reading.

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

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

Aye: Mossotti, Myers, Scutchfield, Stinnett, Akers,
Clarke, Ellinger, Farmer, Ford, Henson,
Kay-----11

Nay: -----0
(Ms. Gorton 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 Agreements with Center for Entrepreneurship Services, Inc. (\$850), Athens-Chilesburg Elementary PTA (\$1,500), Radio Eye, Inc. (\$800) and Miss Ky. Scholarship Local Preliminary (\$325) 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 Mr. Myers, the rules were suspended by a majority vote (Ms. Gorton was absent when the vote was taken).

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

Aye: Mossotti, Myers, Scutchfield, Stinnett, Akers,
Clarke, Ellinger, Farmer, Ford, Henson,
Kay-----11

Nay: -----0
(Ms. Gorton 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 48-month Lease Agreement with Xerox, Corp. Ltd., for two printers, for the Div. of Computer Services, at a cost not to exceed \$13,692.60 (FY2015), with future fiscal years subject to sufficient funds being appropriated was given first reading.

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

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

Aye: Mossotti, Myers, Scutchfield, Stinnett, Akers,
Clarke, Ellinger, Farmer, Ford, Henson,
Kay-----11

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

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Upon motion of Mr. Clarke, seconded by Mr. Farmer, and approved by unanimous vote, a Resolution authorizing and directing the Mayor, on behalf of the Urban County

Government, to execute a Letter of Agreement with Norfolk Southern Railway Co., for construction of improvements at the railroad crossing on Southland Dr., for the Southland Dr. Bike Lane Project, at a cost not to exceed \$42,400 was placed on the docket and given first reading.

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

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

Aye: Mossotti, Myers, Scutchfield, Stinnett, Akers,
Clarke, Ellinger, Farmer, Ford, Henson,
Kay-----11

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

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A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #3 to provide garbage and refuse collection; finding a need for this service in the area included; and finding the ability of the Urban County Government to provide this service in this area, which area is defined as certain properties on the following streets: Bobwhite Trl., Feliciana Ln., Beacon St., Majestic Dr., Monarch St., Verandah Pl., and Wall St. was on the docket for first reading.

Upon motion of Ms. Scutchfield, seconded by Ms. Mossotti, and approved by unanimous vote, the resolution was amended to expand and extend Partial Urban Services District #3, to add certain properties on Tradition Circle to the area included.

A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #3 to provide garbage and refuse collection; finding a need for this service in the area included; and finding the ability of the Urban County Government to provide this service in this area, which area is defined as certain properties on the following streets: Bobwhite Trl., Feliciana Ln., Tradition Cir., Beacon St., Majestic Dr., Monarch St., Verandah Pl., and Wall St. was given first reading as amended and ordered placed on file two weeks for public inspection.

* * *

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

A Resolution accepting the bids of the Allen Company, Inc.; ASL Excavating, Inc.; L-M Asphalt Partners LTD dba ATS Construction; Bluegrass Contracting Corp.; Sensabaugh Design & Construction, LLC; Todd Johnson Contracting, Inc.; Tom Chesnut Excavation & Construction, LLC; Woodall Construction Co., Inc.; and ZKB Services, LLC, establishing 2014 Construction Unit Price Contracts, for the Div. of Engineering.

A Resolution accepting the bid of Crown Services, Inc., establishing a price contract for Temporary Labor for General Services - Facilities Management.

A Resolution ratifying the Probationary Civil Service Appointments of: Tyler Scott, Administrative Officer Sr., Grade 120E, \$2,320.72 biweekly in the Dept. of Finance, Theresa Maynard, Administrative Officer, Grade 118E, \$2,505.12 biweekly in the Dept. of Social Services, both effective October 6, 2014, ratifying the Permanent Civil Service Appointments of: Alex Hicks, Public Service Supervisor, Grade 111N, \$18.458 hourly and Randall Wilson, Public Service Worker Sr., Grade 107N, \$12.325 hourly, both in the Div. of Streets and Roads, effective August 24, 2014 and Demetria Mehlhorn, Program Manager Sr., Grade 120E, \$2,608.00 biweekly in the Div. of Environmental Policy, effective September 10, 2014; and ratifying the Unclassified Civil Service Appointments of: Araceli Castillo-Ramirez, Family Support Worker Sr., Grade 112N, \$16.150 hourly in the Div. of Family Services, effective September 15, 2014 and Leslie Adams, ESP Supervisor, Grade 114E, \$1,756.96 biweekly in the Div. of Parks and Recreation, effective September 22, 2014.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to donate to Ms. Sandra Skarky the Police Horse Panzer who is being retired due to injuries.

A Resolution accepting the proposal of Group CJ to RFP No. 26-2014 and establishing a price contract for Graphic Design Services for various departments and divisions of the Urban County Government.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement with the Fayette County Commonwealth Attorney's Office, for a "Fast Track" prosecutor for the Street Sales Drug Enforcement Project, at a cost not to exceed \$65,656.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to extend Multi-Year Agreements with VeBridge (Hyland Enterprise Content Management System), for OnBase maintenance for five (5) years beginning FY2015, for the Div. of Computer Services, at a cost not to exceed \$71,361.86 for Fiscal Year 2015.

A Resolution specifying the intention of the Urban County Council to expand and extend Partial Urban Services District #7 to provide garbage and refuse collection and street cleaning; finding a need for these services in the area included; and finding the ability of the Urban County Government to provide the services in this area, which area is defined as certain properties on the following streets: Somersly Pl., Deer Haven Ln., Meeting St., Russell Cave Rd., Newtown Pike, Our Tibbs Trl., Stolen Horse Trce., Wentworth Pl., Lochmere Loop, Lochmere Ct., Old Schoolhouse Ln., and Lochmere Pl.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Agreement for professional services with Pa. Coalition Against Rape, for on-site training to enhance coordinated community response to domestic violence, at a cost not to exceed \$1,000.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement, releasing sanitary sewer easements on properties located at 3401 Nicholasville Rd., 3555 Nicholasville Rd., and 3615 Nicholasville Rd.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Release of Easement, releasing storm sewer easements on properties located at 3401 Nicholasville Rd., 3555 Nicholasville Rd., and 3615 Nicholasville Rd.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Three-Year Lease Agreement with VAR Resources, Inc., to provide Apple MacBook Pro Laptops through CDW Government, Inc. (CDW-G) to the Coroner's Office, at a cost not to exceed \$4,420.36 (FY2015), with future fiscal years subject to sufficient funds being appropriated.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute and submit a Grant Application to the Ky. Justice Cabinet, 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 \$40,380 Federal funds, are for continuation of the Sexual Assault Nurse Examiner (SANE) Program, the acceptance of which obligates the Urban County Government for the expenditure of \$28,150 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 accept the proposals of, and execute Engineering Services Agreements with the following prequalified engineering firms: AFA Engineering, LLC; CMTA, Inc.; Shrout Tate Wilson Mechanical and Electrical Engineers; and Paladin, Inc., to provide Professional Services-HVAC, under RFP No. 34-2014, with future work awarded and funds budgeted on a project basis.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to execute an Addendum to the Memorandum of Understanding with the Lexington-Fayette County Health Dept. for Fats, Oil and Grease (FOG) Training Services, renewing the Memorandum for one (1) year at a cost not to exceed \$1,200.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to execute a Facility Usage Agreement with Lexington Center Corp., for use of the Lexington Opera House for Kiddie Kapers, at a cost not to exceed \$8,100.

A Resolution authorizing and directing the Mayor, on behalf of the Urban County Government, to accept a Grant from the U.S. Dept. of Justice, which Grant funds are in the amount of \$34,405 Federal funds under the State Criminal Alien Assistance Program (SCAAP), are for reimbursement of costs related to the incarceration of undocumented criminal aliens, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, and authorizing the Mayor to transfer unencum-bered funds within the Grant budget.

A Resolution approving the granting of an inducement to Funai Lexington Technology Corp., pursuant to the Ky. Business Investment Act (KRS Subchapter 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 Funai Lexington Technology Corp., 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 approving the granting of an inducement to Creative Lodgings Solutions, LLC, pursuant to the Ky. Business Investment Act (KRS Subchapter 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 Creative Lodgings Solutions, LLC, 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 accepting the response of URS Corp. to RFP No. 37-2014 Lexington Area Metropolitan Planning Organization Regional Intelligent Transportation System Architecture Study, and authorizing the Mayor, on behalf of the Urban County Government, to execute an Engineering Services Agreement with URS Corp. to provide services related to the RFP, at a cost estimated not to exceed \$77,250.

A Resolution authorizing the Mayor, on behalf of the Urban County Government, to accept a donation of 30 hardhats from Bullard, A Protective Equipment Company, for use at the groundbreaking of the new Senior Center, at no cost to the Urban County Government.

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Upon motion of Mr. Farmer, seconded by Mr. Kay, and passed by a majority vote (Ms. Gorton was absent when the vote was taken), the Communications from the Mayor were approved and are as follows: (1) Recommending the appointment of Mr. Roger Daman, to fill the unexpired term of Ms. Tracey Thurman as Designee, Commissioner of General Services, Non-voting, to the Corridors Commission with term to expire 8/1/2015; (2) Recommending the appointments of Mr. Patrick W. Singleton and Mr. Thomas Wong to the Explorium of Lexington Board of Directors with terms to expire 7/1/2018. The terms for Ms. Shaquisha Ray and Ms. Chante Perryman are expired; (3) Recommending the appointment of Ms. Alice Nelson to fill the unexpired term of Mr. Kenneth Tate as Fayette County Public Schools representative to the Parks and Recreation Advisory Board with term to expire 1/14/2015; (4) Recommending the appointment of Mr. Kip Cornett to fill the unexpired term of Mr. John Burkhard as At-

Large representative to the Picnic with the Pops Commission with term to expire 7/1/2016; and (5) Recommending the reappointment of Mr. Rocky A. Burke to the Senior Services Commission with term to expire 9/1/2018.

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The following Communication from the Mayor was received for information only:

(1) Reinstatement of Anthany Beatty Jr., Police Officer Trainee, Grade 311N, Div. of Police, effective January 5, 2015.

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Mr. Farmer stated Saturday, September 27, 2014, is Pirate Night on the Downtown Trolley. He also announced Ms. Mossotti's birthday and wished her a happy birthday.

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Mr. Myers thanked the Division of Planning, the Division of Parks and Recreation, EHI Consultants, the University of Ky., Commerce Lexington and the Collect for Technical Education for their work and support on the kickoff event for the small area plan for the 8th Council District.

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Ms. Henson thanked the retiring Police Horse Panzer for its service.

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Ms. Scutchfield stated she and Mr. Stinnett attended the grand opening for the Home Builder's Association Building Institute. She spoke about the classes offered at the Institute and what an asset it will be in the community.

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Ms. Mossotti asked questions of Mr. Clay Mason, Commissioner of the Dept. of Public Safety, about the firefighter who had recently been dismissed because of an arrest. She asked about the background check system. Mr. Mason responded.

Ms. Akers and Mr. Stinnett asked additional questions of Mr. Mason. Mr. Mason responded.

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Ms. Akers stated she would host an organizational meeting for the Meadowthorpe Business Association on Thursday, October 2, 2014 from 6:00 P.M. to 8:00 P.M.

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Mr. John Hoagland, Williamsburg Road, spoke about sidewalk seating at downtown bars and restaurant, vis á vis safety issues for patrons and pedestrians. Mr.

Ellinger responded to his concerns, and suggested Mr. Mason and Mr. Derek Paulsen, Commissioner of the Dept. of Planning, Preservation and Development, speak with him.

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Mr. Bernard McCarthy, Harry Street, spoke about traffic congestion in the city, and also commented on the proposed MPO/Traffic projects on the docket. Mr. Farmer spoke about the project on Chinoe Road included on that list.

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Upon motion of Mr. Stinnett, seconded by Mr. Myers, and approved by a majority vote (Ms. Gorton was absent when the vote was taken), the meeting adjourned at 7:30 P.M.

Clerk of the Urban County Council